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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

AA-2019-7116-PMLA-SL-HCA

LEAD CITY AGENCY

**City of Los Angeles (Department of City Planning)**

CASE NUMBER

ENV-2019-7117-CE

PROJECT TITLE

3820 West Roble Vista Drive

COUNCIL DISTRICT

4 – Raman

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

**3820 West Roble Vista Drive**

PROJECT DESCRIPTION:

Additional page(s) attached.

The subdivision of one (1) lot, totaling approximately 11,611 square feet into two (2) small lots ranging from 3,336.45 to 8,275.01 square feet each, for the construction, use, and maintenance of two (2) small-lot single-family dwelling units (Lot A and Lot B) in the RD1.5-1XL zone. There are five (5) protected trees on-site and two (2) protected trees located on the neighboring property. The proposed project includes the removal of two (2) protected trees and the replacement planting of eight (8) new Oak Trees. The proposed project includes a haul route for the export of approximately 1,715 cubic yards of earth.

NAME OF APPLICANT / OWNER:

**VMFLARE, LLC; Victor Fressie (Applicant / Owner)**

CONTACT PERSON (If different from Applicant/Owner above)

**Tony Russo (Representative)**

(AREA CODE) TELEPHONE NUMBER

(408) 655-0998

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 15303, Class 3; Section 15315, Class 15; and Section 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

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

Yamillet Brizuela, AICP *Yamillet Brizuela*

STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

Preliminary Parcel Map, Small Lot Development

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021

**DEPARTMENT OF  
CITY PLANNING**

COMMISSION OFFICE  
(213) 978-1300

CITY PLANNING COMMISSION

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## JUSTIFICATION FOR CATEGORICAL EXEMPTION CASE NO. ENV-2019-7117-CE

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The Department of City Planning determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act and the State CEQA Guidelines designate the subject Project as Categorically Exempt under Section 15303 (Class 3), Section 15315 (Class 15), and Section 15332 (Class 32), Case No. ENV-2019-7117-CE, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

### **Project Description**

The proposed project includes for the subdivision of one (1) lot into two (2) small lots on a 11,611 square-foot lot; and the construction, use and maintenance of two (2) single-family dwellings each with a maximum height of 45 feet. The two (2) units will each be three (3) stories in height with two (2) parking spaces per small lot development for a total of four (4) parking spaces. The two (2) small lot dwelling units are comprised of one (1) unit totaling 2,590.76 square feet of floor area, one (1) unit totaling 3,121.66 square feet of floor area. The project will also include a roof deck on each home. The site is vacant with a total of five (5) protected trees. Two (2) of the total protected trees will be impacted by the proposed project and three (3) of the total protected trees will be retained and protected in place. Vehicular access will be from Roble Vista Drive. The number of units and size is not unusual for the vicinity of the subject site and is similar in scope to other existing multi-family dwellings in the area. According to the Tree Report prepared by Lisa Smith, License Number #WE3782, dated November 9, 2019, there are five (5) protected trees onsite and two (2) protected trees that are located on the neighboring property. The Applicant proposes to remove two (2) existing protected trees on site and is subject to a replacement at a 4:1 ratio or to the satisfaction of the Urban Forestry Division. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

In conjunction with the construction of subdivision and construction of two (2) small-lot single family dwelling units, the Applicant requests the approval of a haul route for the export of approximately 1,715 cubic yards of earth. Construction of the project will require grading (BHO exempt and non-exempt) consisting of a total cut of 1,745 cubic yards of soil and a total fill of approximately 30 cubic yards of soil, resulting in total export of 1,715 cubic yards of soil.

Additionally, the Applicant proposes the following:

Location of Staging Area: 3820 West Roble Vista Drive

Location of Disposal Site for Exported Soil: Scholl Canyon Landfill

**CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions**

The City has considered whether the Proposed Project is subject any of the six (6) exceptions that would prohibit the use of a categorical exemption as set forth in State CEQA Guidelines Section 15300.2. There are six (6) Exceptions which must be considered in order to find a project exempt under CEQA: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

**(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 impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except 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 subject site is located within the Hollywood Community Plan area, the Urban Agriculture Incentive Zone, the Alquist-Priolo Fault Zone, Hillside Area, Very High Fire Hazard Zone, and a Special Grading Area (BOE Basic Grid Map A-133752). The subject site is not located on or near an environmental resource that is precisely mapped, and officially adopted pursuant to federal, state, or local law.

Specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate the grading and construction of projects and will reduce any potential impacts to less than significant. In addition, roof and site drainage as well as sewer availability must comply with Bureau of Engineering and Bureau of Sanitation standards; and hydrants, Fire Department Access, and Fire Safety must be reviewed and approved by the Los Angeles Fire Department before permits can be issued. Thus, in conjunction with Regulatory Compliance Measures and compliance with other applicable regulations, the location of the Project will not result in a significant impact based on its location.

**(b) 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.*

The project is located at 3820 West Roble Vista Drive within the Hollywood Community Plan area. There is not a succession of known projects of the same type and in the same place as the subject project.

