

COUNTY CLERK'S USE

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 200 NORTH SPRING STREET, ROOM 395
 LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION
 (PRC Section 21152; CEQA Guidelines Section 15062)

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

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS
 ZA-2023-7650-ZAD-ZAA-WDI

LEAD CITY AGENCY City of Los Angeles (Department of City Planning)	CASE NUMBER ENV-2023-7651-CE
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PROJECT TITLE 8665-8675 West Appian Way Single-Family Dwelling and Retaining Walls	COUNCIL DISTRICT 4 - Raman
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PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) 8665-8675 West Appian Way	<input type="checkbox"/> Map attached.
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PROJECT DESCRIPTION: Additional page(s) attached.
 The project includes the construction of a new single-family dwelling and two-car garage. The proposed envelope height is 19 feet, 9 inches and the proposed residential floor area is 2,081 square-feet. The applicant also proposes to retain 24 existing "garden" walls as retaining walls and proposes to construct two (2) new retaining walls measuring between 5 feet, 8 inches and 7 feet, 4 inches in height within the required side yards; the applicant also proposes to demolish two (2) existing retaining walls on-site. The project proposes 319 cubic yards of cut and five (5) cubic yards of fill; the project will export 314 cubic yards of soil and will not import any soil. There are seven (7) Protected Trees on-site per the Tree Report prepared by James Komen (Certified Master Arborist #WE-9909B) on September 21, 2024; no Protected and no non-protected trees are proposed for removal.

NAME OF APPLICANT / OWNER:
Kendall Cornell

CONTACT PERSON (If different from Applicant/Owner above) Larry Mondragon	(AREA CODE) TELEPHONE NUMBER EXT. (310) 621-2309
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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 3)
 CEQA Guideline Section(s) / Class(es) Section 15303 – Class 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, such as (a) One single-family residence; and (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

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
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ENTITLEMENTS APPROVED
 See Case No. ZA-2023-7650-ZAD-ZAA-WDI

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2023-7651-CE

Project Description

The project includes the construction of a new single-family dwelling and two-car garage. The proposed envelope height is 19 feet, 9 inches and the proposed residential floor area is 2,081 square-feet. The applicant also proposes to retain 24 existing "garden" walls as retaining walls and proposes to construct two (2) new retaining walls measuring between 5 feet, 8 inches and 7 feet, 4 inches in height within the required side yards; the applicant also proposes to demolish two (2) existing retaining walls on-site. The project proposes 319 cubic yards of cut and five (5) cubic yards of fill; the project will export 314 cubic yards of soil and will not import any soil. There are seven (7) Protected Trees on-site per the Tree Report prepared by James Komen (Certified Master Arborist #WE-9909B) on September 21, 2024; no Protected and no non-protected trees are proposed for removal. The applicant is requesting relief from the maximum number of two (2) retaining walls; the maximum height of six (6) feet for retaining walls located in required side yards in the hillside area; the minimum 20-foot-wide adjacent roadway; the minimum 20-foot-wide continuous paved roadway from the driveway apron to the hillside boundary; and the required five (5)-foot dedication and roadway widening.

CEQA Determination – Class 3 Categorical Exemption Applies

A project qualifies for Class 3 Categorical Exemptions if it consists of construction and location of limited numbers of new, small facilities or structures, including a single-family residence in a residential zone and accessory structures. As the project proposes the construction of a 2,081-square-foot single-family dwelling with a two-car garage and two (2) new retaining walls ranging in height from 5 feet, 8 inches to 7 feet, 4 inches, it meets the qualifications for a Class 3 Categorical Exemption.

The Director of Planning determined that, based on the whole of the administrative record, the project is exempt from CEQA pursuant to State CEQA Statutes and Guidelines, Section 15303 (Class 3) and that there is no substantial evidence demonstrating that an exception to a Categorical Exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions.

The City has considered whether the Proposed Project is subject to any of the six (6) exceptions that would prohibit the use of a categorical exemption as set forth in State CEQA Guidelines Section 15300.2. The six (6) exceptions to this Exemption are: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

(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 in 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.*

The subject site is located within the Very High Fire Hazard Severity Zone, Special Grading Area (BOE Basic Grid Map A-13372), Landslide Area, Santa Monica Mountains Zone, Urban Agriculture Incentive Zone, Santa Monica Mountains Zone, Hillside Construction Regulation District, and the Hollywood Fault Zone; however, specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate the grading and construction of projects in these sensitive locations and will reduce any potential impacts to less than significant. The following specific RCMs would apply to the proposed project:

- **Regulatory Compliance Measure RC-GEO-1 (Seismic):** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building Safety.
- **Regulatory Compliance Measure RC-GEO-2 (Hillside Grading Area):** The grading plan shall conform with the City's Landform Grading Manual guidelines, subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
- **Regulatory Compliance Measure RC-GEO-3 (Landslide Area):** Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any landslide and soil displacement, estimation of settlement, lateral movement, or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to:
 - Ground stabilization
 - Selection of appropriate foundation type and depths
 - Selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures

The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

- **Regulatory Compliance Measure RC-GEO-5 (Subsidence Area):** Prior to the issuance of building or grading permits, the applicant shall submit a geotechnical report prepared by a registered civil engineer or certified engineering geologist to the written satisfaction of the Department of Building and Safety. The geotechnical report shall assess potential consequences of any subsidence and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soil Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.
- **Regulatory Compliance Measure RC-GEO-6 (Expansive Soils Area):** Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil expansion and soil strength loss, estimation of settlement, lateral movement, or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any potential impacts from the specific environment in which the project is located. A Geology and Soils Report Approval Letter, Log No. 128692, for the subject property, which details conditions of approval that must be followed, was issued by LADBS on December 19, 2023. In addition, roof and site drainage as well as sewer availability must comply with Bureau of Engineering and Bureau of Sanitation standards; and hydrants, Fire Department Access, and Fire Safety must be reviewed and approved by the Los Angeles Fire Department before permits can be issued. Due to its location within a Very High Fire Hazard Severity Zone, the Project must also comply with the Brush Clearance Requirements of the Fire Code. Furthermore, the Project must comply with the Baseline Hillside Ordinance. Therefore, in conjunction with the above RCMs and compliance with other applicable regulations, the location of the Project will not result in a significant impact based on its location.

(b) Cumulative Impacts. *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

According to SCAQMD, individual constructions projects that do not exceed the SCAQMD's recommended daily thresholds for project-specific impacts would not cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in nonattainment. Interim thresholds were developed by DCP staff bases on the CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying

published air quality studies. Construction-related daily emissions at the project site would not exceed SCAQMD's regional or localized significance thresholds. Therefore, the project's contribution to cumulative construction-related regional emissions would not be cumulatively considerable and therefore would be less than significant. Construction of the project would also have a less-than-significant impact with regard to localized emissions

As noise is a localized phenomenon and decreases in magnitude as distance from the source increases, only projects and ambient growth in the nearby area could combine with the proposed project to result in cumulatively considerable noise impacts. Therefore, the project is not likely to result in a significant cumulative impact due to the construction of the same type of development in the same place over time.

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

The project proposes the construction of a new single-family dwelling and two-car garage. The proposed envelope height is 19 feet, 9 inches and the proposed residential floor area is 2,081 square-feet. The applicant also proposes to retain the 24 existing "garden" walls as retaining walls and proposes to construct two (2) new retaining walls measuring between 5 feet, 8 inches and 7 feet, 4 inches in height within the required side yards; the applicant also proposes to demolish two (2) existing retaining walls on-site. The project proposes 319 cubic yards of cut and five (5) cubic yards of fill; the project will export 314 cubic yards of soil and will not import any soil. There are seven (7) Protected Trees on-site; however no Protected Trees and no non-protected trees are proposed for removal.

The applicant is requesting a Zoning Administrator's Determination to allow the construction, use, and maintenance of a new single-family dwelling without a minimum 20-foot-wide adjacent roadway and without a minimum 20-foot-wide continuous paved roadway from the driveway apron to the hillside boundary, as otherwise required. The applicant is also requesting a Zoning Administrator's Determination to permit the construction of two (2) retaining walls ranging in height from 5 feet, 8 inches to 7 feet, 4 inches, and the maintenance of 24 existing retaining walls up to three (3) feet in height, in lieu of the maximum of two (2) retaining walls no greater than 10 feet in height. Additionally, the applicant is also requesting a Zoning Administrator Adjustment to permit the construction of two (2) new retaining walls with a maximum height of 7 feet, 4 inches in the required side yards within the Hillside Area, in lieu of the maximum height of six (6) feet. Finally, the applicant is requesting a Waiver of Dedication and Improvement of a five (5)-foot dedication and a five (5)-foot roadway widening along Appian Way. The Project proposes to construct a single-family dwelling in an area zoned and designated for such development. The surrounding neighborhood is comprised of lots that are uniquely shaped and range in size with similar sloped and topography to the subject site. The site is zoned RE15-1-H-HCR and designated as Low II Residential. The surrounding area primarily consists of other single-family residences on properties with land use designations of Minimum Residential, Low II Residential, and Very Low II Residential that are zoned RE40-1-H-HCR, RE15-1-H-HCR, RE11-1-HCR, and R1-1-HCR.

A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project consists of activities typical of a residential development. Therefore, no unusual circumstances are present or foreseeable.

The subject site is in a Very High Fire Hazard Severity Zone (VHFHSZ). This does not support an unusual circumstance as the City has thousands of similar developments of the same size and scale in VHFHSZ. Additionally, the existing regulatory compliance measures will ensure there is no potential for an impact. Such areas are subject to existing emergency plans and regulations that govern development in fire hazards areas:

- Adopted emergency response plans and emergency evacuation plans applicable to the City of Los Angeles, include the City of Los Angeles Emergency Operations Plan and the Los Angeles County Operational Area Emergency Response Plan (OAERP). The OAERP defines responsibilities and provides guidance to agencies and jurisdictions within the County Operational Area on how to interface with the Operational Area Coordinator during emergencies and disasters. The City's Emergency Operations Plan and Annexes identify roles, responsibilities and required actions for various City departments, particularly LAFD and the LAPD. In addition to their emergency response plans, both the City and County also designate Disaster Routes, which are freeway, highway or arterial routes pre-identified for use during emergencies. Disaster routes are not the same as evacuation routes. The Evacuation Annex of the City's Emergency Operation Plan provides that "[p]rimary evacuation routes consist of the major interstates, highways, and primary arterials within the City and Los Angeles County." Disaster routes are used to bring emergency personnel, equipment, and supplies to impacted areas, while evacuation routes are used to move an affected population out of an impacted area. The closest County-designated primary (i.e. freeway) Disaster Route to the project site is Laurel Canyon Boulevard.
- Hillside Development Construction Traffic Management Plan. Developments in a hillside area are required to prepare a Construction Traffic Management Plan, subject to review and approval by the Department of Transportation (LADOT). A key feature of the construction management plan is ongoing coordination with the City and emergency service providers throughout the entire construction period to ensure adequate access is maintained to the project site and neighboring residences at all times. The construction management plan also requires the contractor to maintain access for land uses in proximity to the project site during construction, to minimize obstruction of through traffic lanes on surrounding public streets, and coordination of construction activity with related projects to further minimize construction traffic impacts. A Construction Traffic Management Plan was prepared for the project and was approved by the LADOT on July 23, 2024.
- Fire, Building, and Zoning Code. Properties in VHFHSZs must comply with the requirements of Fire Code Section 57.322, which requires brush clearance within 200 feet of any structure. LAFD performs microenvironment weather analysis to check for irregular weather patterns and changes, which alerts LAFD to conditions such as windy days combined with low humidity. LAFD uses a Burning Index to determine when to call a Red Flag Day. A Red Flag Day is when the potential for a fast-moving brush fire is extremely high, when wind speeds are 25 mph or more and the humidity is 15 percent or less. On those days, illegally parked cars in VHFHSZ areas may be towed if their presence would prevent roadway access needed by LAFD. LAFD also has a significant air response ready to deploy, including water-dropping helicopters, and the mission of LAFD Air Operations includes brush fire suppression. LAFD also has access to additional helicopters, fixed-wing aircraft, bulldozers, and fire engines through mutual aid agreements with the state, County, and other cities in the region. In addition to attacking wildfires from the sky, LAFD also has ground resources such

as fire engines and trucks.

- Chapter 33 of the City's Fire Code provides requirements designed to reduce risk of fire ignition during construction. These include, but are not limited to, prohibition of smoking except in areas approved by the LAFD, refueling of equipment in appropriate locations, preparation of a fire prevention program, and designation of fire watch personnel during occurrence of hazardous construction activities. The Fire Code (LAMC Section 57.4906.5.2) also requires the management of hazardous vegetation and fuel, as well as maintenance of defensible space in wildland-urban interface areas. The Fire Code also includes regulations that address building materials and construction methods for construction in VHFHSZs, that are intended to reduce exterior wildfire exposure.

The applicant also submitted a Biological Resources Report, prepared by Dana Briggs and Matthew South of South Environmental, dated October 2024, which found that there would be less than significant impacts to sensitive natural communities and wildlife habitat; no impacts to special-status plan species; less than significant impacts to special-status wildlife species, including bats, mountain lions, and monarch butterflies; no impacts to wildlife movement areas; and no impacts to water resources. The Biological Resources Report also found that there would not be any cumulative impacts resulting from the proposed project. The project site was found to contain Protected Trees and the potential for nesting birds. However, per the Biological Resources Report, the proposed project will be required to comply with Regulatory Compliance Measures related to Protected Trees and nesting birds. Therefore, the proposed project will not result in any significant impacts to biological resources.

- (d) Scenic Highways.** *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

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, located approximately 12 miles to the west of the site. Therefore, the Project will not result in damage to any scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway, and this exception does not apply.

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

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. Furthermore, the building permit history for the Project Site does not indicate the Site may be hazardous or otherwise contaminated.

- (f) Historic Resources.** *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

The 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. Consequently, the Project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.