

FINDINGS

SPECIFIC PLAN EXCEPTION FINDINGS

1. **The strict application of the regulations of the specific plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the specific plan.**

The applicant is seeking a Specific Plan Exception from Section 4.3.1.A.2 of the Exposition Corridor Transit Neighborhood Plan ("Expo TNP") to allow reduced front yards of 5 feet in lieu of the 15 feet otherwise required. Specifically, Expo TNP Section 4.3.1.A.2 requires that properties within R3(EC) zones comply with the setback requirement of the R3 zone as set forth in LAMC Section 12.10.C.1. LAMC Section 12.10.C.1 requires a front yard of not less than 15 feet for the R3 zone. However, the applicant proposes to observe 5-foot front yards along Tennessee Avenue and Tennessee Place through a Specific Plan Exception.

The subject site is a level, triangular-shaped site comprised of two (2) parcels, consisting of 7,461 square feet of lot area. The site is located in the West Los Angeles Community Plan, at the intersection of Tennessee Place, Granville Avenue, and Tennessee Avenue, with approximately 190 feet of frontage on the north side of Tennessee Place, and approximately 200 feet of frontage on the south side of Tennessee Avenue. Due to the triangular shape of the site, the lot depth varies from approximately 10 feet at the easterly curved corner radius to approximately 68 feet along the westerly lot line.

The strict application of the 15-foot front yard regulations would require the proposed setbacks be increased by 10 feet along Tennessee Place, and 10 feet along Tennessee Avenue, for a combined total of 20 feet, which would significantly reduce the buildable area of the site. As provided in Sheet A0.24 of Exhibit "A", the buildable area of the site with 15-foot front yards would be only 2,070 square feet (after combining 858 square feet for Parcel A, 610 square feet for Parcel B, 472 square feet for Parcel C, and 130 square feet for Parcel D). In comparison, the buildable area with 5-foot front yards would be approximately 5,070 square feet (after combining 1,401 square feet for Parcel A, 1,135 square feet for Parcel B, 1,144 square feet for Parcel C, and 1,390 square feet for Parcel D). Therefore, the strict application of 15-foot front yard regulations would reduce the buildable area by one-half, thereby limiting the development potential of the site, and would therefore result in practical difficulties.

The general purpose and intent of zoning regulations is to allow for development which is compatible with neighboring uses, creates openness for natural light and air, and to permit emergency access. Consistently applying the regulations creates compatibility between respective properties. In addition, the purposes of the Expo TNP are to direct growth and accommodate new residential near transit stations, meanwhile conserving stable single-family neighborhoods, and ensuring new development is pedestrian-oriented and compatible with surrounding neighborhoods. The project is required to improve sidewalks subject to Conditions of Approval imposed by the Advisory Agency under Case No. AA-2022-1157-PMLA-SL-HCA to further meet the intent of the Expo TNP. Therefore, limiting the development potential of the site in close proximity to transit is inconsistent with the general purpose of the Specific Plan.

2. **There are exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject property that do not apply generally to other property in the specific plan area.**

The subject site is a level, triangular-shaped site comprised of two (2) parcels, consisting of 7,461 square feet of lot area. The site is located in the West Los Angeles Community Plan, at the intersection of Tennessee Place, Granville Avenue, and Tennessee Avenue, with approximately 190 feet of frontage on the north side of Tennessee Place, and approximately 200 feet of frontage on the south side of Tennessee Avenue. Due to the triangular shape of the site, the lot depth varies from approximately 10 feet at the easterly curved corner radius to approximately 68 feet along the westerly lot line.

The triangular shape of the subject site is formed by the convergence of Tennessee Avenue and Tennessee Place at the Granville Avenue intersection; Tennessee Avenue then continues east of Granville Avenue. The surrounding neighborhood is therefore developed with lots that are more rectangular in shape; there are no other triangular-shaped properties in the R3(EC) zone in the immediate vicinity. Moreover, the configuration of the site along Tennessee Avenue and Tennessee Place results in a through-lot with two front yard setbacks; there are no other through-lots in the immediate vicinity. Therefore, the shape and configuration of the subject site is an exceptional circumstance and condition that does not apply generally to other properties in the area.

3. **An exception from the specific plan is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the specific plan area in the same zone and vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.**

The proposed project is the construction of four (4) new three-story single-family dwellings with a height of 45 feet and two (2) parking spaces as part of a previously approved small lot subdivision. The existing single-family dwelling will be demolished, and nine (9) non-protected trees along the public right-of-way will be maintained. The applicant requests a Specific Plan Exception to allow reduced front yards of 5 feet in lieu of the 15 feet otherwise required by Exposition Corridor Transit Neighborhood Plan ("Expo TNP") Section 4.3.1.A.2. The purpose of the setback requirement is to ensure that the project is compatible with neighboring properties.

As provided under Finding No. 2, the shape and configuration of the subject site is an exceptional circumstance and condition that does not apply generally to other properties in the area. The triangular shape of the subject site is formed by the convergence of Tennessee Avenue and Tennessee Place at the Granville Avenue intersection; there are no other triangular-shaped properties in the R3(EC) zone in the immediate vicinity. The configuration of the site along Tennessee Avenue and Tennessee Place results in a through-lot with two front yard setbacks; there are no other through-lots in the immediate vicinity. As provided under Finding No. 1, the strict application of two (2) required front yards of 15 feet totaling 30 feet would reduce the buildable area by one-half, thereby limiting the development potential of the site. Other properties within the Specific Plan area in the same zone and vicinity are generally rectangular or regular in shape that do not have the same practical difficulty or unnecessary hardship that apply to the subject site.

The Specific Plan Exception is needed to allow comparable buildable areas as a property right that is provided for other properties. The reduced front yard setbacks would enable the subject property to be developed in a manner that is consistent with the allowable development potential of the surrounding neighborhood by allowing a comparable setback currently enjoyed by properties in the same area and zone. Therefore, the requested Specific Plan Exception is necessary for the preservation and enjoyment of a substantial property right generally possessed by other properties within the Specific Plan.

4. The granting of an exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the subject property.

Surrounding properties are zoned R3(EC) and developed with single-family dwellings. Abutting properties to the west are improved with one-story single-family dwellings with front yards along Westgate Avenue to the east; therefore, Tennessee Avenue and Tennessee Place are side yards, which are required to be 5 feet based on LAMC Section 12.10.C.2. Therefore, allowing reduced front yard setbacks of 5 feet for the subject site along Tennessee Avenue and Tennessee Place will allow a consistent street frontage, and will not be detrimental to the adjacent properties.

The small lot subdivision is permitted at this location on the subject site as an allowable use in the R3 zone in accordance with Expo TNP Section 2.2.1. The R3(EC) Zone restricts density to a minimum lot area per dwelling unit of 1,200 square feet. The Expo TNP allows a building height of 45 feet and Floor Area Ratio ("FAR") of 3:1 on the subject site. The project is proposing a small lot subdivision resulting in 4 small lot homes with a maximum building height of 45 feet and FAR of 2.42:1, consistent with the Expo TNP zoning and development standards.

Furthermore, with the exception of the request for reduced front yard setbacks, the project has been designed to comply with the Expo TNP design standards. The project is designed as 4 stand-alone buildings so that no horizontal building dimension exceeds 250 feet per Expo TNP Section 4.3.1.B.1. The project provides primary entrances facing the street per Expo TNP Section 4.3.2.A.1, with 2 along Tennessee Avenue and 2 along Tennessee Place, and entrances are designed to be prominent and distinguished with architectural features such as side windows, recessed planes, and overhead projections per Expo TNP Section 4.3.2.A.2, and are no more than 3 feet above grade per Expo TNP Section 4.3.2.A.3. The project provides 15 percent transparent glazing and unique building materials such as cedar strips and board formed concrete per Expo TNP Section 4.3.2.C.2 and 4.3.3.B.1, respectively. In addition, the project reconfigured its driveways to ensure appropriate driveway distancing per Expo TNP Section 4.3.5.A.3 and consolidated driveways to minimize opportunities for pedestrian-vehicular conflict, and parking spaces are enclosed per Expo TNP Section 4.3.5.B.2(a) in individual garages.

In addition, the small lot homes are designed with articulated facades and terraces, and are stand-alone buildings with an air gap in-between structures, to break down the building mass. Unit D provides an 18-foot easterly setback from Granville Avenue to provide relief in the building mass at the street intersection. Lastly, the project proposes screening along the perimeter of the site to provide a buffer from neighboring properties and street.

Granting reduced front yard setbacks for the Proposed Project would not impact the public welfare given that the Exception will allow for greater consistency with other residential properties in the area. Therefore, granting the Specific Plan Exception will not be detrimental to the public welfare or injurious to property or improvements adjacent to or in the vicinity of the property.

5. The granting of an exception will be consistent with the principles, intent and goals of the specific plan and any applicable element of the general plan.

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, Land Use, Transportation, Noise, Safety, Housing and Conservation. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The General Plan is a long-range document determining how a community will grow, reflecting community priorities and values while shaping the future. Policies and programs set forth in the General Plan are subjective in nature, as the General Plan serves as a constitution for development and foundation for land use decisions. The project substantially conforms with the following purposes and objectives of the General Plan Elements: Framework Element, Land Use Element (West Los Angeles Community Plan), Housing Element, and Mobility Element.

The site is located within the West Los Angeles Community Plan area, with a land use designation of Medium Residential, which corresponds to the R3 Zone. The site is zoned R3(EC) which is consistent with the land use designation. The site is located within the Exposition Corridor Transit Neighborhood Plan Specific Plan ("Expo TNP") Subarea 12, which contains additional development standards and environmental standards subject to review through Administrative Clearance, which is currently pending. The R3(EC) Zone restricts density to a minimum lot area per dwelling unit of 1,200 square feet. The Expo TNP allows a building height of 45 feet and Floor Area Ratio ("FAR") of 3:1 on the subject site. The site is also located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan ("WLA TIMP", Zoning Information File No. 2192) which is administered by the Department of Transportation, and is within the Transit Priority Area (ZI File No. 2452).

Consistent with the Community Plan, the proposed 4-unit small lot subdivision adds new housing opportunities to Los Angeles's housing supply, in a neighborhood that is conveniently located to a variety of regional destinations, community services and amenities, and multi-modal transportation options.

Framework Element

The General Plan designates the subject site with Medium Residential land use designation, which corresponds to the R3 Zone. The site is zoned R3(EC) which is consistent with the land use designation. The R3(EC) zone estimates 30 to 55 dwelling units per acre.

Land Use Element – West Los Angeles Community Plan

The proposed project aligns with the intent of the West Los Angeles Community Plan including the following:

Goal 1 – A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

Objective 1-1 - To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010

Policy 1-1.3 - Provide for adequate multi-family residential development.

Objective 1-2 - To reduce vehicular trips and congestion by developing new housing in proximity to adequate services and facilities

Policy 1-2.1 - Locate higher residential densities near commercial centers and major bus routes where public service facilities and infrastructure will support this development.

Objective 1-4 - To promote adequate and affordable housing and increase its accessibility to more segments of the population, especially students and senior citizens.

Policy 1-4.1 - Promote greater individual choice in type, quality, price and location of housing.

Policy 1.4-2 - Ensure that new housing opportunities minimize displacement of residents.

The project is the construction of a small lot subdivision that provides housing opportunities on an underutilized site that is currently vacant. The project will result in the net increase of three (3) dwelling units that are in close proximity to public transit along the Expo "E" Line and local amenities.

Housing Element 2021 - 2029

The proposed project also conforms with the applicable policies of the Housing Element, including:

Goal 1 – A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.

Objective 1.2 – Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.

Policy 1.2.1 – Expand rental and for-sale housing for people of all income levels. Prioritize housing developments that result in a net gain of Affordable Housing and serve those with the greatest needs.

Goal 3 – A City in which housing creates healthy, livable, sustainable, and resilient communities that improve the lives of all Angelenos.

Objective 3.2 – Promote environmentally sustainable buildings and land use patterns that support a mix of uses, housing for various income levels and provide access to jobs, amenities, services and transportation options.

Policy 3.2.2 – Promote new multi-family housing, particularly Affordable and mixed-income housing, in areas near transit, jobs and Higher Opportunity Areas, in order to facilitate a better jobs-housing balance, help shorten commutes, and reduce greenhouse gas emissions.

The project will result in the net increase of three (3) dwelling units to the City's housing stock and conforms with the applicable provisions of the Housing Element. The applicant is seeking a Specific Plan Exception from Section 4.3.1.A.2 of the Exposition Corridor Transit Neighborhood Plan ("Expo TNP") to allow reduced front yards of 5 feet in lieu of the 15 feet otherwise required. As provided under Finding No. 1, the strict application of 15-foot front yard regulations would reduce the buildable area by one-half, thereby limiting the development potential of the site. The applicant has requested deviations from the front yard regulations in order to allow the creation of new dwelling units, and will result in the net increase of three (3) dwelling units that are in close proximity to public transit along the Expo "E" Line and local amenities.

Mobility Plan 2035

The proposed project also conforms with the following additional policies of the Mobility Plan, including:

Policy 3.1: Access for All: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement – as integral components of the City's transportation system.

Policy 3.3: Land Use Access and Mix: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

The project is the construction of a small lot subdivision that provides housing opportunities in close proximity to public transit along the Expo "E" Line, thereby encouraging multi-modal transportation and decreasing vehicle miles traveled in the neighborhood.

Expo TNP

The site is located within the Exposition Corridor Transit Neighborhood Plan Specific Plan ("Expo TNP"), which was adopted by City Council and became effective on December 26, 2019 under Ordinance No. 186,402. The Proposed Project is consistent with the following Purposes of the Expo TNP:

A. Direct growth and accommodate new residential, mixed-use, commercial, and industrial development near transit stations.

G. Create opportunities for the development of new housing that meets the diverse needs and income levels of City residents

I. Implement the policies of the General Plan Framework, which include conserving stable single-family neighborhoods and directing growth toward transit corridors.

O. Ensure new development is pedestrian-oriented, acknowledges the transit stations, and is compatible with surrounding neighborhoods through building design and site planning.

The Expo TNP encourages residential development near transit stations, specifically those that are pedestrian-oriented and compatible with surrounding neighborhoods. The project is the construction of a small lot subdivision that provides housing opportunities on an underutilized site that is currently vacant. The project will result in the net increase of three (3) dwelling units that are in close proximity to public transit along the Expo "E" Line and local amenities. The project is proposing a small lot subdivision resulting in 4 small lot homes with a maximum building height of 45 feet and FAR of 2.42:1, consistent with the Expo TNP zoning and development standards. Furthermore, as provided under Finding No. 4, with the exception of the request for reduced front yard setbacks, the project has been designed to comply with the Expo TNP design standards. Therefore, the project is consistent with the Expo TNP in that it provides housing in proximity to transit and is compatible with surrounding neighborhoods through building design and site planning.

6. **The Project substantially complies with the Urban Design Guidelines attached as Appendix C to the Exposition Corridor Transit Neighborhood Plan or any applicable citywide design guidelines.**

The Expo TNP contains Urban Design Guidelines which are not mandatory or required, but should be used by decision makers in the review and approval of discretionary zoning approvals within the Specific Plan boundaries that require findings related to neighborhood compatibility, the degradation or benefit of the Project to surrounding properties and the community, and conformity with the intent and purpose of the Specific Plan. Such zoning approvals include, but are not limited to, Specific Plan Adjustments, Specific Plan Exceptions, and conditional use permits under LAMC Section 12.24.

The project substantially complies with the following Urban Design Guidelines in Appendix C:

Use building facade articulation and modulation to create variations in depth that correspond to interior building programming, such as wall offsets, bays, projections, recesses, courtyards, stair towers, balconies, or similar architectural treatments. Building facade articulation should not be achieved through the use of color or material application alone.

The height and scale of new buildings should be compatible with adjacent buildings. If new buildings are taller, step down the massing to transition to lower heights.

Maintain continuity of the Setback with adjacent buildings.

Create well-articulated, inviting building entrances that emphasize pedestrian orientation.

