March 6, 2003

Honorable Board of Supervisors
County of Los Angeles
Kenneth Hahn Hall of Administration, Room 383
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**ZONE CHANGE CASE NO. 02-173-(5)**
**CONDITIONAL USE PERMIT CASE NO. 02-173-(5)**
**PETITIONER: HENRY NUNEZ**
**11 E. HUNTINGTON DRIVE**
**ARCADIA, CA 91006**
**DUARTE ZONED DISTRICT**
**FIFTH SUPERVISORIAL DISTRICT (3-VOTE)**

**IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:**

1. Consider the Negative Declaration for Zone Change No. 02-173-(5), and Conditional Use Permit No. 02-173-(5), together with any comments received during the public review process, find on the basis of the whole record before the Board that there is no substantial evidence the project will have a significant effect on the environment, find that the Negative Declaration reflects the independent judgment and analysis of the Board, and adopt the Negative Declaration.

2. Instruct County Counsel to prepare the ordinance, to change zones within the Duarte Zoned District as recommended by the Regional Planning Commission (Zone Change No. 02-173-(5)).

3. Instruct County Counsel to prepare the necessary findings to affirm the Regional Planning Commission's approval of Conditional Use Permit No. 02-173-(5).

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

?? Update the zoning on the subject property to allow the property owner to develop the property with a use compatible with the existing surrounding uses.

?? Establish development standards that ensure future development on the subject property will be compatible with the goals and policies of the General Plan.

Implementation of Strategic Plan Goals

This zone change and conditional use permit promotes the County's Strategic Plan goal of Service Excellence. The project components (zone change, conditional use permit)

were carefully researched and analyzed to ensure that quality information regarding the subject property is available.

This zone change and conditional use permit also promotes the County's vision for improving the quality of life in Los Angeles County. The approval of this zone change and conditional use permit will allow the development of a seventeen (17) unit apartment building, providing much needed housing to Los Angeles County.

## FISCAL IMPACT/FINANCING

Implementation of the proposed zone change should not result in any new significant costs to the County or to the Department of Regional Planning; no request for financing is being made.

## FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Not Applicable

The Regional Planning Commission conducted concurrent public hearings on Zone Change and Conditional Use Permit Case Nos. 02-173-(5) on November 13, 2002. The two zoning requests before the Commission were: 1) a zone change from the existing A-1 to R-3-DP on .64 acres, and 2) a conditional use permit to authorize the development of a two-story seventeen-unit apartment building. The Regional Planning Commission voted to approve the requested zone change and conditional use permit at their February 19, 2003 meeting.

A public hearing is required pursuant to Section 22.16.200 of the County Code and Sections 65335 and 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65355 and 65856 relating to notice of public hearing.

## ENVIRONMENTAL DOCUMENTATION

The proposed zone change and conditional use permit will not have a significant effect on the environment. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act and the environmental guidelines and reporting procedures of the County of Los Angeles. The Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment. Based on the Initial Study, the Department of Regional Planning has prepared a Negative Declaration for this project.

Based on the Negative Declaration, adoption of the proposed zone change will not have a significant effect on the environment.

## IMPACT ON CURRENT SERVICES (OR PROJECTS)

Action on the zone change is not anticipated to have a negative impact on current services.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP, Director of Planning

Frank Meneses, Acting Administrator
Current Planning Division

FM:KMS
Attachments: Commission Resolution, Findings & Conditions, Staff Report

C: Chief Administrative Officer
County Counsel
Assessor
Director, Department of Public Works

**THE REGIONAL PLANNING COMMISSION**
**COUNTY OF LOS ANGELES**
**ZONE CHANGE CASE NO. 02-173-(5)**

**WHEREAS,** the Regional Planning Commission of the County of Los Angeles has conducted a public hearing in the matter of Zone Change Case No. 02-173-(5) on November 13, 2002; and

**WHEREAS,** the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of zone from A-1 (Light Agriculture) to R-3-DP (Limited Multiple Residence, Development Program) on a .64-acre parcel. The Development Program designation will assure that development occurring after rezoning will conform to the approved plans and will ensure compatibility with the surrounding area. As applied to this case, the conditional use permit will restrict the development of the re-zoned site to the proposed seventeen (17) unit apartment building as shown on the approved site plan marked Exhibit "A". No other development is permitted on the property unless a new conditional use permit is first obtained.

2. The subject property is located at 2061 S. Mountain Avenue, Duarte, in the Duarte Zoned District (No. 46).

3. The zone change request was heard concurrently with Conditional Use Permit Case No. 02-173-(5) at the November 13, 2002 public hearing.

4. Conditional Use Permit Case No. 02-173-(5) is a related request to authorize the construction of a two-story, seventeen (17) unit apartment building. The requested zone change is necessary to authorize the proposed use of the subject property.

5. The site plan for the conditional use permit depicts the subject property developed with a two-story, 14,371-square foot, seventeen (17) unit apartment building. The site plan shows the apartments developed in four buildings with exterior stairways and an overhead trellis connecting the buildings. A 24'6" wide landscape/hardscape area is depicted between the buildings. The site plan depicts the front yard set back at 15'0", 5'0" side yard set backs, and a 64'0" rear yard set back. Thirty-seven (37) standard parking spaces are shown, primarily in the rear of the apartment buildings. Access to the site is via a driveway from Mountain Avenue to the east.

6. The subject property is currently zoned A-1 and developed with a single-family residence. Since an apartment building is not a permitted use in the A-1 zone, the requested zone change is necessary to authorize the proposed use of the subject property.

7. Surrounding properties are zoned C-1 (Restricted Business) to the north and A-1 to the south and west, and the City of Duarte lies to the east. Surrounding land uses consist of a church, single-family residences and multi-family residences.

8. A need for the proposed zone classification exists within the community to allow the development of much needed housing as the area is presently underserved with multi-family residential properties.

9. Modified conditions warrant a revision in the zoning of the subject property in that the subject property is located adjacent to properties in the City of Duarte that have been zoned for and developed with multi-family residential uses.

10. The subject property is a proper location for the proposed R-3-DP zoning classification and placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice, in that there are existing multi-family residential properties and neighborhood stores in the vicinity of the subject property, the property is easily accessed from Mountain Avenue, and the proposed development would improve a currently blighted area.

11. The proposed Zone Change from A-1 to R-3-DP is consistent with the goals and objectives of the Countywide General Plan.

12. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (CEQA) and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment. Based on the initial study, the Department of Regional Planning has prepared a Negative Declaration for this project. The Commission finds that the project is *de minimus* in its effect on fish and wildlife resources.

13. After consideration of the attached Negative Declaration together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the proposed change of zone will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Negative Declaration.

**RESOLVED,** That the Regional Planning Commission recommends to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board of Supervisors hold a public hearing to consider the recommended change of zone from A-1 (Light Agriculture) to R-3-DP (Limited Multiple Residence, Development Program) on the .64-acre subject property.

2. That the Board of Supervisors certify completion of and approve the attached Negative Declaration, and determine that Zone Change Case No. 02-173-(5) will not have a significant impact upon the environment.

3. That the Board of Supervisors find the recommended zoning is consistent with the Los Angeles County General Plan.

4. That the Board of Supervisors find that the public convenience, the general welfare and good zoning practice justify the recommended change of zone.

5. That the Board of Supervisors adopt the above recommended change of zone.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on February 19, 2003.

_____

Rosie Ruiz, Secretary
**County of Los Angeles**
Regional Planning Commission

**April 9, 2003**

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**Henry Nunez**
**11 East Huntington Drive**
**Arcadia, CA 91006**

RE: ZONE CHANGE & CONDITIONAL USE PERMIT CASE NO. 02-173-(5)
2061 Mountain Avenue, Duarte

Dear Applicant:

PLEASE NOTE: This document contains the Regional Planning Commission's findings and conditions relating to **APPROVAL** of the above referenced Conditional Use Permit as well as their recommendation for **APPROVAL** to the Board of Supervisors of the related zone change.

Your attention is called to condition number 3 of the Conditional Use Permit which states that this grant shall not become effective until the Board of Supervisors has adopted the zone change submitted concurrently with this application.

Pursuant to Section 22.60.230, subsection B.2, when the Regional Planning Commission makes a recommendation on a legislative action concurrently with approval of a nonlegislative land use application, the Board of Supervisors shall call the nonlegislative application up for concurrent review. Please be advised that this may result in modification of the findings and/or conditions attached hereto.

Payment of fees required by the conditions of approval will not be accepted until the Board of Supervisors has approved the zone change.

Very truly yours,

**Department of Regional Planning**
James E. Hartl, AICP
Director of Planning

Russell J. Fricano, Ph.D., AICP
Zoning Permits Section I

FM:KMS

Enclosures: Findings and Conditions
c: Board of Supervisors, Department of Public Works (Building and Safety), Department of Public

Works (Subdivision Mapping), Zoning Enforcement

**CONDITIONAL USE PERMIT CASE NO. 02-173-(5)**

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES**

**REGIONAL PLANNING COMMISSION HEARING DATE: NOVEMBER 13, 2002**

**SYNOPSIS:**

The applicant is requesting a Conditional Use Permit to authorize the construction, operation and maintenance of a two-story, seventeen (17) unit apartment building on a .64 acre parcel. The apartments are proposed to be comprised of four (4) buildings that are connected by exterior stairways and trellises. An existing single-family residence will be demolished in order to construct the proposed apartment buildings.

The applicant is concurrently requesting a change of zone from A-1 (Light Agriculture) to R-3-DP (Limited Multiple Residence, Development Program) on the subject property.

**PROCEEDINGS BEFORE THE COMMISSION**

November 13, 2002 Public Hearing

A duly noticed public hearing was held before the Regional Planning Commission on November 13, 2002. Commissioners Valadez, Bellamy, Rew and Modugno were present; Commissioner Helsley was absent. One person was sworn in, the owner/applicant, to testify in favor of the request.

The applicant originally requested a change of zone from A-1 to C-1-DP (Restricted Business, Development Program). However, the applicant modified the request to R-3-DP after the Commission indicated its concern about the potential incompatibility of other commercial uses permitted by right in the C-1 zone (automobile sales, retail shops, restaurants, etc.) with the existing residential neighborhood.

There being no further testimony, the Commission voted (4-0) to close the public hearing, indicate its intent to approve the conditional use permit and recommend that the Board of Supervisors approve the related Zone Change Case No. 02-173, and direct staff to prepare the final environmental documentation and resolution, findings and conditions for approval.

Findings

1. The applicant is requesting a Conditional Use Permit to authorize the construction, operation and maintenance of a two-story, seventeen (17) unit apartment building on a .64 acre parcel located at 2061 S. Mountain Avenue, Duarte, in the Duarte Zoned District.

2. The .64-acre subject property is a level, irregularly shaped parcel. Access to the

site is via S. Mountain Avenue to the east.

3. Zoning on the subject property is A-1 (Light Agriculture). Concurrently with this approval, however, the Commission is recommending that the Board of Supervisors approve Zone Change Case No. 02-173. If approved by the Board of Supervisors, the subject property will be zoned R-3-DP (Limited Multiple Residence, Development Program). The addition of the "Development Program" (DP) addendum to the proposed zone will ensure that development occurring after the property has been rezoned will conform to plans submitted by the applicant through the conditional use permit approval process.

4. A change of zone is necessary to allow the proposed use as apartment houses are prohibited in the A-1 zone. Section 22.20.260 of the County Code provides that apartment houses are a permitted use in the R-3 zone, and pursuant to Section 22.40.040 of the County Code, property in a DP zone may be used for any use permitted in the basic zone, subject to the conditions and limitations of a conditional use permit and approved development program contained therein.

5. Surrounding zoning consists of C-1 (Restricted Business) to the north, A-1 to the south and west, and the City of Duarte to the east.

6. The subject property is currently developed with a single-family residence, which is proposed to be demolished.

7. Surrounding land uses consist of a church to the north and single-family residences to the east, west and south. A public utility (water purveyor) owns a small parcel located to the northeast of the subject property.

8. The subject property is classified as Major Commercial in the Countywide General Plan. Uses within this land use classification include central business districts, regional office complexes, major shopping malls and centers, major commercial recreational facilities and a range of mixed commercial retail and service activities. Community and neighborhood-serving commercial uses can be appropriately established at locations that conveniently serve local market areas. An apartment complex is not a commercial use; however, the use will serve the local community and is compatible with this land use classification.

9. There are no previous zoning cases on the subject property.

10. The applicant's site plan, labeled Exhibit "A", page 1 of 3, depicts the subject property developed with a two-story, 14,371 square foot, seventeen (17) unit apartment building. The site plan shows the apartments developed in four buildings with exterior stairways and an overhead trellis connecting the buildings. A 24'6" wide landscape/hardscape area is depicted between the buildings. The site plan depicts the front yard set back at 15'0", 5'0" side yard set backs, and a 64'0" rear yard set back. Thirty-seven (37) standard parking spaces are shown,

primarily in the rear of the apartment buildings. Access to the site is via a driveway from Mountain Avenue to the east.

11. The elevations submitted by the applicant, labeled Exhibit “A”, page 2 of 3, depict the proposed buildings from the west, east, south and north. The apartment complex is comprised of four (4) buildings, two of which are depicted at 18”0” above finished grade and two of the buildings at 24’0” above finished grade. The applicant will be required to submit revised building elevations depicting enhanced architectural detailing.

12. The applicant has submitted floor plans for the ground and upper floors of the apartments, labeled Exhibit “A”, pages 3.a. and 3.b. The floor plans depict four (4) buildings. The building located on the west end of the property consists of three (3) two-bedroom units on the ground floor and five (5) two-bedroom units and one (1) one-bedroom unit on the upper floor. The upper floor of this building overhangs the parking below, providing covered parking. The building located approximately 24’6” to the east of the first consists of two (2) two-bedroom apartments on the ground floor and two (2) two-bedroom apartments on the upper floor. A smaller building has one (1) one-bedroom apartment on the ground floor and one (1) one-bedroom apartment on the upper floor. A second smaller building has one (1) two-bedroom apartment on the ground floor and one (1) two-bedroom apartment on the upper floor; one of these units has been labeled as a manager’s unit. There are a total of seventeen (17) apartments, including the manager’s unit, depicted on the floor plans (14 two-bedroom and 3 one-bedroom units).

13. Pursuant to Section 22.20.300.A of the County Code, no building or structure in Zone R-3 shall exceed 35 feet in height above grade, except for chimneys and rooftop antennas. The elevations submitted by the applicant depict a maximum height of 24’0” above finished grade, in compliance with the height limitations of the R-3 zone.

14. Section 22.20.310 of the County Code provides that residential property in Zone R-3 shall not exceed 30 dwelling units per net acre, and the density conversion table contained in Section 22.20.060 shall apply to lots or parcels of land containing fractional parts of an acre. The subject property is .64-acre (27,878 square feet), and the density conversion table shows that, for a density of 30 units per acre, 1,452 square feet is required for each dwelling unit. The proposed seventeen (17) dwelling units require a minimum 24,684-square foot parcel. The applicant’s proposal is in compliance with the dwelling unit density requirements of the R-3 zone.

15. Pursuant to Section 22.20.320.A. of the County Code, each lot or parcel of land in Zone R-3 shall be subject to the following yard requirements: 1) a front yard of not less than 15 feet in depth, 2) corner side yards of not less than seven and one-half feet on a reversed corner lot, or five feet on other corner lots, 3) interior

side yards of not less than five feet, and 4) a rear yard of not less than 15 feet in depth. The applicant's site plan depicts a 15'0" front yard setback, side yard setbacks of 5'0", and a 64'0" rear yard setback. The applicant's site plan is in compliance with the yard requirements of the R-3 zone.

16. Pursuant to Sections 22.20.330 and 22.52.1180 of the County Code, premises in R-3 shall provide parking facilities as follows: one and one-half covered parking spaces for each one-bedroom apartment, and one and one-half covered and one-half uncovered for two-bedroom apartments. At least one accessible parking space shall be assigned to each unit. Where two spaces are required or reserved for a dwelling unit such spaces may be developed in tandem. In addition, guest parking shall be required for all apartment houses containing ten (10) or more units at a ratio of one parking space for every four dwelling units. These spaces, which may be uncovered, shall be designated and marked for guest parking only. Parking spaces for apartment houses shall be standard size unless otherwise approved with a parking permit.

