

VESTING TENTATIVE TRACT NO. 83061-SL-HCA (stamped map dated August 30, 2021)

HEARING DATE: October 26, 2021

PLANNING DEPARTMENT STAFF REPORT

PURSUANT TO ORDINANCE 164,845, IF A CERTIFICATE OF POSTING HAS NOT BEEN SUBMITTED BEFORE THE DATE OF THE PUBLIC HEARING, IT MUST BE PRESENTED AT THE HEARING, OR THE CASE MUST BE CONTINUED.

REQUEST

Pursuant to CEQA Guidelines, Section 15332, Class 32, an Exemption from CEQA, and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Pursuant to Los Angeles Municipal Code (LAMC) Section 17.06, 17.15, and 12.22 C,27, a Vesting Tentative Tract Map, VTT No. 83061-SL-HCA, to permit a seven-lot subdivision for seven new small lot homes on a 10,553 square-foot lot (10,214 square-foot after dedication) in the RD1.5-1 Zone, and pursuant to LAMC Section 17.03 A, adjustments to permit a 19% reduction in the area of the seventh lot, allowing 1,214 square feet of lot area in lieu of the 1,500 square feet required in LAMC Section 12.09.1 B.4, and to permit a 20 percent reduction of the rear yard setback for Lots 5, 6, and 7, allowing a setback of 12 feet in lieu of the 15 feet required in LAMC Section 12.09.1 B.3. The project also proposes to remove nine non-protected trees on-site and four non-protected trees in the public right-of-way.

Case No. ADM-2020-4357-SLD: Planning Staff revised the plans and found a few guidelines that need to be corrected prior to approval of the administrative clearance for the construction of seven small lot homes incidental to the proposed small lot subdivision, Case No. VTT-83061-SL.

RELEVANT PERMITS OR CASES

ON-SITE:

Permit Application No. 20019-10000-01068: On February 27, 2020, a permit application was filed with the Department of Building and Safety for demolition of the existing single-family dwelling.

OFF-SITE:

Case No. TT-53844: On February 4, 2003, the Deputy Advisory Agency approved the tentative tract map comprised of one lot located at 13912-13918 W. Oxnard Street for a maximum 12-unit residential condominium in the RD1.5-1 Zone.

Case No. ZA-2003-7525-ZAA: On February 17, 2004, the Zoning Administrator approved a Zoning Administrator's Adjustment to allow the construction, use and maintenance of a building encroaching 7 feet into the existing 22-foot building line in the RD1.5-1 Zone, located at 13912-13918 W. Oxnard Street.

PUBLIC RESPONSES

No letters, emails or phone calls have been received from the public as of the writing of this staff report.

GENERAL COMMENTS

The subject site is a level, regular-shaped corner lot, consisting of 10,554 gross square feet of lot area (before street dedication). The site is located within the Van Nuys-North Sherman Oaks Community Plan area, with a land use designation of Low Medium II Residential with corresponding zones of RD1.5, RD2, RW2 and RZ2.2, and is zoned RD1.5-1. The RD1.5 Zone would permit a maximum of seven lots or small lots before dedication. The site is located on the southeast corner of the intersection of Oxnard Street and Ranchito Avenue. It has about 125 feet of frontage on Oxnard Street and 125 feet of frontage on Ranchito Avenue.

The subject site is currently developed with a 2,508 square-foot single-family dwelling and attached garage, constructed in 1936. According to the tree report submitted by the applicant, dated June 4, 2020, and prepared by Shelley Sparks, an ISA certified arborist, there are nine non-protected trees located on the property and four non-protected trees located in the adjacent public right-of-way. The project proposes to remove all nine on-site trees as well as the four off-site trees to allow for widening of Ranchito Avenue.

The surrounding neighborhood is residential in character but at varying densities. Abutting properties to the east and west are zoned (Q)RD1.5-1 with a General Plan Land Use designation of Low Medium II Residential. The property to the west is developed with a three-story multifamily building, while the property to the east (across Ranchito Avenue) is improved with a single-family dwelling. Across Oxnard Street to the north, lots are zoned R3-1 with a Medium Residential General Plan Land Use designation, developed with two- to four-story multifamily buildings. The adjoining property to the south is developed with a single-family dwelling, with a zone of R1-1 and a General Plan Land Use designation of Low Residential.

Streets:

Oxnard Street is a designated Avenue II, which requires an 86-foot-wide dedicated public right-of-way and a 56 foot-wide roadway. It is currently dedicated to a variable width of 83 to 85 feet with a roadway approximately 62 feet wide and a curb, gutter, sidewalk, and landscaped parkway.

Ranchito Avenue is a designated Collector Street, which requires a dedicated 66-foot-wide public right-of-way and a 40-foot-wide roadway. It is currently dedicated to a width of 60 feet with a roadway approximately 36 feet wide. It is improved with a curb and gutter.

REPORTS RECEIVED

BUREAU OF ENGINEERING: Reports that the Tract Map layout is satisfactory as submitted and recommends approval subject to conditions pertaining to dedications and improvements along Ranchito Avenue and Oxnard Street in a memo dated October 2, 2020. See recommended conditions in **Draft Vesting Tentative Tract Report with Conditions** under department.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION: Tentatively approves subject to conditions stated in the Soils Approval Letter dated July 2, 2020. See recommended conditions in **Draft Vesting Tentative Tract Report with Conditions** under department.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION: A clearance letter will be issued stating that no Building and Zoning Code violations exist on the subject site once the items identified in the memo dated October 1, 2021, have been satisfied. See recommended conditions in **Draft Vesting Tentative Tract Report with Conditions** under department.

DEPARTMENT OF TRANSPORTATION: Recommends that the project be subject to conditions stated in the memo dated October 13, 2021. See recommended conditions in **Draft Vesting Tentative Tract Report with Conditions** under department.

FIRE DEPARTMENT: Recommends that the project be subject to conditions stated in the memos dated September 21, 2020, and September 12, 2021. See recommended conditions in **Draft Vesting Tentative Tract Report with Conditions** under department.

LOS ANGELES UNIFIED SCHOOL DISTRICT: No comments were available at the writing of the staff report.

DEPARTMENT OF WATER AND POWER: Reports that this tract can be supplied with water from the municipal system subject to LADWP's Water Services Organization's rules and requirements.

BUREAU OF STREET LIGHTING: Recommends that the project be subject to conditions stated in the memo dated August 25, 2020. See recommended conditions in **Draft Vesting Tentative Tract Report with Conditions** under department.

BUREAU OF SANITATION: Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structures or potential maintenance problem, as stated in the memo dated October 10, 2021. See recommended condition in **Draft Vesting Tentative Tract Report with Conditions**.

DEPARTMENT OF RECREATION AND PARKS: Recommends that the project be subject to conditions stated in the memo dated September 3, 2020. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

BUREAU OF STREET SERVICES, URBAN FORESTRY DIVISION: Recommends that

the project be subject to the conditions stated in the memo dated October 8, 2021. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department

ENVIRONMENTAL CLEARANCE

The Department of City Planning issued Case No. ENV-2020-4358-CE, in which it determined that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA guidelines Section 15300.2 applies. provide appropriate article, class, category information.

TENANTS

The subdivider has not provided a list of tenants as the site is developed with a single-family dwelling.

STAFF RECOMMENDATIONS

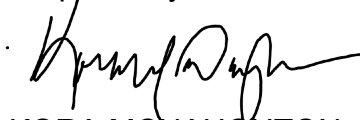
Planning Department staff recommends that Vesting Tentative Tract No. VTT-83061-SL be taken **under advisement** for the following reasons:

1. The subdivision must provide a minimum 15-foot rear yard setback as required for the RD1.5-1 Zone or change the request to a 3-foot encroachment of the existing building line on Oxnard Street and revise the tract map and building plans accordingly;
2. The subdivision must comply with the following Small Lot Design Standards:
 - A.2.a: Show address or unit identification, ornamental low-level lighting and a landing area on elevations.
 - A.2.b.i: For Lot 7, entryway must be recessed at least 2 feet from the building facade to create a covered porch or landing area.
 - A.2.b.iii: For Lot 7, the entryway shall be designed with an overhead projection of at least 6 inches such as an awning or other architectural design feature (unless prohibited by LAMC Section 12.22 C.20).
 - A.3.a: For Lots 2, 3, and 6, the small lot homes shall provide at least an 8-foot separation between the face of a primary entryway of a Small Lot Home and the adjacent building wall of a neighboring Small Lot Home.
 - A.4.a.ii: Call out the following facade articulation techniques on all elevations: "Porticos, awnings, terraces, balconies, eyebrows, or trellises of at least 6 inches in depth that provide variations in the building plane."

- A.4.a.iii: Call out the following facade articulation techniques on all elevations: “Window treatments that are extruded or recessed from the building façade a minimum of 3 inches. Windows or doors that are flush with the plane of the building (rather than extruded or recessed at least 3 inches) will not qualify as façade articulation.”
- A.4.a.iv: Call out the break in the facade plane of a minimum of 6 inches in depth on the plans.
- A.5.a.iii: Show a break in façade plane of a minimum of 6 inches in depth that is carried up to the roofline.
- A.6.a: For Lots 5,6, and 7, a portion of the roof is not stepped back 5 ft from the roof edge.
- A.7.C.1a-d: Provide landscape plan showing compliance with landscaping standards.

In the event the Advisory Agency approved the tract map, staff recommend the subdivision be subject to the standard conditions and the additional conditions in the **Draft Vesting Tentative Tract Report with Conditions**.

Prepared by:



KORA MCNAUGHTON
PLANNING ASSISTANT
(818) 374-9908

Note: Recommendation does not constitute a decision. Changes may be made by the Advisory Agency at the time of the public hearing.

DRAFT VESTING TENTATIVE TRACT REPORT WITH CONDITIONS

In accordance with provisions of Section 17.51 and 17.53 of the Los Angeles Municipal Code (LAMC), the Advisory Agency determines that the project is categorically exempt, and issues ENV-2020-1358-CE as the environmental clearance and approves Vesting Tentative Tract Map No. VTT-83061-SL located at 13906 W. Oxnard Street, for a maximum **7 small lots**, pursuant to LAMC Section 12.22 C.27, and adjustments to permit a reduced lot area for the seventh lot and a reduced rear yard setback for Lots 5, 6, and 7 as shown on revised map stamp-dated August 30, 2021, in the Van Nuys-North Sherman Oaks Community Plan area. This unit density is based on the RD1.5-1 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) The Advisory Agency's approval is subject to the following conditions:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding BOE conditions should be directed to Quyen Phan of the Permit Case Management Division at (213) 808-8604 (email: quyen.phan@lacity.org).

1. That a 3-foot wide-strip of land be dedicated along Ranchito Avenue adjoining the tract to complete a 33-foot wide half public right-of-way in accordance with Collector Street Standard of the LA Mobility Plan including a 20-foot radius property line return at the intersection with Oxnard Street.
2. That if this tract map is approved as a "Small Lot Subdivision" then, if necessary for street address purposes, all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
3. That if this tract map is approved as small lot subdivision, then the final map be labeled as "Small Lot Subdivision per Ordinance No. 185,462" satisfactory to the City Engineer.
4. That all common access easements including the vehicular access and pedestrian access easement be part of the adjoining lots.
5. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Valley Engineering District Office.
6. That, if necessary, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
7. That the subdivider make a request to the Valley District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
8. That all pedestrian common access easements be shown on the final map.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor, Suite 1200. The approval of this Tract Map shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.

9. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Geology and Soils Report Approval dated July 2, 2020, Log No. 113496 and attached to the case file for Tract No. 1000.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

10. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. For the purpose of determining the required setbacks, the perimeter of this subdivision shall be treated as a lot. For a corner lot, the front lot line shall be the narrowest street frontage. After the required dedication is taken, the narrowest frontage shall be along Oxnard Street; therefore, the front lot line shall be along Oxnard Street; therefore, the front lot line shall be along Oxnard Street and the side and rear lot line shall be determined with respect to the front lot line. Due to this, side yards shall be the West and East side of the subdivision and the rear lot line shall be the South side of the subdivision. Revise the Setback Matrix to reflect the correct setback for each Lots 5, 6, and 7.
 - c. For any subdivision that shares a property line with an R1 or more restrictive single-family zone, the provisions of the front yard, side yard and rear yard of the underlying zone shall apply. Provide a minimum 15 ft. rear yard setback for the subdivision (along the South side of the Subdivision – Lots 5, 6, and 7) for the proposed 4-story building as required for the RD1.5 Zone. Revise the map to show compliance with the above requirement or obtain approval from the Department of City Planning to reduce the required rear yard setback.
 - d. A minimum 10,500 square feet of lot area is required after the required dedication is taken to comply with the Density requirement for the RD1.5 Zone for the proposed 7 small lots. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning to allow 7 units on a lot less than 10,500 SF of lot area after dedication is taken.

- e. Show all street dedications as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Side yard requirement shall be required to comply with current code as measured from new property lines after dedication.

Notes: There is a 22 ft. Building Line along Oxnard Street.

Owners are to record a Maintenance Agreement that runs with the land for the purpose of reciprocal private easements maintenance program to all common areas and shared facilities such as trees, landscaping, drainage, trash, parking, community driveway (ground floor width and width clear to sky above the ground floor level), including walkways as shown on the approved Small Lot Subdivision Map.

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

DEPARTMENT OF TRANSPORTATION

Transportation approvals are conducted at 6262 Van Nuys Boulevard, Room 320. Please contact Brandon Wilson at (818) 374-4699 with any questions.

11. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum 20-foot reservoir space is required between any security gate or parking space and the property line, or to the satisfaction of DOT.
 - b. A width of W=30 feet at the driveway apron curb cut is required for all two-way driveways, or to the satisfaction of DOT.
 - c. A parking area and driveway plan should be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety.
 - d. The subdivision report fee and condition clearance fee be paid to the Department of Transportation as required per Ordinance No. 183270 and LAMC Section 19.15 prior to recordation of the final map. Note: The applicant may be required to comply with any other applicable fees per this new ordinance.

FIRE DEPARTMENT

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (818) 374-4351. You should advise any consultant representing you of this requirement as well.

12. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - c. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
 - d. Where above-ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of the individual units.
 - e. One or more Knox boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD inspector. (Refer to FPB Req #75).
 - f. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
 - g. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
 - h. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
 - i. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

- j. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
- k. Smoke vents may be required where roof access is not possible; location and number of vents to be determined at Plan Review.
- l. Site plans shall include all overhead utility lines adjacent to the site.
- m. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- n. No proposed development utilizing cluster, group, or condominium design of one- or two-family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
- o. Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
- p. Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
- q. Standard cut-corners will be used on all turns.
- r. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the subdivider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
 - i. The establishment of a property owners association, which shall cause a yearly inspection to be made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
 - ii. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
 - iii. In the event that the property owners' association fails to maintain the common property and easements as required by the CC and Rs, the individual property owners shall be responsible for their proportional share of the maintenance.

- iv. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
- v. That the common fire lanes and fire protection facilities be shown on the final map.
- s. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.
- t. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- u. Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.
- v. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; but in no case greater than 150 feet horizontal travel distance from the edge of the public street, private street or fire lane. This stairwell shall extend onto the roof.
- w. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- x. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- y. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

DEPARTMENT OF WATER AND POWER

- 13. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

Street Lighting clearance for this Street Light Maintenance Assessment District condition is conducted at 1149 S. Broadway Suite 200. Street Lighting improvement condition clearance will be conducted at the Bureau of Engineering District office, see condition S-3. (c).

- 14. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

15. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated August 18, 2020. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

16. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

DEPARTMENT OF RECREATION AND PARKS

Park fees must be paid at 221 North Figueroa Street, Suite 400, Los Angeles. Please contact Park Fees staff at (213) 202-2657 for any questions or comments, at your convenience.

17. That the Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING**18. Protected Trees.**

- a. All tree and shrub preservation measures shall be considered to retain all protected native species whenever possible. The project should include feasible alternatives in project design to retain native trees and shrubs. A permit is required for the removal of any native protected tree or shrub. Remove of any on-site native tree or shrub shall be replaced in kind at a 4:1 ration as approved by the Board of Public Works and Urban Forestry Division. The tree replacement plan shall include all retained native trees and shrubs. All on-site tree and shrub replacements shall be planted in locations favorable to the long-term survival of the species.
- b. The applicant shall submit a Protected Tree Report (PTR) with an acceptable tree and shrub replacement plan prepared by a reputable tree expert, as required by Ordinance No. 186,873 for approval by the Advisory Agency and the Bureau of Street Services, Urban Forestry Division. The PTR shall contain the tree expert's recommendations for the preservation of as many protected trees as possible and shall provide their species, health, size, and condition. The PTR shall include a topographical map (construction drawing) identifying tree and shrub location, drip line, and correctly numbered and plotted.

19. Street Trees.

- a. The project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy, mature street trees. A permit is required for the removal of any street

tree and shall be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.

- b. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The subdivider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

Clearances may be conducted at the Figueroa, Valley, or West Los Angeles Development Services Centers. To clear conditions, an appointment is required, which can be requested at planning.lacity.org.

20. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the proposed development to a maximum of 7 small lots.
- b. A Certificate of Occupancy (temporary or final) for the buildings in Vesting Tentative Tract No. 83061-SL shall not be issued until after the final map has been recorded.
- c. Provide a minimum of 2 covered off-street parking spaces per dwelling unit.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning.

- d. Revise the architectural and landscape plans to comply with the following Small Lot Design Guidelines:
 - A.2.a: Show address or unit identification, ornamental low-level lighting and a landing area on elevations.
 - A.2.b.i: For Lot 7, entryway must be recessed at least 2 feet from the building facade to create a covered porch or landing area.
 - A.2.b.iii: For Lot 7, the entryway shall be designed with an overhead projection of at least 6 inches such as an awning or other architectural design feature (unless prohibited by LAMC Section 12.22 C.20).
 - A.3.a: For Lots 2, 3, and 6, the small lot homes shall provide at least an 8-foot separation between the face of a primary entryway of a Small Lot Home and the adjacent building wall of a neighboring Small Lot Home.
 - A.4.a.ii: Call out the following facade articulation techniques on all elevations: "Porticos, awnings, terraces, balconies, eyebrows, or trellises of at least 6

inches in depth that provide variations in the building plane.”

- A.4.a.iii: Call out the following facade articulation techniques on all elevations: “Window treatments that are extruded or recessed from the building façade a minimum of 3 inches. Windows or doors that are flush with the plane of the building (rather than extruded or recessed at least 3 inches) will not qualify as façade articulation.”
 - A.4.a.iv: Call out the break in the facade plane of a minimum of 6 inches in depth on the plans.
 - A.5.a.iii: Show a break in façade plane of a minimum of 6 inches in depth that is carried up to the roofline.
 - A.6.a: For Lots 5,6, and 7, a portion of the roof is not stepped back 5 ft from the roof edge.
 - A.7.C.1a-d: Provide landscape plan showing compliance with landscaping standards.
- e. Note to City Zoning Engineer and Plan Check. The Advisory Agency has considered the following setbacks in conjunction with the approved map. Minor deviations to the map’s setbacks are allowed in the event that such deviations are necessary in order to accommodate other conditions of approval as required by other City agencies. In no event shall the setback from the perimeter boundary of the subdivision measure less than the yards required pursuant to LAMC Section 12.22 C.27:

(i) Setbacks shall be permitted as follows:

Setback Matrix				
Lot No.	Front (North)	Rear (South)	Side (East)	Side (West)
1	22'	8'	7'	5'
2	22'	8'	5'	5'
3	22'	8'	5'	5'
4	22'	8'	5'	7'
5	8'	12'	5'	7'
6	8'	12'	5'	5'
7	8'	12'	7'	5'

- (ii) The Common Access Driveway may have a minimum width of 16 feet clear-to-sky.
- (iii) An adjustment for a 19 percent reduction in lot area to allow for the density of the seventh lot permitting 1,234 square feet in lieu of 1,500 otherwise required of LAMC Section 12.09.1 B.4.
- (iv) An adjustment for a 20 percent reduction to the rear yard setback of Lot Nos. 5-7 granting a 12-foot rear yard setback in lieu of the otherwise

required 15-foot setback of LAMC Sections 12.22 C.27(6)(i) and 12.09.1 B.3.

- f. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- g. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- h. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- i. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt

of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

21. A Community Maintenance Agreement shall be prepared, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become party to the agreement and shall be subject to a proportionate share of the maintenance. The Community Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded, to the Planning Department for placement in the tract file.
22. That copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.

DEPARTMENT OF CITY PLANNING - STANDARD SMALL LOT CONDITIONS

- SL-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:
 1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Development Services Center of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
 2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11

and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

- SL-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. The landscape plan shall identify replacement of the existing nine on-site trees on a 1:1 basis with a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Los Angeles Municipal Code (LAMC).
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public

use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.

- (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private streets, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
 - (b) Construct any necessary drainage facilities.
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - (1) Construct one (1) new streetlight on Ranchito Avenue.
 - (2) If street widening per BOE improvement conditions, relocate and upgrade streetlight: one (1) on Oxnard Street.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-

3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (i) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
 - (1) Improve Ranchito Avenue being dedicated and adjoining the subdivision by the construction of a full-width concrete sidewalk with tree wells or a 5-foot concrete sidewalk adjacent to the property line and landscaping of the parkway including any necessary removal and reconstruction of existing improvements.
 - (2) Improve Oxnard Street adjoining the subdivision by remove and replace bad order curb, gutter and sidewalk, including any necessary removal and reconstruction of the existing improvements.
 - (3) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract map action. However, the existing or proposed zoning may not permit this number of units. This vesting map does not constitute approval of any variations from the Municipal Code, unless approved specifically for this project under separate conditions.

Any removal of the existing street trees shall require Board of Public Works approval.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code (LAMC).

The final map must be recorded within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS OF FACT (CEQA)

The Advisory Agency determines that based on the whole of the administrative record as supported by the justification prepared and found in the environmental case file, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, Class 32, and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. VTT-83061-SL, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Pursuant to LAMC Section 1706 B. A, a Vesting Tentative Tract Map must be prepared by or under the direction of a licensed land surveyor or registered civil engineer. It is required to contain information regarding the boundaries of the project site, as well as the abutting public rights-of-way, hillside contours for hillside properties, location of existing buildings, existing and proposed dedication, and improvements of the tract map. The Vesting Tentative Tract Map VTT-83061-SL-HCA indicates the map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. Additionally, as a small lot subdivision, the map indicates the common access easement for vehicular and/or pedestrian access to the proposed small lots, consistent with LAMC Section 12.22 C.27.

Pursuant to LAMC Section 17.05 C., tract maps are to be designed in conformance with the tract map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. The subject site is located within the Van Nuys-North Sherman Oaks Community Plan, one of 35 community plans that comprise the Land Use Element of the General Plan. The adopted Van Nuys-North Sherman Oaks Community Plan designates the site for Low Medium II Residential land uses with the corresponding zones of RD1.5, RD2, RW2, and RZ2.2. The property is zoned RD1.5-1, which is consistent with the land use designation. The RD1.5-1 Zone requires at least 1,500 square feet of lot area per dwelling unit and limits building height to a maximum of 45 feet. The

design of the subdivision is also consistent with an existing 22-foot building line setback on the south side of Oxnard Street.

Additionally, the tract map must be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The Bureau of Engineering requires that the applicant dedicate a 3-foot wide strip of land along Ranchito Avenue to complete a 33-foot wide half public right-of-way. After the required dedication, the project site has approximately 10,214 square feet of lot area, which would permit a maximum of six dwelling units. As shown on the Vesting Tentative Tract Map, the Project proposes to subdivide the project site into seven small lots, pursuant to LAMC Section 12.22 C.27. As part of the tract case the applicant is requesting a Zoning Administrator's Adjustment under LAMC Section 17.03 to allow a lot area of 1,234 square feet in lieu of the otherwise required 1,500 square feet for the seventh lot, a deviation of 19 percent. This adjustment is supported by Objective 1-1 of the Community Plan, which is to provide for the preservation of existing housing and development of new housing to meet the diverse economic and physical needs of the area's residents. Small lot subdivisions generate new for-sale housing in a market where such housing is rare, expanding opportunities for homeownership. The seventh lot will provide an additional housing unit without conflicting with any of the residential objectives or policies of the Community Plan.

However, the applicant is also requesting a 20 percent adjustment in the rear yard setback, from 15 feet to 12 feet. The rear yard setback is along the southern property line, abutting an existing single-family home that is zoned R1-1. The purpose of the rear yard setback is to protect occupant privacy and enjoyment of the property. Although the proposed height of the small lot subdivision complies with the 45-foot height limit for the RD1.5-1 Zone, the requested reduction in the rear yard setback would conflict with Policy 1-1.3 of the Van Nuys-North Sherman Oaks Community Plan, which states: "Protect existing stable single family and low-density residential neighborhoods from encroachment by higher density residential and other incompatible uses." The required 15-foot rear yard setback prevents such encroachment by maintaining a privacy buffer between single-family and multiple-family densities, and an adjustment in the setback would conflict with the Community Plan. The project is otherwise consistent with the zone and land use designation.

Therefore, although the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and 12.22 C.27, the proposed 12-foot rear yard setback is not consistent with the Land Use Element of the General Plan.

(b) **THE DESIGN OR IMPROVEMENT OF THE PROPOSED SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The tract map was distributed to and reviewed by the various city agencies of the Subdivision Committee that have the authority to make dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the tract map for compliance with the Street Design Standards. The Bureau of Engineering has recommended dedication and improvements to the public right-of-way along Ranchito Avenue and Oxnard Street, consistent with the standards of the Mobility Element. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site mainline sewers and all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 2010. The Bureau of Street Lighting has recommended the construction of one new streetlight on Ranchito Avenue and the relocation and upgrading of one streetlight on Oxnard Street if Bureau of Engineering conditions require street widening.

For the purposes of a subdivision, design and improvement is defined by Section 66418 and 66419 of the Subdivision Map Act and LAMC Section 17.02. Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. LAMC Section 17.05 enumerates the design standards for a tract map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan.

As indicated in Finding (a), LAMC Section 17.05 C requires that the tract map be designed in conformance with the zoning regulations of the project site. The project site is zoned RD1.5-1, which would permit a maximum of six lots/dwellings on the approximately 10,214 square-foot site (after dedication). As the map is proposed for a subdivision with seven small lots, the applicant is requesting a deviation of 19 percent from the area requirement for the seventh lot, pursuant to LAMC Section 17.03. The project roof height is 40 feet, in compliance with the height requirement of 45 feet in the RD1.5-1 Zone. As noted above, the 19 percent adjustment in lot size is supported by Objective 1-1 of the Community Plan, since it will support the additional unit without encroaching upon adjacent lower density uses.

However, the applicant's request for a 20 percent adjustment in the rear yard setback, from 15 feet to 12 feet, would represent an encroachment on the single-family use adjoining to the south. Although the proposed height of the small lot subdivision complies with the 45-foot height limit for the RD1.5-1 Zone, the requested reduction in the rear yard setback would conflict with Policy 1-1.3 of the Van Nuys-North Sherman Oaks Community Plan, which states: "Protect existing stable single family and low density residential neighborhoods from encroachment by higher density residential and other incompatible uses." The required 15-foot rear yard setback prevents such encroachment by maintaining a privacy buffer between single-family and multiple-family densities, and an adjustment in the setback would be inconsistent with the Community Plan.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT.

The project site is a level, rectangular lot with 10,214 square feet of area (after street dedication). The site is developed with a vacant single-family dwelling that is proposed for demolition and will be replaced with new construction of seven new small-lot dwellings. The project site is located 7 kilometers (4.3 miles) from the Hollywood Fault but is not located within the Alquist-Priolo Fault Zone. The site is also not located within a designated hillside area, a BOE Special Grading Area, a high fire hazard severity zone, flood zone, or a landslide, methane, or tsunami inundation zone. The site is located in a liquefaction zone and will be required to comply with all applicable regulations for development within a methane zone. Prior to the issuance of any permits, the project will be required to be reviewed and approved by the Department of Building and Safety and the Fire Department. The site is not identified as having hazardous waste or past remediation. The site is outside the Flood Zone, nor is it subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

The tract map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of

any permits, subject to the conditions stated in the Soils Report Approval Letter dated July 2, 2020, Log No. 113496. Therefore, the site will be physically suitable for the proposed type of development.

- (d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The subject site is an approximately 10,214 square-foot corner lot (after street dedication), with 125 feet of frontage along Oxnard Street and 125 feet of frontage on Ranchito Avenue. The site is relatively flat. The proposed subdivision is an infill project in a highly urbanized residential neighborhood. Oxnard Street is a transitional street, marking a shift from a predominantly multiple-family residential neighborhood to the north to a predominantly low-density, single-family neighborhood to the south. The adjoining properties to the north and west are developed with multi-story, multiple-family complexes, although to the north the land use designation is Medium Residential with an R3-1 Zone and to the west the land use designation is Low Medium II Residential with a zone of [Q]RD1.5-1. The abutting properties to the east and south are developed with single-family dwellings. However, while the property to the east has a Low Medium II Residential General Plan land use designation and is zoned [Q]RD1.5-1, the adjoining property to the south is zoned R1-1, with a General Plan Land Use designation of Low Residential.

The project proposes to construct seven small lot homes, which would be four stories tall with a maximum roof height of 40 feet. The project site is zoned RD1.5-1, which would permit a maximum of six lots/dwellings on the approximately 10,214 square-foot site. The proposed density is seven small lot homes; the applicant is requesting a deviation of 19 percent from the lot area requirement for the seventh lot, pursuant to LAMC Section 17.03.

Additionally, prior to the issuance of a demolition, grading, or building permit, the project would be required to comply with conditions herein and applicable requirements of the LAMC. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

- (e) THE DESIGN OF THE SUBDIVISION OR THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

A seven-unit small lot residential project is proposed for development on the project site, which is an infill site in a highly urbanized area of Los Angeles. The site is improved with a single-family dwelling built in 1936. To the south along Ranchito Avenue is a single-family neighborhood where most homes were built in the 1950s-1960s. On Oxnard Street, the development pattern is dominated by one- to three-story multifamily buildings. The tree survey indicates that there are a total of nine trees on-site, none of which are protected pursuant to Ordinance No. 186,873. Neither the project site nor the surrounding area provides a natural habitat for fish or wildlife. It has been determined that the project and the design of the subdivision and proposed improvements will not cause substantial environmental damage or injury to wildlife or their habitat.

- (f) THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

- (g) THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS, ACQUIRED BY THE PUBLIC AT LARGE, FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

The project site consists of a parcel identified as Lot No. PT 59 of Tract 1000 and is identified by the Assessor Parcel No. 2246-003-037. While the project will provide a private easement for common/vehicular access purposes within the subdivision, there are no known easements acquired by the public at large for access through or use of the property within the proposed subdivision, as identified on the tract map. Necessary easements for utilities will be acquired by the City prior to the recordation of the proposed tract map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION SHALL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

ADJUSTMENT FINDINGS (Sections 17.53 J and 12.28 C.4)

- (i) THAT WHILE SITE CHARACTERISTICS OR EXISTING IMPROVEMENTS MAKE STRICT ADHERENCE TO THE ZONING REGULATIONS IMPRACTICAL OR INFEASIBLE, THE PROJECT NONETHELESS CONFORMS WITH THE INTENT OF THOSE REGULATIONS.

The RD1.5-1 Zone requires a minimum of 1,500 square feet per dwelling unit and a maximum height of 45 feet. Prior to the required street dedication, the subject site totaled 10,543 square feet, and after dedication, 10,214 square feet. The difference of 329 feet in area reduced the allowed density of the site from seven units to six units. LAMC Section 17.03 A authorizes the Deputy Advisory Agency, acting in the capacity of an Associate Zoning Administrator, to grant a deviation of no more than 20 percent from applicable area, yard, and height requirements. Even though the total number of lots permitted is calculated by the density of the zone (RD1.5 in this grant), LAMC Section 12.22 C. 27(a)(3) allows for a minimum lot area of 600 square feet for small lots. The subdivision proposes lot sizes ranging from 1,214 square feet to 1,500 square feet. Therefore, the 286 square-foot difference represents a 19 percent deviation from the lot area requirement of the last lot, but lots over the entire site could be as small as 600 square feet in area without the granting of a deviation. In regard to height, the proposed maximum height is 40 feet, which is in compliance with the 45-foot height limit in the RD1.5-1 Zone.

The applicant is also requesting an adjustment to permit a deviation from the required rear-yard setback in the RD1.5-1 Zone, to 12 feet in lieu of 15 feet on lots 5, 6, and 7, along the southern property line. Pursuant to LAMC Section 17.03 A, up to a 20 percent adjustment in yard areas may be approved by the Deputy Advisory Agency; the three-foot adjustment requested is exactly 20 percent. However, the small lot homes could feasibly be redesigned or shifted north on the site to encroach on the building line rather than the rear yard setback, which provides a necessary privacy buffer between single-family and multiple-family densities. The adjoining site to the west, which is developed with a 12-unit condominium, obtained a building line adjustment in 2004 to allow a 15-foot building line setback in lieu of the 22-foot setback required by Ordinance 97,939. Further, the 15-foot front yard setback is consistent with the RD1.5 Zone.

Therefore, while site characteristics make strict adherence to the zoning regulation regarding lot area impractical, the project could feasibly adhere to the rear yard setback requirement for the RD1.5-1 Zone.

- (j) THAT IN LIGHT OF THE PROJECT AS A WHOLE, INCLUDING ANY MITIGATION MEASURES IMPOSED, THE PROJECT'S LOCATION, SIZE, HEIGHT, OPERATIONS AND OTHER SIGNIFICANT FEATURES WILL BE COMPATIBLE WITH AND WILL NOT ADVERSELY AFFECT OR FURTHER DEGRADE ADJACENT PROPERTIES, THE SURROUNDING NEIGHBORHOOD, OR THE PUBLIC HEALTH, WELFARE, AND SAFETY.

The proposed subdivision is an infill project in a highly urbanized residential neighborhood. Oxnard Street is a transitional street, marking a shift from a predominantly multiple-family residential neighborhood to the north to a predominantly low-density, single-family neighborhood to the south. The adjoining properties to the north and west are developed with multi-story, multiple-family complexes, although to the north the land use designation is Medium Residential with an R3-1 Zone and to the west the land use designation is Low Medium II Residential with a zone of [Q]RD1.5-1. The abutting properties to the east and south are developed with single-family dwellings. However, while the property to the east has a Low Medium II Residential General Plan land use designation and is zoned

[Q]RD1.5-1, the adjoining property to the south is zoned R1-1, with a General Plan Land Use designation of Low Residential.

As proposed, the project complies with all of the applicable zoning regulations with the exception of two: lot size and depth of the rear yard setback. Regarding lot size, the Bureau of Engineering requires that the applicant dedicate a 3-foot wide strip of land along Ranchito Avenue to complete a 33-foot wide half public right-of-way. After the required dedication, the project site has approximately 10,214 square feet of lot area, which would permit a maximum of six dwelling units. As shown on the Vesting Tentative Tract Map, the Project proposes to subdivide the project site into seven small lots and is requesting a Zoning Administrator's Adjustment to allow a lot area of 1,234 square feet in lieu of the otherwise required 1,500 square feet for the seventh lot. This represents a deviation of 19 percent. This reduction in lot area for the seventh lot would enable the project to provide one additional small lot home than allowed by-right that will not adversely affect adjacent properties and the surrounding neighborhood, nor will it adversely affect the public health, welfare, and safety. Moreover, the small lot subdivision proposed will generate new for-sale housing in an area where such housing is rare, expanding opportunities for homeownership.

The project is also proposing a 20 percent adjustment in the rear yard setback, from 15 feet to 12 feet. The rear yard setback is along the southern property line, abutting an existing single-family home that is zoned R1-1. The purpose of the rear yard setback is to protect occupant privacy and enjoyment of the property. Although the proposed height of the small lot subdivision complies with the 45-foot height limit for the RD1.5-1 Zone, the smaller rear yard setback would potentially affect the quiet enjoyment of the occupants of the single-family dwelling to the south, since the privacy buffer between the two lots would be smaller.

Therefore, while the project's location, size, height, operations, and other significant features will be compatible with the surrounding neighborhood and will not adversely affect the public health, welfare, and safety, the 12-foot rear yard setback proposed for the project could potentially negatively impact the adjoining property to the south.

- (k) THAT THE PROJECT IS IN SUBSTANTIAL CONFORMANCE WITH THE PURPOSE, INTENT AND PROVISIONS OF THE GENERAL PLAN, THE APPLICABLE COMMUNITY PLAN AND ANY APPLICABLE SPECIFIC PLAN.

The General Plan is the City's roadmap for future growth and development. The General Plan elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are in the form of LAMC requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and additional elements adopted by the City Council. In a general sense the proposed small-lot subdivision is in compliance with certain objectives of the Framework Element:

Objective 3.6.1: Ensure that the new development of "duplex" or multifamily units maintains the visual and physical character of adjacent single-family neighborhoods, including the maintenance of front property setbacks, modulation of building volumes and articulation of façade to convey the sense of individual units, and use of building materials that characterize single-family housing.

Objective 3.7: Provide for the stability and enhancement of multifamily neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved.

The tract map proposes to provide seven small-lot homes on Oxnard Street, which is already fully developed with a variety of low-scale multifamily apartment buildings and condominiums. On the north side of Oxnard Street, across the street from the project site, the lots are zoned R3-1, while the south side is zoned RD1.5-1 as the neighborhood transitions into a predominantly single-family neighborhood to the south. The proposed small-lot subdivision will provide the type of transitional housing that is already evident on Oxnard Street, which has a mix of low-scale condominium projects, apartment buildings, and a few single-family homes.

However, the proposed map does not demonstrate full consistency with the Van Nuys-North Sherman Oaks Community Plan, one of 35 community plans that comprise the Land Use Element of the General Plan. The adopted Van Nuys-North Sherman Oaks Community Plan designates the site for Low Medium II Residential land uses with the corresponding zones of RD1.5, RD2, RW2, and RZ2.2. The property is zoned RD1.5-1, which is consistent with the land use designation. The RD1.5-1 Zone requires at least 1,500 square feet of lot area per dwelling unit and limits building height to a maximum of 45 feet. The design of the subdivision is also consistent with an existing 22-foot building line setback located on the south side of Oxnard Street.

The applicant's request for a Zoning Administrator's Adjustment under LAMC Section 17.03 to allow a lot area of 1,234 square feet in lieu of the otherwise required 1,500 square feet for the seventh lot is supported by Objective 1-1 of the Community Plan, which is to provide for the preservation of existing housing and development of new housing to meet the diverse economic and physical needs of the area's residents. Small lot subdivisions generate new for-sale housing in a market where such housing is rare, expanding opportunities for homeownership. The seventh lot will provide an additional housing unit without conflicting with any of the residential objectives or policies of the Community Plan.

However, the proposed 20 percent adjustment in the rear yard setback, from 15 feet to 12 feet is likely to affect occupant privacy and enjoyment of the adjoining single-family property to the south of the subject property. Although the proposed height of the small lot subdivision complies with the 45-foot height limit for the RD1.5-1 Zone, the requested reduction in the rear yard setback would conflict with Policy 1-1.3 of the Van Nuys-North Sherman Oaks Community Plan, which states: "Protect existing stable single family and low-density residential neighborhoods from encroachment by higher density residential and other incompatible uses."

Therefore, the proposed map in general and specifically the 12-foot rear yard setback are not consistent with the applicable Community Plan. The adjustment for lot area of to permit the seventh lot is, however, consistent with the Community Plan.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract No VTT-83061-SL.

SARAH HOUNSELL
Deputy Advisory Agency

SH:KM:mh

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission or Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza
201 North Figueroa
Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service
Center
6262 Van Nuys Boulevard,
Room 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
Development Services
Center 1828 Sawtelle
Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2912

Forms are also available on-line at <http://cityplanning.lacity.org>

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.