The primary building entrance(s) should be directly accessible to pedestrians, visible from the street, and emphasized by the use of compatible architectural elements. Examples of architectural treatments include a tower element, entrance canopy, recessed entrance areas, and public art. Primary entrances should be further emphasized by the use of material patterns or signage integrated with architectural treatment

Orient windows and doors toward public streets, rather than inward, to contribute to neighborhood safety and provide design interest.

Use canopies, awnings, or recesses at entrances to provide cover for tenants and guests.

Incorporate transitions such as landscaping, walkways, porches, stoops, steps, and/or canopies at the entrance to individual residences, connecting primary entrances and the public right-of-way

Where there are residential units on the ground floor, provide entries directly from the street. If residential entries cannot be placed on the ground floor facing the street, create a prominent ground floor or first floor common entry, such as an atrium or lobby

Break down large building facades using vertical articulation achieved through recessed walls, change in materials, windows, balconies, columns, or other architectural details

Use horizontal architectural treatments such as entry porticos, cornices, friezes, awnings, canopies, or other

Vary rooflines through the use of sloping roofs, modulated building heights, stepbacks, or innovative architectural solutions

Building materials should be varied to add texture, depth, and visual interest to a façade.

Attractively landscape and maintain all open areas not used for buildings, driveways, parking areas, recreational facilities or pedestrian walkways in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect

Maintain continuity of the sidewalk by minimizing the number of curb cuts for driveways, instead utilizing alleys for access where possible.

The small lot homes are designed with articulated facades and terraces, and are stand-alone buildings with an air gap in-between structures, to break down the building mass. Unit D provides an 18-foot easterly setback from Granville Avenue to provide relief in the building mass at the street intersection. Lastly, the project proposes screening along the perimeter of the site to provide a buffer from neighboring properties and street. Therefore, the project substantially complies with the Urban Design Guidelines in Appendix C.

CEQA FINDINGS

The Department of City Planning determined, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines, Article 19, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. The Notice of Exemption and Justification for Project Exemption for Environmental Case No. ENV-2022-1158-CE is provided in the case file and attached as Exhibit E.

The proposed project is a small lot subdivision of a 7,461 square foot site into four (4) new small lots, each with a three-story single-family dwelling with a height of 45 feet and two (2) parking spaces. The existing single-family dwelling will be demolished. The project assumes a worst-case scenario of removing all street trees, in the event of changes to the right-of-way improvement plans after approval of the environmental clearance. However, this environmental analysis does not authorize the removal of any street trees without prior approval of Urban Forestry, in compliance with LAMC Sections 62.169 and 62.170 and their applicable findings. The project may involve the removal of up to nine (9) non-protected trees along the public right-of-way.

As a small lot subdivision, and a project which is characterized as in-fill development, the project qualifies for the Class 32 Categorical Exemption.

CEQA Determination – Class 32 Categorical Exemption Applies

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria:

- (a) **The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.**

The project site is located in the West Los Angeles Community Plan, and is designated for Medium Residential land uses, with a corresponding zone of R3. The site is zoned R3(EC), and is consistent with the land use designation. The site is located within the Exposition Corridor Transit Neighborhood Plan Specific Plan ("Expo TNP") Subarea 12, which contains additional development standards and environmental standards subject to review through Administrative Clearance, however the applicant requests a Specific Plan Exception pursuant to LAMC Section 11.5.7.F to allow reduced front yards of 5 feet in lieu of the 15 feet otherwise required by Expo TNP Section 4.3.1.A.2 (Case No. APCW-2022-1156-SPE-HCA), which is currently pending. The R3(EC) Zone restricts density to a minimum lot area per dwelling unit of 1,200 square feet. The Expo TNP allows a building height of 45 feet and Floor Area Ratio ("FAR") of 3:1 on the subject site. The proposed project will have a height of 3 stories and 45 feet with a FAR of approximately 2.42:1 which is consistent with the zoning. As demonstrated in the case file, the project is consistent with the General Plan, the applicable West Los Angeles Community Plan designation and policies, and all applicable zoning designations and regulations.