    Fourteen (14) two-bedroom apartments are proposed, requiring twenty-one (21) covered parking spaces and seven (7) uncovered parking spaces. The proposed three (3) one-bedroom apartments require five (5) covered parking spaces. In addition, four (4) uncovered guest parking spaces are required, which shall be designated, marked and used only for guest parking. Therefore, a total of twenty-six (26) covered parking spaces and eleven (11) uncovered parking spaces are required.

17. The applicant's site plan depicts the required number of parking spaces, but the site plan does not note the location of the guest parking spaces. As a condition of approval of this grant, the applicant will be required to submit a revised site plan with the locations of the guest parking spaces and the dimensions of the parking spaces accessible to disabled persons clearly noted.

18. As required by Section 22.40.050 of the County Code, an applicant seeking a conditional use permit to develop property in zone ( )- DP shall submit a proposed development program consisting of a plot plan and a progress schedule.

    The required plot plan shall show the location of all proposed structures, the alteration or demolition of any existing structures, and development features, including grading, yards, walks, landscaping, height, bulk and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area. The applicant's site plan and elevations depict all of the required elements, except for the following: 1) the existing single-family residence and any other features to be demolished are not shown, 2) signs, if any are proposed, and 3) landscaping type. As a condition of approval

of this grant, the applicant will be required to submit a revised site plan depicting these features.

The required progress schedule shall include all phases of development and indicate the sequence and time period within which the improvements described will be made. The applicant intends to construct the development in one phase. The applicant has provided a progress schedule for the project dated August 13, 2002.

19. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (CEQA) and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment. Based on the Initial Study, a Negative Declaration was prepared for this project. The Commission finds that the project is *de minimus* in its effect on fish and wildlife resources. Therefore, the project is exempt from State Department of Fish and Game fees pursuant to Section 711.2 of the California Fish and Game Code.

20. A petition with eight (8) signatures in opposition to this request was received. The petition was from local residents who expressed concern that: 1) the proposed apartments would attract undesirable clientele that would impact the community negatively, and 2) the apartments would bring too much traffic to the neighborhood, negatively affecting the residents and the nearby elementary school.

21. The Commission finds that the development of apartments on the subject property is compatible with the neighborhood as a multi-family development exists three parcels north of the subject property.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:**

A. That the proposed use will be consistent with the adopted general plan for the area;

B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;

C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development

features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;

D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

E. That the development program will provide necessary safeguards to insure completion of the proposed development by the applicant forestalling substitution of a lesser type of development contrary to the public convenience, welfare or development needs of the area.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Sections 22.40.060 and 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. After consideration of the Negative Declaration together with all comments received during the public review process, the Commission finds on the basis on the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Negative Declaration.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 02-173-(5) is **APPROVED,** subject to the attached conditions and further subject to approval by the Board of Supervisors of Zone Change Case No. 02-173-(5).

**VOTE: 4-0-1-0**

**Concurring: Commissioners Bellamy, Valadez, Modugno, Rew**

**Dissenting: None**

**Abstaining: Commissioner Helsley**

**Absent: None**

**Action Date: February 19, 2003**

1. This grant authorizes the use of the subject property for a seventeen (17)-unit apartment building as depicted on the approved Revised Exhibit “A”, subject to all of the following conditions of approval.

2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.

3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition Nos. 9 and 10. Further, this grant shall not be effective unless and until the Board of Supervisors has adopted Zone Change Case No. 02-173-(5) and an ordinance reflecting such change of zone has become effective.

4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of $5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

   a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

   b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

   The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with payment of the applicable fee, at least six months before the expiration date.

7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

8. Prior to the use of this grant, the property owner or permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.

9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles the sum of **$1,500.00**. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **ten (10) biennial (every-other year) inspections.** Inspections shall be unannounced.

   If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the site plan on file. The amount charged for additional inspections shall be $150.00 per inspection, or the current recovery cost, whichever is greater.

10. Within fifteen (15) days of the approval date of this grant, the permittee shall remit a $25.00 processing fee payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.

12. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.

13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.

14. The subject property shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.

15. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.

16. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

17. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

18. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of revised plans, similar to Exhibit "A", page 1 of 3, as presented at the public hearing, that depict, in compliance with Section 22.40.050.A of the County Code, the location of all proposed structures, the alteration or demolition of any existing structures, and development features including grading, yards, walls, walks, landscaping, height, bulk and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as may be needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area, and showing the following: 1) guest parking spaces clearly marked, 2) a landscape table depicting a minimum of ten percent of the net area landscaped, and 3) all required accessible and van-accessible parking spaces for persons with disabilities. The property shall be developed and maintained in substantial conformance with the approved revised Exhibit "A". All revised plans must be

accompanied by the written authorization of the property owner.

19. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of a landscape plan, which may be incorporated into the revised Exhibit "A" described in Condition No. 18. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. For the life of this grant the permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.

20. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of revised building elevations which show enhanced architectural detailing. The property shall be developed and maintained in substantial conformance with the approved building elevations. All revised plans must be accompanied by the written authorization of the property owner.

21. Within sixty days of the approval date of this grant, the permittee shall submit to the Director for review and approval three copies of any signs proposed for the subject property. The proposed signs shall be in conformance with the County Code's sign development standards for the R-3 zone. The property shall be developed and maintained in substantial conformance with the approved sigh plans. All revised plans must be accompanied by the written authorization of the property owner.

22. The following development program conditions shall apply:
    a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the development program shall be built, erected, or moved onto any part of the property.
    b. No existing building or structure which is to be demolished shall be used.
    c. All improvements shall be completed prior to the occupancy of any structures.
    d. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.

23. The construction and maintenance of the proposed use shall be further subject to all of the following restrictions:

    a. All trash enclosure areas shall be screened from public and private view corridors;

    b. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably

in the late morning and after work is done for the day. All clearing, grading, earth moving or excavation activities shall cease during periods of high winds (i.e. greater than 20 mph averaged over one hour) to prevent excessive amounts of dust. Any materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;

c. Project construction activity shall be limited to those hours between 7:00 a.m. and 6:00 p.m. Monday through Friday and 8:00 a.m. and 5:00 p.m. Saturday. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effect on nearby offices, residences and neighborhoods. Generators and pneumatic compressors shall be noise protected in a manner that will minimize noise inconvenience to adjacent residences. Parking of construction worker vehicles shall be on-site and restricted to areas that do not adversely affect residences located to the south and west of the subject property;

d. The permittee shall comply with all conditions set forth in the attached County of Los Angeles Department of Public Works letter dated August 8, 2002, or such other conditions required by said Department;

e. The permittee shall comply with all conditions set forth in the attached County of Los Angeles Fire Department memo dated November 13, 2002, or such other conditions required by said Department;

f. The permittee shall comply with NPDES requirements of the California Regional Water Quality Control Board and the Los Angeles County Department of Public Works;

g. All roof-top equipment shall be screened from public view, either through parapets, gables or some other architectural feature, or shall be ground mounted if architectural screening is not feasible;

h. All electrical, cable, plumbing conduits/piping, HVAC equipment and ducting, etc. shall be concealed from public view;

i. All exterior lighting shall be shielded and directed away from neighboring residential properties to prevent direct illumination and glare. All light standards visible to the general public shall be consistent with the overall architectural style of the project with respect to design, materials, and color;

j. The permittee shall provide and continuously maintain no less than twenty-six (26) covered and eleven (11) uncovered on-site standard

parking spaces (33 for tenant use and 4 for guest parking), dimensioned in accordance with County Code requirements;

k. The permittee shall provide no less than one on-site manager for the apartment building. The manager shall be on call 24 hours per day, seven days per week, and shall be responsible for overseeing the management of the apartment building. The name and telephone number of said manager shall be provided to the local law enforcement agency. At the primary entrance of the apartment building the permittee shall post a sign in English and the predominant second language with said manager's name and 24-hour contact telephone number to report any potential problems related to the subject property;

l. Storage and automobile repair within designated parking spaces is expressly prohibited;

m. Within sixty days of the approval date of this grant, the permittee shall submit a parking management plan to the Director for review and approval. Said plan shall clearly identify how the permittee intends to assign parking spaces to the apartment's tenants as well as the parking management practices of the facility;

n. Prior to the issuance of any building permit, the permittee shall pay a library facilities mitigation fee to the Los Angeles County Librarian in the amount required by Chapter 22.72 of the County Code at the time of payment and provide proof of payment to the Director. The current fee amount is $648.00 per dwelling unit ($648.00 X 17 apartment units = $11,016.00). The permittee may contact the County Librarian at (562) 940-8430 regarding payment of fees;

o. The permittee shall maintain a current contact name, address, and phone number on file with the Department of Regional Planning at all times.

