

DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



City Planning Commission

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

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

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

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

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

REQUESTED ACTION:

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

RECOMMENDED ACTIONS:

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

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

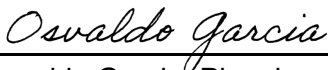
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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Commission Secretariat, Room 272, City Hall, 200 North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

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| Exhibits: | |
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| B – Draft Technical Code Amendments | |
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PROJECT ANALYSIS

Project Summary

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

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

Maximum Grading Restrictions

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

Hauling Operation Standards and Construction Activity

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

City Planning Discretionary Review of Large Home Construction

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

Application of the HCR District places restrictions on construction or hauling practices related to by-right projects to reduce the potential impacts from development activities in hillside areas. The regulations are triggered by application for a building permit for a “project” (defined as the construction, erection, alteration of, or addition to single-family dwelling units located entirely or partially in the Project Area). The proposed Zone Change would add the HCR District regulations to the base zone (e.g., R1-1-HCR) to restrict the issuance of a building permit for a “project” (as defined above) that is not consistent with the provisions of the HCR District. The HCR District adds specific supplemental development restrictions to the construction process, including proper identification of hauling vehicles, maximum quantity of allowable grading, and a site plan review process for large-scale single-family projects within the Project Area.

Initiation

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

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

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

Background

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

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

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

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

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

Research and Analysis

Development Patterns

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

Grading Activity

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

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

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

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

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

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

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

Source: Los Angeles Department of Building and Safety

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

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

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

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

Conclusion

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

FINDINGS (Code Amendment)

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

General Plan/Charter Findings

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

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

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

General Plan Framework

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

Goal 3B Preservation of the City's stable single-family residential neighborhoods.

Policy 3.5.5 Promote the maintenance and support of special use neighborhoods to encourage a wide variety of these and unique assets within the City.

Conservation Element: Land Form and Scenic Vistas

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

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

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

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

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

Public Necessity, Convenience, General Welfare, and Good Zoning

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

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

Other Findings

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

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

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

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

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

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

CEQA Findings

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

FINDINGS (Zone Change)

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

General Plan/Charter Findings

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

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

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

General Plan Framework

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

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

Conservation Element: Land Form and Scenic Vistas

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

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

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

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

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

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

Northeast Los Angeles Community Plan

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

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

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

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

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

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

Public Necessity, Convenience, General Welfare, and Good Zoning

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

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

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

Other Findings

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

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

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

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

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

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

CEQA Findings

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

PUBLIC COMMUNICATIONS

Public Outreach/Community Meetings

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

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

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

Stakeholder Correspondence and Public Hearing

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

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

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

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

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

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

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

Case No.:
CPC-2022-6108-ZC-CA

ORDINANCE NO. _____

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 zone classifications on properties shown upon portions of the Zoning Map, and properties shown in the associated Geographic Information System Shapefile and geospatial data information, and the table for Section 1 below and incorporated herein by this reference, and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code.

Table 1 for Section 1

| Existing Zone | New Zone |
|----------------------|------------------|
| A1-1 | A1-1-HCR |
| A1-1-HPOZ | A1-1-HPOZ-HCR |
| A1-1XL | A1-1XL-HCR |
| R1-1 | R1-1-HCR |
| R1-1-CA | R1-1-CA-HCR |
| R1-1-CDO | R1-1-CDO-HCR |
| R1-1-HPOZ | R1-1-HPOZ-HCR |
| R1-1VL | R1-1VL-HCR |
| R2-1 | R2-1-HCR |
| R2-1-CDO | R2-1-CDO-HCR |
| RA-1 | RA-1-HCR |
| RD1.5-1 | RD1.5-1-HCR |
| RD1.5-1-CDO | RD1.5-1-CDO-HCR |
| RD1.5-1-HPOZ | RD1.5-1-HPOZ-HCR |
| RD2-1 | RD2-1-HCR |
| RD2-1-CDO | RD2-1-CDO-HCR |
| RD2-1-HPOZ | RD2-1-HPOZ-HCR |

| | |
|----------------|--------------------|
| RD3-1 | RD3-1-HCR |
| RD3-1-HPOZ | RD3-1-HPOZ-HCR |
| RE11-1 | RE11-1-HCR |
| RE15-1 | RE15-1-HCR |
| RE20-1 | RE20-1-HCR |
| RE40-1 | RE40-1-HCR |
| RE9-1 | RE9-1-HCR |
| RE9-1-CDO | RE9-1-CDO-HCR |
| RS-1 | RS-1-HCR |
| [Q]A1-1D | [Q]A1-1D-HCR |
| [Q]A1-1XLD | [Q]A1-1XLD-HCR |
| [Q]R1-1D | [Q]R1-1D-HCR |
| [Q]R1-1D-HPOZ | [Q]R1-1D-HPOZ-HCR |
| [Q]R2-1D | [Q]R2-1D-HCR |
| [Q]R2-1D-HPOZ | [Q]R2-1D-HPOZ-HCR |
| [Q]RD1.5-1D | [Q]RD1.5-1D-HCR |
| [Q]RD2-1D | [Q]RD2-1D-HCR |
| [Q]RD3-1D | [Q]RD3-1D-HCR |
| [Q]RD3-1D-HPOZ | [Q]RD3-1D-HPOZ-HCR |
| [Q]RD4-1D-HPOZ | [Q]RD4-1D-HPOZ-HCR |
| [Q]RD5-1D | [Q]RD5-1D-HCR |
| [Q]RD6-1D | [Q]RD6-1D-HCR |
| [Q]RE20-1D | [Q]RE20-1D-HCR |
| [Q]RE40-1D | [Q]RE40-1D-HCR |
| [Q]RE9-1D | [Q]RE9-1D-HCR |
| [Q]RS-1D | [Q]RS-1D-HCR |
| (T)[Q]RD1.5-1D | (T)[Q]RD1.5-1D-HCR |

| | |
|--------------|------------------|
| (T)(Q)RD5-1D | (T)(Q)RD5-1D-HCR |
| [T][Q]RD6-1D | [T][Q]RD6-1D-HCR |
| (T)(Q)RE11-1 | (T)(Q)RE11-1-HCR |

SECTION 2. Pursuant to Section 12.32 F of the Los Angeles Municipal Code, and any amendment thereto, the use of that property described in Section 1 thereof are subject to the regulations of the Hillside Construction Regulation “HCR” Supplemental Use District regulations pursuant to Section 13.20 of the Los Angeles Municipal Code.

SECTION 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Pursuant to Section 559 of the City Charter, **I APPROVE** this ordinance on behalf of the City Planning Commission and recommend that it **BE ADOPTED**.

By _____
Vincent P. Bertoni, AICP
Director of Planning

Date _____

File No. _____

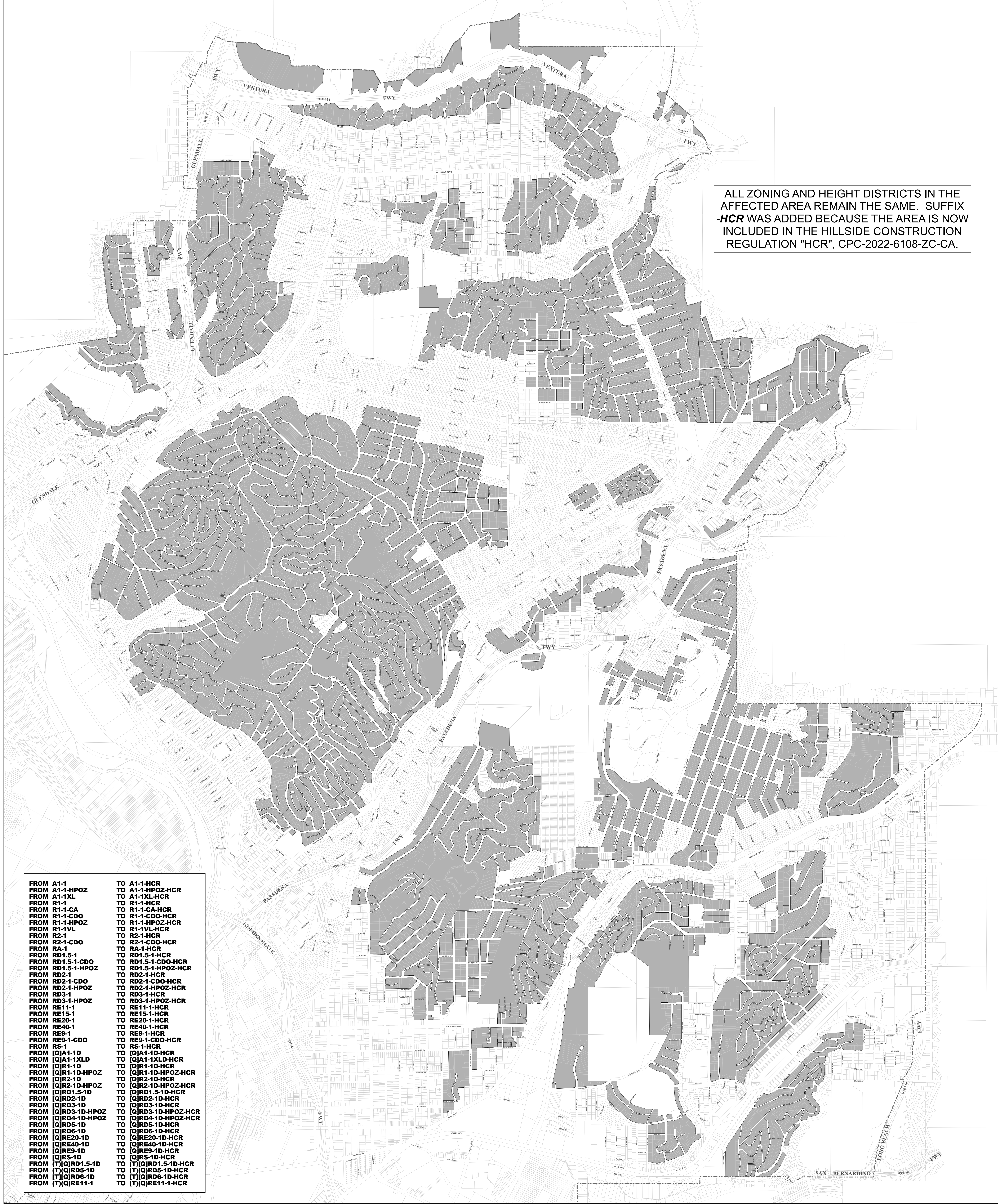
I hereby certify that the foregoing ordinance was passed by **a vote of not less than two-thirds of all its members** by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____



ALL ZONING AND HEIGHT DISTRICTS IN THE AFFECTED AREA REMAIN THE SAME. SUFFIX **-HCR** WAS ADDED BECAUSE THE AREA IS NOW INCLUDED IN THE HILLSIDE CONSTRUCTION REGULATION "HCR", CPC-2022-6108-ZC-CA.

| | |
|---------------------|-----------------------|
| FROM A1-1 | TO A1-1-HCR |
| FROM A1-1-HPOZ | TO A1-1-HPOZ-HCR |
| FROM A1-1XL | TO A1-1XL-HCR |
| FROM R1-1 | TO R1-1-HCR |
| FROM R1-1-CA | TO R1-1-CA-HCR |
| FROM R1-1-CDO | TO R1-1-CDO-HCR |
| FROM R1-1-HPOZ | TO R1-1-HPOZ-HCR |
| FROM R1-1VL | TO R1-1VL-HCR |
| FROM R2-1 | TO R2-1-HCR |
| FROM R2-1-CDO | TO R2-1-CDO-HCR |
| FROM RA-1 | TO RA-1-HCR |
| FROM RD1.5-1 | TO RD1.5-1-HCR |
| FROM RD1.5-1-CDO | TO RD1.5-1-CDO-HCR |
| FROM RD1.5-1-HPOZ | TO RD1.5-1-HPOZ-HCR |
| FROM RD2-1 | TO RD2-1-HCR |
| FROM RD2-1-CDO | TO RD2-1-CDO-HCR |
| FROM RD2-1-HPOZ | TO RD2-1-HPOZ-HCR |
| FROM RD3-1 | TO RD3-1-HCR |
| FROM RD3-1-HPOZ | TO RD3-1-HPOZ-HCR |
| FROM RE11-1 | TO RE11-1-HCR |
| FROM RE15-1 | TO RE15-1-HCR |
| FROM RE20-1 | TO RE20-1-HCR |
| FROM RE40-1 | TO RE40-1-HCR |
| FROM RE9-1 | TO RE9-1-HCR |
| FROM RE9-1-CDO | TO RE9-1-CDO-HCR |
| FROM RS-1 | TO RS-1-HCR |
| FROM [Q]A1-1D | TO [Q]A1-1D-HCR |
| FROM [Q]A1-1XLD | TO [Q]A1-1XLD-HCR |
| FROM [Q]R1-1D | TO [Q]R1-1D-HCR |
| FROM [Q]R1-1D-HPOZ | TO [Q]R1-1D-HPOZ-HCR |
| FROM [Q]R2-1D | TO [Q]R2-1D-HCR |
| FROM [Q]R2-1D-HPOZ | TO [Q]R2-1D-HPOZ-HCR |
| FROM [Q]RD1.5-1D | TO [Q]RD1.5-1D-HCR |
| FROM [Q]RD2-1D | TO [Q]RD2-1D-HCR |
| FROM [Q]RD3-1D | TO [Q]RD3-1D-HCR |
| FROM [Q]RD3-1D-HPOZ | TO [Q]RD3-1D-HPOZ-HCR |
| FROM [Q]RD4-1D-HPOZ | TO [Q]RD4-1D-HPOZ-HCR |
| FROM [Q]RD5-1D | TO [Q]RD5-1D-HCR |
| FROM [Q]RD6-1D | TO [Q]RD6-1D-HCR |
| FROM [Q]RE20-1D | TO [Q]RE20-1D-HCR |
| FROM [Q]RE40-1D | TO [Q]RE40-1D-HCR |
| FROM [Q]RE9-1D | TO [Q]RE9-1D-HCR |
| FROM [Q]RS-1D | TO [Q]RS-1D-HCR |
| FROM [T][Q]RD1.5-1D | TO [T][Q]RD1.5-1D-HCR |
| FROM [T][Q]RD5-1D | TO [T][Q]RD5-1D-HCR |
| FROM [T][Q]RD6-1D | TO [T][Q]RD6-1D-HCR |
| FROM [T][Q]RE11-1 | TO [T][Q]RE11-1-HCR |

Hillside Construction Regulation "HCR" District Zone Change Northeast Los Angeles Expansion



1,500 750 0 1,500
Feet

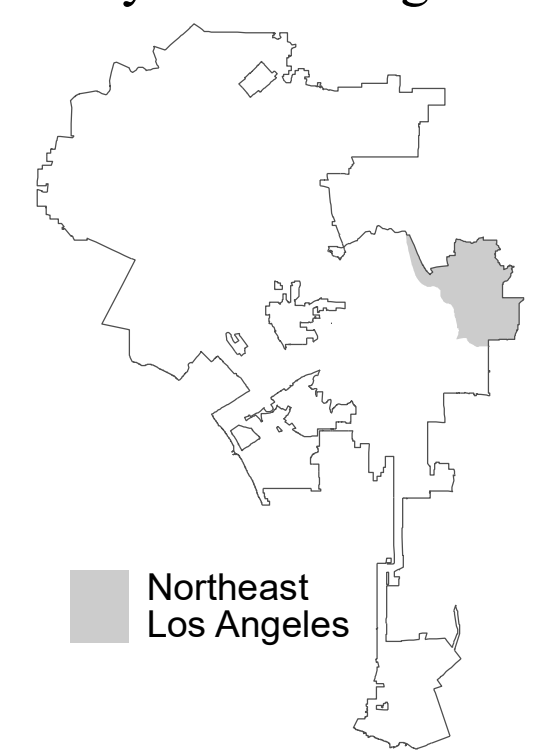
CPC-2022-6108-ZC-CA

CF/

120122

THIS MAP IS A REPRESENTATION OF THE NORTHEAST LOS ANGELES HILLSIDE CONSTRUCTION REGULATION "HCR" DISTRICT. THE GIS SHAPEFILE AND GEOSPATIAL DATA INFORMATION IS LOCATED IN THE DEPARTMENT OF CITY PLANNING'S WEBSITE.

City of Los Angeles



Northeast Los Angeles

Exhibit B:
Draft Technical Code Amendments

Case No.:
CPC-2022-6108-ZC-CA

Ordinance No. _____

An ordinance amending Sections 13.20 of the Los Angeles Municipal Code in order to amend the “HCR” Hillside Construction Regulation supplemental use district so that it may be applied to regulate the construction of single-family homes in RA, RE, R1, R2, and RD residential hillside areas.

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

Section 1. Section 13.20 of the Los Angeles Municipal Code is hereby amended to read as follows:

SEC.13.20. “HCR” HILLSIDE CONSTRUCTION REGULATION DISTRICT.

- A. **Purpose.** This section sets forth procedures and guidelines for the establishment of the Hillside Construction Regulation (HCR) District in residential areas of the City. The purpose of the HCR District is to ~~impose more restrictive grading limits and hauling operation standards,~~ apply more refined regulations pertaining to grading and construction activities, within communities that have a concentration of steep topography, substandard roadways, and high fire severity risk than what is generally permitted by this Code in areas where the proposed district is adopted, thus reducing construction impacts.
- B. **Establishment of the District.** The procedures set forth in Section 12.32 S of this Code shall be followed, however, each HCR District shall include only properties in residential zones. ~~Boundaries shall be along street frontages and shall not split parcels.~~ An HCR District may encompass an area which is designated, in whole or in part, as a Historic Preservation Overlay Zone (HPOZ) and/or Specific Plan. The HCR District shall include contiguous parcels, which may only be separated by Streets, ways or alleys or other physical features, or as set forth in applicable rules approved by the Director of Planning. Precise boundaries are required at the time of application to expand or create a HCR District.
- C. **Relationship to other Zoning Regulations.** Unless the provisions of this section state otherwise, the underlying base zone regulations applicable to a given project in a HCR District shall prevail pursuant to Sections 12.03, 12.04, 12.05, 12.07.01, 12.07.1, 12.08, 12.09.1, 12.21, 12.23 and 12.32. Where the provisions of the HCR District conflict with those of a Specific Plan or HPOZ, then the provisions of the Specific Plan or HPOZ shall prevail. If provisions of the HCR District conflict with any other City-wide regulations in this Code or with provisions of other supplemental use districts other than the Specific Plan or HPOZ, then the requirements of the HCR shall prevail.
- D. **Development Regulations.** All ~~S~~single-family home developments within a HCR District, including any accessory structures, accessory dwelling units, and small-lot subdivision

Technical Code Amendments

development, shall comply with each of the following ~~Grading, Hauling and Hauling Operation~~ Standards, as applicable:

1. **Maximum Grading.** For any single lot, the total cumulative quantity of Grading, or the total combined value of both Cut and Fill for the import and export of earth, or incremental Cut and Fill for Import and Export of earth shall be limited to the “by-right” maximum pursuant to Section 12.21 C.10 and shall not exceed 6,000 cubic yards.
2. **Maximum Import and/or Export for Hillside Areas Fronting Substandard Streets.** For a lot which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, the total cumulative quantity of Import and Export of earth combined, shall be no more than 75 percent of the “by-right” maximum pursuant to Section 12.21 C.10 and shall not exceed 6,000 cubic yards.
3. **Hauling Truck Trips.** A maximum of four trucks are permitted to haul per hour per project site. A grouping or convoy of hauling vehicles shall not be allowed; only one hauling vehicle is permitted per project site at any one time.
4. **Hauling Truck Operations.** As conditions of project approval for the issuance of a grading or building permit for projects in a HCR District, each of the following hauling operation standards shall be met:
 - a. Projects required to obtain a Haul Route approval from the Board of Building and Safety Commissioners for the import and/or export of 1,000 cubic yards or more of earth material shall prominently post the final action letter with the approved Haul Route staff report on the job site at all times.
 - b. No grading shall be performed within any areas designated “hillside” unless a copy of the grading permit is prominently posted on the job site at all times.
 - c. All hauling vehicles must be identified by a placard identifying the project address which shall be prominently displayed on each hauling vehicle.
5. **Equipment.** As conditions of project approval for the issuance of a grading or building permit for projects in a HCR District, each of the following equipment standards shall be met:
 - a. 10-wheeler dump trucks (with a 10 cubic yard capacity) or smaller are the only type of trucks permitted for hauling of earth. Notwithstanding the foregoing, the Board of Building and Safety Commissioners may authorize the use of other types of hauling vehicles for a project through the Haul Route approval process.

Technical Code Amendments

- b. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law
6. **Operating Hours and Construction Activity.** Compliance with each of the following standards shall be required for all projects in a HCR District requiring the issuance of a grading or building permit. However, if a Haul Route approval by the Board of Building and Safety Commissioners is required for import and/or export of 1,000 cubic yards or more, then the conditions set by the Board of Building and Safety Commissioners during the Haul Route approval process shall prevail and the following standards shall not apply.
- a. Hauling operations shall be conducted only on Monday through Friday, between the hours of 9:00 a.m. and 3:00 p.m. Hauling operations on Saturdays, Sundays, or state or federal designated holidays is strictly prohibited.
 - b. Haul trucks shall be staged off-site and outside of the HCR District. As deemed necessary, the Board of Building and Safety Commissioners may permit staging on-site or in any alternate staging area by special condition during the Haul Route Approval process.
 - c. Construction activity shall be limited to Monday through Friday, between the hours of 8:00 a.m. to 6:00 p.m. Exterior construction work at any other time is strictly prohibited. However, interior construction work may be conducted on Saturdays between the hours of 8:00 a.m. to 6:00 p.m. Excess exterior illumination of the site through the use of flood lights and/or similar lighting devices is strictly prohibited after 6:00 p.m. on any day of the week.
 - d. A log noting the dates of hauling activity and the number of hauling truck trips per day shall be available on the job site at all times.
 - e. The owner or contractor shall control dust caused by grading and hauling and provide reasonable control of dust caused or exacerbated by wind at all times. Grading and hauling activities shall be discontinued during periods of high winds and Red Flag days as determined by the Los Angeles Fire Department.
 - f. Loads shall be secured by trimming and shall be covered to prevent spillage and dust. Haul trucks are to be contained at the export site to prevent blowing of dirt and are to be cleaned of loose earth at the export site to prevent spilling.

