

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**

AA-2020-5032-PMLA-HCA / APCNV-2020-5033-ZC-ADJ-HCA - Zone Change, Subdivision, Adjustment, Housing Crisis Act;

**LEAD CITY AGENCY****City of Los Angeles (Department of City Planning)****CASE NUMBER**

ENV-2020-5034-CE

**PROJECT TITLE**

8152 W. Ellenbogen Street

**COUNCIL DISTRICT**

7 – Rodriguez

**PROJECT LOCATION** (Street Address and Cross Streets and/or Attached Map)**8152 W. Ellenbogen Street** (Ellenbogen Street & McVine Avenue)☐ Map attached.**PROJECT DESCRIPTION:**☐ Additional page(s) attached.

The proposed project is a Zone change, Subdivision, and Adjustment for the construction, use, and maintenance of two new 1,730 square-foot single-family dwellings. The project involves the subdivision of one (1) lot into three (3) lots for a total of approximately gross 27,349 square feet of land and a net of 21,309 square feet of land in the R1-1-RFA Zone.

**NAME OF APPLICANT / OWNER:****Michael Brandon Enterprises, LLC****CONTACT PERSON** (If different from Applicant/Owner above)**Brandon B. Park****(AREA CODE) TELEPHONE NUMBER****(323) 219-0839****EXT.****EXEMPT STATUS:** (Check all boxes, and include all exemptions, that apply and provide relevant citations.)**STATE CEQA STATUTE & GUIDELINES**☐ **STATUTORY EXEMPTION(S)**

Public Resources Code Section(s) \_\_\_\_\_

☒ **CATEGORICAL EXEMPTION(S)** (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)CEQA Guideline Section(s) / Class(es) **15303 / Class 3 and 15315/ Class 15**☐ **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

The Class 3 exemption allows the construction of a limited number of new structures including one single-family residence in a residential zone. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning.

☒ 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**

Joshua Ordonez

**STAFF TITLE**

Planning Assistant

**ENTITLEMENTS APPROVED**

Project Permit Compliance Review

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021

**DEPARTMENT OF  
CITY PLANNING**

COMMISSION OFFICE  
(213) 978-1300

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# JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2020-5034-CE

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The Planning Department determined that the City of Los Angeles Guideline for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject project as Categorically Exempt under Article 19, Section 15303 and Section 15315, Class 3 and Class 15.

## **Project Description**

The proposed project is a Zone change, Subdivision, and Adjustment for the construction, use, and maintenance of two new 1,730 square-foot single-family dwellings. The project involves the subdivision of one (1) lot into three (3) lots for a total of approximately gross 27,349 square feet of land and a net of 21,309 square feet of land in the R1-1-RFA Zone, located at 8152 West Ellenbogen Street. The project also calls for an Adjustment to permit a reduced 15-foot front yard setback for the existing single-family dwelling, which is to remain on proposed Parcel A.

## **CEQA DETERMINATION – CLASS 3 & CLASS 15 CATEGORICAL EXEMPTIONS APPLY**

The Class 3 Categorical Exemption is applicable to projects that consist of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The number of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to:

- (a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

The Class 15 Categorical Exemption consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

The proposed project is the construction two new 1,730 square-foot single-family dwellings. The project involves the subdivision of one (1) lot into three (3) lots for a total of 27,349.1 square feet, with a land use designation of Low Residential. The proposed project complies with the Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon Community Plan.

**CEQA Section 15300.2:**

The City has further considered whether the proposed project is subject to any of the six exceptions set forth in the State CEQA Guidelines Section 15300.2 that would prohibit the use of any categorical exemption. None of the exceptions are triggered for the following reasons:

- 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 effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized 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 project site, which is comprised of one parcel, consists of an approximately gross 27,349 square feet of land and a net of 21,309 square feet of land, and is developed with a single-family dwelling. The adjacent properties to the north, east, south, and west are developed with single-family dwellings. A Biologist's Declaration of Biological Resources dated August 23, 2023, was submitted (attached). The document noted that there are no protected trees and/or shrubs, and shall not be relocated or removed, as specified by Ordinance No. 186,873 within the buildable area of the project site. Therefore, the proposed project will not impact an environmental resource of hazardous or critical concern.

- B. Cumulative Impact.** The exception applies when, although a particular project may not have a significant impact, the impact of successive projects, of the same type, in the same place, over time is significant.

The subject property is located in the Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon Community Plan , which intention is "Preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of compatible new housing opportunities."

While it is anticipated that other properties in the vicinity might apply for building permits to construct additions or modify existing homes, it is unlikely that significant number of properties will be constructed at the same time. Therefore, it is unlikely that there would be cumulative impacts due to successive projects conducting construction activities. In addition, specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate impacts related to construction noise and transportation/traffic. Numerous Los Angeles Municipal Code Sections provide requirements for construction activities and ensure impacts from construction related noise, traffic, and parking are less than significant. The Noise Regulation Ordinance, No. 144,331, provides regulatory compliance measures related to construction noise and maximum noise levels for all activities. LAMC Section 62 provides specific regulatory compliance measures related to construction traffic and parking. Finally, LAMC Section 41 requires construction site postings listing representative contact information and permitted construction/demolition hours as established by the

Department of Building and Safety. The project substantially complies with the regulations, standards, and provisions of the Community Plan.

There has been no other Zone Change case approved within a 1,000-foot radius of the project site for the construction of a new single-family dwelling in the last five years. That previously approved project along with this project does not create significant cumulative impacts.

- C. Significant Effect Due to Unusual Circumstances.** This exception applies when, although the project may otherwise be exempt, there is a reasonable possibility that the project will have a significant effect due to unusual circumstances.

The subject site is a flat, rectangular shaped, lot in the Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon Community Plan, which aims to “improve the environment, both aesthetically and physically ” in the area. The subject site does not have protected Live Coast Oak trees onsite. The project is in a Equinekeeping “K” district.

The adjacent properties to the north, east, south, and west are developed with single-family dwellings in the RA-1 Zone and the R1-1 Zone. The proposed project substantially complies with the regulations, standards, and provisions of the Community Plan. Therefore, there is no reasonable possibility that the project will have a significant impact due to unusual circumstances.

- D. Scenic Highways.** This exception applies when, although the project may otherwise be exempt, there may be 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 subject site is not located within the 500-foot Scenic Highway Viewshed Protection Area. Therefore, the proposed project will not result in damage to scenic resources including 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 Sites.** Projects located on a site or facility listed pursuant to California Government Code 65962.5.

Based on a review of the California Department of Toxic Substances Control "Envirostor Database" (<http://www.envirostor.dtsc.ca.gov/public/>), no known hazardous waste sites are located on the project site. In addition, there is no evidence of historic or current use, or disposal of hazardous or toxic materials at this location. Based on this, the project will not result in a significant effect due hazardous waste and this exception does not apply.

- F. Historical Resources.** Projects that may cause a substantial adverse change in the significance of an historical resource.

The 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, or the Los Angeles Historic-Cultural Monuments Register. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and the exemption does not apply.

In conclusion, since none of the applicable exceptions to the use of the exemption apply to the project, it is appropriate to determine this project is categorically exempt from CEQA requirement.