



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: June 25, 2026
Time: After 8:30 a.m.
Place: Van Nuys City Hall
Council Chamber, Second Floor
14410 Sylvan Street
Van Nuys, Ca 91401

This meeting may be available virtually, in a hybrid format. The meeting's telephone number and access code number will be provided no later than 72 hours before the meeting on the meeting agenda published at <https://planning.lacity.org/about/commissions/boards-hearings> and/or by contacting cpc@lacity.org

Public Hearing: June 25, 2026
Appeal Status: Director Determination is not further appealable
Expiration Date:

Case No.: DIR-2019-952-SPP-1A
CEQA No.: ENV-2016-2070-MND

Incidental Cases:
Related Cases: VTT-73957
Council No.: 7 – Rodriguez
Plan Area: Sunland – Tujunga – Lake View Terrace – Shadow Hills – East La Tuna Canyon

Specific Plan: San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan

Certified NC: Sunland-Tujunga

GPLU: Low Residential and Minimum Residential
Specific Plan GPLU Zone: Low Residential and Minimum Residential RE11-1, RE40-1

Applicant: Albert Davitian and Aida Galstyan

Applicant Representative: Hayk Martirosian
Techna Land Co. Inc.

Appellant: McGroarty Environmental Review Coalition

Appellant Representative: Jamie T. Hall, Channel Law Group, LLP

PROJECT LOCATION: 8100, 8150, and 8160 West McGroarty Street, 10000 North McVine Terrace

PROPOSED PROJECT: A San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan Project Compliance Review for the construction, use, and maintenance of 11 single-family dwelling units on the project site. The site is currently improved with three existing buildings (one two-story, single-family dwelling and three-car garage; and one approximately 2,379 square foot private school with accessory living quarters). The existing single-family dwelling will remain, and the private school/accessory living quarters is proposed to be converted to a single-family residence. The additional 11 single-family dwelling units proposed for construction will result in a total of 13 single-family dwellings on the project site. The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. There are 106 native

protected trees and 63 non-protected mature trees on the subject site. The applicant is proposing to remove seven protected trees (six Coast Live Oak and one Sycamore) and up to 63 non-protected trees. The subject site is not located within a Prominent Ridgeline Protection Area, Scenic Highway Corridor, or an Equestrian "K" District.

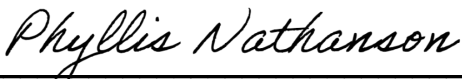
REQUESTED ACTIONS: Appeal of the entire Director Determination of December 11, 2025, which:

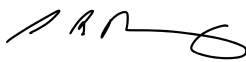
1. **FOUND**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2016-2070-MND as circulated on May 15, 2025 ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **FOUND** the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **FOUND** the mitigation measures have been made enforceable conditions on the project; and **ADOPTED** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration,
2. **APPROVED WITH CONDITIONS** a San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan Project Permit Compliance Review for the construction, use, and maintenance of 11 single-family dwelling units, resulting in a total of 13 single-family dwellings on the project site.

RECOMMENDED ACTIONS:

1. **Find**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No ENV-2016-2070-MND, adopted on May 15, 2025; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project.
2. **Deny** the appeal and sustain the Director Determination, Case No. DIR-2019-952-SPP.

VINCENT P. BERTONI, AICP
Director of Planning


Phyllis Nathanson, Principal City Planner


JoJo Pewsawang, Senior City Planner


Dang Nguyen, City Planner

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PROJECT ANALYSIS

Appellant Decision Body

Appeals of a project Compliance Review determination are governed by the rules set forth in LAMC Section 13A.2.8 of Chapter 1A. In accordance with LAMC, Chapter 1A, Section 13B.4.2.G.2, the City Planning Commission shall serve as the appellate decision maker for the project.

Project Summary

The project is a San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan project Compliance Review for a total of 13 single family dwelling units with private street access. The subject site consists of two lots totaling 853,737 gross square feet (19.6 acres) and 830,113 net square feet (19.06 acres). The northerly lot is dual-zoned RE11-1 and RE40-1, while the southerly lot is zoned exclusively RE40-1. The project is related to Case No. VTT-73957, which entails the subdivision of these two lots into 13 total single-family lots. As part of that subdivision, the Advisory Agency approved an Adjustment to permit a 15 percent reduction in lot width for proposed Lot 7 (located in the RE11-1 Zone), allowing a width of 60 feet in lieu of the 70 feet otherwise required by LAMC Section 12.07.01.C.4.

Background

The proposed project is located at 8100, 8150, and 8160 West McGroarty Street, 10000 North McVine Terrace in the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan area and the San Gabriel Verdugo Mountains Scenic Preservation Specific Plan. The site consists of two lots with a total lot area of 853,737 gross square feet (19.6 acres) and 830,113 net square feet (19.06 acres).

The site is currently improved with three existing buildings (one two-story, single-family dwelling and three-car garage; and one approximately 2,379 square foot private school with accessory living quarters). The existing single-family dwelling will remain, and the private school/accessory living quarters will be converted into a single-family residence. An additional 11 single-family dwelling units are proposed for construction for a total of 13 single-family dwellings on the project site. The project entails two new private streets; one private street will be accessed from McGroarty Street, and the second private street will be accessed via the intersection of McGroarty Street, McVine Avenue, and McVine Trail. The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. There are 106 native protected trees and 63 non-protected mature trees on the subject site. The applicant is proposing to remove seven protected trees (six Coast Live Oak and one Sycamore) and up to 63 non-protected trees.

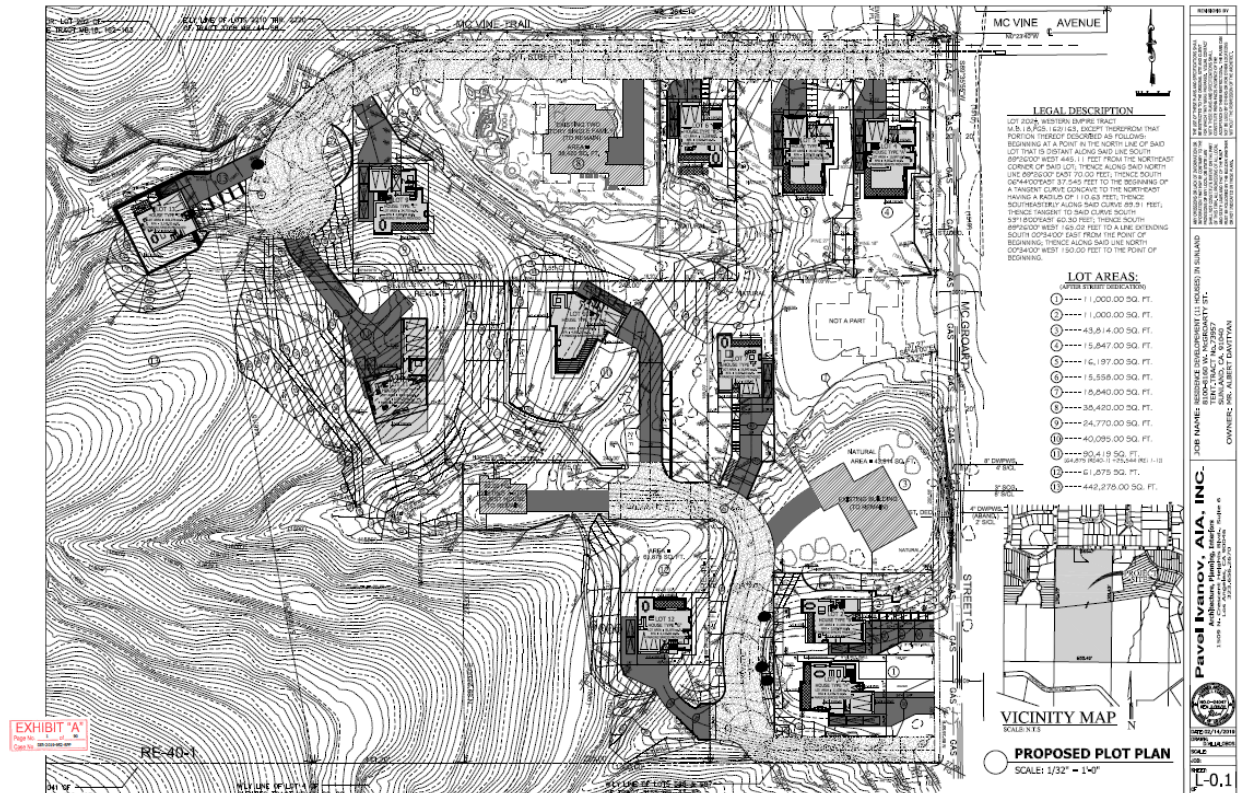


Figure 1. Exhibit A: Plot Plan DIR-2019-952-SPP

The proposed project is located on West McGroarty Street and North McVine Terrace on two lots, one of which is dual zoned lots (RE11-1, RE40-1) in the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan area and the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan area.

Below is an aerial photograph with the Site shown in blue.

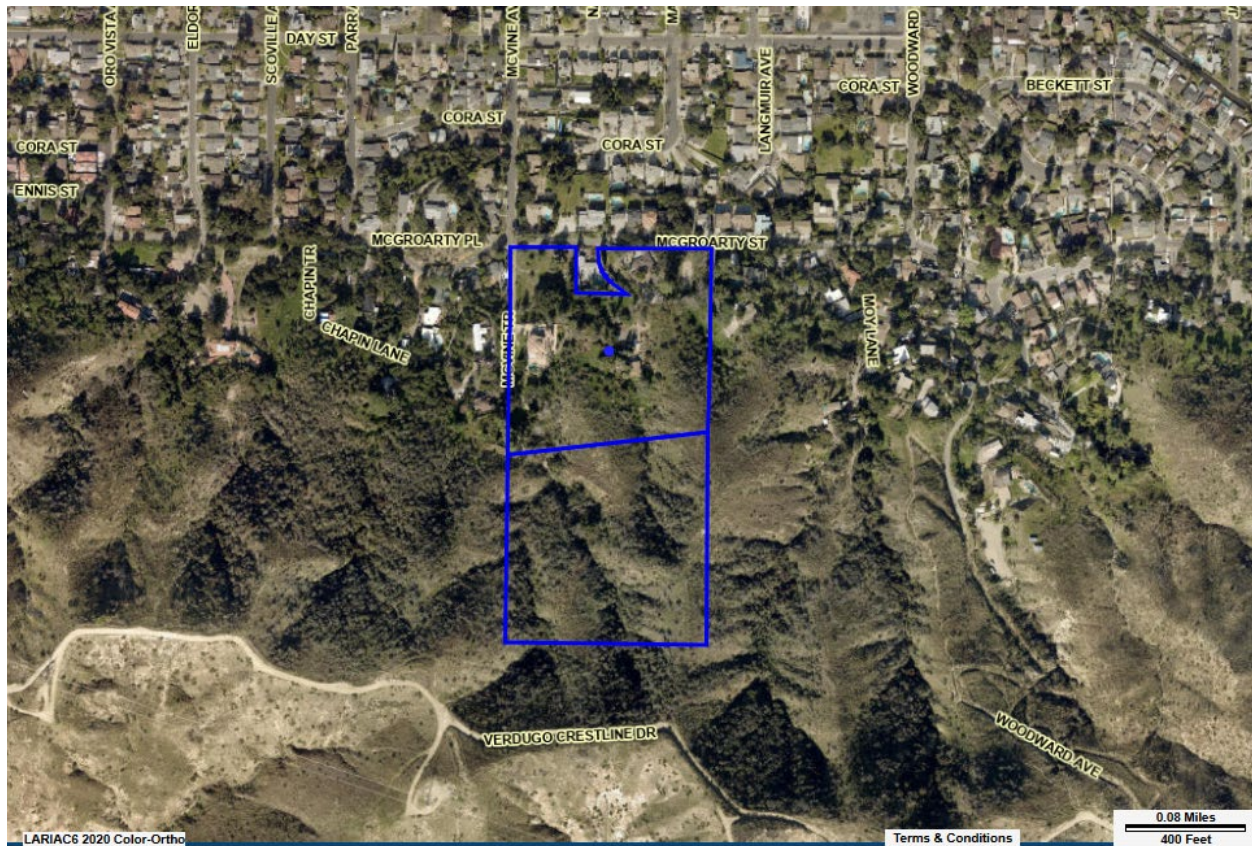


Figure 2. Aerial photography from zimas.lacity.org

The northerly portion of the subject site is an approximately 408,454 irregular-shaped square foot lot, with approximately 238 feet of frontage on McGroarty Street, bordering McVine Terrace to the west. This northerly portion of the subject site is zoned RE11-1 and RE40-1 and is designated for Low Residential and Minimum Residential land use by the Community Plan. An irregular-shaped lot that is not a part of the proposed project fronts for approximately 70 linear feet along W. McGroarty Street. Further east, the subject site extends for approximately 353 linear feet along W. McGroarty Street.

The southern portion of the subject site is an interior lot that abuts McVine Terrace at its northwest corner but otherwise has no direct access. This approximately 435,691 square foot lot is zoned RE40-1 and is designated for Minimum Residential land use by the Community Plan.

The Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan Map includes the following footnotes:

Footnote No. 4: Densities shall not exceed that which would be permitted using the slope density formula in LAMC Section 17.05 C for lots: (a) in areas of steep topography planned for Very Low I, Very Low II and Minimum density; and, (b) which would otherwise require extensive grading, involve soil instability erosion problems of access problems, as determined by the Deputy Advisory Agency.

The project was approved for 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export over the entire site. Areas of the site that are designated Minimum density include proposed Lots 10, 12, and 13, a portion of Lot 11, and portions of the private street.

Footnote No. 7: Subdivision in steep hillside areas shall be designed in such a way as to preserve the ridgelines and the steeper slopes as open space, limit the amount of grading required, and to protect the natural hillside views. The total density allowed over the entire ownership shall be clustered in the more naturally level portions of the ownership. Density in the clusters shall not exceed that permitted in the Low density housing category for areas that are not in "K" Districts, and shall not exceed that permitted in the Very Low I category of areas that are within a "K" District.

The proposed project is not located in a K District, and therefore, density should not exceed that permitted in the Low density category, which under the Community Plan corresponds to the RE9, RS, R1, and RU Zones. The RE9 Zone requires a minimum lot area of 9,000 square feet; the RS Zone requires a minimum lot area of 7,500 square feet; the R1 Zone requires a minimum lot area of 5,000 square feet; and the RU Zone requires a minimum lot area of 3,500 square feet. As proposed, the smallest sized lot is 11,000 square feet, which is consistent with all of the Plan's corresponding zones.

Footnote No. 19: There shall be no grading of the principal ridge lines within the Plan boundaries. Designation of principal ridge lines shall be determined by the Advisory Agency.

As designated under the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (ZI No. 2324, Ordinance No. 175,736 effective February 8, 2004) Map No. 2, the proposed project site is not located along a prominent ridgeline.

The project site is in a designated Hillside Area, as identified in ZIMAS, characterized by one- and two-story single-family dwellings and unimproved hillside terrain. The site is surrounded by one- and two-story single-family homes to the north, on lots that are zoned R1-1-RFA and designated Low Residential by the Community Plan. To the west, across McVine Terrace, the site abuts vacant land and one- and two-story single-family dwellings on R1-1 Zoned lots, designated Low Residential by the Community Plan. To the southwest, the subject site borders an RE40-1 Zoned lot that is designated for Minimum Residential. There is no direct access to the southerly portion of the subject site and the abutting property. To the south the site abuts an unimproved lot that fronts on Verdugo Crestline Drive that is zoned A1-1 and designated Medium Residential by the Community Plan. To the east, lots are zoned RE40-1 and designated Low Residential by the Community Plan. The approximately 14,476 square foot irregular-shaped lot bounded on three sides by the subject site and fronting on W. McGroarty Street is zoned RE11-1 and designated Low Residential by the Community Plan. This lot is improved with a one-story single-family dwelling.

The purpose of the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (ZI No. 2324, Ordinance No. 175,736 effective February 8, 2004) is to preserve, protect, and enhance the unique natural and cultural resources of the area. The Plan established regulations in four areas as follows:

1. Prominent Ridgeline Protection measures that protect from grading and/or development on designated Prominent Ridgelines that are visible from the right-of-way of Scenic Highways and depicted on Specific Plan Map No 2.

2. Biological Resource Protection measures to protect Oak trees and unique native plant communities.
3. Scenic Highway Corridors Viewshed Protection measures that establish standards for site design, landscaping, and signage for scenic highway corridors as designated on Specific Plan Map No 1.
4. Equinekeeping District Standards, Equestrian Trails, and Domestic Livestock measures to provide for the designation and development of existing and future equestrian trails within "K" Equinekeeping Districts, re-establish the right of property owners to keep domestic livestock in conjunction with RE40 Zoned uses, and protect non-conforming equine uses in "K" Districts.

The proposed project site is not located within a Prominent Ridgeline Protection area or a Scenic Highway Corridor as designated on Specific Plan Maps No. 1 and 2, respectively. As discussed in the Protected Tree Report prepared by L. Newman Design Group Inc. (see Appendix A), the proposed project site includes 106 native protected trees and 63 non-protected mature trees on the subject site. The applicant is proposing to remove seven protected trees (six Coast Live Oak and one Sycamore) and up to 63 non-native, non-protected trees. Because the property is located in a designated Hillside Area characterized by steep, unimproved terrain with average natural slopes of 15 percent or more, site preparation requires extensive grading—including 47,720 cubic yards of cut and 15,405 cubic yards of fill—which necessitates the removal of up to 63 non-native, non-protected trees. Furthermore, the applicant is proposing to remove seven protected trees (six Coast Live Oaks and one Sycamore) because, as concluded in the project findings, the site could not be reasonably developed and necessary utilities and private roadways could not be installed without their removal.

Additionally, Specific Plan Map No. 3 designates the Official Equestrian Trail System. The subject site does not include an Official Trail and/or "K" Horsekeeping District. However, ZIMAS shows the subject site falls into a geographic area designated under ZI-2438, Equine Keeping in the City of Los Angeles, which regulates distance between habitable space and animal keeping/equine structures and/or enclosures on lots zoned RA, RE20, RE40, A1, and A2. As such, the RE40 Zoned lots, which include a portion of proposed Lot No. 11 and Lot Nos. 10, 12, and 13, are subject to ZI-2438. To enforce these regulations, the Los Angeles Department of Building and Safety (LADBS) will not issue building permits for any future habitable space or equine structures that fail to comply with these mandated distance requirements.

The subject site is located within a designated Hillside Area. As the proposed project is located within an RE Zone, it is strictly subject to the City's single-family and hillside development regulations. These provisions establish requirements regarding the size and bulk of new and enlarged homes, pursuant to the hillside regulations (LAMC, Chapter 1, Section 12.21 C.10), and further regulate grading and earth import/export within Hillside Areas, pursuant to LAMC Chapter IX, Division 70, as implemented by LADBS.

ZIMAS also shows that the subject site is located within a Very High Fire Hazard Severity Zone, High Wind Velocity Area, and BOE Special Grading Area (BOE Basic Grid Map A-13372). The subject site is located within the Verdugo Fault Zone but is not within the Alquist-Priolo Fault Zone or an area of Liquefaction, Preliminary Fault Rupture Study Area, or Tsunami Inundation Zone. The northerly approximately 408,454 square foot lot, where most of the development is proposed, is not in a Landslide area, but the approximately 435,691

square foot southerly portion of the subject site is located in a Landslide area. Finally, the northerly portion of the subject site is located in an Urban Agriculture Incentive Zone.

The southerly portion of the subject site is located within the Verdugo Mountains Significant Ecological Area (SEA). SEAs are officially designated areas within Los Angeles County that have irreplaceable biological resources, including abundant native wildlife and habitats and rare and sensitive plant and animal species. The Verdugo Mountains SEA is located in the Verdugo Mountains and includes areas south of the I-210, east of the I-5, and a portion of the mountains north of the I-210. The project does not propose any residential construction or development within the Verdugo Mountains SEA, and no structural development within the SEA is approved.

The proposed project is adjacent to the Rim of the Valley Corridor, which includes the Verdugo Mountains, San Gabriel Mountains, Simi Hills, Santa Susana Mountains, and Santa Monica Mountains. The Rim of the Valley Corridor is comprised of open space lands that support plant and animal wildlife.

The application for project Compliance Review for the San Gabriel Verdugo Mountains Scenic Preservation Specific Plan, DIR-2019-952-SPP, was filed on February 14, 2019. On December 11, 2025, the designee of the Director of Planning issued a Letter of Determination approving the project Compliance Review, subject to Conditions of Approval.

The subdivision case, VTT-73957-HCA, was filed on June 10, 2016. On December 9, 2025, the Deputy Advisory Agency issued a Letter of Determination approving the Vesting Tentative Tract Map subject to Conditions of Approval.

State Minimum Fire Safe Regulations and Senate Bill 901

In 2018, the California Legislature passed Senate Bill 901, which mandated a significant expansion of the "State Minimum Fire Safe Regulations" (codified as Title 14 CCR § 1270 et seq.). Historically, these regulations applied primarily to State Responsibility Areas (SRA). However, SB 901 extended the authority of these regulations to include Local Responsibility Areas (LRA) that are classified as Very High Fire Hazard Severity Zones (VHFHSZ), such as the subject site within the City of Los Angeles. Following this legislative mandate, the California Board of Forestry and Fire Protection adopted implementing regulations effective April 1, 2023, to establish minimum standards for emergency access, perimeter wildfire protection, and building siting intended to protect life and property during wildfire events. These regulations explicitly apply to activities including the "permitting or approval of new parcels" and building construction approved after July 1, 2021, within the VHFHSZ.

Compliance with the State Minimum Fire Safe Regulations is triggered by specific activities within designated zones, most notably the "permitting or approval of new parcels" and new building construction approved after July 1, 2021. Regarding structure siting, Section 1276.01(a) establishes a baseline requirement that all parcels provide a minimum thirty (30) foot setback for buildings from property lines and road centers. The intent of this setback is to reduce the intensity of wildfires, minimize structure-to-structure ignition, and provide a defensible point of attack for emergency personnel during wildfire events.

However, Section 1276.01(b) provides a specific compliance mechanism allowing for deviations from this 30-foot setback based on practical considerations, such as parcel dimensions, topographic limitations, or development density requirements. To qualify for this

deviation, the project must incorporate an "alternative method to reduce Structure-to-Structure ignition" that mitigates risks to a level equivalent to the standard regulation. Authorized alternative compliance measures include the use of non-combustible block walls, hardscape landscaping, or enhanced building hardening features such as boxed-in eaves, double-pane windows, non-combustible siding, or adherence to Chapter 7A of the California Building Code.

Expert Fire Safety Analysis (DUDEK Technical Memorandum)

To further evaluate the project's compliance with state fire regulations, a technical memorandum was prepared by Dudek Fire Protection Planners on June 12, 2026. The Dudek report assessed the project's consistency with the 2025 California Wildland-Urban Interface Code (CWUIC), which recently consolidated and shares the exact same regulatory language as the State Minimum Fire Safe Regulations.

While Dudek's spatial analysis confirmed that several of the proposed structures are located less than the standard 30 feet from property lines or road centerlines, the report concluded that the project strictly complies with the setback reduction exceptions outlined in CWUIC Section 608.2.1 (equivalent to Title 14 CCR § 1276.01(b)). The memorandum found that the project successfully implements necessary Alternative Means and Methods (AM&Ms) to prevent structure-to-structure fire spread, including:

- The use of non-combustible exterior building materials (e.g., stucco, metal roofs, aluminum/glass doors and windows);
- The construction of non-combustible block walls between lots; and
- The implementation of a non-combustible 'Zone 0' extending 0 to 5 feet from the structures.

Furthermore, Dudek's analysis noted that the layout of the subdivision provides more than 50 feet of separation between the majority of the new structures (seven out of 11), which drastically reduces the risk of structure-to-structure ignition. Ultimately, the report verifies that the project hardens the structures and removes pathways for fire spread, effectively mitigating the risks associated with reduced setbacks.

Expert Biological Analysis (South Environmental)

In response to claims that the project will result in significant, unmitigated impacts to an Oak Woodland, the City relies on the expert biological review prepared by South Environmental on March 30, 2026. The technical memorandum confirms that the appellant's assertion that the site's Oak Woodlands are a "sensitive resource" under CEQA is factually and legally incorrect. The report clarifies that the Oak woodlands on the site do not meet the California Department of Fish and Wildlife (CDFW) criteria for a sensitive natural community, nor does the site contain sensitive Riparian Coast Live Oak Woodlands. Furthermore, the Coast Live Oak is not a state or federally listed special-status species, nor is it identified as a sensitive species in the City's CEQA Thresholds Guide; rather, it is a species protected by a local ordinance that requires a permit for removal or relocation and replacement per the protected tree ordinance. The expert analysis concludes that the removal of a small fraction of the site's trees (representing only 7.5 percent of the total protected trees) is fully and adequately mitigated through the City's required 4:1 replacement ratio—resulting in 24 new oak trees—and that the preparation of an Environmental Impact Report (EIR) is not warranted.

Scope of Appeal

On December 24, 2025, an appeal of the Director Determination was filed by McGroarty Environmental Review Coalition, represented by Jamie Hall of Channel Law Group, LLP. The appeal challenges the entire decision of the Director as well as the project's environmental clearance.

Appeal Points & Staff Response

Appellant Claim 1

State Minimum Fire Safe Regulations: The project is in a Very High Fire Hazard Severity Zone (VHFHSZ) and involves new parcels, triggering Title 14 CCR § 1270. The appeal claims the project fails the 30-foot setback requirement and road standards.

Staff Response:

The City acknowledges that the project site is located within a designated Very High Fire Hazard Severity Zone (VHFHSZ) and involves the approval of new parcels, thereby triggering the applicability of the "State Minimum Fire Safe Regulations" (Title 14 CCR § 1270 et seq.).

This regulatory compliance framework is necessitated by Senate Bill 901 (2018), which fundamentally expanded the scope of fire safety oversight in California. While these regulations historically applied only to State Responsibility Areas (SRA), SB 901 mandated that the California Board of Forestry and Fire Protection extend these minimum standards to include Local Responsibility Areas (LRA) designated as VHFHSZ, including the subject property within the City of Los Angeles. By enforcing these expanded standards for road geometry, emergency access, and building siting on projects approved after July 1, 2021, the legislation ensures that new subdivisions in high-risk urban interfaces meet rigorous safety benchmarks intended to protect life and property during wildfire events. The City maintains that the project complies with these State regulations by utilizing the specific "alternative methods" and exceptions authorized within the statute itself.

State regulations allow a project to comply with the minimum fire safety standards by utilizing the specific "alternative methods" and exceptions authorized within the statute itself. Section 1276.01(b) of the State Regulations expressly permits a reduction in setbacks, provided that 'alternative methods' are incorporated to reduce structure-to-structure ignition. The project complies with this State exception through the imposition of Mitigation Measure MM-35 (FIRE-2), which mandates ignition-resistant construction features—including boxed-in eaves, double-pane windows, non-wood siding, and non-combustible roofs—that serve as the required alternative methods to achieve the same practical effect as the standard setback.

According to *Title 14 CCR § 1276.01(b) Building and Parcel Siting and Setbacks*:

"A reduction in the minimum setback shall be based upon practical reasons, which may include but are not limited to, parcel dimensions or size, topographic limitations, Development density requirements or other Development patterns that promote low-carbon emission outcomes; sensitive habitat; or other site constraints , and shall

provide for an alternative method to reduce Structure-to-Structure ignition by incorporating features such as, but not limited to:

- (1) non-combustible block walls or fences; or*
- (2) non-combustible material extending five (5) feet horizontally from the furthest extent of the Building; or*
- (3) hardscape landscaping; or*
- (4) a reduction of exposed windows on the side of the Structure with a less than thirty (30) foot setback; or*
- (5) the most protective requirements in the California Building Code, California Code of Regulations Title 24, Part 2, Chapter 7A, as required by the Local Jurisdiction."*

Furthermore, State regulations allow a reduction in the 30-foot setback if there is an "alternative method to reduce Structure-to-Structure ignition". The Letter of Determination imposed Mitigation Measure MM-35 (FIRE-2), which requires:

- Boxed-in eaves.
- Double-pane or insulated windows.
- Non-wood siding and non-combustible finishes.
- Non-combustible, non-wood roofs.
- Irrigated greenbelts.

A technical memorandum provided June 12, 2026, by Dudek Fire Protection Planners adds that while the appeal claims the project does not meet the standard 30-foot setback, Section 608.2.1 of the CWUIC explicitly allows for setback reductions when alternative methods are provided to reduce structure-to-structure ignition. Dudek's analysis confirms that the project successfully implements these alternative fire protection features. The project successfully implements these alternative fire protection features. In addition to the hardening requirements of MM-35, the Project's design incorporates non-combustible exterior building materials (including stucco, metal roofs, and aluminum and glass doors and windows), non-combustible block walls between lots, and a non-combustible 'Zone 0' extending 0 to 5 feet from the structures. Furthermore, Dudek's spatial analysis notes that seven of the 11 new structures maintain more than 50 feet of separation from one another, drastically reducing the risk of structure-to-structure fire spread. Therefore, the report provides substantial evidence that the project achieves the 'Same Practical Effect' as standard setbacks, ensuring the subdivision design will not cause serious public health problems or adversely affect public safety.

Moreover, the Los Angeles Fire Department (LAFD) reviewed the project and forwarded a revised inter-departmental report requiring conditions for projects located within the VHFHSZ and requirements set forth in the City of Los Angeles Fire Code. These conditions were applied as Conditions of Approval for the Director's Letter of Determination.

While the appeal also claims non-compliance with road standards, the project requires that private streets be improved to a *"minimum 36-foot-wide private street easement"* and *"28-foot full-width roadway"*. The Fire Department conditions specifically require that *"Fire lane width shall not be less than 20 feet"*, which meets the state minimum of two 10-foot traffic lanes mentioned in the Appellant's citation of state law.

Finally, the Director's approval of DIR-2019-952-SPP does not bypass standard safety and building reviews. Prior to the issuance of any building permits, the project is required

to undergo a comprehensive Plan Check process conducted by the Los Angeles Department of Building and Safety (LADBS) and the LAFD. During Plan Check, these agencies will review the finalized building and plot plans to verify compliance with all agency-specific conditions, municipal codes, and state safety standards, ensuring that all required building hardening features and access requirements are satisfied before construction can begin.

Appellant Claim 2

The City has not evaluated the project for compliance with the provisions of Article 2 of the State Minimum Fire Safe Regulations, which provide for minimum standards for ingress and egress.

Staff Response:

The project has been reviewed by the Fire Department and Bureau of Engineering, resulting in enforceable conditions that strictly regulate road width, grade, and turnaround dimensions. Because the Director's Conditions of Approval and the project's overall approved design mandate improvements that equal or exceed the metrics found in Article 2 of the State Minimum Fire Safe Regulations, the Appellant's claim that the City failed to provide for adequate ingress and egress provisions is without merit.

According to Article 2 of the State Minimum Fire Safe Regulations, Road Width Standards: *"State Regulation § 1273.01(a) requires roads to provide "a minimum of two ten (10) foot traffic lanes" (20 feet total)."*

The Director's Letter of Determination (LOD) complies with this standard by imposing Condition No. 45 (Mitigation Measure MM-34 FIRE-1), which explicitly mandates that *"fire lanes, where required, shall be a minimum of 20 feet in width"*. Furthermore, the overall project design—as reviewed and required by the Bureau of Engineering for the related subdivision of the site—mandates a minimum 36-foot-wide private street easement and a 28-foot full-width roadway. These dimensions demonstrate the project provides ingress/egress widths that comfortably surpass the 20-foot State minimum.

Further, State Regulation § 1273.03(a) requires that road grades shall not exceed 16 percent. The project's approved street design is engineered to a stricter standard. As verified by the Fire Department and Bureau of Engineering for the development's roadway infrastructure, no public or private street grade shall exceed 15 percent.

State Regulation § 1273.04 requires specific turning radii, and § 1273.05 requires turnarounds for dead-end roads. The project complies with these requirements by providing a 40-foot minimum radius property easement cul-de-sac at the terminus of the private streets. To strictly enforce these access standards prior to construction, the Director's Determination includes Condition No. 42 (MM-31 TSP-3) and Condition No. 45 (MM-34 FIRE-1). These conditions require the applicant to submit comprehensive parking, driveway, and plot plans to the Bureau of Engineering, the Department of Transportation, and the Fire Department for approval prior to the issuance of any building permit or recordation of a final map. This ensures that all turning radii, turnarounds, and access roads are verified for strict compliance with the Fire Code before any construction begins.

Because the Director's approval includes specific, enforceable Mitigation Measures and relies on an integrated project design that mandates improvements—such as minimum 20-foot fire lanes, 28-foot roadways, and maximum 15 percent grades—that surpass the metrics found in Article 2 of the State Minimum Fire Safe Regulations, the Appellant's claim is unsupported by the record.

Appellant Claim 3

The Appellant claims The City Cannot Make the Required Findings Due to the project's Inconsistency with State Minimum Fire Safe Regulations.

Staff Response:

The Appellant's assertion that the City cannot make the required findings is based on the premise that the project violates the "State Minimum Fire Safe Regulations." Staff acknowledges that the project site is located within a Very High Fire Hazard Severity Zone (VHFHSZ) and is subject to Title 14 CCR § 1270 et seq.. However, the project complies with these State regulations by utilizing the specific "alternative methods" and exceptions expressly authorized within the State statute itself. Therefore, the Director's findings regarding Specific Plan consistency and environmental mitigation are supported by substantial evidence in the record.

The Appellant claims the project violates the 30-foot setback rule found in Section 1276.01(a). However, the Director's approval utilizes Section 1276.01(b) of the State Regulations, which explicitly permits a reduction in setbacks if the project provides "an alternative method to reduce Structure-to-Structure ignition". The Letter of Determination ensures compliance with this State exception through Condition No. 46 (Mitigation Measure MM-35 FIRE-2). This condition serves as the required "alternative method" by mandating rigorous ignition-resistant construction standards that achieve the "Same Practical Effect" as the standard setback. These enforceable requirements include:

- "Boxed-in eaves" to prevent ember intrusion;
- "Single pane, double thickness... or insulated windows";
- "Non-wood siding" and "Noncombustible finishes";
- "Noncombustible, non-wood roofs"; and
- "Irrigated and managed greenbelts around the perimeter of all structures for a distance of 100 feet".

To further support these findings, a technical memorandum provided June 12, 2026, by Dudek Fire Protection Planners confirms that Section 608.2.1 of the 2025 California Wildland-Urban Interface Code (CWUIC) explicitly allows for setback reductions when alternative methods are provided. Dudek's expert analysis confirms that the project successfully implements these alternative fire protection features. In addition to the hardening requirements of MM-35, the project's design incorporates non-combustible exterior building materials (including stucco, metal roofs, and aluminum and glass doors and windows), non-combustible block walls between lots, and a non-combustible 'Zone 0' extending 0 to 5 feet from the structures. Furthermore, Dudek's spatial analysis notes that seven of the 11 new structures maintain more than 50 feet of separation from one another, drastically reducing the risk of structure-to-structure fire spread. Therefore, the expert report provides substantial evidence that the project achieves the 'Same Practical Effect' as standard setbacks.

Because the fire risk is effectively contained, the Appellant's secondary assertion that increased fire risks would adversely affect biological resources—in contravention of the Specific Plan's goals—is also unfounded. This is further validated by the March 30, 2026, South Environmental response letter, which confirms that the project does not impact a CEQA-defined sensitive natural community and that the localized impacts to oak trees are fully and adequately mitigated.

The Appellant also argues that the project design degrades public safety due to inadequate ingress and egress. However, the findings are supported by Condition No. 45 (Mitigation Measure MM-34 FIRE-1), which incorporates Fire Department recommendations ensuring access meets State minimums. The State requires two 10-foot traffic lanes (20 feet). Condition No. 45 (MM-34) mandates that *"fire lanes, where required, shall be a minimum of 20 feet in width"*. To further ensure consistent access and align with the Specific Plan's public safety goals, Condition No. 43 (MM-32 TSP-4) mandates that "No parking shall be permitted on the street during Red Flag Days".

Because the project includes specific mitigation measures and conditions that ensure compliance with Fire Code and hillside safety standards, the project substantially complies with the applicable regulations, findings, standards, and provisions of the Specific Plan. This finding is valid because the project does not violate State law; rather, it effectively layers State-authorized Alternative Methods (building hardening) and Fire Code compliant infrastructure (20-foot fire lanes) to protect public health, welfare, and safety.

Appellant Claim 4

The Appellant contends that the City has failed to condition the project to ensure adequate mitigation for impacts to an Oak Woodland, asserting that the project will have a significant effect on the environment warranting an Environmental Impact Report (EIR). The Appellant argues that the removal of 6 Coast Live Oak trees constitutes a permanent loss of habitat for a sensitive resource that cannot be mitigated by replacement trees, citing *Save Agoura Cornell Knoll v. City of Agoura Hills*. The Appellant claims there is a "fair argument" that the mitigation is insufficient to account for the temporal loss of canopy and biodiversity.

Staff Response:

The City has acknowledged the presence of Coast Live Oak trees and imposed specific, enforceable mitigation measures (MM-3 through MM-5) that reduce impacts to a less-than-significant level. Because the project retains the vast majority of existing Coast Live Oaks and provides a 4:1 replacement ratio with long-term monitoring, the Appellant has failed to provide substantial evidence that the project may have a significant effect on the environment. Therefore, the preparation of an EIR is not required, and the MND is the appropriate environmental clearance. The Appellant's assertion that the project will result in a significant, unmitigated impact to an Oak Woodland is incorrect and relies on a mischaracterization of both the project site and the approved mitigation measures.

Contrary to the Appellant's claim, the removal of six Coast Live Oak trees does not constitute a significant impact to a CEQA-recognized 'sensitive resource'. As detailed in the March 30, 2026, biological response prepared by South Environmental, the Oak Woodlands on the project site do not meet the California Department of Fish and Wildlife

(CDFW) criteria for a sensitive natural community. Furthermore, while Riparian Coast Live Oak Woodlands are considered sensitive, the project's biological record—specifically the 2020 Biological Resources Assessment included within the Mitigated Negative Declaration and the expert analysis provided by South Environmental—confirms that the stream on the subject site is characterized by a chaparral community dominated by birch-leaf mountain mahogany, not a Riparian Oak Woodland.

The Coast Live Oak is not a state or federally listed special-status species, nor is it listed as a sensitive species in the City's CEQA Thresholds Guide; rather it is a species protected by a local ordinance that requires approval by the City prior to any removal or relocation of a protected tree. The expert analysis confirms that the removal of these six protected Coast Live Oaks represents a loss of only 7.5 percent of the total protected trees on the site. Furthermore, this loss is fully offset by required replacements on a 4:1 basis (resulting in 24 new oak trees), in compliance with the City's Protected Tree regulations (LAMC Chapter IV, Section 46.00 et seq.) and Mitigation Measure MM-3. Because the loss does not impact a CEQA-defined sensitive natural community or special-status species, the impacts are fully and adequately mitigated through the City's local tree ordinance, and no EIR is warranted.

The Appellant's reliance on *Save Agoura*—a case involving significant grading of undeveloped land (an 8.2-acre site) with plant species that were considered to be rare, threatened or endangered —mischaracterizes the subject project. This is an infill property that is "currently improved with three existing buildings," not like the undeveloped property with sensitive habitat as in *Save Agoura*. Furthermore, the Appellant implies that the presence of Oak Woodland should effectively preclude development. However, the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan does not function as a preservation moratorium. While Section 2 establishes a purpose to protect resources, Section 8.B.1 explicitly authorizes the Director to approve Oak removal when "continued existence at its present location prevents the reasonable development of the subject property".

The Director expressly utilized this provision, finding that the site 'could not be reasonably developed and utilities/roadways installed without removal of the six protected Coast Live Oak trees'. Because the project retains 106 of the 113 protected trees (preserving approximately 93% of the resource) and fully offsets the loss with replacement trees on a 4:1 basis, it strictly adheres to the Specific Plan's intent to balance biological conservation with the rights of reasonable development, rather than resulting in the significant 'reduction of existing habitat' that would trigger an EIR.

The Appellant argues that the project fragments habitat. However, the Letter of Determination explicitly analyzes the site's location within the Verdugo Mountains Significant Ecological Area (SEA) and finds that "the project site does not connect the Verdugo Mountains to any other habitat area, nor is it a 'buffer' between natural habitat and existing development because a portion of the project site is already developed". Furthermore, the project is designed to "leave the vast majority of the land in the southern half of the project site undeveloped". Relying on the findings of the 2020 Biological Resource Assessment, the Director of Planning concluded that the project 'is not expected to conflict with the objectives of the SEA for species conservation, biotic diversity, or habitat linkages'.

To further ensure that habitat linkages are maintained and fragmentation is avoided, the Letter of Determination imposes strict design standards specifically tailored to the Verdugo Mountains SEA. Most notably, Mitigation Measure MM-9 (BIO-9) mandates the use of "Wildlife-Permeable Fencing" for delineating lot boundaries. This condition explicitly requires fences to be of an "open design" with the lowest horizontal element "no closer than 18 inches from the ground" and the topmost element "no higher than 42 inches from the ground" to allow wildlife to freely and safely pass through the property. In addition to ensuring physical permeability, the project is conditioned to protect the biotic diversity of the adjacent undeveloped SEA lands from indirect edge impacts. These enforceable conditions include directing outdoor lighting to "avoid light trespass upwards into the night sky and onto natural habitat areas" (MM-11), utilizing non-reflective glass on all structures to protect avian species (MM-10), and requiring landscaping that consists of "locally indigenous, drought-tolerant plant species" (MM-13). Collectively, these measures prove the City is actively preserving, rather than fragmenting, the SEA.

The Appellant claims that replacement trees are insufficient mitigation. However, the City has imposed Mitigation Measure MM-3 (BIO-3), which mandates strict compliance with the City's Protected Tree Ordinance. By requiring the applicant to plant a 'minimum of four trees (a minimum of 15 gallon trees of like species)... for each protected tree that is removed', this 4:1 ratio ensures a net increase in Coast Live Oak resources over time. The mitigation expressly requires that *"The canopy of the replacement trees... shall be in proportion to the canopies of the protected tree(s) removed"*, directly addressing the Appellant's concern regarding canopy loss. Moreover, to ensure the mitigation is successful—unlike the failed restorations cited in the Appellant's case law—the project requires a cash bond to *"assure the existence of continuously living trees for a minimum of three years"*. Additionally, in the SEA, replacement trees must be "monitored by a licensed arborist for a period of not less than seven years".