Technical Code Amendments

- g. Streets shall be cleaned of spilled materials at the termination of each workday.
 - h. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit from the project site in each direction.
 - i. Flag person(s) shall be required for all project sites. Flag persons with radio control and warning signs shall be in compliance with the latest edition of the "Work Area Traffic Control Handbook." Flag persons provided at the job site shall assist trucks in and out of the project area.
 - j. A sign shall be placed at the project site, at a location that is viewable from the adjacent public right-of-way, that provides contact information for City enforcement entities related to the following topics: blocked roadways, construction noise or hours of operation, grading activities, and tree removals.
7. **Review Procedures for single-family home developments larger than 17,500 square feet.** The construction, erection, addition to, enlargement of or reconfiguration of any one-family dwelling that has a cumulative Residential Floor Area of 17,500 square feet or larger shall submit an application for a Site Plan Review before the issuance of related permits and entitlements. Application procedures and processing of the application shall be pursuant to Section 16.05 of the Los Angeles Municipal Code. The Site Plan Review process may not be used to reduce the height, density, or floor area of a project, nor may it be used to impose new increased obligations with respect to open space, lot size, setbacks, minimum frontage, or maximum lot coverage.

Sec. 2. **SEVERABILITY.** If any portion, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

**Exhibit C:
Council Motions (Council Files 20-1101 and 16-1472-
S7)**

Case No.:
CPC-2022-6108-ZC-CA

MOTION

On March 22, 2017, the Council adopted an enabling Ordinance to establish a Hillside Construction Regulation (HCR) Supplemental Use District (SUD), to regulate the construction of single family homes in hillside areas (Ordinance No. 184827, Council File No. 16-1472-S1). The purpose of HCR Districts is to impose more restrictive grading limits and hauling operation standards than what is generally permitted by the Municipal Code in areas where the proposed district is adopted, thus reducing construction impacts.

The Mount Washington community would benefit from the proposed hillside construction SUD, inasmuch as in recent years there has been an increasing number of large, single-family homes being constructed on substandard lots in the area due to the great demand for such homes therein. In turn, this over development is resulting in significant impacts on local infrastructure, and causing increased community concerns.


The HCR SUD enabling Ordinance represents context sensitive zoning meant to establish hauling operation standards, construction activity standards, grading limits, and discretionary review process for large scale single-family dwelling units.

The Mount Washington community would benefit from this land use regulatory control, inasmuch as it is located in a geographical area that is narrow, often unpaved, and substandard even according to the City's standards for hillside streets. The expansion of development in this hillside community has and continues to have impacts related to ingress/egress accessibility, safety, noise, infrastructure, grading, and slope stability.

In addition, while the COVID-19 emergency order is in effect, social distancing and other public safety protective measures will be adhered to, and in compliance, with the Department of Building & Safety's established guidelines to govern construction during the emergency order.

I THEREFORE MOVE that the Council instruct the Planning Department, in consultation with the City Attorney, to prepare and present an Ordinance to establish a Hillside Construction Regulation Supplemental Use District to correspond to the geographical boundaries of the *Mount Washington - Glassell Park Specific Plan*, to regulate the construction of single family homes in the Mount Washington hillside community.

PRESENTED BY:


GILBERT CEDILLO
Councilmember, 1st District

SECONDED BY:

MITCH O'FARRELL (verbal)
Councilmember, 13th District

JUN 2 3 2020

PLANNING AND LAND
USE MANAGEMENT

MOTION

On March 24, 2017 the City Council approved the Hillside Construction Regulation Ordinance (Ordinance No. 184827, Council File No. 16-1472-S1) establishing a Hillside Construction Regulation (HCR) Supplemental Use District (SUD), to further regulate construction in hillside areas. . The Hillside Construction Regulation SUD established hauling operation standards, construction activity standards, grading limits, and a discretionary review process for large scale projects to reduce construction impacts .

In Council District 4, the HCR Ordinance is applied to Laurel Canyon and the Bird Streets and portions of the Bel Air Beverly Crest Communities. These areas formed some of the first pilot locations for the HCR overlay, and the implementation there has had clear positive results for quality of life in these neighborhoods which featured high concentrations of active construction, alongside substandard streets, restricted ingress and egress, below average emergency response times, lack of pedestrian infrastructure and location in Very High Fire Hazard Severity Zones (VHFSZ).

However, the pilot areas now protected under the HCR are far from the only hillside portions of Council District 4 characterized by these same constraints. Additionally, most hillsides are now facing increased pressures under the COVID-19 pandemic. Due to the City’s Safer at Home Order, a greater percentage of hillside residents are at home during the day. This puts them under pressure to telecommute and home-school children, all while being next door to ongoing construction. This puts many more residents at risk of day-time evacuations potentially conflicting with construction activity. For all these reasons the Hillside Construction Regulations should be applied consistently to all Los Angeles hillsides facing similar constraints and challenges.

I THEREFORE MOVE that the Planning Department prepare and present an amendment to the Hillside Construction Regulation Supplemental Use District that will standardize the definition and comprehensively map all recommended locations for the HCR SUD Citywide.

I FURTHER MOVE that the Planning Department, prepare and present an amendment to the Hillside Construction Regulation Supplemental Use District to include the HCR overlay in all Council District 4 hillsides which feature high concentrations of active construction, substandard streets, restricted ingress and egress, below average emergency response times, lack of pedestrian infrastructure and location in Very High Fire Hazard Severity Zones; specifically including, but not limited to the communities of Bowmont Hazen, and Coldwater Canyon.

I FURTHER MOVE that the City Council instruct the Planning Department to add the HCR SUD to all hillside and VHFSZ parcels to the map of proposed zoning changes as part of the Hollywood Community Plan Update.

PRESENTED BY: 
DAVID E. RYU (verbal)
Councilmember, 4th District

SECONDED BY: _____
PAUL KORETZ (verbal)
Councilmember, 5th District

Exhibit D:
Environmental Clearance – Notice of Exemption

Case No.:
CPC-2022-6108-ZC-CA

CEQA No.:
ENV-2022-6109-CE

COUNTY CLERK'S USE

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Pursuant to Public Resources Code § 21152(b) and CEQA Guidelines § 15062, the notice should be posted with the County Clerk by mailing the form and posting fee payment to the following address: Los Angeles County Clerk/Recorder, Environmental Notices, P.O. Box 1208, Norwalk, CA 90650. Pursuant to Public Resources Code § 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS
CPC-2022-6108-ZC-CA / Zone Change and Code Amendment

| | |
|---|--|
| LEAD CITY AGENCY City of Los Angeles (Department of City Planning) | CASE NUMBER ENV-2022-6109-CE |
| PROJECT TITLE Hillside Constructions Regulations Amendment | COUNCIL DISTRICT 1 – Cedillo, 14 – de León |
| PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) See attached Map | <input checked="" type="checkbox"/> Map attached. |
| PROJECT DESCRIPTION: Zone Change and Code Amendment to Apply Hillside Construction Regulations (HCR), a Supplemental Use District, to the Northeast Los Angeles Community Plan area. | <input checked="" type="checkbox"/> Additional page(s) attached. |
| NAME OF APPLICANT / OWNER: City of Los Angeles (Department of City Planning) | |
| CONTACT PERSON (If different from Applicant/Owner above) Ulises Gonzalez | (AREA CODE) TELEPHONE NUMBER EXT. (213) 978-1205 |

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

- STATUTORY EXEMPTION(S)
Public Resources Code Section(s) _____
- CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)
CEQA Guideline Section(s) / Class(es) Section 15307/ Class 7 & Section 15308/ Class 8
- OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION: Additional page(s) attached


(Class 7) consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. Examples include but are not limited to wildlife preservation activities of the California Department of Fish and Game. Construction activities are not included in this exemption.

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

None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.

The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.
If different from the applicant, the identity of the person undertaking the project.

| | |
|--|-----------------------------|
| CITY STAFF USE ONLY: | |
| CITY STAFF NAME AND SIGNATURE Ulises Gonzalez  | STAFF TITLE City Planner |
| ENTITLEMENTS APPROVED Zone Change and Code Amendment | |

Hillside Constructions Regulations Ordinance Class 7 and 8 Categorical Exemption Justification

Project Description: In response to Council Motions (CF #20-1101 and 16-1472-S7), which instructed the Department of City Planning to expand the Hillside Constructions Regulations (HCR) Supplemental Use District (SUD) (referred to as HCR District) to the hillside communities of Northeast Los Angeles Community Plan Area, the City of Los Angeles has developed and released the proposed Hillside Constructions Regulations (HCR) Ordinance Amendment (Project). The goal of the HCR Amendment is to adopt a Zone Change to the proposed Northeast Los Angeles Community Plan Area, and apply more refined regulations pertaining to grading and construction activities to these additional hillside communities that have a concentration of steep topography, substandard roadways, and high fire severity risk. The Project also includes a Code Amendment considering minor technical amendments that it will provide more specialized regulation for single family dwelling units by proposing a new HCR District for the Northeast Los Angeles Community Plan Area in R2 and RD zoned lots. These minor technical code amendments apply to the HCR District citywide and to any accessory structures, accessory dwelling units, and small-lot subdivision developments not previously described.

The Project proposes to apply the existing HCR District to the Northeast Los Angeles Community Plan area, which includes the neighborhood councils of: Glassell Park, Eagle Rock, Historic Highland Park, Hermon, Arroyo Seco, Lincoln Heights, and LA-32. See the maps attached below for the exact Project area boundaries. The area includes an estimated 32,870 lots.

The HCR District Ordinance, which was first adopted in March 2017, and was expanded to apply to the Laurel Canyon and Bird Street residential neighborhoods in May 2018, will now apply to the expanded areas. Development regulations, discussed in the section below, will apply to all properties within the boundaries of the HCR District.

While expanding the HCR District beyond the project area has been discussed as part of this report no official action has been taken to apply the HCR District to any other area and its application to any other area of the City as the HCR District area proposed would be speculative.

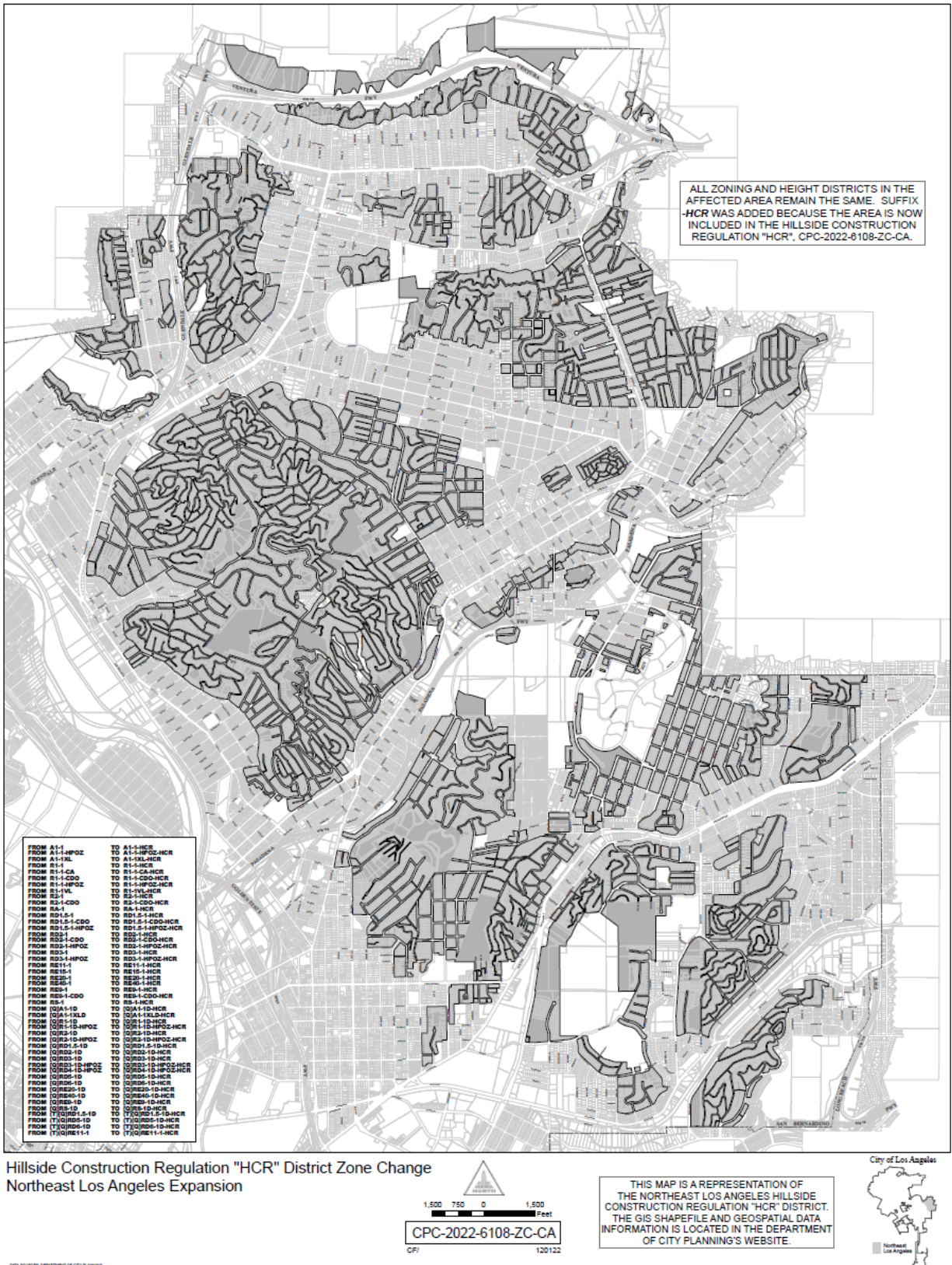


Figure 1: Project area boundaries

District-Wide Regulations

The HCR District development regulations would apply to any of the following development activities in an HCR District:

- Issuance of a building permit: New Construction, additions, and major remodels for the construction of single-family home developments
- Issuance of a grading permit
- Hauling Operation Standards for the development of Single-family home

When an applicable development project is proposed in an HCR District, it will be reviewed for compliance with the HCR District Ordinance development standards. If a development project is proposed for a property within the HCR District, it will be subject to additional development standards, which are outlined in greater detail below. The proposed district-wide development standards are intended to ensure development maintains and is sensitive to the City’s natural resources and environment. The proposed Code Amendment and Zone Change is intended to reduce the amount of grading allowed on a RE40 zoned property from 6,600 to 6,000 cubic yards and lots on substandard streets. While the grading limit only applies to limited lots in this Code Amendment Ordinance, construction and grading activity would still be permitted in these zones. In addition, the LAMC exempts on-site grading activity to further not preclude the use of single-family dwelling. For example, grading activities associated with foundation systems (such as caisson and piles), remedial grading, and water storage tanks are exempted from the grading limitations. The HCR District also includes additional grading limitations, which further protects the City’s natural resources and environment by maintaining the natural topography and preserving natural landforms located in the hillsides.

The City’s natural resources also include the urban forest, which includes protected trees and shrubs per Ordinance 186873, habitat for wildlife, natural topography, and natural geologic formations like watersheds. The following table below contains a list of topics addressed by the HCR District Ordinance, and a brief description of the proposed regulations for each.

Table 1. HCR District Development Standards Maintain/Enhance Natural resources and the Environment

| Development Regulations. | Brief Description |
|--|---|
| <p>1. Maximum Grading. For any single lot, the total cumulative quantity of Grading, or the total combined value of both Cut and Fill for the import and export of earth, or incremental Cut and Fill for Import and Export of earth shall be limited to the "by-right" maximum pursuant to Section 12.21 C.10. and shall not exceed 6,000 cubic yards.</p> | <p>The intent of introducing additional grading standards in HCR District is to preserve water sources, open spaces, riparian areas running along canyons, natural landforms, topography, and vegetation; retain watershed function; and reduce surface erosion, soil instability, landslides, and/or site disturbance by limiting grading on steep slopes. In order to limit the amount of grading that can take place in the HCR District, development for any single family residential project is limited to the "by-right" maximum pursuant to Section 12.21 C.10. and shall not exceed 6,000 cubic yards.</p> |
| <p>2. Maximum Import and/or Export for Hillside Areas Fronting Substandard</p> | <p>Additionally, lots fronting substandard streets are further limited in the amount of grading,</p> |

| | |
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| <p>Streets. For a lot which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, the total cumulative quantity of Import and Export of earth combined, shall be no more than 75 percent of the "by-right" maximum pursuant to Section 12.21 C.10. and shall not exceed 6,000 cubic yards.</p> | <p>which further protects the City's natural resources and environment by maintaining the natural topography and preserving natural resources located in the Hillsides.</p> |
| <p>3. Hauling Truck Trips. A maximum of four trucks are permitted to haul per hour per project site. A grouping or convoy of hauling vehicles shall not be allowed; only one hauling vehicle is permitted per project site at any one time.</p> | <p>Limiting the number of hauling truck trips protects the City's public rights-of-way from construction activity impacting traffic and circulation patterns. Reducing the number of large vehicles in hillside streets will protect the street environment from severe and prolonged traffic congestion and improve access in the roads in case of a fire emergency. Increased access to the public right of way during a fire will help protect natural resources (trees and shrubs, and real property) from fire damage.</p> |
| <p>4. Hauling Truck Operations. (a) Projects required to obtain a Haul Route approval from the Board of Building and Safety Commissioners for the import and/or export of 1,000 cubic yards or more of earth material shall prominently post the final action letter with the approved Haul Route staff report on the job site at all times. (b) No grading shall be performed within any areas designated "hillside" unless a copy of the grading permit is prominently posted on the job site at all times. (c) All hauling vehicles must be identified by a placard identifying the project address which shall be prominently displayed on each hauling vehicle.</p> | <p>These additional hauling truck operations standards will also help further protect natural resources and the City's environment because it would allow for the better management of street environment and improve access in the roads in case of a fire emergency.</p> |
| <p>5. Equipment. (a) 10-wheeler dump trucks (with a 10 cubic yard capacity) or smaller are the only type of trucks permitted for hauling of earth. Notwithstanding the foregoing, the Board of Building and Safety Commissioners may authorize the use of other types of hauling vehicles for a project through the Haul Route approval process.</p> | <p>Smaller size vehicles, like dump trucks, on the road and requiring hauling and grading equipment to be kept in good operating condition reduces street obstructions and improves street circulation. This also projects the City's public right-of-way environment from obstruction and improves access in the roads in case of a fire emergency.</p> |

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| <p>(b) Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.</p> | |
| <p>6. Operating Hours and Construction Activity.</p> <p>(a) Hauling operations shall be conducted only on Monday through Friday, between the hours of 9:00 a.m. and 3:00 p.m. Hauling operations on Saturdays, Sundays, or state or federal designated holidays is strictly prohibited.</p> <p>(b) Haul trucks shall be staged off-site and outside of the HCR District.</p> <p>(c) Construction activity shall be limited to Monday through Friday, between the hours of 8:00 a.m. to 6:00 p.m. Exterior construction work at any other time is strictly prohibited. However, interior construction work may be conducted on Saturdays between the hours of 8:00 a.m. to 6:00 p.m. Excess exterior illumination of the site through the use of flood lights and/or similar lighting devices is strictly prohibited after 6:00 p.m. on any day of the week.</p> <p>(d) A log noting the dates of hauling activity and the number of hauling truck trips per day shall be available on the job site at all times.</p> <p>(e) The owner or contractor shall control dust caused by grading and hauling and provide reasonable control of dust caused or exacerbated by wind at all times. Grading and hauling activities shall be discontinued during periods of high winds and Red Flag days as determined by the Los Angeles Fire Department.</p> <p>(f) Loads shall be secured by trimming and shall be covered to prevent spillage and dust. Haul trucks are to be contained at the export site to prevent blowing of dirt and are to be cleaned of loose earth at the export site to prevent spilling.</p> | <p>Limited hours of hauling and construction activities, the location of construction staging, logging of hauling activities, dust and debris control, "Truck Crossing" warning signs, and a project retaining a flag person(s) are also standards that will reduce street congestion, improve access, air quality, and circulation to help better protect the environment. Also, these Operating Hours and Construction Activity will also help improves access in the roads in case of a fire emergency. Fire mitigation helps protects natural resources from forest fires.</p> |

