



OFFICE OF ZONING ADMINISTRATION

City Hall • 200 N. Spring Street, Room 763 Los Angeles, CA 90012



OFFICE OF ZONING ADMINISTRATION

MEMORANDUM

ZA MEMORANDUM NO. 131

December 18, 2013

TO: Office of Zoning Administration
Public Counters
Interested Parties

FROM: Linn K. Wyatt
Chief Zoning Administrator

SUBJECT: **EXPIRATION AND TIME EXTENSIONS FOR SUBDIVISIONS AND RELATED ENTITLEMENTS – MULTIPLE APPROVALS ORDINANCE (ORD. NO. 182,106) AND AB 116**

This Zoning Administrator Memorandum explains procedures to document time extensions addressed in the Multiple Approvals Ordinance (MAO) and the AB 116 provisions signed into law, effective July 11, 2013. This memorandum supersedes the procedures identified in Zoning Administrator Memorandum No. 127 and the memorandum titled "Re: Extensions of Time for Tentative Tract and Preliminary Parcel Maps" dated May 24, 2012.

Background

In recent years, the State Legislature has adopted a series of bills that add time extensions to the life of subdivision map approvals. The City codified all of these bills, except AB 116, into the Multiple Approvals Ordinance (Ord. No. 182,106), effective May 20, 2012. With the adoption of the Multiple Approvals Ordinance (MAO), the life spans of multiple discretionary entitlements associated with a particular project have been synchronized to coincide with the life of the longest running entitlement, thus allowing for projects with multiple approvals to benefit from the longest life span. The MAO categorically establishes a three year "life" for stand-alone quasi-judicial grants for cases issued determinations on or after May 20, 2012, and more importantly, expands the scope of applicability to all discretionary approvals even if they are not related to a subdivision map approval.

AB 116

On July 11, 2013, AB 116 became effective. This act provides an automatic 24-month extension for certain unexpired subdivision maps approved after January 1, 2000, and establishes an extension process for earlier-approved maps. While the Legislature has extended unexpired subdivision maps several times before, the process established under AB 116 is more comprehensive than previous extensions.

Under the new law, subdivision maps approved after January 1, 2000, and unexpired as of July 11, 2013, are automatically extended by 24 months. For earlier-approved maps, cities have the option to approve, conditionally approve or deny a 24-month extension, depending on whether the map is consistent with the applicable zoning and General Plan.

Extensions of Subdivision Map Approvals

The following table shows the maximum life for subdivision map approvals inclusive of all available extensions of time under the MAO provisions as well as AB 116. The sequencing of any previous time extensions issued for entitlements will determine whether the project qualifies for certain State extensions.

Authority	Length of time and extension for Tentative Tract and Preliminary Parcel Maps
LAMC Sections 17.07-A,1 and 17.56-A,1	3 years (for initial approval)
LAMC Sections 17.07-A,2 and 17.56-A,2	6 years (by application)
SB 1185 State Extension	1 year (if map is valid on 07/15/08 and expires before 01/01/11)
AB 333 State Extension	2 years (if map is valid on 07/15/09 and expires before 01/01/12)
AB 208 State Extension	2 years (if map is valid on 07/15/11 and expires before 01/01/14)
AB 116 State Extension	2 years (if map is approved after 01/01/00 and has not expired on or before 07/11/13)*

* If the map was approved on or before 12/31/1999, an application (Time Extension per Chapter 1 of LAMC, form CP-7746) may be filed with the City to determine if the map is consistent with the applicable zoning and general plan requirements in effect at the time of filing pursuant to California Government Code Section 66452.24 (b)

Extensions of Discretionary Approvals (Other Than Subdivision Map Approvals)

The following table shows the maximum life for discretionary approvals inclusive of all available extensions of time under the MAO. Pursuant to AB 116 and consistent with the MAO provisions, any discretionary entitlement *that is related to a subdivision that qualifies for the AB 116 State Extension*, can also receive an additional 24-month extension.

Discretionary Entitlement	New life of entitlements for approvals with an EFFECTIVE DATE between				
	07/15/05 – 12/31/07	01/01/08 – 12/31/08	01/01/09 – 12/31/10	01/01/11 – 05/19-2012	05/20/2012 and on...
Zone Variance, Conditional Use Permit, Zoning Administrator's Adjustment, Coastal Development Permit, Specific Plan Project Permit and other entitlements approved by the Director, Zoning Administrator, or Area/City Planning Commission	7 ^{†§}	6 ^{†§}	4 ^{†§}	2 ^{†§}	3 [§]
Zone/Height District changes, and other Legislative approvals	11 [§]	10 [§]	8 [§]	6 [§]	6 [§]
Site Plan Review	8 [§]	7 [§]	5 [§]	3 [§]	3 [§]

† Eligible for an additional discretionary 1-year time extension per LAMC

§ Eligible for an additional 2-year time extension if the approved discretionary entitlement is related to a subdivision benefiting from the time extension given by AB 116.

Procedures to Effectuate By-Right Extensions

While the additional time extensions for eligible entitlements are automatically granted, applicants eligible for such entitlements must complete the form titled "Time Extensions per Ordinance No. 182,106" (CP-7746.1), and submit it to the Planning Department Development Services Center along with a copy of the CEQA determination for the project. Authorized Planning Department staff will review the documentation and significant aspects of the CEQA determination for adequacy. If it is adequate, then staff will sign and stamp the form; if not, the applicant will be advised on how to proceed. This form must be completed for expiration date tracking and verification purposes. Staff will place a copy of the form in all relevant case files; scan it into the Planning Document Information System (PDIS), and return a copy to the applicant.

Fees

The Time Extension fee is \$199 (not including general surcharges) as of the date of this memorandum.

The Time Extension per Chapter 1 of LAMC is \$708 (not including general surcharges) for any time extension other than maps, and \$793 (not including general surcharges) for maps, as of the date of this memorandum.

Questions should be directed to Tom Rothmann at 213-978-1891 or tom.rothmann@lacity.org or Daniel Ahadian at 213-482-0376 or daniel.ahadian@lacity.org

LKW:TR:DA:Imc

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CALIFORNIA



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COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

RECEIVED

AUG 24 2007

Decision Date: August 22, 2007

Appeal Period Ends: September 4, 2007

Stephen C. Ross Co. Tr. (O)/(S)
C/O Montage Neighborhood Builders
6345 Balboa Blvd., Bldg. III, Ste. 155
Encino, CA 91316

Robert K. Kameoka (E)
5011 Acacia Street
San Gabriel, CA 91776

Chuck Francoeur (R)
Montage Development, Inc.
6345 Balboa Blvd., Bldg. III, Ste. 155
Encino, CA 91316

RE: Tentative Tract Map No.: 69085
Related Case: APCNV-2007-2912-ZC-ZAA-ZAD
Address: 9339 N. Burnet Avenue
Council District: 7
Existing Zone: RA-1
Community Plan: Mission Hills – Panorama City –
North Hills
Specific Plan: None
CEQA No.: ENV-2007-2570-MND
Fish and Game: Not Exempt

In accordance with provisions of Section 17.03 of the LAMC, the Advisory Agency approved Tentative Tract Map No. 69085 composed of one-lot, located at 9339 N. Burnet Avenue for a new maximum **6-unit residential condominium** as shown on map stamped May 30, 2007, in the Mission Hills – Panorama City – North Hills Community Plan. This unit density is contingent upon the approval of a proposed Zone Change from RA-1 to (T)(Q)RD3-1. 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. For an appointment with the Advisory Agency or a City Planner call (213) 978-1414. [For an appointment with the Subdivision Counter call (213) 978-1362]. 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

1. That a 7-foot wide strip of land be dedicated along Burnet Avenue adjoining the subdivision to complete a 32-foot wide half right-of-way dedication in accordance with Collector Street Standards all satisfactory to the City Engineer.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

2. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

3. 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. Show all street dedication(s) 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.
 - c. The submitted map does not comply with the maximum density requirement of the RA-1 Zone. Revise the map to show compliance with the above requirement(s) or obtain a zone change approval from the Department of City Planning.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, shall be "to the satisfaction of the Department of Building and Safety at the time of Plan Check."

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

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Cabrera at (213) 482-0474 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

4. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum of 20-foot be provided between security gate and the property line.
 - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
 - c. A parking area and driveway plan 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. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3.

FIRE DEPARTMENT

5. 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. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.
 - d. 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.
 - e. Adequate public and private fire hydrants shall be required.

LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)

6. That prior to the issuance of any demolition or grading permit or any other permit allowing site preparation and/or construction activities on the site, satisfactory arrangements shall be made with the Los Angeles Unified School District, implementing the measures for demolition and construction contained in the LAUSD letter dated August 20, 2007, and attached to the Tract file. The project site is located on the pedestrian and bus routes for students attending Sepulveda Middle School and Plummer Elementary School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/ motorists with the LAUSD Transportation Branch and the principal or designee of Sepulveda Middle School and Plummer Elementary School. (This condition may be cleared by a written communication from the LAUSD Transportation Branch attesting to the required coordination and/or the principal of the above referenced school and to the satisfaction of the Advisory Agency).
- a. Prior to construction, contact LAUSD Transportation Branch at (323) 342-1400 regarding potential impact to school bus routes.
 - b. Maintain unrestricted access for school buses during construction.
 - c. Comply with provisions of the California Vehicle Code by requiring construction vehicles to stop when encountering school buses using red flashing lights.
 - d. Not endanger passenger safety or delay student drop-off or pickup due to changes in traffic patterns, lane adjustments, altered bus stops, or traffic lights.
 - e. Maintain safe and convenient pedestrian routes to LAUSD schools (LAUSD will provide School Pedestrian Route Maps upon request).
 - f. Maintain ongoing communication with school administration at affected schools, providing sufficient notice to forewarn students and parents/guardians when existing pedestrian and vehicle routes to school may be impacted.
 - g. Install appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety.
 - h. Not haul past affected school sites, except when school is not in session. If that is infeasible, not haul during school arrival and dismissal times.

- i. Not staging or parking of construction-related vehicles, including worker-transport vehicles, adjacent to school sites.
- j. Provide crossing guards when safety of students may be compromised by construction-related activities at impacted school crossings.
- k. Install barriers and/or fencing to secure construction equipment and site to prevent trespassing, vandalism, and attractive nuisances.
- l. Provide security patrols to minimize trespassing, vandalism, and short-cut attractions.

BUREAU OF STREET LIGHTING

7. Street light improvements shall be made to the satisfaction of the Bureau of Street Lighting.

SPECIFIC CONDITION: Satisfactory arrangements shall be made with the Bureau of Street Lighting to assure the property be formed or annexed into a Street Lighting Maintenance Assessment District.

INFORMATION TECHNOLOGY AGENCY

8. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, (213) 922-8363.

DEPARTMENT OF RECREATION AND PARKS

9. That the Quimby fee be based on the [requested] RD3 Zone. (MM)

[Note: The approval of this subdivision is contingent upon the approval of the requested Zone Change from RA-1 to (T)(Q)RD3-1, Case No. APCNV-2007-2912-ZC-ZAA-ZAD.]

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

10. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in

the public right-of-way shall be provided per the current Urban Forestry Division standards. (MM)

Replacement by a minimum of 24-inch box trees in the parkway and on the site on a 1:1 basis shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Advisory Agency. (MM)

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: (213) 485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

11. 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 6 dwelling units.
- b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit plus $\frac{1}{4}$ guest parking spaces per dwelling unit, for a total of 14 parking spaces. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

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 (200 North Spring Street, Room 750).

- c. 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.
- d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.

- e. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - f. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
12. That prior to the issuance of the building permit or the recordation of the final map, a copy of the APCNV-2007-2912-ZC-ZAA-ZAD shall be submitted to the satisfaction of the Advisory Agency. In the event that the requested entitlements under APCNV-2007-2912-ZC-ZAA-ZAD are not approved, the subdivider shall submit a tract modification, as necessary.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

13. 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:
- MM-1. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.
 - MM-2. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
 - MM-3. Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
 - MM-4. The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better to reduce the effects of diminished air quality on the occupants of the project.
 - MM-5. The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

- MM-6. Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other State and Federal rules and regulations.
- MM-7. Concrete, not metal, shall be used for construction of parking ramps.
- MM-8. The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-9. Before the granting of a building permit, an acoustical engineer shall certify the CENL contour within which the building will be located and, based on such CENL contours, the measures necessary to achieve an interior noise level which will not exceed 45 dBA in any habitable room.
- MM-10. The applicant shall pay school fees to the Los Angeles Unified School district to offset the impact of additional student enrollment at schools serving the project area.
- MM-11. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
14. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or 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:
- CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**
- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be freestanding.