## STAFF ANALYSIS

**PROJECT NUMBER**
**02-173-(5)**
**CASE NUMBER**
**Zone Change/Conditional Use Permit Case No. 02-173-(5)**

**OVERVIEW OF PROPOSED PROJECT**
The applicant is requesting a change of zone from A-1 (Light Agriculture) to C-1-DP (Restricted Business, Development Program) on a .64-acre subject property.

The applicant is further requesting a Conditional Use Permit to develop the .64-acre parcel with a two-story seventeen (17) unit apartment building. The apartments are proposed to be comprised of four (4) buildings that are connected by exterior stairways and trellises. An existing single-family residence will be demolished in order to construct the proposed apartments. The proposed DP (Development Program) designation requires the filing of a Conditional Use Permit.

## DESCRIPTION OF SUBJECT PROPERTY

### Location

The subject property is located at 2061 S. Mountain Avenue, Duarte. The property is located in an unincorporated neighborhood directly adjacent to the City of Duarte, north of Beckville Street and south of Euclid Avenue.

### Physical Features

The .64-acre subject property is a level irregular shaped parcel. A single-family residence is developed on the site. Access to the site is via S. Mountain Avenue to the east.

## ENTITLEMENT REQUESTED

The applicant is requesting a change of zone from A-1 (Light Agriculture) to C-1-DP (Restricted Business, Development Program) on a .64-acre parcel.

The applicant is further requesting a Conditional Use Permit to develop the .64 acre parcel with a two-story seventeen (17) unit apartment building. The requested C-1 zoning and DP zoning designation requires a conditional use permit.

## EXISTING ZONING

### Subject Property

Current zoning on the subject property is A-1 (Light Agriculture).

### Surrounding Properties

Surrounding zoning consists of C-1 (Restricted Commercial) to the north, A-1 to the south and west, and the City of Duarte to the east.

## EXISTING LAND USES

### Subject Property

The subject property is currently developed with a single-family residence.

### Surrounding Properties

Surrounding land uses consist of a church to the north, and single-family residences to the east, west and south. A public utility (water purveyor) owns a small parcel located to the northeast of the subject property.

## PREVIOUS CASES/ZONING HISTORY

There are no previous zoning permit cases noted on the subject property.

## COUNTYWIDE GENERAL PLAN

The subject property is classified as Major Commercial in the Countywide General Plan. Uses within this land use classification include central business districts regional office complexes, major shopping malls and centers, major commercial recreational facilities

and a range of mixed commercial retail and service activities. Community and neighborhood-serving commercial uses generally are not shown, and can be appropriately established at locations which conveniently serve local market areas. An apartment complex may be found compatible with this land use classification if it serves the local community.

## SITE PLAN

### General Description

The applicant's site plan, labeled Exhibit "A" page 1 of 3, depicts the subject property developed with a two-story, 14,371 square foot seventeen (17) unit apartment building. The site plan shows the apartments being developed in four buildings with exterior stairways and an overhead trellis connecting the buildings. A 24'6" wide landscape/hardscape area is depicted between the buildings.The site plan depicts the front yard set back at 15'0", 5'0" side yard set backs, and a 64'0" rear yard set back. Thirty-seven (37) standard parking spaces are shown, primarily in the rear of the apartment buildings. Access to the site is via a driveway from Mountain Avenue to the east.

The elevations submitted by the applicant, labeled Exhibit "A" page 2 of 3, depict the proposed buildings from the west, east, south and north. The apartment complex is comprised of four (4) buildings, two of which are depicted at 18"0" above finished grade and two of the buildings at 24'0" above finished grade.

The applicant has submitted floor plans for the ground and upper floors of the apartments, labeled Exhibit "A" pages 3.a. and 3.b. The floor plans depict four (4) buildings. The building located on the west end of the property consists of three (3) two-bedroom units on the ground floor and five (5) two-bedroom units and one (1) one-bedroom unit on the upper floor. The upper floor of this building overhangs the parking below, providing covered parking. The apartment building located approximately 24'6" to the east of the first consists of two (2) two-bedroom apartments on the ground floor and two (2) two-bedroom apartments on the upper floor. There are two smaller buildings; one of which has one (1) one-bedroom apartment on the ground floor and one (1) one-bedroom apartment on the upper floor, the second building has one (1) two-bedroom apartment on the ground floor and one (1) two-bedroom apartment on the upper floor, one of these units has been labeled as a manager's unit. There is a total of seventeen (17) apartments depicted on the floor plan (14 two-bedroom and 3 one-bedroom).

### Compliance with Applicable Zoning Standards

As the applicant is requesting a change of zone to C-1-DP, the proposed apartments shall comply with the following required development standards pursuant to Section 22.28.120 of the County Code as follows:

?? Pursuant to Section 22.28.120.A. of the County Code, not to exceed 90 percent of the net area be occupied by buildings, with a minimum of 10 percent of the net area landscaped with a lawn, shrubbery, flowers and/or trees, which shall be continuously maintained in good condition. Incidental walkways, if needed, may be developed in the landscape area.

The footprint of the proposed apartment buildings is approximately 5,800 square feet, which is 20 percent lot coverage on the 29,333 square foot parcel. Although no landscaping table has been provided, landscaping is called out in the 24'6' wide building separation. If the Commission approves this request, the applicant will be required to resubmit the site plan with a landscape table and plan depicting a minimum of 10 percent of the subject property landscaped and be required to provide such landscaping as a condition of this grant.

?? ***Pursuant to Section 22.28.120.B. of the County Code, there shall be parking facilities as required by Part 11 of Chapter 22.52. Section 22.52.1180 of the County Code requires one and one-half covered parking spaces for each one-bedroom apartment and one and one-half covered and one-half uncovered for two-bedroom apartments. In addition, guest parking shall be required for all apartment houses containing ten (10) or more units at a ratio of one standard parking space for every four dwelling units. These spaces, which may be uncovered, shall be designated and marked for guest parking only. At least one parking space shall be assigned to each unit. Where two spaces are required or reserved for a dwelling unit such spaces may be developed in tandem. Parking spaces for apartment houses shall be standard size unless otherwise approved with a parking permit.***

The applicant's proposal includes the development of fourteen (14) two-bedroom apartments, requiring twenty-one (21) covered parking spaces and seven (7) uncovered parking spaces. The proposed three (3) one-bedroom apartments require five (5) covered parking spaces. In addition, four (4) guest parking spaces are required. A total of twenty-six (26) covered parking spaces and eleven (11) uncovered parking spaces are required. The applicant's site plan depicts the required parking. Although the guest parking spaces have been provided, the plan does not note their location. If the Commission approves this request, the applicant will be required to resubmit the site plan with the guest parking locations clearly noted.

?? ***Pursuant to Section 22.28.120.C. of the County Code, front and/or corner side yards shall be as follows: Front and/or corner side yards shall be equal to a distance of 1) 20 feet where property adjoins a parkway, major or secondary highway; and 2) equal to the front or corner side yard required on any contiguous residential or agricultural zone where property adjoins a street.***

The subject property abuts an A-1 zone to the south; the subject property's front yard is contiguous with the single-family residences corner side yard. The requirement for the corner side yard in the A-1 zone is five (5) feet; therefore the subject properties' front yard setback shall be a minimum of five (5) feet. The applicant's side plan depicts a fifteen-foot front yard setback. The applicant's site plan is in compliance with this yard requirement.

?? ***Pursuant to Section 22.28.120.D. of the County Code, the architectural and general appearance of all such commercial buildings and grounds be in keeping with the character of the neighborhood and such as not to be***

***detrimental to the public health, safety and general welfare of the community in which such use or uses are located.***
The applicant's elevations depict architectural elements and finishes found on other structures throughout the neighborhood. The applicant has attempted to design the building to blend with the residential neighborhood as it is proposed to be constructed in four (4) smaller units as opposed to one large apartment building. The applicant's plans and elevations are in compliance with this general appearance requirement.

?? Pursuant to Section 22.28.120 of the County Code, a building or structure shall not exceed a height of 35 feet above grade, excluding signs which are permitted by Part 10 of Chapter 22.52, chimneys, and rooftop antennas.
***The applicant's elevations depict the buildings at a height not to exceed (twenty-four) 24 feet above finished grade. The applicant's elevations are in compliance with this height limitation.***

?? Pursuant to Section 22.28.120.F. of the County Code, all display in zone C-1 shall be located entirely within an enclosed building unless otherwise authorized by a temporary use permit.
***The applicant is not proposing any outside display as part of this request.***

?? Pursuant to Section 22.28.120.G. of the County Code, no outside storage shall be permitted in zone C-1.
***The applicant is not proposing any outside storage as part of this request.***

Pursuant to Section 22.40.050 of the County Code, an applicant seeking a conditional use permit to develop property in zone ( )- DP shall submit a proposed development program. Such development program shall consist of the following elements.

?? Pursuant to Section 22.40.050.A. of the County Code, the applicant shall submit a plot plan showing the location of all proposed structures, the alteration or demolition of any existing structures, and development features, including grading, yards, walks, landscaping, height, bulk and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as neded to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area.
The applicant's site plan and elevations depict all of the required elements, except for the following: 1) the existing single-family residence and any other features to be demolished are not shown, 2) signs, if any are proposed, and 3) landscaping type. If the commission approves this request, the applicant will be required to resubmit the site plan to depict these features.

?? Pursuant to Section 22.40.050.B. of the County Code, a progress schedule, which shall include all phases of development and indicate the sequence and time period within which the improvements described will be made.
***The applicant intends to construct the development in one phase. The applicant has provided a progress schedule for the project dated August 13, 2002, which has been included as an attachment to this document.***

## BURDENS OF PROOFS

### Burden of Proof per Code for Conditional Use Permits

Pursuant to Los Angeles County Code Section 22.56.040 the applicant must meet the burden of proof requirements for Conditional Use Permits.

6. That the requested use at the location proposed will not:
   A. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
   B. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
   C. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
7. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
8. That the proposed site is adequately served:
   A. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
   B. By other public or private service facilities as are required.

### Applicant's Burden of Proof Responses

See Attached

### Burden of Proof per Code for Zone Change

Pursuant to Los Angeles County Code Section 22.16.110, the applicant must meet the burden of proof requirements for a zone change.

Modified conditions warrant a revision in the zoning plan as it pertains to the area or district under consideration because:

A need for the proposed zone classification exists within such area or district because:

The particular property under consideration is a proper location for said zone classification within such area of district because:

Placement of the proposed zone at such location will be in the interest of public health, safety and general welfare, and in conformity with good zoning practice because:

### Applicant's Burden of Proof Responses

See Attached

## ENVIRONMENTAL DOCUMENTATION

The Department of Regional Planning has determined that a Negative Declaration is the appropriate environmental documentation for this project under California Environment Quality Act (CEQA) reporting requirements. An Initial Study was prepared for this project in compliance with the environmental guidelines and reporting procedures of the County of Los Angeles. The Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment.

## COUNTY DEPARTMENT COMMENTS

### County of Los Angeles Department of Public Works

The Department of Public Works has provided comments dated August 8, 2002 regarding this request; their memo has been included as an attachment to this request.

### County of Los Angles Fire Department

No comments have been received from the Fire Department at the time of this report.

## OTHER DEPARTMENT COMMENTS

### City of Duarte

During the environmental review phase of this project the City of Duarte was notified of the negative declaration determination. In addition, staff notified the City of Duarte of the public hearing regarding this request. Staff did not receive any comments from the City of Duarte.

## PUBLIC COMMENTS

Staff received one petition with eight (8) signatures in opposition to this request at the time of this report. The petition is from local residents whose concerns include: 1) they feel the proposed apartments would attract undesirable clientele that would impact the community negatively, and 2) the apartments would bring too much traffic to the neighborhood, negatively affecting the residents and the nearby elementary school.

## STAFF EVALUATION

### Issues

The proposed apartment building is not permitted in the current A-1 zoning classification on the subject property. Pursuant to Section 22.28.110 of the County Code, apartments are permitted in the proposed C-1-DP zone with a conditional use permit. The C-1 zoning would be consistent with the property immediately adjacent to the north which is currently zoned C-1. The DP (Development Program) addendum to the zoning provides safeguards to insure completion of the proposed development by the applicant forestalling substitution of a lesser type of development contrary to the public convenience, welfare or development needs of the area.

The proposed C-1 zone would also be consistent with the Major Commercial classification of the General Plan, which the subject property is classified as.

The development of apartments of the subject property would not be precedent setting for the neighborhood as a multi-family development exists three parcels north of the subject property.

If at a later date the applicant decides not to continue the operation of the apartments, staff has concerns that other commercial uses permitted by right in the C-1 zone (automobile sales, retail shops, restaurants, etc.) may not be compatible with the existing residential neighborhood. The inclusion of the DP addendum on the zoning designation will insure these uses cannot be established without a public hearing.

If approved, staff recommends a twenty (20) year term for the requested Conditional Use Permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. Staff also recommends that the project be inspected annually for compliance with the final conditions of approval.

## FEES/DEPOSITS

If approved as recommended by staff, the following will apply:

Fish & Game:

1. Processing fees of $25.00 related to posting the Notice of Determination with the County Clerk. Fish & Game fees will not be required due to the fact that the project is located in an urban area devoid of natural habitat. The fees will be required within five (5) business days of the final approval date of the permit.

Zoning Enforcement:

2. Cost recovery deposit of $3,000.00 to cover the costs of the twenty (20) recommended annual zoning enforcement inspections. Additional funds would be required if violations are found on the property.

**STAFF RECOMMENDATION**

Prior to making a decision on this case, Staff recommends the Planning Commission consider the facts, analysis and correspondence contained in this report along with the oral testimony and/or written comments received during the public hearing.

Approval

If the Commission finds the applicant satisfies the zone change and conditional use permit burden of proof requirements for this request, Staff recommends **Approval** of Zone Change and Conditional Use Permit No. 02-173-(5), subject to the attached draft conditions.

**SUGGESTED APPROVAL MOTION**

"I MOVE THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION INDICATE ITS INTENT TO RECOMMEND APPROVAL OF ZONE CHANGE NO. 02-173-(5), A CHANGE OF ZONE FROM A-1 to C-1-DP, AND INDICATE ITS INTENT TO APPROVE CONDITIONAL USE PERMIT CASE NO. 02-173-(5), AND INSTRUCT STAFF TO PREPARE THE FINAL ENVIRONMENTAL DOCUMENTATION AND FINDINGS AND CONDITIONS FOR APPROVAL."

Report prepared by Karen Simmons, Senior Regional Planning Assistant
Reviewed by Frank Meneses, Supervising Regional Planner Zoning Permits Section I

April 9, 2003

Mr. Henry Nunez
11 E. Huntington Drive
Arcadia, CA 91006

**SUBJECT:** **INITIAL STUDY DETERMINATION LETTER**
**PROJECT NO:** **CUP / ZC 02-173**
**2060 S. Mountain Avenue, Duarte, CA 91010**

On April 9, 2003, the staff of the Department of Regional Planning (DRP) has completed its

review of the Environmental Questionnaire and other data regarding your project and made the following determination as to the type of environmental document required.

- ☐ Use of previously prepared EIR
- ☐ Categorical Exemption
- ☒ Negative Declaration
- ☐ Mitigated Negative Declaration
- ☐ Other: _____
- ☐ Environmental Impact Report (EIR)

If you have any questions regarding the above determination or environmental document preparation, please contact **Roxanne Tanemori** of the Impact Analysis Section at (213) 974-6461, Monday to Thursday between 7:30 a.m. and 6 p.m. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

Daryl Koutnik, Senior Biologist
Impact Analysis Section

JEH:DK:rjt

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

## NEGATIVE DECLARATION

**PROJECT NUMBER**: **CUP / ZC 02-173**

9. DESCRIPTION:

   The proposed project is a request for a Conditional Use Permit and a Zone Change to allow for the construction of a two-story apartment complex consisting of fourteen (14) two-bedroom units, and three (3) one-bedroom unit totaling 14,179 square feet, thirty-seven (37) parking spaces, and associated laundry and storage rooms (approximately 192 square feet). The subject property is currently zoned A-1 (Light Agriculture) and proposes a change in zone to C-1-DP (Restricted Business, Development Program) to allow for construction of the proposed apartment complex. Existing single-family residence will be removed prior to construction.