There is currently only one (1) project dating back to May 22, 2024, which is either currently filed with the Department of City Planning or has received a Letter of Determination from the Department of City Planning but has yet to receive a Certificate of Occupancy from the Los Angeles Department of Building and Safety (LADBS). As such, there is one project within a quarter-mile of the same type and in the same place as the subject project at the time of filing:

PROJECTS WITHIN A QUARTER-MILE FROM THE SUBJECT SITE			
Address	Case Number	Date Filed	Scope of Work
2919 N ST GEORGE ST	VTT-84528-SL-HCA	05/22/2024	New 6-unit residential project

According to SCAQMD, individual construction projects that do not exceed the SCAQMD’s recommended daily thresholds for project-specific impacts would not cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment. 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. Construction-related daily emissions at the project site would not exceed SCAQMD's regional or localized significance thresholds. Therefore, the project's contribution to cumulative construction-related regional emissions would not be cumulatively considerable and therefore would be less than significant. Construction of the project also would have a less-than-significant impact with regard to localized emissions.

As noise is a localized phenomenon and decreases in magnitude as the distance from the source increases, only projects and ambient growth in the nearby area could combine with the proposed project to result in cumulatively considerable noise impacts. These above-noted projects will begin construction and end construction at different timelines, with minor overlap between projects. Thus, the construction of these known projects will be staggered and therefore do not have the potential to cumulatively contribute to air quality, construction traffic, and noise levels.

- (c) Significant Effect.** *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.*

As mentioned, the applicant proposes two (2) small lot dwelling units in an area zoned and designated for such development. All adjacent lots are developed with multifamily and single-family dwellings and the subject site is of a similar size and slope to nearby properties. The proposed project includes the subdivision of one (1) lot, totaling approximately 11,611 square feet into two (2) lots with Lot A totaling approximately 8,275.01 square feet and Lot B totaling approximately 3,336.45 square feet, for the construction, use and maintenance of two (2) small-lot single family dwellings. The applicant proposes for Lot A to have an FAR of 0.31:, while the applicant proposed Lot B to have an FAR of 0.94:1 which both small lots are within the maximum 3.0:1 FAR otherwise permitted by the RD1.5-1XL zone. The proposed small lot developments will be three (3)-stories, with parking garages located at the ground level of each small lot development in an area that is currently developed with buildings that range in height from one (1) - to three (3) stories. The proposed small lot developments will not be unusual for the vicinity of the subject site and will be similar in scope to future residential buildings in the area that use the Small Lot Ordinance. Thus, there are no unusual circumstances that may lead to a significant effect on the environment.

- (d) 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.*

As it relates to development along a 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 17 miles to the west of the subject property. Therefore, the subject site will not create any impacts within a designated state scenic highway.

- (e) 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.*

In regards to Hazardous Waste sites, 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. As such, the project would not be developed on a site identified as a hazardous site pursuant to Section 65962.5 of the Government Code.

- (f) 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 is currently vacant, and therefore, 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.

### **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 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.

**(a) The project is consistent with applicable general plan designation, applicable policies, and applicable zoning designations.**

The subject site is located within the Hollywood Community Plan. The site is zoned RD1.5-1XL and has a General Plan Land Use Designation of Low Medium I Residential. As shown in the case file, the project is consistent with the applicable Hollywood Community Plan designation and policies and all applicable zoning designations and regulations in conjunction with the Small Lot Ordinance.

**(b) The proposed development occurs within city limits on a project site 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 0.27 acres. The surrounding area is characterized by level topography, improved streets and residential uses. Properties adjacent to the north, west, and east are zoned RD1.5-1XL and are developed with single-family and multi-family residences. The properties to the south of the property are zoned RD1.5-1XL and RE9-1 and are developed with single-family dwellings and religious uses.

**(c) The project has no value as a habitat for endangered species, 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. According to the Tree Report prepared by Lisa Smith, Licensed Arborist #WE3782, dated November 9, 2019, there are five (5) protected trees onsite and two (2) protected trees that are located on the neighboring property. The project proposes to remove two (2) existing protected trees onsite and is subject to a replacement at a 4:1 ratio or to the satisfaction of the Urban Forestry Division.

**(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. These RCMs will ensure the project will not have significant impacts on noise and water.

Furthermore, the City of Los Angeles Vehicle Miles Traveled (VMT) Calculator resulted in the proposed project having a net increase of 19 daily vehicle trips and a net increase of 147 daily VMT. Based on the VMT Calculator, the project is not required to perform VMT analysis under the VMT standards.

Moreover, the proposed project includes a haul route request for the export of up to 1,715 cubic yards earth. According to Navigate LA, within 500 feet of the subject site, there is no other haul route approved and no other haul route applications being processed.

The haul route approval for the proposed project will include RCMs and recommended conditions prepared by LADOT to be considered by the Board of Building and Safety Commissioners to reduce the impacts of construction-related hauling activity, monitor the traffic effects of hauling, and reduce haul trips in response to congestion. The applicant team submitted a Soils Report prepared by GeoConcepts Inc. on November 21, 2023, which was approved by LADBS Grading Division on February 13, 2024, Log No. 128778. Therefore, no foreseeable cumulative impacts are expected.

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. Therefore, the project would not result in any significant effects related to traffic, noise, air quality, or water quality.

**(e) The proposed project has been reviewed by City staff and 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 residential building will be on a site that has been previously developed and is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32. As the project has been found to be categorically exempt from CEQA, the project is not anticipated to have a negative effect on the environment and no mitigation measures are required.