- b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
 - c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.
- CM-2. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- CM-3. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- CM-9. Construction and/or demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

- CM-10. Construction and/or demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.
- CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12. The project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
- CM-14. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
- CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-17. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-18. Pavement shall not be hosed down pavement at material spills. Dry cleanup methods shall be used whenever possible.
- CM-19. Dumpster shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.

- CM-20. Gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and the tracking of sediment into streets shall be limited.
- CM-21. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. 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 Division of Land Section 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 12.22-A, 10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2. That prior to recordation of the final map, the subdivider shall record an "Agreement for Development of Units for Lease or Sale ("15% Ordinance")" covenant, to benefit the Housing Authority, for certification of the development in accordance with Section 12.39-A. Arrangements shall be made with the Department of Building and Safety, Zoning Section - Subdivisions (213-482-0000) to approve the covenant format, prior to recording the covenant.
- C-3. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-4. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

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.

- C-5. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

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 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 Transportation 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 street, 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 be either constructed prior to recordation of the final map or that the construction be 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.

IMPROVEMENT CONDITION: Construct new street light; one (1) on Burnet Avenue.

NOTES:

The quality 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 conditions, 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 Street Tree Division (213-485-5675) 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 Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. After submittal of hydrology and hydraulic calculations and drainage plans for review by the City Engineer prior to recordation of the final map, drainage facilities may be required to include the reconstruction of the existing catch basin satisfactory to the City Engineer.
 - b. Improve Burnet Avenue being dedicated and adjoining the subdivision by the construction of the following:
 - (1) A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk adjacent to the property line and landscaping of the parkway.
 - (2) Suitable surfacing to join the existing pavement and to complete a 22-foot half roadway.
 - (3) Any necessary removal and reconstruction of existing improvements.
 - (4) The necessary transitions to join the existing improvements all satisfactory to the City Engineer.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 17.05N of the LAMC.

The final map must record 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.

No building permit will be issued until the subdivider has secured a certification from the Housing Authority that the development complies with the requirements for low-and moderate-income housing, per Section 12.39-A of the LAMC.

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.

Indemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

FINDINGS OF FACT (CEQA)

The Department of City Planning issued Mitigated Negative Declaration ENV-2007-2570-MND on August 8, 2007. The Department found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (visual character, light);
- Air Quality (construction, operational);
- Biological Resources (tree removal);
- Geology and Soils (construction, seismic);
- Hazards and Hazardous Materials (asbestos);
- Land Use and Planning (zone change, adjustment, determination);
- Noise (construction, operational);
- Public Services (schools);
- Recreation (parks); and Utilities (solid waste).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2007-2570-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition No(s). 9, 10, 13, and 14 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The Initial Study prepared for the project identifies potential adverse impacts on fish or wildlife resources as far as earth, air, plant life, risk of upset are concerned. However, measures are required as part of this approval, which will mitigate the above, mentioned impacts to a less than significant level.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) of specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, California 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Tentative Tract Map No. 69085, 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 adopted Mission Hills – Panorama City – North Hills Community Plan designates the subject property for Low Medium I Residential land use with the corresponding zones of R2, RD3, RD4, RD5, RD6, RZ3, RZ4, RU, and RW1. The property is not located in any Specific Plan. The property contains approximately 0.49 net acres (21,255 net square feet after required dedication) and is presently zoned RA-1. The proposed development of 6 dwelling units would be allowable under the land use designation and the proposed zone. The project will provide much needed new home ownership opportunities for the Community Plan area.

The site is not subject to any Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

The approval of this tract map is contingent upon the approval of the Zone Change and the Zoning Administrator's Adjustments and Determination requested under the case number APCNV-2007-2912-ZC-ZAA-ZAD. Should these requests be denied, or approved with a variation from what has been requested, the applicant will be required to submit a tract modification.

Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the General Plan.

- (b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

Burnet Avenue is a Collector Street dedicated to a 50-foot width at the project's street frontage. The Bureau of Engineering is requiring a 7-foot dedication to complete a 32-foot wide half street dedication in accordance with Collector Street Standards. This project is not subject to any Specific Plan requirements. The proposed project will provide 14 parking spaces in conformance with the LAMC and the Deputy Advisory Agency's parking policy for condominium projects in non-parking congested areas.

The implementation of the project will require a Zone Change, Adjustments and Determination approved by the North Valley Area Planning Commission, as requested under APCNV-2007-2912-ZC-ZAA-ZAD.

