

Crane Boulevard Safety Coalition

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Revised at request of LADBS: July 2, 2026

VIA PERSONAL DELIVERY AND EMAIL

Board of Building and Safety Commissioners
Los Angeles Department of Building and Safety
201 N. Figueroa Street, Suite 1030
Los Angeles, CA 90012

Re: Appeal of Denial (June 18, 2026) of Building/Safety Appeal for 464-466 Crane Boulevard¹

Violations of:

State Minimum Fire Safe Development Regulations, California Wildland Urban Interface Code & LAMC Section 4908.1, California Environmental Quality Act Guidelines Section 15268(d).

Request to Void Permits pursuant to LAMC Section 11.02 and Related Departmental Procedural Relief Before Reconsideration Of The Permits.

Dear Members of the Board of Building and Safety Commissioners:

I. THE CRANE BOULEVARD SAFETY COALITION AND ITS APPEAL

The Crane Boulevard Safety Coalition ("CBSC" or "Coalition") is a community-based advocacy organization composed of residents and property owners who live and work in and around the Mount Washington neighborhood of Los Angeles. The Coalition was formed

¹ This Building and Safety Appeal was first filed Monday June 15, 2026. It was denied on June 18, 2026. The Coalition was informed that its appeal of that decision to the Commission could only be processed by the same staff who would be out of the office until June 29, 2026. On June 29, 2026, the Coalition appeared for its appointment with staff. This appeal to the Commission was accepted and processed, with an appeal fee \$499.22 plus credit card fees. After accepting the appeal for filing on June 29, 2026, on June 30, 2026 the LADBS decided to require a higher appeal fee of \$1,300.37 plus credit card fees, and asked the Coalition to revise its appeal form for a notarized signature for a matter that appears to only apply to Building Modifications (not permit appeals). On July 1, 2026 the Coalition fulfilled the staff request to obtain another notarization of the Building Modification certification, paid the higher fee, and was forced to ask the City to refund the prior fee levied. This appeal letter retains the original June 29, 2026 appeal date, and the revised July 2, 2026 date of the request of LADBS to file a second time.

specifically to address the mounting public safety risks created by hillside development approved by the City of Los Angeles without meaningful compliance with numerous laws intended to protect human life and property, including the state and local fire safety laws. Our members include families who depend on Crane Boulevard and its connecting streets as their sole means of egress in the event of a wildfire — the same narrow, steep, curve-deficient streets that this appeal places before this Commission for decision.

The Coalition's original appeal letter to LADBS, dated June 15, 2026, presented detailed legal and factual grounds demonstrating that the challenged permits were issued in violation of: (1) the State Minimum Fire Safe Development Regulations (Cal. Code Regs. tit. 14, §§ 1270 et seq.); (2) the California Wildland Urban Interface Code (Cal. Code Regs. tit. 24, Part 7.); (3) Los Angeles Fire Code Section 57.4908.1; and (4) California Environmental Quality Act ("CEQA"). A copy of the first level appeal is attached as **Exhibit A**, and the appeal letter there must be read in conjunction with this appeal letter because it contains specific factual information about the deficiencies of access, perimeters, and setbacks of the Project in this case.

By this letter and accompanying Los Angeles Department of Building and Safety ("LADBS") forms, the Coalition formally appeals to the Board of Building and Safety Commissioners (the "Board" or "Commission") the denial — issued without any written explanation by LADBS staff on June 18, 2026 — of the Coalition's appeal of building, grading, and permanent shoring permits issued for the proposed three-story single-family dwelling at 464-466 Crane Boulevard, Los Angeles, California 90065 (the "Project"). The permits at issue are: Nos. 22010-10000-01079 & 22010-10001-01079 (SFD); 20030-10000-03239 & 22030-10000-01549 (pre-grading inspection); 22030-10000-01587 (grading); 22020-10000-00511 (3.5 ft retaining wall); and 24020-10000-01582 (permanent underground SFD shoring). A copy of these permits, as they were issued and found at <https://ladbsdoc.lacity.org>, are attached as **Exhibit B**.

LADBS denied that appeal without any written explanation, findings, or reasoning. The Coalition now places before this Board not only the specific violations at 464-466 Crane Boulevard, but also the broader, systemic failure of the City's bureaucracy to protect the lives of hundreds of thousands of Angelenos who call the hillside communities of this City their home. **A correction of the City's administrative process must occur before these permits can be reconsidered.**

II. THIS CASE ILLUSTRATES WHAT APPEARS TO BE A DELIBERATE DERELICTION OF DUTY TO PROTECT LIVES AND PROPERTY OF EXISTING RESIDENTS IN THE HILLSIDE COMMUNITIES OF THE CITY OF LOS ANGELES; THIS DERELICTION IS UNDER THE SUPERVISION AND CONTROL OF MAYOR KAREN BASS AND APPLICABLE DEPUTY MAYORS.

The facts of this case are not complicated — but their implications are devastating for the hillside residents of this City. For more than five years — since July 1, 2021 — California law has required the City of Los Angeles to apply the State Minimum Fire Safe Development Regulations ("Fire Safe Regulations") to every new residential, commercial, and industrial building permit issued in areas designated as Very High Fire Hazard Severity Zones

(“VHFHSZ”). The City of Los Angeles knew this. A copy of the Fire Safe Regulations is attached at **Exhibit C** for the Commission’s review.

In the intervening years from July 1, 2021 to fall 2025, the City acknowledged the existence of and represented to the public and state/federal agencies that it was fully enforcing the Fire Safe Regulations. In the City’s adopted amendments to the Safety Element to the General Plan, and in the City’s Local Hazard Mitigation Plan submitted to the federal and state government emergency agencies, the City made these representations. And yet, year after year, permit after permit, project after project — the City’s bureaucracy (LADBS, Department of City Planning, Bureau of Engineering, Fire Department) simply refused and failed to fully enforce this law.

Mayor Karen Bass is ultimately responsible for overseeing these departments, but she acts through the work of her Deputy Mayors. Those who have subject matter responsibility, and who must be presumed to be aware of the now five-year practices of the departments listed above may include the following current Deputy Mayors or their predecessors: Karren Lane, Deputy Mayor for Community Safety; Sue Stengel, Deputy Mayor for Public Safety; Rachel Freeman, Deputy Mayor for Business and Economic Development; and Dr. Estemaye Agonafer, Deputy Mayor of Housing. David Greenman, Director of Commission Affairs, may have some role in communicating the Mayor’s policy preferences to the members of the City’s Commissions appointed by Mayor Bass, including the members of this Commission.

The consequences of the City’s refusal to enforce the Fire Safe Regulations are not abstract. The City’s ongoing refusal placed the lives and property of hillside residents of the City at higher risks of wildfire losses. ***On January 7, 2025 — just months after the City adopted its Local Hazard Mitigation Plan representing it was enforcing the Fire Safe Regulations — the Palisades Fire ignited.*** It killed at least 12 people and destroyed approximately 6,837 structures. The Altadena Fire, burning concurrently, killed at least 19 more people and destroyed approximately 9,400 additional structures. Together, these fires killed at least 31 people, erased approximately 16,000 structures from the map of Los Angeles, at inflicted at least \$50 billion in losses.

Angelenos watched in real time on live television as residents trapped in the narrow, steep streets of hillside neighborhoods fled for their lives in a chaotic, gridlocked evacuation that looked precisely like what experts warned would happen if fire safety access standards were not enforced. The City’s Mayor’s Office and bureaucracy watched that same television footage. ***And still, as of the date of this letter, the City has not enacted a fully compliant implementing program for the State Minimum Fire Safe Regulations.***

Let that sink in: In the same calendar year that wildfires killed 31 people and erased entire neighborhoods from the map, someone at City Hall was still refusing, ***and in the action of denying this instant appeal, continues to refuse***, to fully implement state minimum fire protection laws that have been on the books ***for five years. Five years of incomplete enforcement — during the last year of Eric Garcetti’s term and all of the four-year term of Karen Bass — is unacceptable conduct of officials who are supposed to keep Angelenos safe.***

The State of California has made it abundantly clear that the Fire Safe Regulations must be enforced to provide a floor of protection of persons and property located in the VHFHSZ and in what is called the “Wildland Urban Interface.” Last year, the Office of the State Fire Marshall

adopted a closely-related code to protect persons and property within the City's Wildland-Urban Interface through building hardening and vegetation management. Reports in Council File 18-1120 state that the Fire Department regards the Wildland/Urban Interface to be the same territory as the VHFHSZ (https://cityclerk.lacity.org/online/docs/2018/18-1120_rpt_CLA_08-07-2019.pdf), but no adopted WUI map has been located by the Coalition that makes that official. The 2025 California Wildland Urban Interface Code ("WUI Code") became enforceable within the City of Los Angeles effective January 1, 2026. In Council File No. 25-1363, the Board of Fire Commissioners asked City Council for immediate action to adopt its implementing WUI Code before the effective date of January 1, 2026. https://cityclerk.lacity.org/online/docs/2025/25-1363_misc_11-18-25.pdf ***The City has failed to do so according to documents in that Council File, because the City Attorney has not returned with an implementing ordinance.***

The State's WUI Code — which incorporates and expands upon all of the provisions of the Fire Safe Regulations and provides critical construction standards for new buildings in wildfire-prone areas — ***went into effect under state law without the City having adopted a compliant implementing program.*** According to the report of the Fire Commissioners, "... the City must adopt its amendments by January 1, 2026. Failure to meet this deadline will make any amendments unenforceable." (https://cityclerk.lacity.org/online/docs/2025/25-1363_misc_11-18-25.pdf). In order to emphasize the continuing applicability of the Fire Safe Regulations, the State Fire Marshall set forth the text of the Fire Safe Regulations into the WUI Code to make clear that both apply to any project lying within both the VHFHSZ and WUI. LADBS issued a Supplemental Checklist for the WUI Code in the absence of a City-adopted version, noting it was effective January 1, 2026, ***but this checklist fails to enforce all minimum requirements of the Fire Safe Regulations.***

This is not an oversight. This is not a resource problem. This is a pattern — ***a pattern that strongly suggests the City's bureaucracy, overseen by Mayor Bass, has made a calculated decision to allow real estate and development interests to proceed in the City's most dangerous fire zones without meeting the full compliance requirements of state law.*** In doing so, the City's inaction reduces developer costs of building in sensitive hillside communities without full compliance with the roadway width, grade, turning radius, setback, and perimeter standards that the State of California has determined are the minimum necessary to protect human life. Each new luxury home approved on a steep hillside street represents not just one family moving in — it represents more cars on the road, more population density, more people requiring evacuation, and greater cumulative load on infrastructure that was already inadequate before the development began. ***The City's choice to elevate luxury home development over the lives of its own firefighters and hillside residents is reckless and inexcusable.***

The streets surrounding the Project at 464-466 Crane Boulevard are, in critical respects, more dangerous than those that burned at the Palisades. Crane Boulevard has documented turning radii as low as 13 feet — against a state minimum of 50 feet. Sections of the evacuation routes exceed 20 percent grade. On-street parking is permitted along egress roads that are already just under the 20-foot minimum width for two-way emergency vehicle and civilian evacuation traffic, ***meaning these roads function as a single lane.*** (See Exhibit A original appeal letter) The Project proposes to add density to this deficient road network ***without any documented review of whether the evacuation routes can support it*** — and without any notice to or

comment from CAL FIRE or a case-by-case exception administrative process, as state law expressly requires, *before the City can issue such permits.*

This Board exists precisely for moments like this one. The Commission is asked not merely to adjudicate a permit dispute between a community group and a developer. It is asked to decide whether the rule of law means anything in the hillside communities of Los Angeles — and whether the City's promise, written into its Safety Element, into its Local Hazard Mitigation Plan, and into its Fire Code, to fully implement the State Minimum Fire Safe Regulations, will be enforced, *or whether that promise is simply words on paper while permits continue to issue in flagrant violation of those same laws.* Mayor Bass, her Deputy Mayors with subject matter oversight, and the departmental bureaucracy is expected under our City Charter, Administrative Code, and related ordinances to be held accountable by this Commission when the facts support it.² The Coalition respectfully asks this Commission to do so.

III. THE ROLE OF THE BOARD OF BUILDING AND SAFETY COMMISSIONERS IS TO KEEP THIS COMMUNITY SAFE

The City Charter, Administrative Code, and appeal ordinance vests the Board of Building and Safety Commissioners with independent authority to oversee the Department of Building and Safety and to ensure that the Department's actions conform to law. This Commission is appointed in accordance with Charter Sections 501-503 (LAAC §22.21) establishes that Commissions serve as citizen oversight bodies charged with holding the bureaucracy accountable within their delegated jurisdiction — not merely facilitating its decisions.

The word "Safety" in this Commission's title is not decorative. The Department's mandate — and therefore this Board's mandate — is to protect the people of Los Angeles, not merely to process building applications. The Board has full authority under LAMC Section 98.0403.2 to hear this appeal, reverse the LADBS denial, and order the revocation of the challenged permits. More broadly, the Board has the institutional obligation to direct LADBS to come into full compliance with state law — including by creating the administrative exception process that state regulation requires *and that the City has thus far failed to establish as described below in detail.* It is both a legal and moral imperative that this Commission halt the City's law breaking.

The State Minimum Fire Safe Regulations do not contemplate that local jurisdictions will simply ignore them. They contemplate that local jurisdictions will apply them to every qualifying project — and where strict compliance is not possible because of physical constraints, the

² The Coalition is mindful of an alleged practice of Mayors of Los Angeles to require appointees to City Commissions to sign an undated resignation letter that is kept in the files of the Mayor's Office. Presumably this practice permits a displeased Mayor to "accept" a Commissioner's resignation letter by merely filling in the date and discharging a Commissioner unwilling to bend to the Mayor's demands for a particular appeal outcome. If any members of this Commission signed such undated "resignation letters" when they were appointed, such a process inherently violates the independent judgment of this Commission as contemplated by the People when they adopted the City's Charter. Should the facts and law set out in this appeal raise red flags for Commissioners that warrant grant of this appeal and revocation of the subject permits, any inappropriate Mayoral interference with a Commissioner's independent judgment (including vote counting outside the hearing room) should be met with resistance and/or a public resignation to call attention to such reprehensible undermining of this Commission's authority and duties.

regulations provide *a formal exception process* requiring written findings, consultation with CAL FIRE, and *enforceable mitigation* conditions demonstrating that the project will provide the "Same Practical Effect" as full compliance. That process must be documented, transparent, and subject to public review. *To the best of the Coalition's knowledge, none of those things have happened in the City of Los Angeles for new single family homes. The City's online records do not show that they happened for the Project at 464-466 Crane Boulevard.*

The Board is therefore asked to do what LADBS and related departments have refused to do: enforce the law as written, revoke the permits issued in violation of that law, and require the Department to establish — in writing, with public notice and input — a lawful implementing program for the State Minimum Fire Safe Regulations before any further building permits are issued for new construction in the City's VHFHSZ hillside communities. This correction of the administrative process is required before the permits in this case could possibly be lawfully issued.

Specifically, this Board should order that, as a condition of issuing any building permit for new construction in a VHFHSZ, LADBS must: (1) document in the permit file that CAL FIRE was given notice of the application as required by 14 CCR § 1270.04 (See **Exhibit C**); (2) document that the minimum roadway access, width, grade, and turning radius requirements of 14 CCR §§ 1273 through 1273.09 are either met or that either a formal exception has been granted with enforceable mitigation conditions or denial of the permit due to inability to comply with Fire Safe Regulations; and (3) document that the 30-foot setback requirement of 14 CCR § 1276.01 is either fully met or that a documented reduction with specified protective alternatives has been incorporated into the permit to provide comparable protection, or denial of the permit due to inability to comply with the Fire Safe Regulations. This is not a novel or burdensome requirement. It is what the law has required the City to do since July 1, 2021.

IV. THE HISTORY AND LEGAL MANDATE OF THE STATE MINIMUM FIRE SAFE DEVELOPMENT REGULATIONS — AND THE CITY'S RESPONSIBILITIES AS LOCAL RESPONSIBILITY AREA AND LOCAL JURISDICTION

A. Origins and Expansion of the Fire Safe Regulations

California's minimum fire safety standards for development in fire-prone areas have their origins in the catastrophic wildfires of the late 1980s and early 1990s. In response to those disasters, the Legislature enacted Public Resources Code Section 4290, which directed the State Board of Forestry and Fire Protection to adopt regulations establishing minimum fire safety standards for residential, commercial, and industrial development in State Responsibility Areas ("SRA") — areas where the State, rather than a local jurisdiction, bears primary responsibility for wildfire suppression. The Board of Forestry adopted the first generation of these regulations, effective January 1, 1991, requiring minimum standards for roadway access, turning radius, grade, width, signing, water supply, fuel modification, and structure setbacks.

The fires of the 2010s and 2020s demonstrated with brutal clarity that incorporated cities and Local Responsibility Areas were equally — and in some cases more — vulnerable to

catastrophic wildfire. The Camp Fire of 2018, which destroyed the town of Paradise and killed 85 people, was the deadliest wildfire in California history. The Woolsey Fire, the Thomas Fire, and ultimately the January 2025 Palisades and Altadena Fires ***confirmed that communities in Local Responsibility Areas faced equivalent risk with, in many cases, worse access and evacuation infrastructure.*** In the 2018 Camp Fire at least 7 deaths were due to persons trying to evacuate in their vehicles when they became stuck and unable to outrun the fire sweeping over the roadway. A similar fire on Crane Boulevard, with its extreme deficiencies, could result in foreseeable death and injury without strict adherence to the State minimum requirements.

The Legislature acted in response to these urban fires and deaths. In 2018, Senate Bill 901 (Stats. 2018, ch. 626) directed the State Board of Forestry to expand the minimum fire safety regulations to cover lands classified and designated as Very High Fire Hazard Severity Zones within Local Responsibility Areas — i.e., within incorporated cities like Los Angeles. The Legislative Counsel's Digest for SB 901 stated expressly that the bill would "require the state forestry board to adopt regulations implementing minimum fire safety standards that are applicable to lands classified and designated as very high fire hazard severity zones and would require the regulations to apply to the perimeters and access to all residential, commercial, and industrial building construction within lands classified and designated as very high fire hazard severity zones . . . after July 1, 2021."

The Board of Forestry acted on that mandate. In 2021, the Board adopted comprehensive amendments to the Minimum Fire Safe Regulations, set forth at Title 14, California Code of Regulations, Division 1.5, Chapter 7, Subchapter 2 (14 CCR §§ 1270 et seq.) (the "Fire Safe Regulations"). These Regulations took effect and became applicable to new construction in VHFHSZ areas of incorporated cities, including the City of Los Angeles, on July 1, 2021. The legal mandate is unambiguous:

14 CCR § 1270.02(a): "Subchapter 2 has been prepared and adopted for the purpose of establishing state minimum Wildfire protection standards in conjunction with Building, construction, and Development in the State Responsibility Area (SRA) and, after July 1, 2021, the Very High Fire Hazard Severity Zones, as defined in Government Code § 51177(i) (VHFHSZ)."

14 CCR § 1270.02(b): "The future design and construction *of Structures*, subdivisions and Developments in the SRA and, after July 1, 2021, the VHFHSZ ***shall provide for basic emergency access and perimeter Wildfire protection measures*** as specified in the following articles." (Exhibit C, emphasis added.)

Public Resources Code Section 4290(a) similarly states: "These regulations apply to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991, and within lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code after July 1, 2021."

The Fire Safe Regulations are minimum mandatory standards enacted as a matter of statewide concern, which means they preempt conflicting local ordinances or local inaction,

including charter cities. Government Code Section 51177(i) defines VHFHSZ to include areas "designated as a very high fire hazard severity zone by the State Fire Marshal pursuant to Section 51178 that is not a state responsibility area" — precisely the category of land at issue in this case. The Project site at 464-466 Crane Boulevard is mapped in ZIMAS as located within the City's designated VHFHSZ.

The Regulations mandate minimum roadway widths (two 10-foot travel lanes, 14 CCR § 1273.01); maximum road grades (not to exceed 16 percent, with limited exception up to 20 percent, 14 CCR § 1273.03); minimum horizontal inside turning radii (50 feet, 14 CCR § 1273.04); minimum building and parcel setbacks (30 feet from all property lines and road centerlines, 14 CCR § 1276.01); notification to CAL FIRE of all permit applications in VHFHSZ areas (14 CCR § 1270.04(a)); **and incorporation of the applicable minimum requirements as enforceable conditions of every qualifying permit** (14 CCR § 1270.04(c)). The Coalition can locate no evidence that these particular requirements are enforced by the City, or in this particular case.

B. The City of Los Angeles Is the Local Responsibility Area and the Inspecting Agency Required to Enforce the Regulations

The State of California's mapping of Local Responsibility Areas and VHFHSZ designations establishes without ambiguity that the City of Los Angeles is both: (1) the Local Responsibility Area ("LRA") — i.e., the jurisdiction with primary responsibility for fire suppression within its boundaries; and (2) the "Local Jurisdiction" and "Inspecting Agency" as defined in the Regulations, *responsible for creating the local laws, policies, and procedures necessary to implement the Regulations and to assure that all minimum requirements are met or exceeded as a condition of every applicable building permit.* The State's official VHFHSZ mapping, accessible at the California Department of Forestry and Fire Protection website, confirms that substantial portions of the City of Los Angeles — including the Mount Washington/Glassell Park neighborhood in which the Project at 464-466 Crane Boulevard is located — are designated VHFHSZ within the LRA. *That designation is the trigger for mandatory compliance.*

Under the Regulations, the "Local Jurisdiction" is expressly responsible for: notifying CAL FIRE of permit applications (14 CCR § 1270.04(a)); considering CAL FIRE's recommendations (14 CCR § 1270.04(b)); ensuring that the applicable sections of the Regulations become conditions of approval of every qualifying permit (14 CCR § 1270.04(c)); and, where strict compliance with a minimum standard is not achievable, administering the formal exception process that requires written findings, case-by-case review, CAL FIRE consultation, and enforceable mitigation conditions that provide the Same Practical Effect (14 CCR §§ 1270.06, 1270.07). None of these responsibilities are optional. None of them can be delegated to the permit applicant. None of them can be satisfied by silence or inaction.

C. The City Adopted the State Fire Code — Including Section 4908 — Without Modification, Accepting All Implementation Obligations

When the City of Los Angeles adopted the California Fire Code in its entirety through Ordinance No. 187994 and incorporated it into the Los Angeles Fire Code at Section 57.4908, it adopted, without modification, the full text of California Fire Code Sections 4908.1 and 4908.2. Those provisions state:

Section 4908.1 General: "Pursuant to PRC 4290 all residential, commercial and industrial building construction within state responsibility areas approved after January 1, 1991, and within lands classified and designated as an LRA Very High Fire Hazard Severity Zone, as defined in subdivision (i) of Section 51177 of the Government Code after July 1, 2021, **shall comply with the SRA Fire Safe Development Regulations** as specified in Title 14, Division 1.5, Chapter 7, Subchapter 2." (Emphasis added.)

Section 4908.2 Subdivision Map Findings: "Pursuant to Government Code (GC), Section 66474.02, **before approving a tentative map, or a parcel map for which a tentative map was not required**, for an area located in an SRA or an LRA Very High Fire Hazard Severity Zone, as both are defined in GC Section 51177, a legislative body of a county, except as provided in GC Subsection 66474.02(c), **shall make findings regarding compliance with the SRA Fire Safe Regulations and the availability of structural fire protection and suppression services**. These findings and accompanying map shall be transmitted to the Board of Forestry and Fire Protection and comply with the requirements in Title 14, Division 1.5, Chapter 7, Subchapter 1, Article 1." (Emphasis added.)

By adopting these provisions without modification, the City of Los Angeles, as a matter of law, agreed to carry out all of the implementation obligations that flow from them — including the CAL FIRE notification process, the formal exception process for roadway access deficiencies, and the setback reduction process. ***A Local Jurisdiction like the City cannot adopt a state code by reference, enjoy the enforcement authority that adoption confers, and then disclaim the implementation responsibilities that the same code mandates.*** The City's adoption included all of these obligations. This is reckless disregard of the lives of its firefighters and hillside residents by approving luxury house after luxury house without compliance with the minimum fire safe regulations.

D. The California Wildland Urban Interface Code Independently and Additionally Requires Full Compliance

The Fire Safe Regulations are not the only state mandate the City has failed to implement. The California Wildland Urban Interface Code ("WUI" Code) is a separate but complementary body of state standards that applies to development in wildland-urban interface fire areas — which include the City's VHFHSZ communities. Critically, the WUI Code incorporates all of the provisions of the State Minimum Fire Safe Development Regulations. By operation of the WUI Code, the minimum access, width, grade, turning radius, setback, and notification requirements of the Fire Safe Regulations are mandated not once but twice — independently under both the Fire Safe Regulations and the WUI Code.

The significance of this double mandate cannot be overstated. The State Legislature, the Board of Forestry, and the State Fire Marshall have, through two separate and independently operative regulatory frameworks, told the City of Los Angeles that these minimum standards are not negotiable. They are not guidelines. They are not aspirational targets. They are the floor — the absolute minimum — below which no building permit for new construction in a VHFHSZ

may be issued without a formal, documented, CAL FIRE-noticed exception demonstrating that the Same Practical Effect has been achieved by feasible alternative means.

Despite this double mandate, the City does not appear to have opened a City Council file expressly directing implementing a Fire Safe Regulations review process for infill development. The only thing that comes close is City Council File No. 10-2568-S1 where in May 2025, the City Council directed the City Attorney to draft an ordinance to implement the State's new maps expanding the scope of VHFHSZ, and City Council File No. 25-1363 where in February of 2026 the City Council directed the City Attorney to prepare the ordinance to implement the WUI Code. Neither of these draft ordinances, to the best of the knowledge of the Coalition, have been returned to the City Council. As a result, the City has not publicly explained to its hillside communities, to permit applicants, or to project architects what full compliance with either the Fire Safe Regulations or the WUI Code requires. And as of the date of this letter, the City has not assured — through any documented policy, procedure, or administrative directive — that all minimum requirements, including the roadway access characteristics of existing streets and the 30-foot setback requirement, are being evaluated as conditions of every applicable building permit.

V. THE CITY'S OWN ADOPTED PLANS PROVE ITS BUREAUCRACY HAS KNOWN ABOUT THESE REQUIREMENTS FOR YEARS AND PROMISED FULL COMPLIANCE TO FEDERAL AND STATE AGENCIES.

The most damning evidence in this case is not the roadway measurements on Crane Boulevard. It is the City's own words — in its own adopted planning documents, *submitted to state and federal agencies under penalty of losing disaster recovery funding* — promising to do precisely what it has failed to do.

A. The 2025 General Plan Safety Element

The City of Los Angeles updated its General Plan Safety Element in October 2025. The Safety Element is the foundational planning document that guides the City's policies for protecting the public from natural and human-made hazards, including wildfire. Under California planning law, the Safety Element is not optional, and its policies are not suggestions — they represent binding commitments by the City as to how it will exercise its land use and permitting authority.

The updated Safety Element contains an express policy commitment — Policy 1.1.6, entitled "State and Federal Regulations" — that directly acknowledges the City's obligation to comply with the Fire Safe Regulations. That policy states, in full:

Policy 1.1.6 State and Federal Regulations: "Assure compliance with applicable State and federal planning and development regulations. Regularly adopt new provisions of the California Building Standards Code, Title 24, and California Fire Code into the LAMC to ensure that new development meets or exceeds Statewide minimums. Ensure new development in VHFHSZs adheres to the

California Building Code, the California Fire Code, Los Angeles Fire Code and California Public Resources Code, including Title 14, California Code of Regulations (CCR), Division 1.5, Chapter 7, Subchapter 2, Articles 1-5 (commencing with Section 1270, SRA Fire Safe Regulations) and Title 14, CCR, Division 1.5, Chapter 7, Subchapter 3, Article 3 (commencing with Section 1299.01, Fire Hazard Reduction Around Buildings and Structures Regulations) for SRAs and/or VHFHSZs. Facilitate compliance with new standards for existing non-conforming structures and evacuation routes.” (Emphasis added.)

This language is remarkable for what it admits: in October 2025 — more than four years after the Fire Safe Regulations became applicable to the City by operation of state law — the City was still articulating, in its own binding planning document, a commitment to “assure compliance” and “ensure” that new development “adheres to” the very regulations it had been routinely ignoring. The Safety Element does not describe a completed task. It describes an obligation the City acknowledged it had a responsibility to fulfill.

The Safety Element also contains two specific implementation Programs — Programs 47 and 48 — that further demonstrate the City's awareness of and commitment to these obligations. Program 47, entitled “Evacuation Plans,” provides in relevant part:

Program 47: “Maintain and update evacuation plans for areas potentially affected by hazards as a part of the Emergency Operations Plan, Evacuation Functional Support Annex, including procedures related to residential developments in a Very High Fire Hazard Severity Zone (VHFHSZ) **or other hazard areas that do not have at least two emergency evacuation routes and/or are located on streets less than 20 feet in width.** Utilize Hillside Task Force/working group (which is convened by BOE and includes LACP, LADOT, LADBS and other relevant departments) to study hillside access, develop procedures and advance recommendations to be coordinated with appropriate agencies (LAPD, LADOT, Access Paratransit, LACP, LA County, etc.). **Evaluate how best to regulate infill and retrofit existing non-conforming development when creating a 20 foot wide improved access road is not feasible (per LAMC 12.21 C.10(i)(3)).** Collaborate across key agencies to provide emergency transportation, traffic control, parking enforcement, and other services during planned incidents and emergencies. Identify infrastructure that can assist in provisioning emergency response and evacuation in these areas, such as specialized vehicles.” (Emphasis added.)

Program 48, entitled “Fire Standards and Procedures,” provides in relevant part:

Program 48: “Maintain and update, as needed, the City's procedures and standards to facilitate fire prevention, preparedness, response and recovery, including more effective fire suppression. Continue to ensure adequate peak

load water supply in all areas. Determine necessary fire suppression infrastructure needs, including the need for special equipment and technology to address conditions within hillside communities and encampments of unhoused individuals. Develop a Standards of Cover study to assess current performance and plan for future organizational changes required to meet the needs of the City based on population density and demographic changes expected over the next twenty years. Undertake studies to ensure that fire protection standards continue to be met without reliance on mutual aid, regardless of future development.

Explore opportunities to better fund fire infrastructure, such as a special assessment district or development fee. In keeping with Program 47, identify additional measures that can assist in fire suppression and evacuation, such as expanding the existing Red Flag parking restrictions to sub-standard streets, fire protection plans specific to a neighborhood or development, and other strategies as identified by LAFD and CAL FIRE.” (Emphasis added.)

Programs 47 and 48 are not aspirational statements of future intent. They are binding implementation commitments in the City's legally operative General Plan. **Program 47 expressly acknowledges the problem that lies at the heart of this case: residential developments in VHFHSZs that do not have at least two emergency evacuation routes and/or are located on streets less than 20 feet in width.** The Project at 464-466 Crane Boulevard is precisely such a development. The City's own Safety Element acknowledges that special procedures must apply to it. In issuing the permits challenged in this case, LADBS ignored those minimum standards and procedures imposed by the State.

B. The 2024 Local Hazard Mitigation Plan and the FEMA Submission

The stakes of the City's noncompliance extend beyond local law. Under the federal Disaster Mitigation Act of 2000 (42 U.S.C. § 5165), a local jurisdiction must have a FEMA-approved Local Hazard Mitigation Plan ("LHMP") in effect to remain eligible for pre-disaster mitigation grants and post-disaster recovery funds under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. If a city does not have a current, compliant LHMP on file with FEMA, it cannot access federal disaster funds when the next fire, earthquake, or flood strikes. Attached as **Exhibit D** is a copy of the City's webpage acknowledging it is required to have a LHMP to receive disaster funding, including FEMA's last approval letter.

The City of Los Angeles prepared and submitted its 2024 Local Hazard Mitigation Plan to FEMA and to the California Governor's Office of Emergency Services ("OES"). In Table 32-10 of that Plan, at page 32-14, the City specifically identified as a hazard mitigation measure for wildfire risk the commitment to "ensure compliance with the state minimum fire-safe regulations." The full plan is accessible at <https://drive.google.com/drive/folders/1HlmWGoSF6Gzhn4yXdw5IS3ew-dLK5fMY>. That representation was made to the federal government as ***part of a submission the Governor and the City relied upon*** to maintain its eligibility for federal disaster recovery funding.

At the time the City made that representation to FEMA and Governor Newsom's OES, the City had no compliant implementing program for the Fire Safe Regulations, and it still

has no such program. It had no documented process for notifying CAL FIRE of permit applications in VHFHSZ areas. It had no administrative exception process. It was — as demonstrated by the approximately 75 cases documented in ongoing litigation against the City — routinely issuing permits for new construction in VHFHSZ areas without any review of compliance with the Fire Safe Regulations. And at the very same time, it was separately arguing before planning bodies that the Fire Safe Regulations did not apply to projects on existing roads. (See **Exhibit A** original appeal letter for detailed analysis of Attorney General and CAL FIRE documents proving that the Fire Safe Regulations do in fact apply to new infill construction on existing roads in VHFHSZs)

The Coalition states plainly what this record strongly suggests: **the City's submission of the 2024 LHMP to FEMA, containing the representation that the City would "ensure compliance with the state minimum fire-safe regulations," while simultaneously maintaining an active policy and practice of not complying with those regulations, may constitute a fraudulent misrepresentation to a federal agency.** This Board cannot remedy that potential fraud. But it can — and must — stop the ongoing practice of issuing permits in violation of the regulations that the City promised the federal and state government it would enforce in order to receive millions of disaster planning and recovery funds.

VI. THE CITY'S FAILURE TO FORMALLY ADOPT THE FIRE SAFE REGULATIONS UNTIL OCTOBER 2023 — AND THE LEGAL CONSEQUENCES OF THAT DELAY

The City of Los Angeles did not act promptly when the State Minimum Fire Safe Regulations became applicable to its VHFHSZ areas on July 1, 2021. **By operation of law, the Regulations applied to the City from that date forward, regardless of whether the City had enacted a local implementing ordinance.** State law preempts conflicting local inaction: a local jurisdiction's failure to adopt implementing regulations does not exempt it — or the projects it permits — from compliance with state minimum standards.

Yet the City of Los Angeles went more than two years — from July 1, 2021 to at least late 2023 — without taking formal action to incorporate the Fire Safe Regulations into its local codes. It was not as if the City was unaware of the existence of the Fire Safe Regulations. On May 27, 2021, in a report of LADBS, signed by its General Manager to the City Council Public Safety Committee (https://cityclerk.lacity.org/onlinedocs/2019/19-0603_rpt_dbs_%205-27-21.pdf), the City at page 22 of that Report cited the Fire Safe Regulations, **but failed to inform the public or the City Council that in just five weeks from the date of the report that the Fire Safe Regulations would become binding within the City of Los Angeles. That is a stunning omission to our City Council by the City's bureaucrats.** A copy of the relevant pages of that report (showing the City knew the content of the Fire Safe Regulations in May 2021 as the date of full compliance loomed) is attached at **Exhibit E**. And yet, neither that report, **nor any other public document during that time frame**, contained a request to the City Council to create a comprehensive Fire Safe Regulation implementing program for the City's VHFHSZ communities pursuant to these regulations.

Two years after the Fire Safe Regulations went into effect, on May 15, 2023, a state agency with jurisdiction and expertise related to the City's VHFHSZ, the Santa Monica Mountains Conservancy, wrote to the City's Director of Planning, Vince Bertoni, and to the Chief of Building Permit and Engineering Review, Bihn Phan, to ring the alarm that the City was issuing permits that "do not comply with State Minimum Fire Safe Regulations pursuant to Public Resources Code Section 4290," and that "[y]et, the City continues to approve hillside development on roads that do not conform to these regulations with deleterious environmental and safety concerns." A copy of this letter is included in **Exhibit E**.

The Conservancy's Chairperson, Rudy J. Ortega, Jr., specifically reminded the City's Planning Director and Chief of Building Permit Reviews that:

"As of July 1, 2021, per SB 901 and the actions of the State Board of Forestry and Fire Protection, the State Minimum Fire Safe Regulations (Regulations) were expanded to now apply to Local Responsibility Areas not just State Responsibility Areas. As a result, any City building permits approved after July 1, 2021 in Very High Fire Hazard Severity Zones must comply with this minimum State regulations. **Such permits and permit applications pertain to new construction not relating to an existing structure** [new houses on vacant lots] and to road construction both for new roads and extensions of existing roads. As a local jurisdiction, the City must provide the Director of Cal Fire with notice of all applications for building permits, parcel maps, tentative maps, and installation or use permits for construction of development within Very High Fire Hazard Severity Zones. The [Cal Fire] Director may then make recommendations on the applicable construction, development permits or maps provided by the local jurisdiction (14 CCR 1270.04)." (Emphasis and bracketed explanation added.)

A check with the Santa Monica Conservancy's staff by the Coalition confirmed a very frustrating response from the City: ***Neither Mr. Bertoni nor Mr. Phan ever responded to the Conservancy's concerns.*** Such a cavalier response to such an important life and safety issue, credibly raised by a State agency with expertise, reinforces what this record shows: someone as high as the Mayor's office has decided that the City will not comply with the Fire Safe Regulations voluntarily. It should not take the compulsion (and delay) of a court case to bring this City into compliance.

It was not until October 2023 that the City took any formal action, through Ordinance No. 187994 (https://cityclerk.lacity.org/onlinedocs/2023/23-0485_ord_187994_10-4-23%20.pdf), to incorporate the State Minimum Fire Safe Regulations into its local code. Here is the entire adoption language: "**SEC. 57.4908. FIRE SAFE DEVELOPMENT REGULATIONS.** Section 4908 of the CFC is hereby adopted in its entirety." (Ord. No. 187994, p. 277.) Section 4908 of the California Fire Code, provides that all residential, commercial, and industrial building construction within VHFHSZ areas of the City shall comply with the State Minimum Fire Safe Regulations as specified in Title 14, Division 1.5, Chapter 7, Subchapter 2. A copy of the relevant page of Ordinance No. 187944 and the text of Section 4908 of the California Fire Code is attached as **Exhibit F**.

This adoption by reference formalized local enforcement authority. But it was not accompanied by any program to coherently implement the corresponding City responsibilities. No administrative process was established for notifying CAL FIRE of permit applications. No

exception review procedure was created. No staff training program was documented. No public-facing guidance was issued explaining to permit applicants, project architects, and developers what compliance with the Regulations required. *The City adopted the law in name while continuing, in practice, to ignore it* – particularly as to luxury single family homes on already deficient fire access roadways.

Because the Regulations applied by operation of state law *from July 1, 2021, every building permit for new construction in a VHFHSZ area issued by the City from that date forward without documented compliance with the Regulations — or a documented, CAL FIRE-noticed exception — was issued in violation of state law.* Under LAMC Section 11.02, any permit issued in violation of the City's codes or applicable law is void. The permits at issue in this case are among those void permits, and they must be revoked by this Commission.

VII. THE 2023 ADOPTION WAS INCOMPLETE: THE CITY FAILED TO CREATE THE REQUIRED EXCEPTION ADMINISTRATIVE PROCESS

Even setting aside the two-year delay in formal adoption, the City's 2023 incorporation of Section 4908 into the Los Angeles Fire Code was fundamentally incomplete. The State Minimum Fire Safe Regulations do not operate as a simple pass/fail checklist. *They include a carefully designed exception framework that recognizes the physical realities of infill development in already-built communities: in some cases, existing street geometry, parcel dimensions, or topographic constraints will make strict compliance with individual minimum standards physically impossible. The Regulations address this reality not by exempting such projects from scrutiny, but by requiring a formal, documented exception process that ensures any deviation from the minimum standards is accompanied by mitigation that provides the "Same Practical Effect."*

The Regulations define "Same Practical Effect" as: "[A]n Exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including: (1) access for emergency wildland fire equipment; (2) safe civilian evacuation; (3) signing that avoids delays in emergency equipment response; (4) available and accessible water to effectively attack Wildfire or defend a Structure from Wildfire; and (5) fuel modification sufficient for civilian and fire fighter safety." (14 CCR § 1270.01(aa).)

For roadway access requirements, 14 CCR § 1270.06 provides that *the Local Jurisdiction may grant an exception where the applicant demonstrates in writing, on a case-by-case basis, that the proposed alternative provides the Same Practical Effect and where the alternative mitigation measures become legally enforceable conditions of the building permit or map approval. The exception must be affirmatively granted — it is not self-executing, and it is not available simply because the applicant asserts that the existing street is already non-compliant.* (A non-compliant project without a valid exception requires a Local Jurisdiction to refuse to issue the building permit, which may be why the City has evaded its responsibility for the last five years.) The exception process also requires that CAL FIRE be given notice and opportunity to comment before the exception is granted. (14 CCR § 1270.04.) See **Exhibit C**.

For the 30-foot setback requirement, 14 CCR § 1276.01(b) provides a parallel process: *a reduction in the minimum setback may be granted based on practical reasons — including parcel dimensions, topographic limitations, or development density requirements — but only where the applicant incorporates specific alternative fire-protective measures, such as non-combustible block walls, non-combustible exterior materials, hardscape landscaping, reduced exposed windows, or the most protective requirements of the California Building Code Chapter 7A. These alternatives must be documented and must become enforceable conditions of approval.*

Both of these exception processes require the exercise of informed, individualized discretion by a designated local official or body: *the Local Jurisdiction must review the specific facts of the proposed project — including the extent of roadway non-compliance, wind characteristics specific to the site, proximity of existing structures across property lines, and the topographic profile of the evacuation corridor — consult with CAL FIRE, evaluate whether the proposed alternatives truly provide the Same Practical Effect, and issue a formal, documented determination that becomes part of the permit record. A one-size-fits-all approach is not permissible.* The Fire Safe Regulations expressly require case-by-case review, and for good reason: the fire safety implications of a 15-foot turning radius deficiency on a 12 percent street grade are materially different from those of the same deficiency on a 22 percent grade in a high-wind corridor community.

The City of Los Angeles, in adopting LAFC Section 4908 by terse reference to the state regulations, established none of this. There is no designated local official empowered to grant exceptions to the Fire Safe Regulations. There is no application form for requesting an exception. There is no public notice process for proposed exceptions. There is no record-keeping requirement. There is no written criteria for evaluating whether a proposed alternative provides the Same Practical Effect. *In short, the City adopted the law while deliberately failing to create the administrative infrastructure necessary to implement it. The predictable result — and, the Coalition submits, the intended result — is that exceptions are neither granted nor denied. They are simply never considered. Projects go forward, with or without compliance, and no one is formally accountable for the decision.*

Such a City practice is intolerable and must immediately end.

VIII. WHATEVER THE CITY HAS DONE TO IMPLEMENT THE FIRE SAFE REGULATIONS, IT MAY NOT CHOOSE TO OMIT SOME OF THE MINIMUM REQUIREMENTS

Even crediting the most charitable reading of the City's conduct, the City's partial implementation of the Fire Safe Regulations does not satisfy its legal obligations. There were three ways the City could have responded to the July 1, 2021 deadline:

- First, the City could have enacted a free-standing set of local laws, rules, and procedures creating a dedicated Fire Safe Regulation compliance program — including a formal CAL FIRE notification protocol, a documented exception review process for roadway access deficiencies, a setback reduction review process, and an express permit conditions

checklist incorporating all applicable minimum standards, including those approved through the formal exception process. This would have been full compliance. The City did not do this.

- Second, the City could have adapted its existing permit review processes to incorporate Fire Safe Regulation compliance — embedding CAL FIRE notification into the existing permit intake workflow, training plan check staff to evaluate roadway access compliance, and creating an administrative record in each permit file documenting either compliance with the minimums or a formal exception with CAL FIRE input. This, too, would have been much more meaningful compliance. The Coalition could not locate evidence that the City did this either.
- Third — and this appears to be what the City has done — the City produced a partial checklist that addresses only some of the requirements of the Fire Safe Regulations while entirely omitting others. The Coalition has reviewed the LADBS document titled "Fire Hazard Severity Zone Supplemental Checklist — 2025 California Wildland-Urban Interface Code." A copy of this checklist is attached as **Exhibit G**. That checklist, *which only became effective January 1, 2026*, is entirely focused on structure hardening and vegetation control issues — matters that are important in their own right, but that represent only one aspect of the Fire Safe Regulation requirements. The checklist contains no evaluation of roadway access standards, no evaluation of turning radius compliance, no evaluation of road grade compliance, no evaluation of roadway width compliance. There is a cursory reference to the 30-foot setback but it is worded to assume it will be routinely waived without documentation on how the City determined less than 30-foot set back was of the Same Practical Effect. It contains no reference to a formal written exception process. It contains no reference to CAL FIRE notification.

The City cannot legitimately conflate its partial implementation of the WUI Code's structure hardening and vegetation provisions and represent that it has fully complied with the Fire Safe Regulations. The Fire Safe Regulations are not a menu from which the City may select the provisions it prefers, and jettison the rest. They are minimum mandatory standards. The City must document full compliance with every applicable provision — or demonstrate, through a lawful, CAL FIRE-noticed, case-by-case exception process, that equivalent safety has been achieved through alternative mitigation measures. Silence, partial checklists, and bureaucratic inertia are not lawful substitutes.

IX. SINCE JULY 1, 2021, THE CITY HAS UNLAWFULLY APPROVED SCORES OF PROJECTS IN VHFHSZ AREAS WITHOUT COMPLIANCE OR A LAWFUL EXCEPTION PROCESS

The permit violations in this case are not isolated. They are instances of a systematic, citywide pattern — one that has been documented in ongoing litigation before the Los Angeles Superior Court.

In *Federation of Hillside and Canyon Associations v. City of Los Angeles*, plaintiffs challenging the City's noncompliance with the State Minimum Fire Safe Regulations

documented approximately 75 cases in which the City approved luxury single family projects in VHFHSZ areas that did not comply with the minimum roadway access, width, grade, or turning radius requirements — and did so without invoking any exception process, without notifying CAL FIRE, and without making any written finding that the projects provided comparable fire safety for the surrounding community. At least a dozen of those 75 documented cases were located in the Mount Washington/Glassell Park area of the City — the precise neighborhood in which the Project at 464-466 Crane Boulevard is located.

This litigation record is not merely background context. It is evidence that the City's failure in this case is not an administrative oversight that can be remedied by a mere checklist or a training memo. It is a policy choice — a decision, made somewhere in the hierarchy of the City's management, likely as high as Deputy Mayors on notice, to treat the State Minimum Fire Safe Regulations as inapplicable to infill development on existing streets. ***That position is legally indefensible as set forth in detail in Exhibit A, the Coalition's original appeal letter.*** The 2019 Attorney General's comments on the Paraiso Springs Resort project, the 2020 Board of Forestry letter to Sonoma County, and the 2022 Final Statement of Reasons for the Regulations ***all unequivocally reject the argument that the Fire Safe Regulations do not apply to new construction on existing roads.***

The legal analysis of the Attorney General in Paraiso is compelling: it is the construction of a new project that triggers the application of the Fire Safe Regulations. The fact that the Paraiso Springs Resort Project was proposed to be built at the end of an existing road does not negate that triggering effect. A contrary interpretation — which is what the City has been applying in cases in Los Angeles — would, in the words of the California Attorney General, "incentivize development without adequate evacuation routes and emergency access in the SRA rather than prevent it." That is precisely what has been happening in the hillside communities of Los Angeles. **The City is pursuing a policy to prioritize unsafe development over people's lives.**

The tension between the State's housing production mandates and the State's fire safety mandates is real, and the Coalition does not minimize it. But the Legislature has resolved that tension: both mandates apply, and neither cancels the other. The City cannot invoke its housing obligations to excuse its fire safety violations. It certainly cannot invoke those obligations to justify permitting luxury hillside residential development — which contributes nothing to the City's affordable housing stock — while exposing firefighters and the existing residents of hillside neighborhoods to greater wildfire evacuation risk.

X. THE CITY HAS A DOCUMENTED PATTERN OF FAILING TO NOTIFY CAL FIRE AND FAILING TO INCORPORATE MINIMUM REQUIREMENTS INTO PERMITS

Among the most significant — and most remediable — failures in this case is the City's noncompliance with the CAL FIRE notification requirements in the State Minimum Fire Safe Regulations. ***These notification requirements are not procedural technicalities. They are the mechanism by which the State's expert fire protection agency is given the opportunity to review proposed development in high fire hazard areas and recommend conditions that will protect both residents and firefighters.*** The regulation is explicit:

14 CCR § 1270.04(a): "the Local Jurisdictions *shall provide the Director of the California Department of Forestry and Fire Protection (CAL FIRE) or their designee with notice of applications for Building permits, tentative parcel maps, tentative maps, and installation or use permits* for construction or Development within the SRA, or if after July 1, 2021, the VHFHSZ."

14 CCR § 1270.04(b): "the Director or their designee *may review and make fire protection recommendations on applicable construction or development permits* or maps provided by the Local Jurisdiction."

14 CCR § 1270.04(c): "*the Local Jurisdiction shall ensure that the applicable sections of this Subchapter become a condition of approval of any applicable construction or Development permit or map.*" (Emphasis added.)

These three sub-sections work together to create a mandatory, sequential process: the City must notify CAL FIRE; CAL FIRE has the opportunity to review and recommend conditions; and the City must incorporate the applicable minimum requirements as enforceable conditions of every qualifying permit. None of these three steps has been documented in the City's permit files for the Project at 464-466 Crane Boulevard. The Coalition has examined the permit documents available on the LADBS website and can find no notation, no certification, no correspondence with CAL FIRE, and no express incorporation of the minimum roadway access, width, grade, turning radius, or setback requirements as conditions of any of the challenged permits.

More troublingly, the Coalition has been unable to locate any written ordinance, policy, procedure, or administrative directive adopted by the City of Los Angeles that establishes how, when, and by whom the required CAL FIRE notices are sent. There is no form. There is no checklist. There is no designated unit within LADBS or the Los Angeles Fire Department charged with sending these notices. There is, as far as the Coalition can determine, simply nothing — which strongly suggests that these notices are not being sent, not for the Project at issue here, and not for the scores of other projects that have been permitted in the City's VHFHSZ areas since July 1, 2021.

The absence of CAL FIRE notification is particularly consequential given the documented deficiencies of the Crane Boulevard access corridor. The turning radius at 400 Crane Boulevard — the primary downhill evacuation route from the Project site — measures only 13 feet based upon ZIMAS street dimensions, the City's own data, and the widely used Cord and Middle Ordinate Method to determine radius, against a state minimum of 50 feet. (See page 9 of **Exhibit A** original appeal letter.) The egress routes feature grades in excess of 20 percent using commercially available measures of the street. Sections of the roadway are less than 20 feet wide while accommodating on-street parking, leaving only a single lane where the law requires two lanes that can pass each other in opposite directions. These are precisely the kinds of access deficiencies that CAL FIRE's expert review is designed to identify and address. *The City denied CAL FIRE that opportunity. It denied the community the protection of CAL FIRE expert comments.*

This record establishes that particularly problematic Crane Boulevard cannot meet the State's Minimum Fire Safe Regulations in multiple ways. The lack of a legitimate exception process for this Project must result in a conclusion that the City issued the permits without documenting compliance with the Minimum Fire Safe Regulations. As such, under LAMC section 11.02, the permits are void and must be ordered revoked.

This Commission should require, as a condition of any renewed permit consideration for the Project, that LADBS formally notify CAL FIRE of the Project, provide CAL FIRE with all permit application materials and relevant roadway access and site data, allow a reasonable period for CAL FIRE to review and comment, and incorporate CAL FIRE's recommendations — or document in writing the reasons why any recommendation cannot be adopted and what alternative mitigation will provide the Same Practical Effect — into any renewed permit.

XI. THE CHALLENGED BUILDING PERMITS WERE ALSO ISSUED IN VIOLATION OF CEQA

The Coalition's original appeal to LADBS raised an independent and equally dispositive ground for revocation of the challenged permits: the City's failure to comply with the California Environmental Quality Act ("CEQA") before issuing building permits for the Project while the adequacy of the City's original CEQA compliance is actively being litigated in the courts. See **Exhibit A** for copies of the full trial briefing on the pending CEQA case.

The Project at 464-466 Crane Boulevard received its original discretionary approval from the Director of Planning and City Council appeals occurred on May 2 and May 10, 2023, based on Class3/32 CEQA categorical exemption. That exemption is currently being challenged in litigation that is fully briefed and ready for trial. The original project description presented to the Area Planning Commission — and the CEQA analysis accompanying it — described a project of materially different scope than what is now being built. In particular, the original project description did not disclose or analyze the extent of remedial grading, friction pile drilling, retaining walls, and permanent underground shoring structures that are now being constructed, as evidenced by the challenged permits themselves. The permits found at **Exhibit B** establish greater undisclosed grading for the Project — the precise contention at issue in the pending litigation.

CEQA Guidelines Section 15268(d) provides that building permits for projects that were approved through a discretionary process are themselves regarded as discretionary approvals requiring independent CEQA compliance where, as here, changed project circumstances require a revised project description and environmental analysis. The addition of previously undisclosed retaining walls and permanent underground shoring structures to a project already under CEQA challenge constitutes exactly the kind of changed circumstances that triggers the requirement for a revised CEQA compliance document if the City is so reckless as to issue the building permits in the middle of litigation.

The City issued the challenged building permits without preparing any revised CEQA document and without posting any revised CEQA notice at the Los Angeles County Recorder's office as required by law. ***This failure to comply with CEQA before issuing the permits***

constitutes unlawful piecemealing of the project's environmental review — a practice that CEQA expressly prohibits because it deprives the public, and the courts reviewing the project, of a complete and accurate picture of the project's environmental impacts.

The Coalition submits that the issuance of these building permits during the pendency of active CEQA litigation challenging the original discretionary approval — and without a revised CEQA compliance document addressing the materially changed project description — is an independent and sufficient basis for revocation of all challenged permits under LAMC Section 11.02. The Coalition's right to a fair hearing in the CEQA litigation depends on the integrity of the City's environmental review process. That integrity has been compromised by the City's issuance of permits that materially expand the Project's scope without the required environmental analysis.

XII. REVIEW OF THE ACTUAL PERMITS IN EXHIBIT B REVEAL STAFF MISCONDUCT: THE BUILDING PERMIT PLANS DO NOT CONFORM TO THE ENTITLEMENT GRANTED BY THE CITY COUNCIL YET LADBS ISSUED THE PERMITS ANYWAY.

As outlined in the trial briefs attached to **Exhibit A**, the Coalition contends that the modified Project Plans were used by Planning staff to misrepresent the full size and character of the Project — all to avoid proper environmental review. The Plans approved showed that the lowest level no longer had a floor on the side elevation (Exhibit A, Modified Plans (Exhibit 3)), but the same floor was shown on other pages of the plans as consisting of a very large “Crawl Space/Basement.”

The LADBS Plan Checker noted that the City Planning Department issued a clearance for the Project despite significant discrepancies between the plans approved at the time of Entitlement and the plan submitted for Plan Check. The Comment section on Permit No. 22010-10000-01079 sets forth LADBS's notes:

“CITY PLANNER RUBEN VASQUEZ SIGN OFF ON DIR. PROPOSED BLDG DESIGN HAS GREATER BLDG FOOTPRINT, INCREASED NUMBER OF STORIES, AND NEW FLOOR AREA BREAKDOWN ANALYSIS NEW BLD DESIGN DOES NOT MATCH DETERMINATION LETTER UNDER DIR-2020-427-SPP-1A BUT STILL SIGNED OFF, INSPECTOR TO VERIFY.”

These notes confirm that the plans as revised during the entitlement hearing before the East Los Angeles Planning Commission were falsely used to obtain the entitlement without the lower level having habitable space the owners in fact wanted -- all to avoid having to prepare new geologic studies *before final discretionary approval*.

Then, once past the discretionary entitlement process, the plans submitted for building permits were significantly different and added new habitable square footage, increased the number of stories, enlarged the footprint, and thereafter, the building permit plans were not consistent with the entitlement granted by the Planning Department and City Council on appeal.

This type of switch at the time of building permit was predicted by the Coalition. The records of the City now show that further City geologic approval letters were issued, yet the additional requirements of those approval letters are not referenced in the Director's Determination or in any revisions during the entitlement process before the City Planning Department and the City Council.

The City Planning Department has engaged in misconduct in granting clearances for a project that does not conform to the entitlement granted. It is doing so to avoid having to conduct a follow up discretionary hearing clearly subject to CEQA.

Perhaps even more alarming, by allowing the owners to continue to process new geologic studies without making any new geologic requirements legally enforceable project conditions, *the City has approved plans it cannot know if they in fact comply with the discretionary entitlement decision of the City.*

This is extremely irregular. This project is located on an extremely steep slope, in a California Mapped Earthquake Induced Landslide Hazard Zone, where the City Planners misrepresented the project before the planning commission and City Council to avoid requiring the developer to revise the geologic studies before final discretionary approval. *Geologic precision is critical to assuring that the Project is safe. Marmion Way street and Metro's Light Rail A line runs at the toe of this slope which rises sharply about 225 feet in elevation from this regionally significant transportation infrastructure.* A slope failure of the building or its structure during construction or operation of the house could be devastating.

LADBS should not participate in this improper conduct. The City is on notice that new geologic requirements have not yet been incorporated as legally binding on the owner in a new entitlement decision from the City Planning Department. If the owner skirts those requirements and there is a slope failure that damages or injures off site persons on the public street or rail right of way below, the City unnecessarily subjects itself to liability claims for such a wildly inappropriate approval process.

XIII. CONCLUSION AND REQUESTED RELIEF

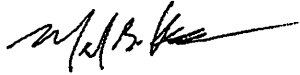
The Coalition respectfully requests that the Board of Building and Safety Commissioners grant this appeal in full and order the following relief:

1. Revocation of all challenged permits for the Project at 464-466 Crane Boulevard, specifically Permit Nos. 22010-10000-01079, 22010-10001-01079, 20030-10000-03239, 22030-10000-01549, 22030-10000-01587, 22020-10000-00511, and 24020-10000-01582, as void under LAMC Section 11.02 for having been issued in violation of LAFC Section 57.4908.1, the State Minimum Fire Safe Regulations, CEQA/irregular clearance of the discretionary approval process.
2. A directive to LADBS to establish, within 90 days, a written implementing program for LAFC Section 57.4908.1 and the State Minimum Fire Safe Regulations, including: (a) a documented process for providing the required notice to CAL FIRE of all permit applications for new construction in VHFHSZ areas; (b) a formal administrative exception process satisfying the requirements of 14 CCR §§ 1270.06 and 1270.07, providing for case-by-case review of individual project facts and CAL FIRE consultation; (c) a formal setback reduction process satisfying the requirements of 14 CCR § 1276.01(b); and (d) standard permit conditions incorporating the applicable minimum requirements of the Regulations for all new construction permits in VHFHSZ areas.
3. A directive to LADBS that no new building permits for new construction in any VHFHSZ area of the City shall be issued until the implementing program described above is in place, or until the Board determines on a project-by-project basis that the applicable minimum requirements are met or a lawful, CAL FIRE-noticed exception has been granted.
4. A directive to LADBS that, before any renewed permit for the Project at 464-466 Crane Boulevard may be issued, LADBS must: (a) formally notify CAL FIRE of the Project and provide all relevant roadway access and site data; (b) allow a reasonable period for CAL FIRE to review and comment; (c) document full compliance with the minimum requirements of the Fire Safe Regulations or obtain a formal, documented exception with enforceable mitigation conditions providing the Same Practical Effect; and (d) ensure that the project's revised plans and shoring structures are the subject of a revised CEQA compliance document prepared and noticed in conformity with CEQA Guidelines Section 15268(d).
5. A request that the Board transmit a copy of its decision in this matter to the California Board of Forestry and Fire Protection, the Director of CAL FIRE, the Los Angeles City Council, and the Mayor of Los Angeles, together with the Board's findings regarding the City's noncompliance with the State Minimum Fire Safe Regulations and the California Wildland Urban Interface Code.

The residents of Mount Washington, and the hundreds of thousands of Angelenos who live in the City's hillside VHFHSZ communities, are watching this case. The families who lost their homes and loved ones in the Palisades and Altadena Fires are watching. The question before this Commission is whether the City's promise to protect its hillside communities from wildfire —

made in its Safety Element, in its Local Hazard Mitigation Plan filed with to obtain disaster grant funds from FEMA, and in its own Fire Code — means something. The Coalition is confident that the answer is yes, and that this Commission will act accordingly.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark Kenyon', with a long horizontal stroke extending to the right.

Mark Kenyon

On Behalf of the
Crane Boulevard Safety Coalition
438 Crane Blvd.
Los Angeles, CA 90065
mark.b.kenyon@gmail.com
(323) 533-0115

CONDITIONS OF APPROVAL (Continued from Page 1)

CITY OF LOS ANGELES BOARD OF BUILDING AND SAFETY/DISABLED ACCESS COMMISSION APPEAL FORM

(Must be Attached to the Modification Request Form, Page 1)

AFFIDAVIT – LADBS BOARD OF BUILDING AND SAFETY COMMISSIONERS – RESOLUTION NO. 832-93I, Chris Howard, Crane Blvd. Saf. Coal. do state and swear as follows:

(Print or Type Name of the Person Signing this Form)

- The name and mailing address of the owner of the property (as defined in the resolution 832-93) at 464-466 Crane Blvd. LA CA as shown on the appeal application (LADBS Com 31) are correct, and
- The owner of the property as shown on the appeal application will be made aware of the appeal and will receive a copy of the appeal.

I declare under PENALTY OF PERJURY that the foregoing is true and correct.

Owner's Name(s) Rachael Foulton

(Please Type or Print)

Ian Cooper

(Please Type or Print)

Owner's Signature(s) _____

(Please Sign)

(Two Officers' Signatures Required for Corporations)

Name of Corporation Signature of owners not applicable in LADBS appeal

(Please Print Name of Corporation)

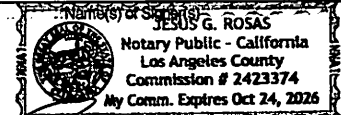
Signature of owners not applicable in LADBS appeal

(Please Type or Print)

Dated this 01 day of JULY20 26**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT****SIGNATURE(S) MUST BE NOTARIZED**State of CALIFORNIA County of Los Angeles on July 1, 2026before me, JESUS G. ROSAS, Notary Public, personally appeared Chris Howard, Crane Blvd. Saf. Coalition

Name, Title of Officer (e.g. Jane Doe, Notary Public)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument in person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.



WITNESS my hand and official seal.

Signature _____

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities.

APPEAL OF DEPARTMENT ACTION TO THE BOARD OF BUILDING AND SAFETY COMMISSIONERS/DISABLED ACCESS APPEALS COMMISSION

Crane Boulevard Safety Coalition

Applicant's Name

By Boardmember Chris Howard

Applicant's Title

Signature _____

Date July 2, 2026Los Angeles Department of Building and Safety**FEES****(DEPARTMENT USE ONLY)**

Board Fee	(No. of Items)	2	X	\$354 +\$215/addl	=	569.00
Inspection Fee	(No of Insp.)		X	84.00	=	0.00
Research Fee ... (Total Hours Worked)		6	X	104.00	=	624.00
Subtotal					=	1,193.00
Development Services Center Surcharge			X	.03	=	35.79
Systems Development Surcharge			X	.06	=	71.58
Total Fees					=	1,300.37

Fees verified by:

Print and Sign

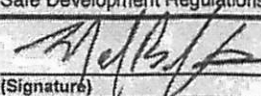
Me For Cashiers Use Only / 2027 11:49:18
(PROCESS ONLY WHEN FEES ARE VERIFIED)

User ID: mvendivil
Receipt Ref Nbr: 2026183001-40
Transaction ID: 2026183001-40-1
BOARD APPEAL \$569.00
SYSTEMS DEV SURCH \$71.58
DEVELOPMENT CENTER SURCH \$35.79
RESEARCH FEE \$624.00



REQUEST FOR MODIFICATION OF BUILDING ORDINANCES

UNDER AUTHORITY OF L.A.M.C. SECTION 98.0403

PERMIT APP. #: 22010-10000-01079 & All Other Permits Listed Below		DATE: 6-15-2026		For City Dept. Use Only	
JOB ADDRESS: 464-466 Crane Blvd. Los Angeles, CA				Building Zoning Grading Shoring Mech. Elec. Plumb. Green D.A. Misc.	
Tract: 5043		Block: None Lot: 110 & 111			
Owner: Rachael Foulton & Ian Cooper		Petitioner: Crane Boulevard Safety Coalition			
Address: 2262 Duane Street		Address: 438 Crane Blvd			
City Los Angeles	State CA	Zip 90039	Phone Unknown	City Los Angeles	State CA
				Zip 90065	Phone 323-533-0115
REQUEST (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY)			CODE SECTIONS: LAMC 4908.1 (VHFHSZ); 11.02 (Void Permits)		
To determine that LADBS erred in issuing permits for the Project because the building permits are deemed part of the discretionary approvals and require CEQA compliance before such permits can lawfully issue; and permits were issued in violation of LAFC 4908.1/ Fire Safe Development Regulations adopted into City Fire Code. (Nos. 22010-10000-01079 & 22010-10001-01079 (SFD), 20030-10000-03239 & 22030-10000-01549 (pre-grading inspection), 22030-10000-01587 (grading), 22020-10000-00511 (3.5 ft. retaining wall), 24020-10000-01582 (Permanent underground SFD shoring).					
JUSTIFICATION (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY)					
See attached letter and paper exhibits, and flash drive with additional supplemental electronic files too lengthy to print.					
CEQA Guidelines 15268(d) provides that a project requiring both discretionary and ministerial approvals cannot be piecemealed and even building permits are subject to CEQA review as part of the whole Project. These particular permits, as part of the discretionary project, required CEQA analysis before issuance. Also, none of listed permits demonstrate compliance with applicable Fire Safe Development Regulations (setback, access lanes, street slope, turn radius) or CAL FIRE consultation.					
Crane Boulevard Safety Coalition Owner/Petitioner Name (Print)		 (Signature)		President Position	
FOR CITY DEPARTMENT'S USE ONLY BELOW THIS LINE					
Concurrences required from the following Department(s)				Approved	Denied
☐ Los Angeles Fire Department	Print Name _____	Sign _____		☐	☐
☐ Public Works Bureau of Engineering	Print Name _____	Sign _____		☐	☐
☐ Department of City Planning	Print Name _____	Sign _____		☐	☐
☐ Department of County Health	Print Name _____	Sign _____		☐	☐
☐ Other _____	Print Name _____	Sign _____		☐	☐
DEPARTMENT ACTION					
☐ GRANTED ☐ DENIED		Reviewed by: (Staff) (Print) _____		Sign _____	Date _____
		Action taken by: (Supervisor) (Print) _____		Sign _____	Date _____
NOTE: IN CASE OF DENIAL, SEE PAGE #2 OF THIS FORM FOR APPEAL PROCEDURES					
CONDITIONS OF APPROVAL (Continued on Page 2):			For Cashiers Use Only (PROCESS ONLY WHEN FEES ARE VERIFIED)		
FEES (DEPARTMENT USE ONLY)					
Appeal Processing Fee... (No. of Items) = 1 X \$130 + \$39/addl = 130.00					
Inspection Fee... (No of Insp.) = X \$ 84.00 =					
Research Fee... (Total Hours Worked) = 2 X \$104.00 = 208.00					
Subtotal... = 338.00					
Development Services Center Surcharge X .03 = 10.14					
Systems Development Surcharge... X .06 = 20.28					
Total Fees... = 368.42					
Fees verified by: _____					
Print and Sign _____					

CONDITIONS OF APPROVAL (Continued from Page 1)

CITY OF LOS ANGELES

BOARD OF BUILDING AND SAFETY/DISABLED ACCESS

COMMISSION APPEAL FORM

(Must be Attached to the Modification Request Form, Page 1)

AFFIDAVIT – LADBS BOARD OF BUILDING AND SAFETY COMMISSIONERS – RESOLUTION NO. 832-93I, Chris Howard, Crane Blvd. Saf. Coal. do state and swear as follows:

(Print or Type Name of the Person Signing this Form)

- The name and mailing address of the owner of the property (as defined in the resolution 832-93) at 464-466 Crane Blvd. LA CA as shown on the appeal application (LADBS Com 31) are correct, and
- The owner of the property as shown on the appeal application will be made aware of the appeal and will receive a copy of the appeal.

I declare under PENALTY OF PERJURY that the foregoing is true and correct.

Owner's Name(s) Rachael Foulton

(Please Type or Print)

Ian Cooper

(Please Type or Print)

Owner's Signature(s) _____

(Please Sign)

(Two Officers' Signatures Required for Corporations)

Name of Corporation Signature of owners not applicable in LADBS appeal

(Please Print Name of Corporation)

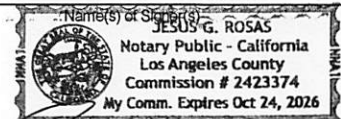
Signature of owners not applicable in LADBS appeal

(Please Type or Print)

Dated this 01 day of JULY20 26**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT** **SIGNATURE(S) MUST BE NOTARIZED**State of CALIFORNIACounty of Los Angeleson July 1, 2026before me, JESUS G. ROSAS, Notary Public, personally appeared Chris Howard, Crane Blvd. Saf. Coalition

(Name, Title of Officer (e.g. Jane Doe, Notary Public))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument in person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.



WITNESS my hand and official seal.

Signature _____

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities.

APPEAL OF DEPARTMENT ACTION TO THE BOARD OF BUILDING AND SAFETY

COMMISSIONERS/DISABLED ACCESS APPEALS COMMISSION

Crane Boulevard Safety Coalition

Applicant's Name

By Boardmember Chris Howard

Applicant's Title

July 2, 2026

Signature _____

Date

FEES**(DEPARTMENT USE ONLY)**

Board Fee	(No. of Items)	2	X	\$354 + \$215/addl	=	569.00
Inspection Fee	(No of Insp.)		X	84.00	=	0.00
Research Fee ... (Total Hours Worked)		6	X	104.00	=	624.00
Subtotal					=	1,193.00
Development Services Center Surcharge			X	.03	=	35.79
Systems Development Surcharge			X	.06	=	71.58
Total Fees					=	1,300.37

Fees verified by: _____

Print and Sign _____

For Cashiers Use Only

(PROCESS ONLY WHEN FEES ARE VERIFIED)

SUPPLEMENTAL APPLICATION FOR APPEALS

TYPE OF APPEAL:

- ☒ BUILDING CODE APPEAL
☐ ZONING CODE APPEAL
☐ INSPECTION / CODE ENFORCEMENT APPEAL

PROJECT TYPE:

- ☒ ONE OR TWO FAMILY RESIDENTIAL
☐ MULTI-FAMILY RESIDENTIAL
☐ COMMERCIAL/INDUSTRIAL

PERMIT APPLICATION: 22010-10000-01079 & All Other Permits Listed Below		
ADDRESS: 464-466 Crane Blvd. Los Angeles, CA		ZIP: 90065
TRACT: 5043	BLK: None	LOT: 110 & 111
OWNER NAME: Rachael Foulton & Ian Cooper	OWNER ADDRESS: 2262 Duane Street	ZIP: 90039

APPLICATION INFORMATION:

NAME: Crane Blvd. Safety Coalition	ADDRESS: 438 Crane Blvd. Los Angeles, CA	ZIP: 90065
EMAIL: mark.b.kenyon@gmail.com	APPLICANT SIGNATURE: 	DATE: 6-15-2026

ISSUES:	VIOLATION:	CODE SECTION:
1. City did not conduct CEQA review in conjunction with building and grading permit issuance. Circumstance where building permits are considered in law to be discretionary and CEQA applies to the permit issuance. When CEQA required, it must be performed concurrently with permit issuance.	CEQA Guidelines Sec. 15268(d) mandates that agency treat all ministerial building permits and discretionary approvals as discretionary, in order to prevent piecemeal review. Since the previous CE issued by Planning, the Project has changed to confirm new potential significant impacts.	CEQA Guidelines Section 15268(d) (All permits required to be treated as discretionary and subject to CEQA.)
2. City failed to notice CAL FIRE of building permit application in VHFHSZ area, or incorporate wildfire mitigation measures on the Project where feasible.	All building permits challenged here lack any documentation or clearance information showing that the Project was noticed to CAL FIRE or that the City imposed any feasible mitigation mandated by the State Fire Development Regs.	LAFD Sec. 4908.1 that incorporates all State Fire Regulations on VHFHSZ projects LAMC Sec. 11.02 voids permits
3.		

- ◆ FOR ADDITIONAL ISSUES, ATTACH TO THIS APPLICATION
- ◆ ATTACH ALL APPLICABLE EXHIBITS AND EVIDENCE TO THIS APPLICATION

SUPPLEMENTAL APPLICATION FOR APPEALS

ISSUES:	VIOLATION:	CODE SECTION:
4.		
5.		
6.		
7.		
8.		
9.		

EXHIBIT A

REQUEST FOR MODIFICATION OF BUILDING ORDINANCES

UNDER AUTHORITY OF L.A.M.C. SECTION 98.0403

PERMIT APP. #: 22010-10000-01079 & All Other Permits Listed Below				DATE: 6-15-2026				For City Dept. Use Only			
JOB ADDRESS: 464-466 Crane Blvd. Los Angeles, CA								Building Zoning Grading Shoring Mech. Elec. Plumb. Green D.A. Misc.			
Tract: 5043				Block: None							
				Lot: 110 & 111							
Owner: Rachael Foulton & Ian Cooper				Petitioner: Crane Boulevard Safety Coalition							
Address: 2262 Duane Street				Address: 438 Crane Blvd							
City Los Angeles	State CA	Zip 90039	Phone Unknown	City Los Angeles	State CA	Zip 90065	Phone 323-533-0115				
REQUEST (SUBMIT PLANS OR ADDITIONAL SHEETS AS NECESSARY)				CODE SECTIONS: LAMC 4908.1 (VHFHSZ); 11.02 (Void Permits)							
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See attached letter and paper exhibits, and flash drive with additional supplemental electronic files too lengthy to print.											
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Crane Boulevard Safety Coalition								President			
Owner/Petitioner Name (Print)				(Signature)				Position			
FOR CITY DEPARTMENT'S USE ONLY BELOW THIS LINE											
Concurrences required from the following Department(s)								Approved		Denied	
☐ Los Angeles Fire Department	Print Name _____		Sign _____					☐	☐		
☐ Public Works Bureau of Engineering	Print Name _____		Sign _____					☐	☐		
☐ Department of City Planning	Print Name _____		Sign _____					☐	☐		
☐ Department of County Health	Print Name _____		Sign _____					☐	☐		
☐ Other _____	Print Name _____		Sign _____					☐	☐		
DEPARTMENT ACTION											
☐ GRANTED		☐ DENIED		Reviewed by: (Staff) (Print) _____				Sign _____		Date _____	
				Action taken by: (Supervisor) (Print) _____				Sign _____		Date _____	
NOTE: IN CASE OF DENIAL, SEE PAGE #2 OF THIS FORM FOR APPEAL PROCEDURES											
CONDITIONS OF APPROVAL (Continued on Page 2):								For Cashiers Use Only (PROCESS ONLY WHEN FEES ARE VERIFIED)			
FEES (DEPARTMENT USE ONLY)											
Appeal Processing Fee.. (No. of Items) = 1 X \$130 + \$39/addl = 130.00 Inspection Fee (No of Insp.) = X \$ 84.00 = Research Fee ... (Total Hours Worked) = 2 X \$104.00 = 208.00 Subtotal..... = 338.00 Development Services Center Surcharge X .03 = 10.14 Systems Development Surcharge..... X .06 = 20.28 Total Fees..... = 368.42 Fees verified by: _____ Print and Sign _____											

CONDITIONS OF APPROVAL (Continued from Page 1)

CITY OF LOS ANGELES

BOARD OF BUILDING AND SAFETY/DISABLED ACCESS

COMMISSION APPEAL FORM

(Must be Attached to the Modification Request Form, Page 1)

AFFIDAVIT – LADBS BOARD OF BUILDING AND SAFETY COMMISSIONERS – RESOLUTION NO. 832-93I, Mark Kenyon, Pres. of Crane Blv. Saf. Coalition do state and swear as follows:

(Print or Type Name of the Person Signing this Form)

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Owner's Name(s) Rachael Foulton
(Please Type or Print)Ian Cooper
(Please Type or Print)Owner's Signature(s) N/A
(Please Sign)

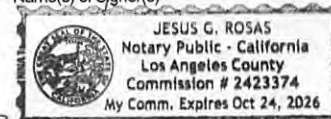
(Two Officers' Signatures Required for Corporations)

Name of Corporation Signature of owners not applicable in LADBS appeal
(Please Print Name of Corporation)Signature of owners not applicable in LADBS appeal
(Please Type or Print)Dated this 15 day of JUNE 2026**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT—SIGNATURE(S) MUST BE NOTARIZED**State of CALIFORNIA County of Los Angeles on June 15, 2026before me, JESUS G. ROSAS, Notary Public, personally appeared MARK KENYON, Pres.

Name, Title of Officer (e.g. Jane Doe, Notary Public)

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument in person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing is true and correct.



WITNESS my hand and official seal.

Signature [Signature]

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APPEAL OF DEPARTMENT ACTION TO THE BOARD OF BUILDING AND SAFETY

COMMISSIONERS/DISABLED ACCESS APPEALS COMMISSION

Crane Boulevard Safety Coalition

Applicant's Name [Signature]

By President Mark Kenyon

Applicant's Title

June 15, 2026

Signature

Date

FEES**(DEPARTMENT USE ONLY)**

Board Fee	(No. of Items)	1	X	\$354 + \$215/addl	=	354.00
Inspection Fee	(No of Insp.)		X	84.00	=	0.00
Research Fee ... (Total Hours Worked) =		1	X	104.00	=	104.00
Subtotal					=	458.00
Development Services Center Surcharge			X	.03	=	13.74
Systems Development Surcharge			X	.06	=	27.48
Total Fees					=	499.22

Fees verified by:

Print and Sign _____

For Cashiers Use Only

(PROCESS ONLY WHEN FEES ARE VERIFIED)

SUPPLEMENTAL APPLICATION FOR APPEALS

TYPE OF APPEAL:

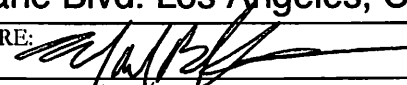
- ☒ BUILDING CODE APPEAL
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ADDRESS: 464-466 Crane Blvd. Los Angeles, CA		ZIP: 90065
TRACT: 5043	BLK: None	LOT: 110 & 111
OWNER NAME: Rachael Foulton & Ian Cooper	OWNER ADDRESS: 2262 Duane Street	ZIP: 90039

APPLICATION INFORMATION:

NAME: Crane Blvd. Safety Coalition	ADDRESS: 438 Crane Blvd. Los Angeles, CA	ZIP: 90065
EMAIL: mark.b.kenyon@gmail.com	APPLICANT SIGNATURE: 	DATE: 6-15-2026

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Circumstance where building permits are considered in law to be discretionary and CEQA applies to the permit issuance. When CEQA required, it must be performed concurrently with permit issuance.	discretionary approvals as discretionary, in order to prevent piecemeal review. Since the previous CE issued by Planning, the Project has changed to confirm new potential significant impacts.	(All permits required to be treated as discretionary and subject to CEQA.)
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		LAMC Sec. 11.02 voids permits
3.		

- ❖ FOR ADDITIONAL ISSUES, ATTACH TO THIS APPLICATION
- ❖ ATTACH ALL APPLICABLE EXHIBITS AND EVIDENCE TO THIS APPLICATION

SUPPLEMENTAL APPLICATION FOR APPEALS

ISSUES:	VIOLATION:	CODE SECTION:
4.		
5.		
6.		
7.		
8.		
9.		

Crane Boulevard Safety Coalition

438 Crane Blvd.
Los Angeles, CA 90065

Phone: (323) 533-0115
www.cranebldcoalition@gmail.com

June 15, 2026

VIA PERSONAL DELIVERY

Veronica Lopez, Board Secretary
Board of Commissioners
Los Angeles Department of Building and Safety
201 N. Figueroa, Suite 1030
Los Angeles, CA 90012

Re: Justification for Building Permit Appeal for 464-466 Crane Boulevard; Non-Compliance with State Minimum Fire Safe Regulations and LAMC Section 4908.1

Dear Los Angeles Department of Building and Safety:

The Crane Boulevard Safety Coalition (“CBSC”), a community-based advocacy group in the neighborhood of Mount Washington, appeals the issuance of the permits in this case (**Exhibit 1**) with regard to the proposed development project at 464-466 Crane Boulevard (“Project”). The Project consists of a new three-story single-family dwelling, on two currently vacant lots. Due to extreme 60-90% slopes and between 7 to 15 feet of incompetent soil and weathered bedrock lying all over the Project site, the Project requires significant remedial grading, friction pile drilling, retaining walls, and a permanent underground shoring structure. The original architect’s claims of net zero cut and fill for the Project are severely undermined with these new permits now issued by LADBS for a previously undisclosed retaining wall and permanent underground shoring structures not analyzed by the City Planning staff in the initial discretionary approval. This ought to confirm for City officials that their previous environmental review of the magnitude of grading, noise, air emissions, and project construction traffic staging was significantly understated, and therefore deficient.

The Original Plans for this Project are attached at **Exhibit 2**. The Original Plans represent the house that the owners desired to construct which included 3 stories of habitable space including an Art Studio on the lowest level of the structure. The Revised Plans for this Project are attached at **Exhibit 3**. The Revised Plans represent the house that the owners presented to the East Los Angeles Planning Commission and that the Commission approved based upon claims of City Planners that the lowest level had been converted to a massive 10 foot high heated and cooled “basement” or “crawl space.” The Revised Plans were created by the Project architect in order to assert that no heightened geologic study of a three-story structure was required in an Earthquake Induced Landslide Hazard Zone, in which the Project site lies.

On May 2 and May 10, 2023, the City Council approved the Project (the Revised Plans placed before the Area Planning Commission) and adopted a CEQA categorical exemption to support that discretionary decision.

The CEQA approval is in litigation, fully briefed and ready for trial. A copy of the trial briefing on the CEQA issues is attached as **Exhibit 4**.

While the discretionary decision was in court, the Applicants apparently hired a new architect, and processed a Second Revised Plan for the Project. CBSC has no ability to provide a copy of these new plans at this time, but documentation in LADBS permit files (**Exhibit 1**) and additional permit applications made after the Area Planning Commission approvals, further confirm the correctness of the CBSC legal challenge that the City did not consider the extent of extensive retaining walls, remedial grading and underground permanent shoring required to actually build the Project on such a severe slope (perched over a major Collector Street and the Regional Light Rail Line (North Pomona-Long Beach)).

The purpose of this letter is to provide the justifications for this building permit appeal filed pursuant to LAMC Section 98.0403.2. Because the appealed building permits are necessary approvals for a discretionary Project approval under the Mount Washington/Glassell Park Specific Plan, CEQA compliance was required at the time of issuance of these permits. This is particularly true because, since the first discretionary approval on May 2, 2023, the Applicant and City have changed significantly the Project plans and sited retaining walls on 7 to 15 feet of incompetent soil and weathered bedrock, and applied for permanent shoring permits that were not disclosed as part of the original Project description. Additionally, the Applicants have invoked a claim that they have no duty to provide parking under AB 2097 because the Project site is within .5 miles of a transit stop, and the permits evidence no effort on the part of City staff to make findings that such an exemption from parking ought to be granted on such a substandard, steep, sharp-turned, fire egress roadway in a VHFHSZ.¹ The City was required by CEQA Guidelines § 15268(d) to treat these building permits as part of the discretionary approval and comply with CEQA by preparing a revised compliance document. A diligent search of the CEQA postings at the Los Angeles County Recorder's website reveals that the City does not appear to have prepared a revised CEQA document or posted it to give the public notice prior to issuing these permits.

The building, grading and permanent shoring permits being appealed are as follows: Nos. 22010-10000-01079 & 22010-10001-01079 (SFD), 20030-10000-03239 & 22030-10000-01549 (pre-grading inspection), 22030-10000-01587 (grading), 22020-10000-00511 (3.5 ft retaining wall), 24020-10000-01582 (Permanent underground SFD shoring). These permits as they are presented on the LADBS website. See **Exhibit 1**.

¹ If the Project is still providing three off-street parking spaces, then it is unclear why the permit was modified to reference AB 2097.

Additionally, as explained below, LADBS erred and abused its discretion in issuing the building and grading permits for the Project because it did not comply with the State Minimum Fire Safe Regulations and LAMC § 4908.1 which mandates that development projects like the one at 464-466 Crane Boulevard must show compliance at the time of permitting. This case involves the application of the Safe Fire Development Regulations to new residential development on an existing roadway and mapped parcels. The City's previous position that it is exempt from applying these development standards is not credible as set forth in more detail herein. It is required to go through the evaluation process, including giving CAL FIRE notice of the application for development within the VHFHSZ. The City did not do that in this case, and appears to have a practice of refusing to do this.

For these interrelated reasons of non-compliance with CEQA and Fire Safe Development Regulations, all of the permits issued to the Applicants are null and void under LAMC § 11.02 because they violate law (including Los Angeles Fire Code § 4908.1), and must be revoked.

This case raises a critical fire safety issue for the City of Los Angeles that can no longer be ignored by the City's bureaucracy to approve market-rate and luxury homes in the Very High Fire Hazard Severity Zone (VHFHSZ) while openly refusing to address properly the minimum required safety conditions mandated by state law and regulation. As set forth below, for more than 5 years the State has required minimum setbacks, perimeters and access requirements to be imposed on new residential construction in the VHFHSZ (or properly documented exemptions be permitted after consultation with CAL FIRE), yet the City Planning Department has failed to address it in discretionary decision making, and the Building and Safety Department has failed to address it in issuing building, grading and related permits.

The City of Los Angeles prepared and submitted to federal and state disaster response planning and reviewing agencies, including FEMA, the City's June 2024 City of Los Angeles Local Hazard Mitigation Plan. On page 32-14 of the plan, in Table 32-10, the City specifically stated that one of its hazard mitigation measures for fire is to "ensure compliance with the state minimum fire-safe regulations." Recently, the City claimed that the State Minimum Fire-Safe Regulations do not apply to it as a charter City (which is not true because the Legislature declared these fire mitigation measures to be a matter of state-wide concern). Then, the City refused to apply the Regulations on other project approvals in VHFHSZ areas if the Project was along an existing road. Thus, the City has been talking out of both sides of its mouth, first assuring federal and state agencies it is implementing the State Minimum Fire-Safe Regulations, and then at other times and before other bodies, claimed these critical safety rules can be ignored. It is time for the games to end.

The political candidacy of Spencer Pratt for Mayor focused national attention on conditions created by the City's bureaucracy that led to increases in the severity of loss of life and property in the devastating Palisades fire. One of those conditions is the ongoing refusal of the bureaucracy to carry out the Safe Fire Development Regulations before issuing building permits. While politicians at City Hall may be relieved that Mr. Pratt could not garner sufficient voter support to stay in the race, the serious issues he raised still lie before this Commission,

including these ongoing refusals to comply with state law, and Mr. Pratt has vowed to use his platform to highlight these City lapses. This case illustrates a glaring reason why Mr. Pratt's candidacy was of importance, even though some may not have liked the communication methodology.

The City's Charter contemplates that the City's Commissions of appointed experts will serve as an oversight check of the bureaucracy. Will this Commission stand up to its bureaucracy and require conformity with the law now on the books more than 5 years, or will the Commission continue to allow a City practice that, one permit at a time, incrementally increases the likelihood that Los Angeles' sensitive hillside communities will certainly burn again at an unacceptable risk to its residents, tourists, and investors?

I. State Minimum Fire Safe Regulations

In 2018, Senate Bill 901² mandated the expansion of the scope of California's regulations regarding minimum fire safety standards to include those lands classified and designated as Very High Fire Hazard Severity Zones ("VHFHSZ"), as defined in subdivision (i) of Government Code § 51177³, to include Local Responsibility Areas. These regulations were extended to those portions of incorporated cities such as the City of Los Angeles that were designated as VHFHSZ.

The California Board of Forestry and Fire Protection adopted the Minimum Fire Safe Regulations ("Regulations") in 2021. The purpose of such Regulations was to establish *minimum* fire safety standards **for residential, commercial, and industrial development**, provide basic emergency access and perimeter wildfire protection, protect undeveloped

² Per the Legislative Counsel's Digest, paragraph 6, SB 901 included the following:

"This bill would also require the state forestry board to adopt regulations implementing minimum fire safety standards that are applicable to lands classified and designated as **very high fire hazard severity zones** and would require the regulations to **apply to the perimeters and access to all residential, commercial, and industrial building construction within lands classified and designated as very high fire hazard severity zones**, as defined, after July 1, 2021. The bill would further require the state forestry board to, on and after July 1, 2021, periodically update regulations for fuel breaks and greenbelts near communities to provide greater fire safety for the perimeters to all residential, commercial, and industrial building construction within state responsibility areas **and lands classified and designated as very high fire hazard severity zones** after that date. The bill would require the state forestry board, on or before July 1, 2022, to develop criteria and maintain a "Fire Risk Reduction Community" list of local agencies located in a state responsibility area **or** a very high fire hazard severity zone that meet best practices for local fire planning." (Emphasis added.). Currently, the City of Los Angeles does not appear on the list of cities meeting those best practices.

³ Government Code section 51177 (i) now defines VHFHSZ as:

"Very high fire hazard severity zone" means an area designated as a very high fire hazard severity zone by the State Fire Marshal pursuant to Section 51178 that is **not** a state responsibility area. (As amended in 2021, effective 1/1/2022.; Emphasis added.)

ridgelines, and reduce fire risk. 14 CCR § 1273.02 (emphasis added)⁴. These Regulations⁵ were adopted after extensive consultation with fire professionals and community members. The Project in question in this case is located in a Very High Fire Hazard Severity Zone as documented in ZIMAS. Therefore, it is subject to the Regulations⁶.

⁴ Cal. Code Regs. Tit. 14, § 1270.02, entitled “Purpose” states as follows:

- (a) Subchapter 2 has been prepared and adopted for the purpose of establishing state minimum Wildfire protection standards in conjunction with Building, construction, and Development in the State Responsibility Area (SRA) and, after July 1, 2021, the Very High Fire Hazard Severity Zones, as defined in Government Code § 51177(i) (VHFHSZ).
- (b) The future design and construction of Structures, subdivisions and Developments in the SRA and, after July 1, 2021, the VHFHSZ shall provide for basic emergency access and perimeter Wildfire protection measures as specified in the following articles.
- (c) These standards shall provide for emergency access; signing and Building numbering; private water supply reserves for emergency fire use; vegetation modification, Fuel Breaks, Greenbelts, and measures to preserve Undeveloped Ridgelines. Subchapter 2 specifies the minimums for such measures.”

⁵ The Regulations may be accessed at <https://www.law.cornell.edu/regulations/california/title-14/division-1.5/chapter-7/subchapter-2>.

⁶ The Regulations provide for exceptions pursuant to 14 CCR 1270.03(b) for pre-1991 parcel maps. However, only those improvements that were *specifically authorized* via previously approved parcel maps are exempted from the Regulations. There is an Attorney General Opinion from 1993 that directly addresses this exemption. Addressing fire safety regulations and their statutory interpretation in 1993, the Attorney General noted: “A blanket exemption for all construction and development activity related to a parcel covered by an approved tentative or parcel map (provided the final map for the tentative map is approved within the time prescribed by the local ordinance) would violate these principles of statutory construction.” 76 Ops.Cal Atty.19, No. 92- 807. This 1993 Attorney General Opinion may be accessed at <https://smallpdf.com/file#s=e14487bb-a106-4e3e-ae0f-1bab9c49e867>. The Board of Forestry has also provided guidance of the scope of this exemption. The Final Statement of Reasons adopted by the Board for the Regulations pursuant to *Government Code Section 11346.9(a)* states as follows:

“While the Board is unaware of any court decision specifically addressing PRC § 4290 or the regulations, the Office of the California Attorney General has commented on the statute and regulations, and its interpretation in those comments may provide helpful guidance. The first was in a 1993 Attorney General Opinion (76 Ops.Cal Atty.19, No. 92- 807), which opined that **the regulations apply generally to all building construction after 1991 and that the statutory exemption related to pre-1991 parcels was to be narrowly construed to exempt construction and development activity already in the “pipeline” as of 1991**. The Board amended the regulations in 2013 in part to ensure consistency with the 1993 Attorney General Opinion.”

The Project at 464-466 Crane Boulevard was not “in the pipeline” as of 1991.

II. The Project is Subject to the Regulations Because it Requires the Issuance of a “Building Permit for New Construction Not Related to an Existing Structure”

The Project is clearly subject to the Regulations. As specified in Section 1270.03(a), the Regulations shall apply to: “(1) the perimeters and access to all residential, commercial, and industrial Building construction . . . approved after July 1, 2021 within the VHFHSZ . . . ”

As further explained in Section 1270.03(c), “(a)ffected activities” include, but are not limited to, application for a Building permit for *new construction not relating to an existing structure* and application for a use permit. See Cal. Code Regs. tit. 14 § 1270.03 (c)(2-3).

The Project clearly involves “new construction not related to an existing structure” and a building permit is required for that new construction. As such, the State Minimum Fire Regulations apply to the Project.

Perhaps most concerning is the City’s refusal to give the required notice of building permits sought in the VHFHSZ to CAL FIRE for its expert review and comment, and consideration of those comments, if any, in adopting mitigation that provides comparable safety for residents in VHFHSZ areas. The City’s legal obligation to give such notice, and to incorporate feasible mitigation measure into project permits is plain:

“14 CCR § 1270.04

§ 1270.04. Provisions for Application of these Regulations.

This Subchapter shall be applied as follows:

(a) the Local Jurisdictions shall provide the Director of the California Department of Forestry and Fire Protection (CAL FIRE) or their designee *with notice of applications for Building permits, tentative parcel maps, tentative maps, and installation or use permits for construction or Development within the SRA, or if after July, 1 2021, the VHFHSZ.*

(b) the Director or their designee may review and make fire protection recommendations on applicable construction or development permits or maps provided by the Local Jurisdiction.

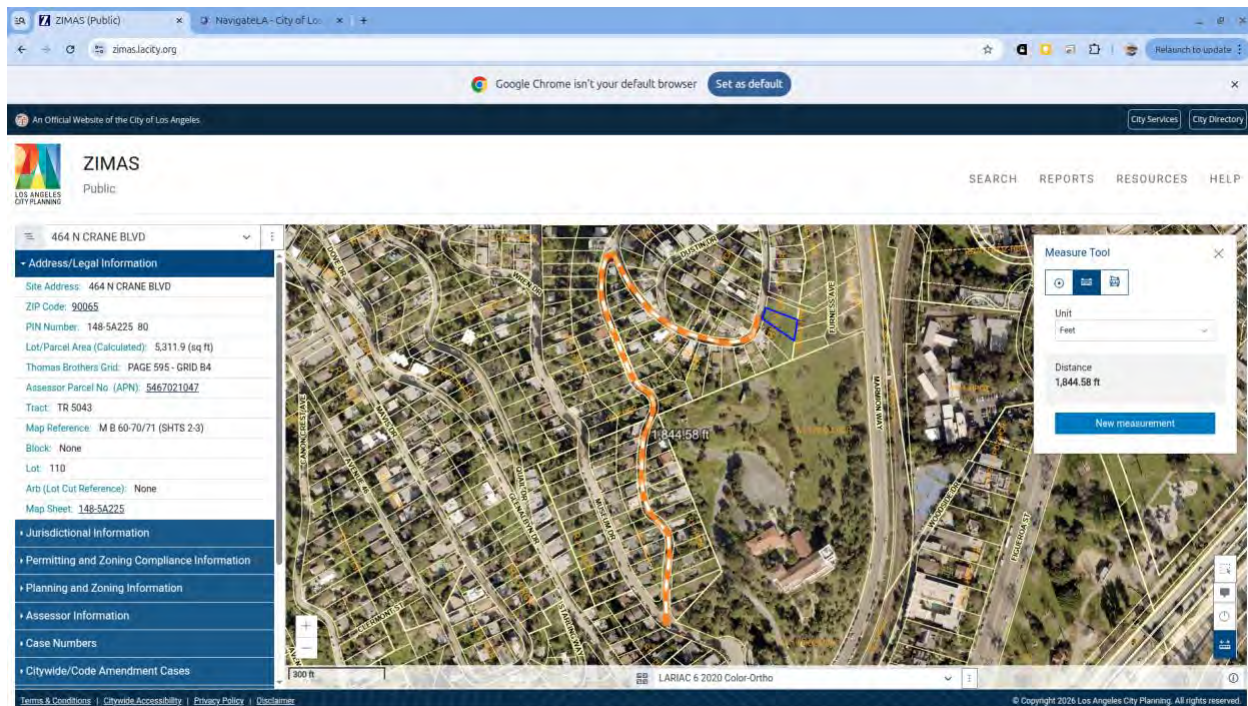
(c) the Local Jurisdiction *shall ensure that the applicable sections of this Subchapter become a condition of approval of any applicable construction or Development permit or map.*”

In this case, none of the challenged building permits (**Exhibit 1**) document that CAL FIRE was ever given the required notice of the building permit applications, or that any comments were considered, or any feasible mitigation was incorporated into these building permits for 464-466 Crane.

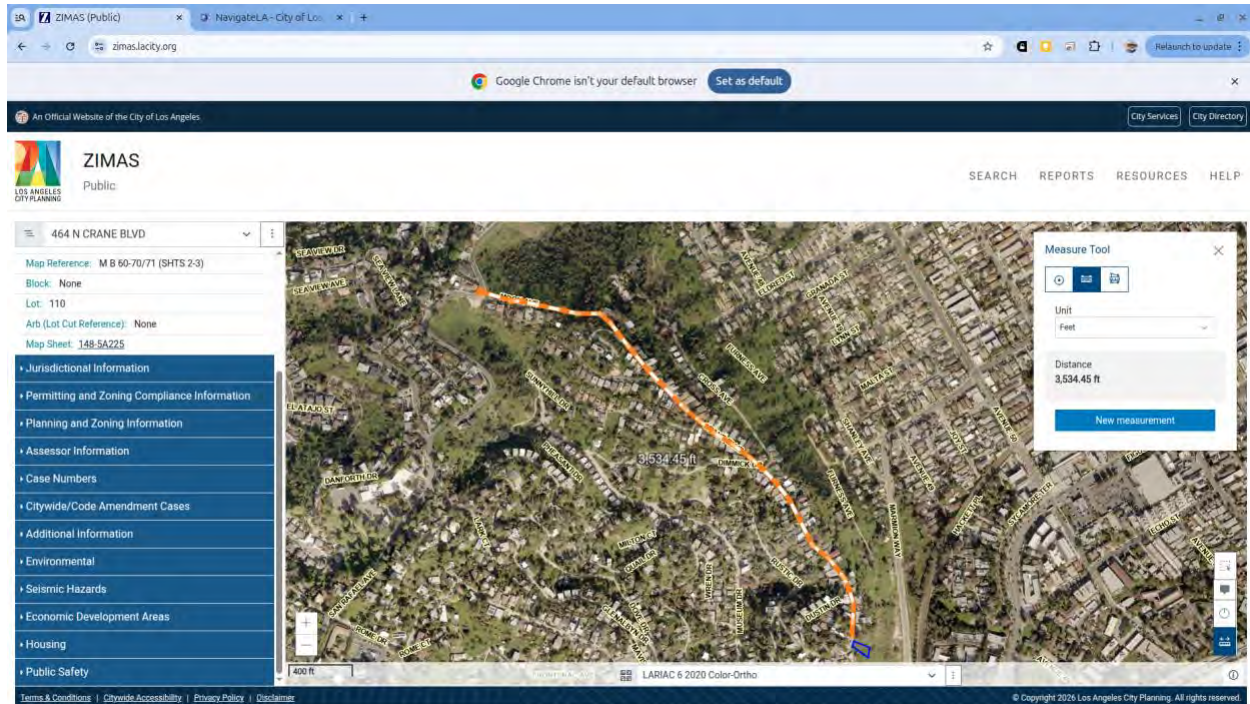
III. The Project Does Not Meet the Minimum Roadway Width Requirements Set Forth in the State Minimum Fire Safe Regulations

Article 2 of the State Minimum Fire Safe Regulations, Section 1273 pertains to the standards for "Ingress and Egress" roads and driveways. The intent of these standards is clearly stated: "Roads, and Driveways, whether public or private, unless exempted under 14 CCR §1270.03(d) **shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently**, and shall provide unobstructed traffic circulations during a wildfire emergency consistent with 14 CCR §§1273 through 1273.09." (Emphasis added.) The Project is not eligible for a Section 1270.03 exemption and the Project fails to comply with at least three of the Ingress and Egress Regulations.

In case of wildfire, residents along Crane have only two practical routes to evacuate. Residents can travel downhill from the Project site to Museum Drive. Here is that route which includes a hairpin turn, less than two lanes for passage of emergency responders and evacuees, and slopes exceeding 20%:



A second evacuation route is to go further uphill on Crane to Moon Drive, and then go down San Rafael Drive. Here is that route:



Neither of these evacuation routes meet the road and access requirements of the Regulations.

First, Crane Boulevard does not comply with the Radius requirement for egress roadways:

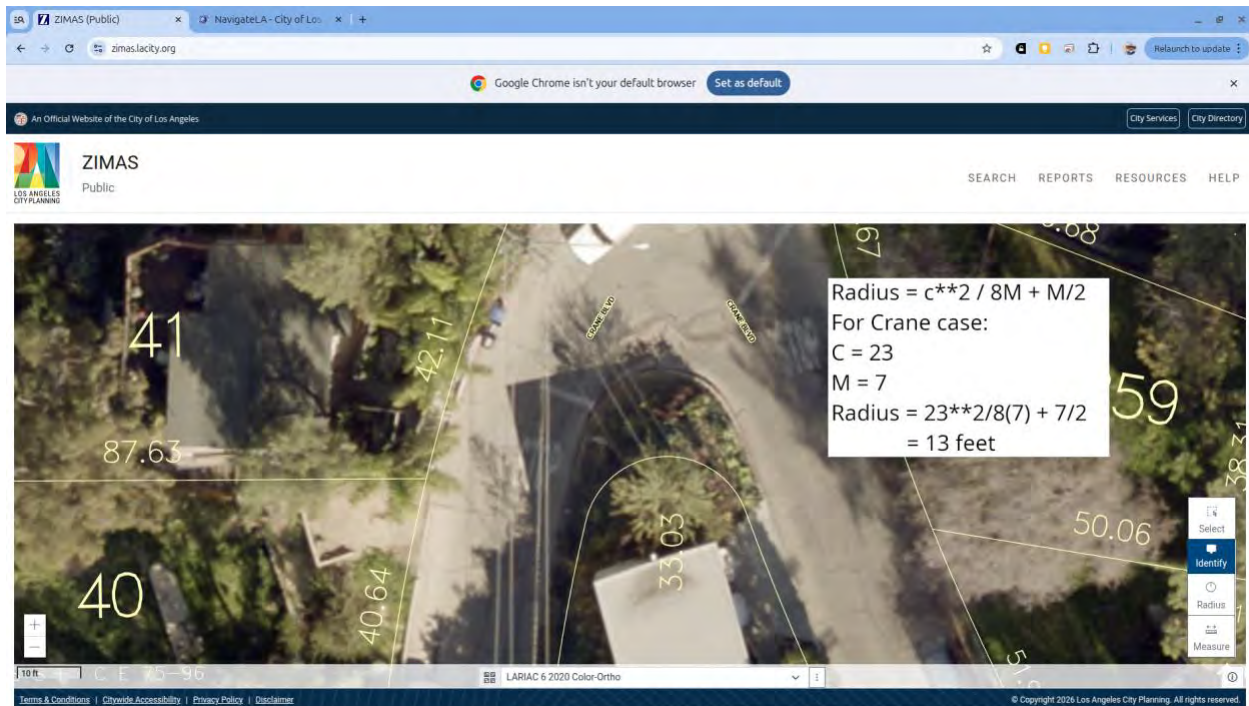
“Cal. Code Regs. Tit. 14, § 1273.04 - Radius

(a) No Road or Road Structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet.

(b) The length of vertical curves in Roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet.”

At 400 Crane Boulevard, just a few hundred feet downhill from 464-466 Crane Boulevard, the roadway has a substantial radius deficiency where construction and delivery trucks have become stuck impeding emergency access and evacuation egress. Using the City’s own calculator, the turning radius at 400 Crane is only 13 feet when is required to have at least 50 feet.

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This is an extreme roadway deficiency that has simply been ignored by the City.

Second, potential egress roadways of Crane Boulevard, Rustic Drive, or Moon Drive do not comply with the requirement that roads be less than 20 percent grade. Cal. Code Regs. tit. 14 § 1273.03 states as follows:

- (a) At no point shall the grade for all Roads and Driveways exceed 16 percent.

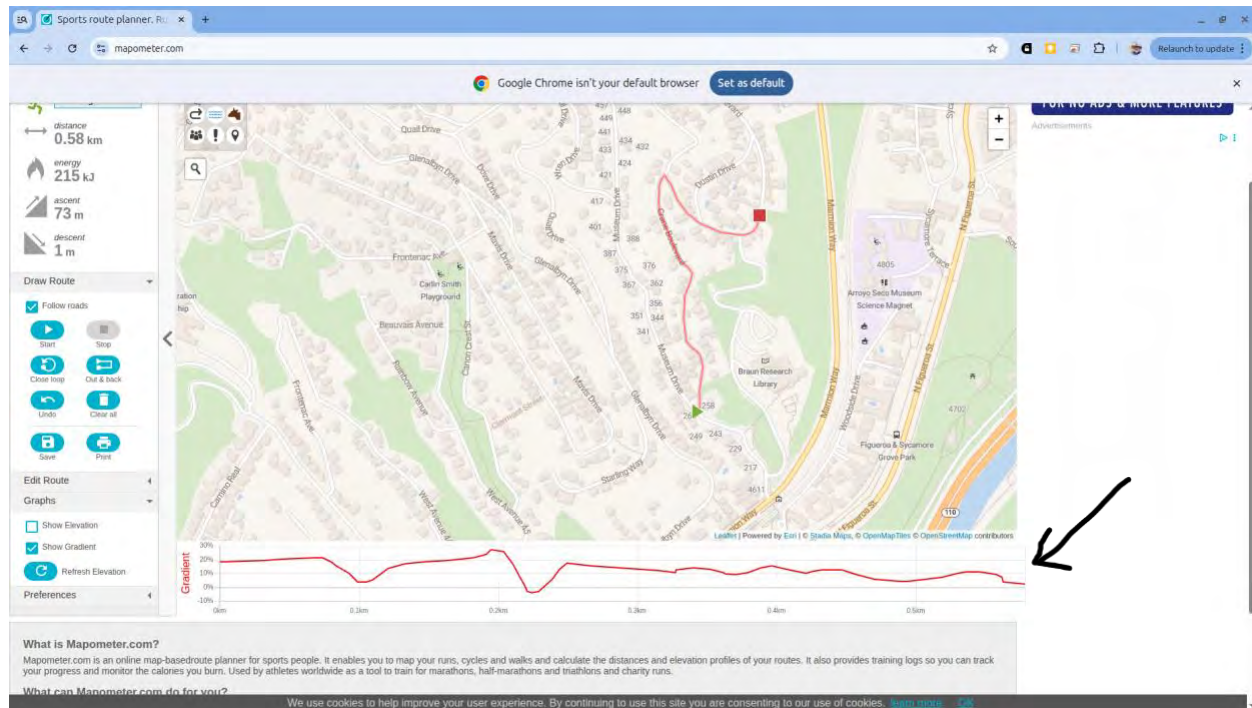
- (b) The grade may exceed 16%, not to exceed 20%, with approval from the Local Jurisdiction and with mitigations to provide for Same Practical Effect.

For example, using mapometer.com application to measure street slope, the roadway from the Project site to the Museum Drive reveals significant portions of the roadway exceeds not only 16%, but also 20% which would require analysis and imposition of mitigations to provide the Same Practical Effect.

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Similar excessive grades exist on all potential egress roadways including Crane/Moon Drive.

The online permits for this Project evidence no evaluation of this standard by City officials prior to issuance of the building permits, including that CAL FIRE was given notice of these building permit applications for review and comment to propose mitigation.

Third, so long as the City permits on-street parking on egress roads Crane Boulevard and Moon Drive, none of these roadways comply with the requirement that egress roads contain two 10-foot minimum traffic lanes as set forth at Cal. Code Regs. tit. 14 § 1273.01.

Section 1273.01(a) requires as follows:

“All roads shall be constructed to provide a minimum of **two ten (10) foot traffic lanes**, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by Local Jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250. Cal. Code Regs. tit. 14 § 1273.01(a)” (emphasis added).

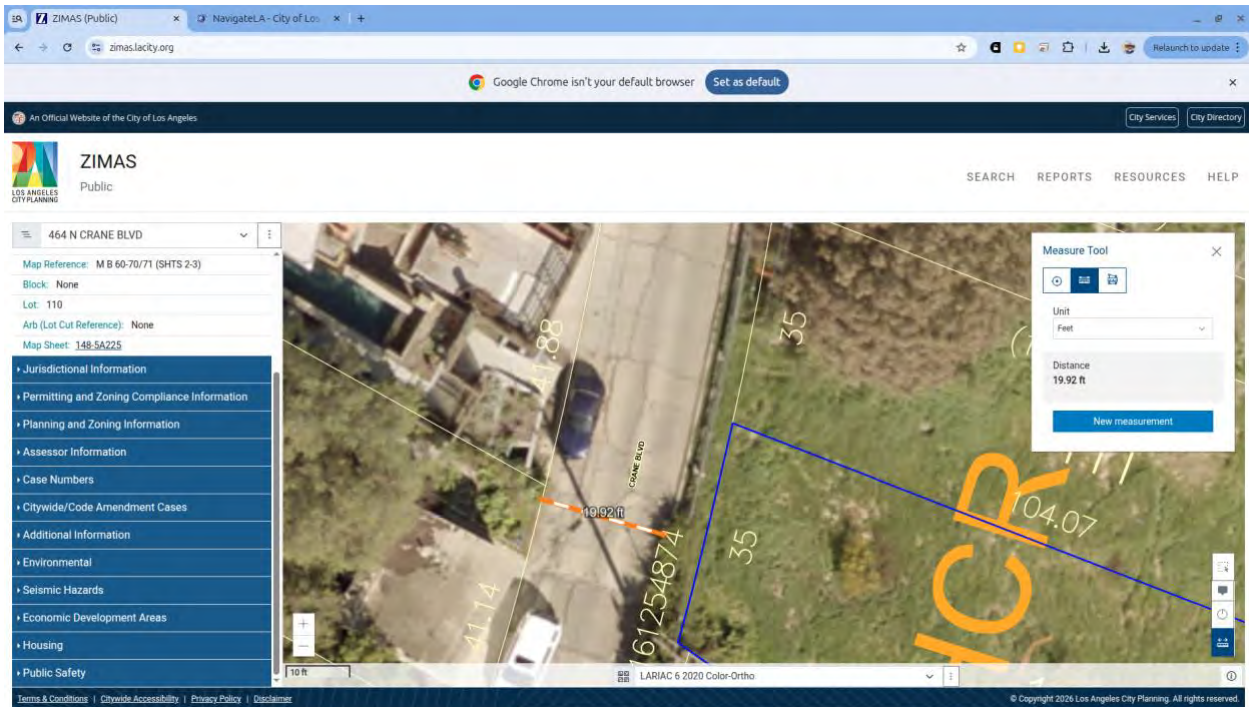
While the Applicants will widen portions of Crane Boulevard directly in front of the Project by a minimal 2 feet, there remains other portions of Crane Boulevard beyond the parcel that are less than 20 feet wide, particularly where parking, including the

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cumulative impact of multiple ongoing construction projects, is permitted along these roadways.



The Regulations provides a process for the granting of “exceptions” to the minimum standards. However, the online permit documents do not demonstrate that City officials made any effort to comply with the procedural requirements for granting an exception because the City has ignored the Regulations as a matter of pattern and practice. In any event, exceptions may only be granted “where the Exceptions provide the Same Practical Effect⁷ as these regulations towards providing Defensible Space.” Cal. Code Regs. Tit. 14, § 1270.07(a). The online permit documentation does not evidence any legally sufficient alternative measures have been created or

⁷ “Same Practical Effect” is defined in the Regulations as follows: “[A]n Exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:

- (1) access for emergency wildland fire equipment,
- (2) safe civilian evacuation,
- (3) signing that avoids delays in emergency equipment response,
- (4) available and accessible water to effectively attack Wildfire or defend a Structure from Wildfire, and
- (5) fuel modification sufficient for civilian and fire fighter safety.

Cal. Code Regs. Tit. 14, § 1270.01(aa).

offered by the City in connection with attempting to issue these building permits, including seeking the required review and comment from CAL FIRE.

IV. The Project Does Not Comply With The Minimum 30-Foot Setback Or Proper Documentation Of A Lesser Setback Before Permit Issuance.

Article 5 of the State Minimum Fire Safe Regulations, Section 1276 pertains to the standards for "Building Siting, Setbacks and Fuel Modification" to reduce the kind of structure-to-structure conflagration that happened in the Palisades fire. The intent of these standards is clearly stated:

“To reduce the intensity of a Wildfire, reducing the volume and density of flammable vegetation around Development through strategic fuel modification, **parcel siting and Building setbacks**, and the protection of Undeveloped Ridgelines **shall provide for increased safety for emergency fire equipment, including evacuating civilians, and a point of attack or defense from a Wildfire.**” (Emphasis added.)

The set back rule that has applied for more than 5 years in the VHFHSZ is Cal. Code Regs. Tit. 14, § 1276.01 - Building and Parcel Siting and Setbacks:

“(a) All parcels shall provide ***a minimum thirty (30) foot setback for all Buildings from all property lines and/or the center of a Road***, except as provided for in subsection (b).

(b) A reduction in the minimum setback shall be based upon practical reasons, which may include but are not limited to, parcel dimensions or size, topographic limitations, Development density requirements or other Development patterns that promote low-carbon emission outcomes; sensitive habitat; or other site constraints, and shall provide for an alternative method to reduce Structure-to-Structure ignition by incorporating features such as, but not limited to:

(1) non-combustible block walls or fences; or

(2) ***non-combustible material extending five (5) feet horizontally*** from the furthest extent of the Building; or

(3) hardscape landscaping; or

(4) ***a reduction of exposed windows on the side of the Structure with a less than thirty (30) foot setback***; or

(5) ***the most protective requirements in the California Building Code, California Code of Regulations Title 24, Part 2, Chapter 7A***, as required by the Local Jurisdiction.” (Emphasis added).

These state setback requirements pre-empt City of Los Angeles setback rules yet neither the City Planning Department in its initial discretionary decision, nor the LADBS in its building permit review, applied these development standards to provide even a minimal protection against structure-to-structure ignition in case of wildfire. The permits in this case evidence no

consultation with CAL FIRE or effort to provide more protective setbacks where this luxury home is already sited on a double wide set of vacant lots *and it was feasible for the City to justify larger setbacks coupled with the protective strategies listed above.*

V. The Project Does Not Comply with LAFC Section 4908.1

The City has adopted the State Minimum Fire Safe Regulations into the Los Angeles Fire Code at Section 4908.1. This section of the Code clearly states that “all residential building construction” within the City’s Very High Fire Hazard Severity Zones **shall comply** with the State Minimum Fire Safe Regulations. Therefore, the Project violates the LAMC as well as state regulations. A screenshot from LAFC Section 4908.1 is shown below.

SECTION 4908
FIRE SAFE DEVELOPMENT REGULATIONS

4908.1 General.

Pursuant to PRC 4290 all residential, commercial and industrial building construction within state responsibility areas approved after January 1, 1991, and within lands classified and designated as an LRA Very High Fire Hazard Severity Zone, as defined in subdivision (i) of Section 51177 of the Government Code after July 1, 2021, shall comply with the SRA Fire Safe Development Regulations as specified in Title 14, Division 1.5, Chapter 7, Subchapter 2.

VI. Existing Roadways Are Not Exempt from Regulations

Petitioner is aware that the Department of City Planning has previously taken the position that the Regulations *only* apply when new roads are constructed.⁸ However, this position is completely without legal justification. In 2019, the County of Monterey made the same argument – saying the regulations did not apply to existing roads. The Attorney General’s office sent a letter to the County completely refuting this narrow construction of the state regulations. The AG letter states:

Finally, we note that exempting the Project from the SRA regulations simply because Paraiso Springs Road is a pre-existing road would **undermine the intent** of the **SRA regulations**. SRA regulations are **meant** to ensure that “[t]he future design and construction of structures, subdivisions and developments in the SRA shall provide for **basic emergency access**” (Cal. Code Regs., tit. 14, § 1270.01(b).)

...

It is the construction of a new project that triggers the application of the SRA regulations; the fact that the Project is being constructed at the **end of an existing road does not negate** the triggering **effect** of the **new construction**. A contrary

⁸ Such a claim has no application to the Setback Requirements. Setback requirements affect the authorized building envelope and mitigation measures to avoid structure-to-structure ignition. The fact that Crane Boulevard is an existing road therefore cannot validly excuse application of the Setback rule.

interpretation would incentivize development without adequate evacuation routes and emergency access in the SRA rather than prevent it.

(October 2019 AG Letter⁹, pp. 2-3, emph. added [Oct. 25, 2019 Attorney General’s Comment on the Paraiso Springs Resort Project]; see also **March 2019 AG Letter**¹⁰ [Attorney General’s March 20, 2019 comment on the same project – Need to comply with roadway width and other requirements in State Responsibility Areas – predates application of requirements to LRAs]. The Attorney General has clearly provided guidance that is the construction of a new project that triggers the application of the regulations – not construction of a new road.

Moreover, the “scope” of the Regulations is much broader than the City contends. The Regulations at 14 CCR § 1276.03(c) state as follows:

(c) Affected activities include, but are not limited to:

(1) permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d);

(2) **application for a Building permit for new construction not relating to an existing Structure;**

(3) application for a use permit;

(4) Road construction including construction of a Road that does not currently exist, or extension of an existing Road.

14 CCR § 1276.03(c) (emphasis added).

Moreover, Section 1270.03(a)(1) of the Regulations¹¹ state that they apply to “(1) the perimeters and access to *all* residential, commercial, and industrial Building construction within the SRA approved after January 1, 1991, and those approved after July 1, 2021 within the VHFHSZ, except as set forth below in subsection (b).”

⁹ This letter is available at <https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/comments-paraiso-final-eir.pdf>

¹⁰ This letter is available at <https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/comments-paraiso-springs-resort-feir.pdf>

¹¹ Public Resources Code 4290(a) similarly states as follows: “These regulations apply to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991, and within lands classified and designated as very high fire hazard severity zones, as defined in subdivision (i) of Section 51177 of the Government Code after July 1, 2021.”

The Senior Board Counsel for the Board of Forestry and Fire Protection, Jeff Sloan, wrote a letter to the County of Sonoma regarding the County's requested certification of a proposed local fire safe ordinance as equaling or exceeding the Board's Fire Safe Regulations (14 CCR § 1270 et seq.).¹² This letter again confirms that the Regulations apply to existing roads. The letter states as follows:

“Throughout the certification process, Sonoma County has repeatedly maintained that Public Resources Code section 4290 and the Fire Safe Regulations do not apply to existing roads. Sonoma County's position is **incompatible** with the plain language of PRC § 4290, the Fire Safe Regulations, and opinions and letters issued by the Attorney General of California. More importantly, the Fire Safe Regulations themselves – which constitute the basis for the certification determination – clearly provide no exemption for existing roads, and it is these regulations that the Sonoma County ordinance must equal or exceed. This represents a fundamental and intractable disagreement between the Board and Sonoma County. Sonoma County's position on existing roads, standing alone, is a legitimate basis for determining that the ordinance does not equal or exceed the Fire Safe Regulations.

Board of Forestry Letter to County of Sonoma dated October 23, 2020 (emphasis added).

Finally, on or about August 17, 2022, the Board of Forestry published a Final Statement of Reasons¹³ (FSOR) for the State Minimum Fire Safe Regulations pursuant to Government Code Section 11346.9(a). The FSOR again confirms that the Regulations apply to existing roads, stating as follows:

General Response to Comments Regarding Existing Roads:

Public Resources Code (PRC) § 4290 expressly states that the regulations apply “to the perimeters and access to all residential, commercial, and industrial building construction...” The statute also references roads in multiple places without suggesting an intent to distinguish between existing and new roads. The Board is unaware of any authority suggesting that building construction accessed from existing roads should be treated differently than on new roads.

Further, the regulations do not differentiate between building construction on new roads and building construction on existing roads. The regulations define the term “road” in 14 CCR § 1271 without distinguishing between new and existing roads. Section

¹² This letter may be accessed at <https://smallpdf.com/file/s=7fdb555c-0c1a-42ab-bedd-afa2b8546b55>.

¹³ The Final Statement of Reasons can be accessed at the following link:
<https://www.dropbox.com/scl/fi/xa03uiu2jv3cfly2q1x46/2022-08-17-FSOR-Final-Statment-of-Reasons-BOF-PDF-copy-2.pdf?rlkey=acqun4lqpb37w59zo4u3bisc3&st=lxye8i0u&dl=0>

1273.00 requires all “roads, whether public or private,” to satisfy the regulatory requirements (unless exempted under 14 CCR § 1270.02(d)), and again makes no distinction between new and existing roads. When addressing the width of roads, 14 CCR § 1273.01 applies that section to “all roads.” In short, the regulations do not provide a basis for distinguishing between building construction on new roads and building construction on existing roads.

While the Board is unaware of any court decision specifically addressing PRC § 4290 or the regulations, the Office of the California Attorney General has commented on the statute and regulations, and its interpretation in those comments may provide helpful guidance. The first was in a 1993 Attorney General Opinion (76 Ops.Cal Atty.19, No. 92-807), which opined that the regulations apply generally to all building construction after 1991 and that the statutory exemption related to pre-1991 parcels was to be narrowly construed to exempt construction and development activity already in the “pipeline” as of 1991. The Board amended the regulations in 2013 in part to ensure consistency with the 1993 Attorney General Opinion.

More recently, and prior to the expansion of the regulations into the VHFHSZ in July 2021, the Office of the Attorney General provided a letter, dated October 25, 2019, to the Planning Commission of Monterey County regarding the Paraiso Springs Resort project. That letter reviewed the Board’s regulations regarding existing roads and stated, in pertinent part:

“[W]hether Paraiso Springs Road is an existing road is inconsequential. Paraiso Springs Road will now be the sole access to the new commercial construction within an SRA.”

“SRA regulations explicitly “apply to: (1) the perimeters and access to all residential, commercial, and industrial building construction within the SRA approved after January 1, 1991...” (Emphasis in original.) “Thus, the Monterey County Code exemption for existing roads is inapposite – the Paraiso Springs Road is now “access” to a Project that falls within the scope of the SRA regulations.”

“Finally, we note that exempting the Project from the SRA regulations simply because Paraiso Springs Road is a pre-existing road would undermine the intent of the SRA regulations. SRA regulations are meant to ensure that “[t]he future design and construction of structures, subdivisions and developments in the SRA shall provide for basic emergency access...”

“While this road may have been exempt from the SRA width and dead-end road limitations prior to development of the Project, there is no basis for an interpretation that allows construction within the SRA of a large new resort that would depend upon the use of that road for the sole emergency access to and

evacuation from the Project. It is the construction of a new project that triggers the application of the SRA regulations; the fact that the Project is being constructed at the end of an existing road does not negate the triggering effect of the new construction. A contrary interpretation would incentivize development without adequate evacuation routes and emergency access in the SRA rather than prevent it.”

“While comments addressing the application of the minimum fire safe regulations to development that is accessed from existing roads do not address the proposal, the information described above may be relevant to those that remain interested in this issue.”

Final Statement of Reasons for Reasons, August 17, 2022 (emphasis added).

In sum, the overwhelming body of legal authority¹⁴ demonstrates that the City’s position that the Regulations do not apply to existing roads – is flawed.

VII. Revocation is Mandated by LAMC Section 11.02

LAMC Section 11.02 states:

“Notwithstanding any other provisions of this Code or any other ordinance of the City of Los Angeles, no permit or license shall be issued in violation of any provisions of this Code or any other ordinance of the City of Los Angeles; if any permit or license is issued in violation of any provision of this Code or any other ordinance of the City of Los Angeles the same shall be void. Any permit or license issued, which purports to authorize the doing of any act prohibited by any other provision of this Code or any other ordinance of the City of Los Angeles, shall be void.”

Because the seven permits issued by LADBS violated LAFC Section 4908.1, they were issued in error and must be revoked.

VIII. Conclusion

Based on the foregoing, the appeal should be granted. Thank you for your consideration of this matter. I may be contacted at mark.b.kenyon@gmail.com to provide all hearing notices and, if you have any questions, comments or concerns.

¹⁴ The City was also put on notice that it was not complying with the State Minimum Fire Safe Regulations by the Santa Monica Mountains Conservancy (“Conservancy”), a state and trustee agency. The Conservancy wrote to the Department of City Planning and Los Angeles Department of Building and Safety on May 15, 2023 and yet the City persists in ignoring the Regulations. A copy of this letter may be accessed at <https://smallpdf.com/file#s=4b042f01-ae45-43cb-9b49-975bd488d949>.

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Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Kenyon', with a long horizontal flourish extending to the right.

Mark Kenyon

EXHIBIT 1

Los Angeles Department of Building and Safety

The information below was found on the following address:

464 N CRANE BLVD

Parcel Profile Report:1

Permit Information found:1

464 N CRANE BLVD 90065

Application/Permit #	PC/Job #	Type	Status	Work Description
22010 - 10001 - 01079	B23LA17782	Bldg- Alter/Repair	Verifications in Progress 12/4/2023	ATTN STARR CHEN SUPPLEMENTAL TO 22010-10000-01079 TO RECHECK REDRAWN/ REDESIGN PLANS BY NEW ARCHITECT OF RECORD NEW 3 STORY SFD WITH ATTACHED GARAGE AND CARPORT PER DIR-2020-427-SPP
22010 - 10000 - 01079	B22LA03919	Bldg-New	Issued 3/12/2026	NEW 3 STORY SFD WITH ATTACHED GARAGE AND CARPORT PER DIR-2020-427-SPP AND AB2097 NO PARKING REQUIRED, SEE COMMENTS
20030 - 10000 - 03239	B20LA11101	Grading	Application Pending 6/23/2020	GPI + Posting for new dwelling
22030 - 10000 - 01587	B22LA03919	Grading	Issued 3/12/2026	SITE GRADING FOR PROPOSED SFD W GARAGE AND BASEMENT AND RETAINING WALL CalOSHA permit must be obtained before construction is commenced
22030 - 10000 - 01549	B22LA03842	Grading	Application Pending 3/3/2022	GPI & POSTING FOR NEW DWELLING WITH RETAINING WALLS
22020 - 10000 - 00511	B22LA03919	Nonbldg-New	Issued 3/12/2026	NEW 3.5 FT TALL RETAINING WALL
24020 - 10000 - 01582	B24LA21883	Nonbldg-New	Issued 3/16/2026	ePlan - PERMANENT SHORING FOR PROPOSED SFD UNDER 22010-10000-01079

Code Enforcement Information:0

Certificate of Occupancy Information:0

Retrofit Program Information:2

Los Angeles Department of Building and Safety

Certificate Information: 464 N CRANE BLVD 90065

Application / Permit

22010-10000-01079

Plan Check / Job No.

B22LA03919

Group

Building

Type

Bldg-New

Sub-Type

1 or 2 Family Dwelling

Primary Use

(1) Dwelling - Single Family

Work Description

NEW 3 STORY SFD WITH ATTACHED GARAGE AND CARPORT PER DIR-2020-427-SPP AND AB2097 NO PARKING REQUIRED, SEE COMMENTS

Permit Issued

Issued on 3/12/2026

Issuing Office

Metro

Current Status

Issued on 3/12/2026

Permit Application Status History

Submitted	3/4/2022	APPLICANT
Assigned to Plan Check Engineer	3/31/2022	STARR CHEN
Corrections Issued	4/6/2022	STARR CHEN
Quality Review Completed	4/13/2022	KEN GILL
Applicant returned to address corrections	7/14/2022	STARR CHEN
Plan Check Approved	2/27/2026	STARR CHEN
Issued	3/12/2026	APPLICANT

Permit Application Clearance Information

Trees in Parkway	Cleared	7/13/2022	ADALBERTO VERA
Hydrant and Access approval	Cleared	8/5/2022	RUEL COLE
Building over 36-ft	Cleared	8/30/2022	CALOSHA APPROVED
BHO/Hillside ordinance	Cleared	9/30/2022	JEANETTE VONG
BHO/Hillside ordinance	Cleared	9/30/2022	JEANETTE VONG
BHO/Hillside ordinance	Cleared	9/30/2022	JEANETTE VONG
BHO/Hillside ordinance	Cleared	9/30/2022	JEANETTE VONG
BHO/Hillside ordinance	Cleared	9/30/2022	JEANETTE VONG
Eng Process Fee Ord 176,300	Cleared	10/13/2022	JEANETTE VONG
Permit	Cleared	10/13/2022	JEANETTE VONG
Sewer availability	Cleared	10/13/2022	JEANETTE VONG
Work Adjacent to Public Way	Cleared	10/14/2022	ARMEN SARKISIAN
Encroachment in public way	Cleared	10/20/2022	JEREMY CHOK
Low Impact Development	Cleared	12/14/2022	SARAH YOUSSEF
Roof/Waste drainage to street	Cleared	12/16/2022	THAN WIN
Disturb/Remove Protected Trees	Cleared	12/22/2022	ADALBERTO VERA
GPI Written Notices	Cleared	12/4/2023	STARR CHEN

Grading Pre-Inspection	Cleared	12/4/2023	STARR CHEN
Permit	Cleared	1/11/2024	TERRY PHAN
Miscellaneous	Cleared	2/29/2024	RUBEN VASQUEZ
Specific Plan	Cleared	2/29/2024	RUBEN VASQUEZ
Low Impact Development (LID)	Cleared	4/17/2024	PATRICK LOPEZ
Encroachment in public way	Cleared	9/23/2024	CHRISTINA BRACO
Work Adjacent to Public Way	Cleared	11/19/2024	LARRY LEE

Contact Information

Architect	, ; Lic. No.: C34529	1719 MADISON AVE PASADENA, CA 91104
Contractor	Bm Construction Llc; Lic. No.: 1066119-B	4712 GREY DR LOS ANGELES, CA 90032
Engineer	Barr,, Joseph Daniel; Lic. No.: C70708	1185 HERITAGE FARM RD HICKORY, NC 28601
Engineer	Hansen,, Neil Christian; Lic. No.: L9027	6542 CHARLESWORTH AVENUE NORTH HOLLYWOOD, CA 91606
Engineer	Phillips,, Craig; Lic. No.: C69673	2123 VESTAL AVE LOS ANGELES, CA 90026

Inspector Information

OSVALDO PARAMO, (213) 202-9854	Office Hours: 7:00-8:00 AM MON-FRI
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Pending Inspections

No Data Available.

Inspection Request History

No Data Available.

Los Angeles Department of Building and Safety

Certificate Information: 464 N CRANE BLVD 90065

Application / Permit	22010-10001-01079
Plan Check / Job No.	B23LA17782
Group	Building
Type	Bldg-Alter/Repair
Sub-Type	1 or 2 Family Dwelling
Primary Use	()
Work Description	ATTN STARR CHEN SUPPLEMENTAL TO 22010-10000-01079 TO RECHECK REDRAWN/ REDESIGN PLANS BY NEW ARCHITECT OF RECORD NEW 3 STORY SFD WITH ATTACHED GARAGE AND CARPORT PER DIR-2020-427-SPP
Permit Issued	No
Current Status	Verifications in Progress on 12/4/2023

Permit Application Status History

Submitted	9/26/2023	APPLICANT
Assigned to Plan Check Engineer	9/28/2023	STARR CHEN
Corrections Issued	10/4/2023	STARR CHEN
Quality Review Completed	10/5/2023	EUGENE BARBEAU
Applicant returned to address corrections	12/4/2023	STARR CHEN

Permit Application Clearance Information

No Data Available.

Contact Information

No Data Available.

Inspector Information

No Data Available.

Pending Inspections

No Data Available.

Inspection Request History

No Data Available.

Los Angeles Department of Building and Safety

Certificate Information: 464 N CRANE BLVD 90065

Pre - Inspection only, not a permit for construction

Application / Permit	20030-10000-03239
Plan Check / Job No.	B20LA11101
Group	Building
Type	Grading
Sub-Type	1 or 2 Family Dwelling
Primary Use	()
Work Description	GPI + Posting for new dwelling
Permit Issued	No
Current Status	Completed on 07/10/2020

Permit Application Status History

No Data Available.

Permit Application Clearance Information

Grading Preinspection	Not Cleared	6/23/2020	Department of Building and Safety
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Contact Information

No Data Available.

Inspector Information

JONATHAN HOM, (213) 482-7452	Office Hours: 7:00-8:00 AM MON-FRI
ROBERT HUGHES, (213) 482-7452	Office Hours: 7:00-8:00 AM MON-FRI

Pending Inspections

No Data Available.

Inspection Request History

No Data Available.

Los Angeles Department of Building and Safety

Certificate Information: 464 N CRANE BLVD 90065

Pre - Inspection only, not a permit for construction

Application / Permit	22030-10000-01549
Plan Check / Job No.	B22LA03842
Group	Building
Type	Grading
Sub-Type	1 or 2 Family Dwelling
Primary Use	()
Work Description	GPI & POSTING FOR NEW DWELLING WITH RETAINING WALLS
Permit Issued	No
Current Status	Completed on 03/10/2022

Permit Application Status History

No Data Available.

Permit Application Clearance Information

Grading Preinspection	Not Cleared	3/3/2022	Department of Building and Safety
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Contact Information

No Data Available.

Inspector Information

JONATHAN HOM, (213) 482-7452	Office Hours: 7:00-8:00 AM MON-FRI
ROBERT HUGHES, (213) 482-7452	Office Hours: 7:00-8:00 AM MON-FRI

Pending Inspections

No Data Available.

Inspection Request History

No Data Available.

Los Angeles Department of Building and Safety

Certificate Information: 464 N CRANE BLVD 90065

Application / Permit	22030-10000-01587
Plan Check / Job No.	B22LA03919
Group	Building
Type	Grading
Sub-Type	1 or 2 Family Dwelling
Primary Use	(70) Grading - Hillside
Work Description	SITE GRADING FOR PROPOSED SFD W GARAGE AND BASEMENT AND RETAINING WALL CalOSHA permit must be obtained before construction is commenced
Permit Issued	Issued on 3/12/2026
Issuing Office	Metro
Current Status	Issued on 3/12/2026

Permit Application Status History

Submitted	3/4/2022	APPLICANT
Assigned to Plan Check Engineer	3/31/2022	STARR CHEN
Corrections Issued	4/6/2022	STARR CHEN
Quality Review Completed	4/13/2022	KEN GILL
Applicant returned to address corrections	7/14/2022	STARR CHEN
Plan Check Approved	2/27/2026	STARR CHEN
Issued	3/12/2026	APPLICANT

Permit Application Clearance Information

Eng Process Fee Ord 176,300	Cleared	10/13/2022	JEANETTE VONG
Work Adjacent to Public Way	Cleared	10/21/2022	ARMEN SARKISIAN
Specific Plan	Cleared	1/30/2023	RUBEN VASQUEZ
Specific Plan	Cleared	9/26/2024	RUBEN VASQUEZ
Encroachment in public way	Cleared	10/1/2024	CHRISTINA BRACO
Work Adjacent to Public Way	Cleared	11/19/2024	LARRY LEE
Grading Pre-Inspection	Cleared	2/27/2026	STARR CHEN

Contact Information

Architect	, ; Lic. No.: C34529	1719 MADISON AVE PASADENA, CA 91104
Contractor	Bm Construction Llc; Lic. No.: 1066119-B	4712 GREY DR LOS ANGELES, CA 90032
Engineer	Barr,, Joseph Daniel; Lic. No.: C70708	1185 HERITAGE FARM RD HICKORY, NC 28601
Engineer	Lewis,, Stephen Hart; Lic. No.: C70304	169 S BALDWIN AVE SIERRA MADRE, CA 91024

Inspector Information

JONATHAN HOM, (213) 482-7452	Office Hours: 7:00-8:00 AM MON-FRI
ROBERT HUGHES, (213) 482-7452	Office Hours: 7:00-8:00 AM MON-FRI

Pending Inspections

No Data Available.

Inspection Request History

No Data Available.

Los Angeles Department of Building and Safety

Certificate Information: 464 N CRANE BLVD 90065

Application / Permit	22020-10000-00511
Plan Check / Job No.	B22LA03919
Group	Building
Type	Nonbldg-New
Sub-Type	1 or 2 Family Dwelling
Primary Use	(23) Retaining Wall
Work Description	NEW 3.5 FT TALL RETAINING WALL
Permit Issued	Issued on 3/12/2026
Issuing Office	Metro
Current Status	Issued on 3/12/2026

Permit Application Status History

Submitted	3/4/2022	APPLICANT
Assigned to Plan Check Engineer	3/31/2022	STARR CHEN
Corrections Issued	4/6/2022	STARR CHEN
Quality Review Completed	4/13/2022	KEN GILL
Applicant returned to address corrections	7/14/2022	STARR CHEN
Plan Check Approved	2/27/2026	STARR CHEN
Issued	3/12/2026	APPLICANT

Permit Application Clearance Information

Work Adjacent to Public Way	Cleared	10/21/2022	ARMEN SARKISIAN
Eng Process Fee Ord 176,300	Cleared	10/23/2022	JEANETTE VONG
Encroachment in public way	Cleared	10/27/2022	JEREMY CHOK
Grading Pre-Inspection	Cleared	12/4/2023	STARR CHEN
Specific Plan	Cleared	12/4/2023	RUBEN VASQUEZ

Contact Information

Contractor	Bm Construction Llc; Lic. No.: 1066119-B	4712 GREY DR LOS ANGELES, CA 90032
Engineer	Barr,, Joseph Daniel; Lic. No.: C70708	1185 HERITAGE FARM RD HICKORY, NC 28601
Engineer	Lewis,, Stephen Hart; Lic. No.: C70304	169 S BALDWIN AVE SIERRA MADRE, CA 91024

Inspector Information

OSVALDO PARAMO, (213) 202-9854	Office Hours: 7:00-8:00 AM MON-FRI
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Pending Inspections

No Data Available.

Inspection Request History

No Data Available.

Los Angeles Department of Building and Safety

Certificate Information: 464 N CRANE BLVD 90065

Application / Permit	24020-10000-01582
Plan Check / Job No.	B24LA21883
Group	Building
Type	Nonbldg-New
Sub-Type	1 or 2 Family Dwelling
Primary Use	(23) Shoring (Permanent)
Work Description	ePlan - PERMANENT SHORING FOR PROPOSED SFD UNDER 22010-10000-01079
Permit Issued	Issued on 3/16/2026
Issuing Office	
Current Status	Issued on 3/16/2026

Permit Application Status History

Submitted	9/10/2024	APPLICANT
Assigned to Plan Check Engineer	9/19/2024	STARR CHEN
Corrections Issued	9/23/2024	STARR CHEN
Quality Review Completed	9/24/2024	EUGENE BARBEAU
Applicant returned to address corrections	12/12/2024	STARR CHEN
Applicant returned to address corrections	2/14/2025	STARR CHEN
Plan Check Approved	2/27/2026	STARR CHEN
Issued	3/16/2026	APPLICANT

Permit Application Clearance Information

No Data Available.

Contact Information

Contractor	Bm Construction Llc; Lic. No.: 1066119-B	,
Engineer	Barr,, Joseph Daniel; Lic. No.: C70708	1185 HERITAGE FARM RD HICKORY, NC 28601
Engineer	Lewis,, Stephen Hart; Lic. No.: C70304	169 S BALDWIN AVE SIERRA MADRE, CA 91024
Engineer	Lewis,, Stephen Hart; Lic. No.: NA70304	,

Inspector Information

OSVALDO PARAMO, (213) 202-9854	Office Hours: 7:00-8:00 AM MON-FRI
--------------------------------	------------------------------------

Pending Inspections

No Data Available.

Inspection Request History

No Data Available.

EXHIBIT 2

		Section Ref.		MAJOR SECTION REFERENCE
		Sheet No.		MINOR OR WALL ELEVATION
room No.		Drawing Ref.		INTERIOR ELEVATION REF.
Fth. Floor Elev.		Sheet No.		FINISH ELEVATION
		detail		DETAIL REFERENCE
				REVISION NUMBER
				WINDOW TAG
				DOOR TAG
				CEILING TAG
				GENERAL REFERENCE

	GYPSUM WALL BOARD
	CERAMIC TILE
	EARTH
	POROUS FILL
	CONCRETE
	BRICK
	CONCRETE MASONRY UNITS (CMU)
	PLASTER, CEMENT, SAND OR GROUT
	CUT STONE
	SLATE OR FLAGSTONE
	METAL
	PLYWOOD
	FINISH FLOOR
	FRAMING LUMBER
	INSULATION
	GLASS

	New wood stud walls
	New cnc. walls
	New CMU walls
	1 hour fire rated wall assembly, 5/8" type X gypsum both sides
	Sound rated construction
	Retaining wall
	Lowered floor level
	Ceiling above fumest to accommodate HVAC. See ceiling height in room tag.

®	AT	STEEL ANGLE	
&	AND	NCI	NOT IN CONTRACT
A.B.	ANCHOR BOLT (OR LAG FOR WOOD)	N/S/E/W	NORTH/SOUTH/EAST/WEST
ALUM	ALUMINUM	O	OPERABLE SLIDING DOOR
PFL	ABOVE FINISH FLOOR	O/	OVER
BOT	BOTTOM	O.C.	ON CENTER
CL	CENTER LINE	PLAM	PLASTIC LAMINATE
CONC	CONCRETE	PL	PLATE
C.R.	COLD ROLLED STEEL	PTD.	PAINTED
C.S.	COUNTER SINK	PLY.	PLYWOOD
DIA	DIAMETER	P.T.	PRESSURE TREATED (NON-ARSENIC)
EQ	EQUAL	SCHED.	SCHEDULE
(E)	EXISTING	SQ. DR.	SQUARE DRIVE (SCREW HEAD TYPE)
E.T.R.	EXISTING TO REMAIN	SQ.FT.	SQUARE FEET
EXT.	EXTERIOR	S.S.	STAINLESS STEEL
F.C.I.C.	FURNISHED BY OWNER INSTALLED BY CONTRACTOR	TBD	TO BE DETERMINED
		T&G	TONGUE AND GROOVE
		TRANS	TRANSITION
FGF	FACE OF FRAMING	Typ	TYPICAL
F.B.	FLAT BAR	U.N.Q.	UNLESS NOTED OTHERWISE
F.D.	FOLD	W.D.	WOOD
GALV.A.	GALVANIZED (HOT DIPPED)	W/	WITH
GA	GALUGE	X	FIXED DOOR
H.D.	HEAVY DUTY		
H.R.	HOT ROLLED STEEL		

The diagram illustrates three levels of note-taking strategies based on priority:

- high priority note:**
 - NOTE DESCRIPTION:** note contents, note contents, note contents, very important.
 - attention:** (indicated by a dashed line)
 - NOTE DESCRIPTION:** note contents, note contents, note contents.
- medium priority note:**
 - NOTE DESCRIPTION:** note contents, note contents, note contents, important.

LOT NUMBER	1	2	3	4	5	*6	7	8	9	10
EXISTING SETBACK	21'-5"	vac.	20'-1"	0'	vac.	0'	0'	0'	3'-2"	2'-8"
LOT FRONTAGE	35'	33.06'	67.75'	35'	35.38'	70'	65.99'	35'	28.09'	62.09'

*Lot No. 6 is subject property

SETBACK CALCULATION	
discard top and bottom 20%	Lower 20%: lot 6, 7; Upper 20%: lot 1, 3
discard lots that do not comply with LAMC 12.21 A4 9(a)	(no lots to discard)
discard vacant lots	2, 5
LOTS USED (3)	4, 9, 10
SUM OF FRONT YARD SETBACKS DIVIDED BY NO. LOTS USED	5'-10"/3 = 2'-0"
FRONT YARD SETBACK	(Assume 5 foot minimum)

[illegible]

Example

Number of lots: 5

Feasible Setups: 1278

Example

Total no. of lots entered: 5

Total frontage entered: 213.62 ft

40% of total frontage entered: 85.45 ft

No. of lots used in the calculations: 5

Setback range used: 0.00 ft - 31.6 ft

Total frontage used in the calculation: 145.16 ft

lots Used:

Lot	Frontage (ft)	Setback (ft)
4	22.00	0.00
9	23.05	31.6
10	82.09	27.5

View submittal package

OWNER	Rachael Foulton & Ian Cooper 2262 Duane Street Los Angeles, CA 90039	CIVIL STRUCTURAL		GEOLOGY	Geosystems, Inc. 1545 Victory Blvd., 2nd Floor Glendale, CA 91201 info@geosys1.com (818) 500-5533
ARCHITECT	Simon Storey Anonymous Architects simon@anonymousarchitects.com 1 323 244-9807 Lic No. C-35346			SURVEY	Nick Kazem, Inc. 4966 Topanga Canyon Blvd. Woodland Hills, California 91364 Tel: (818) 999-8890
LEGAL DESCRIPTION					
APN	5467021027, 5467021028	Left	110, 111		
Tax#	TR 5043	Block	None		
ZONING AND USE					
ZONE	R-1-1				
EXISTING USE	Vacant Land				
PROPOSED USE	New Single Family Dwelling with covered parking for 3 cars				
VERY HIGH FIRE HAZARD SEVERITY ZONE (VHFISZ)		YES			
HILLSIDE CONSTRUCTION REGULATION (HCR)		NO			
TRANSIT ORIENTED COMMUNITIES (TOC)		NO			
SPECIFIC PLAN AREA		YES - Mt. Washington/Glossed Park			
HILLSIDE AREA (ZONING)		YES			
OCCUPANCY					
GROUP R3 RESIDENTIAL	3,100 sq.ft.				
GROUP U GARAGE	533 sq.ft.				
TYPE OF CONSTRUCTION					
TYPE V-B					
LOT AREA AND COVERAGE					
LOT AREA	8,914.1 sq.ft.				
LOT DIMENSIONS	See Plot Plan - This Sheet				
BUILDING COVERAGE	1,569 sq.ft.				
LOT COVERAGE	1,569 / 8,914 = 17.5%				
BUILDING AREAS - PER MT. WASHINGTON SP			BUILDING AREAS - PER LAMC		
MAXIMUM ALLOWABLE AREA per Mt. Washington SP = FAR x Lot Area = .42 x 8,914.1 MAX allowable area = 3,743 sq.ft.			PROPOSED PROJECT AREAS		
FAR CALCULATION: FAR = .50 - [(Lot Area - 5,000) x .10] divided by 5,000) FAR = .50 - [(8,914.1 - 5,000) x .10] divided by 5,000) FAR = .42			Level 1 460 sq. ft. Level 2 873 sq. ft. Level 3 1,298 sq. ft. 3-Car Garage (533 - 400sq.ft. allowance) 133 sq.ft. Covered Deck 469 sq.ft.		
TOTAL GROSS FLOOR AREA:			TOTAL RESIDENTIAL FLOOR AREA (RFA) 3,233 sq.ft.		
PROPOSED PROJECT AREAS: Level 1 460 sq. ft. Level 2 873 sq. ft. Level 3 1,298 sq. ft. Garage 533 sq.ft. Covered Deck 469 sq.ft.			LAISSE ALLEE		
TOTAL GROSS FLOOR AREA: 3,633 sq.ft.					
BUILDING HEIGHT (Mt. Washington SP)					
MAXIMUM ALLOWABLE	45'-0"				
PROPOSED HEIGHT	45'-0"				
BUILDING HEIGHT (building code)					
ENVELOPE HEIGHT	42'-0"				
GRADING QUANTITIES:					
CUT [CU.YD.]	10cu.yd.				
FILL [CU.YD.]	10cu.yd.				
NET GRADING [CU.YD.]	0 cu.yd. (Import = 0, Export = 0)				
FIRE SPRINKLER NOTE					
The sprinkler system shall be approved by Plumbing Division prior to installation. Contractor to obtain necessary permits.					
CONFORM TO NFPA 13					

GENERAL	
G-000-1	TITLE SHEET
G-001-1	GENERAL NOTES
G-002-1	OP + MEC. FORMS AND COMPLIANCE
G-002-2	SGS REPORT APPROVAL LETTER
SURVEY / CIVIL / LANDSCAPE	
V-101-1	SURVEY
C-101-1	GRADING PLAN
L-101-1	LANDSCAPE PLAN
ARCHITECTURAL	
A-101-1	SITE PLAN
A-102-1	FLOOR PLANS
A-102-2	FLOOR PLANS
A-201-1	EXTERIOR ELEVATIONS
A-201-2	EXTERIOR ELEVATIONS
A-101-1	BUILDING SECTIONS
A-301-2	BUILDING SECTIONS
WALL SECTIONS	
A-401-1	ENLARGED FLOOR PLANS
A-401-2	ENLARGED SECTIONS
A-402-1	INTERIOR ELEVATIONS
A-402-2	INTERIOR ELEVATIONS
A-402-3	INTERIOR ELEVATIONS
A-402-4	INTERIOR ELEVATIONS
A-402-5	INTERIOR ELEVATIONS
A-402-6	INTERIOR ELEVATIONS
A-403-1	CABINETS/PLANS
A-403-2	CABINETS/PLANS
A-502-1	MISC. DETAILS
A-502-2	MISC. DETAILS
A-502-3	WATERPROOFING DETAILS
A-502-4	DOOR AND WINDOW DETAILS
A-502-5	STEEL DETAILS
A-502-6	EXTERIOR/ SITE DETAILS
A-601-1	DOOR AND WINDOW SCHEDULES
A-602-1	FINISH SCHEDULES
A-603-1	FLASHING DETAILS (door, window and parapet)
MECHANICAL	
E-102-1	ELECTRICAL PLAN
M-102-1	MECHANICAL PLAN
P-102-1	PLUMBING PLAN
M-1	TITLE 24
M-2	TITLE 24
M-3	TITLE 24
M-103-1	GREEN BUILDING PERMIT DRAWINGS
M-104-1	STORMWATER (UD) PLANS
STRUCTURAL	
S-1	STRUCTURAL NOTES
S-2	FOUNDATION AND 1st FLOOR
S-3	ROOF
S-4	DETAILS
S-5	DETAILS
S-6	DETAILS
S-7	DETAILS
S-8	DETAILS

not to scale

SHEET TYPES AND DISCIPLINE DESIGNATORS

MOUNT WASHINGTON/ GLASSEL PARK SPECIFIC PLAN

CASE No:

Project Address: 464/466 Crane Blvd.
Los Angeles, CA 90065

MOUNT WASHINGTON SPECIFIC PLAN INFORMATION

Total Lot Area: 8,914.1 sq.ft.

Maximum floor area ratio: 0.42

Total (gross) floor area permitted: 3,743 sq.ft.

Project Total (gross) floor area: 3,633 sq.ft.

Building Height: 45ft (5' offset to grade)

Front Yard Setback: 5'-0"

Min. side yard setback: 8'-0"

Grading Quantities: Cut: 10 cu. yd. Fill: 10 cu. yd.
Net Grading = 0 cu. yd.
Import & Export = 0 cu.yd.

PROPOSED TOTAL (GROSS) FLOOR AREA TABULATION

Level 1: 460 sq. ft.

Level 2: 873 sq. ft.

Level 3 (street level): 1,298 sq. ft.

Garage: 533 sq.ft.

Covered Deck: 469 sq.ft.

Gross Floor Area: 3,633sq.ft.

DEDICATION AND IMPROVEMENTS

5' dedication required by BOE – Waiver requested by applicant.

TREE SURVEY - FULL TREE INFORMATION PROVIDED IN TREE REPORT

PRESERVED TREES:

1 Significant Pepper Tree to be preserved in place with the utilization of protective fencing.

3 Protected Black Walnut trees are not impacted by construction activity, will be preserved in place.

TREES TO BE REMOVED:

1 Protected Black Walnut to be removed because it is located within the footprint of the proposed building.

LOT COVERAGE

Building Coverage Area: 1,570 sq. ft. (17.6% of lot area)

Hardscape Area: 182 sq. ft. (2% of lot area)

Landscape Area: 7,162 sq.ft. (80% of lot area)

Total Lot Coverage: 100%

PREVAILING FRONT YARD SETBACK CALCULATION

LOT NUMBER	1	2	3	4	5	6	7	8	9	10
EXISTING SETBACK	21'-5"	vac.	20'-1"	0'	vac.	0'	0'	0'	3'-2"	2'-8"
LOT FRONTAGE	35'	33.06'	67.75'	35'	35.38'	70'	65.99'	35'	28.09'	82.09'

SETBACK CALCULATION

discard top and bottom 20%: Lower 20% lot 6,7 ; Upper 20% lot 1,3

discarded lots per LAMC 12.21 A4 9(a): (no lots to discard)

discard vacant lots: 2, 5

LOTS USED (3): 4, 9, 10

SUM OF FRONT YARD SETBACKS DIVIDED BY NO. LOTS USED: 5'-10"/3 = 2'-0"

FRONT YARD SETBACK: (Assume 5 foot minimum)

PREVAILING SETBACK MAP

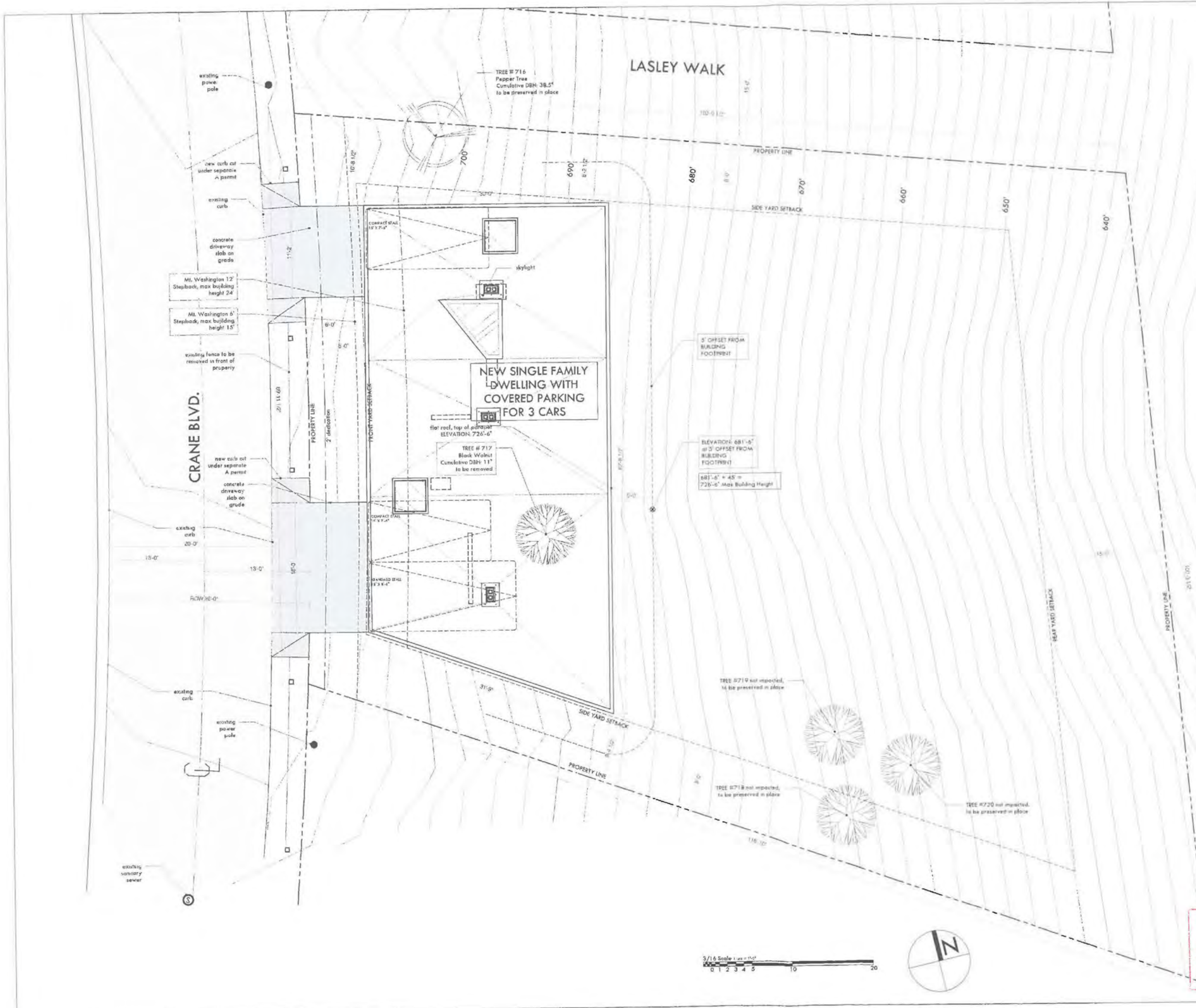
EXHIBIT "A"

Page No. 2 of 13

Case No. DIR-2020-427-SPP

DIR-2020-427-SPP 000016

AR000016



revision	Plan Check	xx/xx/xx
project owner	Rachel Follon & Ian Cooper 2262 Duane Street Los Angeles, CA 90039 telephone email	
project title and address	464 & 468 N. Crane Blvd. Los Angeles, CA 90045 APN: 5467021027, 5467021028	
project No.	CRB 464	
architect	anonymous architect 10000 Wilshire Blvd., Suite 117 Beverly Hills, CA 90210 Tel: 323-515-7930 office@anonymousarchitects.com	
stamp		
drawing		
scale		
version		
drawn by		
1		

Instructions

Cells with pale blue background are for entering data
Results show in cells with tan background

Messages and warnings are displayed in cells with yellow background

1) Select city by clicking on blue cell and choosing a city from the drop down menu ETE appears in the tan cell below the name of the city

2) Enter square footage of overhead spray irrigation landscape area

3) Enter square footage of drip irrigated landscape area

4) Enter square footage of Special Landscape Area (SLA)

5) MAWA results appear in the tan cells

Maximum Applied Water Allowance Calculations for New and Rehabilitated Residential Landscapes

Enter value in Pale Blue Cells

Two Cells Show Results
Warnings and Warnings

Los Angeles

Name of City

50.10 ETE (inches/year)

7,162.96 LA (ft²)

7,162.96 Drip Landscape Area (ft²)

0.00 SLA (ft²)

Total Landscape Area

7,162.96

Results:

$(ETE_c \times (0.82 \times [(0.55 \times LA) + (1.0 - 0.55) \times SLA])$

MAWA calculation incorporating effective precipitation (Optional)

Precipitation (Optional)

ETE_{eff} of City from Appendix A

50.10 ETE (inches/year)

Total Landscape Area

7,162.96 LA (ft²)

Special Landscape Area

0.00 SLA (ft²)

14.80 Total annual precipitation (inches/year)

Enter Effective Precipitation:

3.73 Eppt (inches/25% of total annual precipitation)

Results:

$MAWA = (ETE_{eff} - Eppt) \times [(0.82 \times [(0.55 \times LA) + (1.0 - 0.55) \times SLA])$

113,249.12 Gallons

18,139.26 Cubic Feet

181.39 HCF

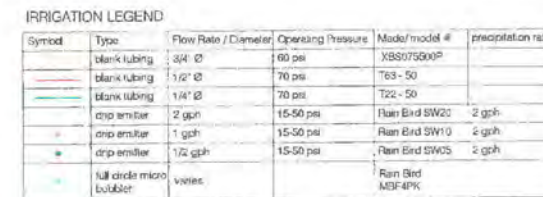
0.35 Acre-feet

0.11 Millions of Gallons

122,356.32

WATER MANAGEMENT POINTS TABLE	
Lot Size 2,914 sq. ft. within 7,501 - 15,000 sq. ft. range 200 points needed	
Reclaimed water, (water management points)	100 points
Drip Irrigation = 2 circuits @ 5 points per circuit	10 points
Irrigation controller = 2 controllers @ 5 points each	10 points
Rain sensing device = 1 sensor @ 10 points each	10 points
Soil moisture sensor = min 10 points	10 points
Lawn area 0% - 15% landscape area	10 points
Landscape meter	50 points
TOTAL	200 points

△	
---	--



Hydrazone 1	1.5 in/hr
Hydrazone 2	1.5 in/hr
Hydrazone 3	1.5 in/hr

NOTE: all trees to be a 24" box and 6' high at time of planting

Symbol	Common name	Scientific name	Quantity	Diameter	
A	Chamise	<i>Adenostoma fasciculatum</i>	12	5"	NEW
B	Wild Rose	<i>Rosa Californica</i>	6	2"	NEW
C	California Fuchsia	<i>Epilobium canum</i>	13	5"	NEW
D	Lupine	<i>Lupinus</i>	21	1"	NEW
E	Flowering Ash	<i>Fraxinus Dipetala</i>	3	1.5"	NEW
F	SC Black Walnut	SC Black Walnut	4	20"	NEW

TREE

REPLACEMENT TREES

No.	Species	Quantity	Notes
717	So. California Black Walnut	1	to be removed
716	Pepper Tree	1	to be preserved
718	So. California Black Walnut	1	to be preserved
719	So. California Black Walnut	1	to be preserved
720	So. California Black Walnut	1	to be preserved

Category	sq. ft.
Concrete (driveway & pedestrian access)	182 sf
Decks/Patios	0 sf
Total Landscape area	7,182 sq. ft.

HARDSCAPING CALCULATION

1. 100% hardscape materials to be installed with smooth cement finish and a minimum reflectance value of 0.30

TOTAL HARDSCAPE AREA 182 sq.ft.

EXHIBIT "A"
Page No. 5 of 13
Case No. DIR-2020-427-5PP

1. Conditions to grading and landscape plans for utility location, drainage, and grading information. If actual site conditions vary from what is shown on the plans or if there are discrepancies between the plan, contact the Landscape Architect for direction as to how to proceed.
2. Verify locations of pertinent site improvements installed under other sections. If any part of this plan cannot be followed due to site conditions, contact Landscape Architect for instructions prior to commencing work.
3. Exact location of plant materials to be approved by the Landscape Architect is the field prior to installation. Landscape Architect reserves the right to adjust plants to exact location in field.
4. Verify plant counts and square footages. Quantities are provided as Owner information only. If quantities on plan differ from graphic indications, then graphics shall prevail.
5. Contact the local underground utility services for utility location and identification.
6. Perform excavation in the vicinity of underground utilities with care and if necessary, by hand. The Contractor bears full responsibility for the work and disposal or damage to utilities shall be repaired immediately at no expense to the Owner.
7. Trees shall bear some relation to finished grade as it bore to existing.
8. Trees to be planted a minimum of 4 feet from face of building, or pavement, except as approved by Landscape Architect.
9. Provide matting forms and sizes for plant materials within each species and size designated on the drawings.
10. Prune newly planted trees only as directed by Landscape Architect.
11. Align and equidistantly space in all directions trees and shrubs as designated per these notes and drawings.
12. Finish grades of planter areas shall be 2 inches below adjacent paving or top of wall unless otherwise noted.
13. Provide specified edging as divider between planting beds.
14. Remove entire wire cage from rainfall.
15. Cut and remove topsoil from top 1/3 of ball.
16. A diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent management purposes.
17. An irrigation audit report shall be completed at the time of final inspection.
18. A certificate of Completion shall be filled out and certified by either the signer of the landscape plans, the signer of the irrigation plan, or the licensed landscape contractor for the project.
19. For soils less than 6% organic matter in the top 6 inches of soil, compact at a rate of a minimum of four cubic yards per 1,000sf of permeable area shall be incorporated to a depth of six inches into the soil.
20. Recirculating water systems shall be used for water features.
21. A minimum 3-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except hort areas, creeps or rooting ground covers, or direct seeding applications where mulch is contraindicated.
22. Check Valves or anti-drain valves are required on all sprinkler heads where low point drainage could occur.
23. Pressure regulating devices are required if water pressure is below or exceeds this recommended pressure of the specified irrigation devices.
24. At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule of landscape and irrigation maintenance.
25. For projects that include landscape work, the Landscape Certification Form GSN 12 shall be completed prior to final inspection approval.

I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package.

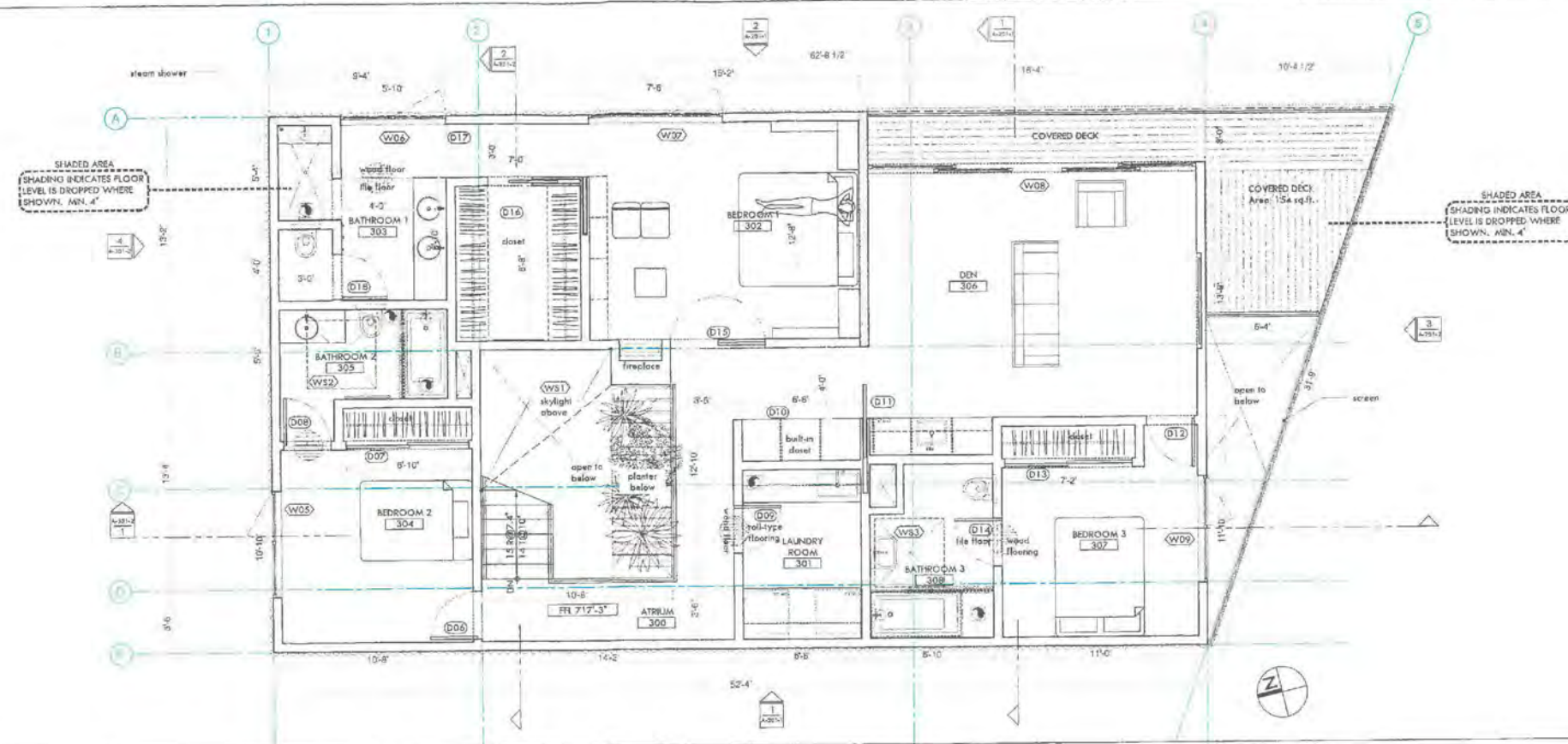
1. Material delivered to construction site shall be protected from rain or other sources of moisture.
2. Construction waste shall be reduced by 50% and removed by City of Los Angeles certified hauler.
3. An operation and Maintenance Manual including, at a minimum, the items listed in Section 4.410.1, shall be completed and placed in the building at the time of final inspection.
4. All dirt and other related air distribution component openings shall be covered with tape, plastic, or sheet metal until the final startup of the heating, cooling and ventilation equipment.
5. Architectural paints and coatings, adhesives, caulks and sealants shall comply with the Volatile Organic Compound (VOC) limits listed in Table 4.504.1-4.504.3
6. GRN 2 shall be completed and certified prior to final inspection approval.
7. 80% of the total area receiving resilient flooring shall comply with the VOC emission limits defined in the CHPS High Performance Products Database.
8. New hardwood plywood, particle board, and medium density fiberboard composite wood products used in the interior or exterior of the building shall meet the formaldehyde limits listed in Table 4.504.5
9. Form GRN 3, shall be completed prior to final inspection approval.
10. Building materials with visible signs of water damage shall not be installed. Wall and floor framing shall not be extended until it is inspected and found to be satisfactory by the Building Inspector.
11. Heating and air-conditioning systems shall be sized and designed using ANSI/ACCA Manual J-2004, ANSI/ACCA 20-D-2009 or ASHRAE handbooks and have their equipment selected in accordance with ANSI/ACCA 36-S Manual S-2004.
12. A 4-inch layer of $\frac{1}{2}$ inch or larger dense aggregate shall be provided for the proposed slab on grade construction.
13. A vapor barrier shall be provided in direct contact with concrete for five proposed slabs on grade construction.
14. Locks shall be installed on all publicly accessible closets and house bins.
15. Any permanently installed outdoor in-ground swimming pool or spa shall be equipped with a cover having a manual or power-operated reel system. For irregular shaped pools where it is infeasible to cover 100 percent of the pool due to its irregular shape a minimum of 80 percent of the pool shall be covered.
16. Where groundwater is being extracted and discharged, a system for onsite reuse of the groundwater shall be developed and constructed if the groundwater will not be discharged to the sewer.
17. The hot water system shall not allow more than 6 gallons of water to be delivered to any fixture before hot water arrives or shall comply with either Los Angeles Plumbing Code Section 610.4.1.2 or 610.4.1.3.

7-5PP

revisions	Plan Check	02/02/22
project owner		
Bradford Foulton & Jon Casper 2262 Ocean Avenue San Francisco, CA 94133 Tel: 415.774.8800 info@bfc.com		
project title and address		
464 S. 46th N. Cross Blvd. Los Angeles, CA 90045 APN: 5467021027, 5467021028		
project No.		
CRB 464		
architect		
mossyrock architects 1802 South Brand Blvd, Suite 117 Glendale, CA 91204 Tel: 310.513-7722 office@mossyrockarchitects.com		
status		
drawing		
Landscape Plan		
L-101-1		
scale		
version:		
drawn by		
4/7/2021 12:30 PM		
plot date & time		

LEVEL 3 FLOOR PLAN

SCALE: 1/4"=1'-0"



revisions
Plan Check: xx/cx/xx

project owner
Sudaf Foulon & Son, Co., Inc.
2252 Duane Street
Los Angeles, CA 90039
APN: 547031037, 547031038
phone: 310.464.4644
email: sudaf@sfoulon.com

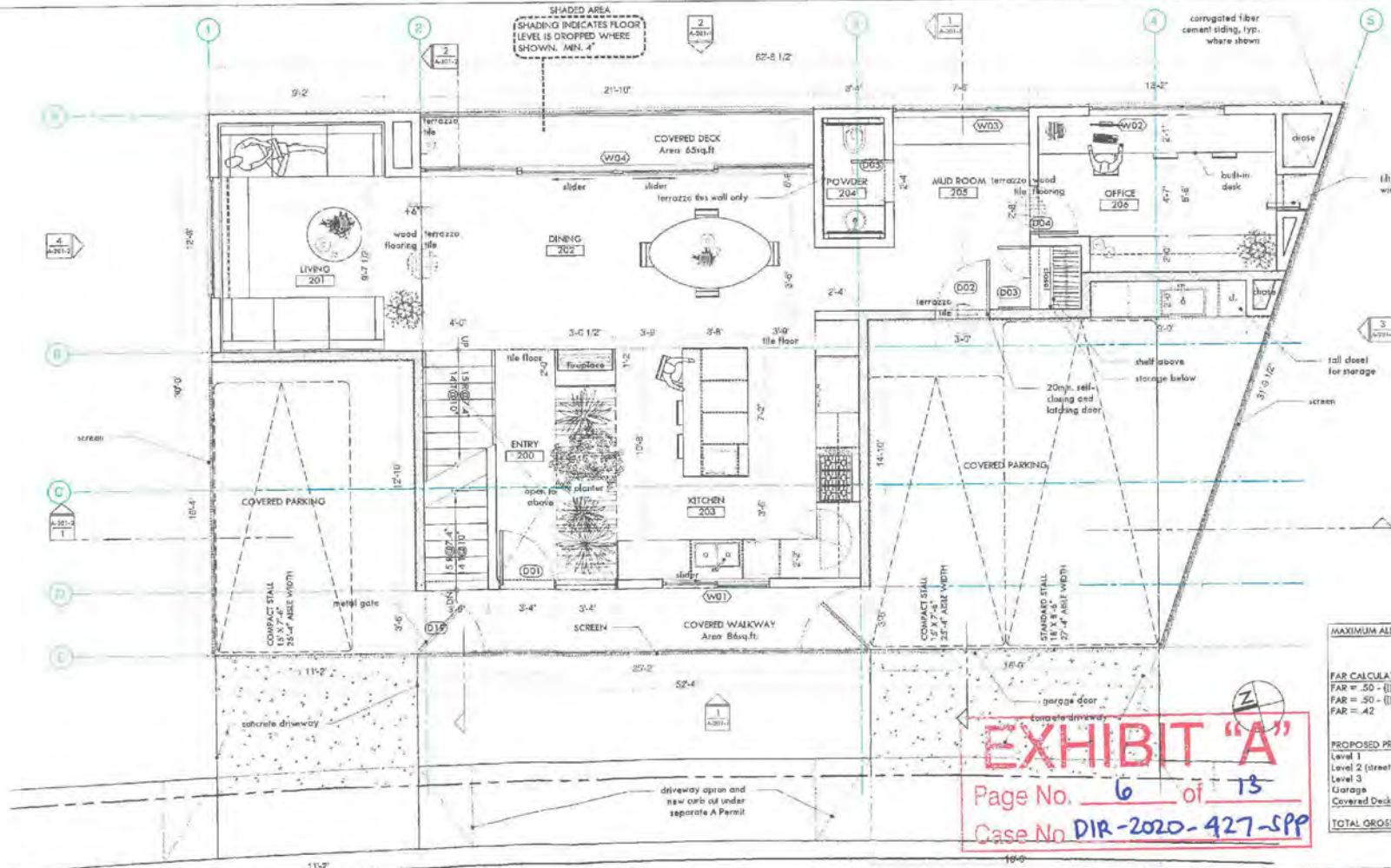
project title and address
464 & 466 N. Cone Blvd.
Los Angeles, CA 90055
APN: 547031037, 547031038

project No.
CRB 464

architect
anonymous architects
11770 Wilshire Blvd., Suite 117
Beverly Hills, CA 90210
Tel: 310.551.7930
office@anonymousarchitects.com

LEVEL 2 FLOOR PLAN - STREET LEVEL

SCALE: 1/4"=1'-0"



- smoke detector and carbon monoxide detector, 120V wired with battery backup.
 - smoke detector, 120V wired with battery backup.
 - Energy Star compliant, humidity control fan ducted to terminate to the outside of the building.
 - Fan model: Aero Pure SBF 110 QS with Leviton wall-mounted humidity sensor Model: IH55, maximum 50cu.ft./min.
- Note: A copy of the construction documents or a comparable document indicating the information from Energy Code Sections 110.1.2(d) through 110.1.2(f) shall be provided to the occupant.

- New wood stud walls
- New cont. walls
- New CMU walls
- 1 Hour fire rated wall assembly, 5/8" type X gypsum both sides
- Sound rated construction
- Reinforcing wall
- Lowered slab or furred ceiling

MAXIMUM ALLOWABLE AREA per M.U. Washington SP = PAR x Lot Area = .42 x 8,914.1
MAX allowable area = 3,743 sq.ft.

FAP CALCULATION:
FAR = .50 - ((3,000 Area - 5,000) x .10) divided by 5,000
FAR = .50 - ((8,914.1 - 5,000) x .10) divided by 5,000
FAR = .42

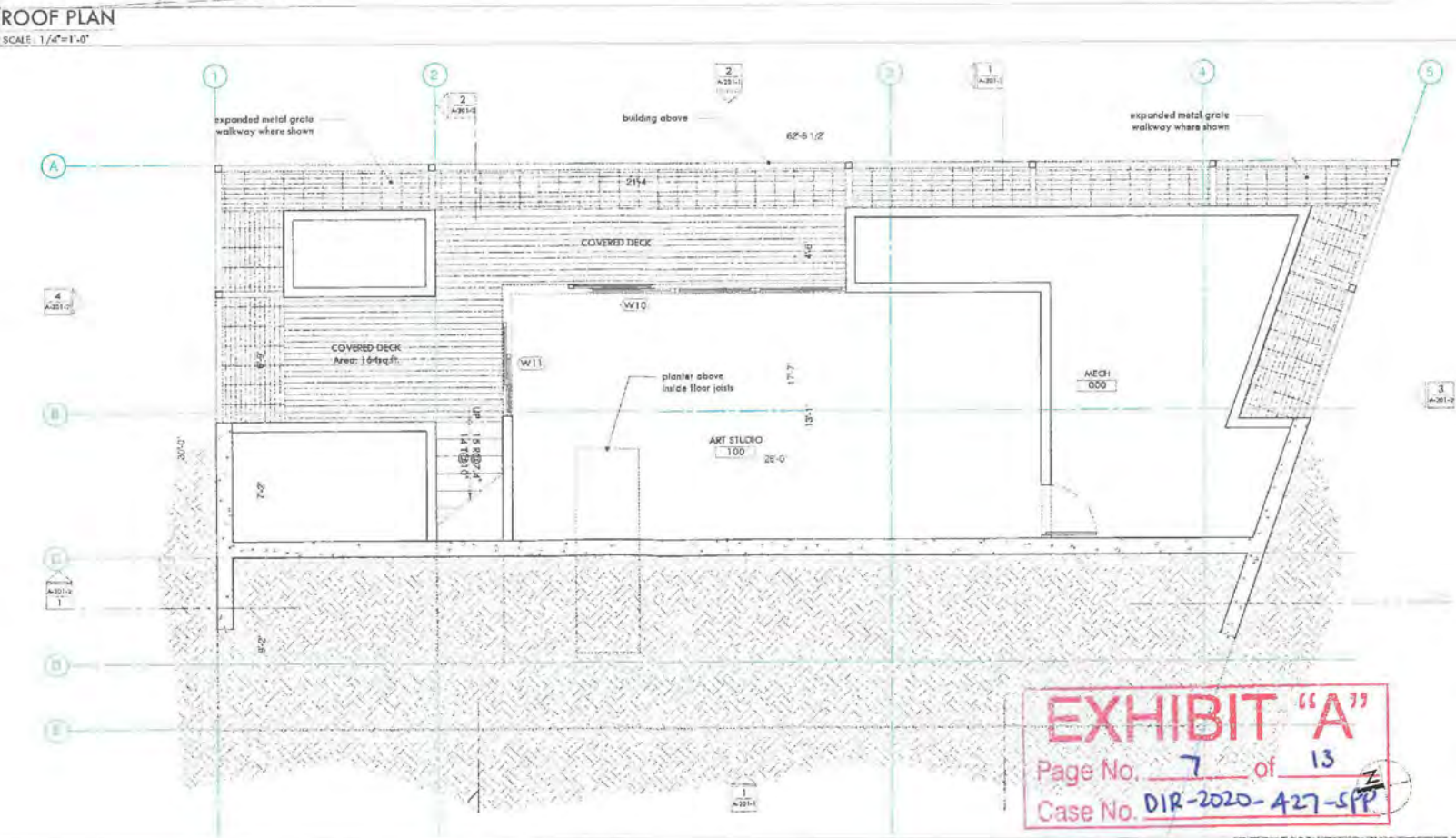
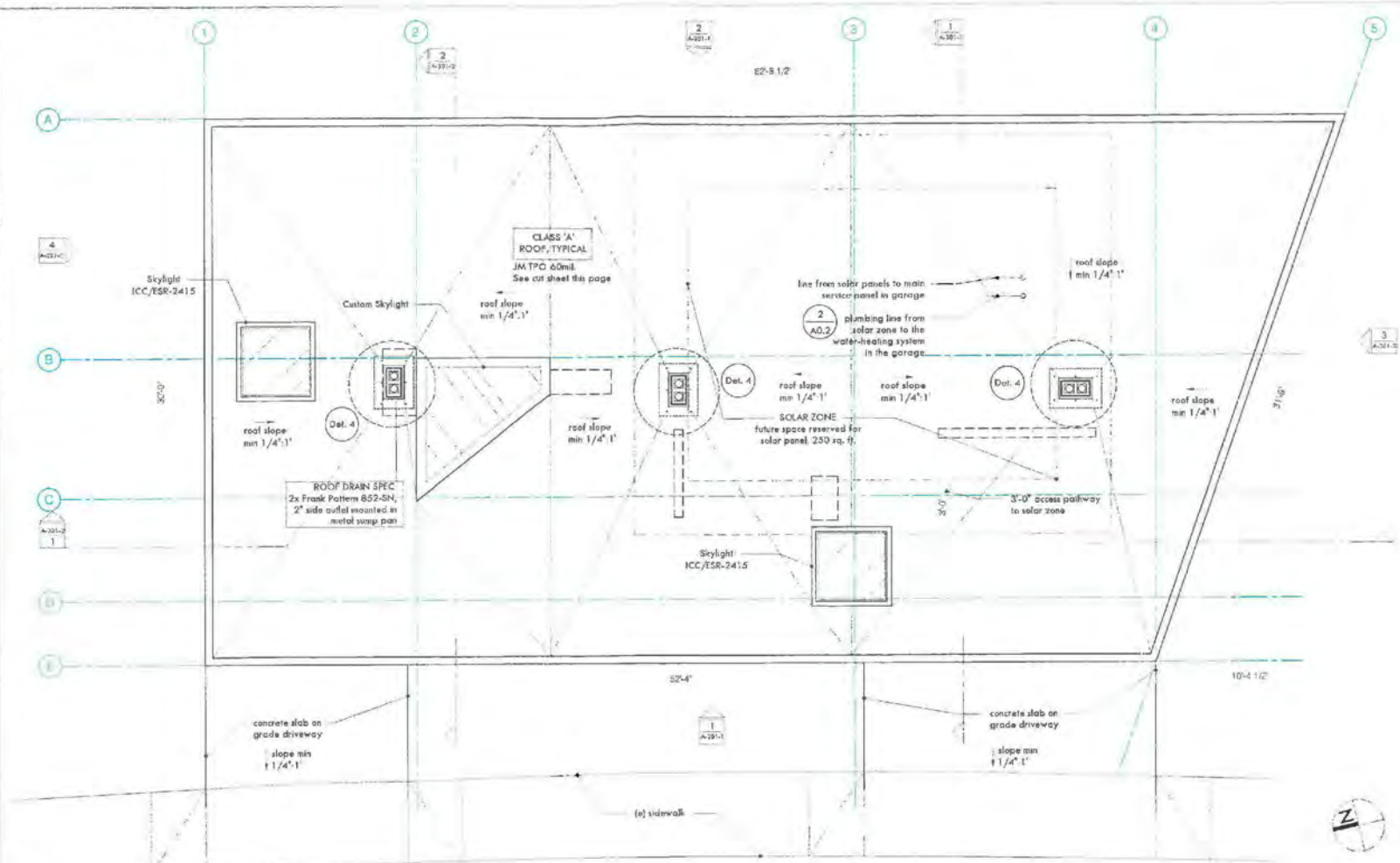
PROPOSED PROJECT AREAS:

Level 1	450 sq. ft.
Level 2 (street level)	823 sq. ft.
Level 3	1,298 sq. ft.
Garage	533 sq. ft.
Covered Deck	469 sq. ft.
TOTAL GROSS FLOOR AREA	3,633 sq. ft.

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Page No. 6 of 13
Case No. DIR-2020-427-SPP

Floor Plans
A-102-1

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 smoke detector and carbon monoxide detector.
 120V wired with battery backup, smoke detector.
 120V wired with battery backup.
 Energy Star compliant, humidity control fan ducted to terminate to the outside of the building.
 Fan model: Aero Pure SBF 110 G.5 with Leviton wall-mounted humidity sensor Model PH55, minimum 50 cfm/min.

Note: A copy of the construction documents at a comparable document indicating the information from Energy Guide Section 110.10(c) through 110.10(d) shall be provided to the occupant.

	New wood stud walls
	New conc. walls
	New CMU walls
	1 Hour fire rated wall assembly, 5/8" type X gypsum both sides
	Second rated construction
	Retaining wall
	Lowered slab or furrow ceiling

MAXIMUM ALLOWABLE AREA per Mt. Washington SP = FAR x Lot Area = .42 x 8,914.1 = 3,743 sq.ft.

FAR CALCULATION
 FAR = .50 - [(Lot Area - 5,000) x .10] divided by 5,000]]
 FAR = .50 - [(8,914.1 - 5,000) x .10] divided by 5,000]]
 FAR = .42

PROPOSED PROJECT AREAS:
 Level 1 460 sq. ft.
 Level 2 (street level) 873 sq. ft.
 Level 3 1,298 sq. ft.
 Garage 533 sq. ft.
 Covered Deck 469 sq. ft.

TOTAL GROSS FLOOR AREA 3,633 sq. ft.

revisions

Plan Check: xx/xx/xx

project owner _____

Rochel Feilman & Jon Corrao
2290 Dunsmuir Street,
Los Angeles, CA 90039

Tel: 687-6606
Fax: 687-6606
e-mail: rfeil@rochelfeil.com

project title and address

464 S. 46th N. Cross Blvd.
Los Angeles, CA 90065
APN: 546702102Z_546702102B

project No.

CRB 464

architect

anonymous architects
1800 South Grand Blvd., Suite 117
Santa Monica, CA 90404
tel.: 310-315-9720
office@aonymousarchitect.com

stamp
drawing
Floor Plans
A-102-2
scale
version
drawn by
4/7/2021 12:31 PM
PL21 2x12 & 1x10

revisions
Plan Check xx/xx/xx

project owner
Rachel Fadden & Son Creators
2262 Duane Street
Los Angeles, CA 90059
telephone
email

project title and address
484 & 466 N. Cross Blvd.
Los Angeles, CA 90045
APN: 5467021027, 5467021028

project No.
CRB 464

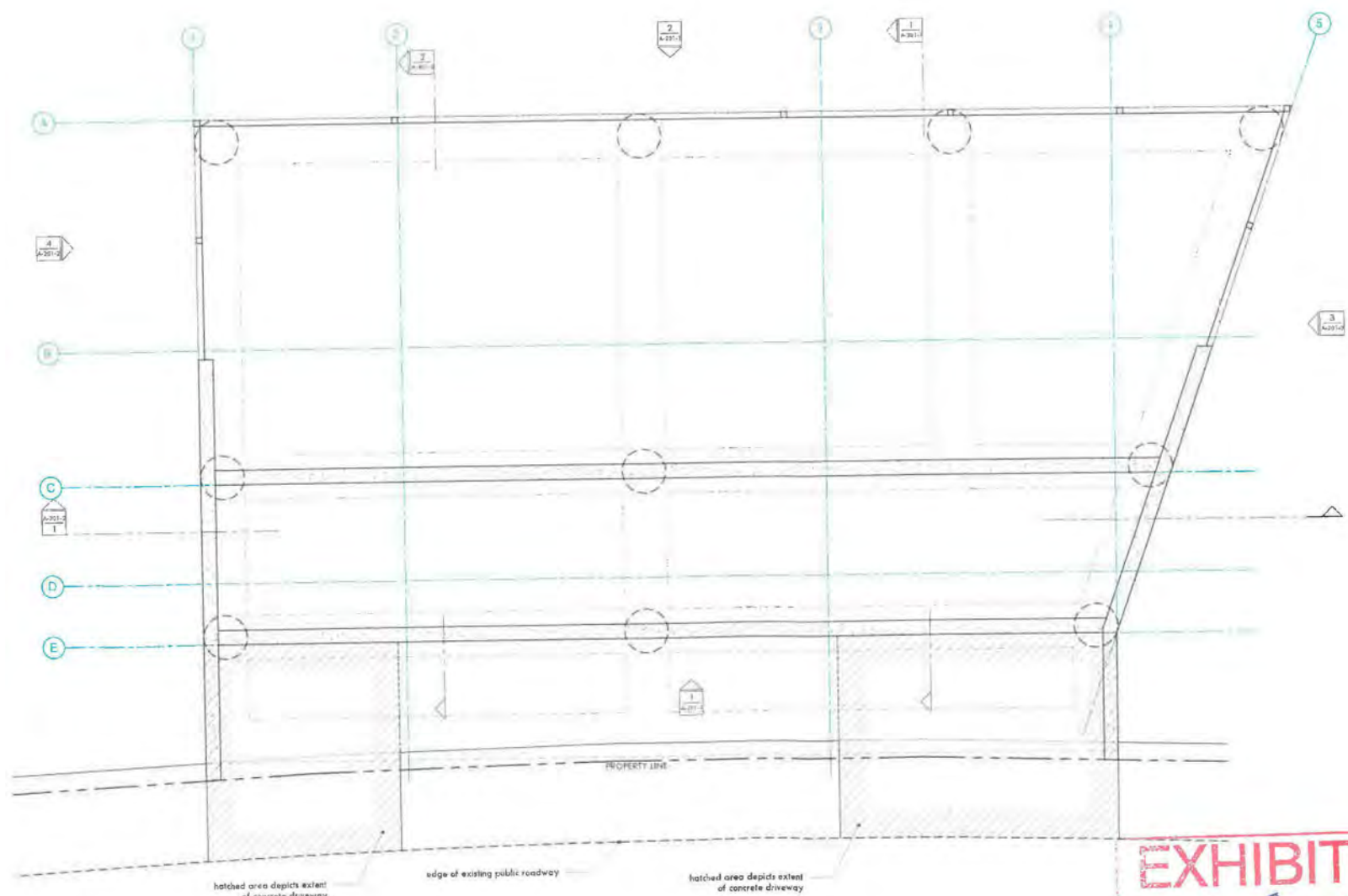
architect
enjoyment architects
117
S. Main Street, Suite 117
Glendale, CA 91204
Tel: 323-315-7930
office@enjoymentarchitect.com

stamp

drawing
Floor Plans

A-102-3

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version
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1



- smoke detector and carbon monoxide detector. 120V wired with battery backup.
- smoke detector. 120V wired with battery backup.
- Energy Star compliant, humidity control fans ducted to terminate to the outside of the building.
- Fan model: Aero Pure SBF 110 GS with Leviton wall-mounted humidity sensor Model: PH455, minimum 50cfm/min.

Note: A copy of the construction documents or a comparable document indicating the information from Energy Code Sections 110.10(b) through 110.1(c) shall be provided to the occupant.

- New wood stud walls
- New conc. walls
- New CMU walls
- 1 Hour fire rated wall assembly, 5/8" type X gypsum both sides
- Sound rated construction
- Retaining wall
- Lowered slab or furred ceiling

MAXIMUM ALLOWABLE AREA per M. Washington SP = FAR x Lot Area = .42 x 5,914.1
MAX allowable area = 3,743 sq.ft.

FAR CALCULATION:
FAR = .50 - [(Lot Area - 5,000) x .10] divided by 5,000
FAR = .50 - [(5,914.1 - 5,000) x .10] divided by 5,000
FAR = .42

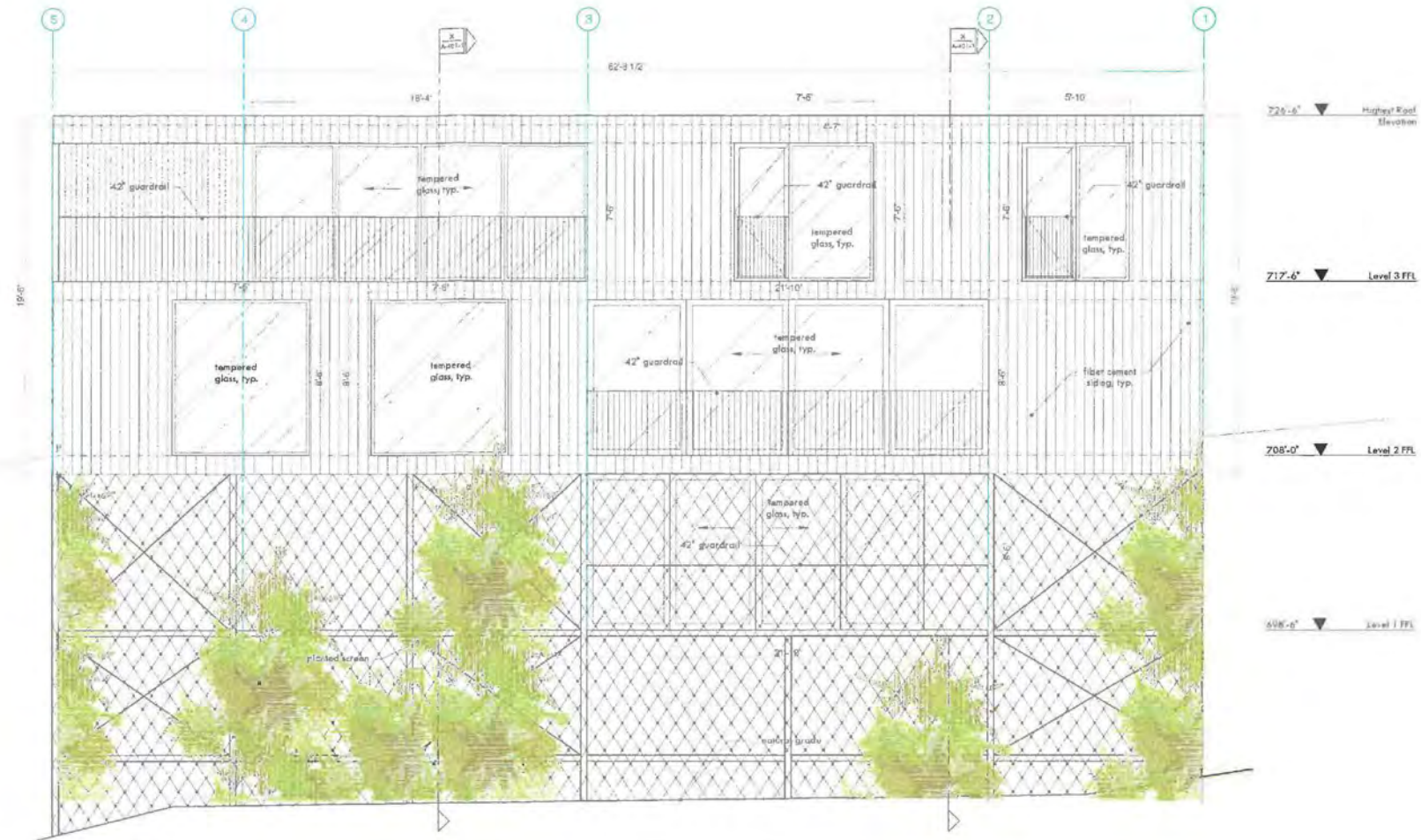
PROPOSED PROJECT AREAS	
Level 1	460 sq. ft.
Level 2 (street level)	873 sq. ft.
Level 3	1,298 sq. ft.
Garage	533 sq. ft.
Covered Deck	469 sq. ft.
TOTAL GROSS FLOOR AREA:	3,633 sq. ft.

EXHIBIT "A"
Page No. 8 of 13
Case No. DIR-2020-427-SPP

FOUNDATION PLAN
SCALE: 1/4"=1'-0"

EAST ELEVATION

SCALE 1/4"=1'-0"



2

WEST ELEVATION

SCALE 1/4"=1'-0"

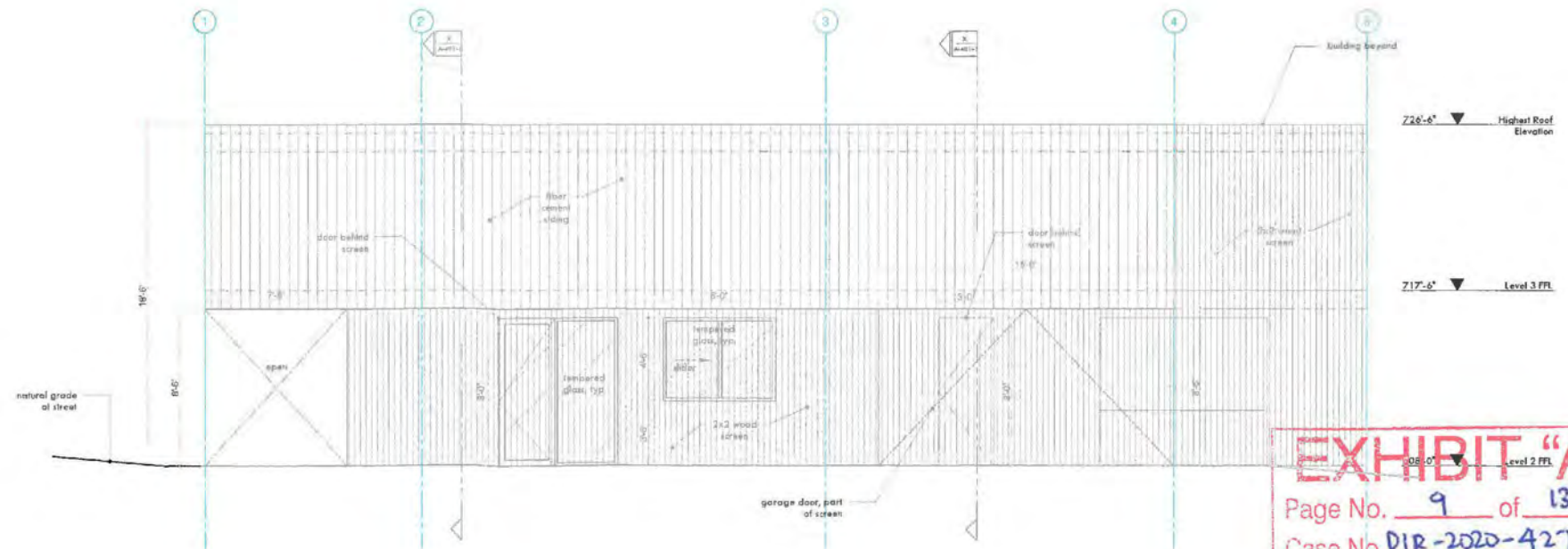


EXHIBIT "A"
Page No. 9 of 13
Case No. DIR-2020-427-SPP

A-201-1

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Elevations

A-201-1

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version
drawn by
4/7/2021 12:32 PM

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revision
Plan Check
project owner
project title and address
project file and address
project file and address
project file and address

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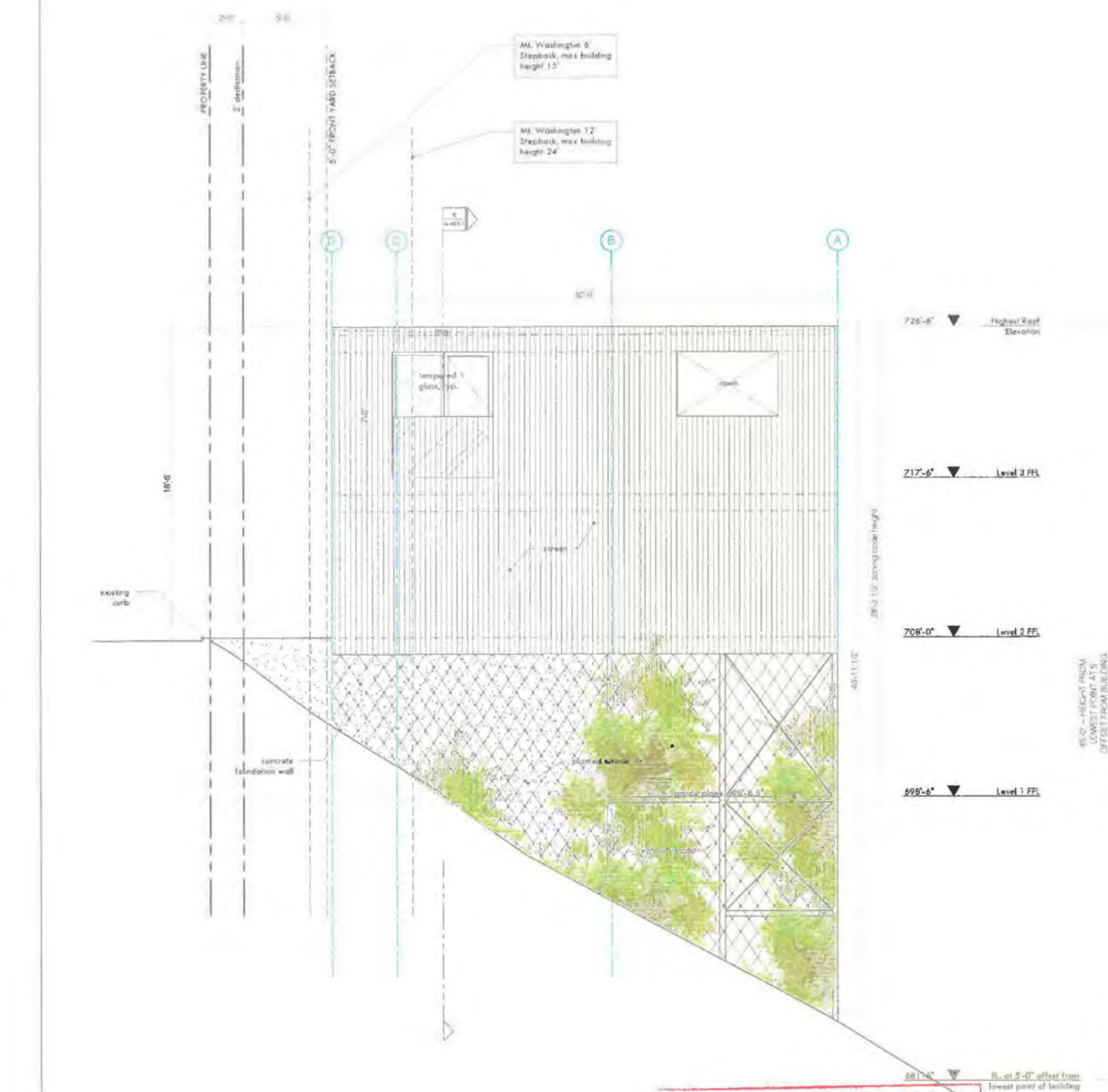
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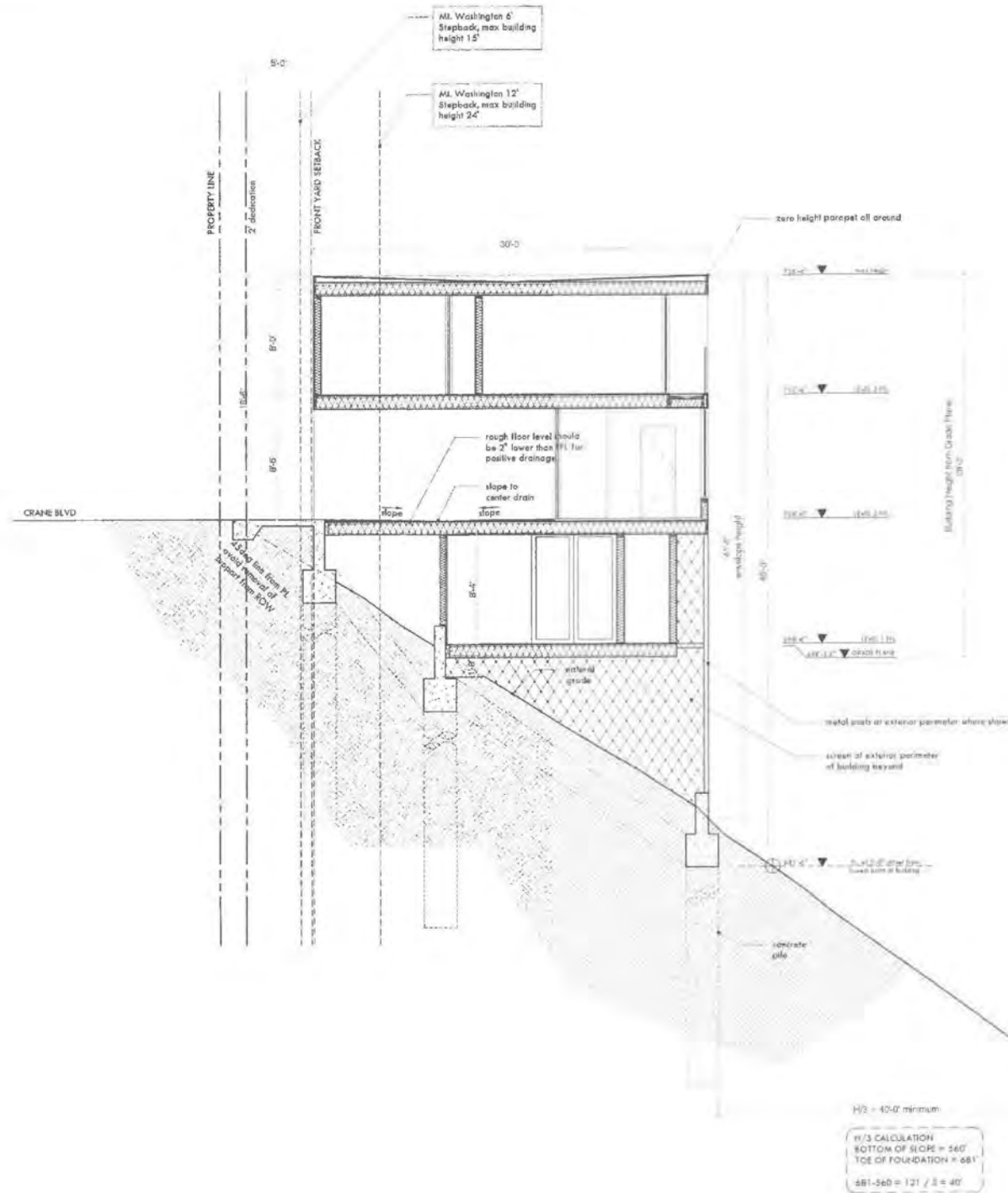
NORTH ELEVATION
SCALE: 1/4"=1'-0"



2 SOUTH ELEVATION
SCALE: 1/4"=1'-0"

EXHIBIT "A"
Page No. 10 of 13
Case No. DIR-2020-427-SPP

revision	Plan Check	xx/xx/xx
project owner		
Rachel Follon & Ian Cooper 2242 Dimes Street Los Angeles, CA 90039 telephone email		
project title and address		
464 S. 46th N. Cross Blvd. Los Angeles, CA 90065 APN: 5467021027, 5467021028		
project file		
CRB 464		
architect		
Anonymous architect 1800 S. Main St., Suite 117 Glendale, CA 91204 Tel: 323-515-7930 office@anonymousarchitect.com		
drawing		
Elevation A-201-2		
scale version drawn by 4/7/2021 12:32 PM 1		



H/2 = 40'-0\"/>

W/3 CALCULATION
BOTTOM OF SLOPE = 560'
TOE OF FOUNDATION = 681'
 $681 - 560 = 121 / 3 = 40'$

SITE SECTION
SCALE: 3/16\"/>

EXHIBIT "A"
Page No. 11 of 13
Case No. DIR-2020-427-SPP

Permit No.	Plan Check	xx/xx/xx
Project Owner	Project Info and address	
464 E. 464 St, Crane Blvd. Los Angeles, CA 90015 APN: 5467021027, 5467021028		
Project No.	CRB 464	
Architect	Information Architects 8001 Sunset Blvd, Suite 117 Culver City, CA 90230 Tel: 310-315-7930 office@informationarchitects.com	
Stamp	drawing	
Site Section		
A-301-1		
scale	version	
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1	1	

464 Crane Blvd - Front (West) Elevation



	Material
A.	wood siding with dark gray finish
B.	dark gray concrete fiber cement board
C.	wood screen painted dark gray

EXHIBIT "A"
Page No. 12 of 13
Case No. DIR-2020-427-SPP

464 Crane Blvd. - Rear (East) Elevation

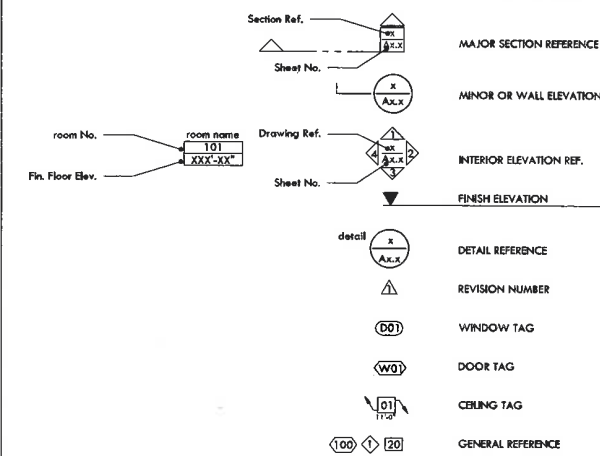


	Material
A.	wood siding with dark gray finish
B.	steel cable trellis for climbing plants
C.	wood screen painted light gray

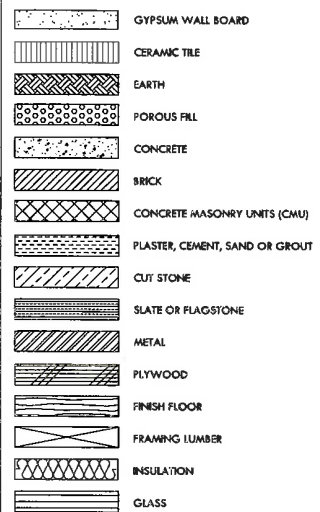
EXHIBIT "A"
Page No. 13 of 13
Case No. DIR-2020-427-SPP

EXHIBIT 3

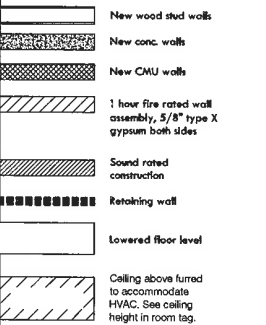
SYMBOL LEGEND



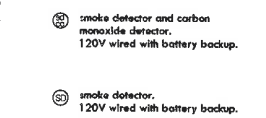
MATERIAL LEGEND



WALL & CEILING LEGEND



DETECTOR SYMBOLS



ABBREVIATIONS

@	AT	L	STEEL ANGLE
&	AND	NC	NOT IN CONTRACT
A.B.	ANCHOR BOLT (OR LAG FOR WOOD)	N/S/E/W	NORTH/ SOUTH/ EAST/ WEST
ALUM	ALUMINUM	O	OPERABLE SLIDING DOOR
FFL	ABOVE FINISH FLOOR	O/O	OVER
BOT	BOTTOM	O.C.	ON CENTER
CL	CENTER LINE	PLAM	PLASTIC LAMINATE
CONC	CONCRETE	PL	PLATE
C.R.	COLD ROLLED STEEL	PTD.	PAINTED
C.S.	COUNTER SUNK	PLY.	PLYWOOD
DIA	DIAMETER	P.T.	PRESSURE TREATED (NON-ARSENIC)
EQ	EQUAL	SCHED.	SCHEDULE
(E)	EXISTING	SQ. DR.	SQUARE DRIVE (SCREW HEAD TYPE)
E.T.R.	EXISTING TO REMAIN	SQ.FT	SQUARE FEET
EXT.	EXTERIOR	S.S.	STAINLESS STEEL
FOIC	FURNISHED BY OWNER	TBD	TO BE DETERMINED
	INSTALLED BY CONTRACTOR	T&G	TONGUE AND GROOVE
FOF	FACE OF FRAMING	TRANS	TRANSITION
F.B.	FLAT BAR	TYP	TYPICAL
FLD.	FOLD	U.N.O.	UNLESS NOTED OTHERWISE
GALV.A.	GALVANIZED (HOT DIPPED)	WD.	WOOD
GA	GAUGE	W/	WITH
H.D.	HEAVY DUTY	X	FIXED DOOR
H.R.	HOT ROLLED STEEL		

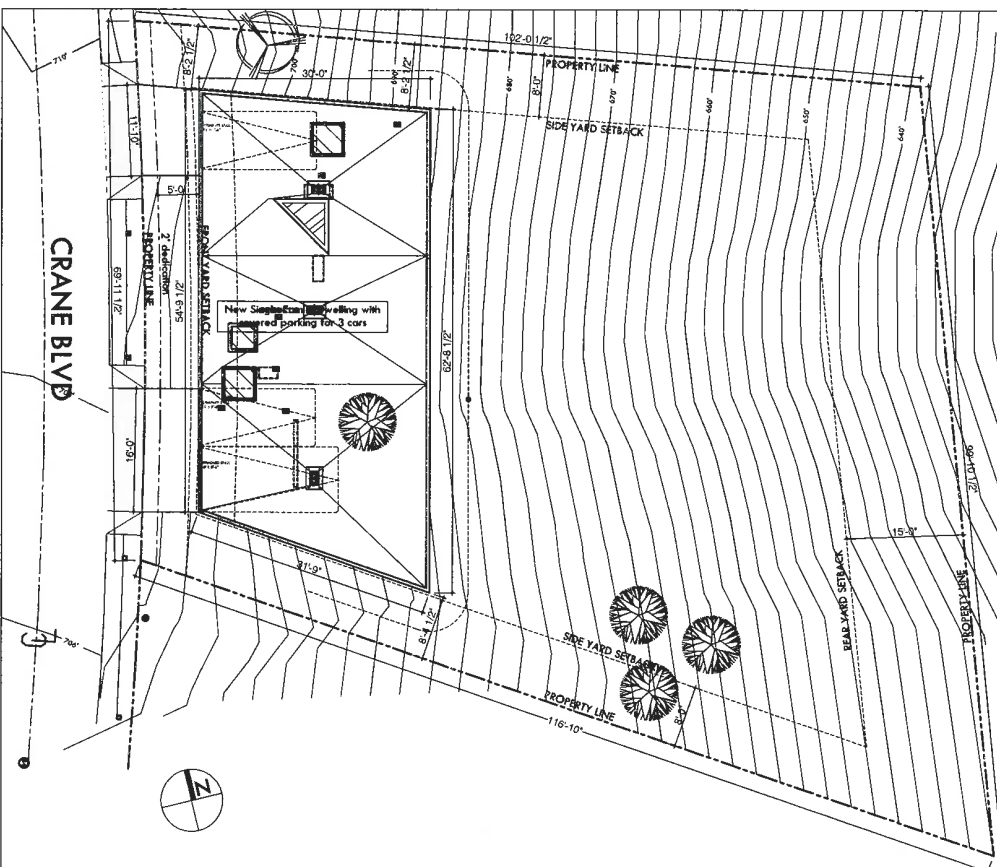
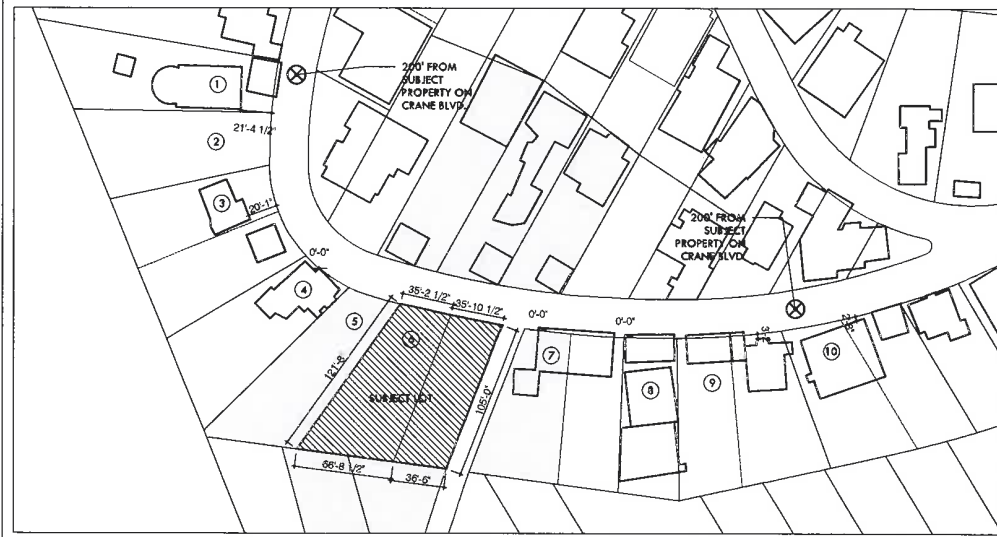
KEY NOTES

high priority note:	NOTE DESCRIPTION note contents note contents very important	attention:	NOTE DESCRIPTION note contents note contents
medium priority note:	NOTE DESCRIPTION note contents note contents important		

PREVAILING SETBACK CALCULATION

LOT NUMBER	1	2	3	4	5	*6	7	8	9	10		
EXISTING SETBACK	21'-4"	VAC.	20'-1"	0'	VAC.	0'	0'	0'	3'-2"	2'-8"		
LOT FRONTAGE	35'	33.06'	67.75'	35'	35.38'	70'	65.99'	35'	28.09'	82.09'		
*Lot No. 6 is subject property												
SETBACK CALCULATION												
discard top and bottom 20%						Lower 20%: lot 8, 7 : Upper 20%: lot 1, 3						
discard lots that do not comply with LAMC 12.21 A4 9(a)						(no lots to discard)						
discard vacant lots						2, 5						
LOTS USED (3)						4, 9, 10						
SUM OF FRONT YARD SETBACKS DIVIDED BY NO. LOTS USED						5'-10"/3 = 2'-0"						
FRONT YARD SETBACK						(Assume 5 foot minimum)						

PREVAILING SETBACK MAP



PLOT PLAN

SCALE 3/32" = 1'

ONLINE CALCULATOR

Results

Number of lots: 5

Prevailing Setback: 1.97 ft

Calculation

Total no of lots entered: 5

Total frontage entered: 213.62 ft

40% from total frontage entered: 85.45 ft

No of lots used in the calculation: 3

Setback range used: 0.00 ft - 3.16 ft

Total frontage used in the calculation: 145.18 ft

Lots Used

Lot	Frontage (ft)	Setback (ft)
4	35.00	0.00
9	28.09	3.16
10	82.09	2.75

View Calculation Details

PRELIMINARY INFORMATION

OWNER: Rachel Foulton & Ian Cooper
2262 Duane Street
Los Angeles, CA 90039

ARCHITECT: Simon Storey
Anonymous Architects
simon@anonymousarchitects.com
1 323.244.9807
Lic No. C-35346

GEOLOGY: Geosystems, Inc.
1543 Victory Blvd., 2nd Floor
Glendale, CA 91201
info@geosys1.com
(818) 500-9533

SURVEY: Nick Kazem, Inc.
4966 Topanga Canyon Blvd.
Woodland Hills, California 91364
Tel: (818) 999-9890

LEGAL DESCRIPTION

APN: 5467021027, 5467021028

Tract: TR 5043

Zone: R1-1

EXISTING USE: Vacant Land

PROPOSED USE: New Single Family Dwelling with covered parking for 3 cars

VERY HIGH FIRE HAZARD SEVERITY ZONE (VHFHSZ): YES

HILLSIDE CONSTRUCTION REGULATION (HCR): NO

TRANSIT ORIENTED COMMUNITIES (TOC): NO

SPECIFIC PLAN AREA: YES - Mt. Washington/Glassed Park

HILLSIDE AREA (ZONING): YES

OCCUPANCY

GROUP R3 RESIDENTIAL: 3,100 sq.ft

GROUP U GARAGE: 533 sq.ft

TYPE OF CONSTRUCTION

TYPE V-B

LOT AREA AND COVERAGE

LOT AREA: 8,914.1 sq.ft

LOT DIMENSIONS: See Plot Plan - This Sheet

BUILDING COVERAGE: 1,569 sq.ft

LOT COVERAGE: 1,569 / 8,914 = 17.6%

BUILDING AREAS - PER MT. WASHINGTON SP

MAXIMUM ALLOWABLE AREA per Mt. Washington SP = FAR x Lot Area = .42 x 8,914.1 = 3,743 sq.ft

FAR CALCULATION:
FAR = .50 - ((Lot Area - 5,000) x .10) divided by 5,000
FAR = .50 - ((8,914.1 - 5,000) x .10) divided by 5,000
FAR = .42

PROPOSED PROJECT AREAS:

Level 1: 314 sq. ft.

Level 2: 873 sq. ft.

Level 3: 1,425 sq. ft.

Garage: 532 sq. ft.

Covered Deck: 469 sq. ft.

TOTAL GROSS FLOOR AREA: 3,633 sq.ft.

BUILDING AREAS - PER LAMC

PROPOSED PROJECT AREAS:

Level 1: 314 sq. ft.

Level 2: 873 sq. ft.

Level 3: 1,425 sq. ft.

Garage: 532 sq. ft.

Covered Deck: 469 sq. ft.

TOTAL RESIDENTIAL FLOOR AREA (RFA): 3,233 sq.ft.

SAUSD AREA:

Level 1: 364 sq. ft.

Level 2: 1,064 sq. ft.

Level 3: 1,551 sq. ft.

TOTAL: 2,979 sq. ft.

BUILDING HEIGHT (Mt. Washington SP)

MAXIMUM ALLOWABLE: 45'-0"

PROPOSED HEIGHT: 45'-0"

BUILDING HEIGHT (building code)

ENVELOPE HEIGHT: 42'-0"

GRADING QUANTITIES:

CUT (CU.YD.): 10cu.yd.

FILL (CU.YD.): 10cu.yd.

NET GRADING (CU.YD.): 0 cu.yd. (Import = 0, Export = 0)

FIRE SPRINKLER NOTE

The sprinkler system shall be approved by Plumbing Division prior to installation. Contractor to obtain necessary permits.
CONFORM TO NFPA 13



VICINITY MAP

not to scale

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this drawing set included	
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DISCIPLINES	SHEET TYPES
G General	0 General symbols, legends, notes
V Surveying	1 Plans horizontal views
B Geotechnical	2 Elevations vertical views (incl. profiles)
C Civil	3 Sections sectional views and wall sections
L Landscape	4 Large-Scale Views scaled up reproductions of plans elevations or sections that are not details.
A Architectural	
P Plumbing	
M Mechanical	
E Electrical	5 Details
X Other	6 Schedules and Diagrams
	7 other
	8 other
	9 3D representations
SHEET TYPES AND DISCIPLINE DESIGNATORS	

DIR-2020-427-SPP-1A

EXHIBIT D

REVISED PROJECT PLANS

Rachel Foulton & Ian Cooper
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project No.

CRB 464

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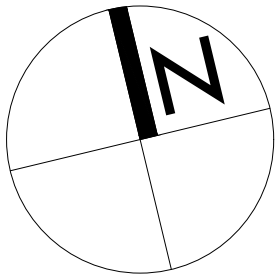
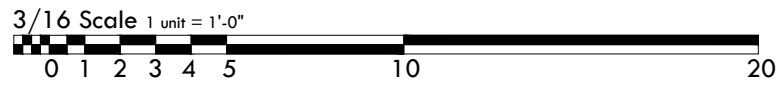
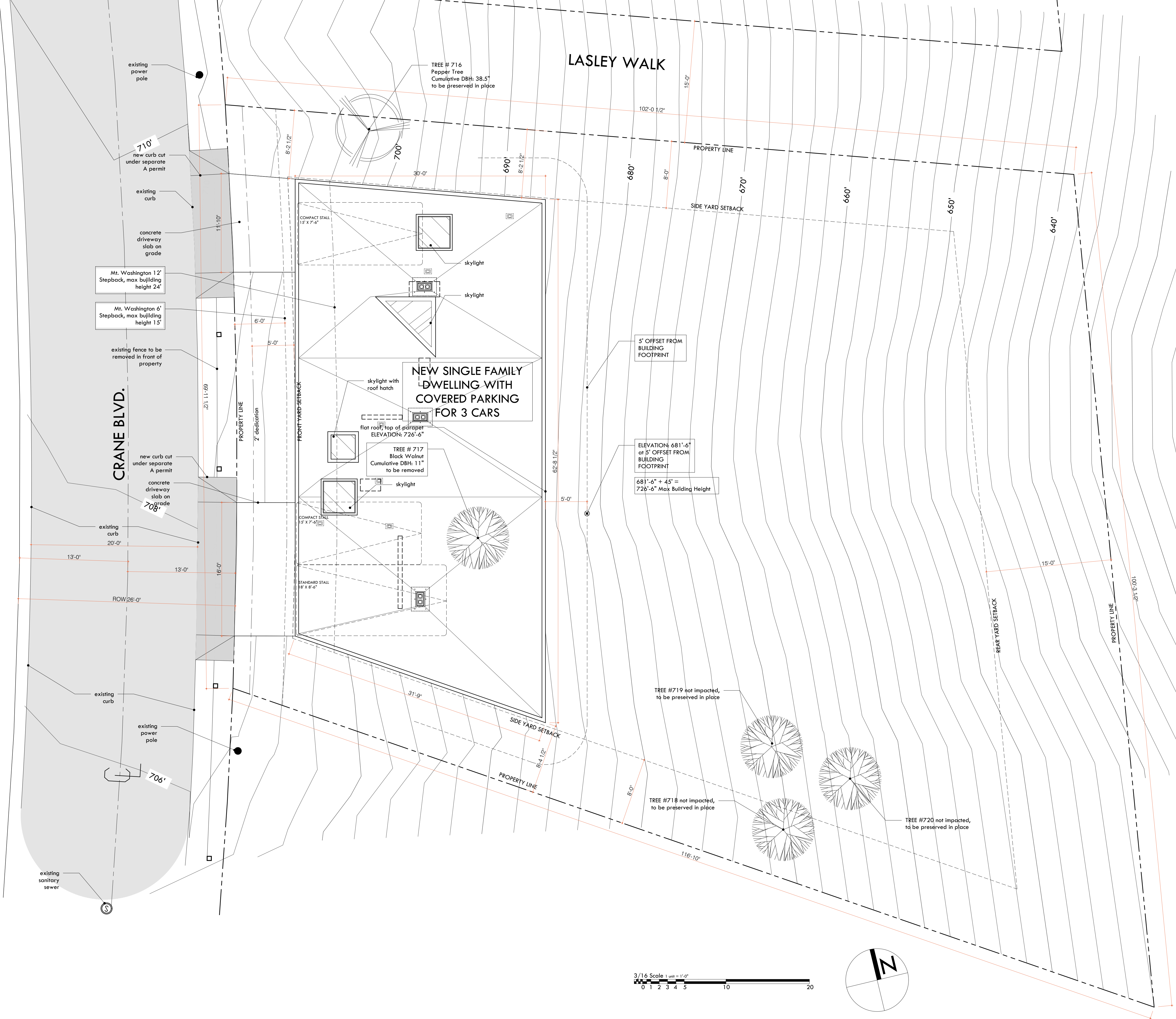
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Title Sheet

A-000-1

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version
drawn by
11/4/2021 2:22 PM
PLOT DATE & TIME



revisions	Plan Check	xx/xx/xx
project owner	Rachel Faulan & Ian Cooper 2262 Duane Street Los Angeles, CA 90039 telephone email	
project title and address	464 & 466 N. Crane Blvd. Los Angeles, CA 90065 APN: 5467021027, 5467021028	
project No.	CRB 464	
architect	anonymous architects 1800 South Brand Blvd, Suite 117 Glendale, CA 91204 Tel: 323-515-7930 office@anonymousarchitect.com	
stamp		
drawing	Site Plan	
	A-101-1	
scale		
version		
drawn by		
11/4/2021 2:29 PM	1	
PLOT DATE & TIME		

Estimated Total Water Use

Equation: ET_{WU} = ET_c × 0.82 × [(PF × HA)(E) + SLA]; Consider precipitation ET_{WU} = (ET_c - Eppt) × 0.82 × [(PF × HA)(E) + SLA]

Enter values in Pale Blue Cells

Tan Cells Show Results

Messages and Warnings

Irrigation Efficiency Default Value for overhead 0.75 and drip 0.81.

Plant Water Use Type

Plant Factor

Very Low

Low

Medium

High

SLA

0.1

0.2 - 0.3

0.4 - 0.6

0.7 - 1.0

1

Hydrozone

Zone 1

Zone 2

Zone 3

Zone 4

Zone 5

Zone 6

Zone 7

Zone 8

Zone 9

Zone 10

Zone 11

Zone 12

Zone 13

Zone 14

Zone 15

Zone 16

Zone 17

Zone 18

Zone 19

Zone 20

Zone 21

Zone 22

Zone 23

Zone 24

Zone 25

Zone 26

Zone 27

Zone 28

Zone 29

Zone 30

Zone 31

Zone 32

Zone 33

Zone 34

Zone 35

Zone 36

Zone 37

Zone 38

Zone 39

Zone 40

Plant Water Use Type (1) Low, medium, high

Plant Factor (PF)

Hydrozone Area (HA) (ft²)

Without SLA

Irrigation Efficiency (E)

PF × HA (ft²)E

Zone 1

Zone 2

Zone 3

Zone 4

Zone 5

Zone 6

Zone 7

Zone 8

Zone 9

Zone 10

Zone 11

Zone 12

Zone 13

Zone 14

Zone 15

Zone 16

Zone 17

Zone 18

Zone 19

Zone 20

Zone 21

Zone 22

Zone 23

Zone 24

Zone 25

Zone 26

Zone 27

Zone 28

Zone 29

Zone 30

Zone 31

Zone 32

Zone 33

Zone 34

Zone 35

Zone 36

Zone 37

Zone 38

Zone 39

Zone 40

SLA

Sum

7,162

1,788

0

Results

MAWA = 113,248

ET_{WU} = 50,843 Gallons

8,722 Cubic Feet

0.81 HCF

0.35 Acre-feet

0.11 Millions of Gallons

ET_{WU} complies with MAWA

Instructions

Cells with pale blue background are for entering data

Results show in cells with tan background

Messages and warnings are displayed in cells with yellow background

1) Select city by clicking on blue cell and choosing a city from the drop down menu ETo appears in the tan cell below the name of the city

2) Enter square footage of overhead spray irrigated landscape area

3) Enter square footage of drip irrigated landscape area

4) Enter square footage of Special Landscape Area (SLA)

5) MAWA results appear in the tan cells

6) If you are considering effective precipitation (Eppt), enter total annual precipitation.

7) Eppt

8) For comparison, MAWA without effective precipitation is displayed below MAWA without Eppt (Gallons)

Maximum Applied Water Allowance Calculations for New and Rehabilitated Residential Landscapes

Enter value in Pale Blue Cells

Tan Cells Show Results

Messages and Warnings

Los angeles

Name of City

50.10 ET_c (inches/year)

0 Overhead Landscape Area (ft²)

7162 Drip Landscape Area (ft²)

0 SLA (ft²)

7,162.00 Total Landscape Area

Results: (ET_c) × (0.62) × [(0.55 x LA) + ((1.0 - 0.55) X SLA)]

MAWA calculation incorporating Effective Precipitation (Optional)

Precipitation (Optional)

ET_c of City from Appendix A

Total Landscape Area

Special Landscape Area

14.93 Total annual precipitation (inches/year)

3.73 Eppt (in/yr)(25% of total annual precipitation)

Enter Effective Precipitation

Results: MAWA = (ET_c - Eppt) × (0.62) × [(0.55 x LA) + ((1.0 - 0.55) x SLA)]

113,249.13 Gallons

15,139.26 Cubic Feet

151.39 HCF

0.35 Acre-feet

0.11 Millions of Gallons

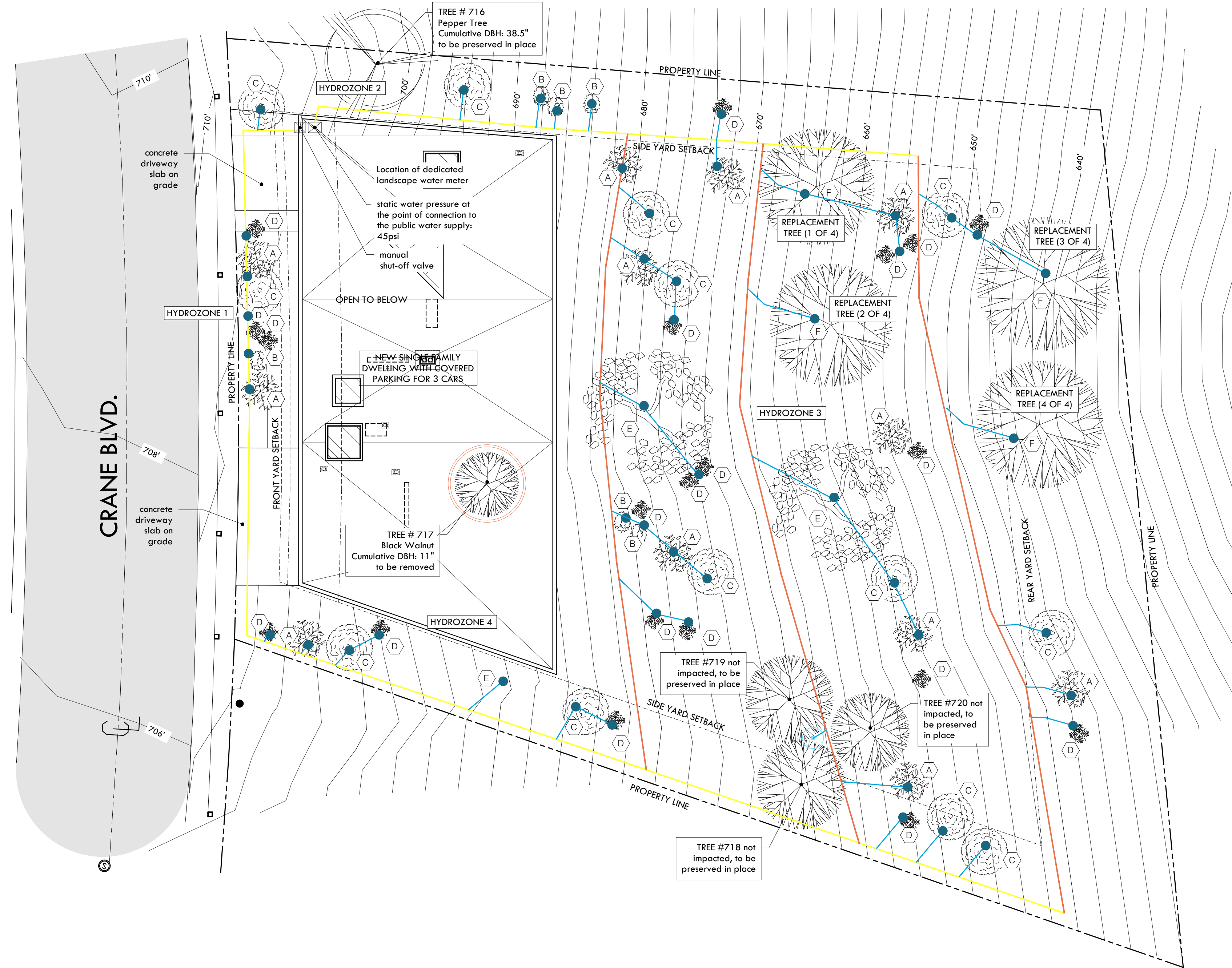
LANDSCAPE POINTS TABLE	
Lot Size 8,914 sq.ft. within 7,501 - 15,000 range 15 points needed	
preserve existing trees (2pts per tree, 4 trees)	8 points
New large trees planted (7)	14 points
100% of plants are native = 50% of points needed	7.5 points
TOTAL	29.5 points

WATER MANAGEMENT POINTS TABLE	
Lot Size 8,914 sq.ft. within 7,501 - 15,000sf range 200 points needed	
Reclaimed water. (water management points)	100 points
Drip Irrigation = 2 circuits @ 5 points per circuit	10 points
Irrigation controller = 2 controllers @ 5 points each	10 points
Rain sensing device = 1 sensor @ 10 points each	10 points
Soil moisture sensor = min 10 points	10 points
Lawn area 0% - 15% landscape area	10 points
Landscape meter	50 points
TOTAL	200 points

WATER USE CALCULATIONS

5 POINT SYSTEM CALCULATION

4



LANDSCAPE PLAN

SCALE : 1/8"=1'-0"

3 PLANTS & IRRIGATION

GREEN BUILDING SQ. FT. BREAKDOWN

Category	sq. ft.
Concrete (driveway & pedestrian access)	182 sf
Decks/Patios	0 sf
Total Landscape area	7,162 sq. ft.

HARDSCAPING CALCULATIONS

1. 100% hardscape materials to be uncolored concrete with smooth cement finish and a minimum typical solar reflectance value of 0.30

TOTAL HARDSCAPE AREA = 182 sq.ft.

EXISTING TREES - SEE TREE REPORT FOR DETAILS

No.	Species	Quantity	Notes
717	So. California Black Walnut	1	to be removed
716	Pepper Tree	1	to be preserved
718	So. California Black Walnut	1	to be preserved
719	So. California Black Walnut	1	to be preserved
720	So. California Black Walnut	1	to be preserved

PLANTING LEGEND (NEW) 100% CA native

Symbol	Common name	Scientific name	Quantity	Diameter	
A	Chamise	Adenostoma fasciculatum	12	5'	NEW
B	Wild Rose	Rosa Californica	6	2'	NEW
C	California Fuchsia	Epilobium canum	13	5'	NEW
D	Lupine	Lupinus	21	1'	NEW
E	Flowering Ash	Fraxinus Dipetala	3	15'	NEW
F	SC Black Walnut	SC Black Walnut	4	20'	NEW
					TREE
					REPLACEMENT TREES

PRECIPITATION RATES

Hydrozone 1	1.5 in/hr
Hydrozone 2	1.5 in/hr
Hydrozone 3	1.5 in/hr

NOTE: all trees to be a 24" box and 6' high at time of planting

IRRIGATION LEGEND

Symbol	Type	Flow Rate / Diameter	Operating Pressure	Made/ model #	precipitation rate
	blank tubing	3/4" Ø	60 psi	XBS075500P	
	blank tubing	1/2" Ø	70 psi	T63 - 50	
	blank tubing	1/4" Ø	70 psi	T22 - 50	
	drip emitter	2 gph	15-50 psi	Rain Bird SW20	2 gph
	drip emitter	1 gph	15-50 psi	Rain Bird SW10	2 gph
	drip emitter	1/2 gph	15-50 psi	Rain Bird SW05	2 gph
	full circle micro bubbler	varies		Rain Bird MBF4PK	

LANDSCAPE PLANTING NOTES

- Refer to grading and landscape plans for utility location, drainage, and grading information. If actual site conditions vary from what is shown on the plans or if there are discrepancies between the plans, contact the Landscape Architect for direction as to how to proceed.
- Verify locations of pertinent site improvements installed under other sections. If any part of this plan cannot be followed due to site conditions, contact Landscape Architect for instructions prior to commencing work.
- Exact locations of plant materials to be approved by the Landscape Architect in the field prior to installation. Landscape Architect reserves the right to adjust plants to exact location in field.
- Verify plant counts and square footages. Quantities are provided as Owner information only. If quantities on plant list differ from graphic indications, then graphics shall prevail.
- Contact the local underground utility services for utility location and identification.
- Perform excavation in the vicinity of underground utilities with care and if necessary, by hand. The Contractor bears full responsibility for this work and disruption or damage to utilities shall be repaired immediately at no expense to the Owner.
- Trees shall bear same relation to finished grade as it bore to existing.
- Trees to be planted a minimum of 4 feet from face of building, or pavement, except as approved by Landscape Architect.
- Provide matching forms and sizes for plant materials within each species and size designated on the drawings.
- Prune newly planted trees only as directed by Landscape Architect.
- Align and equally space in all directions trees and shrubs so designated per these notes and drawings.
- Finish grades of planter areas shall be 2 inches below adjacent paving or top of wall unless otherwise noted.
- Provide specified edging as divider between planting beds.
- Remove entire wire cage from rootball.
- Cut and remove burlap from top 1/3 of ball.
- A diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent management purposes.
- An irrigation audit report shall be completed at the time of final inspection.
- A certificate of Completion shall be filled out and certified by either the signer of the landscape plans, the signer of the irrigation plans, or the licensed landscape contractor for the project.
- For soils less than 6% organic matter in the top 6 inches of soil, compost at a rate of a minimum of four cubic yards per 1,000sf of permeable area shall be incorporated to a depth of six inches into the soil.
- Recirculating water systems shall be used for water features.
- A minimum 3-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except turf areas, creeping or rooting ground covers, or direct seeding applications where mulch is contraindicated.
- Check Valves or anti-drain valves are required on all sprinkler heads where low point drainage could occur.
- Pressure regulating devices are required if water pressure is below or exceeds the recommended pressure of the specified irrigation devices.
- At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule of landscape and irrigation maintenance.
- For projects that include landscape work, the Landscape Certification, Form GRN 12 shall be completed prior to final inspection approval.

I have complied with the criteria of the ordinance and applied them for he efficient use of water in the landscape design areas.

I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package.

NOTES FOR GREEN BUILDING

- Materials delivered to construction site shall be protected from rain or other sources of moisture.
- Construction waste shall be reduced by 50% and removed by City of Los Angeles certified hauler.
- An operation and Maintenance Manual including, at a minimum, the items listed in Section 4.410.1, shall be completed and placed in the building at the time of final inspection.
- All duct and other related air distribution component openings shall be covered with tape, plastic, or sheet metal until the final startup of the heating, cooling and ventilation equipment.
- Architectural paints and coatings, adhesives, caulks and sealants shall comply with the Volatile Organic Compound (VOC) limits listed in Tables 4.504.1-4.504.3
- GRN 2 shall be completed and certified prior to final inspection approval.
- 80% of the total area receiving resilient flooring shall comply with the VOC emission limits defined in the CHPS High Performance Products Database.
- New hardwood plywood, particle board, and medium density fiberboard composite wood products used in the interior or exterior of the building shall meet the formaldehyde limits listed in Table 4.504.5
- Form GRN 3 , shall be completed prior to final inspection approval.
- Building materials with visible signs of water damage shall not be installed. Wall and floor framing shall not be enclosed until it is inspected and found to be satisfactory by the building inspector.
- Heating and air-conditioning systems shall be sized and designed using ANSI/ACCA Manual J-2004, ANSI/ACCA 29-D-2009 or ASHRAE handbooks and have their equipment selected in accordance with ANSI/ACCA 36-S Manual S-2004.
- A 4-inch base of ½ inch or larger clean aggregate shall be provided for the proposed slab on grade construction.
- A vapor barrier shall be provided in direct contact with concrete for the proposed slab on grade construction.
- Locks shall be installed on all publicly accessible faucets and hose bibs.
- Any permanently installed outdoor in-ground swimming pool or spa shall be equipped with a cover having a manual or powe-operated reel system. For irregular shaped pools where it is infeasible to cover 100 percent of the pool due to its irregular shape a minimum of 80 percent of the pool shall be covered.
- Where groundwater is being extracted and discharged, a system for onsite reuse of the groundwater shall be developed and constructed if the groundwater will not be discharged to the sewer.
- The hot water system shall not allow more than .6 gallons of water t be delivered to any fixture before hot water arrives or shall comply with either Los Angeles Plumbing Code Section 610.4.1.2 or 610.4.1.3.

2 LANDSCAPING NOTES

revisions

Plan Check xx/xx/xx

project owner

Rachel Foulan & Ian Cooper
2262 Duane Street
Los Angeles, CA 90039
telephone
email

project title and address

464 & 466 N. Crane Blvd.
Los Angeles, CA 90065
APN: 5467021027, 5467021028

project No.

CRB 464

architect

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office@anonymousarchitect.com

stamp

drawing

Landscape Plan

L-101-1

scale

version

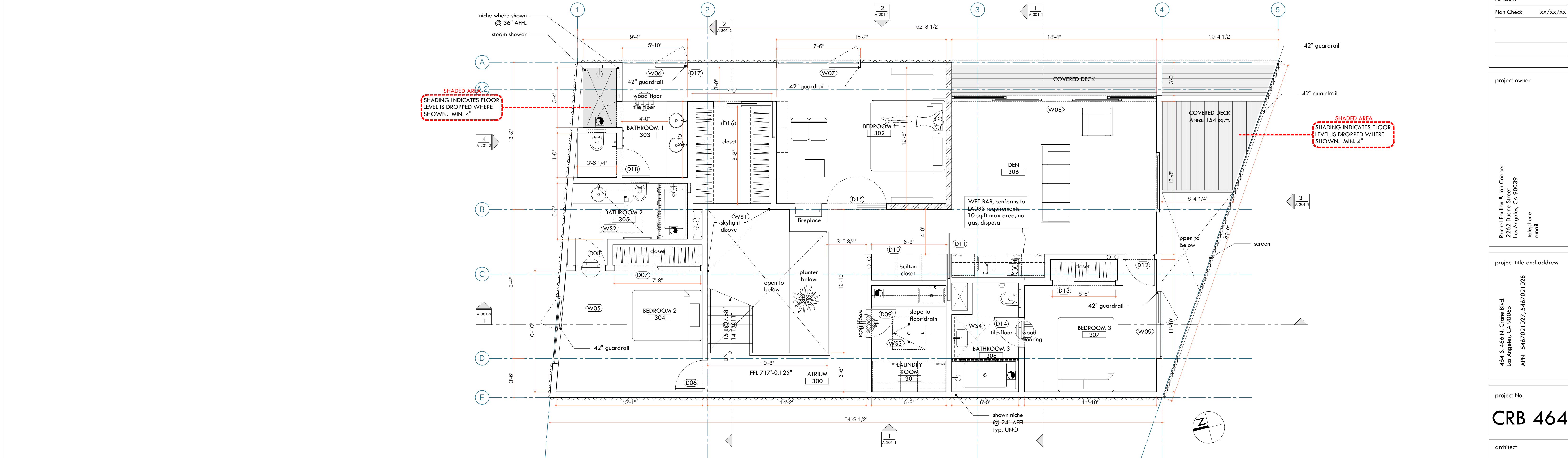
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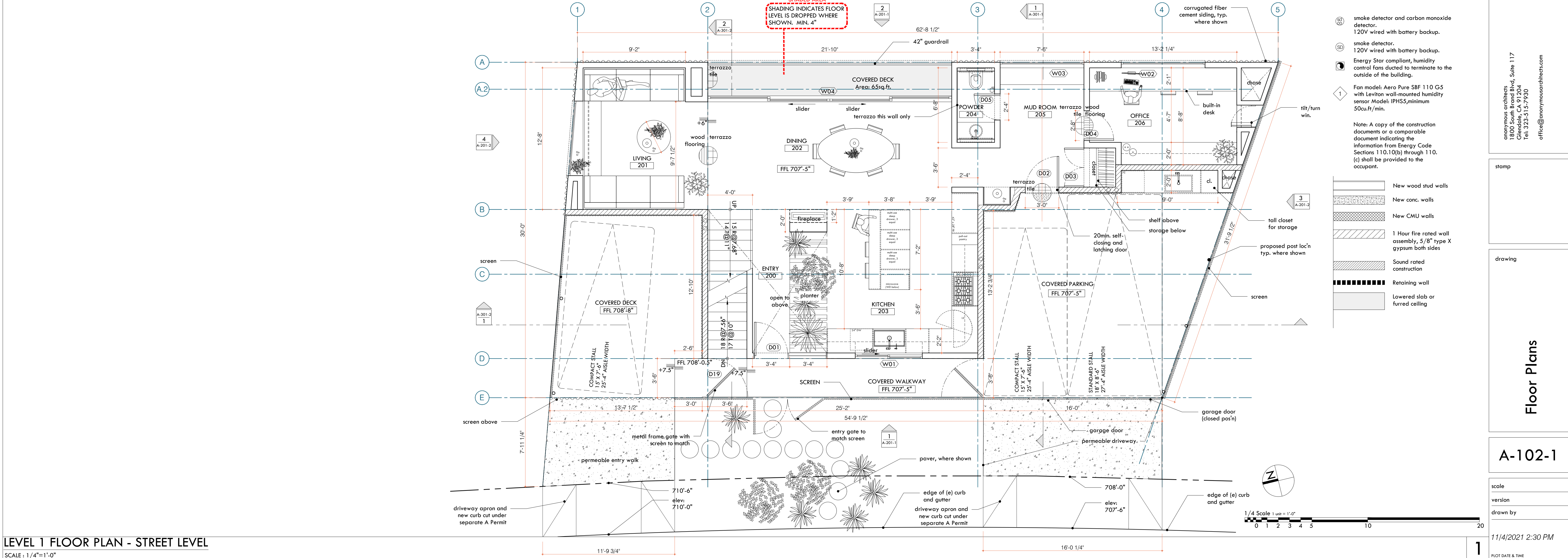
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LEVEL 2 FLOOR PLAN

SCALE : 1/4"=1'-0"

2



LEVEL 1 FLOOR PLAN - STREET LEVEL

SCALE : 1/4"=1'-0"

1

revisions
Plan Check xx/xx/xx

project owner

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2202 Duane Street
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email

project title and address

464 & 466 N. Crane Blvd.
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CRB 464

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stamp

drawing

A-102-1

scale

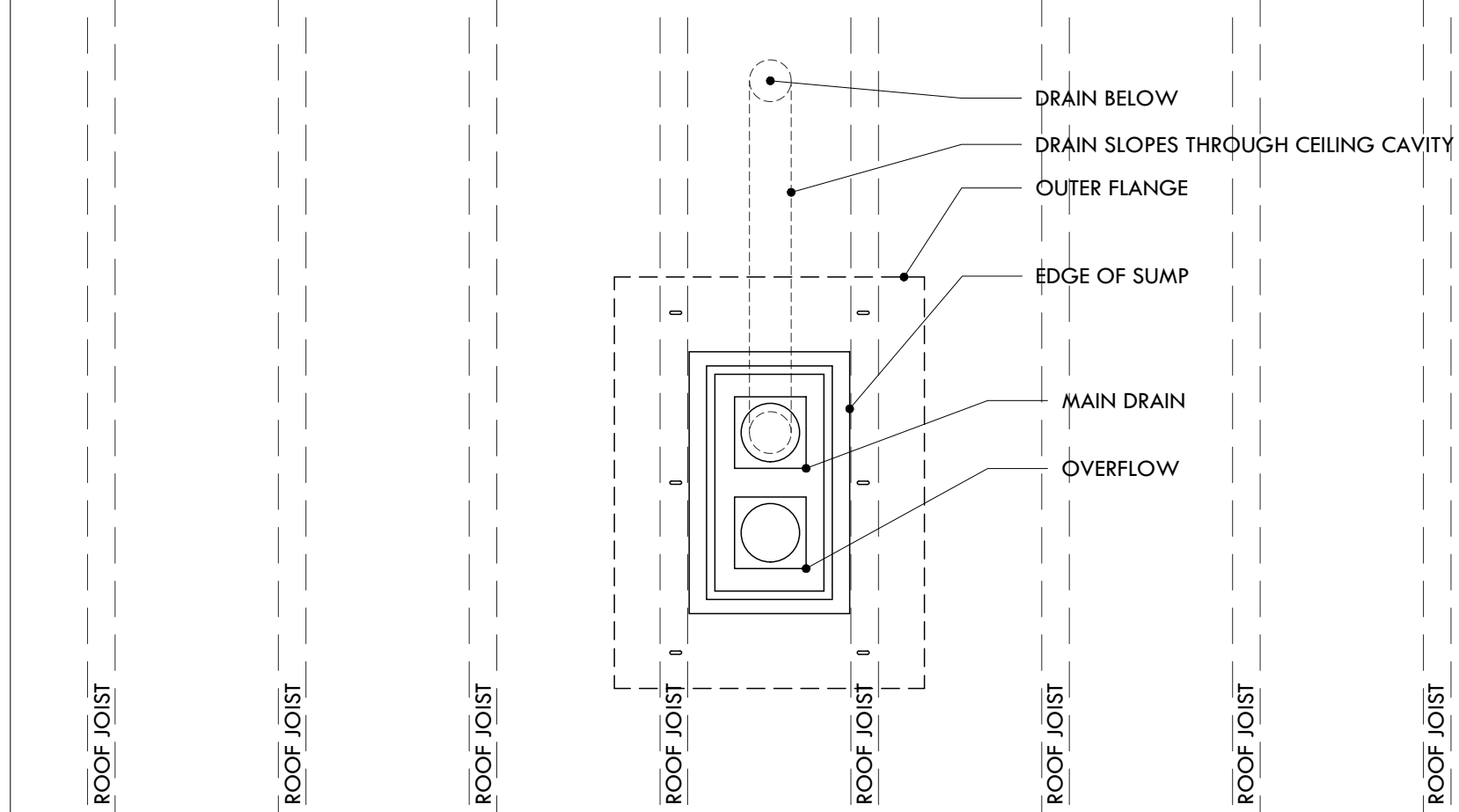
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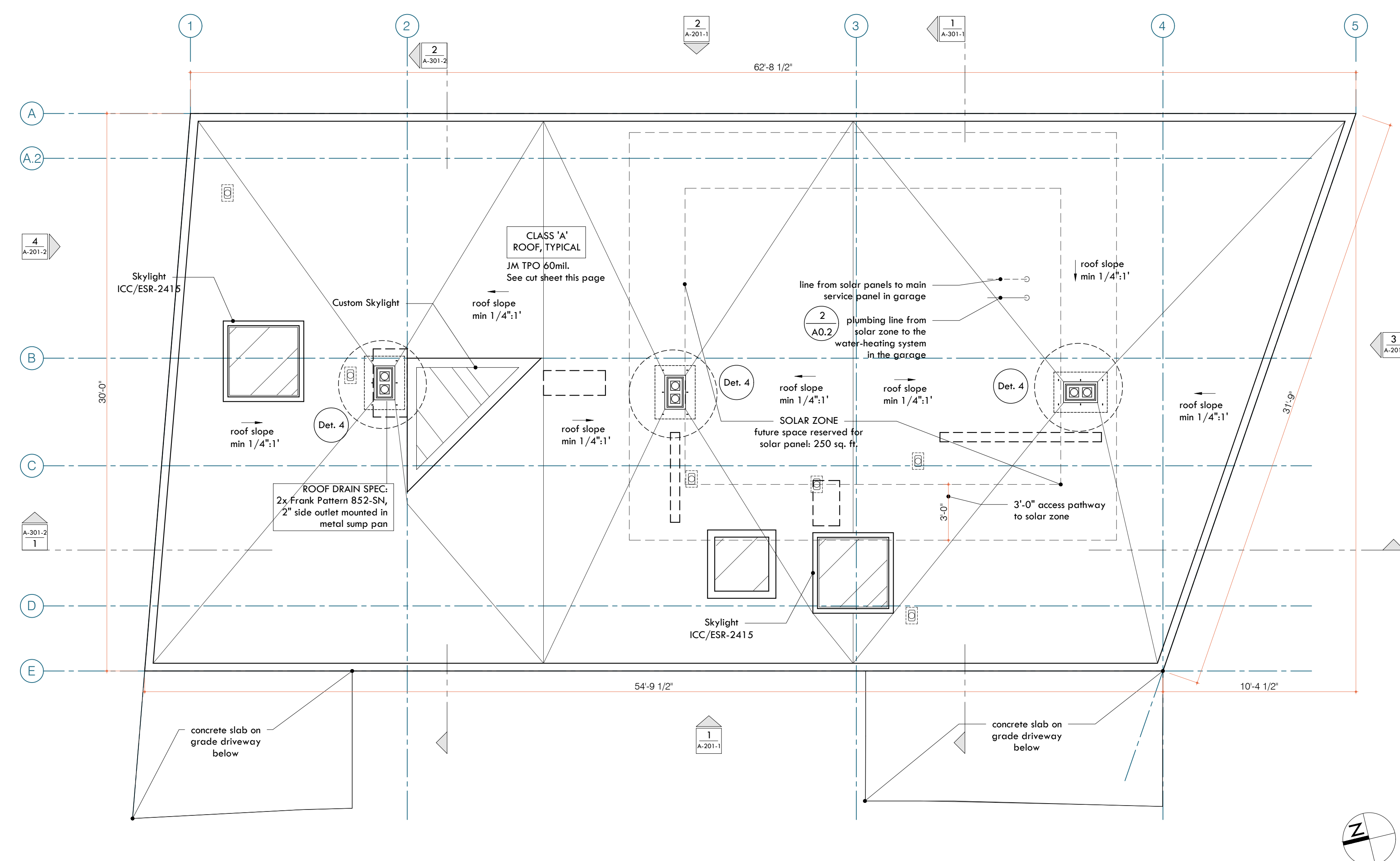
PLOT DATE & TIME

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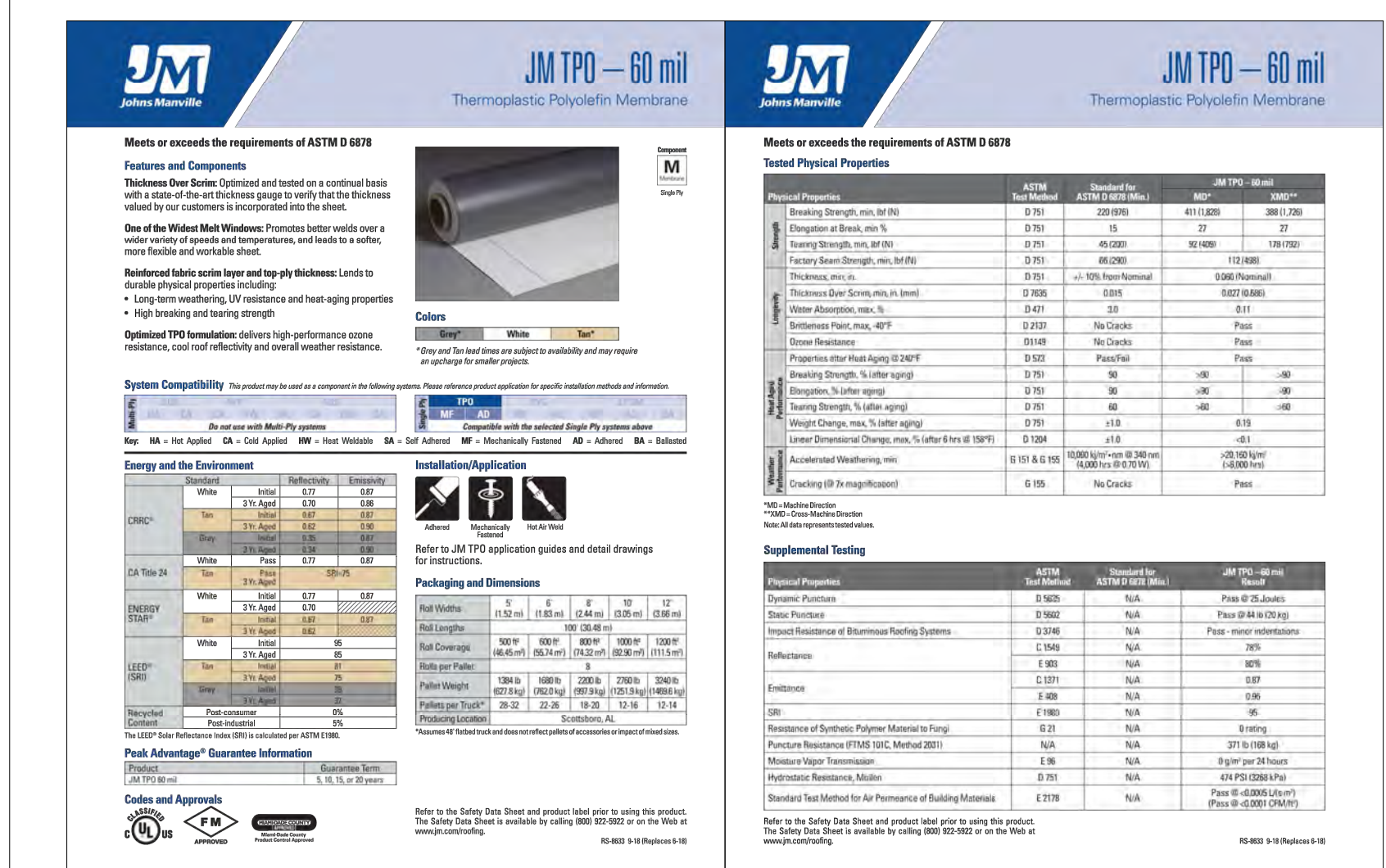


ROOF DRAIN SUMP PLAN

4

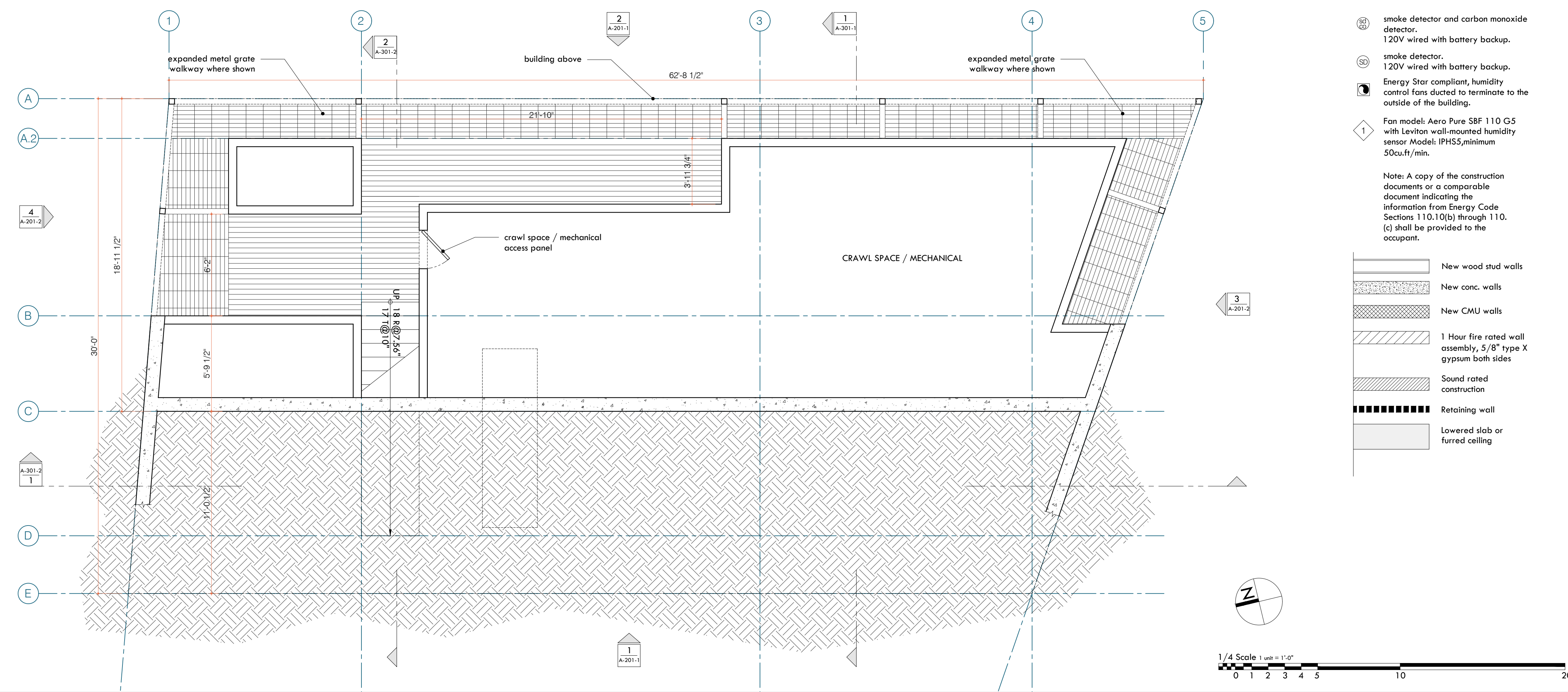


ROOF PLAN
SCALE : 1/4"=1'-0"



ROOF SPEC

3



BASEMENT LEVEL FLOOR PLAN
SCALE: 1/4"=1'-0"

- smoke detector and carbon monoxide detector.
120V wired with battery backup.
- smoke detector.
120V wired with battery backup.
- Energy Star compliant, humidity control fans designed to terminate to the outside of the building.
- Fan model: Aero Pure SBF 110 G5 with Leviton wall-mounted humidity sensor Model: IPH55, minimum 50cu.ft./min.
- Note: A copy of the construction documents or a comparable document indicating the identification from Energy Code Sections 110.10(a) through 110.10(c) shall be provided to the occupant.

-
- New wood stud walls
- New conc. walls
- New CMU walls
- 1 hour fire-rated wall assembly, 5/8" type X gypsum both sides
- Sound rated construction
- Retaining wall
- Lowered slab or furred ceiling

revisions

Plan Check xx/xx/xx

project owner

Rachel Foulton & Jon Cooper
2242 Duane Street
Los Angeles, CA 90039

telephone
email

project title and address

464 & 466 N. Crane Blvd.
Los Angeles, CA 90065

APN: 5467021027, 5467021028

project No.

CRB 464

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stamp

drawing

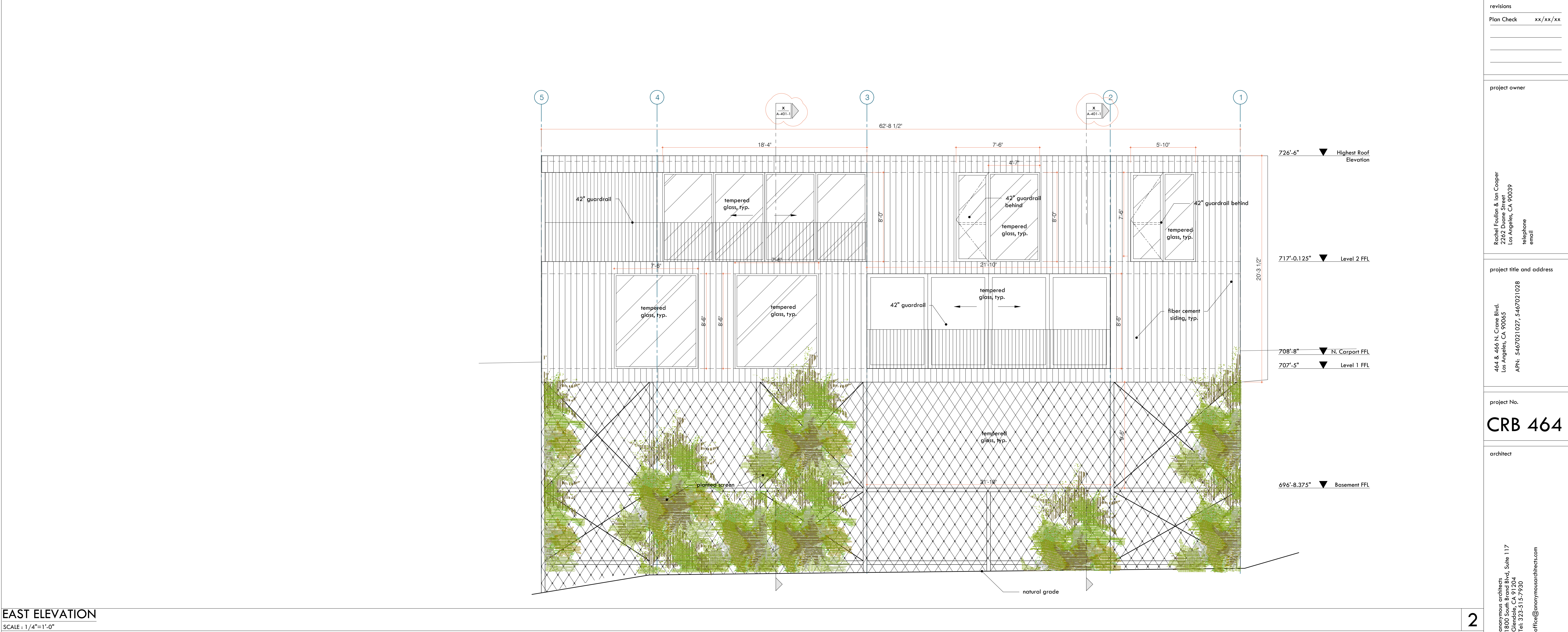
Floor Plans

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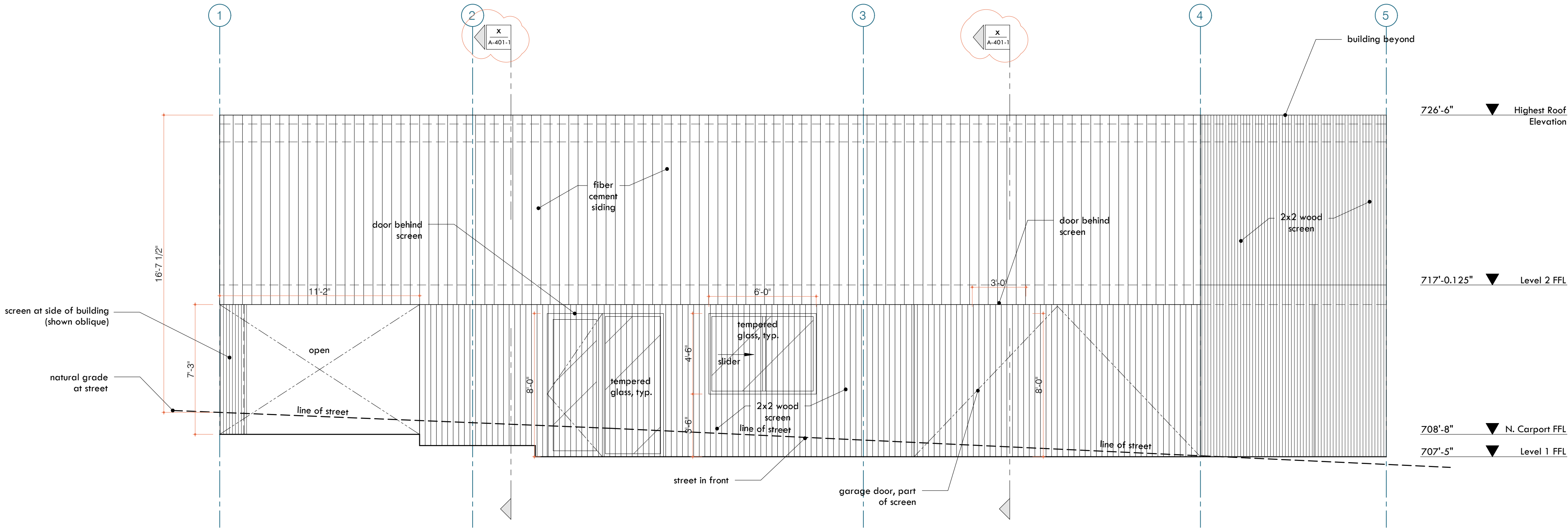
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EAST ELEVATION

SCALE: 1/4"=1'-0"

2



WEST ELEVATION

SCALE: 1/4"=1'-0"

1

revisions	
Plan Check	xx/xx/xx

project owner
Rachel Foulan & Ian Cooper 2222 Duane Street Los Angeles, CA 90039 telephone email

project title and address
464 & 466 N. Crane Blvd. Los Angeles, CA 90065 APN: 5467021027, 5467021028

project No.
CRB 464

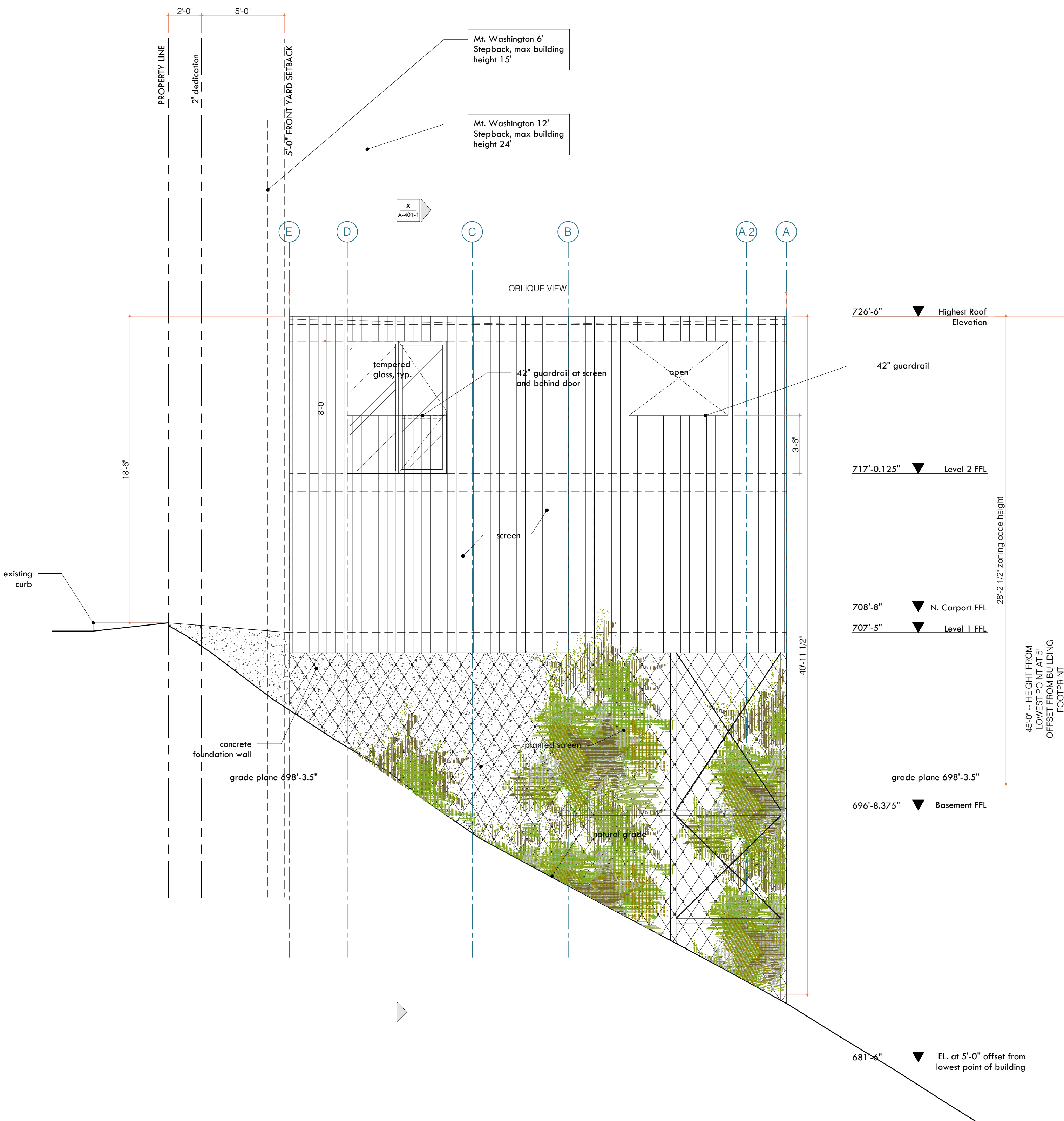
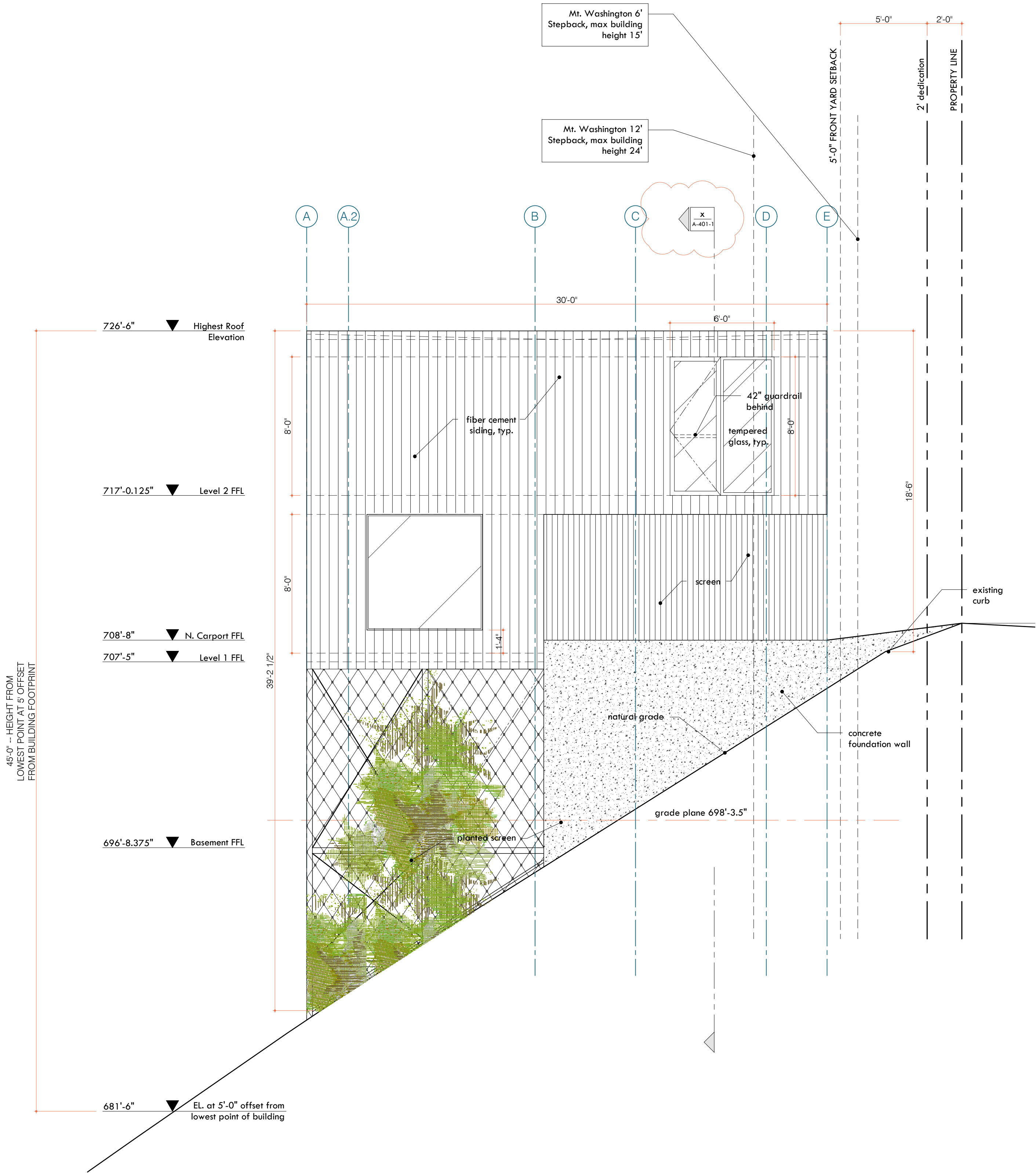
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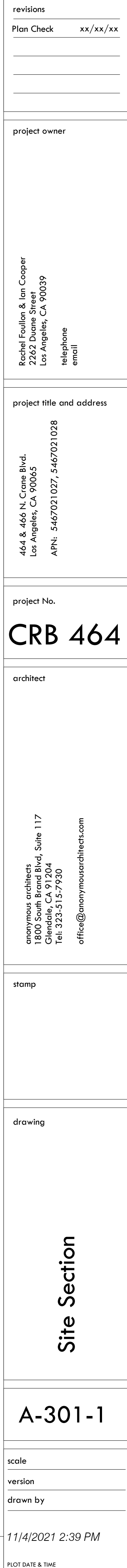
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drawing

A-201-1
scale
version
drawn by
11/4/2021 2:31 PM
PLOT DATE & TIME

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EXTERIOR WINDOW AND DOOR SCHEDULES	finished floor										revisions Plan Check xx/xx/xx project owner Rachel Foulan & Ian Cooper 2202 Duane Street Los Angeles, CA 90039 telephone email project title and address 464 & 466 N. Crane Blvd. Los Angeles, CA 90065 APN: 5467021027, 5467021028 project No. CRB 464 architect anonymous architects 1800 South Brand Blvd, Suite 117 Glendale, CA 91204 Tel: 323-515-7930 office@anonymousarchitect.com stamp drawing Window & Door Schedules A-601 scale version drawn by 11/4/2021 2:48 PM PLOT DATE & TIME
	finished floor										WINDOW NOTES 1. Window sizes as called for in this schedule are FINISH window frame sizes unless noted otherwise and are viewed EXTERNALLY. Refer to window details and verify all window sizes in field prior to ordering. 2. Install windows and doors so that frames are 2.1. plumb, level straight and true within acceptable building tolerances 2.2. adequately fixed or anchored to the building structure 2.3. flashed and waterproofed according to best practices sheet M-301-1 contained herein. 3. Submit to Architect manufacturer's confirmation order list and all shop drawings for review. 4. NOTE: MAY BE VERY HIGH FIRE HAZARD SEVERITY AREA (refer Title Sheet) 4.1. All exterior windows shall be insulated glass units with tempered glass, or shall be fire rated. 4.2. All exterior wood doors shall have a thickness not less than 1-3/8", or shall be fire rated 5. CONTRACTOR MUST REVIEW TITLE-24 SPECIFICATIONS AND ENSURE ALL WINDOW SPECIFICATIONS MEET THESE MINIMUMS.
	finished floor										WINDOW LEGEND Privacy glass CLS Clerestory GLAZING SCHEDULE SG Clear single glazing (refer title-24) DG Clear double glazing (refer title-24)
	finished floor										DOOR NOTES 1. Glazing in doors to be 5/16" min, laminated / clear. 2. Unless noted otherwise all doors and frames to be varnish quality finish 3. Confirm all dimensions after rough framing is completed, unless building RO to window size ahead of time 4. UNO all handles to be mounted at 36" AFFL
	finished floor										DOOR LEGEND SGL Single ROLL Roll up sectional SCWD Solid Core Wood Door HCWD Hollow Core Wood Door SLDR Slider FOLD Folding Door DOCL Double Closet Doors GLAS Single Lite WID Wood Door WF Wood Frame ALUM Aluminum PG Paint Grade SG Stain Grade BIWD Bi-Fold exterior door PR Privacy PA Passage DB Dead Bolt DOOR HANDLE TYPES
	finished floor										DOOR MODE DIAGRAMS ① LEFT HAND ② RIGHT HAND ③ LEFT HAND REVERSE ④ RIGHT HAND REVERSE SINGLE DOOR ⑤ LEFT HAND ACTIVE ⑥ RIGHT HAND ACTIVE ⑦ LEFT HAND REVERSE ACTIVE ⑧ RIGHT HAND REVERSE ACTIVE DOUBLE DOOR
	finished floor										MATERIAL, FINISH & HARDWARE SCHEDULES MATERIAL SCHEDULE MATERIAL-1 (notes) MATERIAL-2 (notes) FINISH SCHEDULE FINISH-1 (notes) FINISH-2 (notes) HARDWARE SCHEDULE HARDWARE-1 Text text text text text text text text text text text text text text text text text text HARDWARE-2 Text text text text text text text text text text text text text text text text text text LOCK SCHEDULE LOCK-1 (notes) LOCK-2 (notes) DOOR STOP SCHEDULE DOORSTOP-1 (notes) DOORSTOP-2 (notes) SHADE SCHEDULE SHADE-1 (notes) SHADE-2 (notes)
	finished floor										SKYLIGHTS NUMBER ROOM OPERATION/ TYPE MAKE/ MODEL ROUGH OPENING OUTSIDE FRAME GLAZING TEMPERED FRAME FINISH COMMENTS WS1 WS2 WS3 Attrium/Room 300 multiple locations fixed window Velux/Fixed Curb Mounted n/a n/a n/a n/a MATERIAL-1 FINISH-1 n/a n/a

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EXHIBIT 4

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

CRANE BOULEVARD SAFETY
COALITION, an unincorporated association,

Petitioner

vs.

CITY OF LOS ANGELES, a municipal
corporation,

Respondent

RACHEL FOULLON; IAN COOPER; and
ROES 1-25

Real Parties in Interest

Case No. 23STCP02375

**PETITIONER’S CALIFORNIA
ENVIRONMENTAL QUALITY ACT OPENING
BRIEF (FIRST AND SECOND CAUSES OF
ACTION)**

*Assigned for all purposes to:
Honorable Maurice A. Leiter
Department 54*

Action Filed: July 7, 2023

Date: April 27, 2026
Time: 9:30 A.M.

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1 **I. INTRODUCTION.**

2 This action challenges the approval by Respondent City of Los Angeles (“City”) of a Notice of
3 Exemption (“NOE”) under the California Environmental Quality Act (“CEQA”) and Project Permit
4 Compliance determination for the Mount Washington/Glassell Park Specific Plan (“Specific Plan”) for a
5 house project located on the Crane Boulevard/ Marmion Way escarpment in northeast Los Angeles
6 (“Project”). As explained below, the Project is not eligible for the Class 32 categorical exemption because it
7 has value as habitat for rare species and is not consistent with all applicable zoning regulations. Moreover, the
8 Project is not eligible for either the Class 3 or Class 32 exemption because both unusual circumstances and
9 cumulative impacts disqualify the Project. Separately, the City failed to proceed in the manner required by law
10 by failing to give notice to trustee agencies as required by the City’s CEQA Appeal Ordinance.

11 **II. FACTUAL AND PROCEDURAL BACKGROUND.**

12 On January 22, 2020, the Real Parties in Interest, Rachel Foullon and Ian Cooper, (“RPI”), represented
13 by architect Simon Storey of Anonymous Architects, filed an application for a Project Compliance
14 Determination. AR 6503-11, esp. 6507. A large three-story house was proposed over two very steeply-sloped
15 downhill lots fronting Crane Boulevard, a substandard street only 20-feet wide, with street parking on one-
16 side. AR 121, 6560, 6679 (20 ft street). Opposing vehicular traffic must pull over into the parking lane for
17 others to pass. AR 176, 193 & 337. There is a guardrail at the Project site to prevent vehicles from going over
18 the edge of the steep escarpment. AR 176-188, 350. A public street and the Metro A train run along the foot
19 of the slope of the proposed construction site (AR 210 [train running at foot of slope]) implicating a strong
20 public interest in assured safe project design, construction, and operation to protect offsite persons.

21 The site has had two Geology Reports. The first, SubSurface Designs, performed studies relied upon by
22 GeoSystems, the later report used to approve the Project. AR 7203-65. It observed that the site was in a state-
23 mapped Earthquake-Induced Landslide Hazard Zone (“EILHZ”), offered to perform safety studies for such
24 zones, but it was not performed. AR 7211 & 7213. Both reports showed that the construction area of the site
25 was underlain with 7 to 10 feet of loose artificial fill (AF) and residual soil (RS) on top of another 7 to 15 feet
26 of weathered bedrock, ***none of which are competent foundation materials***. AR 7208-09. This implied major
27 soil removal, grading, and off-site hauling and on-site remedial compaction. The report studied driveway
28 bridges (AR 7206, 7231-34), but the plans showed backfilled slabs. AR 6680.

1 Architect Storey proposed to drill 10 caissons, propping the house above street level, and suspending a
2 third story house, **above the slope**. AR 6676-90, esp. 6683-86 (Initial 1-21-20 Plans), 7189-94 (Model pics).
3 The Project application claimed it would only require 10 cubic yards of cut/fill for “zero net grading” to
4 construct the entire Project. AR 6549-59, esp. 6551, & 6588-90 (Architect’s claim the Project had “zero”
5 unusual circumstances). This representation to City officials concerning lack of grading did not account for
6 the “whole of the project,” including the major excavations and remedial grading required to anchor the
7 hundreds of feet of foundation walls down into competent bedrock, or provide retaining walls to support
8 Crane Boulevard, the front yard driveways and gardens, and foundation walls spanning the sides of the house.
9 AR 6680 (Driveway “on grade”), 6683 (foundation plan), 6685 (side foundation walls).

10 The Department of City Planning (“DCP”) approved the Project on April 19, 2021 (AR 1-14), based
11 upon Plans stamped “Exhibit A” dated 4/7/21. AR 251-263. CBSC in the years leading up to the approval of
12 this Project, had raised concerns about DCP’s interpretation of the Specific Plan to approve oversized houses,
13 and cumulative impacts of 10 construction projects for overlapping construction periods along the extremely
14 steep, narrow, curvy portions of 300 to 500 Crane Boulevard. AR 6813-14. Petitioner Crane Boulevard
15 Safety Coalition (“CBSC”) timely filed an appeal of the Project on May 4, 2021. AR 6809-15.

16 The City scheduled a hearing before the East Los Angeles Planning Commission (“ELAPC”) for July 14,
17 2021. AR 6492-95. CBSC’s counsel submitted analysis, including Wilson Geoscience expert review. AR 368-
18 420, 424-429. This analysis observed that the site was in an EILHZ, that previous studies only analyzed the
19 characteristics of a two-story structure, and that the three-story structure now proposed was required by law to
20 be subjected to enhanced environmental safety study which had not been done. AR 405. On July 13, 2021,
21 the City’s Engineering Geologist told DCP that the Project was three stories and required to have a new
22 geology report to respond to the Wilson Geoscience report. AR 3592.

23 The next morning (7/14/21), the Architect submitted revised plans. AR 3675-81. The plans were re-
24 labelled “Levels 1, 2 and 3” of the structure to “Levels Basement, 1 and 2.” Id. The revised plans also
25 changed the Art Studio, and already ample Mechanical Room, into a large “Crawl Space/Mechanical,” but a
26 habitable covered walkway and stairs to that floor remained. AR 3678. Read together, the plans showed a
27 staircase going down to the lowest level, and plans for a lowest level floor suspended over the slope, **but the**
28 **floor was inaccurately no longer shown on the critical Site Section drawing depicting the structure from**

1 **the side**. Compare AR 3678 (“basement” floor plan) to 3676 (floor **missing** from Site Section side view).
2 After seeing this plan with the missing First Story floor, the City’s Geologist thought the structure had been
3 modified to be only two stories. AR 3693-3709. Nonetheless, staff asked to continue the hearing, and the
4 ELAPC continued it to a date uncertain. AR 640 & 3758.

5 The Architect subsequently prepared another Plan Set dated 11/4/2021 **relied upon the City for its**
6 **Project Approvals**. AR 218-365, esp. 251-272 (Original and revised plans). The revised plans were
7 substantially the same as the 7/14/21 plans. Compare AR 3675-81 to 264-272. There was intense email
8 discussion among City staff, and also with the City Attorney. (Petitioner’s Request for Judicial Notice
9 (“RJN”), **Exh. A**. Instead of ordering preparation of an Initial Study to determine the level of proper
10 environmental review of the three-story structure on this difficult site, City Planners prepared a staff report that
11 asserted “[t]he applicant revised their plans to show that the third level was **a partially submerged crawl space**
12 **which does not qualify as a habitable area** and thus does not meet the definition of a Story pursuant to
13 LAMC § 12.03.” AR 224, emphasis added. The staff claimed that the lowest level was “partially buried in the
14 hillside” making it a “basement,”¹ a claim undermined by multiple sets of Plans showing lowest floor
15 suspended over the slope, and therefore three story. AR 224.

16 On December 6, 2021, Wilson Geoscience submitted a new review of the revised plans, claims of a two-
17 story structure, and other issues. AR 444-47. They pointed out the City had not addressed the issues raised
18 previously and concluded that the unusual characteristics of the Project design, extreme slope, and undisclosed
19 retaining wall foundations/grading established that the Project would still possibly trigger significant geologic,
20 noise, emergency access impacts. Id. On December 8, 2021, the ELAPC conducted a virtual appeal hearing.
21 AR 647-697. The ELAPC approved the Project in a Letter of Determination. AR 28-44, esp. 31 (“Exhibit A”
22 plans). Thereafter, staff sent the Commission **the original 3-story plans** as the Exhibit A plans **instead of the**
23 **approved revised plans**. AR 5259-5321. The plans sent created a false record.

24 CBSC appealed. AR 6825-26, 6739-6808. City Council did not hear the case until Spring 2023. AR
25 6501-02. During this time, RPI hired Bay Area Geology to conduct a new geologic study. On April 19, 2023,

26
27
28 ¹ By this time the *Golden Door* case had been out almost one year, but the City persisted in its strategy of refusing to archive chats and texts. The combined effect of the spoliation of chats/texts and the City’s dubious claims that mid-level staff conversations are privileged deprived CBSC of significant evidence.

1 Bay Geology delivered its study for the Project to RPI. (AR 7734-7808.) On April 24-28, 2023, just 8 days
2 before CBSC’s appeal was scheduled before the City Council’s Planning and Land Use Management
3 (“PLUM”) Committee, RPI Rachel Fallon forwarded this Report to City staff triggering discussions of
4 whether the City would disclose this new report to the City Council, CBSC or the public, especially since the
5 owners now admitted that they wanted to just change the Project back to a three-story structure. AR-6150-57
6 & 7734-7808. The report confirmed significant grading was always required. Id., esp. 7735-48.

7 The new report was never released and ***CBSC and the public had no ability to review it or comment.***
8 Instead, it was kept in the Planning File and not placed in the Council File. AR 7734-7808. On May 2, 2023,
9 the PLUM Committee conducted a hearing (AR 715-735), denied CBSC’s appeal approving the Project. AR
10 45-47. On May 10, 2023, without hearing, the City Council adopted the PLUM Recommendation Report,
11 denying the CEQA appeal, adopting only a Class 3 Exemption, and approved the Project. AR 45-47.

12 **III. STANDARD OF REVIEW.**

13 A court must determine whether there was any prejudicial abuse of discretion. Pub. Res. Code, § 21168;
14 Code Civ. Proc. § 1094.5. “Abuse of discretion is established if the respondent has not proceeded in the
15 manner required by law, the order or decision is not supported by the findings, or the findings are not
16 supported by the evidence.” Code Civ. Proc. § 1094.5(b). The Court’s consideration of whether a categorical
17 exemption from CEQA is proper is a two-step process. The first question is whether substantial evidence
18 supports the City’s determination that a project fits within a particular exempt category. If not, the exemption
19 fails. If the agency establishes that the project is within an exempt class, the burden shifts to the party
20 challenging the exemption to show that the project is not exempt because it falls within one of the exceptions
21 listed in CEQA Guidelines § 15300.2. *Berkeley Hillside Preservation v. City of Berkeley* (2014) 60 Cal.4th
22 1086, 1105 (“Berkeley Hillside”). An agency may not find a project exempt if there is a “reasonable
23 possibility” that it will have a significant effect on the environment “due to unusual circumstances.” *Berkeley*
24 *Hillside* at 1115. Categorical exemptions ***are to be construed narrowly*** and are not to be expanded beyond
25 the scope of their plain language. *Save Our Carmel River v. Monterey Peninsula Water Mgmt. Dist.* (2006)
26 141 Cal.App.4th 677, 697; *Wildlife Alive v. Chickering* (1976) 18 Cal.3d 190, 205.

1 **IV. ARGUMENT.**

2 **A. The City Abused Its Discretion In Using A Categorical Exemption Instead Of A Mitigated**
3 **Negative Declaration With Enforceable Mitigation Measures.²**

4 The City's original NOE only cited a Class 3 (Small Structures) exemption. AR 134-136. Once CBSC
5 appealed the Director's project approval, the City bootstrapped its exemption claim by adding a Class 32
6 (Urban Infill) exemption. AR 311-318.³ No exemption was justified.

7 **1. The City's Anodyne And Incomplete Project Description Was Used To Avoid**
8 **Confronting The Obvious Challenges Of The Project's Site And Design.**

9 The City's reliance on any exemption was fatally flawed because the Project was never accurately or
10 completely described during preliminary review or before the decision-making bodies. Guidelines § 15060
11 emphasizes the importance of gathering sufficient information, and that would include information related to
12 eligibility for exemptions and whether characteristics of the Project or its site, especially geologic safety,
13 grading/noise, are an exception:

14 "While conducting this review for completeness, the agency should be alert for environmental
15 issues that might require preparation of an EIR or that may require additional explanation by
16 the applicant. Accepting an application as complete does not limit the authority of the lead
agency to require the applicant to submit additional information needed for environmental
evaluation of the project."

17 Guidelines § 15378 states that a "project" encompasses "the whole of the action." In order to carry out this
18 mandate, even at the first tier of the CEQA process where an exemption claim is evaluated, the City must
19 include a description accurate and complete enough to evaluate both the eligibility of the Project for an
20 exemption class, and whether any exception disqualifies it. Our Supreme Court has long held that an
21 "accurate, stable and finite" project description is basic. *County of Inyo v. City of Los Angeles* (1977) 71
22 Cal.App.3d 185, 193.

23 Courts have applied this rule to invalidate exemptions **where the agency's project description omitted**
24 **or mischaracterized key features.** (*Save Our Carmel River v. Monterey County Bd. of Supervisors* (2006))

25 _____
26 ² The City's exemption analysis is at AR 311-318 (NOE), 1-14 (Planning approval), 218-365 (Staff
27 Report), and 522-528 (PLUM Appeal Report) and any expert reports would be the most favorable evidence of
the City's decision to grant exemption rather than prepare an MND.

28 ³ Both the ELAPC and City Council official actions only adopted the Class 3 exemption to support the
Project approval. AR 28 & 45. CBSC addresses the Class 32 claims in case the City claims it is not limited **by**
its official acts of only approving the Class 3 exemption.

1 141 Cal.App.4th 677, 693–695 (water transfer project description to enable reconstruction of a block of
2 demolished buildings deficient to support exemption); *Azuza Land Reclamation Co. v. Main San Gabriel*
3 *Basin Watermaster* (1997) 52 Cal.App.4th 1165, 1198–1200 (exemption defeated by unusual circumstances
4 exception, especially where “CEQA places the burden of environmental investigation on government . . . [i]f
5 the local agency has failed to study an area of possible environmental impact, **a fair argument may be based**
6 **on the limited facts in the record.**” (Emph. added.)(“*Azuza Land*”)

7 Given this requirement to describe the “whole of the action” and study it adequately, the City’s
8 description fell short to enable intelligent review of critical issues. When confronted with the Wilson
9 Geoscience report pointing out that, for instance, the previous project description in geology reports failed to
10 conduct required enhanced safety studies (AR 368-420), the response of the Architect and City Planners was
11 to **keep all of the floor area of the lower level in the entitlement request**, but **merely relabel the plans and**
12 **remove the floor in critical plan sheets**. Based upon these revisions, the staff report placed before the City’s
13 decision-makers affirmatively misrepresented that the lower level, **still suspended over the slope in the plans**,
14 was “a partially submerged crawl space which does not qualify as a habitable area.” AR 224. Based upon
15 this factual subterfuge, the staff report claimed the lower level was a “basement” that did not qualify as a story,
16 and therefore, as a two-story building, no enhanced safety review of the building to prevent its collapse on the
17 roadway or public transit line below was required before the City could use an exemption to approve the
18 Project. *Id.* The City’s report ignored evidence that the structure was the First Story under LAMC § 12.03
19 definitions, could never be a “basement,” was not in fact submerged, and all floor area of the level was
20 countable floor area. RJN, **Exhs. B & C**. This was a failure to proceed in accordance with law.

21 The Wilson Geoscience report also made expert observations about the failure of the plans or City
22 analysis to disclose the need for retaining walls to hold up Crane Boulevard, the house driveways/garden, and
23 large house foundation walls to keep soil or structures from sliding down the slope, and the grading required to
24 provide foundations 10 to 15 feet down to competent bedrock. AR 406-407. There were also expert
25 observations about size of caisson drilling equipment required to drill 10 caissons through hard bedrock on
26 such a steep slope, concluding that large amounts of construction equipment would have to be stored on site or
27 on Crane Boulevard. *Id.* These omissions from public disclosure meant that significant grading to accomplish
28 these structures were not included in the description or analyzed for their significance for noise, air emissions,

1 hauling in an exemption context. The Architect’s claim of 10 yards of cut/fill grading (AR 6551 & 6588-90),
2 stood in stark contrast to what was actually required for a sober evaluation of the Project’s true grading, noise,
3 and emergency access impacts. The City pointed to no substantial expert evidence addressing the grading,
4 noise and construction staging impacts. AR 407. The ELAPC voted to deny the appeal anyway.

5 As set forth above, just prior to the PLUM Committee Hearing, RPI forwarded a new geology report, but
6 the Planners did not provide this report to CBSC, release it to the public in the City Council file, revise their
7 staff report to explain what issues it addressed, mention its existence at the appeal hearing, or show how the
8 new mitigation recommended (AR 7735-48) was incorporated. These actions of deficient project description
9 and concealment of the new geology report *fatally taint the integrity of the City’s evaluation of the exemptions*,
10 and deprived the City Council, CBSC, and the public of the information to evaluate if exemption was proper.

11 Courts have held that withholding information or use of deficient project descriptions for exemptions is
12 unlawful. *McQueen v. Bd. of Directors* (1988) 202 Cal.App.3d 1136, 1149 (“Since there was no basis for the
13 district’s determination that this project, accurately described, was exempt from CEQA, we conclude the
14 district abused its discretion by not proceeding in a manner required by law.”) This is precisely what happened
15 here. The City never questioned the Architect’s preposterous claim of negligible grading, yet when it wrote the
16 expanded NOE for Class 32, it acknowledged that the Project might require a haul route (AR 314-315), an
17 admission that the grading was much more than the Architect’s claim of a total of 20 cubic yards. Full
18 disclosure of the grading and possible regrading of more than 10 to 25 feet of loose soil and weathered
19 bedrock across the lot was required to assess all of the risks. See e.g. *Ventura Foothill Neighbors v. County of*
20 *Ventura* (2014) 232 Cal.App.4th 429, 431 (failure to deal with the public with “rectangular rectitude” with
21 accurate disclosures of what the project is was substantial evidence project did not qualify for exemption.)

22 **2. The Project Does Not Meet All Of The Conditions For A Class 32 Project.**

23 Among the requirements to qualify for a Class 32 exemption the record must show that the Project is (a)
24 consistent with all applicable general plan policies and zoning regulations, (b) the project site has no value as
25 habitat for endangered, rare or threatened species, and (c) the project would not result in any significant effects
26 relating to noise. See Guidelines § 15332.

27 The City has a procedure for developers of Class 32 projects to follow in order to have evidence to
28 support a conclusion that a project meets the qualifications. (RJN, **Exh. D.**) Under this procedure, the City

usually would recommend a developer to conduct studies to establish qualifying facts for this class. Because the City added Class 32 to its NOE just before the appeal hearings, there were no studies that the Project in this case could not generate significant impacts from grading 7 to 10 feet of loose fill and even more feet of weathered bedrock over the lot to position and drill the caissons, and no noise impacts from drilling a few feet next to people's homes. With an absence of this analysis, the City's NOE (AR 313-318) that the Project will not generate these impacts are unsupported speculation.

a. The Project is Not Consistent With All Applicable Zoning Regulations

CBSC submitted an expert study, analysis, exhibits, and pictorial evidence supporting a conclusion that the Project did not qualify for exemption. The Project could not qualify for Class 32 so long as its excess floor area was not removed from the plans. AR 448-457. CBSC provided *a comprehensive review of the City's fundamental zoning plans* that acknowledge the dangers of excessive density on substandard infrastructure in hillside VHFHSZ and EILHZ areas. AR 368-401, esp. 369-385 & RJN, **Exhs. E, F & G**. The NE Plan emphasized:

"Objective 1-5 To limit the intensity and density of development in hillside areas." "Policy 1-5.1 Limit development according to the adequacy of the existing and assured street circulation system within the Plan Area and surrounding areas."

"Program: Implementation of the Plan is, in part, based on continued application of the Citywide Hillside Ordinance and the Mount Washington/Glassell Park Specific Plan." "Policy 1-5.3 Consider the steepness of the topography and the geologic stability in any proposal for development within the Plan area." RJN **Exh. F**, pp. 10, 29-30.

But the Project violated the floor intensity/density limits of the Specific Plan, and the City's more restrictive Baseline Hillside Ordinance (BHO) on a steep lot like the Project site. The Architect's Summary of the total floor area listed on his plans (AR 451 & 455) as 3,633 sf was understated, and the plans showed the house properly measured up to 4,515 sf which was 882 sf larger than that allowed by the BHO. (AR 452-454.) Mark Kenyon, Chair of CBSC, submitted letters and analysis constituting substantial evidence that the size of the Project exceeded the limits imposed under both the Specific Plan or the Baseline Hillside Ordinance. (AR 448-457) In an email on September 9, 2021, the Architect admitted that the BHO allowed "less than we are proposing which is zero surprise." AR 4153 & 4307. Thus, regardless of which zoning law applied, the Project plans objectively demonstrated the floor area intensity and density limits intended by the General Plan policies would be violated by exceeding the limits allowed by either zoning law that might apply. The Project was Class 32 barred.

b. The Project Site Has Value as Habitat for Rare Species

In order to qualify for a Class 32 exemption, a public agency must conclude that the “project site has no value, as habitat for endangered, rare or threatened species.” Cal. Code Regs. tit. 14 § 15332. The City failed to acknowledge that the Southern California Black Walnut (“Walnut”) on the Project Site meets the criteria to be considered “rare” under Guidelines § 15380 subdivision (b).

The Walnut has a rare plant rank of 4.2. AR 7062, 6930. The California Department of Fish and Wildlife (“CDFW”) has concluded that the Walnut meets the definition of a “rare” species. AR 6928-6929, 6940. CDFW has published a document entitled “*Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Nature Communities*.” AR 6928, 6938-6949. CDFW states in that document that plants tracked by the California Natural Diversity Database and California Native Plant Society as California Rare Plant Rank 3 or 4 may meet the definition of rare or endangered under Guidelines § 15380, subdivisions (b) and (d) and warrant consideration under CEQA on the basis of declining trends, recent taxonomic information and other factors.” AR 6928-6929, 6940. Moreover, in a 2016 letter for another project in Los Angeles County with Walnuts on it, CDFW stated:

“Southern California black walnut (*Juglans californica*) trees found on the Project site should be considered as a locally and regional rare, unique and/or uncommon (and/or) regionally rare plant species; that is, species that are rare or uncommon in a local or regional context, as such, would meet the CEQA definition of a rare species (CEQA § 15380).” TSAR 640.

CDFW’s conclusions are further supported by Dr. Travis Longcore, an ecologist who teaches at UCLA. Dr. Longcore has co-authored an article entitled *Conservation of California Walnut in the Eastern Santa Monica Mountains* (“Walnut Report”) (AR 6931), in which he states:

“California walnut has a California Rare Plant Rank of 4.2 (limited distribution and moderately threatened in California). This meets the definition of a rare species, and its status as a rare species has long been documented (Swanson 1967, Quinn 1989, Riordan et al. 2015). It is present on the official California ‘Special Vascular Plants, Bryophytes, and Lichens List’ for this reason.” TSAR 00639⁴.

Petitioner brought the rare status of the Walnut to the City’s attention citing detailed evidence and studies, but was ignored. AR 6928-6932, 728-729, TSAR 525-699 The City included the following bare bones

⁴ Dr. Longcore also states in this report that “California walnut (*Juglans californica*) is recognized by the State of California as a **rare species** and is at risk of becoming endangered if the trends of habitat loss for the species continues.” AR 6931.

statement in its Staff Response to the PLUM Committee: “While the site is previously undisturbed, it is surrounded by development and therefore has no value as a habitat for endangered, rare or threatened species.” AR 525. However, the fact that the Project Site is surrounded by development on three sides (not all four) has nothing to do with whether it contains rare plants. More importantly, the City never directly refuted Petitioner’s contention that the Walnut qualifies as a “rare species.” Neither the Biological Report nor the Tree Report prepared for the Project opine on the “rare” status of the Walnut. AR 273-298, AR 319-327. There was also no testimony in the hearings that supplemented the staff conclusion. AR 654-655, 725-727, 731-732. The City’s Justifications for CEQA Exemption similarly offered no additional analysis. AR 318. The City’s conclusions are clearly not supported by substantial evidence.

c. The Project Will Result in Significant Effects Relating to Noise

Caisson drilling is a very noisy construction method, particularly as a choice in a sensitive receptor residential neighborhood with homes just a few feet away. The Project plans depict caissons to be drilled at least 40 feet down into bedrock so hard that Wilson Geoscience questioned the feasibility of accomplishing it. AR 406-407. This extremely noisy activity would go on for extended time within 20 feet of houses to the north and south, and 50 feet of other nearby homes. *Id.* The City did not conduct a noise study to support its conclusion that compliance *with only the noise ordinance*, without construction noise barriers or other mitigation in an MND, would protect the community from the constant noise.

3. For Both Class 3 And 32, The Project Will Possibly Cause Significant Impacts Due To The Unusual Circumstances Of Its Design And Project Site.

The recent case of *IBC Business Owners for Sensible Development v. City of Irvine* (2023) 88 Cal.App.5th 100, 132, succinctly summarized how courts apply the unusual circumstances exception:

“Courts have found the unusual circumstances exception applies if two elements are met: (1) ‘the project has *some feature that distinguishes it from others in the exempt class, such as its size or location*’ and (2) ‘there is a reasonable possibility of a significant effect [on the environment] due to that unusual circumstance.’ (*Respect Life South San Francisco v. City of South San Francisco* (2017) 15 Cal.App.5th 449, 456 [cite omit & quotation marks simplified, emphasis added].)

a. The City’s Unusual Circumstances Analysis Did Not Focus On The Circumstances Of Typical Projects In The Exempt Class.

“[W]hether a circumstance is ‘unusual’ is judged relative to the typical circumstances related to an

otherwise typically exempt project.” *Santa Monica Chamber of Commerce v. City of Santa Monica* (2002) 101 Cal.App.4th 786, 801; see also *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 129 [observing consistent with *Azuza Land* other issues not listed in Guidelines § 15332 conditions would constitute potential unusual circumstances in appropriate cases). Comparison to “others in the exempt class” requires first reviewing the class descriptions and then comparing the class characteristics of a Class 3 and Class 32 project found at Guidelines §§ 15303 and 15332.

The City’s “unusual circumstances” analysis documents are devoid of comparison of the Project to “others in the exempt class.” AR 311-318 (NOE), 1-14 (LOD), 218-365 (Staff Report), and 522-528 (Staff Report). Without citing any comparative evidence in the record to the typical projects of the Class 3 or 32, the City claims the oversized Project was similar in size to nearby houses on similar slopes. AR 224, 315-316. 523-524. Similarity to other houses nearby is not the standard for determining unusual circumstances. In particular, after receipt of the Wilson Geoscience report (AR 404-406) calling out the undisclosed and unstudied presence of a state-mapped Earthquake Induced Landslide Hazard Zone, undisclosed retaining walls that would require grading to be anchored in the hillside, discussion of the implications of trying to move heavy caisson-drilling equipment onto a slope with at least 10 feet of unstable fill dirt and unusable weathered bedrock, analysis and exhibits showing the house violated the floor area limits of both zoning laws that might apply, the City prepared staff reports that evaded addressing these issues as required by CEQA.

The Project entails construction of an oversized **three-story structure cantilevered over a steep slope** underlain by **unstable artificial fill and weathered bedrock** with a regional rail line running within feet of the toe of the slope.⁵ As the Wilson Geosciences report documents, the site’s fill material is compressible and unstable; the design requires **deep caissons and retaining wall structures** to stabilize the foundation; and the slope and narrow roadway necessitate **staging construction on the public street**, intermittently **blocking emergency access** to uphill residences. None of these conditions are remotely typical of the ordinary “small structures” that Class 3 or “infill” building that Class 32 was designed to cover.

⁵ Such a unique cantilevered structure, and its method of construction on an unstable 60% or greater slope, representing a safety threat to neighbors and the regional travelers passing on the street or rail line below, required sober treatment. But the City staff placed factual assertions it had to know were erroneous into the staff report, claiming no further geologic study was required. Refusal or failure to study alleged significant impacts is itself substantial evidence of a failure to proceed in accordance with law. *Sundstrom v County of Mendocino* (1988) 202 Cal.App.3d 296, 311.

Under *Azusa Land, Berkeley Hillside Preservation*, those conditions satisfy both prongs of the unusual-circumstances test: (1) they differ from the general circumstances of projects covered by the class, and (2) they create environmental risks not found in the general class, including slope instability, fire-access obstruction, noise, and geologic hazard exposure.

b. The City Failed To Analyze If There Was A Fair Argument Of A Reasonable Possibility Of A Significant Impact From The Project.

“An agency must evaluate potential environmental effects under the fair argument standard, and **judicial review is limited to determining whether the agency applied the standard “in [the] manner required by law.”**) § 21168.5)” *Berkeley Hillside* at 1116, emphasis added. The Wilson Geoscience Report pointed to record facts and showed its analytical path to conclude that on multiple grounds the Project presented a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstance. AR 402-411. The same City documents analysis documents cited above contained no acknowledgement or attempt to apply the fair argument principles set out in *Berkeley Hillside*. AR 311-318, 1-14, 218-365, and 522-528. While this court’s function “is to determine whether substantial evidence support[s] the agency’s conclusion as to whether the prescribed ‘fair argument’ could be made” (*Berkeley Hillside* at 1115), when the agency fails to perform the required fair argument analysis, there is simply a failure to proceed in accordance with law, which itself is substantial evidence of a fair argument.⁶ Thus, the record establishes a fair argument there is a reasonable possibility of significant impacts, and the City’s failure to perform a fair argument analysis confirms there is no substantial evidence supporting a conclusion otherwise.

4. The City Cannot Deem the Project Exempt from CEQA Due to Cumulative Impacts Associated with the Removal of Southern California Black Walnuts

Cumulative impacts preclude the usage of both the Class 3 and Class 32 categorical exemption pursuant to Guidelines § 15300.2, which states as follows: “All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.” Here, the cumulative impacts associated with the removal of Walnut trees for single family homes in the Mt. Washington area is significant. Petitioner has documented the approval of 38 removals for Walnuts over just a

⁶ The City is prohibited from trying to make the fair argument now because this Court’s function is to review the fair argument analysis of the agency, not legal counsel’s *post hoc* rationalization.

31 month period. Declaration of Mark Kenyon⁷ (“Kenyon Decl.”) ¶ 8. This demonstrates a “significant” impact under CEQA. The 2006 *L.A CEQA Thresholds Guide* (“Thresholds Guide”) states that a “project would normally have a significant impact on biological resources” if it could result in:

- “The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat;”
- “The loss of individuals or the reduction of existing habitat of a locally designated species or a reduction in a locally designated natural habitat or plant community.” TSAR 127.

Here, 38 individual Walnuts (a rare, protected and local designated species) were approved by the City for removal⁸ to make way for single family development projects. Kenyon Decl. ¶ 8. This triggers a “significant” cumulative impact under the City’s own Thresholds Guide. There is no substantial evidence in the Record that supports the City’s cumulative impact determination as to Walnut tree removals - in the Tree Report, Biological Report, Justifications for CEQA Exemption or Staff Response. AR 273-298, 319-327, 313-318, 522-528.

Petitioner anticipates the City will argue that existing Regulatory Compliance Measures (“RCMs”) in the form of mandated tree replacements reduce any impacts to a less than significant level. However, over **84 percent** of the approved removals were not replaced with other Walnut trees (known as “in-kind” replacements). Kenyon Decl. ¶ 8; AR 527 (Tree Report for Project). The City’s refusal to require in kind replacements is documented by Dr. Longcore in the Walnut Report. TSAR 641. The biological resources of a rare and sensitive species such as the Walnut cannot be offset by the replacement with an entirely *different* species. Edelman Decl. ¶ 11; TSAR 641. Dr. Longcore notes in the Walnut Report that the City “rather routinely and nearly exclusively allows [Walnut] replacement with coast live oak, resulting in a permanent and unmitigated loss for California walnut and its associated Sensitive Natural Communities.” TSAR 641. The City cannot rely on RCMs to claim impacts will be reduced to a level of insignificance.

⁷ As explained below, Petitioner is excused from any exhaustion requirement because the City failed to provide the notice required by law. PRC § 21177(e).

⁸ Citywide, the City of Los Angeles has permitted the removal of this species at the rate of one mature tree every 7.2 days.” AR 6931, TSAR 62, 629.

B. The City Failed to Provide Notice to Trustee Agencies As Required by Law

The City failed to provide notice⁹ of the CEQA Appeal hearing to CDFW, a trustee agency, as required by local law. The City's CEQA Appeal Ordinance, then codified at LAMC § 11.5.13, mandated that the City provide notice to any trustee agencies, stating:

"The City Council shall hold a public hearing before acting on the appeal. Notice of the hearing shall be given by mail at least ten days before the hearing to the applicant; the appellant; any person or entity that has made a request in writing to receive CEQA notices; and *any responsible or trustee agencies.*" (emphasis added). RJN, **Exh. I**; AR 6935.

A "trustee agency" is defined in Public Resources Code as "a state agency that has jurisdiction by law over natural resources affected by a project, that are held in trust for the people of the State of California." Pub. Res. Code, § 21070. Moreover, the Guidelines state that a trustee agency "means a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California. Trustee agencies include: (a) The California Department of Fish and Game with regard to the fish and wildlife of the state, to designated rare or endangered native plants, and to game refuges, ecological reserves, and other areas administered by the department." Guidelines § 15386; see also Fish & G. Code, § 1802.

CDFW is a state agency under the California Natural Resources Agency. Fish & G. Code, § 700(a). The Department exercises jurisdiction by law over natural resources affected by the Project - there is both wildlife on the Project Site as well as rare plant species. There is clear evidence in the record that four Walnuts are located on the property (which qualify as a rare species) as well as a significant California Pepper Tree. AR 279-281, 284-291. These trees provide habitat for wildlife, which CDFW has jurisdiction over. Declaration of Travis Longcore¹⁰ ¶¶ 88-11, 13; TSAR 635 (Walnut Report documenting Walnut as food source for wildlife); TSAR 679, 685 (Quinn Report). Even the applicant's own biologist acknowledged that wildlife utilize the Project Site. AR 322 ("Evidence of small mammals burrows were detected at the site.") The City was made

⁹ The notice list for the CEQA Appeal hearing can be found at AR 6843.

¹⁰ Petitioner may file declarations because it is excused from any defense of failing to exhaust administrative remedies on the basis the City "failed to give the notice required by law." PRC §21177(e) states that the exhaustion requirement "does not apply to any alleged grounds for noncompliance with this division for which there was no public hearing or other opportunity for members of the public to raise those objections orally or in writing prior to the approval of the project, or if the public agency failed to give the notice required by law." See also *Fall River Wild Trout Found. v County of Shasta* (1999) 70 Cal.App.4th 482, 489.

1 aware of its failure to notify trustee agencies, but failed to correct its error. AR 6935-6936, 728.

2 The City cannot claim there are no *significant* biological impacts associated with the Project and use that
3 as a basis not to consult or notify a trustee agency. LAMC § 11.5.13(E) required notice to all trustee agencies -
4 not just in instances when impacts are “significant.” Opining on a similar notice requirement found in CEQA
5 the court in *Gentry v. Murrieta* (1995) 36 Cal.App.4th 1359, 1387 stated as follows: “We conclude that natural
6 resources can be ‘affected by’ a project, and hence the lead agency may have duties toward ‘trustee agencies,’
7 *even if the lead agency believes the project will have no significant effect on the environment.*”

8 **1. Petitioner, the Public and the City Council Itself Was Prejudiced**

9 Petitioner anticipates the City will argue its failure to provide notice is not prejudicial. However, CDFW
10 has been tasked with a key role in reviewing environmental documents to assess biological impacts to wildlife
11 resources. Fish and Game Code § 1802 states: “The department, as trustee for fish and wildlife resources, shall
12 consult with lead and responsible agencies and shall provide, as available, the requisite biological expertise to
13 review and comment upon environmental documents and impacts arising from project activities . . .” Further,
14 as explained in the Declaration of Paul Edelman, Deputy Director and Chief Staff Ecologist of the Santa
15 Monica Mountains Conservancy, a state agency that routinely acts in a trustee agency capacity in the City,
16 trustee agencies such as CDFW provide valuable input and information to lead agencies reviewing
17 development projects - even for projects that agencies consider to be “exempt” from CEQA. Declaration of
18 Paul Edelman (“Edelman Decl.”) ¶ 3-4, 7, 11-12. Emily Gabel-Lubby, the former Deputy Advisory Agency
19 for the City of Los Angeles and Mayor for the City of Burbank, concurs with this assessment. Declaration of
20 Emily Gabel-Luddy ¶ 9. Here, CDFW could have provided expert input on the gross inadequacy of the
21 Biological Report doe the Project, the failure to provide in-kind tree replacements and the Staff Responses’
22 inaccurate characterizations of the Project’s biological resources. Edelman Decl. ¶ 11. The City in this
23 instance was not provided with the expertise and input from a trustee agency, which was prejudicial. Edelman
24 Decl. ¶ 12; *Fall River Wild Trout Found. v County of Shasta* (1999) 70 Cal.App.4th 482, 491-493.

25 **V. CONCLUSION.**

26 For the foregoing reasons, the Court should issue the requested writ of mandate.

27 Dated: November 10, 2025

28 By: 

Jamie T. Hall
Attorneys for Petitioner

PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES) ss.

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 8383 Wilshire Blvd., Suite 750, Beverly Hills, CA 90211.

On November 10, 2025, I served a copy of the within document described as **PETITIONER'S CALIFORNIA ENVIRONMENTAL QUALITY ACT OPENING BRIEF (FIRST AND SECOND CAUSES OF ACTION)** as follows:

[X] BY E-MAIL: I transmitted true copies of the foregoing document to the persons identified below at the e-mail addresses identified below.

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Executed on November 10, 2025, in Beverly Hills, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

/s/ Veronica Lebron
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**Exempt from Filing Fees
Pursuant to Government
Code Section 6103**

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

CRANE BOULEVARD SAFETY COALITION,
an unincorporated association;

Petitioner,

v.

CITY OF LOS ANGELES, a municipal
corporation

Respondent,

RACHEL FOULLON; IAN COOPER; ROES 1-
25,

Real Parties in Interest.

Case No. 23STCP02375

**RESPONDENT'S AND REAL PARTIES IN
INTEREST'S JOINT CEQA OPPOSITION
BRIEF**

California Environmental Quality Act (CEQA)

ASSIGNED FOR ALL PURPOSES:
The Hon. Maurice A. Leiter
Dept. 54
Date: April 27, 2026
Time: 9:30 a.m.

Filing Date of Action: July 7, 2023

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 B. The NOE’s Project description is complete and accurately characterizes the Project. 12

 a. The NOE Project Description contains all required information. 12

 b. The Project details that Petitioner disputes are irrelevant to the Class 3 exemption. 13

 c. The City did not “ignore” or “omit” information, including information regarding the lower level of the Project in the Wilson Geoscience Report. 13

 C. The unusual circumstances exception to categorical exemptions does not apply here. 15

 a. Substantial evidence supports the City’s finding of no unusual circumstances. 16

 D. The cumulative impacts exception does not apply here. 17

 a. Petitioner did not exhaust this issue during the administrative process, and therefore cannot raise it for the first time now. 17

 b. Substantial evidence supports the City’s determination of no cumulative impacts. 18

 E. The City did not violate CEQA by not notifying CDFW of the CEQA appeal hearing. 19

 a. The alleged lack of notice to CDFW can only support a violation of the City’s previous Municipal Code; there is no CEQA violation. 19

 b. The City is not required to provide notice of the CEQA appeal hearing to CDFW under current law; Petitioner’s argument is therefore moot. 20

 F. There is no prejudice resulting from the alleged lack of notice. 20

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Guidelines, § 15332	12
Guidelines, § 15355	17

INTRODUCTION

The City fully complied with the California Environmental Quality Act (CEQA) when it approved a new single-family home in the Mount Washington-Glassell Park Specific Plan area (the Project), and found it exempt from CEQA under the Class 3 categorical exemption for construction of small structures, which expressly includes single-family residences.

In its overzealous challenge to the City's approval of the Project, Petitioner fails to challenge the City's reliance on the Class 3 exemption, and instead primarily argues that the City improperly relied on the *Class 32* exemption for infill housing—which is irrelevant because the Notice of Exemption (NOE) for the Project does not list the Class 32 exemption. Petitioner fails to carry its burden to show the City does not have substantial evidence to support its determination that the Project qualified for the Class 3 exemption.

Petitioner misapplies CEQA in demanding an EIR's level of detail for an exempt project, when CEQA only requires a "brief" description, and only then if the agency chooses to file an optional NOE. The City met the NOE's basic requirements and Petitioner fails to show otherwise.

Petitioner also fails to overcome the City's determination that the unusual circumstances exception was not met here, unsuccessfully asserts an unexhausted argument regarding the cumulative impact exception, and improperly supports this new argument with inadmissible extra-record evidence.

Lastly, there is no CEQA requirement to provide notice to a trustee agency for an exempt project. Moreover, Petitioner's claim regarding trustee agency notice rests on an outdated Municipal Code section, and is thus moot.

Throughout its brief, Petitioner also fails to apply the correct substantial evidence standard of review. For all of the foregoing reasons, the Petition should be denied.

STATEMENT OF FACTS

A. The Project

The challenged Project is a three-story, 3,633-square-foot, single-family home located at 464 North Crane Boulevard in Los Angeles. (AR 218, 221.) It is located on a 8,914-square-foot vacant lot zoned R1-1 (one-family zone) with a General Plan Land Use Designation of Low Residential, within the Mount Washington-Glassell Park Specific Plan. (AR 218, 221; Los Angeles Municipal Code

1 [LAMC], § 12.08.) Properties zoned R1-1 and mostly developed with similarly sized single-family
2 homes or vacant lots zoned RE40-1 (real estate zone) surround the Project site. (*Ibid.*)

3 There are four Southern California Black Walnut Trees (Walnut Trees) on the Project site. (AR
4 221.) The City identifies these trees as a protected species pursuant to its Protected Tree Ordinance.¹
5 (LAMC, § 46.01; RJN, Exh. 5 [2021 - 2029 Citywide Housing Element Draft EIR, p. 4.3-69].) The
6 Project requires the removal of one Walnut Tree, which will be replaced with four new trees. (AR 221.)
7 This is consistent with the 4:1 replacement ratio required by the City’s Protected Tree Ordinance.
8 (LAMC, § 46.02(c).)

9 **B. The City’s Administrative Review Process**

10 Real Parties in Interest Rachel Foullon and Ian Cooper filed an application with the City for
11 their new home with detailed plans on January 22, 2020. (AR 6503-6511, 251-272.) Their application
12 included a November 3, 2020 Soils and Engineering Investigation Report. (AR 6593-6655, 528.) The
13 Los Angeles Department of Building and Safety (LADBS) issued a Geology and Soils Report Approval
14 Letter on December 18, 2020, approving the report, and providing several conditions of approval,
15 including review and approval of the detailed plans by the LADBS geologist and soils engineer,
16 Department of Public Works, Bureau of Engineering, and Development Services/Permits Program prior
17 to the issuance of any permit. (AR 7266-7269, 528.) On April 19, 2021, the Planning Director
18 approved a Project Permit Compliance Review with conditions, and determined that the Project was
19 exempt from CEQA under the Class 3 exemption (Cal. Code Regs., tit. 14, § 15303 [Guidelines]). (AR
20 1-14, 221.)

21 On May 4, 2021, Petitioner appealed the Director of Planning’s decision. (AR 221.) The
22 Department of City Planning’s Appeal Report released ahead of the hearing on the appeal
23 recommended that the Planning Commission determine that the Project is exempt under the Class 3
24 exemption and deny the appeal. (AR 52-53, 218-219.)

25 On July 12, 2021, the appellant submitted a geotechnical report from Wilson Geosciences, Inc.
26 (Wilson Report) indicating that the Project applicant’s geotechnical report refers to a two-story
27

28 ¹ The City has not made a determination that the Walnut Tree is “rare” in the City or otherwise, and
has not conducted any survey or study to make such a determination. (RJN, Exh. 5; LAMC, § 46.01.)

1 structure, while the Project plans show a three-story structure. (AR 224, 7343-7353.) On July 13, 2021,
2 the City’s LADBS Engineering Geologist concurred there was a discrepancy, and stated that the
3 applicant needed to make revisions. (AR 3592.) The applicants’ architect submitted revised Project
4 plans to the City, reflecting that the Project is correctly characterized as a two-story building, as the
5 third, lowest level “was a partially submerged crawl space which does not qualify as a habitable area
6 and thus does not meet the definition of Story pursuant to LAMC Section 12.03.” (AR 224, 220, 264-
7 272 [Exh. D, Revised Project Plans], 3675-3681, 3693-3709.) Based on the revised plans, LADBS
8 determined that an updated geotechnical report to address seismic slope stability was not necessary.
9 (AR 224.) The LADBS Engineering Geologist stated that their approval letter (December 18, 2020)
10 stands. (*Ibid.*) On July 14, 2021, the Planning Commission held a hearing on the Project and the appeal
11 and at the conclusion of the hearing, continued the matter. (AR 196, 630-646 [hearing transcript].)

12 Following the clarification on the Project plans and geotechnical report, on December 8, 2021,
13 City planning staff issued another Appeal Report which again recommended the Commission
14 determine the Project is exempt from CEQA and deny the appeal, and the Commission held a second
15 hearing. (AR 647-714 [hearing transcript]; AR 483 [presentation], 218 [Appeal Report].) On
16 December 28, 2021, the Commission issued its Letter of Determination denying the appeal and
17 sustaining the Director of Planning’s April 19, 2021 Determination, determining that the Project is
18 exempt under the Class 3 exemption, and finding there is no substantial evidence that any exceptions to
19 the exemptions apply. (AR 28; 7451-7452 [Letter of Determination].)

20 Petitioner appealed to the City Council on January 11, 2022. On April 11, 2023, City planning
21 staff issued a response, recommending that the Council’s Planning and Land Use Management (PLUM)
22 Committee deny the appeal and sustain the Director of Planning’s Determination that the Project is
23 exempt under the Class 3 exemption. (AR 522-528.) On April 19, 2023, the applicants’ new geologist
24 submitted an Updated Geologic and Soils Engineering Update & Change of Consultant Letter. (AR
25 7734-7808.) This updated report provided a geotechnical analysis based on the “updated proposed
26 development plan” for the Project as a three-story single-family home. (AR 7735.)

27 On May 2, 2023, the PLUM Committee held its hearing on the Project and the appeal. (AR
28 715-744.)

1 On May 10, 2023, the City Council voted to adopt the PLUM Committee’s recommendations to
2 deny the appeal, adopt the findings of the Planning Commission, and determine that the Project is
3 exempt from CEQA under the Class 3 exemption. (AR 47, 45-46.) The City posted a NOE for the
4 Project, memorializing its Class 3 categorical exemption determination. (AR 7816-7819.)

5 STANDARD OF REVIEW

6 Judicial review under CEQA is limited to the question of whether the City prejudicially abused
7 its discretion. (Pub. Resources Code, § 21168.5; *Berkeley Hillside Preservation v. City of Berkeley*
8 (2015) 60 Cal.4th 1086, 1110 (*Berkeley Hillside I*.) Reversal of the City’s action here is appropriate
9 only if: (a) the City, in finding the Project categorically exempt, did not proceed in the manner required
10 by law; or (b) substantial evidence fails to support the City’s exemption determination. (*Berkeley*
11 *Hillside I*, at p. 1110.)

12 As specifically relevant here, a city’s determination that a project is categorically exempt from
13 CEQA is reviewed under the substantial evidence standard of review. (*Jenkins v. Brandt-Hawley*
14 (2022) 86 Cal.App.5th 1357, 1383 [“one challenging the applicability of th[e] [class 3 ‘single-family
15 residence’] exemption must overcome the heavy burden of establishing that there is no substantial
16 evidence supporting it”]; *Berkeley Hills Watershed Coalition v. City of Berkeley* (2019) 31 Cal.App.5th
17 880, 888-889.)

18 Under the substantial evidence standard, an agency’s factual determinations are given
19 substantial deference and presumed correct. (*State Water Resources Control Bd. Cases* (2006) 136
20 Cal.App.4th 674, 723, 749.) If the record contains any substantial evidence supporting the lead
21 agency’s decision, it must be upheld. (*Banning Ranch Conservancy v. City of Newport Beach* (2012)
22 211 Cal.App.4th 1209, 1230.)

23 Furthermore, under the substantial evidence standard, an agency is entitled to give more weight
24 to some evidence and favor the opinions and estimates of its own experts over others, even though
25 other conclusions could also be reached. (See *Assn. of Irrigated Residents v. Cty. of Madera* (2003) 107
26 Cal.App.4th 1383, 1397; see also Guidelines, § 15151 [“Disagreement among experts does not make an
27 EIR inadequate”]; *North Coast Rivers Alliance v. Marin Mun. Water Dist. Bd. Directors* (2013) 216
28 Cal.App.4th 614, 643; *Eureka Citizens for Responsible Government v. City of Eureka* (2007) 147

1 Cal.App.4th 357, 371–372 [accepting findings on noise impacts despite experts’ disagreement over
2 methodology].)

3 Moreover, the challenger bears the burden of describing the evidence favorable to the agency
4 and showing why it is lacking. (*Save the El Dorado Canal v. El Dorado Irrigation District* (2022) 75
5 Cal.App.5th 239, 263 (*Save the El Dorado*).) Failure to do so is fatal to their claims. (*Ibid.*)

6 ARGUMENT

7 **A. The City’s reliance on the Class 3 exemption is supported by substantial evidence; 8 Petitioner’s arguments regarding the Class 32 exemption are irrelevant.**

9 It is uncontested that substantial evidence supports the City’s reliance on the Class 3 exemption
10 for the construction of “new, small facilities or structures[,]” including a “single-family residence ... in
11 a residential zone” (Guidelines, § 15303, subd. (a).) As explained in the NOE, the Project falls
12 within this definition. (AR 7816 - 7818.) Petitioner does not argue the Project does not fall within the
13 Class 3 exemption—let alone challenge the evidence supporting the City’s Class 3 exemption
14 determination—and therefore fails to (1) carry its burden under the substantial evidence standard of
15 review (*Save the El Dorado, supra*, 75 Cal.App.5th at p. 263), and (2) forfeits and waives any such
16 challenge (*Delta Stewardship Council Cases* (2020) 48 Cal.App.5th 1014, 1072 [failure to discuss
17 supporting evidence forfeits argument]; *Aptos Council v. County of Santa Cruz* (2017) 10 Cal.App.5th
18 266, 296, fn. 7 (*Aptos*) [issues not raised in opening brief are deemed waived or abandoned].)

19 While the City discussed the Class 32 infill exemption during the administrative process, it
20 ultimately did not rely on or cite the Class 32 exemption in the NOE. (See AR 7816 - 7819.) The City
21 only relied on and cited the Class 3 exemption for new construction or conversion of small structures in
22 determining the Project is exempt from CEQA. (*Ibid.*)

23 Petitioner *entirely fails* to argue that the Project does not meet the requirements for the Class 3
24 exemption, and therefore waives any argument to the contrary in its reply. (*Aptos, supra*, 10
25 Cal.App.5th at p. 296, fn. 7.) Instead, Petitioner spends most of its brief arguing why the Class 32
26 exemption is inapplicable—a wholly irrelevant argument because the City ultimately did not rely on
27 that exemption. (OB, pp. 11 - 14.) Petitioner’s arguments are focused on the Class 32 criteria—the
28 Project’s consistency with the Specific Plan’s floor intensity/density limits and the City’s Baseline

Hillside Ordinance, potential impacts to the Walnut Tree species and its habitat, and noise impacts from grading or drilling during construction. (See OB, pp. 11 - 14, citing Guidelines, § 15332.) But these issues are irrelevant to the Class 3 exemption. (See Guidelines, § 15303 [not listing any of the limiting criteria required by the Class 32 exemption in § 15332].) Even if they were relevant under Class 3, Petitioner’s claims regarding the Project’s Specific Plan consistency and FAR calculations are no longer before the Court.²

B. The NOE’s Project description is complete and accurately characterizes the Project.

When an agency determines a project is exempt from CEQA, it need not prepare the same kind of detailed project description required for an EIR. In fact, CEQA requires no particular documentation or process for an exemption. (*Apartment Assn. of Greater Los Angeles v. City of Los Angeles* (2001) 90 Cal.App.4th 1162, 1172 - 1173 (*Apt. Assn.*)). Rather, the lead agency must only provide an abbreviated “brief description of the project” if it voluntarily prepares a NOE for its approval. (Guidelines, §§ 15061, 15062 [agency “may file” NOE after project approval].) Such a notice shall include: (1) a brief description of the project, (2) its location, (3) a finding that the project is exempt from CEQA, (4) a brief statement of reasons to support the finding, and (5) the applicant’s name. (Guidelines, § 15062; *Protect Telegraph Hill v. City and County of San Francisco* (2017) 16 Cal.App.5th 261, 269 [while CEQA requires “fairly detailed specifications for a project description in an EIR[,]” this requirement does not apply to exemptions]; see also *Lucas v. City of Pomona* (2023) 92 Cal.App.5th 508, 534 [exemption determination is done during jurisdictional, preliminary review].)

a. The NOE Project Description contains all required information.

The City determined the Project met the Class 3 exemption and elected to prepare the optional NOE under CEQA Guidelines section 15062, which included all required Project information: [c]onstruction of a new three (3)-story, 3,622 square-foot single-family dwelling, with an attached garage, within the Mount Washington/Glassell Park Specific Plan area. There are four (4) Protected Southern California Black Walnut Trees and one (1) Significant Pepper Tree on site. One (1) Protected Southern California Black Walnut Tree is proposed for removal as part of the project. Four (4) trees will be planted on a

² This Court sustained the City’s Demurrer as to the Third and Fourth Causes of Action in Petitioner’s Second Amended Petition, which argued that the City’s approval of the Project violated the Mount Washington/Glassell Park Specific Plan, because Petitioner missed the applicable statute of limitations. (Ruling on Demurrer to Petitioner’s Second Amended Petition, filed Oct. 11, 2024.)

4:1 ratio for the one (1) Protected Southern California Black Walnut Tree being removed.

(AR 7816.) The NOE identifies the Project applicants, as well as the precise location at 464 North Crane Boulevard in Los Angeles. (*Ibid.*) The Project application also includes the Project plans, which include even more specific details. (See AR 251 - 272.) Petitioner can point to no more requirements of the statute or Guidelines for an exempt project that were not met here.

b. The Project details that Petitioner disputes are irrelevant to the Class 3 exemption.

Petitioner argues the City mischaracterized the Project and therefore misled the public. As explained above, CEQA does not require any particular analysis or description for an exempt project, only a brief description of the Project *if* the lead agency elects to file an NOE. (Guidelines, § 15062.) The City met the simple requirements for the NOE; the granular details Petitioner challenges regarding the habitability of the house’s stories are simply not required for the Class 3 exemption. (See *ibid.*) The City need only point to substantial evidence in its record that the claimed exemption’s criteria are met, which it has done here. (*Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, 115 [“On review, an agency’s categorical exemption determination will be affirmed if supported by substantial evidence that the project fell within the exempt category of projects.”].) The Class 3 exemption applies to a single-family home, no matter how many habitable stories there are. (Guidelines, § 15303, subd. (a).) Petitioner fails to articulate how any of the details it focuses on are relevant to the Class 3 exemption.

c. The City did not “ignore” or “omit” information, including information regarding the lower level of the Project in the Wilson Geoscience Report.

All information submitted by the public, including the Wilson Report, is in the record. (See AR 7343.) The Planning Commission staff specifically discussed the Wilson Report in the December 8, 2021 Appeal Report and hearing. (See AR 680-685 [N. Sanchez specifically clarifying information raised in Wilson Report], 224-225 [Appeal Report].)

Petitioner argues the Project Description “omitted or mischaracterized key features” of the Project by describing the lower level of the Project as “‘a partially submerged crawl space which does not qualify as habitable area.’ AR 224”; in other words, as a basement that does not qualify as a story under Section 12.03 of the LAMC, and therefore determining that the Project did not require “enhanced

1 safety review.” (OB, p. 10, original italics.) In support of this argument, Petitioner states that the City
2 ignored information from the Wilson Report about safety studies. (OB, p. 10.) Petitioner also notes the
3 Wilson Report made expert observations about drilling equipment required and argues that “[t]hese
4 omissions from public disclosure meant that significant grading to accomplish these structures were not
5 included in the description or analyzed for their significance for noise, air emissions, hauling in an
6 exemption context.” (OB, pp. 10-11.) Petitioner is incorrect. This information was not omitted from
7 public disclosure, as evidenced by the facts that it is in the certified administrative record and City staff
8 publicly discussed it in the appeal process. But regardless, as noted above, the only relevant legal issue
9 is the substantial evidence that the Project qualifies for the Class 3 exemption, as there are no other
10 circulation, disclosure, or analytical requirements for an exempt project. Again, Petitioner fails to
11 articulate how any of the information demanded disqualifies the Project for the Class 3 exemption.

12 Moreover, none of the cases Petitioner cites support its arguments. (See OB, pp. 9-10.) Unlike
13 in *Save Our Carmel River v. Monterey Peninsula Mgmt. Dist.* (2006) 141 Cal.App.4th 677, 693-700,
14 which held that the Class 2 exemption did not apply to a water credit transfer project because the
15 “whole of the project” did not include the replacement of a structure, as the lead agency had claimed,
16 there is no dispute here that the Project is only the construction of a single-family dwelling. Rather,
17 Petitioner disputes the *description* of the Project’s lower level and demands a safety analysis—issues
18 irrelevant to the Class 3 exemption criteria. (See OB, pp. 9-11.)

19 Likewise, *Azusa Land Reclamation Co. v. Main San Gabriel Basin Watermaster* (1997) 52
20 Cal.App.4th 1165, 1198-1200 does not support Petitioner’s claim that the Project’s description omitted
21 or mischaracterized key features, somehow disqualifying it from the exemption. There, the court found
22 the project involving the dumping of 3.2 million tons of waste did not fall within the exemption for
23 “minor” alterations to existing facilities. (*Id.* at p. 1194.) There was also evidence showing there would
24 be a potential impact, and thus, the unusual circumstances exception disqualified the use of the
25 exemption. (*Id.* at p. 1198.) Here, Petitioner failed to argue that the Class 3 exemption determination
26 lacks evidence, and failed to show the City’s determination of no unusual circumstances is unsupported
27 by any substantial evidence. (*Berkeley Hillside I, supra*, 60 Cal.4th at p. 1114.)

28 *McQueen v. Bd. of Directors* (1988) 202 Cal.App.3d 1136, 1143-1147, where the respondent

1 agency proposed to purchase contaminated surplus federal property, which it would then have to
2 remediate, is similarly unhelpful to Petitioner’s arguments. The court invalidated the project not
3 because of an inadequate project description, but because it found the record lacked substantial
4 evidence that the project met the criteria for any of the three claimed exemptions. (*Id.* at pp. 1148-
5 1150.) As noted, Petitioner here fails to explain how the project does not meet the Class 3 criteria.

6 Petitioner also inexplicably states that “[t]he City pointed to no substantial expert evidence
7 addressing the grading, noise and construction staging impacts. AR 407.” (OB, p. 11, citing the Wilson
8 Report.) First, this argument conflates the adequacy of the Project’s description (which, as noted above,
9 need only be “brief” *if* the City filed the optional NOE) with an impact discussion, which is not
10 required for a Class 3 exemption.³ (Guidelines, § 15303; *Apt. Assn, supra*, 90 Cal.App.4th at pp. 1172-
11 1173 [no procedure or analysis required for exemption].) Second, this argument would only be relevant
12 to whether an *exception* to the Class 3 exemption applies, yet it ignores the applicable standard of
13 review by failing to address the substantial evidence *supporting* the City’s determination that no
14 exceptions apply (discussed below, Sections C & D). Petitioner cites no requirement for the City to lay
15 out all evidence to Petitioner’s subjective satisfaction. The City meets the substantial evidence to
16 support the claimed exemption, and Petitioner fails to meet its burden.

17 **C. The unusual circumstances exception to categorical exemptions does not apply here.**

18 The unusual circumstances exception to categorical exemptions applies “where there is a
19 reasonable possibility that the activity will have a significant effect on the environment due to unusual
20 circumstances.” (Guidelines, § 15300.2, subd. (c).) The Supreme Court articulated a two-part test for
21 the unusual circumstances exception in *Berkeley Hillside I, supra*, 60 Cal.4th 1086. First, the agency
22 must determine whether there are “unusual circumstances”—a factual finding reviewed under the
23 deferential “substantial evidence” standard of review. (*Id.* at p. 1114.) The agency has “discretion to
24 consider conditions in the vicinity of the proposed project.” (*Id.* at p. 1119.) The Court indicated that a
25 project’s size, as well as its location, were relevant factors. (See *id.* at p. 1105.) To draw a conclusion of
26 unusual circumstances under the first part of the test, there must be some aspect of the project that
27

28 ³ Petitioner apparently makes this argument to challenge the applicability of the Class 32 exemption,
which, as discussed, the City did not rely on in the NOE.

distinguishes it ““from other features in the exempt class.”” (*Walters v. City of Redondo Beach* (2016) 1 Cal.App.5th 809, 819 (*Walters*).) Even where a petitioner can produce substantial evidence that there are unusual circumstances, however, the agency may not be persuaded and can still proceed with a categorical exemption if it can point to other, countervailing substantial evidence that the circumstances are *not* unusual. (*Berkeley Hillside Preservation v. City of Berkeley* (2015) 241 Cal.App.4th 943, 955 (*Berkeley Hillside II*) [“[we] must affirm that finding if there is *any substantial evidence, contradicted or uncontradicted, to support it*” (original italics)].) Second, only if the agency has found unusual circumstances, it then considers whether there is a fair argument that the proposed activity may have a significant environmental effect *due to* those circumstances. (*Berkeley Hillside I*, at p. 1115.)

Petitioner has not demonstrated that there is no substantial evidence to support the City’s finding of no unusual circumstances. Nor has it shown with “convincing” evidence the project *will* have a significant impact on the environment. (*Berkeley Hillside I, supra*, 60 Cal.4th at pp. 1105-1106.)

a. Substantial evidence supports the City’s finding of no unusual circumstances.

Petitioner fails to acknowledge the evidence supporting the City’s determination of no unusual circumstances and show why it is lacking. It instead argues incorrectly that the City’s analysis did not focus on the circumstances of typical projects in the exempt class, that the conditions of the project are not typical of ordinary “small structures” under the Class 3 exemption, or “infill” building under the Class 32 exemption, and that “[s]imilarity to other houses nearby is not the standard for determining unusual circumstances.” (OB, pp. 15-16; *contra Walters, supra*, 1 Cal.App.5th at p. 821.)

The April 11, 2023 City staff response for the appeal stated that “[t]here are no unusual circumstances that could create the reasonable possibility of significant effects from the development of this lot with a single-family home.” (AR 523.) Staff explained the Project is consistent with the applicable General Plan and zoning, as well as the Specific Plan, and that the Project is surrounded by 26 single-family lots, all but two of which are developed with single-family dwellings of a similar size and slope as the Project. (*Ibid*; see also AR 7818 [NOE].) The NOE further explained, “the project’s Floor Area Ratio (FAR) is under the FAR permitted on the site, the building’s height “is not unusual for the vicinity of the subject site, and is similar in scope to other existing low residential in the area,” and therefore concluded that “there are no unusual circumstances which may lead to a significant effect

1 on the environment.” (AR 7818.) Moreover, the context of the Project’s surrounding similarly sized
2 and situated residential uses further supports the City’s findings of no unusual circumstances. (See
3 *Walters, supra*, 1 Cal.App.5th at p. 821 [“[t]he presence of comparable facilities in the immediate area
4 adequately supports [an] implied finding that there were no “unusual circumstances””].)

5 Further, Petitioner disputes the City’s interpretation of its FAR requirements under the Specific
6 Plan, but fails to explain why the City’s allegedly erroneous interpretation creates or results in an
7 unusual circumstance. (OB, p. 12.) As noted, the record shows the house is consistent in size and scale
8 with its neighbors, and Petitioner did not disprove this evidence.⁴ Inconsistency with a Specific Plan
9 (and/or any other potentially significant environmental effect) does not itself constitute an unusual
10 circumstance. (See *Berkeley Hillside I, supra*, 60 Cal.4th at p. 1098.) And again, Petitioner’s arguments
11 regarding plan consistency are not before this Court, and are not relevant to the Class 3 exemption.

12 Because substantial evidence supports its determination of no unusual circumstances, the City
13 was not required to consider whether there is a fair argument of significant impacts, as Petitioner
14 incorrectly asserts. (*Berkeley Hillside I, supra*, 60 Cal.4th at p. 1115; OB, p. 16.)

15 **D. The cumulative impacts exception does not apply here.**

16 Under CEQA, a categorical exemption shall not be used “when the cumulative impact of
17 successive projects of the same type in the same place, over time is significant.” (Guidelines § 15300.2,
18 subd. (b).) There is no specific guidance for interpreting “over time” in this context, but CEQA requires
19 a lead agency to consider cumulative impacts from “reasonably foreseeable” projects. (Guidelines, §
20 15355.) The City concluded, based on substantial evidence, that the cumulative impacts exception did
21 not apply. Moreover, Petitioner fails to lay out the substantial evidence supporting the City’s
22 determination on this exception and show why it is lacking.

23 **a. Petitioner did not exhaust this issue during the administrative process, and**
24 **therefore cannot raise it for the first time now.**

25 A CEQA claim is not preserved “unless the alleged grounds for noncompliance with this
26 division were presented to the public agency orally or in writing by any person during the public

27 ⁴ Notably, on remand, in *Berkeley Hillside II, supra*, 241 Cal.App.4th 943, 956-957, the appellate court
28 accepted and deferred to the City’s determination that the proposed house’s large size was not an
unusual circumstance; even though it was “unusually large” by a layperson’s standards, the court noted
it was comparable to its other immediate neighbors.

comment period provided by this division ...” (Pub. Resources Code, § 21177, subd (a); *Citizens for Resp. Equitable Envt’l Dev. v. City of San Diego* (2011) 196 Cal.App.4th 515, 527 [“Exhaustion of administrative remedies is a jurisdictional prerequisite to maintenance of a CEQA action”].) Petitioner argues there are significant cumulative impacts from the removal of 38 other Walnut Trees Citywide (separate from this Project) “to make way for single family development projects” over a 31-month period. (OB, pp. 16-17.) Petitioner and other commenters did not raise this issue of cumulative impacts of tree removals Citywide during the lengthy administrative process. Petitioner and other commenters only alleged cumulative *traffic, safety, and construction impacts*, to which the City responded. (See AR 223-226 [Appeal Report], 525-526 [Appeal Response].) Petitioner mentioned the Citywide removal of the Walnut Tree species at the administrative stage only in the context of arguing why the criteria of the Class 32 exemption does not apply. (See OB, pp. 16-17, fn. 8, [citing only AR 6931 in support of its new argument in briefing that there are cumulative impacts from Citywide tree removals]; AR 7816.)⁵ This criterion is irrelevant to the Class 3 exemption. (Guidelines, § 15303, subd. (a).) Petitioner also alleged during the administrative process that the Tree Report fails to study the history of tree removals “at [the] project site” and account for their replacement as required by the Specific Plan, to which the City also responded.⁶ (AR 227, 234.) But Petitioner never connected these claims to its current argument asserting the exception for cumulative impacts is triggered by tree removals.

b. Substantial evidence supports the City’s determination of no cumulative impacts.

The City explained in the April 11, 2023 Staff Response that:

[s]peculation that significant cumulative impacts will occur simply because other projects may be under construction or may be approved in the same area is insufficient to trigger this exception and is not evidence that the proposed project will have adverse impacts or that the impacts are cumulative[ly] considerable[.] (*Hines v. California Coastal Comm’n* (2010) 186 Cal.App.4th 830, 857). The appellant has not submitted any substantial evidence that validates its assertions that the cumulative impact exception applies, nor has the appellant stated which cumulative effects ... are at issue.

(AR 525-526.)

⁵ Because Petitioner did not raise this issue during the administrative process, and there is accordingly no record support for it, Petitioner improperly cites an extra-record declaration from its member Mark Kenyon. (OB, p. 17; see also, Respondent’s concurrent Motion to Strike Extra-Record Evidence.)

⁶ In addition, as stated in the December 8, 2021 Appeal Report, “[t]here are no records of any trees being illegally removed previously from the project site” and the Project is conditioned to require a 4:1 replacement of the protected tree being removed. (AR 227.)

1 The NOE further explains that Regulatory Compliance Measures (RCMs) in the City regulate
2 construction of projects in sensitive locations and will reduce any potential impacts to less than
3 significant. (AR 7817.) The Planning Commission Appeal Report states that “[n]umerous RCMs in the
4 City’s Municipal Code and State law provide requirements for construction activities and ensure
5 impacts from construction related air quality, noise, traffic, and parking are less than significant.” (AR
6 58.) Petitioner argues RCMs do not reduce these impacts to a less than significant level because “over
7 84 percent of the approved removals [Citywide] were not replaced with other Walnut trees (known as
8 ‘in-kind’ replacements).” (OB, p. 17.) Petitioner improperly cites only an extra-record declaration in
9 support of this claim (further supporting the City’s defense that Petitioner failed to exhaust on this
10 issue) and does not explain why only in-kind replacements are sufficient to reduce impacts. (OB, p. 19.)

11 Staff explained that, “based on the Tree Report that was prepared by a certified professional, the
12 Project is in compliance with tree removal requirements of the Specific Plan.” (AR 527.) Petitioner
13 does not explain why the approved Tree Report (which is in compliance with the Specific Plan and
14 includes a 4:1 mitigation ratio consistent with the LAMC Protected Tree Ordinance), Biological
15 Report, NOE, and Staff Responses are insufficient to support the City’s determination that the
16 cumulative impacts exception does not apply. Petitioner only makes a sweeping and conclusory
17 statement that “[t]here is no substantial evidence in the Record that supports the City’s cumulative
18 impact determination as to Walnut tree removals” (OB, p. 17.) Petitioner thus fails to meet its
19 burden to show how the evidence regarding the exception determination is lacking.

20 **E. The City did not violate CEQA by not notifying CDFW of the CEQA appeal hearing.**

21 **a. The alleged lack of notice to CDFW can only support a violation of the City’s**
22 **previous Municipal Code; there is no CEQA violation.**

23 CEQA does not require notice to trustee agencies for exemption determinations; therefore, a
24 CEQA violation simply cannot be alleged or proven at all. (See Pub. Resources Code, §§ 21080.3
25 [notice to trustee agencies only for negative declarations or EIRs], 21151, subd. (c) [no notice
26 requirement for exemption determination]; Guidelines, § 15062, subd. (d) [agency is not required to file
27 an NOE].) Petitioner attempts to bootstrap a mere code violation onto a nonexistent CEQA violation. A
28 local agency code violation does not amount to a CEQA violation. Petitioner alleges no specific CEQA

violation, because no such requirement exists for an exempt project. (See OB, pp. 18-19.)

b. The City is not required to provide notice of the CEQA appeal hearing to CDFW under current law; Petitioner’s argument is therefore moot.

Section 11.5.13(E) of the LAMC, on which Petitioner bases its argument that the City was required to notify CDFW of the CEQA appeal that involved tree removals (OB, p. 19), was amended and is no longer applicable. Petitioner’s argument is therefore moot, and critically, there is no available remedy that could require CDFW to be provided with such notice.⁷

“In mandamus proceedings, a reviewing court applies the law that is current at the time of judgment in the reviewing court.” (*Make UC a Good Neighbor v. Regents of University of California* (2024) 16 Cal.5th 43, 55, 57 [new law at the time of court’s decision applied, rather than the law at the time an approval was issued, rendering argument moot; EIR was not inadequate for failing to conduct analysis that was no longer required under new sections of the Pub. Resources Code enacted while case was pending].) The City adopted Ordinance No. 187712 on December 6, 2022, amending Chapter 1 of the LAMC and establishing Chapter 1A to reorganize the administrative procedures related to zoning and land use entitlements. (See RJN, Exhs. 2 [Official Action of City Council establishing Ch. 1A of the LAMC], 3 [Decl. of Posting Ord. 187712], 4 [Ord. 187712, reflecting Sec. 11.5.13 replaced by Div. 13B.11].) These changes, effective January 23, 2023, included the replacement of LAMC Chapter 1, section 11.5.13 with LAMC Chapter 1A, division 13B.11. (RJN, Exhs. 4, 1 [LAMC, Ch. 1A].) The new LAMC sections related to CEQA in Division 12B.11 do not require the City to provide notice of CEQA appeals to trustee agencies. (See RJN, Exh. 1.) The law that exists now is what applies to this case. No notice to CDFW is required under the current LAMC, and Petitioner’s argument is moot.

F. There is no prejudice resulting from the alleged lack of notice.

Petitioner also argues that the alleged lack of notice is prejudicial because had CDFW been notified, it could have provided expert input on the Biological Report for the project, the lack of in-kind tree replacements, and staff’s characterizations of the Project’s biological resources.⁸ (OB, pp. 18-19.)

⁷ Thus, even if the court were to reverse the City’s Project approvals and require it to redo the administrative process, notice to CDFW would not be required.

⁸ Petitioner filed a slew of declarations in support of its claim that the City was required to notify CDFW of the CEQA appeal, purporting that it may file such documents under Pub. Resources Code § 21177(e) because there was no opportunity to exhaust because CDFW was not notified. As explained in

As noted, there is no CEQA violation; therefore the traditional prejudice standard for regular land use claims applies under Government Code section 65010. Under this standard, inadequate public notice, even if proven, cannot set aside the approval of land use entitlements unless the error was prejudicial, the complaining party suffered substantial injury, *and* a different outcome would have occurred had the error not occurred. (Gov. Code, § 65010, subd. (b); *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal.App.4th 899, 919, 921.) Petitioner has not shown any such prejudice, merely speculation that had CDFW been notified, “CDFW could have provided expert input” on the Project’s Biological Report, in-kind tree replacements, and the characterizations of the Project’s biological resources. (OB, p. 19.) Petitioner has not shown there would be a different outcome or additional information presented had CDFW been notified. Walnut Trees are not unique resources for the Project area (AR 7398 [Bio Report]), and CDFW already has a standard mitigation requirement in place for impacts to Walnut Tree habitat in the City (which the City met pursuant to its Tree Ordinance). (See RJN, Exh. 5 [pp. 69-70, CDFW does not consider the Walnut Tree endangered, threatened, or rare, and only requires habitat mitigation at a 2:1 or 1:1 ratio for permanent and temporary impacts, respectively]; AR 7 [4:1 replacement for the Project’s removal of one Walnut Tree], 323 [Bio Report noting Project will comply with Tree Ordinance], 225-226 [Appeal Report noting Project site has no value as habitat for endangered, rare or threatened species].) Petitioner cites no evidence demonstrating CDFW would have given the City directions that were substantially different from what it did do. Therefore, Petitioner fails to demonstrate prejudice under the applicable Government Code standard.

CONCLUSION

For the foregoing reasons, Respondent respectfully requests that the Court deny Petitioner’s CEQA causes of action.

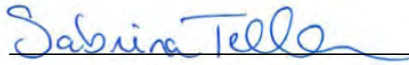
[signatures to follow]

the supporting Motion to Strike, Petitioner misinterprets that provision; this is not the purpose of that statute. Moreover, because Petitioner raised this issue during the administrative process, it should have introduced all relevant evidence at that time, including declarations.

1 DATED: January 23, 2026

Respectfully submitted,

2 REMY MOOSE MANLEY, LLP

3 By: 
4 SABRINA V. TELLER
5 Attorneys for Respondent
6 CITY OF LOS ANGELES

7 DATED: January 23, 2026

Respectfully submitted,

8 ELKINS KALT WEINTRAUB REUBEN
9 GARTSIDE, LLP

10 By: 
11 ERNEST J. GUADIANA
12 Attorneys for Real Parties in Interest
13 RACHEL FOULLON; IAN COOPER
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3 **PROOF OF SERVICE**

4 I, Kaitlyn E. Hubbard, am employed in the County of Sacramento. My business address is 555
5 Capitol Mall, Suite 800, Sacramento, California 95814, and email address is
6 khubbard@rmmenvirolaw.com. I am over the age of 18 years and not a party to the above-entitled
7 action.

8 I am familiar with Remy Moose Manley, LLP's practice for collection and processing mail
9 whereby mail is sealed, given the appropriate postage and placed in a designated mail collection area.
10 Each day mail is collected and deposited in a USPS mailbox after the close of each business day.

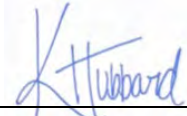
11 On January 23, 2026, I served the following:

12 **RESPONDENT'S AND REAL PARTIES' JOINT CEQA OPPOSITION BRIEF**

- 13 ☐ **BY FIRST CLASS MAIL** by causing a true copy thereof to be placed in a sealed envelope,
14 with postage fully prepaid, addressed to the following person(s) or representative(s) as listed
15 below, and placed for collection and mailing following ordinary business practices.
- 16 ☐ **BY OVERNIGHT DELIVERY** by causing a true copy thereof to be placed in an envelope or
17 package designated by the express service carrier with delivery fees paid or provided for,
18 addressed to the person(s) or representative(s) as listed below, and deposited in a dropbox or
19 other facility regularly maintained by the express service carrier.
- 20 ☐ **BY ELECTRONIC TRANSMISSION** by causing a true copy thereof to be electronically
21 delivered to the following person(s) or representative(s) at the email address(es) listed below,
22 via the Court's approved electronic filing service provider. I did not receive any electronic
23 message or other indication that the transmission was unsuccessful.
- 24 ☒ **BY ELECTRONIC TRANSMISSION** By submitting an electronic version of the
25 document(s) to OneLegal, LLC, through the user interface at www.onelegal.com.

26 **SEE ATTACHED SERVICE LIST**

27 I declare under penalty of perjury that the foregoing is true and correct. Executed this 23rd day
28 of January 2026, at Sacramento, California.



Kaitlyn Hubbard

SERVICE LIST

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Elkins Kalt Weintraub Reuben Gartside, LLP ERNEST J. GUADIANA 10345 W. Olympic Boulevard Los Angeles, CA 90064 Telephone: (310) 746-4425 Email: eguadiana@elkinskalt.com	<i>Attorneys for Real Party in Interest</i> RACHEL FOULLON; IAN COOPER
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CRANE BOULEVARD SAFETY COALITION

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

CRANE BOULEVARD SAFETY
COALITION, an unincorporated association,

Petitioner

vs.

CITY OF LOS ANGELES, a municipal
corporation,

Respondent

RACHEL FOULLON; IAN COOPER; and
ROES 1-25

Real Parties in Interest

Case No. 23STCP02375

**PETITIONER’S CALIFORNIA
ENVIRONMENTAL QUALITY ACT REPLY
BRIEF (FIRST AND SECOND CAUSES OF
ACTION)**

*Assigned for all purposes to:
Honorable Maurice A. Leiter
Department 54*

Action Filed: July 7, 2023

Date: April 27, 2026
Time: 9:30 a.m.

1 **I. INTRODUCTION.**

2 The Respondent's ("City") and Real Parties in Interest's joint opposition brief ("JOB") skirts the
3 dispositive threshold issue for both causes of action at issue in this writ petition: Did the City fail *at all* to
4 comply with any CEQA procedures? When the record shows a public agency failed to carry out a mandatory
5 procedure, there has been a failure to proceed in accordance with law. Pub. Res. Code ("PRC") § 21168.
6 Review of such a failure is *de novo*. *UN4LA v. City of Los Angeles* (2023) 93 Cal.App.5th 1074, 1093-97
7 ("*UN4LA*"). The Court does not get to the substantial evidence review of an agency's factual gathering and
8 weighing process *if that threshold step was not performed at all as shown in the record*. That happened here.

9 As to the first cause of action regarding the City's use of a categorical exemption, a failure to conduct the
10 required comparison of Project attributes is a complete failure. To properly consider an exemption, the agency
11 must compare the Project's features to the features of projects *within the exempt class* (to determine if it falls
12 within the exempt class). Likewise, to reach a finding of no "unusual circumstances" that might bar use of an
13 exemption, the agency must compare the Project's features with features that are not typical of the exempt
14 class (to determine if the Project's location, design, or circumstances have "unusual circumstances" that could
15 possibly have a significant environmental impact). Furthermore, the City completely failed to meaningfully
16 evaluate the cumulative impacts exception, ignoring the severe cumulative biological impacts associated with
17 the continued, unmitigated removal of the rare Southern California Black Walnut - in many instances with
18 entirely different tree species. Looking at this record, it is devoid of this required weighing process on all
19 counts, and there is a fair argument the Project will have significant individual and cumulative impacts.

20 As to the second cause of action concerning the failure to give notice to a trustee agency, the City
21 conceded it failed, but now claims this failure is mooted by its enactment of a new CEQA appeal ordinance
22 that contains no such notice requirement. The case is not moot because the Court can grant meaningful relief:
23 setting aside the approvals gives Petitioner Crane Boulevard Safety Coalition ("CBSC" or "Petitioner") the
24 opportunity to invite CDFW or other experts to weigh in at any future hearing, even if the City no longer asks
25 for advice from trustee agencies. Here, the City's failure to bring in CDFW's expertise was prejudicial.

26 Applying the proper standards of review and record evidence *most favorable to the City*, it clearly abused
27 its discretion in (1) failing to properly notice the CEQA appeal hearing and (2) adopting the Class 3 and 32
28 exemptions. Therefore, a writ of mandate must issue.

1 **II. ARGUMENT.**

2 **A. The City's Standards Of Review Are Misstated And Incomplete.**

3 The City's claim that only the substantial evidence standard of review applies (Opp. 7:9-11, 10:12-17) is
4 misleading.¹ *De novo* independent review applies to (1) whether the activity is a project (*Union of Medical*
5 *Marijuana Patients, Inc. v. City of San Diego* (2019) 7 Cal.5th 1171, 1195-1201), (2) the scope of the project
6 description (see cases analyzed *infra*, II.C), (3) the scope of an exemption (*Save Our Carmel River v.*
7 *Monterey Peninsula Water Management Dist.* (2006) 141 Cal.App.4th 667, 693-94), and (4) determination of
8 failures to comply *at all* with CEQA procedures (*UN4LA, supra*, at 1093-97 [Class 32 case the City lost by
9 failing *at all* to address consistency of the Project with the Housing Element].)

10 **B. The Court Must Rule On Class 32 Because The City Relied On It.**

11 The City says it did not rely upon a Class 32 urban infill exemption. This is clearly false. The City and its
12 attorneys owe a duty of candor to this Court. (Details *infra*, Sec. D, fn. 2.) This Court also has a duty to rule on
13 CBSC's exemption claims because *the record shows the City relied on both Class 3 and 32*. PRC § 21005(c)
14 states that a "any court . . . shall specifically address each of the alleged grounds for noncompliance" in a
15 CEQA proceeding. *North Coast Rivers Alliance v. Kawamura* (2015) 243 Cal.App.4th 647, 654 ("Our finding
16 of CEQA violations as to some issues does not relieve us from reviewing appellants' other contentions.").
17 Moreover, CBSC's Class 32 exemption claim must also be ruled upon because on appeal the City could
18 reassert the Project was eligible for Class 32 resulting in clear prejudice to CBSC. *Del Cerro Mobile Estates v.*
19 *City of Placentia* (2011) 197 Cal.App.4th 173, 179 (exemption first raised on appeal).

20 **C. The City's Waiver Claim Is Also Meritless.**

21 The City twice asserts that CBSC did not argue "the Project does not fall within the Class 3 exemption,"
22 (JOB, 11:12-15, 23-24), which is not correct. A "single-family residence . . . in a residential zone" might
23 putatively fall within the Class 3, but the POB addressed **both classes** on project description omissions (pp. 9-
24 11) and exceptions that defeated all categorical exemptions (pp.14-17), and also focused on Class 32
25 qualifying criteria (pp. 11-14). As outlined above, the record must show a factual weighing process to

26 ¹ The City incorrectly says "a city's determination that a project is categorically exempt from CEQA is
27 reviewed under the substantial evidence standard of review." Opp., 10:12-13. *Jenkins v. Brant-Hawley* (2022)
28 86 Cal.App.5th 1357, 1383, an anti-SLAPP case cited by the City, omits the multi-step *de novo* and
substantial evidence review of exemptions. *Berkeley Hills Watershed Coalition v. City of Berkeley* (2019) 31
Cal.App.5th 880, 888-889, does not state that the standard of review is solely substantial evidence either.

determine (1) if a project is like those in the exempt category to tentatively qualify as exempt, and (2) if a project has features that are so unlike the exempt category to constitute unusual circumstances. A deficient project description *fatally infected both of these steps* in this case. There was no waiver of anything.

D. The Project Did Not Qualify As Class 32 Exempt.

The City asserts that the Project approvals relied only on a Class 3 exemption, and therefore any Class 32 argument and evidence is “irrelevant” because the NOE for the Project did not rely on Class 32. JOB, 7:6-9. The City’s pointing of this Court to an undated Class 3 NOE (JOB, 11:12, 16:25, 17:1 & fn.3) *that it never put before the Council in the City Council File*, instead of citation to the operative Class 3/32 NOE *that was sent to the Council File* (AR 7677-84), and *approved* by City Council (AR 514 [PLUM Journal stating Class 3 and 32], is a subterfuge.² In misciting the record, the City seeks to avoid judicial review of its operative Class 3/32 NOE, and lay an improper foundation to object to all Class 32 evidence. Having forfeited Class 32, and offering no opposition in its JOB, the POB at 11-14, is substantial un rebutted evidence that the Project did not meet numerous criteria of the Class 32 exemption. Thus, the Project failed *to tentatively qualify* for Class 32.

E. Project Description Deficiencies Prejudicially Precluded Informed Decision Making And Public Participation In Determining Both Exemptions.

Case law, that the City misconstrues (JOB, 14-15), holds a deficient project description cannot be used to avoid confronting Project features that either demonstrate (1) it does not qualify for a categorical exemption³

² The City added Class 32 during the ELAPC hearings but the clerks kept cutting and pasting the original Class 3 language into *some, but not all*, action documents. Compare first ELAPC hearing 7/14/2021(AR 48-51, 52, 68, 134-36, 208) [Class 3 only], to second ELAPC hearing 12/8/2021 (AR 213-17, 218-328, esp. 219, 223, 226, 311-318, 494 [Class 3 & 32]. ELAPC voted “*to adopt the categorical exemption prepared for the project*” (AR 695), which was the “revised Class 3/32 NOE.” AR 311-318. But then the clerk issued the LOD that only used the Class 3 agenda language. Compare AR 215 [agenda], 311-318 [NOE] to 28-29 [LOD].

On appeal to PLUM Committee, the transmittal *to the Council File* only contained the Class 3/32 NOE (AR 7562-69 & 7677-84), the staff report relied on Class 3/32 (AR 6501-02, 7584-7694, esp. 7584-94), staff announced “the item before you is an environmental appeal to a previously issued class 32 categorical exemption or a class 32 CE” (AR 725-734), and PLUM approved the project citing “special instructions” read from the secret PLUM script. However, the clerk then issued a PLUM Report listing only Class 3 that contradicted the official PLUM Journal which stated Class 3/32 was adopted. AR 514.

³ *McQueen v. Bd. of Directors* (1988) 202 Cal.App.3d 1136, 1143-49 (“*McQueen*”) [properly described, project did not qualify for exemptions]; *Save Our Carmel River v. Monterey Peninsula Mgmt. Dist.* (2006) 141 Cal.App.4th 677, 695-700 [properly described, water credit project could not qualify as a replacement].

or (2) disqualify it.⁴ Even the City’s recent court victory confirms deficient project descriptions cannot be lawfully used to evade inconvenient facts as it did here. *LADWP v. County of Inyo* (2023) 67 Cal.App.5th 1018, 1024-25 & 1041 (three unlined landfills could not qualify for Class 1 to evade CEQA review, and use of over-narrow project description caused Inyo County to improperly apply common sense exemption).

1. The City’s Exemption And Unusual Circumstances Analysis Was Mixed Together And Devoid Of The Mandatory Comparison Analysis.

In opening brief at footnote 2, CBSC listed the locations in the AR where the most detailed and favorable City analysis of the Class 3 and 32 exemptions could be found. This was where the Court would expect to find the factual comparison to (1) projects in the exempt class, or (2) identification of project features so unlike the exempt class that might be unusual circumstances, and the City’s bridge between cited facts and its conclusion that there were no unusual circumstances. CBSC observed this analysis was missing.⁵ Under Guidelines §§ 15060 & 15061, an agency is required to conduct this analysis for both issues as part of a preliminary review, otherwise the record will not demonstrate an exemption can be used. *Berkeley Hillside Preservation v. City of Berkeley* (2014) 60 Cal.4th 1086, 1103 (agency must consider all evidence including that from opponents). A complete lack of analysis on required procedural requirements is determined *de novo*, and if it was not done at all, there is a failure to proceed in accordance with law. *UN4LA, supra*, at 1093-97.

2. Red Herring Arguments Cannot Distract From The Lack Of Analysis.

The City argues that it was only required to provide a “brief description of the project” under Guidelines § 15062, and that “a project description in an EIR” is not required. JOB, 7:12, 12:8-19.⁶ While CBSC agrees that an EIR-level project description is not required, *any* project description must accurately describe the “whole of the action” under Guidelines § 15378(a). Nothing authorizes a brief, yet incomplete, inaccurate project description.⁷ All activity required on or off-site must be included to enable a proper scope of review if

⁴ *McQueen, supra* at 1148-49 [properly described project was not exempt due to unusual circumstances]; Cf., *SPAWN v. County of Marin* (2004) 125 Cal.App.4th 1098, 1106-08 [claims that “because the construction of one single-family residence on a legal lot would not create adverse environmental impacts,” was defeated.

⁵ The JOB only points to the Class 3 NOE at AR 7816-18, which has even less analysis. In misciting the evidence to this Court (JOB, 16:26 & 17:1), ***the City has forfeited this argument.***

⁶ Guidelines § 15062 also requires “brief statement of reasons to support the finding” which is the comparative analysis that CBSC identified as ***missing from any NOE or staff report.***

⁷ The City’s description was terse: one sentence identifying a three-story single-family house of certain dimensions on a lot in the Specific Plan area. The other two sentences related to protected trees. AR 7677-84.

“the larger project could not proceed” without other elements. *Tuolumne County Citizens for Responsible Growth v. City of Sonora* (2007) 155 Cal.App.4th 1214, 1223-26 (adjoining roadway improvements to access Lowes store part of project). In this case, without the retaining walls for the driveways, *the on-site house could not be occupied*, so the Project included all of the roadway work.⁸ Three critical things were in this record that were unlike typical single-family homes in the exempt class, or were possible features that were unusual: (1) 85.6% of the site had a slope of 60 to 99 degrees with 15 to 20 feet of incompetent soils/weathered bedrock (AR 7694, 122, 1359, 162, 7189-7196), (2) the plans showed two 70 foot long retaining walls onsite or just offsite to keep Crane Blvd, the driveways and garden from collapsing down to the regional rail line below (AR 17, 18, 21, 22, 162), and (3) the three-story structure in an Earthquake Induced Landslide Hazard Zone required slope stability calculations and safety requirements that had not yet been done and made conditions of approval in a revised Soils Approval Letter. (AR 122). The City resolved these critical facts by ignoring the first two, and making a false claim that no slope study was required because the lower floor, floating over the hillside, was a “basement.”⁹ This City staff fabrication marred the integrity of the proceedings.¹⁰ The City failed to accurately describe the Project in these ways and this fundamentally infected its analyses of whether the Project was subject to an exception pursuant to Guidelines § 15300.2.

3. A Fair Argument Exists Of Significant Geologic, Emergency Access, And Noise Impacts.

Having established the City abused its discretion in refusing to find this particular house project had extraordinary slope/soil features and a three-story design that triggered study that had not been done (unusual circumstances), there is a fair argument of a significant impact from those unusual circumstances.¹¹ The Wilson Report, prepared by an experienced geologist and engineer (AR 7321-7326), is unrebutted expert evidence that identified unusual circumstances will possibly trigger significant geologic, emergency access, and noise impacts, including based upon the undisclosed grading and hauling along substandard Crane Blvd.

⁸ What activities are part of a project “is one of law, which we review de novo based on the undisputed facts in the record.” *Comm. for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 98.

⁹ Reliance on language in *Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, 115, saying an exemption determination is affirmed if substantial evidence supports it does not help where the City ignored all of the critical facts and conclusions in the Wilson Geoscience Report. The City insists without record citations, it “was publicly discussed” (JOB 13:21-14:11), but dispositive evidence was ignored.

¹⁰ *Ventura Foothill Neighbors v. County of Ventura* (2014) 232 Cal.App.4th 429, 431-34 (false representations about viewshed harmed integrity of the CEQA process, requiring reversal).

¹¹ The City did not analyze this issue in the administrative proceedings (POB, 16:5-19) and it offered no argument in briefing. JOB, 17:12-14. The City forfeited this argument as well.

1 **F. Any Categorical Exemption Is Also Barred Due To Cumulative Impacts.**

2 Cumulative impacts preclude the usage of a categorical exemption. The City's defense relies on the wrong
3 standard of review, attacks arguments never made, and largely ignores the evidence in the Opening Brief.

4 **First**, the City incorrectly asserts that the substantial evidence standard applies, attempting to fault CBSC
5 for supposedly failing to lay out the evidence supporting the decision. The City is wrong on the law. The
6 "cumulative impacts" exception to a categorical exemption is reviewed under the "fair argument" standard
7 when substantial evidence demonstrates that cumulative projects exist – such is the case here. *Aptos Resident*
8 *Assn. v. County of Santa Cruz* (2018) 20 Cal.App.5th 1039, 1048, 1052 (noting a Petitioner required "to
9 produce evidence that there was a fair argument that the cumulative impact exception applied."). The fair
10 argument standard is a "low threshold" test for requiring an initial study. *Pocket Protectors v. City of*
11 *Sacramento* (2004) 124 Cal.App.4th 903, 928. "It is a question of law, not fact, whether a fair argument exists,
12 and the courts owe no deference to the lead agency's determination. Review is de novo, with a preference for
13 resolving doubts in favor of environmental review." *Id.* CBSC is not required to lay out the substantial
14 evidence supporting the City's flawed no-impact conclusion. Furthermore, even if the substantial evidence
15 standard did apply, CBSC cited the City's evidence in its brief and demonstrated it was not "substantial."
16 POB. 17:10-23.

17 **Second**, relying on *Bridges v. Mt. San Jacinto Community College Dist.* (2017) 14 Cal.App.5th 104, 118,
18 and *Hines v. California Coastal Com.* (2010) 186 Cal.App.4th 830, 854 in a separately filed Motion to Strike,
19 which Petitioner will oppose, the City argues CBSC is barred from presenting this claim by the exhaustion
20 doctrine. However, the City's reliance on these cases is entirely misplaced. In both *Bridges* and *Hines*, the
21 agencies issued proper, legally compliant notice of the hearings. Those cases are irrelevant because neither
22 involved a lead agency's failure to provide legally required notice to a *trustee agency*, which uniquely
23 deprives the administrative process of mandated expert evidence. Under PRC § 21177(e), the exhaustion
24 doctrine explicitly does not apply when "the public agency failed to give the notice required by law." In *Fall*
25 *River Wild Trout Found. v. County of Shasta* (1999) 70 Cal.App.4th 482 ("Fall River"), the Court of Appeal
26 confirmed a trial court's ruling that the failure to notify CDFW resulted in the "evaporation" of the exhaustion
27 requirement, even for a petitioner who submitted *no comments whatsoever*. *Id.* at 489.

28 Here, CBSC was legally entitled to rely on the statutory mandate that the California Department of Fish

1 and Wildlife ("CDFW") provide the "requisite biological expertise to review and comment upon
2 environmental documents and impacts." Fish & Game Code § 1802. By unlawfully locking the State's
3 designated wildlife experts out of the hearing room, the City suppressed the exact regional data required to
4 fully exhaust the highly specialized issue of cumulative biological impacts. This omission is particularly
5 egregious given that CDFW has already warned that it considers the loss of Southern California Black
6 Walnuts "to be potentially significant from a project and cumulative perspective under CEQA." TSAR 640
7 (citing letter from CDFW).

8 Furthermore, CBSC's actions far exceeded the standard that excused the petitioner in *Fall River*. CBSC
9 exhausted its remedies to the greatest extent possible under the circumstances: upon discovering the City's
10 noticing violation on the actual day of the hearing (May 2, 2023), CBSC immediately submitted written
11 objections to the City (AR 6928-6936) and orally raised the lack of CDFW notice at the PLUM meeting (AR
12 728). A local community group cannot be faulted for failing to fully articulate a specialized cumulative
13 biological argument when the City's own noticing violation deprived the process of the very trustee agency
14 explicitly tasked with providing that analysis. Because the noticing deficiency directly thwarted the
15 presentation of this evidence, the exhaustion requirement evaporated, and CBSC is expressly excused.

16 **Third**, the City wastes space rebutting arguments CBSC never made. The City defends its analysis of
17 cumulative traffic, safety, and construction impacts, and argues over alleged unlawful tree removals from
18 2005. JOB, 18-19. CBSC advanced none of these claims in its Opening Brief, nor are they relevant to
19 determining whether cumulative *biological* impacts preclude an exemption. POB, 16-17. Likewise, the
20 Notices of Exemption (AR 7816-7818, 311-318) and Staff Responses (AR 522-528, 52-60, 218-228) cited by
21 the City focus on cumulative impacts like traffic and air quality. These documents are wholly irrelevant to
22 CBSC's actual claim: that the exemption is defeated by the severe cumulative impacts of removing Southern
23 California Black Walnut trees – especially when replaced with an entirely different species. POB, 17.

24 **Fourth**, the City's attempt to strike the Kenyon Declaration is moot because the cumulative impact was
25 sufficiently raised below and is fully established by the augmented record. At the PLUM hearing, CBSC
26 explicitly testified that the City permits the removal of Walnut trees "at the rate of one mature tree every 7.2
27 days." AR 728-729. It is legally irrelevant that CBSC stated this staggering statistic in the context of the Class
28 32 exemption; what matters is that the facts of the cumulative loss were squarely placed before the City

1 decision-makers. See *McPherson v. City of Manhattan Beach* (2000) 78 Cal.App.4th 1252, 1264 (“It is not
2 necessary to identify the precise statute at issue, so long as the agency is apprised of the relevant facts and
3 issues.”) Furthermore, the Kenyon Declaration (which is admissible) marshaled undeniable evidence of the
4 severity of this impact: over just a 31-month period, the City approved the removal of 38 Walnuts in the Mt.
5 Washington area, and shockingly, 84.2 percent of those removals were permitted as "out-of-kind"
6 replacements. Kenyon Decl., ¶ 8. This devastating rate of removal and the City’s allowance of out of kind
7 replacements is independently corroborated by Dr. Longcore's Walnut Report, which the Court augmented
8 into the certified record. TSAR 629 (removal every 7.2 days), 641 (failure to replace in kind).

9 **Fifth**, as established in the Opening Brief, the City cannot rely on boilerplate Regulatory Compliance
10 Measures (RCMs) to mitigate biological impacts to a level of insignificance. POB, 17:14-23. The City’s own
11 CEQA Thresholds Guide dictates that the "loss of individuals... of a locally designated species" normally
12 constitutes a "significant impact." TSAR 127. Furthermore, the Opening Brief thoroughly explained that the
13 City's 4:1 tree replacement RCM fails to reduce these impacts because out-of-kind replacements are
14 biologically insufficient. POB, 17:18-23. The Court need only look to Dr. Longcore’s Walnut Report in the
15 TSAR—which is part of the certified record, not extra-record evidence—to reach this conclusion. Dr.
16 Longcore expressly documents that the City routinely allows Walnut replacement with entirely different
17 species, "resulting in a *permanent and unmitigated loss of California walnut* and its associated Sensitive
18 Natural Communities." TSAR 641. The Crane Project perfectly illustrates this fatal flaw: the Letter of
19 Determination (“LOD”) and the approved Tree Report fail to mandate in-kind replacement, permitting the
20 removed Walnut to be replaced with an entirely different species of tree. AR 3 (LOD); 281 (Tree Report).

21 Ultimately, the Tree Report (AR 273-298), Bio Report (AR 319-327), NOE (AR 7816-7818, 311-318),
22 and Staff Responses (AR 522-528, 52-60, 218-228) are entirely insufficient to support the City's determination
23 that the cumulative impacts exception does not apply. Absolutely none of these documents address CBSC's
24 primary argument: that out-of-kind replacement cannot replace the unique environmental services of the
25 Southern California Black Walnut and that the City was approving removals at a rapid pace. The categorical
26 exemption must be set aside. CBSC has met its burden of demonstrating (1) that there are cumulative projects
27 pursuant to Guidelines §15300.2 (b) and (2) that there is a fair argument supported by substantial evidence that
28 the impact of these successive projects is significant.

1 **G. The City Prejudicially Abused its Discretion By Failing to Notify CDFW**

2 The City's failure to notify CDFW violates CEQA; it is not a mere local code violation. The CEQA
3 Appeal Ordinance expressly states its purpose is to "implement" CEQA. RJN, Ex. I. The City adopted the
4 Ordinance consistent with its duties under Guidelines § 15022(a), which requires agencies to implement
5 "specific procedures" for administering CEQA. Crucially, under Section 15022(a)(5), this includes
6 "[c]onsulting with and obtaining comments from other public agencies." The City cannot claim CBSC failed
7 to exhaust administrative remedies on this issue; it would have been futile to do so because CBSC only
8 discovered on the day of the hearing that the City failed to provide the "notice required by law."

9 Furthermore, this claim is not moot. The City cites *Make UC a Good Neighbor v. Regents of University of*
10 *California* (2024) 16 Cal.5th 43 to argue the new CEQA appeal procedures apply retroactively. JOB 20:8-21.
11 However, *Make UC* is distinguishable because the Legislature specifically eliminated an entire environmental
12 resource category (residential noise) from CEQA review. *Id.* at 55, 57. That did not occur here. Laws and
13 CEQA guidelines apply prospectively absent clear legislative intent otherwise. *People v. Superior Court*
14 (2018) 4 Cal.5th 299, 307; Guidelines, § 15007(b). To ensure fairness, an agency's action is evaluated under
15 the regulations in effect during project review. *Fairbank v. City of Mill Valley* (1999) 75 Cal.App.4th 1243,
16 1257, fn. 12; see also *Residents Ad Hoc Stadium Com. v. Board of Trustees* (1979) 89 Cal.App.3d 274, 282
17 [declining to retroactively apply a CEQA amendment without express retroactive terms]. Therefore, the Court
18 must review the City's actions against LAMC § 11.5.13(E) strictly as it existed on May 10, 2023.

19 Finally, effective relief can still be granted: if approvals are vacated, CBSC could notify CDFW itself. A
20 CEQA challenge remains a "live issue" and is not moot if the court retains authority to grant effective relief.
21 *California Oak Foundation v. Regents of University of California* (2010) 188 Cal.App.4th 227, 280, fn. 31.

22 Because this notice provision is embedded in a CEQA Appeal Ordinance, prejudice is analyzed under
23 PRC § 21005(a), not Govt. Code § 65010(b). A CEQA procedural violation is prejudicial if it omits relevant
24 information and subverts informed decision-making. *Kings County Farm Bureau v. City of Hanford* (1990)
25 221 Cal.App.3d 692, 712; *Rural Landowners Assn. v. City Council* (1983) 143 Cal.App.3d 1013, 1022.
26 Applying this rule, *Fall River, supra*, at 492, explained that the public is prejudiced by the "unavailability of
27 the comments from the state agencies." Moreover, *Fall River* held that failing to elicit a trustee agency
28 response makes prejudice "manifest." It is irrelevant that the CEQA Guidelines on their own do not require

notice for exempt projects; the City deliberately chose to require notice to trustee agencies for *all* CEQA Appeals, and it cannot simply ignore its own Ordinance. The Court may review CBSC's declarations because the lack of notice constitutes "procedural unfairness" and "agency misconduct"—exceptions permitting extra-record evidence. *Western States Petroleum Assn. v. Superior Court* (1995) 9 Cal.4th 559, 575, fn. 5. But even if disregarded, prejudice is "manifest" on the record. *Fall River*, supra, 70 Cal.App.4th at p. 492. Furthermore, under Govt. Code § 65010(b), CBSC showed a different result was probable. Such probability was proven by CDFW's own letters demanding mitigation for impacts to these "locally sensitive species." TSAR 640. The City also ignores that the trees on site provide CDFW-jurisdictional wildlife habitat (POB, 18:16-23), making the Bio Report's claim that "no habitat is suitable" (AR 322) "scientifically impossible." Longcore Decl., ¶ 8; Edelman Decl., ¶ 9. It is highly *probable* CDFW would have provided expert input exposing this "gross inadequacy," cumulative impacts, inaccurate biological characterizations, and the lack of in-kind tree replacements, emphasizing that a rare species cannot be offset by an *entirely different tree*—an omission Mr. Edelman opines "was prejudicial." POB, 19:20-22; Edelman Decl., ¶¶ 11-12; see also Gabel-Luddy Decl., ¶ 9.

Finally, Dr. Longcore and the Quinn Report completely undermine the claim that Walnut trees are not "unique" or "rare" resources. TSAR 629, 631 ["found naturally no other place"], 678, 687 ["custodial species"]; see also TSAR 639 [meets CEQA § 15380 "rare" criteria], 640 [CDFW declaring same], 634 [map showing severely restricted range]. Conversely, the City's cited Bio Report (AR 323, 7398) and LOD (AR 7) never claim the Walnut is not unique¹². The Appeal Response's conclusory statement that no "rare" species exist on site (AR 225-226) relies entirely on the applicant's flawed Bio Report without evidentiary support. Under the law, "a conclusion expressed by an expert cannot provide by itself substantial evidence to support a finding unless the basis for the expert's conclusion is itself supported by substantial evidence." *People v. ConAgra Grocery Products Co.* (2017) 17 Cal.App.5th 51, 83.

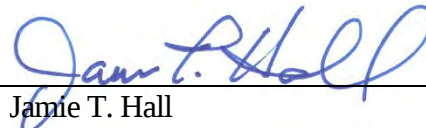
III. CONCLUSION.

For the foregoing reasons, the CEQA writ should be granted.

¹² Further, the excerpt from the Housing Element (City's RJN, Exh. 5)—which cannot be accepted for its truth—merely acknowledges the Walnut is not officially on the list of rare, threatened or endangered species; it does not address the fact that CDFW believes it nevertheless meets the definition of a "rare" species under Guidelines § 15380. TSAR 640. Nor does Exh. 5 prove CDFW has established a 2:1 or 1:1 mitigation ratio for individual walnut trees; that was a standard adopted by the City (not CDFW). The City's statements are wrong and the RJN should be denied.

1
2
3 Dated: March 16, 2026

By:



Jamie T. Hall

CHANNEL LAW GROUP, LLP

*Attorneys for Petitioner Crane Boulevard Safety
Coalition*

PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES) ss.

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 8383 Wilshire Blvd., Suite 750, Beverly Hills, CA 90211.

On March 16, 2026, I served a copy of the within document described as **PETITIONER’S CALIFORNIA ENVIRONMENTAL QUALITY ACT REPLY BRIEF (FIRST AND SECOND CAUSES OF ACTION)** as follows:

[X] BY E-MAIL: I transmitted true copies of the foregoing document to the persons identified below at the e-mail addresses identified below.

Hydee Feldstein-Soto, City Attorney
Liliana Rodriguez, Deputy City Attorney
Marvin Bonilla, Deputy City Attorney
Steven N. Blau, Deputy City Attorney
OFFICE OF THE CITY ATTORNEY
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ELKINS KALT WEINTRAUB REUBEN GARTSIDE
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Los Angeles, CA 90064
eguadiana@elkinskalt.com

Attorneys for Real Parties in Interest Rachel Foullon and Ian Cooper

Executed on March 16, 2026, in Beverly Hills, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

/s/ Veronica Lebron
VERONICA LEBRON

EXHIBIT B



Bldg-New **GREEN - MANDATORY**
1 or 2 Family Dwelling
Regular Plan Check
Plan Check

City of Los Angeles - Department of Building and Safety
**APPLICATION FOR BUILDING PERMIT
AND CERTIFICATE OF OCCUPANCY**

Issued on: 03/12/2026
Last Status: Issued
Status Date: 03/12/2026

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
TR 5043		111		M B 60-70/71 (SHTS 2-3)	148-5A225 71	5467 - 021 - 047
TR 5043		110		M B 60-70/71 (SHTS 2-3)	148-5A225 80	5467 - 021 - 027

3. PARCEL INFORMATION

Baseline Hillside Ordinance - Yes
LADBS Branch Office - LA
Council District - I
Certified Neighborhood Council - Arroyo Seco
Census Tract - 1851.00

District Map - 148-5A225
Energy Zone - 9
Fire District - VHFHSZ
Hillside Grading Area - YES
Hillside Ordinance - YES

Thomas Brothers Map Grid - 595-B4
Area Planning Commission - East Los Angeles
Earthquake-Induced Landslide Area - Yes
Community Plan Area - Northeast Los Angeles
Near Source Zone Distance - 1.8

ZONES(S): R1-1

4. DOCUMENTS

ZI - ZI-1857 Specific Plan: Mount Wash SPA - MOUNT WASHINGTON - GLAS HLSAREA - Yes
ZI - ZI-2129 State Enterprise Zone: East ORD - ORD-129279 DTRM - DIR-2020-427-SPP BHO - Yes
ZI - ZI-2452 Transit Priority Area in the ORD - ORD-168707 CPC - CPC-1987-499 AFF - 20221057286 - LT
ZI - ZI-2462 Modifications to SF Zones: ORD - ORD-172316 CPC - CPC-1989-177 AFF - 20260149715 - LF

5. CHECKLIST ITEMS

Special Inspect - Anchor Bolts
Special Inspect - Concrete > 2.5ksi
Special Inspect - Grade Beam/Caisson
Special Inspect - Structural Observation
Special Inspect - Structural Wood (periodic)
Fabricator Reqd - Shop Welds
Fabricator Reqd - Structural Steel
Permit Flag - Rec and Parks Fee Memo Reqd

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
COOPER, IAN J CO TR COOPER FOULLON TRUST
2262 DUANE ST LOS ANGELES CA 90039

Applicant: (Relationship: Architect)
DAVID L -

(626) 318-2719

8. DESCRIPTION OF WORK

NEW 3 STORY SFD WITH ATTACHED GARAGE AND CARPORT PER
DIR-2020-427-SPP AND AB2097 NO PARKING REQUIRED, SEE COMMENTS

7. EXISTING USE**PROPOSED USE**

(0) Dwelling - Single Family
(07) Carport
(07) Garage - Private

9. # Bldgs on Site & Use: 1 OF 3

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Starr Chen DAS PC By:
OK for Cashier: Angelica Paige Coord. OK:
Signature: Angelica Paige Date: 03/12/2026

For inspection requests, call toll-free (888) LA4BUILD (524-2845),
or request inspections via www.ladbs.org. To speak to a Call Center
agent, call 311. Outside LA County, call (213) 473-3231.

For Cashier's Use Only

W/O #: 21001079

11. PROJECT VALUATION & FEE INFORMATION Final Fee Period

Permit Valuation:	\$560,000	PC Valuation:	
FINAL TOTAL Bldg-New	20,246.38	Planning Gen Plan Maint Surchar	200.49
Permit Fee Subtotal Bldg-New	2,808.00	School District Residential Level 1	14,150.29
Energy Surcharge		Dwelling Unit Construction Tax	200.00
Electrical	730.08	Residential Development Tax	300.00
HVAC	365.04	CA Bldg Std Commission Surchar	23.00
Plumbing	730.08	Green Building	
Plan Check Subtotal Bldg-New	0.00	Permit Issuing Fee	0.00
Plan Maintenance	56.16	Linkage Fee	0.00
E.Q. Instrumentation	72.80		
D.S.C. Surcharge	142.86		
Sys. Surcharge	285.73		
Planning Surcharge	171.85		
Planning Surcharge Misc Fee	10.00		
Sewer Cap ID:		Total Bond(s) Due:	\$0.00

Project:

Payment Date: 03/12/2026
Receipt No: 2026071003-84
Amount: \$20,246.38
Method: ICL Check

Building Card No.: 2026LA01012**12. ATTACHMENTS**

Plot Plan Signed Declaration
SB8 No Net Loss Declaration



* 0 8 0 0 1 2 2 0 1 0 1 0 0 0 0 0 1 0 7 9 F N *

13. STRUCTURE INVENTORY (Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")**22010 - 10000 - 01079**

(P) Floor Area (ZC): +3633 Sqft / 3633 Sqft
(P) Height (ZC): +45 Feet / 45 Feet
(P) Length: +31.85 Feet / 31.85 Feet
(P) Stories: +3 Stories / 3 Stories
(P) Width: +62.85 Feet / 62.85 Feet
(P) Dwelling Unit: +1 Units / 1 Units
(P) NFPA-13D Fire Sprinklers Thru-out
(P) Wood (Plywood, OSB, etc.) Shearwall
(P) R3 Occ. Group: +3116 Sqft / 3116 Sqft
(P) U Occ. Group: +619 Sqft / 619 Sqft

(P) AB 2097 Zero Req'd Auto Parking for Bldg
(P) Parking Req'd for Bldg (Auto+Bicycle): 0 Stalls / 0 Stalls
(P) Provided Compact for Bldg: +2 Stalls / 2 Stalls
(P) Provided Standard for Bldg: +1 Stalls / 1 Stalls
(P) Type V-B Construction

14. APPLICATION COMMENTS:**PDPP Project's Total Valuation \$ 0.00**

** Approved Seismic Gas Shut-Off Valve may be required. ** [1] CITY PLANNER RUBEN VASQUEZ SIGN OFF ON DIR. PROPOSED BLDG DESIGN HAS GREATER BLDG FOOTPRINT, INCREASED NUMBER OF STORIES, AND NEW FLOROR AREA BREAKDOWN ANALYSIS NEW BLDG DESIGN DOES NOT MATCH DETERMINATION LETTER UNDER DIR-2020-427-SPP-1A BUT SITLL SIGNED OFF, INSPECTOR TO VERIFY[2] AFF 20221057286 - LOT TIE [3] AFF 20260149715 - LINKAGE FEE

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:**16. CONTRACTOR, ARCHITECT & ENGINEER NAME**

	ADDRESS		CLASS	LICENSE #	PHONE #
(A)	1719 MADISON AVE,	PASADENA, CA 91104		C34529	
(C)	4712 GREY DR,	LOS ANGELES, CA 90032	B	1066119	
(E)	1185 HERITAGE FARM RD,	HICKORY, NC 28601		C70708	
(E)	6542 CHARLESWORTH AVENUE,	NORTH HOLLYWOOD, CA		L9027	
(E)	2123 VESTAL AVE,	LOS ANGELES, CA 90026		C69673	

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 12 months (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 5 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: **B** License No.: **1066119** Contractor: **BM CONSTRUCTION LLC**

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations

- ☐ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- ☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: **STATE COMP. INS. FUND**

Policy Number: **9341053**

- ☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING/ SILICOSIS ACKNOWLEDGEMENT / UNIVERSAL WASTE

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. I understand that lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323. I understand that silica safe production processes are required for all fabricating and cutting of crystalline silica material per section 5204 of the California Code of Regulations. More information is available at www.dir.ca.gov. I affirm to abide by the Requirements for Universal Waste (Cal. Code Regs, Tit. 22, Div. 4.5 Ch. 11 Section 66261.9). Note: Refer to the Universal Waste Rule link at: www.dtsc.ca.gov/universalwaste

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): _____ Lender's Address: _____

21. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC). I accept all the declarations above and that this permit is being obtained with the consent of the legal owner of the property.

Print Name: **See Attached Signature Declaration**

Sign: **See Attached Signature Declaration**

Date: _____

☐ Contractor

☐ Authorized Agent

Bldg-New

City of Los Angeles - Department of Building and Safety

Plan Check #: B22LA03919

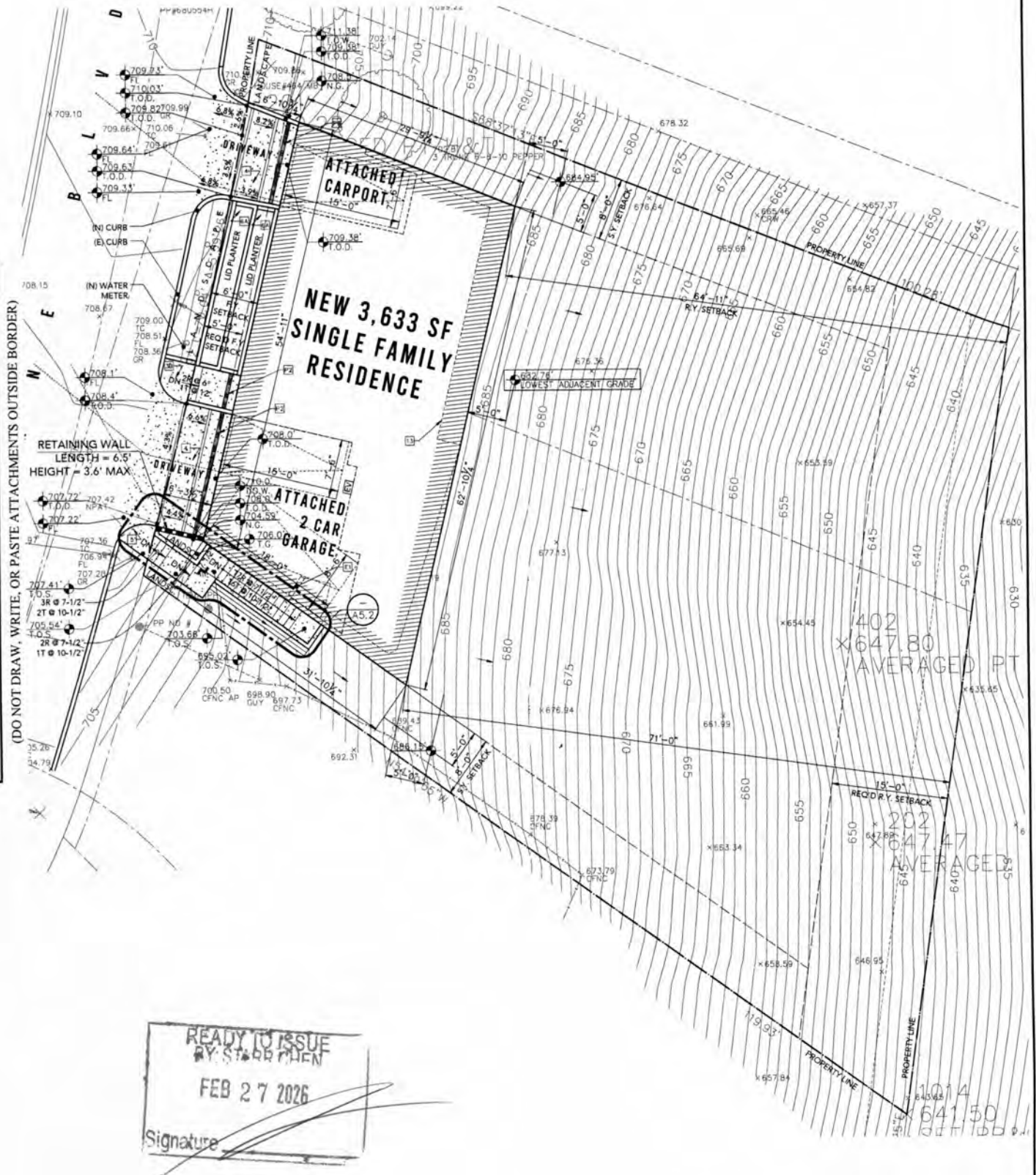
1 or 2 Family Dwelling

Initiating Office: METRO

Plan Check

PLOT PLAN ATTACHMENT

Printed on: 02/27/26 14:50:31



Job Address: 464 Crane Blvd.Application #: 22010-10K-01079

City of Los Angeles – Department of Building and Safety | Signature Declaration Attachment Form

Instructions

Applicant (contractor, owner, or agent): Complete and sign the appropriate statements below only after completely reviewing the entire permit application for accuracy. Also, indicate the job address on the top of the form. This attachment will become part of the permit application.

Building and Safety Staff Member: Complete the "APPLICATION#:" and make sure the job address is shown above. Give a copy of the permit application to the applicant.

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 12 months (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17a. OWNER-BUILDER DECLARATION

I hereby affirm under the penalty of perjury that I am exempt from the Contractor's Safe License Law for the following reason (Section 7031.5, Business and Professions Code) Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500)

☐ I, as the owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec 7044, Business and Professions Code. The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year from completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale)

OR

☐ I, as the owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec 7044, Business and Professions Code. The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law)

17b. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: B License No.: 1066119 Contractor: BM CONSTRUCTION LLC

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

☐ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☒ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:
Carrier: State Compensation Insurance Fund Policy Number: 9341053-2025

☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

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I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. I understand that lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323. I understand that silica safe production processes are required for all fabricating and cutting of crystalline silica materials per section 5204 of the California Code of Regulations. More information is available at www.dir.ca.gov. I affirm to abide by the Requirements for Universal Waste (Cal. Code Regs, Tit. 22, Div. 4.5 Ch. 11 Section 66261.9). Note: Refer to the Universal Waste Rule link at: www.dtsc.ca.gov/universalwaste/

21. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC). I accept all the declarations above and that this permit is being obtained with the consent of the legal owner of the property

Print Name: Brian Martin Sign: B Martin Date: 3/8/26 () Owner (X) Contractor () Authorized Agent

APPLICATIONS

NO NET LOSS DECLARATION Supplemental Application



PROPERTY OWNER DECLARATION OF NO NET LOSS OF HOUSING UNITS PURSUANT TO THE HOUSING CRISIS ACT OF 2019 AND THE RESIDENT PROTECTIONS ORDINANCE

For eligible projects, as discussed below, the owner of each property involved in the proposed project may execute this Declaration to affirm that (a) the proposed project will not result in a loss of residential dwelling units or protected residential dwelling units, and (b) they will satisfy the notification, replacement and tenant protection requirements in the Housing Crisis Act of 2019 and the Resident Protections Ordinance.¹

HOUSING CRISIS ACT OF 2019 AND RESIDENT PROTECTIONS ORDINANCE (RPO) REQUIREMENTS

A Housing Development Project must include at least as many residential dwelling units as the greatest number of residential dwelling units that existed on the project site within the last five years (i.e., "no net loss"). Additionally, no residential dwelling units may be demolished unless the project will create at least as many residential dwelling units as will be demolished.²

A non-residential development project³ must replace any existing protected unit that will be demolished. Any required new or replacement residential dwelling unit may be provided on the proposed development site or on another site. In short, any project subject to the Housing Crisis Act of 2019 (HCA) or the Resident Protections Ordinance⁴ that results in a net loss of housing is prohibited.

To determine the housing replacement obligations, a Replacement Unit Determination (RUD) letter must be issued by the Los Angeles Housing Department (LAHD) for a proposed project. This Declaration may be completed in lieu of a RUD in limited circumstances (See Eligibility Criteria below).

¹ Government Code Section 66300.6, and Los Angeles Municipal Code (LAMC) Chapter 1 Sec. 16.60 and Chapter 1A Sec. 4C.15.1. and 4C.15.2.

² California Government Code Section 66300.6, LAMC Chapter 1 Sec. 16.60 A.5, and Chapter 1A Sec. 4C.15.1.C.2.

³ Under Government Code Section 66300.6, LAMC Chapter 1 Sec. 16.60 A.4(a)(1), and Chapter 1A Sec. 4C.15.2.E., a project that is an industrial use is exempt from replacement requirements if the site is entirely within a zone that does not allow residential uses, the zoning was adopted prior to January 1, 2022, and the protected units that are or were on the site are or were nonconforming uses.

⁴ Per the City's Housing Element Sites Minimum Density (HESMD) Ordinance (LAMC Chapter 1 Sec. 16.70 and Chapter 1A Sec. 4C.15.4.), this Declaration may be used for certain proposed developments.

ELIGIBLE PROJECT TYPES

To use this declaration in lieu of obtaining a RUD, a proposed development project must be one of the following project types:

1. A new Single Family Dwelling (SFD) where all of the following are true: (a) no more than one unit will be demolished, and (b) only one SFD exists on-site, and (c) any existing SFD to be demolished is neither subject to a form of rent or price control (e.g. the Rent Stabilization Ordinance) nor is occupied by a lower-income tenant, and (d) no subdivision is proposed; OR
2. A non-residential development project, including a change of use within a SFD, where all of the following are true (a) no more than one unit will be demolished, and (b) only one SFD exists on-site, and (c) any existing unit to be demolished is neither subject to the Rent Stabilization Ordinance nor is occupied by a lower-income tenant; OR
3. A development where all existing units will remain on the site as residential dwelling units, or there are no units on site (e.g. vacant lots and site with only non-residential uses); OR
4. A Starter Home Revitalization Act project where only one SFD has been demolished or will require demolition and was not occupied by tenants in the last five years.

In addition, the site where a development project is proposed must have had no units demolished within the past five years⁵, except for a Starter Home Revitalization Act project that complies with all the conditions included in (4) above.

INSTRUCTIONS TO SUBMIT THIS DECLARATION

1. Complete the Project Information section and execute the Property Owner Declaration section.
2. Submit this Declaration with the project application to City Planning (if a development application to City Planning is required) or to the Los Angeles Department of Building and Safety (if a development application to City Planning is not required).

CITY CONTACTS

For guidance and additional information, please see the City Contacts below.

Los Angeles Housing Department: For specific questions regarding replacement requirements, occupant protections, and the RUD process, contact LAHD at LAHD-Landuse@lacity.org. For information on relocation assistance and replacement units for units subject to the RSO, please consult the [Ellis Act webpage](#)⁶. For non-RSO units, consult the [Just Cause Ordinance webpage](#)⁷. For

⁵ For site specific information on whether any units have been removed within the past five years, see the "Housing Use Within Prior 5 Years" field under the "Housing" tab on www.zimas.lacity.org

⁶ <https://housing.lacity.org/rental-property-owners/removal-from-rental-market-property-owner>

⁷ <https://housing.lacity.gov/residents/jco-units-non-rso-no-fault-evictions-strong>

general LAHD information, call the department's toll free hotline at (866) 557-7368, or visit any of LAHD's public counters by making an appointment [here](#)⁸.

Los Angeles Department of Building and Safety: For general questions regarding the implementation of no net loss procedures related to Housing Development Projects that are not associated with a City Planning application, contact the Department of Building and Safety at LADBS.AHS@lacity.org or (213) 482-0455.

Department of City Planning: For general questions regarding the implementation of no net loss procedures related to Housing Development Projects associated with a City Planning application, contact Los Angeles City Planning at planning.HCA@lacity.org or visit the [Housing Crisis Act and Resident Protections webpage](#)⁹.

PROJECT INFORMATION

Permit Application or City Planning Case No.: 22010-10000-01079

Street Address(es): 464 N Crane Blvd

Legal Description (Lot, Block, Tract): Lots 110 & 111, Block-none, Tract TR43

Assessor's Parcel Number(s): 5467021047

Site Zoning: R1-1-HCR

Proposed Project Description¹⁰:

The proposed project includes the demolition of 0 (#) existing unit(s) and the new construction of 1 (#) unit(s). Within the last 5 years, 0 (#) unit(s) were demolished. Within the last 10 years, 0 (#) units were withdrawn pursuant to the Ellis Act

Additional project description (optional):

⁸ <https://housing.lacity.gov/about-us/public-counters>

⁹ <https://planning.lacity.gov/project-review/housing-crisis-act>

¹⁰ The proposed demolition and/or construction of units may change as the proposed Development Project progresses through the City application process. Provided that the development project remains eligible to use this declaration and the number of units proposed to be demolished does not increase, a revised declaration form is not required.

1010526202668920706

PROPERTY OWNER DECLARATION

Before a City Planning application can be accepted or a building permit issued, the owner of each property involved must provide a signature to verify that this no net loss declaration is correct and is filed with the owner's knowledge and consent. Staff will confirm ownership based on the records from the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs, or trusts, an officer of the ownership entity so authorized may sign according to the below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** An LOA from a property owner granting someone else permission to sign the declaration form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file this declaration form, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A.-E. below. In the case of partnerships, corporations, LLCs or trusts, the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with the LOA.
- **Grant Deed.** Provide a Copy of the Grant Deed if the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) signatures are required of all owners.

- A. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this development proposal or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- B. The proposed Development Project: (1) does not involve the demolition of more than one unit, and (2) is not on a site where any units were demolished within the past five years.

Initials: PF/Q

- C. The proposed Development Project is one of the following types: (1) A new Single Family Dwelling (SFD), where all of the following are true: (a) no more than one unit will be demolished, and (b) only one SFD exists on-site, and (c) any existing SFD to be demolished is neither subject to the Rent Stabilization Ordinance nor is occupied by a lower-income tenant, and (d) no subdivision is proposed; OR (2) A non-residential development project, including a change of use within a SFD, where all of the following are true (a) no more than one unit will be demolished, and (b) only one SFD exists on-site, and (c) any existing unit to be demolished is neither subject to the Rent Stabilization Ordinance nor is occupied by a lower-income tenant; OR (3) A development where all existing units will remain on the site as residential dwelling units, or there are no units on site (e.g. vacant lots and site with only non-residential uses) OR (4) a Starter Home Revitalization Act project where any existing unit to be demolished was not occupied by tenants in the last five years, and was therefore owner occupied or vacant during this period. In addition, the site where a development project is proposed must have had no units demolished within the past five years⁵, except for (4) above.
- D. The proposed Development Project will not result in fewer units than existed in the past five years.
- E. The project applicant for the proposed Development Project will allow existing occupants to occupy their units until six months before the start of construction activities, allow residents to return to their units if demolition does not proceed, and will provide relocation benefits, as applicable in compliance with Government Code Section 66300.6 and LAMC Chapter 1 Sec. 16.60 and Chapter 1A Sec. 4C.15.1. and Sec. 4C.15.2.
- F. I hereby acknowledge that any incorrect information provided in this Declaration may result in a revocation or denial of applications to the City for the proposed Development Project and applicable penalties.
- G. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

Executed on 12 (day) March (month) 2026 (year) at Burbank (city),
CA (state), USA (country).

By Signature: *Rachel Foullon* Print Name: Rachel Foullon

Executed on 12 (day) March (month) 2026 (year) at Burbank (city),
CA (state), USA (country).

By Signature: *Ian Cooper* Print Name: Ian Cooper



Permit #:
Plan Check #: B22LA03919
Event Code:

22020 - 10000 - 00511

Printed: 03/12/26 02:14 PM

Nonbldg-New **GREEN** -
1 or 2 Family Dwelling
Regular Plan Check
Plan Check

City of Los Angeles - Department of Building and Safety
**APPLICATION FOR BUILDING PERMIT
AND CERTIFICATE OF OCCUPANCY**

Issued on: 03/12/2026
Last Status: Issued
Status Date: 03/12/2026

L TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
TR 5043		110		M B 60-70/71 (SHTS 2-3)	148-5A225 80	5467 - 021 - 027

3. PARCEL INFORMATION

Baseline Hillside Ordinance - Yes
LADBS Branch Office - LA
Council District - 1
Certified Neighborhood Council - Arroyo Seco
Census Tract - 1851.00

District Map - 148-5A225
Energy Zone - 9
Fire District - VHFHSZ
Hillside Grading Area - YES
Hillside Ordinance - YES

Thomas Brothers Map Grid - 595-B4
Area Planning Commission - East Los Angeles
Earthquake-Induced Landslide Area - Yes
Community Plan Area - Northeast Los Angeles
Near Source Zone Distance - 1.8

ZONES(S): R1-1

4. DOCUMENTS

ZI - ZI-1857 Specific Plan: Mount Wash SPA - MOUNT WASHINGTON - GLAS HLSAREA - Yes BHO - Yes
ZI - ZI-2129 State Enterprise Zone: East ORD - ORD-129279 DTRM - DIR-2020-427-SPP
ZI - ZI-2452 Transit Priority Area in the ORD - ORD-168707 CPC - CPC-1987-499
ZI - ZI-2462 Modifications to SF Zones : ORD - ORD-172316 CPC - CPC-1989-177

5. CHECKLIST ITEMS

Special Inspect - Concrete > 2.5ksi
Special Inspect - Grade Beam/Caisson
Special Inspect - Structural Observation

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
COOPER, IAN J CO TR COOPER FOULLON TRUST
2262 DUANE ST LOS ANGELES CA 90039

Applicant: (Relationship: Architect)
SIMON STOREY -

(323) 515-7930

8. DESCRIPTION OF WORK

NEW 3.5 FT TALL RETAINING WALL

7. EXISTING USE

PROPOSED USE
(23) Retaining Wall

9. # Bldgs on Site & Use: 3 OF 3

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Starr Chen DAS PC By:
OK for Cashier: Angelica Paige Coord. OK:
Signature: *Angelica Paige* Date: 03/12/2026

For inspection requests, call toll-free (888) LA4BUILD (524-2845),
or request inspections via www.ladbs.org. To speak to a Call Center
agent, call 311. Outside LA County, call (213) 473-3231.

For Cashier's Use Only

W/O #: 22000511

11. PROJECT VALUATION & FEE INFORMATION

Final Fee Period

Permit Valuation: \$50,000 PC Valuation:

FINAL TOTAL Nonbldg-New	592.49
Permit Fee Subtotal Nonbldg-New	470.00
Plan Check Subtotal Nonbldg-New	0.00
E.Q. Instrumentation	6.50
D.S.C. Surcharge	14.30
Sys. Surcharge	28.59
Planning Surcharge	28.20
Planning Surcharge Misc Fee	10.00
Planning Gen Plan Maint Surchar	32.90
CA Bldg Std Commission Surchar	2.00
Permit Issuing Fee	0.00

Sewer Cap ID:

Total Bond(s) Due: \$0.00

12. ATTACHMENTS

Plot Plan
Signed Declaration

Project:

Payment Date: 03/12/2026
Receipt No: 2026071003-84
Amount: \$592.49
Method: ICL Check

Building Card No.: 2026LA01013

* 0 8 0 0 1 2 2 0 2 0 1 0 0 0 0 0 5 1 1 F N *

(P) Retaining Wall Height: 3.5 Feet
(P) Retaining Wall Length: 7 Feet

14. APPLICATION COMMENTS:

PDPP Project's Total Valuation \$ 0.00

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:

16. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS	CLASS	LICENSE #	PHONE #
(C) BM CONSTRUCTION LLC	4712 GREY DR,	LOS ANGELES, CA 90032	B	1066119
(E) BARR,, JOSEPH DANIEL	1185 HERITAGE FARM RD,	HICKORY, NC 28601	C70708	
(E) LEWIS,, STEPHEN HART	169 S BALDWIN AVE,	SIERRA MADRE, CA 9102	C70304	

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 12 months (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sect. on 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: **B** License No.: **1066119** Contractor: **BM CONSTRUCTION LLC**

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

- ☐ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- ☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: **STATE COMP. INS. FUND** Policy Number: **9341053**

- ☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING/SILICOSIS ACKNOWLEDGEMENT / UNIVERSAL WASTE

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. I understand that lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323. I understand that silica safe production processes are required for all fabricating and cutting of crystalline silica material per section 5204 of the California Code of Regulations. More Information is available at www.dir.ca.gov. I affirm to abide by the Requirements for Universal Waste (Cal. Code Regs, Tit. 22, Div. 4.5 Ch. 11 Section 66261.9). Note: Refer to the Universal Waste Rule link at: www.dtsc.ca.gov/universalwaste

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): _____ Lender's Address: _____

21. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC). I accept all the declarations above and that this permit is being obtained with the consent of the legal owner of the property.

Print Name: See Attached Signature Declaration Sign: See Attached Signature Declaration Date: _____ ☐ Contractor ☐ Authorized Agent

Nonbldg-New

City of Los Angeles - Department of Building and Safety

Plan Check #: B22LA03919

1 or 2 Family Dwelling

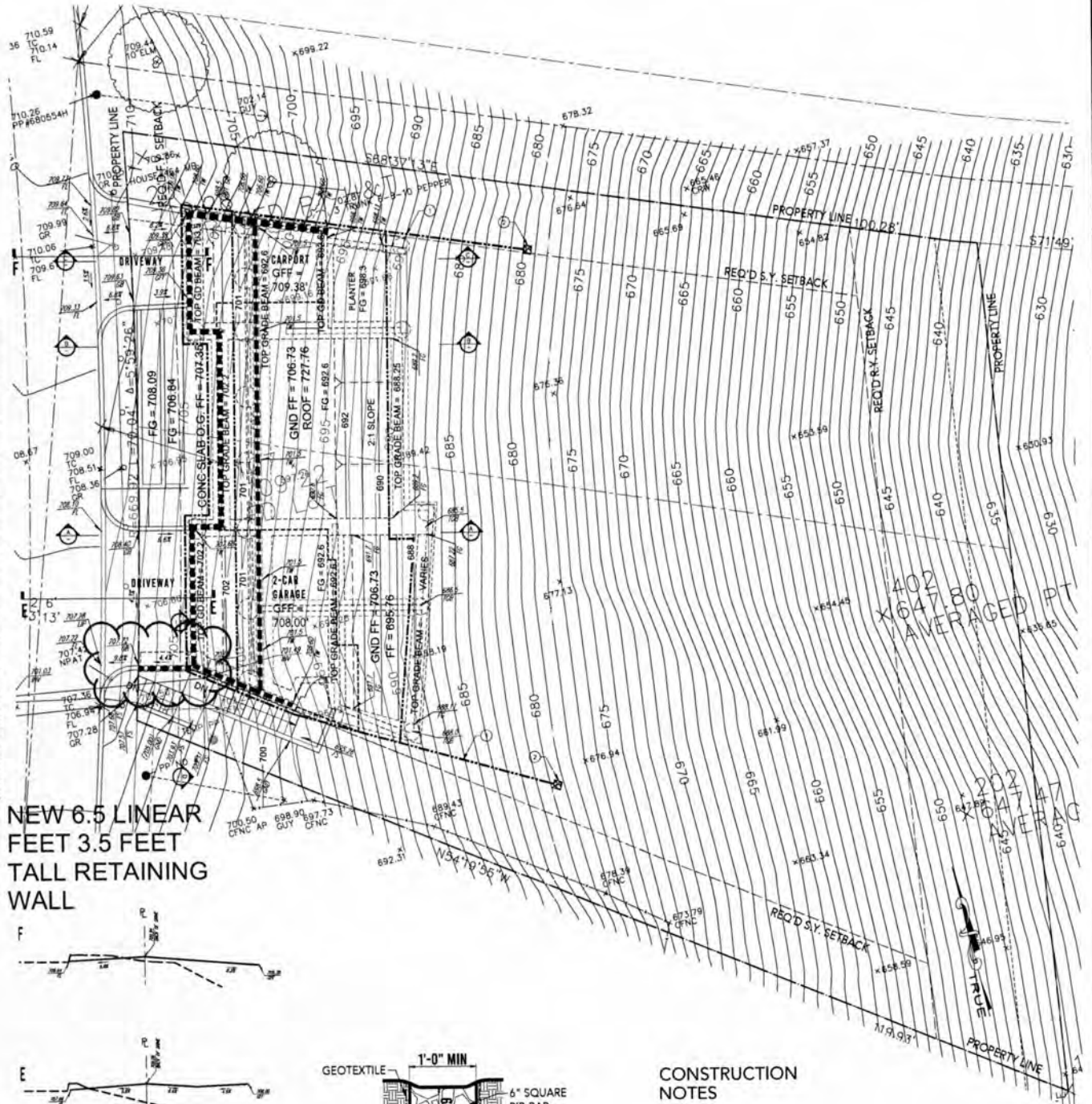
Initiating Office: METRO

Plan Check

PLOT PLAN ATTACHMENT

Printed on: 02/27/26 14:43:10

(DO NOT DRAW, WRITE, OR PASTE ATTACHMENTS OUTSIDE BORDER)



Job Address: 464 Crane Blvd. Application #: 22020 - JK - 00511

City of Los Angeles - Department of Building and Safety | Signature Declaration Attachment Form

Instructions

Applicant (contractor, owner, or agent): Complete and sign the appropriate statements below only after completely reviewing the entire permit application for accuracy. Also, indicate the job address on the top of the form. This attachment will become part of the permit application.
Building and Safety Staff Member: Complete the "APPLICATION#:" and make sure the job address is shown above. Give a copy of the permit application to the applicant.

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 12 months (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17a. OWNER-BUILDER DECLARATION

I hereby affirm under the penalty of perjury that I am exempt from the Contractor's State License Law for the following reason (Section 7031.5, Business and Professions Code). Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).

- ☐ I, as the owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code). The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year from completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale.
- OR
- ☐ I, as the owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code). The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law.

17b. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: B License No.: 1066119 Contractor: BM CONSTRUCTION LLC

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

- ☐ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- ☒ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:
Carrier: State Compensation Insurance Fund Policy Number: 9341053-2025
- ☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

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21. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC). I accept all the declarations above and that this permit is being obtained with the consent of the legal owner of the property.

Print Name: Brian Martin Sign: [Signature] Date: 3/8/26 () Owner (X) Contractor () Authorized Agent



Nonbldg-New **GREEN** -
1 or 2 Family Dwelling
Regular Plan Check
Plan Check

City of Los Angeles - Department of Building and Safety
**APPLICATION FOR BUILDING PERMIT
AND CERTIFICATE OF OCCUPANCY**

Issued on 03/16/2026

Last Status: Issued

Status Date: 03/16/2026

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
TR 5043		110		M B 60-70/71 (SHTS 2-3)	148-5A225 80	5467 - 021 - 047

3. PARCEL INFORMATION

Baseline Hillside Ordinance - Yes

LADBS Branch Office - LA

Council District - 1

Certified Neighborhood Council - Arroyo Seco

Census Tract - 1851.01

District Map - 148-5A225

Energy Zone - 9

Fire District - VHFHSZ

Hillside Grading Area - YES

Hillside Ordinance - YES

Thomas Brothers Map Grid - 595-B4

Area Planning Commission - East Los Angeles

Earthquake-Induced Landslide Area - Yes

Community Plan Area - Northeast Los Angeles

Near Source Zone Distance - 1.8

ZONES(S): R1-1-HCR

4. DOCUMENTS

ZI - ZI-1857 Specific Plan: Mount Washington ZI - ZI-2467 Hillside Construction Regulation ORD - ORD-181128

ZI - ZI-2129 State Enterprise Zone: East Los ORD - ORD-129279 ORD - ORD-187900

ZI - ZI-2452 Transit Priority Area in the Cit ORD - ORD-168707 HLSAREA - Yes

ZI - ZI-2462 Modifications to SF Zones and S ORD - ORD-172316 DTRM - DIR-2020-427-SPP

CPC - CPC-1987-499

CPC - CPC-1989-177

CPC - CPC-2008-4683-CA

CPC - CPC-2022-6108-ZC-CA

5. CHECKLIST ITEMS

Pilot - Electronic Plan

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):

COOPER, IAN J CO TR COOPER FOULLON TRUST

2262 DUANE ST LOS ANGELES CA 90039

Applicant: (Relationship: Architect)

david gonzalez rojas -

5201 Monte Vista Street

(626) 318-2719

Los Angeles 90065

8. DESCRIPTION OF WORK

ePlan - PERMANENT SHORING FOR PROPOSED SFD UNDER

22010-10000-01079

7. EXISTING USE**PROPOSED USE**

(23) Shoring (Permanent)

9. # Bldgs on Site & Use:**10. APPLICATION PROCESSING INFORMATION**

BLDG. PC By: Starr Chen

OK for Cashier: Internet Permit

DAS PC By:

Coord. OK:

Signature: STARR CHEN

Date: 02/27/2026

For inspection requests, call toll-free (888) LA4BUILD (524-2845),
or request inspections via www.ladbs.org. To speak to a Call Center
agent, call 311. Outside LA County, call (213) 473-3231.

For Cashier's Use Only

W/O #: 42001582

11. PROJECT VALUATION & FEE INFORMATION

Final Fee Period

Permit Valuation \$24,000 PC Valuation:

FINAL TOTAL Nonbldg-New	397.48
Permit Fee Subtotal Nonbldg-New	314.00
Plan Check Subtotal Nonbldg-New	0.00
E.Q. Instrumentation	3.12
D.S.C. Surcharge	9.51
Sys. Surcharge	19.03
Planning Surcharge	18.84
Planning Surcharge Misc Fee	10.00
Planning Gen Plan Maint Surcharge	21.98
CA Bldg Std Commission Surcharge	1.00
Permit Issuing Fee	0.00

Sewer Cap ID:

Total Bond(s) Due: \$0.00

12. ATTACHMENTS

Plot Plan

Project:

Payment Date: 03/16/2026

Receipt No: 2818687

Amount: \$397.48

Method: CC

Building Card No.: 2026ON 89653



* 0 8 0 0 1 2 4 0 2 0 1 0 0 0 0 0 1 5 8 2 F N *

13. STRUCTURE INVENTORY

(Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")

24020 - 10000 - 01582**14. APPLICATION COMMENTS:****PDPP Project's Total****\$0.00**

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:**16. CONTRACTOR, ARCHITECT & ENGINEER NAME****ADDRESS****CLASS****LICENSE #****PHONE #**

(C)

B

1066119

(E) BARR., JOSEPH DANIEL

1185 HERITAGE FARM RD,

HICKORY, NC 28601

C70708

(E) LEWIS., STEPHEN HART

70304

(E) LEWIS., STEPHEN HART

169 S BALDWIN AVE,

SIERRA MADRE, CA 91024

C70304

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 12 months (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: **B** License No.: **1066119** Contractor: **BRIAN SCOTT MARTIN**

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

☐ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☒ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: **State Comp. Ins. Fund** Policy Number: **9341053**

☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING/ SILICOSIS ACKNOWLEDGEMENT / UNIVERSAL WASTE

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. I understand that lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323. I understand that silica safe production processes are required for all fabricating and cutting of crystalline silica material per section 5204 of the California Code of Regulations. More Information is available at www.dir.ca.gov. I affirm to abide by the Requirements for Universal Waste (Cal. Code Regs, Tit. 22, Div. 4.5 Ch. 11 Section 66261.9). Note: Refer to the Universal Waste Rule link at: www.dtsc.ca.gov/universalwaste

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): _____ Lender's Address: _____

21. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC). I accept all the declarations above and that this permit is being obtained with the consent of the legal owner of the property.

Print

Brian Martin

Sign: Brian MartinDate: 03/16/2026

Contractor



Authorized Agent

PERMIT INSPECTION RECORD



Your feedback is important. Please visit our website to complete a Customer Survey at www.ladbs.org/LADBSWeb/customer-survey.jsf. If you would like to provide additional feedback, need clarification, or have any questions regarding plan check or inspection matters, please call our Customer Hotline at (213) 482-0056.

For use by cashier only

2026ON 89653

Payment Date: 03/16/2026

Receipt No: 2818687

Amount: \$397.48

Method: CC

PERMIT #: 24020 - 10000 - 01582

ADDRESS: 464 N Crane Blvd

OWNER: Cooper, Ian J Co Tr Cooper Foullon Trust
2262 Duane St
LOS ANGELES CA 90039

Nonbldg-New

1 or 2 Family Dwelling

Regular Plan Check

Plan Check

JOB DESCRIPTION: ePlan - PERMANENT SHORING FOR PROPOSED SFD UNDER 22010-10000-01079

INSPECTION RECORDS AND PLANS MUST BE AVAILABLE DURING INSPECTION

GRADING INSPECTIONS		
TYPE	DATE	INSPECTOR
Initial Grading		
Toe or Bottom		
Soils Report Approved		
DO NOT PLACE FILL UNTIL ABOVE IS SIGNED		
Backfill		
Fill		
Excavation		
Drainage Devices		
Rough Grading		
Approved Compaction Report		
FOOTING INSPECTIONS		
Footing Excavation		
Form s		
Reinforcing Steel		
OK to Place Concrete		
GROUNDWORK INSPECTIONS		
Electrical		
Plum bing		
Plum bing Methane		
Gas Piping		
Heating & Refrigeration		
Fire Sprinklers		
Disabled Access		
Methane		
OK to Place Floor		
DO NOT PLACE FLOOR UNTIL ABOVE IS SIGNED		
ROUGH INSPECTIONS		
Green Code		
Electrical		
Plum bing		
Fire Sprinkler		
Heating & Refrigeration		
Roof Sheathing		
Disabled Access		
Fram ing		
Insulation		
Suspended Ceiling		
LAFD		
OK to Cover		

FOR INSPECTION REQUESTS, PLEASE CALL
3-1-1 OR OUTSIDE CITY OF LOS ANGELES
888-LA4-BUILD (888)5242845 or www.ladbs.org

DO NOT COVER UNTIL PREVIOUS IS SIGNED		
TYPE	DATE	INSPECTOR
Exterior Lathing		
Interior Lathing		
Drywall		
DO NOT COVER UNTIL ABOVE IS SIGNED		
WORK OUTSIDE OF THE BUILDING		
Electrical Underground		
Gas		
Heating & Refrigeration		
Sewer		
Disabled Access		
POOL INSPECTIONS		
Excavation		
Reinforcing Steel		
Bonding		
Piping		
Pre-Gunite		
Deck		
Enclosure/Fence		
Pool/Spa Cover		
DO NOT FILL POOL UNTIL ABOVE IS SIGNED		
FINAL INSPECTIONS		
Grading		
Electrical		
Plum bing		
Gas Test		
Gas		
Heating & Refrigeration		
Pressure Vessels		
Elevator		
Fire Sprinkler		
Disabled Access		
Green Building		
LAFD (Title 19 only)		
LAFD Fire Life Safety		
Pool Final		
AQMD Sign-off Provided		
Public Works		
Building		
PROJECT FINAL		

Certificate of Occupancy Required ☐ YES ☐ NO

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

- * **Prior to the start of any construction work adjacent to any public way, pedestrian protection shall be provided (Sec. 91.3303 L.A.M.C.).**
- * Inspection(s) may be requested anytime via the internet or touch tone phone. To request an inspection via the internet, go to www.ladbs.org and click on "Request an Inspection" under Online Services. To request an inspection via touch tone phone, call toll free (888) LA4BUILD (888-524-2845) and select option 1 for Automated Request System. To request an inspection via the Customer Call Center, call 3-1-1 within the City of Los Angeles or (213) 473-3231 outside the City of Los Angeles between 7:00 a.m. and 10:00 p.m.. When requesting an inspection, the following are required: (1) The job address, (2) Type of inspection, (3) Use of building, (4) Permit number, (5) Phone number of a contact person should the department need to reach someone.
- * Inspection requests received before 4:00 p.m. Monday through Friday (excluding holidays) will normally be made the next business day. Requests received after 4:00 p.m. will be made following the next business day. The Automated Inspection Call Back System (AICBS) will attempt to telephone the contact phone number to confirm the inspection.
- * Permit fees provide for a limited number of inspections. A reinspection fee may be assessed when the work for which an inspection was requested is not complete, when the inspection record or plans are not available, or when there is failure to provide site access to department staff.
- * No person shall perform any construction or repair work between the hours of 9:00 p.m. (6:00 p.m. grading) and 7:00 a.m. the following day which results in loud noises to the disturbance of persons occupying sleeping quarters in any dwelling, hotel, motel, apartment, or other place of residence (Sec. 41.40 L.A.M.C.).
- * No person, other than an individual homeowner engaged in the repair or construction of his/her single-family dwelling, shall perform any construction or repair work of any kind upon any building or structure located on land developed with residential buildings or perform work within 500 feet of land so occupied, before 8:00 a.m. or after 6:00 p.m. on any Saturday or at any time on Sunday (Sec. 41.40 L.A.M.C.).
- * Dust control measures to prevent dust from being blown or deposited over or upon any private property in any residential area must be implemented during any excavation or earth-moving phase of construction, sand blasting, or demolition.
- * A separate permit from the State of California Division of Industrial Safety is required prior to starting certain work involving substantial risk to workers such as: construction or demolition exceeding 3 stories or 36 feet in height, or excavations or trenches over 5 feet in depth involving entry by workers.
- * Building permits are valid for two years or expire on the 180th day from the date of issuance if the work permitted has not commenced. The department reserves the right to expire any permit where work has been suspended for a period of 180 days or more.
- * Inspection services will not be provided when there is an unleashed dog on the premises.

Downtown Los Angeles 201 N. Figueroa St., 4th Fl. Los Angeles, CA 90012	Van Nuys 6262 Van Nuys Blvd., 2nd Fl. Van Nuys, CA 91401	West Los Angeles 1828 Sawtelle Blvd., 2nd Fl. Los Angeles, CA 90025
San Pedro 638 S. Beacon St., 2nd Fl. San Pedro, CA 90731		South Los Angeles 8475 S. Vermont Ave., 2nd Fl. Los Angeles, CA 90044

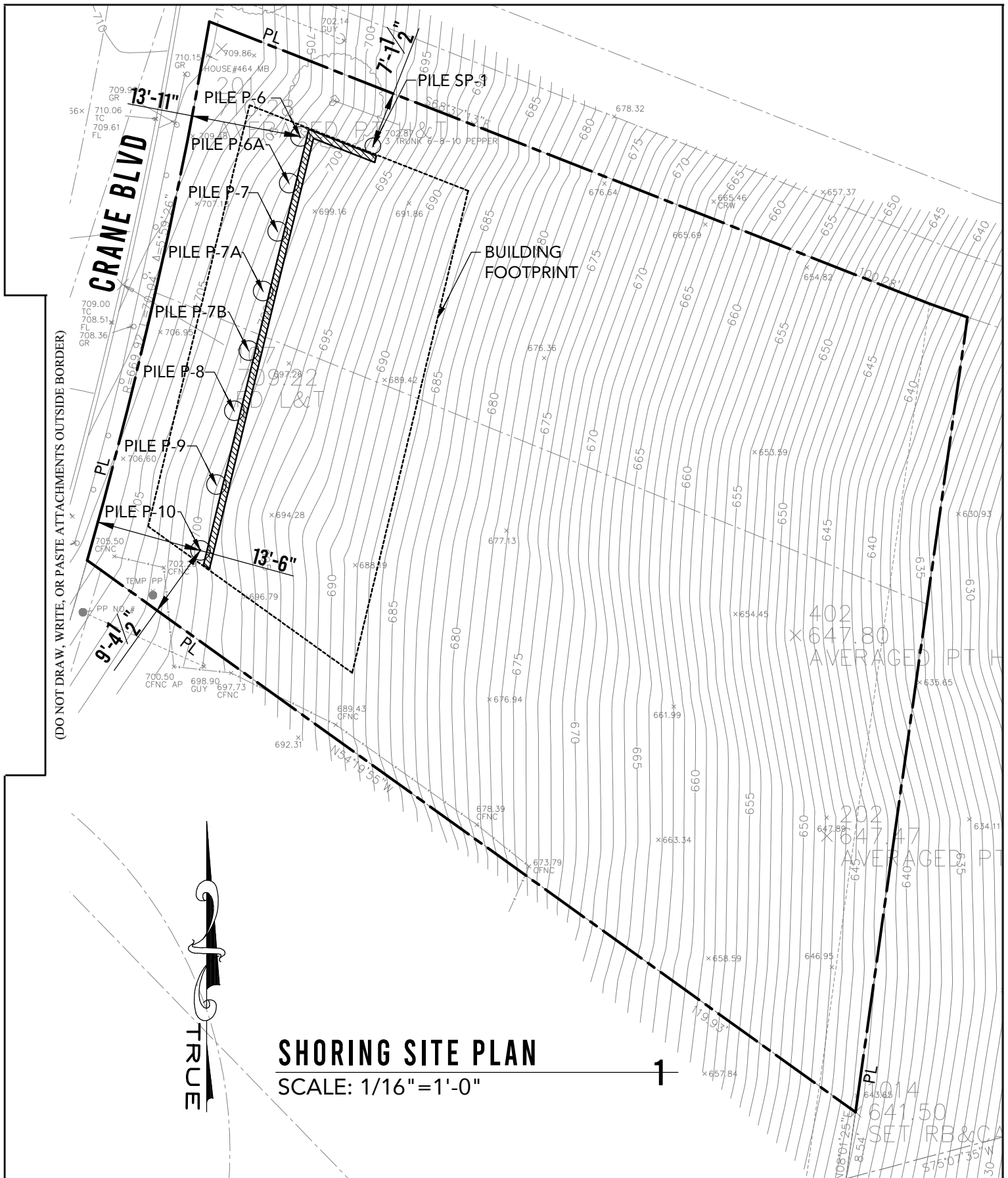
Nonbldg-New
1 or 2 Family Dwelling
Plan Check

City of Los Angeles - Department of Building and Safety

Plan Check #: B24LA21883

Initiating Office: METRO

Printed on: 09/23/24 16:05:56

PLOT PLAN ATTACHMENT


 Grading **GREEN** -
 1 or 2 Family Dwelling
 Regular Plan Check
 Plan Check

 City of Los Angeles - Department of Building and Safety
**APPLICATION FOR GRADING PERMIT
 AND GRADING CERTIFICATE**

Issued on: 03/12/2026

Last Status: Issued

Status Date: 03/12/2026

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
TR 5043		110		M B 60-70/71 (SHTS 2-3)	148-5A225 80	5467 - 021 - 027

3. PARCEL INFORMATION
 Baseline Hillside Ordinance - Yes
 LADBS Branch Office - LA
 Council District - 1
 Certified Neighborhood Council - Arroyo Seco
 Census Tract - 1851.00

 District Map - 148-5A225
 Energy Zone - 9
 Fire District - VHFHSZ
 Hillside Grading Area - YES
 Hillside Ordinance - YES

 Thomas Brothers Map Grid - 595-B4
 Area Planning Commission - East Los Angeles
 Earthquake-Induced Landslide Area - Yes
 Community Plan Area - Northeast Los Angeles
 Near Source Zone Distance - 1.8

ZONES(S): R1-1

4. DOCUMENTS
 ZI - ZI-1857 Specific Plan: Mount Wash SPA - MOUNT WASHINGTON - GLAS HLSAREA - Yes
 ZI - ZI-2129 State Enterprise Zone: East ORD - ORD-129279
 ZI - ZI-2452 Transit Priority Area in the ORD - ORD-168707
 ZI - ZI-2462 Modifications to SF Zones : ORD - ORD-172316

 BHO - Yes
 DTRM - DIR-2020-427-SPP
 CPC - CPC-1987-499
 CPC - CPC-1989-177
5. CHECKLIST ITEMS**6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION**
 Owner(s):
 COOPER, IAN J CO TR COOPER FOULLON TRUST
 2262 DUANE ST LOS ANGELES CA 90039

 Applicant: (Relationship: Architect)
 SIMON STOREY -

(323) 515-7930

8. DESCRIPTION OF WORK
 SITE GRADING FOR PROPOSED SFD W GARAGE AND BASEMENT AND
 RETAINING WALL CalOSHA permit must be obtained before construction is
 commenced
7. EXISTING USE
PROPOSED USE
 (70) Grading - Hillside

9. # Bldgs on Site & Use: 2 OF 3

10. APPLICATION PROCESSING INFORMATION
 BLDG. PC By: Starr Chen
 OK for Cashier: Angelica Paige
 Signature: Angelica Paige

 DAS PC By:
 Coord. OK:
 Date: 03/12/2026

 For inspection requests, call toll-free (888) LA4BUILD (524-2845),
 or request inspections via www.ladbs.org. To speak to a Call Center
 agent, call 311. Outside LA County, call (213) 473-3231.

For Cashier's Use Only

W/O #: 23001587

11. PROJECT VALUATION & FEE INFORMATION

Final Fee Period

Permit Valuation: 51 cu yd PC Valuation:

FINAL TOTAL Grading	205.20
Permit Fee Subtotal Grading	160.00
Plan Check Subtotal Grading	0.00
D.S.C. Surcharge	4.80
Sys. Surcharge	9.60
Planning Surcharge	9.60
Planning Surcharge Misc Fee	10.00
Planning Gen Plan Maint Surcharge	11.20
Permit Issuing Fee	0.00

Sewer Cap ID:

Total Bond(s) Due: \$0.00

12. ATTACHMENTS
 Plot Plan
 Signed Declaration
Project:
 Payment Date: 03/12/2026
 Receipt No: 2026071003-84
 Amount: \$205.20
 Method: ICL Check
Building Card No.: 2026LA01014

* 0 8 0 0 1 2 2 0 3 0 1 0 0 0 0 1 5 8 7 F N *

(P) Cut: 39 Cuyd
(P) Export: 25 Cuyd
(P) Fill: 17 Cuyd
(P) Import: 0 Cuyd

14. APPLICATION COMMENTS:

PDPP Project's Total Valuation \$ 0.00

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:

16. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS		CLASS	LICENSE #	PHONE #
(A) ,	1719 MADISON AVE,	PASADENA, CA 91104		C34529	
(C) BM CONSTRUCTION LLC	4712 GREY DR,	LOS ANGELES, CA 90032	B	1066119	
(E) BARR,, JOSEPH DANIEL	1185 HERITAGE FARM RD,	HICKORY, NC 28601		C70708	
(E) LEWIS,, STEPHEN HART	169 S BALDWIN AVE,	SIERRA MADRE, CA 9102		C70304	

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 12 months (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: **B** License No.: **1066119** Contractor: **BM CONSTRUCTION LLC**

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

- ☐ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- ☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: **STATE COMP. INS. FUND**

Policy Number: **9341053**

- ☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING/SILICOSIS ACKNOWLEDGEMENT / UNIVERSAL WASTE

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. I understand that lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323. I understand that silica safe production processes are required for all fabricating and cutting of crystalline silica material per section 5204 of the California Code of Regulations. More Information is available at www.dir.ca.gov. I affirm to abide by the Requirements for Universal Waste (Cal. Code Regs, Tit. 22, Div. 4.5 Ch. 11 Section 66261.9). Note: Refer to the Universal Waste Rule link at: www.dtsc.ca.gov/universalwaste

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): _____ Lender's Address: _____

21. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC). I accept all the declarations above and that this permit is being obtained with the consent of the legal owner of the property.

Print Name: **See Attached Signature Declaration**

Sign: **See Attached Signature Declaration**

Date: _____

☐ Contractor

☐ Authorized Agent

Grading
1 or 2 Family Dwelling
Plan Check

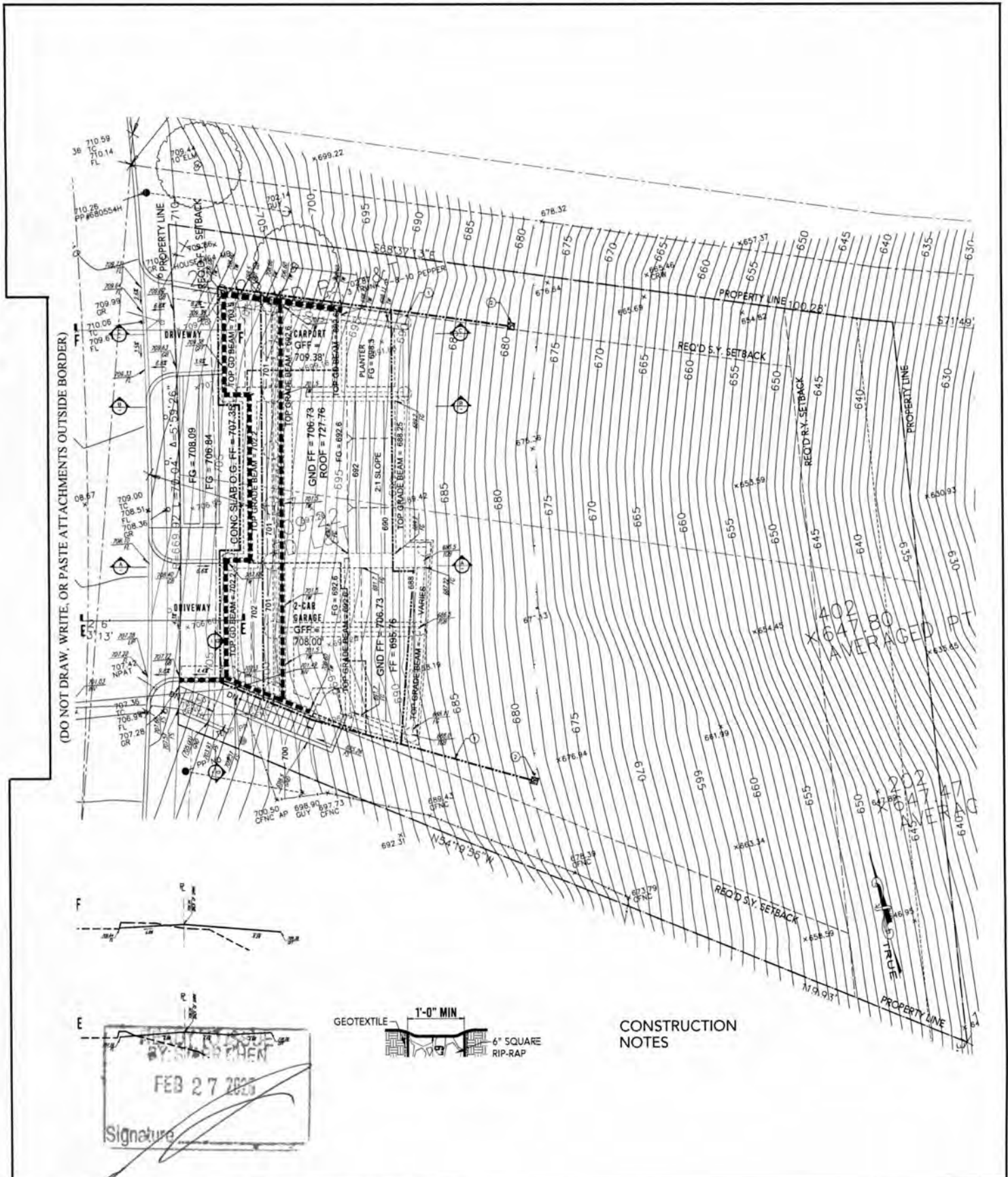
City of Los Angeles - Department of Building and Safety

Plan Check #: B22LA03919

Initiating Office: METRO

Printed on: 02/27/26 14:49:17

PLOT PLAN ATTACHMENT



Job Address: 464 Crane Blvd. Application #: 22030-10K-01587

City of Los Angeles – Department of Building and Safety | Signature Declaration Attachment Form

Instructions

Applicant (contractor, owner, or agent): Complete and sign the appropriate statements below only after completely reviewing the entire permit application for accuracy. Also, indicate the job address on the top of the form. This attachment will become part of the permit application.
Building and Safety Staff Member: Complete the "APPLICATION#:" and make sure the job address is shown above. Give a copy of the permit application to the applicant.

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 12 months (Sec. 58.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17a. OWNER-BUILDER DECLARATION

I hereby affirm under the penalty of perjury that I am exempt from the Contractor's Safe License Law for the following reason (Section 7031.5, Business and Professions Code) Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).

☐ I, as the owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code). The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year from completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale.

OR

☐ I, as the owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code). The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law.

17b. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: B License No.: 1066119 Contractor: BM CONSTRUCTION LLC

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

☐ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☒ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: State Compensation Insurance Fund Policy Number: 9341053-2025

☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING / SILICOSIS ACKNOWLEDGMENT / UNIVERSAL WASTE

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. I understand that lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323. I understand that silica safe production processes are required for all fabricating and cutting of crystalline silica materials per section 5204 of the California Code of Regulations. More information is available at www.dir.ca.gov. I affirm to abide by the Requirements for Universal Waste (Cal. Code Regs, Tit. 22, Div. 4.5 Ch. 11 Section 66261.9). Note: Refer to the Universal Waste Rule link at: www.dtsc.ca.gov/universalwaste/

21. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC). I accept all the declarations above and that this permit is being obtained with the consent of the legal owner of the property.

Print Name: Brian Martin Sign: B Martin Date: 3/8/26 () Owner (X) Contractor () Authorized Agent

EXHIBIT C

California Code of Regulations

Title 14 — Natural Resources

Division 1.5 — Department of Forestry and Fire Protection

Chapter 7 — Fire Protection

Subchapter 2 — State Minimum Fire Safe Regulations

Compiled Reference — All Current Articles 1 through 5 (14 CCR §§ 1270.00–1276.05)

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Article 1 — Administration

§ 1270.00. Title

Subchapter 2 shall be known as the "State Minimum Fire Safe Regulations," and shall constitute the minimum Wildfire protection standards of the California Board of Forestry and Fire Protection.

§ 1270.01. Definitions

- (a) Agriculture: Land used for agricultural purposes as defined in a Local Jurisdiction's zoning ordinances.
- (b) Board: California Board of Forestry and Fire Protection.
- (c) Building: Any Structure used or intended for supporting or sheltering any use or Occupancy, except those classified as Utility and Miscellaneous Group U.
- (d) CAL FIRE: California Department of Forestry and Fire Protection.
- (e) Dead-end Road: A Road that has only one point of vehicular ingress/egress, including cul-de-sacs and Roads that loop back on themselves.
- (f) Defensible Space: The area within the perimeter of a parcel, Development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching Wildfire or defense against encroaching Wildfires or escaping Structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or Development, excluding the physical Structure itself. The area is characterized by the establishment and maintenance of emergency vehicle access, emergency water reserves, Road names and Building identification, and fuel modification measures.
- (g) Development: As defined in section 66418.1 of the California Government Code.
- (h) Director: Director of the Department of Forestry and Fire Protection or their designee.
- (i) Driveway: A vehicular pathway that serves no more than four (4) Residential Units and any number of non-commercial or non-industrial Utility or Miscellaneous Group U Buildings on each parcel. A Driveway shall not serve commercial or industrial uses at any size or scale.
- (j) Exception: An alternative to the specified standard requested by the applicant that may be necessary due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem.
- (k) Fire Apparatus: A vehicle designed to be used under emergency conditions to transport personnel and equipment or to support emergency response, including but not limited to the suppression of fires.
- (l) Fire Authority: A fire department, agency, division, district, or other governmental body responsible for regulating and/or enforcing minimum fire safety standards in the Local Jurisdiction.

- (m) Fire Hydrant: A valved connection on a water supply or storage system for the purpose of providing water for fire protection and suppression operations.
- (n) Fuel Break: A strategically located area where the volume and arrangement of vegetation has been managed to limit fire intensity, fire severity, rate of spread, crown fire potential, and/or ember production.
- (o) Greenbelts: open space, parks, wildlands, other areas, or a combination thereof, as designated by Local Jurisdictions, which are in, surround, or are adjacent to a city or urbanized area, that may function as Fuel Breaks and where Building construction is restricted or prohibited.
- (p) Greenways: Linear open spaces or corridors that link parks and neighborhoods within a community through natural or manmade trails and paths.
- (q) Hammerhead/T: A "T" shaped, three-point Turnaround space for Fire Apparatus on a Road or Driveway, being no narrower than the Road or Driveway that serves it.
- (r) Hazardous Land Use: A land use that presents a significantly elevated potential for the ignition, prolonged duration, or increased intensity of a Wildfire due to the presence of flammable materials, liquids, or gasses, or other features that initiate or sustain combustion. Such uses are determined by the Local Jurisdiction and may include, but are not limited to, power-generation and distribution facilities; wood processing or storage sites; flammable gas or liquids processing or storage sites; or shooting ranges.
- (s) Local Jurisdiction: Any county, city/county agency or department, or any locally authorized district that approves or has the authority to regulate Development.
- (t) Municipal-Type Water System: A system having water pipes servicing Fire Hydrants and designed to furnish, over and above domestic consumption, a minimum of 250 gpm (950 L/min) at 20 psi (138 kPa) residual pressure for a two (2) hour duration.
- (u) Occupancy: The purpose for which a Building, or part thereof, is used or intended to be used.
- (v) One-way Road: A Road that provides a minimum of one Traffic Lane width designed for traffic flow in one direction only.
- (w) Residential Unit: Any Building or portion thereof which contains living facilities including provisions for sleeping, eating, cooking and/or sanitation, for one or more persons. Manufactured homes, mobile homes, and factory-built housing are considered Residential Units.
- (x) Ridgeline: The line of intersection of two opposing slope aspects running parallel to the long axis of the highest elevation of land; or an area of higher ground separating two adjacent streams or watersheds.
- (y) Road: A public or private vehicular pathway to more than four (4) Residential Units, or to any industrial or commercial Occupancy.

(z) Road or Driveway Structures: Bridges, culverts, and other appurtenant Structures which supplement the Traffic Lane or Shoulders.

(aa) Same Practical Effect: As used in this subchapter, means an Exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including: (1) access for emergency wildland fire equipment, (2) safe civilian evacuation, (3) signing that avoids delays in emergency equipment response, (4) available and accessible water to effectively attack Wildfire or defend a Structure from Wildfire, and (5) fuel modification sufficient for civilian and fire fighter safety.

(bb) Shoulder: A vehicular pathway adjacent to the Traffic Lane.

(cc) State Responsibility Area (SRA): As defined in Public Resources Code sections 4126-4127; and the California Code of Regulations, title 14, division 1.5, chapter 7, article 1, sections 1220-1220.5.

(dd) Strategic Ridgeline: a Ridgeline identified pursuant to § 1276.02(a) that may support fire suppression activities or where the preservation of the Ridgeline as an Undeveloped Ridgeline would reduce fire risk and improve fire protection.

(ee) Structure: That which is built or constructed or any piece of work artificially built up or composed of parts joined together in some definite manner.

(ff) Traffic Lane: The portion of a Road or Driveway that provides a single line of vehicle travel.

(gg) Turnaround: An area which allows for a safe opposite change of direction for Fire Apparatus at the end of a Road or Driveway.

(hh) Turnout: A widening in a Road or Driveway to allow vehicles to pass.

(ii) Undeveloped Ridgeline: A Ridgeline with no Buildings.

(jj) Utility and Miscellaneous Group U: A Structure of an accessory character or a miscellaneous Structure not classified in any specific Occupancy permitted, constructed, equipped, and maintained to conform to the requirements of Title 24, California Building Standards Code.

(kk) Vertical Clearance: The minimum specified height of a bridge, overhead projection, or vegetation clearance above the Road or Driveway.

(ll) Vertical Curve: A curve at a high or low point of a Road that provides a gradual transition between two Road grades or slopes.

(mm) Very High Fire Hazard Severity Zone (VHFHSZ): As defined in Government Code section 51177(i).

(nn) Wildfire: Has the same meaning as "forest fire" in Public Resources Code Section 4103.

§ 1270.02. Purpose

(a) Subchapter 2 has been prepared and adopted for the purpose of establishing state minimum Wildfire protection standards in conjunction with Building, construction, and Development in the

State Responsibility Area (SRA) and, after July 1, 2021, the Very High Fire Hazard Severity Zones, as defined in Government Code § 51177(i) (VHFHSZ).

(b) The future design and construction of Structures, subdivisions and Developments in the SRA and, after July 1, 2021, the VHFHSZ shall provide for basic emergency access and perimeter Wildfire protection measures as specified in the following articles.

(c) These standards shall provide for emergency access; signing and Building numbering; private water supply reserves for emergency fire use; vegetation modification, Fuel Breaks, Greenbelts, and measures to preserve Undeveloped Ridgelines. Subchapter 2 specifies the minimums for such measures.

§ 1270.03. Scope

(a) Subchapter 2 shall apply to: (1) the perimeters and access to all residential, commercial, and industrial Building construction within the SRA approved after January 1, 1991, and those approved after July 1, 2021 within the VHFHSZ, except as set forth below in subsection (b); (2) the siting of newly installed commercial modulars, manufactured homes, mobilehomes, and factory-built housing, as defined in Health and Safety Code sections 18001.8, 18007, 18008, and 19971; (3) all tentative and parcel maps or other Developments approved after January 1, 1991; and (4) applications for Building permits on a parcel approved in a pre-1991 parcel or tentative map to the extent that conditions relating to the perimeters and access to the Buildings were not imposed as part of the approval of the parcel or tentative map.

(b) Subchapter 2 does not apply where an application for a Building permit is filed after January 1, 1991 for Building construction on a parcel that was formed from a parcel map or tentative map (if the final map for the tentative map is approved within the time prescribed by the local ordinance) approved prior to January 1, 1991, to the extent that conditions relating to the perimeters and access to the Buildings were imposed by the parcel map or final tentative map approved prior to January 1, 1991.

(c) Affected activities include, but are not limited to: (1) permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d); (2) application for a Building permit for new construction not relating to an existing Structure; (3) application for a use permit; (4) Road construction including construction of a Road that does not currently exist, or extension of an existing Road.

(d) The standards in Subchapter 2 applicable to Roads shall not apply to Roads used solely for Agriculture; mining; or the management of timberland or harvesting of forest products.

§ 1270.04. Provisions for Application of these Regulations

This Subchapter shall be applied as follows:

(a) the Local Jurisdictions shall provide the Director of the California Department of Forestry and Fire Protection (CAL FIRE) or their designee with notice of applications for Building permits, tentative parcel maps, tentative maps, and installation or use permits for construction or Development within the SRA, or if after July 1, 2021, the VHFHSZ.

(b) the Director or their designee may review and make fire protection recommendations on applicable construction or development permits or maps provided by the Local Jurisdiction.

(c) the Local Jurisdiction shall ensure that the applicable sections of this Subchapter become a condition of approval of any applicable construction or Development permit or map.

§ 1270.05. Local Regulations

(a) Subchapter 2 shall serve as the minimum Wildfire protection standards applied in SRA and VHFHSZ. However, Subchapter 2 does not supersede local regulations which equal or exceed the standards of this Subchapter.

(b) A local regulation equals or exceeds a minimum standard of this Subchapter only if, at a minimum, the local regulation also fully complies with the corresponding minimum standard in this Subchapter.

(c) A Local Jurisdiction shall not apply exemptions to Subchapter 2 that are not enumerated in Subchapter 2. Exceptions requested and approved in conformance with § 1270.07 (Exceptions to Standards) may be granted on a case-by-case basis.

(d) Notwithstanding a local regulation that equals or exceeds the State Minimum Fire Safe Regulations, Building construction shall comply with the State Minimum Fire Safe Regulations.

§ 1270.06. Inspections

Inspections shall conform to the following requirements:

(a) Inspections in the SRA shall be made by: (1) the Director, or (2) Local Jurisdictions that have assumed state fire protection responsibility on SRA lands, or (3) Local Jurisdictions where the inspection duties have been formally delegated by the Director to the Local Jurisdictions, pursuant to subsection (b).

(b) The Director may delegate inspection authority to a Local Jurisdiction subject to all of the following criteria: (1) The Local Jurisdiction represents that they have appropriate resources to perform the delegated inspection authority. (2) The Local Jurisdiction acknowledges that CAL FIRE's authority under subsection (d) shall not be waived or restricted. (3) The Local Jurisdiction consents to the delegation of inspection authority. (4) The Director may revoke the delegation at any time. (5) The delegation of inspection authority, and any subsequent revocation of the delegation, shall be documented in writing, and retained on file at the CAL FIRE Unit headquarters that administers SRA fire protection in the area.

(c) Inspections in the VHFHSZ shall be made by the Local Jurisdiction.

(d) Nothing in this section abrogates CAL FIRE's authority to inspect and enforce state forest and fire laws in the SRA even when the inspection duties have been delegated pursuant to this section.

(e) Reports of violations within the SRA shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in the Local Jurisdiction.

(f) When inspections are conducted, they shall occur prior to: the issuance of the use permit or certificate of Occupancy; the recordation of the parcel map or final map; the filing of a notice of completion; or the final inspection of any project or Building permit.

§ 1270.07. Exceptions to Standards

(a) Upon request by the applicant, an Exception to standards within this Subchapter may be allowed by the Inspection entity in accordance with 14 CCR § 1270.06 (Inspections) where the Exceptions provide the Same Practical Effect as these regulations towards providing Defensible Space. Exceptions granted by the Local Jurisdiction listed in 14 CCR § 1270.06 shall be made on a case-by-case basis only. Exceptions granted by the Local Jurisdiction listed in 14 CCR § 1270.06 shall be forwarded to the appropriate CAL FIRE unit headquarters that administers SRA fire protection in that Local Jurisdiction, or the county in which the Local Jurisdiction is located, and shall be retained on file at the Unit Office.

(b) Requests for an Exception shall be made in writing to the Local Jurisdiction listed in 14 CCR § 1270.06 by the applicant or the applicant's authorized representative. At a minimum, the request shall state the specific section(s) for which an Exception is requested; material facts supporting the contention of the applicant; the details of the Exception proposed; and a map showing the proposed location and siting of the Exception. Local Jurisdictions listed in § 1270.06 (Inspections) may establish additional procedures or requirements for Exception requests.

(c) Where an Exception is not granted by the inspection entity, the applicant may appeal such denial to the Local Jurisdiction. The Local Jurisdiction may establish or utilize an appeal process consistent with existing local building or planning department appeal processes.

(d) Before the Local Jurisdiction makes a determination on an appeal, the inspector shall be consulted and shall provide to that Local Jurisdiction documentation outlining the effects of the requested Exception on Wildfire protection.

(e) If an appeal is granted, the Local Jurisdiction shall make findings that the decision meets the intent of providing Defensible Space consistent with these regulations. Such findings shall include a statement of reasons for the decision. A written copy of these findings shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in that Local Jurisdiction.

§ 1270.08. Distance Measurements

All specified or referenced distances are measured along the ground, unless otherwise stated.

Article 2 — Emergency Access and Egress

§ 1273.00. Intent

Roads and driveways, whether public or private, unless exempted under 14 CCR § 1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.

§ 1273.01. Width

(a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.

(b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads. (1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units. (2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.

(c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

§ 1273.02. Road Surfaces

(a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base.

(b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.

(c) Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction.

§ 1273.03. Grades

(a) At no point shall the grade for all roads and driveways exceed 16 percent.

(b) The grade may exceed 16%, not to exceed 20%, with approval from the local authority having jurisdiction and with mitigations to provide for same practical effect.

§ 1273.04. Radius

(a) No road or road structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet.

(b) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet.

§ 1273.05. Turnarounds

(a) Turnarounds are required on driveways and dead-end roads.

(b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the “T” shall be a minimum of sixty (60) feet in length.

(c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.

(d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.

(e) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.

(f) Figure A. Turnarounds on roads with two ten-foot traffic lanes. [figure omitted from this text compilation — see official CCR]

§ 1273.06. Turnouts

Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each end.

§ 1273.07. Road and Driveway Structures

(a) Appropriate signing, including but not limited to weight or vertical clearance limitations, one-way road or single traffic lane conditions, shall reflect the capability of each bridge.

(b) Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with the American Association of State and Highway Transportation Officials Standard Specifications for Highway Bridges, 17th Edition, published 2002 (known as AASHTO HB-17), hereby incorporated by reference. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the local authority having jurisdiction.

(c) Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, barriers, or signs, or both, as approved by the local authority having jurisdiction, shall be installed and maintained.

(d) A bridge with only one traffic lane may be authorized by the local jurisdiction; however, it shall provide for unobstructed visibility from one end to the other and turnouts at both ends.

§ 1273.08. Dead-End Roads

(a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels

served: (1) parcels zoned for less than one acre — 800 feet; (2) parcels zoned for 1 acre to 4.99 acres — 1,320 feet; (3) parcels zoned for 5 acres to 19.99 acres — 2,640 feet; (4) parcels zoned for 20 acres or larger — 5,280 feet. All lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.

(b) See 14 CCR § 1273.05 for dead-end road turnaround requirements.

§ 1273.09. Gate Entrances

(a) Gate entrances shall be at least two (2) feet wider than the width of the traffic lane(s) serving that gate and a minimum width of fourteen (14) feet unobstructed horizontal clearance and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

(b) All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.

(c) Where a one-way road with a single traffic lane provides access to a gated entrance, a forty (40) foot turning radius shall be used.

(d) Security gates shall not be installed without approval. Where security gates are installed, they shall have an approved means of emergency operation. Approval shall be by the local authority having jurisdiction. The security gates and the emergency operation shall be maintained operational at all times.

Article 3 — Signing and Building Numbering

§ 1274.00. Intent

To facilitate locating a fire and to avoid delays in response, all newly constructed or approved roads and buildings shall be designated by names or numbers posted on signs clearly visible and legible from the road. This section shall not restrict the size of letters or numbers appearing on road signs for other purposes.

§ 1274.01. Road Signs

(a) Newly constructed or approved roads must be identified by a name or number through a consistent system that provides for sequenced or patterned numbering and/or non-duplicative naming within each local jurisdiction. This section does not require any entity to rename or renumber existing roads, nor shall a road providing access only to a single commercial or industrial occupancy require naming or numbering.

(b) The size of letters, numbers, and symbols for road signs shall be a minimum four (4) inch letter height, half inch (.5) inch stroke, reflectorized, contrasting with the background color of the sign.

§ 1274.02. Road Sign Installation, Location, and Visibility

(a) Road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred (100) feet.

(b) Signs required by this article identifying intersecting roads shall be placed at the intersection of those roads.

(c) A sign identifying traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end roads, one-way roads, or single lane conditions, shall be placed: (1) at the intersection preceding the traffic access limitation, and (2) no more than one hundred (100) feet before such traffic access limitation.

(d) Road signs required by this article shall be posted at the beginning of construction and shall be maintained thereafter.

§ 1274.03. Addresses for Buildings

(a) All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Utility and miscellaneous Group U buildings are not required to have a separate address; however, each residential unit within a building shall be separately identified.

(b) The size of letters, numbers, and symbols for addresses shall conform to the standards in the California Fire Code, California Code of Regulations title 24, part 9.

(c) Addresses for residential buildings shall be reflectorized.

§ 1274.04. Address Installation, Location, and Visibility

(a) All buildings shall have a permanently posted address which shall be plainly legible and visible from the road fronting the property.

(b) Where access is by means of a private road and the address identification cannot be viewed from the public way, an unobstructed sign or other means shall be used so that the address is visible from the public way.

(c) Address signs along one-way roads shall be visible from both directions.

(d) Where multiple addresses are required at a single driveway, they shall be mounted on a single sign or post.

(e) Where a road provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site, or otherwise posted to provide for unobstructed visibility from that intersection.

(f) In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter.

Article 4 — Emergency Water Standards

§ 1275.00. Intent

Emergency water for wildfire protection shall be available, accessible, and maintained in quantities and locations specified in the statute and these regulations in order to attack a wildfire or defend property from a wildfire.

§ 1275.01. Application

The provisions of this article shall apply in the tentative and parcel map process when new parcels are approved by the local jurisdiction having authority.

§ 1275.02. Water Supply

(a) When a water supply for structure defense is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when alternative methods of protection are provided and approved by the local authority having jurisdiction.

(b) Water systems equaling or exceeding the California Fire Code, California Code of Regulations title 24, part 9, or, where a municipal-type water supply is unavailable, National Fire Protection Association (NFPA) 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting," 2017 Edition, hereby incorporated by reference, shall be accepted as meeting the requirements of this article.

(c) Such emergency water may be provided in a fire agency mobile water tender, or naturally occurring or man made containment structure, as long as the specified quantity is immediately available.

(d) Nothing in this article prohibits the combined storage of emergency wildfire and structural firefighting water supplies unless so prohibited by local ordinance or specified by the local fire agency.

(e) Where freeze or crash protection is required by local jurisdictions having authority, such protection measures shall be provided.

§ 1275.03. Hydrants and Fire Valves

(a) The hydrant or fire valve shall be eighteen (18) inches above the finished surface. Its location in relation to the road or driveway and to the building(s) or structure(s) it serves shall comply with California Fire Code, California Code of Regulations title 24, part 9, Chapter 5, and Appendix C.

(b) The hydrant head shall be a two and half (2 1/2) inch National Hose male thread with cap for pressure and gravity flow systems and four and a half (4 1/2) inch for draft systems.

(c) Hydrants shall be wet or dry barrel and have suitable freeze or crash protection as required by the local jurisdiction.

§ 1275.04. Signing of Water Sources

(a) Each hydrant, fire valve, or access to water shall be identified as follows: (1) if located along a driveway, a reflectorized blue marker, with a minimum dimension of three (3) inches shall be located

on the driveway address sign and mounted on a fire retardant post, or (2) if located along a road: (A) a reflectorized blue marker, with a minimum dimension of three (3) inches, shall be mounted on a fire retardant post. The sign post shall be within three (3) feet of said hydrant or fire valve, with the sign no less than three (3) feet nor greater than five (5) feet above ground, in a horizontal position and visible from the driveway, or (B) as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

Article 5 — Building Siting, Setbacks, and Fuel Modification

This Article was substantially restructured in the April 1, 2023 amendment cycle. Text below is current per Justia (current through Register 2025 Notice Reg. No. 26, June 27, 2025).

§ 1276.00. Intent

To reduce the intensity of a Wildfire, reducing the volume and density of flammable vegetation around Development through strategic fuel modification, parcel siting and Building setbacks, and the protection of Undeveloped Ridgelines shall provide for increased safety for emergency fire equipment, including evacuating civilians, and a point of attack or defense from a Wildfire.

§ 1276.01. Building and Parcel Siting and Setbacks

(a) All parcels shall provide a minimum thirty (30) foot setback for all Buildings from all property lines and/or the center of a Road, except as provided for in subsection (b).

(b) A reduction in the minimum setback shall be based upon practical reasons, which may include but are not limited to, parcel dimensions or size, topographic limitations, Development density requirements or other Development patterns that promote low-carbon emission outcomes; sensitive habitat; or other site constraints, and shall provide for an alternative method to reduce Structure-to-Structure ignition by incorporating features such as, but not limited to: (1) non-combustible block walls or fences; or (2) non-combustible material extending five (5) feet horizontally from the furthest extent of the Building; or (3) hardscape landscaping; or (4) a reduction of exposed windows on the side of the Structure with a less than thirty (30) foot setback; or (5) the most protective requirements in the California Building Code, California Code of Regulations Title 24, Part 2, Chapter 7A, as required by the Local Jurisdiction.

§ 1276.02. Ridgelines

(a) The Local Jurisdiction shall identify Strategic Ridgelines, if any, to reduce fire risk and improve fire protection through an assessment of the following factors: (1) Topography; (2) Vegetation; (3) Proximity to any existing or proposed residential, commercial, or industrial land uses; (4) Construction where mass grading may significantly alter the topography resulting in the elimination of Ridgeline fire risks; (5) Ability to support effective fire suppression; and (6) Other factors, if any, deemed relevant by the Local Jurisdiction.

(b) Preservation of Undeveloped Ridgelines identified as strategically important shall be required pursuant to this section.

(c) New Buildings on Undeveloped Ridgelines identified as strategically important are prohibited, as described in subsections (c)(1), (c)(2), and (c)(3). (1) New Residential Units are prohibited within or at the top of drainages or other topographic features common to Ridgelines that act as chimneys to funnel convective heat from Wildfires. (2) Nothing in this subsection shall be construed to alter the extent to which utility infrastructure, including but not limited to wireless telecommunications facilities, as defined in Government Code section 65850.6, subdivision (d)(2), or Storage Group S or Utility and Miscellaneous Group U Structures, may be constructed on Undeveloped Ridgelines. (3) Local Jurisdictions may approve Buildings on Strategic Ridgelines where Development activities such as mass grading will significantly alter the topography that results in the elimination of Ridgeline fire risks.

(d) The Local Jurisdiction may implement further specific requirements to preserve Undeveloped Ridgelines.

§ 1276.03. Fuel Breaks

(a) When Building construction meets the following criteria, the Local Jurisdiction shall determine the need and location for Fuel Breaks in consultation with the Fire Authority: (1) the permitting or approval of three (3) or more new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d); or (2) an application for a change of zoning increasing zoning intensity or density; or (3) an application for a change in use permit increasing use intensity or density.

(b) Fuel Breaks required by the Local Jurisdiction, in consultation with the Fire Authority, shall be located, designed, and maintained in a condition that reduces the potential of damaging radiant and convective heat or ember exposure to Access routes, Buildings, or infrastructure within the Development.

(c) Fuel Breaks shall have, at a minimum, one point of entry for fire fighters and any Fire Apparatus. The specific number of entry points and entry requirements shall be determined by the Local Jurisdiction, in consultation with the Fire Authority.

(d) Fuel Breaks may be required at locations such as, but not limited to: (1) Directly adjacent to defensible space as defined by 14 CCR § 1299.02 to reduce radiant and convective heat exposure, ember impacts, or support fire suppression tactics; (2) Directly adjacent to Roads to manage radiant and convective heat exposure or ember impacts, increase evacuation safety, or support fire suppression tactics; (3) Directly adjacent to a Hazardous Land Use to limit the spread of fire from such uses, reduce radiant and convective heat exposure, or support fire suppression tactics; (4) Strategically located along Ridgelines, in Greenbelts, or other locations to reduce radiant and convective heat exposure, ember impacts, or support community level fire suppression tactics.

(e) Fuel Breaks shall be completed prior to the commencement of any permitted construction.

(f) Fuel Breaks shall be constructed using the most ecologically and site appropriate treatment option, such as, but not limited to, prescribed burning, manual treatment, mechanical treatment, prescribed herbivory, and targeted ground application of herbicides.

(g) Where a Local Jurisdiction requires Fuel Breaks, maintenance mechanisms shall be established to ensure the fire behavior objectives and thresholds are maintained over time.

(h) The mechanisms required shall be binding upon the property for which the Fuel Break is established, shall ensure adequate maintenance levels, and may include written legal agreements; permanent fees, taxes, or assessments; assessments through a homeowners' association; or other funding mechanisms.

§ 1276.04. Greenbelts, Greenways, Open Spaces and Parks

(a) Where a Greenbelt, Greenway, open space, park, landscaped or natural area, or portions thereof, is intended to serve as a Fuel Break, the space or relevant portion thereof shall conform with the requirements in § 1276.03 (Fuel Breaks).

§ 1276.05. Disposal of Flammable Vegetation and Fuels

The disposal, including burning or removal to a site approved by the Local Jurisdiction, in consultation with the Fire Authority, of flammable vegetation and fuels caused by site construction, Road, and Driveway construction shall be in accordance with all applicable laws and regulations.

EXHIBIT D



EMERGENCY MANAGEMENT DEPARTMENT

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Local Hazard Mitigation Plan

The City of Los Angeles completed and enacted its most recent Local Hazard Mitigation Plan (LHMP) in 2024 to lessen the vulnerability to disasters, and demonstrate the City's commitment to reducing risks from natural hazards. The LHMP serves as a guide for decision makers as they commit City resources to minimize the effects of natural hazards. The plan is intended to integrate with existing planning mechanisms such as building and zoning regulations, long-range planning mechanisms, and environmental planning. The planning process includes conducting a thorough hazard vulnerability analysis, creating community disaster mitigation priorities, and developing subsequent mitigation strategies and projects.

This completed plan -- as approved by the Federal Emergency Management Agency (FEMA) -- makes the City eligible to apply for grant funding. Awarded funds may then be used to reduce the City's vulnerability to disasters and help break the cycles of disaster within its many communities, ensuring a sustainable future for future generations.

Following revisions, LA City's Emergency Management Department (EMD) submitted the Local Hazard Mitigation Plan (LHMP) to the

California Governor's Office of Emergency Services (CalOES) and Federal Emergency Management Agency (FEMA) for their respective reviews and approval. Now, having also been formally adopted by the LA City Council, the final LHMP is available below.

Starting in April 2023, the City of Los Angeles kicked off its latest update of its LHMP to increase the resilience of our communities. This adopted plan identifies and assesses the hazards to which the City is most vulnerable and provides strategies to be implemented over the next five-years -- to reduce the impacts of these disasters.

[Download the Local Hazard Mitigation Plan for 2024-2029](#)

Feedback at Public Meetings

Los Angeles is committed to a whole community approach in our emergency planning processes. Therefore, the completed 2024 LHMP Draft was made available for public comment from March 20 to April 15, 2024. The LHMP was revised along the way to incorporate feedback received during the public comment period. Thank You for Your Input!

As a covered entity under Title II of the Americans with Disabilities Act, Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities.

LHMP Public Feedback Meetings Held (Virtual)

- Public Feedback Session #1 -- March 27, 2024 / [Video available here](#)
- Public Feedback Session #2 -- Saturday, April 6, 2024

Learn More About LHMP



2024 LHMP Interactive Story Map

Find out more about some of the hazards covered in the plan and see their quantifiable impacts visualized on our [2024 LHMP Interactive Story Map](#), as well as learn more about LHMP planning process.



Frequently Asked Questions Documents

- [Local Hazard Mitigation Plan Frequently Asked Questions](#)
- [Preguntas sobre el plan local de mitigación de riesgos](#)

Hazard Mitigation Planning Process

The LHMP goes through a major update about every five years. Mitigation plans must be reviewed and updated, formally approved by federal and state governing bodies, and then formally adopted by the City as part of receiving approval. LA City's 2024-2029 LHMP was updated based on regulations found in the current **Local Mitigation Planning Policy Guide** of the Federal Emergency Management Agency (FEMA).

LHMP Steering Committee - 2023-24

As part of the planning process, LA City formed a steering committee to oversee the plan's update and prepare a public survey. It consisted of governmental as well as non-governmental stakeholders within the planning area. All steering committee meetings were open to public viewing and comment.

- [Steering Committee Agenda #1](#) - April 25, 2023
- [Summary - Committee Meeting #1](#)
- [Steering Committee Agenda \(Packet\) #2](#) - June 20, 2023
- [Summary - Committee Meeting #2](#)

- [Steering Committee Agenda \(Packet\) #3](#) - July 25, 2023
- [Summary - Committee Meeting #3](#)
- [Steering Committee Agenda #4](#) - February 27, 2024

Community Hazard Awareness Survey

Los Angeles was committed to engaging stakeholders throughout the LHMP update process. An anonymous survey was designed to help the City better prepare our communities to withstand the hazards and potential disasters most prevalent in the area. The information provided by constituents was then used to directly support the development of strategies and actions to reduce vulnerability to potential hazards.

Thank you, for those who took the time to participate!

Plan Update Oversight

The City's Emergency Management Department (EMD) was responsible throughout the process for overseeing the plan update.

LHMP State/Federal Approval

As now approved and adopted, the LHMP makes the City eligible to apply for grant funding to reduce vulnerability to disasters within the community and help break the disaster cycle to ensure a sustainable future for Angelenos. Maintaining an up-to-date LHMP is a federal requirement in order for the City to be eligible for certain mitigation grant funding opportunities.

The following mitigation grant funding sources are available through FEMA:

- Hazard Mitigation Grant Program (HMGP)
- Pre-disaster Mitigation Program (PDM)
- Flood Mitigation Assistance Program (FMA)
- Building Resilient Infrastructure and Communities (BRIC)
- HMGP Post-Fire Assistance
- Rehabilitation of High Hazard Potential Dam (HHPD)

Related FEMA Links and Other Resources

- [Hazard Mitigation Assistance Grants](#)
- [HHPD Grant Program](#)

- [FEMA Mitigation Planning](#)
- [Cal OES Mitigation Division](#)

U.S. Department of Homeland Security
FEMA Region 9
1111 Broadway, Suite 1200
Oakland, CA 94607



FEMA

September 26, 2024

Jon Brown
Division Chief of Planning and Resilience
City of Los Angeles Emergency Management Department
500 E. Temple St.
Los Angeles, CA 90012

Dear Jon Brown:

The *2024 City of Los Angeles Local Hazard Mitigation Plan* was officially adopted by the City of Los Angeles and submitted for final review and approval to the Federal Emergency Management Agency (FEMA). The review is complete, and FEMA finds the plan to be in conformance with the Code of Federal Regulations, Title 44, Part 201, Section 6 (44 C.F.R. 201.6).

This plan approval ensures the City of Los Angeles' continued eligibility for funding under FEMA's Hazard Mitigation Assistance programs, including the Hazard Mitigation Grant Program (HMGP), the Building Resilient Infrastructure and Communities program (BRIC), Rehabilitation of High Hazard Potential Dams (HHPD) program, and the Flood Mitigation Assistance (FMA) program. All requests for funding are evaluated individually according to eligibility and other program requirements. Approved hazard mitigation plans may also be eligible for points under the National Flood Insurance Program's Community Rating System (CRS).

FEMA's approval is for a period of five years, effective the date FEMA received the first adoption documentation. For this plan, documentation was received on September 24, 2024 and is considered approved as of then. Prior to **September 24, 2029**, the City of Los Angeles must review, revise, and submit their plan to FEMA for approval to maintain eligibility for grant funding. The enclosed plan review tool provides additional recommendations to incorporate into future plan updates.

If you have any questions regarding the planning or review processes, please contact the FEMA Region 9 Hazard Mitigation Planning Team at fema-r9-mitigation-planning@fema.dhs.gov.

Sincerely,

KATHRYN J
LIPIECKI

Kathryn Lipiecki
Director, Mitigation Division
FEMA Region 9

Digitally signed by KATHRYN J
LIPIECKI
Date: 2024.09.26 16:24:46 -07'00'

EXHIBIT E

BOARD OF
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CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

OSAMA YOUNAN, P.E.
GENERAL MANAGER
SUPERINTENDENT OF BUILDING

May 27, 2021

Honorable Members of the Public Safety Committee
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

**Report Relative To Expanding Fire District 1, California Department Of Forestry,
Very High Fire Hazard Severity Zone, City High Wind Velocity Zone; CF 19-0603**

Dear Honorable Members,

On April 6, 2021, the City Council amended and adopted the Public Safety Committee report from Council File 19-0603 (Blumenfield-Rodriguez-Harris-Dawson) relative to expanding Fire District 1 that directed the Departments of Building and Safety, Fire Department and City Planning, with the assistance of the City Attorney, to report back on the following items:

1. Feasibility of an ordinance to expand Fire District 1 to areas within the City that are similar to existing conditions, including but not limited to, high density multi-family and commercial land use, and zoning designations that allow for tall buildings, to achieve greater fire life safety.
2. Current fire life safety codes applicable to structures within the Very High Fire Hazard Severity Zones and High Wind Velocity Zones, and the feasibility of amending the current code requirements with additional fire life safety measures.

requires all roof beams and supporting posts to be anchored to provide resistance against uplift. Cantilever overhangs of the building that exceed six feet shall be designed for a minimum wind uplift pressure of 54 pounds per square foot. Asphalt and slate shingles shall be bonded to the underlay with a one-inch diameter spot of asphalt cement under each tab or by using a 1/8-inch diameter bead of asphalt cement in addition to the customarily required fasteners to resist wind uplift. Similarly, tile roofs shall have all boundary tiles attached with either 11-gage nails or approved ties.

Although there are two separate sets of code requirements for buildings located in the High Wind Velocity Area and Very High Fire Hazard Severity Zone, they work well together in protecting buildings, which are subject to both. The High Wind Velocity Area requirements are designed to protect the building components from wind damage, including the exterior fire-resisting envelope, which will protect the building in the case of a fire.

LOS ANGELES FIRE CODE

Background:

The Very High Fire Hazard Severity Zones (VHFHSZ) are areas that have been identified by local and state agencies as having a high fire hazard based on conditions such as fuel, slope and fire weather.

The current Los Angeles Fire Code (LAFC) largely adopts the California Fire Code (CFC) fire protection standards relating to buildings or structures built in the VHFHSZ. Though much of the regulation comes from the CFC, the LAFC has adopted, through local ordinance, more restrictive and clearer requirements for vegetation management, activities, access, and building standards for buildings and structures built within the VHFHSZs. Below is a brief summary of the current CFC and LAFC requirements that apply to VHFHSZs within the City of Los Angeles:

Current Fire Code Requirements

Section 322 of the Los Angeles Fire Code, Specific Requirements for Hazardous Vegetations

Section 322 is a City of Los Angeles specific ordinance that regulates the maintenance of hazardous weeds, trees, or other vegetation which are in such condition and location as to provide ready fuel supply to augment the spread or intensity of a fire.

Specifically, Section 322 requires vegetation clearance within 100 feet of buildings, sets standards for trees within 200 feet of buildings, and establishes vegetation clearance standards near chimneys, roofs, combustible fences and roads.

In 2018, the LAFD amended Section 322 via ordinance to limit the use of metal cutting blades to those that are non-sparking within the VHFHSZ and established regulation for brush clearance operations.

Section 4905 of the Los Angeles Fire Code, Wildfire Protection Building Construction

Section 4905 is a State Code requiring buildings or structures within the VHFHSZ to be built per Chapter 7A of the California Building Code.

Section 4906 of the Los Angeles Fire Code, Hazardous Vegetation and Fuel Management

Section 4906 is a State Code that requires buildings and structures within all unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Areas (SRA) including Moderate, High and Very-high Fire Hazard Severity Zones and lands designated as VHFHSZ by local agencies to manage hazardous vegetation and fuels per state codes such as:

1. Public Resources Code, Section 4291.
2. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 3, Section 1299.
3. California Government Code, Section 51182.
4. California Code of Regulations, Title 19, Division 1, Chapter 7, Subchapter 1, Section 3

Section 4907 of the Los Angeles Fire Code, Defensible Space

Section 4907 is a State Code that requires defensible space to be maintained around all buildings and structures in State Responsibility Areas (SRA) as required in Public Resources Code 4290 and "SRA Fire Safe Regulations" California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 2, Section 1270.

It also requires Building and Structures within the VHFHSZ of a Local Responsibility Area (LRA) to maintain defensible space as outlined in Government Code 51175 – 51189 and any local ordinance of the authority having jurisdiction.

Section 4908 of the Los Angeles Fire Code, Very High Fire Hazard Severity Zone (VHFHSZ) Requirements Specific to Los Angeles

Section 4908 is a Los Angeles City specific ordinance that establishes boundary lines for the VHFHSZ and prohibits certain activities within the VHFHSZ such as smoking and open burning.

It also speaks to vegetation clearance from electrical transmission lines and fire road, fire trails and fire break construction and maintenance.

Proposed Legislation

The State Legislature currently has introduced two bills that provide financial support and incentives for new development in the VHFHSZ or SRA's where the local agency has adopted a comprehensive and necessary wildfire prevention and community hardening strategy to mitigate significant risk of loss, injury, or death. Below is a brief description of each bill:

AB-1459 - Home Hardening and Defensible Space Clearance

AB-1459 is a California State Assembly Bill introduced February 19th, 2021 that would enact legislation to provide funding for grants to homeowners in Very-high Fire Hazard Severity zones for home hardening and defensible space clearance efforts.

SB-55 - Very High Fire Hazard Severity Zone: State Responsibility area: Development Prohibition: Supplemental Height and Density Bonuses

This Senate Bill introduced on December 7th, 2020 would amend an existing Density Bonus Law that would provide a qualifying developer a supplemental height bonus and a supplemental density bonus if the development is located in a moderate, high, or very high fire hazard severity zone.

State vs. City of Los Angeles Requirements

The LAFC currently imposes more restrictive requirements for buildings and structures within the City of Los Angeles VHFHSZs than the State. See the table 10 below:

SANTA MONICA MOUNTAINS CONSERVANCY

KING GILLETTE RANCH
26800 MULHOLLAND HIGHWAY
CALABASAS, CA 91302
PHONE (310) 589-3200
FAX (310) 589-3200
WWW.SMMC.CA.GOV



May 15, 2023

Vince Bertoni, Director
Department of City of Planning
City of Los Angeles
201 N. Figueroa Street
Los Angeles, California 90012

Bihn Phan, Chief
Permit and Engineering Bureau
Los Angeles Department of Building and Safety
201 N. Figueroa Street
Los Angeles, California 90012

**City of Los Angeles Obligation to Enforce State Minimum Fire Safe
Regulations Pursuant to Public Resource Code Section 4290**

Dear Mssrs. Bertoni and Phan:

The Santa Monica Mountains Conservancy (Conservancy), the principal State planning agency for the Santa Monica Mountains Zone, finds that City of Los Angeles departments analyzing projects and issuing building permits in Very High Fire Hazard Severity Zones as defined in subdivision (i) of Section 51177 of the Government Code frequently do not comply with State Minimum Fire Safe Regulations pursuant to Public Resource Code Section 4290. These regulations include *restrictions* on development on roadways less than 20 feet wide and on dead-end roads over 800 feet for safe concurrent ingress and egress in the event of an emergency. Yet, the City continues to approve hillside development on roads that do not conform to these regulations with deleterious environmental and safety results.

As of July 1, 2021, per SB 901 and the actions of the State Board of Forestry and Fire Protection, the State Minimum Fire Safe Regulations (Regulations) were expanded to now apply to Local Responsibility Areas not just State Responsibility Areas. As a result, any City building permits approved after July 1, 2021 in Very High Fire Hazard Severity Zones must comply with these minimum State regulations. Such permits and permit applications pertain to new construction not relating to an existing structure and to road construction both for new roads and extensions of existing roads. As a local jurisdiction, the City must provide the Director of Cal Fire with notice of all applications for building

permits, tentative parcel maps, tentative maps, and installation or use permits for construction or development within Very High Fire Hazard Severity Zones. The Director may then make recommendations on the applicable construction, development permits or maps provided by the local jurisdiction (14 CCR 1270.04).

More specifically, Article 2 of the Regulations, Sections 1273 et seq., address Ingress and Egress. The intent of this portion of the Regulations is to require that: "Roads, and Driveways, whether public or private, unless exempted under 14 CCR §1270.03(d) shall provide for safe access for emergency Wildfire equipment and civilian evacuation *concurrently*, and shall provide unobstructed traffic circulations during a Wildfire emergency consistent with 14 CCR §§1273 through 1273.09. Section 1270.03(d) only exempts roads used solely for agriculture, mining, or the management of timberland or harvesting of forest products.

Ingress and Egress Regulations: minimum roadway Width (Section 1273.01) and maximum Dead-End Road length (Section 1273.08).

Section 1273.01(a) requires that:

All roads be constructed "to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by Local Jurisdictions or local subdivision requirements.

As specified in Section 1273.08(a):

(a) The maximum length of a Dead-end Road, including all Dead-end Roads accessed from that Dead-end Road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

Parcels zoned for less than one acre – 800 feet

Parcels zoned for 1 acre to 4.99 acres – 1,320 feet

A dead-end road is defined in Section 1270.01(e) of the Regulations as: "A road that has only one point of vehicular ingress/egress, including cul-de-sacs and Roads that loop back on themselves."

Vince Bertoni and Bihn Phan

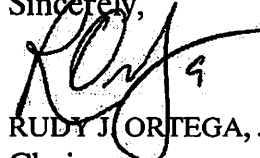
City Obligation to Enforce State Minimum Safe Fire Regulations

May 15, 2023

Page 3

The Conservancy appreciates your addressing of these concerns. Please direct any future correspondence to Paul Edelman of our staff by email at edelman@smmc.ca.gov, by phone at 310-589-3200 ext. 128, or at the above letterhead address.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Ortega, Jr.', with a stylized flourish at the end.

RUDY J. ORTEGA, JR.
Chairperson

EXHIBIT F

ORDINANCE NO. 187994

An ordinance amending Article 7, Chapter 5 of the Los Angeles Municipal Code to make local administrative changes and incorporate by reference portions of the 2022 edition of the California Fire Code (CFC) and the 2021 edition of the International Fire Code (IFC).

In order to adopt the 2022 California Fire Code and make local amendments, the City of Los Angeles establishes the following findings justified by climatic, geographic and topographical conditions of the City of Los Angeles.

WHEREAS, the City of Los Angeles has geological conditions, such as earthquake faults. The City of Los Angeles is bounded on the east by the San Andreas Fault and interlaced with other earthquake faults which run through, adjacent and under the City;

WHEREAS, the City is located in Seismic Zone 4, which is considered by experts to be the most seismically active of the four seismic zones in the world. And seismic experts predict a massive earthquake on one of these faults within the next 30 years and several earthquakes similar in intensity to the Northridge Earthquake during the same period;

WHEREAS, the 1994 Northridge Earthquake which was a moderate size (6.8 magnitude) earthquake caused the loss of 57 lives and extensive damage to buildings and structures. More than 115,000 buildings were damaged, with 3,000 buildings suffering moderate to major damage. Approximately 21,000 residential units including 2,000 single family homes had to be vacated;

WHEREAS, massive earthquakes pose unusual and extraordinary stresses on buildings and structures requiring more stringent building regulations than would otherwise be required. A major earthquake would break gas lines and electric lines, making a high risk of fires breaking out in all areas of the City. Water lines would also break making firefighting more difficult;

WHEREAS, large pockets of methane gas exist in the subsurface geological formation in various areas of the City of Los Angeles;

WHEREAS, there was a fire in the Fairfax Area of the City of Los Angeles in 1986, due to the high volume of methane gas seepage through cracks in the concrete floor of a building;

WHEREAS, the City of Los Angeles is situated in a coastal region of hills and mountains containing dry wild native brush and non-native vegetation. This region is a natural basin formed by flat land surrounded by hills and mountains, which experiences strong winds;

WHEREAS, the City of Los Angeles has climatic conditions that subject the City to mild winters and extremely hot summer desert-like climates. Hot, dry Santa Ana winds make the temperature rise and the humidity drop, increasing the fire danger to any exposed combustible materials;

WHEREAS, the mountainous terrain is now identified as the Very High Fire Hazard Severity Zone and the highly concentrated area of high-rise buildings is identified as Fire District 1;

WHEREAS, in 1982 strong Santa Ana winds spread fires in the flat areas of neighboring Orange County from roof to roof in large meadows due to the regions use of roofs made from wood shake and wood shingles. The dry brush areas of the local Santa Monica hillsides and strong canyon winds or dry Santa Ana winds contributed to past fires in the Los Angeles area, such as the 1961 Bel Air and Brentwood Canyon fire, 1977 Topanga Canyon fire, 1993 Malibu Canyon fire, 2008 Sayre fire, 2018 Skirball fire, and 2019 Saddle Ridge and Palisades fires; and

WHEREAS, widespread fires caused by either earthquakes or brush fires would impact the capabilities of the Fire Department to effectively respond to all such fires. The highly concentrated area of high-rise buildings, traffic congestion and possible gridlock may jeopardize the quick response to fires by the Fire Department, therefore increasing the risk of damage to buildings and injury to people.

NOW, THEREFORE, in order to provide adequate protection under the local climatic, geological and topographical conditions set forth above, the City of Los Angeles makes the following findings and determinations:

International Fire Code Sections are adopted by reference. Administrative amendments necessary to correct the non-Building Code standards contained in the International Fire Code are adopted as follows:

I. Chapter 1 Division I is an administrative amendment necessary because the Los Angeles City Fire Department is administered separately from the State Fire Marshal's Office.

57.101.1 is an administrative amendment necessary to replace the model language with language that clarifies that this code is the Los Angeles Municipal Code.

57.101.2 is an administrative amendment necessary to replace the model language with language that clarifies the scope of authority of the Los Angeles Fire Department.

57.101.3 is an administrative amendment necessary to replace the model language with language that clarifies the intent in the application of the Los Angeles Fire Code.

was not in compliance with Section 57.4906.5 at the time of the fire, or in fighting a fire that spread from that parcel, then the City shall recover the costs of abatement.

The costs of abatement shall include the costs of fighting the fire, providing rescue or emergency medical services and providing support services, including services from the Los Angeles Police Department and the Department of Water and Power. These abatement costs shall also include any costs incurred by the City in using City and non-City personnel.

All costs incurred pursuant to this section shall be a personal obligation against the person or persons, including mortgagees, who have an obligation to comply with Section 57.4906.5, recoverable by the City in an action before any court of competent jurisdiction. These costs shall include an amount equal to 40% of the cost to perform the actual work, but not less than the sum of \$100.00, to cover the City's costs for administering any contract and supervising the work required. In addition to this personal obligation and all other remedies provided by law, the City may collect any judgment, fee, cost, or charge, including any permit fees, fines, late charges, or interest, incurred in relation to the provisions of this section as provided in Los Angeles Administrative Code Sections 7.35.1 through 7.35.8.

EXCEPTION: If costs are incurred by the City for or arising out of fighting a fire resulting from an event or course of events that prompted a declaration of a state of emergency, local emergency, war emergency or major disaster by the Mayor, the Governor, or the President of the United States, then no lien shall be recorded against a parcel of land pursuant to this section.

SEC. 57.4907. DEFENSIBLE SPACE.

Section 4907 of the CFC is hereby adopted in its entirety.

SEC. 57.4908. FIRE SAFE DEVELOPMENT REGULATIONS.

Section 4908 of the CFC is hereby adopted in its entirety.

SEC. 57.4909. SUBDIVISION REVIEW SURVEY.

Section 4909 of the CFC is hereby adopted in its entirety.

SEC. 57.4910. SUBDIVISION REVIEW SURVEY.

Section 4910 of the CFC is hereby adopted in its entirety

SEC. 57.4911.1. VERY HIGH FIRE HAZARD SEVERITY ZONE - ESTABLISHED.

The Very High Fire Hazard Severity Zone shall be established as set forth in Sections 57.4911.1.1 through 57.4911.1.3.

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDÉE FELDSTEIN SOTO, City Attorney

By


JULIE RAFFISH
Assistant City Attorney

Date June 9, 2023

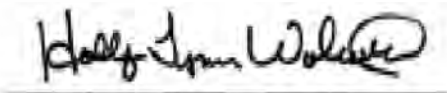
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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR





Ordinance Passed September 5, 2023

Approved _____

09/15/2023

Ordinance Posted: 09/25/2023

Ordinance Effective Date: 10/04/2023

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Regulations

[California Fire Code 2022](#) > [Chapter 49 Requirements for Wildland-Urban Interface Fire Areas](#) > [Section 4908 Fire Safe Development Regulations](#)

[Go To Full Code Chapter](#)

4908.1 General

Pursuant to PRC 4290 all residential, commercial and industrial building construction within state responsibility areas approved after January 1, 1991, and within lands classified **and designated as an LRA Very High Fire Hazard Severity Zone**, as defined in subdivision (i) of Section 51177 of the Government Code after July 1, 2021, shall comply with the **SRA Fire Safe Development Regulations as specified in Title 14, Division 1.5, Chapter 7, Subchapter 2.**

4908.2 Subdivision Map Findings

Pursuant to Government Code (GC), Section 66474.02, before approving a tentative map, or a parcel map for which a tentative map was not required, for an area located in an SRA or an LRA Very High Fire Hazard Severity Zone, as both are defined in GC Section 51177, a legislative body of a county, except as provided in GC Subsection 66474.02(c), shall make findings regarding compliance with the SRA Fire Safe Regulations and the availability of structural fire protection and suppression services. These findings and accompanying map shall be transmitted to the Board of Forestry and Fire Protection and comply with the requirements in Title 14, Division 1.5, Chapter 7, Subchapter 1, Article 1.

Related Code Sections

EXHIBIT G



Fire Hazard Severity Zone Supplemental Checklist			
Reference No.:	2025 CWUIC	Effective:	01/01/2026
Document No.:	PC/STR/Corr.Lst.116	Revised:	03/27/2026
Previously Issued as:	N/A	dbs.lacity.gov	

City of Los Angeles – Department of Building & Safety
Fire Hazard Severity Zone Supplemental Checklist
2025 California Wildland-Urban Interface Code (CWUIC)

Plan Check No.:	
PCIS No.:	
Job Address:	
P.C. Engineer:	Email:
Phone:	Review Date:

Your feedback is important, please visit our website to complete a Customer Survey at:
https://www.permitla.org/custsurvey/dsp_CustomerSatisfactionSurveyForm.cfm

If you have any questions or need clarification on any plan check matters, please contact your plan check engineer and/or his or her supervisor.

Numbers in parentheses refer to Code Sections of the 2025 Edition of the California Wildland-Urban interface Code (CWUIC). LAMC code sections start with the number 91.

I. General

1. Buildings located in a Very High Fire Hazard Severity Zone or High Fire Hazard Severity Zone, as shown in local and [State maps](#), shall comply with the provisions of the California Wildland-Urban Interface Code as amended by Chapter V, Article 7.1 of the LAMC. This shall include all buildings with residential, commercial, educational, institutional, or similar occupancy type use. (101.3.1)
2. In a Very High Fire Hazard Severity Zone or High Fire Hazard Severity Zone, new, relocated, or alterations and additions to existing buildings, shall comply with the provisions of the California Wildland-Urban Interface Code as amended by Chapter V, Article 7.1 of the LAMC. (101.5, 105.2)
3. New buildings, additions and/or alterations to existing buildings, and relocated buildings shall also comply with LAMC Section 91.7207 when located in a Very High Fire Hazard Severity Zone. (91.7201.2, 91.7202)
4. New accessory buildings and miscellaneous structures (other than a habitable building) specified in CWUIC Section 504.11 shall comply only with the requirements of that section. (101.3.1, 504.11)
5. Obtain Fire Department Hydrant and Access Unit clearance for projects within a Very High Fire Hazard Severity Zone or High Fire Hazard Severity Zone.

II. Site Plan and Landscaping

1. Site plan must include details such as topography, access road width and grade, landscape information, structure locations, existing or proposed overhead utilities, occupancy classifications, ignition-resistant construction types and roof classifications. (106.3)
2. When construction plans show any existing or proposed landscaping or vegetation, landscape plans shall be provided and provide the following information:
 - a. 30-foot fuel management zones
 - b. Identification of existing and proposed vegetation and irrigated areas
 - c. A plant legend identifying all plants
 - d. Identification of ground covering within the 30-foot zone
3. All new vegetation shall be fire-smart as defined in CWUIC Section 603.4. Revise plans to show that vegetation complies with fire-smart vegetation criteria. Non-fire-smart vegetation shall comply with CWUIC Section 603.4.2.1.
4. Shrubs shall not exceed 6-feet in height and 10-feet in diameter maximum. Shrubs shall be separated from other shrubs by 15-feet minimum and 30-feet from structures. Revise plans to show compliance with CWUIC Section 603.4.1.
5. Trees shall comply with CWUIC Section 603.4.2. Revise plans to show that within the 30-foot fuel management zone, planted trees at maturity must maintain 10-feet minimum separation from structures, tree crowns must maintain 10-feet separation and existing trees shall provide a minimum 10-foot separation from chimneys.
6. Where landscaping or vegetation, whether existing or proposed, is not shown on construction plans, a note shall be added to the plans to state: "Any existing and proposed vegetation, shrubs, trees, plants, landscaping and hardscape shall comply with the provision of the California Wildland-Urban Interface Code as amended by Chapter V, Article 7.1 in the LAMC."

III. Ignition Resistant Construction and Materials

1. Where this code requires 1-hour fire-resistance-rated construction, the fire-resistance rating of building elements, components, or assemblies shall be determined in accordance with the test procedures outlined in ASTM E119 or UL 263. (501.3)

Exceptions:

- a. Elements based on the prescriptive provisions of Section 721 of the California Building Code.
- b. Elements based on calculation procedures in accordance with Section 722 of the California Building Code.

2. Materials required to be noncombustible shall be tested in accordance with ASTM E136 and pass the test. Alternatively, materials required to be noncombustible shall be tested in accordance with ASTM E2652 using the acceptance criteria prescribed by ASTM E136. (501.4)

IV. Roof Construction

1. Roofs shall have a roof assembly that complies with a Class A fire classification when tested in accordance with ASTM E108 or UL 790. (504.2)
2. The following assemblies are exempt from testing and shall be considered equivalent to the Class A fire classification: roof assemblies with coverings of brick, masonry, exposed concrete roof deck, ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile or slate installed on noncombustible decks or ferrous, copper, or metal sheets installed without a roof deck on noncombustible framing. (504.2)
3. No wood shake or wood shingle roof covering, including fire-retardant-treated, is permitted. (LAMC 91.1505.1, 91.7207.4, 91.5.902.2)
4. Where there is a void under the roof covering, it shall comply with the following:
 - a. Where the roof covering is installed over a combustible deck and the roofing profile creates an airspace under the roof covering, the installation shall have a 72 lb. cap sheet complying with ASTM D3909 for "Asphalt Rolled Roofing" installed over the roof deck, bird stops shall be used at the eaves when the profile fits, to prevent debris from entering the eave. Hip and ridge caps shall be mudded in to prevent intrusion of fire or embers. (504.2.1.1)
 - b. A listed and labeled roof underlayment that has been tested as part of the roof assembly in accordance with ASTM E108 or UL 790 for Class A fire classification shall be installed in accordance with the underlayment manufacturer's installation instructions and listing. Bird stops shall be used at the eaves when the profile fits, to prevent debris from entering the eave. Hip and ridge caps shall be mudded in to prevent intrusion of fire or embers. (504.2.1.2)
5. Where provided, valley flashings shall be not less than 0.019-inch (0.48 mm) (No. 26 galvanized sheet gage) corrosion-resistant metal installed over a minimum 36-inch-wide (914 mm) underlayment consisting of one layer of 72-pound (32.4 kg) mineral-surfaced, nonperforated cap sheet complying with ASTM D3909 running the full length of the valley. (504.2.2)
6. The exposed underside of enclosed roof eaves and soffits shall be protected on the exposed underside by noncombustible materials, ignition-resistant building material, materials approved for not less than 1-hour fire-resistance-rated construction on the exterior side as tested in accordance with ASTM E119 or UL 263, 2-inch nominal dimension lumber, 1-inch nominal fire-retardant-treated lumber, or 0.75-inch nominal fire-retardant-treated plywood, boxed-in roof eave soffit assemblies per 504.7.2 or SFM standard 12-7A-3. (504.3)
7. The exposed underside of open eaves or roof decks shall be protected on the exposed underside by noncombustible materials, ignition-resistant building material, materials approved for not less than 1-hour fire-resistance-rated construction on the exterior side as tested in accordance with ASTM E119 or UL 263, 5/8-inch Type X gypsum applied on the underside of the roof deck or have the exterior portion of a 1-hour fire-resistance-rated exterior assembly, as tested in accordance with ASTM E119 or UL 263, applied to the

underside of the roof deck designed for exterior fire exposure, including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual. (504.3.1)

8. The roof covering on buildings or structures in existence before the adoption of this code that are replaced or have 50 percent or more replaced in 12 months shall be replaced with a roof covering required for new construction in accordance with CWUIC Sections 504.2 and 504.2.1. All portions of a roof covering applied during an addition, alteration, or repair to an existing structure shall meet at least a Class A fire classification.
9. Skylights shall be constructed with multilayered glazed panels with at least one pane of tempered glass complying with Section 2406 of the California Building Code, glass block, glazing with a fire-protection rating of not less than 20 minutes when tested according to NFPA 257 or UL 9, or glazing meeting the performance requirements of SFM Standard 12-7A-2.

V. Gutters and Downspouts

1. Gutters and downspouts shall be constructed of noncombustible material. Gutters shall be provided with an approved means to prevent the accumulation of leaves and debris in the gutter. (504.4)

VI. Exterior Walls

1. Exterior walls of buildings or structures shall be constructed with one or more of the following methods: (504.5)
 - a. 1-hour fire-resistance-rated construction on the exterior side.
 - b. Noncombustible materials.
 - c. Heavy timber. Assembly of sawn lumber or glue-laminated wood with the smallest minimum nominal dimension of 4 inches (102 mm). Sawn or glue-laminated planks, splined, tongue-and-grove, or set close together and well spiked.
 - d. Log wall construction.
 - e. Wall assemblies that have been tested in accordance with the test procedures for a 10-minute direct flame contact exposure test outlined in ASTM E2707, with the conditions of acceptance shown in CWUIC Section 504.9.3.
 - f. Wall assemblies that meet the performance criteria in accordance with the test procedures for a 10-minute direct flame contact exposure test outlined in SFM Standard 12-7A-1.
 - g. Wall assemblies suitable for exterior fire exposure containing one layer of 5/8-inch (15.9 mm) Type X gypsum sheathing applied behind the exterior wall covering or cladding on the exterior side of the framing.
 - h. Wall assemblies suitable for exterior fire exposure with a 1-hour fire-resistance rating, rated from the exterior side, as tested in accordance with ASTM E119 or UL 263.

- i. Exterior wall covering complying with 504.5.2 (Exterior wall coverings) and 504.5.2.1 (Extent of Exterior wall covering).
2. Exterior wall covering shall comply with one or more of the following: (504.5.2)
 - a. Noncombustible material.
 - b. Ignition-resistant building material labeled for exterior use.
 - c. Fire-retardant-treated wood labeled for exterior use and complying with the requirements of Section 2303.2 of the California Building Code.
3. Where provided, exterior wall coverings shall extend from the top of the foundation to the roof, and terminate at 2-inch (50.8 mm) nominal solid wood blocking between rafters at all roof overhangs, or in the case of enclosed eaves, terminate at the enclosure. A minimum of 6 inches (152 mm) of metal flashing or noncombustible material applied vertically on the exterior of the wall shall be installed at the ground, decking, and roof intersections. (504.5.2.1)
4. Exterior windows, window walls, and glazed doors shall be multilayered glazed panels with at least one pane of tempered glass complying with Section 2406 of the California Building Code, glass block, glazing with a fire-protection rating of not less than 20 minutes when tested according to NFPA 257 or UL 9, or glazing meeting the performance requirements of SFM Standard 12-7A-2. (504.8)
5. Exterior doors shall be of noncombustible construction, solid-core wood not less than 1.75 inches thick, have a fire protection rating of not less than 20 minutes when tested according to NFPA 252, UL 10B or UL 10C, constructed of solid core wood that complies with stiles and rails not less than 1-3/8 inches or raised panels not less than 1-1/4 inches, or have exterior surface or cladding tested to meet the performance requirements of SFM Standard 12-7A-1. (504.9)
6. Windows within doors and glazed doors shall be in accordance with CWUIC Section 504.8.
7. Exterior garage doors shall resist the intrusion of embers by preventing gaps between doors and door openings, at the bottom, sides, and tops of doors, from exceeding 1/8 inch (3.2 mm). Gaps between doors and door openings shall be controlled by weather-stripping, door overlaps, and/or garage door jambs and headers covered with metal flashing. (504.9)
8. Automatic garage door openers for vehicle doors serving a residential building shall be equipped with a battery backup function. (504.9.1)
9. A minimum of 6 inches (152 mm) of metal flashing or noncombustible material applied vertically on the exterior of the wall shall be installed at the ground, decking, and roof intersections. (504.5.1)

VII. Underfloor Enclosures, Decks, and Projections

1. A Buildings or structures shall have underfloor areas enclosed to the ground with exterior walls in accordance with CWUIC Section 504.5. (504.6, 91.7207.1)

2. All utilities, pipes, furnaces, water heaters or other mechanical devices located in an exposed under-floor area of a residential building shall be enclosed with material as required for one-hour fire-resistive construction. Adequate covered access openings for servicing such utilities shall be provided as required by appropriate codes. (91.7207.2)
3. The underside of projections or the underside of the exposed underfloor shall be enclosed to grade by one or more of the following: (504.7.1)
 - a. Noncombustible material.
 - b. Ignition-resistant building material labeled for exterior use and shall meet the requirements of CWUIC Section 503.2.
 - c. Fire-retardant-treated wood labeled for exterior use and shall meet the requirements of California Building Code Section 2303.2.
 - d. Materials approved for not less than 1-hour fire-resistance-rated construction on the exterior side, as tested in accordance with ASTM E119 or UL 263.
 - e. One layer of 5/8-inch (15.9 mm) Type X gypsum sheathing applied behind an exterior covering on the underside of the floor projection.
 - f. The exterior portion of a 1-hour fire-resistance-rated exterior assembly, as tested in accordance with ASTM E119 or UL 263, applied to the underside of the floor, including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.
 - g. The underside of a floor assembly that meets the performance criteria in CWUIC Section 504.7.2 when tested in accordance with the test procedures set forth in ASTM E2957.
 - h. The underside of a floor assembly that meets the performance criteria in accordance with the test procedures set forth in SFM Standard 12-7A-3.
4. The walking surface material of decks, porches, balconies and stairs shall be constructed with any of the following materials: (504.7.3.2)
 - a. Material that complies with the performance requirements of CWUIC Section 504.7.3.3 when tested in accordance with ASTM E2632 and ASTM E2726.
 - b. Ignition-resistant building material that complies with the performance requirements of CWUIC Section 503.2.4.
 - c. Material that complies with the performance requirements of both SFM Standard 12-7A-4 and CWUIC Section 503.2.4.
 - d. Noncombustible material.

- e. Any material that complies with the performance requirements of SFM Standard 12-7A-4A and any attached exterior wall covering that is noncombustible or ignition-resistant building materials.
 - f. Any material that complies with the performance requirements of CWUIC Section 504.7.3.4 when tested in accordance with ASTM E2632 and any attached exterior wall covering that is noncombustible or ignition-resistant building materials.
5. A minimum of a 6-inch (150 mm) metal flashing, applied vertically on the exterior of the wall, shall be installed at all deck-to-wall intersections.

VIII. Vents

1. Where provided, ventilation openings for enclosed attics, gable ends, ridge ends, under eaves and cornices, enclosed eave soffit spaces, enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters, underfloor ventilation, foundations and crawl spaces, or any other opening intended to permit ventilation, either in a horizontal or vertical surface, shall be in accordance with CWUIC Section 504.10.1 or CWUIC Section 504.10.2 to resist building ignition from the intrusion of burning embers and flame through the ventilation openings. (504.10, 91.7207.3)
2. Ventilation openings shall be fully covered with Wildfire Flame and Ember Resistant vents approved and listed by the California State Fire Marshal, or WUI vents, tested in accordance with ASTM E2886. (504.10.1)
3. Vents that are installed on a sloped roof, such as dormer vents, shall comply with all of the following: (504.10.2)
 - a. Vents shall be covered with a mesh where the dimensions of the mesh therein shall be a minimum of 1/16 inch (1.6 mm) and shall not exceed 1/8 inch (3.2 mm) in diameter.
 - b. The vent and mesh material shall be noncombustible.
 - c. The vent and mesh material shall be corrosion resistant.
4. Gable-end and dormer vents shall be located not less than 10 feet (3048 mm) from lot lines. Underfloor ventilation openings shall be located as close to grade as possible. (504.10.3)

IX. Accessory Buildings

1. Accessory buildings not intended for human occupancy, as defined in CWUIC Section 202, shall comply with the following: (504.11)
 - a. Miscellaneous and accessory buildings of any size, when separated from an applicable building on the same lot by a distance of less than 3 feet (914 mm), shall be constructed of noncombustible materials or ignition-resistant building materials as described in CWUIC Section 503.2.4.
 - b. Accessory buildings that are greater than 120 square feet (11.15 m²) in size and separated from an applicable building on the same lot by a distance of 3 feet (914 mm) or more but less than 50 feet

(15 240 mm) shall be constructed of noncombustible materials or of ignition-resistant building materials as described in CWUIC Section 503.2.4.

- c. Where required by the code official, accessory buildings 120 square feet (11.15 m²) or less and separated from an applicable building on the same lot by a distance of 3 feet (914 mm) or more but less than 50 feet (15 240 mm) shall be constructed of noncombustible materials or of ignition-resistant building materials as described in CWUIC Section 503.2.4.
 - d. Where required by the code official, miscellaneous structures that require a permit and are separated from an applicable building on the same lot by a distance of 3 feet (914 mm) or more but less than 50 feet (15 240 mm) shall be constructed of noncombustible materials or of ignition-resistant building materials as described in CWUIC Section 503.2.4.
2. Roof assemblies and roof coverings of accessory buildings required to be constructed entirely of noncombustible materials or of ignition-resistant building materials shall comply with CWUIC Sections 504.2 and 504.2.1. Roofs shall have a roofing assembly installed in accordance with its listing and the manufacturer's installation instructions. Roof assemblies in Fire Hazard Severity Zones shall comply with a Class A fire classification when tested in accordance with ASTM E108 or UL 790.
 3. Decks shall comply with the requirements of CWUIC Section 504.7.3.
 4. Awnings and canopies shall comply with the requirements of Section 3105 of the California Building Code.

X. Defensible Space (within the VHFHSZ only)

1. All parcels, within the VHFHSZ, shall provide a minimum 30-foot (9144 mm) setback for all buildings from property lines and the center of a road, except where an alternative method to reduce structure-to-structure ignition by incorporating features such as, but not limited to the following are provided: (608.2)
 - a. Noncombustible block walls or fences
 - b. Noncombustible material extending 5 feet (1524 mm) horizontally from the furthest extent of the building
 - c. Hardscape landscaping
 - d. A reduction of exposed windows on the side of the structure with setback less than 30 feet (9144 mm)
 - e. The most protective requirements in Chapter 5



9/9