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
VTT-84837-CN-VHCA / Vesting Tentative Tract Map

LEAD CITY AGENCY	CASE NUMBER
City of Los Angeles (Department of City Planning)	ENV-2025-3511-SE
PROJECT TITLE	COUNCIL DISTRICT
2007-2045 S. Colby Ave., 11556 W. La Grange Ave. & 2020-2024 S. Federal Ave.	CD 11 – Park

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) ☐ Map attached.
2007-2045 S. Colby Ave., 11556 W. La Grange Ave. & 2020-2024 S. Federal Ave.

PROJECT DESCRIPTION: ☐ Additional page(s) attached.
The project involves the merger and re-subdivision of seven (7) lots into one (1) ground lot and 40 condominium units and the designation of the South Colby Avenue and South Federal Avenue street frontages as front yards and the West La Grange Avenue street frontage and all other yards as side yards. Pursuant to a ministerial density bonus approval, the development will consist of 40 detached, three-story single-family residential homes/condominium units, two (2) units of which will be reserved for Very Low Income Households. All existing structures and improvements (a former wholesale plant nursery, a commercial-office structure, and four (4) single-family residential structures) will be demolish/removed to allow the construction, use, and maintenance of the project.

NAME OF APPLICANT / OWNER:
Rick Puffer, Federal 40 Development LLC (Applicant)

CONTACT PERSON (If different from Applicant/Owner above)	(AREA CODE) TELEPHONE NUMBER | EXT.
Jessica Pakdaman, Rosenheim & Associates, Inc.	(818) 716-2797

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) **21080.66 (AB 130)**

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

CEQA Guideline Section(s) / Class(es) _____

☐ 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
Please see attached

☐ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project; no unusual circumstance is found.

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	STAFF TITLE
David Woon	Planning Assistant

ENTITLEMENTS APPROVED
Vesting Tentative Tract Map (including a designation of yards determination)

DISTRIBUTION: County Clerk, Agency Record Rev. 9-17-2025

DEPARTMENT OF
CITY PLANNING

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

MONIQUE LAWSHE
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DEPUTY DIRECTOR

JUSTIFICATION FOR PROJECT EXEMPTION
CASE NO. ENV-2025-3511-SE

On November 25, 2025, the Planning Department 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 Statutorily Exempt under California Public Resource Code Section 21080.66.

A project qualifies for a Statutory Exemption if it is developed as a Housing Development Project as defined as 65905.5(b) of the California Government Resource Code and meets the following eligibility criteria and procedural requirements:

Eligibility Criteria

(a) The Project Site is 20 acres or less.
(b) The Project Site is located within an incorporated municipality.
(c) The Project Site is previously developed or 75 percent of the perimeter of the site adjoins parcels developed with urban uses.
(d) The Project is consistent with General Plan and Zoning; if the plan or zone is inconsistent, then consistent with the plan or the zoning.
(e) The Project Density is 15 dwelling units per acre (for City of Los Angeles) or more.
(f) The Project Site satisfies the requirements of Government Code § 65913.4(a)(6), subject to criteria and exceptions, that it is not located within a Coastal Zone, prime farmland or farmland of statewide importance, wetlands (defined by USFW), VHFHSZ unless mitigation exists, hazardous waste site listed pursuant to PRC 65962.5 or DTSC pursuant to H&S Code 25356 – unless site has been cleared for residential use, delineated earthquake fault zone, special flood hazard area, regulatory floodway as determined by FEMA, habitat conservation plan, habitat for protected special status species, conservation easement.
(g) Project is not demolishing an historic structure that was placed on a national, state or local historic register prior to the date that a preliminary application was submitted pursuant to Government Code section 65941.1.
(h) For a project that was deemed complete pursuant to Gov. Code Section 65589.5(h)(5), no portion of the project is for hotel, motel, other transient lodging (not including residential hotel or resident use as short-term lodging).

Procedural Requirements

(a) Tribal Notification/Consultation/Tribal Resource Conditions of Approval
(b) Condition for Phase I Environmental Site Assessment (ESA) and if necessary, mitigation is necessary.
(c) Conditions added to housing within 500 feet of freeway.

Project Description

The subject property is comprised of seven lots fronting South Colby Avenue, South Federal Avenue, and West La Grange Avenue, consisting of 95,031 net square feet of lot area (94,534 square feet post-dedication). The property is currently developed with the following:

Assessor's Parcel Number	**Address (per ZIMAS)**	**Existing Use per Certificate of Occupancy (Occupancy/Vacancy Status)**
4261-037-001, -004	2007 S. Colby Ave., 11556 W. La Grange Ave., 2020 S. Federal Ave.	Plant wholesale storage, parking areas, Delivery / loading areas (Currently vacant)
4261-037-005	2027 S. Colby Ave.	Office for an existing wholesale plant Nursery lo(Currently vacant)
4261-037-006	2031 S. Colby Ave.	Single-family dwelling (Currently owner occupied)
4261-037-007	2035 S. Colby Ave.	Single-family dwelling (Currently vacant; formerly owner occupied)
4261-037-008	2045 S. Colby Ave.	Single-family dwelling (Currently owner occupied)
4261-037-020	2024 S. Federal Ave.	Single-family dwelling (Currently vacant; formerly owner occupied)

The project involves the merger and re-subdivision of the project site to create one ground lot and 40 condominium units. In addition, the project proposes the designation of the South Colby Avenue and South Federal Avenue street frontages as front yards and the West La Grange Avenue street frontage and all other yards as side yards. The project will demolish all existing structures and improvements to allow the construction, use, and maintenance of 40 detached three-story single-family residential structures. Two (2) of the 40 dwelling units will be reserved for Very Low Income Households. In total, the Project will comprise a floor area of 76,200 square feet with a Floor Area Ratio (FAR) of 0.89 to 1 and a maximum building height of 41 feet, 7 inches. Each unit will contain a private roof deck, yard, and two-car garage. A common, central courtyard will also be installed for residents to utilize. As such, the project will provide a total of 80 automobile parking spaces and approximately 7,005 square feet of total on-site open space. The Project proposes the removal of all eight (8) on-site trees and five (5) street trees. None of the trees proposed for removal are protected trees. With the proposed development, the Project will plant approximately 148 new on-site trees. Replacement of the removed street trees will be replaced on a 2:1 basis pending the Bureau of Street Services, Urban Forestry Division approval.

As a qualifying Housing Development Project as defined in Section 65905.5(b) of the California Government Resource Code, the project qualifies for the Statutory CEQA Exemption pursuant to California Public Resource Code Section 21080.66 as described below:

SITE AND ENVIRONMENTAL CRITERIA

(a) Site is 20 acres or less.

The project site is approximately 2.18 acres pre-dedications per the Zone Information & Map Access System (ZIMAS).

(b) *Site is located within an incorporated municipality*.

The site is location within the boundaries of the City of Los Angeles.

(c) Site is previously developed with or 75 percent of the perimeter of the site adjoins parcels developed with urban uses.

The site was previously developed with a former wholesale plant nursery (vacated in November 2024), one commercial-office structure (a single-family residential structure used for commercial-office purposes by the aforementioned plant nursery), four (4) single-family residential dwelling structures used for the storage of plants. Of the five (5) single-family residential dwelling structures, three (3) units are vacant and two (2) units are occupied by the current property owners.

Lots adjacent to the subject site are developed with single- and multi-family residential structures ranging from one- to three-stories in height.

(d) Project is consistent with General Plan and Zoning; if the plan or zone is inconsistent, then consistent with the plan or the zoning.

The site is located in the West Los Angeles Community Plan and has a General Plan Land Use Designation of Low Medium I Residential. As shown in the case file, which information is incorporated herein by reference, the project is consistent with the applicable West Los Angeles Community Plan designation and policies and all applicable zoning designations and regulations.

Concurrent with the proposed project involving the merger and re-subdivision of seven (7) lots into one (1) ground lot and 40 condominium units, the applicant requests a 22 percent density bonus to permit 40 dwelling units in lieu of 32 units otherwise permitted. Pursuant to Government Code § 65915(o)(6) (aka AB 2334), the maximum allowable residential density is defined as the greatest number of units allowed under the zoning ordinance, specific plan, or general plan land use designation, or, if a range is permitted, the greatest number of units allowed by the zoning range, specific plan, or land use element of the general plan applicable to the project. While the project site is zoned R2-1 which permits a maximum of two (2) single-family dwellings, the applicant is permitted to utilize the RD3 Zone density of 3,000 square feet per one (1) dwelling unit in determining the project's base density. Therefore, the base density for the project site is 32 dwelling units (94,534/3,000 = 32 units, rounded up). The project meets the requirements of the State and City density bonus law with two (2) of the proposed 40 dwelling units set aside for Very Low Income Households. Excluding the base incentive to deviate from the R2 Zone density requirements of the project site's general plan land use designation, the project complies with the goals, objectives, and policies of the Community Plan. Approval of a density bonus, incentives or concessions pursuant to Gov. Code Section 65915 shall not be grounds for determining that the project is inconsistent with the applicable general plan, zoning ordinance, or local coastal program. PRC Section 21080.66(a)(4).

Therefore, the project is consistent with the General Plan and the local zoning of the site.

(e) Density is 15 dwelling units/acre (for City of Los Angeles) or more.

The Project proposes 40 dwelling units and the site is approximately 2.18 acres, making the proposed density approximately 18 dwelling units per acre.

(f) Site satisfies the requirements of Government Code § 65913.4(a)(6), i.e. it is not located within a Coastal Zone, prime farmland or farmland of statewide importance, wetlands (defined by USFW), VHFHSZ unless mitigation exists, hazardous waste site listed pursuant to PRC 65962.5 or DTSC pursuant to H&S Code 25356 – unless site has been cleared for residential use, delineated earthquake fault zone, special flood hazard area, regulatory floodway as determined by FEMA, habitat conservation plan or identified for conservation*, habitat for protected special status species, conservation easement.*

As shown in the case file, which information is incorporated herein by reference, the project site is not located within a coastal zone, is not prime farmland or farmland of statewide importance, is not defined as wetlands (as defined by USFW), is not within a very high fire hazard severity zone, is not a hazardous waste site listed pursuant to PRC 65962.5, is not within a delineated earthquake fault zone, is not within a special flood plain or floodway, is not within habitat conservation plan or identified for conservation, does not contain habitat for protected special status species, and is not under a conservation easement.

(g) Project is not demolishing historic structure that was placed on a national, state or local historic register prior to the date that a preliminary application was submitted pursuant to Government Code section 65941.1

The project does not involve the demolition of any historical structure that designated as a Historic Cultural Monument by the City of Lo Angeles (the City's local historic register) or on the California Register of Historical Resources, or on the National Register of Historic Places. In addition, for informational purposes, the project site is not identified in the City's SurveyLA or Historic Places LA.

(h) No portion of the project is for hotel, motel, other transient lodging (not including residential hotel or resident use as short-term lodging).

No portion of the project shall be used for hotel, motel, or other transient lodging.

PROCEDURAL CRITERIA

(a) Tribal Notification/Consultation

The City has met the tribal notification and consultation requirement as evidenced in the case file, which information is incorporated herein. This includes the City providing formal notification via certified mail to eleven (11) California Native American Tribes that are traditionally and culturally affiliated with the project as an invitation to consult on the proposed project, its location, and the project's potential effects on tribal cultural resources. Additionally, this includes adhering to the requisite number of days for a tribe to request consultation and to accept the invitation to consult, and the City to initiate and close consultation.

On August 21, 2025, City Planning issued a tribal notification letter via certified mail. On August 29, 2025, a Representative of the Gabrieleno Band of Mission Indians – Kizh Nation ("Kizh Nation") e-mailed a letter dated August 29, 2025 requesting tribal consultation with the City. On September 8, 2025, the City and Kizh Nation agreed to a telephone consultation scheduled for October 16, 2025 in which the Applicant's team was welcomed to join the call. On October 15, 2025, the Kizh Nation requested that the consultation be taken place via e-mail in lieu of telephone due to a schedule conflict. The City agreed to proceed with the consultation through e-mail. On October 15, 2025, the Kizh Nation requested a 15-day extension to the consultation period. The consultation period was originally set to close on October 27, 2025. With the 15-day extension, the consultation period was extended to November 11, 2025.

On October 21, 2025, the City received three (3) digital documents from the Kizh Nation including: 1) a letter purporting to provide substantial evidence; 2) a letter clarifying the legal definition and threshold of "substantial evidence" as required by CEQA and AB 52, and; 3) a letter listing the proposed Tribal Cultural Resource Conditions of Approval. The City erred in sharing the documents with the Applicant's team without the Tribe's consent. The Applicant agreed to engage in good faith and comply with the confidentiality requirements of Government Code Sections 7927.000, 7927.005, and PRC Section 21082.3(d)), as requested by the Kizh Nation.

After reviewing the submitted documents, the City submitted an e-mail, dated November 6, 2025, to the Kizh Nation stating that based on the information provided we do not believe there is adequate evidence to support that there are tribal/cultural resources within the project site that are likely to be impacted and that the proposed mitigation measures/conditions of approval are necessary. Additionally, even if there are tribal resources present on site, the project is not likely to impact such resources as the project involves the merger and re-subdivision of seven (7) lots into one (1) ground lot and 40 condominium units constructed on a site that was previously developed. The project would involve minimal grading, does not include subterranean parking, and would not foreseeably disturb soils not previously disturbed. Therefore, the City could not find a basis to add additional conditions to the standard conditions of approval listed in PRC Sec. 21080.66 (AB 130). These conditions are listed below:

1. **Tribal Monitoring.** The project shall include tribal monitoring during all ground-disturbing activities, as follows:

    a. The Gabrieleno Band of Mission Indians – Kizh Nation shall designate the monitor.

    b. The tribal monitor shall comply with applicant's site access and workplace safety requirements.

    c. The applicant shall compensate the tribal monitor at a reasonable rate, determined in good faith, that aligns with customary compensation for cultural resource monitoring, taking into account factors such as the scope and duration of the project.

(Based on the documents and communication received from the Gabrieleno Band of Mission Indians – Kizh Nation, tribal monitoring was requested and therefore Condition No. 1, as detailed above, will be included in the project as a standard condition of approval.)

2. **Avoidance of Tribal Cultural Resources.** Tribal cultural resources shall be avoided where feasible, in accordance with subdivision (a) of PRC Section 21084.3. In

furtherance of this requirement, where feasible, the project applicant shall provide deference to tribal preferences regarding access to spiritual, ceremonial, and burial sites, and incorporate tribal traditional knowledge in the protection and sustainable use of tribal cultural resources and landscapes.

3. **Treatment and Documentation.** All treatment and documentation of tribal cultural resources shall be conducted in a culturally appropriate manner, consistent with PRC Section 21083.9.

4. **CHRIS Search.** A California Historical Resources Information System (CHRIS) archaeological records search and a tribal cultural records search shall be completed for the project site.

5. **Sacred Lands Inventory.** A Sacred Lands Inventory request shall be submitted to the Native American Heritage Commission.

6. **Human Remains.** The project shall comply with Section 7050.5 of the Health and Safety Code and PRC Section 5097.98, including immediate work stoppage upon discovery of human remains or burial grounds, and treatment in accordance with applicable law and in consultation with the affected California Native American tribe.

7. **Tribal Ecological Knowledge.** An application of tribal ecological knowledge into habitat restoration efforts undertaken by the project as applicable to the specific environmental context and conditions of the project.

On November 6, 2025, Chief Salas of the Gabrieleno Band of Mission Indians – Kizh Nation sent the City an e-mail requesting the following: 1) A written explanation of the City's evidentiary analysis regarding our submitted documentation; 2) Confirmation that the confidentiality breach has been documented and corrective steps implemented, and; 3) Continuation of government-to-government consultation until mutually agreed mitigation is reached.

On November 7, 2025, the City replied to Chief Salas's request stating that the evidence stated in their previous message was not found, that the confidentiality breach involving the sharing of tribal documents with the Applicant's team will be documented, and that if they would like for the City to explore whether the Applicant would voluntarily agree to their proposed conditions of approval the Kizh Nation would need to consent to their involvement in the consultation. Otherwise, the tribal consultation period would close on November 11, 2025.

On November 12, 2025, the City sent an e-mail to the Kizh Nation informing them that the tribal consultation period is closed and that the aforementioned standard conditions of approval (see above) will be imposed on the project.

(b) As a condition of approval, the applicant will be required to submit a Phase 1 Environmental Site Assessment (ESA) to identify any potential exposures to hazardous conditions. If necessary, hazards shall be mitigated to current federal and state standards.

A Phase 1 Environmental Site Assessment (ESA), prepared by Partner Engineering and Science, Inc. ("Partner"), dated November 26, 2024 was submitted into the public administrative record. The Phase 1 ESA concluded:

1) No recognized environmental conditions (RECs) that would pose a material threat of a future release to the environment were found at the site;

2) No controlled recognized environmental conditions were identified at the at the site;

3) No historic recognized environmental conditions were identified at the site, and;

4) Business environmental risks (BER), meriting further study, were identified at the site. Specifically, due to the age of the subject property buildings, there is a potential that asbestos-containing material (ACM) and/or lead-based paint (LBP) are present. Readily visible suspect ACMs and painted surfaces were observed in good condition. Further, historical research indicates that the site was used as a plant nursery since 1936. Many areas of the nursery are dirt while some areas are concrete paved. In addition, several drains were noted throughout the site. As such, the history of the storage and use of pesticides and fertilizers onsite represents an environmental concern due to the likelihood of spills occurring from general applications over time and proposed residential redevelopment.

As a result of the BER, Partner recommended the following:

- A limited subsurface investigation should be conducted on the former nursery site in order to determine the presence or absence of soil contamination due to the historical use of the subject property.

- Prior to demolition of the onsite buildings, identified suspect ACMs and lead paint would need to be sampled to confirm the presence or absence of asbestos to prevent potential exposure to workers and/or building occupants.

Testing for suspected ACMs and lead paint are required during the Los Angeles Department of Building and Safety prior to the issuance of a demolition permit. Nonetheless, a condition of approval will be added to the approval of the vesting tentative tract map which will ensure that potential impacts related to ACMs and lead paint would be mitigated to levels required by current federal and state statutory and regulatory standards prior to issuance of a certificate of occupancy.

Pursuant to the recommendations of the Phase 1 Report with respect to the former use of the site as a nursery, Partner prepared a Phase 2 ESA. Partner's investigation for the Phase 2 involved the advancement of 10 borings across the site to collect 20 soil samples. None of the analyzed soil samples contained concentrations of chlorinated herbicides and organochlorine pesticides above applicable screening levels. Based on the analytical results, there does not appear to be soil impacts above *de minimis* levels on-site as a consequence of a release or releases from former on-site operations. Thus, no further action or mitigation is necessary to mitigate potentially hazardous substances.

The following conditions of approval as listed in PRC Sec. 21080.66 (AB 130) shall be imposed onto the project:

1. The local government shall, as a condition of approval for the development, require the development proponent to complete a phase I environmental assessment, as defined in Section 78090 of the Health and Safety Code.

2. If a recognized environmental condition is found, the development proponent shall complete a preliminary endangerment assessment, as defined in Section 78095 of the Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the

potential for exposure of future occupants to significant health hazards from any nearby property or activity.

3. If a release of a hazardous substance is found to exist on the site, the release shall be removed or any effects of the release shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.

4. If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to levels required by current federal and state statutory and regulatory standards before the local government issues a certificate of occupancy.

(c) Freeway – Additional Conditions of Approval for Projects within 500 feet of a Freeway.

The subject site is not within 500 feet of a freeway and therefore, this criterion does not apply.

Notice: Although not subject to a City condition of approval or enforcement, applicants who rely on the AB130 exemption should be aware they will be responsible for compliance with the state wage and labor standard requirements in Public Resources Code Section 21080.66(d), if applicable.