As conditioned, the design and improvements of the proposed project are consistent with the General Plan.

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

The site is currently developed with two single-family dwellings. The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The tract has been approved contingent upon the approval of the requested Zone Change, Adjustments and Determination, as requested under APCNV-2007-2912-ZC-ZAA-ZAD, by the North Valley Area Planning Commission.

Furthermore, the tract 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.

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

Adjoining land uses are single-family dwelling across Burnet Avenue to the east in the RA zone, single-family dwelling to the south in the RA zone, single-family dwelling to the west RA zone, and single-family dwelling to the north in the RA zone. Within a 500-foot radius of the site, however, the predominant land use on both sides of Burnet Avenue is condominiums in various planned unit developments. The area went through several zone changes from RA to RD3 in recent years.

The site currently contains 2 single-family dwellings, and the proposed project would provide 6 condominium units, should a proposed Zone Change, Adjustments and Determination be approved by the North Valley Area Planning Commission under APCNV-2007-2912-ZC-ZAA-ZAD.

As conditioned, the proposed tract map is physically suitable for the proposed density of the development.

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

The Initial Study prepared for the project identifies potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, risk of upset are concerned. However, measures are required as part of this approval, which will mitigate the above, mentioned impacts to a less than significant level.

- (f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appear 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 AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL 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.

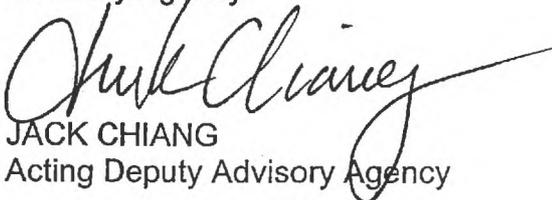
Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

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.

These findings shall apply to both the tentative and final maps for Tentative Tract Map No. 69085.

S. Gail Goldberg, AICP
Advisory Agency



JACK CHIANG
Acting Deputy Advisory Agency

JC:AC:(jh/jq)

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 North Valley 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 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
(213) 482-7077

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

Forms are also available on-line at www.lacity.org/pln.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you have any questions, please call Subdivision staff at (213) 978-1362.

CITY OF LOS ANGELES
CALIFORNIA

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

CITY PLANNING COMMISSION

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Filing Notification and Distribution

ADDRESS: 9339 N. Burnet Avenue

DATE OF FILING AND MAP STAMP

DATE: 5/30/2007

COMMUNITY: Mission Hills-Panorama City-North Hills

TRACT MAP NO: 69085

**EXPEDITED
PROCESSING
SECTION**

DEEMED COMPLETE AND DISTRIBUTION

DATE: 6/6/2007

- COUNCIL DISTRICT NO: 7
- Neighborhood Planning (Check Office below)
 - Valley
 - West Los Angeles
 - Harbor
 - Metro E/S
- Department of Public Works
 - Bureau of Engineering
 - Bureau of Sanitation
- Department of Building and Safety
 - Grading Engineer
 - Zoning Engineer
- Department of Transportation
- Department of Water and Power
 - Underground Design
 - Real Estate
 - Water System
 - Fire Department (mark "Fire")

- Community Plan Revision
- Department of Recreation and Parks
- Department of Telecommunications
- Bureau of Street Lighting (No. P.S.)
- Community Redevelopment Agency
(See Counter Map) (No. P.S.)
- Animal Regulation (Hillside)
- Housing Department
- Board of Education (No P.S.)
- Los Angeles County Health Department
(No P.S.)
- City of Beverly Hills
(See Counter Map) (No P.S.)
- Dan O'Connell (if Mulholland Scenic Corridor)
- Imaging Services
- GIS - c/o Fae Tsukamoto

The above tract has been filed with the Advisory Agency.

The Advisory Agency will await your report and recommendation regarding the above matter for 39 days. If we have not received a written report from you after 40 days from the date of filing, we will assume that you have no report to make.

S. Gail Goldberg
Director of Planning

Maya Zaitzevsky
Maya Zaitzevsky
Deputy Advisory Agency
CP-6300 (12/1/05)

EXPEDITED PROCESSING CASE

DUE DATE: 7/15/2007

Please forward reports to the following e-mail addresses:

Joni.Quinn@lacity.org

Jherrera@planning.lacity.org

