



CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
CITY HALL 200 NORTH SPRING STREET LOS ANGELES CA 90012

Categorical Exemption

361 N La Brea Ave
Case Number: ENV-2024-5978-CE

Project Information

Date January 21, 2025

Project Location 361 N La Brea Avenue, Los Angeles CA 90036

Community Plan Area: Wilshire

Council District: 5 – Katy Young Yaroslavsky

Related Case # CPC-2024-5977-DB-VHCA

Lead Agency City of Los Angeles, Los Angeles City Planning
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CEQA Section 15332

Categorical Exemption Class 32 for In-Fill Development Projects

CEQA, or the California Environmental Quality Act, is a statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. Categorical Exemptions are descriptions of types of projects which the Secretary of the Resources Agency of the State of California has determined do not have a significant effect on the environment, and therefore are not subject to further environmental review under CEQA.

The Class 32 exemption (Section 15332 of the State CEQA Guidelines) is intended to promote infill development within urbanized areas. To qualify for the exemption, it must be demonstrated that the proposed project can meet the five prescribed findings. Below is a list of the five prescribed findings and how the proposed project complies with each of them.

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

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 proposed project substantially conforms with the purpose, intent and provisions of the General Plan and Wilshire Community Plan. The General Plan, which includes the Housing Element and Land Use Element, encourages multi-family projects with affordable housing uses along transit corridors. As a result, the proposed project is desirable because it provides residential units on commercial zoned property that can support residential and commercial land uses that are nearby transit.

By proposing a high-quality, well-designed multi-family project with 40 residential units, 5 units of which will be affordable at the Very Low Income, in an area zoned for such a development, the proposed project meets various goals and objectives of the Housing Element 2021-2029.

The project is in compliance with the following Elements of the General Plan: Framework Element, Housing Element, Mobility Element and the Land Use Element Wilshire Community Plan.

Framework Element

The Citywide General Plan Framework Element is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The Element establishes categories of land use that are broadly described by ranges of intensity/density, heights, and lists of typical uses. The definitions reflect a range of land use possibilities found in the City's already diverse urban, suburban, and rural land use patterns. The Citywide General Plan Framework text defines policies related

to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The proposed project would be in conformance with the following goals of the Framework as described below.

Chapter 3: Land Use

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicle trips, vehicle miles traveled, and air pollution.

Policy 3.2.2: Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.

Policy 3.2.3: Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.

Policy 3.2.4: Provide for the siting and design of new development that maintains the prevailing scale and character of the City's stable residential neighborhoods and enhance the character of commercial and industrial districts.

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

Objective 3.7: Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.

Policy 3.7.4: Improve the quality of new multifamily dwelling units based on the standards in Chapter 5 Urban Form and Neighborhood Design Chapter of this Element.

Objective 3.9: Reinforce existing and encourage new community centers, which accommodate a broad range of uses that serve the needs of adjacent residents, promote neighborhood and community activity, are compatible with adjacent neighborhoods, and are developed to be desirable places in which to live, work and visit, both in daytime and nighttime.

Objective 3.15: Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.

Policy 3.15.3: Increase the density generally within one quarter mile of transit stations, determining appropriate locations based on consideration of the surrounding land use characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy 3.1.6.

Chapter 4: Housing Chapter

Objective 4.2: Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher density developments and surrounding lower density residential neighborhoods.

Policy 4.2.1: Offer incentives to include housing for very low- and low-income households in mixed-use developments.

Chapter 5: Urban Form and Neighborhood Design Chapter

Objective 5.2: Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community, or the region.

Objective 5.5: Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.

Chapter 7: Economic Development

Objective 7.9: Ensure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range, access to local services and access to transportation, to accommodate future population growth and enable a reasonable portion of the City's work force to both live and work in the City.

Policy 7.9.1: Promote the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental to the City's fiscal structure.

Policy 7.9.2: Concentrate future residential development along mixed-use corridors, transit corridors and other development nodes identified in the General Plan Framework Element, to optimize the impact of City capital expenditures on infrastructure improvements.

The Framework Element establishes land use categories whose locations are depicted on the Long-Range Land Use Diagram. These categories are broadly described by ranges of intensity, density, height, and use. The project site is within the Wilshire Community Plan with the land use designation of General Commercial. Neighborhoods within these land use designations typically contain a mix of commercial uses, multi-family uses and mixed-use buildings.

The proposed project involves the construction of a 6-story, mixed-use project that includes 40 dwelling units and 2,143 sq ft of commercial space on the ground floor. The multi-family portion would result in a net increase in housing, including affordable housing for Very Low-Income Households, in the Wilshire Community, which would help meet the anticipated growth in demand for housing within the area and the City. The project

proposes the development of infill multi-family development within an existing urbanized setting with a diversity of land uses, is within an area well-served by existing transit routes and would provide bicycle parking spaces in compliance with the LAMC’s requirements. As a result, this will reduce car dependency for trips and contribute to greater quality of life and air quality. This serves to create a vibrant pedestrian experience that enhances the surrounding community.

Transit Type	Transit Name	Transit Stop	Distance (feet)	Walk Time (min)	Bicycle Time (min)
Local Bus (15 min)	Metro 212	La Brea Oakwood	100	0.4	0.1
Commuter	AVTA 786	La Brea/Beverly	500	1.8	0.6
Local Bus (15 min)	Metro 14/37	Beverly/La Brea	600	2.2	0.7
Local Bus	Metro 10/48	La Brea/Melrose	1,850	6.8	2.2
Local Bus (15 min)	Metro 16	La Brea/3rd	3,250	11.9	3.8
Subway	Metro D/Purple Line (will open in 2025)	Wilshire/La Brea	5,280	19.4	6.3

Total Transit Opportunities: 6

The project site offers several transit options that will serve future residents and visitors while aligning with the City’s overall objective of encouraging multi-family housing near transit, including the Metro 14 (Beverly) and Metro 212 (La Brea), which qualify the intersection of Beverly and La Brea as a Major Transit Stop. The site is approximately 600 feet away from said intersection.

The buses listed above provide access to many areas within the city. The proposed project will not only concentrate multi-family development near existing transit stops but will provide opportunities to increase the amount of pedestrian activity. By increasing density for Angelenos near major transit stops, the proposed project would be consistent with the Framework Element.

Housing Element

The Regional Housing Needs Assessment (RHNA) is the State required process to ensure cities and counties are planning for enough housing to accommodate all economic segments of the community. For this current Housing Element 6th cycle (2021-2029), the regional Southern California Association of Governments (SCAG) issued a target of 456,643 housing units for the entire City of Los Angeles, of which 184,721 units (40%) are designated for very low-and low-income households.

When the City submitted their Housing Element to the California Department of Housing and Community Development (HCD) for approval in February of 2022, HCD rejected it¹. HCD informed the City that it must re-zone more quickly to comply with stricter state laws that are aimed at more development across California. Under the ruling, the city must rezone for 255,000 new homes by mid-October, instead of over the next three years. Accordingly, the Department of City Planning and the Los Angeles Housing Department

¹California Department of Housing and Community Development, <https://planning.lacity.org/documentf058cf1b-ce3a-4e10-ad079972e24585e2/HCDcommentLetter.pdf>

worked together to address the feedback received from HCD and to prepare targeted amendments to address the new Affirmatively Furthering Fair Housing (AFFH) requirements.

The Los Angeles City Council adopted the targeted amendments to the 2021-2029 Housing Element (approved on June 14, 2022 via Council File No. 21-1230-S1). The amended Housing Element was provided to HCD immediately after its adoption for review and certification². On June 29, 2022, HCD confirmed that the amended Housing Element is in full compliance with State Housing Element Law³.

The Housing Element identified five primary goals that would guide the Element:

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

Objective 1.1: forecast and plan for existing and projected housing needs over time with the intention of furthering Citywide Housing Priorities.

Goal 2: A City that preserves and enhances the quality of housing and provides greater housing stability for households of all income levels.

Objective 1.2: facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities

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.

Goal 4: A City that fosters racially and socially inclusive neighborhoods and corrects the harms of historic racial, ethnic, and social discrimination of the past and present.

Objective 4.1 ensure that housing opportunities are accessible to all residents without discrimination on the basis of race, color, ancestry, sex, national origin, color, religion, sexual orientation, gender identity, marital status, immigration status, family status, age, intellectual, developmental, and physical disability, source of income and student status or other arbitrary reason.

Goal 5: A City that is committed to preventing and ending homelessness.

Objective 4.2 promote outreach and education on fair housing practices and accessibility among residents, community stakeholders and those involved in the production, preservation and operation of housing

The proposed project will not demolish any existing housing units and will build 33 residential dwelling units. Through utilizing the State Density Bonus Law (SDBL), the applicant will be setting aside 16% or 5 units to Very Low Income households. The project will result in a net increase of 40 dwelling units on the site in close proximity to jobs, transit and other amenities (see section (b) below and the Surrounding Area subsection of the

² Los Angeles Housing Element 2021-2029, news: <https://planning.lacity.org/plans/policies/community-plan-update/housing-elements-news/city-council-adopts-targeted-amendments>

³ California Department of Housing and Community Development: <https://planning.lacity.org/odocument/c30f832f-9f9-47ff-bcc0-69f33b197a11/LaCity/AdoptedIN062922>.

Context section of the Background & Findings document in the main case file). The Housing Element encourages more housing units to accommodate the City's projected growth and envisions a variety of unit types and sizes and amenities that can satisfy the needs and demand of people of all income levels, races, and ages. The Housing Element indicates that not only are more housing units needed to accommodate the City's growth, but that these units need to be a broader array of typologies to meet evolving household types and sizes. The project will offer a range of apartment types and sizes, with a mix of one and two-bedroom units. To ensure the livability of these housing units, the project includes 4,832 square feet of open space for residents, including a recreation room, a central courtyard and a rooftop deck. In addition, by setting aside 16% of the base density as restricted affordable units with 5 Very Low Income units, the proposed project will be achieving the Housing Element goal of promoting mixed-income developments in transit-oriented communities.

The Housing Element encourages higher density developments adjacent to transit corridors and especially in proximity to employment centers, as demonstrated in the Surrounding Area section above. Due to the site's proximity to major employment centers, the project is in furtherance of "It is the overall housing vision of the City of Los Angeles to create housing opportunities that enhance affordability, equity, livability and sustainability by remedying discriminatory housing practices and creating a city with a range of housing types, sizes, and costs in close proximity to jobs, transit, amenities, and services. In keeping with a fundamental belief that housing is a human right, the City will work towards ensuring that housing stability and affordability is provided to all residents."⁴ The project is near La Brea Ave and Beverly Blvd, classified as an Avenue I and Modified Avenue II by the Mobility Plan 2035. The project site is near multi-modal corridors served by several bus lines including Metro lines 14/37 and the Metro 10/48 and AVTA 786 lines. Since the proposed project is comprised of 40 residential apartment units, including 5 affordable housing units, all within walking and biking distance of several transit opportunities, it meets the Housing Element's stated goals, objectives, and policies.

Mobility Element

The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities. The Mobility Element sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. The proposed project would be in conformance with following goals of the Housing Element as described below.

Chapter 3: Access for All Angelenos

Objective: *Ensure that 90 percent of households have access within one mile to the Transit Enhanced Network by 2035.*

Policy 3.3: *Promote Equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.*

Policy 3.8: *Provide bicyclists with convenient, secure, and well-maintained bicycle parking facilities.*

The proposed multi-family building is a pedestrian-oriented development that provides affordable and market-rate housing in proximity to several transit options. As previously

⁴ "Housing Goals, Objectives, Policies and Programs" of the Housing Element – page 20 of the Executive Summary

mentioned, the project site is located within ½ mile of an intersection serving the Metro 14/37 and Metro 212 with 15-minute headways at the peak hours. The site is also near several other transit stops, as detailed in the transit table above. These transit stations provide access to employment centers and jobs, local and regional destinations, and other neighborhood services for project residents. The proposed project will also allow for reduction of vehicle trips by placing high density residential within proximity to public transit. The project is consistent with the Mobility Element because residents will have easy access to work opportunities and essential services, and greater mobility is assured by the plentiful transit options offered by the Metro and other providers. Furthermore, the location of the ground floor residential lobby will facilitate a pedestrian-oriented environment by providing transparency at the street level, and activating the streets with greater pedestrian activity, as residents will be encouraged to walk and use public transit. In addition, the Mobility Plan incorporates the complete streets principles to accommodate all modes of transportation including foot traffic and bicyclists. The project also provides 43 bicycle parking spaces within a convenient, secure, and easily accessible parking facility. As such, the project conforms to the goals, objectives, and policies of the Mobility Element.

Land Use Element – Wilshire Community Plan Area

The Wilshire Community Plan was adopted by the City Council on September 19, 2001. The Community Plan’s purpose is “preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of housing opportunities while compatible new housing”, while “improving the function, design and economic vitality of the commercial corridors” as well as “maximizing the development opportunities of future transit systems while minimizing any adverse impacts”. The proposed project would be in conformance with following goals of the Land Use Element as described below.

Residential

Goal 1 – *Provide a safe, secure, and high quality residential environmental for all economic, age, and ethnic segments of the Wilshire 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 expected new residents in the Wilshire Community Plan Area to the year 2010.*

Policy 1-1.2 – *Promote neighborhood preservation in all stable residential neighborhoods.*

Policy 1-1.3 – *Provide for adequate Multiple Family residential development.*

Objective 1-2 – *Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.*

Policy 1-2.1 – *Encourage higher density residential uses near major public transportation centers.*

Objective 1-3 – *Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.*

Policy 1-3.1 – Promote architectural compatibility and landscaping for new Multiple Family residential development to protect the character and scale of existing residential neighborhoods.

Policy 1-3.2 – Support historic preservation goals in neighborhoods of architectural merit and/or historic significance.

Objective 1-4 – Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped 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 Wilshire Community Plan designates the site for General Commercial. The zoning designation for the subject site is C2-1VL. The C2-1VL zone allows up to 28 base dwelling units on the project site based on the lot area. The SDBL allow a 35 percent increase in the base density. The subject SDBL project meets all the criteria to qualify for the requested incentives and allows the proposed 35 market rate units and 5 Very Low Income units.

The project proposes a mixed-use development in an area that is close to a variety of transit stations (see table above), connecting the project site to other regional and local destinations as well as employment centers and retail services. The project will contribute to the Wilshire area as a high-density, mixed-use development that provides housing for residents of the area. The project provides adequate usable open space that is thoughtfully designed to provide active open space options for the future users of the building.

This project involves the construction of a 6-story, multi-family project that includes 40 dwelling units. The multi-family project would develop a net increase in housing, including affordable housing for Very Low Income households in the Wilshire community, which would help meet the anticipated growth in demand for housing within the area and the City. The design of the ground floor enhances the pedestrian experience by having greater transparency, more glazing and eyes on the street, creating a safer and more interesting edge to walk along. The residential lobby on Oakwood Ave serves as the main entrance to the project. The ground floor of the structure also fortifies the street identity and character by enhancing the sustainability of the living environment.

The project site is not located in a Special Grading Area (BOE Basic Grid Map A-13372), Very High Fire Severity Zone, Fire District No. 1, Flood Zone, Alquist-Priolo Fault Zone, Liquefaction Zone, or a Landslide area. While the project is located within a Methane Zone, Regulatory Compliance Measures (RCMs) will ensure that the proposed development will be constructed in such a manner to minimize any potentially significant impacts. LADBS requires a methane specialist to prepare a report using on-site testing to identify methane intrusion emanating from geologic formations. RCM's required by the City of Los Angeles pertaining to ventilation and methane gas detection systems must be built into the design of the project based on the report's findings. As such, there will be no significant impacts related to methane. Considering the project site location and relevant RCMs to avoid potential impacts in special overlays, it can be found that the site is suitable for multi-family development.

The proposed project is well-designed and meets the applicable Citywide Design Guidelines⁵. The massing, articulation, colors and materials of the building have been thoughtfully designed to appear visually interesting. The proposed development features a strong façade rhythm through its placement and design of balconies, materials and colors. The use of large clear glass windows and ground floor lighting enhances neighborhood safety while maintaining visual connection between interior and exterior. Additionally, the ground floor entryway and landscaping will create an active street presence and pedestrian scale.

In light of the information presented, it can be found that the project is consistent with the applicable general plan designation and all applicable general plan 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 project is comprised of three lots totaling 10,393 sq ft (or 0.23 acres) which is well below the 5-acre threshold.

Significant and notable land uses near the subject property include:

- Cedars Sinai Hospital
- Miracle Mile
- The Grove
- Beverly Center
- Hollywood
- West Hollywood

Adjacent properties to the subject property include:

Direction	Zone	Use
Northwest	R1V2	SFD
North	C2-1VL	2-Story Furniture Store
Northeast	C2-1VL	1-story Bank
East	C2-1VL	2/3-story Synagogue
South	C2-1VL	1-story Jewelry Store
Southwest	R2-1	2-Story Duplex
West	R2-1	2-Story Duplex

The table above describes the uses that are directly adjacent as well as within the surrounding area. It is indicative of the uses seen near transit corridors within a further radius as well. The site is located near several arterial streets including La Brea Ave, Melrose Ave, and Beverly Blvd. Therefore, the site can be characterized as being substantially surrounded by urban uses.

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

The project is situated in an established, built out, residential neighborhood on a major commercial corridor and near other large employment centers. The immediate vicinity is

⁵ See compliance with Citywide Design Guidelines within the case file

fairly urbanized and is comprised of commercial and residential structures, transit and arterial corridors. The site is currently fully developed with a one-story commercial building and associated parking. The subject property does not have reported occurrences of special-status species in the California Natural Diversity Database (CNDDDB) maintained by the California Department of Fish and Wildlife (CDFW). The project site does not include riparian areas or other sensitive plant communities. According to the United States Fish and Wildlife Service Information for Planning and Consultation Tool, the project site does not contain critical habitats for any endangered, rare, or threatened species.

NavigateLA and the Los Angeles City Planning Department's Environmental and Public Facilities map for Significant Ecological Areas show that the subject site is not located in any of these areas.

Therefore, it can be found that 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:

Traffic

Per the attached City of Los Angeles VMT Calculation Project Screening Criteria, the project generates less than 250 net daily trips, which is the threshold that determines whether a traffic study is required. DOT staff has reviewed and signed the DOT Referral Form on June 14, 2024 verifying that this information is accurate. As such, the project will not have any significant impacts relating to traffic.

Noise

A technical report⁶ was prepared by DKA Planning that analyzed potential noise impacts due to project's on-site construction activities, off-site construction activities, on-site operational noise sources, and off-site operational noise sources. The report concluded that due to Regulatory Compliance Measures, the project scope, design, and site surroundings, the Project would not result in any significant noise impacts and no mitigation measures are required.

Air Quality

A technical report⁷ was prepared by DKA Planning that analyzed potential air quality impacts due to the project's construction activities and operational sources. The report concluded that due to Regulatory Compliance Measures, the project scope, design, and site surroundings, the Project would not result in any significant noise impacts and no mitigation measures are required.

Water Quality

The development of the project would not result in any significant effects relating to water quality. The project is not adjacent to any water sources and does not involve extensive excavation that might have an impact on the water table. Therefore, construction of the project will not create any impact on water quality. Furthermore, the project will comply with the City's storm water management provisions per LAMC 64.70.