The proposed project aligns with the intent of the West Los Angeles Community Plan including the following:

Goal 1 – A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

Objective 1-1 - To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010

Policy 1-1.3 - Provide for adequate multi-family residential development.

Objective 1-2 - To reduce vehicular trips and congestion by developing new housing in proximity to adequate services and facilities

Policy 1-2.1 - Locate higher residential densities near commercial centers and major bus routes where public service facilities and infrastructure will support this development.

Objective 1-4 - To promote adequate and affordable housing and increase its accessibility to more segments of the population, especially students and senior citizens.

Policy 1-4.1 - Promote greater individual choice in type, quality, price and location of housing.

Policy 1.4-2 - Ensure that new housing opportunities minimize displacement of residents.

The proposed project also aligns with the purposes of the Expo TNP including the following:

A. Direct growth and accommodate new residential, mixed-use, commercial, and industrial development near transit stations.

G. Create opportunities for the development of new housing that meets the diverse needs and income levels of City residents

I. Implement the policies of the General Plan Framework, which include conserving stable single-family neighborhoods and directing growth toward transit corridors.

O. Ensure new development is pedestrian-oriented, acknowledges the transit stations, and is compatible with surrounding neighborhoods through building design and site planning.

Furthermore, the site is subject to the Expo TNP's zoning and development standards (Section 2) and urban design standards (Section 4) through Administrative Clearance. The Project complies with the Expo TNP's applicable zoning and development standards related to use, density, FAR, height, as well as the Expo TNP's applicable design standards including but not limited to building orientation, architectural treatment, vehicle access and parking design. The approval of the Specific Plan Exception for reduced front yards will be consistent with the principles, intent, and goals of the Specific Plan and any applicable element of the General Plan.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.17 acres (7,461 square feet) and is surrounded by urban uses. Lots adjacent to the subject site are developed with the following urban uses: single family dwellings, multi-family residential buildings, commercial buildings. The subject site is located within one-half mile (2,640 feet) of the Bundy Station of the Los Angeles County Metropolitan Transportation Authority ("Metro") Exposition ("E") Line, which constitutes a Major Transit Stop. There are also several bus stops in the area serving the Santa Monica Big Blue Bus 5, 7, R7, and 15 bus lines.

(c) The project site has no value as habitat for endangered, rare or threatened species.

The site is previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. The site is currently improved with a single-family dwelling.

Prior to any work on the adjacent public right-of-way, the applicant will be required to obtain approved plans from the Department of Public Works. As there currently is no approved right-of-way improvement plan and for purposes of conservative analysis under CEQA, Planning has analyzed the worst-case potential for removal of all street trees. Note that street trees and protected trees shall not be removed without prior approval of the Board of Public Works/Urban Forestry (BPW) under LAMC Sections 62.161 - 62.171. At the time of preparation of this environmental document, no approvals have been given for any tree removals on-site or in the right-of-way by BPW. The City has required a Tree Report to identify all protected trees/shrubs on the project site and all street trees in the adjacent public right-of-way. There are no protected trees on the subject site or public right-of-way, according to the Tree Inventory Report prepared by The Urban Lumberjack, LLC dated January 19, 2023. The Tree Inventory Report identified nine (9) non-protected trees along the public right-of-way (olive, Indian laurel fig, redwood, primrose, orange, avocado, ornamental pear); there are no (0) protected or non-protected trees on the subject site. However, the Project assumes a worst-case scenario of removing all street trees, in the event of changes to the right-of-way improvement plans after approval of the environmental clearance. However, this analysis does not authorize the removal of any street trees without prior approval of

Urban Forestry, in compliance with Los Angeles Municipal Code, Chapter VI, Section 62.169 through 62.170 and their applicable findings. The project may involve the removal of up to nine (9) non-protected trees along the public right-of-way.

Furthermore, the project site does not adjoin any open space or wetlands that could support habitat for endangered, rare or threatened species. Therefore, the site does not contain or have value as habitat for endangered, rare or threatened species and is not located adjacent to any habitat for endangered, rare or threatened species. As such, the proposed project meets this criterion.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance, pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff.

The Expo TNP contains Environmental Standards to implement the Mitigation and Monitoring Program that were reviewed in the Program EIR. The project is required to comply with these environmental standards. Therefore, the proposed project is required to comply with the following:

- **Mitigation Measure (Air Quality Best Practices):** Projects shall ensure all contractors include the best management practices provided in the bulleted list below in contract specifications:
 - Use properly tuned and maintained equipment.
 - Use diesel-fueled construction equipment to be retrofitted with after treatment products (e.g., engine catalysts) to the extent they are readily available and feasible.
 - Use heavy duty diesel-fueled equipment that uses low NOX diesel fuel to the extent it is readily available and feasible.
 - Use construction equipment that uses low polluting fuels (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent available and feasible.
 - Maintain construction equipment in good operating condition to minimize air pollutants.
 - Project applicants shall ensure that all construction equipment meets or exceeds equivalent emissions performance to that of U.S. Environmental Protection Agency (USEPA) Tier 4 standards for non-road engines. In the event that Tier 4 engines are not available for any off-road equipment larger than 100 horsepower, that equipment shall be equipped with a Tier 3 engine, or an engine that is equipped with retrofit controls to reduce exhaust emissions of nitrogen oxides and diesel particulate matter to no more than Tier 3 levels unless certified by engine manufacturers or the on-site air quality construction mitigation manager that the use of such devices is not practical for specific engine types. For purposes of this condition, the use of such devices is “not practical” for the following, as well as other, reasons:
 - There is no available retrofit control device that has been verified by either the CARB or USEPA to control the engine in question to Tier 3;
 - The construction equipment is intended to be on site for five days or less; or
 - Relief may be granted from this requirement if a good faith effort has been made to comply with this requirement and that compliance is not practical.

- The use of a retrofit control device may be terminated immediately, provided that a replacement for the equipment item in question meeting the required controls occurs within ten days of termination of the use, if the equipment would be needed to continue working at this site for more than 15 days after the use of the retrofit control device is terminated, if one of the following conditions exists:
 - The use of the retrofit control device is excessively reducing the normal availability of the construction equipment due to increased down time for maintenance, and/or reduced power output due to an excessive increase in back pressure;
 - The retrofit control device is causing or is reasonably expected to cause engine damage;
 - The retrofit control device is causing or is reasonably expected to cause a substantial risk to workers or the public; or
 - Any other seriously detrimental cause which has the approval of the project manager prior to implementation of the termination.
- Construction contractors shall use electricity from power poles rather than temporary gasoline or diesel power generators, as feasible.
- Use building materials, paints, sealants, mechanical equipment, and other materials that yield low air pollutants and are nontoxic.
- Construction contractors shall utilize supercompliant architectural coatings as defined by the South Coast Air Quality Management District (Volatile Organic Compound standard of less than ten grams per liter).
- Construction contractors shall utilize materials that do not require painting, as feasible.
- Construction contractors shall use pre-painted construction materials, as feasible.
- **Mitigation Measure (Construction Noise and Vibration):**
 - Haul Routes. Construction haul truck and materials delivery traffic shall avoid residential areas whenever feasible. If no alternatives are available, truck traffic shall be routed on streets with the fewest residences.
 - Construction Staging Areas. The construction contractor shall locate construction staging areas away from Sensitive Land Uses.
 - Construction Noise Barriers. When construction activities are located within 500 feet of Sensitive Land Uses, noise barriers (e.g., temporary walls or piles of excavated material) shall be constructed between activities and Sensitive Land Uses.
 - Vibrations. The construction contractor shall manage construction phasing (scheduling demolition, earthmoving, and ground-impacting operations so as not to occur in the same time period), use low-impact construction technologies, and shall avoid the use of vibrating equipment where possible to avoid construction vibration impacts.
 - Pile Driving Use and Location. Impact pile drivers shall be avoided where possible near Sensitive Land Uses. Drilled piles or the use of a sonic vibratory pile driver are quieter alternatives that shall be utilized where geological conditions permit their use. Noise shrouds shall be used when necessary to reduce noise of pile drilling/driving.
 - Pile Driving Control Measures): The construction contractor shall utilize alternatives to impact pile drivers, such as sonic pile drivers or caisson drills. If geotechnical limitations require the use of pile driving, control measures shall be used to reduce vibration levels. These measures may include, but are not limited to:
 - Predrilled holes;
 - Cast-in-place or auger cast piles;

- Pile cushioning (i.e., a resilient material placed between the driving hammer and the pile);
- Jetting (i.e., pumping a mixture of air and water through high-pressure nozzles to erode the soil adjacent to the pile); and
- Non-displacement piles (i.e., piles that achieve capacity from the end bearing rather than the pile shaft).
- Construction equipment shall be equipped with mufflers that comply with manufacturers' requirements.
- The construction contractor shall use on-site electrical sources to power equipment rather than diesel generators where feasible.
- **Regulatory Compliance Measure (Idling):** In accordance with Sections 2485 in Title 13 of the California Code of Regulations, the idling of all diesel fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.

Geotechnical - The applicant has submitted a Geotechnical Investigation Report prepared by A.G.I. Geotechnical, Inc. dated January 12, 2022. RCMs also include the submittal of the Geology and Soils Report to the Department of Building and Safety ("DBS"), and compliance with a Soils Report Approval Letter (Log No. 120346, dated February 17, 2022) which details conditions of approval that must be followed. In addition, the RCMs require that design and construction of the building must conform to the California Building Code, and grading on site shall comply with the City's Landform Grading Manual, as approved by the Department of Building and Safety Grading Division.

Traffic - The Project does not exceed the threshold criteria established by LADOT for preparing a traffic study. The Department of Transportation (LADOT) Referral Form dated December 29, 2022 and the Vehicle Miles Traveled (VMT) calculator indicated that the number of daily vehicle trips will be 31 which is under the threshold of 250 or more daily vehicles trips to require VMT analysis. Therefore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study and will not have any significant impacts related to traffic.

Noise – The Project must comply with the adopted City of Los Angeles Noise Ordinances No. 144,331 and 161,574 and LAMC Section 41.40 as indicated above in RC-NO-1, LAMC Section 112.05, as well as any subsequent Ordinances, which prohibit the emission or creation of noise beyond certain levels. These Ordinances cover both operational noise levels (i.e., post-construction), and any construction noise impacts. As a result of this mandatory compliance, the proposed Project will not result in any significant noise impacts.

Air Quality – The Project's potential air quality effects were evaluated by estimating the potential construction and operations emissions of criteria pollutants, and comparing those levels to significance thresholds provided by the Southern California Air Quality Management District (SCAQMD). In addition, there are several Regulatory Compliance Measures which regulate air quality-related impacts for projects citywide as noted above.

(e) The site can be adequately served by all required utilities and public services.

The project site will be adequately served by all public utilities and services given that the construction of a small lot subdivision will be on a site which has been previously developed and is consistent with the General Plan.

Therefore, the project meets all of the Criteria for the Class 32 Categorical Exemption.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32:

- (a) **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.*

There is not a succession of known projects of the same type and in the same place as the subject project. Therefore, in conjunction with citywide RCMs and compliance with other applicable regulations, no foreseeable cumulative impacts are expected, and this exception does not apply.

- (b) **Significant Effect Due to Unusual Circumstances.** *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 a small lot subdivision in an area zoned and designated for such development. All adjacent lots are developed single-family, multi-family residential, and commercial uses, and the subject site is of a similar size and slope to nearby properties. The project proposes a Floor Area Ratio (FAR) of 2.42:1 on a site that is permitted to have an FAR of 3:1 by the site's zoning. The project size and height is not unusual for the vicinity of the subject site, and is similar in scope to other existing multi-family dwellings and proposed future projects in the area. Furthermore, there is no substantial evidence in the administrative record that this project will cause a significant impact. Thus, there are no unusual circumstances which may lead to a significant effect on the environment, and this exception does not apply.

- (c) **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. State Route 27 is located approximately 7.3 miles northwest of the subject site. Therefore, the subject site will not create any impacts within a designated state scenic highway, and this exception does not apply.

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

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.

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

The project site is not listed 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. As such, the Project would have no impact on historical resources. 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.