10. LOCATION:

2061 S. Mountain Avenue
Duarte, CA 91010

11. PROPONENT:

Mr. Henry Nunez
11 E. Huntington Drive
Arcadia, CA 91006

12. FINDINGS OF NO SIGNIFICANT EFFECT:

BASED ON THE INITIAL STUDY, IT HAS BEEN DETERMINED THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

**5. LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS:**

**THE LOCATION AND CUSTODIAN OF THE RECORD OF PROCEEDINGS ON WHICH ADOPTION OF THIS NEGATIVE DECLARATION IS BASED IS: DEPARTMENT OF REGIONAL PLANNING, 320 WEST TEMPLE STREET, LOS ANGELES, CA 90012**

**PREPARED BY:** Impact Analysis Section, Department of Regional Planning

**DATE:** April 9, 2003
April 9, 2003

Mr. Henry Nunez
11 E. Huntington Drive
Arcadia, CA 91006

**SUBJECT:** **INITIAL STUDY DETERMINATION LETTER**
**PROJECT NO:** **CUP / ZC 02-173**
**2060 S. Mountain Avenue, Duarte, CA 91010**

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- ☐ Use of previously prepared EIR
- ☐ Categorical Exemption
- ☒ Negative Declaration
- ☐ Mitigated Negative Declaration
- ☐ Other: _____
- ☐ Environmental Impact Report (EIR)

If you have any questions regarding the above determination or environmental document preparation, please contact **Roxanne Tanemori** of the Impact Analysis Section at (213) 974-6461, Monday to Thursday between 7:30 a.m. and 6 p.m. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

Daryl Koutnik, Senior Biologist
Impact Analysis Section

JEH:DK:rjt

**STAFF USE ONLY**

**PROJECT NUMBER:** *02-173*
**CASES:** *CUP*
*ZC*

# * * * * INITIAL STUDY * * * *

## COUNTY OF LOS ANGELES
## DEPARTMENT OF REGIONAL PLANNING

GENERAL INFORMATION

**I.A. Map Date:** *07/01/02* **Staff Member:** ***Roxanne Tanemori***
**Thomas Guide:** *567 J-7* **USGS Quad:** *Mount Wilson*
**Location:** *2061 S. Mountain Avenue, Duarte, CA 91010*

**Description of Project:** *The proposed project is a request for a Conditional Use Permit and a Zone Char to allow for the construction of a two-story apartment complex consisting of fourteen (14) two-bedroom units and three (3) one-bedroom unit totaling 14,179 square feet, thirty-seven (37) parking spaces, and associated laundry and storage rooms (approximately 192 square feet). The subject property is currently zoned A-1 (Li Agriculture) and proposes a change in zone to C-1-DP (Restricted Business, Development Program) to allow for construction of the proposed apartment complex. Existing single-family residence will be removed prior to construction.*

**Gross Acres:** *.64 acres*

**Environmental Setting:** *The subject property is located in an unincorporated neighborhood directly*

*adjacent to the City of Duarte north of Beckville Street and south of Euclid Avenue. The surrounding land us include single family residences, neighborhood stores, multifamily apartment complexes (ranging from 2-4 units), two churches, a utility pump, and a vacant lot. Access to the subject property is on Mountain Avenue. There is a twenty-foot highway dedication on the east property line adjacent to Mountain Avenue. One singl family residence is currently on the property; there is little vegetation on site.*

**Zoning:** *A-1: Light Agriculture*

**General Plan:** *C: Major Commercial*

**Community/Area wide Plan:** *N/A*

**Major projects in area:**

| PROJECT NUMBER | DESCRIPTION & STATUS |
|---|---|
| | |
| | |
| | |
| | |
| | |

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

## REVIEWING AGENCIES

| Responsible Agencies | Special Reviewing Agencies | Regional Significance |
|---|---|---|
| ☐ None | ☐ None | ☒ None |
| ☒ Regional Water Quality Control Board | ☐ Santa Monica Mountains Conservancy | ☐ SCAG Criteria |
| ☒ Los Angeles Region | ☐ National Parks | ☐ Air Quality |
| ☐ Lahontan Region | ☐ National Forest | ☐ Water Resources |
| ☐ Coastal Commission | ☐ Edwards Air Force Base | ☐ Santa Monica Mtns. Area |
| ☐ Army Corps of Engineers | ☐ Resource Conservation District of Santa Monica Mtns. Area | ☐ |
| ☐ | ☒ *City of Duarte* | ☐ |
| ☐ | ☐ | ☐ |
| ☐ | ☐ | ☐ |

| | | |
|---|---|---|
| ☐ | ☐ | ☐ |
| ☐ | ☐ | ☐ |
| | ☐ | |
| Trustee Agencies | ☐ | County Reviewing Agencies |
| ☒ None | ☐ | ☐ Subdivision Committee |
| | | ☐ DPW: |
| ☐ State Fish and Game | ☐ | |
| | | ☐ Health Services: |
| ☐ State Parks | ☐ | |
| ☐ | ☐ | ☐ |
| ☐ | ☐ | ☐ |
| ☐ | ☐ | ☐ |

| **IMPACT ANALYSIS MATRIX** | | **ANALYSIS SUMMARY (See individual pages fo details)** | | | | |
|---|---|---|---|---|---|---|
| | | | Less than Significant Impact/No Impact | | | |
| | | | | Less than Significant Impact with Project Mitigatior | | |
| | | | | | Potentially Significant Impact | |
| **CATEGORY** | **FACTOR** | Pg | | | | Potential Concern |
| HAZARDS | 1. Geotechnical | 5 | ☒ | ☐ | ☐ | _____ |
| | 2. Flood | 6 | ☒ | ☐ | ☐ | _____ |
| | 3. Fire | 7 | ☒ | ☐ | ☐ | _____ |
| | 4. Noise | 8 | ☒ | ☐ | ☐ | _____ |
| RESOURCES | 1. Water Quality | 9 | ☒ | ☐ | ☐ | _____ |
| | 2. Air Quality | 10 | ☒ | ☐ | ☐ | _____ |
| | 3. Biota | 11 | ☒ | ☐ | ☐ | _____ |
| | 4. Cultural Resources | 12 | ☒ | ☐ | ☐ | _____ |
| | 5. Mineral Resources | 13 | ☒ | ☐ | ☐ | _____ |
| | 6. Agriculture Resources | 14 | ☒ | ☐ | ☐ | _____ |
| | 7. Visual Qualities | 15 | ☒ | ☐ | ☐ | _____ |
| SERVICES | 1. Traffic/Access | 16 | ☒ | ☐ | ☐ | _____ |
| | 2. Sewage Disposal | 17 | ☒ | ☐ | ☐ | _____ |
| | 3. Education | 18 | ☒ | ☐ | ☐ | _____ |
| | 4. Fire/Sheriff | 19 | ☒ | ☐ | ☐ | _____ |
| | 5. Utilities | 20 | ☒ | ☐ | ☐ | _____ |
| OTHER | 1. General | 21 | ☒ | ☐ | ☐ | _____ |
| | 2. Environmental Safety | 22 | ☒ | ☐ | ☐ | _____ |

| | | | | | |
|---|---|---|---|---|---|
| 3. Land Use | 23 | ☒ | ☐ | ☐ | _____ |
| 4. Pop/Hous./Emp./Rec. | 24 | ☒ | ☐ | ☐ | _____ |
| 5. Mandatory Findings | 25 | ☒ | ☐ | ☐ | _____ |

**DEVELOPMENT MONITORING SYSTEM (DMS)**

As required by the Los Angeles County General Plan, DMS* shall be employed in the Initial Study phase of the environmental review procedure as prescribed by state law.

1. Development Policy Map Designation: *Urban 2: Conservation/Maintenance*
2. ☒ Yes ☐ No Is the project located in the Antelope Valley, East San Gabriel Valley, Malibu/Santa Monica Mountains or Santa Clarita Valley planning area?
3. ☐ Yes ☒ No Is the project at urban density and located within, or proposes a plan amendment to, an urban expansion designation?

**If both of the above questions are answered "yes", the project is subject to a County DMS analysis.**

☐ Check if DMS printout generated (attached)
Date of printout: _____

☐ Check if DMS overview worksheet completed (attached)
EIRs and/or staff reports shall utilize the most current DMS information available.

**Environmental Finding:**

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

☒ NEGATIVE DECLARATION, inasmuch as the proposed project will not have a significant effect on the environment.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.

☐ MITIGATED NEGATIVE DECLARATION, in as much as the changes required for the

project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

☐ ENVIRONMENTAL IMPACT REPORT*, inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant".

☐ At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The EIR is required to analyze only the factors not previously addressed.

Reviewed by: *Roxanne Tanemori* Date: *08/26/02*

Approved by: _____ Date: _____

☐ Determination appealed – see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

## HAZARDS - 1. Geotechnical

### SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Is the project located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone? |
| b. | ☐ | ☒ | ☐ | Is the project site located in an area containing a major landslide(s)? |
| c. | ☐ | ☒ | ☐ | Is the project site located in an area having high slope instability? |
| d. | ☐ | ☒ | ☐ | Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction? |
| e. | ☐ | ☒ | ☐ | Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard? |
| f. | ☐ | ☒ | ☐ | Will the project entail substantial grading and/or alteration of topography including slopes of over 25%? |
| g. | ☐ | ☒ | ☐ | Would the project be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code (1994), creating substantial risks to life or property? |
| h. | ☐ | ☐ | ☐ | Other factors? |

### STANDARD CODE REQUIREMENTS

☐ Building Ordinance No. 2225 – Sections 308B, 309, 310, and 311 and Chapters 29 and 70

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☐ Approval of Geotechnical Report by DPW

**CONCLUSION**

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **geotechnical** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No Impact

## HAZARDS - 2. Flood

### SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Is the major drainage course, as identified on USGS quad sheets by a dashed line, located on the project site? |
| b. | ☐ | ☒ | ☐ | Is the project site located within or does it contain a floodway, floodplain, or designated flood hazard zone? |
| c. | ☐ | ☒ | ☐ | Is the project site located in or subject to high mudflow conditions? |
| d. | ☐ | ☒ | ☐ | Could the project contribute or be subject to high erosion and debris deposition from run-off? |
| e. | ☐ | ☒ | ☐ | Would the project substantially alter the existing drainage pattern of the site or area? |
| f. | ☐ | ☐ | ☒ | Other factors (e.g., dam failure)? *Near Dam or Debris Basin Flood Boundaries* |

### STANDARD CODE REQUIREMENTS

☐ Building Ordinance No. 2225 – Section 308A ☐ Ordinance No. 12,114 (Floodways)
☐ Approval of Drainage Concept by DPW

☐ **MITIGATION MEASURES /** ☒ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design

*Area deemed suitable for residential and commercial development.*

## CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **flood (hydrological)** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

**HAZARDS - 3. Fire**

## SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Is the project site located in a Very High Fire Hazard Severity Zone (Fire Zone 4)? |
| b. | ☐ | ☒ | ☐ | Is the project site in a high fire hazard area and served by inadequate access due to lengths, width, surface materials, turnarounds or grade? |
| c. | ☐ | ☒ | ☐ | Does the project site have more than 75 dwelling units on a single access in a high fire hazard area? |
| d. | ☐ | ☒ | ☐ | Is the project site located in an area having inadequate water and pressure to meet fire flow standards? |
| e. | ☐ | ☒ | ☐ | Is the project located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)? |
| f. | ☐ | ☒ | ☐ | Does the proposed use constitute a potentially dangerous fire hazard? |
| g. | ☐ | ☐ | ☐ | Other factors? |

## STANDARD CODE REQUIREMENTS

☐ Water Ordinance No. 7834 ☐ Fire Ordinance No. 2947 ☐ Fire Prevention Guide No.46
☐ Fuel Modification/Landscape Plan

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**
☐ Project Design ☐ Compatible Use

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## CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **fire hazard** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

### HAZARDS - 4. Noise

## SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Is the project site located near a high noise source (airports, railroads, freeways, industry)? |
| b. | ☐ | ☒ | ☐ | Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity? |
| c. | ☐ | ☒ | ☐ | Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project? |
| d. | ☐ | ☒ | ☐ | Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? |
| e. | ☐ | ☐ | ☐ | Other factors? |

## STANDARD CODE REQUIREMENTS

☐ Noise Ordinance No. 11,778 ☐ Building Ordinance No. 2225--Chapter 35

## ☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design ☐ Compatible Use

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## CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by **noise**?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

## RESOURCES - 1. Water Quality

### SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Is the project site located in an area having known water quality problems and proposing the use of individual water wells? |
| b. | ☐ | ☒ | ☐ | Will the proposed project require the use of a private sewage disposal system? |
| | ☐ | ☒ | ☐ | If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations *or* is the project proposing on-site systems located in close proximity to a drainage course? |
| c. | ☐ | ☒ | ☐ | Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies? |
| d. | ☐ | ☒ | ☐ | Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies? |
| e. | ☐ | ☐ | ☒ | Other factors?<br>*17-unit apartment complex subject to NPDES requirements.* |

### STANDARD CODE REQUIREMENTS

☐ Industrial Waste Permit

☐ Health Code – Ordinance No.7583, Chapter 5

☐ Plumbing Code – Ordinance No.2269 (DPW)

☒ NPDES Permit CAS614001 Compliance

### ☐ MITIGATION MEASURES / ☒ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design ☐ Compatible Use

*No comments were received as a result of consultation with California Regional Water Quality Control Board.*

## CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **water quality** problems?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

**RESOURCES - 2. Air Quality**

## SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Will the proposed project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential users or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for non-residential uses)? |
| b. | ☐ | ☒ | ☐ | Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use? |
| c. | ☐ | ☒ | ☐ | Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure or exceed AQMD thresholds of potential significance per Screening Tables of the CEQA Air Quality Handbook? |
| d. | ☐ | ☒ | ☐ | Will the project generate or is the site in close proximity to sources that create obnoxious odors, dust, and/or hazardous emissions? |
| e. | ☐ | ☒ | ☐ | Would the project conflict with or obstruct implementation of the applicable air quality plan? |
| f. | ☐ | ☒ | ☐ | Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation? |
| g. | ☐ | ☒ | ☐ | Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emission which exceed quantitative thresholds for ozone precursors)? |
| h. | ☐ | ☐ | ☐ | Other factors? |

## STANDARD CODE REQUIREMENTS

☐ Health and Safety Code – Section 40506

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**

☐ Project Design ☐ Air Quality Report

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## CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **air quality**?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

**RESOURCES - 3. Biota**

## SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Is the project site located within Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural? |
| b. | ☐ | ☒ | ☐ | Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas? |
| c. | ☐ | ☒ | ☐ | Is a major drainage course, as identified on USGS quad sheets by a blue dashed line, located on the project site? |
| d. | ☐ | ☒ | ☐ | Does the project site contain a major riparian or other sensitive habitat (e.g. coastal sage scrub, oak woodland, sycamore riparian, woodland, wetland, etc.)? |
| e. | ☐ | ☒ | ☐ | Does the project site contain oak or other unique native trees (specify kinds of trees)? |
| f. | ☐ | ☒ | ☐ | Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)? |
| g. | ☐ | ☐ | ☐ | Other factors (e.g., wildlife corridor, adjacent open space linkage)? |

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☐ ERB/SEATAC Review ☐ Oak Tree Permit

**CONCLUSION**

Considering the above information, could the project have a significant impact (individually or cumulatively) on, **biotic** resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

**RESOURCES - 4. Archaeological/Historical/Paleontological**

**SETTING/IMPACTS**

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) that indicate potential archaeological sensitivity? |
| b. | ☐ | ☒ | ☐ | Does the project site contain rock formations indicating potential paleontological resources? |
| c. | ☐ | ☒ | ☐ | Does the project site contain known historic structures or sites? |
| d. | ☐ | ☒ | ☐ | Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5? |
| e. | ☐ | ☒ | ☐ | Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? |

f. ☐ ☐ ☐ Other factors?