⁶ See Noise Technical Report prepared by DKA Planning dated July 2024

⁷ See Air Quality Technical Report prepared by DKA Planning dated August 2023

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

The site is currently being served adequately by the City's Department of Water and Power, the City's Bureau of Sanitation, the SoCal Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, and many other public services. The utilities and public services have been servicing the neighborhood continuously for over 50 years. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these new building codes that are required of all projects, it can be anticipated that the project will not create any impact on existing utilities and public services through the net addition of 40 dwelling units.

**CEQA Section 15300.2
Exceptions**

Categorical Exemptions are descriptions of types of projects which the Secretary of the Resources Agency has determined do not usually have a significant effect on the environment. There are exceptions to the exemptions depending on the nature or location of the project. Projects that meet the following conditions are considered exceptions and do not qualify for a Categorical Exemption:

- (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 project is not utilizing Class 3, 4, 5, 6 or 11 and therefore does not meet this condition.

- (b) Cumulative Impact.** *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 cumulative impact analysis considers the potential impacts associated with implementation of the project in conjunction with other "related projects" within proximity of the project site. There are no related projects as identified by the City of Los Angeles within 1,500 feet of the project site⁸.

As discussed below, the project would not contribute to any significant cumulative impacts resulting from successive projects of the same type in the same place over time.

Land Use Plans and Zoning

The focus of this cumulative impacts analysis is on the combined impact of the project and the related projects, including consistency with land use plans and zoning. Development of the related projects is expected to occur in accordance with adopted plans and regulations.

⁸ Communication from DKA Planning (see Air Quality Study) with Ira Rodriguez, Transportation Engineering Associate II; City of Los Angeles Department of Transportation; July 2, 2024

It is also reasonably anticipated that most of the related projects would be designed and/or conditioned to be compatible with the zoning and land use designations of each related project site and its existing surrounding uses. In addition, it is reasonable to assume that the related projects under consideration in the surrounding area would implement and support local and regional planning goals and policies. Therefore, cumulative land use impacts would be less than significant.

Endangered, Rare, or Threatened Species

The project site contains a fully built out urban use that is completely surrounded by urban uses. The project site has been subject to substantial disturbance associated with the construction of the existing structure. As such, the project site does not exhibit potential to support endangered, rare, or threatened plant species.

The project site is disturbed and fully built out, relative to the presence of natural habitats, and surrounding areas are entirely developed; therefore, the project site does not provide potential habitat for endangered, rare, or threatened animal species. Some examples of these disturbances that deter animals include complete absence of native habitats or vegetation, substantial vehicle traffic, artificial lighting, regular vegetation maintenance, domesticated and feral dogs and cats, and pest management.

No special status habitats are present on the project site and there is no potential to occur.

Traffic

Per the attached City of Los Angeles VMT Calculation Project Screening Criteria, the project generates less than 250 net daily trips, which is the threshold that determines whether a traffic study is required. DOT staff has reviewed and signed the DOT Referral Form on June 14, 2024 verifying that this information is accurate. As such, the project will not have any significant impacts relating to traffic.

OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA* states the following regarding cumulative traffic impacts:

*Cumulative Impacts. A project's cumulative impacts are based on an assessment of whether the "incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." (Pub. Resources Code, § 21083, subd. (b)(2); see CEQA Guidelines, § 15064, subd. (h)(1).) When using an absolute VMT metric, i.e., total VMT (as recommended below for retail and transportation projects), analyzing the combined impacts for a cumulative impacts analysis may be appropriate. However, metrics such as VMT per capita or VMT per employee, i.e., metrics framed in terms of efficiency (as recommended below for use on residential and office projects), cannot be summed because they employ a denominator. A project that falls below an efficiency based threshold that is aligned with long-term goals and relevant plans has no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than-significant project impact would imply a less than significant cumulative impact, and vice versa. This is similar to the analysis typically conducted for greenhouse gas emissions, air quality impacts, and impacts that utilize plan compliance as a threshold of significance. (See *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 219, 223; CEQA Guidelines, § 15064, subd. (h)(3).)*

As discussed above, the project is screened out from further VMT analysis, as it is presumed the project would cause less-than-significant transportation impacts. For this

reason, the project's cumulative contribution to traffic impacts would also be less than significant.

Noise

The technical report⁹ prepared by DKA Planning analyzing potential noise impacts also analyzed potential cumulative impacts and reached a conclusion that no cumulative noise impacts would occur.

Air Quality

The technical report¹⁰ prepared by DKA Planning analyzing potential air quality impacts also analyzed potential cumulative impacts and reached a conclusion that no cumulative noise impacts would occur.

Water Quality

The project site and the related project are located in an urbanized area where all of the surrounding properties are already developed. The existing storm drainage system serving this area has been designed to accommodate runoff from an urban built-out environment. When new construction occurs, it generally does not lead to substantial additional runoff, since new development is required to control the amount, velocity, and quality of stormwater runoff coming from their respective site. Moreover, little if any additional cumulative runoff is expected from the project and the related project site, since the area is highly developed with impervious surfaces. Additionally, all new development in the City is required to comply with the City's LID Ordinance and incorporate appropriate stormwater pollution control measures into the design plans to ensure that water quality impacts are minimized. Therefore, the cumulative water quality impact of successive projects of the same type in the same place over time would not be significant. With respect to construction impacts, it is unknown whether any of the other development projects in the vicinity would have overlapping construction schedules with the project. However, similar to the project, any related projects would be required to comply with the City Building Code, NPDES requirements, etc. Assuming compliance with these regulatory requirements, similar to the project, the cumulative water quality impact during construction would be less than significant.

Utilities & Public Services

Water

Implementation of the related projects listed in the table above could result in a net increase in water consumption within LADWP's service area. Similar to the project, the water demand for those related projects that are consistent with the City's General Plan have been accounted for in the most recently adopted UWMP. The 2015 UWMP anticipates that the future water supplies would be sufficient to meeting existing and planned growth in the City to the year 2040 (the planning horizon required of 2015 UWMPs) under wet and dry year scenarios. The applicants of all projects within LADWP's service area would be required to consult with LADWP to determine the specific water supply needs of the project, appropriate water conservation measures to minimize water usage, and LADWP's ability to serve the project. In addition, the project would create the need for a fraction of one percent of the remaining capacity of the LAAFP, and would not result in any significant impacts related to water treatment. No new or upgraded treatment facilities would be required. As

⁹ See Noise Technical Report prepared by DKA Planning dated July 2024

¹⁰ See Air Quality Technical Report prepared by DKA Planning dated July 2024

such, the cumulative water impacts of successive projects of the same type in the same place over time would not be significant.

Wastewater

Implementation of the related projects listed in the table above would increase utilization of the HTP's available wastewater treatment capacity. Currently, the HTP has a typical remaining capacity of over 100 mgd of wastewater able to be treated at the HTP. Therefore, the project would create the need for a fraction of one percent of the remaining capacity of the HTP, and would not result in any significant impacts related to sewer treatment. No new or upgraded treatment facilities would be required. Moreover, with respect to wastewater infrastructure in the City, under the rules and regulations established in the City's Sewer Allocation Ordinance (Ordinance No. 166,060), the Bureau of Sanitation assesses the anticipated wastewater flows from development projects at the time of connection, and makes the appropriate decisions on how best to connect to the local sewer lines at the time of construction. The applicants for each of the related projects will be required to submit a Sewer Capacity Availability Request to verify the anticipated sewer flows and points of connection and to assess the condition and capacity of the sewer lines receiving additional sewer flows from the project and other cumulative development projects. If it is determined that the sewer system in the local area has insufficient capacity to serve a particular development, the developer of that project would be required to replace or build new sewer lines to a point in the sewer system with sufficient capacity to accommodate that project's increased flows. Each project would be evaluated on a case-by-case basis and would be required to consult with the Bureau of Sanitation (for projects within the City) and comply with all applicable City and State water conservation programs and sewer allocation ordinances. Therefore, the cumulative impact pertaining to wastewater infrastructure would be less than significant.

Solid Waste

Implementation of the project in combination with other projects within the Southern California region that are serviced by area landfills will increase regional demands on landfill capacities. Construction of the project and related projects generate construction and demolition waste, resulting in a cumulative increase in the demand for inert landfill capacity. Given the requirements of the Citywide Construction & Demolition Debris Recycling Ordinance (Ordinance No. 181,519), which requires all mixed construction and demolition waste generated within City limits be taken to a City-certified construction and demolition waste processor, it is anticipated that future cumulative development within the City would also implement similar measures to divert construction and demolition waste from landfills.

Operation of the project in conjunction with other projects within the Southern California region that are serviced by area landfills would generate municipal solid waste and result in a cumulative increase in the demand for waste disposal capacity at Class III landfills. The countywide demand for landfill capacity is continually evaluated by Los Angeles County through preparation of the County Integrated Waste Management Plan Annual Reports. Each Annual Report assesses future landfill disposal needs over a 15-year planning horizon. As such, the 2016 Annual Report (published September 2017) projects waste generation and available landfill capacity through 2031. Moreover, a State-mandated 75 percent landfill diversion rate is required by 2020, which would reduce the amount of solid waste being landfilled for the related projects. The project's estimated net increase in operational solid waste generation, in conjunction with the related projects, would represent an insignificant portion of the remaining landfill capacity serving the project area and would

not result in any significant impacts. Therefore, cumulative impacts from operational solid waste would be less than significant.

