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CITY OF LOS ANGELES

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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-2023-8097-CDO / Community Design Overlay Plan Approval

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2023-8098-CE

PROJECT TITLE

N/A

COUNCIL DISTRICT

13

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

3040 West Avenue 35

Map attached.

PROJECT DESCRIPTION:

Additional page(s) attached.

The project is for the remodel and total addition of 397.12 square feet to an existing one (1)-story, 1,305.96 square foot single-family dwelling (including a 247.80 square foot garage). The project also includes a new 636.93 square foot covered terrace in the rear. There are two (2) non-Protected Trees that will be removed as a part of this project.

NAME OF APPLICANT / OWNER:

Joseph Proctor

CONTACT PERSON (If different from Applicant/Owner above)

James Woodson

(AREA CODE) TELEPHONE NUMBER

(310)922-2190

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) Section 15301 / Class 1

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

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

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

Andrea Magaña Withers

STAFF TITLE

Planning Assistant

ENTITLEMENTS APPROVED

CDO Plan Approval

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021

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JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2023-8098-CE

The Planning Department has determined that the California Environmental Quality Act (CEQA) of 1970 and the State CEQA Guidelines designate the subject project as Categorical Exempt under Article 19, Section 15301, Class 1 (*Existing Facilities*). This project is located at 3040 West Avenue 35.

The project is for the remodel and total addition of 397.12 square feet to an existing one (1)-story, 1,305.96 square foot single-family dwelling (including a 247.80 square foot garage). The project also includes a new 636.93 square foot covered terrace in the rear.

The site is zoned RD2-1-CDO and has a General Plan Land Use Designation of Low Medium II Residential. As shown in the case file, the project is consistent with the applicable Northeast Los Angeles Community Plan designation and policies and all applicable zoning designations and regulation. The subject site is wholly within the City of Los Angeles, on a site that is approximately 8,808.4 square feet. Lots adjacent to the subject site are developed with single-family dwellings. 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. According to the Tree Disclosure Statement dated September 1, 2023 there are no Protected Trees/Shrubs on-site or within the adjacent public right-of-way. A part of the project, two (2) non-Protected Trees are proposed to be removed. Prior to any work on the 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 and the requirements of CEQA, Planning has analyzed the worst-case potential for removal of all street trees. Note, no street tree or Protected Tree may 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 CE, no approvals have been given for any tree removals on-site or in the public right-of-way.

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. These RCMs will ensure the project will not have significant impacts on noise and water. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a transportation study. Therefore, the project will not have any significant impacts to traffic or transportation. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. The project site will be adequately served by all public utilities and services given that the construction of an addition to an existing single-family dwelling will be on a site which has been previously developed and is consistent with the General Plan.

There are six (6) Exceptions which the City is required to consider before finding a project exempt under Class 15303 and 15332: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

While the subject site is located within the Hollywood Fault, Urban Agriculture Incentive Zone, and Special Grading Area (BOE Basic Grid Map A-13372), specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. Regulatory Compliance Measures (RCMs) include compliance with the Building Code and the Noise Ordinance. These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment the project is located. Thus, the location of the project will not result in a significant impact based on its location. As mentioned, the project proposes an addition to an existing single-family dwelling in an area zoned and designated for such development. All adjacent lots are developed with low medium II residential uses, and the subject site is of a similar size and slope to nearby properties. The project proposes a maximum floor area of 1,703.08 square feet on a site that is permitted to have a maximum floor area of 2,642.52 square feet. A one (1)-story dwelling is not unusual for the vicinity of the subject site and is similar in scope to other existing single-family dwellings in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment. Additionally, 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 24 miles to the east of the Topanga Canyon State Scenic Highway. Therefore, the subject site will not create any impacts within a designated as a state scenic highway. Furthermore, 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. 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. Finally, the City does not choose to treat the site as a historic resource. 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.