Appellant Claim 5

The Appellant contends that the Wildfire Analysis in the Mitigated Negative Declaration (MND) is deficient as a matter of law because it is brief and fails to disclose or analyze the potential substantial adverse risk of "human-caused" wildfire (arson, debris-burning, sparks from vehicles, catalytic converters, etc.) associated with increased habitation in the Wildland-Urban Interface. Citing *People ex rel. Bonta v. County of Lake* and other case law, the Appellant argues that the introduction of residences increases the potential for human-ignited wildfires and that an Environmental Impact Report (EIR) must be prepared to address these significant impacts.

Staff Response:

The City has found that potential wildfire impacts, including those from human sources, will be "mitigated to a less than significant level" through compliance with the Fire Department's requirements and the specific mitigation measures listed above. Because the risks are mitigated to a less-than-significant level, the preparation of an EIR is not required, and the Appellant has failed to provide substantial evidence that the specific design and mitigation measures approved are insufficient to protect public safety.

The Appellant's assertion that the MND fails to address human-caused wildfire risks is incorrect. The MND and the Director's Letter of Determination (LOD) explicitly acknowledge the project's location within a Very High Fire Hazard Severity Zone

(VHFHSZ) and impose robust, enforceable mitigation measures that address ignition risks from *all* sources, including human activity and vehicular traffic.

The Appellant argues that increased human presence increases ignition risk from arson, children playing with fire, and debris burning. Appellant's argument is speculative and no substantial evidence in the record supports that this subdivision and construction of new homes may lead to an increased risk from arson, children playing with fire, and debris burning. Nevertheless, the Deputy Advisory Agency has imposed Mitigation Measure MM-35 (FIRE-2), which mitigates the spread of any ignition (human-caused or otherwise) by mandating ignition-resistant construction and fuel modification. Specifically, the project is required to use:

- "Boxed-in eaves" to prevent embers from entering attics;
- "Non-combustible finishes" and "Non-wood siding";
- "Non-combustible, non-wood roofs"; and
- "Irrigated and managed greenbelts around the perimeter of all structures for a distance of 100 feet" to act as a buffer between brush and the proposed project.

By hardening the structures and managing the vegetation, the project effectively reduces the risk that a human-caused spark (e.g., from a vehicle or debris) will result in a catastrophic wildfire.

The technical memorandum prepared by Dudek Fire Protection Planners dated June 12, 2026, confirms that the project's physical layout severely restricts the pathways for fire spread. Dudek's spatial analysis notes that seven of the 11 new structures maintain more than 50 feet of separation from one another, which, when combined with non-combustible 'Zone 0' defensible spaces and block walls, drastically reduces the risk of structure-to-structure ignition. This expert analysis demonstrates that even if a human-caused ignition were to occur, the project's physical design and hardening actively contain the risk and reduce the risk of structure to structure ignition in a manner so as not to exacerbate wildfire risk from the project.

The Appellant specifically cites "sparks" and "catalytic converters" from vehicular traffic as unanalyzed risks. While vehicular ignitions are a known risk in hillside areas, catalytic converter fires primarily occur when vehicles idle or park directly over dry vegetation. The project mitigates this specific hazard through MM-32 (TSP-4), which mandates that "No parking shall be permitted on the street during Red Flag Days". This restriction prevents vehicles from parking near dry roadside brush during critical fire weather and ensures unobstructed access for emergency responders. Furthermore, even if a moving vehicle were to emit a spark, the project's design prevents the exacerbation of wildfire risks through MM-35 (FIRE-2). This measure mandates rigorous home hardening—including noncombustible roofs, non-wood siding, and boxed-in eaves—alongside a requirement to maintain 'irrigated and managed greenbelts around the perimeter of all structures for a distance of 100 feet'. This robust defensible space effectively isolates the structures from the roadway, ensuring that a speculative vehicular spark would not result in structure-to-structure ignition or a catastrophic wildfire."

The Appellant cites *People ex rel. Bonta*, a case that involved a proposed development of a luxury resort on 16,000 acres of mostly undeveloped land, introducing over 4,000 new residents into an undeveloped area. In stark contrast here, the subject project is a subdivision of an infill site that is "currently improved with three existing buildings" and surrounded by single-family homes in developed neighborhoods. There is no substantial

evidence that the addition of 11 new homes into an already developed neighborhood would pose a significant adverse impact to the environment of wildfire risks related to human ignition sources. Appellant's assertion as it relates to this project is based on speculation and unsubstantiated opinion. As noted above, the project's physical design and hardening actively contain the risk and reduce the risk of structure to structure ignition in a manner so as not to exacerbate wildfire risk from the project.

Conclusion

For the reasons stated herein, the staff finds that the project fully meets the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan standards and has satisfied the requirements of CEQA.

It is recommended that the City Planning Commission deny the appeal of the Director of Planning's December 11, 2025 Determination, and find, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, that the project was assessed in Mitigated Negative Declaration, No. ENV-2016-2070-MND, adopted on May 15, 2024; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project.

Exhibits:

A – Appeal of the Deputy Advisory Agency's December 11, 2025 Determination, DIR-2019-952-SPP

B – Environmental Clearance – ENV-2016-2070-MND

C – Dudek – Technical Memorandum - 8100 W McGroarty Street - Report on Setback Requirements for Development in a Very High Fire Hazard Severity Zone

D – Southcoast Response Letter

Exhibit: A – Appeal of the Deputy Advisory Agency’s
December 11, 2025 Determination, DIR-2019-952-
SPP

APPLICATIONS

APPEAL APPLICATION Instructions and Checklist



PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC. For California Environmental Quality Act Appeals, use form [CP13-7840](#). For Building and Safety Appeals and Housing Department Appeals, use form [CP13-7854](#).

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

- ☒ Area Planning Commission (APC) ☐ City Planning Commission (CPC) ☐ City Council
☐ Zoning Administrator (ZA)

CASE INFORMATION

Case Number: DIR-2019-952-SPP

APN: 2559-032-003

Project Address: 8100-8160 West McGroarty Street

Final Date to Appeal: December 26, 2025

APPELLANT

Check all that apply.

- ☒ Person, other than the Applicant, Owner or Operator claiming to be aggrieved
☐ Representative ☐ Property Owner ☐ Applicant ☐ Operator of the Use/Site

APPELLANT INFORMATION

Appellant Name: John Vasquez
Company/Organization: McGroarty Environmental Review Coalition
Mailing Address: 221 N. Third Street #210
City: Burbank **State:** CA **Zip Code:** 91502
Telephone: 818-281-6330 **E-mail:** protectsunland@gmail.com

Is the appeal being filed on your behalf or on behalf of another party, organization, or company?

☒ Self ☐ Other: _____

Is the appeal being filed to support the original applicant's position? ☐ YES ☒ NO

REPRESENTATIVE / AGENT INFORMATION

Name: Jamie T. Hall
Company/Organization: Channel Law Group, LLP
Mailing Address: 8383 Wilshire Blvd., Suite 750
City: Beverly Hills **State:** CA **Zip Code:** 90211
Telephone: 310-982-1760 **E-mail:** jamie.hall@channellawgroup.com

JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part? ☒ Entire ☐ Part

Are specific Conditions of Approval being appealed? ☐ YES ☒ NO

If Yes, list the Condition Number(s) here: _____

On a separate sheet provide the following:

☒ Reason(s) for the appeal

☒ Specific points at issue

☒ How you are aggrieved by the decision

APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true.

Appellant Signature:  **Date:** December 23, 2025

GENERAL NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

The appellate body must act on the appeal within a time period specified in the LAMC Section(s) pertaining to the type of appeal being filed. Los Angeles City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: _____

Reviewed & Accepted by (DSC Planner): _____

Receipt No.: _____ **Date:** _____

☐ Determination authority notified

☐ Receipt Number

GENERAL APPEAL FILING REQUIREMENTS

If dropping off an appeal at a Development Services Center (DSC), the following items are required. See also additional instructions for specific case types. To file online, visit our [Online Application System \(OAS\)](#).

APPEAL DOCUMENTS

1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

☒ Appeal Application

☒ Justification/Reason for Appeal

- ☒ Copy of Letter of Determination (LOD) for the decision being appealed

2. Electronic Copy

- ☒ Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., “Appeal Form”, “Justification/Reason Statement”, or “Original Determination Letter”). No file should exceed 70 MB in size.

3. Appeal Fee

- ☐ *Original Applicant.* The fee charged shall be in accordance with [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.a. \(Appeal Fees\) of Chapter 1A](#) as applicable, or a fee equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.
- ☒ *Aggrieved Party.* The fee charged shall be in accordance with [LAMC Section 19.01 B.1\(b\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.b. \(Appeal Fees\) of Chapter 1A](#) as applicable

4. Noticing Requirements (Applicant Appeals Only)

- ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all Applicant appeals. See the Mailing Procedures Instructions ([CP13-2074](#)) for applicable requirements.

SPECIFIC CASE TYPES

ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITIES (TOC)

Appeal procedures for DB/TOC cases are pursuant to [LAMC Section 13B.2.5. \(Director Determination\) of Chapter 1A](#) or [LAMC Section 13B.2.3. \(Class 3 Conditional Use\) of Chapter 1A](#) as applicable.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.

- ☐ Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to [LAMC Section 12.37 I of Chapter 1](#) or [LAMC Section 10.1.10. \(Waiver and Appeals\) of Chapter 1A](#) as applicable.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

[VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant [LAMC Section 13B.7.3.G. of Chapter 1A](#).

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to [LAMC Section 13B.6.2.G. of Chapter 1A](#). Nuisance Abatement/Revocations cases are only appealable to the City Council.

Appeal Fee

- ☐ *Applicant (Owner/Operator)*. The fee charged shall be in accordance with the [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.a. \(Appeal Fees\) of Chapter 1A](#) as applicable.

For appeals filed by the property owner and/or business owner/operator, or any individuals/agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

- ☐ *Aggrieved Party*. The fee charged shall be in accordance with the [LAMC Section 19.01 B.1\(b\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.b. \(Appeal Fees\) of Chapter 1A](#) as applicable.

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*ALSO Admitted in Texas

December 23, 2025

VIA ELECTRONIC UPLOAD

Los Angeles City Council
200 N. Spring St., Room 395
Los Angeles, CA 9001

Re: Justification Appeal for 8100-8160 West McGroarty Street ("Project"); Case No. DIR-2019-952-SPP; ENV-2016-2070-MND

Dear Members of the Area Planning Commission:

This firm represents the McGroarty Environmental Review Coalition ("Association" or "Appellant") with regard to the proposed development located at 8100-8160 West McGroarty Street ("Project"). The Association was founded to advocate for the preservation of the natural environment and to protect public safety. On December 11, 2025, the Director of Planning ("Director") approved a Project Permit Compliance Review pursuant to Los Angeles Municipal Code Section 11.5.7 C ("Project Approval"). The Director also certified a Mitigated Negative Declaration ("MND") for the Project under the California Environmental Quality Act ("CEQA"). This letter outlines the justifications for the appeal of both the Project Approval and the certification of the MND prepared for the Project¹. Among other reasons, the requested entitlement for the Project cannot be approved because the development does not comply with the "State Minimum Fire Safe Regulations" codified at Cal. Code Regs. tit. 14 § 1270.00 et seq. Additionally, the MND prepared by the City is inadequate. Further, the Director erred when they adopted the findings for the requested Project Approval.

The Association brings this appeal because the Association and its members have a direct and substantial beneficial interest in ensuring that City complies with laws relating to

¹ Association also appeals the adoption of the Mitigated Negative Declaration for the Project pursuant to Public Resources Code Section 21151(c) ("PRC"). PRC section 21151(c) states as follows: "If a nonelected decisionmaking body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency's elected decisionmaking body, if any."

environmental protection. Further, the Association and its members are adversely affected by City's failure to comply with CEQA, State Planning and Zoning Law, local laws, and California Constitution in approving the Project. The Association and its members' environmental interests are directly and adversely affected by the City's approval of the Project.

I. The Project

According to the Mitigated Negative Declaration prepared by the City, the Project consists of the following:

The subdivision of two existing lots totaling 853,737 gross square feet (19.6 acres) and 830,113 net square feet (19.06 acres) currently improved with three existing buildings (one two-story, 38,420 square-foot single-family dwelling and three car garage; and one approximately 2,379 square foot private school with accessory living quarters) to create 13 single-family lots with private street access. The existing 38,420 square-foot single-family dwelling will remain, and the private school/accessory living quarters will be converted to a single-family residence. An additional 11 single-family dwelling units are proposed for construction for a total of 13 single-family dwellings on the project site. One private street will be accessed from McGroarty Street, and the second private street will be accessed via the intersection of McGroarty Street, McVine Avenue, and McVine Trail. The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. There are 106 native protected trees and 63 non-protected mature trees on the subject site. The applicant is proposing to remove seven protected trees (six Oak and one Sycamore) and up to 63 non-protected trees.

The Project requires multiple discretionary entitlements under the Los Angeles Municipal Code ("LAMC"), including the following:

- Pursuant to LAMC Sections 17.06 and 17.15, a Vesting Tentative Tract Map to subdivide two lots into 13 lots encompassing 13 single-family homes with private street access on two lots totaling 853,737 gross square feet (19.6 acres).
- Pursuant to LAMC Section 11.5.7 C, a San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan Project Permit Compliance Review.
- Haul Route Approval.

II. State Minimum Fire Safe Regulations

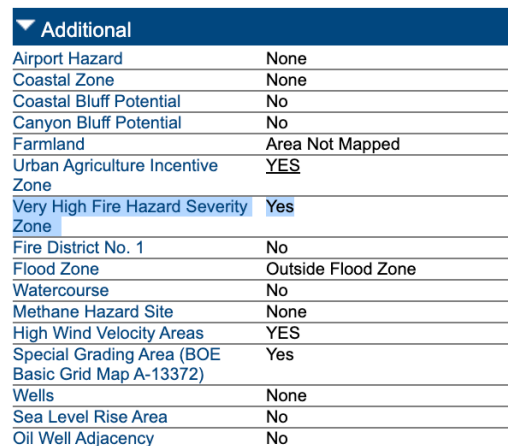
In 2018, Senate Bill 901 mandated the expansion of the scope of California's regulations regarding minimum fire safety standards to include those lands classified and designated as Very High Fire Hazard Severity Zones ("VHFHSZ"), as defined in subdivision (i) of Government Code § 51177, to include Local Responsibility Areas. In other words, these regulations were extended to those portions of incorporated cities such as the City of Los Angeles that were designated as VHFHSZ. Thereafter, the Board of Forestry adopted implementing regulations.

These regulations, known as the “State Minimum Fire Safe Regulations” were adopted in order to protect life and limb during wildfire events after extensive consultation with fire professionals and community members.

As explained below, the Project is located in a designated VHFHSZ, but does not comply with current state regulations. As such, the City cannot approve the requested entitlements to facilitate construction of the Project.

III. The Project Is Located within a Very High Fire Hazard Severity Zone in a Local Responsibility Area

There can be no question that the Project is located within a Very High Fire Hazard Severity Zone. This fact is documented in the City’s ZIMAS system as shown below.



▼ Additional	
Airport Hazard	None
Coastal Zone	None
Coastal Bluff Potential	No
Canyon Bluff Potential	No
Farmland	Area Not Mapped
Urban Agriculture Incentive Zone	YES
Very High Fire Hazard Severity Zone	Yes
Fire District No. 1	No
Flood Zone	Outside Flood Zone
Watercourse	No
Methane Hazard Site	None
High Wind Velocity Areas	YES
Special Grading Area (BOE Basic Grid Map A-13372)	Yes
Wells	None
Sea Level Rise Area	No
Oil Well Adjacency	No

Figure 1 – Screenshot from Zimas for 8100 West McGroarty Street; additional information of hazards

IV. The Project is Subject to the Regulations Because it Involves the “Permitting or Approval of New Parcels” Pursuant to Section 1270.03(c)(1)

The Project is subject to the State Minimum Fire Safe Regulations. As specified in Section 1270.03(a) of the Regulations, the Regulations shall apply to: “(1) the perimeters and access to all residential, commercial, and industrial Building construction . . . approved after July 1, 2021 within the VHFHSZ . . . ”

As further explained in Section 1270.03(c), (a)ffected activities include, but are not limited to the “permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d).” See Cal. Code Regs. tit. 14 § 1270.03 (c)(1).

The Project clearly involves the “permitting or approval of new parcels” in the Very High Fire Hazard Severity Zone. As such, the State Minimum Fire Regulations are triggered.

V. **The Project Does Not Meet the Requirements Set Forth in the State Minimum Fire Safe Regulations**

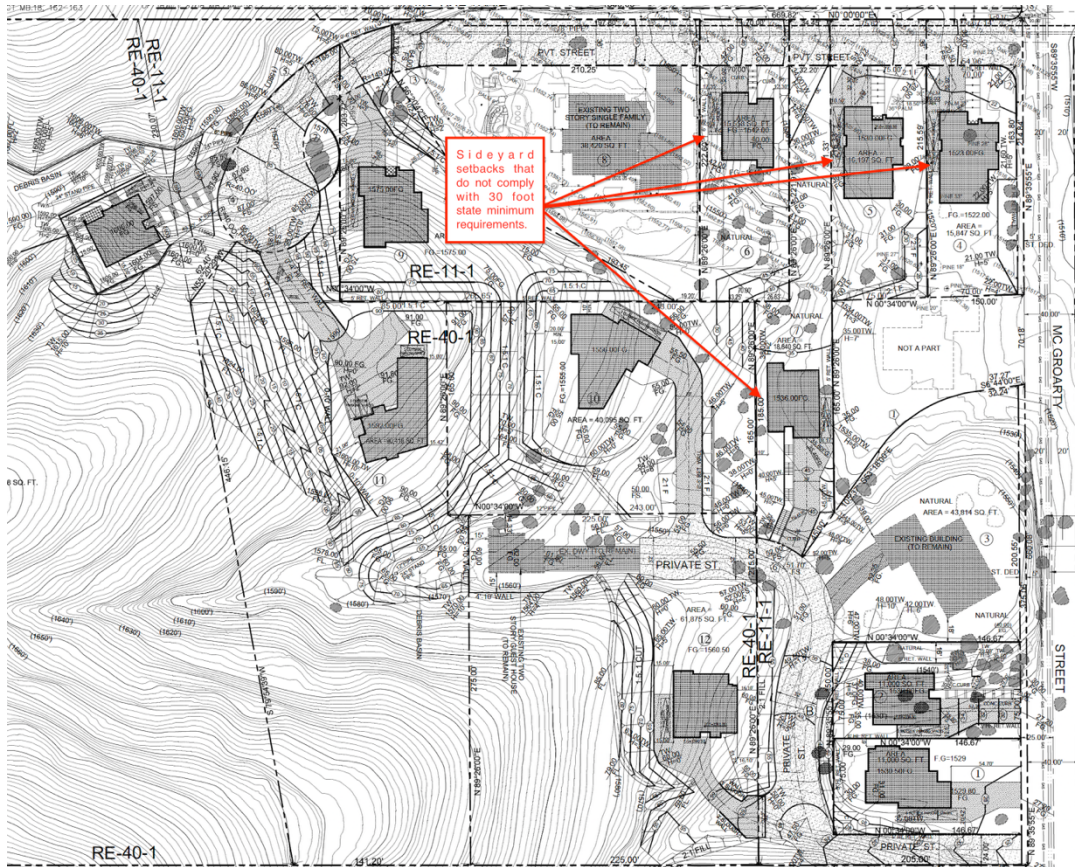
Article 5 of the State Minimum Fire Safe Regulations, Sections 1273 et seq., addresses Building Siting, Setbacks and Fuel Modification. The intent of this portion of the Regulations is to “to reduce the intensity of a Wildfire, reducing the volume and density of flammable vegetation around Development through strategic fuel modification, parcel siting and Building setbacks, and the protection of Undeveloped Ridgelines [to] provide for increased safety for emergency fire equipment, including evacuating civilians, and a point of attack or defense from a Wildfire.” 1276.00

Section 1276.01 requires as follows:

- (a) All parcels shall provide a minimum **thirty (30) foot setback** for all Buildings from all property lines and/or the center of a Road, except as provided for in subsection (b).
- (b) A reduction in the minimum setback shall be based upon practical reasons, which may include but are not limited to, parcel dimensions or size, topographic limitations, Development density requirements or other Development patterns that promote low-carbon emission outcomes; sensitive habitat; or other site constraints, and shall provide for an alternative method to reduce Structure-to-Structure ignition by incorporating features such as, but not limited to:
 - (1) non-combustible block walls or fences; or
 - (2) non-combustible material extending five (5) feet horizontally from the furthest extent of the Building; or
 - (3) hardscape landscaping; or
 - (4) a reduction of exposed windows on the side of the Structure with a less than thirty (30) foot setback; or
 - (5) the most protective requirements in the California Building Code, California Code of Regulations Title 24, Part 2, Chapter 7A, as required by the Local Jurisdiction.

Cal. Code Regs. tit. 14 § 1273.01(a) (emphasis added).

The Project Permit Compliance Review approved by the Director clearly has proposed homes that are not located at least 30 feet away from the new parcel lines that have been approved. The City has failed to substantiate any deviations from this requirement, nor has it conditioned the project to provide “an alternative method to reduce Structure-to-Structure ignition.” A marked-up map showing some of the homes that are not located 30 feet from the new parcel lines is shown below.



Additionally, the City has not evaluated the Project for compliance with the provisions of Article 2 of the State Minimum Fire Safe Regulations, which provide for minimum standards for ingress and egress. This is not surprising considering the City has engaged in a pattern and practice of non-compliance with the Regulations since they were made applicable to the City in 2021. See **Exhibit 3** (demand letter to the City for compliance with the Regulations which the City ignored).

VI. The City Cannot Make the Required Findings Due to the Project's Inconsistency with State Minimum Fire Safe Regulations

The Director made certain findings in granting the Project Approval. For example, the Director made the following findings:

"The project substantially complies with the applicable regulations, findings, standards, and provisions of the Specific Plan."

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

LOD at Pages 26-28.

The San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan was adopted, in part, to protect the public health safety and welfare and to conserve valuable natural resources.

The City cannot make the required findings outlined above because of the Project’s inconsistency with the State Minimum Fire Safe Regulations. It is axiomatic that the failure of the Project to conform to critical fire safety regulations intended to protect human lives adversely affects and degrades adjacent properties, the surrounding neighborhood and the public health, welfare and safety. Moreover, increasing fire risk adversely affects biological resources in direct contravention of the Specific Plan’s goals. Again, the state’s regulations were adopted in order to protect life and limb during wildfire events after extensive consultation with fire professionals and community members. The Project’s failure to comply with the State Minimum Fire Safe Regulations necessitates a conclusion that the Project will be detrimental to the public welfare and therefore not consistent with the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan.

VII. The City Has Failed to Condition the Project to Ensure Adequate Mitigation for Impacts to an Oak Woodland; Therefore, the Project Will Have a Significant Effect on the Environment

The Project site contains an Oak Woodland. There are 103 oak trees on the project site and the Project will remove 6 of those trees. Oak woodlands are “considered sensitive resources” under CEQA. The City’s tree replacement requirements do not replace oak woodland habitat nor account for the temporal loss of individual tree canopy.” The permanent loss of habitat for a sensitive resource constitutes a significant effect on the environment due to unusual circumstances. The removal of woodlands results in a permanent loss of habitat and biodiversity because any suitable habitat surrounding will already be occupied and numbers are reduced each time habitat is lost through development. The building footprint for the proposed homes will forever remove habitat – the replacement of individual trees does not negate the loss of habitat. The City’s CEQA Thresholds Guide (“Guide”) supports the conclusion that a “reduction of existing habitat” will have a *significant* effect on the environment. The City’s CEQA Thresholds Guide² states:

² The CEQA Thresholds Guide may be accessed at https://www.dropbox.com/scl/fi/oagyrd01hh6r9lnslivdm/Exhibit-4-68341_LA_2006_CEQA_Guidance.pdf?rlkey=sjtcs697x2rg24anq484uzs77&st=jcmkr1du&dl=0 and <https://planning.lacity.gov/eir/CrossroadsHwd/deir/files/references/A07.pdf>.

A project would normally have a significant impact on biological resources if it could result in:

- The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat;
- The loss of individuals or the reduction of existing habitat of a *locally designated species* or a reduction in a locally designated natural habitat or plant community;

There is no question that the Project will result in the permanent reduction of habitat for a locally designated species – the Coast Live Oak. Mitigation in the form of replacement trees alone does not replace Oak woodland habitat nor account for the temporal loss of individual tree canopy. This is a well-known fact. Successful restorations of Oak Woodlands are extremely rare. It is relatively easy to plant oak trees, but the extensive ecological conditions and soils that make a forest from those trees have been thus far almost impossible to recreate in any short or medium timeframe. For these reasons, attempts to recreate these woodlands as mitigation for other developments are most often unsuccessful. Moreover, planting a boxed tree from a nursery does not mitigate the loss of both terrestrial and soil fauna and plant life that are part of an existing plant community. Both the Santa Monica Mountains Conservancy and the Resource Conservation District of the Santa Monica Mountains have reached similar conclusions with opining on similar projects proposing to remove oak trees to make way for development. See **Exhibits 1 and 2**. Moreover, the Second District Court of Appeal in *Save Agoura Cornell Knoll v. City of Agoura Hills* invalidated an MND and required an Environmental Impact Report (“EIR”) for a project in the City of Agoura Hills on the same grounds. The court stated as follows in that case

“Second, there is substantial evidence that prior efforts at oak tree restoration have failed. In a September 2016 letter to the City’s Planning Director, the Resources Conservation District of the Santa Monica Mountains reported: “To date, there have been no successful restorations of oak woodlands. It is relatively easy to plant oak trees, but the extensive ecological network and soils that make a forest from those trees has been thus far impossible to recreate.” In its comment letter, CBC similarly stated that [a]ttempts to recreate oak woodlands as mitigation for other developments are often unsuccessful.” In addition, CNPS cautioned that planting a boxed tree from a nursery would not mitigate the loss of fauna and plant life that are part of the oak community. As the trial court noted, the MND contains no analysis showing that CS-BIO-9 would be likely to succeed in recreating or restoring the oak woodland lost to project development.”

Save Agoura Cornell Knoll v. City of Agoura Hills (2020) 46 Cal.App.5th 665, 701.

The loss of temporal canopy and Oak woodland habitat will also have a significant effect on the wildlife that utilize the property. There is a strong relationship between oaks generally and

wildlife. An oft-cited figure reports that 320 species of vertebrates and 5,000 species of insects are associated with oak woodlands.³ These totals make Oak woodlands the richest overall wildlife habitats in California, and rank among the top three habitats for birds.

However, Oak woodlands are threatened by fire suppression, overgrazing, urban development, and disease. It is for this reason that the destruction of Oak woodlands constitutes a significant environmental impact. Replacing individual trees but not habitat area is ineffective. Because the proposed project would reduce the habitat area on the site considerably, it will have a resulting impact on the number of species supported by the site. Of the rich complement of oak woodland bird species, some will be eliminated from the site as a result of the Project and the replacement plantings of trees will be insufficient mitigation because they do not replace the area lost. It is a fallacy to imagine that wildlife at a development site will simply move to a new area after development. This is false because suitable surrounding habitat will already be occupied. Wildlife numbers are reduced each time habitat is lost through development.

There is a fair argument supported by substantial evidence that the mitigation measures that the City has imposed for the removal of the 6 oak trees is insufficient and as a result the Project will have a significant effect on the environment warranting an EIR. An objector need only demonstrate a “fair argument” that the project “may impact” the mapped resource. *Id.* at 894. Stated another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect. *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68.

³ For more detailed information regarding the importance of oak woodlands to wildlife, see the article entitled the Oak Woodland Bird Conservation Plan, which is available at <https://www.dropbox.com/scl/fi/h1az3nkms0tjswzrlt8xo/Exhibit-23-oak.v-2.0.pdf?rlkey=drjpuulqdtuqvo5zg3o6f9whu&st=obrrkrxc&dl=0>

VIII. Wildfire Analysis in the MND is Deficient; The City Must Prepare an EIR Due to Project's Increased Risk of Human-Caused Wildfire

The wildlife analysis undertaken in the MND is as deficient as a matter of law. The analysis in the MND is extremely brief – consisting of just 5 five pages. MND at pages 95-99. Notably, the analysis does not disclose nor analyze the potential substantial adverse risk of *human-caused* wildlife.

Increased human habitation in a wildlife-urban interface increases the fire risk from arson, children playing with fire, and debris-burning. Moreover, increased vehicular traffic increases fire risk from sparks, catalytic converters, and discarding of cigarettes. Further, introduction of residences within the site would create a wildland-urban interface that increases the general potential for human-ignited wildfires. These factors expose project occupants to pollutant concentrations from wildfire or the uncontrolled spread of wildfire.

The need for the disclosure of the potentially substantial adverse risk of human-caused wildfire and mitigation for these impacts is uncontroversial. *People ex rel. Bonta v. County of Lake* (2024) 105 Cal.App.5th 1222, 1231; *League to Save Lake Tahoe Mountain v. County of Placer* (2022) 75 Cal.App.5th 63, 136 [“Developing new homes and stores in a very high fire hazard area risks exacerbating the hazard....”]; *California Building Industry Assoc. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 385 [“EIR should evaluate any potentially significant impacts of locating development in other areas susceptible to hazardous conditions (e.g.,..., wildfire risk areas)”]; see CEQA Guidelines, §15126.2, subd.(a).

In sum, the wildfire risk from development of the Proposed Project would be potentially significant and would result in impacts associated with increased risk of wildfire ignition. Therefore, an EIR must be prepared for the Project.

IX. Conclusion

The Project does not comply with the State Minimum Fire Safe Regulations. Indeed, the Director failed to undertake an analysis of the Project to confirm that these critically important state regulations. As a result of the Project's inconsistency with these regulations, the Director erred in making its findings to grant the requested Project Permit Compliance Review.

Additionally, the MND prepared for the Project is inadequate. The mitigation measures proposed for the impacts to oak woodlands (mere replacement trees) are insufficient. Further, the wildlife analysis in the MND fails to disclose and mitigate the impacts associated with the increased risk of human-caused wildfire. An EIR is required.

Appellant reserves the right to supplement these bases for appeal.

Thank you for your consideration of this matter. I may be contacted at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name "Jamie" being more prominent than the last name "Hall".

Jamie T. Hall

Exhibit 1

SANTA MONICA MOUNTAINS CONSERVANCY

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November 4, 2020

Public Works and Gang Reduction Committee
Los Angeles City Council
City of Los Angeles
200 North Spring Street
Los Angeles, California 90012

Council File No. 19-1134
CEQA Appeal for 11472 West Laurelcrest Drive

Hon. Chair Blumenfield and Council Committee Members:

The Santa Monica Mountains Conservancy (Conservancy) revises and supplements comments made in its letter dated July 12, 2019; August 2, 2019; and October 28, 2019 based on updated information. Both the scale and ecological damage of the subject project are antithetical to the public interest. The Conservancy has reviewed the updated expert report authored by Land Protection Partners (November 3, 2020) and fully agrees with the conclusions reached in that report by Dr. Travis Longcore.

The Santa Monica Mountains Conservancy (Conservancy) respectfully urges you to grant the CEQA Appeal filed by Sunshine Hill Residents Association. The proposed project does not qualify for a Categorical Exemption from the California Environmental Quality Act (CEQA). No approvals or clearances for the subject projects should be considered until a Mitigated Negative Declaration, with site-specific mitigation measures, has been issued and publicly circulated.

The planting of replacement trees, as required by the City's Protected Tree Ordinance, is an environmental mitigation measure. Despite the repeated failures of the City to acknowledge it, any project that requires a mitigation measure is inherently a project with significant adverse environmental impacts which must be mitigated, and therefore cannot qualify for a Categorical Exemption from CEQA. A project that requires the removals of Protected Trees is a project that requires, at minimum, an Initial Study of environmental impacts and a publicly circulated Mitigated Negative Declaration. Without this, decision-makers have no basis to find that a project is in compliance with CEQA.

The entirety of the subject property is located within the Santa Monica Mountains Zone (established in Section 33105, California Public Resources Code), an environmental resource of critical concern. The Legislature has concluded – as a matter of law - that the Zone is an

environmental resource of critical concern which the City cannot simply ignore. Further, contrary to the City's conclusions otherwise, the Zone is "precisely mapped" pursuant to Section 33105, California Public Resources Code . A map showing the location of these parcels in the Santa Monica Mountains Zone is attached to this letter. CEQA Guidelines Section 15300.2(a), which lists Exceptions to Categorical Exemptions makes it clear that that the subject project is ineligible for a Categorical Exemption due to its location:

"(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies."

As explained below and in the expert reports from Land Protection Partners, the Project will have a significant impact on this environmental resource.

The Project is also ineligible for a Class 32 exemption from CEQA. This is because the project site has value as habitat for rare, threatened or endangered species. CEQA Guidelines Section 14 Cal. Code Regs. section 15332. The Project will have a significant impact on a Coast Live-Oak-California Walnut Woodland which has been identified as a Sensitive Natural Community in the 2018 California Natural Community List from the California Department of Fish and Wildlife. This woodland is considered rare and impacts must be mitigated as required by CEQA. The City clearly cannot establish that the project site has "*no value as habitat for rare, threatened or endangered species.*" The presence of the sensitive natural community demonstrates that the parcels in question have such value. The City cannot narrowly look at this singular parcel to determine if the project site contains this woodland – the City must necessarily look at adjacent parcels which contain Southern California Black Walnuts. Further, it is undisputed that the project site contains a dead Southern California Black Walnut - this is prima facie evidence that the project site has value as habitat for a rare species. The Southern n California Black Walnut individually qualifies as a "rare" species.

The mitigation measures proposed by the City (mere replacement of trees) does not mitigate the impacts to this sensitive natural community (or even an oak woodland). Mitigation for impacts to a sensitive natural community should involve on- or off-site permanent protection or restoration of a similar habitat type at a specified mitigation ratio.

The City's standard policy of merely requiring tree replacements is simply not adequate. Successful restorations of both Coast Live Oak Walnut and Oak Woodlands are extremely

Public Works and Gang Reduction Committee
City of Los Angeles
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November 4, 2020
Page 3

rare. It is relatively easy to plant oak and walnut trees, but the extensive ecological conditions and soils that make a forest from those trees have been thus far almost impossible to recreate in any short or medium timeframe. For these reasons, attempts to recreate these woodlands as mitigation for other developments are most often unsuccessful. It would certainly take more than three years of maintenance to ensure that any replacement trees would survive (especially in this era of extreme weather conditions). The City's standard three-year maintenance condition is thus insufficient. Moreover, planting a boxed tree from a nursery does not mitigate the loss of both terrestrial and soil fauna and plant life that are part of this plant community.

The Conservancy recommends that the CEQA Appeal be granted. An Initial Study should be performed and a Mitigated Negative Declaration with site-specific mitigation measures should be circulated to the public.

Regarding this matter I may be contacted at 310-589-3200, ext. 128, or by e-mail at edelman@smmc.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Edelman", with a stylized flourish at the end.

PAUL EDELMAN
Deputy Director
Natural Resources and Planning

Exhibit 2



RESOURCE
CONSERVATION DISTRICT
OF THE
SANTA MONICA MOUNTAINS

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EXECUTIVE OFFICER
Clark Stevens

7 September 2016

Letter 7

Agoura Hills Planning Commission

RE: Removal of Oak Woodlands at Cornerstone Mixed Use Project

Dear Doug Hooper,

The Resource Conservation District of the Santa Monica Mountains appreciates the opportunity to comment on the Cornerstone Mixed use Project located at the southeast corner of Agoura and Cornell Roads (APN 2061-029-(008-017), 2061-029-029, and 2061-030-(001-013).

In total this development is requesting permission to remove 29 protected oak trees, encroach upon a total of 30 existing protected oak trees, and to remove 21,271 square feet, just under 1/2-acre of scrub oak habitat.

This is one of several projects located along the north-facing hillside adjacent to Agoura Road, and the trees in this proposed project area are functionally part of the extensive remnant oak woodland that is fragmented between other existing developments. In 2004, CEQA was amended to require that the impacts and mitigation of land development in oak woodlands, as well as the evaluation of impacts on greenhouse gas emissions by removing the carbon sequestration of woodlands, be addressed in CEQA documents. An oak woodland is defined by the California Department of Fish and Game (Section 1361) as an oak stand with greater than 10 percent canopy cover, or that may have historically supported greater than 10% canopy cover, and applies to all oaks greater than 5 inch diameter at 4.5 feet above grade (PRC 21083.4(a)). It is important that the City recognizes and examines the cumulative impacts associated with the loss of its last remaining oak woodlands.

While these multiple projects are not contiguous in space, they are in time. We have decided to address the larger picture represented by the cumulative impacts of these 3 proposed developments.

To date, there have been no successful restorations of oak woodlands. It is relatively easy to plant oak trees, but the extensive ecological network and soils that makes a forest from those trees has been thus far impossible to recreate. Oak woodlands are the hub of the ecological wheel in the Santa Monica Mountains, with plant and animal species numbering in the thousands dependent upon oaks for their survival.

Five years of drought, unprecedented increases in hot temperatures, and invasion by new species of pests are taking a huge toll on our oak woodlands. We are in the midst of what one ecologist has called the "hundred-year die-off". Trees are dying all over the Santa Monica Mountains.

1



- 1 -



RESOURCE
CONSERVATION DISTRICT
OF THE
SANTA MONICA MOUNTAINS

We ask that the very visible and laudable record of habitat conservation in the County, State and Federal lands that surround Agoura Hills, not obscure the need for the City to plan for its own lands to appropriately balance commerce, growth and ecosystem health. We note that the high ratios of developed footprint to conserved space in these projects, and the proposed elimination of protected ecosystems (oak woodland), can in itself be seen as an inducement to further habitat loss, by providing actual precedents for other landowners within the city demonstrating that such habitat loss is acceptable in their developments as well.

The RCD is chartered in part to assist private landowners to develop their resources in a conservation-based approach. We recognize that growth and conservation do not have to be mutually exclusive, but the developments before you do not in their current form represent such conservation-based development. Given the significant loss of oak woodlands that these projects cumulatively propose, we ask the council to require that they be revised and reconsidered in a less impactful form. We encourage the City to make the effort to imagine the distribution and health of oaks in the city of Agoura Hills now and in 50 years, and with that vision, make the effort to not only comply with state laws regarding conservation and mitigation, but also hold proposed developments to a higher standard of design that both protects the oak woodlands on their properties and meets their project goals.

1 Cont.

Respectfully submitted,

Clark Stevens, Architect
Executive Officer
and
Rosi Dagit
Senior Conservation Biologist

Exhibit 3

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*ALSO Admitted in Texas

September 19, 2025

VIA EMAIL AND US MAIL

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**Re: Pre-Litigation Demand to Comply with State Minimum Fire Safe
Regulations, Cal. Code Regs. tit. 14 § 1270.00 et seq.**

To Whom It May Concern:

This firm represents the Federation of Hillside and Canyon Associations ("Hillside Federation"), a 501(c)(3) non-profit organization that was founded in 1952. The Hillside

Federation represents 47 homeowner and resident associations with approximately 250,000 constituents spanning the Santa Monica Mountains. The Hillside Federation’s mission is to promote those policies and programs which will best preserve the natural topography and wildlife of the mountains and hillsides for the benefit of all the people of Los Angeles.

The Hillside Federation is writing to demand that the City comply with the “State Minimum Fire Safe Regulations” (“Regulations”) codified at Title 14 of the California Code of Regulations (“C.C.R.”) § 1270.00 et seq. with regard to proposed projects located in Very High Fire Hazard Severity Zones (“VHFHSZ”).¹

As demonstrated herein, the City maintains a pattern and practice of unlawfully failing to apply the Regulations to developments and permits which are subject to the Regulations. As a result, the City has approved developments and issued permits in violation of numerous minimum fire safety standards intended to mitigate the risk of wildfires, facilitate egress and ensure access for emergency vehicles. Separately, the City has failed to comply with the Regulations by identifying strategic ridgelines that may support fire suppression activities or where development conditions would reduce wildfire risk. The Hillside Federation demands that the City cease its unlawful practice and unconditionally commit to compliance with the Regulations as detailed below.

I. THE STATE MINIMUM FIRE SAFE REGULATIONS ARE INTENDED TO MITIGATE AND ENABLE SUPPRESSION OF CATASTROPHIC WILDFIRES

In 2018, Senate Bill 901² mandated the expansion of the scope of California’s regulations regarding minimum fire safety standards to include those lands classified and designated as Very

¹ Unless otherwise noted, all references herein are to Title 14 of the California Code of Regulations (e.g., 14 C.C.R. § 1270.01 is referenced as Section 1270.01).

² Per the Legislative Counsel’s Digest, paragraph 6, SB 901 included the following: “This bill would also require the state forestry board to adopt regulations implementing minimum fire safety standards that are applicable to lands classified and designated as **very high fire hazard severity zones** and would require the regulations to **apply to the perimeters and access to all residential**, commercial, and industrial building construction **within lands classified and designated as very high fire hazard severity zones**, as defined, after July 1, 2021. The bill would further require the state forestry board to, on and after July 1, 2021, periodically update regulations for fuel breaks and greenbelts near communities to provide greater fire safety for the perimeters to all residential, commercial, and industrial building construction within state responsibility areas **and lands classified and designated as very high fire hazard severity zones** after that date. The bill would require the state forestry board, on or before July 1, 2022, to

High Fire Hazard Severity Zones (“VHFHSZ”), as defined in subdivision (i) of Government Code § 51177³, to include Local Responsibility Areas. These regulations were extended to those portions of incorporated cities such as the City of Los Angeles that were designated as VHFHSZ. Thereafter, the Board of Forestry adopted implementing regulations. The California Board of Forestry and Fire Protection adopted the Minimum Fire Safe Regulations in 2021. The regulations went into effect on April 1, 2023. The purpose of such regulations is to establish *minimum* fire safety standards for residential, commercial, and industrial development, provide basic emergency access and perimeter wildfire protection, protect undeveloped ridgelines, and reduce fire risk. (§ 1273.02.) These regulations were adopted after extensive consultation with fire professionals and community members.

The stated purpose of the Regulations is to “establish[] state minimum Wildfire protection standards in conjunction with Building, construction, and Development” in a VHFHSZ; to ensure that “future design and construction of Structures, subdivisions and Developments” in a VHFHSZ “shall provide for basic emergency access and perimeter Wildfire protection measures as specified in the following articles”; and to “provide for emergency access” compliant with minimum standards in the State Minimum Fire Safe Regulations. (§ 1270.02.)