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☐ Phase 1 Archaeology Report

## CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **archaeological, historical**, or **paleontological** resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

## RESOURCES - 5.Mineral Resources

### SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? |
| b. | ☐ | ☒ | ☐ | Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan? |
| c. | ☐ | ☐ | ☐ | Other factors? |

### ☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design

### CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **mineral** resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

## RESOURCES - 6. Agriculture Resources

### SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use? |
| b. | ☐ | ☒ | ☐ | Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? |
| c. | ☐ | ☒ | ☐ | Would the project involve other changes in the existing environment that due to their location or nature, could result in conversion of Farmland, to non-agricultural use? |
| d. | ☐ | ☐ | ☐ | Other factors? |

### ☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design

### CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **agriculture** resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

## RESOURCES - 7. Visual Qualities

### SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed? |
| b. | ☐ | ☒ | ☐ | Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail? |
| c. | ☐ | ☒ | ☐ | Is the project site located in an undeveloped or undisturbed area that contains unique aesthetic features? |
| d. | ☐ | ☒ | ☐ | Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features? |
| e. | ☐ | ☒ | ☐ | Is the project likely to create substantial sun shadow, light or glare problems? |
| f. | ☐ | ☐ | ☐ | Other factors (e.g., grading or landform alteration)? |

### ☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

☐ Lot Size ☐ Project Design ☐ Visual Report ☐ Compatible Use

### CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **scenic** qualities?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

## SERVICES - 1. Traffic/Access

### SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Does the project contain 25 dwelling units, or more and is it located in an area with known congestion problems (roadway or intersections)? |
| b. | ☐ | ☒ | ☐ | Will the project result in any hazardous traffic conditions? |
| c. | ☐ | ☒ | ☐ | Will the project result in parking problems with a subsequent impact on traffic conditions? |
| d. | ☐ | ☒ | ☐ | Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area? |
| e. | ☐ | ☒ | ☐ | Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded? |
| f. | ☐ | ☒ | ☐ | Would the project conflict with adopted policies, plans, or program supporting alternative transportation (e.g., bus, turnouts, bicycle racks)? |
| g. | ☐ | ☐ | ☐ | Other factors? |

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**

☐ Project Design ☐ Traffic Report ☐ Consultation with Traffic & Lighting Division

## CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **traffic/access** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

**SERVICES - 2. Sewage Disposal**

## SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | If served by a community sewage system, could the project create capacity problems at the treatment plant? |
| b. | ☐ | ☒ | ☐ | Could the project create capacity problems in the sewer lines serving the project site? |
| c. | ☐ | ☐ | ☐ | Other factors? |

## STANDARD CODE REQUIREMENTS

☐ Sanitary Sewers and Industrial Waste – Ordinance No. 6130
☐ Plumbing Code – Ordinance No. 2269

## ☐ MITIGATION MEASURES / ☐ OTHER CONSIDERATIONS

## CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **sewage disposal** facilities?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

**SERVICES - 3. Education**

## SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Could the project create capacity problems at the district level?<br>*Duarte Unified School District* |
| b. | ☐ | ☒ | ☐ | Could the project create capacity problems at individual schools that will serve the project site? |
| c. | ☐ | ☒ | ☐ | Could the project create student transportation problems? |
| d. | ☐ | ☒ | ☐ | Could the project create substantial library impacts due to increased population and demand? |
| e. | ☐ | ☐ | ☐ | Other factors? |

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**

☐ Site Dedication ☐ Government Code Section 65995 ☐ Library Facilities Mitigation Fee

## CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **educational** facilities/services?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

**SERVICES - 4. Fire/Sheriff Services**

## SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Could the project create staffing or response time problems at the fire station or sheriff's substation serving the project site? *Approximately ¾ mile to fire station in City of Monrovia; less than 2 miles from station in City of Duarte.* |
| b. | ☐ | ☒ | ☐ | Are there any special fire or law enforcement problems associated with the project or the general area? |
| c. | ☐ | ☐ | ☐ | Other factors? |

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**

☐ Fire Mitigation Fee

## CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **fire/sheriff** services?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

**SERVICES - 5. Utilities/Other Services**

## SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Is the project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells? |
| b. | ☐ | ☒ | ☐ | Is the project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs? |
| c. | ☐ | ☒ | ☐ | Could the project create problems with providing utility services, such as electricity, gas, or propane? |
| d. | ☐ | ☒ | ☐ | Are there any other known service problem areas (e.g., solid waste)? |
| e. | ☐ | ☒ | ☐ | Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)? |
| f. | ☐ | ☐ | ☐ | Other factors? |

## STANDARD CODE REQUIREMENTS

☐ Plumbing Code – Ordinance No. 2269 ☐ Water Code – Ordinance No. 7834

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**
☐ Lot Size ☐ Project Design

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**CONCLUSION**
Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **utilities** services?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

**OTHER FACTORS - 1. General**

**SETTING/IMPACTS**

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Will the project result in an inefficient use of energy resources? |
| b. | ☐ | ☒ | ☐ | Will the project result in a major change in the patterns, scale, or character of the general area or community? |
| c. | ☐ | ☒ | ☐ | Will the project result in a significant reduction in the amount of agricultural land? |
| d. | ☐ | ☐ | ☐ | Other factors? |

**STANDARD CODE REQUIREMENTS**
☐ State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**
☐ Lot Size ☐ Project Design ☐ Compatible Use

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## CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

**OTHER FACTORS - 2. Environmental Safety**

## SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Are any hazardous materials used, transported, produced, handled, or stored on-site? |
| b. | ☐ | ☒ | ☐ | Are any pressurized tanks to be used or any hazardous wastes stored on-site? |
| c. | ☐ | ☒ | ☐ | Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected? |
| d. | ☐ | ☒ | ☐ | Have there been previous uses that indicate residual soil toxicity of the site? |
| e. | ☐ | ☒ | ☐ | Would the project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment? |
| f. | ☐ | ☒ | ☐ | Would the project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? |
| g. | ☐ | ☒ | ☐ | Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment? |

| | | | | |
|---|---|---|---|---|
| h. | ☐ | ☒ | ☐ | Would the project result in a safety hazard for people in a project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip? |
| i. | ☐ | ☒ | ☐ | Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? |
| j. | ☐ | ☐ | ☐ | Other factors? |

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**

☐ Toxic Clean-up Plan

## CONCLUSION

Considering the above information, could the project have a significant impact relative to **public safety**?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

**OTHER FACTORS - 3. Land Use**

## SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Can the project be found to be inconsistent with the plan designation(s) of the subject property? |
| b. | ☐ | ☒ | ☐ | Can the project be found to be inconsistent with the zoning designation of the subject property?<br>*Proposed project includes a request for a Zone Change to C-1-DP to allow for the*<br>*construction of the apartment complex with a Conditional Use Permit.* |
| c. | | | | Can the project be found to be inconsistent with the following applicable land use criteria: |

| | | | | |
|---|---|---|---|---|
| | ☐ | ☒ | ☐ | Hillside Management Criteria? |
| | ☐ | ☒ | ☐ | SEA Conformance Criteria? |
| | ☐ | ☒ | ☐ | Other? |
| d. | ☐ | ☒ | ☐ | Would the project physically divide an established community? |
| e. | ☐ | ☐ | ☐ | Other factors? |

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**

## CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **land use** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

## OTHER FACTORS - 4. Population/Housing/Employment/Recreation

### SETTING/IMPACTS

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Could the project cumulatively exceed official regional or local population projections? |
| b. | ☐ | ☒ | ☐ | Could the project induce substantial direct or indirect growth in an area (e.g., through projects in an undeveloped area or extension of major infrastructure)? |
| c. | ☐ | ☒ | ☐ | Could the project displace existing housing, especially affordable housing? |
| d. | ☐ | ☒ | ☐ | Could the project result in substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)? |
| e. | ☐ | ☒ | ☐ | Could the project require new or expanded recreational facilities for future residents? |
| f. | ☐ | ☒ | ☐ | Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? |
| g. | ☐ | ☐ | ☐ | Other factors? |

☐ **MITIGATION MEASURES /** ☐ **OTHER CONSIDERATIONS**

## CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **population, housing, employment,** or **recreational** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

**MANDATORY FINDINGS OF SIGNIFICANCE**

Based on this Initial Study, the following findings are made:

| | Yes | No | Maybe | |
|---|---|---|---|---|
| a. | ☐ | ☒ | ☐ | Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? |
| b. | ☐ | ☒ | ☐ | Does the project have possible environmental effects that are individually limited but cumulatively considerable? "Cumulatively considerable" means that 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. |
| c. | ☐ | ☒ | ☐ | Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly? |

**CONCLUSION**

Considering the above information, could the project have a significant impact (individually or cumulatively) on the environment?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact