

Richard Corvera-Hernandez, Commissioner
Patricia Covarrubias, Commissioner
Gilbert Cuevas, Commissioner
Gustavo Mendez, Commissioner
Vacant, Commissioner



CUDAHY CITY
COUNCIL CHAMBERS
5240 Santa Ana Street
Cudahy, CA 90201
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AGENDA

A SPECIAL MEETING OF THE CUDAHY PLANNING COMMISSION Monday, January 27, 2020 – 6:30 P.M.

*"Members of the Public are Advised that all **PAGERS, CELLULAR TELEPHONES** and any **OTHER COMMUNICATION DEVICES** are to be **turned off** upon entering the City Council Chambers." If you need to have a discussion with someone in the audience, kindly step out into the lobby.*

Written materials distributed to the Planning Commission within 24 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's Office at City Hall located at 5220 Santa Ana Street, Cudahy, CA 90201.

In compliance with the Americans with Disabilities Act (ADA) if you need special assistance to participate in this meeting, you should contact the City Clerk's Office at (323) 773-5143 at least 24 hours in advance of the meeting.

1. CALL TO ORDER

2. ROLL CALL

Commissioner Corvera-Hernandez
Commissioner Covarrubias
Commissioner Cuevas
Commissioner Mendez
Vacant

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

A. None.

5. PUBLIC COMMENTS

(Chairperson: This is the time set aside for citizens to address the Planning Commission on matters

relating to Commission business. When addressing the Commission please speak into the microphone and voluntarily state your name and address. **Each person will be allowed to speak only once and will be limited to five (5) minutes.** The proceedings of this meeting are recorded on audio CD.

6. WAIVE FULL READINGS

- A. Approval to waive the full reading of all resolutions on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title only.

Recommendation: To waive the full text reading of all resolutions on the agenda.

7. PUBLIC HEARING

- A. **Continue to February 17, 2020, Planning Commission Meeting:** 5306 Clara Street – Development Review Permit No. 41-518 - Consideration of a development review permit to allow the design, site layout, and construction of a 5-unit multifamily residential development within the Medium Density Residential Zone, pursuant to Section 20.84.170 of the City’s Zoning Code.

Recommendation: The Planning Commission of the City of Cudahy is recommended to open the public hearing, take public testimony and continue the item to the next regularly scheduled Planning Commission Meeting on February 17, 2020.

- B. **Continue to February 17, 2020, Planning Commission Meeting:** 5112 Santa Ana Street – Development Review Permit No. 41-530 - Consideration of a development review permit to allow the design, site layout, and construction of an 8-unit multifamily residential development within the Medium Density Residential Zone, pursuant to Section 20.84.170 of the City’s Zoning Code.

Recommendation: The Planning Commission of the City of Cudahy is recommended to open the public hearing, take public testimony and continue the item to the next regularly scheduled Planning Commission Meeting on February 17, 2020.

- C. **7919 Wilcox Avenue – Development Review Permit No. 41-531 and Conditional Use Permit No. 38-371 - Consideration of a development review permit to allow the design, site layout, and construction of a 9-unit multifamily residential development and a conditional use permit to allow a 50 percent density bonus of the number of “base” units allowed in the underlying zone, and incorporating affordable housing units, within the High Density Residential Zone, pursuant to Section 20.84.170 and 20.52.300 of the City’s Zoning Code.**

Recommendation: The Planning Commission of the City of Cudahy is recommended to:

1. Approve Development Review Permit No. 41-531 to allow the design, site layout, and the construction of a 9-unit multifamily residential development; and
2. Approve Conditional Use Permit No. 38-371 to allow a 50 percent density bonus of the number of “base” units allowed in the underlying zone and incorporating affordable housing units.

8. BUSINESS SESSION

9. COMMISSION BUSINESS

A. Appointment of a new Chair and Vice Chair of the Planning Commission.

10. ADJOURNMENT

I Salvador Lopez Jr., hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at Cudahy City Hall, Bedwell Hall, Clara Park, Lugo Park, and the City's Website not less than 24 hours prior to the meeting. A copy of said Agenda is on file in the Community Development Department.

Dated this 23rd Day of January, 2020



Salvador Lopez Jr.
Community Development Director



AGENDA REPORT

MEETING DATE: January 27, 2020

TO: Honorable Chair & Planning Commission Members

FROM: Salvador Lopez, Interim Community Development Manager

Subject: Development Review Permit No. 41-531 and Conditional Use Permit No. 38-371, to allow the construction of a 9-unit multifamily residential development located at 7919 Wilcox Avenue (APN 6224-003-021).

RECOMMENDATION:

Staff recommends that the Planning Commission of the City of Cudahy (the "City"):

1. Approve Development Review Permit No. 41-531 (DRP 41-531) to allow the design, site layout, and construction of a 9-unit multifamily residential development;
2. Approve Conditional Use Permit 38-371 (CUP 38-371) to permit a 50% density bonus permitting three of the nine proposed dwelling units for the development at 7919 Wilcox Avenue in the High Density Residential (HDR) Zone, including associated concessions.

BACKGROUND/PROJECT DESCRIPTION:

The subject property is located on an approximately 16,200 square foot lot located at 7919 Wilcox Avenue in the City of Cudahy in the High Density Residential (HDR) Zone. The site is currently developed with a five-bedroom, three-bathroom single-family home of 2,246 square feet, according to the Los Angeles County Assessor's Office. The existing structure is proposed for demolition to accommodate the proposed new multi-family residential construction. The immediate area is developed with a mix of multi-family and single-family residential land uses.

The applicant, Alberto Cisneros, proposes to construct a new 9-unit apartment complex. According to the plans submitted to the city's Planning Division the development will consist of two three-story structures and one two-story structure, which together would include a total of nine dwelling units. Each of these would be three-bedroom units of 1,252 square feet. Six of the units proposed are "base units" allowed based on the project's zoning and the size of the subject property. The remaining three are "density" units based on a 50% density bonus. There are 22 parking spaces proposed for the site; two per unit in first-floor garages and an additional four guest spaces. The site will be accessed from a common 141-foot long, 26-foot wide driveway along the center of the property. This driveway will connect to Wilcox Avenue providing access to both residents and emergency vehicles. This has been reviewed and approved by the Los Angeles County Fire Department.

The project architecture is modern contemporary. Treatments incorporate a blend of contemporary and traditional architectural forms and details which include a flat façade, hip style roof, plaster walls, and

articulated facades such as inset windows and doors, offset/projected wall features and recessed entryways. Proposed building colors incorporate an earth-tone palette with a dark grey smooth stucco finish, brown trims, and decorative veneers.

The buildings would be set back from the eastern side of the property by seven to nine feet, the rear setback by ten feet, the western setback by seven to nine feet, and the front setback by 15 feet. A six-foot tall concrete-masonry-unit (CMU) wall would be constructed along the entire perimeter of the property. A preliminary landscape plan has been submitted showing landscape areas on the buildings' perimeter and in interior open space areas and within the front yard setback. A more detailed plan will be submitted with the formal plan check submittal. Project lighting would consist of security lighting and wall lights on the building perimeters, using LED fixtures. All lighting would be designed to avoid light spillage to neighboring properties.

The table below provides floor area detailed information for the proposed units:

Number of units	Number of Bedrooms	Habitable Area
9	27	11,268 sq. ft.

The applicant has requested a 35% reduction regarding the provision of both private and common open space as one of the density bonus concessions. The HDR zone requires 280 SF per unit of common open space and 200 SF per unit of private open space. A 35% reduction for common open space leaves 182 SF per unit, multiplied by nine units, totaling 1,638 SF of common open space. A 35% reduction for private open space leaves 130 SF per unit, multiplied by nine units, totaling 1,170 SF of private open space. Applicant requests for concessions associated with the density bonus are discussed in detail below.

A minimum number of on-site parking spaces is required for each residential unit, based on the number of bedrooms, inclusive of guest parking spaces. The table below identifies the number of spaces required by the zoning code based on the bedroom count. The project is slightly below the number of required guest spaces per unit, which is another concession requested associated with the density bonus and further discussed below.

Type of unit	# of spaces required	# of spaces provided
3-bedroom	2 spaces	2 spaces

A total of 22 accessible parking spaces are provided throughout the site.

ANALYSIS & DISCUSSION:

General Plan and Zoning. The General Plan designates the site and surrounding area as “High Density Residential” as noted above, the property’s zoning is High Density Residential (HDR). Table 1 below shows the project site and surrounding area’s zoning and land uses.

The HDR Zone incorporates higher-density, multi-story, multi-family residential areas at a minimum density of 1,100 square feet per 3-bedroom unit, or approximately a maximum of 40 dwelling units per acre and requires 280 square feet of common open space per unit, and 200 square feet of private open space per unit. However, because the subject site is less than 25,000 square feet it is subject to CMC § 20.16.040. This section sets the maximum density at 15 dwelling units per acre. This calculation would

allow six units on the subject site, and the applicant is proposing an additional three units using a 50% density bonus.

The HDR Zone restricts building height to four stories or 55 feet, whichever is less (CMC § 20.16.030). In addition, a Development Agreement is required for all new development in the HDR zone (CMC § 20.16.050).

**Table 1
Zoning and Land Use**

	ZONING	LAND USE
PROJECT SITE	HDR	Single Family Residential
NORTH	HDR	Single and Multifamily Residential
EAST	HDR	Single and Multifamily Residential
SOUTH	HDR	Single and Multifamily Residential
WEST	HDR	Single and Multifamily Residential

The proposed project meets General Plan and Zoning standards for use (multiple-family residential), building height, and front and side setbacks. The project plans show that, although the common and private open space areas do not either meet or exceed zoning standards, the applicant has included these shortcomings on their list of concessions under the density bonus CUP. The applicant is also requesting a concession related to a slightly lower than allowable number of guest parking spaces. Table 2 below compares the project’s characteristics with development standards.

**Table 2
Development Standards: Required vs. Proposed Project**

	General Plan	Zoning	Density	Height	Setbacks	Min Floor Area (3 BR)	Parking	Private Open Space per unit	Common Open Space
Required	HDR	HDR	1,089 SF 40 du/acre maximum; 20 du/acre minimum	4 stories	Front: 15 ft Side: 5-9 ft.(for three stories) Rear: 10 ft.	1,100 SF	2 spaces/unit 0.5 guest space/unit	200 SF/Unit = 1,800 SF	280 SF/Unit = 2,520 SF
Proposed	HDR	HDR	9 units	3 stories	Front: 15 ft. Side: 7-9 ft. Rear: 10 ft.	1,252 SF	2 spaces/unit, 0.44 guest spaces/unit	1,170 SF	1,638 SF
Consistent?	YES	YES	NO	YES	YES	YES	NO	NO	NO

Table 2 shows that the proposed development complies strictly with all applicable development standards for development of new multifamily developments in the HDR zone with the exception of requested concessions associated with the project’s density bonus of 50% and discussed below.

DENSITY BONUS

In order to accomplish the proposed nine-unit project, the applicant is requesting a density bonus of 50% more than the maximum density allowable in the HDR zone. The Cudahy Municipal Code sets the maximum (or “base”) density for the site at six units without additional discretionary approvals.

California density bonus law (Government Code § 65915(p)) and CMC § 20.52.364 require the City to grant a density bonus up to 35% greater than the base density in return for the applicant's guarantee that the added units would be restricted to very low, low, or moderate-income levels. The City may grant greater densities provided that certain findings are made along with a conditional use permit but is not obligated to do so.

For this site in the HDR zone, the 50% density bonus is three units more than the six units that would be allowed by-right, i.e. a nine-unit project. For the City to grant a conditional use permit for a density bonus greater than the maximum 35%, State Law requires that the project set aside *no less than* the percentage and types of units required to earn a density bonus of 35 percent or more under the state density bonus law. In this case the applicant is proposing to provide 11% Very Low Income Units, equivalent to one unit (rounded up from .66).

Again, the applicant proposes to designate one unit for very low-income tenants. This allocation meets the minimum number of required affordable units under both State law and the CMC (see Findings discussion, below).

Requested Concessions. As part of the Density Bonus process, an applicant may also request specific concessions, i.e. relaxation of zoning code requirements and/or site development standards, including but not limited to setback and square footage reductions, vehicle parking spaces, communal open space area, or landscaping requirements. The applicant requests the following concessions:

1. Private Open Space

The Applicant is requesting a concession to approve a reduction in the private open space requirement by 35%, providing a total of no less than 130 square feet of private open space per residential unit. This concession represents a reduction from the 200 square feet of private open space that would be required per unit for this Project without the density bonus and affordable unit set-asides. Section 20.52.363 of the Zoning Code allows an applicant to request up to a 20 percent reduction. Staff supports this concession as the patio and terrace areas provide ample space for private enjoyment and the development provides additional common areas throughout.

2. Common Open Space

The Applicant is requesting a concession to approve a reduction in the common open space requirement by 35%, providing a total of no less than 182 square feet of common open space per residential unit. This concession represents a reduction from the 280 square feet of common open space that would be required per unit for this Project without the density bonus and affordable unit set-asides. Section 20.52.363 of the Zoning Code allows an applicant to request up to a 20 percent reduction. Staff supports this concession as the common open space provided throughout still provides ample open space for residents living primarily in studio/efficiency units.

3. Guest Parking

The applicant is requesting a concession to approve the site plan with fewer guest parking spaces than required by the code. The CMC requires 0.5 guest parking spaces per unit; the applicant is proposing 0.44 per unit. Staff supports this concession as the applicant has made a good faith effort to provide as many guest spaces as possible on the site and does not have to provide any under the State density bonus laws.

Density Bonus Procedural Requirements. CMC § 20.52.361 states that the density bonus and concessions requested shall be considered in conjunction with any housing development application for the Project. CMC § 20.52.360 requires that a density bonus must be approved by a decision-making body, either the Planning Commission or the City Council, depending on the entitlements requested. The requirement for a minimum number of affordable units is discussed above. The applicant has designated one (1) unit as affordable for the project development, and a specific condition addressing deed-restriction and income level has been included as a condition of approval.

CMC § 20.52.367 also requires that in approving the density bonus and any related concessions, the City and Applicant shall enter into a Density Bonus Housing Agreement. This has been required as a condition of approval.

Should the Planning Commission elect to deny one or more of the requested concessions, one of the following three findings must be made (Government Code § 65915 (d)(1)), based upon substantial evidence:

1. The concession or incentive is not required in order to provide for affordable housing costs, as defined in § 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c); and
2. The concession or incentive would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of § 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households; and
3. The concession or incentive would be contrary to State or Federal law.

Staff certifies that none of these findings apply to the proposed request, as shown below by the project's compatibility with many General Plan policies and goals; therefore, staff recommends that the requested concessions be approved, based on the requirements of the Zoning Code.

City of Cudahy General Plan Land Use and Housing Element Provisions. The following provisions relate to the project's consistency with the City's policies for affordable housing:

- **Land Use Element Policy 2.8.** The City of Cudahy will provide adequate housing for various family sizes and income levels by allowing for different densities of development.

Analysis: The project's proposed increased density beyond existing conditions would provide additional multi-family housing for the City. This is consistent with Policy 2.8, which allows for "different densities of development" as the project would replace single-family residential with relatively affordable and denser multi-family development.

- **Housing Element Goal 2.** The City of Cudahy will promote affordable housing and shelter for all economic segments of the community.
 - **Housing Element Policy 2.1.** The City of Cudahy will promote all State, regional and local practices and plans that support housing availability for all economic segments of the population.

Analysis: The project would provide additional housing in the City, increasing supply and providing a more affordable option to residents than the current use of single-family.

- **Housing Element Policy 2.5.** The City of Cudahy will encourage variety in the supply of housing at costs affordable to the various income levels of the population.

Analysis: The project would supply new three-bedroom units that exceed the minimum habitable floor area.

Compatibility with surrounding uses. The proposed multiple-family residential project is generally compatible and consistent with surrounding uses. Single and multiple-family residential uses lie on all sides of the project site, in both one and two-story structures. The building height does not exceed the HDR zone's 55-foot or four-story maximum height. The placement of the structure on the site, facing a central driveway and a front yard setback of 15 feet, reduces the project's visual bulk. The subject site is elongated and oriented north-south perpendicular to its access roads. This will also serve to limit any aesthetic concerns about the proposed development. The proposed rear setback of 10 feet does not intrude on residential uses.

The Los Angeles County Fire Department's Land Development Division reviewed the proposed plan for access requirements and has tentatively approved the proposed access (26-foot wide driveway) to the subject property and the proposed units, with conditions of approval.

REQUIRED FINDINGS:

DEVELOPMENT REVIEW PERMIT

CMC § 20.84.210, Basis for Approval or Denial of a Development Review Permit.

- **20.84.210(a) The project is consistent with the City of Cudahy General Plan, any applicable specific plan, and any plan of another governmental agency made applicable by statute or ordinance.**

Support for Finding: The project is compatible with the City of Cudahy's General Plan because it proposes a multiple-family residential project in the High-Density Residential General Plan designation and the High-Density Residential zone, at a density allowable under the Cudahy zoning code.

- **20.84.210(b) The height, bulk, and other design features of structures are in proportion to the building site, and external features are balanced and unified to present a harmonious appearance.**

Support for Finding: The proposed development's structure is a full story lower than the maximum allowed in the HDR zone. There is sufficient area in the 15-foot front setback for ample and dense landscaping, presenting a harmonious appearance with nearby residences that also face the Avenue. Accordingly, the project is consistent with the height, bulk, and other design features required by the City Zoning design guidelines and provides a unified and uniform appearance.

- **20.84.210(c) The project design contributes to the physical character of the community, relates harmoniously to existing and anticipated development in the vicinity, and is not monotonously repetitive in and of itself or in conjunction with neighboring uses and does not contribute to excessive variety among neighboring uses.**

Support for Finding: The existing surrounding properties include single story and two-story single-family and multi-family residences. The proposed development includes nine multifamily residential units, consistent with the height, bulk, and other design features found in the surrounding area. The proposed surface articulations, including trimmed windows, pop-out terraces etc., avoid monotonous repetition.

- **20.84.210(d) The site layout and the orientation and location of structures and their relationship to one another and to open spaces, parking areas, pedestrian walks, signs, illumination, and landscaping achieve safe, efficient, and harmonious development.**

Support for Finding: The proposed site layout presents a balanced, axial plan that relates to similar structures along Wilcox Avenue. The development's orientation beyond the setback and the common driveway helps to screen the building's mass from the public right of way and adjacent properties. There are areas available for landscaping, including the front setback, the rear setback, the private open space and common areas. The common driveway permits good visibility along the length of the project interior and will have security lighting for safety.

- **20.84.210(e) The grading and site development show due regard for the qualities of the natural terrain and landscape and do not call for the indiscriminate destruction of trees, shrubs, and other natural features.**

Support for Finding: The proposed development requires minor grading and demolition of an existing structure. Some of the lot is currently dirt and does not contain any trees. However, the rest of the site is urbanized, flat and there is little evidence of "natural" terrain. There are no "natural" features on the site. Moreover, the project would add new landscaping, including trees and shrubs, which would replace those that would be removed.

- **20.84.210(f) The design, lighting, and placement of signs are appropriately related to the structure and grounds and are in harmony with the general development of the site.**

Support for Finding: The project will not have illuminated signage, with the exception for possible illuminated identifying address signs on the front elevation. That sign must meet CMC standards for property identification signs and the conditions of approval for the project, and thus would be in harmony with the general development of the site.

- **20.84.210(g) Mechanical equipment, machinery, trash, and other exterior service areas are screened or treated in a manner which is in harmony with the design of the structures and grounds.**

Support for Finding: There are no proposed exterior mechanical equipment, machinery, or service areas except for the trash enclosures which are located behind decorative view obscuring doors to prevent stormwater runoff and to provide further screening and meets zoning code requirements for multi-family developments. Other mechanical equipment must comply with CMC design guidelines and Building Code standards, which require that all mechanical equipment, machinery, trash, and other exterior service areas be screened from public view.

- **20.84.210(h)** The project shows proper consideration for adjacent residentially zoned or occupied property and does not adversely affect the character of such property.

Support for Finding: The proposed project would re-develop a site that lies between occupied single and multiple-family residences. By introducing new, up-to-date residences with new landscaping, the project would improve the character of the adjacent properties and maintain or improve property value. The design is consistent with the City's General Plan and zoning designation, meets all development standards within the provisions of the Development Review Permit for the project, is compatible with the surrounding residential use, and will not adversely affect the value or quality of the neighborhood.

CONDITIONAL USE PERMIT – 50% RESIDENTIAL DENSITY BONUS

Basis for Approval or Denial of a Conditional Use Permit for a 50% Density Bonus:

- **20.52.340(A)**. The project is consistent with the affordable housing provisions of the General Plan.

Support for Finding: The project's proposed increased density, governed by the terms of the Conditional Use Permit, would provide at least one affordable unit. This is consistent with the General Plan Land Use Element Policy 2.8, which allows for "different densities of development" when a project would supply housing for various income levels. The project is requesting a density bonus as permitted by State and local law and must set aside at least one unit as affordable. This is consistent with the General Plan Housing Element Policy 2.1 regarding supporting housing availability for all economic segments. The project would supply new residential units that exceed the minimum habitable floor area. At least one unit would be characterized as "affordable" to residents with very low incomes, consistent with General Plan Housing Element Policy 2.5. Finally, the project would construct new housing on a parcel in an existing multiple-family neighborhood. It will rehabilitate the property, consistent with General Plan Housing Element Policy 3.5.

- **20.52.340(B)**. The project sets aside no less than the percentage and type of units required to earn a density bonus of 35 percent or more under the state density bonus law.

Support for Finding: The applicant is required to set aside one unit as affordable, pursuant to California Government Code § 65915 and to Cudahy Municipal Code § 20.52.300 et seq. The present proposal includes one unit for very low income levels, consistent with the minimum number of required units for a 35% or more density bonus.

- **20.52.340(C)**. The applicant has adequately demonstrated that the project will not generate unmitigated significant noise, traffic, parking, or other impacts detrimental to surrounding properties or the general welfare.

Support for Finding: The environmental-impact issues cited above are addressed in the EIR that was adopted as part of the General Plan 2040, which show that the project does not present significant environmental impacts that cannot be mitigated by either existing regulations or specific mitigation measures that have been incorporated into the project's Conditions of Approval.

Additional Findings for Approval:

- **There are adequate provisions for public and emergency vehicle access, fire protection, sanitation, water, and public utilities and services to ensure that the proposed development would not be detrimental to public health and safety.**

Support for Finding: Planning staff and the Los Angeles County Fire Department reviewed the site plan. With application of the conditions of approval, the proposed site plan complies with the City's Zoning Code and Fire Department requirements related to vehicle access, fire protection, sanitation, water, and public utilities and services.

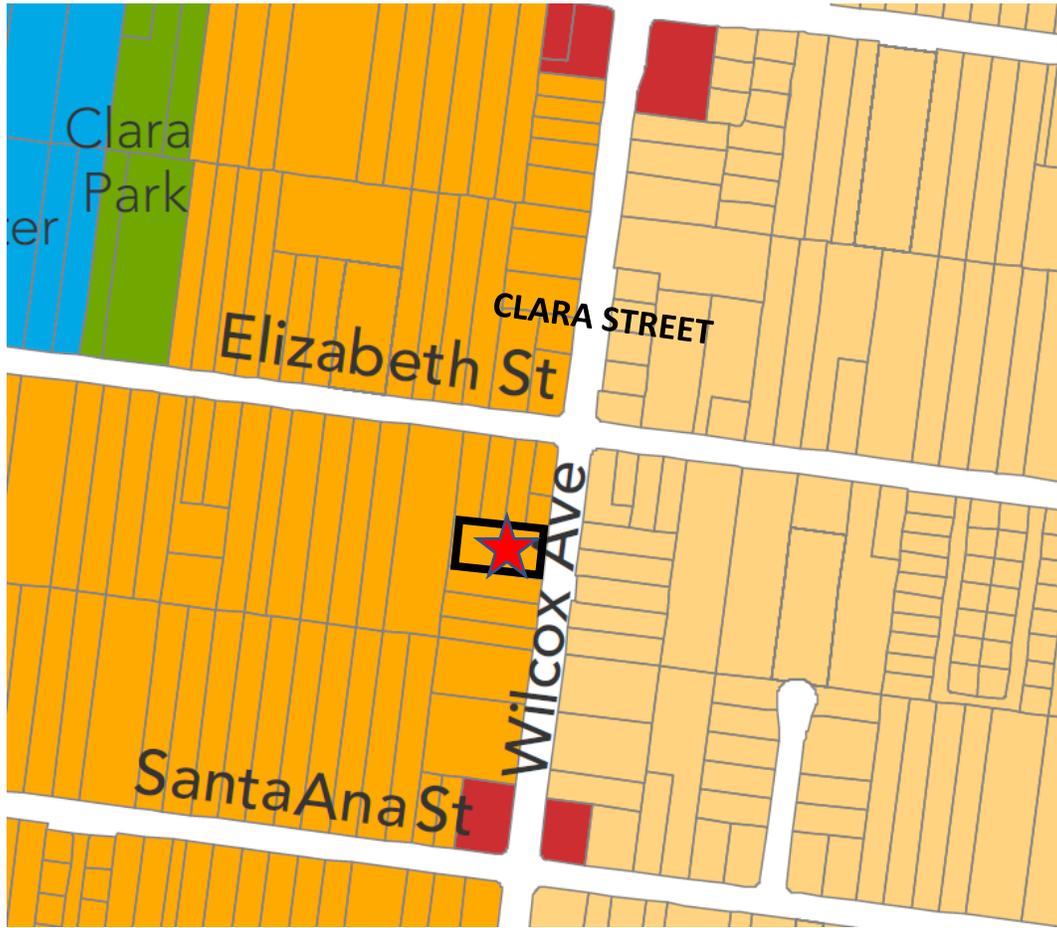
CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

Based upon the information received and Staff's assessment, the proposed Project is categorically exempt from California Environmental Quality Act ("CEQA") pursuant to Section 15332 (Class 3, In-Fill Development Projects). Approval of the project satisfies the requirements under this exemption. The project is consistent with the General Plan in that it facilitates and encourages diversity in housing types. The applicant proposes seven apartment units, which adds additional housing options in the City. The project is further consistent with the Housing Element of the General Plan in that it contributes units towards the required Regional Housing Needs Assessment (RHNA) requirement. Finally, the proposed project is consistent with the General Plan of the City as it meets a) high-density residential development; b) is located in the City on a site of less than five acres; c) the site has no value as a habitat for endangered species, as it is in an urbanized area and was previously developed with a single family home; d) there are no anticipated impacts to traffic, noise, or air quality as the land use at the site is not substantially changing, and e) is adequately served by utilities and public services. The Categorical Exemption findings are supported by the following studies (attached): air quality/greenhouse gas emissions (Attachment 5) and traffic (Attachment 6). The air quality/greenhouse gas emissions study concludes that no impacts to the environment would occur as a result of the proposed project because neither the construction nor operations phases of the project would exceed SCAQMD thresholds. This is detailed in the attached report and is based on CalEEMod results. In addition, GHG emissions are expected to decrease at the project site by 15.5%, which exceeds CARB's four to eight-percent goals. The findings regarding potential traffic impacts are supported by the attached traffic study which concludes that no impacts would occur upon project implementation due to the projected daily trip generation of 56 daily trips (3 AM peak trips, 4 PM peak trips) falling below both adopted County and Metro thresholds. In addition, no significant impacts regarding Aesthetics thresholds as identified by CEQA would occur. The project site is in an urbanized area, is not located within or near a scenic highway, contains no significant rocks or outcroppings, and would not impede any scenic views into or out of the project site as the proposed development is only three stories in height and no scenic views exist from or into the project site. The site is a residential property surrounded by other residential properties, as well as commercial properties, of similar size in an urbanized area. Accordingly, Staff has prepared a Notice of Exemption (see Attachment).

ATTACHMENTS:

1. Location Map
2. Proposed Development Plans
3. Resolution No. PC 20-01
4. Air Quality/Greenhouse Gas Emissions Analysis
5. Traffic Analysis

LOCATION MAP



7919 Wilcox Street

RESOLUTION NO. PC 20-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CUDAHY APPROVING DEVELOPMENT REVIEW PERMIT NO. 41-531 AND CONDITIONAL USE PERMIT NO. 38-371 TO ALLOW THE CONSTRUCTION OF A 9-UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 7919 WILCOX AVENUE. APPLICANT: ALBERTO CISNEROS.

WHEREAS: The applicant, Alberto Cisneros, requests approval of a Development Review Permit and Conditional Use Permit to allow the design, site layout, and the construction of a 9-unit multifamily residential development and 50 percent density bonus of the number of “base” units allowed in the underlying zone, and incorporating affordable housing units ;

WHEREAS: The subject property is located at 7919 Wilcox Avenue in an area that is designated by the Cudahy General Plan and by the Cudahy Zoning Map as High Density Residential; and

WHEREAS: The subject property is approximately 16,200 square feet in area, and the HDR zone sets forth the maximum residential density of 2,904 square feet per acre. The base density of the parcel is 6 units, calculated by dividing the parcel area by the zone-assigned density and rounding up to the next whole number ($16,200/2,904 = 5.58$), and the applicant is proposing an additional 3 units using a 50% density bonus; and

WHEREAS: This matter was duly posted and set for a special public hearing for January 27, 2020 at 6:30pm consistent with the City of Cudahy's Zoning Ordinance procedures for Development Review Permits.

NOW THEREFORE, the Planning Commission of the City of Cudahy hereby resolves:

SECTION 1. The Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, et seq (“CEQA”), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq), and the City’s Local CEQA Guidelines. In accordance with the provisions of the California Environmental Quality Act (CEQA), an environmental analysis has been completed for this case. As a result of that analysis, it has been determined that this case will not have a significant impact upon the environment and is Exempt, pursuant to Article 12.5, Section 15195, Residential Infill Exemption, of the CEQA Guidelines and therefore, no further environmental documentation will be required.

SECTION 2. After considering the proposal on the basis for approval or denial of Development Review Permit 41.531 stated in Chapter 20 of the Cudahy Municipal Code, the Planning Commission finds as follows:

DEVELOPMENT REVIEW PERMIT 41.531

- A. The project is compatible with the City of Cudahy’s General Plan because it proposes a multiple-family residential project in the High-Density Residential General Plan designation and the High-Density Residential zone. The HDR designation and zone set forth a residential density of up to 40 dwelling units/acre. The High-Density Residential Zone designation sets forth a residential density of up to 40 units/acre; the HDR zone sets

project density to 15-40 units per acre. The applicant has requested a density bonus of 50% such that these densities would be exceeded contingent on the approval of CUP 38-371 as part of a request for concessions.

- B. The height, bulk, and other design features of the Project's structures are in proportion to the building site, and external features are balanced and unified so as to present a harmonious appearance. The proposed development's structure is three stories in height, similar to other multi-story structures within the immediate neighborhood. There is sufficient area in the 15-foot front setback for ample and dense landscaping, presenting a harmonious appearance with nearby residences that also face the street. Accordingly, the project is consistent with the height, bulk, and other design features required by the City Zoning design guidelines and provides a unified and uniform appearance.
- C. The project design contributes to the physical character of the community, relates harmoniously to existing and anticipated development in the vicinity, and is not monotonously repetitive in and of itself or in conjunction with neighboring uses and does not contribute to excessive variety among neighboring uses. The existing surrounding properties include single story and two-story single-family and multi-family residences. The proposed development includes nine multifamily residential units, consistent with the height, bulk, and other design features found in the surrounding area. The proposed surface articulations, including trimmed windows, pop-out terraces etc., avoid monotonous repetition.
- D. The site layout and the orientation and location of structures and their relationship to one another and to open spaces, parking areas, pedestrian walks, signs, illumination, and landscaping achieve safe, efficient, and harmonious development. The proposed site layout presents a balanced, axial plan that relates to similar structures along Wilcox Avenue. The development's orientation beyond the deep setback and the common driveway helps to screen the building's mass from the public right of way and adjacent properties. There are areas available for guest parking, landscaping, including the front setback, the rear setback, the private open space and common areas. The common driveway permits good visibility along the length of the project interior and will have security lighting for safety.
- E. The grading and site development show due regard for the qualities of the natural terrain and landscape and do not call for the indiscriminate destruction of trees, shrubs, and other natural features. The proposed development requires minor grading and removal of some existing shrubs as well as the demolition of an existing structure. Half of the lot is currently dirt and does not contain any trees. However, the rest of the site is urbanized, flat and there is little evidence of "natural" terrain. There are no "natural" features on the site. Moreover, the project would add new landscaping, including trees and shrubs, which would replace those that would be removed.
- F. The design, lighting, and placement of signs are appropriately related to the structure and grounds and are in harmony with the general development of the site. The project will not have illuminated signage, with the exception for possible illuminated identifying address signs on the front elevation. That sign must meet CMC standards for property identification signs and the conditions of approval for the project, and thus would be in harmony with the general development of the site.
- G. Mechanical equipment, machinery, trash, and other exterior service areas are screened

or treated in a manner that is in harmony with the design of the structures and grounds. There are no proposed exterior mechanical equipment, machinery, or service areas except for the trash enclosures which are located behind decorative view obscuring doors to prevent stormwater runoff and to provide further screening and meets zoning code requirements for multi-family developments. Other mechanical equipment must comply with CMC design guidelines and Building Code standards, which require that all mechanical equipment, machinery, trash, and other exterior service areas be screened from public view.

- H. The project shows proper consideration for adjacent residentially zoned or occupied property and does not adversely affect the character or value of such property. The proposed project would re-develop a site that lies between occupied single and multiple-family residences. By introducing new, up-to-date residences with new landscaping, the project would improve the character of the adjacent properties and maintain or improve property value. The design is consistent with the City's General Plan and zoning designation, meets all development standards within the provisions of the Development Review Permit for the project, is compatible with the surrounding residential use, and will not adversely affect the value or quality of the neighborhood.

SECTION 3. After considering the proposal on the basis for approval or denial of the Conditional Use Permit 38.371 stated in Section 20 of the Cudahy Municipal Code, the Planning Commission finds as follows:

- A. The project's proposed increased density, governed by the terms of the Conditional Use Permit, would provide at least one affordable unit. This is consistent with the General Plan Land Use Element Policy 2.8, which allows for "different densities of development" when a project would supply housing for various income levels. The project is requesting a density bonus as permitted by State and local law and must set aside at least one unit as affordable. This is consistent with the General Plan Housing Element Policy 2.1 regarding supporting housing availability for all economic segments. The project would supply new residential units that exceed the minimum habitable floor area. At least one unit would be characterized as "affordable" to residents with very low incomes, consistent with General Plan Housing Element Policy 2.5. Finally, the project would construct new housing on a parcel in an existing multiple-family neighborhood. It will rehabilitate the property, consistent with General Plan Housing Element Policy 3.5.
- B. The project sets aside no less than the percentage and type of units required to earn a density bonus of 35 percent or more under the state density bonus law. The applicant is required to set aside one unit as affordable, pursuant to California Government Code § 65915 and to Cudahy Municipal Code § 20.52.300 et seq. The present proposal includes one unit for very low-income levels, consistent with the minimum number of required units for a 35% density bonus or more.
- C. The applicant has adequately demonstrated that the project will not generate unmitigated significant noise, traffic, parking, or other impacts detrimental to surrounding properties or the general welfare. The environmental-impact issues cited above are addressed in the EIR that was adopted as part of the General Plan 2040, which show that the project does not present significant environmental impacts that cannot be mitigated by either existing regulations or specific mitigation measures that have been incorporated into the project's Conditions of Approval. Additionally, the project will be subject to measures required by

the Los Angeles Unified School District designed to help reduce or eliminate such impacts and are included in the project's conditions of approval.

SECTION 4. Based upon the findings contained in this Resolution and on all other written and oral evidence in the record, the Planning Commission hereby approves Development Review Permit No. 41-531 and Conditional Use Permit 38-371, subject to the conditions of approval set forth below:

1. The applicant, its successors in interest, and assignees, shall indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, and disbursements (collectively, "Claims") arising out of or in any way relating to this project, any discretionary approval granted by the City related to the development of the project, or the environmental review conducted under the California Environmental Quality Act, Public Resources Code section 21000 *et seq.*, ("CEQA") for the project. If the City Attorney is required to enforce any conditions of approval, the applicant shall pay for all costs of enforcement, including attorney's fees.
2. The Applicant shall execute and record with the County Recorder a density bonus housing agreement with the City to ensure the continued affordability of all set-aside affordable units, to the satisfaction of the City Manager and City Attorney. For all set-aside units, the agreement shall specify the household income classification, number, location, size, and construction scheduling and shall require set-aside units in a project and phases of a project to be constructed concurrently with the construction of non-set aside units. The agreement shall run with the land, bind the owner, successors and assigns, and shall include such other provisions as necessary to establish compliance with the requirements of Chapter 20.52.360 of the City's Zoning Code.
3. Subcontractors hired to improve the physical structures of the building shall obtain a contractor's business license from the City Business License Department and submit proof of workers' compensation insurance to the City Building Department, before the issuance of any permits.
4. All conditions shall be binding upon the applicants, their successors and assigns, shall run with the land, shall limit and control the issuance and validity of certificate of occupancy, and shall restrict and limit the construction, location, and use and maintenance of all land and structures within the development.
5. The site shall be kept in a neat manner at all times and any landscaping shall be continuously maintained in a healthy and thriving condition.
6. Any changes in building textures, materials, and colors on the exterior walls are subject to planning approval. A developer is required to submit samples of all exterior materials for approval prior to the issuance of building permits.
7. Construction shall conform to the site plan on file with the Community Development Department and as approved by the Planning Commission.

8. The Developer shall pay into a fund for parkland fees, to be determined at the time of submitting plans into Building and Safety Plan Check, pursuant to the Quimby Act. (Government Code Section §66477).
9. The Developer shall verify in writing that there is sufficient water service for the additional dwelling units proposed. Also, the developer agrees to install any equipment, lines or other necessary improvement to ensure that there will be sufficient water service for the proposed additions.
10. A complete set of plans including the sewer, drainage, grading, and erosion control plans, which accurately depict the location of the proposed structures, driveways, and all other elements of the development, shall be submitted as part of the plan check submittal.
11. The applicant shall comply with all conditions set forth by the Los Angeles County Fire Department for this application in its letter of correspondence and on file with the City Planning Department.
12. Anti-graffiti substances shall be used on both sides of the perimeter walls of the subject property.
13. Applicant shall remove graffiti within 24 hours of application. In the event graffiti is not removed within 24 hours, the applicant grants access and indemnifies the City to enter the property to abate graffiti according to CMC Sections 15.20.150 and 15.20.
14. No motor vehicles (commercial or otherwise) shall be parked on the property except in marked parking spaces.
15. Utility equipment including and not limited to electricity, cable, or telephone equipment must be placed underground. Each unit shall have separate sewer and water lines.
16. Pursuant to the National Pollutant Discharge Elimination System (NPDES) Permit requirements, and City of Cudahy Municipal Code Section 11-2: Storm Water and Urban Runoff Pollution Control all construction projects of less than 1 acre are required to meet a minimum of water quality protection (i.e., Owner's Certification of Compliance with Minimum Requirements Form and/or Wet Weather Control Plan).
17. As part of the plan check submittal, written verification from the local water authority that there is sufficient water service for the additional dwelling units, as well as fire suppression being provided without interruption to residences.
18. A Lighting Plan shall be submitted with construction drawings to Building & Safety for plan check.
19. Landscaping and irrigation plans, which provide for adequate landscaping shall be submitted to the Community Development Department for approval as part of plan check submittal. All types of plants selected, and required watering systems for such landscaping, shall, to the extent possible, conserve water and shall be consistent with any water conservation ordinance enacted by the City.
20. All roof-mounted equipment shall be adequately and decoratively screened and shall not be visible from the street.

21. The locations of air-conditioning condensers shall be shown on the site plan and shall not be visible from the street.
22. A raised curb shall be provided along the borders of the area proposed for parking spaces and open space areas.
23. All vents shall be painted to match the color of the house stucco or wood trim.
24. All building materials and plants selected shall be comparable to the proposed development.
25. The developer shall obtain necessary permits to repair or improve any curb, gutter or sidewalk damaged due to the construction process.
26. The electrical transformer shall be adequately and decoratively screened from view. Dense landscaping shall be used as screening materials. The applicant shall provide the details with the set of building plans to illustrate this requirement.
27. The applicant shall include all general notes on the plans submitted for plan check as required. The floor plans and elevation drawings shall reflect the same information. The developer is required to check said plans for accuracy and make sure plans are drawn to scale and corrections are made as necessary prior to the issuance of permits.
28. The developer shall not deviate from any of the approved plans without prior approval from the Director of Community Development or the Planning Commission.
29. The developer shall submit a complete listing of all subcontractors used for the project. Each subcontractor shall obtain a contractor's business license from the City's Business License Department and submit proof of workers' compensation insurance to the City of Cudahy Building Department, before the issuance of any permits.
30. Contractors hired for the project must guarantee that safe and convenient school pedestrian routes are maintained. This would pertain to the arrival and dismissal times of each school day. Traffic controls (signs) shall be installed as needed to ensure safe routes to school. Construction vehicle trips scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars.
31. The applicant shall comply with all conditions set forth by the Los Angeles Unified School District for this application in its letter of correspondence and on file with the City Planning Department.
32. Increased noise levels will be mitigated by the limitation of construction activities to not earlier than 7:00 A.M. and not later than 6:00 P.M. To reduce temporary construction noise contractors hired for the project shall implement BMPs such as providing advance notification of construction to surrounding land uses, ensuring that equipment is properly muffled, placement of noise sources away from residences, implementing noise attenuation measures, and generally conduct construction in compliance with City of Cudahy Municipal Code Article 23: Environmental Performance Standards.

33. An Affidavit shall be recorded with the Los Angeles County Recorder's Office stating that the lot shall be maintained as a single contiguous lot and certified copy shall be filed with the City Clerk of the City of Cudahy.
34. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the use of said property as set forth by this approval, together with all conditions, which are a part of, said approval.
35. Issuance of Building Permits shall be conditioned upon submission of Covenants, Conditions and Restrictions (CC&Rs) for review and approval by the City Attorney to ensure that: (i) A homeowners association with legal power to maintain the common areas is established, and (ii) the City is made part of the CC&Rs for the purpose of performing common area maintenance if the homeowners association fails to do so and to recoup the City's cost of doing so via an assessment imposed on the unit owners, and (iii) copies of the signed CC&Rs shall be recorded in the Los Angeles County Recorder's Office, and a copy given to the City of Cudahy and to each homeowner of the development. A fee must be paid for city attorney review, which shall be equal to 110 percent of costs reasonably borne for document review.
36. All City Fees, i.e., plan check, building permit fees, school fees, Quimby fees, CC&R review, etc., shall be paid by the applicant prior to the submittal of the plans to the Building and Safety Department".
37. The applicant shall sign and notarize an Affidavit of Acceptance of Conditions, which acknowledges all of the conditions imposed herein and the applicant's acceptance of this Permit subject to those conditions.
38. The rights granted under DRP No. 41-531 and CUP No. 38-371 may be modified or revoked by the Planning Commission should it be determined that the proposed uses or conditions under which the project is being operated or maintained is detrimental to the public health, welfare or materially harmful to property or improvements in the vicinity, if the property is operated or maintained to constitute a public nuisance or is a contributor to blight, or if the uses on the property are changed from the uses expressly approved herein.
39. The rights granted under DRP No. 41-531 and CUP No. 38-371 shall expire within one (1) year of the date of approval by the Planning Commission unless proper building permits have been obtained or the applicant(s) applies for and is granted an extension of time. No extension of time will be considered unless the application for an extension is filed at least 30 days prior to the expiration. An extension will not be granted if conditions have changed in that the requisite findings for approval can no longer be made.
40. Prior to any occupancy permit being granted, or commencement of the approved use, these conditions shall be completed to the satisfaction of the City.

PASSED AND APPROVED THIS 27TH DAY OF JANUARY, 2020 BY THE FOLLOWING ROLL CALL VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

Chairman

ATTEST:

APPROVE AS TO FORM:
OLIVAREZ MADRUGA
ASSISTANT CITY ATTORNEY

Salvador Lopez Jr., Deputy Secretary

By: _____
Victor Ponto

Memorandum

TO: Salvador Lopez, Director of Planning

FROM: Christine Kudija, JD, AICP, MLA
Principal Planner

DATE: January 16, 2020

SUBJECT: **7919 Wilcox Ave, Cudahy: Multiple-family Residential**
Air Quality/GHG Memorandum

1.0 INTRODUCTION

This Memorandum summarizes the results of the pollutant and greenhouse-gas emissions prepared for the proposed project. As shown below, neither construction emissions nor operational emissions exceed the South Coast Air Quality Management District's thresholds for regional or local emissions. Additionally, because the project increases housing density on an existing infill site, and is within ½ mile of a "major transit stop" on Wilcox Avenue, the project is considered compliant with respect to greenhouse gas emissions (GHGs) in local and regional climate-action programs.

The applicant proposes to construct nine new apartments in three 3-story buildings on a 0.37-acre site at 7919 Wilcox Avenue, Cudahy. The total proposed building area is 15,230 square feet, including garages, and the habitable floor area is 11,270.25 square feet. A 2,246-square foot single-family residence would be demolished to accommodate site development.

2.0 REGULATORY SETTING

2.1. Air Quality. The project is located within the South Coast Air Basin. The South Coast Air Quality Management District (SCAQMD) has jurisdiction and regulatory authority within the Air Basin. The SCAQMD is responsible for the region's Air Quality Management Plan (AQMP), which sets forth regulations and various control measures to reduce air pollution and bring the region into attainment (compliance) with federal and state clean air standards. The 2016 AQMP includes control measures for both stationary and mobile sources of air pollutants; the control measures are further codified into Rules or set forth as policies for jurisdictions within the Air Basin. Rules set specific limits for emissions from various stationary sources, including specific types of equipment, industrial processes, paints, solvents, and consumer products. Limits on airborne "fugitive" dust from construction and particulates from diesel engines are also set forth and enforceable.

To measure ongoing AQMP progress, the SCAQMD monitors air quality at 38 locations throughout the Air Basin, and has enforcement authority over a four-county area (Los Angeles, Orange, Riverside and San Bernardino Counties; see the SCAQMD website, <http://www.aqmd.gov/>, for comprehensive information regarding the AQMP and the SCAQMD's overall responsibilities). The South Coast Air Basin remains in non-attainment under both national and California standards for three criteria pollutants, including ozone, particulate

matter and fine particulate matter (PM10 and PM2.5, respectively). Figure AQ-1 below shows the region's overall attainment status.

Figure AQ - 1

National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) Attainment Status for South Coast Air Basin

CRITERIA POLLUTANT	STANDARD	AVERAGING TIME	DESIGNATION ^{a)}	ATTAINMENT DATE ^{b)}
1-Hour Ozone	NAAQS	1979 1-Hour (0.12 ppm)	Nonattainment (Extreme)	2/6/2023 Originally 11/15/2010 (not attained) ^{c)}
	CAAQS	1-Hour (0.09 ppm)	Nonattainment	N/A
8-Hour Ozone^{d)}	NAAQS	1997 8-Hour (0.08 ppm)	Nonattainment (Extreme)	6/15/2024
	NAAQS	2008 8-Hour (0.075 ppm)	Nonattainment (Extreme)	7/20/2032
	NAAQS	2015 8-Hour (0.070 ppm)	Nonattainment (Extreme)	8/3/2038
	CAAQS	8-Hour (0.070 ppm)	Nonattainment	Beyond 2032
CO	NAAQS	1-Hour (35 ppm) 8-Hour (9 ppm)	Attainment (Maintenance)	6/11/2007 (attained)
	CAAQS	1-Hour (20 ppm) 8-Hour (9 ppm)	Attainment	6/11/2007 (attained)
NO₂^{e)}	NAAQS	1-Hour (0.10 ppm)	Unclassifiable/Attainment	N/A (attained)
	NAAQS	Annual (0.053 ppm)	Attainment (Maintenance)	9/22/1998 (attained)
	CAAQS	1-Hour (0.18 ppm) Annual (0.030 ppm)	Attainment	---
SO₂^{f)}	NAAQS	1-Hour (75 ppb)	Designations Pending (expect Uncl./Attainment)	N/A (attained)
	NAAQS	24-Hour (0.14 ppm) Annual (0.03 ppm)	Unclassifiable/Attainment	3/19/1979 (attained)
PM10	NAAQS	1987 24-hour (150 µg/m ³)	Attainment (Maintenance) ^{g)}	7/26/2013 (attained)
	CAAQS	24-hour (50 µg/m ³) Annual (20 µg/m ³)	Nonattainment	N/A
PM2.5^{h)}	NAAQS	2006 24-Hour (35 µg/m ³)	Nonattainment (Serious)	12/31/2019
	NAAQS	1997 Annual (15.0 µg/m ³)	Attainment	8/24/2016
	NAAQS	2012 Annual (12.0 µg/m ³)	Nonattainment (Serious)	12/31/2025
	CAAQS	Annual (12.0 µg/m ³)	Nonattainment	N/A

Figure AQ - 1, Continued

National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) Attainment Status for South Coast Air Basin

CRITERIA POLLUTANT	STANDARD	AVERAGING TIME	DESIGNATION ^{a)}	ATTAINMENT DATE ^{b)}
Lead	NAAQS	3-Months Rolling (0.15 µg/m ³)	Nonattainment (Partial) ^{d)}	12/31/2015
Hydrogen Sulfide (H ₂ S)	CAAQS	1-Hour (0.03 ppm/42 µg/m ³)	Attainment	---
Sulfates	CAAQS	24-Hour (25 µg/m ³)	Attainment	---
Vinyl Chloride	CAAQS	24-Hour (0.01 ppm/26 µg/m ³)	Attainment	---

- a) U.S. EPA often only declares Nonattainment areas; everywhere else is listed as Unclassifiable/Attainment or Unclassifiable
- b) A design value below the NAAQS for data through the full year or smog season prior to the attainment date is typically required for attainment demonstration
- c) 1-hour O₃ standard (0.12 ppm) was revoked, effective June 15, 2005 ; however, the Basin has not attained this standard based on 2008-2010 data and is still subject to anti-backsliding requirements
- d) 1997 8-hour O₃ standard (0.08 ppm) was reduced (0.075 ppm), effective May 27, 2008; the revoked 1997 O₃ standard is still subject to anti-backsliding requirements
- e) New NO₂ 1-hour standard, effective August 2, 2010; attainment designations January 20, 2012; annual NO₂ standard retained
- f) The 1971 annual and 24-hour SO₂ standards were revoked, effective August 23, 2010; however, these 1971 standards will remain in effect until one year after U.S. EPA promulgates area designations for the 2010 SO₂ 1-hour standard. Area designations are still pending, with Basin expected to be designated Unclassifiable /Attainment.
- g) Annual PM₁₀ standard was revoked, effective December 18, 2006; 24-hour PM₁₀ NAAQS deadline was 12/31/2006; SCAQMD request for attainment redesignation and PM₁₀ maintenance plan was approved by U.S. EPA on June 26, 2013, effective July 26, 2013.
- h) Attainment deadline for the 2006 24-Hour PM_{2.5} NAAQS (designation effective December 14, 2009) is December 31, 2019 (end of the 10th calendar year after effective date of designations for Serious nonattainment areas). Annual PM_{2.5} standard was revised on January 15, 2013, effective March 18, 2013, from 15 to 12 µg/m³. Designations effective April 15, 2015, so Serious area attainment deadline is December 31, 2025.
- i) Partial Nonattainment designation – Los Angeles County portion of Basin only for near-source monitors. Expect redesignation to attainment based on current monitoring data.

Source: South Coast Air Quality Management District, available at <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/naqs-caqs-feb2016.pdf?sfvrsn=14> (accessed January 10, 2020).

2.2 Greenhouse Gas Emissions. “Greenhouse gases” (so called because of their role in trapping heat near the surface of the earth) emitted by human activity are implicated in global climate change, commonly referred to as “global warming.” These greenhouse gases contribute to an increase in the temperature of the earth by allowing incoming short wavelength visible sunlight to penetrate the atmosphere, while restricting outgoing terrestrial long wavelength heat radiation from exiting the atmosphere. The principal greenhouse gases (GHGs) include carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). Collectively GHGs are measured as carbon dioxide equivalents (CO₂e).

Fossil-fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) is the single largest source of GHG emissions, accounting for approximately half of global GHG emissions. Industrial and commercial sources are the second-largest contributors of GHG emissions, constituting about one-fourth of total emissions. According to climate scientists, California and the rest of the developed world must cut emissions by 80 percent from today’s levels to stabilize the amount of CO₂ in the atmosphere and prevent the most severe effects of global climate change.

California has passed several bills and former Governor Jerry Brown signed seven executive orders (EOs) regarding greenhouse gases. GHG Statutes and EOs include Assembly Bill (AB) 32, Senate Bill (SB) 1368, EO S-03-05, EO S-20-06, EO S-01-07, EO S-13-08, EO B-16-12, EO B-18-12, and EO B-30-15. Of these, AB 32, the California Global Warming Solutions Act of 2006, mandates that California’s GHG emissions be reduced to 1990 levels by 2020, and tasks the California Air Resources Board (CARB) with regulating GHG emissions as well as coordinating with other state agencies to implement AB 32’s reduction goals.

EO S-3-05 provides a more long-range goal and requires an 80 percent reduction of GHGs from 1990 levels by 2050. On a per-capita basis, that means reducing annual emissions of 14 MTs of CO₂ equivalent for every person in California down to approximately 10 MTs per person by 2020. Issued in 2015, EO-B-30-15 sets an increasingly-aggressive GHG-emissions target for 2030, 40 percent below 1990 levels. EO-B-30-15 was codified by SB 32 in 2016, which also provided the CARB with additional direction for refining the Climate Change Scoping Plan. That EO set forth five “pillars” for accomplishing GHG reduction, including (1) reducing today’s petroleum use in cars and trucks by up to 50 percent; (2) increasing from one-third to 50 percent our electricity derived from renewable sources; (3) doubling the energy efficiency savings achieved at existing buildings and making heating fuels cleaner; (4) reducing the release of methane, black carbon, and other short-lived climate pollutants; (5) managing farm and rangelands, forests and wetlands so they can store carbon; and (6) periodically updating the state’s climate adaptation strategy, Safeguarding California.

The CARB’s 2017 Climate Change Scoping Plan, in part implements EO B-30-15, and sets forth a “reference scenario” as a baseline for measuring how much GHG emissions can be reduced in several economic sectors. This scenario illustrates the level of GHG emissions generated statewide through 2030 with existing policies and programs, but without any further action to reduce GHGs. This level is estimated to be approximately 400 million metric tons (MMTs) of CO₂e from all sources in 2030. The CARB’s statewide 2030 target level of emissions is approximately 260 MMTs. **The Scoping Plan estimates that the change from 1990 levels in the residential and commercial sectors must be from 44 MMTCO₂e to 38-40 MMTCO₂e by 2030, a four to eight percent reduction.**

Senate Bill 375 was enacted to link land use and transportation in a manner that would reduce vehicle miles traveled (VMT), thereby reducing GHG emissions. Under SB 375, the California Air

Resources Board (CARB) is responsible for establishing GHG emission-reduction targets, and regional Metropolitan Planning Organizations (MPOs) are responsible for preparing and adopting “Sustainable Communities Strategies” that achieve CARB’s targets.

The Gateway Cities Council of Governments (GCCOG) is the local MPO that includes the City of Cudahy, and has recently prepared a regional CAP framework for member cities as part of a sustainable community strategy. The framework contains a comprehensive toolkit for cities’ use to develop their own CAPs and set emissions targets. To date, the City of Cudahy has not set emissions targets or numeric thresholds. However, the CAP framework itself shows various strategies that can help reduce GHG emissions: promoting “green” building; improving efficiency of existing buildings; increasing the use of local clean energy generation; and others.

As part of the statewide effort to increase local clean energy generation, the California Building Code (Title 24) requires all new single-family and low-rise (≤ 3 stories) multiple family residential construction to add a minimum capacity of photovoltaic power generation, effective January 2020. The California Energy Commission’s *2019 Residential Compliance Manual* sets that capacity according to the following formula:¹

$$kW_{PV} \text{ required} = (CFA \times A)/1000 + (NDwell \times B)$$

Where:

- kW_{PV} = kWdc size of the PV system
- CFA = Conditioned Floor Area
- NDwell = Number of dwelling units
- A = Adjustment factor from the CEC Residential Compliance Manual Table 7-1, (A= 0.613 for CEC Climate Zone 9)
- B = Dwelling adjustment factor from Residential Compliance Manual Table 7-1, (B=1.36 for CEC Climate Zone 9)

Note that compliance with GHG-reduction strategies may not reduce an individual project’s impacts below significant levels *unless* an emissions target or threshold, based on substantial evidence, has been adopted by a local agency. In the absence of a target or threshold, quantified GHG emissions may be determined to be significant and unavoidable. Alternatively, if a project demonstrates consistency with either a local CAP or with the CARB Scoping Plan (such as the percent-reduction goals described above), a finding of “less than significant” may be appropriate.

¹ See California Energy Commission, Residential Compliance Manual, p. 7-1 (January 2019), available at <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency-0> (accessed January 10, 2020).

4.0 METHODOLOGY

The California Emissions Estimator Model® (CalEEMod) v. 2016.3.2 (Excel-based computer model) was used to estimate the project’s emissions. This computer modeling tool is designed to provide a uniform platform for government agencies, land-use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operation activities (including vehicle use), as well as indirect emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Further, the model identifies mitigation measures to reduce criteria pollutant and GHG emissions along with calculating the benefits achieved from measures chosen by the user. The model incorporates average emissions for specific land uses such as that proposed by the project (apartments) at a buildout density of 12.82 du/acre. For modeling purposes, construction was assumed to begin in August 2020, and the project assumed to be operational by the end of 2021. The model requires that particular dates are entered in order to estimate construction phases; if not specifically known, the model inserts default periods for each phase of construction. Figure AQ-2 below shows the SCAQMD’s regional emissions thresholds for various air pollutants. Note that the SCAQMD sets forth greenhouse gas thresholds only for stationary sources.

Additionally, for projects that propose to develop less than five acres of land, the SCAQMD sets localized thresholds for several pollutants that contribute to human cancers. These thresholds substitute for requirements to conduct detailed Health Risk Assessments for small development projects.

Construction and operational greenhouse gas emissions were estimated using model default values for construction equipment (without mitigation strategies such as lower-emission non-road engines). Mitigation strategies required by the California Building Code were incorporated into the model’s “mitigation” data entry fields to estimate CO₂e emissions during project “operation,” e.g. when new residences are constructed and occupied. These strategies including a minimum level of photovoltaic (solar) electricity-generating capacity and low-flow plumbing fixtures. Moreover, all new residential construction must comply with the California Green Building Standards Code (developed to meet AB 32 GHG-emission goals).

Table GHG-1 shows the estimated GHG emissions for the project, as unmitigated and mitigated by building code requirements. Percent reductions with mitigation are shown for operational emissions. The “unmitigated” emissions would result from a “business-as-usual” strategy of, for example, building a vehicle-dependent, stand-alone multifamily development. In contrast, the “mitigated” emissions show reductions that would be achieved by code compliance.

Figure AQ - 2

SCAQMD Air Quality Significance Thresholds

Mass Daily Thresholds ^a		
Pollutant	Construction ^b	Operation ^c
NOx	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM10	150 lbs/day	150 lbs/day
PM2.5	55 lbs/day	55 lbs/day
SOx	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day
Toxic Air Contaminants (TACs), Odor, and GHG Thresholds		
TACs (including carcinogens and non-carcinogens)	Maximum Incremental Cancer Risk \geq 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas \geq 1 in 1 million) Chronic & Acute Hazard Index \geq 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402	
GHG	10,000 MT/yr CO ₂ eq for industrial facilities	
Ambient Air Quality Standards for Criteria Pollutants ^d		
NO ₂ 1-hour average annual arithmetic mean	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 0.18 ppm (state) 0.03 ppm (state) and 0.0534 ppm (federal)	
PM10 24-hour average annual average	10.4 $\mu\text{g}/\text{m}^3$ (construction) ^e & 2.5 $\mu\text{g}/\text{m}^3$ (operation) 1.0 $\mu\text{g}/\text{m}^3$	
PM2.5 24-hour average	10.4 $\mu\text{g}/\text{m}^3$ (construction) ^e & 2.5 $\mu\text{g}/\text{m}^3$ (operation)	
SO ₂ 1-hour average 24-hour average	0.25 ppm (state) & 0.075 ppm (federal – 99 th percentile) 0.04 ppm (state)	
Sulfate 24-hour average	25 $\mu\text{g}/\text{m}^3$ (state)	
CO 1-hour average 8-hour average	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 20 ppm (state) and 35 ppm (federal) 9.0 ppm (state/federal)	
Lead 30-day Average Rolling 3-month average	1.5 $\mu\text{g}/\text{m}^3$ (state) 0.15 $\mu\text{g}/\text{m}^3$ (federal)	

^a Source: SCAQMD CEQA Handbook (SCAQMD, 1993)

^b Construction thresholds apply to both the South Coast Air Basin and Coachella Valley (Salton Sea and Mojave Desert Air Basins).

^c For Coachella Valley, the mass daily thresholds for operation are the same as the construction thresholds.

^d Ambient air quality thresholds for criteria pollutants based on SCAQMD Rule 1303, Table A-2 unless otherwise stated.

^e Ambient air quality threshold based on SCAQMD Rule 403.

KEY: lbs/day = pounds per day ppm = parts per million $\mu\text{g}/\text{m}^3$ = microgram per cubic meter \geq = greater than or equal to
 MT/yr CO₂eq = metric tons per year of CO₂ equivalents $>$ = greater than

Source: South Coast Air Quality Management District, *Air Quality Significance Thresholds*, available at <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf> (accessed January 10, 2020).

Tables AQ-1 and AQ-2 below summarize maximum daily construction and operational emissions for the proposed project, contrasted with SCAQMD thresholds. See Appendix A for full CalEEMod results (annual, winter and summer emissions profiles). Table GHG-1 summarizes greenhouse gas emissions.

Table Abbreviations:

- ROG: Reactive Organic Gases/Volatile Organic Compounds
- NOx: Oxides of Nitrogen
- CO: Carbon Monoxide
- SO2: Sulfur Dioxide
- PM10: Particulate Matter, 10 microns or less
- PM2.5: Fine Particulate Matter, 2.5 microns or less
- Area: Emissions resulting from architectural coatings and 10-year reapplication rates, hearths and woodstoves (none in these projects), consumer products and landscape equipment
- Energy: Emissions resulting from energy generation at power plants attributable to a project
- Mobile: Emissions resulting from projected vehicle trips attributable to a project

**Table AQ - 1
Construction Emissions**

Unmitigated Maximum Daily Construction Emissions						
	ROG (VOC)	NOX	CO	SO2	Total PM10	Total PM2.5
Year	lbs/day					
2020 Winter	0.9439	8.9776	8.1984	0.0156	1.3781	0.8899
2021 Winter	7.6692	6.7717	7.7016	0.0131	0.5561	0.3833
2020 Summer	0.9388	8.9758	8.2233	0.0157	1.3780	0.8899
2021 Summer	7.6688	6.7669	7.7657	0.0133	0.5561	0.3833
Maximum	7.6692	8.9776	8.2233	0.0157	1.3781	0.8899
Threshold	75	100	550	150	150	55
Exceeds Threshold?	NO	NO	NO	NO	NO	NO
Localized Threshold (LST)	N/A	46	231	N/A	4	3
Exceeds Threshold?		NO	NO		NO	NO

**Table AQ - 2
Operational Emissions**

Unmitigated Maximum Daily Operational Emissions						
	ROG (VOC)	NOX	CO	SO2	Total PM10	Total PM2.5
Winter	lbs/day					
Category						
Area	0.1506	8.5900e-003	0.7441	4.0000e-005	4.1000e-003	4.1000e-003
Energy	4.3400e-003	0.0371	0.0158	2.4000e-004	3.0000e-003	3.0000e-003
Mobile	0.1041	0.5190	1.2640	4.4200e-003	0.3755	0.1029
Total	0.2590	0.5647	2.0239	4.7000e-003	0.3826	0.1100
Threshold	55	55	550	150	150	55
Exceeds Threshold?	NO	NO	NO	NO	NO	NO
Summer	lbs/day					
Category						
Area	0.1506	8.5900e-003	0.7441	4.0000e-005	4.1000e-003	4.1000e-003
Energy	4.3400e-003	0.0371	0.0158	2.4000e-004	3.0000e-003	3.0000e-003
Mobile	0.1189	0.5795	1.6148	5.7900e-003	0.4725	0.1294
Total	0.2738	0.6253	2.3748	6.0700e-003	0.4796	0.1365
Threshold	55	55	550	150	150	55
Exceeds Threshold?	NO	NO	NO	NO	NO	NO

**Table GHG-1
Annual GHG Emissions Summary (CO₂e)**

	Phase	Metric Tons (MT) CO₂e/YR		
		Without Mitigation^a	Mitigated^b	Percent Reduction
Totals	Construction - 2020	60.0121	60.0120	0.00
	2021	1.7817	1.7817	0.00
	Operation	113.0837	95.5839	15.48

“Without Mitigation” for CalEEMod purposes means that estimated future project building construction and operational data were entered without adjusting for equipment engine emissions or operational features required in the California Building Code (Title 24). This is essentially the “business as usual” scenario.

“Mitigation” for CalEEMod purposes can mean inherent design features of a project, such as increasing a project’s “walkability,” thus reducing vehicle trips. Since the proposed project increases residential density in an area close to transit, shops, restaurants and services, increasing walkability is already a component of the project, not a necessary mitigation measure. Also included as “mitigation” were other features of future construction that are required by the California Building code, such as minimum levels of solar-energy generation on each residential building, water-conserving plumbing and irrigation systems, and adherence to green building standards.

5.0 Conclusions

As shown by Tables AQ-1 and AQ-2, and further detailed in the CalEEMod results in Appendix A, neither the construction nor the operational phases of the proposed project exceed SCAQMD thresholds. Additionally, Table GHG-1 shows that the project's operational emissions are estimated to result in GHG-emissions reduction from business-as-usual by 15.5%, exceeding CARB's four to eight-percent goals noted above. Accordingly, the project's air quality and greenhouse gas impacts may be considered less-than-significant.

Memorandum

TO: Sal Lopez, Director of Planning
FROM: Joanne Itagaki, Project Manager *JID*
DATE: January 6, 2020
SUBJECT: City of Cudahy, 7919 Wilcox Avenue, Trip Generation Analysis

It is my understanding that a 9-unit multifamily residential development (apartment complex) is proposed to be built at 7919 Wilcox Avenue where 1 single-family detached home will be demolished. Concerns have been expressed that there is a need for a Traffic Impact Analysis (TIA) to fully determine the traffic impacts of the proposed development.

Cudahy, like many cities in Los Angeles County, looks to guidelines provided by Metro's Congestion Management Program (CMP), Appendix D in determining when a TIA should be conducted. The CMP indicates that a proposed project adding 50 or more peak hour trips (both directions) in either the AM or PM peak period should conduct a TIA.

The County of Los Angeles, Public Works also provides guidelines regarding TIA. The County threshold is a proposed project that adds 500 or more trips per day.

Table 1 provides the trip generation analysis of the proposed 9-unit apartment complex. This table also accounts for the demolition of the 1 existing single-family home by removing/subtracting those trips. As identified in **Table 1**, the net trips from the project site include: 56 daily trips (28 in/28 out); 3 AM peak trips (1 in/3 out); and, 4 PM peak trips (3 in/1 out)*. The net trips fall below the thresholds of Metro and the County. Therefore, a traffic impact analysis would not be required of the proposed project based on these thresholds.

Should you have any questions, please contact me.

* - Trip totals are rounded to whole numbers. Therefore, totals may not appear to be mathematically correct.

Attachments

- Table 1 – Trip Generation Analysis

City of Cudahy
Table 1
 7919 Wilcox Avenue
 Trip Generation Analysis

10th Edition ITE Land Use Codes

Code 220 - Multifamily Housing (Low Rise)

This Code used for the 9 apartment units as this was the only multifamily use Code used in the City's 2017 General Plan Traffic Impact Analysis.

Code 210 - Single-Family Detached Housing

This Code used for the existing single-family home to be removed/demolished.

		Daily				
(Rates per # of Dwelling Units)	Dwelling Units	Rate	In/Out %	In Trips	Out Trips	Total Trips
Proposed 9 apartment units	9	7.32	50/50	33	33	66
Existing 1 unit single-family home to be removed.	1	9.44	50/50	-5	-5	-9
Net Daily Trips				28	28	56

		AM Peak of Street				
(Rates per # of Dwelling Units)	Dwelling Units	Rate	In/Out %	In Trips	Out Trips	Total Trips
Proposed 9 apartment units	9	0.46	23/77	1	3	4
Existing 1 unit single-family home to be removed.	1	0.74	25/75	0	-1	-1
Net AM Peak Trips				1	3	3

		PM Peak of Street				
(Rates per # of Dwelling Units)	Dwelling Units	Rate	In/Out %	In Trips	Out Trips	Total Trips
Proposed 9 apartment units	9	0.56	63/37	3	2	5
Existing 1 unit single-family home to be removed.	1	0.99	63/37	-1	0	-1
Net AM Peak Trips				3	1	4

Note: Trip totals are rounded to whole numbers. Therefore, totals may not appear to be mathematically correct.