

GENERAL INFORMATION ABOUT THE CONTENTS OF THIS FILE

Submissions by the public in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3, are distributed to the Commission and uploaded online. Please note that “compliance” means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. Please review the Commission ROPs to ensure that you meet the submission requirements. The ROPs can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

All compliant submissions may be accessed as follows:

- **“Initial Submissions”**: Compliant submissions received no later than by end of day Monday of the week prior to the meeting, which are not integrated by reference or exhibit in the Staff Report, will be appended at the end of the Staff Report. The Staff Report is linked to the case number on the specific meeting agenda.
- **“Secondary Submissions”**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting are contained in this file and bookmarked by the case number.
- **“Day of Hearing Submissions”**: Submissions after the Secondary Submission deadline up to and including the day of the Commission meeting will be uploaded to this file within two business days after the Commission meeting.

Material which does not comply with the submission rules is not distributed to the Commission.

ENABLE BOOKMARS ONLINE:

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If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.


INITIAL SUBMISSIONS

The following submissions by the public are in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3a. Please note that “compliance” means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. The Commission’s ROPs can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

The following submissions are not integrated or addressed in the Staff Report but have been distributed to the Commission.

Material which does not comply with the submission rules is not distributed to the Commission.

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June 1, 2020

Dear James,

The following letter concerns the project at 1141-1145 S. Crenshaw Blvd., **CPC-2020-516-DB-PSH-SIP**, known as Solaris or the Project formerly known as Solaris. At an unconfirmed time sometime before February 2020, Lot 40/39 =1145 S. Crenshaw Blvd. had its zoning modified from a C2 to an R3 Zone, utilizing ordinance 165,331 Subarea 9670, which does not apply to the property.(**EXHIBIT 1**) On July 10, 2019, Domas paid over \$16000 (**EXHIBIT 2**) for the application for Transit Oriented Communities designation DIR-2019-4049-TOC (TOC) (**EXHIBIT 3**), and for a full Environmental Assessment ENV-2019-4050-EAF (EAF) -Initial Study to ND/MND. The TOC declared that “analysis of the proposed project determined that it is Categorically Exempt from environmental review”. (pg. 11) (**EXHIBIT 4**)

Although I reviewed the old file related to the previous project, I am yet to see the files related to the new SIP (Streamlined Infill Project). Should the files not be available for viewing, the meeting may need to be postponed.

Nonetheless, because the location of the project is in an AO Flood Zone, it does not satisfy the requirements necessary for streamlined ministerial approval or exemption as defined in Gov. 65913.4 (**EXHIBIT 17**) or PRC 21159.21 (**EXHIBIT 18**).

In the Notice of Public Hearing, the requested actions related to CPC-2020-516-DB-PSH-SIP include:

- Determine that the Supportive Housing project is Statutorily Exempt from the California Environmental Quality Act (CEQA) as a ministerial project.
- Determine that the project satisfies all the requirements and objective planning standards...and is therefore subject to the streamlined, ministerial approval process provided by government Code Section 65653.

- Allow for a ministerial review of a Density Bonus, including a 65% increase in density over that permitted, and a height increase of up to an additional 20 feet for a maximum of 65 feet and a waiver in setbacks, open space, and the ability to waive transitional height requirements for the space located in the R1 zone.

The TOC for 1141-1145 S Crenshaw claimed the project had been analyzed and determined to be Categorically Exempt from environmental review pursuant to Article 19, Section 15332 (Class 32) of the CEQA Guidelines, even though it is in an AO Flood Zone, which does not qualify for exemption.

According to the City's Flood Plan # 172081 (**EXHIBIT 4B**) it is citywide policy that:

Nonessential public utilities, public or quasi-public facilities **not be located in special hazard areas**. When public utilities, public or quasi-public facilities must be located in hazard areas, assure that they are constructed to minimize or eliminate flood hazards. (Pg. 13) (**EXHIBIT 5**)

A housing project with services that is privately owned and publicly funded is a quasi-public project, and should not be located in the Special Hazard Area, which this project is attempting to do.

The AO Flood Plain is categorized as a Special Hazard Zone; development in the flood plain falls under Title 44 of the Federal Flood Code and the City's *Specific Plan for the Management of Flood Hazards* Ordinance #172081. The plan applies to all public and private development in the City's Flood Zone.

Ordinance #172081:

to the extent permitted by law, all public and private development shall be subject to these regulations and construction may not commence without compliance with the provisions and intent of this Plan and permits from those governmental agencies from which approval is required by Federal and State law. (pg. 16) (**EXHIBIT 6**)

For projects found to be located in a special hazard area the following finding shall be made: "that the project conforms with both the specific provisions and the intent of the Floodplain Management Specific Plan." (pg. 16) (**EXHIBIT 6**)

HAS THIS FINDING BEEN MADE ALREADY, OR WILL THE PLANNING COMMISSION DETERMINE THAT THE PROJECT CONFORMS TO THE FLOOD PLAN WHEN IT ATTEMPTS TO TRY AND EXEMPT THE PROJECT FROM CEQA?

Nori reconfirmed on October 23, 2019 that the project is subject to the regulatory compliance measures, including the City's Specific Plan for the Management of Flood Hazards Ordinance No. 172081, to avoid or reduce impacts.

The City's Flood Plan provides for the establishment, management, and regulatory control of construction in the flood zone and must meet or exceed criteria established in accordance with Federal Title 44 for the management of flood plain regulations.

The Problem is that the Los Angeles Dept. of City Planning has been found to provide fraudulent information to the State of California in order to assist developers in sidestepping the requirements of CEQA.

THIS IS THE THIRD PROJECT I HAVE FOUND WHERE THE DEPT. OF CITY PLANNING FALSELY CLAIMED ON THAT THE SUBJECT PROPERTY IS QUALIFIED FOR A CLASS 32 CATEGORICAL EXEMPTION, AND LIKE SOLARIS WERE DECLARED NOT TO BE IN A FLOOD ZONE, and includes:

- C3 Luxury Subdivision (VTT-73424) (MND) – **(EXHIBIT 7)**
- Condo Project Murray Mansions (VTT-82630-CN) 121 S. West Blvd. 90019 (NE) **(EXHIBIT 8)**

The City accepted payment for a TOC and EAF for 1141-1145 S Crenshaw in July 2019, (six months after Monique Hastings attested to her CP 7771.1 application's authenticity). The transaction shows that the City considered the project as discretionary. Thus, the project is subject to the requirements of CEQA and 14 CCR 15268 which states;

WHERE THE PROJECT INVOLVES AN APPROVAL THAT CONTAINS ELEMENTS OF BOTH A MINISTERIAL ACTION AND A DISCRETIONARY

**ACTION, THE PROJECT WILL BE DEEMED TO BE DISCRETIONARY AND
WILL BE SUBJECT TO THE REQUIREMENTS OF CEQA. (EXHIBIT 9)**

How can the project be considered for ministerial approval and exemption when Solaris would be the second out of scale permanent supportive housing development project placed next to/near S. Victoria Ave. which would permanently double as a residential parking lot for hundreds of additional residents and customers, while the mansions in Victoria Circle (on the same side of the street as Amani Apts.), has its mansions protected by a city installed steel fence.

In essence, the City Planning Commission is being asked to grant the project, and its representative Monique Hastings, a free pass to resubmit the project as a streamlined infill project and categorize it as qualified for a CEQA statutory exemption.

No one in Domas Development LLC and 1141 S Crenshaw LP, or the city employees involved in this project are held responsible for the fraudulent TOC land use entitlement request which claimed that the project was eligible for a CEQA exemption. Further the TOC stated the project is “comprised of lots FR 40 and 72 in the N.C. Kelley’s Montview Tract”,

Just for correction, FR 40 is in the Oxford Sq. Tract, and Lot 39, is the R1 zone the back. Lot 39 can’t be used to determine the development’s open space requirements because most likely whatever change occurred before February 2020 to the zoning most likely did not conform to city policy.

After August 23, 2019, lot 40 was questionably modified, and had its zoning changed from CR to R3, utilizing Ordinance 165331 (Subarea 9670) which does NOT apply to the project.



On May 19, 2020 Hagu wrote

“Upon completing our research...we determined that the correct zone is R3 based on Ordinance No. 165331 Subarea 9670 and not CR. Zimas was corrected to reflect the R3 zone and **as such the applicant is in the process of withdrawing their previous case number** (DIR 2019 4049 TOC/env-2019-4050-eaf). The applicants reapplied under case no CPC 2020 516 DB PSH SIP which has a different entitlement path effectively the same project with regards to design, layout, and unit count.” (EXHIBIT 9B)

SINCE THE ZONING WAS MODIFIED USING A FAKE JUSTIFICATION, THIS PROJECT SHOULD NEVER HAVE BEEN WITHDRAWN AND RESUBMITTED TO THE COMMISSION FOR HEARING.

It is unclear how the R1 zone can be used to justify the OPEN space requirement for a project in a CR/Fake R3 and C2 zones, or what channels the City used to rezone Lot 40/39.

Based on the questionable changes to the R3 Zoning, the TOC should **not** have been withdrawn. **Because the city accepted payment in July 2019, it is not all of a sudden legally afforded a different “entitlement path” to obtaining a building permit when it purposely lied to evade the flood code with the assistance of public employees whose Dept. accepted payment for land use studies. Accepting payment shows that the city determined the project to be a discretionary prior to finding a “discrepancy”, and thus is subject to CEQA/14 CCR 15268).**

Ms. Hastings attests on 1/25/19:

- i. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in the application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.” (EXHIBIT 10)

Instead of being held responsible, Ms. Hastings withdrew and resubmitted the project in 2020 as a Streamline Infill Project, with the lot conveniently changed from a CR to a R3

on an undetermined date between August 23, 2020 and February 2020. On May 26, 2020 James stated that “Once the zoning discrepancy was discovered [date unknown], the applicant requested that initial project application be withdrawn. The applicant then reapplied for the project in 2020.” (**EXHIBIT 11**)

On May 28, Mr. Harris claimed:

There was no change in zoning for this site, only a correction to the ZIMAS database to reflect the zoning pursuant to Ordinance 165,331 and as shown in the Wilshire Community Plan. In 2019 the applicant applied for a Transit Oriented Communities project. When the discrepancy between the Wilshire Community Plan and ZIMAS was discovered, the applicant requested the project be withdrawn. The applicant then reapplied for a project under the zoning as shown in the Wilshire Community Plan. (**EXHIBIT 11.B**)

Would it be prudent to grant the project a ministerial exemption, when CEQA exempt Amani PSH is approximately a block’s distance away, and Solaris would be built by anonymous individuals, little if any oversight, and use a zoning change whose switch most likely wasn’t conducted according to law by a City Planning Dept. that can’t be trusted.

The public housing projects would come with 55 years of subsidized rents and no parking for approximately 100 units. Who will accommodate the parking needs of hundreds of residents, friends, persons seeking services, and customers when the only available parking available in a neighborhood of single-family homes in an HPOZ ZONE on Victoria Ave. and Windsor Blvd – which will cue a parking problem that will spread to other communities.

What process determines who gets 55 years of subsidized rent, is it a lottery? Friends of friends of friends of the councilman? The City assists anonymous private developers, using laws drafted in their favor to allow for disease density, publicly paid pre-covid construction, no environmental review, and a lifetime of subsidized rent for units that are expected to each cost \$550-575,000 to construct using 2018 numbers, with the cost passed on to taxpayers.

Attempting to permit pre-covid density apartment complexes using the destitute to justify a blank check to anonymous individuals is creating long term consequences and a lifetime of liability to the LA taxpayer and city property owners who are responsible for funding subsidized rent for inflated rent given to private landlords of buildings which are specifically constructed for that purpose.

Wouldn't it simply make more sense to retrofit abandoned commercial buildings in the C2 and CR zones that currently sit empty and make them into new housing. Wouldn't it be more humane to have caps on what can be charged for rent so people don't have to make a choice whether to eat or have a roof over their head?

When I asked about the current estimated cost of each unit of housing James stated on May 26, 2019, "The cost per unit is information that is not collected in order to process an applicant's project application".

I came across a statement in my research where the city claims it is more expensive to retrofit already constructed spaces for housing than to build new housing. With downtown landlords not required to supply vacancy listings, how much of the city's total amount of empty rentals and commercial space is identified? What then justifies a cost of \$550-570,000 price tag per new unit construction (**EXHIBIT 12, EXHIBIT 13**) paid to anonymous sources/campaign donors, when it is unclear if PSH properties are subject to audit and itemization to make sure taxpayers' trust is not abused.

Granting CEQA Statutory exemptions, ministerial reviews, density bonuses, etc., is essentially asking for a waiver from Federal Title 44 guidelines and the City's Flood Plan Ordinance #172081, which states:

THE WAIVER [TO THE PLAN] WILL NOT RESULT in an increase flood height; ADDITIONAL THREATS TO PUBLIC SAFETY; CREATE EXTRAORDINARY PUBLIC OR PRIVATE EXPENSE; CREATE NUISANCES; CAUSE FRAUD OR VICTIMIZATION OF THE PUBLIC; or conflict with the Los Angeles Municipal Code. (#172081, Pg. 31) (emphasis added) (EXHIBIT 14)

Why then is the City attempting to push a second PSH Housing development that will victimize the public whose tax dollars are given to anonymous entities whose current debt load is unknown.

Has the city engineer/applicable city department assured that the building is constructed to minimize or eliminate flood hazards, before attempting to qualify it as a ministerial project subject to CEQA exemption?

With the Dept. of City Planning claiming that at least three projects were not in the flood zone, why would ministerial approval be given to a developer who lied in their previous TOC application, then is attempting to get the project developed for the same development site, when the developer is not financially responsible should it fail.

DOMAS DEVELOPMENT IS THE LARGEST DEVELOPER OF PUBLIC HOUSING IN THE STATE, WHY AREN'T THEY HELD RESPONSIBLE FOR THE FRAUDULENT TOC THAT CLAIMED THEY QUALIFIED FOR A CEQA 32 EXEMPTION, WHEN THE PROPERTY IS IN AN AO FLOOD ZONE? WHY WOULD THE PEOPLE WANT THEIR TAX DOLLARS GOING TO UNKNOWN PERSONS WHOSE DEVELOPMENT COMPANY LIED IN AN ATTEMPT TO GET A CEQA EXEMPTION?

Solaris/1141-1145 S. Crenshaw and the Condo Murray Mansions project, were given “public support” by the local Olympic Park Neighborhood Council (OPNC). In September 2019, the OPNC took the unusual/illegal step to lock out homeowners from attending their meeting, aborting the meeting 3.5 hours prematurely in order to prevent complaints about Domas Solaris and other projects in the area, then the following month voted themselves as qualified to grant support to private developments.

The City Attorney so far has ignored Brown Act complaints as well as other issues brought to their attention regarding corruption. (**EXHIBIT 14B**) This may be because to recognize the complaints would mean that the Olympic Park Neighborhood Council could not function as a fake source of public support for local and internationally anonymous private developers whose money and connection to power allows them to create laws that financially burden the people of this city in order to find a support for unnecessary and aesthetically ugly PSH construction projects, whose true purpose is to serve the private developer as a cash cow provided courtesy of the LA taxpayer/property owner.

Putting in TWO out of scale projects with no parking next to a defenseless neighborhood of single-family homes shows the possible nature of the project, to make the neighborhoods unlivable, dangerous and eventually subject to developmental exploitation/eminent domain opportunities. Neighborhood Councils are noted to be stacked with members whose connections to private developer LLCs and LP's are yet to be substantiated, and thus the determination as to the objectiveness of their vote remains in question.

According to Title 44 Section 60.3 (4), requires the city to:

Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding.... **(EXHIBIT 15)**

Is streamlined ministerial approval, review, and waivers consistent with federal policy Title 44 Section 60.3?

The Public Hearing Notice sent to Victoria Ave. states the zoning for 1145 S. Crenshaw consists of R3-1-O.

Prior to August 23, the lot had been a CR Zone as noted in the TOC. According to Nuri, Hagu, and James, the location was improperly zoned and should have been listed as R3.

In early August 2019, I cc'd Nuri on an email to the local OPNC regarding 1141-1145 S Crenshaw Blvd. On August 23, 2019, Nuri Cho issued the *STATUS OF PROJECT REVIEW: APPLICATION INCOMPLETE AND CASE PROCESSING ON HOLD* letter to the project's applicant Monique Hastings stating:

Per the Wilshire map of Ordinance 165,331 for Subarea 9670, the correct zone of the portion of the property at 1145 s. Crenshaw Blvd. (Lots 39 Arb 2 and FR 40 Arb 2, Oxford Square Tract – APN 5082026013) that is designated for Medium Residential land uses is R3-1-O, not CR-1-O. Please update all application documents and plans to reflect the R3-1-O zone. **(EXHIBIT 16)**

According to the 1990 ordinance 165,331 (Pg. 158) Subarea 9670 the following lots can be changed from a CR to an R3 designation:

“Lots 4-21, 23-26 and Frac. Lots 22 and 27 Benton Terrace Tract; all as shown on Cadastral Maps 129-b-185 and 129-B-189.” **(EXHIBIT 1)**

The problem is that 9670 does not apply to 1145 S. Crenshaw, 39/40 Lot in the Oxford Square tract, but to property two doors down, and thus does not qualify as a discrepancy, which forms the basis for the withdraw and resubmittal.

Allowing a CEQA exemption based on a made-up technicality is meant to sidestep the process of proper assessment and provides a cover for the project's withdraw and resubmission as a ministerial review project. Because the current R3 zone is illegitimate/fraudulent, the project's previous TOC and EAF was not subject to withdraw or a current repackaging as a ministerial project.

According to the City's Flood Plan –

B. Planning Development Permits Applications and procedures for zone changes, variances....environmental clearances, or any other permit procedure pertinent to this Plan shall contain additional information on the application forms sufficient to determine the existence and extent of flood-related hazards, and to provided sufficient data to enable thorough and complete review of the development as it relates to this plan. (Pg. 16) (EXHIBIT 6)

On May 19, 2020 Hagu stated: "...Zimas was corrected to reflect the R3 zone and as such the applicant is in the process of withdrawing their previous case number (DIR 2019 4049 TOC/env-2019-4050-eaf). The applicants reapplied under case no CPC 2020 516 DB PSH SIP which has a different entitlement path effectively the same project with regards to design, layout, and unit count."

Procedures for changing the zoning in a special hazard area include supplying sufficient data to enable a thorough and complete review of the development as it is subject to the City's Flood Plan. It is questionable whether proper procedures were observed in changing the CR zoning to R3 when the property is located in an AO Flood Zone.

Additionally, the necessity to rezone CR is doubtful when it already **allows for R4 and R3 uses. This allowance** was utilized in the original TOC plan, stating the project planned to use "yard reductions per RAS3" (pg. 2)

What is the need to withdraw the project approximately two months after the developer had paid for a TOC and EAF? Could it be that the project was withdrawn because Solaris is in a Flood Zone and does not qualify as an infill site, contrary to what the produced TOC Land Use Entitlement Request stated.

Would placing the project across two zones, Fake R3/C2 mean that it can be considered for a ministerial exemption, review, and approval?

On September 11, 2019 Nuri stated, "The case is currently on hold as the applicant will be updating application documents and plans to reflect the correct zoning requirements" (**EXHIBIT 16B**). ...he later added, "the case was placed on hold on August 23rd. On September 18, 2019, he stated "[domus development] needs to redesign the project to conform to the R3-1-O Zone requirements." (**EXHIBIT 16C**).

Problems with the R3 Zone designation.

When I came to City Planning to look at the casefiles in September 2019, I found no mention that the location was in an AO flood zone. (I also believe the original plans I saw included several three-bedroom apartments.) How could a project get the blessing of over nine million dollars in Prop HHH funds (and millions more in other taxpayer funded loans) when the City's Flood Plan states that **NON-ESSENTIAL PUBLIC UTILITIES, PUBLIC OR QUASI-PUBLIC FACILITIES NOT BE LOCATED IN SPECIAL HAZARD AREAS. (#172081, PG. 13) (EXHIBIT 5)**

Could it be that changing the zoning and claiming a fake Zoning discrepancy is the most convenient way to withdraw the previously paid for TOC and DIR cases, which might show that the Dept. of City Planning did not follow proper protocols related to managing development on the flood plain.

On November 14, 2019 Hagu wrote:

I want to clarify for you that the City **did not change the zoning to R3 in August.** Once a conclusion has been made on the zoning, I'll be sure to let you know. At this point, the case is still on hold" (emphasis added) **(EXHIBIT 16D)**

The next I heard from Hagu regarding this project was in May 2020.

Government code 822.2 states:

A public employee acting in the scope of his employment is not liable for an injury caused by his misrepresentation, whether or not misrepresentation be negligent or intentional, unless he is guilty of ***actual fraud, corruption, or actual malice.*** (emphasis added)

GOVERNMENT CODE— GOV -TITLE 7. PLANNING AND LAND USE CHAPTER 4.2. Housing Development Approvals 65913.4 states:

(a) A development proponent may submit an application for a development that is subject to the streamlined, ministerial approval process provided by subdivision (b) and is not subject to a conditional use permit if the development satisfies all of the following objective planning standards:

B. A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.

6) The development is not located on a site that is any of the following:

(G) Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulation. (**EXHIBIT 17**)

1141-1145 S Crenshaw is in an AO Flood Plain/Special Hazard zone, and therefore does NOT QUALIFY for streamline ministerial approval according to 65913.4.

AB 2162 (Gov. Code 65651) authorizes supportive housing as “by right”/ministerial in zones where multifamily and mixed uses are permitted. A project is qualified for ministerial approval under CEQA it can meet certain criteria:

(b) (1) The local government may require a supportive housing development subject to this article to comply with written, objective development standards and policies. However, the local government shall only require the development to comply with the objective development standards and policies that apply to other multifamily development within the same zone.

(b) (2) The local government’s review of a supportive housing development to determine whether the development complies with objective development standards, including objective design review standards, pursuant to this subdivision shall be conducted consistent with the requirements of subdivision (f) of Section 65589.5, and shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. (**EXHIBIT 18**)

Because of the sensitivity of the environment as an AO flood zone it requires that the site plans be reviewed for compliance with the flood code prior to waiver or exemption being given, and thus is not subject to use "by right".

**According to PUBLIC RESOURCES CODE CHAPTER 4.5. Streamlined
Environmental Review ARTICLE 6. Special Review of Housing Projects**

PRC 21159.21.

A housing project qualifies for an exemption from this division pursuant to Section 21159.22, 21159.23, or 21159.24 if it meets the criteria in the applicable section and all of the following criteria:

- (a) The project is consistent with any applicable general plan, specific plan, and local coastal program, including any mitigation measures required by a plan or program,
- (h) The project site is not subject to any of the following:
 - (5) Landslide hazard, **flood plain**, flood way, or restriction zone, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.

Because 1145 S. Crenshaw is in an AO Flood Plain, it is not subject to for exemption or streamlined environmental review.

The problems of Solaris and other construction in the AO Flood Zone shows that City Planners are willing to use their positions to participate in what may be large scale massive fraud by city employees on behalf of anonymous developers. The City of Los Angeles suffers from serious traffic congestion, crime, threat of earthquakes, decay, and lack of water and cannot support unending unregulated development, with the costs passed on to the working people and property owners of the community, who shouldn't be surprised that PSH housing ends up costing more when the loans awarded to anonymous limited liability companies fail to be paid back.

Sincerely,

Virginia Jauregui

9655	C4-2-O	HD 1	Lots 1, 2 and Frac. Lot 3, Blk. 18, Boulevard Heights Tract; all as shown on Cadastral Map 129-B-189.
9660	C2-2-O C4-2-O	HD 1 HD 1	Lots 54-56, Benton Terrace Tract; all as shown on Cadastral Map 129-B-189.
9665	C4-2-O	HD 1	Frac. Lots 1-3, Benton Terrace Tract; all as shown on Cadastral Map 129-B-185.
9670	CR-1-O	R3-1-O	Lots 4-21, 23-26 and Frac. Lots 22 and 27, Benton Terrace Tract; all as shown on Cadastral Maps 129-B-185 and 129-B-189.
9672	R3-1-O	RD1.5-1-O	Lots 5-9, Tract 13221; and, Lots 7-24, Tract 4626; all as shown on Cadastral Map 129-B-185.
9675	R3-1-O	RD1.5-1-O	Lots 1-4, Tract 13221; and, Lots 25-40, and Frac. Lots 1-3, Tract 4226; all as shown on Cadastral Map 129-B-185.
9677	R2-1-O	R1-1-O	Lot 32, Tract 2293; all as shown on Cadastral Map 129-B-185.

158

165331

ORDINANCE NO.

165331

An ordinance amending Section 12.04 of the Los Angeles Municipal Code
by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby
amended by changing the zones and zone boundaries shown upon portions of
the zone map attached thereto and made a part of Article 2, Chapter 1, of the
Los Angeles Municipal Code, so that such portions of the zoning map shall set
forth the zones and height districts as they are set forth on the map entitled
"Wilshire" and the Table for Section 1 attached hereto and incorporated herein
by this reference.

Section 2. The intent of this Ordinance is to change the zones and
height districts of property as part of the City's General Plan/Zoning
Consistency Program, pursuant to California Government Code Section
65860(d). Because of the numerous parcels affected by this program in the
Wilshire District Plan area, the City Council has approved this form of
ordinance which utilizes subarea designations, tables, diagrams, and a map to
establish the location of the affected properties and to make the necessary
changes.

1 Each subarea listed in the attached Table for Section 1 is shown on the
2 attached map entitled "Wilshire". The Table for Section 1 also sets forth a
3 description of the subarea under the column "Subarea Location" to assist in
4 the location of the boundaries of the area being rezoned. References in this
5 ordinance to "District" or "Cadastral" maps are to such maps maintained on file
6 by Department of Building and Safety, and more specifically described in the
7 legend on the attached Wilshire map.
8

9 References in the Table for Section 1 under the column "Previous Zone
10 and Height District" are to the zoning classification and height district
11 classification applicable to the property prior to the adoption of this ordinance.
12 Such references are for informational purposes only, to assist in the location
13 of the boundaries of the area being rezoned.
14

15 In the Table for Section 1, the column "New Zone and/or Height District"
16 sets forth the change of zone or height district effectuated by this ordinance.
17

18 In those instances where this ordinance effectuates only a change of
19 height district for a subarea, or a portion thereof, then only the new height
20 district classification has been set forth. The new height district classification
21 is preceded by the symbol "HD". In these cases, no change in the zoning
22 classification of the subarea, or portion thereof, has been made. If this
23 ordinance effectuates a height district change for a subarea, or portion
24 thereof, and if such a subarea, or portion thereof, is already subject to
25 existing "Q" conditions limiting the height or floor area, then as between the
26 requirements of the new height district classification and the existing "Q"
27 conditions, the more restrictive limitation shall control.
28

Office: Downtown
Applicant Copy
 Application Invoice No: 57282

City of Los Angeles
 Department of City Planning



LA Department of Building and Safety
 LA GEOR 103158350 7/10/2019 3:11:43 PM

PLAN & LAND USE \$15,667
 DEV SERV CENTER SURCH-PLANNING \$391

City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord your application, regardless of whether or not you obtain the services

This filing fee is required by Chapter 1, Article 9, I

Sub Total: \$16,058.

Receipt #: 0103063817

Applicant: DOMUS DEVELOPMENT, LLC - HASTINGS, MONIQUE (B:213-2321186)
 Representative: QES, INC. - LIEBERMAN, ERIC (B:818-9978033)
 Project Address: 1141 -1145 S CRENSHAW BLVD, 90019

NOTES:

DIR-2019-4049-TOC			
Item	Fee	%	Charged Fee
Application for Transit Oriented Communities *	\$7,282.00	100%	\$7,282.00
Case Total			\$7,282.00
ENV-2019-4050-EAF			
Item	Fee	%	Charged Fee
EAF-Initial Study to ND/MND *	\$5,774.00	100%	\$5,774.00
Case Total			\$5,774.00

Item	Charged Fee
*Fees Subject to Surcharges	\$13,056.00
Fees Not Subject to Surcharges	\$0.00
Plan & Land Use Fees Total	\$13,056.00
Expediting Fee	\$0.00
Development Services Center Surcharge (3%)	\$391.68
City Planning Systems Development Surcharge (6%)	\$783.36
Operating Surcharge (7%)	\$913.92
General Plan Maintenance Surcharge (7%)	\$913.92
Grand Total	\$16,058.88
Total Invoice	\$16,058.88
Total Overpayment Amount	\$0.00
Total Paid (this amount must equal the sum of all checks)	\$16,058.88

Council District: 10
 Plan Area: Wilshire
 Processed by KIM, STEVE on 07/10/2019

Signature: _____

Solaris Apartments

An Affordable Housing Development for Extremely Low Income
and special needs occupants pursuant to LAMC Section 12.22A31,
LAMC Section 12.12.2 and LAMC Section 12.14

Transit Oriented Communities

Tier 4

Base and Additional Incentives:

Yards per RAS3

Transitional Height

Open Space

Applicant

Domus Development, LLC
3424 Wilshire Blvd
Los Angeles, CA 90010
213-232-1186

Representative

QES Inc.
Eric Lieberman
14549 Archwood Street, Suite 308
Van Nuys, CA 91405
818-997-8033

DIR 2019-4049

LAND USE ENTITLEMENT REQUEST

For the construction of a 43-unit 100% affordable special needs housing within a 5-story residential with grade level parking garage providing 8 parking spaces, in a 56,240 square foot building 52'-3 1/2" in height. This project utilizes Transit Oriented Community Guidelines per LAMC Sec. 12.22 A.31 base and Tier-4 additional incentives: 1) Transitional Height per TOC Guidelines; 2) Yard reductions per RAS3; 3) Open Space Reduction: 25% reduction to allow 3,550 SF in lieu of 4,725 SF.

- Pursuant to LAMC Section 12.22.A.31. **Transit Oriented Communities Affordable Housing Incentives Program**
 - **TIER 4 - < ~1,220.52 feet from the intersection of Rapid Line 710, and Rapid Line 728.**
 - **Base Incentives**
 - **80% Residential Density Increase**
 - Lot Area = 15,545.3 sq. ft.
 - Base Density = $15,545.3 / 400 = 39$ (38.78 Rounded up)
 - $39 \text{ units} \times 1.80 = 71$ (70.2 Rounded up)
 - 11% Extremely Low Income set aside = 5 units ($43 \times 0.11 = 4.73$)
 - **Tier 4 Floor Area Ratio 4.25:1 in Commercial Zone**
 - FAR per LAMC = 1.5:1
 $13,675 \text{ (buildable area)} \times 1.5 = 20,512.5 \text{ sq ft.}$
 - Allowable FAR per TOC = 4.25:1
 $13,675 \text{ (buildable area)} \times 4.25 = 58,118.75 \text{ sq ft.}$
 - Proposed FAR = 4.11:1
 $13,675 \text{ (buildable area)} \times 4.11 = 56,240 \text{ sq ft}$
 - **Tier 4 Parking – No Residential parking requirements for 100% Affordable Housing**
 - $43 \text{ units} \times 0 = 0$ parking spaces required
 - Total Residential Parking required = 0 required
 - Total Residential Parking Provided = 8 parking spaces

Bicycle Parking per residential parking per LAMC 12.21 A.16(a)(l)(i) and LAMC 12.21 A.16(a)(3)

Required:

- Long-Term Stalls Required = 37
- Short-Term Stalls Required = 5

- Total Bicycle Parking Stalls Required = 42

Provided:

- Long-Term Stalls Provided = 37
- Short-Term Stalls Provided = 5
- Total Bicycle Parking Stalls Provided = 42
- **Additional Incentives**
 - **Yard reductions per RAS3** – Commercial Zone – May utilize any/all RAS3 Zone Yard requirements
 - CR Zone:
Front Yard = 5 feet
Side Yard = 5 feet
 - C2 Zone:
Side Yard = 5 feet
 - **Transitional Height per TOC Guidelines**
 - **Open Space Reduction: 25% reduction to allow 3,550 SF in lieu of 4,725 SF.**

**LAMC Section 12.22A31,
LAMC Section 12.12.2 and LAMC Section 12.14**

LEGAL DESCRIPTION

Assessor Parcel No. 6020-009-031 & 6020-009-032

REFERENCED SECTIONS OF THE LOS ANGELES MUNICIPAL CODE

Section 12.12.2	"CR" Limited Commercial Zone
Section 12.14	"C2" Commercial Zone
Section 12.22.A.31	Transit Oriented Communities

PROJECT DESCRIPTION AND BACKGROUND

The subject site is located within the Wilshire Community Plan Area. The site is comprised of 15,545.3 square feet, with 101.335 feet of frontage on Crenshaw Street.

Being within the Wilshire Community Plan, the site has a land use designation of General Commercial with an existing zone of C2, CR-1-O and R1-1-O.

The site is comprised of two lots and currently developed with one commercial parking lot. A thorough review was conducted on of SurveyLA and Historic PlacesLA, and verification was obtained that these properties are not considered to have any historic relevance and are not designated cultural monuments.

The properties to the north and south are commercial Office buildings. To the east across Crenshaw are zoned C2-1VL and developed with commercial uses. The properties to the west are zoned R1-1-O-HPOZ and developed with single family dwellings. Oxford Square Historic Preservation Overlay Zone (HOPZ) jigs around the subject site.

The properties adjacent to the rear of the subject site are designated as Altered-Contributing Feature and Non-Contributing Feature. Contributing Altered structures are structures that date from the period of significance, built in the same time period as contributing structures that have retained their historic character in spite of subsequent alterations or additions and are deemed reversible. Non-Contributing Feature were constructed outside the Period of Significance they are not from the historic period of development and therefore do not contribute to the historic nature of the HPOZ. The proposed project will not impact the HPOZ.

The project site is located approximately 1,220.52 feet from the intersection of Rapid Line 710, and Rapid Line 728.

The Applicant is proposing to build a new 43-unit 100% affordable special needs housing within a 5-story residential with grade providing 8 parking spaces, in a 56,240 square foot building, 52'-3 1/2" in height. This project utilizes Transit Oriented Community Guidelines per LAMC Sec. 12.22 A.31 base and Tier-4 additional incentives: 1) Transitional Height per TOC Guidelines; 2) Yard reductions per RAS3; 3) Open Space Reduction: 25% reduction to allow 3,550 SF in lieu of 4,725 SF

In order to develop the property, as proposed, it is necessary to allow certain technical deviations from the strict application of the code. Therefore the applicant has requested three incentives:

Relative Objectives of the Wilshire Community Plan

The proposed Housing Project conforms with the purposes, objectives and policies of said plan as follows:

A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT

FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY.

Enhancing the positive characteristics of residential neighborhoods while providing a variety of housing opportunities.

Improving the function, design and economic vitality of commercial areas.

Preserving and enhancing the positive characteristics of existing uses which provide the foundation for community identity, such as scale, height, bulk, setbacks and appearance.

Maximizing development opportunities around existing and future transit systems while minimizing adverse impacts.

Preserving and strengthening commercial developments to provide a diverse job-producing economic base.

Improving the quality of the built environment through design guidelines, streetscape improvements, and other physical improvements which enhance the appearance of the community.

Implementation of the proposed housing development will contribute for the provision of the housing required to satisfy the varying needs and desires of all persons who choose to reside in the South Los Angeles community, maximizing the opportunity for individual choices.

Objectives of the Housing Plan as an Element of the General Plan

The proposed housing development, as previously described, conforms with the stated objectives of the Housing Plan as an Element of the General Plan as follows:

- Objective #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.
- Objective #2 - To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.
- Objective # 3 - To preserve and enhance the varied and distinct residential character and integrity of existing single- and multi-family neighborhoods.

- Objective # 4 - To preserve and enhance neighborhoods with a distinctive and significant historical character.
- Objective # 5 - To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.
- Objective # 6 - To limit the intensity and density of development according to the underlying geology and capacity of the infrastructure.

Goals, Objectives and Policies of the Citywide General Plan Framework

The proposed Housing Development as previously described contributes to the stated Goals, Objectives and Policies of the Citywide General Plan Framework as follows:

- Creates a supply of housing accessible to persons having variable income levels.
- Provides sufficient rental housing to meet the needs and demands of the population.
- Creates housing opportunities for all persons without discrimination.
- Locates new multi-family development in proximity to transportation corridors and high activity areas acting as a buffer between said transit corridors and commercial development and existing lower density residential development.

Transit Oriented Communities - Incentives

The subject property has a lot area of 15,545.3 square feet. For residential density calculation purposes the C2 Zone allows 400 square feet of land for each dwelling unit. The residential density allowed by the referenced zoning on the property is established by dividing the total land area by 400, which allows a base density of 35 units (34.18 Rounded Up).

Pursuant to Measure JJJ and the Transit Oriented Communities Guidelines facilitated by LAMC Section 12.22.A.31, the Applicant is entitled to a 80% increase in density for being located in a Tier 4 area and is required to set aside at least 11% of the total density for Extremely Low Income residents.

- **Tier 4 – 80% Residential Density Increase**

- Base Density = $15,545.3 \text{ sq. ft.} / 400 = 35 \text{ units}$
- $35 \text{ units} \times 1.80 = 63 \text{ units}$
- 11% Extremely Low Income set aside = 5 units ($35 \times 0.11 = 4.73 \text{ rounded up}$)

The Applicant is proposing to set aside 5 units as Restricted Affordable in accordance with the TOC regulation of LAMC Section 12.22.A.31. As required in Tier 4 the project will set aside 11 percent of the total units of the project for Extremely low income households. In exchange for setting aside 11 percent of the total units the project is entitled to the Base Incentives including density, floor area ratio and parking.

The project also qualifies for up to two Additional Incentives for setting aside at least 12 percent of the base density for Extremely Low Income households.

- $35 \text{ units} \times 0.11 = 5 \text{ units (4.73 Round Up)}$

Since the project sets aside 5 units for Extremely Low Income (11 percent of total units) the qualifying threshold is met and the project is entitled to two Additional Incentives. The qualifying threshold for the additional incentives is 11 percent of the base density ($35 \text{ units} \times 0.11 = 4 \text{ unit}$) for Extremely Low Income. Since the project is setting aside 6-unit for Extremely Low Income it qualifies for Two Additional Incentives.

In this case the applicant has elected to request the following additional incentives:

- **Additional Incentives**
 - Transitional Height per TOC Guidelines
 - Yard reduction per RAS3
 - Open Space Reduction: 25% reduction to allow 3,550 SF in lieu of 4,725 SF

Height Increase

The Tier-4 Transitional Height Incentive to allow within the first 25 feet of the property line abutting a RW1 or more restrictive zone (R1 Zone) the building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of the adjoining lot in the more restricted zone.

The requested transitional height incentive results in a building envelope necessary to accommodate the proposed density, including the affordable set aside units.

Yard Reduction

In any Commercial zone, Eligible Housing Developments may utilize any or all of the yard requirements for the RAS3 zone per LAMC 12.10.5. In order to accommodate the permitted floor area of the base incentives and create a reasonable building envelope for the size, configuration and mix of dwelling unit types the building footprint is expanded. Therefore, the reduced yards are

necessary to accommodate the expanded footprint. The yard reduction requested provides the flexibility necessary for the intended building envelope.

Open Space Reduction

Tier 4 projects are allowed up to a reduction of 25 percent in the required open space. As with reduced side yards the reduction in open space contributes to the accommodation of extra dwelling units and expanded floor area ratios. In this case the project is 100% affordable, providing 42 extremely low income units and 1 market rate managers unit are configured in a reasonably laid out building envelope. The LAMC required open space is 4,725 square feet. With the 25% reduction the required open space is 3,543.75 square feet. The proposed open space is 3,550 SF.

1. Pursuant to Section 12.22 A.31 of the LAMC and the procedure set forth in LAMC section 12.22 A 25(g), the Director shall approve a density bonus and requested incentive(s) unless the director finds that:

- *The incentives are not required to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.*

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The Additional Incentives referenced in LAMC Section 12.22 A.31 was pre-evaluated at the time the TOC Guidelines were adopted to include types of relief that minimize restrictions on the size of the project. As such, it is reasonable to arrive at the conclusion that the Additional Incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

- *The Incentive will have specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Extremely Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a*

✓ *specific, adverse impact upon the public health or safety.*

The proposed incentives will not have a specific adverse impact. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The proposed Project and potential impacts were analyzed in accordance with the California Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed project reach or exceed those thresholds. Analysis of the proposed Project determined that it is Categorically Exempt from environmental review pursuant to Article III, Section I, and Class 32 of the CEQA Guidelines. The Class 32 Exemption is intended to promote infill development within urbanized areas.

Density Bonus Findings

1. The project substantially compiles with the following criteria required by Section 12.22.A.25(e)(2) of the LAMC for Housing Development Projects requesting on-menu incentives:

a. The facade of any portion of a building that abuts a street shall be articulated with a change of material or a break in plane, so that the facade is not a flat surface.

The subject site is located on S Crenshaw Avenue, North of Pico Blvd in the community of Wilshire. The building elevations are developed in accordance with the Citywide Residential Design Guidelines. The building facade facing the street is not a flat surface, but rather an articulated façade with variations in plane. The façade is varied using a range of architectural elements including, texture, materials and color. The building design is further articulated with a system of balconies, guard panels and windows.

b. All buildings must be oriented to the street by providing entrances, windows, architectural features and/or balconies on the front and along any street facing elevation.

The building fronts S Crenshaw Ave, with a street designation – Avenue II. Therefore, the main pedestrian entrance is located on S Crenshaw Ave. It will be identified with architecturally prominent doors that are recessed for shelter and protection. A series of balconies and windows engage the street on all floors.

- c. The Housing Development Project shall not involve a contributing structure in a designated Historic Preservation Overlay Zone (HPOZ) and shall not be in the City of Los Angeles list of designated Historic Cultural Monuments.***

The subject site is not located in an HPOZ area. The site is currently a grade level parking lot. There are no known designated historic resources or cultural monuments on the subject site.

- d. The Housing Development Project shall not be located on a substandard street in a Hillside Area or in a Extremely High Fire Hazard Severity Zone as established in Section 57.25.01 of this Code.***

The proposed project is not located on a substandard street in a Hillside Area or in a Extremely High Fire Hazard Severity Zone.

- e. The incentives are necessary to provide for affordable housing costs as defined in the California Health and Safety Code Section 500051/5 or Section 50053 for rents for the affordable units.***

The incentives are necessary to build a reasonable and well design residential development to provide for livable dwelling units. The incentives requested allow the flexibility in FAR and height necessary to accommodate the proposed units of the development. It is not the intent of the incentive to increase unit rental values but to allow the project to be configured in such a manner that makes it functionally feasible.

Class 32 Exemption CEQA Findings

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21084 of the California Public Resources Code, and Article 19, Section 15332 (Class 32) of the CEQA Guidelines.

The project qualifies for a Categorical Exemption because it conforms to the definition of "in-fill Projects" as Follows:

- ***The project and successive projects of the same type in the same place will result in cumulative impacts.***

The categorical exemption may not be used when the cumulative impact of successive projects of the same type in the same place may be significant. The proposed TOC project is comprised of lots FR40 and 72 in the N.C. Kelley's Montview Tract in the City of Los Angeles and considered an urban infill development compliant with the designated land use plan and zoning. There is no evidence to conclude that the project will result in cumulative impacts as a result of similar projects in the same place. Given that the proposed project is in

compliance with the General Plan planned build out of the area and there are no significant development projects nearby, cumulative impacts do not exist.

- ***There are unusual circumstances creating the reasonable possibility of significant effects.***

The proposed TOC project falls within an urban infill planned development that contributes to the increase in much needed housing stock in the City of Los Angeles. The infill nature of the property bordered by Crenshaw Blvd. on the west, is a normal and typical circumstance for the development of an underutilized General Commercial zoned property. There are no unusual circumstances indicating any potential possibility of significant effects. And adverse impact is defined as "...a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards and policies.

The proposed residential density falls well below the thresholds that would trigger a traffic analysis, noise study or air quality report.

The typical circumstances of this development make it easy to conclude there are no possibilities of significant effects.

The project would be consistent with air quality policies set forth by the City of Los Angeles, the South Coast Air Quality Management District (SCAQMD), and the Southern California Association of Governments (SCAG)

- ***The project may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within an officially designated scenic highway.***

The subject site is not located within an officially designated scenic highway and provides no effect on scenic resources.

- ***The project is located on a site that the Department of Toxic Substances Control and the Secretary of the Environmental Protection have identified, pursuant to Government Code Section 65962.5, as being affected by hazardous wastes or clean-up problems.***

There is no evidence of past uses that may have contributed to toxic exposure. The property is not a DTSC monitored site. The site has been occupied by vacant lot and food stand.

- ***The project may cause a substantial adverse change in the significance of an historic resource.***

The subject site is not located in an HPOZ area, the existing structures are not designated City of Los Angeles Cultural Monuments nor is the project site listed on SurveyLA.

The project site consists of two lots totaling 15,545.3 square feet with 101.335 feet of frontage on Crenshaw Street. The site is currently a grade level parking lot. There are no known designated historic resources or cultural monuments on the subject site.

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21084 of the California Public Resources Code, and Article 19, Section 15332 (Class 32) of the CEQA Guidelines.

The proposed incentives will not have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The proposed Project and potential impacts were analyzed in accordance with the City's Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed Project reach or exceed those thresholds. Analysis of the proposed Project determined that it is Categorical Exempt from environmental review pursuant to Article 19, Section 15332 (Class 32) of the CEQA Guidelines. The Class 32 exemption is intended to promote infill development within urbanized areas.

Written Justification that the proposed Project meets the following criteria:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations:

The General Plan land use map for the Wilshire and zoning designate the subject property for Neighborhood Commercial Land Use and the C2-1-O zone, and Low II Residential and Medium Residential respectively, which allow up to 35 base dwelling units on the project site based on the size of the site. The TOC guidelines allow up to an 80 percent increase in the base density in a Tier 4 area. The subject TOC project meets all of the criteria to qualify for the requested incentives and allows the proposed 1 market rate units and 42 Extremely Low Income units.

Consistent with the Community Plan, the proposed 43-unit 100% affordable development will provide new, affordable housing to Los Angeles' housing supply, in a neighborhood which is conveniently located to a variety of community services.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses:

The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.357 acres. The surrounding neighborhood is characterized by a mix of residential and commercial developments.

The project site consists of two lots totaling 15,545.3 square feet with 101.335 feet of frontage on Crenshaw Street. The site is currently a grade level parking lot.

(c) The project site has no value as habitat for endangered, rare or threatened species:

The project site is situated in an established neighborhood adjacent to commercial corridors and residential developments. The subject property is currently maintained by a single family residence and commercial structures, and has no value as a habitat for endangered, rare, or threatened species.

NavigateLA and the Los Angeles City Planning Department's Environmental and Public Facilities map for Significant Ecological Areas show that the subject site is not located in any of these areas.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality:

At the time of writing a Los Angeles Department of Transportation Referral Form is being analyzed for indications of potential impacts and the necessity of a traffic study. Given existing data it is anticipated that the project generated traffic is not expected to create a significant impact at any of the surrounding intersections. Incremental but not significant impacts are likely but will probably not result in mitigations related to traffic.

The development of the project would not result in any significant effects relating to noise, since the project must comply with the City of Los Angeles Noise Ordinance No. 161,574 and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels. Furthermore, the project is below the 75 dwelling units and 1,000 average daily vehicle trips CEQA threshold.

The development of the project would not result in any significant effects relating to air quality, since operational emissions for the project related traffic will be less than significant, due in part to the relative size of the project, 43 units in a 56,240 square foot building.

In addition to mobile sources from vehicles, general development causes smaller amounts of "area source" air pollution to be generated from on-site energy consumption (natural gas combustion) and from off-site electrical generation. The

sources represent a small percentage of the total pollutants. The inclusion of such emissions adds negligibly to the total significant project-related emissions burden generated by the proposed project. The project will not cause the SCAQMD's recommended threshold levels to be exceeded.

Appropriate dust control measures would be implemented as part of the proposed Project during each phase of development, as required by SCAQMO Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project site, and maintaining effective cover over exposed areas.

Construction impacts will also be at less-than significant levels since Best Available Control Measures must be used where feasible.

The development of the project would not result in any significant effects relating to water quality. The project is not adjacent to any water sources and does not involve extensive excavation that might have an impact on the water table. Therefore, construction of the project will not create any impact on water quality. Furthermore, the project will comply with the City's storm water management provisions per LAMC 64.70.

(e) The site can be adequately served by all required utilities and public services:

The site is currently and adequately served by the City's Department of Water and Power, the City's Bureau of Sanitation, the Southern California (SoCal) Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, Los Angeles Unified School District, Los Angeles Public Library, and other public services. These utilities and public services have continuously served the neighborhood for more than 50 years. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these new building codes, which are required of all projects, it can be anticipated that the proposed Project will not create any impact on existing utilities and public services through the net addition of 43-dwelling units. The project site will be adequately served by all public utilities and services given that the construction of a 43-unit residential project will be on a site surrounded by similar uses and is consistent with the general plan. The Project can be characterized as in-fill development within urban areas for the purpose of qualifying for Class 32 Categorical Exemption as a result of meeting the five conditions listed above.

The project site consists of two lots totaling 15,545.3 square feet with 101.335 feet of frontage on Crenshaw Street. The site is currently a grade level parking lot. There are no known designated historic resources or cultural monuments on the subject site.

The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21084 of the California Public Resources Code, and Article 19, Section 15332 (Class 32) of the CEQA Guidelines.

The proposed incentives will not have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The proposed Project and potential impacts were analyzed in accordance with the City's Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed Project reach or exceed those thresholds. **Analysis of the proposed Project determined that it is Categorically Exempt from environmental review** pursuant to Article 19, Section 15332 (Class 32) of the CEQA Guidelines. The Class 32 exemption is intended to promote infill development within urbanized areas.

Written Justification that the proposed Project meets the following criteria:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations:

The General Plan land use map for the Wilshire and zoning designate the subject property for Neighborhood Commercial Land Use and the C2-1-O zone, and Low II Residential and Medium Residential respectively, which allow up to 35 base dwelling units on the project site based on the size of the site. The TOC guidelines allow up to an 80 percent increase in the base density in a Tier 4 area. The subject TOC project meets all of the criteria to qualify for the requested incentives and allows the proposed 1 market rate units and 42 Extremely Low Income units.

Consistent with the Community Plan, the proposed 43-unit 100% affordable development will provide new, affordable housing to Los Angeles' housing supply, in a neighborhood which is conveniently located to a variety of community services.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses:

POSTED

ORDINANCE NO. 172081

An ordinance amending the Specific Plan for the Management of Flood Hazards established by Ordinance No. 154,405 and amended by Ordinance No. 163,913.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Ordinance No. 154,405 establishing a Specific Plan for the Management of Flood Hazards is hereby amended to read as follows:

WHEREAS, the Congress of the United States has enacted the National Flood Insurance Act of 1968, as amended (42 USC 4001 et seq.), and the Flood Disaster Protection Act of 1973 (Public Law 93-234, 87 Stat. 975), and subsequent laws for the protection of life and property and to forestall to the extent possible flood-related disaster, and

WHEREAS, in enacting those laws, Congress has found that:

1. annual losses throughout the nation from floods and mudslides are increasing at an alarming rate, largely as a result of the accelerating development of, and concentration of population in, areas of flood and mudslide hazards;
2. the availability of federal loans, grants, guaranties, insurance and other forms of financial assistance are often determining factors in the utilization of land and the location and construction of public and private industrial, commercial and residential facilities;
3. property acquired or constructed with grants or other federal assistance may be exposed to risk of loss through floods, thus frustrating the purpose for which such assistance was extended;
4. federal instrumentalities insure or otherwise provided financial protection to banking and credit institutions whose assets include a substantial number of mortgage loans and other indebtedness secured by property exposed to loss and damage from floods and mudslides;
5. the nation cannot afford the tragic loss of life caused annually by flood occurrences, nor the increasing losses of property suffered by flood victims, most of whom are still inadequately compensated despite the provision of costly disaster relief benefits; and
6. it is in the public interest for persons already living in flood-prone areas

to have both the opportunity to purchase flood insurance and access to more adequate limits of coverage, so they will be indemnified for their losses in the event of future flood disaster, and

WHEREAS, the Flood Disaster Protection Act of 1973:

1. substantially increases the limits of coverage authorized under the National Flood Insurance Program;
2. provides for the expeditious identification of, and the dissemination of information concerning flood-prone areas;
3. requires state or local communities, as a condition of future federal financial assistance, including disaster relief and federally insured mortgages, to participate in the National Flood Insurance Program and to adopt adequate floodplain ordinances with effective enforcement provisions consistent with (at the minimum) federal standards to reduce or avoid future flood losses; and
4. requires the purchase of flood insurance by property owners who are being assisted by Federal programs or by federally supervised, regulated or insured agencies or institutions in the acquisition or improvement of land or facilities located or to be located in identified areas having special flood hazards, and

WHEREAS, it is imperative that the City adopt a floodplain management program in order to transfer from the Emergency Phase to Regular status in the National Flood Insurance Program, and

WHEREAS, Regular Status will significantly increase the limits of coverage and significantly reduce the overall premium rates of flood insurance, and

WHEREAS, Congress intended the National Flood Insurance Program to be only the minimum basis upon which local communities should design their floodplain management regulations, and

WHEREAS, the federal regulations, being designed for national coverage, do not fully recognize certain flood and/or mudflow hazards unique to the western states and particularly to Southern California, and

WHEREAS, for the protection of human life, health, safety and for the protection of property, it is essential to fully develop an adequate floodplain management plan, and

WHEREAS, the State Constitution empowers to the City the authority to

make and enforce all laws and regulations with respect to municipal affairs, and

WHEREAS, Section 96.5 of the City Charter provides that the purpose of the General Plan shall be to serve as a basic and continuous reference in: (a) planning for the development of the City, (b) developing, correlating and coordinating official regulations, controls, programs and services, and (c) attaining coordination of planning and administration by all agencies of the City government, other governmental bodies and private organizations and individuals involved in the development of the City, and

WHEREAS, the policies, objectives and programs of the Conservation Plan, an element of the City's General Plan, adopted by the City Council on December 20, 1973, are consistent with the applicable provisions and intent of the Flood Disaster Protection Act of 1973, and

WHEREAS, it is a policy of the Safety Element of the General Plan, adopted by the City Council on September 19, 1975, that "hazards to life and property due to mudflow and storm runoff be minimized," and

WHEREAS, Section 97.1 of the City Charter sets forth the authority for the establishment of specific plans as may be required to insure the execution of the General Plan, and

WHEREAS, Section 11.5.7 of the Los Angeles Municipal Code declares that a specific plan shall provide by ordinance such regulatory controls or incentives as may be necessary for the systematic execution of the General Plan, and

WHEREAS, the final rule for the revision of the National Flood Insurance Program became effective November 26, 1997, and it is required that the Flood Hazard Management Specific Plan be amended by July 6, 1998 in order for the City to continue to be eligible for participation in the National Flood Insurance Program;

Section 1. PURPOSE AND OBJECTIVES. The Council hereby establishes this Specific Plan. The Plan shall apply to all public and private development. This Plan is intended to provide for the establishment, management and regulatory control of flood hazard areas.

Being hazard-specific, this Plan provides sections designed to deal with the unique problems of each hazard in addition to the Citywide policies and goals. This Plan is not intended as a Geographically Specific Plan as referred to in Paragraph D, Section 11.5.7 of the Los Angeles Municipal Code and that paragraph is not applicable to this Plan.

This Plan does not imply that land outside the areas of special flood hazard identified on the Los Angeles Flood Hazard Map or that uses permitted within such areas will be free from flooding or flood-related damages. This map identifies

areas expected to be impacted by 100-year floods. As a matter of practicality, the City cannot provide protection against every eventuality and no guarantee is given or implied that all eventualities are protected against.

Objectives of the Plan include:

1. to protect human life and health;
2. to forestall, to the extent possible, flood-related disaster (from any cause);
3. to provide a means by which public and private development is planned in such a manner as to avoid or otherwise minimize flood-related risks to residents and structures on or near hillside areas, as well as upstream or downstream of any project;
4. to minimize expenditures of public money for costly flood control projects;
5. to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
6. to provide the authority under which special programs can be devised in order to provide for relief from flood-related hazards;
7. to minimize prolonged business interruption;
8. to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, and streets and bridges located in areas of special flood hazard;
9. to help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blight areas;
10. to assure that potential buyers and renters are notified when property is located in an area of special flood hazard; and,
11. to assure that those who occupy areas of special flood hazard assume responsibility for their actions.

Sec. 2. DEFINITIONS. For the purposes of this Plan, certain terms

require special definitions. All other words or terms not herein defined shall be construed as defined in Sections 11.01, 12.03 and 17.02 of the Los Angeles Municipal Code.

Administrator. The Federal Insurance Administrator. The person delegated the responsibility of the administration of the National Flood Insurance Program.

Appeal. A request for a review of a decision maker's interpretation of any provision of this ordinance or a request for a waiver.

Base Flood. Any flood having a one percent chance of being equaled or exceeded in any given year.

Basement. Any area of the building having its floor subgrade below ground level on all sides.

Coastal High-hazard Area. Any area subject to high velocity waters including, but not limited to wave wash or tsunami. This area is designated V1-30, V or VE Zones on the Los Angeles Flood Hazard Map (LAFHM).

Debris. Any natural material such as, but not limited to, silt, sand, rock, wood, and any man-made objects, including, but not limited to, vehicles and structures or their component parts capable of being transported by water or mudflow and deposited in a location other than the point of origin.

Developed Area. An area of a community as shown on the Zone AR-Developed Area Map adopted with this ordinance (using Southern California Association of Governments land use coverage data), and that is:

1. A primarily urbanized, built-up area that is a minimum of 20 contiguous acres, has basic urban infrastructure, including roads, utilities, communications and public facilities to sustain residential, commercial and industrial activities; and

(a) within which 75 percent or more of the parcels, tracts or lots contain residential, commercial or industrial structures or uses; or

(b) is a single parcel, tract or lot in which 75 percent of the area contains existing commercial or industrial structures or uses; or

(c) is a subdivision developed at a density of at least two residential structures per acre within which 75 percent or more of the lots contain existing residential structures.

It has been determined that all AR zoned areas within the corporate boundaries of the City of Los Angeles are considered to be developed areas for the purpose of Adminstrating the AR Zone floodplan management regulations.

2. Undeveloped parcels, tracts or lots, the combination of which is less than 20 acres and contiguous on at least three sides to areas meeting the criteria of Subdivision 1 above.

3. A subdivision that is a minimum of 20 contiguous acres that has obtained all necessary government approvals, provided that the actual "start of construction" of structures has occurred on at least

(a) 10 percent of the lots or remaining lots of a subdivision or

(b) 10 percent of the maximum building coverage or remaining building coverage allowed for a single lot subdivision, and construction of structures is underway. Residential subdivisions must meet the density criteria of Subdivision 1, Paragraph (c) above.

Development. Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Emergency. Any occurrence which by reason of its magnitude is or is likely to become beyond the control of the normal services, personnel, equipment and facilities of the regularly constituted branches and departments of the City government.

Existing Construction. Any development for which "Start of Construction" commenced prior to adoption of this Plan. "Existing Construction" may also be referred to as "Existing Structures."

Flood or Flooding.

1. A general and temporary condition of partial or complete inundation of normally dry land areas resulting from:

(a) overflow of inland or tidal waters, including storm waves, or seiches.

(b) unusual and rapid accumulation or runoff of surface waters from any source.

(c) rupture or breaching of water retaining structures including, but not limited to dams, canals and viaducts caused by an unpreventable force of nature.

(d) mudflow which is proximately caused or precipitated by accumulations of water on or under the ground.

(e) the collapse or subsidence of land resulting from flood-related erosion.

Flood Boundary and Floodway Map (FBFM). The official map issued by the Administrator which delineates floodways within the City of Los Angeles.

Flood Elevation Determination. A determination by the Administrator or by the City Engineer of the water surface elevations of the base flood.

Flood Hazard or Flood-related Hazard. Any hazard covered by this Plan including, but not limited to: flooding, mudflow, coastal high-hazards and flood-related erosion.

Flood Hazard Study. An examination, evaluation and determination of flood hazards from all causes and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards prepared by a licensed hydrologist or civil engineer.

Flood Insurance. Insurance coverage provided under the National Flood Insurance Program.

Flood Insurance Rate Map (FIRM). The official map issued by the Administrator delineating both the special hazard areas and the risk premium zones for the City of Los Angeles.

Flood Protection System. Structural works which have been constructed specifically to modify flooding in order to reduce the extent of the area and/or of flood waters within areas of "Special (flood) Hazard." Such a system of specialized flood modifying works typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes and improved channels and are constructed in conformance with sound engineering standards.

Floodplain or Flood-prone Area. Any land susceptible to being inundated by water from any source (see definition of "Flooding").

Flood-proofing. Any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood-related damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood-related Erosion Hazard Area or Flood-related Erosion-Prone Area. An area which is likely to suffer flood-related erosion damage resulting from the

collapse or subsidence of land along the shore or bank of an ocean, lake, river or watercourse as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, resulting from a severe storm, or by an unanticipated force of nature, such as a tsunami, an abnormal tidal surge, flash flood or some similarly unusual and unforeseeable event which results in flooding.

Floodway. The channel of a river or other major drainage course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Freeboard. A factor of safety denoting the vertical distance above a flood level for the purposes of floodplain management. The determination of freeboard should take into account factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings and the hydrological effect of urbanization of the watershed and/or burn of the natural vegetation cover of the watershed.

Functionally Dependent Use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Highest Adjacent Grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Los Angeles Flood Hazard Map (LAFHM). The official map for the City of Los Angeles showing the boundaries of hazard areas and consisting of a number of separate sheets, actual or computer-stored, bearing marks, notations, references and other pertinent information.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is built so that it does not violate the applicable non-elevation design requirements of this ordinance.

Manufactured Home. A structure, transportable in one or more sections which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. Recreational vehicles or travel trailers used only for vacations are not considered manufactured homes. The term includes, but is not limited to, the definition of "Manufactured Home" as set forth in the regulations governing the Mobile Home Safety and Construction Standards Program (24 CFR 3282.7(u)). For floodplain management purposes the term

"manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days.

Manufactured Home Park or Subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale and having facilities for servicing the lot on which the manufactured home is to be affixed (including at a minimum site grading or the pouring of concrete pads, installation of utilities and the construction of streets).

Mean Sea Level. The National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on the Community Flood Insurance Rate Maps (FIRM) are referenced and applicable to the National Flood Insurance Program (NFIP).

Mudflow. The condition wherein there is a river, flow or inundation of liquid mud down a hillside usually, but not limited to, the result of a dual condition of loss of brush cover and the subsequent accumulation of water on or under the ground preceded by a period of unusually heavy or sustained rain. A mudflow may occur as a distinct phenomenon while a landslide is in progress.

Mudflow-Prone Areas. An area with land surfaces and slopes of unconsolidated material where the history, geology and climate indicate a potential for mudflow.

New Construction, New Development or New Project. Any public project or any phase of a public project for which a contract has not been entered into or any private project for which a grading and/or building permit is issued on or after the effective date of Ordinance No. 154,405. It is not intended in this definition that the issuance of a grading permit prior to said effective date abrogate the necessity for compliance with this Plan for any additional permits issued after said effective date.

New Manufactured Home Parks or Manufactured Home Subdivision. Any "Manufactured Home Park" or "Manufactured Home Subdivision" for which a grading and/or building permit is issued on or after the effective date of the Plan.

One Hundred-Year Flood. Synonymous with "Base Flood ."

Person. Includes any individual or group of individuals, corporation, partnership, association or other entity, including federal, state, regional and local governments and agencies.

Plan. The Flood Hazard Management Specific Plan.

Project. Synonymous with "Development."

Shallow Flooding Area. A designated AO, AH, AR/AO or AR/AH Zone on the LAFHM with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate and where velocity flow may be evident. Such flow is characterized by ponding or sheet flow.

Special Flood Hazard Area. All land in the floodplain subject to a one percent or greater chance of flooding in any given year. This area is designated as A, AO, AE, AH, AI-30, A-99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, V, VE and VI-30 Zones on the LAFHM.

Special Flood-related Erosion Hazard Area. Land which is most likely to be subject to severe flood-related erosion losses. This area is a designated E Zone on the LAFHM.

Special Hazard Area. An area having special flood, mudflow, coastal high hazard and/or flood-related erosion hazards and shown on a FIRM or FBFM as Zone A, AO, AE, AH, AI-30, A-99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VI-30, VE or V.

Special Mudflow Hazard Area. Land which is most likely to be subject to severe mudflow. This area is a designated Zone M on the LAFHM.

Start of Construction. For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L 92-348), includes Substantial Improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Structure. Anything constructed or erected either upon or below the surface of the earth and which is supported directly or indirectly by the earth including manufactured homes.

Substantial Improvement. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty-percent of the market value of the

structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this definition, "Substantial Improvement" is considered to occur when the alteration of any wall, ceiling, floor, or other structural part of a structure commences, whether or not that alteration affects the external dimensions of the structure. The term does not include any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places or a state inventory of Historic Places.

Waiver. A grant of relief from any or all of the terms of this Plan or implementing regulations thereof.

Water Surface Elevation. The projected heights in relation to National Geodetic Vertical Datum (NGVD) of 1929 or other datum reached by floods of various magnitudes and frequencies in the flood plains of coastal, lacustrine, riverine or other riparian areas.

Zones - following are the special flood hazard zones as shown on the LAFHM:

A Zone - areas of 100-year flood; base flood elevations and flood hazard factors have not been determined.

AE, A1-30 Zones - areas of 100-year flood; base flood elevations and flood hazard factors have been determined.

AH Zone - areas of 100-year shallow flooding where depths are between one and three feet; base flood elevations are shown, but no flood hazard factors have been determined.

AO Zone - areas of 100-year shallow flooding where depths are between one and three feet; average depths of inundation are shown, but no flood hazard factors have been determined.

AR Zone - a special flood hazard area that results from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide a 100-year or greater level of flood protection.

A99 Zone - a special flood hazard area that results from the decertification of a previously accredited flood protection system that is determined to be substantially restored to provide a 100-year or greater level of flood protection; base flood elevations and flood hazard factors have not been determined.

V Zone - areas of 100-year coastal flood with velocity (wave action); base

flood elevations and flood hazard factors have not been determined.

VE, V1-30 Zones - areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors have been determined.

X-Shaded/B Zone - areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood.

X-Unshaded/C Zone - areas of minimal flooding

D Zone - areas of undetermined, but possible, flood hazards.

Sec. 3. LOS ANGELES FLOOD HAZARD MAP. The LAFHM. is designated the official map for the City of Los Angeles showing the boundaries of flood hazard areas and shall consist of a number of separate sheets bearing marks, notations, references and other pertinent information and shall be established and revised by ordinance. The LAFHM is on file in the office of the City Engineer.

A. The LAFHM shall include:

1. the FIRM (*effective July 6, 1998*) and the FBFM, and any subsequent updates, which maps, together with the Flood Insurance Study for the City of Los Angeles, and any subsequent updates, issued by the Federal Insurance Administration, are by this reference incorporated herein.

2. other maps designated by the City Council.

B. The LAFHM shall be executed at a scale sufficient to allow a lot-by-lot determination of applicability to these regulations.

C. Copies of the LAFHM shall be available for inquiry and inspection at the public counters in the central and district offices of the:

1. Department of City Planning
2. Bureau of Engineering
3. Department of Building and Safety

Sec. 4. POLICIES.

A. Citywide. It is the City's policy:

1. That public and private development be prohibited in areas where flood-related hazards would seriously endanger human life, health or property.
2. That nonessential public utilities, public or quasi-public facilities not be located in special hazard areas. When public utilities, public or quasi-public facilities must be located in hazard areas, assure that they are constructed to minimize or eliminate any flood hazards.
3. That, as the General Plan elements and community plans are restudied and revised, areas needing the protection provided by this Specific Plan will be appropriately designated.
4. That the City consider during the processing of development proposals the potential for flooding and flood-related damage in areas not otherwise identified as flood hazard areas due, but not limited to, the rupture, breakage or structural failure of a dam, reservoir, aqueduct or other large water or sewer conduit, whether by an earthquake or by any other cause.
5. That uses compatible with flooding shall be encouraged in special hazard areas as opposed to other uses.
6. That the City in considering proposals for all new public and private development take into account the potential for adverse effects on development already existing within special hazard areas.
7. That all future public and private developments, including rehabilitation, reconstruction and add-on construction be located and designed with regard to flood-related hazards.
8. That all development presently existing in flood-related hazard areas be encouraged to institute protective and remedial measures for protection from flood hazards.
9. That land subject to repeated and/or severe flood damage where feasible and practicable be acquired by the City and held as open space or be used in a manner compatible with flood-related hazards.
10. That the City prepare flood warning and emergency preparedness plans as a part of the City's Emergency Preparedness Plan,

with an emphasis on phased early warning to citizens in potentially affected areas.

11. That alternative access and escape routes be designated when normal routes may be blocked or destroyed by flooding.

12. That all persons who occupy property which is subject to flood hazards bear full responsibility for their actions.

13. That, as more information becomes available and/or new situations arise, additional flood hazard studies be undertaken and, pursuant to such studies, provisions be added to this Plan as become necessary for the fullest implementation of the spirit and intent of the Plan.

14. That the City coordinate with neighboring jurisdictions its efforts in the management of flood-related hazard areas.

15. That means be sought by which relief from flood-related disasters can be expedited.

16. That the broadest range of design and construction alternatives consistent with this Plan be considered for new development in flood-related hazard areas and that the choice of acceptable alternatives rest with the applicant.

17. That the City seek innovative means to achieve the goals and to carry out the intent and purpose of this Plan.

18. That demonstration grants be applied for as one of many methods to carry out the programs of this Plan.

B. Floodways. In addition to the Citywide Policies, in floodways it is the policy of the City:

1. That drainage channels adequate to discharge the flood waters or runoff of a base flood be preserved from encroachment in areas which are still substantially undeveloped.

2. That no new development be allowed in floodways.

3. That where existing development now occupies floodways measures be taken to either:

(a) Provide flood works sufficient to discharge a base flood
or,

(b) Encourage relocation of such development outside of areas which must be preserved as floodways as required for the overall safety, health and well-being of the community.

4. That floodways be maintained in good repair and free of debris by the agency or organization (public or private) responsible for such activity.

C. Floodplains. In addition to the Citywide policies, in floodplains it is the policy of the City:

1. That the existence and extent of flooding be considered in the planning, siting, design and construction of public and private development.

2. That full consideration be given to the fact that development in flood-prone areas may create a potential for loss of life and personal injuries, loss to public and private property and exposure to flood hazards.

D. Mud-prone Areas. In addition to the Citywide policies, in mud-prone areas it is the policy of the City:

1. That the existence and extent of mudflow hazard areas be considered in the planning, siting, design and construction of public and private development.

2. That full consideration be given to the fact that development in mudflow areas may create a potential for loss of life and personal injuries, loss to public and private property and exposure to mud-prone hazards.

E. Coastal High-hazard and Flood-related Erosion Hazard Areas. In addition to the Citywide policies, in areas of coastal high-hazard and of special flood-related erosion hazard, it is the policy of the City:

1. That the existence and extent of coastal high-hazard and/or flood-related erosion be considered in the planning, siting, design and construction of public and private development.

2. That full consideration be given to the fact that development in coastal high-hazard and/or flood-related erosion areas may create a potential for loss of life and personal injuries, loss to public and private property and exposure to coastal high-hazard and/or flood-related erosion hazards.

Sec. 5. DEVELOPMENT REGULATIONS. This section prescribes the

regulations by which all new construction and substantial improvements to public and private development shall be governed.

A. General.

1. These regulations apply to the special flood hazard area designations and water surface elevations furnished by the Administrator and the City Engineer.

2. To the extent permitted by law, all public and private development shall be subject to these regulations and construction may not commence without compliance with the provisions and intent of this Plan and permits from those governmental agencies from which approval is required by Federal or State law.

3. These regulations shall be considered to be the minimum requirements and where sound engineering and prudence demand, such additional measures shall be taken to assure full compliance with the intent and purpose of this Plan.

4. This section shall not create liability on the part of the City of Los Angeles, the United States or any officer or employee thereof.

5. It is not the intent of these regulations to abrogate or lessen in any respect any other provision of the Los Angeles Municipal Code. Should any provisions of this section conflict with any other provision of the Los Angeles Municipal Code, the more restrictive shall prevail.

B. Planning Development Permits.

1. Applications and procedures for zone changes, variances, conditional use permits, divisions of land, coastal development permits, environmental clearances, or any other permit procedure pertinent to this Plan shall contain additional information on the application forms sufficient to determine the existence and extent of flood-related hazards, and to provide sufficient data to enable thorough and complete review of the development as it relates to this Plan.

2. For all projects processed by the Department of City Planning including the office of Zoning Administration a finding of fact shall be made as to whether or not a project is located within a special hazard area. For projects found to be located in a special hazard area the following finding shall be made: "that the project conforms with both the specific provisions and the intent of the Floodplain Management Specific Plan." Specific

factual evidence supporting this finding shall be contained in the record pertaining to the project.

3. No new zone variance or conditional use permit may be granted or existing zone variance or conditional use permit extended for development within a floodway.

4. Subdivisions. Notwithstanding the provisions of Section 5 A I, herein, these regulations shall also apply to all subdivisions located within the boundaries of a "Hillside Area" as defined in Section 91.0400 of the Municipal Code.

(a) Subdivisions shall be designed in such a manner as to prevent flood-related damage to the subdivision and to existing downstream development, both during construction and subsequently.

(b) Public and private drainage and sanitary facilities and utilities shall be designed and installed so as to eliminate or minimize damage from flood-related hazards.

(c) For areas involving natural or man-made channels for potential run-off of a base flood , subdividers shall be required to furnish delineation for floodways, if not already mapped or if changes are proposed to the mapped floodways.

(d) Alterations of drainage courses shall be governed by the procedure set forth in Section 8.

(e) All division of land proposals shall include within such proposals base flood elevation data.

(f) Provisions for alternative vehicular access and escape routes when normal routes are blocked or destroyed by flooding and/or mudflow shall be required wherever possible.

(g) The City, in approving the location of new manufactured home parks, shall require an evacuation plan indicating alternate vehicular access and escape routes to be filed with the Emergency Operations Board.

C. Construction Regulations.

1. General. (For AR Zone requirements, see Subdivision 7 of this subsection.)

(a) All public and private development which has the potential to cause flooding or mud damage to neighboring communities shall be designed in such a manner as to be consistent with the floodplain management programs of those communities.

(b) Site exploration and investigation by the developer shall be required before approving any development in a special flood-related hazard area.

(c) Insofar as enforceable by State law, public and quasi-public facilities including schools, hospitals, nursing homes, orphanages, correctional and other residential institutions, fire and police stations, communication centers, electric power transformers and substations, water and sewer pumping stations and any other public or quasi-public institutions situated in a special hazard area shall be located and designed so as to enable them to withstand flood-related damage and to facilitate emergency operations.

(d) Water and sewer conduits shall not be installed in any special hazard area unless provisions have been made to avoid health hazards by the contamination of water conduits or discharges from sewer conduits into floodwaters. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(e) It shall be mandatory that sellers lessors or renters give written notice to all prospective and interested parties, including but not limited to, purchasers, lessees and renters, prior to finalization of such a transaction when the subject land and/or structures are located within special hazard areas. The notice shall contain the following information:

(1) The nature and classification of the special hazard,

(2) The hazard zone designation,

(3) Whether waivers have been granted for development located within the special hazard area, and

(4) That premium rates for flood hazard insurance of new structures built at elevations below the base flood shall substantially increase as the elevations decrease. Failure to

give such notice shall be a basis for rescinding any sale, lease or rental agreement.

2. Floodways. In addition to the general regulations, the following shall apply in floodways:

(a) No new structures, construction, add-on construction, reconstruction, rehabilitation or other improvements to existing structures shall be permitted within a floodway.

(b) All development existing within floodways at the time of the adoption of Ordinance No. 154,405 (effective October 9, 1980) may continue. No grants, privileges or considerations shall be given which would prolong the life of the development unless alternative means are provided for the unimpeded discharge of a base flood.

(c) Manufacturing buildings or other facilities in which hazardous substances are stored, manufactured or used shall be prohibited within any floodway.

3. Floodplains. In addition to the General Regulations, the following shall apply in areas of special flood hazard:

(a) The lowest floor of all residential structures shall be constructed at least one foot above the base flood elevation, and in Zones AH, AO and VO shall be elevated above the highest adjacent grade at least one foot higher than the depth number specified in feet on the FIRM, or at least two feet if no depth number is specified. Non-residential structures may be flood-proofed in lieu of elevation. The elevation of the lowest floor shall be provided to and maintained by the Superintendent of Building and Safety. In any case, construction below the base flood level shall use flood-resistant materials. In areas where base flood data has not been furnished by the Administrator, the office of the City Engineer shall provide the base flood elevation.

(b) Adverse cumulative effects of new development on development already existing in floodplains shall be considered in determining whether to issue a permit, and the new development shall not be approved unless it can be adequately demonstrated that the project will not increase the exposure of existing development to flood-related hazards.

