

Ordinance 184827 - Bel Air HCR-Overlay – Additions as of 06.03.21

1. **Banding: Limits of 45' cumulative of view scape. Envelope of all bands not to exceed the 45' cap. Any basement with a visible portion counts towards the cap. Overall envelope height includes elevators shafts. (A waterfall effect, currently without a cap is creating an unintended consequence with SFD's building structures up to 90 feet down hillsides.)** *(this should be added to BAA's item .1)*
2. **Grading & Haul Route: cannot occur until building permits have been issued. Remedial grading limited to that which does not result in the taking. Remedial grading shall be determined and authorized by a City soils engineer subject to City Council oversight. Restore grading and hauling back to the 2011 original matrix.**
3. **The total cumulative quantity of Grading, or the total combined value of both Cut & Fill for the import or export of earth, or incremental Cut & Fill for Import and Export of earth, for any one lot shall be limited to the by-right maximum.**
(agree with BAA's item 3)
4. **Earth removal for caissons to be included in the calculations of grading and haul route quantities.** *Total number of caissons per project not to exceed ????*
5. **No Building Permit shall be issued without consent of the Planning Department (Plan Check), LAFD and LAPD. [BBSC requires DOT, BSS & Environmental clearances] NC to be included in the DOT recommendation for Haul Route to the BBSC. Fifteen days prior to a haul route hearing all properties in the HCR area along the haul route will receive written notice of the hearing.**
6. **Building & Safety: may not complete Plan Check without** *1) obtaining Urban Forestry clearance that include a stamped and signed survey, Google maps and tree inventory;* **2) prior issuance of a protected tree removal permit .**
 - a. **Incorporate the proposed Protected Tree Ordinance to all mature trees.**
7. **Enforcement & Penalties: Written Notice of an application or discretionary project shall be given to all properties within 1,000' of proposed project. Posting of permits to be maintained until project completion.**
[Violations: (agree with BAA's No's 7 & 8)]
8. **No street use permits shall be issued or construction vehicle parked such that a passable lane of less than 15' in width results. No street use permits shall be issued on opposite sides of the street at the same time. Due to public safety and emergency vehicle access concerns, no construction parking shall be allowed within 200' of the entrance of a cul-de-sac or dead end street or within the cull-de- sac or dead-end street itself.** *Parking for construction crews shall be prohibited on substandard hillside streets other than on and along frontage of the project site. Construction crews to be shuttled*

from and to a parking lot outside HCR boundaries. Construction traffic management plans to be included with the permit application submittal and be signed off by LADOT and LABSS.

9. **Financial Responsibility and Liability: A Completion Bond, in favor of the City, shall be required against a Schedule of Performance by Owner and Contractor with the ability of the City to draw down for various violations of a permit. This will protect the City. against failure to timely complete a project or default. Drawdowns to be replenished.**[Fee Base: agree with BAA.s No. 3.]. 7,500 sf
 10. **Roof Top Protection: No observation decks, or other entertainment or gathering structure creating an additional story equivalence. (Concerned about height, environmental impact and neighbors' privacy.) (see S3)**
 11. **Lighting & View Scape**
 - a. **Exterior Illumination: Standards set for new construction, down lighting only, warm yellow color, with lumens to be determined. (40w = 450 lumens, 60w = 950 lumens) (Spacing of exterior lights to be determined, see MDRB for standards)**
 - b. **Interior Illumination: Standards set for new construction applicable to large windows or openings that would affect the surrounding areas, including neighbor's privacy and wild life habitat. (Interior lights to be determined, see MDRB for standards)**
 12. **View Scape: Screening standards consistent with natural environmental surroundings to be used to cover caissons and retaining walls, and must be completed prior to receipt of COO. (see MDRB standards.) Landscaping for this purpose shall include automatic irrigation system.**
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13. **Remodeling and Additions: This regulation will apply to new construction, additions and major alterations. The following types of work defined as major alterations or additions:**
 - a. **Adding any new story, including a basement or other below-grade structure. Raising a structure to meet the required headroom in a basement is considered the same as creating a basement.**
 - b. **Increasing or replacing 50% or more of the exterior wall area on any floor. If the subflooring under an exterior wall is removed, it will be treated as if the wall was removed. Applicant must accurately represent scope of work since many major remodels technically qualify as new construction due to the lack of adherence to the removal 50% of roof and walls stipulation.**
 14. **Retaining Wall Ordinance: Define a retaining wall vs. a foundation for a SFD. A foundation is identified as construction limited to the area under the footprint of a Single Family Dwelling and continues to the exterior walls whether it is a slab or raised foundation and outside of the covered roof exterior wall of habitable living space. Continuing beyond the exterior of the footprint of a house, shall not be**