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| <p>(g) Streets shall be cleaned of spilled materials at the termination of each workday.</p> <p>(h) "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit from the project site in each direction.</p> <p>(i) Flag person(s) shall be required for all project sites. Flag persons with radio control and warning signs shall be in compliance with the latest edition of the "Work Area Traffic Control Handbook." Flag persons provided at the job site shall assist trucks in and out of the project area.</p> | |
| <p>7. Review Procedures for single-family home developments larger than 17,500 square feet. The construction, erection, addition to, enlargement of or reconfiguration of any one-family dwelling that has a cumulative Residential Floor Area of 17,500 square feet or larger shall submit an application for a Site Plan Review before the issuance of related permits and entitlements. Application procedures and processing of the application shall be pursuant to Section 16.05 of the Los Angeles Municipal Code.</p> | <p>The final component of the proposed HCR District that serves as a mechanism for better protecting natural resources and the environment is Site Plan Review. Site Plan Review, established in 16.05 of the LAMC, exists to “promote orderly development, evaluate and mitigate significant environmental impacts, and promote public safety and the general welfare by ensuring that development projects are properly related to their sites, surrounding properties, traffic circulation, sewers, other infrastructure and environmental setting; and to control or mitigate the development of projects which are likely to have a significant adverse effect on the environment as identified in the City’s environmental review process, or on surrounding properties by reason of inadequate site planning or improvements” (LAMC Sec. 16.05). A series of findings stating that the project complies with all applicable regulations must be made for a development project to receive Site Plan Review approval. The HCR District, with its supplemental findings, allows for development projects to be altered or conditioned to have less of an environmental impact through the Site Plan Review process.</p> <p>The proposed HCR District will require large homes development of 17,500 square feet or larger to apply for a Site Plan Review before the issuance of related permits and entitlements. Development projects that are proposing large quantities of remedial grading, or that are adding new, large residential structures, have the potential to have a greater impact on the environment than other, smaller projects.</p> |

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| | Utilizing site plan review to analyze these types of projects allows for heightened levels of scrutiny to be applied, and for projects to be reconfigured and conditioned so as to have less of an impact on the environment. |
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CEQA Section 15307 - Class 7 Categorical Exemption

*“Class 7 consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the **maintenance**, restoration, or **enhancement** of a **natural resource** where the regulatory process involves procedures for protection of the environment. Examples include but are not limited to wildlife preservation activities of the California Department of Fish and Game. Construction activities are not included in this exemption.”*

The use of a Class 7 exemption is appropriate for the proposed Code Amendment and Zone Change Ordinance, which is to apply the HCR District to the Northeast Los Angeles Community Plan Area, because the purpose of the ordinance is to protect sensitive hillside environments from the impacts of construction, which often includes heavy construction equipment, large scale grading, and development, and other activities that can impact landform, natural terrain, biological resources such as trees, and wildlife, and other natural resources. This is accomplished by providing regulations with respect to grading, hauling, and construction activities. The ordinance provides special attention to identified resources, such as special grading areas, water sources, open spaces, riparian areas running along canyons, protecting natural landforms/topography, and protected trees and shrubs, by establishing development regulations aimed at their protection and preservation.

The strongest provisions in the ordinance for protection of natural resources, as outlined in the narrative above, are the limiting of grading, hauling truck operations, operation hours and construction activity, and the requirement of Site Plan Review for large homes. As described in Table 1, these HCR District standards reduce street obstructions, improves street circulation, protect trees, and stabilize the hillsides from landslides. This also projects the City’s public right-of-way environment from obstruction and improves road access in case of a fire emergency. The Site Plan Review process allows the City to more holistically and comprehensively review projects on lots where resources are present to ensure their impact on the environment and natural resources is minimal.

When combined with the Baseline Hillside Ordinance’s development standards, which also are centered around minimizing disturbance to natural resources and protecting the natural environment, the standards to protect natural resources in the HCR District Ordinance serve to protect the environment and natural resources within the City. Thus, the use of the Class 7 exemption is appropriate.

CEQA Section 15308 - Class 8 Categorical Exemption

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

The use of the Class 8 is appropriate for the proposed Zone Change and Code Amendment, which is to apply the HCR District to the Northeast Los Angeles Community Plan Area, because the intention of the ordinance is to minimize disturbance to natural areas, protect native flora and fauna, and lessen the impact of development on the street environment. As listed in the narrative above, there are six categories of district-wide regulations that will apply to the applicable development projects located within an HCR District. These district-wide standards include maximum grading limits, hauling truck operations, equipment standards, operating hours and construct activity standards, and review procedures for single-family residential developments larger than 17,500 square feet. All of these standards requires new development to be more sensitive and less damaging to the natural environment.

In addition to the city-wide development standards, the HCR District Ordinance also establishes regulations to better protect identified natural resources, such as water sources, riparian areas, open spaces, riparian areas running along canyons, natural landforms/topography, and protected trees and shrubs. As described in Table 1, these HCR District standards reduce street obstructions, improves street circulation, protect trees, and stabilize the hillsides from landslides. This also limits obstructions to the City's public right-of-way and improves road access in case of a fire emergency. The discretionary site plan review process for houses 17,500 square feet or larger allows the City to take a more holistic and comprehensive review of development projects to minimize environmental impacts.

Many of the Northeast Los Angeles Community Plan Area stakeholders have expressed concern over recent development projects in their communities that have removed trees and vegetation, which have resulted in loss of natural habitats. Many community members have been proponents of protecting the natural environment because many of these areas are in within Very High Fire Hazard Severity Zones. The Class 8 exemption applies because it further proposes to protect this natural resource, the hillside, and to further address the ongoing redevelopment efforts posed in their communities.

Given that all of the regulations and review procedures included in the HCR District Ordinance, which through the proposed Zone Change and Code Amendment would apply to the Northeast Los Angeles Community Plan Area, exist to better protect the environment where the HCR District is applied, this Project represents an action taken by a regulatory agency to assure the protection of the environment, and use of the Class 8 exemption is appropriate.

CEQA Section 15300.2 - Exceptions to the Categorical Exemption

As explained below, the Project does not satisfy the criteria for exceptions to the application of Section 15300, Class 7 and 8 of the State CEQA Guidelines:

Exceptions to Exemptions

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

1. **Location.** *Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located— a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply to all instances, except where the project impact on an environmental*

resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies

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

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

The application of the HCR District to the Northeast Los Angeles Community Plan Area, by itself, does not propose or authorize any development/construction activities. It does not change any land uses, building heights, densities or intensities. The proposed HCR District Amendment seeks to expand the existing regulations and apply development standards on future construction or hauling practices related to by-right projects in order to be more protective of the environment and natural resources than the current regulations. These regulations would require discretionary site planning review of large new single-family developments 17,500 square feet or larger; impose "best practices" or conditions on the import and export of earth; restrict hours of construction and hauling activity; and limit the allowable grading quantity for the largest zone (RE40). For example, the HCR District protects the environment by reducing aesthetic impacts by requiring a discretionary review process for large-scale single-family home development projects. Without the HCR District, the construction activities associated with large scale single-family home development projects would generally not be reviewed by the Los Angeles Department of City Planning. Additionally, the restriction on the hours of construction, construction activities, grading quantities, regulation of construction equipment, site plan review, and hauling activity reduces air quality and noise impacts potentially caused by construction. By limiting the hours of construction Monday through Friday and limiting the type of construction on Saturday to interior work from 8 a.m. to 6 p.m., projects are encouraged to be more efficient in transporting of earth and construction rather than inadvertently prolonging hauling and construction activity.

Therefore, the Project is not expected to generate cumulative impacts as its regulations are more protective of the environment than the current underlying zoning. With the application of the HCR District, small-scale projects which would otherwise not be subject to hauling "best practices" or conditions on the import or export of earth would be subject to the same standard "best practices" or conditions as large-scale projects. By reducing the air quality impacts typically associated with single-family construction of those smaller-scale projects, the regulations further protect the environment against the cumulative impacts of those previously unconditioned projects. For example, under the HCR District, the owner or contractor must control dust caused by grading and hauling as well as secure and cover loads to prevent spillage and dust further reducing impacts to air quality. If other ordinances of a similar nature were enacted, no additional adverse impacts would accumulate. Further, the Project does not promote or incentivize new development

as the application of the HCR District to these residential areas would only apply prescriptive regulations and limitations on existing construction and hauling activities for a project that would be typically "by-right." The Project serves to prevent and reduce the potential for cumulative impacts caused by several "by-right" projects within the confined Project Area. Therefore, an accumulation of similar Zone Change Ordinances and Code Amendment to expand the HCR District regulations to apply to the Northeast Los Angeles Community Plan Area. Therefore, this exception does not apply.