II. THE CITY MAINTAINS A PATTERN AND PRACTICE OF FAILING TO APPLY THE REGULATIONS TO DEVELOPMENTS AND PERMITS FALLING WITHIN THEIR SCOPE

A. The Regulations Apply to a Wide Range of Activities With Only Narrow Exceptions

The scope of the Regulations is established in § 1270.03, which provides in part:

(a) Subchapter 2 shall apply to:

- (1) the perimeters and access to all residential, commercial, and industrial Building construction within the SRA approved after January 1, 1991 , and

develop criteria and maintain a “Fire Risk Reduction Community” list of local agencies located in a state responsibility area **or** a very high fire hazard severity zone that meet best practices for local fire planning.” (Emphasis added.)

³ Government Code section 51177 (i) now defines VHFHSZ as: “Very high fire hazard severity zone” means an area designated as a very high fire hazard severity zone by the State Fire Marshal pursuant to Section 51178 that is **not** a state responsibility area. (As amended in 2021, effective 1/1/2022.; Emphasis added.)

those approved after July 1, 2021 within the VHFHSZ, except as set forth below in subsection (b). [..]

- (3) all tentative map or parcel maps or other Developments approved after January 1, 1991; and
 - (4) applications for Building permits on a parcel approved in a pre-1991 parcel or tentative map to the extent that conditions relating to the perimeters and access to the Buildings were not imposed as part of the approval of the parcel or tentative map.
- (b) Subchapter 2 does not apply where an application for a Building permit is filed after January 1, 1991 for Building construction on a parcel that was formed from a parcel map or tentative map (if the final map for the tentative map is approved within the time prescribed by the local ordinance) approved prior to January 1, 1991, to the extent that conditions relating to the perimeters and access to the Buildings were imposed by the parcel map or final tentative map approved prior to January 1, 1991.
- (c) Affected activities include, but are not limited to:
- (1) permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d);
 - (2) application for a Building permit for new construction not relating to an existing Structure;
 - (3) application for a use permit;
 - (4) Road construction including construction of a Road that does not currently exist, or extension of an existing Road.

B. The City Fails to Apply the Regulations to Several Categories of Developments

The City maintains an unlawful pattern and practice of failing to apply the Regulations to developments and use permits falling within their scope, including but not limited to:

- Approving parcel and tentative maps establishing new parcels;
- Granting Zoning Administrator Determinations and use permits for developments with less than 20 feet of continuous paved roadway to the boundary of the hillside area pursuant to Los Angeles Municipal Code (“LAMC”) section 12.24-X.21 and 12.24-X.28;
- Issuing building permits for new construction not relating to an existing structure on parcels approved in a pre-1991 parcel or tentative map, to the extent that conditions relating to the perimeters and access to the buildings were not imposed as part of the approval of the parcel or tentative map;

- Issuing “B” Permits for the construction, extension or widening of roadways; and
- Approving Private Streets for new vehicular access to parcels.

Each of these activities fall within the scope of the Regulations as detailed in Section 1270.03. Yet, as demonstrated in Section II.D, *infra*, the City has on countless occasions approved developments or issued permits without ensuring compliance with the Regulations and without determining whether site-specific Exceptions are warranted. The City therefore maintains a pattern and practice of failing to apply the Regulations and enforce their minimum fire safety standards.

C. The City’s Failure to Apply the Regulations Circumvents Essential Minimum Fire Safety Standards

The Regulations establish comprehensive minimum fire safety standards to mitigate the risk and severity of wildfires and to ensure safe egress and emergency access. The Regulations include the following minimum standards which the City has failed to implement as a result of its pattern and practice of failing to apply the Regulations to developments and permits falling within their scope:

1. Road and Driveway Width

The Regulations establish minimum standards for Road and Driveway width. Section 1273.01 provides in part:

- (a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by Local Jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.
- (c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13'v 6").

2. Road Surface

The Regulations establish minimum standards for Road material and design. Section 1273.02 provides in part:

- (a) Roads shall be designed and maintained to support the imposed load of Fire Apparatus weighing at least 75,000 pounds, and provide an aggregate base.
- (b) Road and Driveway Structures shall be designed and maintained to support at least 40,000 pounds.

3. Road and Driveway Grades

The Regulations establish minimum standards for Road and Driveway grades. Section 1273.03 provides:

- (a) At no point shall the grade for all Roads and Driveways exceed 16 percent.
- (b) The grade may exceed 16%, not to exceed 20%, with approval from the Local Jurisdiction and with mitigations to provide for Same Practical Effect.

4. Radius

The Regulations establish minimum standards for the turning radius of Roads. Section 1273.04 provides in part:

- (a) No Road or Road Structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet.

5. Turnarounds and Turnouts

The Regulations establish minimum standards for turnarounds and turnouts on Driveways and Dead-End Roads. A Dead-End Road is defined as “A Road that has only one point of vehicular ingress/egress, including cul-de-sacs and Roads that loop back on themselves.” Section 1273.05 provides in part:

- (a) Turnarounds are required on Driveways and Dead-end Roads.
- (b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR 1273.05(e) and 1273.05(f). If a hammerhead/Tis used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.
- (c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the Driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.
- (d) A turnaround shall be provided on Driveways over 300 feet in length and shall be within fifty (50) feet of the building.
- (d) Each Dead-end Road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.

6. Dead-End Roads

The Regulations establish minimum standards for Dead-End Roads. Section 1273.08 provides:

- (a) The maximum length of a Dead-end Road, including all Dead-end Roads accessed from that Dead-end Road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

parcels zoned for less than one acre - 800 feet
parcels zoned for 1 acre to 4.99 acres - 1,320 feet
parcels zoned for 5 acres to 19.99 acres - 2,640 feet
parcels zoned for 20 acres or larger - 5,280 feet

All lengths shall be measured from the edge of the Road surface at the intersection that begins the Road to the end of the Road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.

- (b) See 14 CCR 1273.05 for dead-end road turnaround requirements.

7. Setbacks

The Regulations establish minimum standards for building siting and required justifications for any Exception from the setback standards. 14 C.C.R. § 1276.01 provides:

- (a) All parcels shall provide a minimum thirty (30) foot setback for all Buildings from all property lines and/or the center of a Road, except as provided for in subsection (b).
- (b) A reduction in the minimum setback shall be based upon practical reasons, which may include but are not limited to, parcel dimensions or size, topographic limitations, Development density requirements or other Development patterns that promote low-carbon emission outcomes; sensitive habitat; or other site constraints, and shall provide for an alternative method to reduce Structure-to-Structure ignition by incorporating features such as, but not limited to:
- (1) non-combustible block walls or fences; or
 - (2) non-combustible material extending five (5) feet horizontally from the furthest extent of the Building; or
 - (3) hardscape landscaping; or
 - (4) a reduction of exposed windows on the side of the Structure with a less than thirty (30) foot setback; or
 - (5) the most protective requirements in the California Building Code, California Code of Regulations Title 24, Part 2, Chapter 7A, as required by the Local Jurisdiction.

8. Exceptions

The Regulations establish substantive and procedural requirements for the issuance of Exceptions. Section 1270.05 provides in part:

- (c) A Local Jurisdiction shall not apply exemptions to Subchapter 2 that are not enumerated in Subchapter 2. Exceptions requested and approved in conformance with 1270.07 (Exceptions to Standards) may be granted on a case-by-case basis.

The Regulations further require that Exceptions must be requested in writing, with written approvals submitted to CAL FIRE. Section 1270.07 provides in part:

- (a) Upon request by the applicant, an Exception to standards within this Subchapter may be allowed by the Inspection entity in accordance with 14 CCR 1270.06 (Inspections) where the Exceptions provide the Same Practical Effect as these regulations towards providing Defensible Space. Exceptions granted by the Local Jurisdiction listed in 14 CCR 1270.06, shall be made on a case-by-case basis only. Exceptions granted by the Local Jurisdiction listed in 14 CCR 1270.06 shall be forwarded to the appropriate CAL FIRE unit headquarters that administers SRA fire protection in that Local Jurisdiction, or the county in which the Local Jurisdiction is located and shall be retained on file at the Unit Office.
- (b) Requests for an Exception shall be made in writing to the Local Jurisdiction listed in 14 CCR 1270.06 by the applicant or the applicant's authorized representative. At a minimum, the request shall state the specific section(s) for which an Exception is requested; material facts supporting the contention of the applicant; the details of the Exception proposed; and a map showing the proposed location and siting of the Exception. Local Jurisdictions listed in 1270.06 (Inspections) may establish additional procedures or requirements for Exception requests.

To the extent the City claims that it is authorized to grant Exceptions from the standards in the Regulations, it has failed to comply with the procedures in the Regulations which require case-by-case consideration of the facts, a determination that the Exception provides the Same Practical Effect in fire protection and transmittal to CAL FIRE. The City's failure to comply with these standards makes it impossible for the Hillside Federation and CAL FIRE to review the merits of any claimed Exception and all but guarantees that Exceptions are granted without justification and without imposing conditions to provide the Same Practical Effect.

9. Other Regulations

The limited availability of information regarding certain aspects of approved developments has interfered with the Hillside Federation's ability to provide specific examples of violations of other Regulations, including those addressing road engineering (§ 1273.02), bridges (§ 1273.07), gate entrances (§ 1273.09), water supply (§ 1275.02), hydrants (§ 1275.03) and fire breaks (§ 1276.03). Because the alleged violations stem from the City's wholesale failure to apply the Regulations, it is likely that the City fails to comply with these Regulations as

well. Accordingly, the Hillside Federation demands compliance with the Regulations as a whole, whether or not specific violations have been identified herein.

D. Examples of the City’s Pattern and Practice of Failing to Apply the Regulations

The Hillside Federation has identified the following non-exclusive illustrative examples of violations of the specific Regulations due to the City’s pattern and practice of unlawfully failing to apply the Regulations to developments and use permits falling within their scope:

<u>TABLE 1:</u> <u>EXAMPLES OF CITY’S FAILURE TO APPLY MINIMUM FIRE SAFE REGULATIONS⁴</u>	
Development/Permit Approval	Violation
Building Permit No. 23010-30000-05180 and Bureau of Engineering “B” Permit No. BR403214 at 10453 W. Sandal Lane	Road/Driveway width is 13 feet, 3 inches (§ 1273.01(a), (c)) Grade is 23.7 percent (§ 1273.03(a)) Failure to provide turnaround (§ 1273.05(a)) Failure to provide turnout (§ 1273.06(c)) Dead-End Road length exceeds 800 feet (§ 1273.08) Failure to provide setback (§ 1276.01) Failure to require Exception for setback (§§ 1276.01, 1270.07)
Building Permit No. 24014-20000-01934 at 10329 W. Siesta Drive	Road turning radius (§ 1273.04(a)) Inadequate dimension of turnaround (§ 1273.05(b)) Failure to provide setback (§ 1276.01) Failure to require Exception for setback (§§ 1276.01, 1270.07)
Building Permit No. 20010-10000-00957 at 15427 W. Milldale Drive	Driveway width less than 14 feet (§ 1273.01(c)) Failure to provide turnout on driveway >150’ (§ 1273.06(c)) Failure to provide turnaround on Milldale Drive (§ 1273.05(a)) Dead-End Road length exceeds 800 feet (§ 1273.08)
Building Permits for thirteen new single-family dwellings at 1629-1669 and 1654-1658 N. Bruce Court (see, e.g., Permit No. 19010-10000-02094)	Road turning radius (§ 1273.04(a)) Inadequate dimension of turnaround (§ 1273.05(b)) Failure to provide setback (§ 1276.01) Failure to require Exception for setback (§§ 1276.01, 1270.07)
Building Permit No. 19010-10000-00266 at 1367 N. Casiano Road	Grade exceeds 16 percent (§ 1273.03(a)) Failure to provide turnaround (§ 1273.05(a))

⁴ Please note that this firm has done an extraordinary amount of data collection and research and has obtained many other clear and indisputable examples of the City failing to comply with the State Minimum Fire Safe Regulations. The list contained in Table 1 is just a portion of these findings.

	Dead-End Road length exceeds 800 feet (§ 1273.08) Failure to provide setback (§ 1276.01) Failure to require Exception for setback (§§ 1276.01, 1270.07)
Building Permits for dozens of new single-family dwellings on various streets in Porter Ranch (see, e.g., Permit No. 20010-20000-04431 at 20551 W. Hummingbird Court)	Inadequate dimension of turnaround (§ 1273.05(b)) Dead-End Road length exceeds 800 feet (§ 1273.08) Failure to provide setback (§ 1276.01) Failure to require Exception for setback (§§ 1276.01, 1270.07)
Building Permit No. 22010-20000-00742 at 10950 W. Verano Road	Dead-End Road length exceeds 800 feet (§ 1273.08) Failure to provide turnaround (§ 1273.05(a)) Failure to provide setback (§ 1276.01) Failure to require Exception for setback (§§ 1276.01, 1270.07)
Planning Case No. ZA-2023-5368-ZAD-SPP-HCA at 3607 N. Kinney Street	Road width less than 20 feet (§ 1273.01(a)) Failure to provide setback (§ 1276.01) Failure to require Exception for setback (§§ 1276.01, 1270.07)
Planning Case No. ZA-2021-9426-ZAD-DRB-SPP-MSP-HCA at 4337 N. Tosca Road	Road width less than 20 feet (§ 1273.01(a)) Failure to provide setback (§ 1276.01) Failure to require Exception for setback (§§ 1276.01, 1270.07)
Planning Case No. ZA-2019-4079-ZAD-DRB-SPP-MSP at 4621 N. Saltillo Street	Road turning radius (§ 1273.04(a)) Road width less than 20 feet (§ 1273.01(a)) Failure to provide setback (§ 1276.01) Failure to require Exception for setback (§§ 1276.01, 1270.07)
Planning Case No. ZA-2023-1206-ZAD-DRB-SPP-MSP-HCA at 4230 N. Saltillo Street	Road width less than 20 feet (§ 1273.01(a)) Failure to provide setback (§ 1276.01) Failure to require Exception for setback (§§ 1276.01, 1270.07)
Planning Case No. ZA-2022-7295-ZAA-ZAD at 504 W. Avenue 44	Road width less than 20 feet (§ 1273.01(a)) Failure to provide setback (§ 1276.01) Failure to require Exception for setback (§§ 1276.01, 1270.07)
Planning Case No. AA-2021-8380-PMLA at 2359 N. Yorkshire Drive	Grade exceeds 16 percent (§ 1273.03(a)) Road width less than 20 feet (§ 1273.01(a))
Planning Case No. APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD at 3003 N. Runyon Canyon Road	Road width less than 20 feet (§ 1273.01(a)) Road turning radius (§ 1273.04(a))
Bureau of Engineering “B” Permit No. BR206342 at 17619 W. Rinaldi Street	Failure to provide turnaround (§ 1273.05(a)) Dead-End Road length exceeds 800 feet (§ 1273.08)

Bureau of Engineering “B” Permit No. BR005088 at 5752 W. Valley Oak Drive	Failure to provide turnaround (§ 1273.05(a)) Dead-End Road length exceeds 800 feet (§ 1273.08)
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E. The City Has Failed to Identify Strategic Ridgelines, Jeopardizing Its Ability to Suppress Future Wildfires

The Regulations require the City to identify Strategic Ridgelines, defined as “a Ridgeline identified pursuant to 1276.02(a) that may support fire suppression activities or where the preservation of the Ridgeline as an Undeveloped Ridgeline would reduce fire risk and improve fire protection.” The Regulations prohibit or limit development on Strategic Ridgelines. Section 1276.02 provides in part:

- (a) The Local Jurisdiction shall identify Strategic Ridgelines, if any, to reduce fire risk and improve fire protection through an assessment of the following factors:
 - (1) Topography;
 - (2) Vegetation;
 - (3) Proximity to any existing or proposed residential, commercial, or industrial land uses;
 - (4) Construction where mass grading may significantly alter the topography resulting in the elimination of Ridgeline fire risks;
 - (5) Ability to support effective fire suppression; and
 - (6) Other factors, if any, deemed relevant by the Local Jurisdiction.
- (b) Preservation of Undeveloped Ridgelines identified as strategically important shall be required pursuant to this section.
- (c) New Buildings on Undeveloped Ridgelines identified as strategically important are prohibited, as described in subsections (c)(1), (c)(2), and (c)(3).
 - (1) New Residential Units are prohibited within or at the top of drainages or other topographic features common to Ridgelines that act as chimneys to funnel convective heat from Wildfires.
 - (2) Nothing in this subsection shall be construed to alter the extent to which utility infrastructure, including but not limited to wireless telecommunications facilities, as defined in Government Code section 65850.6, subdivision (d)(2), or Storage Group S or Utility and Miscellaneous Group U Structures, may be constructed on Undeveloped Ridgelines.
 - (3) Local Jurisdictions may approve Buildings on Strategic Ridgelines where Development activities such as mass grading will significantly alter the topography that results in the elimination of Ridgeline fire risks.

Prior to the applicability of Section 1276.02 to the City's VHFHSZ, the City was engaged in a process of adopting a proposed Ridgeline Protection Ordinance. The City subsequently abandoned this Ordinance.⁵ Elements of the Ridgeline Protection Ordinance were initially incorporated into the proposed Wildlife Ordinance, but were subsequently removed. Neither of these regulations focused on ridgelines as a critical area for fire suppression. The City has an obligation to comply with Section 1276.02 by identifying Strategic Ridgelines and implementing Regulations to ensure adequate fire suppression capabilities in the future.

III. DEMAND FOR COMPLIANCE

To remedy the violations described above, the Hillside Federation demands that, within 60 days of receipt of this letter, the City unconditionally commit to the following:

1. Guarantee that any building permits for new construction not relating to an existing structure, for which Certificates of Occupancy have not already been issued, comply with the State Minimum Fire Safe Regulations;
2. Guarantee that any applications for use permits, including but not limited to requests for Zoning Administrator Determinations or Conditional Use Permits for reductions in continuous paved roadway or maximum road grade, comply with the State Minimum Fire Safe Regulations;
3. Guarantee that the permitting or approval of any new parcels, excluding lot line adjustments, comply with the State Minimum Fire Safe Regulations prior to approval;
4. Guarantee that any road construction or road extension activities, for which Certificates of Occupancy have not already been issued for the associated development project, comply with the State Minimum Fire Safe Regulations;
5. Guarantee that any granted Exception will impose measures to achieve the Same Practical Effect as the regulations towards providing Defensible Space when approving any Exception from the State Minimum Fire Safe Regulations;
6. Follow the required procedures for the granting of Exceptions and provide the California Department of Forestry and Fire Prevention or their designee with notice of approval of Exceptions for building permits, tentative parcel maps, tentative maps, B-permits, and installation or use permits for construction or Development within the VHFHSZ; and

⁵ See the Department of City Planning web page for Proposed Land Use Regulations at <https://planning.lacity.gov/plans-policies/proposed-land-use-regulations>.

7. Identify Strategic Ridgelines to be used for fire suppression or to mitigate wildfire risk, as required by Section 1276.02(a).

IV. CONCLUSION

The Pacific Palisades fire is merely a reminder that Los Angeles is situated in a region extremely prone to wildfire. The City will face even higher risks as climate change increases the danger to the City's residents and their significant property investments. If the City does not requirement infrastructure improvements at the time of new development, when will it be required/constructed? The answer is never. It is truly unconscionable for the City to refuse to acknowledge and adhere to the State Minimum Fire Safe Regulations under these dire circumstances. The residents of Los Angeles deserve better.

Thank you for your consideration of this matter. I may be contacted at jamie.hall@channellawgroup.com.

Sincerely,



Jamie T. Hall

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CD2 Adrin Nazarian (Councilmember.Nazarian@lacity.org)
CD3 Bob Blumenfield (councilmember.blumenfield@lacity.org)
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**DEPARTMENT OF
CITY PLANNING**

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**SAN GABRIEL/VERDUGO MOUNTAINS SCENIC PRESERVATION SPECIFIC PLAN
PROJECT PERMIT COMPLIANCE REVIEW**

December 11, 2025

Applicant/Owner

Albert Davityan
8160 McGroarty Street
Sunland, CA 91040

Representative

Hayk Martirosian
Techna Land Co. Inc.
1545 N. Verdugo Rd.
Glendale, CA 91208

Case No.: DIR-2019-952-SPP

CEQA: ENV-2016-2070-MND

Related Case No.: VTT-73957

Project Location: 8100, 8150, and 8160 West
McGroarty Street, 10000 North
McVine Terrace

Council District: 7 – Rodriguez
Neighborhood Council: Sunland-Tujunga
Community Plan Area: Sunland – Tujunga – Lake View
Terrace – Shadow Hills – East La
Tuna Canyon

Land Use Designation: Low Residential, Medium
Residential

Zone: RE11-1, RE40-1

Legal Description: Lot 202 ½, Arb 2, Western Empire
Tract

**Last Day to File an
Appeal** December 26, 2025

DETERMINATION LETTER

Pursuant to LAMC Section 11.5.7 C, I have reviewed the proposed project, and as the designee of the Director of Planning, I hereby:

FOUND, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2016-2070-MND as circulated on May 15, 2025 ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; FOUND the Mitigated Negative Declaration reflects the independent judgment and analysis of the City;

FOUND the mitigation measures have been made enforceable conditions on the project; and ADOPTED the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration,

APPROVE WITH CONDITIONS a San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan Project Permit Compliance Review for the construction, use, and maintenance of 11 single-family dwelling units for a total of 13 single-family dwellings on the project site. The existing single-family dwelling will remain, and the private school/accessory living quarters is proposed to be converted to a single-family residence. The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. There are 106 native protected trees and 63 non-protected mature trees on the subject site. The applicant is proposing to remove seven protected trees (six Oak and one Sycamore) and up to 63 non-protected trees. The subject site is not located within a Prominent Ridgeline Protection Area, Scenic Highway Corridor, or an Equestrian "K" District.

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

CONDITIONS OF APPROVAL

BUILDING AND SITE CONDITIONS

1. **Building Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped "**Exhibit A,**" and attached to the subject case file. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the project conditions, or the project permit authorization.
2. **Use.** The project is approved for the construction, use, and maintenance of 11 single family dwellings, along with the conversion of the existing private school / accessory living quarter to be converted into a single family residence. The existing single-family dwelling on the site is proposed to remain.

The maximum approved residential floor area (RFA) for the new construction of single-family dwellings are illustrated in the table below:

Lot Number	Maximum Approved Residential Floor Area (RFA)	Approved Covered Parking
Lot 1	4226.7	2
Lot 2	3529.94	2
Lot 4	5002.28	2
Lot 5	5002.28	2
Lot 6	3529.94	2
Lot 7	3529.94	2
Lot 9	4907.64	2
Lot 10	4654.87	2
Lot 11	3443.42	3
Lot 12	4142.9	2
Lot 13	3149.2	2

3. **Height.** The project is approved for the following height limitations illustrated in the table below.

Lot Number	Maximum Approved Height
Lot 1	29 feet and 10 inches
Lot 2	29 feet and 10 inches
Lot 4	29 feet and 10 inches
Lot 5	29 feet and 10 inches
Lot 6	29 feet and 10 inches
Lot 7	29 feet and 10 inches
Lot 9	29 feet and 10 inches
Lot 10	29 feet and 10 inches
Lot 11	28 feet and 0 inches
Lot 12	29 feet and 10 inches
Lot 13	29 feet and 10 ³ / ₄ inches

4. **Oak Tree Removals.** In compliance with Section 8.B of the Specific Plan, a maximum of six (6) Oak Trees may be removed as a result of the project
5. **Oak Tree Replacements.** A minimum of four trees (a minimum of 15 gallon trees of like species) shall be planted for each protected tree that is removed. The canopy of the replacement trees, at the time they are planted, shall be in proportion to the canopies of the protected tree(s) removed and shall be to the satisfaction of the Urban Forestry Division.
6. **Landscape Plan.** A revised landscape plan shall be provided verifying Mitigation Measures MM-17. BIO-17. Compensatory Mitigation per Mitigated Negative Declaration ENV-2016-2070-MND showing habitat improvements shall be made upstream of the impacted areas that include planting of 5 native oaks along a total of 76-linear feet of Drainages #2 and #3.

- a. Mitigation proposed for impacts to protected oaks and other native trees in the existing biology report will require numerous replacement plantings that must be shown on the project Landscaping Plan.
 - b. A minimum of 5 of these replacement oak tree plantings be placed along Drainage #2 and #3 in areas near the disturbance that currently lack native tree cover. These plantings shall be shown on the Landscaping Plan and shall be maintained according to the requirements in any oak tree removal permit.
7. **Grading.** The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. Haul route approval has been requested and was analyzed under Case No. ENV-2016-2070-MND.

8. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

CM-1 That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.

- Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.
- Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
- If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres or portion thereof. Each sign must be posted in a prominent location.

CM-2. Erosion/Grading/Short-Term Construction Impacts. Short-term erosion impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a less than significant level by the following measures:

- The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.

CM-3. Increased Noise Levels (Demolition, Grading, and Construction Activities)

- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- A temporary noise control barrier shall be installed on the property line of the construction site abutting residential uses. The noise control barrier shall be engineered to reduce construction-related noise levels at the adjacent residential structures with a goal of a reduction of 10 dBA. The supporting structure shall be engineered and erected according to applicable codes. The temporary barrier shall remain in place until all windows have been installed and all activities on the project site are complete.

CM-4. Public Services (Construction Activity Near Schools). Environmental impacts may result from project implementation due to the close proximity of the project to a school. However, the potential impact will be mitigated to a less than significant level by the following measures:

- The developer and contractors shall maintain ongoing contact with administrator of Apperson Street Elementary School and the private school on the subject site (Canyon View Academy). The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

CM-5. Public Schools (Schools affected by Haul Routes)

- LADBS shall assign specific haul route hours of operation based upon the hours of operation of Apperson Street Elementary School and the private school on the subject site (Canyon View Academy).
- Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.

CM-6. Transportation.

- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- The applicant shall be limited to no more than two trucks at any given time within the site's staging area.
- There shall be no staging of hauling trucks on any streets adjacent to the project, unless specifically approved as a condition of an approved haul route.
- No hauling shall be done before 8:30 a.m. or after 3:30 p.m.
- Trucks shall be spaced so as to discourage a convoy effect.

- On substandard hillside streets, only one hauling truck shall be allowed on the street at any time.
- A minimum of two flag persons are required. One flag person is required at the entrance to the project site and one flag person at the next intersection along the haul route.
- Truck crossing signs are required within 300 feet of the exit of the project site in each direction.
- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times shall provide reasonable control of dust caused by wind.
- Loads shall be secured by trimming and watering or may be covered to prevent the spilling or blowing of the earth material.
- Trucks and loads are to be cleaned at the export site to prevent blowing dirt and spilling of loose earth.
- No person shall perform grading within areas designated "hillside" unless a copy of the permit is in the possession of a responsible person and available at the site for display upon request.
- A log documenting the dates of hauling and the number of trips (i.e. trucks) per day shall be available on the job site at all times.
- The applicant shall identify a construction manager and provide a telephone number for any inquiries or complaints from residents regarding construction activities. The telephone number shall be posted at the site readily visible to any interested party during site preparation, grading and construction.

CM-7. Inadequate Emergency Access (Hillside Streets – Construction Activities).

- No parking shall be permitted on the street during Red Flag Days in compliance with the "Los Angeles Fire Department Red Flag No Parking" program.
- All demolition and construction materials shall be stored on-site and not within the public right-of-way during demolition, hauling, and construction operations.

CM-8. Pedestrian Safety.

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

9. **Prohibited Plant Materials.** In compliance with Section 8.C of the Specific Plan, the following plant materials shall be prohibited on-site, including palm trees:

Prohibited Plant Materials. The following plant materials shall be prohibited within the Plan area for all new Projects (as defined in Section 4):

<i>Acacia</i>	green wattle	<i>Erodium cicutarium</i>	storksbill
<i>Ailanthus altissima</i>	tree of heaven	<i>Erodium cygnorum</i>	storksbill
<i>Arundinaria pygmaea</i>		<i>Erodium malacoides</i>	storksbill
<i>Arundo donax</i>	Giant reed	<i>Erodium moschatum</i>	storksbill
<i>Atriplex semibaccata</i>	Australia saltbush	<i>Eucalyptus globulus</i>	blue gum
<i>Avena spp.</i>	wild oats	<i>Lolium perenne</i>	Perennial ryegrass
<i>Brassica spp (non-native)</i>	Mustard	<i>Malva parvifolia</i>	Cheeseweed
<i>Bromus rubens</i>	Red brome	<i>Pennisetum</i>	fountain grass
<i>Centranthus ruber</i>	Jupiter's beard	<i>Ricinus communis</i>	castor bean
<i>Cyperus sempervirens</i>	Italian cypress	<i>Robinia pseudoacacia</i>	Black locust
<i>Cortaderia jubata</i>	Pampas grass	<i>Schinus molle</i>	California pepper
<i>Cortaderia sellowiana</i>	Pampas grass	<i>Schinus terebinthefolius</i>	Brazilian pepper
<i>Cytisus canariensis</i>	Canary Island broom	<i>Spartium junceum</i>	Spanish broom
<i>Cytisus scoparius</i>	Scotch broom	<i>Tamarix sp.</i>	salt cedar
<i>Cytisus spachianus (Genista racemosa)</i>	Broom	<i>Vulpia megalura</i>	Foxtail fescue
<i>Erodium botrys</i>	Storksbill	<i>Palm trees</i>	Palm

10. That prior to recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No(s). 31 and 32 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

11. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

12. MM-1. BIO-1. Tree Preservation (Grading Activities)

"Orange fencing" or other similarly highly visible barrier shall be installed outside of the drip line of locally protected and significant (truck diameter of 8 inches or greater) non-protected trees, or as may be recommended by the Tree Expert. The barrier shall be maintained throughout the grading phase, and shall not be removed until the completion and cessation of all grading activities.

13. MM-2. BIO-2. Tree Removal (Non-Protected Trees)

Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a less than significant level by the following measures:

- Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-

inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.

- Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

14. MM-3. BIO-3. Tree Removal (Locally Protected Species)

Environmental impacts may result due to the loss of protected trees on the site. However, these potential impacts will be mitigated to less than significant level by the following measures:

- All protected tree removals require approval from the Board of Public Works.
- A minimum of four trees (a minimum of 15 gallon trees of like species) shall be planted for each protected tree that is removed. The canopy of the replacement trees, at the time they are planted, shall be in proportion to the canopies of the protected tree(s) removed and shall be to the satisfaction of the Urban Forestry Division and per the approved Protected Tree Report stamped by Urban Forestry on January 17, 2019.
- A Tree Replacement Program per the approved Protected Tree Report stamped by Urban Forestry on January 17, 2019 shall include the following measures at a minimum:
 - The trees within 50' of proposed grading shall be fenced at their dripline with a minimum 5' high fence before any site grading commences. This fence shall remain during all phases of construction and shall not be moved or removed without the knowledge of the applicant and approval of the Urban Forestry Division.
 - Any brush clearance within the dripline areas shall be done by handwork only.
 - Watering shall be done on an as needed basis.
 - Native oaks are in a dormant state during the summer months and do not require regular or constant watering or fertilizing. Watering is normally contemplated only following long periods of extreme drought or to extend the rainy season.
 - If it is decided to fertilize any trees, it shall be based on the results of a soils report. The fertilizer shall be applied just prior to watering. Any fertilization program should be approved by a certified arborist.
 - Fertilization of these native oak trees may be detrimental in general drought conditions. The addition of fertilizer into a maintenance program may promote temporary growth flushes at a time when the tree would normally be maintaining regular growth or to even reduce the number of green leaves present.
 - Prior to construction, the vigor of the saved trees shall be assessed by a licensed arborist. If the trees are to be treated, it shall be by a California Licensed Pest Control Applicator for diseases which are abnormal conditions that interfere with the normal physiological functioning of a plant and/or pests that are present. These recommendations shall be made by a California Licensed Pest Control Advisor.

- During all phases of construction, the health of the trees shall be monitored for disease symptoms. These problems, if they arise, shall be remedied.

- Initially, all grading/excavation within the dripline of encroached trees shall be done by hand under the inspection/observation of a licensed arborist. If any roots are encountered, they shall be saved (except in a cut situation) and covered with a minimum of 6" of sand.

- All pruned roots shall consist of clean-cut surfaces at a 90° angle and shall not be sealed.

- Do not:

- 1) Nail grade stakes or anything else to any native tree;

- 2) Remove natural leaf mulch within any native tree dripline, unless absolutely necessary;

- 3) Design and/or install any landscape planting, irrigation and/or utilities within the dripline of any native tree, unless approved; 4) Apply chemical herbicides within the dripline of any native tree.

- If retaining walls are to be built, all footings should be primarily in an outward direction (away from the trunk) and backfilled with topsoil from the site.

- The dust accumulation on the tree's foliage from nearby construction shall be hosed off periodically during construction when recommended by a certified arborist.

- The location of trees planted for the purposes of replacing a removed protected tree shall be clearly indicated on the required landscape plan, which shall also indicate the replacement tree species and further contain the phrase "Replacement Tree" in its description.

- The irrigation system (i.e., drip system or comparable) to water the newly planted replacement trees shall be compatible with the watering requirement of the project's indigenous oak trees.

- The irrigation system maintenance program should water these replacement trees for at least the first 2-3 years to establish the trees. Once established, watering should be done only in the winter months during periods of severe drought.

- Bonding (Tree Survival):

- a. The applicant shall post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division and the decision maker guaranteeing the survival of trees required to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that the new owner post a new oak tree bond to the satisfaction of the Bureau of Engineering. Subsequently, the original owner's oak tree bond may be exonerated.

- b. The City Engineer shall use the provisions of Section 17.08 as its procedural guide in satisfaction of said bond requirements and processing. Prior to exoneration of the bond, the owner of the property shall provide evidence satisfactory to the City Engineer and Urban Forestry Division that the oak trees were

properly replaced, the date of the replacement and the survival of the replacement trees for a period of three years.

c. In addition to the above conditions, replacement trees in a Significant Ecological Area (SEA) shall be monitored by a licensed arborist for a period of not less than seven years, with monitoring visits in years two, four, and seven.

15. MM-4. BIO-4. Tree Removal (Public Right-of-Way)

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

16. MM-5. Removal of Trees in Significant Ecological Area.

In addition to the tree removal mitigation measures above, for trees in an SEA, the applicant will provide documentation to show the following prior to the issuance of any grading or building permit:

- No grading or construction will endanger the health of any remaining trees in the SEA (i.e., trees that are not approved for removal).
- The removal of any tree in the SEA will not result in soil erosion through the diversion or increased flow of surface waters that cannot be satisfactorily mitigated.

17. MM-6. BIO-6. Special-Status Plants.

Prior to any vegetation clearing, grubbing, or other construction on site, seasonally timed special-status plant surveys should be conducted by a qualified botanist to document the location(s) and number(s) of sensitive plant species within the project site, if present. The surveys should be conducted in accordance with the current regional, state, and federal protocols and coincide with the appropriate blooming periods for each special-status plant species with potential to occur on the project site. Any special-status plant species observed on the project site should be mapped onto an aerial photograph of the project site at a scale no less than 1"=200'. A special-status plant survey technical report should be submitted to the City (and to other pertinent resource agencies if required) that documents the survey results prior to the onset of construction activities. If no special-status plant species are observed during the surveys, no further actions would be necessary. If seasonally timed plant surveys determine special-status plant species are present, then all special-status plants that can be avoided should be protected from harm during the construction phase of the proposed project. If special-status plant species cannot be avoided, a mitigation plan should be developed at the direction of the lead agency. The mitigation plan should specify the methodology and requirements for

compensating for the loss of special-status plant species at a 1:1 ratio. No special-status species should be removed without obtaining the appropriate permits.

18. MM-7. BIO-7. Special-Status Wildlife.

Prior to start of project activities, a qualified biologist should conduct a Worker Environmental Awareness Program (WEAP) training to familiarize all personnel conducting project activities with the identification and life-history of special-status wildlife potentially present on the project site. A pre-construction survey for special-status wildlife should be conducted in the construction area, plus a 50-foot buffer, not less than 2 weeks prior to the initiation of construction. If special-status wildlife is found and these individuals are likely to be killed or injured by construction activities, a qualified biologist should be allowed sufficient time to capture and relocate the animals from the project site before construction activities begin. A qualified biologist(s) should relocate the individuals the shortest distance possible to a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) should maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably digital) to assist in determining whether translocated animals are returning to the project site. If no special-status wildlife species are observed during the surveys, no further actions would be necessary. If surveys determine that special-status wildlife species are present, then all special status wildlife species that can be avoided should be protected from harm during the construction phase of the proposed project. Although not expected, if preconstruction surveys determine the potential for "take" (injury, death, harassment, change of behavior, or loss of habitat) of California gnatcatcher, coordination with USFWS should occur to obtain incidental take authorization. Implementation of these recommended measures would avoid and/or minimize potential impacts to special-status wildlife.

19. MM-8. BIO-8. Wildlife-Impermeable Fencing, Wall or Enclosure.

One impermeable enclosure for the purpose of protecting livestock or companion animals shall be permitted within the development footprint of any lot located within the Verdugo SEA.

20. MM-9. BIO-9. Wildlife-Permeable Fencing in the Verdugo SEA.

When needed to delineate lot boundaries or to section off development features, such as streets, trails, driveways, active recreation areas, or animal keeping structures, wildlife-permeable fencing shall be used outside of the building site area. Wildlife-permeable fencing shall be designed as follows unless otherwise required by the Los Angeles Municipal Code:

- a. Fences shall be of an open design and made of materials visible to wildlife, such as wood rail, steel pipe, vinyl rail, PVC pipe, recycled plastic rail, or coated wire;
- b. The bottom edge of the lowest horizontal element shall be no closer than 18 inches from the ground; and
- c. The top edge of the topmost horizontal element shall be no higher than 42 inches from the ground.
- d. Fencing shall be designed with materials not harmful to wildlife. Prohibited materials include, but are not limited to, spikes, glass, razor wire, and nets. All hollow fence and sign posts, or posts with top holes, such as metal pipes or sign posts with open bolt holes, shall be capped and the bolt holes filled to prevent the entrapment of bird species.

21. MM-10. BIO-10. Window Reflectivity Within the Verdugo SEA.

The windows of all structures within the boundaries of the Verdugo SEA shall be comprised of non-glare/non-reflective glass or utilize methods to achieve non-reflectivity.

22. MM-11. BIO-11. Outdoor Lighting Within the Verdugo SEA.

Outdoor lighting within the Verdugo SEA shall be directed to avoid light trespass upwards into the night sky and onto natural habitat areas.

23. MM-12. BIO-12. Utilities.

Within the boundaries of the Verdugo SEA, all utilities shall be undergrounded.

24. MM-13. BIO-13. Landscaping Within the Verdugo SEA.

For all areas within the Verdugo SEA, landscape plans shall be submitted that includes all cut and fill slopes, areas disturbed by the proposed construction activities, required fuel modification or brush clearance, and any proposed restoration areas.

- a. All development shall minimize removal of natural vegetation to minimize erosion and sedimentation and impacts to biological resources.
- b. All cut and fill slopes and other areas disturbed by construction activities shall be landscaped or revegetated.
- c. Plant materials shall consist of a mix of locally indigenous, drought-tolerant plant species and non-invasive drought-tolerant ornamental plants and gardens with associated irrigation.

25. MM-14. BIO-14. Nesting Birds.

To avoid impacts to nesting birds, project-related activities should occur outside of the bird breeding season (February 1 to August 31) to the extent practicable. If construction must occur during the bird breeding season, then no more than 1 week prior to initiation of ground disturbance and/or vegetation removal, a nesting bird and raptor pre-construction survey should be conducted by a qualified biologist in the disturbance footprint plus a 300-foot buffer (500-foot for raptors), where feasible. If the proposed project is phased, a subsequent pre-construction nesting bird and raptor survey may be required prior to each phase of construction within the project site. Pre-construction nesting bird and raptor surveys should be conducted during the time of day when birds are active and should be of sufficient duration to reliably conclude presence/absence of nesting birds and raptors onsite and within the designated vicinity. A report of the nesting bird and raptor survey results, if applicable, should be submitted to the lead agency for review and approval prior to ground and/or vegetation disturbance activities. If nests are found, their locations should be flagged. An appropriate avoidance buffer, depending upon the species and the proposed work activity, should be determined and demarcated by a qualified biologist with bright orange construction fencing or other suitable flagging. Active nests should be monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults. No ground disturbance should occur within this buffer until the qualified biologist confirms that the breeding/nesting is complete, and all the young have fledged. If project activities must occur within the buffer, they should

be conducted at the discretion of the qualified biologist. If no nesting birds are observed during pre-construction surveys, no further actions would be necessary.

26. MM-15. BIO-15. Jurisdictional Delineation.

The impacts (i.e. permanently filling the drainages) will require permitting with both agencies:

- California Department of Fish and Wildlife. Due to impacts to streambeds the project will require a Lake and Streambed Alteration Agreement with the CDFW per Section 1600 of the Fish and Game Code. The project shall complete an online application with the CDFW for these impacts and should receive the permit prior to start of construction.
- Los Angeles Regional Water Quality Control Board (RWQCB). The project is within Region 4, Los Angeles RWQCB and an Application for Waste Discharge Requirements is required for the project per the Porter Cologne Act.

27. MM-16. BIO-16. Avoidance and Minimization.

The following Best Management Practices (BMPs) shall be implemented:

- i. Any material/spoils generated from project activities should be located away from jurisdictional areas or special-status habitat and protected from storm water run-off using temporary perimeter sediment barrier such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate.
- ii. Materials should be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and generally at least 50 feet from the top of bank.
- iii. Any spillage of material would be stopped if it can be done safely. The contaminated area will be cleaned, and any contaminated materials properly disposed. For all spills, the project foreman or designated environmental representative would be notified.

28. MM-17. BIO-17. Compensatory Mitigation.

The project applicant shall consult with the agencies (Los Angeles Regional Water Quality Control Board, California Department of Fish and Wildlife, and/or U.S. Army Corps of Engineers) anticipated to assert jurisdiction over the drainages, as evaluated in the jurisdictional delineation report per MM BIO-15 above. Based on such consultation, appropriate permits should be obtained prior to disturbance of jurisdictional resources. In addition, compensatory mitigation for impacts to jurisdictional features should be identified prior to disturbance of the features. A 1:1 mitigation ratio should be used, unless a higher ratio is required by the Los Angeles Regional Water Quality Control Board, California Department of Fish and Wildlife, and/or U.S. Army Corp of Engineers. Mitigation may take the form of permittee-responsible onsite or offsite mitigation or purchasing credits from an

approved mitigation bank. The applicant should comply with the compensatory mitigation required and proof of compliance, along with copies of permits obtained from the Los Angeles Regional Water Quality Control Board, California Department of Fish and Wildlife, and/or U.S. Army Corp of Engineers, should be provided to the City.

In addition, habitat improvements shall be made upstream of the impacted areas that include planting of 5 native oaks along a total of 76-linear feet of Drainages #2 and #3. Mitigation proposed for impacts to protected oaks and other native trees in the existing biology report will require numerous replacement plantings that must be shown on the project Landscaping Plan. A minimum of 5 of these replacement oak tree plantings be placed along Drainage #2 and #3 in areas near the disturbance that currently lack native tree cover. These plantings should be shown on the Landscaping Plan and should be cared for according to the requirements in any oak tree removal permit. The replacement oak plantings along the drainages would improve habitat conditions along the stream for native fish and wildlife and these improvements would reduce the potential impacts to jurisdictional resources to a less than significant level per the thresholds of CEQA.

29. MM-18. BIO-18. Compensatory Mitigation Plan.

The project is subject to the following provisions (i-iii) as identified below.

i. Prior to ground disturbance activities that could impact potentially jurisdictional drainages, the project applicant shall consult with the agencies (LARWQCB, CDFW, and/or USACE) anticipated to assert jurisdiction over the drainages, as evaluated in the jurisdictional delineation report to be developed per MM BIO-2a. Based on such consultation, if permits are required for the project, appropriate permits should be obtained prior to disturbance of jurisdictional resources.

a. A 1:1 mitigation ratio (for non-protected trees) shall be used, unless a higher ratio is required by LARWQCB, CDFW, and/or USACE. Mitigation may take the form of permittee-responsible onsite or offsite mitigation or purchasing credits from an approved mitigation bank. The applicant shall comply with the compensatory mitigation required and proof of compliance, along with copies of permits obtained from LARWQCB, CDFW, and/or USACE, should be provided to the City.

ii. A Compensatory Mitigation Plan be prepared that outlines the compensatory mitigation approach in coordination with the LARWQCB, CDFW, and/or USACE. If onsite mitigation is proposed, the Compensatory Mitigation Plan should identify those portions of the site, such as relocated drainage routes, that contain suitable characteristics (e.g., hydrology) for restoration. Determination of mitigation adequacy should be based on comparison of the restored habitat with similar, undisturbed habitat in the site vicinity (such as upstream or downstream of the site). The Compensatory Mitigation Plan should include remedial measures if performance criteria are not met. At minimum, the Compensatory Mitigation Plan should include the following:

- A description of the purpose and goals of the restoration
- Identification of success criteria and performance standards for compensatory mitigation at a minimum 1:1 ratio
- Methods of site preparation
- Irrigation plan and schedule
- BMPs
- Maintenance and monitoring program

- Adaptive management strategies
- Key stakeholders and responsible parties
- Funding
- Contingencies

iii. If mitigation is implemented off-site, off-site land should be preserved through a deed restriction or conservation easement and the Compensatory Mitigation Plan should identify an approach for funding assurance for the long-term management of the conserved land.

30. MM-19. BIO-19. Prohibited Use of Anticoagulant Rodenticides.

During construction activities and upon project occupancy, the use of anticoagulant rodenticides which have the potential to significantly degrade biological resources, shall be prohibited throughout the tract. Individual property owners shall use nonpoisonous methods to control rodent pests, including sealing entrances to buildings, sanitizing property, removing rodent habitats, such as ivy or wood piles, setting traps, and erecting raptor poles or owl boxes. The above prohibition shall be clearly described and distributed to home buyers through their purchase contracts.

31. MM-20. BIO-20. Crotch's Bumble Bee Surveys

The Project proponent shall retain a qualified entomologist with the appropriate handling permits to conduct focused surveys. Focused surveys shall follow CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023). Focused surveys shall also be conducted throughout the entire Project site and during the appropriate flying season to ensure no missed detection of Crotch's bumble bee occurs. Survey results, including negative findings, shall be submitted to CDFW and the City prior to implementing Project ground-disturbing activities.

32. MM-21. BIO-21. Incidental Take Permit

If Crotch's bumble bee is detected on site, the Project proponent shall coordinate with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project proponent shall provide a copy of a fully executed take authorization to the City prior to implementing Project ground-disturbing activities and vegetation removal.

33. MM-22. GEO-1. Erosion/Grading/Short-Term Construction Impacts

Short-term erosion impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a less than significant level by the following measures:

- The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector

(Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.

34. MM-23. GEO-2. Grading (20,000 Cubic Yards, or 60,000 Square Feet of Surface Area or Greater)

Impacts will result from the alteration of natural landforms due to extensive grading activities. However, this impact will be mitigated to a less than significant level by designing the grading plan to conform with the City's Landform Grading Manual guidelines, subject to approval by the Department of City Planning and the Department of Building and Safety's Grading Division. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:

- A deputy grading inspector shall be on-site during grading operations, at the owner's expense, to verify compliance with these conditions. The deputy inspector shall report weekly to the Department of Building and Safety (LADBS); however, they shall immediately notify LADBS if any conditions are violated.
- "Silt fencing" supported by hay bales and/or sand bags shall be installed based upon the final evaluation and approval of the deputy inspector to minimize water and/or soil from going through the chain link fencing potentially resulting in silt washing off-site and creating mud accumulation impacts.
- "Orange fencing" shall not be permitted as a protective barrier from the secondary impacts normally associated with grading activities.
- Movement and removal of approved fencing shall not occur without prior approval by LADBS.

35. MM-24. GHG-1. Greenhouse Gas

Environmental impacts may result from project implementation due to increased greenhouse gas emissions. However, the impact can be reduced to a less than significant level though compliance with the following measure(s):

- Low- and non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the Project to reduce VOC emissions to the maximum extent practicable.
- To encourage carpooling and the use of electric vehicles by Project residents and visitors, at least twenty (20)% of the total code-required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. Only raceways and related components are required to be installed at the time of construction. When the application of the 20% results in a fractional space, round up to the next whole number. A label

stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

36. MM-25. NOISE-1. Increased Noise Levels (Demolition, Grading, and Construction Activities)

- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- A temporary noise control barrier shall be installed on the property line of the construction site abutting residential uses. The noise control barrier shall be engineered to reduce construction-related noise levels at the adjacent residential structures with a goal of a reduction of 10 dBA. The supporting structure shall be engineered and erected according to applicable codes. The temporary barrier shall remain in place until all windows have been installed and all activities on the project site are complete.

37. MM-26. PS-1. Public Services (Construction Activity Near Schools)

Environmental impacts may result from project implementation due to the close proximity of the project to a school. However, the potential impact will be mitigated to a less than significant level by the following measures:

- The developer and contractors shall maintain ongoing contact with administrator of Apperson Street Elementary School and the private school on the subject site (Canyon View Academy). The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

38. MM-27. PS-2. Public Services (Schools affected by Haul Route)

- LADBS shall assign specific haul route hours of operation based upon the hours of operation of Apperson Street Elementary School and the private school on the subject site (Canyon View Academy).
- Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods

when school is in session especially when students are arriving or departing from the campus.

39. MM-28. REC-1. Recreation (Affect Recreational Opportunities Hiking/Equestrian Trails)

Environmental impacts to the future hiking and equestrian trails may result project implementation. However, the potential impacts will be mitigated to a less than significant level by the following measure:

- The applicant shall comply with the planned/potential hiking and equestrian routes including trail alignment and improvements as recognized by the Department of Recreation and Parks and the Department of City Planning.

40. MM-29. TSP-1. Transportation

- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- The applicant shall be limited to no more than two trucks at any given time within the site's staging area.
- There shall be no staging of hauling trucks on any streets adjacent to the project, unless specifically approved as a condition of an approved haul route.
- No hauling shall be done before 8:30 a.m. or after 3:30 p.m.
- Trucks shall be spaced so as to discourage a convoy effect.
- On substandard hillside streets, only one hauling truck shall be allowed on the street at any time.
- A minimum of two flag persons are required. One flag person is required at the entrance to the project site and one flag person at the next intersection along the haul route.
- Truck crossing signs are required within 300 feet of the exit of the project site in each direction.
- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times shall provide reasonable control of dust caused by wind.
- Loads shall be secured by trimming and watering or may be covered to prevent the spilling or blowing of the earth material.
- Trucks and loads are to be cleaned at the export site to prevent blowing dirt and spilling of loose earth.
- No person shall perform grading within areas designated "hillside" unless a copy of the permit is in the possession of a responsible person and available at the site for display upon request.
- A log documenting the dates of hauling and the number of trips (i.e. trucks) per day shall be available on the job site at all times.
- The applicant shall identify a construction manager and provide a telephone number for any inquiries or complaints from residents regarding construction activities. The telephone number shall be posted at the site readily visible to any interested party during site preparation, grading and construction.

41. MM-30. TSP-2. Safety Hazards

Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a less than significant level by the following measure:

- The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycles, and vehicle safety.
- The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

42. MM-31. TSP-3. Inadequate Emergency Access

Environmental impacts may result from project implementation due to inadequate emergency access. However, these impacts can be mitigated to a less than significant level by the following measure:

- The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

43. MM-32. TSP-4. Inadequate Emergency Access (Hillside Streets – Construction Activities)

- No parking shall be permitted on the street during Red Flag Days in compliance with the "Los Angeles Fire Department Red Flag No Parking" program.
- All demolition and construction materials shall be stored on-site and not within the public right-of-way during demolition, hauling, and construction operations.

44. MM-33. TSP-5. Pedestrian Safety

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

45. MM-34. FIRE-1. Wildfire

Environmental impacts may result from project implementation due to the location of the project in an area of potential wildfire. However, this potential impact will be mitigated to a less than significant level by the following measure:

- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

46. MM-35. FIRE-2. Wildfire

The following mitigation measures are required as recommended by the Los Angeles Fire Department in their correspondence dated May 23, 2019, and additional mitigation measures may be incorporated to the satisfaction of the Fire Department:

- The project is located in the Very High Fire Hazard Severity Zone and shall comply with requirements set forth in the City of Los Angeles Fire Code Section 4908.
- Boxed-in eaves
- Single pane, double thickness (minimum 1/8 inch thickness) or insulated windows
- Non-wood siding
- Exposed wooden members shall be 2 inches nominal thickness
- Noncombustible finishes
- Irrigated and managed greenbelts around the perimeter of all structures for a distance of 100 feet shall be considered as a buffer between the brush and the proposed project.
- All landscaping shall use fire-resistant plants and materials. A list of such plants is available from the Brush Clearance Unit, 6262 Van Nuys Blvd., Room 451, Van Nuys, CA 91401 (818) 994-4444.
- All structures shall have noncombustible, non-wood roofs.
- The brush in the area adjacent to the proposed development shall be cleared or thinned periodically by the homeowner's association under supervision of the Los Angeles City Fire Department in order to reduce the risk of brush fires spreading to the homes.

47. MM-36. MAN-1. Cumulative Impacts

There may be environmental impacts which are individually limited, but significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. However, these cumulative impacts will be mitigated to a less than significant level through compliance with the above mitigation measures.

48. MM-37. MAN-2. Effects on Human Beings

The project has potential environmental effects which cause substantial adverse effects on human beings, either directly or indirectly. However, these potential impacts will be mitigated to a less than significant level through compliance with the above mitigation measures.

49. MM-38. MAN-3. End

The conditions outlined in this proposed mitigated negative declaration which are not already required by law shall be required as condition(s) of approval by the decision-making body except as noted on the face page of this document. Therefore, it is concluded that no significant impacts are apparent which might result from this project's implementation.

ADMINISTRATIVE CONDITIONS

50. **Notations on Plans.** Plans submitted to the Department of Building and Safety for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
51. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
52. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
53. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
54. **Covenant and Agreement.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for attachment to the subject case file.
55. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.

56. **Expiration.** In the event that this grant is not utilized within **three years** of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.

57. **Indemnification.** INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its

approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

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

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

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

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION

All terms and conditions of this Director's Determination shall be complied with before the use may be established. This authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination. If such privileges are not utilized or substantial physical construction work has not begun and carried on diligently to completion, the authorization shall become void.

TRANSFERABILITY

This determination runs with the land. In the event the property is sold, leased, rented, or occupied by any person or corporation other than yourself, you must advise them regarding the conditions of this grant.

VIOLATIONS OF THE CONDITIONS, A MISDEMEANOR

Section 11.00 M of the Los Angeles Municipal Code states: "It shall be unlawful to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction. Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

APPEALS

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

HOW TO FILE AN APPEAL

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

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

ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)



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

QR Code to
Online Appeal
Filing

IN- PERSON APPEAL FILINGS



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

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

QR Code to Forms
for In-Person Appeal
Filing

DEPARTMENT OF CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa Street 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org

Van Nuys DSC	6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401	(818) 374- 5050	planning.mbc2@lacity.org
South LA DSC <i>Tuesday and Thursday Only</i>	8475 S. Vermont Avenue, 1st Floor Los Angeles, CA 90044	(213) 978- 1465	planning.southla@lacity.org

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

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

DETERMINATION EFFECTIVE DATE

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

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

SCHEDULING CASE CONDITION CLEARANCE AND BUILDING PERMIT SIGN-OFFS



QR Code to BuildLA
Appointment Portal for
Condition Clearance

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

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

PROJECT PERMIT COMPLIANCE FINDINGS

The applicant is requesting a San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan Project Permit Compliance Review for the subdivision of two lots totaling 853,737 gross square feet (19.6 acres) and 830,113 net square feet (19.06 acres) currently improved with three existing buildings (one two-story, single-family dwelling and three-car garage; and one approximately 2,379 square foot private school with accessory living quarters) to create 13 single-family lots with private street access. The existing 38,420 single-family dwelling will remain, and the private school/accessory living quarters will be converted to a single-family residence. An additional 11

single-family dwelling units are proposed for construction for a total of 13 single-family dwellings on the project site. One private street will be accessed from McGroarty Street, and the second private street will be accessed via the intersection of McGroarty Street, McVine Avenue, and McVine Trail. The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. There are 106 native protected trees and 63 non-protected mature trees on the subject site. The applicant is proposing to remove seven protected trees (six Oak and one Sycamore) and up to 63 non-protected trees.

The subject site is comprised of two lots totaling 853,737 gross square feet (19.6 acres) and 830,113 net square feet (19.06 acres). The northerly portion of the subject site is zoned RE11-1 and RE40-1 and is designated for Low Residential and Minimum Residential land use by the Community Plan. The southern portion of the subject site is an interior lot that abuts McVine Terrace at its northwest corner but otherwise has no direct access. This approximately 435,691 square foot lot is zoned RE40-1 and is designated for Minimum Residential land use by the Community Plan.

Concurrently, the applicant is requesting subdivision approval to divide two lots into 13 single-family lots pursuant to LAMC Sections 17.06 and 17.15 under Case No. VTT-73957.

As defined by Section 4 of the Specific Plan, the subject site is designated a project since it meets the following criteria:

- a. The construction, erection, addition to, or structural alteration of any building or structure within the Plan area;
- b. Any grading which requires the issuance of a grading permit;
- c. The subdivision of land requiring a vesting map on a lot located in whole or in part where the average natural slope is 15 percent or more.

Based on a review of the plans and materials submitted labeled “**Exhibit A**” attached to the administrative file DIR-2019-952-SPP, the Director of Planning makes the following findings in accordance with Section 11.5.7 C.2 of the Los Angeles Municipal Code and the applicable review criteria of Sections 7 and 8 of the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan:

1. The project substantially complies with the applicable regulations, findings, standards, and provisions of the Specific Plan.

The proposed project is located within the boundaries of the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan, and meets the definition of a project under Section 4 of the Specific Plan. The project is for the construction, use, and maintenance of a two-story 5,650 square foot single-family dwelling with an attached 757 square foot three car garage all on a 62,163.6 square foot lot zoned RE40-1-K. The project substantially complies with the regulations, standards, and provisions of the Specific Plan.

Section 6 of the Specific Plan has a number of provisions for protection of the ridgeline. Prohibitions including building any structures including fire pits, picnic tables, or other similar construction within any Prominent Ridgeline Protection Area. It also prohibits the removal of any native vegetation within the same area. The subject property is not within a prominent ridgeline, therefore the project is in compliance.

Section 7 of the Specific Plan Regulates Equine Protection. However, the subject property is not located within an Equinekeeping "K" District, and no equine uses or structures are proposed nor located on the project site. The proposed project site is not located on an Official Equestrian Trail as designated on the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan Map No. 3. The proposed project does not encroach in the Equestrian Trail. The proposed project site is not located on a Non-Public Equestrian Trail as shown on Specific Plan Map No. 4.

The Specific Plan Section 8.A regulates slope density where the average natural slope is 15 percent or more on lots designated for Minimum density by the Community Plan. The total number of dwelling units are calculated pursuant to LAMC Section 17.05 C, and the Advisory Agency may require that such lots be situated on portions of the site with less than 15 percent slope.

Section 8.B of the Specific Plan prohibits the removal of oak trees without prior written approval. Section 8.B of the Specific Plan regulates the removal of Oak trees under specific circumstances. For example, oaks trees can be removed as approved by the Advisory Agency or Director of Planning if one of the following findings can be made:

- It is necessary to remove the oak tree because its continued existence at its present location prevents the reasonable development of the subject property; or
- The oak tree shows a substantial decline from a condition of normal health and vigor, and restoration, through appropriate and economically reasonable preservation procedures and practices, is not advisable (as evidenced by an oak tree report); or
- Because of an existing and irreversible adverse condition of the oak tree, the tree is in danger of falling, notwithstanding the tree having been designated an Historical Monument or as part of an Historic Preservation Overlay Zone; or
- The presence of the oak tree interferes with utility services and roadways within or without the subject property and the only reasonable alternative to the interference is the removal of the tree; or
- It has no apparent aesthetic value that will contribute to the appearance and design of the surrounding properties, or is not located with reference to other trees or monuments in such a way as to acquire a distinctive significance at that location.

It is necessary to remove the oak tree because its continued existence at its present location prevents the reasonable development of the subject property; the Protected Tree Report submitted by L. Newman Design Group, Inc. dated November 20, 2017 and updated on July 12, 2018 indicates that seven protected trees are proposed for removal including one Sycamore and six Oaks. The health of the Oaks proposed for removal are rated B, C, and C-. The Tree Report does not state that restoration is not advisable or that the tree is in danger of falling. Because of the substantial number of oak trees on the subject site (103 oaks), the oaks have aesthetic value. Furthermore, the southern portion of the subject site is located within the Verdugo Mountains Significant Ecological Area (SEA) and in proximity to the Valley Rim of the Corridor, thereby having noteworthy importance for the ecology of the area, particularly plant and wildlife species. Finally, the subject site could not be reasonably developed and utilities/roadways installed without removal of the six protected oak trees.

Specific Plan Section 8.C prohibits certain plant materials within the Specific Plan area for all new projects. This project does not propose any prohibited plants and is conditioned herein to retain natural California vegetation.

The project site is not located within a Scenic Highway Corridor, which is defined in Section 4 of the Specific Plan as “the area extending 500 feet on either side of the centerline of the roadway of each of the Scenic Highways.” The proposed project consists of 11 new single-family dwellings with varying heights. The highest height proposed is the single-family dwelling located within Lot 13 at a maximum height of 29 feet and 10 ¾ inches, and therefore would comply with the height regulations of the Scenic Highway Corridor if applicable.

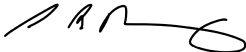
As such, the project substantially complies with the applicable regulations, findings, standards, and provisions of the Specific Plan.

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

A Mitigated Negative Declaration, ENV-2016-2070-MND, was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with the imposition of mitigation measures described in the MND (and incorporated into the Conditions of Approval herein, Conditions number 10 through 50), there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency’s independent judgement and analysis. The records upon which those decision is based are within the Department of City Planning in Room 750, 200 North Spring Street.

VINCENT P. BERTONI, AICP
Director of Planning

APPROVED & REVIEWED BY:



JoJo Pewsawang
Senior City Planner

PREPARED BY:



Dang Nguyen
City Planner

cc: Council District No. 7; Sunland-Tujunga Council; and Adjacent Property Owners.

Exhibit: B – Environmental Clearance – ENV-2016-
2070-MND

Case Number: ENV-2016-2070-MND

VTT-73957 and DIR-2019-952-SPP

Project Location: 8100, 8150, and 8160 W. McGroarty Street, 10000 N. McVine Terrace

Community Plan Area: Sunland-Tujunga-Lake View Terrace-Shadow Hills-E. La Tuna Canyon

Council District: 7 - Rodriguez

Project Description: The subdivision of two existing lots totaling 853,737 gross square feet (19.6 acres) and 830,113 net square feet (19.06 acres) currently improved with three existing buildings (one two-story, 38,420 square-foot single-family dwelling and three-car garage; and one approximately 2,379 square foot private school with accessory living quarters) to create 13 single-family lots with private street access. The existing 38,420 square-foot single-family dwelling will remain, and the private school/accessory living quarters will be converted to a single-family residence. An additional 11 single-family dwelling units are proposed for construction for a total of 13 single-family dwellings on the project site. One private street will be accessed from McGroarty Street, and the second private street will be accessed via the intersection of McGroarty Street, McVine Avenue, and McVine Trail. The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. There are 106 native protected trees and 63 non-protected mature trees on the subject site. The applicant is proposing to remove seven protected trees (six Oak and one Sycamore) and up to 63 non-protected trees.

To achieve the proposed project, the applicant is requesting the following discretionary actions:

- Pursuant to LAMC Sections 17.06 and 17.15, a Vesting Tentative Tract Map to subdivide two lots into 13 lots encompassing 13 single-family homes with private street access on two lots totaling 853,737 gross square feet (19.6 acres).
- Pursuant to LAMC Section 11.5.7 C, a San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan Project Permit Compliance Review.
- Haul Route Approval

PREPARED BY:

The City of Los Angeles
Department of City Planning

APPLICANT:

Albert Davityan
February 2020

INITIAL STUDY

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- E. Slope Analysis for Proposed Lot Nos. 1-2, 4-7, 9-13, Forma Engineering, Inc.
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INITIAL STUDY

1 INTRODUCTION

This Initial Study (IS) document evaluates potential environmental effects resulting from construction and operation of the proposed 13 single-family subdivision Project (“Project”). The proposed Project is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). Therefore, this document has been prepared in compliance with the relevant provisions of CEQA and the State CEQA Guidelines as implemented by the City of Los Angeles (City). Based on the analysis provided within this Initial Study, the City has concluded that the Project may result in significant impacts on the environment that can be reduced to a less than significant level with mitigation. This Initial Study and Mitigated Negative Declaration are intended as informational documents, and are ultimately required to be adopted by the decision maker prior to project approval by the City.

1.1 PURPOSE OF AN INITIAL STUDY

The California Environmental Quality Act was enacted in 1970 with several basic purposes: (1) to inform governmental decision makers and the public about the potential significant environmental effects of proposed projects; (2) to identify ways that environmental damage can be avoided or significantly reduced; (3) to prevent significant, avoidable damage to the environment by requiring changes in projects through the use of feasible alternatives or mitigation measures; and (4) to disclose to the public the reasons behind a project’s approval even if significant environmental effects are anticipated.

An application for the proposed project has been submitted to the City of Los Angeles Department of City Planning for discretionary review. The Department of City Planning, as Lead Agency, has determined that the project is subject to CEQA, and the preparation of an Initial Study is required.

An Initial Study is a preliminary analysis conducted by the Lead Agency, in consultation with other agencies (responsible or trustee agencies, as applicable), to determine whether there is substantial evidence that a project may have a significant effect on the environment. If the Initial Study concludes that the Project, with mitigation, may have a significant effect on the environment, an Environmental Impact Report should be prepared; otherwise the Lead Agency may adopt a Negative Declaration or a Mitigated Negative Declaration.

This Initial Study has been prepared in accordance with CEQA (Public Resources Code §21000 et seq.), the State CEQA Guidelines (Title 14, California Code of Regulations, §15000 et seq.), and the City of Los Angeles CEQA Guidelines (1981, amended 2006).

1.2. ORGANIZATION OF THE INITIAL STUDY

This Initial Study is organized into four sections as follows:

1 INTRODUCTION

Describes the purpose and content of the Initial Study, and provides an overview of the CEQA process.

2 EXECUTIVE SUMMARY

Provides Project information, identifies key areas of environmental concern, and includes a determination whether the project may have a significant effect on the environment.

3 PROJECT DESCRIPTION

Provides a description of the environmental setting and the Project, including project characteristics and a list of discretionary actions.

4 EVALUATION OF ENVIRONMENTAL IMPACTS

Contains the completed Initial Study Checklist and discussion of the environmental factors that would be potentially affected by the Project.

1.3. CEQA PROCESS

In compliance with the State CEQA Guidelines, the City, as the Lead Agency for the Project, will provide opportunities for the public to participate in the environmental review process. As described below, throughout the CEQA process, an effort will be made to inform, contact, and solicit input on the Project from various government agencies and the general public, including stakeholders and other interested parties.

At the onset of the environmental review process, the City has prepared an Initial Study to identify the preliminary environmental impacts of the project. The Initial Study for the Project determined that the proposed Project could have significant environmental impacts that would require the implementation of mitigation measures.

If the Project is approved, then within five days of the action, the City files a Notice of Determination with the County Clerk. The Notice of Determination is posted by the County Clerk within 24 hours of receipt. This begins a 30-day statute of limitations on legal challenges to the approval under CEQA. The ability to challenge the approval in court may be limited to those persons who objected to the approval of the project, and to issues that were presented to the Lead Agency by any person, either orally or in writing, during the public comment period.

1.3.1 Initial Study

At the onset of the environmental review process, the City has prepared this Initial Study to determine if the proposed Project may have a significant effect on the environment. This Initial Study determined that the proposed Project could have potentially significant environmental impacts but mitigation measures agreed to by the applicant would avoid or reduce such impacts to a point where clearly no significant impacts would occur.

A Notice of Intent to Adopt a Mitigated Negative Declaration (MND) or Negative Declaration (ND) is provided to inform the general public, responsible agencies, trustee agencies, and the county clerk of the availability of the document and the locations where the document can be reviewed. A 20-day review period (or 30-day review period when the document is submitted to the State Clearinghouse for state agency review) is identified to allow the public and agencies to review the document. The notice is mailed to any interested parties and is noticed to the public through publication in a newspaper of general circulation.

The decision-making body then considers the Mitigated Negative Declaration or Negative Declaration, together with any comments received during the public review process, and may adopt the MND or ND and approve the project. In addition, when approving a project for which an MND or ND has been prepared, the decision-making body must find that there is no substantial evidence that the project will have a significant effect on the environment, and that the ND or MND reflects the lead agency's independent judgement and analysis. When adopting an MND, the lead agency must also adopt a mitigation monitoring program to ensure that all proposed mitigation measures are implemented to mitigate or avoid significant environmental effects.

INITIAL STUDY

2 EXECUTIVE SUMMARY

PROJECT TITLE	8100 W. MCGROARTY STREET
ENVIRONMENTAL CASE NO.	ENV-2016-2070-MND
RELATED CASES	VTT-73957 DIR-2019-952-SPP

PROJECT LOCATION	8100, 8150, AND 8160 W. MCGROARTY STREET, 10000 N. MCVINE TERRACE
COMMUNITY PLAN AREA	SUNLAND-TUJUNGA-LAKE VIEW TERRACE-SHADOW HILLS-EAST LA TUNA CANYON
GENERAL PLAN DESIGNATION	LOW RESIDENTIAL MINIMUM RESIDENTIAL
ZONING	RE11-1 RE40-1
COUNCIL DISTRICT	7

LEAD CITY AGENCY	City of Los Angeles Department of City Planning
STAFF CONTACT	DANG NGUYEN
ADDRESS	6262 VAN NUYS BLVD, ROOM 430, VAN NUYS, CA 91401
PHONE NUMBER	818.374.5027
EMAIL	DANG.NGUYEN@LACITY.ORG

APPLICANT	ALBERT DAVITYAN
ADDRESS	8160 MC GROARTY ST.
PHONE NUMBER	818.822.6864

PROJECT DESCRIPTION

The subdivision of two lots totaling 853,737 gross square feet (19.6 acres) and 830,113 net square feet (19.06 acres) currently improved with three existing buildings (one two-story, 38,420 square foot single-family dwelling and three-car garage; and one approximately 2,379 square foot private school with accessory living quarters) to create 13 single-family lots with private street access. The existing 38,420 single-family dwelling will remain, and the private school/accessory living quarters will be converted to a single-family residence. An additional 11 single-family dwelling units are proposed for construction for a total of 13 single-family dwellings on the project site. One private street will be accessed from McGroarty Street, and the second private street will be accessed via the intersection of McGroarty Street, McVine Avenue, and McVine Trail. The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. There are 106 native protected trees and 63 non-protected mature trees on the subject site. The applicant is proposing to remove seven protected trees (six Oak and one Sycamore) and most of the 63 non-protected trees.

To achieve the proposed project, the applicant is requesting the following discretionary actions:

- Pursuant to LAMC Sections 17.06 and 17.15, a Vesting Tentative Tract Map to create a 13 lot single-family subdivision with private street access on two lots totaling 853,737 gross square feet (19.6 acres).
- Pursuant to LAMC Section 11.5.7 C, a San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan Project Permit Compliance Review.
- Haul Route Approval

(For additional detail, see “Section 3. PROJECT DESCRIPTION”).

ENVIRONMENTAL SETTING

The proposed project is located on W. McGroarty Street and N. McVine Trail on two dual zoned lots in the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan area and the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan area.

The northerly portion of the subject site is an approximately 408,454 square foot irregular-shaped lot that fronts for approximately 238 linear feet on W. McGroarty Street bordering McVine Terrace to the west. An irregular-shaped lot that is not a part of the proposed project fronts for approximately 70 linear feet along W. McGroarty Street. Further east, the subject site extends for approximately 353 linear feet along W. McGroarty Street. This northerly portion of the subject site is zoned RE11-1 and RE40-1 and is designated for Low Residential and Minimum Residential land use by the Community Plan.

The southern portion of the subject site is an interior lot that abuts McVine Terrace at its northwest corner but otherwise has no direct access. This approximately 435,691 square foot lot is zoned RE40-1 and is designated for Minimum Residential land use by the Community Plan.

The Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan Map includes the following footnotes:

Footnote No. 4: Densities shall not exceed that which would be permitted using the slope density formula in LAMC Section 17.05C for lots: (a) in areas of steep topography planned for Very Low I, Very Low II and Minimum density; and, (b) which would otherwise require extensive grading, involve soil instability erosion problems of access problems, as determined by the Deputy Advisory Agency.

The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export over the entire site. Areas of the site that are designated Minimum density include proposed Lots 10, 12, and 13, a portion of Lot 11, and portions of the private street.

Footnote No. 7: Subdivision in steep hillside areas shall be designed in such a way as to preserve the ridgelines and the steeper slopes as open space, limit the amount of grading required, and to protect the natural hillside views. The total density allowed over the entire ownership shall be clustered in the more naturally level portions of the ownership. Density in the clusters shall not exceed that permitted in the Low density housing category for areas that are not in "K" Districts, and shall not exceed that permitted in the Very Low I category of areas that are within a "K" District.

The proposed project is not located in a K District, and therefore, density should not exceed that permitted in the Low density category, which under the Community Plan corresponds to the RE9, RS, R1, and RU Zones. The RE9 Zone requires a minimum lot area of 9,000 square feet, RS requires a minimum lot area of 7,500 square feet, R1 requires a minimum lot area of 5,000 square feet, and RU requires a minimum lot area of 3,500 square feet. As proposed, the smallest sized lot is 11,000 square feet.

Footnote No. 19: There shall be no grading of the principal ridge lines within the Plan boundaries. Designation of principal ridge lines shall be determined by the Advisory Agency.

As designated under the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (ZI No. 2324, Ordinance No. 175,736 effective February 8, 2004) Map No. 2, the proposed project site is not located along a prominent ridgeline.

The project site is in a ZIMAS designated Hillside area characterized by one- and two-story single-family dwellings and unimproved hillside terrain. The site is surrounded by one- and two-story single-family homes to the north on lots that are zoned R1-1-RFA and designated Low Residential by the Community Plan. To the west, across McVine Terrace, the site abuts vacant land and one- and two-story single-family dwellings on R1-1 Zoned lots designated Low Residential by the Community Plan. To the southwest, the subject site borders a RE40-1 Zoned lot that is designated for Minimum Residential. There is no direct access to the southerly portion of the subject site and the abutting property. The site located to the south of the subject site abuts an unimproved lot that fronts on Verdugo Crestline Drive that is zoned A1-1 and designated Medium Residential by the Community Plan. To the east, lots are zoned RE40-1 and designated Low Residential by the Community Plan. The approximately 14,476 square foot irregular-shaped lot bisecting the subject site and fronting on W. McGroarty Street is zoned RE11-1 and designated Low Residential by the Community Plan. This lot is improved with a one-story single-family dwelling.

The purpose of the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (ZI No. 2324, Ordinance No. 175,736 effective February 8, 2004) is to preserve, protect, and enhance

the unique natural and cultural resources of the area. The Plan established regulations in four areas as follows:

1. **Prominent Ridgeline Protection measures** that protect from grading and/or development on designated Prominent Ridgelines that are visible from the right-of-way of Scenic Highways and depicted on Specific Plan Map No 2.
2. **Biological Resource Protection** measures to protect Oak trees and unique native plant communities.
3. **Scenic Highway Corridors Viewshed Protection** measures that establish standards for site design, landscaping, and signage for scenic highway corridors as designated on Specific Plan Map No 1.
4. **Equinekeeping District Standards, Equestrian Trails, and Domestic Livestock measures** to provide for the designation and development of existing and future equestrian trails within "K" Equinekeeping Districts, re-establish the right of property owners to keep domestic livestock in conjunction with RE40 Zoned uses, and protect non-conforming equine uses in "K" Districts.

The proposed project site is not located within a Prominent Ridgeline Protection area or a Scenic Highway Corridor as designated on Specific Plan Maps No. 2 and 1, respectively. As discussed in the Protected Tree Report prepared by L. Newman Design Group Inc. (see Appendix A), the proposed project site includes 106 native protected trees and 63 non-protected mature trees on the subject site. The applicant is proposing to remove seven protected trees (six Oak and one Sycamore) and up to 63 non-native, non-protected trees. Additionally, Specific Plan Map No. 3 designates the Official Equestrian Trail System. The subject site does not include an Official Trail and/or "K" Horsekeeping District. However, ZIMAS shows the subject site falls into a geographic area designated under ZI-2438, Equine Keeping in the City of Los Angeles, which regulates distance between habitable space and animal keeping/equine structures and/or enclosures on lots zoned RA, RE20, RE40, A1, and A2. As such, the RE40 Zoned lots, which includes a portion of proposed Lot No. 11 and Lot Nos. 10, 12, and 13 are regulated by ZI-2438 as implemented by the Los Angeles Department of Building and Safety (LADBS).

The subject site also falls within a geographic area designated under ZIMAS as ZI-2462, Modifications to Single-Family Zones and Single-Family Hillside Area Regulations. ZI-2462 applies to single-family zoned (RA, RE, RS, R1) properties citywide and establishes regulations regarding the size and bulk of new and enlarged homes, and further regulates grading and earth import/export in designated Hillside Areas. As the proposed project is located within an RE Zone, it is subject to the regulations of ZI-2462 as regulated by LADBS.

ZIMAS also shows that the subject site is located within a Very High Fire Hazard Severity Zone, High Wind Velocity Area, and BOE Special Grading Area (BOE Basic Grid Map A-13372). The subject site is located within the Verdugo Fault Zone, but is not within the Alquist-Priolo Fault Zone or an area of Liquefaction, Preliminary Fault Rupture Study Area, or Tsunami Inundation Zone. The northern approximately 408,454 square foot lot where most of the development is proposed is not in a Landslide area, but the approximately 435,691 square foot southern portion of the subject site is located in a Landslide area. Finally, the northern approximately 408,454 square foot portion of the subject site is located in an Urban Agriculture Incentive Zone.

The southern portion of the subject site is located within the Los Angeles County designated Verdugo Mountains Significant Ecological Area (SEA). SEAs are officially designated areas within Los Angeles County that have irreplaceable biological resources, including abundant native wildlife and habitats and rare and sensitive plant and animal species. The Verdugo Mountains

SEA is located in the Verdugo Mountains and includes areas south of the I-210, east of the I-5, and a portion of the mountains north of the I-210. Although the project is at the edge of a sizeable expanse of natural habitat within the Verdugo Mountains, the project site does not connect the Verdugo Mountains to any other habitat area, nor is it a “buffer” between natural habitat and existing development because a portion of the project site is already developed. Moreover, the project plans to leave the vast majority of the land in the southern half of the project site undeveloped. Therefore, according to the 2020 Biological Resource Assessment, the proposed project is not expected to conflict with the objectives of the SEA for species conservation, biotic diversity, or habitat linkages.

Finally, the proposed project is adjacent to the Rim of the Valley Corridor, which includes the Verdugo Mountains, San Gabriel Mountains, Simi Hills, Santa Susana Mountains, and Santa Monica Mountains. The Rim of the Valley Corridor is comprised of open space lands that support plant and animal wildlife.

(For additional detail, see “Section 3. PROJECT DESCRIPTION”).

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED

(e.g. permits, financing approval, or participation agreement)

None

CALIFORNIA NATIVE AMERICAN CONSULTATION

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Yes, consultation with the Tribes is listed as follows:

- Fernandeno Tataviam Band of Mission Indians, consultation May 28, 2019
- Gabrieleno Band of Mission Indians – Kizh Nation, consultation June 12, 2019

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission’s Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|---|---|--|
| ☐ Aesthetics | ☒ Greenhouse Gas Emissions | ☒ Public Services |
| ☐ Agriculture & Forestry Resources | ☒ Hazards & Hazardous Materials | ☒ Recreation |
| ☐ Air Quality | ☒ Hydrology / Water Quality | ☒ Transportation |
| ☒ Biological Resources | ☒ Land Use / Planning | ☐ Tribal Cultural Resources |
| ☐ Cultural Resources | ☐ Mineral Resources | ☒ Utilities / Service Systems |
| ☐ Energy | ☒ Noise | ☒ Wildfire |
| ☒ Geology / Soils | ☐ Population / Housing | ☒ Mandatory Findings of Significance |

DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

DANG NGUYEN

CITY PLANNER

PRINTED NAME

TITLE

Dang Nguyen

May 7 2025

SIGNATURE

DATE

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross referenced).
- 5) Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated
- 7) Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

INITIAL STUDY

3 PROJECT DESCRIPTION

3.1 PROJECT SUMMARY

The subdivision of two lots totaling 853,737 gross square feet (19.6 acres) and 830,113 net square feet (19.06 acres) currently improved with three existing buildings (one two-story, 38,420 square foot single-family dwelling and three-car garage; and one approximately 2,379 square foot private school with accessory living quarters) to create 13 single-family lots with private street access. The existing 38,420 single-family dwelling will remain, and the private school/accessory living quarters will be converted to a single-family residence. An additional 11 single-family dwelling units are proposed for construction for a total of 13 single-family dwellings on the project site. One private street will be accessed from McGroarty Street, and the second private street will be accessed via the intersection of McGroarty Street, McVine Avenue, and McVine Trail. The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. There are 106 native protected trees and 63 non-protected mature trees on the subject site. The applicant is proposing to remove seven protected trees (six Oak and one Sycamore) and most of the 63 non-protected trees.

To achieve the proposed project, the applicant is requesting the following discretionary actions:

- Pursuant to LAMC Sections 17.06 and 17.15, a Vesting Tentative Tract Map to create a 13 lot single-family subdivision with private street access on two lots totaling 853,737 gross square feet (19.6 acres).
- Pursuant to LAMC Section 11.5.7 C, a San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan Project Permit Compliance Review.
- Haul Route Approval

3.2 ENVIRONMENTAL SETTING

3.2.1 Project Location

The proposed project is located on W. McGroarty Street and N. McVine Terrace in the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan area and the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan area. The lot fronts on W. McGroarty Street and is bordered by McVine Terrace to the west. The Mobility Plan 2035 designates McGroarty Street as a collector with a designated 66 foot right-of-way and a designated 40 foot roadway width. NavigateLA shows that that McVine Terrace has an unidentified street designation. McVine Avenue, which bisects McGroarty Street to the north, is designated a collector under Mobile Plan 2035 with a designated 66 foot right-of-way and a designated 40 foot roadway width.

3.2.2 Existing Conditions

The proposed project is located on W. McGroarty Street and N. McVine Trail on two dual zoned lots in the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan area and the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan area.

The northerly portion of the subject site is an approximately 408,454 irregular-shaped square foot lot that fronts for approximately 238 linear feet on W. McGroarty Street bordering McVine Terrace to the west. An irregular-shaped lot that is not a part of the proposed project fronts for approximately 70 linear feet along W. McGroarty Street. Further east, the subject site extends for approximately 353 linear feet along W. McGroarty Street. This northerly portion of the subject site is zoned RE11-1 and RE40-1 and is designated for Low Residential and Minimum Residential land use by the Community Plan.

The southern portion of the subject site is an interior lot that abuts McVine Terrace at its northwest corner but otherwise has no direct access. This approximately 435,691 square foot lot is zoned RE40-1 and is designated for Minimum Residential land use by the Community Plan (See Figure A-1).

As shown in Figure A-2, the southern portion of the subject site is located within the Verdugo Mountains Significant Ecological Area (SEA). SEAs are officially designated areas within Los Angeles County that have irreplaceable biological resources, including abundant native wildlife and habitats and rare and sensitive plant and animal species. The Verdugo Mountains SEA is located in the Verdugo Mountains and includes areas south of the I-210, east of the I-5, and a portion of the mountains north of the I-210.

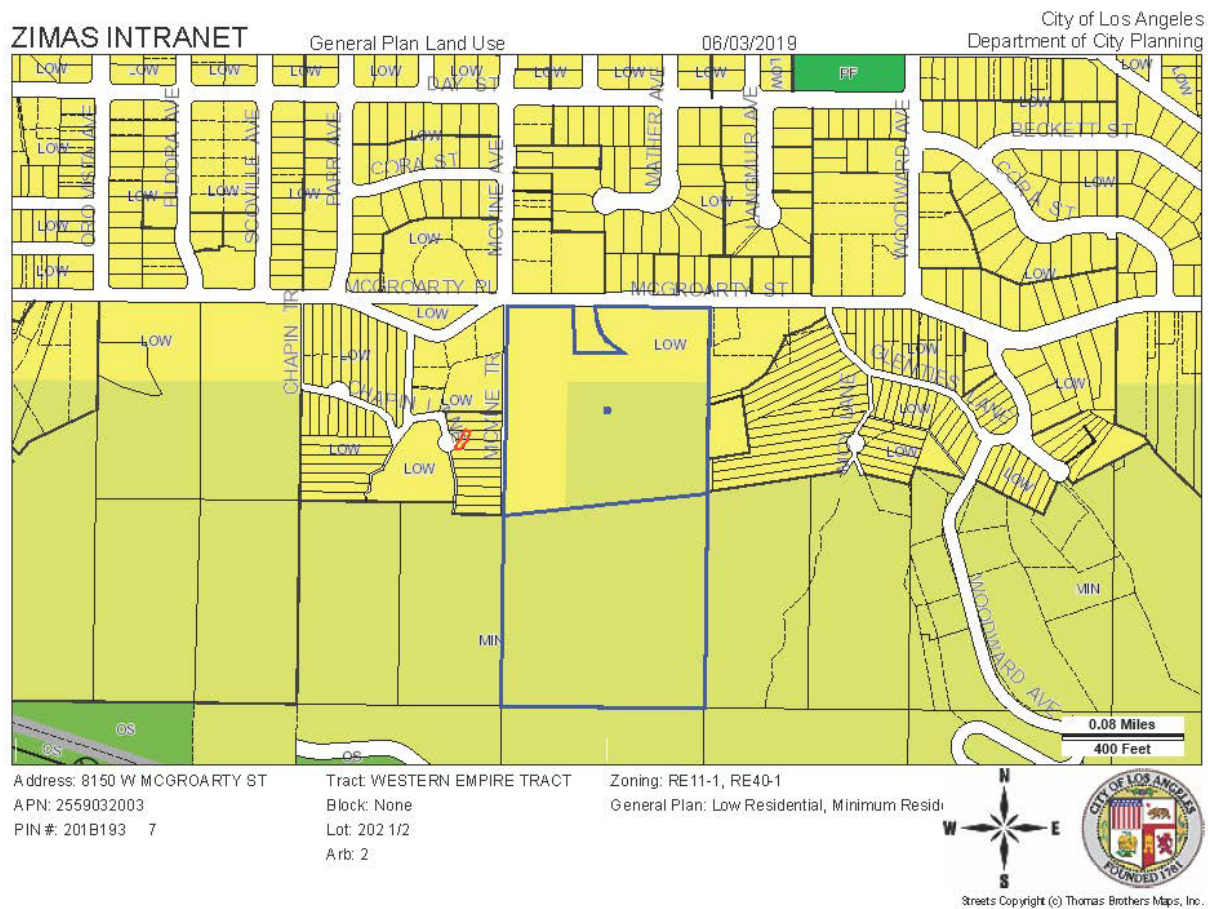


FIGURE A-1. GENERAL PLAN LAND USE DESIGNATION OF SUBJECT SITE AND VICINITY

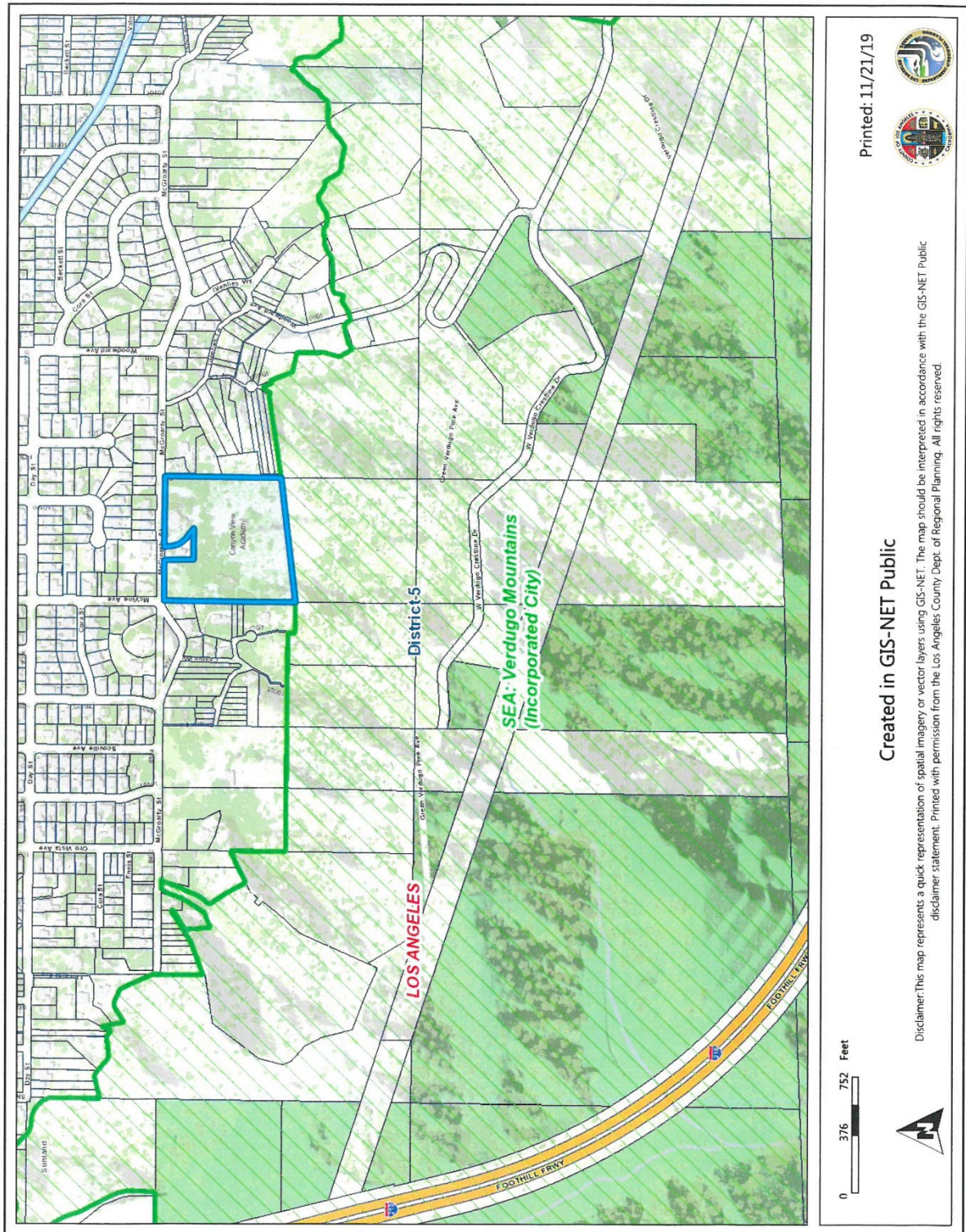


FIGURE A-2. VERDUGO MOUNTAINS SIGNIFICANT ECOLOGICAL AREA (SEA) SHOWN BY CROSSHATCHING

3.2.3 Surrounding Land Uses

The project site is in a designated Hillside area characterized by one- and two-story single-family dwellings and unimproved hillside terrain. The site is surrounded by one- and two-story single-family homes to the north on lots that are zoned R1-1-RFA and designated Low Residential by the Community Plan. To the west, across McVine Terrace, the site abuts vacant land and one- and two-story single-family dwellings on R1-1 Zoned lots designated Low Residential by the Community Plan. To the southwest, the subject site borders a RE40-1 Zoned lot that is designated for Minimum Residential. There is no direct access to the southerly portion of the subject site and the abutting property. The site located to the south of the subject site abuts an unimproved lot that fronts on Verdugo Crestline Drive that is zoned A1-1 and designated Medium Residential by the Community Plan. To the east, lots are zoned RE40-1 and designated Low Residential by the Community Plan. The approximately 14,476 square foot irregular-shaped lot bisecting the subject site and fronting on W. McGroarty Street is zoned RE11-1 and designated Low Residential by the Community Plan. This lot is improved with a one-story single-family dwelling. (see Figure A-3)

3.3 DESCRIPTION OF PROJECT



FIGURE A-3. AERIAL PHOTOGRAPH OF SUBJECT SITE AND VICINITY

3.3.1 Project Overview

The applicant is proposing to subdivide the two existing lots into 13 single-family residential lots ranging between 11,000 square feet and 442,278 square feet after dedication. The proposed Vesting Tentative Tract map is shown in Figure A-4. The zoning, Community Plan density, slope, and proposed square footage each lot is shown in Table A-1. The slope density calculations for proposed Lot Nos. 1-2, 4-7, and 9-13 are included herein as Appendix E.

TABLE A-1. PROPOSED PROJECT OVERVIEW

LOT NO.	ZONING	COMMUNITY PLAN DESIGNATION	AREA, SQUARE FEET	PERCENT SLOPE
1	RE11-1	Low Residential	11,000	9.86
2	RE11-1	Low Residential	11,000	28.9
3	RE11-1	Low Residential	43,814	27.81
4	RE11-1	Low Residential	15,847	11.37
5	RE11-1	Low Residential	16,197	14.79
6	RE11-1	Low Residential	15,558	31.65
7	RE11-1	Low Residential	18,840	21.23
8	RE11-1	Low Residential	38,420	12.34
9	RE11-1	Low Residential	24,770	42.6
10	RE40-1	Minimum Residential	40,095	28.35
11	RE11-1	Low Residential	25,544	42.23
	RE40-1	Minimum Residential	64,875	
			90,419	
12	RE40-1	Minimum Residential	61,875	40.54
13	RE40-1	Minimum Residential	442,278	59.97

3.3.2 Design and Architecture

The applicant is proposing a 13 lot single-family subdivision. The project will maintain one existing two-story, 38,420 square foot single-family dwelling and three-car garage and one approximately 2,379 square foot private school with accessory living quarters to be converted to a single-family residence. An additional 11 single-family dwelling units are proposed for construction. Table A-2 shows the proposed area, height, and significant design features of each single-family home.

TABLE A-2. DESIGN FEATURES

LOT NO.	SQUARE FOOTAGE OF PROPOSED DWELLING UNIT	HEIGHT	PARKING	SIGNIFICANT DESIGN FEATURES
1	4,227	2-story, 29 feet, 10 inches	5 spaces (2 car garage, 3 outside spaces)	House Type H: 5 bedrooms; roof deck; aluminum frame doors; aluminum glass garage door; aluminum frame windows; glass railing; metal trellis; smooth stucco colonial white and neutral colors
2	3,530	2-story, 29 feet, 10 inches	4 spaces (2 car garage, 2 outside spaces)	House Type B: 5 bedrooms; roof deck; aluminum frame doors; aluminum glass garage door; aluminum frame windows; glass railing; metal trellis; smooth stucco colonial white and shadow colors
3				Private school and accessory structure to be converted to single-family dwelling
4	5,002	2-story, 29 feet, 10 inches	5 spaces (2 car garage, 3 outside spaces)	House Type A: 5 bedrooms; roof deck; aluminum frame doors; aluminum glass garage door; aluminum frame windows; glass railing; metal trellis; smooth stucco colonial white and smoke colors
5	5,002	2-story, 29 feet, 10 inches	5 spaces (2 car garage, 3 outside spaces)	House Type A: 5 bedrooms; roof deck; aluminum frame doors; aluminum glass garage door; aluminum frame windows; glass railing; metal trellis; smooth stucco colonial white and neutral colors
6	3,530	2-story, 29 feet, 10 inches	4 spaces (2 car garage, 2 outside spaces)	House Type B: 5 bedrooms; roof deck; aluminum frame doors; aluminum glass garage door; aluminum frame windows; glass railing; metal trellis; smooth stucco colonial white and shadow colors
7	3,530	2-story, 29 feet, 10 inches	4 spaces (2 car garage, 2 outside spaces)	House Type B: 5 bedrooms; roof deck; aluminum frame doors; aluminum glass garage door; aluminum frame windows; glass railing; metal trellis; smooth stucco colonial white and smoke colors
8				Existing 2-story single-family dwelling to remain
9	4,908	2-story, 29 feet, 10 inches	5 spaces (2 car garage, 3 outside spaces)	House Type C: 5 bedrooms; roof deck; aluminum frame doors; aluminum glass garage door; aluminum frame windows; glass railing; metal trellis; smooth stucco colonial white and shadow colors
10	4,652	2-story, 29 feet, 10 inches	5 spaces (2 car garage, 3 outside spaces)	House Type F: 5 bedrooms; roof deck; aluminum frame doors; aluminum glass garage door; aluminum frame windows; glass railing; metal trellis; smooth stucco colonial white and neutral colors
11	4,334	2-story, 28 feet	5 spaces (3 car garage, 2	House Type E: 4 bedrooms; 1 st floor deck; aluminum frame doors; aluminum frame windows;

TABLE A-2. DESIGN FEATURES

LOT NO.	SQUARE FOOTAGE OF PROPOSED DWELLING UNIT	HEIGHT	PARKING	SIGNIFICANT DESIGN FEATURES
			outside spaces)	glass railing; smooth stucco colonial white and smoke colors
12	4,143 new structure; Existing 2-story guest house to remain	2-story, 29 feet, 10 inches	4 spaces (2 car garage, 2 outside spaces)	House Type G: 5 bedrooms; roof deck; covered balcony; covered patio; aluminum frame doors; aluminum glass garage door; aluminum frame windows; glass railing; metal trellis; smooth stucco colonial white and smoke colors
13	3,149	2-story, 29 feet, 11 inches	3 spaces (2 car garage, 1 outside space)	House Type D: 4 bedrooms; roof deck; aluminum frame doors; aluminum glass garage door; aluminum frame windows; glass railing; metal trellis; smooth stucco colonial white and smoke colors

According to slope density calculations provided by the applicant, the residential floor area of the proposed dwelling units is within the maximum allowed for Lots 1, 2, 4-7, and 9-13. No slope density calculations have been provided by the applicant for proposed Lots 3 and 8 where existing structures are located and are subject to remain. That said, for projects located within in the hillside areas are limited to no more than 1,000 square feet of Residential Floor Area (RFA) on top of existing improvements per Hillside Ordinance No. 184,402 OR LAMC 12.21 C.10 (c)

3.3.3 Open Space and Landscaping

The applicant is requesting discretionary approval of a 13-lot single-family subdivision and project permit compliance under the San Gabriel Verdugo Mountains Scenic Preservation Specific Plan. A landscape and irrigation plan shall be provided at the time of tract condition clearance as conditioned herein. Additionally, this particular project, if approved, will be reviewed by Urban Forestry due to the proposed removal of protected tree species.

3.3.4 Access, Circulation, and Parking

The proposed project site shows access from McGroarty Street, private streets along the eastern and western boundaries of the tract, and a private street that meanders through the northern portion of the tract and connects to the private street at the eastern tract boundary.

Each lot provides a minimum of two covered parking spaces and a minimum of one additional parking space as shown in Table A-2.

3.3.5 Lighting

The single-family residential dwelling units will be appropriately lit as regulated by the Los Angeles Department of Building and Safety (LADBS).

3.3.6 Sustainability Features

California Green Code and Title 24 requirements shall apply to the proposed 13 lot single-family subdivision.

3.3.7 Anticipated Construction Schedule

No information provided by the project applicant.

3.4 REQUESTED PERMITS AND APPROVALS

The list below includes the anticipated requests for approval of the Project. The Mitigated Negative Declaration will analyze impacts associated with the Project and will provide environmental review sufficient for all necessary entitlements and public agency actions associated with the Project. The discretionary entitlements, reviews, permits and approvals required to implement the Project include, but are not necessarily limited to, the following:

- Pursuant to LAMC Sections 17.06 and 17.15, a Vesting Tentative Tract Map to create a 13 lot single-family subdivision with private street access on two lots totaling 853,737 gross square feet (19.6 acres).
- Pursuant to LAMC Section 11.5.7 C, a San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan Project Permit Compliance Review.
- Haul Route Approval for the grading of 32,315 cubic yards of export.
- Tree Removal Permits for the removal of seven protected trees (six Oak and one Sycamore) and up to 63 non-protected trees.
- Other discretionary and ministerial permits and approvals that may be deemed necessary, including, but not limited to, temporary street closure permits, grading permits, excavation permits, foundation permits, building permits, tree removal permits, and sign permits.

INITIAL STUDY

4 ENVIRONMENTAL IMPACT ANALYSIS

I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099 would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. A significant impact would occur if the proposed project would have a substantial adverse effect on a scenic vista. A scenic vista refers to views of focal points or panoramic views of broader geographic areas that have visual interest. A focal point view would consist of a view of a notable object, building, or setting. An impact on a scenic vista would occur if the bulk or design of a building or development contrasts enough with a visually interesting view, so that the quality of the view is permanently affected. The proposed project site is located within the geographic boundary of the San Gabriel Verdugo Mountains Scenic Preservation Specific Plan, but is not located within a Scenic Highway Corridor or Prominent Ridgeline Protection area as designated by Specific Plan Maps 1 and 2, respectively. The Specific Plan is

intended to preserve, protect, and enhance the unique natural and cultural resources of the Plan area, and is required to comply with the provisions to the Specific Plan including minimum grading and the preservation of natural features, such as prominent knolls or ridge lines. As such, impacts would be less than significant.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural feature within a state scenic highway?

No Impact. A significant impact would occur if the proposed project would substantially damage scenic resources within a State Scenic Highway. The City of Los Angeles' General Plan Mobility Element (Citywide General Plan Circulation System Maps) as well as the CalTrans website at http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/lanageles.htm indicates that no State-designated scenic highways are located near the project site. Therefore, no impacts related to a State scenic highway would occur.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant Impact. A significant impact would occur if the proposed project would substantially degrade the existing visual character or quality of the project site and its surroundings. Significant impacts to the visual character of a site and its surroundings are generally based on the removal of features with aesthetic value, the introduction of contrasting urban features into a local area, and the degree to which the elements of the proposed project detract from the visual character of an area. The proposed project site is located within the geographic boundary of the San Gabriel Verdugo Mountains Scenic Preservation Specific Plan, but is not located within a Scenic Highway Corridor or Prominent Ridgeline Protection area as designated by Specific Plan Maps 1 and 2, respectively. The Specific Plan is intended to preserve, protect, and enhance the unique natural and cultural resources of the Plan area. All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan shall be reviewed and approved by the City of Los Angeles Department of City Planning during the building permit process. Retaining walls that can be viewed from the adjacent public right(s)-of-way shall incorporate one or more of the following to minimize their visibility: clinging vines, espaliered plants, or other vegetative screening; decorative masonry, or other varied and textured façade; or utilize a combination of methods. With the implementation design features and landscaping improvements to enhance the visual quality of the project site and its surroundings, any substantial adverse effect will be less than significant.

d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?

Less Than Significant Impact. A significant impact would occur if light and glare substantially altered the character of off-site areas surrounding the site or interfered with the performance of an off-site activity. Light impacts are typically associated with the use of artificial light during the evening and night-time hours. Glare may be a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass and reflective cladding materials, and may interfere with the safe operation of a motor vehicle on adjacent streets. Daytime glare is common in urban areas and is typically associated with mid- to high-rise buildings with exterior façades largely or entirely comprised of highly reflective glass or mirror-like materials. Nighttime glare is primarily associated with bright point-source lighting that contrasts with existing low ambient light conditions. Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel. All pedestrian walkways, driveways, and vehicular access ways shall be illuminated with lighting fixtures. Lighting fixtures shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night may be installed on the buildings to provide illumination to pedestrians and motorists. Uplighting shall be prohibited anywhere on the site. All outdoor lighting shall be shielded and down-casted within the site in a manner that prevents the illumination of adjacent public rights-of-way, adjacent properties, and the night sky (unless otherwise required by the Federal Aviation Administration (FAA) or for other public safety purposes). Walkways and parking areas shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public, employees, and emergency response personnel. With the implementation of these project design features, light impacts during nighttime hours will be reduced to a less than significant level.

II. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. A significant impact would occur if the proposed project would convert valued farmland to non-agricultural uses. The project site is partially developed with a single-family dwelling unit, private school, and accessory living quarters. No Farmland, agricultural uses, or related operations are present within the project site or surrounding area. The project site is not included in the Farmland Mapping and Monitoring Program of the California Resources Agency. The subject site is identified on ZIMAS as being located within an Urban Agriculture Incentive Zone; however, the applicant is not proposing any agricultural use as part of the proposed project. Therefore, the proposed project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and no impact would occur.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. A significant impact would occur if the proposed project conflicted with existing agricultural zoning or agricultural parcels enrolled under the Williamson Act. The project site is not zoned for agricultural use or under a Williamson Contract. As the project site and surrounding area do not contain farmland of any type, the proposed project would not conflict with a Williamson Contract. Therefore, no impacts would occur.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. A significant impact would occur if the proposed project conflicted with existing zoning or caused rezoning of forest land or timberland, or resulted in the loss of forest land or in the conversion of forest land to non-forest use. The project site and the surrounding area are not zoned for forest land or timberland. Accordingly, the proposed project would not conflict with forest land or timberland zoning or result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. A significant impact would occur if the proposed project conflicted with existing zoning or caused rezoning of forest land or timberland, or resulted in the loss of forest land or in the conversion of forest land to non-forest use. The project site and the surrounding area are not zoned for forest land or timberland. Accordingly, the proposed project would not conflict with forest land or timberland zoning or result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

No Impact. A significant impact would occur if the proposed project caused the conversion of farmland to non-agricultural use. The project site does not contain farmland, forestland, or timberland. Therefore, no impacts would occur.

III. AIR QUALITY

Where available, the significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐ X	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The South Coast Air Quality Management District (SCAQMD) is the agency primarily responsible for comprehensive air pollution control in the South Coast Air Basin and reducing emissions from area and point stationary, mobile, and indirect sources. SCAQMD prepared the 2012 Air Quality Management Plan (AQMP) to meet federal and state ambient air quality standards. A significant air quality impact may occur if a project is inconsistent with the AQMP or would in some way represent a substantial hindrance to employing the policies or obtaining the goals of that plan. As discussed in the Air Quality/Greenhouse Gas Study prepared for the proposed project by BPG Birdseye Planning Group (see Appendix G), the proposed project is not expected to conflict with or obstruct the implementation of the AQMP and SCAQMD rules. The proposed project is also subject to the City's Green Building Program Ordinance (Ord. No. 179,890), which was adopted to reduce the use of natural resources, create healthier living environments, and minimize the negative impacts of development on local, regional and global ecosystems. Therefore, impacts would be less than significant.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact. A significant impact would occur if the proposed project would violate any air quality standard or contribute substantially to an existing or projected air quality violation. The proposed project will involve 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. As discussed in the Air Quality/Greenhouse Gas Study prepared for the proposed project by BPG Birdseye Planning Group (see Appendix G), during the construction phase the proposed project would not likely exceed the regional SCAQMD significance thresholds for emissions of Carbon Monoxide (CO), Reactive Organic Compounds (ROG), Nitrogen Oxides (NOx), Particulate Matter (PM10 and PM2.5), and Sulfur Oxides (SOx). Therefore, regional emission impacts for the proposed project would be less than significant for all construction phases. Operational emissions associated with 13 single-family residences and associated vehicular trips would be consistent with other uses in the area. The project would be subject to regulatory compliance measures, which reduce the impacts of operational and construction regional emissions. Additionally, the proposed project is mitigated elsewhere herein for potential greenhouse gas impacts (see Section VIII Greenhouse Gas Emissions). As such, impacts to air quality standards are less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. The project will produce fugitive dust and mobile source emissions as a result of construction activity. The proposed project and the entire Los Angeles metropolitan area are located within the South Coast Air Basin, which is characterized by relatively poor air quality. The Basin is currently classified as a federal and State non-attainment area for Ozone (O3), Respirable Particulate Matter (PM10 and PM2.5), and lead (Pb) and a federal attainment/maintenance area for Carbon Monoxide (CO). It is classified as a State attainment area for CO, and it currently meets the federal and State standards for Nitrogen Dioxide (NO2), Sulfur Oxides (SOx), and lead (Pb). Because the Basin is designated as a State and/or federal nonattainment air basin for O3, PM10, PM2.5, and NO2, there is an on-going regional cumulative impact associated with these pollutants. However, an individual project can emit these pollutants without significantly contributing to this cumulative impact depending on the magnitude of emissions. This magnitude is determined by the project-level significance thresholds established by the SCAQMD. The project would be subject to regulatory compliance measures, which reduce the impacts of operational and construction regional emissions. As previously stated, the Air Quality/Greenhouse Gas Study prepared for the proposed project by BPG Birdseye Planning Group (Appendix G) suggests that construction and operational emissions would have less than significant thresholds. Furthermore, the proposed project is mitigated elsewhere herein for potential greenhouse gas impacts. Therefore, the project would not likely exceed the project-level SCAQMD localized significance thresholds for criteria air pollutants and the impact would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. Potential sources that may emit odors during construction activities include equipment exhaust and architectural coatings. Odors from these sources would be localized and generally confined to the immediate area surrounding the project site. The proposed project would utilize typical construction techniques, and the odors would be typical of most construction sites and temporary in nature. As stated in the BPG Study (see Appendix G), construction of the proposed project would not cause objectionable odors.

According to the SCAQMD CEQA Air Quality Handbook, land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed land uses would not result in activities that create objectionable odors. Therefore, the proposed project would result in a less-than-significant impact related to objectionable odors.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☒	☐	☐
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less Than Significant with Mitigation. A project would have a significant biological impact through the loss or destruction of individuals of a species or through the degradation of sensitive habitat. As discussed in the Protected Tree Report prepared by L. Newman Design Group Inc. (see Appendix A) the proposed project site includes 106 native protected trees and 63 non-protected mature trees on the subject site. Of the 106 native protected trees, three are Sycamores and 103 are Oaks. The applicant is proposing to remove seven protected trees (six Oak and one Sycamore) and most of the 63 non-protected trees. Of the protected trees proposed for removal, three are located on proposed Lot 2, three are located on the proposed private street abutting Lots 1 and 2, and one is located on the private street bordering proposed Lot 13. The Protected Tree Report, which has been stamped and signed by the City's Urban Forestry Division, includes recommended mitigation measures, which are incorporated herein.

Additionally, a Biological Resources Assessment dated January 2020 was prepared by Rincon Consultants, Inc. (see Appendix B) for the subject site to document existing conditions and evaluate the potential for impact to special status biological resources. The report describes the property as used for residential estates and a mix of developed residences, disturbed open space, and natural lands. The surface topography of the subject site is described as variable with gentle to moderately sloped hills on the northern side of the site that becomes steep approaching the southern portion of the site where the terrain is largely undisturbed. The southern portion of the subject site is part of the Verdugo Mountains Significant Ecological Area (SEA). SEAs are officially designated areas within Los Angeles County that have irreplaceable biological resources. As discussed in the Rincon Biological Resources Assessment, the Verdugo SEA is one of the few remaining natural regions in the Los Angeles area that supports abundant native wildlife and habitats and contains rare and sensitive plant and animal species. The Verdugo Mountains SEA is located in the Verdugo Mountains and includes areas south of the I-210, east of the I-5, and a portion of the mountains north of the I-210.

The report analyzes special-status plant and wildlife species, nesting birds and raptors, sensitive plant communities, jurisdictional waters and wetlands, wildlife movement, and locally protected resources, such as protected trees. Rincon also references the Protected Tree Report prepared by L. Newman Design Group Inc. In their assessment, Rincon identifies five vegetation communities: mixed chaparral, non-native grasslands, bush poppy scrub, coast live oak woodland, and developed lands. The undeveloped property within the subject site consists of mixed chaparral in the steeper southern portion of the site, bush poppy scrub on the central ridges, patches of coast live oak woodlands in the western portion of the site, and non-native grasslands. Two additional vegetation areas that are not formalized are identified as well (coast live oak and ornamentals and mixed chaparral with coast live oak). General wildlife species include avian species, western fence lizards, California ground squirrel, gopher, mice, reptile, and invertebrate species. No fish or amphibian species were observed.

According to Rincon, based on existing site conditions, no special-status plant species were observed or otherwise detected; however, the project site has the potential to contain suitable habitat necessary to support at least eight special-status plant species (Nevin's barberry, mesa horkelia, white rabbit-tobacco, Greata's aster, Plummer's mariposa lily, slender mariposa lily, Robinson's pepper grass, Davidson's bush-mallow). None of the species named have a record of occurrence within 1 mile of the subject site within the last 10 years. Additionally, 11 special-status plant species have occurred within a 5 mile radius, but the closest occurrence are greater than 1 mile away from the subject site.

If present, special-status plant species have the potential to be directly impacted by construction activities; however, implementation of mitigation measures would reduce impacts to a less than significant level.

While 19 special-status wildlife species have been documented within a 5 mile radius of the subject site, no special-status wildlife species were observed or detected within the subject site. The mixed chaparral in the southern third of the subject site contains denser vegetation, with more native plants, providing greater opportunity to host more wildlife than the less dense areas on the northern portion of the project site. However, two special status wildlife-species have a low potential to occur at the subject site: coast horned lizard and coastal California gnatcatcher. There are no recent occurrences of these species within 1 mile of the subject site. If present, these species would be impacted during Project construction; however, with mitigation, any impact would be less than significant.

The Rincon Biological Resources Assessment states that while common birds are not considered special-status, such birds are protected by the Federal Migratory Bird Treaty Act (MBTA). Furthermore, habitat is present within the subject site that has the potential to support protected nesting birds. With mitigation, any impacts to nesting birds should be reduced to a less than significant level.

Rincon identified five special-status vegetation or habitat communities within a 5 mile radius of the subject site: Riversidian alluvial fan sage scrub, southern coast live oak riparian forest, southern mixed riparian forest, southern sycamore alder riparian woodland, and southern California arroyo chub/Santa Ana sucker stream. However, no special-status vegetation communities occur on the subject site.

MM BIO-1. Tree Preservation (Grading Activities). "Orange fencing" or other similarly highly visible barrier shall be installed outside of the drip line of locally protected and significant (truck diameter of 8 inches or greater) non-protected trees, or as may be recommended by the Tree Expert. The barrier shall be maintained throughout the grading phase, and shall not be removed until the completion and cessation of all grading activities.

MM BIO-2. Tree Removal (Non-Protected Trees). Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a less than significant level by the following measures:

- Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.

- All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

MM BIO-3. Tree Removal (Locally Protected Species). Environmental impacts may result due to the loss of protected trees on the site. However, these potential impacts will be mitigated to less than significant level by the following measures:

- All protected tree removals require approval from the Board of Public Works.
- A minimum of four trees (a minimum of 15 gallons trees of like species) shall be planted for each protected tree that is removed. The canopy of the replacement trees, at the time they are planted, shall be in proportion to the canopies of the protected tree(s) removed and shall be to the satisfaction of the Urban Forestry Division and per the approved Protected Tree Report stamped by Urban Forestry on January 17, 2019.
- A Tree Preservation Program per the approved Protected Tree Report stamped by Urban Forestry on January 17, 2019 shall include the following measures at a minimum:
 - The trees within 50' of proposed grading shall be fenced at their dripline with a minimum 5' high fence before any site grading commences. This fence shall remain during all phases of construction and shall not be moved or removed without the knowledge of the applicant and approval of the Urban Forestry Division.
 - Any brush clearance within the dripline areas shall be done by handwork only.
 - Watering shall be done on an as needed basis.
 - Native oaks are in a dormant state during the summer months and do not require regular or constant watering or fertilizing. Watering is normally contemplated only following long periods of extreme drought or to extend the rainy season.
 - If it is decided to fertilize any trees, it shall be based on the results of a soils report. The fertilizer shall be applied just prior to watering. Any fertilization program should be approved by a certified arborist.
 - Fertilization of these native oak trees may be detrimental in general drought conditions. The addition of fertilizer into a maintenance program may promote temporary growth flushes at a time when the tree would normally be maintaining regular growth or to even reduce the number of green leaves present.
 - Prior to construction, the vigor of the saved trees shall be assessed by a licensed arborist. If the trees are to be treated, it shall be by a California Licensed Pest Control Applicator for diseases which are abnormal conditions that interfere with the normal physiological functioning of a plant and/or pests that are present. These recommendations shall be made by a California Licensed Pest Control Advisor.
 - During all phases of construction, the health of the trees shall be monitored for disease symptoms. These problems, if they arise, shall be remedied.

- Initially, all grading/excavation within the dripline of encroached trees shall be done by hand under the inspection/observation of a licensed arborist. If any roots are encountered, they shall be saved (except in a cut situation) and covered with a minimum of 6" of sand.
- All pruned roots shall consist of clean-cut surfaces at a 90° angle and shall not be sealed.
- Do not: 1) Nail grade stakes or anything else to any native tree; 2) Remove natural leaf mulch within any native tree dripline, unless absolutely necessary; 3) Design and/or install any landscape planting, irrigation and/or utilities within the dripline of any native tree, unless approved; 4) Apply chemical herbicides within the dripline of any native tree.
- If retaining walls are to be built, all footings should be primarily in an outward direction (away from the trunk) and backfilled with topsoil from the site.
- The dust accumulation on the tree's foliage from nearby construction shall be hosed off periodically during construction when recommended by a certified arborist.
- The location of trees planted for the purposes of replacing a removed protected tree shall be clearly indicated on the required landscape plan, which shall also indicate the replacement tree species and further contain the phrase "Replacement Tree" in its description.
- The irrigation system (i.e., drip system or comparable) to water the newly planted replacement trees shall be compatible with the watering requirement of the project's indigenous oak trees.
- The irrigation system maintenance program should water these replacement trees for at least the first 2-3 years to establish the trees. Once established, watering should be done only in the winter months during periods of severe drought.
- Bonding (Tree Survival):
 - a. The applicant shall post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division and the decision maker guaranteeing the survival of trees required to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that the new owner post a new oak tree bond to the satisfaction of the Bureau of Engineering. Subsequently, the original owner's oak tree bond may be exonerated.
 - b. The City Engineer shall use the provisions of Section 17.08 as its procedural guide in satisfaction of said bond requirements and processing. Prior to exoneration of the bond, the owner of the property shall provide evidence satisfactory to the City Engineer and Urban Forestry Division that the oak trees were properly replaced, the date of the replacement and the survival of the replacement trees for a period of three years.
 - c. In addition to the above conditions, replacement trees in a Significant Ecological Area (SEA) shall be monitored by a licensed arborist for a period of not less than seven years, with monitoring visits in years two, four, and seven.

MM BIO-4. Tree Removal (Public Right of Way).

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

MM BIO-5. Removal of Trees in Significant Ecological Area. In addition to the tree removal mitigation measures above, for trees in an SEA, the applicant will provide documentation to show the following prior to the issuance of any grading or building permit:

- No grading or construction will endanger the health of any remaining trees in the SEA (i.e., trees that are not approved for removal).
- The removal of any tree in the SEA will not result in soil erosion through the diversion or increased flow of surface waters that cannot be satisfactorily mitigated.

MM BIO-6. Special-Status Plants. Prior to any vegetation clearing, grubbing, or other construction on site, seasonally timed special-status plant surveys shall be conducted by a qualified botanist to document the location(s) and number(s) of sensitive plant species within the project site, if present. The surveys shall be conducted in accordance with the current regional, state, and federal protocols and coincide with the appropriate blooming periods for each special-status plant species with potential to occur on the project site. Any special-status plant species observed on the project site shall be mapped onto an aerial photograph of the project site at a scale no less than 1"=200'. A special-status plant survey technical report shall be submitted to the City (and to other pertinent resource agencies if required) that documents the survey results prior to the onset of construction activities. If no special-status plant species are observed during the surveys, no further actions would be necessary. If seasonally timed plant surveys determine special-status plant species are present, then all special-status plants that can be avoided should be protected from harm during the construction phase of the proposed project. If special-status plant species cannot be avoided, a mitigation plan shall be developed at the direction of the lead agency. The mitigation plan should specify the methodology and requirements for compensating for the loss of special-status plant species at a 1:1 ratio. No special-status species should be removed without obtaining the appropriate permits.

MM BIO-7. Special-Status Wildlife. Prior to start of project activities, a qualified biologist shall conduct a Worker Environmental Awareness Program (WEAP) training to familiarize all personnel conducting project activities with the identification and life-history of special-status wildlife potentially present on the project site. A pre-construction survey for special-status wildlife shall be conducted in the construction area, plus a 50-foot buffer, not less than 2 weeks prior to the initiation of construction. If special-status wildlife is found and these individuals are likely to be killed or injured by construction activities, a qualified biologist shall be allowed sufficient time to capture and relocate the animals from the project site before construction activities begin. A qualified biologist(s) should relocate the individuals the shortest distance possible to a location that contains suitable habitat not likely to be affected by activities associated with the proposed project. The biologist(s) shall maintain sufficiently detailed records of any individual observed, captured, relocated, etc., including size, coloration, any distinguishing features and photographs (preferably digital) to assist in determining whether translocated animals are returning to the project site. If no special-status wildlife species are observed during the surveys, no further actions would be necessary. If surveys determine that special-status wildlife species are present, then all special status wildlife species that can be avoided shall be protected from harm during the construction phase of the proposed project. Although not expected, if preconstruction surveys determine the potential for “take” (injury, death, harassment, change of behavior, or loss of habitat) of California gnatcatcher, coordination with USFWS shall occur to obtain incidental take authorization. Implementation of these recommended measures would avoid and/or minimize potential impacts to special-status wildlife.

MM BIO-8. Wildlife-Impermeable Fencing, Wall or Enclosure. One impermeable enclosure for the purpose of protecting livestock or companion animals shall be permitted within the development footprint of any lot located within the Verdugo SEA.

MM BIO-9. Wildlife-Permeable Fencing in the Verdugo SEA. When needed to delineate lot boundaries or to section off development features, such as streets, trails, driveways, active recreation areas, or animal keeping structures, wildlife-permeable fencing shall be used outside of the building site area. Wildlife-permeable fencing shall be designed as follows unless otherwise required by the Los Angeles Municipal Code:

- a. Fences shall be of an open design and made of materials visible to wildlife, such as wood rail, steel pipe, vinyl rail, PVC pipe, recycled plastic rail, or coated wire;
- b. The bottom edge of the lowest horizontal element shall be no closer than 18 inches from the ground; and
- c. The top edge of the topmost horizontal element shall be no higher than 42 inches from the ground.
- d. Fencing shall be designed with materials not harmful to wildlife. Prohibited materials include, but are not limited to, spikes, glass, razor wire, and nets. All hollow fence and sign posts, or posts with top holes, such as metal pipes or sign posts with open bolt holes, shall be capped and the bolt holes filled to prevent the entrapment of bird species.

MM BIO-10. Window Reflectivity Within the Verdugo SEA. The windows of all structures within the boundaries of the Verdugo SEA shall be comprised of non-glare/non-reflective glass or utilize methods to achieve non-reflectivity.

MM BIO-11. Outdoor Lighting Within the Verdugo SEA. Outdoor lighting within the Verdugo SEA shall be directed to avoid light trespass upwards into the night sky and onto natural habitat areas.

MM BIO-12. Utilities. Within the boundaries of the Verdugo SEA, all utilities shall be undergrounded.

MM BIO-13. Landscaping Within the Verdugo SEA. For all areas within the Verdugo SEA, Landscape plans shall be submitted that includes all cut and fill slopes, areas disturbed by the proposed construction activities, required fuel modification or brush clearance, and any proposed restoration areas.

- a. All development shall minimize removal of natural vegetation to minimize erosion and sedimentation and impacts to biological resources.
- b. All cut and fill slopes and other areas disturbed by construction activities shall be landscaped or revegetated.
- c. Plant materials shall consist of a mix of locally indigenous, drought-tolerant plant species and non-invasive drought-tolerant ornamental plants and gardens with associated irrigation.

MM BIO-14. Nesting Birds. To avoid impacts to nesting birds, project-related activities should occur outside of the bird breeding season (February 1 to August 31) to the extent practicable. If construction must occur during the bird breeding season, then no more than 1 week prior to initiation of ground disturbance and/or vegetation removal, a nesting bird and raptor pre-construction survey should be conducted by a qualified biologist in the disturbance footprint plus a 300-foot buffer (500-foot for raptors), where feasible. If the proposed project is phased, a subsequent pre-construction nesting bird and raptor survey may be required prior to each phase of construction within the project site. Pre-construction nesting bird and raptor surveys should be conducted during the time of day when birds are active and should be of sufficient duration to reliably conclude presence/absence of nesting birds and raptors onsite and within the designated vicinity. A report of the nesting bird and raptor survey results, if applicable, should be submitted to the lead agency for review and approval prior to ground and/or vegetation disturbance activities. If nests are found, their locations should be flagged. An appropriate avoidance buffer, depending upon the species and the proposed work activity, should be determined and demarcated by a qualified biologist with bright orange construction fencing or other suitable flagging. Active nests should be monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults. No ground disturbance should occur within this buffer until the qualified biologist confirms that the breeding/nesting is complete, and all the young have fledged. If project activities must occur within the buffer, they should be conducted at the discretion of the qualified biologist. If no nesting birds are observed during pre-construction surveys, no further actions would be necessary.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? Less Than Significant with Mitigation.

Less Than Significant with Mitigation. A significant impact would occur if any riparian habitat or natural community would be lost or destroyed as a result of urban development. As previously stated, the applicant submitted a Biological Resource Assessment dated January 2020. This assessment identified jurisdictional drainages on site including three features. Two of these features run in a northerly direction from the ridgeline south of the subject site. These features are characterized as intermittent, temporary flooded, riverine streambeds having the potential to convey runoff from the southern higher elevations and terminate south of an existing residence on the subject site (i.e., the center of the Project site).

The December 2019 reconnaissance survey confirmed the presence of potentially jurisdictional drainages on site (Figure 4). These include three features, two of which start outside of the boundaries of the southern project edge and traverse north until eventually connecting to form one feature that terminates near the center of the project site. These features do not make a connection to downstream waters, and as a result are not subject to United States Army Corps of Engineers (USACE) jurisdiction. However, preliminary field assessment indicated that such features may be subject to Los Angeles Regional Water Quality Control Board (LARWQCB) and CDFW jurisdictions based on the presence of ephemeral streambeds with defined beds and banks. Based on current project designs and presence of an intermittent drainage located in the development footprint, one feature may be significantly impacted due to project-related activities. As a result, the project would likely require consultation with CDFW and LARWQCB to determine if permits are necessary for the proposed project.

An additional feature was observed in the western portion of the project site. This intermittent drainage was not indicated during database review; however, the feature displayed a clear bed and bank. No impacts to this drainage are expected to occur due to its location as it relates to the project footprint.

Based on the Project design and presence of intermittent drainage, the potential permanent impacts from the project are minor at 0.009-acre (392-square feet) and would occur at the terminus of the drainages. Therefore, no downstream impacts would occur as there are no downstream resources. For these reasons, the project would have negligible impact to water quality or habitat for fish and wildlife. Moreover, because the features do not make a connection to downstream waters, they are not subject to U.S. Army Corps of Engineers jurisdiction. However, these features may be subject to the jurisdictions of the Los Angeles Regional Water Quality Control Board (LARWQCB) and California Department of Fish and Wildlife (CDFW).

A delineation of waters of the U.S. and “waters of the state” was conducted on June 12, 2024 throughout the project site and included the area within the bed and banks of any jurisdictional features and any possible associated riparian areas. The project site is located within both the northern foothills of the Verdugo Mountains and within (developed) lowland areas north of the Verdugo Mountain foothills. The lowland areas are within the northern part of the project site, and the foothill areas are within the central and southern parts of the project site. The topography for the project site is generally flat within the lowland areas in the northern project site and undulates between differential valleys and foothill peaks in the central and southern parts of the project site.

An Addendum to the 2020 Bio Resources Assessment released on February 2025 concluded that there are three drainages (Drainage #1, Drainage #2, and Drainage #3) on the project site.

Drainage #1 would not be impacted by the project. For Drainage #2, it was found that 41 Linear Feet/0.005-acres of RWQCB and CDFW jurisdiction would be impacted by the project. For Drainage #3, it was found that 35 Linear Feet/0.005-acres of RWQCB and CDFW jurisdiction would be impacted by the project. The total project impacts would include a total of 76 linear feet/0.009-acres of RWQCB and CDFW jurisdiction.

While the impacts would require permits from agencies to comply with the Porter-Cologne Water Quality Control Act and California Fish and Game Code Section 1600, it is unlikely that these impacts would be considered significant per the thresholds of CEQA due to the small size and lack of downstream effects. Nonetheless, proposes permitting and compensatory mitigation to ensure the project complies with the applicable regulations and reduces any potential impacts to a level that is less than significant according to the thresholds of CEQA.

MM BIO-15. Jurisdictional Delineation Impacts and Permitting. The impacts (i.e. permanently filling the drainages) will require permitting with both agencies:

- **California Department of Fish and Wildlife.** Due to impacts to streambed the project will require a Lake and Streambed Alteration Agreement with the CDFW per Section 1600 of the Fish and Game Code. The project shall complete an online application with the CDFW for these impacts and should receive the permit prior to start of construction.
- **Los Angeles Regional Water Quality Control Board (RWQCB).** The project is within Region 4, Los Angeles RWQCB and an Application for Waste Discharge Requirements is required for the project per the Porter Cologne Act.

MM BIO-16. Avoidance and Minimization. The following Best Management Practices (BMPs) shall be implemented:

- i. Any material/spoils generated from project activities should be located away from jurisdictional areas or special-status habitat and protected from storm water run-off using temporary perimeter sediment barrier such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate.
- ii. Materials should be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and generally at least 50 feet from the top of bank.
- iii. Any spillage of material would be stopped if it can be done safely. The contaminated area will be cleaned, and any contaminated materials properly disposed. For all spills, the project foreman or designated environmental representative would be notified.

MM BIO-17. Compensatory Mitigation. The project applicant shall consult with the agencies (Los Angeles Regional Water Quality Control Board, California Department of Fish and Wildlife, and/or U.S. Army Corps of Engineers) anticipated to assert jurisdiction over the drainages, as evaluated in the jurisdictional delineation report per MM BIO-15 above. Based on such consultation, appropriate permits should be obtained prior to disturbance of jurisdictional resources. In addition, compensatory mitigation for impacts to jurisdictional features should be identified prior to disturbance of the features. A 1:1 mitigation ratio should be used, unless a higher ratio is required by the Los Angeles Regional Water Quality Control Board, California Department of Fish and Wildlife, and/or U.S. Army Corp of Engineers. Mitigation may take the form of permittee-responsible onsite or offsite mitigation or purchasing credits from an approved mitigation bank. The applicant should comply with the compensatory mitigation required and proof of compliance, along with copies of permits obtained from the Los Angeles Regional Water Quality

Control Board, California Department of Fish and Wildlife, and/or U.S. Army Corp of Engineers, should be provided to the City.

In addition, habitat improvements shall be made upstream of the impacted areas that include planting of 5 native oaks along a total of 76-linear feet of Drainages #2 and #3. Mitigation proposed for impacts to protected oaks and other native trees in the existing biology report will require numerous replacement plantings that must be shown on the project Landscaping Plan. A minimum of 5 of these replacement oak tree plantings be placed along Drainage #2 and #3 in areas near the disturbance that currently lack native tree cover. These plantings should be shown on the Landscaping Plan and should be cared for according to the requirements in any oak tree removal permit. The replacement oak plantings along the drainages would improve habitat conditions along the stream for native fish and wildlife and these improvements would reduce the potential impacts to jurisdictional resources to a less than significant level per the thresholds of CEQA.

MM BIO-18. Compensatory Mitigation Plan. The project is subject to the following provisions (i-iii) as identified below.

- i. Prior to ground disturbance activities that could impact potentially jurisdictional drainages, the project applicant shall consult with the agencies (LARWQCB, CDFW, and/or USACE) anticipated to assert jurisdiction over the drainages, as evaluated in the jurisdictional delineation report to be developed per MM BIO-2a. Based on such consultation, if permits are required for the project, appropriate permits should be obtained prior to disturbance of jurisdictional resources.
 - a. A 1:1 mitigation ratio (for non-protected trees) shall be used, unless a higher ratio is required by LARWQCB, CDFW, and/or USACE. Mitigation may take the form of permittee-responsible onsite or offsite mitigation or purchasing credits from an approved mitigation bank. The applicant shall comply with the compensatory mitigation required and proof of compliance, along with copies of permits obtained from LARWQCB, CDFW, and/or USACE, should be provided to the City.
- ii. A Compensatory Mitigation Plan be prepared that outlines the compensatory mitigation approach in coordination with the LARWQCB, CDFW, and/or USACE. If onsite mitigation is proposed, the Compensatory Mitigation Plan should identify those portions of the site, such as relocated drainage routes, that contain suitable characteristics (e.g., hydrology) for restoration. Determination of mitigation adequacy should be based on comparison of the restored habitat with similar, undisturbed habitat in the site vicinity (such as upstream or downstream of the site). The Compensatory Mitigation Plan should include remedial measures if performance criteria are not met. At minimum, the Compensatory Mitigation Plan should include the following:
 - A description of the purpose and goals of the restoration
 - Identification of success criteria and performance standards for compensatory mitigation at a minimum 1:1 ratio
 - Methods of site preparation
 - Irrigation plan and schedule
 - BMPs
 - Maintenance and monitoring program
 - Adaptive management strategies
 - Key stakeholders and responsible parties
 - Funding
 - Contingencies

- iii. If mitigation is implemented off-site, off-site land should be preserved through a deed restriction or conservation easement and the Compensatory Mitigation Plan should identify an approach for funding assurance for the long-term management of the conserved land.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less Than Significant with Mitigation. The submitted Biological Resource Assessment dated January 2020 identified potentially jurisdictional drainages on site including three features. Two of these run in a northerly direction from the ridgeline south of the subject site. These features are characterized as intermittent, temporary flooded, riverine streambeds having the potential to convey runoff from the southern higher elevations and terminate south of an existing residence on the subject site (i.e., the center of the Project site). Because the features do not make a connection to downstream waters, they are not likely to be subject to U.S. Army Corps of Engineers jurisdiction. However, these features may be subject to the jurisdictions of the Los Angeles Regional Water Quality Control Board and California Department of Fish and Wildlife.

That said, according to the Biological Resource Assessment Addendum (2025) based on current project designs and presence of an intermittent drainage located in the development footprint, the potential permanent impacts from the project are minor at 0.009-acre (392-square feet) and would occur at the terminus of the drainages. Therefore, no downstream impacts would occur as there are no downstream resources. For these reasons, the project would have negligible impact to water quality or habitat for fish and wildlife.

Moreover, an additional feature was observed in the western portion of the project site. This intermittent drainage was not indicated during database review; however, the feature displayed a clear bed and bank. Impacts to jurisdictional areas would be significant but mitigable. The jurisdictional delineation report and addendum to the Biological Resource Assessment, implementing avoidance and minimization measures and/or habitat compensation and developing a Compensatory Mitigation Plan, as required by MM BIO-15 through MM BIO-18 would reduce potential direct and indirect impacts to these features to a less than significant level. Therefore, with mitigation as proposed herein, any impacts would be reduced to a less than significant level. **(See MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18 above)**

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant With Mitigation. A significant impact would occur if the proposed project would interfere with, or remove access to, a migratory wildlife corridor or impede use of native wildlife nursery sites. As discussed in the Protected Tree Report prepared by L. Newman Design Group Inc. (see Appendix A) the proposed project site includes 106 protected trees and 63 non-protected mature trees on the subject site. The applicant is proposing to remove seven protected trees (six oak and one sycamore) and up to 63 non-native, non-protected trees.

The Biological Resources Assessment (Appendix B) prepared by Rincon analyzes special-status plant and wildlife species, nesting birds and raptors, sensitive plant communities, jurisdictional waters and wetlands, wildlife movement, and locally protected resources, such as protected trees. Rincon also references the Protected Tree Report prepared by L. Newman Design Group Inc. In their assessment, Rincon identified five vegetation communities: mixed chaparral, non-native

grasslands, bush poppy scrub, coast live oak woodland, and developed lands. The undeveloped property within the subject site consists of mixed chaparral in the steeper southern portion of the site, bush poppy scrub on the central ridges, patches of coast live oak woodlands in the western portion of the site, and non-native grasslands. Two additional vegetation areas that are not formalized are identified as well (coast live oak and ornamentals and mixed chaparral with coast live oak). General wildlife species include avian species, western fence lizards, California ground squirrel, gopher, mice, reptile, and invertebrate species. No fish or amphibian species were observed.

According to Rincon, based on existing site conditions, no special-status plant species were observed or otherwise detected; however, the project site has the potential to contain suitable habitat necessary to support at least eight special-status plant species (Nevin's barberry, mesa horkelia, white rabbit-tobacco, Greata's aster, Plummer's mariposa lily, slender mariposa lily, Robinson's pepper grass, Davidson's bush-mallow). None of the species named have a record of occurrence within 1 mile of the subject site within the last 10 years. Additionally, 11 special-status plant species have occurred within a 5 mile radius, but the closest occurrence are greater than 1 mile away from the subject site.

General wildlife species identified by Rincon include avian species, lizards, squirrel, gopher, mice, and reptile. No fish or amphibian species were observed. According to Rincon, based on existing site conditions, only one special status wildlife species, the coast horned lizard has a moderate potential to occur within the project site, but there are no records of occurrence of this species on or near the site.

The nearest recognized wildlife linkage is north of Sunland in the San Gabriel Mountains. According to Rincon, the Project site is not located within an Essential Connectivity Area as determined by the California Essential Habitat Connectivity Project. Rincon states that the Project site is not located within a Regional Wildlife Linkage or other formally recognized wildlife movement corridor. However, as previously discussed, the southern portion of the Project site is located within the Verdugo Mountains Significant Ecological Area (SEA). As such, the Project site is immediately adjacent to an undeveloped natural open space containing native vegetation that could to serve as a buffer between existing development and habitat, and therefore, is potentially part of a movement corridor or habitat linkage system. As discussed in the Rincon Biological Resources Assessment, the Verdugo SEA is one of the few remaining natural regions in the Los Angeles area that supports abundant native wildlife and habitats. According to Rincon, the area proposed for development is a small portion of the undisturbed lands (less than 5 percent of total) at the Project site and is located near existing developments. With mitigation, any impacts would be less than significant.

Additionally, the Rincon assessment found that habitat is present within the project site that has the potential to support protected nesting birds. Nesting birds are protected under the Federal Migratory Bird Treaty Act (MBTA) (Title 33, United States Code, Section 703 et seq., see also Title 50, Code of Federal Regulation, Part 10) and Section 3503 of the California Department of Fish and Wildlife Code. As such, with mitigation, impacts to wildlife will be less than significant.

(See MM BIO-7, MM BIO-8, MM BIO-9, MM BIO-10, MM BIO-11, MM BIO-12, MM BIO-14 above)

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant with Mitigation. A significant impact would occur if the proposed project would be inconsistent with local regulations pertaining to biological resources. The proposed project would not conflict with any policies or ordinances protecting biological resources, such as the City of Los Angeles Protected Tree Ordinance (No. 177,404). As previously stated, the project site contains locally-protected biological resources, and is mitigated herein. The proposed project would be required to comply with the provisions of the Migratory Bird Treaty Act and the California Fish and Game Code. Both the Migratory Bird Treaty Act and California Fish and Game Code protect migratory birds that may use trees on or adjacent to the project site for nesting, and may be disturbed during construction of the proposed project.

In addition, applying a compensatory mitigation plan (discussed above) includes mitigation proposed for impacts to protected oaks and other native trees in the existing biology report will require numerous replacement plantings that must be shown on the project Landscaping Plan. A minimum of 5 of these replacement oak tree plantings be placed along Drainage #2 and #3 in areas near the disturbance that currently lack native tree cover. These plantings should be shown on the Landscaping Plan and should be cared for according to the requirements in any oak tree removal permit. The replacement oak plantings along the drainages would improve habitat conditions along the stream for native fish and wildlife and these improvements would reduce the potential impacts to jurisdictional resources to a less than significant level per the thresholds of CEQA.

Therefore, with mitigation as proposed herein, the Project would not conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance, and less than significant impacts would occur. (See MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM BIO-5, MM BIO-14, MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18 above)

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less Than Significant with Mitigation. As previously discussed, the proposed Project site is located within the Verdugo Mountains Significant Ecological Area (SEA). SEAs are officially designated areas within Los Angeles County that have irreplaceable biological resources. As discussed in the Rincon Biological Resources Assessment, the Verdugo SEA is one of the few remaining natural regions in the Los Angeles area that supports abundant native wildlife and habitats and contains rare and sensitive plant and animal species.

Although the project is at the edge of a sizeable expanse of natural habitat within the Verdugo Mountains, and so wildlife movement may occur on-site as part of normal movements within that habitat area, the project site does not connect the Verdugo Mountains to any other habitat area,

nor is it a “buffer” between natural habitat and existing development because a portion of the project site is already developed. Moreover, the project plans to leave the vast majority of the land in the southern half of the project site undeveloped. As a result, proposed developments would be clustered adjacent to existing developments therefore the project is not expected to significantly fragment existing natural lands as it pertains to wildlife movement. Therefore, according to the 2020 Biological Resource Assessment, the proposed project is not expected to conflict with the objectives of the SEA for species conservation, biotic diversity, or habitat linkages.

As previously discussed, the Project site is located within the geographic area of the San Gabriel Verdugo Mountains Scenic Preservation Specific Plan (Ordinance No. 175,736). The purpose of the Specific Plan is to preserve, protect and enhance the unique natural and cultural resources of the area. The Specific Plan regulates prominent ridgelines; biological resources, including oak trees and unique native plant communities; scenic highway corridors; and equine keeping. The subject site is not located within a prominent ridgeline protection area or a scenic highway corridor. The site is not zoned “K” for equine keeping but does fall under ZI-2438 to require distances for equine use as regulated by the Los Angeles Department of Building and Safety. Section 8.B of the Specific Plan regulates the removal of oak trees and Section 9.C prohibits specific non-native plant species.

Finally, the subject site is adjacent to the Rim of the Valley Corridor, which includes the Verdugo Mountains, San Gabriel Mountains, Simi Hills, Santa Susana Mountains, and Santa Monica Mountains. The Rim of the Valley Corridor is comprised of open space lands that support plant and animal wildlife.

With the implementation of the Specific Plan and the mitigation measures included herein, any impact to conservation plans shall be less than significant.

BIO-19. Prohibited Use of Anticoagulant Rodenticides. During construction activities and upon project occupancy, the use of anticoagulant rodenticides which have the potential to significantly degrade biological resources, shall be prohibited throughout the tract. Individual property owners shall use nonpoisonous methods to control rodent pests, including sealing entrances to buildings, sanitizing property, removing rodent habitats, such as ivy or wood piles, setting traps, and erecting raptor poles or owl boxes. The above prohibition shall be clearly described and distributed to home buyers through their purchase contracts.

(See MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM BIO-5, MM BIO-14, MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18 above)

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as pursuant to State CEQA Guidelines §15064.5?	☐	☐	☒	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☒	☐
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

a) Cause a substantial adverse change in the significance of a historical resource as pursuant to State CEQA Guidelines §15064.5?

Less Than Significant Impact. A significant impact would occur if the proposed project would substantially alter the environmental context of, or remove identified historical resources. The proposed project site is improved with a single-family dwelling, private school, and accessory dwelling unit. None of these structures have been identified as historic resources by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register. In addition, the site was not found to be a potential historic resource based on SurveyLA, the citywide survey of Los Angeles or the City's HistoricPlacesLA website.

Assembly Bill 52 (AB 52) established a formal consultation process for California Native American Tribes to identify potential significant impacts to Tribal Cultural Resources, as defined in Public Resources Code §21074, as part of CEQA. As specified in AB 52, lead agencies must provide notice inviting consultation to California Native American tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if the Tribe has submitted a request in writing to be notified of proposed projects. The Tribe must respond in writing within 30 days of the City's AB 52 notice. The Native American Heritage Commission (NAHC) provided a list of Native American groups and individuals who might have knowledge of the religious and/or cultural significance of resources that may be in and near the Project site. An informational letter was mailed to a total of 10 Tribes known to have resources in this area, on July 14, 2016, describing the Project and requesting any information regarding resources that may exist on or near the Project site. On August 2, 2016, a tribal response was received from the Gabrieleno Band of

Mission Indians – Kizh Nation. On December 4, 2017, a tribal response was received from the Fernandeño Tatavian Band of Mission Indians. The tribes requested consultation, which is discussed in Section XVIII, Tribal Cultural Resources, and agreed to unanticipated discovery conditions.

A Cultural Resources Survey and Impact Assessment for a 20 Acre Property at 8100/8150 McGroarty Street in Sunland, Los Angeles County, California prepared by C. A. Singer & Associates, Inc. dated March 16, 1990 (see Appendix C) states that no prehistoric or early historic resources were found on the subject site, but the remains of an extensive terraced and irrigated garden, old bulldozed roadway, and small concrete slab foundation were observed along with three occupied houses. The study concluded that no known or suspected cultural resources exist on the subject site, and no additional archaeological investigations are recommended.

The applicant submitted an updated Cultural Resources Survey prepared by Anza Resource Consultants dated July 2019 (see Appendix F). Based on a cultural resource records search, Native American scoping, and pedestrian survey, no cultural resources were identified within or adjacent to the project site. However, regulatory compliance measures, as recommended by Anza Resource Consultants, are included as a condition of approval within the associated Case No. VTT-73957 (Unanticipated Discovery of Cultural Resources, Unanticipated Discovery of Human Remains) to avoid potential impacts from the unanticipated discovery of cultural resources during project related ground disturbing activities.

As such, the project will have less than significant impact on historical resources.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines §15064.5?

Less Than Significant Impact. A significant impact would occur if a known or unknown archaeological resource would be removed, altered, or destroyed as a result of the proposed development. Section 15064.5 of the State CEQA Guidelines defines significant archaeological resources as resources that meet the criteria for historical resources or resources that constitute unique archaeological resources. A project-related significant impact could occur if a project would significantly affect archaeological resources that fall under either of these categories. Additionally, the Cultural Resources Assessments of the subject site (see Appendices C and F) concluded that no known or suspected cultural resources exist on the subject site, and no additional archaeological investigations are recommended.

If archaeological resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Per regulatory compliance measures, personnel of the proposed project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. The found deposits would be treated in accordance with federal, State, and local guidelines, including those

set forth in California Public Resources Code Section 21083.2. Therefore, the impact would be less than significant.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact. A Cultural Resources Survey and Impact Assessment for the subject property prepared by C. A. Singer & Associates, Inc. dated March 16, 1990 (see Appendix C) states that no prehistoric or early historic resources were found on the subject site, but the remains of an extensive terraced and irrigated garden, old bulldozed roadway, and small concrete slab foundation were observed along with three occupied houses. The study concluded that no known or suspected cultural resources exist on the subject site, and no additional archaeological investigations are recommended.

The applicant submitted an updated Cultural Resources Survey prepared by Anza Resource Consultants dated July 2019 (see Appendix F). Based on a cultural resource records search, Native American scoping, and pedestrian survey no cultural resources or human remains were identified within or adjacent to the project site.

Assembly Bill 52 (AB 52) established a formal consultation process for California Native American Tribes to identify potential significant impacts to Tribal Cultural Resources, as defined in Public Resources Code §21074, as part of CEQA. As specified in AB 52, lead agencies must provide notice inviting consultation to California Native American tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if the Tribe has submitted a request in writing to be notified of proposed projects. The Tribe must respond in writing within 30 days of the City's AB 52 notice. The Native American Heritage Commission (NAHC) provided a list of Native American groups and individuals who might have knowledge of the religious and/or cultural significance of resources that may be in and near the Project site. An informational letter was mailed to a total of 10 Tribes known to have resources in this area, on July 14, 2016, describing the Project and requesting any information regarding resources that may exist on or near the Project site. On August 2, 2016, a tribal response was received from the Gabrieleno Band of Mission Indians – Kizh Nation. On December 4, 2017, a tribal response was received from the Fernandeño Tatavian Band of Mission Indians. The tribes requested consultation which is discussed in Section XVIII, Tribal Cultural Resources.

Based on the Cultural Resources Survey submitted by the project applicant and the Tribal consultation, the standard measures recommended by Anza Resource Consultants are included as a condition of approval within the associated Case No. VTT-73957 with regulatory compliance measures (Unanticipated Discovery of Cultural Resources, Unanticipated Discovery of Human Remains). Therefore, the proposed project would have a less than significant impact on any human remains.

VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact. The proposed Project will be subject to all applicable regulations implemented by Title 24, the City of Los Angeles Green Building Code, and the City's Department of Water and Power during construction and operations. As such, any impacts due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. The State of California Energy Commission and the City's Departments of Water and Power and Public Works offer programs to encourage energy efficiency. The proposed Project would not conflict with or obstruct either state or local plans for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c. Be located on a geologic unit that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☒	☐	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

a) **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

Less Than Significant Impact. A significant impact would occur if the proposed project would cause personal injury or death or result in property damage as a result of a fault rupture occurring on the project site and if the project site is located within a State-designated Alquist-Priolo Zone or other designated fault zone. ZIMAS shows that the subject site is located within the Verdugo Fault Zone but not within the Alquist-Priolo Fault Zone. The Geologic and Soils Engineering Exploration Update prepared by Byer Geotechnical, Inc. dated March 3, 2016 and April 18, 2018 (see Appendix D) states that no known active faults cross the subject property.

The Alquist-Priolo Earthquake Fault Zoning Act is intended to mitigate the hazard of surface fault rupture on structures for human occupancy. Therefore, less than significant impacts would occur.

ii) **Strong seismic ground shaking?**

Less Than Significant Impact. A significant impact would occur if the proposed project would cause personal injury or death or resulted in property damage as a result of seismic ground shaking. The entire Southern California region is susceptible to strong ground shaking from severe earthquakes. Consequently, development of the proposed project could expose people and structures to strong seismic ground shaking. However, the proposed project would be designed and constructed in accordance with State and local Building Codes to reduce the potential for exposure of people or structures to seismic risks to the maximum extent possible. The proposed project would be required to comply with the California Department of Conservation, Division of Mines and Geology (CDMG), which provides guidance for the evaluation and mitigation of earthquake-related hazards, and with the seismic safety requirements in the Uniform Building Code (UBC) and the LAMC. Compliance with such requirements would reduce seismic ground shaking impacts to the maximum extent practicable with current engineering practices. Therefore, impacts related to strong seismic ground shaking would be less than significant.

iii) **Seismic-related ground failure, including liquefaction?**

Less Than Significant Impact. Based upon the criteria established in the City of Los Angeles CEQA Thresholds Guide, a significant impact may occur if a proposed project site is located within a liquefaction zone. Liquefaction is the loss of soil strength or stiffness due to a buildup of pore-water pressure during severe ground shaking. According to ZIMAS, the subject site is not located within a Liquefaction Zone. Furthermore, the Byer Geotechnical, Inc. report states that the site is not in an area where there is historic occurrence of liquefaction. Finally, the Los Angeles Department of Building and Safety, Grading Department issued a Geology and Soils Report Approval Letter dated May 15, 2018 (Log #93472-02) and their conditions are incorporated herein, by reference. Therefore, impacts related to seismic ground failure, including liquefaction, would be less than significant.

iv) **Landslides?**

Less Than Significant Impact. A significant impact would occur if the proposed project would be implemented on a site that would be located in a hillside area with unstable geological conditions or soil types that would be susceptible to failure when saturated.

According to ZIMAS, the southern portion of the subject site is designated as a landslide area, and the entire site is located within a hillside area. The applicant submitted a geology and soils report to the Department of Building and Safety for review (see Appendix D). The Building and Safety, Grading Department issued a Soils Approval Letter dated May 15, 2018 (Log #93472-02) and their conditions are incorporated herein, by reference. As such, impacts due to landslide would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant with Mitigation. A significant impact would occur if construction activities or future uses would result in substantial soil erosion or loss of topsoil. Construction of the proposed project would result in ground surface disturbance during site clearance and grading, which could create the potential for soil erosion to occur. Construction activities would be performed in accordance with the requirements of the Los Angeles Building Code and the Los Angeles Regional Water Quality Control Board through the City's Stormwater Management Division. In addition, the proposed project would be required to develop a Storm Water Pollution Prevention Plan, which would require implementation of an erosion control plan to reduce the potential for wind or waterborne erosion during the construction process.

The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. All onsite grading and site preparation would comply with applicable provisions of Chapter IX, Division 70 of the LAMC, and conditions imposed by the City of Los Angeles Department of Building and Safety's Soils Report Approval Letter dated May 15, 2018 (Log Reference #93472-02). Therefore, with mitigation, a less than significant impact would occur with respect to erosion or loss of topsoil.

MM GEO-1. Erosion/Grading/Short-Term Construction Impacts. Short-term erosion impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a less than significant level by the following measures:

- The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Less Than Significant Impact with Mitigation. A significant impact would occur if any unstable geological conditions would result in any type of geological failure, including lateral spreading, off-site landslides, liquefaction, or collapse. Development of the proposed project would have a less than significant potential to expose people and structures to seismic-related ground failure, including liquefaction and landslide. Subsidence and ground collapse generally occur in areas with active groundwater withdrawal or petroleum production. The extraction of groundwater or petroleum from sedimentary source rocks can cause the permanent collapse of the pore space previously occupied by the removed fluid. According to the Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems, Exhibit E and/or the Environmental and

Public Facilities Map (1996), the project site is not identified as being located in an oil field or within an oil drilling area. The proposed project would be required to implement standard construction practices that would ensure that the integrity of the project site and the proposed structures is maintained. The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. Construction will be required by the Department of Building and Safety to comply with the City of Los Angeles Uniform Building Code (UBC) which is designed to assure safe construction and includes building foundation requirements appropriate to site conditions. With the implementation of the Building Code requirements, mitigation proposed herein, and the Department of Building and Safety's Soils Report Approval Letter dated May 15, 2018 (Log Reference #93472-02), the potential for landslide lateral spreading, subsidence, liquefaction or collapse would be less than significant.

MM GEO-2. Grading (20,000 Cubic Yards, or 60,000 Square Feet of Surface Area or Greater)

Impacts will result from the alteration of natural landforms due to extensive grading activities. However, this impact will be mitigated to a less than significant level by designing the grading plan to conform with the City's Landform Grading Manual guidelines, subject to approval by the Department of City Planning and the Department of Building and Safety's Grading Division. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:

- A deputy grading inspector shall be on-site during grading operations, at the owner's expense, to verify compliance with these conditions. The deputy inspector shall report weekly to the Department of Building and Safety (LADBS); however, they shall immediately notify LADBS if any conditions are violated.
- "Silt fencing" supported by hay bales and/or sand bags shall be installed based upon the final evaluation and approval of the deputy inspector to minimize water and/or soil from going through the chain link fencing potentially resulting in silt washing off-site and creating mud accumulation impacts.
- "Orange fencing" shall not be permitted as a protective barrier from the secondary impacts normally associated with grading activities.
- Movement and removal of approved fencing shall not occur without prior approval by LADBS.

As previously stated, the applicant submitted a Biological Resource Assessment dated January 2020 prepared by Rincon Consultants, Inc. Rincon identified potentially jurisdictional drainages on site including three features. Two of these run in a northerly direction from the ridgeline south of the subject site. These features are characterized as intermittent, temporary flooded, riverine streambeds having the potential to convey runoff from the southern higher elevations and terminate south of an existing residence on the subject site (i.e., the center of the Project site). Because the features do not make a connection to downstream waters, they are not likely subject to U.S. Army Corps of Engineers jurisdiction. However, these features may be subject to the jurisdictions of the Los Angeles Regional Water Quality Control Board and California Department of Fish and Wildlife. Based on the Project design and presence of intermittent drainage, one feature may be significantly impacted due to Project-related activities. With mitigation as

proposed herein, any impacts would be reduced to a less than significant level. However, if it is determined that the drainages cannot be avoided, the project applicant should be subject to the mitigation proposed (see Section IV. Biological Resources).

(See Section IV. Biological Resources MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18)

d) Be located on expansive soil, as defined in Table 18.1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. A significant impact would occur if the proposed project would be built on expansive soils without proper site preparation or design features to provide adequate foundations for project buildings, thus, posing a hazard to life and property. Expansive soils have relatively high clay mineral and expand with the addition of water and shrink when dried, which can cause damage to overlying structures. However, the proposed project would be required to comply with the requirements of the UBC, LAMC, and other applicable building codes. Compliance with such requirements would reduce impacts related to expansive soils, and impacts would be less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Less Than Significant Impact. A project would cause a significant impact if adequate wastewater disposal is not available. The project site is located in an area where wastewater infrastructure is currently in place. The proposed project would connect to existing sewer lines that serve the project site and would not use septic tanks or alternative wastewater disposal systems. Therefore, impacts would be less than significant.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact. A significant impact would occur if excavation or construction activities associated with the proposed project would disturb paleontological or unique geological features. If paleontological resources are discovered during excavation, grading, or construction, the City of Los Angeles Department of Building and Safety shall be notified immediately, and all work shall cease in the area of the find until a qualified paleontologist evaluates the find. Construction activity may continue unimpeded on other portions of the Project site. The paleontologist shall determine the location, the time frame, and the extent to which any monitoring of earthmoving activities shall be required. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Furthermore, as discussed in Section XVIII, Tribal Cultural Resources, inadvertent discovery conditions recommended under Case No. VTT-73957, if approved, and regulatory compliance measures will reduce any impacts to paleontological resources or unique geologic features to a less than significant level.

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☒	☐	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☒	☐	☐

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant With Mitigation. Greenhouse gases (GHG) are those gaseous constituents of the atmosphere, both natural and human generated, that absorb and emit radiation at specific wavelengths within the spectrum of terrestrial radiation emitted by the earth's surface, the atmosphere itself, and by clouds. The City has adopted the LA Green Plan to provide a citywide plan for achieving the City's GHG emissions targets, for both existing and future generation of GHG emissions. In order to implement the goal of improving energy conservation and efficiency, the Los Angeles City Council has adopted multiple ordinances and updates to establish the current Los Angeles Green Building Code (LAGBC) (Ordinance No. 181,480). The LAGBC requires projects to achieve a 20 percent reduction in potable water use and wastewater generation. Through required implementation of the LAGBC, the proposed project would be consistent with local and statewide goals and policies aimed at reducing the generation of GHGs. As stated in the Air Quality/Greenhouse Gas Study prepared by BPG (see Appendix G), project related greenhouse gas emissions for both construction and operational phases would not exceed thresholds set by SCAQMD. Additionally, with the mitigation incorporated herein, the proposed project's generation of GHG emissions would not make a cumulatively considerable contribution to emissions and impacts would be less than significant.

MM GHG-1. Greenhouse Gas. Environmental impacts may result from project implementation due to increased greenhouse gas emissions. However, the impact can be reduced to a less than significant level through compliance with the following measure(s):

- Low- and non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the Project to reduce VOC emissions to the maximum extent practicable.
- To encourage carpooling and the use of electric vehicles by Project residents and visitors, at least twenty (20)% of the total code-required parking spaces provided for all types

of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. Only raceways and related components are required to be installed at the time of construction. When the application of the 20% results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant with Mitigation. The California legislature passed Senate Bill (SB) 375 to connect regional transportation planning to land use decisions made at a local level. SB 375 requires the metropolitan planning organizations to prepare a Sustainable Communities Strategy (SCS) in their regional transportation plans to achieve the per capita GHG reduction targets. For the SCAG region, the SCS is contained in the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The 2012-2035 RTP/SCS focuses the majority of new housing and job growth in high-quality transit areas and other opportunity areas on existing main streets, in downtowns, and commercial corridors, resulting in more opportunity for transit-oriented development. In addition, SB 743, adopted September 27, 2013, encourages land use and transportation planning decisions that reduce vehicle miles traveled, which contribute to GHG emissions, as required by AB 32. The proposed project involves 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export. With mitigation, the proposed project would not interfere with SCAG's ability to implement the regional strategies outlined in the 2012-2035 RTP/SCS. The proposed project, therefore, would be consistent with statewide, regional and local goals and policies aimed at reducing GHG emissions and would result in a less-than-significant impact with mitigation incorporated related to plans that target the reduction of GHG emissions. **(see MM GHG-1 above)**

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☒	☐	☐

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. A significant impact would occur if the proposed project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Construction of the proposed project would involve the temporary use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. Operation of the project would involve the limited use and storage of common hazardous substances typical of those used in multi-family residential and retail/commercial developments, including lubricants, paints, solvents, custodial products (e.g., cleaning supplies), pesticides and other landscaping supplies, and vehicle fuels, oils, and transmission fluids. No uses or activities are proposed that would result in the use or discharge of unregulated hazardous materials and/or substances, or create a public hazard through transport, use, or disposal. As a residential development, the proposed project would not involve large quantities of hazardous materials that would require routine transport, use, or disposal. With compliance to applicable standards and regulations and adherence to manufacturer's instructions related to the transport, use, or disposal of hazardous materials, the proposed project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials, and impacts would be less than significant.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. A significant impact would occur if the proposed project created a significant hazard to the public or environment due to a reasonably foreseeable release of hazardous materials. City records show that structures exist on the subject site (single-family dwelling, school/accessory living structure) and were constructed as early as 1932. Therefore, it is likely that the existing structures on the subject site may contain asbestos-containing materials (ACMs) and lead-based paint (LBP). Demolition or conversion of these buildings would have the potential to release asbestos fibers into the atmosphere if such materials exist and they are not properly stabilized or removed prior to demolition activities. The removal of asbestos is regulated by SCAQMD Rule 1403; therefore, any asbestos found on-site would be required to be removed in accordance with applicable regulations prior to demolition. Similarly, it is likely that lead-based paint is present in buildings constructed prior to 1979. Compliance with existing State laws regarding removal would be required, resulting in a less-than-significant impact.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. Construction activities have the potential to result in the release, emission, handling, and disposal of hazardous materials within one-quarter mile of an existing school. A private school is currently existing on the subject site and will be converted to a single-family dwelling as part of the proposed project. Apperson Street Elementary School is located 0.4 miles from the subject site at 10233 Woodward Avenue. The proposed project would provide for 13 single-family residential dwelling units, and would be expected to use and store very small amounts of hazardous materials, such as paints, solvents, cleaners, pesticides, etc. All hazardous materials within the project site would be acquired, handled, used, stored, transported, and disposed of in accordance with all applicable federal, State, and local requirements. With this compliance, the proposed project would result in a less than significant impact.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. A significant impact would occur if the project site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would create a significant hazard to the public or the environment. The California Department of Toxic Substances Control (DTSC) maintains a database (EnviroStor) that provides access to detailed information on hazardous waste permitted sites and corrective action facilities, as well as existing site cleanup information. EnviroStor also provides information on investigation, cleanup, permitting, and/or corrective actions that are planned, being conducted, or have been completed under DTSC's oversight. A review of EnviroStor did not identify any records of hazardous waste facilities on the project site. Therefore, the proposed project would not be located on a site that is included on a list of hazardous materials sites or create a significant hazard to the public or the environment, and no impact would occur.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. The project site is not located in an airport land use plan area, or within two miles of any public or public use airports, or private air strips. Therefore, the proposed project would not result in a safety hazard for people residing or working in the project area, and no impacts would occur.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant with Mitigation. The nearest emergency route is Foothill Boulevard, approximately 0.5 miles to the north of the project site (City of Los Angeles, *Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems*, Exhibit H, November 1996.) The proposed project would not require the closure of any public or private streets and would not impede emergency vehicle access to the project site or surrounding area. Additionally, emergency access to and from the project site would be provided in accordance with requirements of the Los Angeles Fire Department (LAFD). However, the proposed project site, particularly the southerly portion of the site, is located in an area of rugged hillside terrain where the circulation system is not fully built out. With the implementation of mitigation measures herein (see Section XVII Transportation) any impacts to an emergency response or evacuation plan would be less than significant. **(see Section XVII Transportation MM TSP-2, MM TSP-3, MM TSP-4)**

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less Than Significant With Mitigation. The subject site is located within an area designed on ZIMAS as a Very High Fire Hazard Severity Zone and a High Wind Velocity Area. The General Plan Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems, Exhibit D, shows the subject site to be located within a Wildfire Hazard Area (Mountain Fire District/Fire Buffer Zone). As such, the subject site is subject to wildland fires. However, the

proposed project would be designed and constructed in accordance with State and local Building and Fire Codes, including installing sprinklers and planting fire resistant landscaping as appropriate, to reduce the potential for exposure of people or structures to wildfires to the maximum extent possible. Additionally, the project is mitigated herein (see Section XX Wildfire) so that the impact of the project in exposing people or structures to a risk of loss, injury, or death involving wildland fires, would be less than significant.

(See Section XX. Wildfire MM FIRE-1, MM FIRE-2)

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☒	☐	☐
i. Result in substantial erosion or siltation on- or off-site;				
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				
iv. Impede or redirect flood flows?				
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☒	☐	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant with Mitigation. A significant impact would occur if the proposed project discharges water that does not meet the quality standards of agencies which regulate surface water quality and water discharge into storm water drainage systems, or does not comply with all applicable regulations as governed by the Los Angeles Regional Water Quality Control Board. Stormwater runoff from the proposed project has the potential to introduce small amounts of pollutants into the stormwater system. Pollutants would be associated with runoff from landscaped areas (pesticides and fertilizers) and paved surfaces (ordinary household cleaners). Thus, the proposed project would be required to comply with the National Pollutant Discharge Elimination System standards and the City's Stormwater and Urban Runoff Pollution Control regulations (Ordinance No. 172,176 and No. 173,494) to ensure pollutant loads from the project site are minimized for downstream receiving waters. The ordinances contain requirements for construction activities and operation of projects to integrate low impact development practices and standards for stormwater pollution mitigation, and maximize open, green and pervious space on all projects consistent with the City's landscape ordinance and other related requirements in the City's Development Best Management Practices (BMPs) Handbook. Conformance would be ensured during the City's building plan review and approval process.

As previously stated, the applicant submitted a Biological Resource Assessment dated January 2020 prepared by Rincon Consultants, Inc. Rincon identified drainages on the Project site including three features. Two of these run in a northerly direction from the ridgeline south of the subject site. These features are characterized as intermittent, temporary flooded, riverine streambeds having the potential to convey runoff from the southern higher elevations and terminate south of an existing residence on the subject site (i.e., the center of the Project site). Based on the Project design and presence of intermittent drainage, one feature may be significantly impacted due to Project-related activities. With mitigation as proposed herein, any impacts would be reduced to a less than significant level. However, if it is determined that the drainages cannot be avoided, the project applicant should be subject to the mitigation proposed herein.

Therefore, the proposed project would result in less-than-significant impacts with mitigation as proposed herein. **(See Section IV. Biological Resources MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18)**

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less Than Significant Impact. A significant impact would occur if the proposed project would substantially deplete groundwater or interferes with groundwater recharge. The proposed project would not require the use of groundwater at the project site. Potable water would be supplied by the Los Angeles Department of Water and Power (LADWP), which draws its water supplies from distant sources for which it conducts its own assessment and mitigation of potential environmental

impacts. Therefore, the project would not require direct additions or withdrawals of groundwater. The impact on groundwater supplies or groundwater recharge would be less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site;

Less Than Significant with Mitigation. A significant impact would occur if the proposed project would substantially alter the drainage pattern of an existing stream or river so that erosion or siltation would result. Project construction would temporarily expose on-site soils to surface water runoff. However, compliance with construction-related BMPs and/or the Storm Water Pollution Prevention Plan would control and minimize erosion and siltation. As previously stated, the applicant submitted a Biological Resource Assessment dated January 2020 prepared by Rincon Consultants, Inc. Rincon identified drainages on the Project site including three features. Two of these run in a northerly direction from the ridgeline south of the subject site. These features are characterized as intermittent, temporary flooded, riverine streambeds having the potential to convey runoff from the southern higher elevations and terminate south of an existing residence on the subject site (i.e., the center of the Project site). With mitigation as proposed herein, any impacts would be reduced to a less than significant level. However, if it is determined that the drainages cannot be avoided in the course of the Project, the project applicant will be subject to the mitigation proposed herein. **(See Section IV. Biological Resources MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18)**

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

Less Than Significant with Mitigation. A significant impact would occur if the proposed project would substantially alter the drainage pattern of an existing stream or river such that flooding would result. As previously stated, the Biological Resources Assessment submitted by the Project applicant identifies drainages on the Project site including three features. Two of these run in a northerly direction from the ridgeline south of the subject site. These features are characterized as intermittent, temporary flooded, riverine streambeds having the potential to convey runoff from the southern higher elevations and terminate south of an existing residence on the subject site (i.e., the center of the Project site). With mitigation as proposed herein, any impacts would be reduced to a less than significant level. However, if it is determined that the drainages cannot be avoided in the course of Project activities, the Project applicant should be subject to the mitigation proposed herein. **(See Section IV. Biological Resources MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18)**

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Less Than Significant with Mitigation. A significant impact would occur if runoff water would exceed the capacity of existing or planned storm drain systems serving the project site, or if the proposed project would substantially increase the probability that polluted runoff would reach the storm drain system. Site-generated surface water runoff would continue to flow to the City's storm drain system. Any project that creates, adds, or replaces 500 square feet of impervious surface must comply with the Low Impact Development (LID) Ordinance or alternatively, the City's Standard Urban Stormwater Mitigation Plan (SUSMP), as an LAMC requirement to address water runoff and storm water pollution. However, as previously stated, three features exist on the Project site that could contribute toward runoff. With the implementation of mitigation measures, all impacts should be reduced to a less than significant level. **(See Section IV. Biological Resources MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18)**

iv. Impede or redirect flood flows?

Less Than Significant with Mitigation. A significant impact would occur if the proposed project would be located within a 100-year or 500-year floodplain or would impede or redirect flood flows. According to the Safety Element of the City of Los Angeles General Plan *Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems*, Exhibit F, the project site is not located within a 100-year or 500-year floodplain. ZIMAS shows that the subject site is not located within a Flood Zone. However, as previously stated, drainages exist on the Project site, including three features. Two of these run in a northerly direction from the ridgeline south of the subject site. These features are characterized as intermittent, temporary flooded, riverine streambeds having the potential to convey runoff from the southern higher elevations and terminate south of an existing residence on the subject site (i.e., the center of the Project site). With mitigation, impacts will be less than significant. **(See Section IV. Biological Resources MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18)**

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less Than Significant with Mitigation. A significant impact would occur if the proposed project would be located within an area susceptible to flood hazard and/or inundation by seiche, tsunami, or mudflow. As previously stated, the proposed project site is not located within a Flood Zone as identified on ZIMAS or within a 100-year or 500-year floodplain as identified by the *Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems*, Exhibit F. A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, or lake. A tsunami is a great sea wave produced by a significant undersea disturbance. The Project site is located approximately 30 miles northeast of the Pacific Ocean. However, as previously stated, three drainages on the subject site could create mudflows resulting from the down slope movement of soil and/or rock under the influence of gravity. With the implementation of mitigation measures as proposed herein, any impacts should be reduced to a less than significant level. **(See Section IV. Biological Resources MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18)**

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. A significant impact would occur if the proposed project discharges water that does not meet the quality standards of agencies which regulate surface water quality and water discharge into storm water drainage systems, or does not comply with all applicable regulations as governed by the Los Angeles Regional Water Quality Control Board. The proposed project would be required to comply with the National Pollutant Discharge Elimination System standards and the City's Stormwater and Urban Runoff Pollution Control regulations (Ordinance No. 172,176 and No. 173,494) to ensure pollutant loads from the project site are minimized for downstream receiving waters. The ordinances contain requirements for construction activities and operation of projects to integrate low impact development practices and standards for stormwater pollution mitigation, and maximize open, green and pervious space on all projects consistent with the City's landscape ordinance and other related requirements in the City's Development BMPs Handbook. Any project that creates, adds, or replaces 500 square feet of impervious surface must comply with the LID Ordinance or alternatively, the City's Standard Urban Stormwater Mitigation Plan (SUSMP), as an LAMC requirement to address water runoff and storm water pollution. Conformance would be ensured during the City's building plan review and approval process. Therefore, any impacts to a water quality control plan or sustainable groundwater management plan would be less than significant.

XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐

a) Physically divide an established community?

No Impact. A significant impact would occur if the proposed project would be sufficiently large or configured in such a way so as to create a physical barrier within an established community. A physical division of an established community is caused by an impediment to through travel or a physical barrier, such as a new freeway with limited access between neighborhoods on either side of the freeway, or major street closures. The proposed project would not involve any street vacation or closure or result in development of new thoroughfares or highways. The applicant is proposing two new private streets; one street will be accessed from McGroarty Street, and the second street will be accessed from the intersection of McGroarty Street, McVine Avenue, and McVine Trail. Development of the private streets, as proposed, will not physically divide the community. The proposed project, the subdivision of two lots into 13 single-family lots and the construction of 11 new single-family dwelling units, would not divide an established community. Therefore, no impact would occur.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant with Mitigation. A significant impact may occur if a project is inconsistent with the General Plan or zoning designations currently applicable to the project site, and would cause adverse environmental effects, which the General Plan and zoning ordinance are designed to avoid or mitigate. The site is located within the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan area. The site is zoned RE11-1 and RE40-1, with a General Plan land use designation of Low Residential and Minimum Residential. The proposed project would be comprised of 13 single-family dwelling units as permitted in the RE Zones. Proposed Lot Nos. 1-9 are zoned RE11 and designated for Low Residential land use. The proposed lot sizes range from 11,000-43,814 square feet and therefore meet the minimum area requirement of 11,000 square feet per lot for the RE11 Zone. Proposed Lot Nos. 10, 12, and 13 are zoned RE40 and designated Minimum Residential. The proposed lot sizes range from 40,095-442,278 square feet and therefore meet the minimum area requirement of 40,000 square feet per lot for the RE40 Zone. Proposed Lot 11 has dual zoning and land use designation. The RE11 Zoned and Low Residential designated portion of proposed Lot 11 is 25,544 square feet and meets the minimum area requirements for the RE11 Zone. The RE40 Zoned and Minimum

Residential designated portion of proposed Lot 11 is 64,875 square feet and therefore meets the minimum area requirements for the RE40 Zone.

The Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan Map includes the following footnotes:

Footnote No. 4: Densities shall not exceed that which would be permitted using the slope density formula in LAMC Section 17.05C for lots: (a) in areas of steep topography planned for Very Low I, Very Low II and Minimum density; and, (b) which would otherwise require extensive grading, involve soil instability erosion problems of access problems, as determined by the Deputy Advisory Agency.

The applicant is proposing 47,720 cubic yards of cut, 15,405 cubic yards of fill, and 32,315 cubic yards of export over the entire site. Areas of the site that are designated Minimum density include proposed Lots 10, 12, and 13, a portion of Lot 11, and portions of the private street.

Footnote No. 7: Subdivision in steep hillside areas shall be designed in such a way as to preserve the ridgelines and the steeper slopes as open space, limit the amount of grading required, and to protect the natural hillside views. The total density allowed over the entire ownership shall be clustered in the more naturally level portions of the ownership. Density in the clusters shall not exceed that permitted in the Low density housing category for areas that are not in "K" Districts, and shall not exceed that permitted in the Very Low I category of areas that are within a "K" District.

The proposed project is not located in a K District, and therefore, density should not exceed that permitted in the Low density category, which under this Community Plan corresponds to the RE9, RS, R1, and RU Zones. The RE9 Zone requires a minimum lot area of 9,000 square feet, RS requires a minimum lot area of 7,500 square feet, R1 requires a minimum lot area of 5,000 square feet, and RU requires a minimum lot area of 3,500 square feet. As proposed, the smallest sized lot is 11,000 square feet.

Footnote No. 19: There shall be no grading of the principal ridge lines within the Plan boundaries. Designation of principal ridge lines shall be determined by the Advisory Agency.

As designated under the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (ZI No. 2324, Ordinance No. 175,736 effective February 8, 2004) Map No. 2, the proposed project site is not located along a prominent ridgeline.

The purpose of the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (ZI No. 2324, Ordinance No. 175,736 effective February 8, 2004) is to preserve, protect, and enhance the unique natural and cultural resources of the area. The Plan established regulations in four areas as follows:

1. Prominent Ridgeline Protection measures that protect from grading and/or development on designated Prominent Ridgelines that are visible from the right-of-way of Scenic Highways and depicted on Specific Plan Map No 2.
2. Biological Resource Protection measures to protect oak trees and unique native plan communities.
3. Scenic Highway Corridors Viewshed Protection measures that establish standards for site design, landscaping, and signage for scenic highway corridors as designated on Specific Plan Map No 1.

4. Equinekeeping District Standards, Equestrian Trails, and Domestic Livestock measures to provide for the designation and development of existing and future equestrian trails within “K” Equinekeeping Districts, re-establish the right of property owners to keep domestic livestock in conjunction with RE40 Zoned uses, and protect non-conforming equine uses in “K” Districts.

The proposed project site is not located within a Prominent Ridgeline Protection area or a Scenic Highway Corridor as designated on Specific Plan Maps No. 2 and 1, respectively. As discussed in the Protected Tree Report prepared by L. Newman Design Group Inc. (see Appendix A) the proposed project site includes 106 native protected trees and 63 non-protected mature trees on the subject site. The applicant is proposing to remove seven protected trees (six Oak and one Sycamore), and up to 63 non-protected trees. Additionally, Specific Plan Map No. 3 designates the Official Equestrian Trail System. The subject site does not include an Official Trail and/or “K” Horsekeeping District. However, ZIMAS shows that the subject site is located within a geographic area designated under ZI-2438, Equine Keeping in the City of Los Angeles, which regulates distance between habitable space and animal keeping/equine structures and/or enclosures on Lots zoned RA, RE20, RE40, A1, and A2. As such, the RE40 Zoned lots, which include proposed Lots 10, 12, 13 and a portion of Lot 11 are regulated by ZI-2438 as implemented by the Los Angeles Department of Building and Safety (LADBS).

The subject site also falls within a geographic area designated under ZIMAS as ZI-2462, Modifications to Single-Family Zones and Single-Family Hillside Area Regulations. ZI-2462 applies to single-family (RA, RE, RS, R1) zoned properties citywide and establishes new regulations regarding the size and bulk of new and enlarged homes, and to further regulate grading and earth import/export in designated Hillside Areas. As the proposed project is located within an RE Zone, it is subject to the regulations of ZI-2462 as regulated by LADBS.

As previously stated, the southern portion of the Project where proposed Lot 13 is sited is part of the Verdugo Mountains Significant Ecological Area (SEA). SEAs are officially designated areas within Los Angeles County that have irreplaceable biological resources. As discussed in the Rincon Biological Resources Assessment, the Verdugo SEA is one of the few remaining natural regions in the Los Angeles area that supports abundant native wildlife and habitats and contains rare and sensitive plant and animal species. The Verdugo Mountains SEA is located in the Verdugo Mountains and includes areas south of the I-210, east of the I-5, and a portion of the mountains north of the I-210. The proposed project could interfere with the rare and sensitive plant and animal species that are supported by the Verdugo SEA. However, with mitigation, any impacts to the plant and animal species located within the SEA are reduced to a less than significant level.

(See Section IV. Biological Resources, MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-5, MM BIO-6, MM BIO-7, MM BIO-8, MM BIO-9, MM BIO-10, MM BIO-11, MM BIO-12, MM BIO-13, MM BIO-14, MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18)

XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. A significant impact would occur if the proposed project would result in the loss of availability of known mineral resources of regional value or locally-important mineral resource recovery site. The project site is not classified by the City as containing significant mineral deposits nor is it designated for mineral extraction land use. In addition, the project site is not identified by the City as being located in an oil field or within an oil drilling area based on ZIMAS records and the *Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems*, Exhibit E. Therefore, the proposed project would not result in the loss of availability of any known, regionally- or locally-valuable mineral resource, and no impact would occur.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. A significant impact would occur if the proposed project would result in the loss of availability of known mineral resources of regional value or locally-important mineral resource recovery site. The project site is not classified by the City as containing significant mineral deposits nor is it designated for mineral extraction land use. In addition, the project site is not identified by the City as being located in an oil field or within an oil drilling area based on ZIMAS records and the *Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems*, Exhibit E. Therefore, the proposed project would not result in the loss of availability of any known, regionally- or locally-valuable mineral resource, and no impact would occur.

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant With Mitigation. The City of Los Angeles has established policies and regulations concerning the generation and control of noise that could adversely affect its citizens and noise-sensitive land uses. Construction activity would result in temporary increases in ambient noise levels in the project area on an intermittent basis. Noise levels would fluctuate depending on the construction phase, equipment type and duration of use, distance between the noise source and receptor, and presence or absence of noise attenuation barriers. Construction noise for the project will cause a temporary increase in the ambient noise levels, and will be subject to the LAMC Sections 112.05 (Maximum Noise Level of Powered Equipment or Powered Hand Tools) and 41.40 (Noise Due to Construction, Excavation Work – When Prohibited) regarding construction hours and construction equipment noise thresholds. Additionally, with mitigation to buffer surrounding residential uses, construction and demolition shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday and state-of-the-art equipment and noise barriers shall be utilized. The project shall also comply with the City of Los Angeles General Plan Noise Element and Ordinance No. 161,574, which prohibits the emission of creation of noise beyond certain levels at adjacent uses unless technically infeasible.

New stationary sources of noise, such as mechanical HVAC equipment, would be installed on the proposed development. The design of the equipment will be required to comply with LAMC Section 112.02, which prohibits noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level on the premises of other occupied properties by more than five dBA. With implementation of the regulations that address mechanical equipment, a substantial permanent increase for nearby sensitive receptors would be reduced to a less than significant level.

Therefore, the noise exposure impact due to temporary construction activity would be less than significant with mitigation, and any permanent increase in ambient noise would be less than significant.

MM NOISE-1. Increased Noise Levels (Demolition, Grading, and Construction Activities)

- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- A temporary noise control barrier shall be installed on the property line of the construction site abutting residential uses. The noise control barrier shall be engineered to reduce construction-related noise levels at the adjacent residential structures with a goal of a reduction of 10dBA. The supporting structure shall be engineered and erected according to applicable codes. The temporary barrier shall remain in place until all windows have been installed and all activities on the project site are complete.

b) Generation of, excessive groundborne vibration or groundborne noise levels?

Less Than Significant With Mitigation. Construction activities can generate varying degrees of vibration, depending on the construction procedures and the type of construction equipment used. The operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. By complying with regulations and the mitigation measure herein, the project would result in a less-than-significant impact related to construction vibration. **(see MM Noise-1 above)**

c) For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. A significant impact would occur if the proposed project would expose people residing or working in the project area to excessive noise levels from a public airport or public use airport or a private airstrip. The proposed project is not located within two miles of a public airport/public use airport or private airstrip. The project site is outside of the Los Angeles International Airport Land Use Plan. Accordingly, the proposed project would not expose people working or residing in the project area to excessive noise levels from a public airport or public use airport. Therefore, no impact would occur.

XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less Than Significant Impact. A potentially significant impact would occur if the proposed project would induce substantial population growth that would not have otherwise occurred as rapidly or in as great a magnitude. If approved, the proposed project will allow a total of 13 single-family residential dwellings. The increase in residential population resulting from the proposed project would not be considered substantial in consideration of anticipated growth for the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan, and is within the Southern California Association of Governments' (SCAG) 2020 population projections for the City in their 2012-2035 Regional Transportation Plan. The project would meet a growing demand for housing near jobs and transportation centers, consistent with State, regional and local regulations designed to reduce trips and greenhouse gas emissions. Operation of the proposed project would not induce substantial population growth in the project area, either directly or indirectly. The physical secondary or indirect impacts of population growth such as increased traffic or noise have been adequately mitigated in other portions of this document. Therefore, the impact would be less than significant.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. A potentially significant impact would occur if the proposed project would displace a substantial quantity of existing residences or a substantial number of people. The proposed project will result in the subdivision of two lots into 13 single-family residential lots. As a result of the proposed project, an existing school/accessory structure will be converted to a residential use, and one existing single-family residence will remain on the subject site. As such, the proposed project will not displace substantial numbers of existing people or housing necessitating the construction of replacement housing elsewhere.

XV. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Fire protection?	☐	☐	☒	☐
b. Police protection?	☐	☐	☒	☐
c. Schools?	☐	☒	☐	☐
d. Parks?	☐	☐	☒	☐
e. Other public facilities?	☐	☐	☒	☐

a) Fire protection?

Less Than Significant Impact. A significant impact would occur if the Los Angeles Fire Department (LAFD) could not adequately serve the proposed project, necessitating a new or physically altered station. The project site and the surrounding area are currently served by Fire Station 74 located at 7777 Foothill Boulevard, approximately 1 mile northeast of the subject site. The proposed project would allow 13 single-family dwelling units, which could increase the number of emergency calls and demand for LAFD fire and emergency services. To maintain the level of fire protection and emergency services, the LAFD may require additional fire personnel and equipment. However, given that there are existing fire stations in close proximity to the Project site, it is not anticipated that there would be a need to build a new or expand an existing fire station to serve the proposed Project and maintain acceptable service ratios, response times, or other performance objectives for fire protection. By analyzing data from previous years and continuously monitoring current data regarding response times, types of incidents, and call frequencies, LAFD can shift resources to meet local demands for fire protection and emergency services. The proposed project would neither create capacity or service level problems nor result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.

The proposed Project is located within a Very High Fire Severity Zone and a High Wind Velocity Area, and as such, mitigation measures are included herein to mitigate fire impacts to a less than significant level.

(See Section XX. Wildfire MM FIRE-1, MM FIRE-2)

b) Police protection?

Less Than Significant Impact. A significant impact would occur if the Los Angeles Police Department (LAPD) could not adequately serve the proposed project, necessitating a new or physically altered station. The proposed project would result in 13 single-family dwelling units and could increase demand for police service. The project site and the surrounding area are currently served by LAPD's Foothill Community Police Station located at 12760 Osborne Street (approximately 7.4 miles west of the subject site).

Prior to the issuance of a building permit, the LAPD would review the project plans to ensure that the design of the project follows the LAPD's Design Out Crime Program, an initiative that introduces the techniques of Crime Prevention Through Environmental Design to all City departments beyond the LAPD. Through the incorporation of these techniques into the project design, in combination with the safety features already incorporated into the proposed project, the proposed project would neither create capacity/service level problems nor result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for police protection. Regarding operations, in the event a situation should arise requiring increased staffing or patrol units, additional resources can be called in. Therefore, the proposed project would result in a less-than-significant impact related to police protection services.

c) Schools?

Less Than Significant With Mitigation. A significant impact would occur if the proposed project would include substantial employment or population growth, which could generate a demand for school facilities that would exceed the capacity of the school district. If approved, the proposed project would allow 13 single-family residential dwelling units, which could increase enrollment at schools that serve the area. However, development of the proposed project would be subject to California Government Code Section 65995, which would allow LAUSD to collect impact fees from developers of new residential and commercial space. Conformance to California Government Code Section 65995 is deemed to provide full and complete mitigation of impacts to school facilities. As such, 13 residential dwelling units will not significantly impact the demand for school facilities and/or exceed the capacity of the school district.

A significant impact would occur if construction and haul route activity associated with the proposed project would have a significant effect on existing schools. Currently, a private school is located on the subject site. The private school will be converted to a single-family dwelling under the proposed project. Additionally, Apperson Street Elementary School is located 0.4 miles from the subject site at 10233 Woodward Avenue. With the implementation of mitigation measures, construction and haul route activity will have a less than significant impact.

MM PS-1. Public Services (Construction Activity Near Schools)
Environmental impacts may result from project implementation due to the close proximity of the project to a school. However, the potential impact will be mitigated to a less than significant level by the following measures:

- The developer and contractors shall maintain ongoing contact with administrator of Apperson Street Elementary School and the private school on the subject site (Canyon View Academy). The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

MM PS-2. Public Services (Schools affected by Haul Route)

- LADBS shall assign specific haul route hours of operation based upon the hours of operation of Apperson Street Elementary School and the private school on the subject site (Canyon View Academy).
- Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.

d) Parks?

Less Than Significant Impact. A significant impact would occur if the proposed project would exceed the capacity or capability of the local park system to serve the proposed project. The City of Los Angeles Department of Recreation and Parks (RAP) is responsible for the provision, maintenance, and operation of public recreational and park facilities and services in the City. The proposed project would result in 13 single-family dwelling units, which could result in increased demand for parks and recreation facilities. Pursuant to Section 17.12 or 17.58 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units. Therefore, the proposed project would not create capacity or service level problems, or result in substantial physical impacts associated with the provision or new or altered parks facilities. Accordingly, the proposed project would result in a less-than-significant impact on park facilities.

e) Other public facilities?

Less than Significant Impact. A significant impact would occur if the proposed project would result in substantial employment or population growth that could generate a demand for other public facilities, including libraries, which exceed the capacity available to serve the project site, necessitating new or physically altered public facilities, the construction of which would cause significant environmental impacts. The proposed project would result in 13 single-family dwelling units, which could result in increased demand for library services and resources of the Los Angeles Public Library System. However, the proposed project would not create substantial

capacity or service level problems that would require the provision of new or expanded public facilities in order to maintain an acceptable level of service for libraries and other public facilities. Therefore, the proposed project would result in a less-than-significant impact on other public facilities.

XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☒	☐	☐

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?

Less Than Significant Impact. A significant impact would occur if the proposed project would exceed the capacity or capability of the local park system to serve the proposed project. The City of Los Angeles Department of Recreation and Parks (RAP) is responsible for the provision, maintenance, and operation of public recreational and park facilities and services in the City. The proposed project would allow for 13 single-family dwelling units, which could result in increased demand for parks and recreation facilities. Pursuant to Section 17.12 or 17.58 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units. Therefore, the proposed project would not create capacity or service level problems, or result in substantial physical impacts associated with the provision or new or altered parks facilities. Accordingly, the proposed project would result in a less-than-significant impact on park facilities.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less Than Significant Impact with Mitigation. The project may have an impact on future hiking and equestrian trails in the vicinity. Although the subject site is not zoned for horsekeeping, the project is located in the area governed by the San Gabriel Verdugo Mountains Scenic Preservation Specific Plan (Ordinance No. 175,736), which intends to preserve, protect, and enhance the unique natural and cultural resources of the area. Specific Plan Map Nos. 3 and 4 do not show official or non-public equestrian trails on or in the vicinity of the subject site. The Community Plan Map also does not show equine trails on the subject site. However, given the rural hillside nature of the area and the site's designation under ZI-2438, Equine Keeping in the City of Los Angeles, which regulates distance between habitable space and animal

keeping/equine structures and/or enclosures on RA, RE, and A Zoned lots, it is possible that the project could impact future opportunities for hiking and equestrian use.

The subject site is adjacent to the Rim of the Valley Corridor, which includes the Verdugo Mountains, San Gabriel Mountains, Simi Hills, Santa Susana Mountains, and Santa Monica Mountains. The Rim of the Valley Corridor is comprised of open space lands that support plant and animal wildlife and provide recreational opportunities, such as hiking and equestrian use.

With the implementation of mitigation measures, any impacts to recreational opportunities, including hiking and equestrian trails, will be less than significant.

MM REC-1. Recreation (Affect Recreational Opportunities Hiking/Equestrian Trails). Environmental impacts to the future hiking and equestrian trails may result project implementation. However, the potential impacts will be mitigated to a less than significant level by the following measure:

- The applicant shall comply with the planned/potential hiking and equestrian routes including trail alignment and improvements as recognized by the Department of Recreation and Parks and the Department of City Planning.

XVII. TRANSPORTATION¹

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐
d. Result in inadequate emergency access?	☐	☒	☐	☐

¹ Until the City has adopted new Transportation thresholds (or July 1, 2020, whichever is sooner), question b will remain unchanged. Once new thresholds have been adopted, the Initial Study will be updated to reflect the 2019 Appendix G for question b.

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact. A significant impact may occur if the project conflicts with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. The project, if approved, will result in a total of 13 single-family dwellings. Although the new project will result in an increase in trips, the increase does not exceed the LADOT threshold of 25 single-family dwelling units to require a traffic analysis. Average daily traffic associated with the proposed project is estimated to be less than significant according to LADOT, as it does not meet their threshold (25 units for single-family residential uses) for traffic impact analysis. Therefore, impacts would be less than significant.

b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Less Than Significant Impact. A significant impact may occur if the proposed project individually or cumulatively exceeded the service standards of the Los Angeles County Metropolitan Transportation Authority (Metro) Congestion Management Program (CMP). This program was created Statewide as a result of Proposition 111 and has been implemented locally by Metro. The CMP for Los Angeles County requires that the traffic impacts of individual development projects of potential regional significance be analyzed. Specific arterial roadways and all State highways comprise the CMP system, and a total of 164 intersections are identified for monitoring throughout Los Angeles County. The local CMP requires that all CMP monitoring intersections be analyzed where a project would likely add more than 50 trips during either the a.m. or p.m. peak hours. The project is the subdivision of two lots into 13 single-family lots to allow a total of 13 single-family dwelling units. Although the new project will result in an increase in trips, the increase would not add more than 25 trips during either the a.m. or p.m. peak hours. Therefore, impacts would be less than significant.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant with Mitigation. A significant impact would occur if the proposed project would substantially increase an existing hazardous design feature or introduced incompatible uses to the existing traffic pattern. The applicant is requesting haul route approval, and the specific route will be reviewed and approved by LADBS. Traffic impacts may occur during grading, pre-construction, and construction. With the implementation of mitigation measures, traffic due to the haul route and construction phases will be reduced to a less than significant level.

Furthermore, the project may have significant impacts on pedestrians during construction phases. With implementation of the referenced mitigation measure, potential impacts to pedestrians would be reduced to less-than-significant.

The subject site, particularly the southern portion, is located in a rugged hillside area where the circulation system has not been fully built out. With the implementation of mitigation measures, hazards due to sharp curves in the vicinity that could impact daily traffic will be reduced to a less than significant impact.

MM TSP-1. Transportation

- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- The applicant shall be limited to no more than two trucks at any given time within the site's staging area.
- There shall be no staging of hauling trucks on any streets adjacent to the project, unless specifically approved as a condition of an approved haul route.
- No hauling shall be done before 9 a.m. or after 3 p.m.
- Trucks shall be spaced so as to discourage a convoy effect.
- On substandard hillside streets, only one hauling truck shall be allowed on the street at any time.
- A minimum of two flag persons are required. One flag person is required at the entrance to the project site and one flag person at the next intersection along the haul route.
- Truck crossing signs are required within 300 feet of the exit of the project site in each direction.
- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times shall provide reasonable control of dust caused by wind.
- Loads shall be secured by trimming and watering or may be covered to prevent the spilling or blowing of the earth material.
- Trucks and loads are to be cleaned at the export site to prevent blowing dirt and spilling of loose earth.
- No person shall perform grading within areas designated "hillside" unless a copy of the permit is in the possession of a responsible person and available at the site for display upon request.
- A log documenting the dates of hauling and the number of trips (i.e. trucks) per day shall be available on the job site at all times.
- The applicant shall identify a construction manager and provide a telephone number for any inquiries or complaints from residents regarding construction activities. The telephone number shall be posted at the site readily visible to any interested party during site preparation, grading and construction.

MM TSP-2. Safety Hazards

Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a less than significant level by the following measure:

- The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycles, and vehicle safety.
- The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

MM TSP-5. Pedestrian Safety

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

d) Result in inadequate emergency access?

Less Than Significant with Mitigation. A significant impact may occur if the project design threatened the ability of emergency vehicles to access and serve the project site or adjacent uses. The nearest emergency route is Foothill Boulevard, approximately 0.5 miles to the north of the project site (City of Los Angeles, *Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems*, Exhibit H, November 1996.) The proposed project would not require the closure of any public or private streets and would not impede emergency vehicle access to the project site or surrounding area. Additionally, emergency access to and from the project site would be provided in accordance with requirements of the Los Angeles Fire Department (LAFD). However, the project site, particularly the southern portion, is located in a rugged hillside area where the circulation system has not been fully built out. With the implementation of mitigation measures, transportation impacts due to inadequate emergency access would be less than significant.

MM TSP-3. Inadequate Emergency Access

Environmental impacts may result from project implementation due to inadequate emergency access. However, these impacts can be mitigated to a less than significant level by the following measure:

- The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

MM TSP-4. Inadequate Emergency Access (Hillside Streets – Construction Activities)

- No parking shall be permitted on the street during Red Flag Days in compliance with the "Los Angeles Fire Department Red Flag No Parking" program.
- All demolition and construction materials shall be stored on-site and not within the public right-of-way during demolition, hauling, and construction operations.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?

Assembly Bill 52 (AB 52) established a formal consultation process for California Native American Tribes to identify potential significant impacts to Tribal Cultural Resources, as defined in Public Resources Code §21074, as part of CEQA. As specified in AB 52, lead agencies must provide notice inviting consultation to California Native American tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if the Tribe has submitted a request in writing to be notified of proposed projects. The Tribe must respond in writing within 30 days of the City's AB 52 notice. The Native American Heritage Commission (NAHC) provided a list of Native American groups and individuals who might have knowledge of the religious and/or cultural significance of resources that may be in and near the Project site. An informational letter was mailed to a total of 10 Tribes known to have resources in this area, on July 14, 2016, describing the Project and requesting any information regarding resources that may exist on or near the Project site. On August 2, 2016, a tribal response was received from the Gabrieleno Band of

Mission Indians – Kizh Nation. On December 4, 2017, a tribal response was received from the Fernandefio Tatavian Band of Mission Indians. The tribes requested consultation, which was postponed while the case was on hold due to revisions made to the project by the applicant.

On May 28, 2019, an in-person consultation at the Tribal offices was held with the Fernandefio Tatavian Band of Mission Indians who were represented by Jairo Avila and Kimia Fatehi. The consultation was attended by City staff and Albert Davityan, the project applicant. In the course of the consultation, the applicant discussed the project and answered questions about the removal of Oak trees. The applicant explained that the request is to remove seven Oaks trees. (According to the Protected Tree Report included herein as Appendix A, the applicant is requesting to remove six Oak trees and one Sycamore tree, all of which are protected.) The number of Oak trees proposed for removal is considerably less than what was proposed under an earlier project request. The Tribe explained that Oak trees have cultural significance. Tribal ancestors were buried near Oak trees, and as the bodies decompose, the ancestors grow into the Oak trees. It is therefore believed that Oak trees are Native ancestors.

The Tribal representatives inquired about reports prepared for the project. City staff and the applicant explained that a geotechnical report was prepared (see Appendix D), and the project was issued a Geology and Soils Report Approval Letter dated May 15, 2018 (Log #93472-02). Additionally, the applicant submitted a Biological Resources Assessment (see Appendix B). While the applicant submitted a Cultural Resources Assessment, the Tribe expressed concern because the assessment was prepared in 1990. The Tribe explained that to have validity, a Cultural Resources Assessment should be prepared within the last 5 years (10 years at most). City staff concurred with the Tribe, and asked if the applicant would submit an updated report. The Tribal representatives provided confidential information but stated that there are no records in their database for this particular site. However, the Tribe would compare the archeological data base in an updated Cultural Resource Assessment to their data base.

The applicant submitted a Cultural Resources Survey prepared by Anza Resource Consultants dated July 2019 (see Appendix F). The Survey describes the subject site as being located within the Gabrielino/Tongva ethnographic territory. The survey indicated a search was conducted of cultural resource records housed at the California Historical Resources Information System (CHRIS), South Central Coastal Information Center (SCCIC) located at California State University, Fullerton to identify all previous cultural resources work and previously recorded cultural resources within a 0.5-mile radius of the project site. Additionally, Anza contacted five Native American contacts that may have knowledge of Native American cultural resources in response to a Sacred Lands File completed with positive results by the Native American Heritage Commission. No response was received by Anza providing knowledge of cultural resources of Native American origin from the five tribes contacted. Based on a cultural resource records search, Native American scoping, and pedestrian survey no cultural resources were identified within or adjacent to the project site. The standard measures recommended by Anza Resource Consultants are included as a condition of approval within the associated Case No. VTT-73957 and regulatory compliance measures (Unanticipated Discovery of Cultural Resources, Unanticipated Discovery of Human Remains).

On June 12, 2019, a consultation was held with the Gabrieleno Band of Mission Indians – Kizh Nation with Andy Salas, Matt Teutimez, and Steve Bernal. The Tribal representatives stated that the subject site is located within their ancestral territory and on a trade route. Additionally, the Tribal Representatives explained that the hillside area is coveted by Native American tribes for its

resources and as a location for spiritual ceremonies, as the hillside is close to the heavens and the celestial sky. Documentation was also provided to City staff showing examples of Native American villages that no longer exist due to development.

Finally, a record search of the Native American Heritage Commission Sacred Lands File (SLF) was completed for the subject site with positive results (letter dated November 14, 2018).

With the standard condition of Inadvertent Discovery included in associated Case No. VTT-73957 and regulatory compliance measures included in the associated Mitigation Monitoring Program, any impacts to Native American resources would be less than significant.

b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less Than Significant Impact. See a) above.

XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☒	☐	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant with Mitigation. A significant impact would occur if the proposed project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded. The Los Angeles Department of Water and Power (LADWP) conducts water planning based on forecast population growth. The provision of 13 single-family residential units as a result of the proposed project would be consistent with Citywide growth, and, therefore, the project demand for water is not anticipated to require new water supply entitlements and/or require the expansion of existing or construction of new water treatment facilities beyond those already considered in the LADWP 2015 Urban Water Management Plan. Prior to any construction activities, the project applicant would be required to coordinate with the City of Los Angeles Bureau of Sanitation (BOS) to determine the exact wastewater conveyance requirements of the proposed project, and any upgrades to the wastewater lines in the vicinity of the project site that are needed to adequately serve the proposed project would be undertaken as part of the project. Therefore, the proposed project would have a less-than-significant impact related to water or wastewater infrastructure.

A significant impact would occur if the proposed project would increase surface water runoff, resulting in the need for expanded off-site storm water drainage facilities. As previously stated, the applicant submitted a Biological Resource Assessment dated January 2020 prepared by Rincon Consultants, Inc. Rincon identified potentially jurisdictional drainages on site including three features. Two of these run in a northerly direction from the ridgeline south of the subject site. These features are characterized as intermittent, temporary flooded, riverine streambeds having the potential to convey runoff from the southern higher elevations and terminate south of an existing residence on the subject site (i.e., the center of the Project site). As mitigated herein (Section IV. Biological Resources), impacts due to surface water runoff would be less than significant.

Furthermore, the General Plan Framework Element (originally adopted by the City Council in 1996 and readopted in 2001), sets forth a citywide comprehensive long-range growth strategy. Chapter 9 of the Framework Element, Infrastructure and Public Services, identifies the viability of the infrastructure system, including power, as supplied by the Los Angeles Department of Water and Power, and telecommunications, as provided by public and private entities. The goals, objectives, and policies contained in the Framework Element are implemented on a Citywide basis to ensure the adequacy of development (in this particular instance, a total of 13 single-family dwelling units). The Southern California Gas Company provides natural gas to City residents, and the net addition of residential dwelling units under the proposed project would not exceed capacity. Finally, both the Department of Water and Power and the Southern California Gas Company utilize energy efficient policies and programs as regulated by the state and the city so that the capacity of infrastructure systems remain adequate to serve City residents. Therefore, with mitigations proposed herein, the proposed project would have a less-than-significant impact related to water or wastewater, energy, natural gas, and/or telecommunications infrastructure.

(see Section IV. Biological Resources, MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18)

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. A significant impact would occur if the proposed project would increase water consumption to such a degree that the capacity of facilities currently serving the

project site would be exceeded. The Los Angeles Department of Water and Power (LADWP) conducts water planning based on forecast population growth. The provision of 13 single-family residential units as a result of the proposed project would be consistent with Citywide growth, and, therefore, the project demand for water is not anticipated to require new water supply entitlements and/or require the expansion of existing or construction of new water treatment facilities beyond those already considered in the LADWP 2015 Urban Water Management Plan. Therefore, the proposed project would have a less-than-significant impact related to water supplies during normal, dry and multiple dry years.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. A significant impact would occur if the proposed project would increase wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded. Prior to any construction activities, the project applicant would be required to coordinate with the City of Los Angeles Bureau of Sanitation (BOS) to determine the exact wastewater conveyance requirements of the proposed project, and any upgrades to the wastewater lines in the vicinity of the project site that are needed to adequately serve the proposed project would be undertaken as part of the project. Therefore, the proposed project would have a less-than-significant impact related to wastewater infrastructure.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. A significant impact would occur if the proposed project's solid waste generation exceeded the capacity of permitted landfills. The Los Angeles Bureau of Sanitation (BOS) and private waste management companies are responsible for the collection, disposal, and recycling of solid waste within the City, including the project site. Solid waste during the operation of the proposed project is anticipated to be collected by the BOS and private waste haulers, respectively. As the City's own landfills have all been closed and are non-operational, the destinations are private landfills. In compliance with Assembly Bill (AB) 939, the project applicant would be required to implement a Solid Waste Diversion Program and divert at least 50 percent of the solid waste generated by the project from the applicable landfill site. The proposed project would also comply with all federal, State, and local regulations related to solid waste. Therefore, the proposed project would have a less-than-significant impact related to solid waste.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. A significant impact would occur if the proposed project's solid waste generation exceeded the capacity of permitted landfills. The Los Angeles Bureau of Sanitation (BOS) and private waste management companies are responsible for the collection, disposal, and recycling of solid waste within the City, including the project site. Solid waste during the operation of the proposed project is anticipated to be collected by the BOS and private waste haulers, respectively. As the City's own landfills have all been closed and are non-operational, the destinations are private landfills. In compliance with Assembly Bill (AB) 939, the project applicant would be required to implement a Solid Waste Diversion Program and divert at least 50 percent of the solid waste generated by the project from the applicable landfill site. The proposed

project would also comply with all federal, State, and local regulations related to solid waste. Therefore, the proposed project would have a less-than-significant impact related to solid waste.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☒	☐	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☒	☐	☐

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant with Mitigation. The nearest emergency route is Foothill Boulevard, approximately 0.5 miles to the north of the project site (City of Los Angeles, *Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems*, Exhibit H, November 1996.) The proposed project would not require the closure of any public or private streets and would not impede emergency vehicle access to the project site or surrounding area. Additionally, emergency access to and from the project site would be provided in accordance with requirements of the Los Angeles Fire Department (LAFD). However, the proposed project site, particularly the southerly portion of the site, is located in an area of rugged hillside terrain where the circulation system is not fully built out. With the implementation of mitigation measures herein, any impacts to an emergency response or evacuation plan would be less than significant.

(See Section XVII Transportation, MM TSP-3, MM TSP-4)

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less Than Significant with Mitigation. The subject site is located within an area designed at on ZIMAS as a Very High Fire Hazard Severity Zone and a High Wind Velocity Area. The General Plan Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems, Exhibit D, shows the subject site to be located within a Wildfire Hazard Area (Mountain Fire District/Fire Buffer Zone). As such, the subject site is subject to wildfire risks and may expose project occupants to pollutant concentrations. However, the proposed project would be designed and constructed in accordance with State and local Building and Fire Codes, including installing sprinklers and planting fire resistant landscaping as appropriate, to reduce the potential for exposure of people or structures to wildfires to the maximum extent possible. Additionally, wildfire can contribute toward greenhouse gas emissions, which has been mitigation herein. With mitigation, the impact of the project in exposing people to wildfire risks would be less than significant.

MM FIRE-1. Wildfire

Environmental impacts may result from project implementation due to the location of the project in an area of potential wildfire. However, this potential impact will be mitigated to a less than significant level by the following measure:

The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

MM FIRE-2. Wildfire

The following mitigation measures are required as recommended by the Los Angeles Fire Department in their correspondence dated May 23, 2019, and additional mitigation measures may be incorporated to the satisfaction of the Fire Department:

- The project is located in the Very High Fire Hazard Severity Zone and shall comply with requirements set forth in the City of Los Angeles Fire Code Section 4908.
- Boxed-in eaves
- Single pane, double thickness (minimum 1/8 inch thickness) or insulated windows
- Non-wood siding
- Exposed wooden members shall be 2 inches nominal thickness
- Noncombustible finishes
- Irrigated and managed greenbelts around the perimeter of all structures for a distance of 100 feet shall be considered as a buffer between the brush and the proposed project.
- All landscaping shall use fire-resistant plants and materials. A list of such plants is available from the Brush Clearance Unit, 6262 Van Nuys Blvd., Room 451, Van Nuys, CA 91401 (818) 994-4444.
- All structures shall have noncombustible, non-wood roofs.
- The brush in the area adjacent to the proposed development shall be cleared or thinned periodically by the homeowner's association under supervision of the Los Angeles City Fire Department in order to reduce the risk of brush fires spreading to the homes.

(See Section VIII. Greenhouse Gas Emissions MM GHG-1)

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Less Than Significant Impact. The General Plan Framework Element (originally adopted by the City Council in 1996 and readopted in 2001), sets forth a citywide comprehensive long-range growth strategy. Chapter 9 of the Framework Element, Infrastructure and Public Services, identifies the viability of the infrastructure system, including fire. As development occurs within the City, the Fire Department reviews applications for needed facilities. Where appropriate, construction of new facilities is required as a condition of development.

A significant impact would occur if the Los Angeles Fire Department (LAFD) could not adequately serve the proposed Project, necessitating a new or physically altered station. The project site and the surrounding area is currently served by Fire Station 74 located at 7777 Foothill Boulevard, approximately 1 mile northeast of the subject site. The proposed project would result in a 13 single-family residential subdivision, which could increase the number of emergency calls and demand for LAFD fire and emergency services. To maintain the level of fire protection and emergency services, the LAFD may require additional fire personnel and equipment. However, given that there is an existing fire station in close proximity to the project site, it is not anticipated that there would be a need to build a new or expand an existing fire station to serve the proposed

project and maintain acceptable service ratios, response times, or other performance objectives for fire protection. By analyzing data from previous years and continuously monitoring current data regarding response times, types of incidents, and call frequencies, LAFD can shift resources to meet local demands for fire protection and emergency services. The proposed project would neither create capacity or service level problems nor result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.

The project is partially located within the boundaries of the Verdugo Significant Ecological Area (SEA). SEAs are officially designated areas within the Los Angeles County identified as having irreplaceable biological resources. These areas represent the wide-ranging biodiversity of the County and contain some of the County's most important biological resources. The intent of the SEA designation is to ensure the continued viability of the biota contained within the SEA. To this extent, all utilities proposed within the Verdugo SEA shall be undergrounded.

The area proposed for development is a small portion of the undistributed lands found at the project site and located near already existing developments. Additionally, vegetation in the area is considered common and has not been recorded to support special-status species at the project site. While there is a relative abundance of native vegetation present at the project site that may provide habitat to wildlife species, the proposed project would not cause significant impact to the overall populations of species that may occur in the SEA. Therefore, the proposed project would result in a less-than-significant impact to fire infrastructure.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less Than Significant with Mitigation. A significant impact would occur if the proposed project would substantially alter the drainage pattern of an existing stream or river due to post-fire slope instability or landslide such that flooding would result. ZIMAS does not show the northern portion of the subject site, where most of the developed is proposed, to be located in an area of landslide. The Los Angeles Department of Building and Safety issued a Geology and Soils Approval Letter dated May 15, 2018 (Log #93472-02) with conditions that address slope stability. However, the subject site is located within an area designed on ZIMAS as a Very High Fire Hazard Severity Zone and a High Wind Velocity Area. The General Plan Safety Element of the Los Angeles City General Plan, Critical Facilities and Lifeline Systems, Exhibit D, shows the subject site to be located within a Wildfire Hazard Area (Mountain Fire District/Fire Buffer Zone). Additionally, the Biological Resource Assessment dated January 2020 prepared by Rincon Consultants, Inc. for the proposed project identified potentially jurisdictional drainages on site including three features. Two of these run in a northerly direction from the ridgeline south of the subject site. These features are characterized as intermittent, temporary flooded, riverine streambeds having the potential to convey runoff from the southern higher elevations and terminate south of an existing residence on the subject site (i.e., the center of the Project site). As mitigated herein, any impacts due to downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes would have less than significant impact.

MM FIRE-1, MM FIRE-2

(see Section IV. Biological Resources, MM BIO-15, MM BIO-16, MM BIO-17, MM BIO-18)

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant with Mitigation. As discussed in Section IV. Biological Resources, the southern portion of the Project is located within the Verdugo Significant Ecological Area (SEA). SEAs are officially designated areas within Los Angeles County that have irreplaceable biological resources, including abundant native wildlife and habitats and rare and sensitive plant and animal species. Specifically, proposed Lot 13 is located within the boundaries of the Verdugo SEA. A section of a proposed private street, and Lots 9 and 11 abut the Verdugo SEA. As such, the Project has the potential to substantially degrade the quality of the environment and reduce the habitat of a wildlife species (plant and animal). Additionally, the applicant is proposing to remove seven protected trees (one oak and six sycamore) and 63 non-protected trees which may serve as a habitat for animal species. With the mitigations imposed herein, any degradation of the environment will be reduced to a less than significant level.

(See Section IV. Biological Resources, MM BIO-1 through BIO-18)

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant with Mitigation. A significant impact may occur if the proposed project, in conjunction with the related projects, would result in impacts that are less than significant when viewed separately but significant when viewed together. Although projects may be constructed in the project vicinity, the cumulative impacts to which the proposed project would contribute would be less than significant. Implementation of the mitigation measures identified would reduce cumulative impacts to less-than-significant levels.

MM MAN-1. Cumulative Impacts

There may be environmental impacts which are individually limited, but significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. However, these cumulative impacts will be mitigated to a less than significant level through compliance with the above mitigation measures.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant with Mitigation. A significant impact may occur if the proposed project has the potential to result in significant impacts, as discussed in the preceding sections. All potential impacts of the proposed project have been identified, and mitigation measures have been prescribed, where applicable, to reduce all potential impacts to less-than-significant levels. Upon implementation of mitigation measures identified and compliance with existing regulations, the proposed project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

MM MAN-2. Effects on Human Beings

The project has potential environmental effects which cause substantial adverse effects on human beings, either directly or indirectly. However, these potential impacts will be mitigated to a less than significant level through compliance with the above mitigation measures.

MM MAN-3. End

The conditions outlined in this proposed mitigated negative declaration which are not already required by law shall be required as condition(s) of approval by the decision-making body except as noted on the face page of this document. Therefore, it is concluded that no significant impacts are apparent which might result from this project's implementation.

5 PREPARERS AND PERSONS CONSULTED

L. Newman Design Group, Inc.

Rincon Consultants, Inc.

C.A. Singer & Associates, Inc.

Byer Geotechnical Inc.

Forma Engineering, Inc.

Anza Resource Consultants

Native American Heritage Commission

BPG Birdseye Planning Group

Los Angeles County Department of Regional Planning, Environmental Planning and Sustainability

South Coast Environmental

6 REFERENCES, ACRONYMS AND ABBREVIATIONS

AB – Assembly Bill

ACM - asbestos-containing materials

AQMP – Air Quality Management Plan

BMP – Best Management Practices

BOS – City of Los Angeles Bureau of Sanitation

CARB – California Air Resources Board

CDFW – California Department of Fish and Wildlife

CEQA – California Environmental Quality Act

CFGC – California Fish and Game Code

CMP – Congestion Management Program

DTSC – California Department of Toxic Substances Control

GHG – greenhouse gasses

LADBS – Los Angeles Department of Building and Safety

LADOT – Los Angeles Department of Transportation

LADWP – Los Angeles Department of Water and Power

LAFD – Los Angeles Fire Department

LAGBC – Los Angeles Green Building Code

LAMC – Los Angeles Municipal Code

LAPD – Los Angeles Police Department

LBP – lead-based paint

LID – low impact development

LST – localized significance thresholds

MBTA – Migratory Bird Treaty Act

Metro – Los Angeles County Metropolitan Transportation Authority

MND – Mitigated Negative Declaration

NAHC – Native American Heritage Commission

PRC – California Public Resources Code
RAP – Los Angeles Department of Recreation and Parks
REC – Recognized Environmental Condition
RTP – Regional Transportation Plan
SCAG – Southern California Association of Governments
SCAQMD – South Coast Air Quality Management District
SCS – Sustainable Communities Strategy
SEA – Significant Ecological Area
SUSMP – Standard Urban Stormwater Mitigation Plan
UBC – Uniform Building Code
USFWS – U.S. Fish and Wildlife Services

7 APPENDICES

- A. Protected Tree Report prepared by L. Newman Design Group, Inc. dated November 20, 2017
- B. Biological Resources Assessment prepared by Rincon Consultants, Inc. dated January 2020
- C. Cultural Resources Survey and Impact Assessment for a 20 Acre Property at 8100/8150 McGroarty Street in Sunland, Los Angeles County, California prepared by C.A. Singer & Associates, Inc. dated March 16, 1990
- D. Geologic and Soils Engineering Exploration Update, Byer Geotechnical Inc.,
 - 3. March 3, 2016
 - 4. April 18, 2018
- E. Slope Analysis for Proposed Lot Nos. 1-2, 4-7, 9-13, Forma Engineering, Inc.
- F. Cultural Resources Survey, Anza Resource Consultants dated July 2019
- G. Air Quality/Greenhouse Gas Study, BPG Birdseye Planning Group dated October 2019
- H. Jurisdictional Delineation, South Coast Environmental July 23, 2024
- I. Addendum to the Biological Resources Assessment, South Coast Environmental February 20, 2025

Exhibit: C – Dudek – Technical Memorandum - 8100 W McGroarty Street, Report on Setback Requirements for Development in a Very High Fire Hazard Severity Zone

TECHNICAL MEMORANDUM

From: Dudek Fire Protection Planning Team
Subject: 8100 W McGroaty Street, Case No.: DIR-2019-952-SPP-Report on Setback Requirements for Development in a Very High Fire Hazard Severity Zone
Date: June 12, 2026
Attachment(s): Figure 1 – Project Location Map
Figure 2 – Vesting TTM NO. 73957
Figure 3 – Fire Hazard Severity Zones

Background

This wildfire technical memorandum provides an assessment of the 8100 W. McGroaty Street Project's (Project) wildfire environment and consistency with applicable fire and building codes. As described herein, the Project is within a Local Responsibility Area (LRA) Very High Fire Hazard Severity Zone as determined by the California Department of Forestry and Fire Protection (CAL FIRE), where the Los Angeles Fire Department is responsible for fire suppression. As such, the Project will be required to comply with the 2025 California Wildland Urban Interface Code (CWUIC), including special building construction regulations, landscaping with fire-smart vegetation, and defensible space, along with various other fire protection and fire safety requirements. The provisions of the California Fire Code and the California Wildland Urban Interface Code are not intended to prevent the installation of any materials or to prohibit designs or methods of construction that are not explicitly described in the code. The fire code allows the fire code official to consider and review alternative materials, designs, or methods of construction when the alternative is satisfactory, complies with the intent of the fire code's provisions, and provides an equivalent level of quality, strength, effectiveness, fire resistance, durability, and safety.

1 Project Overview

1.1 Project Description

This report addresses the appeal submitted to the Los Angeles Planning Commission for the new development project at 8100 W McGroaty Street in Sunland, California (Case No.: DIR-2019-952-SPP). The Project at 8100 W McGroaty Street proposes the subdivision of one 835,335 square-foot lot (approximately 19.18 acres) located near the intersection of McGroaty Street and McVine Avenue to include the construction of 11 new single-family residential dwelling units for a total of 13 single-family dwellings on the project site. The property currently includes one single-family residential dwelling unit, one (1) private school building located at 8100 McGroaty Street, and one (1) accessory dwelling unit located at 8150 McGroaty Street. The two (2) existing single-family dwellings will

remain as part of the project, and the private school/accessory living quarters are proposed to be converted to a single-family residence (See Figure 1, Project Location Map).

1.1.1 Project Location

The Project site is located within the City of Los Angeles, in Los Angeles County. The Site is located north and east of Interstate 210, at the base of the Verdugo Mountains, and south of McGroarty Street. Local access to the Project site is provided by Foothill Blvd, with regional access to the site provided by Interstate 210.

1.1.2 Surrounding Land Uses

The Project site is located within an existing residential community north of the Verdugo Mountains. It is immediately surrounded by mainly dense residential land uses to the north, west, and east. To the south is a significant naturally vegetated open space area that exists due to the project being located in the Verdugo Mountains.

1.2 Existing Project Site Conditions

As noted above, the project is located within an area entirely designated as an LRA Very High Fire Hazard Severity Zone (VHFHSZ), as designated by CAL FIRE. The wildfire environment is further described in Section 2 of this memorandum. Because of the fire hazard severity designation, any future structures proposed on the lots proposed by the Project would be required to be built to the latest wildfire-related building and fire codes, and to any additional restrictions or requirements adopted locally by the City of Los Angeles and the Los Angeles Fire Department. A high-level summary of the codes applicable to the Project site is provided in Section 3 of this memorandum.

Projects within the LRA VHFHSZ are subject to a number of regulatory requirements in the California Fire Code (CFC) and the recently adopted California Wildland Urban Interface Code (CWUIC) intended to minimize extreme fire behavior near structures, improve fire department and occupant egress and ingress, and reduce the likelihood of structure-to-structure ignition. In December 2025, the Director of the Department of City Planning approved a Project Permit Compliance Review and a Mitigated Negative Declaration for the Project. Following this approval, a law group acting on behalf of the McGroarty Environmental Review Coalition filed an appeal of the Project approval with the City of Los Angeles on the grounds that the Project does not comply with the CWUIC/State Minimum Fire Safe Regulations.¹ amongst other reasons. Specifically, the Project does not meet the setback requirements in Section 608 of the CWUIC, which require a 30-foot setback of a structure from the property lines and street center.

2 Wildfire Environment

As noted, the Project site is located within a Local Responsibility Area (LRA) that has been designated as Very High Fire Hazard Severity Zones by CAL FIRE – Office of the State Fire Marshal (see Figure 2, Fire Hazard Severity Zones). Fire Hazard Severity Zone designations are based on factors such as topography, vegetation, and weather, and identify areas where enhanced wildfire protection measures are required. As a result of this designation, the Project

¹ In January 2026, the State adopted the California Wildland Urban Interface Code which consolidated several wildfire prevention regulations into one code. These regulations include the State Fire Safe Minimum Regulations. For this report, Dudek is referring to the code sections in the CWUIC rather than the State Fire Safe Minimum Regulations though the language of the regulation is exactly the same in both code.

will be subject to applicable wildfire-related requirements, including compliance with 2025 California Wildland-Urban Interface Code (CWUIC), the Los Angeles Fire Code (LAFD), Chapter 5, Article 7 of the City of Los Angeles Municipal Code, and other local provisions for construction and maintained vegetation fuel modification zones, as adopted and enforced by the City of Los Angeles.

To prepare this report, Dudek fire prevention planners reviewed the Project plan set and visited the Project site to understand the wildfire risks present and identify the proposed structures that would not comply with the 30-foot setback requirements. The results of our review are outlined below.

3 Regulation

For properties in a CAL FIRE-designated Very High Fire Hazard Severity Zone, Section 608 of the CWUIC requires a minimum of a 30-foot setback from all property lines and the center of a road. The text from Section 608 of the CWUIC relevant to this report is reprinted below for reference.

§ 608.2 General:

All parcels shall provide a minimum thirty (30) foot setback for all Buildings from all property lines and/or the center of a Road, except as provided for in Section 608.2.1.

§ 608.2.1 Setback Reduction:

A reduction in the minimum setback shall be based upon practical reasons, which may include but are not limited to, parcel dimensions or size, topographic limitations, Development density requirements or other Development patterns that promote low-carbon emission outcomes; sensitive habitat; or other site constraints, and shall provide for an alternative method to reduce Structure-to-Structure ignition by incorporating features such as, but not limited to:

- 1) non-combustible block walls or fences; or
- 2) non-combustible material extending five (5) feet horizontally from the furthest extent of the Building; or
- 3) hardscape landscaping; or
- 4) a reduction of exposed windows on the side of the Structure with a less than thirty (30) foot setback; or
- 5) the most protective requirements in Chapter 5 (of the CWUIC)

4 Methods

To prepare this report, Dudek fire prevention planners reviewed the following Project documents:

- Pdd
- DIR-2019-952-SPP - 8100 McGroarty – LOD

- Tent. tract map 73957
- DIR-2019-952-SPP - 8100 McGroarty - Appeal Justification

Additionally, a Dudek Fire Prevention Planner visited the site on March 30, 2026, to observe conditions that impact the risk of wildfires in the Project area.

5 Non-Compliant Elements

Dudek reviewed the Project plan set (*pdd*) and measured the setbacks from the proposed structures to the nearest property line and the road centerline. As shown on Sheet L-0.1 the structures on lots 1,2,4,5,6,7,9, 10, 11, and 12) are located less than 30 feet from the property line or road centerline as required by Section 608 of the CWUIC: The majority of the non-compliant lots (lots 1,2,4,5,6,7, and 9) have less than the required 30 feet on the sides of the proposed structures, while lots 10 and 11 have less than 30 feet between the property line and the rear of the structure, and lot 12 has less than 30 feet between the property line and the front of the structure.

6 Project Specific Alternative Means and Methods

Section 608.2.1 of the CWUIC allows for the reduction in the required setback for practical reasons, provided that the new development implements fire protection features that reduce the risk of structure-to-structure ignition. The CWUIC lists several reasons, which are shown in the Regulations section above. The Project has included a number of the CWUIC-listed fire protection features, including.

- Non-combustible exterior building materials, including stucco exterior walls, metal roof, aluminum and glass doors, and aluminum window frames.
- Non-combustible (CMB) walls between lots.
- Non-combustible Zone 0 (0 to 5 feet) from the structure.

The separation between structures is another important element of structure-to-structure fire spread. According to a Fire Hazard Mitigation Methodology published by the National Institute of Science and Technology(NIST), the potential for structure-to-structure fire spread during a wildfire is highest where structures are closely spaced, because a structure fire in one exposes the others to very high heat flux for a prolonged period (NIST 2022). According to the NIST report, the risk of structure-to-structure ignition is highest where there is less than 25 feet between structures, and lowest when there is greater than 50 feet between structures. For the Project, the 13 structures have varying separation distances, but 7 of the 11 new structures (lots 7, 9, 10, 11, 12, and 13), and the existing two-story guest house have more than 50 feet of separation between structures. Additionally, the new structure on Lot 7 and the two existing homes have more than 30 feet between the structures and the nearest structure. Only the structures on lots 1 and 2, and on lots 4 and 5, have less than 25 feet between the structures. So, in addition to fire protection features, the Project proposes to implement in each new structure, the layout of the structures on the Project also reduces the risk of structure-to-structure ignition for a majority of the new and existing structures.

The above fire protection features address the less-than-required setbacks by hardening the project structures and removing pathways for fire spread throughout the project and near structures. This reduces the exposure of Project structures to nearby wildfires and the risk of structure-to-structure fire. These fire protection features, which include three of the features listed in Section 608.2.1, provide an equivalent level of protection against structure-to-structure ignition to the 30-foot setback requirement in Section 608.2 of the CWUIC.

7 AM&M Disclaimer

It is important to note that all project-specific AM&M requests, including the setback reduction requests per Section 608.2.1 of the CWUIC, are subject to approval by the Authority Having Jurisdiction (AHJ), in this case, the Los Angeles City Fire Department. The only condition that can be assumed acceptable is that which complies with the letter of the code. The AM&Ms proposed herein are scientifically feasible and based in part on the language in the CWUIC; however, there is no guarantee of acceptance by the AHJ. The AHJ is accountable to the community that the AHJ serves. City officials and management, along with the community, may not be willing to accept the risk of approving an AM&M request even if it is scientifically feasible. Should a person lose their property or life as a result of a failed AM&M approval, Dudek will not be held liable.

8 References

- American Legal Publishing Code Library. 2025. *Los Angeles Municipal Code*. Accessed April 2026.
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- CALFIRE. 2025. *Fire Hazard Severity Zone Viewer*. Accessed April 2026.
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- National Institute of Standards and Technology. 2022. Technical Note 2205. *WUI Structure/Parcel/Community Fire Hazard Mitigation Methodology*. Natl. Inst. Stand. Technol. Tech. Note 2205, 77 pages (March 2022)

9 Dudek Team

Project Manager

Jeremy Cawn
Fire Protection Project Manager
Dudek

Primary Plan Preparer

Jeremy Cawn
Fire Protection Planner
Dudek

Noah Stamm
Fire Protection Planner

Figure 1 – Project Location Map



SOURCE: ESRI 2025

FIGURE 1

Project Location Map

8100 McGoarty Street Fire Planning Project

Figure 2 – Vesting TTM NO. 73957

VESTING TENTATIVE TRACT MAP NO. 73957

DATE: JAN. 5, 2016
REVISED :JAN. 30,2018
REVISED :JULY10,2018
REVISED: SEPTER 6,2018
REVISED: FEB. 12, 2019

IN THE CITY OF LOS ANGELES, STATE OF CALIFORNIA
FOR SUBDIVISION PURPOSES

OWNER / SUBDIVIDER

ALBERT DAVITYAN
8160 MC GROARTY ST.
SUNLAND, CA 91040
TEL: (818) 822-6864

ENGINEER

TECHNA LAND CO., INC.
HAYK MARTIROSIAN
1545 N. VERDUGO RD. SUITE 2
GLENDALE, CA 91208
TEL: (818) 547-0543
RCE 52563

PROJECT ADDRESS

8100-8160 W. MC GROARTY ST.
SUNLAND, CA. 91040

LEGAL DESCRIPTION

LOT 202 $\frac{1}{2}$, WESTERN EMPIRE TRACT
M.B. 18, PG. 5, 162/163
(SEE HEREIN)

PROJECT DATA

EXIST. ZONE:-----RE 11-1 & RE40-1
PROP. ZONE:-----RE 11-1 & RE40-1
GENERAL PLAN LAND USE: MINIMUM RESIDENTIAL &
LOW RESIDENTIAL

EXIST. USE: --1 (SINGLE FAMILY RES.)
1 (PVT. SCHOOL+1 ACCESSORY LIVING)
(ZA-1995-212-CU)

PROP. USE:-----1/3 SINGLE FAMILY LOTS

LOT AREA WITHIN BORDERS =835335 SQ.FT.=19.18 AC.
LOT AREA (GROSS) =853,737 SQ.FT.=19.60AC.
LOT AREA (NET) =830,113 SQ.FT.=19.06AC.
LOT AREA WITHIN RE-11-1 ZONE: 220,990.00SQ. FT.=5.07 AC.
LOT AREA WITHIN RE-40-1 ZONE: 609,123SQ. FT.=13.99AC.

EXIST. USES:

1. SINGLE FAMILY-2 STORY (8160 MC GROARTY ST.)
(3-CAR GARAGE)
2. SINGLE STORY PVT. SCHOOL (8100 MC GROARTY ST.)
(4 SPACES)
3. ACCESSORY LIVING 2- STORY (8150 MC GROARTY ST.)
(2-CAR GARAGE)

NOTES:

1. EXIST. PVT. SCHOOL USE TO BE CONVERTED
TO SFD. USE
2. PROPOSED BUILDING 2-3 STORY, MAX. 45' HI.

EARTHWORK QUANTITY:

TOTAL CUT*: 47,720 CY.
TOTAL FILL: 15,405 CY.
EXPORT: 32,315 CY., SCHOOL CYN. LAND FILL AREA

	R	△	L	T	LOT	AVE. SLOPE
1	110.65'	46°33'53"	89.93'	47.62'	1	9.86%
2	15.00'	90°08'23"	23.60'	15.04'	2	28.04%
3	149.00'	47°56'48"	124.69'	66.26'	3	27.81%
4	40.00'	227°2'16"	158.50'	56.57'	4	11.37%
5	185.00'	72°51'52"	235.25'	155.35'	5	14.79%
6	35.00'	61°13'32"	37.40'	20.71'	6	31.64%
7	36.83'	67°20'27"	43.33'	28.91'	7	21.23%
8	8.00'	89°00'34"	12.43'	7.86'	8	12.34%
					9	42.60%
					10	28.35%
					11	42.23%
					12	40.54%
					13	59.97%

NOTES:

- 1 - WATER SYSTEM: CITY OF L.A. DWP.
- 2 - POWER SYSTEM: CITY OF L.A. DWP.
- 3 - SEWER SYSTEM: CITY OF L.A. DWP.
- 4 - COMMUNITY PLAN AREA: SUN VALLEY - LA TUNA CANYON
- 5 - T.S. PAGE: 503, G4#14
- 6 - HILLSIDE AREA NOTE: SITE IS LOCATED IN CITY DESIGNATED HILLSIDE AREA.
- 7 - TREES: SEE TREE PLAN
- 8 - THIS SUBDIVISION IS NOT LOCATED WITHIN THE VICINITY OF THE MULHOLLAND SCENIC PARKWAY
- 9 - THIS SUBDIVISION IS IN A BOE SPECIAL GRADING AREA, LANDSLIDE AREA, & WITHIN VERDUGO FAULT ZONE
- 10 - COUNCIL DISTRICT NO. CD-7
- 11 - ASSESSOR PARCEL NO.: 2559-032-003 2561-006-005
- 12 - CENSUS TRACT NO.: 1034.00
- 13 - DM: 201B 193 & 204B 193

LEGEND:

- PRIVATE STREET
- DRIVEWAY
- PROP./EX. STRUCTURES
- PROTECTED TREES TO BE REMOVED
- OAK & PROTECTED TREES IN R/W

LEGAL DESCRIPTION

LOT 202 $\frac{1}{2}$, WESTERN EMPIRE TRACT
M.B. 18, PG. 5, 162/163, EXCEPT THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT IN THE NORTH LINE OF SAID LOT THAT IS DISTANT ALONG SAID LINE SOUTH 89°26'00" WEST 445.11 FEET FROM THE NORTHEAST CORNER OF SAID LOT; THENCE ALONG SAID NORTH LINE 69°26'00" EAST 70.00 FEET; THENCE SOUTH 89°26'00" WEST 1.65.02 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 110.65 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE 89.91 FEET; THENCE TANGENT TO SAID CURVE SOUTH 53°18'00" EAST 60.50 FEET; THENCE SOUTH 89°26'00" WEST 1.65.02 FEET TO A LINE EXTENDING SOUTH 00°34'00" EAST FROM THE POINT OF BEGINNING; THENCE ALONG SAID LINE NORTH 00°34'00" WEST 150.00 FEET TO THE POINT OF BEGINNING.

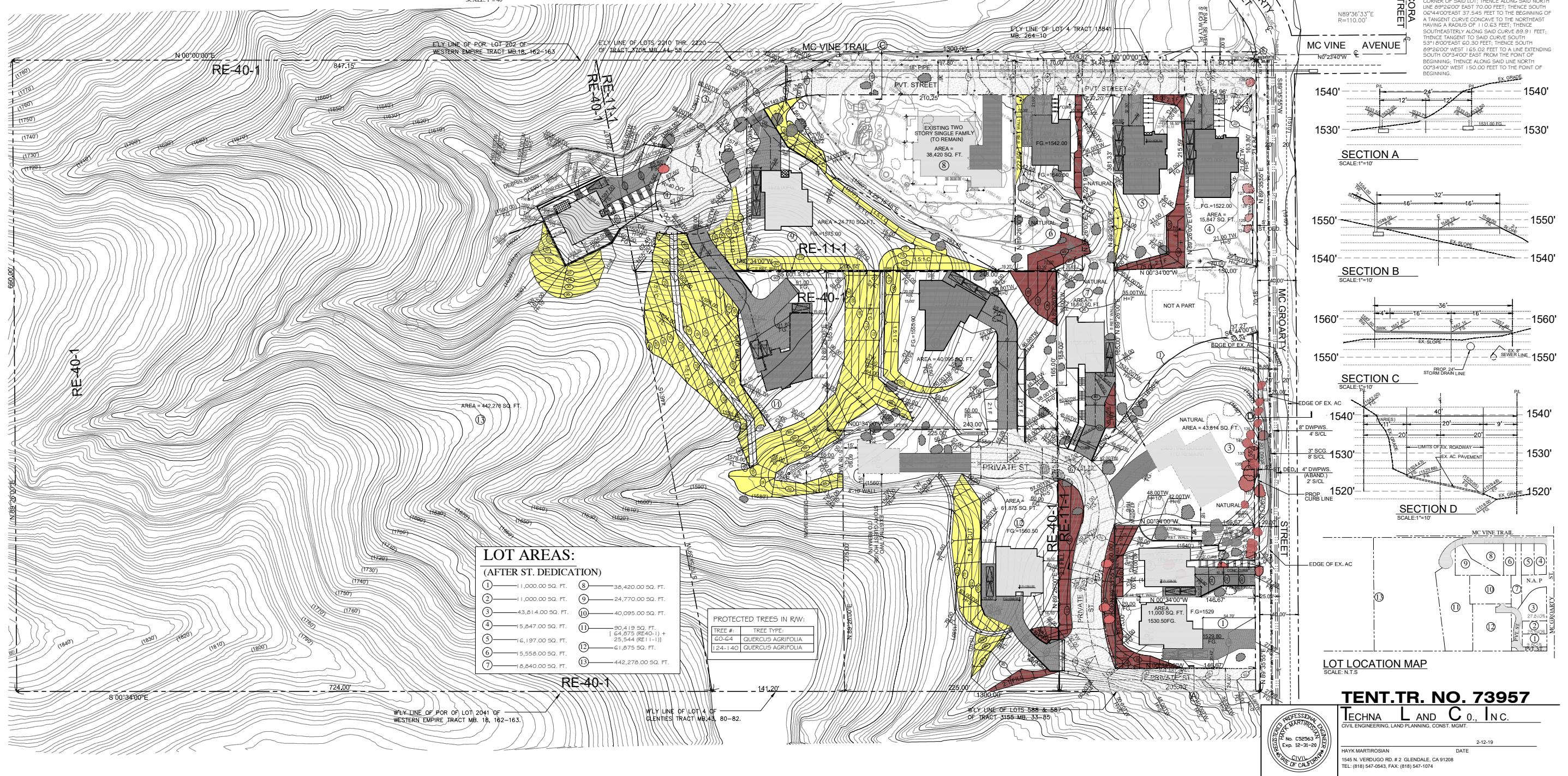
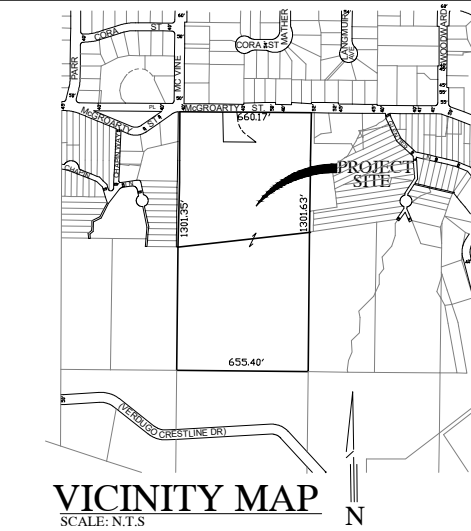
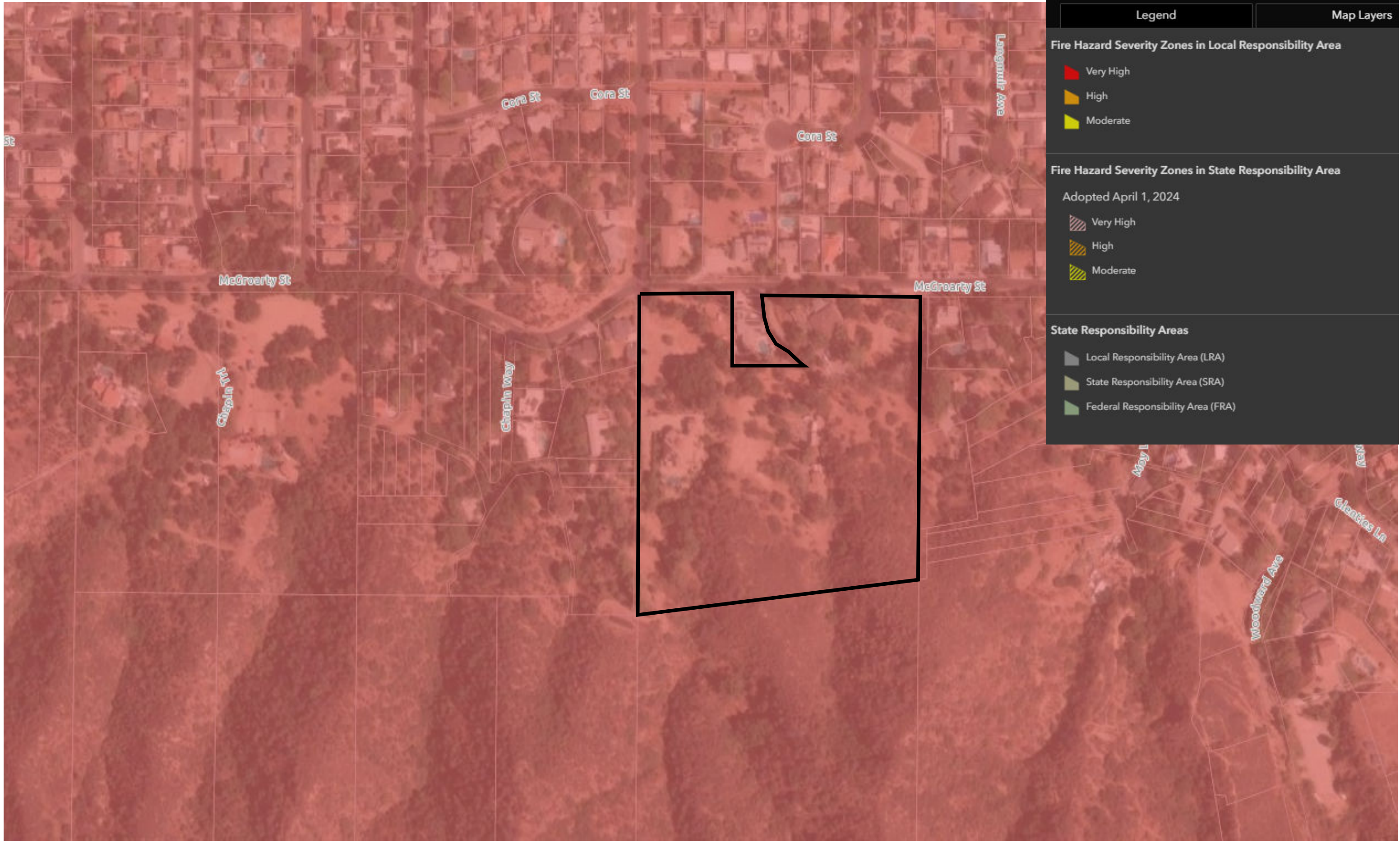


Figure 3 – Fire Hazard Severity Zones



SOURCE: CAL FIRE - OFFICE OF THE STATE FIRE MARSHAL FHSZ VIEWER - Phase 4 release, 2025

Exhibit: D – Southcoast Response Letter



March 30, 2026

Albert Davityan

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RE: Response to Channel Law Group Justification Appeal for 8100-8160 West McGroarty Street ("Project"); Case No. DIR-2019-952-SPP; ENV-2016-2070-MND

Albert:

South Environmental was retained to conduct a review and response to a comment letter titled Channel Law Group Justification Appeal for 8100-8160 West McGroarty Street ("Project"); Case No. DIR-2019-952-SPP; ENV-2016-2070-MND in the city of Los Angeles (City), California. The comment letter pertains to findings in the project California Environmental Quality Act (CEQA) Mitigated Negative Declaration based on a 'Biological Resources Assessment' report prepared by Rincon Consultants, Inc., dated January 2020 (Rincon 2020) for the 8100 West McGroarty Street Project (project). The focus of this response will focus solely on addressing comments in the letter regarding the project impacts to oak woodlands.

RE: Section VII. The City Has Failed to Condition the Project to Ensure Adequate Mitigation for Impacts to an Oak Woodland; Therefore, the Project Will Have a Significant Effect on the Environment.

The Project site contains an Oak Woodland. There are 103 oak trees on the project site and the Project will remove 6 of those trees. Oak woodlands are "considered sensitive resources" under CEQA. The City's tree replacement requirements do not replace oak woodland habitat nor account for the temporal loss of individual tree canopy." The permanent loss of habitat for a sensitive resource constitutes a significant effect on the environment due to unusual circumstances. The removal of woodlands results in a permanent loss of habitat and biodiversity because any suitable habitat surrounding will already be occupied and numbers are reduced each time habitat is lost through development. The building footprint for the proposed homes will forever remove habitat – the replacement of individual trees does not negate the loss of habitat. The City's CEQA Thresholds Guide ("Guide") supports the conclusion that a "reduction of existing habitat" will have a significant effect on the environment. The City's CEQA Thresholds Guide² states:

A project would normally have a significant impact on biological resources if it could result in:

- The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat;*
- The loss of individuals or the reduction of existing habitat of a locally designated species or a reduction in a locally designated natural habitat or plant community;*

The comment continues to say that planting oaks is not sufficient mitigation for loss of oak woodlands. And finally states:

There is a fair argument supported by substantial evidence that the mitigation measures that the City has imposed for the removal of the 6 oak trees is insufficient and as a result the Project will have a significant effect on the environment warranting an EIR. An objector need only demonstrate a "fair argument" that the project "may impact" the mapped resource. Id. At 894. Stated another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect. No Oil, Inc. v. City of Los Angeles (1974) 13 Cal.3d 68.

The comment is correct that there are numerous coast live oaks on the site (comment states 103) and that only 6 of those coast live oaks would be removed by the project via a permit from the City of Los Angeles. However, the comment is not correct that the loss of these six oaks would be considered significant by CEQA. The comment states that oak woodlands are "considered sensitive resources" under CEQA, and this is false. Not all oak woodlands are considered sensitive by CEQA, and only the following oak woodlands would be considered sensitive:

1. Oak woodlands that are on the California Department of Fish and Wildlife list of sensitive natural communities¹. The oak woodlands on the sensitive natural communities list are those with a specific association with other plants that are not found on the project site. The oak woodlands on the project site are not the association that is considered sensitive.

¹ CDFW 2025. California Natural Communities List. Found at this link: [FileHandler.ashx](#)

2. Oak Woodlands that are habitat for special status species (i.e. state and federally listed species, species of special concern, or that are habitat for a locally designated species). The oaks on the site are not habitat for state or federally listed species or species of special concern. The comment assumes that coast live oak woodlands on the site are sensitive because they have coast live oak trees in them (in fact it is a defining characteristic of oak woodlands), and that the City of Los Angeles. However, again, coast live oak is not a special status species. The comment relies on the City of Los Angeles CEQA Thresholds Guide to determine that the City considers loss of habitat for locally significant species to be significant per CEQA. However, the same document includes a list of those species that the City does find to be sensitive (Exhibit C-7) and coast live oak is not on that list. Coast live oak is not a special status species and loss of individual coast live oak trees is not considered a loss of habitat for special status species as a result. The coast live oak is a species that is protected by a local ordinance, which is why it is labeled as locally protected species, but that is not the same thing as a special-status species. City of Los Angeles has a permitting avenue for loss of individual oaks and the mitigation requirements are clear that a planting of 4 trees for the loss of each is sufficient mitigation for loss of the oaks protected by the ordinance. The loss of 6 trees is fully mitigated by compliance with the permitting requirements of the ordinance. No additional mitigation for loss of oak woodlands is required as CEQA does not agree that the loss is significant.
3. Riparian coast live oak woodlands are considered sensitive habitats. However, the plant community within the stream on the project site is a chaparral community dominated by birch-leaf mountain mahogany and not a coast live oak woodland. The project would not impact any riparian coast live oaks woodlands.

Further, the project has proposed mitigation for loss of special status plant habitats, including coast live oak woodlands, if there are special-status plants identified during the rare plant surveys. Mitigation Measures in the CEQA document include the need for a special status plant survey in Mitigation Measure BIO-6. If rare plants are found then a mitigation plan must be prepared. If the plants are within an oak woodland then the mitigation plan would require that the loss of those plants be mitigated through replacement at a one to one ratio. If rare plants are found within an oak woodland then the rare plants would need to be replaced within an oak woodland restoration or conservation plan. This would compensate for loss of oak woodland habitat if there are determined to be special status plants within an oak woodland.

In conclusion, CEQA does not consider the oak woodlands on the project site to be a sensitive community. The commenter is not correct that the coast live oak is a special status species or locally designated species as it does not appear in the list provided by the City. The loss of protected trees from the proposed development footprint on the project site equates to a loss

of 7.5% of the total protected trees on the project site and even fewer of the overall oaks when considering those that are not protected. The replacement plantings includes 14 trees and was determined by the City to be adequate replacement to meet the ordinance requirements. No additional mitigation is required for loss of oak woodlands. There is no need for an EIR as there would be no additional mitigation or impacts assessment required beyond what is currently assessed. There is no circumstance under which the loss of oaks and oak woodlands could not be mitigated in the existing MND, and currently it is fully mitigated despite the comments assertions. If the City does require additional mitigation of any kind for project impacts, it would be accomplished in the existing MND and no EIR would be required as there would be no change to the assessment within the biology report.

Should you have any questions or concerns regarding this response to comments please do not hesitate to contact me directly at msouth@southernenvironmental.com or (303) 818-3632.

Sincerely,



Matthew R. South, CWB
Principal Biologist

Attachments

- A. Resume

ATTACHMENT A.

Resume



Email: msouth@southenvironmental.com
Mobile: 303-818-3632

EDUCATION

B.S., Wildlife Ecology, University of Wisconsin-Madison, 2004

CERTIFICATIONS

Certified Wildlife Biologist, The Wildlife Society 2014

Certified Technical Service Provider (TSP) for Fish and Wildlife Management Plans, USDA NRCS 2017

Authorized Desert Tortoise Biologist – Numerous BOs

TRAINING

Wetland Delineation Training Course – The Wetland Institute (2014)

Southwest Willow Flycatcher Workshop, 2017

USGS Desert Tortoise Health Assessment and Tissue Collection Techniques Training, 2009

Matthew South

PRINCIPAL BIOLOGIST

Matthew South founded South Environmental in 2018. He is a certified wildlife biologist with 20 years of professional experience providing natural resources consulting services for a wide variety of clients that include residential, commercial, government, utility, infrastructure, research, and non-profit projects. For the last 17 years, Mr. South has been an environmental consultant in southern California acting as a Wildlife Biologist and Geographic Information System (GIS) Analyst. In early 2018 he started South Environmental and has since been supporting clients in Los Angeles, Ventura, Santa Barbara, San Bernardino, and Riverside Counties.

Mr. South's background in ecology has led to a passion for conservation planning and resources assessments for the purpose of preservation and management. The integration of the latest technologies such as advanced GIS systems, mobile computing, and drone sensing allows him to innovate new data collection, analysis, and collaboration tools for the environmental sciences that produce more accurate data and better-informed resource managers.

EXPERTISE

- **Conservation and Management Planning.** Mr. South's has extensive experience preparing mitigation and monitoring plans, habitat conservation plans, and technical biological resources management plans that are compliant with federal, state, and local regulations. Mr. South has prepared numerous reports within conservation areas such as the Western Riverside County Multiple Species Habitat Conservation Area (MSHCP) and the LA County Significant Ecological Areas (SEAs).
- **Biological Resources Assessment.** Mr. South has completed dozens of biological resources assessments throughout southern California.
- **Rare Plants and Arborist Services.** Mr. South has surveyed and assessed thousands of native and landscaped trees in southern California and has worked closely with some of the most experienced arborists in California. In addition, he has performed hundreds of hours of rare plant surveys and habitat assessments.
- **Wetland & Jurisdictional Delineations.** Mr. South has conducted dozens of jurisdictional and wetland delineations per the guidelines and methods from the US Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), and the state Regional Water Quality Control Boards (RWQCB).
- **GIS.** Mr. South is an expert at spatial data collection and analysis using ESRI mobile and desktop software products and Trimble hardware.

SELECT PROJECT EXPERIENCE

City of LA Recreation and Parks City Park Brush Clearance Monitoring within Riparian Areas (2023). Mr. South was the Principal Biologist overseeing the monitoring efforts five City of Los Angeles parks where brush clearance is performed annually to meet LA Fire Department requirements. The work was within and near riparian areas and wetland and riparian vegetation and wildlife were the target species. Species encountered included coastal California gnatcatcher and least Bell's vireo as well as many others.

Elsinore Valley Municipal Water District (EVMWD) Highway 74 16-Inch Sewer Extension from Wasson Canyon Road to Ethanac Road Project, Riverside County, California (2024-2025). South Environmental was retained to provide archaeological, biological, and paleontological monitoring services for this EVMWD sewer construction project. Mr. South serves as the biological resources Task Manager, overseeing sensitive biological resources flagging, pre-construction burrowing owl surveys, and preconstruction nesting bird surveys if work extends into the nesting season.

Desert Hot Springs Project Viento Monitoring (2024). Mr. South oversaw the monitoring efforts for a warehouse project in Desert Hot Springs, California. The project site included three active burrowing owl nests with both adult burrowing owls and their young. Mr. South oversaw the installation of fencing f Environmentally Sensitive Areas around the burrows, training construction crew in environmental procedures, documenting onsite compliance, and submitting project compliance reports.

Trader Joe's Palmdale Warehouse Project (2023-2024). Mr. South was a designated biologist for a long-term monitoring project for a warehouse construction in Palmdale, California. The project constructed a Trader Joe's distribution Center on 130- acres in the City of Palmdale. The project had an ITP and LSAA that covered Mohave Ground Squirrel, western Joshua tree, two streams on the site, special-status reptiles, rare plants, Crotch's bumble bee, Swainson's hawk, and several other species.

Aliso Canyon Emergency Monitoring Project Southern California Gas (2023). Mr. South was the Principal Biologist overseeing the monitoring program for a long-term project that included the removal of sediment from catch basins where sensitive wetlands and wildlife such as coast range newt occurs.

Southern California Gas (SCG) On-Call Biological and Cultural Services (2023). Mr. South oversaw the monitoring efforts for an on-call contract where the firm typically performed construction and compliance monitoring for projects such as the L133 DeRate Project, State Street Valve Project, and the Glen Oaks Pipeline Maintenance Project. Other duties include preconstruction surveys for nesting birds and other special-status species and monitoring reports that include BMP and photoplates for preconstruction and post construction compliance reports. For these projects numerous protected species were present such as San Joaquin antelope squirrel, San Joaquin kit fox, several kangaroo rats, blunt-nosed leopard lizard, and pocket mice.

California Department of Water Resources (DWR) Lake Perris Dam Remediation Project Biological Compliance Monitoring (2012-2018). Mr. South was the lead monitor for a billion dollar dam remediation project at Lake Perris California. Mr. South conducted protocol surveys for least Bell's vireo, nesting birds, and various other species. Mr. South prepared the compliance documents, monitoring protocols, oversaw and directed the onsite monitors.