(c) All new construction and substantial improvements in

areas subject to subsidence shall have the lowest floor elevated a minimum of one foot above the base flood level plus a factor for the expected subsidences for a ten year period and the elevation of the lowest floor shall be provided to and maintained by the Superintendent of Building and Safety.

(d) For all new construction and substantial improvements, fully enclosed areas below the "Lowest Floor" that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered civil engineer, structural engineer, or architect or must meet or exceed the following minimum criteria: a minimum of two openings having a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(e) Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(f) Where floodproofing is utilized, either a registered professional engineer or architect shall certify that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood and a record of such certificates indicating the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Superintendent of Building.

(g) In Zones AH, AO, AR/AH and AR/AO adequate drainage paths shall be provided around structures on slopes to guide floodwaters around and away from proposed structures.

(h) To the extent permitted by State law, all manufactured homes and additions to manufactured homes to be placed within a floodplain shall be anchored to resist flotation, collapse, or lateral movement by one of the following methods:

(1) By providing an anchoring system designed to withstand horizontal forces of .25 pounds per square foot and

uplift forces of 15 pounds per square foot, or;

(2) By providing over-the-top and frame ties to ground anchors as follows:

(i) Over-the-top ties shall be provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations; manufactured homes less than 50 feet long shall require only one additional tie per side;

(ii) Frame ties shall be provided at each corner of the manufactured home, with five additional ties per side at intermediate locations; manufactured homes less than 50 feet long shall require four additional ties per side, and;

(iii) All components of the anchoring system shall be capable of withstanding a force of 4,800 pounds.

(1) Within Zones AI-30, A-99, AO, AH and AE on the LAFHM, for all new manufactured home parks and manufactured home subdivisions, expansions to existing manufactured home parks and manufactured home subdivisions and existing manufactured home parks and manufactured home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50% of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced, and for all manufactured homes to be placed within Zones AI-30, A-99, AO, AH and AE on the LAFHM, but not into a manufactured home park or manufactured home subdivision, the following shall be required:

(1) Stands or lots shall be elevated on compacted fill or on pilings so that the lowest floor of the manufactured home will be at least one foot above the base flood Level,

(2) Adequate surface drainage and access for a hauler shall be provided and,

(3) In the instance of elevation on pilings, lots shall be large enough to permit steps, piling foundations shall be placed in stable soil no more than ten feet apart and reinforcement shall be provided for pilings more than six feet above the ground level.

(j) In areas of flooding adequate freeboard and additional flood-proofing, where necessary, shall be required.

4. Mudflow areas and Mudflow-prone Areas. In addition to the general regulations, the following shall apply in areas of special mudflow hazard:

(a) Each permit application shall be reviewed to determine whether the proposed site and improvements will be reasonably safe from mudflows.

(b) To the extent permitted by State law the location and design of public utilities and service facilities, such as sewer, water, gas, and electrical systems shall be such as to minimize exposure to mudflow hazards.

(c) Require, if a proposed site and improvements may have mudflow hazards, that:

(1) Site investigation review be made by persons qualified and licensed in geology and/or soil engineering to ascertain the location and extent of the mudflow hazard and to recommend remedial measures,

(2) The proposed grading, excavations, new construction and substantial improvements are adequately designed and protected to withstand mudflow damages,

(3) The proposed grading, excavations, new construction and substantial improvements do not aggravate the existing hazard by creating either on-site or off-site disturbances, and

(4) The proposed drainage, planting, watering and maintenance be such as not to endanger slope stability.

(d) Enforce and periodically review the grading ordinance or regulations with regard to the following:

(1) regulation of the location of foundation systems and utility systems of new construction and substantial improvements,

(2) regulation of the location, drainage and maintenance of all excavations, cuts and fills and planted slopes,

(3) providing special requirements for protective measures including, but not necessarily limited to, retaining walls, buttress fills, subdrains, diverter terraces, benchings, etc., and

(4) requiring engineering drawings and specifications to be submitted for all corrective measures, accompanied by supporting soils engineering and geology reports.

5. Coastal High-hazard. In addition to the General Regulations, the following shall be required in areas of coastal high hazard:

(a) Each permit application shall contain information sufficient to determine whether the proposed site alterations and improvements will be reasonably safe from coastal high-hazards and will not cause or otherwise aggravate the existing coastal high-hazards. Each application shall further provide the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings or columns) of all new and substantially improved structures and whether such structures contain a basement; and the Superintendent of Building and Safety shall maintain a record of such elevations.

(b) Where a proposed improvement is found to be in the path of coastal high-hazards or to increase coastal high-hazards, require the improvement to be relocated or adequate protective measures to be taken which will not aggravate the hazard or shift the hazard to another location.

(c) All new construction within Zones V1-30, V or VE on the LAFHM shall be located landward of the reach of mean high tide.

(d) All new construction and substantial improvements within Zones V1-30, V or VE on the LAFHM shall be elevated on adequately anchored pilings or columns and securely anchored to such piles or columns so that the lowest portion of the structural

members of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level. A registered civil engineer, structural engineer or architect shall certify that the structure is securely anchored to adequately anchored pilings or columns in order to withstand velocity waters and hurricane wave wash.

(e) All new construction and substantial improvements within Zones V1-30, V or VE on the LAFHM shall have the space below the lowest floor free of obstructions or be constructed with "breakaway walls" intended to collapse under stress without jeopardizing the structural support of the structure so that the impact on the structure by abnormally high tides or wind-driven water is minimized. Such temporarily enclosed space shall not be used for human habitation.

(f) The use of fill for structural support of buildings within Zones V1-30, V or VE on the LAFHM shall be prohibited.

(g) The placement of manufactured homes, except in existing manufactured home parks and manufactured home subdivisions, within Zones V1-30, V or VE on the LAFHM will not be prohibited if they are in compliance with conventional housing standards; and

(h) The alteration of sand dunes which would increase potential flood damage shall be prohibited.

6. Flood-related Erosion Hazard Areas. In addition to the general regulations, the following shall be required in areas of special flood-related erosion hazards:

(a) Each permit application for construction or other development shall contain sufficient information to determine the extent of exposure to flood-related erosion hazards and to provide sufficient data to enable thorough review of the development;

(b) Each permit application shall be reviewed to determine whether the proposed site alterations and improvements will be reasonably safe from flood-related erosion and will not cause or otherwise aggravate the existing flood-related erosion hazard; and

(c) Where a proposed improvement is found to be in the path of flood-related erosion or to increase the erosion hazard, require the improvement to be relocated or adequate protective

measures to be taken which will not aggravate the existing erosion hazard.

(d) All new development shall be set back from the ocean, lake, bay, river front or other body of water to create a safety buffer consisting of natural vegetation or a contour strip. The buffer may be used for suitable open space purposes, such as for open space purposes and temporary and portable structures only.

7. AR Zone Areas. Within areas designated as AR, AR/A1-30, AR/AE, AR/AH, AR/AO or AR/A, the following standards shall apply:

(a) **Developed Areas.** All new construction, including manufactured homes, in areas designated as developed areas shall meet the standards of this section, using the lower of either the AR base flood elevation or the elevation that is three feet above the highest adjacent grade.

(b) **Non-developed Areas.** All new construction, including manufactured homes, in areas that are not designated as developed areas:

(1) Where the AR flood depth is equal to or less than five feet above the highest adjacent grade - shall meet the standards of this section, using the lower of either the AR base flood elevation or the elevation that is three feet above the highest adjacent grade; or

(2) Where the AR flood depth is greater than five feet above the highest adjacent grade - shall meet the standards of this section, using the AR base flood elevation.

(c) **Dual Zone Areas**

(1) All new construction in areas within Zones AR/A1-30, AR/AE, AR/AH, AR/AO or AR/A shall meet the standards of this section, using the higher of either the applicable AR Zone elevation (as determined from Paragraphs (a) or (b) of this subdivision) or the base flood elevation (or flood depth) for the underlying A1-30, AE, AH, AO or A Zone.

(2) All substantial improvements to existing construction within Zones AR/A1-30, AR/AE, AR/AH, AR/AO or AR/A shall meet the standards of this section, using the

base flood elevation (or flood depth) for the underlying A1-30, AE, AH, AO or A Zone.

(3) All manufactured homes that are placed or substantially improved (in dual zones only) within Zones AR/A1-30, AR/AE, AR/AH, AR/AO or AR/A shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated in accordance with the elevation requirements prescribed in Section 5, C 7.

Sec. 6. CITY IMPLEMENTATION.

A. General.

1. All City codes, ordinances, regulations, policies and procedures shall be amended as necessary to carry out the provisions and intent of this plan.

2. All City development permit forms and processes shall be amended as necessary to carry out the provisions and intent of this Plan.

3. If the Administrator has not provided sufficient data, the City shall obtain, review and reasonably utilize other data in the development of regulations adequate to carry out the intent and purpose of this Plan.

B. City Planning. It shall be the duty of the Director of Planning to establish, insofar as the responsibilities of the Planning Department are affected, all standards and other regulations and to propose codes necessary to carry out the provisions of this Plan. The Director shall take into consideration and implement this Plan in all areas of the planning process including, but not limited to:

1. Geographically specific plans shall include regulations implementing the policies of this Plan and the applicable community plan where that plan has specifically addressed flood-related hazards within the plan area.

2. Annexations. All territory annexed to the City shall first have a flood hazard study. If a flood hazard study has been completed under another jurisdiction, it shall be reviewed. If it is deficient in any way or if it is more than one year old, it shall be amended or supplemented.

Any areas subject to special flood-related hazards shall be incorporated into the City's adopted flood hazard maps (LAFHM). In addition to the flood hazard study, a report shall be prepared containing

recommendations for the elimination or minimization of flood-related hazards by appropriate land uses and/or physical improvements. Both the flood hazard study and report shall be submitted to the City Council when considering the annexation.

C. Public Works. The Board of Public works is the head of the Department of Public Works and responsible for the activities of the various bureaus within the Department. The Board may require the chief executives of the appropriate bureaus which make up the Department of Public Works to promulgate all standards and codes or other regulations necessary to carry out the provisions and intent of this Plan.

1. Bureau of Engineering.

(a) The City Engineer shall acquire or cause to be acquired sdall data necessary for the identification and delineation of flood hazard areas for the purposes of reporting to the Administrator in accordance with this Plan and to advise the City Council of flood hazards which ~~he~~ *the City Engineer* recommends be delineated on the LAHFM.

(b) The City Engineer shall generate and maintain the Los Angeles Flood Hazard Map including the preparation and presentation of any and all ordinances required to establish and maintain the LAFHM.

(c) The City Engineer shall maintain, at one central location, a file of all flood, drainage and mud-related hazard information including all waivers, findings and appeals.

(d) The City Engineer shall be responsible for precise determination of the location of the boundaries of flood-related hazard areas shown on the LAFHM and to make determinations as to whether a property or portion thereof is located within a special hazard area.

(e) The City Engineer shall assure compliance with this Plan in the planning, design, construction or reconstruction of all projects within the City Engineer's jurisdiction.

2. Bureau of Sanitation. The Director of Sanitation shall assure compliance with this Plan in the operation of:

(a) Industrial waste operations, including but not limited to, the handling, storage, collection, transportation and disposal of

chemical waste or other hazardous materials;

(b) Refuse collection, transportation, reclamation and disposal;

(c) Sewer and storm drain maintenance;

(d) Pumping plants; and

(e) Sewer treatment facilities.

D. Building and Safety. It shall be the duty of the Superintendent of Building and Safety to establish, insofar as the responsibilities of the Department of Building and Safety are affected, all standards and regulations and to propose codes necessary to carry out the provisions and intent of this Plan relating to:

1. New construction and substantial improvements.
2. Rehabilitation or reconstruction.
3. Grading, including excavation and fills.
4. Complete and thorough flood and/or mudflow studies as may be appropriate in keeping with the intent of this Plan.
5. The granting of Certificates of Occupancy and final approval of projects.
6. The maintenance of records sufficient to document compliance with the intent and purpose of this Plan.
7. AR Zone Duties.

(a) To use the adopted official map or legal description of those designated developed areas within Zones AR, AR/A1-30, AR/AE, AR/AH, AR/AO or AR/A to determine if a proposed project is in a developed area.

(b) To determine the base flood elevation to be used for individual projects within developed areas, areas not designated as developed areas and dual zone areas (see Section 5, C7).

(c) To require the applicable standards in Section 5.

(d) To provide written notification to the permit applicant that

the area has been designated as AR, AR/A1-30, AR/AE, AR/AH, AR/AO or AR/A Zone and whether the structure will be elevated or protected to or above the AR base flood elevation.

E. Water and Power. It shall be the duty of the appropriate Chief Engineer of the respective systems which make up the Department of Water and Power to promulgate all standards and other regulations and to implement planning necessary to carry out the provisions and intent of this Plan insofar as it pertains to their respective systems including, but not limited to, the design, construction, reconstruction and maintenance of the following:

1. Water System

- (a) Storage systems
- (b) Transmission systems
- (c) Treatment systems
- (d) Distribution systems

2. Power System

- (a) Generation systems
- (b) Transmission systems
- (c) Distribution systems

F. Harbor. It shall be the duty of the Executive Director of the Harbor Department to establish, insofar as the responsibilities of the Harbor Department are affected, all standards and regulations and to propose codes necessary to carry out the provisions and intent of the Plan relating to:

- 1. New construction or substantial improvements.
- 2. Rehabilitation or reconstruction.
- 3. Dredging, excavation, and fills.
- 4. Complete and thorough flood and Coastal High-hazard studies as may be appropriate with the intent of this Plan.
- 5. Floodproofing of functionally dependent use facilities and variances to contend with the needs of the City for loading and unloading

of cargo, ship building, ship repair, storage and manufacturing, food processing, and any other harbor functionally dependent use works.

G. Other Departments. At the discretion of the City Council such other City departments or agencies not hereinabove mentioned may be directed to render assistance and/or implement their own regulations and policies in the effectuation of the provisions of this Plan.

Sec. 7. EMERGENCIES.

Temporary remedial measures may be taken in response to an emergency caused by a sudden and unanticipated flooding, mudlow or coastal high-hazards when such measures are required for the immediate protection of life, property, essential services and the general health and safety of the people.

A. All emergency projects undertaken under this emergency clause shall be permitted to proceed without prior approval or approvals that would otherwise be necessary in absentia of a genuine emergency.

B. All emergency projects excepted by this section shall be deemed temporary and no vested rights are implied or granted by the City.

C. All projects which would otherwise require licenses and/or permits and which are undertaken under the emergency provisions of this section shall have the required applications filed with the appropriate agency of the City within seven working days after the emergency abates.

D. Any emergency project which remains in place after the emergency abates shall be constructed or altered to meet all applicable standards and shall be inspected to verify that all applicable standards have been met.

Sec. 8. ALTERATION OF DRAINAGE COURSES.

A. No natural or man-made drainage course shall be altered or relocated without prior notification to all adjacent communities affected or potentially affected by such alteration or relocation. Copies of such notifications shall be submitted to the State Coordinating Office (the California Department of Water Resources) and the Administrator at the same time the affected communities are notified.

B. No natural or man-made drainage course shall be altered or relocated in any way which would diminish its flood carrying capacity.

C. No natural or man-made drainage course shall be altered or relocated in any way not in keeping with the provisions and intent of the Plan.

Sec. 9. WAIVERS.

A. Responsibilities.

1. The City Engineer for the Department of Public Works and the General Manager of the Department of Building and Safety or their designees, and a Zoning Administrator for the Department of City Planning may grant waivers from the requirements of this Plan.

2. The authority to grant waivers shall be delegated as follows:

(a) The City Engineer - design and construction of Public Works,

(b) General Manager, Department of Building and Safety - construction of private structures and grading on private property, and

(c) Director of Planning - all other projects.

The Flood Hazard Mitigation Coordinator shall be notified of all requests for waivers.

B. Findings. Before granting a waiver, the following findings must be made:

1. For a waiver in a floodway, that no increase in flood levels during the base flood discharge will result.

2. For areas in excess of one-half acre, that the waiver is consistent with the objectives of sound floodplain management.

3. That no residential structures shall be permitted to be floodproofed in lieu of the elevation requirements of this ordinance.

4. For all areas, that exceptional hardship will result if the waiver is not granted.

5. That the waiver will not result in increased flood height; additional threats to public safety; create extraordinary public or private expense; create nuisances; cause fraud or victimization of the public; or conflict with *the* Los Angeles Municipal Code.

6. That the waiver is the minimum necessary to afford relief.

C. Procedures.

1. An application for a waiver shall be filed with the office of the City authorized to grant waivers upon a form and accompanied by such data and information as has been prescribed for that purpose. Each application shall be verified by the owner or lessee of the property concerned and accompanied by the fee set forth in Los Angeles Municipal Code Section 19.01 D for zone use variances.

2. Upon the filing of a verified application for waiver, the matter shall be set for public hearing before the City official authorized to grant variances. Notice of the time, place and purpose of the public hearing shall be mailed not less than ten days prior to the date of such hearing to the applicant and to the owners of property within 300 feet of the subject property. The names *and* addresses of owners of property located within the City shall be determined by reference to the records of the City Clerk, and for property outside the City from records of the County Assessor. The decision maker authorized to grant variances shall investigate each such application as expeditiously as possible and render a decision thereon within 75 days from the date the completed application is accepted for filing.

3. The determination of the decision maker shall be in writing and shall be supported by findings of fact based on evidence presented to the decision maker. The decision maker may attach such conditions to the grant of a waiver as he or she deems necessary to further the purposes of this ordinance. A copy of the determination of the decision maker together with notification that: (a) issuance of a waiver to construct a structure below the base flood level will result in increased premium rates for insurance coverage; and (b) such construction below the base flood Level increases risk to life and property shall be mailed to the applicant. Copies of a determination approving a waiver shall be sent to the Citywide Hazard Coordination Officer.

D. Appeals of Waivers. If the applicant, or any other affected party is dissatisfied with the action of the decision maker pertaining to a waiver, he or she may appeal such action as follows:

1. The actions of the City Engineer shall be appealed to the Board of Public Works; the actions of a Zoning Administrator to the Board of Zoning Appeals; the actions of the General Manager of the Department of Building and Safety to the Building and Safety Commission.

2. The appeal shall be on a form prescribed therefore and shall contain in detail the basis on which the applicant is dissatisfied with the

action of the decision maker and a statement as to whether the waiver is in violation of this Plan or implementing regulations and if so, in what respect ~~is it~~ is in violation.

3. The appeal must be filed with the appropriate body within 15 days after the mailing of the determination by the decision maker. The commission or board shall hear the matter within 30 days after filing of the appeal.

4. At the appeal hearing the commission or board shall hear the testimony of the appellant, the applicant, the person rendering the decision on the waiver and any witnesses called by such participants.

5. Within ten days after the conclusion of the hearing the commission or board shall declare its determination. It may sustain, modify, reject or overrule any determination by the decision maker. In granting or sustaining a waiver, findings as required by this section must be adopted by the appeal body.

Sec. 10. REVISIONS.

A. Amendments or revisions to this specific plan may be initiated by the City Council or the City Planning Commission and processed in accordance with the procedures set forth in Section 12.32 of the Los Angeles Municipal Code.

B. The City Engineer and/or Director of Planning shall review changes in applicable Federal regulations and, as necessary, report and make recommendation to the City Council.

Sec.11.CITYWIDE FLOOD HAZARD COORDINATION AND REPORTING.

A. Coordinating.

1. The City Administrative officer is designated as liaison between the City and the Federal Emergency Management Agency and other Federal, State, regional and local agencies. Flood-related disaster relief activities shall be coordinated through this office.

2. The City Engineer is designated as the Flood Hazard Mitigation Coordinator for the City. The Flood Hazard Mitigation Coordinator shall be responsible for coordinating the implementation of this ordinance among the Planning, Building and Safety and Public Works Departments.

He or she shall submit all reports required by Federal regulations and/or this plan in accordance with procedures set forth below.

3. All affected divisions of the Emergency Operations Organization shall cooperate with and assist the above-designated officials. The Citywide Flood Hazard Coordination Program will be the responsibility of the Emergency Operations Board. Under Los Angeles Administrative Code Section 8.41, the Board is responsible for preparation for and response to emergency situations within the City. The Board is composed of department managers who are primarily involved in various aspects of the flood hazards program.

B. Reporting.

1. The Flood Hazard Mitigation Coordinator shall be responsible for the required notification to the Administrator and the State and regional clearinghouses of waivers from the Plan. Each department shall submit copies of each waiver, its findings and supporting justifications to the Flood Hazard Mitigation Coordinator.

2. Annually, each affected department shall submit a summary report of: (a) the number of permits approved in Special Flood Hazard Areas, (b) the number of waivers applied for, (c) the number of waivers approved, and (d) any other data requested by the Flood Hazard Mitigation Coordinator. These Departmental reports shall be received by the Flood Hazard Mitigation Coordinator in sufficient time for him or her to make his/her annual or biennial Summary Report to the Administrator.

3. The Flood Hazard Mitigation Coordinator shall submit an annual or biennial Summary Report to the Administrator in the form and including such information as is required by federal regulations or as requested by the Administrator.

4. The Flood Hazard Mitigation Coordinator shall be responsible for notifications of intent to change or alter drainage courses as required in Section 8 of this Plan.

5. The Flood Hazard Mitigation Coordinator shall submit to the Administrator, as often as necessary, requests for revision to the federally regulated components (FIRM and FBFM) of the Los Angeles Flood Hazard Map.

6. The Flood Hazard Mitigation Coordinator shall notify the Administrator, upon occurrence, whenever the boundaries of the City have

been modified by annexation or when the City has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area.

Sec. 12. SEVERABILITY. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Plan is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Plan which shall remain in full force and effect.

Sec. 13. PROGRAMS. These programs are suggested for possible future study and their inclusion in this Plan does not imply either a rigid methodology or any budgetary obligation on the part of the City. Each program must be individually authorized and funded by the City Council and their inclusion here does not obligate the City of Los Angeles to their implementation.

Recommended are:

A. Initiation of a program for the relocation of occupants away from flood-related hazard areas wherein human life, safety and health is endangered as follows:

1. Examination of the inventory of vacant properties owned by the City for the purpose of implementing the intent of this program by an equitable arrangement of exchange for property rights to be acquired within floodways;
2. Preservation of the flood-prone areas for open space purposes;
3. Acquisition, where feasible, of land or land development rights for public purposes consistent with a policy of minimization of future property losses;
4. Acquisition of frequently flood-damaged structures.

B. Designation of the City's Automated Mapping System as the replacement for the present district maps and accelerate its implementation by:

1. Increasing the present capability of the Bureau of Engineering to construct the computerized base map;
2. Allocation of staff positions for each department to transfer its district map data items onto the Automated Mapping System;

3. Acquisition of the remote terminals for the public counters of the central and district offices as required.

C. Initiation of a program to study the relationship between fire and flood-related hazards by:

1. Taking into account that the native vegetation (particularly the climax vegetation) which covers hillside areas is extremely flammable and that brush fires in such areas are frequently followed by floods and mudflows.

2. Studying the complex interplay between drought, fire, heavy rain and mudflow so as to be better able to identify potentially hazardous situations.

3. Establishing plans and procedures aimed at minimizing such hazards and preventing the possible disasters they may cause.

D. Initiation of a program for the purpose of assessing Coastal High-hazards for the purpose of establishing coastal development criteria, including preventive and remedial measures, for the protection of human life and property by:

1. Completing a bathymetric study to chart the ocean floor in sufficient detail (including topography and depths) to permit engineering calculations to be made concerning hypothetical tsunami and hurricane wave behavior and coastal impacts;

2. Studying the inter-relationships between: (a) type of origin (i.e., earthquake or hurricane), (b) strength of origins (i.e., magnitude of earthquake or strength of winds), (c) directional orientation of origin (i.e., is it aimed directly at us; the directness of path), (d) distance from origin, (e) travel-time between origin and point of coastal impact, (f) degeneration factor (i.e., diminution of strength over distance and time), (g) bathymetry of our coastal shelf, (h) shoaling effect, and (i) coastal landforms and landward barriers or features, so as to be able to identify hazardous situations and to be able to forecast problem areas.

3. Investigating means to mitigate impacts of Coastal High-hazards on human life, safety and welfare, such as: (a) construction of submarine barriers to "trip" incoming waves, (b) construction of shore works, (c) prohibition of new habitable development on or near unprotected coast frontage, and (d) relocation of habitable development and/or vital public facilities away from coastal frontages which are unfeasible to protect.

4. Developing early warning and emergency preparedness plans, including evacuation, temporary relocation alternatives, disaster relief centers and adequate contingencies for policing the area.

E. Initiation of a program to prevent mudflows, erosion and floods including, but not limited to:

1. Inspection of flood control and drainage facilities on private property to recommend clearing or cleaning of debris and/or construction of new facilities.

2. Strengthen the brush clearance ordinance and enforcement to prevent brush fires and concomitant erosion problems.

3. Promote the use of low fuel volume and erosion control landscaping through public education and displays.

4. Provide intensive slope rehabilitation after brush fires, including grading and planting with barley and other stiff, deep rooting grasses.

Sec. 14. URGENCY CLAUSE.

This ordinance amendment is urgently necessary for the preservation of the public peace, health and safety and shall take effect immediately upon its publication. The following is a statement of the facts supporting its urgency. Adoption of this amended specific plan is a required prerequisite for continued eligibility of property in the City of Los Angeles for Federal flood insurance and Federal disaster assistance monies. So that Federal flood insurance will continue to be available for City of Los Angeles property owners, it is imperative that this amended specific plan be made effective by July 6, 1998.

Sec. 15 The City Clerk shall certify to the passage of this ordinance and cause the same to be published by posting for ten days in three public places in the City of Los Angeles, to wit: one copy on the bulletin board located at the Main Street entrance to the City Hall of the City of Los Angeles; one copy on the bulletin board located on the ground level at the Los Angeles Street entrance to the Los Angeles Police Department in said City; and one copy on the bulletin board located at the Temple Street entrance to the Hall of Records in the said City.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of JUN 17 1998.

CITY CLERK

By

Deputy

Approved JUN 22 1998

Acting

Mayor

Approved as to Form and Legality:

June 8, 1998
JAMES K. HAHN, City Attorney

By

Kenneth Cirin
Assistant City Attorney

Pursuant to Sec. 97.8 of the City Charter,
approval of this ordinance recommended
for the City Planning Commission _____

June 8, 1998

See attached report.

File No. ~~93-0124~~ 98-1023
City Plan Case No. 29090 CA

Lowstowe
Director of Planning

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 172081 - Specific Plan for the Management of Flood Hazards, a copy of which is hereto attached, was finally adopted by the Council of the City of Los Angeles on June 17, 1998, & under direction of said Council & said City Clerk, pursuant to Section 31 of the Charter of the City of Los Angeles, on June 23, 1998, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: one copy on the bulletin board at the Main Street entrance to City Hall of said City, one copy on the bulletin board on the ground level at the Los Angeles Street entrance to the Los Angeles Police Department in said City, & one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles in said City.

The copies of said ordinance posted as aforesaid were kept posted continuously & conspicuously for ten days, or more, beginning June 23, 1998 to and including July 3, 1998.

I declare under penalty of perjury that the foregoing is true & correct.

Signed this 23rd day of June 1998 at Los Angeles, California.

Maria C. Rico

Deputy City Clerk

Effective Date: July 3, 1998

C.F. 98-1023

(Rev. 2/95)

A. Citywide. It is the City's policy:

1. That public and private development be prohibited in areas where flood-related hazards would seriously endanger human life, health or property.

2. That nonessential public utilities, public or quasi-public facilities not be located in special hazard areas. When public utilities, public or quasi-public facilities must be located in hazard areas, assure that they are constructed to minimize or eliminate any flood hazards.

3. That, as the General Plan elements and community plans are restudied and revised, areas needing the protection provided by this Specific Plan will be appropriately designated.

4. That the City consider during the processing of development proposals the potential for flooding and flood-related damage in areas not otherwise identified as flood hazard areas due, but not limited to, the rupture, breakage or structural failure of a dam, reservoir, aqueduct or other large water or sewer conduit, whether by an earthquake or by any other cause.

5. That uses compatible with flooding shall be encouraged in special hazard areas as opposed to other uses.

6. That the City in considering proposals for all new public and private development take into account the potential for adverse effects on development already existing within special hazard areas.

7. That all future public and private developments, including rehabilitation, reconstruction and add-on construction be located and designed with regard to flood-related hazards.

8. That all development presently existing in flood-related hazard areas be encouraged to institute protective and remedial measures for protection from flood hazards.

9. That land subject to repeated and/or severe flood damage where feasible and practicable be acquired by the City and held as open space or be used in a manner compatible with flood-related hazards.

10. That the City prepare flood warning and emergency preparedness plans as a part of the City's Emergency Preparedness Plan,

regulations by which all new construction and substantial improvements to public and private development shall be governed.

A. General.

1. These regulations apply to the special flood hazard area designations and water surface elevations furnished by the Administrator and the City Engineer.

2. To the extent permitted by law, all public and private development shall be subject to these regulations and construction may not commence without compliance with the provisions and intent of this Plan and permits from those governmental agencies from which approval is required by Federal or State law.

3. These regulations shall be considered to be the minimum requirements and where sound engineering and prudence demand, such additional measures shall be taken to assure full compliance with the intent and purpose of this Plan.

4. This section shall not create liability on the part of the City of Los Angeles, the United States or any officer or employee thereof.

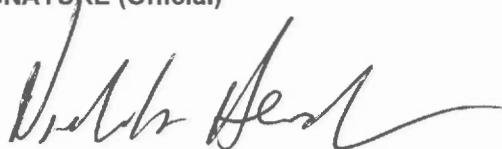
5. It is not the intent of these regulations to abrogate or lessen in any respect any other provision of the Los Angeles Municipal Code. Should any provisions of this section conflict with any other provision of the Los Angeles Municipal Code, the more restrictive shall prevail.

B. Planning Development Permits.

1. Applications and procedures for zone changes, variances, conditional use permits, divisions of land, coastal development permits, environmental clearances, or any other permit procedure pertinent to this Plan shall contain additional information on the application forms sufficient to determine the existence and extent of flood-related hazards, and to provide sufficient data to enable thorough and complete review of the development as it relates to this Plan.

2. For all projects processed by the Department of City Planning including the office of Zoning Administration a finding of fact shall be made as to whether or not a project is located within a special hazard area. For projects found to be located in a special hazard area the following finding shall be made: "that the project conforms with both the specific provisions and the intent of the Floodplain Management Specific Plan." Specific

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY City of Los Angeles	COUNCIL DISTRICT CD 10 - HERB J. WESSON, JR.	
PROJECT TITLE ENV-2015-1229-MND	CASE NO. VTT-73424-SL	
PROJECT LOCATION 4116 W COUNTRY CLUB DR		
PROJECT DESCRIPTION <p>The proposed project involves the demolition of three commercial buildings and surface parking and the construction, use and maintenance of thirty-eight (38) small lot homes on a 1.35 net acre site in the C2-1-O Zone. Each home will be three stories in height and will include two parking spaces within private garages. Additionally, ten guest parking spaces are proposed.</p> <p>The project is requesting approval of a Vesting Tentative Tract Map (VTT-73424-SL) to allow for the merger and subdivision of eight existing parcels into 38 Small Lots.</p>		
NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY Advent Property Holdings		
FINDING: <p>The City Planning Department of the City of Los Angeles has Proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance</p> <p style="text-align: center;">(CONTINUED ON PAGE 2)</p> <p>SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.</p> <p>Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt the mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.</p> <p style="text-align: center;">THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.</p>		
NAME OF PERSON PREPARING THIS FORM JORDANN TURNER	TITLE CITY PLANNER	TELEPHONE NUMBER (213) 978-1365
ADDRESS 200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012	SIGNATURE (Official) 	DATE JULY 6, 2016

I-120. Aesthetics (Light)

- Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

I-130. Aesthetics (Glare)

- Environmental impacts to adjacent residential properties may result from glare from the proposed project. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

IV-70. Tree Removal (Non-Protected Trees)

- Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a less than significant level by the following measures:
- Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division, Bureau of Street Services, Department of Public Works.

IV-90. Tree Removal (Public Right-of-Way)

-
- Removal of trees in the public right-of-way requires approval by the Board of Public Works.
- The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).
- The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
- All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

X-60. Land Use/Planning

- The project will result in land use and/or planning impact(s). However, the impact(s) can be reduced to a less than significant level through compliance with the following measure(s):
- An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.

XII-20. Increased Noise Levels (Demolition, Grading, and Construction Activities)

-
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

XII-170. Severe Noise Levels (Residential Fronting on Major or Secondary Highway, or adjacent to a Freeway)

- Environmental impacts to future occupants may result from this project's implementation due to mobile noise. However, these impacts will be mitigated to a less than significant level by the following measures:

- All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

XIV-10. Public Services (Fire)

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a less than significant level by the following measure:
- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

XIV-20. Public Services (Police – Demolition/Construction Sites)

-
- Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

XIV-30. Public Services (Police)

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal police services. However, this potential impact will be mitigated to a less than significant level by the following measure:
- The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

XVI-40. Safety Hazards

- Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a less than significant level by the following measure:
- The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycle, and vehicle safety.
- The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

XVI-80. Transportation/Traffic

- The project will result in impacts to transportation and/or traffic systems. However, the impact can be reduced to a less than significant level through compliance with the following measure(s):
- Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
- Temporary pedestrian facilities should be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 ROOM 395, CITY HALL
 LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
and CHECKLIST
 (CEQA Guidelines Section 15063)

LEAD CITY AGENCY: City of Los Angeles	COUNCIL DISTRICT: CD 10 - HERB J. WESSON, JR.	DATE:
RESPONSIBLE AGENCIES: Department of City Planning		
ENVIRONMENTAL CASE: ENV-2015-1229-MND	RELATED CASES: VTT-73424-SL	
PREVIOUS ACTIONS CASE NO.:	<input type="checkbox"/> Does have significant changes from previous actions. <input checked="" type="checkbox"/> Does NOT have significant changes from previous actions.	
PROJECT DESCRIPTION: TENTATIVE TRACT MAP		
ENV PROJECT DESCRIPTION: <p>The proposed project involves the demolition of three commercial buildings and surface parking and the construction, use and maintenance of thirty-eight (38) small lot homes on a 1.35 net acre site in the C2-1-O Zone. Each home will be three stories in height and will include two parking spaces within private garages. Additionally, ten guest parking spaces are proposed.</p> <p>The project is requesting approval of a Vesting Tentative Tract Map (VTT-73424-SL) to allow for the merger and subdivision of eight existing parcels into 38 Small Lots.</p>		
ENVIRONMENTAL SETTINGS: <p>The project site is a generally level consisting of multiple lots approximately 1.35 net acres in size, with street frontages along Crenshaw Avenue and Country Club Drive. The subject property is within the Wilshire Community Plan, designated for Neighborhood Office Commercial land uses and is zoned C2-1-O. The project site borders the Country Club Historic Preservation Overlay Zone to the east.</p> <p>The site is currently developed with three commercial buildings (once of which is occupied by a church) and associated surface parking. The adjacent properties to the north (across Country Club Drive) are developed with one and two story commercial buildings along Crenshaw Boulevard and zoned C2-1O; immediate east are multi-family housing in the R3-1-O-HPOZ zone; immediate south of the project site are one and two-story commercial buildings and surface parking in the C2-1-O Zone; immediate west of the project site are commercial buildings along Crenshaw Boulevard in the C2-1-O zone and further west are single-family homes in the R1-1-O Zone.</p> <p>Crenshaw Boulevard adjoining the project site to the west is designated as an Avenue II dedicated to a variable with and improved with concrete gutters, curbs and sidewalk. Country Club Drive is designated as a Collector Street dedicated to a width of 60 feet and improved with concrete gutters, curbs and sidewalk.</p> <p>The property is located approximately 2 kilometers from the Puente Hills Blind Thrust fault and is located within a Methane Buffer Zone.</p> <p>The property is not located within an Airport Hazard area, Coastal Zone, Very High Fire Hazard Severity Zone, Fire District No. 1, Flood Zone, Watercourse, Hazardous Waste/Border Zone Properties, High Wind Velocity Areas, Oil Wells, Alquist-Priolo Fault Zone, a Landslide Area, a Preliminary Fault Rupture Study Area or a Tsunami Inundation Zone. Additionally, the property is not located within 500 feet of any school or park.</p>		
PROJECT LOCATION: 4116 W COUNTRY CLUB DR		

COMMUNITY PLAN AREA: WILSHIRE STATUS: <input type="checkbox"/> Does Conform to Plan <input type="checkbox"/> Does NOT Conform to Plan	AREA PLANNING COMMISSION: CENTRAL	CERTIFIED NEIGHBORHOOD COUNCIL: OLYMPIC PARK
EXISTING ZONING: C2-1-O	MAX. DENSITY/INTENSITY ALLOWED BY ZONING: 68 units	LA River Adjacent:
GENERAL PLAN LAND USE: NEIGHBORHOOD OFFICE COMMERCIAL	MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION: 68 units	
	PROPOSED PROJECT DENSITY: 38 units	

Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

CITY PLANNER

(213) 978-1365



Signature

Title

Phone

Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> AESTHETICS <input type="checkbox"/> AGRICULTURE AND FOREST RESOURCES <input type="checkbox"/> AIR QUALITY <input checked="" type="checkbox"/> BIOLOGICAL RESOURCES <input type="checkbox"/> CULTURAL RESOURCES <input type="checkbox"/> GEOLOGY AND SOILS	<input type="checkbox"/> GREEN HOUSE GAS EMISSIONS <input type="checkbox"/> HAZARDS AND HAZARDOUS MATERIALS <input type="checkbox"/> HYDROLOGY AND WATER QUALITY <input checked="" type="checkbox"/> LAND USE AND PLANNING <input type="checkbox"/> MINERAL RESOURCES <input checked="" type="checkbox"/> NOISE	<input type="checkbox"/> POPULATION AND HOUSING <input checked="" type="checkbox"/> PUBLIC SERVICES <input type="checkbox"/> RECREATION <input checked="" type="checkbox"/> TRANSPORTATION/TRAFFIC <input type="checkbox"/> UTILITIES AND SERVICE SYSTEMS <input type="checkbox"/> MANDATORY FINDINGS OF SIGNIFICANCE
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INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)

Background

PROPONENT NAME:

Advent Property Holdings

PHONE NUMBER:

(949) 777-4000

APPLICANT ADDRESS:
AGENCY REQUIRING CHECKLIST:

Department of City Planning

DATE SUBMITTED:

04/02/2015

PROPOSAL NAME (if Applicable):

Potential significant impact	Less than significant mitigation incorporated	Less than significant impact	No impact
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OPC-2020-516-DB-PSH-SIP
EXHIBIT 7

I. AESTHETICS

a.	Have a substantial adverse effect on a scenic vista?		✓	
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			✓
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?		✓	
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	✓		

II. AGRICULTURE AND FOREST RESOURCES

a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?			✓
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?			✓
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			✓
d.	Result in the loss of forest land or conversion of forest land to non-forest use?			✓
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			✓

III. AIR QUALITY

a.	Conflict with or obstruct implementation of the applicable air quality plan?		✓	
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		✓	
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		✓	
d.	Expose sensitive receptors to substantial pollutant concentrations?		✓	
e.	Create objectionable odors affecting a substantial number of people?		✓	

IV. BIOLOGICAL RESOURCES

a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		✓	
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			✓
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	✓		
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			✓

V. CULTURAL RESOURCES

Potential significant impact	Less than significant mitigation incorporated	Less than significant impact	No impact
------------------------------------	--------------------------------------------------------	------------------------------------	-----------

a.	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?			✓	
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			✓	
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			✓	
d.	Disturb any human remains, including those interred outside of formal cemeteries?			✓	
e.	Cause a substantial adverse change in the significance of a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American Tribe that is listed or determined eligible for listing on the California register of historical resources, listed on a local historical register, or otherwise determined by the lead agency to be a tribal cultural resource?			✓	
VI. GEOLOGY AND SOILS					
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
b.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking?			✓	
c.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction?				✓
d.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides?				✓
e.	Result in substantial soil erosion or the loss of topsoil?			✓	
f.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓
g.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓	
h.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓
VII. GREEN HOUSE GAS EMISSIONS					
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	
VIII. HAZARDS AND HAZARDOUS MATERIALS					
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓

Potential significant impact	Less than significant mitigation incorporated	Less than significant impact	No impact
------------------------------------	--------------------------------------------------------	------------------------------------	-----------

e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	
h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓
IX. HYDROLOGY AND WATER QUALITY					
a.	Violate any water quality standards or waste discharge requirements?			✓	
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				✓
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				✓
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	
f.	Otherwise substantially degrade water quality?			✓	
g.	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				✓
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j.	Inundation by seiche, tsunami, or mudflow?				✓
X. LAND USE AND PLANNING					
a.	Physically divide an established community?			✓	
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		✓		
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓
XI. MINERAL RESOURCES					
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓
XII. NOISE					
a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		✓		

Potential significant impact	Less than significant mitigation incorporated	Less than significant impact	No impact
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b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?		✓		
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		✓		
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓
XIII. POPULATION AND HOUSING					
a.	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓
XIV. PUBLIC SERVICES					
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?		✓		
b.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Police protection?		✓		
c.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools?			✓	
d.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Parks?			✓	
e.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Other public facilities?			✓	
XV. RECREATION					
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✓	
XVI. TRANSPORTATION/TRAFFIC					

Potential significant impact	Less than significant mitigation incorporated	Less than significant impact	No impact
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a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?		✓	
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?		✓	
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			✓
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	✓		
e.	Result in inadequate emergency access?	✓		
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		✓	
XVII. UTILITIES AND SERVICE SYSTEMS				
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?		✓	
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		✓	
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		✓	
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?		✓	
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		✓	
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		✓	
g.	Comply with federal, state, and local statutes and regulations related to solid waste?		✓	
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE				
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		✓	
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		✓	

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description may cause potentially significant impacts on the environment without mitigation. Therefore, this environmental analysis concludes that a Mitigated Negative Declaration shall be issued to avoid and mitigate all potential adverse impacts on the environment by the imposition of mitigation measures and/or conditions contained and expressed in this document; the environmental case file known as **ENV-2015-1229-MND** and the associated case(s), **VTT-73424-SL**. Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impact(s) on the environment (after mitigation) **will not:**

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

ADDITIONAL INFORMATION:

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at <http://www.lacity.org> ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) cityplanning.lacity.org/ or EIR Unit, City Hall, 200 N Spring Street, Room 763. Seismic Hazard Maps - <http://gmw.consrv.ca.gov/shmp/> Engineering/Infrastructure/Topographic Maps/Parcel Information - <http://boemaps.eng.ci.la.ca.us/index01.htm> or City's main website under the heading "Navigate LA".

PREPARED BY:	TITLE:	TELEPHONE NO.:	DATE:
JORDANN TURNER	CITY PLANNER	(213) 978-1365	06/09/2016

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APPENDIX A: ENVIRONMENTAL IMPACTS EXPLANATION TABLE

I. AESTHETICS

a.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would have a substantial adverse effect on a scenic vista. A scenic vista refers to views of focal points or panoramic views of broader geographic areas that have visual interest. A focal point view would consist of a view of a notable object, building, or setting. A scenic vista would become diminished if the bulk or design of a building or development contrasts enough with a visually interesting view, so that the quality of the view is permanently affected. The subject site is located on the southeast corner of Crenshaw Boulevard and Country Club Drive and neither of these streets is identified as a Scenic Highway in the Mobility Plan 2035. Therefore, the proposed project would result in no impact with regard to scenic vistas.	
b.	NO IMPACT	A significant impact would occur if the proposed project would substantially damage scenic resources within a State Scenic Highway. The City of Los Angeles' General Plan Mobility Element (Citywide General Plan Circulation System Maps) indicates that no City-designated scenic highways are located near the project site. Therefore, no impacts related to scenic highways would occur.	
c.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would substantially degrade the existing visual character or quality of the project site and its surroundings. Significant impacts to the visual character of a site and its surroundings are generally based on the removal of features with aesthetic value, the introduction of contrasting urban features into a local area, and the degree to which the elements of the proposed project detract from the visual character of an area. The proposed project will not change the visual character of its surroundings, and will be an infill development of 38 small lot homes in a built-out environment. The project will be required to comply with LAMC Sections 91.8104, 91.8104.15, and 91.6205, which regulate trash and graffiti abatement.	

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		Therefore, impacts will be less than significant.	
d.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	A significant impact would occur if light and glare substantially altered the character of off-site areas surrounding the site or interfered with the performance of an off-site activity. Light impacts are typically associated with the use of artificial light during the evening and night-time hours. Glare may be a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass and reflective cladding materials, and may interfere with the safe operation of a motor vehicle on adjacent streets. Daytime glare is common in urban areas. Nighttime glare is primarily associated with bright point-source lighting that contrasts with existing low ambient light conditions. The project could create significant new sources of light and glare due to the use of security lighting and various building materials. Incorporation of the mitigation measures would reduce project impacts to less than significant levels.	I-120, I-130

II. AGRICULTURE AND FOREST RESOURCES

a.	NO IMPACT	A significant impact would occur if the proposed project would convert valued farmland to non-agricultural uses. No farmland, agricultural uses, or related operations are present within the project site or surrounding area. Due to its urban setting, the project site and surrounding area are not included in the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, the proposed project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, and no impact would occur.	
b.	NO IMPACT	A significant impact would occur if the proposed project conflicted with existing agricultural zoning or agricultural parcels enrolled under the Williamson Act. The project site is not zoned for agricultural use or regulated under the Williamson Act. As the project site and surrounding area do not contain farmland of any type, the proposed project would not conflict with a Williamson Act Contract and no impact would occur.	

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c.	NO IMPACT	A significant impact would occur if the proposed project conflicted with existing zoning for, or caused rezoning of forest land or timberland, or resulted in the loss of forest land or in the conversion of forestland to non-forest use. The project site and the surrounding area are not zoned for forest land or timberland. Accordingly, the proposed project would not conflict with forest land or timberland zoning or result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact would occur.	
d.	NO IMPACT	A significant impact would occur if the proposed project conflicted with existing zoning for, or caused rezoning of forest land or timberland, or resulted in the loss of forest land or in the conversion of forestland to non-forest use. The project site and the surrounding area are not zoned for forest land or timberland. Accordingly, the proposed project would not conflict with forest land or timberland zoning, or result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact would occur.	
e.	NO IMPACT	A significant impact would occur if the proposed project caused the conversion of farmland to non-agricultural use. The project site does not contain farmland, forestland, or timberland. Therefore, no impacts would occur.	

III. AIR QUALITY

a.	LESS THAN SIGNIFICANT IMPACT	The South Coast Air Quality Management District (SCAQMD) is the agency primarily responsible for comprehensive air pollution control in the South Coast Air Basin and reducing emissions from area and point stationary, mobile, and indirect sources. SCAQMD prepared the 2012 Air Quality Management Plan (AQMP) to meet federal and state ambient air quality standards. A significant air quality impact may occur if a project is inconsistent with the AQMP or would in some way represent a substantial hindrance to employing the policies or obtaining the goals of that plan. The proposed project with 38 small lot homes is not expected to conflict with or obstruct the implementation of the AQMP and SCAQMD rules. The proposed project is also subject to the City's Green Building Program Ordinance (Ord. No. 179,890), which was adopted to reduce the use of natural resources, create healthier living	
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Impact?	Explanation	Mitigation Measures
	environments, and minimize the negative impacts of development on local, regional and global ecosystems. Therefore, impacts would be less than significant.	
b.	<p>LESS THAN SIGNIFICANT IMPACT</p> <p>A significant impact would occur if the proposed project would violate any air quality standard or contribute substantially to an existing or projected air quality violation. Construction of the proposed project would contribute to air quality emissions through the use of heavy-duty construction equipment, truck deliveries and haul trips, and vehicle trips generated by construction workers traveling to and from the project site. Fugitive dust emissions would primarily result from earthwork activities. Nitrogen oxide (NOX) emissions would primarily result from the use of construction equipment. It is mandatory for all construction projects in the South Coast Air Basin (Basin) to comply with SCAQMD Rule 403 for Fugitive Dust. Specific Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site, and maintaining effective cover over exposed areas. Compliance with Rule 403 would reduce regional particulate matter emissions associated with construction activities and the impacts would be less than significant.</p>	
c.	<p>LESS THAN SIGNIFICANT IMPACT</p> <p>The project does not propose to have a subterranean level and proposes less than 500 cubic yards of grading. While grading will be minimal, the construction phase will produce fugitive dust and mobile sources emissions as a result of construction activity. The proposed project and the whole of the Los Angeles metropolitan area are located within the Basin, which is characterized by relatively poor air quality. The Basin is currently classified as a federal and State non-attainment area for ozone (O₃), respirable particulate matter (PM₁₀), PM_{2.5}, and lead (Pb) and a federal attainment/maintenance area for carbon monoxide (CO). It is classified as a State</p>	

Impact?	Explanation	Mitigation Measures
	<p>attainment area for CO, and it currently meets the federal and State standards for nitrogen dioxide (NO₂), sulfur oxides (SOX), and Pb. Because the Basin is designated as a State and/or federal nonattainment air basin for O₃, PM₁₀, PM_{2.5}, and NO₂, there is an on-going regional cumulative impact associated with these pollutants. However, an individual project can emit these pollutants without significantly contributing to this cumulative impact depending on the magnitude of emissions. This magnitude is determined by the project-level significance thresholds established by the SCAQMD. Operational and construction regional emissions would not likely exceed the project-level SCAQMD localized significance thresholds for criteria air pollutants. Impacts during construction will be less than significant due to existing regulations and compliance with SCAQMD Rule 403 during the construction phase.</p>	
d.	<p>LESS THAN SIGNIFICANT IMPACT</p> <p>Based on the City of Los Angeles CEQA Thresholds Guide, a significant impact may occur if a project were to generate pollutant concentrations to a degree that would significantly affect sensitive receptors. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. The California Air Resources Board (CARB) has published guidance for locating new sensitive receptors (e.g., residences) away from nearby sources of air pollution. Relevant recommendations include avoid siting new sensitive land uses within 500 feet of a freeway or 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). The project site is located approximately 2 miles north of Interstate 10 (Santa Monica Freeway) and approximately .25 miles from a gas station (located at Crenshaw Boulevard and Olympic Boulevard). However, the gas station is not considered a large gas station. Therefore, the location of the proposed project would be consistent with CARB recommendations for locating new sensitive receptors and the proposed project would have a less-than-significant impact.</p>	

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e.	LESS THAN SIGNIFICANT IMPACT	<p>Potential sources that may emit odors during construction activities include equipment exhaust and architectural coatings. Odors from these sources would be localized and generally confined to the immediate area surrounding the project site. The proposed project would utilize typical construction techniques, and the odors would be typical of most construction sites and temporary in nature. Construction of the proposed project would not cause an odor nuisance. According to the SCAQMD CEQA Air Quality Handbook, land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies and fiberglass molding. The proposed land uses would not result in activities that create objectionable odors. Therefore, the proposed project would result in a less-than-significant impact related to objectionable odors.</p>	
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IV. BIOLOGICAL RESOURCES

a.	LESS THAN SIGNIFICANT IMPACT	<p>A project would have a significant biological impact through the loss or destruction of individuals of a species or through the degradation of sensitive habitat. The project site is located within the Wilshire Community Plan. A Tree Report for the project was prepared by Approved Tree Care dated February 16, 2015. The study did not identify any trees on-site. However three trees are located within the public right-of-way. While it is not anticipated that the project site would be a habitat for any species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game, the project will be required to comply with the Federal Migratory Bird Treaty Act (MBTA) (Title 33, United States Code, Section 703 et seq., see also Title 50, Code of Federal Regulation, Part 10) and Section 3503 of the California Department of Fish and Game Code. Therefore, the project's impacts will be less than significant.</p>	
b.	NO IMPACT	<p>A significant impact would occur if any riparian habitat or natural community would be lost or destroyed as a result of urban development. The project site does not contain any riparian habitat and does not contain any streams or water courses</p>	

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	necessary to support riparian habitat. Therefore, the proposed project would not have any effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Services (USFWS), and no impacts would occur.	
c. NO IMPACT	The project site is located in a highly urbanized area and developed with commercial buildings. There are no federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) on the site. Therefore, no impacts would occur.	
d. NO IMPACT	A significant impact would occur if the proposed project would interfere with, or remove access to, a migratory wildlife corridor or impede use of native wildlife nursery sites. Due to the highly urbanized nature of the project site and surrounding area, the lack of a major water body, and the limited number of trees, the project site does not support habitat for native resident or migratory species or contain native nurseries. Therefore, the proposed project would not interfere with wildlife movement or impede the use of native wildlife nursery sites, and no impact would occur.	
e. LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	A significant impact would occur if the proposed project would be inconsistent with local regulations pertaining to biological resources. The project site does not contain locally-protected biological resources, such as oak trees, Southern California black walnut, western sycamore, and California bay trees. The tree report does not identify any trees on site. However the trees are located within the Crenshaw Boulevard right-of-way. Mitigation measures have been incorporated to reduce impacts of the removal of the trees along the public right-of-way to a less than significant impact.	IV-70, IV-90
f. NO IMPACT	The project site and its vicinity are not part of any draft or adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan. Therefore, the	

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		proposed project would not conflict with the provisions of any adopted conservation plan, and no impacts would occur.	
V. CULTURAL RESOURCES			
a.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would be substantially altered the environmental context of, or removed identified historical resources. The project includes the demolition of an existing buildings constructed from 1940's and 1960's. The building is not identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, and the Los Angeles Historic-Cultural Monuments Register. In addition, the site was not found to be a potential historic resource or have any significant architectural features, based on a review of the City's Survey LA findings. Therefore, project impacts would be less than significant.	
b.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if a known or unknown archaeological resource would be removed, altered, or destroyed as a result of the proposed development. Section 15064.5 of the State CEQA Guidelines defines significant archaeological resources as resources that meet the criteria for historical resources or resources that constitute unique archaeological resources. The project proposes minimal grading, less than 500 cubic yards. Project-related excavation for the building footing may have the potential to uncover archaeological resources. However, if archeological resources are found during excavation, the project will be required to follow procedures as detailed in the California Public Resources Code Section 21083.2. Therefore, the impact would be less than significant.	
c.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if excavation or construction activities associated with the proposed project would disturb paleontological or unique geological features. The proposed project would require ground disturbance that may involve excavation into native soils that contain paleontological resources. The project proposes minimal grading, less than 500 cubic yards. If	

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		paleontological resources are found during excavation, the project will be required to follow procedures as detailed in the California Public Resources Code Sections 5097.5 and 30244. Therefore, the impact would be less than significant	
d.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if previously interred human remains would be disturbed during excavation of the project site. Human remains could be encountered during excavation and grading activities associated with the proposed project. The project proposes to grade less than 500 cubic yards of dirt. While no formal cemeteries, other places of human internment, or burial grounds or sites are known to occur within the project site, there is always a possibility that human remains can be encountered during construction. If human remains are found during excavation, the project will need to follow procedures as detailed in the California Health and Safety Code Section 7050.5. If human remains of Native American origin are discovered during project construction, compliance with state laws, which fall within the jurisdiction of the Native American Heritage Commission (NAHC) (Public Resource Code Section 5097), relating to the disposition of Native American burials will be adhered to. Therefore, the impact would be less than significant.	
e.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the project would result in a substantial adverse change in the significance of a tribal cultural resource, including, but not limited to, sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe or an historical resource as defined in of Section 5024.1(c) Public Resources Code. The subject property has not been identified to contain any tribal cultural resource. If human remains of Native American origin are discovered during project construction, compliance with state laws, which fall within the jurisdiction of the Native American Heritage Commission (NAHC) (Public Resource Code Section 5097), relating to the disposition of Native American burials will be adhered to and if archeological resources are found during excavation, the project will be required to follow procedures as detailed in the California	

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		Public Resources Code Section 21083.2. Therefore, project impacts would be less than significant.	
VI. GEOLOGY AND SOILS			
a.	NO IMPACT	The project site is not located within an Alquist-Priolo Special Studies Zone or Fault Rupture Study Area. Therefore, no impacts would occur.	
b.	LESS THAN SIGNIFICANT IMPACT	A Significant impact would occur if the proposed project would cause personal injury or death or resulted in property damage as a result of seismic ground shaking. The project site is located approximately 2 kilometers from the Puente Hills Blind Thrust. The proposed project would be designed and constructed in accordance with State and local building codes to reduce the potential for exposure of people or structures to seismic risks to the maximum extent possible. Compliance with such requirements would reduce seismic ground shaking impacts to the maximum extent practicable with current engineering practices. Therefore, impacts related to strong seismic ground shaking would be less than significant.	
c.	NO IMPACT	Based upon the criteria established in the City of Los Angeles CEQA Thresholds Guide, a significant impact may occur if a proposed project site is located within a liquefaction zone. Liquefaction is the loss of soil strength or stiffness due to a buildup of pore-water pressure during severe ground shaking. This site is not located within a liquefaction zone. Therefore, no impacts would occur.	
d.	NO IMPACT	A significant impact would occur if the proposed project would be implemented on a site that would be located in a hillside area with unstable geological conditions or soil types that would be susceptible to failure when saturated. The project site is not located within a landslide hazard zone. Therefore, no impacts would occur.	
e.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if construction activities or future uses would result in substantial soil erosion or loss of topsoil. Construction of proposed project would result in ground surface disturbance during site clearance, excavation, and grading, which could create the potential for soil erosion to occur. Nevertheless, construction activities would be performed in	

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		accordance with the requirements of the Los Angeles Building Code and the Los Angeles Regional Water Quality Control Board (LARWQBC) through the City's Stormwater Management Division. In addition, the project would be required to develop a Storm Water Pollution Prevention Plan (SWPPP) which would require implementation of an erosion control plan to reduce the potential for wind or waterborne erosion during the construction process. Furthermore, all onsite grading and site preparation would comply with applicable provisions of Chapter IX, Division 70 of the LAMC, and conditions imposed by the City of Los Angeles Department of Building and Safety Grading Division. Therefore, project impacts would be less than significant.	
f.	NO IMPACT	A significant impact would occur if any unstable geological conditions would result in any type of geological failure, including lateral spreading, off-site landslides, liquefaction, or collapse. The project site is not located in a liquefaction zone or area of known instability. Therefore, no impact would result.	
g.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would be built on expansive soils without proper site preparation or design features to provide adequate foundations for project buildings, thus, posing a hazard to life and property. Expansive soils have relatively high clay mineral and expand with the addition of water and shrink when dried, which can cause damage to overlying structures. Soils on the project site may have the potential to shrink and swell resulting from changes in the moisture content. The project would be required to comply with the requirements of the UBC, LAMC, and other applicable building codes. Therefore, project impacts would be less than significant.	
h.	NO IMPACT	The project site is located in a highly urbanized area, where wastewater infrastructure is currently in place. The existing buildings currently connect to existing sewer lines that serve the project site and would not use septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur.	

VII. GREEN HOUSE GAS EMISSIONS

Impact?	Explanation	Mitigation Measures
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a.	LESS THAN SIGNIFICANT IMPACT	<p>Greenhouse gases (GHG) are those gaseous constituents of the atmosphere, both natural and anthropogenic (human generated), that absorb and emit radiation at specific wavelengths within the spectrum of terrestrial radiation emitted by the earth's surface, the atmosphere itself, and by clouds. The City has adopted the LA Green Plan to provide a citywide plan for achieving the City's GHG emissions targets, for both existing and future generation of GHG emissions. In order to implement the goal of improving energy conservation and efficiency, the Los Angeles City Council has adopted multiple ordinances and updates to establish the current Los Angeles Green Building Code (LAGBC) (Ordinance No. 179,890). The LAGBC requires projects to achieve a 20 percent reduction in potable water use and wastewater generation. As the LAGBC includes applicable provisions of the State's CALGreen Code, a new development project that can demonstrate it complies with the LAGBC is considered consistent with statewide GHG reduction goals and policies including AB32 (California Global Warming Solutions Act of 2006). Through required implementation of the LAGBC, the project would be consistent with local and statewide goals and policies aimed at reducing the generation of GHGs. Therefore, project impacts would be less than significant.</p>	
b.	LESS THAN SIGNIFICANT IMPACT	<p>The California legislature passed Senate Bill (SB) 375 to connect regional transportation planning to land use decisions made at a local level. SB 375 requires the metropolitan planning organizations to prepare a Sustainable Communities Strategy (SCS) in their regional transportation plans to achieve the per capita GHG reduction targets. For the SCAG region, the SCS is contained in the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The 2012-2035 RTP/SCS focuses the majority of job growth in high-quality transit areas and other opportunity areas on existing main streets, in downtowns, and commercial corridors, resulting in an improved jobs-housing balance and more opportunity for transit-oriented development. In addition, SB 743, adopted September 27, 2013,</p>	

Impact?	Explanation	Mitigation Measures
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		encourages land use and transportation planning decisions and investments that reduce vehicle miles traveled that contribute to GHG emissions, as required by AB 32. The proposed project would construct a residential project within close proximity to commercial uses and public transit (along Crenshaw Boulevard) and would not interfere with SCAG's ability to implement the regional strategies outlined in the 2012-2035 RTP/SCS. The proposed project, therefore, would be consistent with statewide, regional and local goals and policies aimed at reducing GHG emissions and would result in a less-than-significant impact related to GHG reduction plans.	
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VIII. HAZARDS AND HAZARDOUS MATERIALS

a.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Construction of the proposed project would involve the temporary use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. Operation of the project would involve the limited use and storage of common hazardous substances typical of those used in residential developments, including lubricants, paints, solvents, cleaning supplies, pesticides and other landscaping supplies. No industrial uses or activities are proposed that would result in the use or discharge of unregulated hazardous materials and/or substances, or create a public hazard through transport, use, or disposal. As a residential development, the proposed project would not involve large quantities of hazardous materials that would require routine transport, use, or disposal. With compliance to applicable standards and regulations and adherence to manufacturer's instructions related to the transport, use, or disposal of hazardous materials, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Therefore, project impacts would be less than significant.	
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b.	NO IMPACT	<p>A significant impact would occur if the proposed project created a significant hazard to the public or environment due to a reasonably foreseeable release of hazardous materials. The existing structures on the subject property were built in 1940's and 1960's and therefore may contain asbestos-containing materials (ACMs) and lead-based paint (LBP). Demolition of these buildings would have the potential to release asbestos fibers into the atmosphere if such materials exist and they are not properly stabilized or removed prior to demolition activities. The removal of asbestos is regulated by SCAQMD Rule 1403; therefore, any asbestos found on-site would be required to be removed by a certified asbestos containment contractor in accordance with applicable regulations prior to demolition. Similarly, it is likely that lead-based paint is present in buildings constructed prior to 1979. Compliance with existing State laws regarding removal would be required. Therefore, project impacts would be less than significant.</p>	
c.	NO IMPACT	<p>Construction activities have the potential to result in the release, emission, handling, and disposal of hazardous materials within one-quarter mile of an existing school. The project site is not located within one-quarter mile of an existing school and is not anticipated to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste as part of the proposed project. Therefore, no impacts would result.</p>	
d.	NO IMPACT	<p>A significant impact would occur if the project site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would create a significant hazard to the public or the environment. The California Department of Toxic Substances Control (DTSC) maintains a database (EnviroStor) that provides access to detailed information on hazardous waste permitted sites and corrective action facilities, as well as existing site cleanup information. EnviroStor also provides information on investigation, cleanup, permitting, and/or corrective actions that are planned, being conducted, or have been completed</p>	

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		under DTSC's oversight. The project site has not been identified on EnviroStor. No evidence has been provided that toxic substances exist on the site. Therefore, no impacts would result.	
e.	NO IMPACT	The project site is located approximately 8 miles northeast of Los Angeles International Airport. The project site is not located within an Airport Hazard site. Therefore, no impact would result.	
f.	NO IMPACT	The project site is not located within two miles of a private airstrip. Therefore, no impacts would occur.	
g.	LESS THAN SIGNIFICANT IMPACT	The proposed project would not require the closure of any public or private streets and would not impede emergency vehicle access to the project site or surrounding area. The project would be required to receive approval from LAFD, mitigation measures have been incorporated to further reduce the impacts to a less than significant level.	
h.	NO IMPACT	A significant impact would occur if the proposed project exposed people and structures to high risk of wildfire. The project site is located in a highly urbanized area of the City. The area surrounding the project site is completely developed. Accordingly, the project site and the surrounding area are not subject to wildland fires. Therefore, the proposed project would not expose people or structures to a risk of loss, injury, or death involving wildland fires, and no impact would occur.	

IX. HYDROLOGY AND WATER QUALITY

a.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project discharges water that does not meet the quality standards of agencies which regulate surface water quality and water discharge into stormwater drainage systems, or does not comply with all applicable regulations as governed by the Los Angeles Regional Water Quality Control Board (LARWQCB). The proposed project is the construction of 38 small lot homes. The proposed project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) standards and the City's Stormwater and Urban Runoff Pollution Control regulations (Ordinance No. 172,176 and No. 173,494) to ensure pollutant loads from the project site are minimized for downstream	
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Impact?	Explanation	Mitigation Measures
	receiving waters. Therefore, the proposed project would result in less-than-significant impacts.	
b. LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project would substantially deplete groundwater or interferes with groundwater recharge. The project will require minimal grading; however, the project would be required to comply with Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (Order No. R4-2008-0032, National Pollutant Discharge Elimination System No. CAG994004) or subsequent permit. Potable water would be supplied by the Los Angeles Department of Water and Power (LADWP), which draws its water supplies from distant sources for which it conducts its own assessment and mitigation of potential environmental impacts. Therefore, the project would not require direct additions or withdrawals of groundwater. Therefore, project development would not impact groundwater supplies or groundwater recharge, and impacts will be less than significant.</p>	
c. NO IMPACT	<p>A significant impact would occur if the proposed project would substantially alter the drainage pattern of an existing stream or river so that erosion or siltation would result. There are no streams or rivers located in the project vicinity. Project construction would temporarily expose on-site soils to surface water runoff. However, compliance with construction-related BMPs and/or the Storm Water Pollution Prevention Plan (SWPPP) would control and minimize erosion and siltation. Therefore, the proposed project would result in less than significant impact related to the alteration of drainage patterns and on- or off-site erosion or siltation.</p>	
d. NO IMPACT	<p>A significant impact would occur if the proposed project would substantially alter the drainage pattern of an existing stream or river such that flooding would result. As discussed above, there are no streams or rivers located in the project vicinity. During project operation, storm water or any runoff irrigation waters would be directed into existing storm drains that are</p>	

Impact?	Explanation	Mitigation Measures
	currently receiving surface water runoff under existing conditions. Since the project site is almost entirely impervious, impermeable surfaces resulting from the development of the project would not substantially change the volume of storm water runoff in a manner that would result in flooding on- or off-site. Accordingly, significant alterations to existing drainage patterns within the site and surrounding area would not occur. Therefore, the proposed project would result in less than significant impacts related to the alteration of drainage patterns and on- or off-site flooding.	
e.	LESS THAN SIGNIFICANT IMPACT A significant impact would occur if runoff water would exceed the capacity of existing or planned storm drain systems serving the project site, or if the proposed project would substantially increase the probability that polluted runoff would reach the storm drain system. Accordingly, since the volume of runoff from the site would not measurably increase over existing conditions, water runoff after development would not exceed the capacity of existing or planned drainage systems. Therefore, the proposed project would result in less than significant impacts related to existing storm drain capacities or water quality	
f.	LESS THAN SIGNIFICANT IMPACT A significant impact may occur if a project includes potential sources of water pollutants that would have the potential to substantially degrade water quality. The proposed project does not include potential sources of contaminants, which could potentially degrade water quality and would comply with all federal, state and local regulations governing stormwater discharge. Therefore, no impact would occur.	
g.	NO IMPACT A significant impact would occur if the proposed project would be located within a 100-year or 500-year floodplain or would impede or redirect flood flows. According to the Safety Element of the City of Los Angeles General Plan, 100-Year & 500-Year Flood Plains, Exhibit F, the project site is not located within a 100-year or 500-year floodplain. Therefore, no impact related to flood zones would occur.	

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h.	NO IMPACT	A significant impact would occur if the proposed project would be located within a 100-year or 500-year floodplain or would impede or redirect flood flows. According to the Safety Element of the City of Los Angeles General Plan, 100-Year & 500-Year Flood Plains, Exhibit F, the project site is not located within a 100-year or 500-year floodplain. Therefore, no impact related to flood zones would occur.	
i.	NO IMPACT	A significant impact would occur if the proposed project would be located within an area susceptible to flooding as a result of the failure of a levee or dam. The project site and the surrounding areas are not located within a flood hazard area. Accordingly, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding. Therefore, no impact related to flooding would occur.	
j.	NO IMPACT	A significant impact would occur if the proposed project would be located within an area susceptible to inundation by seiche, tsunami, or mudflow. The project site and the surrounding areas are not located near a water body or in an area where such potential exists. Therefore, the project would have no impact related to inundation by seiche, tsunami, or mudflow.	

X. LAND USE AND PLANNING

a.	LESS THAN SIGNIFICANT IMPACT	A significant impact may occur if the proposed project would be sufficiently large enough or otherwise configured in such a way as to create a physical barrier within an established community. According to the City of Los Angeles CEQA Thresholds Guide, the determination of significance shall be made on a case-by-case basis considering the following factors: (a) the extent of the area that would be impacted, the nature and degree of impacts, and the types of land uses within that area; (b) the extent to which existing neighborhoods, communities, or land uses would be disrupted, divided or isolated, and the duration of the disruptions; and (c) the number, degree, and type of secondary impacts to surrounding land uses that could result from implementation of the proposed project. The proposed project site is located within an urbanized area of the Wilshire Community Plan and is	
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		consistent with the existing physical arrangement of the properties within the vicinity of the site. No separation of uses or disruption of access between land use types would occur as a result of the proposed project. Accordingly, implementation of the proposed project would not disrupt or divide the physical arrangement of the established community, and no impact would occur.	
b.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	<p>A significant impact may occur if a project is inconsistent with the General Plan or zoning designations currently applicable to the project site, and would cause adverse environmental effects, which the General Plan and zoning ordinance are designed to avoid or mitigate. The site is currently improved with commercial buildings and parking. The project site is located within the Wilshire Community Plan with a land use designation of Neighborhood Office Commercial. The site is zoned C2-1-O. The project does not propose any deviations from the Zoning Code. The proposed residential use is consistent with the zoning of the site. With the approval of the vesting tract map the project will be in compliance with the Zoning Code. Nevertheless, Objective 2.1 of the Housing Element aims to “promote safety and health within neighborhoods,” Objective 4.3 of the Air Quality Element aims to “ensure that land use plans separate major sources of air pollution from sensitive receptors such as schools, hospitals and parks,” and Objective 2 of the Noise Element aims to “reduce or eliminate nonairport related intrusive noise, especially relative to noise sensitive uses.” The project is located along Crenshaw Boulevard, a designed Avenue II which generates large amounts of pollution and noise. Therefore, the project’s location would conflict with the Housing Element’s objective to promote safety and health within neighborhoods; the Air Quality Element’s objective to separate major sources of air pollution from sensitive receptors; and the Noise Element’s objective to reduce nonairport related intrusive noise relative to noise sensitive uses. Incorporation of the mitigation measures would reduce</p>	X-60

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		project impacts to less than significant levels.	
c.	NO IMPACT	A significant impact would occur if the proposed project were located within an area governed by a habitat conservation plan or natural community conservation plan. The project site is not subject to any habitat conservation plan or natural community conservation plan. Therefore, no impact would occur.	

XI. MINERAL RESOURCES

a.	NO IMPACT	A significant impact would occur if the proposed project would result in the loss of availability of known mineral resources of regional value, or a locally-important mineral resource recovery site. The project site is not classified by the City as containing significant mineral deposits. The project site is currently designated for Neighborhood Commercial and not for mineral extraction. In addition, the project site is not identified by the City as being located in an oil field or within an oil drilling area. Therefore, the proposed project would not result in the loss of availability of any known, regionally- or locally-valuable mineral resource, and no impact would occur.	
b.	NO IMPACT	A significant impact would occur if the proposed project would result in the loss of availability of known mineral resources of regional value, or a locally-important mineral resource recovery site. The project site is not classified by the City as containing significant mineral deposits. The project site is currently designated for Neighborhood Office Commercial and not for mineral extraction. In addition, the project site is not identified by the City as being located in an oil field or within an oil drilling area. Therefore, the proposed project would not result in the loss of availability of any known, regionally- or locally-valuable mineral resource, and no impact would occur.	

XII. NOISE

a.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	The City of Los Angeles has established policies and regulations concerning the generation and control of noise that could adversely affect its citizens and noise-sensitive land uses. Construction activity would result in temporary increases in ambient noise levels in the project area on an intermittent basis. Noise levels would	XII-20
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Impact?	Explanation	Mitigation Measures
	fluctuate depending on the construction phase, equipment type and duration of use, distance between the noise source and receptor, and presence or absence of noise attenuation barriers. In addition to mitigation measures imposed herein, the project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, which prohibit the emission of creation of noise beyond certain levels at adjacent uses unless technically infeasible.	
b.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED Construction activities can generate varying degrees of vibration, depending on the construction procedures and the type of construction equipment used. High levels of vibration may cause physical personal injury or damage to buildings. However, vibrations rarely affect human health. The operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. Unless heavy construction activities are conducted extremely close (within a few feet) to the neighboring structures, vibrations from construction activities rarely reach the levels that damage structures. However, with mitigation, the proposed project would result in a less-than-significant impact related to construction vibration.	XII-170
c.	LESS THAN SIGNIFICANT IMPACT A significant impact would occur if the project caused a substantial permanent increase in noise levels above existing ambient levels. New stationary sources of noise, such as rooftop mechanical HVAC equipment, would be installed on the proposed development. The design of the equipment will be required to comply with LAMC Section 112.02, which prohibits noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level on the premises of any other occupied properties by more than 5 dBA. Therefore, project impacts would be less than significant.	

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d.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	The City of Los Angeles has established policies and regulations concerning the generation and control of noise that could adversely affect its citizens and noise-sensitive land uses. Construction activity would result in temporary increases in ambient noise levels in the project area on an intermittent basis. Noise levels would fluctuate depending on the construction phase, equipment type and duration of use, distance between the noise source and receptor, and presence or absence of noise attenuation barriers. In addition to mitigation measures imposed herein, the project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, which prohibit the emission of creation of noise beyond certain levels at adjacent uses unless technically infeasible.	XII-170
e.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the project were located within an airport land use plan area, or within two miles of any public or public use airports, or private air strips and its location would have the potential to result in a safety hazard for people residing in the project area. The project is located approximately 8 miles northeast of Los Angeles International Airport.. However the project is not located within an airport land use plan or, where such a plan has not been adopted. Additionally the project site is not located within an airport hazard zone. The project proposed a total of 38 small lot homes, all three stories in height. As proposed, the project would have a less than significant impact.	
f.	NO IMPACT	The project site is not located within two miles of a private airstrip. Therefore, no impacts would occur.	

XIII. POPULATION AND HOUSING

a.	LESS THAN SIGNIFICANT IMPACT	The project proposes to construct 38 small lot homes. The site is currently improved with a commercial buildings and surface parking. The project would induce a substantial population growth. However, the proposed density of the project is consistent with the land use designation and the zone of the property, as designated by the Wilshire Community Plan. The project site is located within an urban area of the City and is served by existing infrastructures. As proposed, the	
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		project would have a less than significant impact.	
b.	NO IMPACT	The project site is developed with commercial buildings with no residential units and would not necessitate the construction of replacement housing elsewhere. No impacts will result.	
c.	NO IMPACT	The project will not displace any existing residents. No impact will result.	

XIV. PUBLIC SERVICES

a.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	<p>A significant impact would occur if the project requires the addition of a new fire station or the expansion, consolidation or relocation of an existing facility to maintain service. The LAFD generally considers fire protection services for a project adequate if a project is within the maximum response distance for the land use proposed. The subject property and the surrounding area are currently served by Fire Station 29, located at 4029 Wilshire Boulevard (approximately 1 mile north of the project site). The proposed project would result in an increase of 38 residential units, which could increase the number of emergency calls and demand for LAFD fire and emergency services. To maintain the level of fire protection and emergency services, the LAFD may require additional fire personnel and equipment. However, given the location of existing fire stations, it is not anticipated that there would be a need to build a new or expand an existing fire station to serve the proposed project and maintain acceptable service ratios, response times, or other performance objectives for fire protection. The project would neither create capacity or service level problems nor result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for fire protection. Nevertheless, incorporation of the mitigation measures would further reduce project impacts to less than significant levels.</p>	XIV-10
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b.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	A significant impact would occur if the Los Angeles Police Department (LAPD) could not adequately serve the proposed project, necessitating a new or physically altered station. The project site is served by the Wilshire Community Police Station located at 4861 Venice Boulevard located approximately 2 miles southwest of the project site. The proposed project will consist of 38 small lot homes. The project would not create capacity/service level problems nor result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for police protection. Nevertheless, incorporation of the mitigation measures would further reduce project impacts to less than significant levels	XIV-20, XIV-30
c.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would include substantial employment or population growth, which could generate a demand for school facilities that would exceed the capacity of the school district. The proposed project will construct a 38 residential units. The project has the potential to increase the number of students in the area and impact existing schools in the area. However, development of the proposed project would be subject to California Government Code Section 65995, which would allow LAUSD to collect impact fees from developers of new residential and commercial space. Conformance to California Government Code Section 65995 is deemed to provide full and complete mitigation of impacts to school facilities. Impacts on school facilities would be less than significant.	
d.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would exceed the capacity or capability of the local park system to serve the proposed project. The City of Los Angeles Department of Recreation and Parks (RAP) is responsible for the provision, maintenance, and operation of public recreational and park facilities and services in the City. The proposed project	

Impact?	Explanation	Mitigation Measures
	would result in a net increase of 38 units, which could result in increased demand for parks and recreation facilities. The proposed project would include common open space. This project feature would reduce the demand for park space created by the proposed project to less than significant levels. Nevertheless, payment of required impact fees by the proposed residential development per LAMC Section 17.12 would further offset some of the increased demand by helping fund new facilities, as well as the expansion of existing facilities. Therefore, the project would not create capacity or service level problems, or result in substantial physical impacts associated with the provision of new or altered parks facilities, and project impacts would be less than significant.	
e.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would result in substantial employment or population growth that could generate a demand for other public facilities, including libraries, which exceed the capacity available to serve the project site, necessitating new or physically altered public facilities, the construction of which would cause significant environmental impacts. The proposed project would result in an increase of 38 units, which could result in increased demand for other public facilities. While the increase in population as a result of the proposed project may create a demand for other public facilities, the project would not create substantial capacity or service level problems that would require the provision of new or physically altered public facilities in order to maintain an acceptable level of other government services. Therefore, project impacts would be less than significant.
XV. RECREATION		
a.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would exceed the capacity or capability of the local park system to serve the proposed project. The project proposes to construct 38 small lot homes. . Additionally, the construction of the residential units will be required to comply with the payment of impact fees by the proposed residential development per LAMC Section 17.12. Therefore, the proposed project would not create capacity or service level problems, or

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		result in substantial physical impacts associated with the provision or new or altered parks facilities. Accordingly, the proposed project would result in a less than significant impact on park facilities.	
b.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would necessitate construction of new recreational facilities, which would adversely impact the environment, or require the expansion or development of parks or other recreational facilities in order to maintain acceptable service ratios, or other performance objectives for parks. The proposed project would not require the construction or expansion of recreational facilities beyond the limits of the project site. Although the proposed project would place some additional demands on park facilities, the increase in demand would be met through a combination of on-site amenities and existing parks in the project area. The project's increased demands upon recreational facilities would not in and of itself result in the construction of a new park, which might have an adverse physical effect on the environment. Therefore, project impacts would be less than significant.	

XVI. TRANSPORTATION/TRAFFIC

a.	LESS THAN SIGNIFICANT IMPACT	The proposed project involves the removal of commercial buildings and the construction of 38 small lot homes, which is less than the LADOT traffic study of 40 dwelling units. The project is not expected to significantly increase the traffic. Therefore, the project would have less than a significant impact.	
b.	LESS THAN SIGNIFICANT IMPACT	A significant impact may occur if the adopted California Department of Transportation (Caltrans) and Los Angeles County Metropolitan Transportation Authority (Metro) thresholds for a significant project impact would be exceeded. The project involves the construction of 38 small lot homes, which is less than LADOT's traffic study threshold of 40 dwelling units. Therefore, the project would have a less than significant impact.	

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c.	NO IMPACT	A significant impact would occur if the proposed project changed air traffic patterns. The project is not located in an Airport Hazard area and would not affect air traffic patterns. Therefore, no impact would occur	
d.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	A significant impact would occur if the proposed project design features/physical configurations affect the visibility of pedestrians and bicyclists to drivers entering and exiting the site, and the visibility of cars to pedestrians and bicyclists or the physical conditions of the site and surrounding area, such as curves, slopes, walls, landscaping or other barriers, which could cause vehicle/pedestrian, vehicle/bicycle or vehicle/vehicle conflicts. The project includes entrances to buildings which require cross vehicular paths of travel and would result in vehicle/pedestrian conflicts. Incorporation of the mitigation measures would reduce project impacts to less than significant level.	XVI-40
e.	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	A significant impact would occur if the project impaired implementation of or physically interfered with an adopted emergency response plan or emergency evacuation plan. Prior to the issuance of a building permit, the Fire Department would be required to review and approve plans. Additionally, with the implementation of mitigation measures, impacts would be less than significant.	XVI-80
f.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the project would conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of facilities supporting alternative transportation. The proposed project will comply with existing regulation as it relates to providing bicycle facilities. During the grading, demolition, and construction phases of the project there is the potential for pedestrian pathways to be blocked or closed. However, prior to closure of a sidewalk within the public right-of-way, the closure along with pedestrian protection would be required to be approved by the Bureau of Street Services and the Department of Building and Safety, pursuant to LAMC	

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Section 62.45 and 91.3306. Therefore, impacts would be less than significant.

XVII. UTILITIES AND SERVICE SYSTEMS

a.	LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project would exceed wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board. A significant impact would also occur if the proposed project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded. The proposed project is the construction of 38 small lot homes, the wastewater generated from the site would be typical of mixed use projects and would enter into and be treated at the Hyperion Treatment Plant (HTP). As the HTP is in compliance with the State's wastewater treatment requirements, the project would not exceed the wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board (LARWQC). The wastewater generation of the proposed project would account for a small percentage of average daily wastewater flow. This increase in wastewater flow would not jeopardize the HTP to operate within its established wastewater treatment requirements. Furthermore, all wastewater from the project would be treated according to requirements of the NPDES permit authorized by the LARWQCB. Therefore, the proposed project would result in a less than significant impact related to wastewater treatment requirements.</p>	
b.	LESS THAN SIGNIFICANT IMPACT	<p>LADWP conducts water planning based on forecast population growth. The construction, use, and maintenance of 38 small lot homes is not anticipated to directly induce population growth in the area. It is not anticipated to require new water supply entitlements and/or require the expansion of existing or construction of new water treatment facilities beyond those already considered in the LADWP 2010 Urban Water Management Plan. Thus, it is anticipated that the proposed project would not create any water system capacity issues, and there would be sufficient reliable water supplies available to meet project demands. Prior to any construction activities, the project applicant would be required to coordinate</p>	

Impact?	Explanation	Mitigation Measures
	with the City of Los Angeles Bureau of Sanitation (BOS) to determine the exact wastewater conveyance requirements of the proposed project, and any upgrades to the wastewater lines in the vicinity of the project site that are needed to adequately serve the proposed project would be undertaken as part of the project. Therefore, the proposed project would have a less than significant impact related to water or wastewater infrastructure.	
c. LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would increase surface water runoff, resulting in the need for expanded off-site storm water drainage facilities. Development of the proposed project would maintain existing drainage patterns; site-generated surface water runoff would continue to flow to the City's storm drain system. Since the project site is developed with buildings and a surface parking lot, impermeable surfaces resulting from the development of the project would not significantly change the volume of storm water runoff. Accordingly, since the volume of runoff from the site would not measurably increase over existing conditions, the proposed project would not create or contribute runoff water that would exacerbate any existing deficiencies in the storm drain system or provide substantial additional sources of polluted runoff. Therefore, the proposed project would result in a less-than-significant impact related to existing storm drain capacities.	
d. LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project would exceed wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board. A significant impact would also occur if the proposed project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded. Wastewater from the subject property would enter into and be treated by the Hyperion Treatment Plant (HTP), which is a part of the Hyperion Treatment System, which includes the Tilman Water Reclamation Plant and the Los Angeles–Glendale Water Reclamation Plant. The wastewater generated by the project would be typical of residential	

Impact?	Explanation	Mitigation Measures
	<p>uses. As the HTP is in compliance with the State's wastewater treatment requirements, the project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB). Furthermore, as a proportion of total average daily flow experienced by the HTP, the wastewater generation of the proposed project would account for a small percentage of average daily wastewater flow. This increase in wastewater flow would not jeopardize the HTP to operate within its established wastewater treatment requirements. Therefore, project impacts would be less than significant.</p>	
e. LESS THAN SIGNIFICANT IMPACT	<p>A significant impact would occur if the proposed project would exceed wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board. A significant impact would also occur if the proposed project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded. Wastewater from the subject property would enter into and be treated by the Hyperion Treatment Plant (HTP), which is a part of the Hyperion Treatment System, which includes the Tilman Water Reclamation Plant and the Los Angeles–Glendale Water Reclamation Plant. The wastewater generated by the project would be typical of residential uses. As the HTP is in compliance with the State's wastewater treatment requirements, the project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB). Furthermore, as a proportion of total average daily flow experienced by the HTP, the wastewater generation of the proposed project would account for a small percentage of average daily wastewater flow. This increase in wastewater flow would not jeopardize the HTP to operate within its established wastewater treatment requirements. Therefore, project impacts would be less than significant.</p>	

Impact?	Explanation	Mitigation Measures
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EXHIBIT 7

f.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project's solid waste generation exceeded the capacity of permitted landfills. The Los Angeles Bureau of Sanitation (BOS) and private waste management companies are responsible for the collection, disposal, and recycling of solid waste within the City, including the project site. Solid waste generated during the operation of the proposed project is anticipated to be collected by private waste haulers. Solid waste collected from the proposed project is anticipated to be hauled to Sunshine Canyon Landfill. In compliance with Assembly Bill (AB) 939, the project applicant would be required to implement a Solid Waste Diversion Program and divert at least 50 percent of the solid waste generated by the project from the Sunshine Canyon Landfill. The proposed project would also comply with all federal, State, and local regulations related to solid waste. Therefore, the proposed project would have a less-than-significant impact related to solid waste.	
g.	LESS THAN SIGNIFICANT IMPACT	A significant impact would occur if the proposed project's solid waste generation exceeded the capacity of permitted landfills. The Los Angeles Bureau of Sanitation (BOS) and private waste management companies are responsible for the collection, disposal, and recycling of solid waste within the City, including the project site. Solid waste generated during the operation of the proposed project is anticipated to be collected by private waste haulers. Solid waste collected from the proposed project is anticipated to be hauled to Sunshine Canyon Landfill. In compliance with Assembly Bill (AB) 939, the project applicant would be required to implement a Solid Waste Diversion Program and divert at least 50 percent of the solid waste generated by the project from the Sunshine Canyon Landfill. The proposed project would also comply with all federal, State, and local regulations related to solid waste. Therefore, the proposed project would have a less-than-significant impact related to solid waste.	

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Impact?	Explanation	Mitigation Measures
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EXHIBIT 7

a.	NO IMPACT	Based on the analysis in this Initial Study, the proposed project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The proposed project will not disturb the existing physical conditions on the site in this urban environment. Therefore, no impact would result.	
b.	LESS THAN SIGNIFICANT IMPACT	A significant impact may occur if the proposed project, in conjunction with the related projects, would result in impacts that are less than significant when viewed separately but significant when viewed together. Although projects may be constructed in the project vicinity, the cumulative impacts to which the proposed project would contribute would be less than significant. In addition, all potential impacts of the proposed project would be reduced to less than significant levels with implementation of the mitigation measure provided in the previous sections. None of these potential impacts are considered cumulatively considerable, and implementation of the mitigation measures identified will ensure that no cumulative impacts will occur as a result of the proposed project.	
c.	LESS THAN SIGNIFICANT IMPACT	A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and mitigation measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of the mitigation measure identified, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly	

COUNTY CLERK'S USE

CITY OF LOS ANGELES

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

CPC-2020-516-DB-PSH-SIP

CITY CLERK'S USE

EXHIBIT 8

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 10
----------------------------------------------------------------------------	------------------------

PROJECT TITLE DIR-2018-2029-TOC	LOG REFERENCE ENV-2018-2030-CE
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PROJECT LOCATION 1251 South West Boulevard

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: Construction of a new multi-family residential building with a total of 20 units, with 3 units set aside for very low income families.

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

CONTACT PERSON Aaron Belliston, BMR Enterprises	AREA CODE 323-839-4623	TELEPHONE NUMBER	EXT.
----------------------------------------------------	---------------------------	------------------	------

EXEMPT STATUS: (Check One)			
	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES	
<input type="checkbox"/> MINISTERIAL	Sec. 15268	Art. II, Sec. 2b	
<input type="checkbox"/> DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)	
<input type="checkbox"/> EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)	
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION	Sec. 15300 <i>et seq.</i>	Art. III, Sec. 1	
Class <u>32</u> Category _____ (City CEQA Guidelines)			
<input type="checkbox"/> OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.			

JUSTIFICATION FOR PROJECT EXEMPTION:

PROJECT DESCRIPTION

The project site is currently improved with three one-story residential structures and a garage. The project involves the construction, use, and maintenance of a five-story over parking level, 56-foot high, 19,076 square-foot multi-family residential building. The project will include 20 residential dwelling units with three units set aside for Very-Low Income Households. The project proposes to provide parking within one at grade parking garage (totaling 16 vehicular parking spaces) The project will also provide 22 bicycle parking spaces.

The subject property is located at 1251 South West Boulevard (1253, 1255 West Boulevard and 4506 West Dockweiler Street) and is composed of one parcel totaling 9,859 square-feet of area. The site has a frontage of approximately 125 feet on the south side of Dockweiler Street and 73 feet on the west side of West Boulevard. The project site is located within the Wilshire Community Plan and has a land use designation of Medium Residential. The project site is zoned R3-1 and is located within a designated Transit Priority Area and Transit Oriented Communities Tier 2.

The project involves a Transit Oriented Communities Approval to permit 13 base units and 7 additional units through the Transit Oriented Communities Program, for a total of 20 Units The applicant has requested three (3) additional incentives for the following: 1) one additional story and up to 11 additional feet in lieu of 45-foot height maximum 2) a reduced front yard setback of 12 feet in lieu of 15 feet required; 3) 20 percent reduction in required open space and any addition actions including but not limited to, tree removal, demolition, grading, excavation, haul route, and building permits. Removal of street trees are subject to the review and approval by the Board of Public Works, Urban Forestry Division.

ENV-2018-2030-CE

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following five applicable conditions: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services.

- (a) The proposed project is consistent with applicable general plan designation, applicable policies, and applicable zoning designations. The Wilshire Community Plan Map designates the property for Medium Residential land uses with a corresponding zone of R3. The site is zoned R3-1, which permits 1 dwelling unit per 800 square feet of lot area, which allows up to 13 dwelling units based on the size of the site. The subject Transit Oriented Communities ("TOC") density bonus allows the proposed 20 units with 3 units set aside for Very Low-Income ("VLI") residents.

The Wilshire Community Plan establishes the following Goals, Objectives, and Policies that relate to the proposed project:

- Goal 1: A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.
- Objective 1-2: To reduce vehicular trips and congestion by developing new housing in proximity to regional and community shopping centers, subway stations, and existing bus route stops.
- Objective 1-4: Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped, and senior citizens. .

The project involves the construction, use, and maintenance of a five-story, 56-foot high, 19,076 square-foot multi-family residential building. The project will include 20 residential dwelling units with three units set aside for Very-Low Income Households. The project includes eight one-bedroom units, and 12 two-bedroom units. The project proposes to provide parking within an at-grade garage (totaling 16 vehicular parking spaces and 22 bicycle parking spaces). The project will result in an overall net gain of 16 units at the site, thus resulting in an overall increase in residential units in the Wilshire Community Plan area. The project site is located within a Tier 2 TOC area, meaning that the project site is located within close proximity to frequent transit service, thereby having the potential to reduce trips and congestion. The project will also provide three units reserved for very low income households along with 17 market rate units. Thus, the project will provide additional housing the plan area at a variety of price points and unit types, which is consistent with the general plan and applicable policies.

- (b) The proposed development occurs within city limits on a project site no more than five acres substantially surrounded by urban uses. The proposed development is wholly within the City of Los Angeles and is on a 0.22 acre site (i.e., less than five acres). The project site is surrounded by urban uses within an urban area; and not located in a farmland or agricultural designated area. The neighborhood is fully built out with a variety of development including single and multi-family uses and this proposed project will be consistent with the developments in the area, in compliance with subsection b.
- (c) The project site has no value as habitat for endangered species, rare, or threatened species. The project is located within an established, fully developed primarily residential and commercial neighborhood in close proximity to Pico Boulevard and Crenshaw Boulevard. Further, no protected trees are proposed for removal from the project site.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

In regards to traffic, a significant impact may occur if the project conflicts with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. The project is the construction of a 20 residential unit multi-family unit structure on an existing site that is presently improved with four residential units. According to the Los Angeles Department of Transportation (LADOT) Traffic Study Exemption Thresholds a project resulting in the development of less than 36 apartment units is not required to prepare a traffic study as any traffic impacts related to the project will be minimal.

In regards to noise, construction activities can generate varying degrees of noise and vibration, depending on the construction procedures and the type of construction equipment used. The operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. Unless heavy construction activities are conducted extremely close (within a few feet) to the neighboring structures, vibrations from construction activities rarely reach the levels that damage structures. Additionally, new stationary sources of noise, such mechanical HVAC equipment, would be installed on the proposed development. The design of the equipment will be required to comply with LAMC Section 112.02 and 112.05, which prohibit noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level on the premises of other occupied properties by more than five dBA. In addition, the project would be required to comply with LAMC Section 41.40, which requires limitations imposed on construction activities. With implementation of the regulations that address construction activities and mechanical equipment, the project would result in a less than significant impact related to construction and operational vibration and noise.

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EXHIBIT 8

In regards to air quality, a significant air quality impact may occur if a project is inconsistent with the AQMP or would in some way represent a substantial hindrance to employing the policies or obtaining the goals of the AQMP. The South Coast Air Quality Management District (SCAQMD) is the agency primarily responsible for comprehensive air pollution control in the South Coast Air Basin and reducing emissions from area and point stationary, mobile, and indirect sources. SCAQMD prepared the 2012 Air Quality Management Plan (AQMP) to meet federal and state ambient air quality standards. The proposed project is not expected to conflict with or obstruct the implementation of the AQMP and SCAQMD rules. The proposed project is also subject to the City's Green Building Program Ordinance (Ord. No. 179,890), which was adopted to reduce the use of natural resources, create healthier living environments, and minimize the negative impacts of development on local, regional and global ecosystems.

In regards to water quality, a significant impact would occur if the project would: 1) exceed wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board (LARWQCB), 2) increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded, or 3) increase surface water runoff, resulting in the need for expanded off site storm water drainage facilities. All wastewater from the project would be treated according to requirements of the NPDES permit authorized by the LARWQCB. Therefore, the proposed project would result in a less than significant impact related to wastewater treatment requirements. Additionally, prior to any construction activities, the project applicant would be required to coordinate with the City of Los Angeles Bureau of Sanitation (BOS) to determine the exact wastewater conveyance requirements of the proposed project, and any upgrades to the wastewater lines in the vicinity of the project site that are needed to adequately serve the proposed project would be undertaken as part of the project. Therefore, the proposed project would not result in a significant impact related to water or wastewater infrastructure. Lastly, development of the proposed project would maintain existing drainage patterns; site generated surface water runoff would continue to flow to the City's storm drain system. The proposed project would not create or contribute runoff water that would exacerbate any existing deficiencies in the storm drain system or provide substantial additional sources of polluted runoff. Therefore, the proposed project would not result in a significant impact related to existing storm drain capacities.

- (e) The proposed project has been reviewed by City staff, and can be adequately served by all required utilities and public services. The project site will be adequately served by all required public utilities and services given that the site is currently and adequately served by the City's Department of Water and Power, the City's Bureau of Sanitation, the Southern California (SoCal) Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, Los Angeles Unified School District, Los Angeles Public Library, and other public services. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these new building codes, which are required of all projects, it can be anticipated that the proposed project will not create any impact on existing utilities and public services through the net addition of 16 residential dwelling units. Based on the facts herein, it can be found that the project meets the qualifications of the Class 32 Exemption.

CEQA SECTION 15300.2: EXCEPTIONS TO THE USE OF CATEGORICAL EXEMPTIONS

The City has further considered whether the proposed project is subject to any of the six exceptions set forth in State CEQA Guidelines Section 15300.2, that would prohibit the use of any categorical exemption. None of the exceptions are triggered for the following reasons:

- 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 effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized 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.*

Based on a review of the data reported on the Department of City Planning's ZIMAS for the subject property, the site is not located within an Airport Hazard Area, Coastal Zone, Farmland Area, Flood Area, High Wind Velocity Area, Oil Well Area, Landslide Zone, Very High Fire Hazard Severity Zone, Special Grading Area, Tsunami Inundation Zone, or Preliminary Fault Rupture Study Area. According to ZIMAS, the project site is not located within the Alquist-Priolo Fault Zone and is within 3.02 kilometers of the nearest known fault (Puente Hills Blind Thrust). As such, exception (a) does not apply.

- B. **Cumulative Impact.** *The exception applies when, although a particular project may not have a significant impact, the impact of successive projects, of the same type, in the same place, over time is significant.*

The project is the construction of residential units in an area previously developed and surrounded by commercial and residential uses. The project is entirely consistent with the existing General Plan designation and zoning. The succession of multi-family residential projects developed to the permitted density, floor area, and height, and constructed pursuant to applicable building code requirements will not result in cumulative impacts. The project will not generate a significant number of vehicle trips and will not result in any significant impacts to land use planning, habitat, noise, air quality, or water quality and therefore will not make a considerable contribution to any significant cumulative traffic, air quality, or noise impacts. Therefore, impacts under this category will be less than significant.

- C. **Significant Effect Due To Unusual Circumstances.** *This exception applies when, although the project may otherwise be exempt, there is a reasonable possibility that the project will have a significant effect due to unusual circumstances.*

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EXHIBIT 8

The project proposes to construct a new, 20-unit, residential affordable housing development in an area zoned and designated for such development. Neighboring properties are developed with multi-family and commercial, and public facilities structures, and the subject site is of a similar size to nearby properties. The height and density are also permitted by the zone through the Affordable Housing Incentive Program. There are no special districts or other known circumstances that indicate a special or sensitive surrounding environment. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

- D. **Scenic Highways.** *This exception applies when, although the project may otherwise be exempt, there may be 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.*

Based on a review of the California Scenic Highway Mapping System (http://www.dot.ca.gov/hq/LandArch/16Livability/scenic_highways/), subject site is not located along a State Scenic Highway, nor are there any designated State Scenic Highways located near the project site. Based on this, the proposed project will not result in damage to scenic resources including trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway, and this exception does not apply.

- E. **Hazardous Waste Sites.** *Projects located on a site or facility listed pursuant to California Government Code 65962.5.*

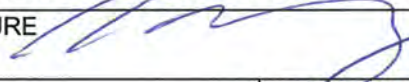
Based on a review of the California Department of Toxic Substances Control "Envirostor Database" (<http://www.envirostor.dtsc.ca.gov/public/>), no known hazardous waste sites are located on the project site. In addition, there is no evidence of historic or current use, or disposal of hazardous or toxic materials at this location. Based on this, the project will not result in a significant effect due hazardous waste and this exception does not apply.

- F. **Historical Resources.** *Projects that may cause a substantial adverse change in the significance of an historical resource.*

The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, or the Los Angeles Historic-Cultural Monuments Register. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

In conclusion, since the project meets all of the requirements of the categorical exemption set forth at CEQA Guidelines, Section 15303 and none of the applicable exceptions to the use of the exemption apply to the project, it is appropriate to determine this project is categorically exempt from the requirements of CEQA.

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

SIGNATURE 		TITLE CITY PLANNER	DATE 8/7/18
FEE: \$2,280.00	RECEIPT NO. 0302114761	REC'D. BY	DATE

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

IF FILED BY THE APPLICANT:

NAME (PRINTED) _____

SIGNATURE _____

DATE _____

[Home](#) [Table of Contents](#)**§ 15268. Ministerial Projects.**

14 CA ADC § 15268

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations [Currentness](#)

Title 14. Natural Resources

Division 6. Resources Agency

Chapter 3. Guidelines for Implementation of the California Environmental Quality
Act

Article 18. Statutory Exemptions

14 CCR § 15268

§ 15268. Ministerial Projects.

(a) Ministerial projects are exempt from the requirements of CEQA. The determination of what is “ministerial” can most appropriately be made by the particular public agency involved based upon its analysis of its own laws, and each public agency should make such determination either as a part of its implementing regulations or on a case-by-case basis.

(b) In the absence of any discretionary provision contained in the local ordinance or other law establishing the requirements for the permit, license, or other entitlement for use, the following actions shall be presumed to be ministerial:

- (1) Issuance of building permits.
- (2) Issuance of business licenses.
- (3) Approval of final subdivision maps.
- (4) Approval of individual utility service connections and disconnections.

(c) Each public agency should, in its implementing regulations or ordinances, provide an identification or itemization of its projects and actions which are deemed ministerial under the applicable laws and ordinances.

(d) Where a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section

1141-1145 Crenshaw Follow-up

CPC-2020-516-DB-PSH-SIP
EXHIBIT 9B

From: Hagu Solomon-Cary (hagu.solomon-cary@lacity.org)

To: vcarville@ymail.com

Cc: james.harris@lacity.org

Date: Tuesday, May 19, 2020, 10:58 AM PDT

Hi Virginia,
I hope this email finds you healthy and well.

I'm circling back with you to follow up on the emails we exchanged late last year regarding the property at 1141-1145 Crenshaw.

Upon completing our research on the land use history of the subject property, we determined that the correct zone is R3 based on Ordinance No. 165,331 Subarea 9670 and not CR. ZIMAS was corrected to reflect the R3 zone and as such the applicant is in the process of withdrawing the previous case number (DIR-2019-4049-TOC/ENV-2019-4050-EAF). The applicants have reapplied under case no. CPC-2020-516-DB-PSH-SIP which has a different entitlement path but is effectively the same project with regards to design, layout and unit count.

I presume you received the hearing notice when it went out but in case you didn't, I wanted to provide it for you here (attached).

I've cc'd Jim Harris on this email as he is the Project Planner for the case. In the event you have any questions, please reach out to him.

Sincerely,
Hagu

**Hagu Solomon-Cary, AICP**

Senior City Planner

Los Angeles City Planning

200 N. Spring St., Room 621

Los Angeles, CA 90012

Planning4LA.org

T: (213) 978-1361 | Main: (213) 978-1160



CPC-2020-516 Hearing Notice 05.12.2020 FINAL.pdf

140.8kB

9. **APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.
- a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
 - b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
 - c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
 - d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
 - e. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
 - f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
 - g. I understand that if this application is denied, there is no refund of fees paid.
 - i. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
 - i. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.

Signature: _____

Date: _____

Print Name: _____

Re: 4200 Crenshaw Blvd./ Domas Development


CPC-2020-516-DB-PSH-SIP
EXHIBIT 11

From: James Harris (james.harris@lacity.org)

To: vcarville@ymail.com

Cc: hagu.solomon-cary@lacity.org

Date: Tuesday, May 26, 2020, 7:51 AM PDT

 This message contains blocked images. [Show images](#) or [Always show images](#)

Good morning Virginia,

I hope you had a nice Memorial Day Weekend.

To answer your question from Friday regarding the zone change:

The zone and land use information correction in ZIMAS was finalized in February 2020.

1145 S Crenshaw, APN 5082026013 Map Book 12-141 Lot FR 40 ARB 2, has a split zone.

The zoning and land use is: R1-1-O Low II Residential for the rear of the property and R3-1-O Medium Residential for the front of the property.

I have included a map of the project site with the correct zoning from ZIMAS below.

To answer your question about what is CPC-2020-516-DB-PSH-SIP:

This is the case number of the project. **Once the zoning discrepancy was discovered the applicant requested that initial project application be withdrawn. The applicant then reapplied for the project in 2020.**

CPC - This indicates that the case is going before the City Planning Commission.

2020 - The year the case was filed.

516 - The order/sequence number that the case was filed in 2020.

DB - This indicates the case is for a Density Bonus.

PSH-SIP - This means the case is a Priority Supportive Housing and a Streamline Infill Project under Assembly Bill 2162.

Regarding your query about the submissions procedures listed in Hearing Notice:

For Initial Submissions, these are not limited as to volume and must be received by the Commission Executive Assistant no later than by 4:00 p.m. on the Monday prior to the week of the Commission meeting. So for the June 11th CPC meeting, that date would be June 1st. Materials must be emailed to cpc@lacity.org. For Secondary Submissions in response to a Staff Recommendation Report or additional comments must be received electronically no later than 48-hours before the Commission meeting. Submissions shall not exceed ten (10) pages, including exhibits, and must be submitted electronically to cpc@lacity.org. Photographs do not count toward the page limitation.

For Day of Hearing Submissions within 48 hours of the meeting, up to and including the day of the meeting are limited to 2 pages plus accompanying photographs and must be submitted electronically to cpc@lacity.org. Submissions that do not comply with these rules will be stamped "File Copy. Non-Complying Submission." Non-complying submissions will be placed into the official case file, but they will not be delivered to or considered by the Commission, and will not be included in the official administrative record for the item at issue.

In order to view the case file:

Please call the Records Management front counter at (213) 847-3753 and they can schedule an appointment for you to view the case during office hours. You can also email Records Management at planning.recordsmgmt@lacity.org.

Alternatively, you can also request an appointment on the Planning website under the Development Services tab (make sure they choose **"Records Management, 221 N Figueroa"** and **"Reviewing and Retrieving Records/Case Files"**)

After setting up the appointment you will need a mask to get into the building, and you will need to let lobby security know you have an appointment with Records Management.

Do have a very nice day.

CPC-2020-516-DB-PSH-SIP

Jim

EXHIBIT 11

unnamed.jpg



Jim Harris
Central Project Planning
Los Angeles City Planning

200 N. Spring St., Room 621

Los Angeles, CA 90012

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On Mon, May 25, 2020 at 5:22 PM Virginia J. <vcarville@ymail.com> wrote:

Good Evening James,

I was reviewing the Notice of Public hearing, and I'm a bit confused by the submission procedures for the project.

What is the difference between a regular submission and a secondary submission? If I submit a response under 10 pages, what is the latest date it will be accepted by the city?

Thank you,
Virginia Jauregui

On Friday, May 22, 2020, 8:05:17 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

Also please explain what CPC-2020-516-DB-PSH-SIP

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11

What kind of document is this?

On Friday, May 22, 2020, 4:29:20 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

Greetings James,

I previously contacted Hagu in November 2019, although he promised to let me know what was happening in the change of zoning regarding this location, no one notified me until the public hearing notice was sent out.

Nuri said the zone was changed in August 23 2019, but then Hagu in November said it wasn't. What was the final determination regarding the zoning of Lots 39 Arb 2 and FR 20 ARB 2?

Thank you,
Virginia

On Friday, November 15, 2019, 2:39:31 PM PST, Virginia J. <vcarville@ymail.com> wrote:

ok, much thanks...

On Thursday, November 14, 2019, 3:57:09 PM PST, Hagu Solomon-Cary <hagu.solomon-cary@lacity.org> wrote:

Hi Virginia,
My apologies for the delayed response.
We are still researching the matter but I want to clarify for you that the City did not change the zoning to R3 in August.
Once a conclusion has been made on the zoning, I'll be sure to let you know.
At this point the case is still on hold.

Thank you, kindly.
Hagu



Hagu Solomon-Cary, AICP

City Planner

Los Angeles City Planning

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On Thu, Nov 14, 2019 at 3:10 PM Virginia J. <vcarville@ymail.com> wrote:

Good Afternoon,

I am following up regarding the issue of zoning for 1141-1145 S. Crenshaw, which is slated for future PSH housing against the concerns of the neighborhood. The city changed the zoning for 1145 S Crenshaw to R3

in August 2019, and used 30 year old ordinance 165331-2019-Subarea 9670 to justify it. Now Nuri is saying that you guys are researching it, and Exhibit 1 haven't made a determination. **Does that mean Domas' project is on hold because you all haven't made a determination yet on the project?**

According to Zimas the tract for 1145 S Crenshaw is credited to the Oxford Square tract not Benton Terrace.

On page 158 of ordinance 165331 Subarea 9670, which Nuri states is the reason for the zoning change:

"Lots 4-21, 23-26 and Frac. Lots 22 and 27, Benton Terrace Tract; all as shown on Cadastral Maps 129-B-185 and 129-B-189"

I'm just a little perplexed because the language in the ordinance doesn't seem to cover 1145 S Crenshaw.

Will 1145 S Crenshaw be changed to R3 as indicated in the August 23, 2019 letter?

Thank you,
Virginia Jauregui

On Thursday, November 7, 2019, 5:22:00 PM PST, Virginia J. <vcarville@ymail.com> wrote:

Hi Hagu,

Nuri told me you are now assigned to 1141-1145 S Crenshaw, and are the new supervisor over the priority housing unit.

From Nuri's email below she states the following:

"ZIMAS shows the zone as CR whereas Ordinance No. 165,331 Subarea 9670 shows the zone as R3. Please feel free to follow up in a couple of weeks on the outcome of the research."

I looked at page 158 where Subarea 9670 is located, it states:

"Lots 4-21, 23-26 and Frac. Lots 22 and 27, Benton Terrace Tract; all as shown on Cadastral Maps 129-B-185 and 129-B-189"

According to Zimas the tract for 1141 S. Crenshaw is credited to the Monclair tract, while 1145 S Crenshaw is credited to the Oxford Street tract. These are numbered lots 39 and 40. How does 9670 cover this situation?

Would you be able to explain how a a tract credited to Benton Terrace tract is related to this project? I am also unfamiliar with Cadastral maps, would you be able to tell me where I can find these?

Developers are desperate to figure out how to pay off that money they owe to the banks for all their big, crumby and expensive projects. They will NEVER be able to pay back to the banks what they owe, without figuring out some gimmick to bamboozle the people to pay for it. Will the people of this city support HHH projects when they realize they require no traffic or environmental studies, and the people behind these projects who get millions in public funds remain anonymous?

I can't help to see the similarities between the City of LA and San Francisco. When San Francisco was destroyed in 1906, it wasn't the earthquake that did it, but the faulty infrastructure that failed to work cause it was built by the friends of elected officials.

With affordable housing estimated at 550,000 a unit, why not retrofit already existing spaces of empty commercial structures for apartment use?

Is it true that large apartments don't have to report vacancies in LA? How many units of housing have been built in downtown, and how many currently remain empty.

http://clkrep.lacity.org/onlinedocs/1984/84-1750-S6_ORD_165331_01-14-1990.pdf

Sincerely,
Virginia Jauregui

On Tuesday, November 5, 2019, 1:29:55 PM PST, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

Apologies for the delay in response. We are currently in the process of researching the zoning and land use history of the subject property to determine the correct zone. ZIMAS shows the zone as CR whereas Ordinance No. 165,331 Subarea 9670 shows the zone as R3. Please feel free to follow up in a couple of weeks on the outcome of the research.

Case No. VTT-73424 has been approved already on August 4, 2016. If you'd like more information on this case, please contact Jordann Turner at Jordann.Turner@lacity.org.

On Tue, Nov 5, 2019 at 12:02 PM Virginia J. <vcarville@ymail.com> wrote:

Good afternoon,

I am following up with you regarding the email sent on 10/20/19 re: DSH-SIP

EXHIBIT 11

I am seeking clarification on 1141-1145 S. Crenshaw as requested previously.

I also asked to whom vtt-73434 is currently assigned? Please let me know.

Thank you,
Virginia Jauregui

On Saturday, October 26, 2019, 8:06:25 PM PDT, Virginia J. <ycarville@ymail.com> wrote:

Hi Nuri,

Thank you for the response.

Is the Dept. of City Planning taking steps to close the case, since the documents related to Solaris haven't been changed as requested in your 8/23 letter, when you revised the area's zoning?

I am confused by the statement "if the zone changes to R3". Are you speaking generally? Or does this statement apply to 1141-1145 S Crenshaw which according to the City is now R3-1-O as of August 23 2019?

According to Domas' presentation, Jenesse Center is partnering with them and will be providing services at this location. It's unclear what types of services Jenesse plans to provide at 1141-1145, but according to its website it provides Emergency Shelter, Counseling, Legal Services, Education and Health Services. <https://jenesse.org/> Can a non-profit like Jenesse provide services in an R3-1-O zone?

I have included the language of AB 1197 here. The two requirements Domas would be required to have is 1. that their project meet the requirements of permanent supportive housing and 2. be a recipient of "general bond obligations issued pursuant to Proposition HHH". According to the representative, they have already been awarded 15 million dollars in city and county funding.

Why would an anonymous developer like Domas LLC request discretionary action, if as one of the largest developers of PSH housing in the state, is being awarded Prop HHH funds which exempts their homeless shelters and Permanent Supportive Housing from CEQA, and they are working with a Dept. of City Planning that is willing to bend law, as shown by the Mitigated Negative Declaration for the C3 luxury subdivision project which claimed the subdivision was not in a flood zone, when it would be located in a federal AO Flood Zone a few doors

down from where Solaris is planned, which is behind the PSH housing. The plans show small single family homes.

OPCA 2020-05-18 DB-PSH-SIP

EXHIBIT 11

Would you please let me know who is assigned VTT-73424 so I can follow up with what happened to C3 Luxury Subdivision?

Thank you,
Virginia Jauregui

On Wednesday, October 23, 2019, 5:18:02 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hello Virginia,

The plans that are in the case file do not show that the applicant is proposing commercial uses on the ground floor.

The applicant has not submitted revised documents as of today. Regarding the AO Flood Zone, the project is subject to regulatory compliance measures, including the City's Specific Plan for the Management of Flood Hazards Ordinance No. 172,081, to avoid or reduce flood impacts.

CEQA applies to all discretionary projects, so if the zone changes to R3, the project would still be subject to CEQA if it requests discretionary actions. The applicant has not requested the use of AB 1197 as of today. Please note that if the applicant wishes to utilize AB 1197 for the Statutory Exemption from CEQA, the applicant will need to demonstrate consistency with the two criteria set forth in AB 1197.

Best,

On Sat, Oct 19, 2019 at 11:43 AM Virginia J. <vcarville@ymail.com> wrote:

Good Day Nuri,

I am coming to you after Domas came to the OPNC meeting on October 9, regarding the Solaris permanent supportive housing project.

On August 23, you stated to Domas they had 30 days to revise their project as their property location was not in C2-1-O, but was in R3-1-O. Does R3 allow for a commercial first floor which Jenesse and KYCC, the non profits tied to the project, will be using?

Did Domas revise their project to reflect the new R3 zoning and the AO Flood Zone as you requested? Or will they need city flood studies for construction in this area?

Also, PSH housing does not need an environmental or traffic study, however Domas at the OPNC meeting stated they were in the process of completing a CEQA. Would the CEQA still be valid if the zoning was changed to R3-1-O, and AB 1197 no longer requires PSH housing in the City of Los Angeles to have a CEQA?

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11

Thank You,

Virginia Jauregui

On Tuesday, September 24, 2019, 4:57:20 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

I will be at the CPC meeting on Thursday, September 26th at 10 am, but will leave the case file at the front desk in City Hall Room 621 for you to review.

On Tue, Sep 24, 2019 at 4:33 PM Virginia J. <vcarville@ymail.com> wrote:

Thursday at 10am please...

On Tuesday, September 24, 2019, 03:54:41 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

When would you like to come in?

On Tue, Sep 24, 2019 at 3:40 PM Virginia J. <vcarville@ymail.com> wrote:

Yes, please.

On Tuesday, September 24, 2019, 03:32:29 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

Did you want to review the case file for 1141 Crenshaw again? There are no additional documents since you reviewed the case file on September 19th.

On Tue, Sep 24, 2019 at 3:29 PM Virginia J. <vcarville@ymail.com> wrote:

I would also like to look at the Domas File 1141-1145 Crenshaw Blvd in addition to Amani Apartment's Senior housing.

Anyway I can arrange this for Thursday at 10am?

On Tuesday, September 24, 2019, 02:54:56 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

It's the file for Amani Apartments LLC PAR-2019-218-TOC.

On Tuesday, September 24, 2019, 01:26:47 PM PDT, Norali Martinez <norali.martinez@lacity.org> wrote:

Hello Virginia,

I'm not sure what case file you are referring to. Do you have an actual case number?

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11

[CitySeal.png](#) **Norali Martinez** | City Planning Associate

Department of City Planning

Housing Services Unit

T: (213) 202-5441 | **F:** (213) 482-7080

201 N. Figueroa St., 5th Floor

Los Angeles, CA. 90012

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On Tue, Sep 24, 2019 at 9:36 AM Virginia J. <vcarville@ymail.com> wrote:

Good Morning Norali,

I would like view the file for 4200 Crenshaw Blvd, I believe the developer is Amani Apartments. I have been told this file is with you.

Please let me know if I can come and examine the file on Thursday at 10am.

best regards,

Virginia Jauregui

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[CitySeal.png](#) **Nuri Cho**
Central Project Planning Division
Department of City Planning
200 N. Spring St., Room 621
Los Angeles, CA. 90012
T: (213) 978-1177

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[CitySeal.png](#) **Nuri Cho**
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CPC-2020-516-DB-PSH-SIP
EXHIBIT 11

[CitySeal.png](#)

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Re: 1141-1145 Crenshaw Follow-up

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11B

From: James Harris (james.harris@lacity.org)

To: vcarville@ymail.com

Cc: hagu.solomon-cary@lacity.org

Date: Thursday, May 28, 2020, 3:09 PM PDT

Good afternoon Virginia

Below are the responses to your questions.

I hope you have a nice weekend.

Jim

In regards to the request to look at the file, I'm surprised its not with you, especially when its going to be heard in front of the advisory agency in two weeks

The City of Los Angeles has initiated protocols in response to the COVID-19 crisis. As a result, all requests to view project files are currently handled by the Records Management team. Please call (213) 847-3753 to schedule an appointment.

When did lot 40/lot 39 - 1145 S. Crenshaw Blvd change from CR/R1 to R3?

Who approved the change? Was a document issued to reflect this? Do you have an electronic copy you may provide me?

Does 1145 S. Crenshaw still include a R1 1 O designation or is the R1 1 O designation at 1141 S. Crenshaw?

Does 1145 S. Crenshaw still include a R1 1 O designation or is the R1 1 O designation at 1141 S. Crenshaw?

Isn't the city required to have a public hearing regarding zoning changes?

Ordinance 165,331 was approved by the City Council and became effective in 1990. This Ordinance changed the CR-1-O Zone to R3-1-O for the property located at 1145 S. Crenshaw Blvd. This document can be found at the LACityClerk Connect website under Council File 84-1750-S6 located at: <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm>. The portion of the Ordinance that references 1145 S. Crenshaw Blvd is listed under Subarea 9760 on page 158.

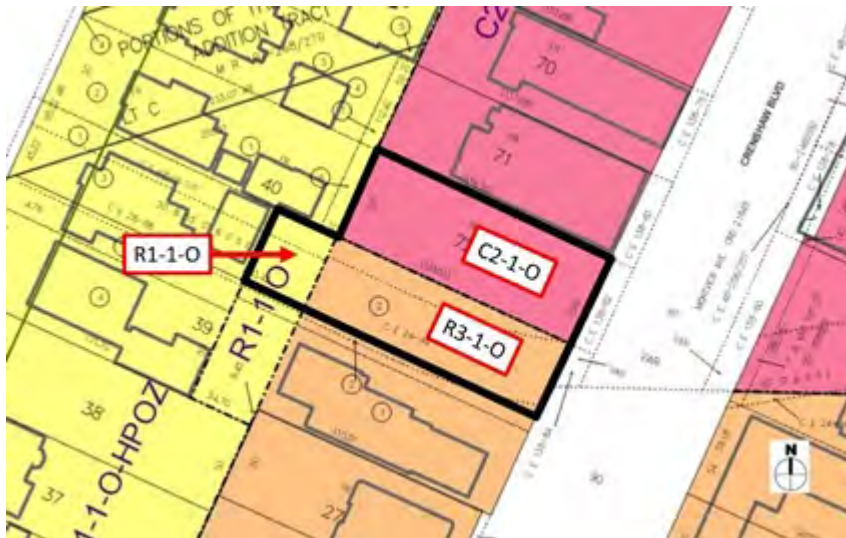
The City's General Plan Land Use Element, the Wilshire Community Plan, does show the correct zoning for the site. When the applicant applied to develop this site it was found that the City's ZIMAS database had not been updated to reflect the R3-1-O zoning. Based on research by City Planning Staff, the subarea location/legal description was found to have been erroneously left off for a portion of the properties located at 1145 South Crenshaw Boulevard (Lot FR 40 Arb 2, Oxford Square Tract-APN 5082026013); however, the Wilshire map attached to Ordinance 165,331, Subarea 9670 does include the subject property. The ZIMAS map showed the zone of a portion of the property as CR-1-O; however, the correct zone should have been R3-1-O, consistent with Subarea 9670 of Ordinance 165,331 and consistent with the Wilshire Community Plan. After the discrepancy was

discovered, City Planning issued a technical correction to ZIMAS to reflect the proper zoning as shown in the Wilshire Community Plan. As a result of this the applicant requested that their case be withdrawn, and then they reapplied for a project under the correct zoning.

There was no change in zoning for this site, only a correction to the ZIMAS database.

The Wilshire Community Plan may be found at the following link: <https://planning.lacity.org/plans-policies/community-plan-area/wilshire>.

The rear portion of 1145 S. Crenshaw Blvd. retains the R1-1-O zoning as shown in the image below:



The proposed project does not use the R1-1-O Zoned portion of the site for development, this portion of 1145 S. Crenshaw Blvd is proposed to be landscaped only.

Is Domas Development still the applicant on this project?

1141 Crenshaw LP, affiliated with Domus Development LLC, is the applicant.

What flood studies have been completed on this property so far?

No flood studies are required for this project. The site is located in an AO Flood Zone which is subject to regulatory compliance measures, including the City of Los Angeles' Specific Plan for the Management of Flood Hazards, Ordinance Number 172,081, to avoid or reduce flood impacts.

Also, why is this property considered a ministerial project if Domas previously paid for the application of TOC and an Initial Study in 7/2019? This shows the city viewed this as a discretionary project.

Wouldn't the acceptance by Building and Safety of payment by Domas in 7/2019 show that the city viewed this as a project subject to discretionary review?

What changed during this time to make it ministerial, could it be the addition of the R3 zone when none existed and the ordinance you use does not pertain to this property to legally allow it to be changed in Zimas.

There was no change in zoning for this site, only a correction to the ZIMAS database to reflect the zoning pursuant to Ordinance 165,331 and as shown in the Wilshire Community Plan.

CPC-2020-516-DB-PSH-SIP

EXHIBIT 11B

In 2019 the applicant applied for a Transit Oriented Communities project. When the discrepancy between the Wilshire Community Plan and ZIMAS was discovered, the applicant requested the project be withdrawn. The applicant then reapplied for a project under the zoning as shown in the Wilshire Community Plan.

The applicant has applied for a ministerial project review as a Priority Supportive Housing Streamline Infill Project under State Assembly Bill 2162 for case No. CPC-2020-DB-PSH-SIP, which is what makes the project ministerial.



Jim Harris
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Los Angeles City Planning

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On Wed, May 27, 2020 at 3:42 PM Virginia J. <vcarville@ymail.com> wrote:

Greetings James,

I am looking forward to your response.

I have some additional questions - **What flood studies have been completed on this property so far?**

Also, **why is this property considered a ministerial project if Domas previously paid for the application of TOC and an Initial Study in 7/2019?** This shows the city viewed this as a discretionary project.

Wouldn't the acceptance by Building and Safety of payment by Domas in 7/2019 show that the city viewed this as a project subject to discretionary review?

What changed during this time to make it ministerial, could it be the addition of the R3 zone when none existed and the ordinance you use does not pertain to this property to legally allow it to be changed in Zimas.

Isn't the city required to have a public hearing regarding zoning changes?

Thank you,
Virginia

On Tuesday, May 26, 2020, 2:10:00 PM PDT, Virginia J. <vcarville@ymail.com> wrote:
CPC-2020-516-DB-PSH-SIP
EXHIBIT 11B

James,

I'm shocked that you as the planner don't know this. The previous project was on average 570,000 a unit, paid for by an increase in other peoples' property taxes.

In regards to the request to look at the file, I'm surprised its not with you, especially when its going to be heard in front of the advisory agency in two weeks

I'm not clear on your responses to my questions, for ease I will restate my question, and include two others.

WHEN DID LOT 40/Lot 39 - 1145 S. CRENSHAW BLVD CHANGE FROM CR/R1 TO R3?

Who approved the change? Was a document issued to reflect this? Do you have an electronic copy you may provide me?

Is Domas Development still the applicant on this project?

Does 1145 S. Crenshaw still include a R1 1 O designation or is the R1 1 O designation at 1141 S. Crenshaw?

**Thank you,
virginia**

On Tuesday, May 26, 2020, 7:52:02 AM PDT, James Harris <james.harris@lacity.org> wrote:

Good morning Virginia,

The cost per unit is information that is not collected in order to process an applicant's project application.

Jim



Jim Harris
Central Project Planning
Los Angeles City Planning

200 N. Spring St., Room 621
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On Fri, May 22, 2020 at 2:19 PM Virginia J. <vcarville@ymail.com> wrote:

Good Afternoon James,

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11B

What is the average cost per unit?

On Wednesday, May 20, 2020, 5:42:11 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

60 bedrooms and no parking.

thank you for the info.

Have a good evening....

On Wednesday, May 20, 2020, 3:49:07 PM PDT, James Harris <james.harris@lacity.org> wrote:

Good afternoon Virginia,

The project consists of 43 dwelling units. Of this total, 26 are one-bedroom units and 17 are two bedroom units.

Jim



Jim Harris
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On Wed, May 20, 2020 at 1:52 PM Virginia J. <vcarville@ymail.com> wrote:

Would you be able to tell me how many bedrooms this project has?

thank you,
virginia

On Wednesday, May 20, 2020, 1:41:54 PM PDT, James Harris <james.harris@lacity.org> wrote:

Hello,

I wanted to introduce myself to you. I am the project planner assigned to this case.

If you have questions about the project itself, I will be happy to address them.

A quick Google search on Domus yielded their public webpage linked here: <http://www.newportpartners.com/development/domus-development/>

Hope you have a very nice day,

Jim

CPC-2020-516-DB-PSH-SIP
EXHIBIT 11B**Jim Harris**
Central Project Planning
Los Angeles City Planning200 N. Spring St., Room 621
Los Angeles, CA 90012
<https://planning.lacity.org/>
T: (213) 978-1241On Tue, May 19, 2020 at 2:24 PM Virginia J. <vcarville@ymail.com> wrote:

yes Mr. Hagu. How did you guess?

I believe I had already written separately about the research mentioned below, but I'll make sure I include it in my future email to Mr. Harris.

I'm curious why the notice doesn't reference AB 1197, which is the law I pushed by politicians pushed by the the developers who fund their elections, to get favors like CEQA exemptions and no parking.

Who are the members of Domas? Collectively, how much debt are they in currently in related to other buildings they have already built? I'll be writing more soon.

God Bless You.
Virginia Jauregui

On Tuesday, May 19, 2020, 10:58:28 AM PDT, Hagu Solomon-Cary <hagu.solomon-cary@lacity.org> wrote:

Hi Virginia,
I hope this email finds you healthy and well.

I'm circling back with you to follow up on the emails we exchanged late last year regarding the property at 1141-1145 Crenshaw.

Upon completing our research on the land use history of the subject property, we determined that the correct zone is R3 based on Ordinance No. 165,331 Subarea 9670 and not CR. ZIMAS was corrected to reflect the R3 zone and as such the applicant is in the process of withdrawing the previous case number (DIR-2019-4049-TOC/ENV-2019-4050-EAF). The applicants have reapplied under case no. CPC-2020-516-DB-PSH-SIP which has a different entitlement path but is effectively the same project with regards to design, layout and unit count.

I presume you received the hearing notice when it went out but in case you didn't, I wanted to provide it for you here (attached).

I've cc'd Jim Harris on this email as he is the Project Planner for the case. In the event you have any questions, please reach out to him.

Sincerely,
Hagu



LOS ANGELES
CITY PLANNING

Hagu Solomon-Cary, AICP
Senior City Planner
Los Angeles City Planning

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CPC-2020-516-DB-PSH-SIP
EXHIBIT 11B

STAFF REPORT
As of: September 13, 2018**1141-1145 Crenshaw Boulevard**
1141 Crenshaw Boulevard, Los Angeles, CA 90019**New Construction**
Council District 10*Solaris Apts.***PROJECT DESCRIPTION**

The 1141-1145 Crenshaw Boulevard project will consist of 43 residential units (42 PSH units, 1 Managers unit) in the Koreatown area of Los Angeles. The project entails the acquisition of a 15,500 square foot surface parking lot for the new construction of a multifamily structure totaling approximately 41,000 square feet, with one level of underground parking. Since the existing site is a surface parking lot there will be no demolition or relocation costs. The preliminary design of the project includes an interior common area on the ground floor and a mix of offices, classrooms, and community activity spaces. In addition, there will be ample outdoor recreational space with a central courtyard at the center of the property as well as a rear yard. The rear yard was designed with consideration to the single-family homes that are adjacent to the western edge of the site, allowing for a buffer zone and increased privacy to the homeowners. The project sponsors are Domus, LLC and Koreatown Youth and Community Center.

BORROWER AND PROPOSED OWNERSHIP STRUCTURE

The proposed ownership structure will be a Limited Partnership, with Koreatown Youth & Community Center acting as the Managing General Partner (0.051%), Domus Development, LLC acting as the Administrative General Partner (0.049%), and a to-be-determined tax credit investor acting as the Limited Partner (99.99%).

1. Domus Development, LLC as the Administrative General Partner (0.049%)
2. Koreatown Youth & Community Center as the Managing General Partner (0.051%)
3. Limited Partner, who has yet to be determined (99.99%)

POPULATION SERVED

The population served will be homeless and chronically homeless survivors of domestic violence & sex trafficking, individuals and families.

AFFORDABILITY STRUCTURE

Unit Type	PSH Total	Non-PSH (Affordable)	Mgrs.	Total	HHH	
					HHH PSH Funded	Non-PSH Funded
Studio						
1 Bedroom	22		1	23	22	
2 Bedroom	16			16	16	
3 Bedroom	4			4	4	
Total	42		1	43	42	

PERMANENT FUNDING SOURCES

Source	Amount
HCIDLA - HHH PSH	9,240,000
HCIDLA - HHH Non PSH	-
4% TCAC Equity	7,460,269
Conventional Loan	4,588,899
GP Equity	27,936
Deferred Dev. Fee	356,248
LACDC	2,000,000
AHP	730,000
Total	<u>\$ 24,403,352</u>

JOBS SUPPORTED

Number of jobs supported through the construction financing of these projects. These jobs may be new or existing jobs.

Total Jobs Supported, by category		Construction Costs	
		<u>Direct Effect on Jobs Multiplier</u>	0.000006
TDC	\$ 24,403,352	# of Jobs Directly Supported	<u>125</u>
Land Acquisition	\$ 3,540,000		
		<u>Indirect Effect on Jobs Multiplier</u>	0.0000024
		# of Jobs Indirectly Supported	<u>50</u>
Net Development Costs	<u>\$ 20,863,352</u>		
		<u>Induced Effect on Jobs Multiplier</u>	0.0000022
		# of Jobs Induced	<u>46</u>
		Total Jobs Supported by Project	<u>221</u>
		(excluding Cost of Land Acquisition only)	

FUNDING RECOMMENDATION

A HCIDLA funding commitment of up to \$9,240,000 is recommended. HHH funds will represent \$220,000 per unit and 37.9% of the total development cost. The HHH funding is leveraged with an AHP loan, Conventional Bank loan, LACDC loan and tax credit equity.

CONSTRUCTION TIMELINE

Construction is currently estimated to start on September 2019, and be completed by January 2021.

Prepared: Los Angeles Housing and Community Investment Department

STAFF REPORT
As of: February 7, 2019

CPC-2020-516-DB-PSH-SIP
EXHIBIT 13

Amani Apartments
4200 W. Pico Blvd., Los Angeles, CA 90019

New Construction
Council District 10

PROJECT DESCRIPTION

The Amani Apartments (Amani) project is located at 4200 Pico Blvd in the Mid-City neighborhood of Los Angeles, and is planned as an affordable housing development for homeless seniors with 54 studio units, and 1, one-bedroom manager unit. Of the 54 studio units, 27 will be reserved for chronically homeless individuals.

The Amani project will consist of a modern five story building designed by Abode Communities Architecture, with approximately 33,000 square feet (sq. ft.) of permanent supportive housing for formerly homeless individuals, and will include approximately 2,000 sq. ft. of commercial office space. As planned, the studio units will be approximately 400 sq. ft., and the one-bedroom manager's unit will be approximately 700 sq. ft. All units will include kitchenettes, bathrooms, a sleeping area, small living and dining spaces and will be fully furnished prior to lease up. Project plans include a resident community room, laundry room and offices for the Amani Manager and supportive services staff. The project's common areas will total approximately 2,000 square feet.

Wakeland Housing and Development Corporation (Wakeland), or an entity wholly owned and controlled by Wakeland, will purchase the land prior to construction. Currently, there are no structures on the site.

BORROWER AND PROPOSED OWNERSHIP STRUCTURE

Wakeland Housing and Development Corporation will form a Limited Partnership (LP) with an affiliated Limited Liability Corporation (LLC) entity, as the Managing General Partner. The Limited Partner investor has not yet been determined. Wakeland certifies that it has the special needs/homeless experience required by HCIDLA for feasible and viable development and operation of the Amani project. Ownership structure will consist of the following:

1. Wakeland Housing, Managing General Partner (0.01%)
2. Limited Partner, yet to be determined (99.99%)

POPULATION SERVED

The population to be served by the Amani project will be homeless seniors.

AFFORDABILITY STRUCTURE

Unit Type	PSH Total	Non-PSH (Affordable)	Mgrs.	Total	HHH PSH Funded	HHH Non-PSH Funded
Studio	54			54	54	
1 Bedroom				-		
2 Bedroom			1	1		
3 Bedroom				-		
Total	54	-	1	55	54	-

PERMANENT FUNDING SOURCES

Source	Amount
HCIDLA - HHH PSH	11,880,000
HCIDLA - HHH Non PSH	
4% TCAC Equity	13,728,248
Conventional Loan	3,810,000
Deferred Dev. Fee	811,000
HHH Accrued/Deferred Interest	356,400
Total	\$ 30,585,648

JOBS SUPPORTED

The following table indicates the number of jobs supported through the construction financing of the projects. These jobs may be new or existing jobs.

Total Jobs Supported, by category		Construction Costs	
TDC	\$ 30,585,648	Direct Effect on Jobs Multiplier	0.000006
Land Acquisition	\$ 3,500,000	# of Jobs Directly Supported	<u>163</u>
		Indirect Effect on Jobs Multiplier	0.0000024
		# of Jobs Indirectly Supported	<u>65</u>
Net Development Costs	\$ 27,085,648	Induced Effect on Jobs Multiplier	0.0000022
		# of Jobs Induced	<u>60</u>
		Total Jobs Supported by Project	<u>287</u>
		(excluding Cost of Land Acquisition only)	

FUNDING RECOMMENDATION

HCIDLA recommends a funding commitment of up to \$11,880,000 for the Amani project. HHH funds represent \$220,000 per unit, 38.91% of the total development cost (TDC). The TDC development cost per unit is \$555,102. HHH funding is leveraged with 4% tax credit equity, and a conventional bank loan.

CONSTRUCTION TIMELINE

Construction on the Amani project is estimated to start in December 2019, and anticipated to be completed by November 2020.

Sec. 9. WAIVERS.

A. Responsibilities.

1. The City Engineer for the Department of Public Works and the General Manager of the Department of Building and Safety or their designees, and a Zoning Administrator for the Department of City Planning may grant waivers from the requirements of this Plan.

2. The authority to grant waivers shall be delegated as follows:

(a) The City Engineer - design and construction of Public Works,

(b) General Manager, Department of Building and Safety - construction of private structures and grading on private property, and

(c) Director of Planning - all other projects.

The Flood Hazard Mitigation Coordinator shall be notified of all requests for waivers.

B. Findings. Before granting a waiver, the following findings must be made:

1. For a waiver in a floodway, that no increase in flood levels during the base flood discharge will result.

2. For areas in excess of one-half acre, that the waiver is consistent with the objectives of sound floodplain management.

3. That no residential structures shall be permitted to be floodproofed in lieu of the elevation requirements of this ordinance.

4. For all areas, that exceptional hardship will result if the waiver is not granted.

5. That the waiver will not result in increased flood height; additional threats to public safety; create extraordinary public or private expense; create nuisances; cause fraud or victimization of the public; or conflict with the Los Angeles Municipal Code.

6. That the waiver is the minimum necessary to afford relief.

OPNC Brown Act violations, corruption, and fraud

CPC-2020-516-DB-PSH-SIP
EXHIBIT 14B

From: Virginia J. (vcarville@ymail.com)

To: elise.ruden@lacity.org; mike.n.feuer@lacity.org

Cc: xavier.becerra@doj.ca.gov; jlacey@da.lacounty.gov; ayochelson@da.lacounty.gov

Bcc: info@whycantimove.com

Date: Tuesday, December 31, 2019, 11:09 PM PST

Dear Elise,

Please excuse the late response, I had a hard time trying to come up with a reply to what you, as the Managing Attorney of the Neighborhood Council System and a representative of the City Attorney's Office, provided to me as a response/non-response/refusal to Brown Act violations and allegations of corruption taking place in the Neighborhood Council System and Dept. of City Planning. Even when provided with proof, the City Attorney fails to perform their required job duties to investigate Brown Act violations, and protect the public from corruption.

The complaints brought to you and the Dept. of City Planning since November 2018 involve a trio of developments in Council District 10 – Olympic Park, between Country Club Dr. and Pico Blvd. on Crenshaw Blvd. Two of the buildings are *heavily* funded by the public (Prop HHH funds) and like the proposed luxury c3 subdivision (**Attachment K, Attachment M**), have no environmental or traffic accountability to the surrounding community.

The situations uncovered may point to possibly greater problems outside of Olympic Park, and demonstrate the enormous power developers have to work with city employees to override environmental accountability meant to protect the health and safety of local neighborhoods, so much so that since September 2019, have been relieved of all environmental accountability for HHH housing over the next seven years.

*It's surprising that the City of Los Angeles would need to have environmental law changed at the State Level (AB 1197 – **Attachment D**) when exemptions to CEQA in the City of Los Angeles are willingly granted by the Advisory Agency – as they did for Amani Apts. (Crenshaw/Pico PSH Housing).*

Planning city functionality according to the needs and wants of anonymous developers looking to find a way to get themselves paid compromises functionality, traffic flow, and public safety.

Your response/lack of response as the managing Deputy City Attorney over the Neighborhood Council System, surmounts to a refusal of the City Attorney to investigate Brown Act violations, fraud, and corruption involving City of Los Angeles public servants and the private developers they serve. The City Attorney's action (or lack of action) of ignoring Brown Act violations, fraud, corruption, and collusion demonstrates that fraud is tolerated and compromised employees are protected, rather than held accountable.

By failing to provide proper checks/balances, the City Attorney fails to maintain the integrity of the city public employee system, and allows crimes committed against the public trust to go unchecked. If the City Attorney fails or refuses to recognize Brown Act violations, corruption and fraud – do they then not exist? Should the violations of the Brown Act happen to be recognized, it may be found that the OPNC, like other neighborhood councils, may be too compromised to continue to represent the people without putting the people at risk.

How is it possible for the City Attorney to address issues of corruption if it is possible to see that there's a problem?

EXHIBIT 14B

I had originally forwarded to you the email I sent to City Attorney Mike Feuer on October 9, 2019, requesting that the City Attorney investigate and determine the applicability of the Brown Act to past/current actions/violations involving the OPNC (Olympic Park Neighborhood Council) and local developers. (**Attachment N, Attachment N2, Attachment Q**) I also had cc'd Mr. Feuer a complaint about the OPNC's previous involvement in the attempted construction of a private Luxury Commercial Subdivision known as C3, which included proof of a forged "mitigated negative declaration" (**Attachment H**) by the Dept. of City Planning in order to override federal flood code and environmental and traffic studies to get it constructed without the neighborhood knowing about it.

On November 22, 2019 your response to determining the merits of my Brown Act complaint, and allegations of corruption, fraud and collusion involving the Dept. of City Planning, private/anonymous developers, and the local neighborhood council consisted of the following:

"I believe that the President of the OPNC Board Mitch Edelson responded to you on October 24, 2019 regarding your Brown Act complaint. If you did not receive this correspondence, please contact Mr. Edelson for another copy of the response."
(Attachment R)

IS IT USUAL PRACTICE FOR THE CITY ATTORNEY TO DEFER TO THE NEIGHBORHOOD COUNCIL PRESIDENT TO ADJUDICATE THE LEGALITY OF THEIR OWN ACTIONS, WHEN ISSUES INVOLVING BROWN ACT VIOLATIONS, CORRUPTION, AND FRAUD ARE BROUGHT TO THE CITY ATTORNEY'S ATTENTION TO MAKE A DETERMINATION?

Why does the City Attorney refuse to perform their required job duties to protect the people of Los Angeles and investigate Brown Act violations and internal corruption? By ignoring complaints of fraud, the City Attorney condones fraud, and by doing nothing contributes to making it worse.

Just to clarify, you are a public employee; there is nothing confidential in our interchange. Your response, instead of deciding the merits of my claims, attempts to make our interchange (and attachments) confidential.

HOW IS YOUR RESPONSE THANKING AND DIRECTING ME BACK TO THE PERSON TO WHOM I WENT TO YOU TO COMPLAIN ABOUT PROTECTED BY CONFIDENTIALITY?

ALL DOCUMENTS I USE ARE/WERE PUBLIC AND WERE PUBLICLY SOURCED. Your interactions as a public employee with members of the public are of public record, and thus not applicable to confidentiality.

Does the City Attorney not want others to know that it ignores and tolerates graft and corruption, EVEN WITH PROOF?

Government code 822.2 states:

A public employee acting in the scope of his employment is not liable for an injury caused by his misrepresentation, whether or not misrepresentation be negligent or intentional, unless he is guilty of actual fraud, corruption, or actual malice.

How can an employee be found guilty of actual fraud or malice if the City Attorney looks the other way when presented with evidence?

As the managing attorney of the Neighborhood Council System CP 2020-546-DBP-SH-SIP simply told me to refer back to Mr. Edelson's response, without checking whether Mr. Edelson's response holds water. EXHIBIT 14B

Mr. Edelson's response to my complaint states the following:

"The OPNC cancelled the September 9, 2019 meeting due to a lack of quorum, as required by the OPNC Bylaws. The land use matter you referenced in your email was not agendized for that meeting. However, the OPNC board did hear the matter at its October 7, 2019 board meeting. That meeting was properly noticed as required by the Brown Act. You also attended the October 7 meeting and participated in the public comment. Based on the above, we have determined that no Brown Act violation occurred and no further action will be taken.

(Attachment O)

BREAKDOWN OF MR. EDELSON'S CLAIMS

Mr. Edelson claims that the Olympic Park Neighborhood Council (OPNC) cancelled the meeting due to a lack of quorum. This is incorrect.

Wouldn't a meeting of the OPNC first have to be called to order to determine quorum?

The OPNC meeting of September 9, 2019 was cancelled at approximately 3:12pm, but was noticed and scheduled to meet later that day at 7pm. Mr. Edelson notified me at 2:21pm on 9/9 that the meeting would be cancelled due to the lack of quorum.

WOULD YOU OR SOMEONE AT THE CITY ATTORNEY'S OFFICE PLEASE FIND WHERE LANGUAGE TO JUSTIFY CANCELLATION OF A PUBLIC MEETING SET TO START LATER THAT DAY IS JUSTIFIED BY DETERMINING QUORUM OUTSIDE OF PERMITTED MEETING HOURS?

How can the OPNC call a meeting to order approximately four hours outside of its permitted operating hours and take action to cancel its meeting scheduled to meet later that day? This would mean Mr. Edelson and other members of the OPNC: gathered early at their regular meeting location - the Catch One Nightclub - not to PAR-TAY, but to take action to per-emptively cancel its 9/9/19 meeting.

Who among the OLYMPIC PARK NEIGHBORHOOD COUNCIL WAS PRESENT at the at the Catch One Nightclub – owned by the President of the OPNC, FOR ROLL CALL outside of scheduled meeting hours to determine quorum for a meeting scheduled to meet later that day? Could deliberations to determine quorum four plus hours before the scheduled meeting time be conducted openly as required by the brown act, or were committee members exchanging private emails back and forth through opncla1999@gmail.com to say they couldn't make it? Since that is the email listed as the contact for the OPNC, is it subject to the public records act?

Outside of its regular meeting hours, the council determined there were not enough members present to reach quorum and used this as the reason to justify the cancellation of a public meeting scheduled to take place later that day. When I asked Mr. Edelson where in the bylaws I could find language to justify cancellation on the grounds of quorum, I was ignored
(Attachment P)

According to 54952.2b1 of the Government code, a body should not take action outside of meeting hours:

A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

Cancelling a meeting outside of the authorized council meeting hours is taking action. Doing so 4+ hours before the meeting was scheduled to start would mean the OPNC is conducting business outside of scheduled meeting hours when it isn't permitted to do so or more likely, the president took it upon his own initiative (or was directed by others in higher positions) to cancel the meeting. This was done to pre-emptively suppress the voice of homeowners from airing their grievances and valid concerns including, but not limited to, two permanent Prop HHH high density PSH Housing complexes that would be placed in their neighborhood. These complexes would come with no residential parking, creating a burden to be absorbed by Victoria Ave and Windsor Blvd. to park possibly hundreds of additional cars.

Allowing a cancellation of a public meeting approximately four hours before its set to commence, sets a precedence that all legally recognized legislative bodies operating in the City of Los Angeles are justified by the City Attorney to pre-emptively cancel public meetings, determine a lack of quorum, and use this as an excuse to make that determination outside of designated meeting hours.

Mr. Edelson goes on to say that the OPNC observed the Brown Act when noticing their meeting of October 7. *What difference does that make?* How does meeting the requirements of the Brown Act 30 days later negate the illegal cancellation of the meeting one month prior?

The president states that because I attended the meeting in October and participated in public comment, no Brown Act violation occurred on September 9, 2019.

There were approximately 30-40 homeowners/residents who were gathered to attend the 9/9/19 meeting. The number dropped significantly in October, and may be due to the president of Oxford Square HPOZ, a former lawyer for Sony Studios, who at an unofficial meeting held on Victoria Ave. in September 2019, refused to let the topic of Solaris Apts. be discussed, even though that was the reason neighbors, who were asked at the meeting to provide their contact information, had gathered.

In October, I attended and spoke both during public comment and on the item involving Solaris Apts. I wanted to speak about the OPNC appointing themselves as qualified to submit community impact statements, but the President had threatened to have me thrown out/expelled.

The members of the OPNC at the October meeting parroted Mr. Edelson's excuse, stating that the September meeting was cancelled due to the lack of quorum.

Government code 54959 states:

Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under the chapter, is guilty of a misdemeanor.

What happens to the people of Los Angeles when the City Attorney's Office knows of corruption by public employees and chooses to do nothing? Is the City Attorney then themselves an accessory to corruption – allowing crimes against the public trust to be committed and standing idly by and looking the other way? Can the City Attorney be held negligent/liable for failing to enforce public ethics and hold public employees accountable for

fraud and corruption?

CPC-2020-516-DB-PSH-SIP

EXHIBIT 14B

By tolerating corruption, the City Attorney enables corruption.

By failing to hold politicians and employees accountable, the City Attorney fosters an environment where employees in high places know there are no checks/balances so they can operate above the law because the City Attorney when provided proof, looks the other way.

By failing to meet the requirements from the State of California to determine the applicability of the Brown Act to complaints related to the actions of the OPNC, the City Attorney allows the people of Olympic Park to be placed at the mercy of compromised public employees who believe that it is more important to accommodate the wants and desires of anonymous wealthy private developers, above the protection of the quality of life and health and safety of its current residents.

The situation in Olympic Park demonstrate succinctly the grave situation at LA City system of government – there is no one to hold anyone accountable to telling the truth or following law.

The City Attorney's lack of action regarding the disenfranchisement of homeowners in Olympic Park is deeply troubling, and may point to one of the reasons why the neighborhood council system and city government are prone to abuse, corruption, and fraud.

One may come to the determination that the City does not hold corrupt employees accountable, and has become too compromised and indebted to place the health and safety of the people ahead of the needs and wants of anonymous wealthy developers, who stack the system in their interest.

The OPNC suppresses the peoples' right to public comment/free expression, and to air their grievances regarding publicly financed large scale apartment buildings by anonymous developers, who use the destitute to justify outrageous financial costs of construction created and passed on to the taxpayer.

With little or no accountability or city oversight, anonymous developers construct HHH funded public housing for which they have no liability for, and with the enactment of AB 1197 in Sept. 2019, no environmental oversight or study needed. Most likely, the extreme costs of construction hide the real reason for never ending construction, the need to pay off outstanding accumulated debt from their previous projects.

It makes no sense to build new apartment buildings when vast amounts of empty property in Los Angeles can be retrofitted at a much more economical cost to qualified persons of need. If the City Attorney does nothing to check corruption, what are the people of the city left to do but wait for the coming of Blade Runner? Tolerating corruption, or being forced to tolerate corruption to keep one's job and not rock the boat is not worth losing one's soul or that of the city's.

The people of Los Angeles are suffering. Please help them.

Sincerely,

Virginia Jauregui

CPC-2020-516-DB-PSH-SIP
EXHIBIT 14B

----- Forwarded Message -----

From: Elise Ruden <elise.ruden@lacity.org>
To: Virginia J. <vcarville@ymail.com>
Sent: Friday, November 22, 2019, 11:21:21 AM PST
Subject: Re: OPNC Brown Act violations, etc. - No response received

Hello Virginia,

Thank you for your email. I believe that the President of the OPNC Board, Mitch Edelson, responded to you on October 24, 2019 regarding your Brown Act complaint. If you did not receive this correspondence, please contact Mr. Edelson for another copy of the response. Thank you again for your inquiry.

Best,

Elise

On Thu, Nov 21, 2019 at 11:51 AM Virginia J. <vcarville@ymail.com> wrote:

Good Morning Elise,

This is a follow up to an email forwarded to you on October 19, which was originally sent to Mike Feuer on October 9, regarding the violation by the OPNC in regards to its bylaws and the Brown Act.

You stated in your October 21 response that a response to my complaint would be received in 30 days.

I am yet to receive any response.

Sincerely,
Virginia Jauregui

On Monday, October 21, 2019, 11:36:21 AM PDT, Elise Ruden <elise.ruden@lacity.org> wrote:

Dear Ms. Jauregui,

Thank you for your email. My office is in receipt of your Brown Act complaint. You can expect a response to your complaint within 30 days.

Best,

Elise Ruden

On Sat, Oct 19, 2019 at 11:14 AM Virginia J. <vcarville@ymail.com> wrote:

Good day,

I was advised by Alan Yochelson of County District Attorney's office to forward the below correspondence to you, as I am yet to receive a response to the issues addressed below.

CPC-2020-516-DB-PSH-SIP
EXHIBIT 14B

Thank you,
Virginia Jauregui

----- Forwarded Message -----

From: Virginia J. <vcarville@ymail.com>

To: mike.n.feuer@lacity.org <mike.n.feuer@lacity.org>

Cc: jlacey@da.lacounty.gov <jlacey@da.lacounty.gov>

Sent: Wednesday, October 9, 2019, 5:22:53 PM PDT

Subject: Request action to cure and correct cancelled meeting sept 9, community impact statement

Good Afternoon,

I am writing you to request action by the District Attorney regarding the Operation of the Olympic Park Neighborhood Council. I have already sent an email to the OPNC earlier today, and hope I am completing the steps correctly. I am including a more in depth letter (attached), as to the problems which need your attention.

On September 9, 2019, the OPNC violated the Brown Act by cancelling its regularly scheduled meeting four hours before it was supposed to start. The cancellation was an attempt to prevent homeowners from airing their grievances regarding Solaris Apts. Members of the OPNC have been found to communicate city business through personal email accounts, and colluded together to deny the rights of Victoria Ave. homeowners to have their grievances addressed on September 9, 2019 as guaranteed in the Constitution of the United States.

54954.3c of CA Gov Code states: **The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body.**

Due to egregious violations of the Brown Act, the OPNC is not qualified to be **authorized filers or submit community impact statements. According to the City of Los Angeles document, *How to Create and Submit a Community Impact Statement*, "The City Clerk will accept statements only from Neighborhood Councils...in accordance with the Brown Act". (Attachment A)**

Why is the Olympic Park neighborhood council able to submit community impact statements when they communicate city business via non-city email and non-city phones? BROWN ACT 54950 states "It is the intent of the law that their actions [of the OPNC] be taken openly and that their deliberations be conducted openly.

Isn't this considered a serious conflict of interest and a violation of public ethics when members of the council, considered city employees, communicate city business through private channels? How much city business has been communicated via private email and phone regarding tens of millions of dollars' worth of potential real estate projects in the Olympic Park area that only need support from the Neighborhood Council to get constructed?