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

There are no unusual circumstances that would create the reasonable possibility that the activity would have a significant effect on the environment. The Project does not authorize or expand any new construction or hauling activities, but instead places additional development restrictions on future construction or hauling practices related to by-right projects in order to reduce the potential impacts from development activities in hillside areas. The Project also does not change heights, or densities. The Project will not foreseeably result in a significant impact to the environment as described in the subsequent sections. Therefore, this exception does not apply.

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

Currently, the only portion of a scenic highway officially designated by the California Department of Transportation (Caltrans) within the City of Los Angeles is a six-mile portion of the Federal Byway of the 110 Route Pasadena Freeway (also known as the Arroyo Seco Historic Parkway). Although the Arroyo Seco Historic Parkway is located within the Project area, it will not result in damage to scenic resources since the Project is not proposing, authorizing, or expanding any new construction or hauling activities. Thus, it is reasonably expected to further protect potential damage to scenic resources. Therefore, this exception does not apply.

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

A review of the Envirostor website did not identify any properties within the Project Area noted on the California Department of Toxic Substances Control's (DTSC) list of cleanup sites. The proposed Project does not propose or authorize any development or construction activities or expand any new or existing allowed land uses on any site on any list compiled pursuant to Section 65962.5.

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

The Northeast Los Angeles Community Plan area has many sites that are historic. Under the City’s Cultural Heritage Ordinance local buildings and sites that meet the criteria for designation can be declared "Historic-Cultural Monuments" (HCMs) by the City Council after recommendation from the Cultural Heritage Commission. Any person can nominate a building or site for designation and the property owner does not need to give consent. The majority of Historic-Cultural Monuments are single-family houses. Additionally, the City has a Historic Preservation Overlay Zones (HPOZs) Program (commonly known as historic districts) to provide for review of proposed exterior alterations and additions to historic properties within designated districts. The City has 35 adopted HPOZs for various single-family neighborhoods citywide and there are two HPOZ’s within the Northeast Los Angeles Community Plan Area:

- Lincoln Heights
- Highland Park – Garvanza

There are 34 HCMs located within the Northeast Los Angeles Community Plan Area and a table is provided detailing those registered HCM sites:

| Historic Cultural Monument (HCM) Name | HCM No. | Site Address | Neighborhood Council |
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| Hiner House | HCM-105 | 4755-4757 N. Figueroa Street | Arroyo Seco |
| Treehaven Guest House and Grounds | HCM-392 | 4211 Glenalbyn Drive | Arroyo Seco |
| Wiles House and Grounds | HCM-393 | 4224 Glenalbyn Drive | Arroyo Seco |
| Ernest Bent / Florence Bent Halstead House and Grounds | HCM-394 | 4200 Glenalbyn Drive | Arroyo Seco |
| H. Stanley Ben House (including Carriage House and Front Fountain) | HCM-395 | 4201 Glenalbyn Drive | Arroyo Seco |
| Mauer House | HCM-481 | 932 Rome Drive | Arroyo Seco |
| J.B. Merrill House | HCM-483 | 815 Elyria Drive | Arroyo Seco |
| Montecito View House | HCM-529 | 4115 Berenice Place | Arroyo Seco |
| Minister Residence | HCM-611 | 4151 – 4167 Sea View Drive & 4163 Sea View Lane | Arroyo Seco |
| Birtcher – Share Residence | HCM-612 | 4234 Sea View Lane & 4220 – 4216 Sea View Drive | Arroyo Seco |
| Scholfield House | HCM-613 | 4222 – 4230 Sea View Drive & 4252 Sea View Lane | Arroyo Seco |

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| Carl C. Warden Residence | HCM-691 | 878 N. Rome Drive | Arroyo Seco |
| Pilot House | HCM-717 | 735 N. Rome Drive | Arroyo Seco |
| H.W. Ayres House | HCM-753 | 3923 San Rafael Drive | Arroyo Seco |
| Hodel Residence and Tea House | HCM-802 | 6508, 6512 & 6516 N. Monterey Road & 6511, 6515 & 6519 N. Short Way | Arroyo Seco |
| Mt. Washington Hotel /Self Realization Fellowship International Headquarters | HCM-845 | 3880 & 3846 San Rafael Avenue; 720 – 721 Mt. Washington Drive | Arroyo Seco |
| Nickel Leong Mansion | HCM-849 | 901 – 909 N. Isabel Street & 3501 – 3511 Thorpe Street | Arroyo Seco |
| Ziegler Estate | HCM-416 | 4601 N. Figueroa Street | Arroyo Seco |
| Wolford House | HCM-614 | 4242 Sea View Drive & 4260 Sea View Lane | Arroyo Seco |
| Monterey Trailer Park | HCM-736 | 6411 Monterey Road | Arroyo Seco |
| Residence | HCM-383 | 1203 – 1207 Kipling Avenue | Eagle Rock |
| Keran Residence | HCM-758 | 2501 W. Hill Drive | Eagle Rock |
| J.L. Hodge Residence | HCM-771 | 5329 N. Mt. Royal Drive | Eagle Rock |
| Waite Residence | HCM-890 | 2431 Hill Drive | Eagle Rock |
| Castle Crag | HCM-931 | 5027 El Verano Drive | Eagle Rock |
| James F. Real Studio Office | HCM-951 | 77 Patrician Way | Eagle Rock |
| Coons House | HCM-989 | 2071 W. Escarpa Drive | Eagle Rock |
| Egasse-Braasch House | HCM-1042 | 2317 W. Hill Drive | Eagle Rock |
| Mills Cottage | HCM-781 | 4746 Toland Way | Eagle Rock and Highland Park |
| San Encino Abbey | HCM-106 | 6204 Marmion Way & 6201 – 6211 Arroyo Glen | Highland Park |
| Fargo House | HCM-464 | 206 Thorne Street | Highland Park |
| Donnelly House | HCM-1041 | 1221 N. Avenue 64 | Highland Park |
| Southaven | HCM-1037 | 4221 N. Richard Circle | LA-32 |
| Young-Gribling Residence | HCM-1017 | 3220 N. Griffin Avenue | Lincoln Heights |

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

Any future projects which are designated a HCM would need to comply with the HCM regulations, processes and procedures for any demolitions, alterations, and/or additions to the building in addition to complying with the regulations of the HCR District and other applicable ordinances and provisions of the Los Angeles Municipal Code. The Project would establish the HCR District over the Project Area which will require specific requirements related to construction, grading quantities, and a discretionary review process for largescale new construction or additions applicable to the hillside areas within the Project Area. The proposed HCR District by itself does

not include any proposed development to any existing structures. The Project is not anticipated to adversely impact historic resources because it adds regulations for new residential development in the hillsides related to grading, haul routes, and construction hours. As such, there is no potential for historical resources to be affected by the Project. Therefore, impacts to historical resources would be less than significant. No further analysis is required.

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