identified as foundation, but identified as an exterior slab or retaining wall. A trellis covering a retaining wall is still a retaining wall. (see [Retaining Wall Ordinance](#))

15. Faulty Road designations on Substandard Streets & Paper Streets: Continuous Paved Roadway (CPR) to be validated by BOE, with a basic investigation or a stamped survey from a licensed surveyor before a permit is issued. (see [new Ordinance](#))

16. CEQA: Due to the nature of Cumulative Impact per CEQA, more comprehensive environmental review is required in considering an EIR, MND and ND before CE. Cumulative Impact must be considered according to CEQA:

“When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project’s incremental effect, though individually limited, is cumulatively considerable. “Cumulatively Considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, or the effects of other current projects, and the effects of probable future projects.” or the effects of other current projects, and the effects of probable future projects.”

The 17,500 sq. ft. limit to include exempt habitable area (conditioned space) or basements, but exclude garage area. **All new construction and additions that requested a variance to increase total RFA or total height or any other parameter by more than 15% above the maximum allowed by codes shall be subject to CEQA review and cannot apply for categorical exemption. Environmental analysis shall expire two years after its issue date in order to reflect current conditions.**

17. Discretionary Projects, must appear before the Neighborhood Council.
18. *(18-20) Apply 24-cap limit for a number of haul rout trips to each area with a single point of entry. (No individual streets noted)*
19. *By-right hauling shall be subject to 24-cap limits and require a deputy grading inspector to record number of hauling trips.*
20. **Section 13.20.D.6(i) shall read: Flag person(s) shall be required for all project sites construction operations when vehicles larger than 8 ft wide and 15 ft long such as haul trucks, cement trucks, flat bed delivery trucks, etc. are used. Flag persons with radio control and warning signs shall be certified in compliance with the latest edition of the “Work Area Traffic Control Handbook” “CALIFORNIA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES” and CAL/OSHA Title 8 Division 1 Subchapter 4 Article 11 Section 1599. Flag persons provided at the job site shall assist trucks vehicles in and out of the project-area**

21. ***Section 13.20.D.4 (c) shall read: "All hauling vehicles and other large construction vehicle, such as, demolition trucks, concrete mixers, flatbed delivery vehicles must be identified by a placard with the project address which shall be prominently displayed on each hauling vehicle.***
22. ***Deputy grading inspectors shall be assigned by LADBS (use of contracted third parties is acceptable) and report to it to avoid conflict of interest.***
23. ***Haul route ownership: Haul route shall be assigned to the owner of the property and shall not be transferable with the property.***
24. ***Haul bond funds have to be appropriated and assigned to specific streets funds in lieu of the general City fund and used to repair respective streets. This may require changes to BSS funding.***
25. More HCR's 25. 45' ft ht vs Slope Banding.
26. **LADBS advised us to attach a specific punitive measure to each HCR requirement, old and new, in order to give the enforcing agencies real power.**
27. ***Grading Quantities RE 40, 20, 15. 2018 HCR's doubled from 3,000 cy to 6,000 plus a 10% bonus?***
28. ***Ridgeline Ord Special Grading Limit.***

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