Natural Gas

Implementation of the project, in conjunction with the related projects, would increase demands for natural gas. Energy consumption by new buildings in California is regulated by the State Building Energy Efficiency Standards, embodied in Title 24 of the California Code of Regulations. The efficiency standards apply to new construction of both residential and non-residential buildings and regulate insulation, glazing, lighting, shading, and water- and space-heating systems. Building efficiency standards are enforced through the local building permit process. The City has adopted green building standards consistent with Title 24 as the LA Green Building Code. Similar to the project, related projects and future development must also abide by the same statutes, regulations, and programs that mandate or encourage energy conservation. SoCalGas is also required to plan for necessary upgrades and expansion to its systems to ensure that adequate service will be provided for other projects. Specifically, SoCalGas regularly updates its infrastructure reports as required by law. In addition, there is no evidence to suggest that SoCalGas will not be able to serve its service areas in the coming years. Therefore, cumulative impacts are less than significant.

Electricity

Implementation of the project, in conjunction with the related projects, would increase demands for electrical power. As discussed above, LADWP utilizes renewable energy sources and is committed to meeting the requirement of the RPS Enforcement Program to use at least 65 percent of the State's energy from renewables by 2036. All new development in California is required to be designed and constructed in conformance with State Building Energy Efficiency Standards outlined in Title 24. It is possible that implementation of the related projects, as well as other development in the LADWP service area, could require the removal of older structures that were not designed and constructed to conform with the more recent and stringent energy efficiency standards. Thus, it is possible that with implementation of some of the related projects and other development, the resulting demand for electricity supply could be the same or less than the existing condition. Nonetheless, the 2017 SLTRP considers a 20-year planning horizon to guide LADWP as it executes major new and replacement projects and programs. Through the SLTRP, LADWP undertakes expansion or modification of electrical service infrastructure and distribution systems to serve future growth in the City as required in the normal process of providing electrical service. Any potential cumulative impacts related to electric power service would be addressed through this process. Therefore, cumulative impacts related to electricity supply and infrastructure would be less than significant.

Fire Protection

Development of the project in combination with the related projects in the table above could result in a net increase in the number of residents and employees in the project area and could further increase the demand for fire protection services. Any new or expanded fire station would be funded via existing mechanisms (e.g., property and sales taxes, government funding, and developer fees) to which the project and cumulative growth would contribute. Similar to the proposed project, the related projects would be subject to the Fire Code and other applicable regulations of the LAMC including, but not limited to, automatic fire sprinkler systems for high-density buildings and/or residential projects located farther than 1.5 miles from the nearest LAFD Engine or Truck Company, assessment of available fire flow and required enhancements to existing infrastructure, and other recommendations

made by the LAFD to ensure fire protection safety. Through this process of compliance, the ability of the LAFD to provide adequate facilities to accommodate future growth and maintain acceptable levels of service would be ensured. Therefore, the cumulative impact to fire protection from successive projects of the same type in the same place over time would not be significant.

Police Protection

Implementation of the related projects listed in the table above could result in a net increase in the number of residents and employees in the project area and could further increase the demand for police protection services. The increased demands for additional LAPD staffing, equipment, and facilities would be funded via existing mechanisms (e.g., property taxes and government funding) to which the proposed project and related projects would contribute. Similar to the project, other projects served by LAPD would implement safety and security features per the City's Crime Prevention through Environmental Design Guidelines¹¹. Therefore, the cumulative impact to police protection from successive projects of the same type in the same place over time would not be significant.

Schools

The related projects listed in the table above could result in an increase in the number students in the project site area. However, payment of developer impact fees in accordance with SB 50 and pursuant to Section 65995 of the California Government Code would ensure that the impacts of the project on school facilities would be less than significant. Similar to the project, the related projects would be required to pay school fees to the appropriate school district wherein their site is located. The payment of school fees would fully address any potential impacts to school facilities by the proposed project or the related projects. Therefore, cumulative impacts would be less than significant.

Recreation & Parks

The related projects listed in the table above could result in an increase demand for parks. Development projects that include residential land uses would be subject to the City's parkland fees (e.g., Quimby Fees and/or Park and Recreation fees) and to minimum open space requirements, ensuring that any potential impacts to parks would be less than significant. The payment of fees would address potential impacts to park and recreational facilities by the proposed project or the related project. Employees generated by the commercial projects and the commercial portions of mixed-use projects on the related projects list would not typically enjoy long periods of time during the workday to visit parks. Additionally, it is expected that the majority of the employees of the commercial projects live within a reasonably close distance to said projects. Thus, these related-project-generated employees would not substantially contribute to the future demand for parks. Therefore, the cumulative impact would be less than significant.

Libraries

Implementation of the related projects listed in the table above could increase the demand for library services in the project site area. The related residential projects would be subject to the standards to determine demand for library facilities used by the City. However, library funding is now mandated under the City Charter to be funded from property taxes including those assessed against the project, which would increase with new development. The project as well as the related projects within the City would be required to pay these fees

¹¹ City of Los Angeles Design Out Crime Guidelines: Crime Prevention through Environmental Design, November 1997: https://planning.lacity.org/policyinitiatives/CPTED/CPTED_Guidelines.pdf

as applicable. As such, the demand for library services created by these residential projects could be accommodated, and impacts would be less than significant. Therefore, the cumulative impact to libraries from successive projects of the same type in the same place over time would not be significant.

- (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.*

There are no unusual circumstances with the project site or the proposed project that would create a reasonable possibility of significant effects to the environment. The project site is located within a highly urbanized setting, and the site would be developed from a single-story commercial building to a mixed-use development, which is a typical urban land use appropriate for the area. As stated in condition (a) of the Class 32 findings, above, the project would be consistent with the City's underlying zoning and land use designation. The project will utilize conventional construction methods to demolish the existing improvements and to build the proposed project. The site is substantially surrounded by similar projects and is characterized as a flat parcel that is not within any environmentally or biologically sensitive areas as mapped or designated by Federal, State or local agencies. The project is not located in a hazardous zone such as a flood zone or liquefaction. While the project is located within a Methane Zone, Regulatory Compliance Measures (RCMs) will ensure that the proposed development will be constructed in such a manner to minimize any potentially significant impacts. LADBS requires a methane specialist to prepare a report using on-site testing to identify methane intrusion emanating from geologic formations. RCM's required by the City of Los Angeles pertaining to ventilation and methane gas detection systems must be built into the design of the project based on the report's findings. As such, there will be no significant impacts related to methane. Considering the project site location and relevant RCMs to avoid potential impacts in special overlays, it can be found that the site is suitable for multi-family development. Additionally, the project site is not located in a designated "environmentally sensitive area" (see condition (c) of the Class 32 findings above) or other overlay that would denote special circumstances.

Moreover, as stated above, the project would not result in any project-specific or cumulative traffic, noise, air quality, or water quality impacts. The proposed land uses are consistent and compatible with the site's urban setting and are typical for an infill development located near transit and on a major City thoroughfare. Therefore, as there are no unusual circumstances regarding the proposed project or project site, the exception is not applicable to the project.

- (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. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.*

La Brea Ave is not officially designated as a State scenic highway, and there are no officially designated scenic highways in the immediate vicinity of the project site. As such, no damage will result to any scenic resources.

- (e) **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.*

The property is not included on any list compiled pursuant to Section 65962.5 of the Government Code. However, a Phase I ESA Report, dated April 15, 2022, found that between 1928 and the 1950's, auto and gasoline services were provided on the site. As such, a Phase II was recommended for further testing. A Phase II ESA Subsurface Investigation by ENCON in July 2022 was conducted to evaluate the potential impact of automotive petroleum hydrocarbons and volatile organic compounds to soil and soil gas from the former gas service station that operated at the subject site between 1928 and 1953, as well as the recent Hertz Rental car wash clarifier activities based on the findings and recommendations provided in the Partner Phase I ESA Report, dated April 15, 2022. While the study found that there is not significant release from the former gas station and auto service operations, it only provided clearance for future commercial use. As such, a Phase II ESA Addendum was carried out in July of 2024 to evaluate the current commercial subject site environmental conditions for residential redevelopment planning purposes. The study found that based on the Phase II ESA Soil and Soil Gas Investigation findings and evaluations, the subject site can be classified as a low environmental risk site that poses no significant threat to the environment or State groundwater beneath the subject site, or to the occupants and public health at this time for the current commercial retail use. With regard to future residential development, the study does not anticipate a significant threat to indoor air quality and will not pose an elevated health risk to the occupants, workers or public for any residential new development in the future. The subject site is a low environmental vapor intrusion risk site, and the vapor intrusion assessment results suggest that the subject site present site environmental conditions are acceptable and safe for the future residential redevelopment use purposes.

- (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.*

Research was carried out utilizing a variety of sources to identify if the existing commercial building had any potential historic considerations. In January of 2015, the Historic Resources Survey Report for the Wilshire Community Plan Area was completed as part of the SurveyLA program for the City of Los Angeles. After review of the report and its subsections, Individual Resources, Non-Parcel Resources, Historic Districts, Planning Districts and Multi-Property Resources, no reference was found to the subject property. A review of the City of Los Angeles' Zone Information and Map Access System concludes that the existing improvements are not listed in any local, state or national register. Additionally, the subject property was searched against the City's Historic Places LA information system and no results were found that indicate the existing improvements contain any historic value.

Therefore, there is no substantial evidence that the proposed Project will have a specific adverse impact on the physical environment, on public health and safety, or on property listed in the California Register of Historic Resources.

Conclusion

Since each finding above has been found in the negative, the project is not considered an exception and is qualified to utilize a Categorical Exemption. There are no unusual circumstances regarding the Project Site or the Project; consequently, there is no reasonable possibility that the Project will have a significant effect on the environment due to unusual circumstances, and these exceptions does not apply to the Project.

The project can be characterized as in-fill development within urban areas for the purpose of qualifying for Class 32 Categorical Exemption as a result of meeting the five conditions listed above.