

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
DIR-2021-5686-DRB-SPP-HCA / Design Review Board, Specific Plan Permit Compliance

LEAD CITY AGENCY
City of Los Angeles (Department of City Planning)

CASE NUMBER
ENV-2021-5687-CE

PROJECT TITLE
10766 West Massachusetts Avenue

COUNCIL DISTRICT
5 – Katy Young Yaroslavsky

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) Map attached.
10766 Massachusetts Avenue

PROJECT DESCRIPTION: Additional page(s) attached.
The applicant proposes the demolition of an existing single-family dwelling and the construction of three (3) dwelling units, including a three-story duplex and single-family dwelling, with a maximum height of 39 feet – 11.5 inches. Each dwelling unit in the duplex will have a floor area of 1,678.2 square feet while the single-family dwelling will have a floor area of 1,868.2 square feet, resulting in a total building area of 5,225 square feet. A total of six (6) automobile parking spaces will be provided with two (2) spaces allocated per dwelling unit. The project will also involve necessary grading for the cut and export of 387 cubic yards of soil.

NAME OF APPLICANT / OWNER:
Modo Group LLC

CONTACT PERSON (If different from Applicant/Owner above) | (AREA CODE) TELEPHONE NUMBER | EXT.
Sina Khajavi, SK Architects | (310) 544-7272

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) Sections 15301 (Class 1), 15303 (Class 3) & 15332 (Class 32)

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 project qualifies for a Class 1 Categorical Exemption because it consists of the demolition of one single-family dwelling. The project qualifies for a Class 3 Categorical Exemption because it involves the construction of three new dwelling units. The Project qualifies for a Class 32 Categorical Exemption as it is developed on an infill site and meets the conditions as follows: (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; (b) The proposed development occurs within city limits on a Project Site of no more than five acres substantially surrounded by urban uses; (c) The Project Site has no value as habitat for endangered, rare or threatened species; (d) Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The Site can be adequately served by all required utilities and public services.
 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 *Kevin Fulton* | STAFF TITLE
Kevin Fulton | City Planning Associate

ENTITLEMENTS APPROVED
Density Bonus, Design Review Board, Specific Plan Permit Compliance



JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2021-5687-CE

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 State CEQA Guidelines, Article 19, Sections 15301 (Class 1), 15303 (Class 3), and 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-2022-8054-CE is provided in the case file.

Project Description

The applicant proposes the demolition of an existing single-family dwelling and the construction of three (3) dwelling units, including a three-story duplex and single-family dwelling, with a maximum height of 39 feet – 11.5 inches. Each dwelling unit in the duplex will have a floor area of 1,678.2 square feet while the single-family dwelling will have a floor area of 1,868.2 square feet, resulting in a total building area of 5,225 square feet. A total of six (6) automobile parking spaces will be provided with two (2) spaces allocated per dwelling unit. The project will also involve necessary grading for the cut and export of 387 cubic yards of soil.

CEQA Determination – Class 1 Categorical Exemption Applies

A project qualifies for a Class 1 Categorical Exemption if it involves the demolition and removal of individual small structures, including up to three (3) single-family dwellings. The project proposes the demolition and removal of one (1) single-family dwelling. Therefore, the project qualifies for a Class 1 Categorical Exemption.

CEQA Determination – Class 3 Categorical Exemption Applies

A project qualifies for a Class 3 Categorical Exemption if it consists of the construction and location of limited numbers of new, small facilities or structures, including one (1) single-family residence or up to three (3) single-family residences in urbanized areas. The Categorical Exemption also applies to duplexes or similar multi-family residential structures up to four (4) dwelling units or up to six (6) dwelling units in urbanized areas. The project proposes the construction of three (3) dwelling units, including one (1) single-family dwelling and a duplex. Therefore, the project qualifies for a Class 3 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 within the Westwood Community Plan, Westwood Community Design Review Board Specific Plan, Westwood Community Multi-Family Specific Plan, and West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP). It is designated for Low Medium II Residential with corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The site is zoned [Q]RD1.5-1, consistent with the Land Use Designation. The project site is also in Height District 1 which permits a floor area of three times the Buildable Area (11,340 square feet) and a maximum building height of 45 feet in the RD1.5-1 Zone. The Q condition on the project site was enacted through Ordinance 163,187 and requires all projects with two (2) or more units shall be subject to review by the Westwood Community Design Review Board. The Westwood Community Design Review Board is required to review projects and make recommendations to the Director of Planning for projects within their jurisdiction.

The project site, located at 10766 West Massachusetts Avenue, has a width of 50 feet and a depth of 124 feet – 5.5 inches, resulting in a total area of 6,223 square feet. As such, the project site is consistent with the lot width and size requirements for the RD1.5 Zone. The applicant proposes the demolition of an existing single-family dwelling and the construction of three (3) dwelling units, including a three-story duplex and single-family dwelling, with a maximum height of 39 feet – 11.5 inches. Each dwelling unit in the duplex will have a floor area of 1,678.2 square feet while the single-family dwelling will have a floor area of 1,868.2 square feet, resulting in a total building area of 5,225 square-feet. Therefore, the project is consistent with the height and floor area requirements for the RD1.5-1 Zone.

The proposed project is consistent with many General Plan goals, policies, and objectives. The Housing Element of the General Plan provides the following:

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 proposed project will result in a net increase of two (2) dwelling units to the City's housing stock and is consistent with the applicable provisions of the Housing Element. The project will provide a new multi-family development in a Higher Opportunity Area that is near public transit and a variety of commercial, entertainment, recreational, and educational opportunities. The project will also be subject to modern building code regulations that maximize energy efficiency and reduce greenhouse gas emissions.

Additionally, the Westwood Community Plan, one of the Land Use Elements of the General Plan, provides the following:

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

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

Objective 1-2: To coordinate residential density with infrastructure and to reduce vehicular trips and pass-through traffic in single family neighborhoods by developing new multiple family housing in proximity to services and facilities.

Policy 1-2.1: Locate higher density residential within designated multiple family areas and near commercial centers and major bus routes where public service facilities and infrastructure will support this development.

The proposed project meets the above goal, policies, and objective by providing multi-family dwelling units in a new, safe, and secure building. The proposed project is located within a neighborhood designated for Low Medium II Residential Land Uses, which includes multiple-family residential uses, and is well served by facilities and necessary infrastructure. The site is located in a Transit Priority Area (TPA) and within ½ mile of the intersection of Santa Monica & Westwood Boulevards, with multiple local and rapid bus stops that encourage alternative modes of transportation.

As such, the project is consistent with the applicable Westwood Community Plan designation and policies as well as the applicable zoning designation and regulations.

(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 0.14 acres (6,223 square feet). It is substantially surrounded by urban uses and located near the University of California - Los Angeles (UCLA) campus and the West Los Angeles VA Medical Center. The project site is also surrounded by other [Q]RD1.5-1 zoned properties in every direction that are improved with multi-family dwellings ranging from two (2) to five (5) stories in height.

(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 developed with two (2) multi-family dwellings with a total of eight (8) units. According to a Tree Disclosure Statement, dated July 25, 2023, there are no protected trees on the subject site nor any street trees 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.

(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,

storm water mitigations; and Best Management Practices for storm water runoff. More specifically, RCMs include but are not limited to:

- **Regulatory Compliance Measure RC-AQ-1 (Demolition, Grading and Construction Activities): Compliance with provisions of the SCAQMD District Rule 403.** The project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
 - All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
 - All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
 - Trucks having no current hauling activity shall not idle but be turned off.
- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- **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 and Safety.
- **Regulatory Compliance Measure RC-HAZ-2: Explosion/Release (Methane Zone):** As the Project Site is within a methane zone, prior to the issuance of a building permit, the Site shall be independently analyzed by a qualified engineer, as defined in Ordinance No. 175,790 and Section 91.7102 of the LAMC, hired by the Project Applicant. The engineer shall investigate and design a methane mitigation system in compliance with the LADBS Methane Mitigation Standards for the appropriate Site Design Level which will prevent or retard potential methane gas seepage into the building. The Applicant shall implement the engineer's design recommendations subject to DOGGR, LADBS and LAFD plan review and approval.

These RCMs will ensure the project will not have significant impacts on noise, air quality, and water. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study. The project shall comply with the conditions contained within the LADBS Geology and Soils Report Approval Letter (Log #122198) for the proposed project and as it may be subsequently amended or modified. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(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 because the proposed single-family dwelling and duplex will be on a previously developed site that was served by all required utilities and public services and is consistent with the General Plan. The project site is served by the Los Angeles Police Department and Los Angeles Fire Department, Los Angeles Unified School District, and other public services. Additionally, the site is currently served by the Los Angeles Department of Water and Power, the Southern California Gas Company, and the Bureau of Sanitation. As such, the site can be adequately served by all required utilities and public services.

Therefore, the project meets all of the Criteria for the Class 32 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; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

- (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.*

Properties in the vicinity are developed with multi-family dwellings and the subject site is of a similar size and slope to nearby properties. According to ZIMAS, there are no recently approved developments of a similar size and scope to the proposed project within 500 feet of the subject site. Further, there is no evidence in the file (including in any technical studies) that there is a foreseeable cumulative impact from the project in any impact category.

The project also proposes grading and the cut and export of 387 cubic yards of soil. The proposed grading does not meet the threshold to require a haul route application. Nonetheless, the project will be subject to specific Regulatory Compliance Measures (RCMs) which will reduce any potential impacts to less than significant. The project will also be subject to the conditions contained within the LADBS Geology and Soils Report Approval Letter (Log #122198) for the proposed project and as it may be subsequently amended or modified. Therefore, in conjunction with citywide RCMs and compliance with other applicable regulations, no foreseeable cumulative impacts are expected.

- (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 the construction of three (3) new dwelling units in an area zoned and designated for such development. All adjacent lots are developed with multi-family residential uses, and the subject site is of a similar size and slope to nearby properties. The applicant proposes the demolition of an existing single-family dwelling and the construction of three (3) dwelling units, including a three-story duplex and single-family dwelling, with a maximum height of 39 feet – 11.5 inches. Each dwelling unit in the duplex will have a floor area of 1,678.2 square feet while the single-family dwelling will have a floor area of 1,868.2 square feet, resulting in a total building area of 5,225 square feet. The project size and height are not unusual for the vicinity of the subject site and is similar in scope to other existing dwellings which range in height from two (2) to five (5) stories. 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. The project site is located approximately 9 miles from State Route 27. 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.

- (d) **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, the project site is not identified as a hazardous waste site. The project site is not identified as a hazardous waste site or is on any list compiled pursuant to Section 65962.5 of the Government Code.

- (e) **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. As such, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.