I request the CITY ATTORNEY, in accordance with 54960 of the Brown Act, to commence an action to cure or correct by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of the Brown Act by members of the OPNC, who on September 9, 2019 illegally cancelled the meeting of the OPNC in order to avoid hearing and attending to the concerns voiced by homeowners of Victoria Ave. in relation to Domas LLC's Solaris Apts. Further, the OPNC utilizes private communication to conduct City Business in violation of Gov. Code 54950 and OPNC bylaws. (Attachment F.2)

I am requesting that the district attorney determine the applicability of the Brown Act to past actions of the legislative body, subject to Section 54960.2., and determine whether any rule of action the legislative body is punishable and described below:

I request that the City Attorney demand a cure or correct to the following actions of the OPNC:

1. The Cancellation of the regularly scheduled meeting of the OPNC on September 9 at 7pm in violation of Gov Code 54954.3c. The cure requested would be recognition by the City of the impromptu meeting held in the residents gathered in the Catch One nightclub parking lot, in lieu of the regularly scheduled meeting of the OPNC, and accept the adoption of paperwork passed out to residents at the meeting to be placed on the public record.
2. Withdraw/cancel the appointment of the five OPNC members as filers of Community Impact Statements which took place on October 7, 2019 at approximately 7:45pm. The OPNC is not qualified to provide community impact statements due to colluding to cancel a regularly scheduled meeting on Sept. 9, and utilizing private communication to conduct city business in violation of the Brown Act including Gov. Code 54954.3c and 54950 (Including Policy F of OPNC Bylaws). The City Clerk **only** accepts statements from Neighborhood Councils, "in accordance with the Brown Act".
3. Withdraw/cancel October 7, 2019 letter of Support for Domas LLC's Solaris Apts. The Board is not qualified to provide community impact statements, and thus the support letter for Solaris is invalid.

The OPNC is in violation of the Brown Act including Gov. Code 54954.3c and 54950 (Including Policy F of OPNC Bylaws).

The city would accept the following documents that were passed out to residents (10 copies) for public record:

- 1) 2015 Proposed Negative Declaration for C3 Subdivision (I only brought one copy). (Attachment H)
- 2) 2016 Letter of Support from Laura Rudison, obtained from the VTT-73424 Physical File for the C3 luxury subdivision. (Attachment I)

2) Mitch Edelson's response to my inquiry related to the C3 luxury subdivision dated 12/5/18. (Attachment J) **OPNC 2020-516-DB-PSH-SIP EXHIBIT 14B**

3) 13-page email chain between myself and Mitch Edelson, President of the City of Los Angeles' Olympic Park Neighborhood Council (front page dated 12/31/2018). (Attachment K)

4) Six-page email chain between myself and Jordann Turner, City Planner for C3 luxury Subdivision, of City of Los Angeles. (front page dated 1/12/2019). (Attachment L)

PLEASE LET ME KNOW WHAT STEPS I NEED TO TAKE TO HAVE THE IMPROMPTU MEETING RECOGNIZED AND THE LETTER OF SUPPORT FOR SOLARIS WITHDRAWN.

According to the OPNC President Mitch Edelson, the meeting of the OPNC was cancelled due to a "lack of quorum". Lacking quorum is not a valid excuse to preemptively cancel a federally and state protected, regularly scheduled public meeting of the people four hours before it was supposed to start. The meeting was cancelled because the OPNC didn't want to hear the complaints of 30 – 40 angry property owners gathered, who had no idea that the OPNC planned to donate the land in front of their houses as a spacious garden-side parking lot for Domas LLC's Solaris Apts and Amani Apts. LP at 4200 Pico Blvd.

cancelling a meeting of the people in order to prevent complaints is a violation of the brown act.

The OPNC is not in accordance with the Brown Act and thus not qualified to submit community impact statements, or allow members to be authorized filers on behalf of the Council.

The owner of the Catch One Nightclub, President Mitch Edelson communicates city business listing OPNCLA1999@gmail.com as the contact for the OPNC, and utilizing mitchedelson@gmail.com for email. Using private phones and email addresses to communicate city business is against Council bylaws, is highly questionable, particularly with the issues involving the C3 luxury subdivision and the OPNC's 2016 letter of support, minus City record of any related discussion or action. (Attachment G)

According to the bylaws of the OPNC, the policy of the council is: "To have fair, open, and transparent procedures of the conduct of all Council business". The OPNC is currently in violation of this policy; additionally, the OPNC record of minute taking, particularly for their standing committees and previous sessions is lacking, and possibly missing.

The OPNC continues to remain in operation, even when Herb Wesson, the President of the City Council, was CC'd of meeting's illegal cancellation and did nothing (Attachment E)? Why do members of the OPNC continue to conduct city business via private email, when both the DA of the City and County of Los Angeles were contacted on 9/27 regarding this issue? (Attachment F).

Attached is the complete letter to the DA, including **CPA 2020-516 DBPS ASIP**

EXHIBIT 14B

Thank you,

Virginia Jauregui

----- Forwarded Message -----

From: Virginia J. <vcarville@ymail.com>

To: board@opnc.org <board@opnc.org>; hwilliams@opnc.org <hwilliams@opnc.org>

Sent: Wednesday, October 9, 2019, 4:59:10 PM PDT

Subject: cure and correct requested, meeting sept 9, community impact statement

Good Afternoon,

I am writing you to request cure and correct for actions taken by the OPNC in violation of the Brown Act. I am including a copy of my October public comment which I presented partially to the Board, to which I only read up to "Members of the OPNC have been found to communicate city business through personal email accounts."

54954.3c of CA Gov Code states: **The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body.**

cancelling a meeting of the people in order to prevent complaints is a violation of the brown act.

According to the bylaws of the OPNC, the policy of the council is: "To have fair, open, and transparent procedures of the conduct of all Council business". The OPNC is currently in violation of this policy.

On September 9, 2019, the OPNC violated the Brown Act by cancelling its regularly scheduled meeting four hours before it was supposed to start. The meeting cancellation was an attempt to prevent homeowners from airing their grievances regarding Solaris Apts., which less than a month later, the Council voted to support. Members of the OPNC denied the rights of Victoria Ave. homeowners on September 9, 2019 at 7pm to have their grievances addressed and heard, as guaranteed in the Constitution of the United States. **According to the OPNC President and its members, the meeting was cancelled due to a "lack of quorum"**. Lacking quorum is not a valid excuse to preemptively cancel a federally and state protected, regularly scheduled public meeting of the people four hours before it was supposed to start. The meeting was cancelled because the OPNC didn't want to hear the complaints of 30 – 40 angry property owners gathered, who had no idea that the OPNC planned to donate the land in front of their houses as a spacious garden-side parking lot for Domas LLC's Solaris Apts and Amani Apts. LP at 4200 Pico Blvd.

Due to violations of the Brown Act, the OPNC is not qualified to be authorized filers or submit community impact statements. **According to the City of Los Angles document, *How to Create and Submit a Community Impact***

Statement, "The City Clerk will accept statements only from Neighborhood Councils...in accordance with the Brown Act" (Attachment A)

DB-PSH-SIP
EXHIBIT 14B

Why is the Olympic Park neighborhood council able to submit community impact statements when they communicate city business via non-city email and non-city phones? BROWN ACT 54950 states "It is the intent of the law that their actions [of the OPNC] be taken openly and that their deliberations be conducted openly.

I request the OPNC, in accordance with 54960 of the Brown Act, to commence an action to cure or correct by mandamus, injunction, or declaratory relief for the purpose of stopping or preventing violations or threatened violations of the Brown Act by members of the OPNC, who on September 9, 2019 at 7pm illegally cancelled the meeting of the OPNC in order to avoid hearing and attending to the concerns voiced by homeowners of Victoria Ave. in relation to Domas LLC's Solaris Apts. Additionally, the OPNC utilizes private communication to conduct City Business in violation of Gov. Code 54950 and OPNC bylaws. (Attachment F.2)

I request that the OPNC cure or correct its following actions:

1. The Cancellation of the regularly scheduled meeting of the OPNC on September 9 in violation of Gov Code 54954.3c. The cure requested would be recognition by the OPNC of the impromptu meeting held by residents gathered in the Catch One nightclub parking lot, in lieu of the regularly scheduled meeting of the OPNC. The OPNC would accept the adoption of paperwork passed out to residents, to be placed on the public record.
2. Withdraw the appointment of the five OPNC members which took place on October 7, 2019 at approximately 7:45pm. The OPNC is not qualified to adopt community impact statements due to cancelling a regularly scheduled meeting on Sept. 9, 2019 and utilizing private communication to conduct city business in violation of the Brown Act including Gov. Code 54954.3c and 54950 (As well as Policy F of OPNC Bylaws). The City Clerk only accepts statements from Neighborhood Councils, "in accordance with the Brown Act".
3. Withdraw of October 7, 2019 letter of Support for Domas LLC's Solaris Apts. The Board is not qualified to provide community impact statements, and thus the support letter for Solaris is invalid.

The OPNC is not in accordance with the Brown Act and thus not qualified to submit community impact statements, or allow members of the OPNC to be authorized filers on behalf of the Council.

The city would accept the following documents that were passed out to residents (10 copies) for public record:

- 1) 2015 Proposed Negative Declaration for C3 Subdivision (I only brought

one copy). (Attachment H)

CPC-2020-516-DB-PSH-SIP

EXHIBIT 14B

2) 2016 Letter of Support from Laura Rudison, obtained from the VTT-73424 Physical File for the C3 luxury subdivision. (Attachment I)

2) Mitch Edelson's response to my inquiry related to the C3 luxury subdivision dated 12/5/18. (Attachment J)

3) 13-page email chain between myself and Mitch Edelson, President of the City of Los Angeles' Olympic Park Neighborhood Council (front page dated 12/31/2018). (Attachment K)

4) Six-page email chain between myself and Jordann Turner, City Planner for C3 luxury Subdivision, of City of Los Angeles. (front page dated 1/12/2019). (Attachment L)

On outgoing correspondences, the OPNC lists a private email and phone number. (Attachment G) Using private phones and email addresses to communicate city business is against Council bylaws, and is highly questionable, particularly with the issues involving the C3 luxury subdivision and the OPNC's 2016 letter of support, minus City record of any related discussion, action, or vote.

Please let me know if the OPNC can cure or correct the issues addressed above.

Sincerely,

Virginia Jauregui

--

Elise A. Ruden
Elise.Ruden@lacity.org
Managing Deputy City Attorney
Neighborhood Council Advice Division
General Counsel Division
Office of the City Attorney
200 N. Main Street
700 City Hall East
Los Angeles, CA 90012
PH: 213 978-8132

CPC-2020-516-DB-PSH-SIP
EXHIBIT 14B

***** Confidentiality Notice *****

This electronic message transmission contains information from the Office of the Los Angeles City Attorney, which may be confidential or protected by the attorney-client privilege and/or the work product doctrine. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this communication in error, please notify us immediately by e-mail and delete the original message and any attachments without reading or saving in any manner.

--

Elise A. Ruden
Elise.Ruden@lacity.org
Managing Deputy City Attorney
Neighborhood Council Advice Division
General Counsel Division
Office of the City Attorney
200 N. Main Street
700 City Hall East
Los Angeles, CA 90012
PH: 213 978-8132

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Attachment P - no response.pdf
830.6kB



Attachment N 2 - email to elise.pdf
780.4kB



Attachment N - Email to Elise.pdf
875.1kB



Attachment D- AB 1197.pdf
1.2MB



Attachment H - ENV-2015-1229.pdf
2.6MB



Attachment K - email chain.pdf
5.1MB

CPC-2020-516-DB-PSH-SIP
EXHIBIT 14B



Attachment M - C3.pdf
866.9kB



Attachment O - opnc brown act.pdf
1.5MB



Attachment Q - Letter to DA.docx
38.8kB



Attachment R - Response of DA to Brown Act, Corruption.pdf
528.3kB



12 31 email to DA.docx
30.4kB

TITLE 44--EMERGENCY MANAGEMENT AND ASSISTANCE
CHAPTER I--FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND
SECURITY

PART 60 CRITERIA FOR LAND MANAGEMENT AND USE--Table of Contents

Subpart A Requirements for Flood Plain Management Regulations

Sec. 60.3 Flood plain management criteria for flood-prone areas.

The Administrator will provide the data upon which flood plain management regulations shall be based. If the Administrator has not provided sufficient data to furnish a basis for these regulations in a particular community, the community shall obtain, review and reasonably utilize data available from other Federal, State or other sources pending receipt of data from the Administrator. However, when special flood hazard area designations and water surface elevations have been furnished by the Administrator, they shall apply. The symbols defining such special flood hazard designations are set forth in Sec. 64.3 of this subchapter. In all cases the minimum requirements governing the adequacy of the flood plain management regulations for flood-prone areas adopted by a particular community depend on the amount of technical data formally provided to the community by the Administrator.

Minimum standards for communities are as follows:

(a) When the Administrator has not defined the special flood hazard areas within a community, has not provided water surface elevation data, and has not provided sufficient data to identify the floodway or coastal high hazard area, but the community has indicated the presence of such hazards by submitting an application to participate in the Program, the community shall:

(1) Require permits for all proposed construction or other development in the community, including the placement of manufactured homes, so that it may determine whether such construction or other development is proposed within flood-prone areas;

(2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;

(3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements

shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, (ii) be constructed with materials resistant to flood damage, (iii) be constructed by methods and practices that minimize flood damages, and (iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(4) Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that (i) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided to reduce exposure to flood hazards;

(5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and

(6) Require within flood-prone areas (i) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and (ii) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

(b) When the Administrator has designated areas of special flood hazards (A zones) by the publication of a community's FHBM or FIRM, but has neither produced water surface elevation data nor identified a floodway or coastal high hazard area, the community shall:

(1) Require permits for all proposed construction and other developments including the placement of manufactured homes, within Zone A on the community's FHBM or FIRM;

(2) Require the application of the standards in paragraphs (a) (2), (3), (4), (5) and (6) of this section to development within Zone A on the community's FHBM or FIRM;

(3) Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data;

(4) Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, including

DEPARTMENT OF
CITY PLANNING
COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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DANA M. PERLMAN

CITY OF LOS ANGELES
CALIFORNIA



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MAYOR

EXECUTIVE OFFICES
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DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

August 23, 2019

Transmitted via email and U.S. Postal Service

Applicant

Monique Hastings
Domus Development, LLC
3424 Wilshire Blvd., Suite 1020
Los Angeles, CA 90010

Case Number: DIR-2019-4049-TOC

CEQA Number: ENV-2019-4050-EAF

Application Type: Transit Oriented
Communities Affordable Housing Incentive
Program and Environmental Clearance

Representative

Eric Lieberman
QES, Inc.
14549 Archwood St., Suite 308
Van Nuys, CA 91405

Location: 1141, 1145 S. Crenshaw Blvd.

Plan Area: Wilshire

Specific Plan: None

Council District: 10

Status of Project Review: Application Incomplete and Case Processing on Hold

The above referenced case, filed on July 10, 2019, was accepted by the Department of City Planning Development Services Center, and forwarded to the Central Project Planning Division for review.

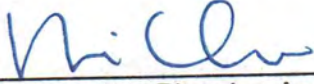
I am your assigned Project Planner, and I determined that the case file materials are NOT complete. Therefore, as provided for in Section 19.00 of the Los Angeles Municipal Code, your application has been placed on hold until the following items are corrected or submitted:

Per the Wilshire map of Ordinance 165,331 for Subarea 9670, the correct zone of a portion of the property at 1145 S. Crenshaw Blvd. (Lots 39 Arb 2 and FR 40 Arb 2, Oxford Square Tract – APN 5082026013) that is designated for Medium Residential land uses is R3-1-O, not CR-1-O. Please update all application documents and plans to reflect the R3-1-O zone, and submit an electronic copy and hard copies (two application documents, one full sized plans folded to 8 ½ by 11, and four 11 by 17 sized plans).

It is the intent of the Department to carry out the entitlement request in a timely manner and therefore request that you provide the corrections within 30 days of the date of this letter, that is by September 23, 2019. These materials must be provided in one submittal. In the event that all of the requested materials are not provided at that point, the Department may initiate termination of the case file after subsequent outreach to you.

Department Forms and Instructions and additional information on planning processes, announcements, and upcoming policies are available on line on the Department's Web page at www.planning.lacity.org.

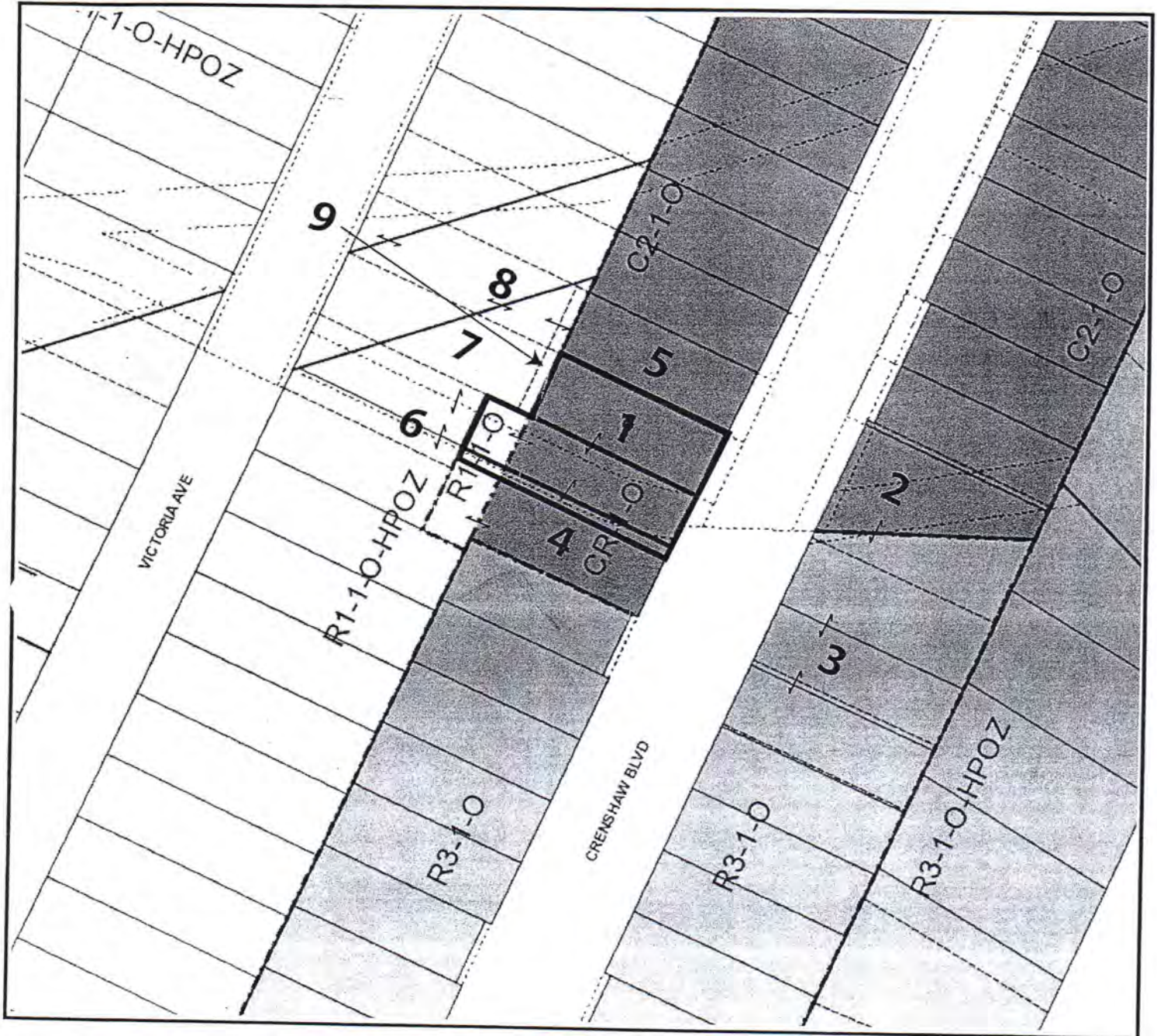
The case file is located at my office location indicated below, and arrangements to review the case file can be made.



Nuri Cho, City Planning Associate
Central Project Planning
Department of City Planning
200 N. Spring Street, Rm. 621
Los Angeles CA 90012

Phone: 213-978-1177
E-mail: Nuri.Cho@lacity.org

ADJACENT NOTIFICATION MAP



1141-1145 CRENSHAW BLVD.

DIR 201 - 4049



DATE: 01-14-19

QMS: 19-015

CPC-2020-516-DB-PSH-SIP

Re: 1141-1145 Crenshaw Solaris Apts - EIR/ Mitigated Negative Declaration EXHIBIT 16B

From: Nuri Cho (nuri.cho@lacity.org)

To: vcarville@ymail.com

Date: Wednesday, September 11, 2019, 9:22 AM PDT

Hi Virginia,

Thank you for your email. I have not determined the environmental clearance pursuant to CEQA yet, as the case is currently on hold as the applicant will be updating application documents and plans to reflect the correct zoning requirements.

Please let me know if you have any other questions.

On Sun, Sep 8, 2019 at 9:13 PM Virginia J. <vcarville@ymail.com> wrote:

Hi Nuri,

I was curious as to whether the City will be completing an EIR or mitigated negative declaration for Domus Development's Solaris "Permanent Supportive Housing" Complex requested to be developed at 1141-1145 Crenshaw Blvd. The development will have significant impacts to the surrounding community, including the homeowners on Victoria Ave.

As you know, the location of 1141-1145 Crenshaw is in an AO flood zone, and development would pose enormous traffic and parking problems to current residents who must compete for parking space with dozens, if not hundreds, of extra cars - the burden created by the City which small homeowners are expected to absorb.

The Victoria Ave. block will be given away by the City to cover the cost of parking for the Domas development, who will also be taking "loans" from the people's coffers for the majority of their project, without any guarantee they will be able to pay back their debt.

The city will eagerly sacrifice the homeowners of our community in order to feed the gluttony of LA Developers.

California Law #54950 States that "The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people...The people insist on remaining informed so that they may retain control over the instruments they have created".

Thank you,
Virginia Jauregui

CPC-2020-516-DB-PSH-SIP
EXHIBIT 16B

On Monday, August 26, 2019, 08:23:08 AM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hello Virginia,

The project site is located within Tier 3; however, the project is eligible for one increase in Tier from Tier 3 to Tier 4 for consisting of 100 percent On-Site Restricted Affordable units, excluding a manager's unit pursuant to Section IV.9 of the TOC Guidelines. I am attaching the Guidelines for your reference.

On Sun, Aug 25, 2019 at 8:24 PM Virginia J. <vcarville@ymail.com> wrote:

Good Morning Nuri,

I am contacting you regarding 1141-1145 Crenshaw Blvd - ENV-2019-4050-EAF/DIR-2019-4049-TOC.

Domus Development is stating that the location of the building makes it eligible for Tier 4 incentives, however Zimas classifies the location as transit oriented community Tier 3. I am concerned that the project is trying to classify itself as being Tier 4, when there is no longer a metro subway stop being built on Crenshaw.

This project will exert a significant parking burden to the surrounding neighborhood of single family homes. Further, the development of the project of this scale may result in a potential hazard by being erected in an AO flood zone.

Thank you,
Virginia Jauregui

----- Forwarded Message -----

From: Virginia J. <vcarville@ymail.com>

To: Mitch Edelson <mitchedelson@gmail.com>; board@opnc.org <board@opnc.org>

Cc: councilmember.wesson@lacity.org <councilmember.wesson@lacity.org>; Nuri.Cho@lacity.org <Nuri.Cho@lacity.org>

Sent: Thursday, August 8, 2019, 10:13:41 AM PDT

Subject: Request for Copy of Position Letter Solaris Apts

Good Morning Mitch,

I am requesting a copy of any position letter from the Olympic Park neighborhood council related to 1141-1145 Crenshaw Blvd.

The apartment building is slated for 43 apartments to be five stories tall, with only 8 parking spaces allocated to staff, and 0 for residents (due to being built as "Permanent Support Housing", allowing the developer to circumvent local requirements while being able to burden taxpayers with majority of the cost of construction.)

Placing such a huge development next to single family housing on Victoria

Ave. would add to major parking problems, obstruct CPD-2020-516-DBA-PSH-SIP property owners, and place a HUGE BURDEN on the taxpayer and EXHIBIT 16B neighborhood who would be asked to shoulder the cost of construction and the parking burden of dozens if not hundreds of extra cars that have no where to park accept in Oxford Square, diminishing the quality of life of residents on Victoria Ave. and Windsor Blvd. your Board is supposed to protect.

Sincerely,
Virginia Jauregui



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CPC-2020-516-DB-PSH-SIP

EXHIBIT 16C

Re: 1141-1145 Crenshaw Solaris Apts - EIR/ Mitigated Negative Declaration?

From: Nuri Cho (nuri.cho@lacity.org)

To: vcarville@ymail.com

Cc: maria.reyes@lacity.org

Date: Wednesday, September 18, 2019, 8:42 AM PDT

Hi Virginia,

They need to redesign the project to conform to the R3-1 Zone requirements. There is no MND prepared for the project. I will have the case file ready for you on Thursday at 11 am. Our staff will need to take lunch break, so please allow enough time to review the case file and make copies before Noon.

On Tue, Sep 17, 2019 at 6:46 PM Virginia J. <vcarville@ymail.com> wrote:

Nuri,

You mentioned in a previous email that Domas withdrew plans in order to modify their plans to correctly reflect the code. I'm wondering what code did they not correctly reflect? Is there a proposed mitigated negative declaration that was prepared for the project?

I'd like to come in this Thursday, Sept 19 at 11am to look at the file for 1141-1145 Crenshaw Blvd. (Domas Development)

thank you,
Virginia

On Tuesday, September 17, 2019, 04:10:28 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

Please see the attached hold letter that was issued for the project. As I've mentioned in my previous email, we have not determined the environmental clearance under CEQA as the case is on hold.

There is no hearing with the Advisory Agency, as the applicant is not requesting any subdivision entitlements.

The Planning case is with me in City Hall. Please let me know what day/time you would like to come in and I will have the case file ready for you.

On Tue, Sep 17, 2019 at 2:56 PM Virginia J. <vcarville@ymail.com> wrote:

Hi nuri, I wanted to follow up with you regarding the request below.

Thank you,
Virginia

----- Forwarded Message -----

From: Virginia J. <vcarville@ymail.com>

To: Nuri Cho <nuri.cho@lacity.org>

CPC-2020-516-DB-PSH-SIP

Sent: Sunday, September 15, 2019, 01:43:59 PM PDT

EXHIBIT 16C

Subject: Re: 1141-1145 Crenshaw Solaris Apts - EIR/ Mitigated Negative Declaration?

Hi Nuri,

Would you tell me which zoning requirements were incorrect in Domas' original application for 1141-1145 S Crenshaw?

Just for clarification, would you let me know if a mitigated negative declaration has been prepared by LA City and submitted to the state for Solaris? Would you know if there was a hearing with the advisory agency about this project?

Also, would the file regarding Solaris be located at building and safety or with you in City Hall? Is it available for public viewing?

Thank you,
Virginia

On Wednesday, September 11, 2019, 03:01:42 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

That depends on the extent of changes the applicant's team is making.

On Wed, Sep 11, 2019 at 2:57 PM Virginia J. <vcarville@ymail.com> wrote:

Thank you for this information, how long does it usually take to update application documents and plans?

On Wednesday, September 11, 2019, 02:52:35 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

I am aware that they are located in a flood zone. The case was placed on hold on August 23rd.

On Wed, Sep 11, 2019 at 2:45 PM Virginia J. <vcarville@ymail.com> wrote:

Could you tell me when it was put on hold? Sometime in the last few days?

On Wednesday, September 11, 2019, 09:22:54 AM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

Thank you for your email. I have not determined the environmental clearance pursuant to CEQA yet, as the case is currently on hold as the applicant will be updating application documents and plans to reflect the correct zoning requirements.

Please let me know if you have any other questions.

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CPC-2020-516-DB-PSH-SIP

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- ENV-2019-4050-EAF/DIR-2019-4049-TOC.

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To: Mitch Edelson <mitchedelson@gmail.com>; board@opnc.org <board@opnc.org>

Cc: councilmember.wesson@lacity.org <councilmember.wesson@lacity.org>;
Nuri.Cho@lacity.org <Nuri.Cho@lacity.org>

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Placing such a huge development next to single family housing on Victoria Ave. would add to major parking problems, obstruct sunlight to small property owners, and place a HUGE BURDEN on the taxpayer and the neighborhood who would be asked to shoulder the cost of construction and the parking burden of dozens if not hundreds of extra cars that have no where to park accept in Oxford Square, diminishing the quality of life of residents on Victoria Ave. and Windsor Blvd. your Board is supposed to protect.

Sincerely,
Virginia Jauregui

CPC-2020-516-DB-PSH-SIP
EXHIBIT 16C



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CPC-2020-516-DB-PSH-SIP
EXHIBIT 16C

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Re: 4200 Crenshaw Blvd./ Domas Development

CPC-2020-516-DB-PSH-SIP
EXHIBIT 16D

From: Hagu Solomon-Cary (hagu.solomon-cary@lacity.org)

To: vcarville@ymail.com

Cc: vince.bertoni@lacity.org; ceqa.guidelines@resources.ca.gov; nuri.cho@lacity.org

Date: Thursday, November 14, 2019, 3:57 PM PST

Hi Virginia,
My apologies for the delayed response.
We are still researching the matter but I want to clarify for you that the City did not change the zoning to R3 in August.
Once a conclusion has been made on the zoning, I'll be sure to let you know.
At this point the case is still on hold.

Thank you, kindly.

Hagu



Hagu Solomon-Cary, AICP

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On Thu, Nov 14, 2019 at 3:10 PM Virginia J. <vcarville@ymail.com> wrote:

Good Afternoon,

I am following up regarding the issue of zoning for 1141-1145 S. Crenshaw, which is slated for future PSH housing against the concerns of the neighborhood. The city changed the zoning for 1145 S Crenshaw to R3 in August 2019, and used 30 year old ordinance 165331, Subarea 9670 to justify it. Now Nuri is saying that you guys are researching it, and thereby haven't made a determination. **Does that mean Domas' project is on hold because you all haven't made a determination yet on the project?**

According to Zimas the tract for 1145 S Crenshaw is credited to the Oxford Square tract not Benton Terrace.

On page 158 of ordinance 165331 Subarea 9670, which Nuri states is the reason for the zoning change:

"Lots 4-21, 23-26 and Frac. Lots 22 and 27, Benton Terrace Tract; all as shown on Cadastral Maps 129-B-185 and 129-B-189"

I'm just a little perplexed because the language in the CPO-2020-546 DBS PS-1-546n to cover 1145 S Crenshaw. EXHIBIT 16D

Will 1145 S Crenshaw be changed to R3 as indicated in the August 23, 2019 letter?

Thank you,
Virginia Jauregui

On Thursday, November 7, 2019, 5:22:00 PM PST, Virginia J. <vcarville@ymail.com> wrote:

Hi Hagu,

Nuri told me you are now assigned to 1141-1145 S Crenshaw, and are the new supervisor over the priority housing unit.

From Nuri's email below she states the following:

"ZIMAS shows the zone as CR whereas Ordinance No. 165,331 Subarea 9670 shows the zone as R3. Please feel free to follow up in a couple of weeks on the outcome of the research."

I looked at page 158 where Subarea 9670 is located, it states:

"Lots 4-21, 23-26 and Frac. Lots 22 and 27, Benton Terrace Tract; all as shown on Cadastral Maps 129-B-185 and 129-B-189"

According to Zimas the tract for 1141 S. Crenshaw is credited to the is C.W. Monclair tract, while 1145 S Crenshaw is credited to the Oxford Square tract. These are numbered lots 39 and 40. How does 9670 cover this situation?

Would you be able to explain how a a tract credited to Benton Terrace tract is related to this project? I am also unfamiliar with Cadastral maps, would you be able to tell me where I can find these?

Developers are desperate to figure out how to pay off that money they owe to the banks for all their big, crumbly and expensive projects. They will NEVER be able to pay back to the banks what they owe, without figuring out some gimmick to bamboozle the people to pay for it. Will the people of this city support HHH projects when they realize they require no traffic or environmental studies, and the people behind these projects who get millions in public funds remain anonymous?

I can't help to see the similarities between the City of CPD-2020-516-DB-PS-CIP
When San Francisco was destroyed in 1906, it wasn't the earthquake EXHIBIT 100
it, but the faulty infrastructure that failed to work cause it was built by the
friends of elected officials.

With affordable housing estimated at 550,000 a unit, why not retrofit already
existing spaces of empty commercial structures for apartment use?

Is it true that large apartments don't have to report vacancies in LA? How
many units of housing have been built in downtown, and how many currently
remain empty.

http://clkrep.lacity.org/online/docs/1984/84-1750-S6_ORD_165331_01-14-1990.pdf

Sincerely,
Virginia Jauregui

On Tuesday, November 5, 2019, 1:29:55 PM PST, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

Apologies for the delay in response. We are currently in the process of researching the zoning and land use history of the subject property to determine the correct zone. ZIMAS shows the zone as CR whereas Ordinance No. 165,331 Subarea 9670 shows the zone as R3. Please feel free to follow up in a couple of weeks on the outcome of the research.

Case No. VTT-73424 has been approved already on August 4, 2016. If you'd like more information on this case, please contact Jordann Turner at Jordann.Turner@lacity.org.

On Tue, Nov 5, 2019 at 12:02 PM Virginia J. <vcarville@ymail.com> wrote:

Good afternoon,

I am following up with you regarding the email sent on October 26.

I am seeking clarification on 1141-1145 S. Crenshaw as requested previously.

I also asked to whom vtt-73434 is currently assigned? Please let me know.

Thank you,
Virginia Jauregui

On Saturday, October 26, 2019, 8:06:25 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

Hi Nuri,

Thank you for the response.

Is the Dept. of City Planning taking steps to close the C-2020-516-DB-PSH-SIP documents related to Solaris haven't been changed as requested EXHIBIT 16D 8/23 letter, when you revised the area's zoning?

I am confused by the statement "if the zone changes to R3". Are you speaking generally? Or does this statement apply to 1141-1145 S Crenshaw which according to the City is now R3-1-O as of August 23 2019?

According to Domas' presentation, Jenesse Center is partnering with them and will be providing services at this location. It's unclear what types of services Jenesse plans to provide at 1141-1145, but according to its website it provides Emergency Shelter, Counseling, Legal Services, Education and Health Services. <https://jenesse.org/> Can a non-profit like Jenesse provide services in an R3-1-O zone?

I have included the language of AB 1197 here. The two requirements Domas would be required to have is 1. that their project meet the requirements of permanent supportive housing and 2. be a recipient of "general bond obligations issued pursuant to Proposition HHH". According to the representative, they have already been awarded 15 million dollars in city and county funding.

Why would an anonymous developer like Domas LLC request discretionary action, if as one of the largest developers of PSH housing in the state, is being awarded Prop HHH funds which exempts their homeless shelters and Permanent Supportive Housing from CEQA, and they are working with a Dept. of City Planning that is willing to bend law, as shown by the Mitigated Negative Declaration for the C3 luxury subdivision project which claimed the subdivision was not in a flood zone, when it would be located in a federal AO Flood Zone a few doors down from where Solaris is planned, which is behind a neighborhood of small single family homes.

Would you please let me know who is assigned VTT-73424 so I can follow up with what happened to C3 Luxury Subdivision?

Thank you,
Virginia Jauregui

On Wednesday, October 23, 2019, 5:18:02 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hello Virginia,

The plans that are in the case file do not show that the applicant is proposing commercial uses on the ground floor.

The applicant has not submitted revised documents as of today. Regarding the AO Flood Zone, the project

is subject to regulatory compliance measures, including the City's Specific Plan for the City of Los Angeles, Flood Hazards Ordinance No. 172,081, to avoid or reduce flood impacts.

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CEQA applies to all discretionary projects, so if the zone changes to R3, the project would still be subject to CEQA if it requests discretionary actions. The applicant has not requested the use of AB 1197 as of today. Please note that if the applicant wishes to utilize AB 1197 for the Statutory Exemption from CEQA, the applicant will need to demonstrate consistency with the two criteria set forth in AB 1197.

Best,

On Sat, Oct 19, 2019 at 11:43 AM Virginia J. <vcarville@ymail.com> wrote:

Good Day Nuri,

I am coming to you after Domas came to the OPNC meeting on October 9, regarding the Solaris permanent supportive housing project.

On August 23, you stated to Domas they had 30 days to revise their project as their property location was not in C2-1-O, but was in R3-1-O. Does R3 allow for a commercial first floor which Jenesse and KYCC, the non profits tied to the project, will be using?

Did Domas revise their project to reflect the new R3 zoning and the AO Flood Zone as you requested? Or will they need city flood studies for construction in this area?

Also, PSH housing does not need an environmental or traffic study, however Domas at the OPNC meeting stated they were in the process of completing a CEQA. Would the CEQA still be valid if the zoning was changed to R3-1-O, and AB 1197 no longer requires PSH housing in the City of Los Angeles to have a CEQA?

Thank You,

Virginia Jauregui

On Tuesday, September 24, 2019, 4:57:20 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

I will be at the CPC meeting on Thursday, September 26th at 10 am, but will leave the case file at the front desk in City Hall Room 621 for you to review.

On Tue, Sep 24, 2019 at 4:33 PM Virginia J. <vcarville@ymail.com> wrote:

Thursday at 10am please...

On Tuesday, September 24, 2019, 03:54:41 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

When would you like to come in?

On Tue, Sep 24, 2019 at 3:40 PM Virginia J. <vcarville@ymail.com> wrote:

Yes, please.

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On Tuesday, September 24, 2019, 03:32:29 PM PDT, Nuri Cho <nuri.cho@lacity.org> wrote:

Hi Virginia,

Did you want to review the case file for 1141 Crenshaw again? There are no additional documents since you reviewed the case file on September 19th.

On Tue, Sep 24, 2019 at 3:29 PM Virginia J. <vcarville@ymail.com> wrote:

I would also like to look at the Domas File 1141-1145 Crenshaw Blvd in addition to Amani Apartment's Senior housing.

Anyway I can arrange this for Thursday at 10am?

On Tuesday, September 24, 2019, 02:54:56 PM PDT, Virginia J. <vcarville@ymail.com> wrote:

It's the file for Amani Apartments LLC PAR-2019-218-TOC.

On Tuesday, September 24, 2019, 01:26:47 PM PDT, Norali Martinez <norali.martinez@lacity.org> wrote:

Hello Virginia,

I'm not sure what case file you are referring to. Do you have an actual case number?



Norali Martinez | City Planning Associate

Department of City Planning

Housing Services Unit

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On Tue, Sep 24, 2019 at 9:36 AM Virginia J. <vcarville@ymail.com> wrote:

Good Morning Norali,

I would like view the file for 4200 Crenshaw Blvd, I believe the developer is Amani Apartments. I have been told this file is

with you.

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Please let me know if I can come and examine the file on
Thursday at 10am.

best regards,

Virginia Jauregui



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TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (*Heading of Title 7 amended by Stats. 1974, Ch. 1536.*)

DIVISION 1. PLANNING AND ZONING [65000 - 66301] (*Heading of Division 1 added by Stats. 1974, Ch. 1536.*)

CHAPTER 4.2. Housing Development Approvals [65913 - 65914] (*Chapter 4.2 added by Stats. 1980, Ch. 1152.*)

65913.4. (a) A development proponent may submit an application for a development that is subject to the streamlined, ministerial approval process provided by subdivision (b) and is not subject to a conditional use permit if the development satisfies all of the following objective planning standards:

(1) The development is a multifamily housing development that contains two or more residential units.

(2) The development is located on a site that satisfies all of the following:

(A) A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(B) A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.

(C) A site that is zoned for residential use or residential mixed-use development, or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use. Additional density, floor area, and units, and any other concession, incentive, or waiver of development standards granted pursuant to the Density Bonus Law in Section 65915 shall be included in the square footage calculation. The square footage of the development shall not include underground space, such as basements or underground parking garages.

(3) (A) The development proponent has committed to record, prior to the issuance of the first building permit, a land use restriction or covenant providing that any lower or moderate income housing units required pursuant to subparagraph (B) of paragraph (4) shall remain available at affordable housing costs or rent to persons and families of lower or moderate income for no less than the following periods of time:

(i) Fifty-five years for units that are rented.

(ii) Forty-five years for units that are owned.

(B) The city or county shall require the recording of covenants or restrictions implementing this paragraph for each parcel or unit of real property included in the development.

(4) The development satisfies subparagraphs (A) and (B) below:

(A) Is located in a locality that the department has determined is subject to this subparagraph on the basis that the number of units that have been issued building permits, as shown on the most recent production report received by the department, is less than the locality's share of the regional housing needs, by income category, for that reporting period. A locality shall remain eligible under this subparagraph until the department's determination for the next reporting period.

(B) The development is subject to a requirement mandating a minimum percentage of below market rate housing based on one of the following:

(i) The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of above moderate-income housing issued building permits than were required for the regional housing needs assessment cycle for that reporting period. In addition, if the project contains more than 10 units of housing, the project does either of the following:

(I) The project dedicates a minimum of 10 percent of the total number of units to housing affordable to households making at or below 80 percent of the area median income. However, if the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that local ordinance applies.

(II) (ia) If the project is located within the San Francisco Bay area, the project, in lieu of complying with subclause (I), dedicates 20 percent of the total number of units to housing affordable to households making below 120 percent of the area median income with the average income of the units at or below 100 percent of the area median income. However, a local ordinance adopted by the locality applies if it requires greater than 20 percent of the units be dedicated to housing affordable to households making at or below 120 percent of the area median income, or requires that any of the units be dedicated at a level deeper than 120 percent. In order to comply with this subclause, the rent or sale price charged for units that are dedicated to housing affordable to households between 80 percent and 120 percent of the area median income shall not exceed 30 percent of the gross income of the household.

(ib) For purposes of this subclause, "San Francisco Bay area" means the entire area within the territorial boundaries of the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma, and the City and County of San Francisco.

(ii) The locality's latest production report reflects that there were fewer units of housing issued building permits affordable to either very low income or low-income households by income category than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making at or below 80 percent of the area median income. However, if the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making at or below 80 percent of the area median income, that local ordinance applies.

(iii) The locality did not submit its latest production report to the department by the time period required by Section 65400, or if the production report reflects that there were fewer units of housing affordable to both income levels described in clauses (i) and (ii) that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, the project seeking approval may choose between utilizing clause (i) or (ii).

(C) (i) A development proponent that uses a unit of affordable housing to satisfy the requirements of subparagraph (B) may also satisfy any other local or state requirement for affordable housing, including local ordinances or the Density Bonus Law in Section 65915, provided that the development proponent complies with the applicable requirements in the state or local law.

(ii) A development proponent that uses a unit of affordable housing to satisfy any other state or local affordability requirement may also satisfy the requirements of subparagraph (B), provided that the development proponent complies with applicable requirements of subparagraph (B).

(iii) A development proponent may satisfy the affordability requirements of subparagraph (B) with a unit that is restricted to households with incomes lower than the applicable income limits required in subparagraph (B).

(5) The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915, is consistent with objective zoning standards, objective subdivision standards, and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, "objective zoning standards," "objective subdivision standards," and "objective design review standards" mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:

(A) A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.

(B) In the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning and subdivision standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.

(C) The amendments to this subdivision made by the act adding this subparagraph do not constitute a change in, but are declaratory of, existing law.

(6) The development is not located on a site that is any of the following:

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(A) A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.

(B) Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

(C) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

(D) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

(E) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

(F) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

(G) Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:

(i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction.

(ii) The site meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

(H) Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site.

(I) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

(J) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

(K) Lands under conservation easement.

(7) The development is not located on a site where any of the following apply:

(A) The development would require the demolition of the following types of housing:

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(i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(iii) Housing that has been occupied by tenants within the past 10 years.

(B) The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.

(C) The development would require the demolition of a historic structure that was placed on a national, state, or local historic register.

(D) The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.

(8) The development proponent has done both of the following, as applicable:

(A) Certified to the locality that either of the following is true, as applicable:

(i) The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(ii) If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:

(I) The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.

(II) All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

(III) Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided therein.

(IV) Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.

(V) Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(VI) Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

(B) (i) For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:

(I) On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

(II) On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction

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located in a coastal or bay county with a population of 225,000 or more.

(III) On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(IV) On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(V) On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units with a residential component that is not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(ii) For purposes of this section, "skilled and trained workforce" has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

(iii) If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:

(I) The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.

(II) Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.

(III) Except as provided in subclause (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

(IV) Subclause (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(C) Notwithstanding subparagraphs (A) and (B), a development that is subject to approval pursuant to this section is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:

(i) The project includes 10 or fewer units.

(ii) The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(9) The development did not or does not involve a subdivision of a parcel that is, or, notwithstanding this section, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land, unless the development is consistent with all objective subdivision standards in the local subdivision ordinance, and either of the following apply:

(A) The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to subparagraph (A) of paragraph (8).

(B) The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used, pursuant to paragraph (8).

(10) The development shall not be upon an existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of

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Division 13 of the Health and Safety Code).

(b) (1) If a local government determines that a development submitted pursuant to this section is in conflict with any of the objective planning standards specified in subdivision (a), it shall provide the development proponent written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, as follows:

(A) Within 60 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(2) If the local government fails to provide the required documentation pursuant to paragraph (1), the development shall be deemed to satisfy the objective planning standards specified in subdivision (a).

(3) For purposes of this section, a development is consistent with the objective planning standards specified in subdivision (a) if there is substantial evidence that would allow a reasonable person to conclude that the development is consistent with the objective planning standards.

(c) (1) Any design review or public oversight of the development may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate. That design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, and shall be broadly applicable to development within the jurisdiction. That design review or public oversight shall be completed as follows and shall not in any way inhibit, chill, or preclude the ministerial approval provided by this section or its effect, as applicable:

(A) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 180 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(2) If the development is consistent with the requirements of subparagraph (A) or (B) of paragraph (9) of subdivision (a) and is consistent with all objective subdivision standards in the local subdivision ordinance, an application for a subdivision pursuant to the Subdivision Map Act (Division 2 (commencing with Section 66410)) shall be exempt from the requirements of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) and shall be subject to the public oversight timelines set forth in paragraph (1).

(d) (1) Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing automobile parking requirements in multifamily developments, shall not impose automobile parking standards for a streamlined development that was approved pursuant to this section in any of the following instances:

(A) The development is located within one-half mile of public transit.

(B) The development is located within an architecturally and historically significant historic district.

(C) When on-street parking permits are required but not offered to the occupants of the development.

(D) When there is a car share vehicle located within one block of the development.

(2) If the development does not fall within any of the categories described in paragraph (1), the local government shall not impose automobile parking requirements for streamlined developments approved pursuant to this section that exceed one parking space per unit.

(e) (1) If a local government approves a development pursuant to this section, then, notwithstanding any other law, that approval shall not expire if the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making at or below 80 percent of the area median income.

(2) (A) If a local government approves a development pursuant to this section and the project does not include 50 percent of the units affordable to households making at or below 80 percent of the area median income, that approval shall remain valid for three years from the date of the final action establishing that approval, or if litigation is filed challenging that approval, from the date of the final judgment upholding that approval. Approval shall remain valid for a project provided that vertical construction of the development has begun and is in progress. For purposes of this subdivision, "in progress" means one of the following:

(i) The construction has begun and has not ceased for more than 180 days.

(ii) If the development requires multiple building permits, an initial phase has been completed, and the project

proponent has applied for and is diligently pursuing a building permit for a subsequent phase, provided that once it has been issued, the building permit for the subsequent phase does not lapse.

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(B) Notwithstanding subparagraph (A), a local government may grant a project a one-time, one-year extension if the project proponent can provide documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application.

(3) If a local government approves a development pursuant to this section, that approval shall remain valid for three years from the date of the final action establishing that approval and shall remain valid thereafter for a project so long as vertical construction of the development has begun and is in progress. Additionally, the development proponent may request, and the local government shall have discretion to grant, an additional one-year extension to the original three-year period. The local government's action and discretion in determining whether to grant the foregoing extension shall be limited to considerations and processes set forth in this section.

(f) (1) A local government shall not adopt or impose any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive ministerial or streamlined approval pursuant to this section.

(2) A local government shall issue a subsequent permit required for a development approved under this section if the application substantially complies with the development as it was approved pursuant to subdivision (b). Upon receipt of an application for a subsequent permit, the local government shall process the permit without unreasonable delay and shall not impose any procedure or requirement that is not imposed on projects that are not approved pursuant to this section. Issuance of subsequent permits shall implement the approved development, and review of the permit application shall not inhibit, chill, or preclude the development. For purposes of this paragraph, a "subsequent permit" means a permit required subsequent to receiving approval under subdivision (b), and includes, but is not limited to, demolition, grading, and building permits and final maps, if necessary.

(g) (1) This section shall not affect a development proponent's ability to use any alternative streamlined by right permit processing adopted by a local government, including the provisions of subdivision (i) of Section 65583.2.

(2) This section shall not prevent a development from also qualifying as a housing development project entitled to the protections of Section 65589.5. This paragraph does not constitute a change in, but is declaratory of, existing law.

(h) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) does not apply to actions taken by a state agency, local government, or the San Francisco Bay Area Rapid Transit District to:

(1) Lease, convey, or encumber land owned by the local government or the San Francisco Bay Area Rapid Transit District or to facilitate the lease, conveyance, or encumbrance of land owned by the local government, or for the lease of land owned by the San Francisco Bay Area Rapid Transit District in association with an eligible TOD project, as defined pursuant to Section 29010.1 of the Public Utilities Code, nor to any decisions associated with that lease, or to provide financial assistance to a development that receives streamlined approval pursuant to this section that is to be used for housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code.

(2) Approve improvements located on land owned by the local government or the San Francisco Bay Area Rapid Transit District that are necessary to implement a development that receives streamlined approval pursuant to this section that is to be used for housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code.

(i) For purposes of this section, the following terms have the following meanings:

(1) "Affordable housing cost" has the same meaning as set forth in Section 50052.5 of the Health and Safety Code.

(2) "Affordable rent" has the same meaning as set forth in Section 50053 of the Health and Safety Code.

(3) "Department" means the Department of Housing and Community Development.

(4) "Development proponent" means the developer who submits an application for streamlined approval pursuant to this section.

(5) "Completed entitlements" means a housing development that has received all the required land use approvals or entitlements necessary for the issuance of a building permit.

(6) "Locality" or "local government" means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.

(7) "Moderate income housing units" means housing units with an affordable housing cost or affordable rent for persons and families of moderate income, as that term is defined in Section 50093 of the Health and Safety Code.

(8) "Production report" means the information reported pursuant to subparagraph (H) of paragraph (2) of

subdivision (a) of Section 65400.

(9) "State agency" includes every state office, officer, department, division, bureau, board, and commission, but does not include the California State University or the University of California.

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(10) "Subsidized" means units that are price or rent restricted such that the units are affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code.

(11) "Reporting period" means either of the following:

(A) The first half of the regional housing needs assessment cycle.

(B) The last half of the regional housing needs assessment cycle.

(12) "Urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.

(j) The department may review, adopt, amend, and repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, or standards set forth in this section. Any guidelines or terms adopted pursuant to this subdivision shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(k) The determination of whether an application for a development is subject to the streamlined ministerial approval process provided by subdivision (b) is not a "project" as defined in Section 21065 of the Public Resources Code.

(l) It is the policy of the state that this section be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, increased housing supply.

(m) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Amended (as amended by Stats. 2019, Ch. 159, Sec. 8) by Stats. 2019, Ch. 844, Sec. 5.3. (SB 235) Effective January 1, 2020. Repealed as of January 1, 2026, by its own provisions.)



State of California

GOVERNMENT CODE

Section 65651

65651. (a) Supportive housing shall be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, if the proposed housing development satisfies all of the following requirements:

(1) Units within the development are subject to a recorded affordability restriction for 55 years.

(2) One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income Californians. For purposes of this paragraph, "lower income households" has the same meaning as defined in Section 50079.5 of the Health and Safety Code.

(3) At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in supportive housing.

(4) The developer provides the planning agency with the information required by Section 65652.

(5) Nonresidential floor area shall be used for onsite supportive services in the following amounts:

(A) For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.

(B) For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.

(6) The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in paragraph (3) of subdivision (c) of Section 65915.

(7) Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

(b) (1) The local government may require a supportive housing development subject to this article to comply with written, objective development standards and policies. However, the local government shall only require the development to comply with the objective development standards and policies that apply to other multifamily development within the same zone.

(2) The local government's review of a supportive housing development to determine whether the development complies with objective development standards, including objective design review standards, pursuant to this subdivision shall be conducted consistent with the requirements of subdivision (f) of Section 65589.5, and shall not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(3) Any discretion exercised by a local government in determining whether a project qualifies as a use by right pursuant to this article or discretion otherwise exercised pursuant to this section does not affect that local government's determination that a supportive housing development qualifies as a use by right pursuant to this article.

(c) Notwithstanding any other provision of this section to the contrary, the local government shall, at the request of the project owner, reduce the number of residents required to live in supportive housing if the project-based rental assistance or operating subsidy for a supportive housing project is terminated through no fault of the project owner, but only if all of the following conditions have been met:

(1) The owner demonstrates that it has made good faith efforts to find other sources of financial support.

(2) Any change in the number of supportive housing units is restricted to the minimum necessary to maintain the project's financial feasibility.

(3) Any change to the occupancy of the supportive housing units is made in a manner that minimizes tenant disruption and only upon the vacancy of any supportive housing units.

(d) If the proposed housing development is located within a city with a population of fewer than 200,000 or the unincorporated area of a county with a population of fewer than 200,000, and the city or the unincorporated area of the county has a population of persons experiencing homelessness of 1,500 or fewer, according to the most recently published homeless point-in-time-count, the development, in addition to the requirements of subdivision (a), shall consist of 50 units or fewer to be a use by right pursuant to this article. A city or county described in this subdivision may develop a policy to approve as a use by right proposed housing developments with a limit higher than 50 units. A policy by a city or county to approve as a use by right proposed housing developments with a limit higher than 50 units does not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(e) This article does not prohibit a local government from imposing fees and other exactions otherwise authorized by law that are essential to provide necessary public services and facilities to housing developments. However, a local government shall not adopt any requirement, including, but not limited to, increased fees or other exactions, that applies to a project solely or partially on the basis that the project constitutes a permanent supportive housing development or based on the development's eligibility to receive ministerial approval pursuant to this article.

(Amended by Stats. 2019, Ch. 346, Sec. 2. (SB 744) Effective January 1, 2020.)



State of California

PUBLIC RESOURCES CODE

Section 21159.21

21159.21. A housing project qualifies for an exemption from this division pursuant to Section 21159.22, 21159.23, or 21159.24 if it meets the criteria in the applicable section and all of the following criteria:

(a) The project is consistent with any applicable general plan, specific plan, and local coastal program, including any mitigation measures required by a plan or program, as that plan or program existed on the date that the application was deemed complete and with any applicable zoning ordinance, as that zoning ordinance existed on the date that the application was deemed complete, except that a project shall not be deemed to be inconsistent with the zoning designation for the site if that zoning designation is inconsistent with the general plan only because the project site has not been rezoned to conform with a more recently adopted general plan.

(b) Community-level environmental review has been adopted or certified.

(c) The project and other projects approved prior to the approval of the project can be adequately served by existing utilities, and the project applicant has paid, or has committed to pay, all applicable in-lieu or development fees.

(d) The site of the project does not contain wetlands, does not have any value as a wildlife habitat, and the project does not harm any species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.) or by the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), and the project does not cause the destruction or removal of any species protected by a local ordinance in effect at the time the application for the project was deemed complete. For the purposes of this subdivision, "wetlands" has the same meaning as in Section 328.3 of Title 33 of the Code of Federal Regulations and "wildlife habitat" means the ecological communities upon which wild animals, birds, plants, fish, amphibians, and invertebrates depend for their conservation and protection.

(e) The site of the project is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code.

(f) The site of the project is subject to a preliminary endangerment assessment prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.

(1) If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements.

(2) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.

(g) The project does not have a significant effect on historical resources pursuant to Section 21084.1.

(h) The project site is not subject to any of the following:

(1) A wildland fire hazard, as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard.

(2) An unusually high risk of fire or explosion from materials stored or used on nearby properties.

(3) Risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.

(4) Within a delineated earthquake fault zone, as determined pursuant to Section 2622, or a seismic hazard zone, as determined pursuant to Section 2696, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake fault or seismic hazard zone.

(5) Landslide hazard, flood plain, flood way, or restriction zone, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.

(i) (1) The project site is not located on developed open space.

(2) For the purposes of this subdivision, "developed open space" means land that meets all of the following criteria:

(A) Is publicly owned, or financed in whole or in part by public funds.

(B) Is generally open to, and available for use by, the public.

(C) Is predominantly lacking in structural development other than structures associated with open spaces, including, but not limited to, playgrounds, swimming pools, ballfields, enclosed child play areas, and picnic facilities.

(3) For the purposes of this subdivision, "developed open space" includes land that has been designated for acquisition by a public agency for developed open space, but does not include lands acquired by public funds dedicated to the acquisition of land for housing purposes.

(j) The project site is not located within the boundaries of a state conservancy.

(Amended by Stats. 2012, Ch. 39, Sec. 96. (SB 1018) Effective June 27, 2012.)

SECONDARY SUBMISSIONS

Case #CPC-2020-516-DB-PSH-SIP
1141-1145 S. Crenshaw Blvd.
Los Angeles, CA

June 1, 2020

Mr. Jim Harris
City Planning Associate
200 N. Spring Street, Room 621
Los Angeles, CA 90012

Dear James,

My name is BK, and I'm a property owner of 1146 South Victoria Avenue, which is located directly adjacent to the development site at 1141-1145 S. Crenshaw Blvd (Case #CPC-2020-516-DB-PSH-SIP).

I have reviewed the entitlement package, dated March 9, 2020, prepared by FSY Architects, and have the following comments:

1. **The westerly portion of the proposed 5-story building in the R3-1-0 zone is located approximately 17' -25.5' from the R1 zoning boundary. The overall height to the top of parapet is shown as 57'-3 1/2".** Per LAMC 12.22 A.25 (f) (5) (ii) and (iii), I request that no additional height beyond 45' to be permitted within 50' from the R1 zone.

LAMC 12.22 A.25(f)(5):

(ii) No additional height shall be permitted for that portion of a building in a Housing Development Project that is located within 50 feet of a lot classified in an R1 or more restrictive residential zone.

(iii) No additional height shall be permitted for any portion of a building in a Housing Development Project located on a lot sharing a common lot line with or across an alley from a lot classified in an R1 or more restrictive zone. This prohibition shall not apply if the lot on which the Housing Development Project is located is within 1,500 feet of a Transit Stop but no additional height shall be permitted for that portion of a building in the Housing Development Project that is located within 50 feet of a lot classified in an R1 or more restrictive residential zone.

2. **The existing retaining wall along the easterly property line should be re-constructed per the latest building code as part of this development.** The height of existing retaining wall is approximately 10', and starting to show signs of caving in. The existing retaining wall should be reconstructed per the latest building code and seismic requirements for the safety of neighbors and future residents.
3. **Parameter fences shall be installed along the easterly property line as part of this development.** The development site is approximately 10' higher than the adjacent R1 zone, and almost leveled with the roof of adjacent residential buildings. Parameter fence, that is aesthetically acceptable to the adjacent property owners, should be provided for the safety of neighbors and future residents.
4. **The proposed building finish floor elevation should be revised per the FEMA guideline.** The development site is located in Flood zone AO with flood depth of 2', as designated by FEMA. Per the FEMA guideline, the lowest level finish floor elevation shall be set minimum 1' above the base flood elevation.

Sincerely,

Byung Kang

5-30-2020

Re: 1141-1145 S Crenshaw Blvd

Case # CPC-2020-516-DB-PSH-SIP

To Whom it may concern,

My name is Sam Benjamin. My Brother and I own the property directly North of this proposed built site. Our address is 1133-1135 S Crenshaw. We bought this property back in 1999. We have been through good and bad times in our neighborhood. We have been blessed with having 2 great tenants on our commercial site, one of which is a wonderful Church which brings a lot of hope and peace to the community.

Back in the year 2000 we invested over 150K and build a legal and permitted advertising billboard. This billboard is now being leased by outfront media corporation for 3,000 dollars a month. They 10 years remaining on their current lease.

My brother and I are both new fathers, have families to care for and rely on this income to take care of our loved ones.

We have received word of this next door project and our feelings are mixed. As far as it being a low income housing, I'm not sure what kind of an effect it will have on the neighborhood, community and property values at large. I leave this decision to people who know much more than I do about these things, you, the planning Committee. I trust that you keep all the residents and property owners best interests in mind, and heart. What I do know is that as a result of the variances being granted to the new construction project, mainly in size, width, depth and most importantly height is that our billboard will be mostly and not fully obstructed and our income from this will cease. Our billboard lessee has the right to cancel at any time should visibility be obstructed, rightfully so.

I have been in touch with James Harris and Victor Polanco at your department, both outstanding, supportive and very knowledgeable men whom have been very comforting and helpful during this trying time.

I humbly and respectfully ask, that when and if this project moves forward and we have a better idea of just how detrimental this will be to our billboard and its income that the planning committee will grant us our own variance to move and/or adjust the billboard as needed so we will be made whole again. I know that the committee wants this proposed project to benefit everyone in the community, especially the next door property owners. I respectfully ask that when the time comes, you help us return to our pre-project whole status. Help us with keeping our advertising tenant and thus protect our families incomes and well being.

I thank you so much for your time and consideration and may God bless us all.

Respectfully,

Sam Benjamin.

310-594-9221

Sammyb6685@yahoo.com

Fwd: E. K. Art Gallery and Learning Center (1125 Crenshaw Blvd)

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Exhibit 19

Begin forwarded message:

From: Daniel Kim <dmkim@dgbamerica.com>

Subject: E. K. Art Gallery and Learning Center (1125 Crenshaw Blvd)

Date: January 5, 2017 5:45:12 PM PST

To: Chris Elwell <Chris_Elwell@spe.sony.com>, Elizabeth Carlin <elizabeth.carlin@lacity.org>, EUNICE KIM <eunice.kim@saymeekinc.com>, Fernando Tovar <fernando.tovar@lacity.org>, George Kelly <george@kelly-architects.com>, James Hwang <jamie.hwang@lacity.org>, Jordan Beroukhim <jordan.beroukhim@lacity.org>, Judy Jeanson <hotomato1@aol.com>, Laura-Diane Rudison <Lauradiane.Rudison@sce.com>, Lynn Kuwahara <lynnkuwahara@yahoo.com>, Oliver Netburn <oliver.netburn@lacity.org>, Robert Cresswell <zoot@malachiarts.com>, Robert Tanaka <tanaka.51@gmail.com>, Sylvia Lacy <sylvia.lacy@lacity.org>, Tony Kim <TONY.KIM@saymeekinc.com>, "Maugasa T. Smith" <maugasa2@gmail.com>, joon cheon <jcheon@dgbamerica.com>

Hello all,

My name is Daniel Kim, architect for the E.K. Art Gallery and Learning Center project located at 1125 Crenshaw Blvd. Our office has received comments from neighbors regarding our proposed project through council office and public hearing.

We have carefully reviewed every comment and prepared responses to each comments. Please find out attached PDF file for your review. I hope our responses could help you to understand intent of our design more clearly.

We are also going to have a brief presentation of the project at the Planning and Land Use Management Committee (PLUM) meeting, scheduled on January 17th, 2017. If you have further questions on the project, please come to the meeting and discuss together.

PLUM Meeting date, time and location are;

-Date & Time: January 17, 2017 @7:00pm~9:00pm

-Location: 4067 W. Pico Blvd, Los Angeles, CA 90019

(You may also check OPNC website for any updated information)

<http://opnc.org/>

If you have any questions, please feel free to contact us at any time.

Thank you

CPC-2020-S16-DB-PSH-SIP
EXHIBIT 19

--
Daniel D. Kim
NCARB, LEED AP
Principal
DGB+Line
t)213-388-6642
f)213-388-6643
www.dgbamerica.com



1125-Crenshaw-Architect's_Response.pdf
606.8kB

Council District #10
1819 S. Western Ave.
Los Angeles, CA 90006
Att: Elizabeth Carlin / Jordan Beroukhim

Re: Architect's Responses to the Comments from the Neighbors

Project: E.K. Art Gallery & Learning Center
Address: 1125 Crenshaw Blvd., Los Angeles, CA
ZA-2016-2604-ZAD

Dear Ms. Carlin,

We have reviewed public comments which were received by Council Office regarding our proposed project, E.K. Art Gallery & Learning Center, located at 1125 Crenshaw Blvd. We appreciate neighbors' comments and prepared our responses as below. We hope it should help our neighbors to understand our design intent clearer and relieve their concerns on the proposed development.

1. Comment #1:

Proposed building is too large and tall compared to nearby structure and will have negative impact on neighboring residential along the Victoria Park.

Response:

Zoning classification of the project property is C2-1, which allows construction of commercial building with maximum FAR of 1.5:1. Total area of proposed building is approximately 48,000 sq.ft. which is less than 52,500 sq.ft., maximum allowable floor area per zoning code.

In regards to the building height, although project property is in transitional height zone, building can be constructed up to 61'-0", which is normally 4 or 5 stories, by right.

In case building is developed by right, there should be no big difference in size and height of the structure.

2. Comment #2:

Consider underground parking to eliminating upper level parking.

Response:

We considered underground parking from the early stage of the project but found out it is not a feasible option due to the storm drain easement running diagonally across the property.

Top elevation of the storm drain easement is approximated 6 feet from the ground elevation and it is impossible to have underground structure over the easement.

3. Comment #3:

Building is too close to the property.

Response:

Zoning code does not require setback for the commercial development. We voluntarily setback the structure 3'-0" to have landscape buffer. There will be 15'-0" setback from the 2nd floor. Wall line of 3rd and 4th floor will be located 49'-

0" from the property line. Each setback area is designed to have ample landscape blocking visual interruption and noise from the proposed building.

If project is developed by right, it would be harder to create landscape buffer due to the height limits.

4. Comment #4

Upper level parking would cast negative impact on abutting R-1 residential.

Response:

2nd level parking is inevitable since we cannot develop underground parking. Zoning code also does not prohibit 2nd level parking next to the residential zone. We implemented following design to minimize negative impact on the neighbors.

- Enclosed parking structure: approximately 2/3 of parking structure will be enclosed and provide complete visual isolation from the parking structure.
- 6'-0" height parapet wall along the open parking area: 6'-0" parapet wall should be high enough to prevent any visual interference with residential area.
- Landscape buffer: Proposed tall trees along the west property line should provide additional buffering between parking structure and residential.

5. Comment #5

Proposed project might need an EIR and full CEQA review.

Response:

Initial environmental impact assessment does not found any significant and project was issued a Categorical Exemption, Class 32. A full traffic study also submitted and reviewed by Department of Transportation. No significant impact was identified and report was approved.

6. Comment #6

There will be privacy infringement due to 4th floor residential and outdoor patio.

Response:

Stepped building profile will efficiently blocking sight line from the 4th floor even not considering landscape. (See attached sightline diagram) Residents from the 4th floor should see only roof of the residential structure and could not see the backyard.

7. Comment #7

There might not be enough parking / Concerns about overflow parking.

Response:

The Number of required parking is calculated per zoning ordinance and no variance has been requested in terms of parking requirements. Substitution of required parking spaces by bike parking is allowed by code and encourage by planning department. We expect efficient use of bike parking due to the nature of the proposed facility. Also peak hours for the major usages, such as restaurant and classes, are not overlapped each other.

In regards to the overflow parking, since access to the facility is limited to the entrance from the Crenshaw Blvd, there should be no possibility of overflow parking along Victoria ave.

8. Comment #8

There should be noise and privacy interruption due to the use and layout of the building.

Response

Commercial development at the site is rightful activity of the property owner and all our proposed uses are allowed by zoning code. We do not file any variance or conditional use permit in regards to the use of the building.

We believe noise and privacy interruption could be properly mitigated by various design solutions as suggested. The types of activities and use time within outdoor patio space would be strictly controlled.

Conclusion

Project property is classified as C2-1, which allows commercial development of 61'-0" in height and 52,000 sq.ft. in area. Our proposed design is little higher than allowable height to comply flood zone requirement. Portion of 3rd & 4th floor are also encroaching height limitation in order to avoid long linear shape blocking entire property. We strongly believe our design creates much more attractive environment with ample landscape, minimizing negative impact on the abutting neighborhood when compared to possible building design strictly followed by height limitation by zoning code.

Also, please remember problems caused by existing building. We can proudly say that our project will dramatically enhance its surrounding neighbors by sophisticated building design as well as providing community oriented usages.

If you have further questions regarding our project, please feel free to contact us.

Thank you



Daniel D. Kim
NCARB, LEED AP
Principal
DGB+Line

Attachment:

- Bird's Eye Rendering for the Back of the proposed Building
- Building Cross Section with Sight Line Diagram
- Building Cross Section with Sight Line Diagram (By Right Option)

This is the secondary submission submitted to the City of Los Angeles, regarding CPC-2020-516-DB-PSH-SIP – related to the construction of PSH housing at 1141-1145 S. Crenshaw Blvd., that in 2018 was estimated to cost roughly \$570,000 a unit to construct. Previously Domas Development, the largest developer of public housing in the state, was tied to this project. It is unclear if Domas is still tied to the project, or why the project was awarded over 9 million in Prop HHH funds, when the property at 1141-1145 S. Crenshaw Blvd. is not suitable for PSH construction, due to the location in the AO Flood Zone and its sensitivity of being situated on Crenshaw Blvd., an integral artery leading to and from the 10 freeway.

I am deeply concerned that the Dept. of City Planning is engaging in malicious and willful disenfranchisement of residents and homeowners by using their positions as trusted public employees to commit fraud against the people of the city, and thus jeopardize their health, safety, and well-being.

Residents are forced to accommodate privately owned/publicly funded pre-covid apartment complexes that force neighborhoods of single-family homes to double as garden side parking lots. Why don't the needs of the City's current residents or the protection of the environment matter?

Why is the only time developers care about battered women is if they can use them to justify bilking the public of their paychecks to go toward funding a single unit of housing that was estimated to cost in 2018 approximately \$570,000 a unit to build. How much can the landlord raise rent, and will the people be forced to subsidize increases in rent as well? 50675.14 (f) states: The department may provide higher per-unit loan limits as reasonably necessary to provide and maintain rents that are affordable to the target population. What on earth does this mean in English, does this law apply to PSH housing built in the City of Los Angeles? How high can landlords make rents fly? So high that there are a lot of people on the street wondering why the city did nothing while they got thrown or bamboozled out of their little apartments like Rosa a local senior, whom I wrote to the city about in 2018, did. The new managers used lawyers to scare her to leave, when she didn't want to go.

According to Gov Code 15463 (b) The authority may issue....bonds in the amount not to exceed two billion dollars...(d) The authority may also utilize bond proceeds to fund necessary reserves for principal and interest, capitalized interest, credit enhancement or liquidity costs....and to **reimburse loans** under Section 5849.14 of the welfare and institutions code. (emphasis added)

In October 2019, the OPNC voted to send a letter of support for the Solaris 1141-1145 S. Crenshaw construction project, one month after they locked the neighborhood out of the meeting. I don't recall finding a letter of support from the OPNC in the SIP file.

Allowing a building to be constructed with no studies or CEQA in an AO Flood zone on a sensitive and integral street like Crenshaw is DANGEROUS, greedy, and foolish. Where else in the city have these building practices been employed? The Westside who are suffering from the City's bad planning which is realized when they attempt to drive home from work.

We live in a city that is earthquake prone, lacks water, and is dependent on cars to transport ourselves safely. Making streets immobile by improper/fraudulent planning is asking for serious problems and biblical suffering of epic proportions. LA does not have the water supply to support indefinite growth and development. Why does it plan like its Manhattan? New York could never have been the hellhole it is today without Niagara Falls to provide its fresh water supply.

Since my first submittal, there has been a correction. Since 2018, I have not found three but FOUR properties that claimed/or attempted to claim a fake CEQA exemption, all in the Olympic Park area, and include:

- C3 Luxury Subdivision (1102-1128 S. Crenshaw)
- Domas Development PSH Solaris Apts. (1141-1145 S. Crenshaw)
- Murray Mansions Condo Subdivision (1251 S. West Blvd)
- E.K. Art Gallery and Learning Center (1113-1127 S. Crenshaw) – In Construction

The Dept. of City Planning granted fake CEQA exemptions claiming that these locations were NOT in a flood zone. All locations are in an AO Flood Zone, and thus not applicable to exemption. They cannot be trusted to tell the truth.

For example, EK Art Gallery and Learning Center was provided with a CEQA exemption in 2016 or 2017. According to Zimas, the environmental clearance (Notice of exemption) was rescanned into the system five days after Planner Nuri Cho issued a letter to Domas Development on 8/23/19 "correcting" the zoning to 1145 S. Crenshaw Blvd from CR to R3. According to the SIP file, the applicant states that the ordinance "clearly shows" that the R3 zone applies to the property. Unless the City of Los Angeles and their developers still employ gaslighting, #165331/9670 cannot be clearly ascribed to the property in question.

In January 2017, the architect for EK Art Gallery, the property at 1113-1127 S. Crenshaw sent an email to several people, including Chris Elwell, the president of Oxford Square HPOZ, and former Executive Vice President for US Distribution Business Operations and Strategy for Sony Pictures. *Mr. Elwell was present during a neighborhood meeting when I attempted to address the neighbors gathered in a private home on Victoria Ave. who came to hear about Solaris, (after the OPNC had illegally*

cancelled its September 2019 meeting to prevent complaints). Mr. Elwell would not allow me to speak nor would allow the topic of Solaris to be discussed.

Included on the To line with Mr. Elwell, is the former OPNC president Laura Rudison (who penned a fake letter of support for C3 Luxury Subdivision in 2016), and several City Staff including Fernando Tovar; James Hwang; Jordan Beroukhim; Oliver Netburn; and Sylvia Lacy, etc. (Exhibit 19)

The PDF attached entitled *Re: Architect's Responses to the Comments from Neighbors* states the following: (Exhibit 20)

- underground parking was not a “feasible option due to the storm drain easement running diagonally across the property.”
- “initial environmental impact assessment does not found any significant and project was issued a Categorical Exemption, Class 32. A full traffic study also submitted and reviewed...No significant impact was identified and report was approved.”[sic]
- Conclusion – “our proposed design is little higher than allowable height to comply flood zone requirement.”

How can a development be granted a CEQA exemption when it is located in an AO Flood Zone? *Gee they mention flood zone in the document that was sent to City Planning staff and the HPOZ and OPNC Presidents, the findings must be legit....*

Was EK Art Gallery and Learning Center determined by the City Commission to be a by right/ministerial project when it, like 1141-1145 S. Crenshaw, is in an AO flood zone and thus subject to the City's Flood Plan and Title 44 of the Federal Flood Code and thus not ministerial in nature? If it was a by-right project, did City Staff inform the City Commission that it was in a flood zone as it had an obligation to do, did it include language to affirm that it conformed to the City's Flood Plan as required?

The City of Los Angeles is repeating the grave historical error of the City of San Francisco, whose destruction in 1906 had less to do with its earthquake, and more to do with corrupt politicians granting lucrative contracts to build city water mains and other infrastructure which failed because it was built by their buddies.

I hope the Commission makes the right decision for the people of this city when it comes to this project and others like it.

Sincerely,

Virginia Jauregui



Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / www.VeniceNC.org
Email: info@VeniceNC.org / Phone or Fax: 310.606.2015



BY EMAIL

January 6, 2020

Councilmember Mike Bonin Councilmember.Bonin@lacity.org

Vince Bertoni vince.bertoni@lacity.org

Re: WRAC LUPC Resolution to Reform Public Access to Consideration of Planning Cases

Dear Commissioner Bertoni and Council Member Bonin:

Please be advised that at a regular public meeting of the Venice Neighborhood Council (VNC) Board of Officers held on December 17, 2019 the following Land Use Planning Committee (LUPC) Motion was approved.

MOTION:

WRAC LUPC Resolution to Reform Public Access to Consideration of Planning Cases As requested by the Land Use and Planning Committee of the Westside Regional Alliance of Regional Councils (WRAC), the Venice Neighborhood Council recommends *denial* of the following Resolution:

WRAC requests that the City of Los Angeles reform the planning comment process as follows:

1. The City Planning Commission and City Council's Planning and Land Use Management (PLUM) Committee shall hold a public hearing for all projects for the first time they consider them, and public comment minimum shall be two (2) minutes.
2. No city bodies, including the City Council, shall put projects on the consent calendar because a project has already had a hearing before the Zoning Administrator, a Hearing Officer, or the PLUM Committee.
3. No city bodies shall limit comment to one minute because an earlier hearing or hearings have been held. Two (2) minutes should be the minimum.
4. Staff reports shall include copies of all public comments and not only list a summary. I further move that the above Motion be presented to the City Council as a Community Impact Statement.



Venice Neighborhood Council

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ACTION:

The Motion to deny the WRAC motion was approved 16-3-1.

Respectfully submitted,

Ira Koslow
President
Venice Neighborhood Council

Cc:

Council District 11:

Len Nguyen, Len.nguyen@lacity.org
Jason Douglas, Jason.p.douglas@lacity.org
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DAY OF HEARING SUBMISSIONS