

CITY OF LOS ANGELES

CALIFORNIA

KAREN E. KALFAYAN  
City Clerk



ANTONIO R. VILLARAIGOSA  
MAYOR

Office of the  
CITY CLERK

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CLAUDIA M. DUNN  
Chief, Council and Public Services Division

[www.cityclerk.lacity.org](http://www.cityclerk.lacity.org)

When making inquiries  
relative to this matter,  
please refer to the Council  
File No.

08-2309

CD 2

November 4, 2008

Office of the Mayor  
City Planning Department  
✓Attn: Beatrice Pacheco (with copy of ord.)  
cc: Director of Planning  
cc: Geographic Information Section  
Attn: Fae Tsukamoto  
Bureau of Engineering,  
Land Development Group  
Fire Department  
See attachment for additional notification

Councilmember Greuel  
Department of Transportation,  
Traffic/Planning Sections  
Department of Building and Safety  
cc: Zoning Coordinator  
cc: Residential Inspection Unit  
Bureau of Street Lighting,  
B" Permit Section  
Councilmember Huizar

RE: TENTATIVE TRACT APPEAL AND ZONE CHANGE FOR PROPERTY AT 11130 NORTH ORO VISTA AVENUE

At the meeting of the Council held October 15, 2008, the following action was taken:

Attached report adopted, as amended .....	X
Amending motion (Greuel - Huizar) adopted .....	X
Ordinance adopted .....	10-22-08
Ordinance number .....	180321
Date posted .....	11-03-08
Effective date .....	12-13-08
Mayor approved .....	10-29-08
Findings adopted .....	X
Mitigated Negative Declaration adopted .....	X

City Clerk  
jr

Elaine Brown  
11445 Skyland Road  
Sunland, CA 91040

Arthur Aslanian  
14900 Ventura Boulevard  
Sherman Oaks, CA 91403

Thomas Iacobellis, Rep.  
Iacobellis & Associates, Inc.  
11145 Tampa Avenue, Suite 15-B  
Northridge, CA 91326

Ben Reznik  
c/o JMBM  
1900 Avenue of the Stars, Seventh Floor  
Los Angeles, CA 90067

Arthur R. Aslanian  
11022 Aqua Vista Street #1  
Studio City, CA 91602

TIME LIMIT FILES  
ORDINANCES

OFFICE OF THE MAYOR  
Mayor's Time Stamp  
RECEIVED  
2008 OCT 24 PM 4: 04  
CITY OF LOS ANGELES

RECEIVED  
CITY Clerk's Time Stamp  
2008 OCT 24 PM 4: 02  
CITY CLERK  
BY \_\_\_\_\_  
DEPUTY

COUNCIL FILE NUMBER 08-2309 COUNCIL DISTRICT 2  
COUNCIL APPROVAL DATE October 22, 2008 LAST DAY FOR MAYOR TO ACT NOV 03 2008  
ORDINANCE TYPE:  Ord of Intent  Zoning  Personnel  General  
 Improvement  LAMC  LAAC  CU or Var Appeals - CPC No. \_\_\_\_\_

SUBJECT MATTER: EFFECTING A ZONE CHANGE FROM RA-1 TO (T)(Q)RS-1 FOR THE PROPOSED CONSTRUCTION OF A MAXIMUM 18-LOT SIX SINGLE-FAMILY SUBDIVISION ON A 4.76 ACRE SITE FOR PROPERTY AT 11130 NORTH ORO VISTA AVENUE, SUBJECT TO CONDITIONS OF APPROVAL

	APPROVED	DISAPPROVED	
PLANNING COMMISSION	<u>X</u>	_____	BY _____ CITY CLERK 2008 OCT 31 PM 1: 05 RECORDED CITY CLERK
DIRECTOR OF PLANNING	_____	_____	
CITY ATTORNEY	<u>X</u>	_____	
CITY ADMINISTRATIVE OFFICER	_____	_____	
OTHER	_____	_____	

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR \*VETO OCT 29 2008  
(\*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250(b) (c))

**(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)**

DATE RECEIVED FROM MAYOR OCT 31 2008 ORDINANCE NO. 180321  
DATE PUBLISHED \_\_\_\_\_ DATE POSTED NOV 03 2008 EFFECTIVE DATE DEC 13 2008  
ORD OF INTENT: HEARING DATE \_\_\_\_\_ ASSESSMENT CONFIRMATION \_\_\_\_\_  
ORDINANCE FOR DISTRIBUTION: YES  NO

NOV 04 2008

**TO THE COUNCIL OF THE  
CITY OF LOS ANGELES**

Your **PLANNING AND LAND USE MANAGEMENT** Committee

reports as follows:

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE relative to a Tentative Tract appeal and Zone Change for property at 11130 North Oro Vista Avenue.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 08-2309 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2004-2834 MND].
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying NEW ORDINANCE, approved by the Director of Planning, effecting a Zone Change from RA-1 to (T)(Q)RS-1 for the proposed construction of a maximum 18-lot six single-family subdivision on a 4.76 acre site for property at 11130 North Oro Vista Avenue, subject to Conditions of Approval.

Applicant: Arthur Aslanian (Thomas D. Iacobellis, Representative) APCNV 2007-2884-ZC

4. RESOLVE TO DENY APPEAL filed by Elaine Brown from the entire decision of the NVAPC and THEREBY APPROVE Tentative Tract No. 60461 for a maximum 18-lot six single-family subdivision on a 4.76 acre site for property at 11130 North Oro Vista Avenue, subject to modified Conditions of Approval.

TT 60461

5. REQUEST the Department of Building and Safety to monitor project compliance to ensure that there are no violations prior to issuance of permit(s).
6. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
7. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

\*Adopted as amended by Council action of OCT 1 5 2008

8. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
9. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.
10. NOT PRESENT and ORDER FILED the Ordinance dated June 19, 2008.

Fiscal Impact Statement: The NVAPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

**TIME LIMIT FILE - OCTOBER 15, 2008**

**(LAST DAY FOR COUNCIL ACTION - OCTOBER 15, 2008)**

Summary:

At its meeting held October 7, 2008 (continued from September 23, 2008 meeting), the Planning and Land Use Management (PLUM) Committee considered the accompanying Zone Change Ordinance from RA-1 to (T)(Q)RS-1 for a maximum 18-lot six single-family subdivision on a 4.76 acre site for property at 11130 North Oro Vista Avenue, subject to Conditions of Approval. The PLUM Committee also considered an appeal filed by Elaine Brown from the entire decision of the NVAPC in sustaining the Deputy Advisory Agency's decision in approving Tentative Tract No. 60461 for the subject property, subject to modified Conditions of Approval.

During the discussion of this matter, Planning Department staff presented an overview of the project. Testimony was also heard from the Appellant, the Applicant, and the Applicant's Representative. Comments were also heard from the public, including the Shadow Hills Property Owners Association, mainly in opposition of the project. A representative from the Santa Monica Conservancy provided comments and proposed an alternative plan for the project, which is attached to the Council File. In addition, staff representing Council District two requested that a wildlife corridor be created across the northwest corner of the property and that the height of structures within the scenic corridor be measured from the natural grade or as required by code.

After careful consideration, the PLUM Committee recommended to approve the Zone Change and Deny the appeal. This matter is now forwarded to Council for its consideration.

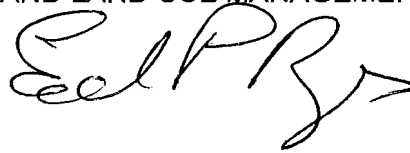
As indicated in Recommendation No. 5 and pursuant to Section 12.32-J of the Los Angeles Municipal Code (LAMC), the applicant is hereby advised that:

... whenever property remains in a "Q" Qualified classification for six years ... after the effective date of the ordinance creating same without substantial physical development thereof for one or more of the uses first permitted herein having taken place within such time or if the Director of

Planning determines that such development is not thereafter continuously and expeditiously carried on to completion, or if no physical development is necessary, without having been need for one or more of the purpose first permitted thereby, such Qualified classification and the authority contained therein shall become null and void, the rezoning proceedings shall be terminated and the property thereafter may only be utilized for those purposes permitted prior to the commencement of such rezoning proceedings."

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE



MEMBER VOTE  
REYES: YES  
HUIZAR: ABSENT  
WEISS: YES

PYL  
10-9-08  
CD 2

Attachments: Ordinance  
"T" and "Q" Conditions of Approval  
Tentative Tract Conditions of Approval

082309.doc

*Rpt*  
**ADOPTED**

OCT 15 2008  
*\* As Amended*  
LOS ANGELES CITY COUNCIL  
*See Attached Motion*  
*with New DEC & FINDINGS ADOPTED*  
ORDINANCE OVER TO 10-22-08

-Not Official Until Council Acts-

ORD.  
**ADOPTED**

OCT 22 2008

LOS ANGELES CITY COUNCIL

**VERBAL MOTION**

I HEREBY MOVE that Council AMEND the Planning and Land Use Committee report (Item No. 61, CF 08-2309) relative to a Tentative Tract appeal and zone change for property at 11130 North Oro Vista Avenue to ADD a 50-foot access along Big Tujunga Canyon Road, as shown on attached map.

PRESENTED BY \_\_\_\_\_  
WENDY GREUEL  
Councilmember, 2nd District

SECONDED BY \_\_\_\_\_  
JOSE HUIZAR  
Councilmember, 14th District

October 15, 2008

CF 08-2309

CD 2

*Amending  
motion*  
**ADOPTED**

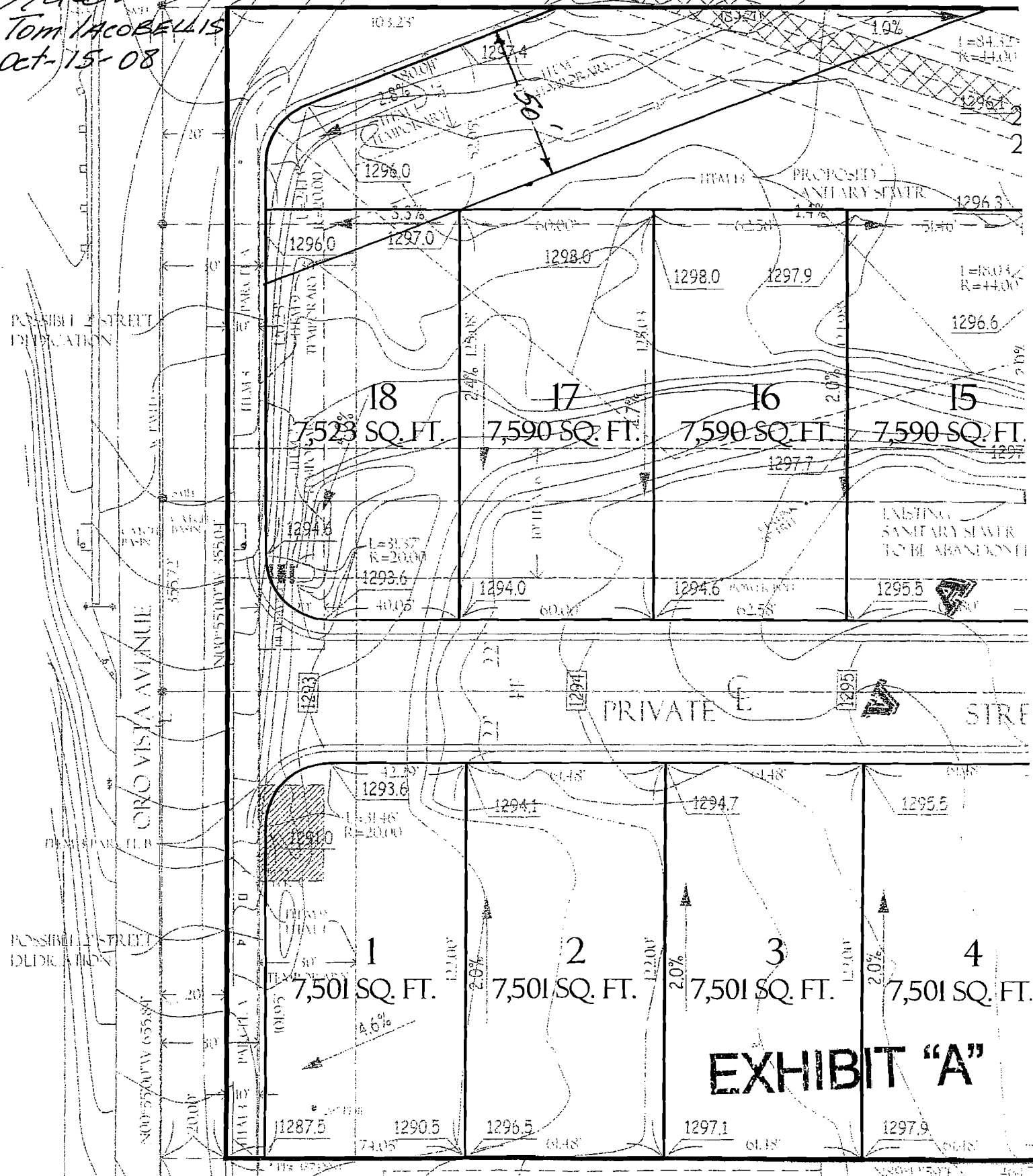
OCT 15 2008

**LOS ANGELES CITY COUNCIL**

T.T. NO. 60461-2A  
APCN 2004-2884 ZC

61

*Jacobellis*  
Tom JACOBELLIS  
Oct-15-08



**EXHIBIT "A"**

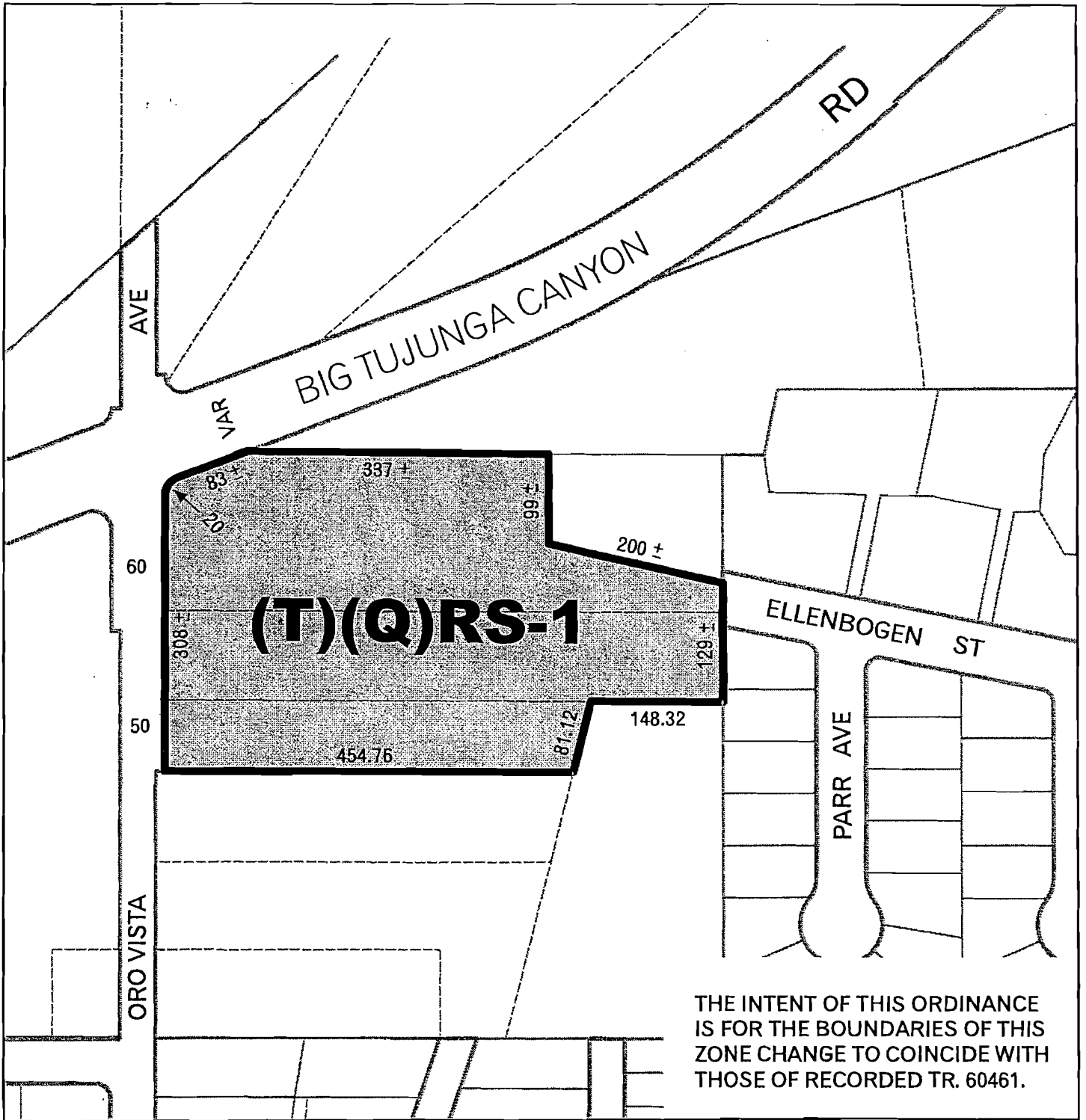


ORDINANCE NO. 180321

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the Zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the Zoning map shall be as follows:



NOT TO SCALE

D.M. 210 B 189	APCNV 2004-2884 ZC
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AE/ 

080508

## **(Q) QUALIFIED CONDITIONS OF APPROVAL**

Pursuant to Section 12.32-G of the Los Angeles Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the (Q) Qualified classification.

### **Environmental Conditions**

1. **Aesthetics (Landscaping).** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.
2. **Tree Removal (Non-Oaks)**
  - a. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning and the Urban Forestry Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards
  - b. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency.
  - c. The genus or genera of the tree(s) shall provide a minimum crown of 30'50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No. 170978), Guidelines K – Vehicular Use Areas.
  - d. Removal and/or replacement of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: 213-485-5675. Tree replacement shall be to the satisfaction of the Urban Forestry Division of the Bureau of Street Services.

3. **Cultural Resources Archaeology.** If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology, California State University at Fullerton or a member of the Society of Professional Archaeologist (SOPA), or a SOPA-qualified archaeologist to assess the resources and evaluate the impact. Copies of the archaeological survey, study or report shall be submitted to the UCLA Archaeological Information Center. A covenant and agreement shall be recorded prior to obtaining a grading permit.
4. **Seismic.** The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
5. **Construction (Air Quality)**
  - a. 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.
  - b. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
  - c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
  - d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
  - e. All clearing, grading, 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.
  - f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

**6. Construction (Noise)**

- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- b. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- c. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- e. The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

**7. General Construction**

- a. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- b. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- d. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- e. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.

- f. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

## **8. Liquefaction**

- a. Compliance with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss which requires the preparation of a geotechnical report. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration.
- b. Building design considerations may include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.

## **9. Storm water and Urban Runoff Pollution Control**

- a. Project applicants are required to implement storm water BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed Civil Engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- b. Post development peak storm water runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak storm water discharge rate will result in increased potential for downstream erosion.
- c. Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- d. Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- e. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.

- f. Preserve riparian areas and wetlands.
- g. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- h. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- i. Install roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- j. Guest parking lots constitute a significant portion of the impervious land coverage. To reduce the quantity of runoff, parking lots can be designed one of two ways;
  - 1. Hybrid Lot – parking stalls utilize permeable materials, such as crushed aggregate, aisles are constructed of conventional materials such as asphalt.
  - 2. Parking Grove – is a variation of the permeable stall design, a grid of trees and bollards are added to delineate parking stalls. This design presents an attractive open space when cars are absent, and shade when cars are present.
- k. Promote natural vegetation by using parking lot islands and other landscaped areas.
- l. Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.
- m. Promote natural vegetation by using parking islands and other landscaped areas.
- n. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as “NO DUMPING - DRAINS TO OCEAN”) and/or graphical icons to discourage illegal dumping.
- o. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.

- p. Legibility of stencils and signs must be maintained.
  - q. Materials with the potential to contaminate storm water must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar storm water conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
  - r. The storage area must be paved and sufficiently impervious to contain leaks and spills.
  - s. The storage area must have a roof or awning to minimize collection of storm water within the secondary containment area.
  - t. Design an efficient irrigation system to minimize runoff including; drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation and flow reducers.
  - u. Runoff from hillside areas can be collected in a vegetative swale, wet pond, or extended detention basin, before it reaches the storm drain system.
  - v. Cut and fill slopes in designated hillside areas shall be planted and irrigated to prevent erosion, reduce run-off velocities and to provide long-term stabilization of soil. Plant materials include: grass, shrubs, vines, ground covers, and trees.
  - w. Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing rock outlet protection. Rock outlet protection is a physical devise composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair and maintain the outlet protection after each significant rain.
  - x. The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Storm water Mitigation Plan and or per manufacturer's instructions.
10. **Flooding/Tidal Waves.** Compliance with the requirements of the Flood Hazard Management specific Plan, Ordinance No. 172,081 effective 7/3/98. (This MND does not apply should a waiver be given under provisions of the Flood Hazard Management specific Plan.)



























