

COUNTY CLERK'S USE

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

ZA-2018-5334-ZAD-SPP / Zoning Administrator's Determination, Project Permit Compliance Review

ZA-2018-5336-ZAD-SPP / Zoning Administrator's Determination, Project Permit Compliance Review

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2018-5335-CE

PROJECT TITLE

N/A

COUNCIL DISTRICT

1

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

☐ Map attached.

537 West Avenue 44 / 525 East Frontenac Avenue; 533 West Avenue 44, Los Angeles, CA 90065

PROJECT DESCRIPTION:

☒ Additional page(s) attached.

Construction of a new two (2)-story, 1,198-square foot single-family dwelling, with a covered carport, within the Mount Washington/Glassell Park Specific Plan area; and construction of a new two (2)-story, 2,331-square foot single-family dwelling, with a covered carport, within the Mount Washington/Glassell Park Specific Plan area. There are 11 Protected Trees and Shrubs located on-site, including one (1) Black Walnut, one (1) Mexican Elderberry, and two (2) Toyons at 533 West Avenue 44 and one (1) Mexican Elderberry and six (6) Toyons at 537 West Avenue 44. There is one (1) Significant Tree (a Tree of Heaven), as defined by the Mount Washington-Glassell Park Specific Plan, located at 537 West Avenue 44. Zero (0) Protected Trees or Shrubs are proposed for removal at 533 West Avenue 44. Three (3) Protected Toyon shrubs and one (1) Significant Tree of Heaven are proposed for removal at 537 West Avenue 44. The three (3) Toyon will be replaced at a 4:1 ratio and the one (1) Tree of Heaven will be replaced at a 1:1 ratio.

NAME OF APPLICANT / OWNER:

Everette E Fuqua III

CONTACT PERSON (If different from Applicant/Owner above)

(AREA CODE) TELEPHONE NUMBER

EXT.

(323) 761-9005

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

STATE CEQA STATUTE & GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

☒ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) **15303/3**

☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:

☒ Additional page(s) attached

Section 15303, New Construction or Conversion of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures describes in this section are the maximum allowable on any legal parcel.

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

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

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

If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Dylan Lawrence

STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

See Case Nos. ZA-2018-5334-ZAD-SPP and ZA-2018-5336-ZAD-SPP

FEE:

\$6,450

RECEIPT NO.

49527 FMSCR2261

REC'D. BY (DCP DSC STAFF NAME)

Nora Dresser

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019

Please return to OZA:
200 N. Spring Street, Room 763
Los Angeles, CA 90012

I hereby certify and attest this to be a true and correct
copy of the original record on file in the office of the
Department of City Planning of the City of Los Angeles
designated as office services assistant

Mayra Cervantes 7/15/2011
Department Representative

CITY PLANNING COMMISSION

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JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2018-5335-CE

The Planning Department has determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject project as Categorically Exempt under Article 19, Section 15303, Class 3 (new construction or conversion of small structures). This project is located at 533 West Avenue 44 and 537 West Avenue 44 / 525 East Frontenac Avenue.

The project proposes the construction of two (2) new single-family dwellings: a new two (2)-story, 1,198-square foot single-family dwelling, with a 190-square foot attached carport, on a 2,396.5-square foot vacant lot and a new two (2)-story, 2,331-square foot single-family dwelling, with a 300-square foot carport on a 4,681.6-square foot vacant lot, both of which are within the Mount Washington-Glassell Park Specific Plan.

Exceptions Narrative for Class 3 Categorical Exemption

There are six (6) Exceptions which must be considered in order to find a project exempt under Section 15303, Class 3: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

The site is zoned R1-1 and has a General Plan Land Use Designation of Low Residential. While the subject site is located within Hillside Area, Special Grading Area (BOE Basic Grid Map Act A-13372), Urban Agriculture Incentive Zone, Very High Fire Hazard Severity Zone, and is located 1.95 kilometers from the Raymond Fault, specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. Regulatory Compliance Measures (RCMs) include requirements to conform with the California Building Code and the City's Landform Grading Manual. These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment the project is located. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter dated June 16, 2021 (Log #117535) for the proposed project. Thus, the location of the project will not result in a significant impact based on its location.

With regard to potential cumulative impacts during the construction phase of the project, there is no active construction activity in the vicinity of Avenue 44 and Frontenac Avenue where the subject property is located. The subject project submitted a Construction Traffic Management Plan for review by the City's Department of Transportation (LADOT), pursuant to the LADOT's

Hillside Development Construction Traffic Management Guidelines released on June 16, 2020. These guidelines state the purpose of a Construction Traffic Management Plan is to address transportation concerns specific to hillside communities, including narrow streets, limited emergency access, and location in a Very High Fire Severity Zone. The proposed project will be subject to the conditions detailed in the Project's Construction Traffic Management Plan, included in the case file, which was reviewed and stamped-approved by LADOT on November 23, 2021. The conditions imposed address any potential cumulative effects of various projects of the same type in the same area. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. Therefore, the subject projects will have no cumulative impact on the City's circulation system.

As mentioned, the projects propose the construction of two (2) new, two (2)-story, single-family dwellings ranging from 1,198 to 2,331 square feet with attached carports on a vacant site that totals 0.16 acres, in an area zoned and designated for such development. All adjacent lots are vacant, and the subject site is of a similar size and slope to nearby properties. The project proposes a Floor Area Ratio (FAR) that ranges from 0.48:1 to 0.50:1 on two sites that are permitted to have a maximum FAR of 0.50:1. The project proposes a building height ranging from 29 to 38 feet, which is not unusual for the vicinity of the subject site, and is similar in scope to other existing low residential in the area. As identified in the Tree Reports prepared by Arsen Margossian, Certified Arborist #WE7233A, on January 16, 2023, there are 11 Protected Trees and Shrubs located on-site, including one (1) Black Walnut, one (1) Mexican Elderberry, and two (2) Toyons at 533 West Avenue 44 and one (1) Mexican Elderberry and six (6) Toyons at 537 West Avenue 44. There is one (1) Significant Tree (a Tree of Heaven), as defined by the Mount Washington-Glassell Park Specific Plan, located at 537 West Avenue 44. Zero (0) Protected Trees or Shrubs are proposed for removal at 533 West Avenue 44. Three (3) Protected Toyon shrubs and one (1) Significant Tree of Heaven are proposed for removal at 537 West Avenue 44. The three (3) Toyon will be replaced at a 4:1 ratio and the one (1) Tree of Heaven will be replaced at a 1:1 ratio. Additionally, per the Biological Resources Report prepared by Envicom Corporation on July 25, 2019 and revised January 6, 2021, there were no special-status plant species and no special-status wildlife species found on-site. The project site is also not within a recognized habitat linkage or wildlife corridor. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

Additionally, the only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The proposed project is located over 22 miles away from the Topanga Canyon State Scenic Highway, therefore, the subject site will not create any impacts within a designated state scenic highway. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with various City of Los Angeles Ordinances and State laws. Such RCMs include but are not limited to the Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts.