



## 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 <sup>†§</sup>	6 <sup>†§</sup>	4 <sup>†§</sup>	2 <sup>†§</sup>	3 <sup>§</sup>
Zone/Height District changes, and other Legislative approvals	11 <sup>§</sup>	10 <sup>§</sup>	8 <sup>§</sup>	6 <sup>§</sup>	6 <sup>§</sup>
Site Plan Review	8 <sup>§</sup>	7 <sup>§</sup>	5 <sup>§</sup>	3 <sup>§</sup>	3 <sup>§</sup>

<sup>†</sup> Eligible for an additional discretionary 1-year time extension per LAMC

<sup>§</sup> 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](mailto:tom.rothmann@lacity.org) or Daniel Ahadian at 213-482-0376 or [daniel.ahadian@lacity.org](mailto:daniel.ahadian@lacity.org)

LKW:TR:DA:lmc

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June 16, 2015

Carlos Perez (O)  
17835 Sunburst St.  
Northridge, CA 91325

Max Sena / Sena Design, Inc. (R)  
6260 Laurel Canyon Blvd., #210  
North Hollywood, CA 91605

Case No. AA-2008-3059-PMLA  
Related Case: None  
11036 W. Salicoy Street  
Chatsworth - Porter Ranch Area  
Zone : R1-1  
D.M. : 186B173  
C.D. : 6  
CEQA : ENV-2008-3060-MND

LETTER OF CLARIFICATION

On July 9, 2009, the Deputy Advisory Agency's decision approved Parcel Map No. AA-2008-3059-PMLA located at 11036 West Salicoy Street for a maximum two-parcel single-family development, and a reduction in the lot-width requirement by 5% (from 50 feet to 47 feet 6 inches) for Parcel B, shown on the map stamp-dated July 17, 2008 in the Sun Valley - La Tuna Canyon Community Plan.

It has been discovered that the accessory structure located on the lot will not be permitted upon recordation of the parcel map because such structures are not permitted to remain on lots without a main structure or use. The owner does not want to demolish the guest house but rather intends to convert the existing structure into a single-family dwelling. Therefore, the owner shall be given 90 days from the date of this letter to finalize Building Permit No. 10014-20000-02143 so that the accessory structure can be converted into a principal residence on the proposed Parcel A.

MICHAEL J. LOGRANDE  
Director of Planning

*Marc Woerschling*

Marc Woerschling  
Deputy Advisory Agency

MJL:MW:NR:mkc

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DEPARTMENT OF  
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AND  
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VAN NUYS, CA 91401

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JAMES WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1300

Decision Date: July 9, 2009

Appeal Period Ends: July 24, 2009

Carlos Perez (O)  
17835 Sunburst St.  
Northridge, CA 91325

Max Sena / Sena Design, Inc. (R)  
6260 Laurel Canyon Blvd. #210  
North Hollywood, CA 91606

Case: AA-2008-3059-PMLA  
Related Case: none  
Community Plan: Sun Valley - La  
Tuna Canyon  
Address: 11036 W. Saticoy Street  
Zone : R1-1  
D. M. : 186B173  
C. D. : 6  
CEQA: ENV-2008-3060-MND  
Legal Description: Tract TR 4917, Lot  
FR21, Arb 2

In accordance with provisions of Section 17.53 of the Los Angeles Municipal Code, the Advisory Agency approved Parcel Map AA-2008-3059-PMLA, for a maximum two-parcel single-family development, and a reduction in the lot-width requirement by 5% (from 50 feet to 47 feet 6 inches) for Parcel B, shown on map stamp-dated July 17, 2008, and subject to the following conditions. This unit density is based on the R1-1 Zone. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which shall legally interpret the Zoning Code as it applies to this particular property.

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. A copy of the first page of this grant and all conditions and/or any subsequent appeal of this grant and its resultant conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of Building and Safety for purposes of having a building permit issued.



**BUREAU OF ENGINEERING**

*Bureau of Engineering approvals are conducted at the Land Development Group, located 201 N. Figueroa Street, Suite 200. Any questions regarding these conditions should be directed to Mr. Ray Saidi by calling (213) 977-7097.*

1. That a 2-foot wide strip of land be dedicated along Saticoy Street adjoining the subdivision to complete a 45-foot wide half right-of-way dedication in accordance with Secondary Highway Standards.
2. That a Covenant and Agreement be recorded agreeing that the parcel map be restricted by providing for the location of the driveways and garages so that it will not be necessary for the vehicles to back out onto Saticoy Street.
3. That two copies of a parking area and driveway plan be submitted to the Valley District Office of the Bureau of Engineering for review and approval or that a Covenant and Agreement be recorded agreeing to do the same prior to the issuance of a building permit.
4. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve Saticoy Street being dedicated and adjoining the subdivision by the construction of a 12-foot full-width concrete sidewalk, planting trees with root barriers and tree wells including any necessary removal and reconstruction of the existing improvements.
  - b. Construct the necessary house connections to serve each parcel and evaluate the efficiency of the existing house connection.

**DEPARTMENT OF BUILDING AND SAFETY – ZONING DIVISION**

*Building and Safety approvals are conducted by appointment only- contact Del Reyes at (213) 482-6882 to schedule an appointment. Any proposed structures or uses on the site have not been checked for Building or Zoning Code requirements. Plan check may be required before any construction, occupancy or change of use. Unless filed concurrently and included as part of the hearing notice with this subdivision, any additional deviations from the Los Angeles Municipal Code required by the Department of Building and Safety Office of the Zoning Engineer preliminary to the Zoning Engineer clearing the items on the report to the Advisory Agency, shall be separately filed through the City Planning Department Office of the Zoning Administrator.*

5. 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. Provide copy of building permit records, plot plan and certificate of occupancy of all the existing structures on the lot to verify the last legal use

and the number of parking spaces provided on site.

- b. Obtain building permits for the alteration or removal of portion of existing structures that encroaches to required side yard setback. Provide copies of permits and signed inspection cards to show completion of alteration work.
- c. 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.
- d. Show on the map front yard setback if street dedication is required.
- e. Provide a copy of ZA case ZA-1995-376-YV, ZA-1989-1253-YV and YV-11036. Show compliance with all the conditions/requirements of the ZA case(s) as applicable.
- f. 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.
- g. Show 50 ft. required width for Parcel A and Parcel B. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning.
- h. Show distance of existing structures to new property lines and specify exterior wall protection for openings less than 5 ft. to property lines. Carport is allowed to have openings at 5 ft. or less from the property line.
- i. Parking is required for the existing structures to remain. Show location of all parking spaces and access driveways. Provide copies of permits and final inspection cards, for any new garages or carports. Provide 2 covered parking spaces for the dwelling on Parcel B.
- j. Obtain Use of Land permits to relocate driveways and all required parking for each building onto their corresponding sites. Provide copy of permits and signed inspection cards to show work has been completed.

#### **DEPARTMENT OF TRANSPORTATION**

*Transportation approvals are conducted at 201 N. Figueroa Street, 4<sup>th</sup> Floor, Station 3. Please contact DOT at (213) 482-7024 for any questions regarding the following.*

6. A parking area and driveway plan be submitted to the Valley Development Review 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 DOT's Valley Development Review Section located at 6262 Van Nuys Boulevard, 3<sup>rd</sup> floor, Van Nuys, CA 91401. For

an appointment, call (818) 374-4699. In addition, the following items shall be satisfied:

- a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.
- b. That a fee in the amount of \$197 be paid for the Department of Transportation as required per Ordinance No. 180542 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**

*Fire Department approvals and review are conducted in Room 1500, 221 North Figueroa Street. 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 (213) 482-6502. You should advise any consultant representing you of this requirement as well.*

7. Submit plot plans indicating access road and turning area for Fire Department review and approval prior to recordation of this Parcel Map Action. Access for Fire Department apparatus and personnel to and into all structures shall be required. In addition, the following items shall be satisfied:
  - a. 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.
  - b. 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.
  - c. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
  - d. Hydrants and sprinklers may be required after review of plot plans.

#### **DEPARTMENT OF RECREATION AND PARKS**

*Park fees are paid at 1200 West 7<sup>th</sup> Street, Suite 700, Los Angeles*

8. That the Quimby fee be based on the R1 Zone. However, when there is an existing residential structure to remain, a covenant and agreement satisfactory to the

Department of Recreation and Parks shall be recorded that when the existing dwelling is demolished, the required Recreation and Park fees will be paid.

**DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS**

*Approvals conducted at 6262 Van Nuys Boulevard, Room 430, unless otherwise indicated.*

9. 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 two (2) lots, each lot cannot be less than 5,000 square feet.
- b. **Landscape Plans.** That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730. The landscape plan shall identify tree replacement on a 1:1 basis with a minimum of 24-inch box trees for any unavoidable loss of desirable trees on the site. **Failure to comply with this condition as written shall require the filing of a modification to this parcel map in order to clear the condition.**

In the event the subdivider decides not to request a permit before the recordation of the final map, the following statement shall appear on the plan and be recorded as a covenant and agreement satisfactory to the Advisory Agency guaranteeing that:

- i. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of each housing unit.
  - ii. The developer/builder shall maintain the landscaping and irrigation after completion of the landscape and irrigation installation until close of escrow.
  - iii. The developer/builder shall guarantee all trees and irrigation for a period of six months and all other plants for a period of 60 days after landscape and irrigation installation, or close of escrow, whichever comes last.
- c. **Energy Conservation.** 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.

10. Prior to recordation of the final map, a Covenant and Agreement be recorded satisfactory to the Advisory Agency, binding the subdivider and all successors to all additional environmental mitigation measures stated in the related ENV-2008-3060-MND:

**Driveway Access**

MM-1 Only one driveway access cut shall be allowed to access both lots in order to maintain visual character of wide single family lots.

**Public Services (Fire)**

MM-2 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.

**Inadequate Emergency Access**

MM-3 The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

**FINDINGS OF FACT**

**FINDINGS OF FACT (CEQA)**

The Environmental Review Section of the Planning Department issued the proposed project Mitigated Negative Declaration No. ENV-2008-3060-MND on November 21, 2008. The Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2008-3060-MND, reflects the independent judgment of the lead agency, and determined this project, when mitigated, would not have a significant effect upon the environment.

The Department found that potential impacts could result from:

- Aesthetics (driveway access);
- Public Services (fire);
- Transportation/Circulation (emergency access);
- Mandatory Findings of Significance (cumulative impacts);

The Advisory Agency, to mitigate the above impacts, required **Condition Nos. 2, 3, 7, and 10**, as conditions of approval for the Parcel Map and determined the project would not

have a significant impact upon the environment. Most of the mitigating conditions listed in the environmental were exact duplicates of conditions already required by the Bureau of Engineering (Conditions 2, 3) and Fire Department (Condition 6) for approval of the parcel map. Other identified potential impacts not mitigated by these conditions are 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 impacts on all projects.

### **FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Parcel Map AA-2008-3059-PMLA, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66474 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) **PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The subject site is located in the Sun Valley - La Tuna Canyon Community Plan and has a Land Use Designation of Low Residential with corresponding zones of RE9, RS, R1, RU, RD5, and RD6. The current R1-1 zone for the subject site is consistent with the Community Plan. The property is subject to a 19-foot building line from Saticoy Street. The site does not have any attached Q, T, or D conditions, is not subject to any Plan footnotes, and is not otherwise located within any other specific plan, community design overlay district, or historic preservation overlay zone. No hazards are known to exist on the site.

The proposed project is located in the Sun Valley - La Tuna Canyon Community Plan, and the Plan includes some relevant land use issues, goals, objectives, policies, and programs that must be considered when evaluating the proposed project. The community has identified the need to preserve single-family neighborhoods, and supports the following objectives and policies:

**GOAL 1: A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY.**

**Objective 1-3** To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.

**Policy 1-3.1** Consider factors such as neighborhood character and identity, compatibility of land uses, impacts on livability, impacts on services and public facilities, impacts on traffic levels, and environmental impacts when changes in residential densities are proposed.

**GOAL 13: A SYSTEM OF HIGHWAYS, FREEWAYS, AND STREETS THAT PROVIDES A CIRCULATION SYSTEM WHICH SUPPORTS EXISTING, APPROVED, AND PLANNED LAND USES WHILE MAINTAINING A DESIRED LEVEL OF SERVICE AT ALL INTERSECTIONS.**

**Policy 13-2.2** Driveway access points onto major and secondary highways, and collector streets should be limited in number and be located to insure the smooth and safe flow of vehicles and bicycles.

**Program:** The decision-maker should require that new development projects incorporate such considerations.

The subdivision reinforces the preservation of single-family neighborhoods by converting a parcel into two legal lots, with two existing homes to remain. This will create new lots that will remain consistent with the zone and its corresponding allowable uses, as well as correspond with the dimensions and sizes of the neighboring lots. Since the proposal does not require the demolition of existing homes (only a minor partial demolition), the aesthetic character of the neighborhood will not be negatively affected. Additionally, the project will make use of one driveway access point to serve both lots, which will minimize any traffic impacts for Saticoy Stree, a designated Secondary Highway.

Therefore, as conditioned, the proposed parcel map is consistent with the intent and purpose of the applicable General and Specific Plans.

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

The R1-1 property is developed with a one-story single-family residence and carport on Parcel B, and an accessory living dwelling, three-car garage, and additional carport on Parcel A. Both single-family dwellings are to remain, and the subdivision would create separate deeds for each house. Surrounding properties are all zoned R1-1 and developed with one or two single-family homes, and approximately eight other similar flag-lot configurations exist within 500 feet of the subject site. Therefore, the division of this parcel is an infill of a single-family residential neighborhood, and is consistent with the size and scale of surrounding properties. Since the proposal will divide the lot to more closely match the existing dimensions and lot sizes of neighboring lots, the aesthetic character of the neighborhood will be maintained.

Improvements to the site, such as streetscape (Condition 4a), will promote safety and visually enhance the public-right-of-way adjoining the property.

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

The site has been physically suitable for existing homes on the property for over 60 years. The project is an appropriate existing development that is consistent with the abutting single-family homes and the R1-1 Zone and the Low Residential land use designation in the Sun Valley - La Tuna Canyon Community Plan.

The site is relatively level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

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

Adjacent land uses include single family homes developed at the density of the R1-zone. R1 lots are required to be a minimum of 5,000 sq-ft. The two parcels will measure approximately 6,650 and 12,715 square feet in area and will be of sufficient size to meet the existing floor area ratio requirements for each home on its respective lot. The density of the subdivision is consistent with that of adjoining single family residential developments.

(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 project was subject to environmental review, under ENV-2008-3060-MND, which found the project to have a less than significant impact. No hazards are known to exist on the site. No potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned as part of the project.

Furthermore, the project site, as well as the surrounding area, is presently developed with residential structures and does not provide a natural habitat for either fish or wildlife.

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

There are no apparent health problems that might be caused by the design of the proposed subdivision. The Bureau of Engineering has reported that existing sanitary sewer is available nearby in Saticoy Street. The development is required to be connected to the City of Los Angeles' sewer system, and the sewage will be directed to an LA Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards.

(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. However, needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed Parcel Map.

**FINDINGS OF FACT (ADJUSTMENT)**

In order for an adjustment from the zoning regulations to be granted by the Advisory Agency, per authority granted in Section 17.53.J of the Los Angeles Municipal Code , all five of the legally mandated findings delineated in Section 12.28.C.4 of the Los Angeles Municipal Code must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

- (a) **The granting of the adjustment will result in development that is compatible and consistent with the surrounding uses.**

Adjustments are necessary to permit a reduced midpoint of 47'-6" in lieu of the 50 feet required. The lot depth of 287 feet lends itself to subdivision to better utilize the unused rear portion of these lots in the neighborhood while preserving the existing homes near the front of the lots. In fact, this pattern has become the norm in this neighborhood with a total of 11 lots developed with "flag lot" characteristics. Many of those properties have front lots with reduced lot-widths, similar in size to the subject request. It is clear that the flag lot configuration with adjustment for a reduced lot-width at midpoint are a common pattern in the neighborhood, and the requested parcel map and adjustment would be consistent and compatible with that pattern and the surrounding single-family uses.

- (b) **The granting of the adjustment is in conformance with the intent and purpose of the General Plan.**

The subject site is located within the Sun Valley - East La Tuna Canyon Community Plan, which designates the subject property as Low Density Residential with corresponding zones of RE9, RS, R1, RU, RD5, and RD6. The General Plan does not directly address residential subdivisions or side yard adjustments, but has identified the need to preserve single-family neighborhoods. Further, the Housing Element of the General Plan promotes a large variety of housing types and encourages policies and programs that increase the availability of housing.

The subdivision and lot-width reduction reinforces the preservation of single-family neighborhoods and housing by converting a large R1-1 parcel into two lots while maintaining two existing homes. The size and design of these new lots will remain consistent with the zone and its corresponding allowable uses, as well as more closely correspond with the densities, dimensions, and sizes of the neighboring lots. Therefore the recommended adjustment conforms to the purpose, intent and provisions of the General Plan as reflected in the adopted Community Plan and Housing Element.

- (c) **The granting of an adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City.**

The regulations of the Planning and Zoning Code are written on a Citywide basis

and cannot take into account individual unique characteristics which a specific parcel and its intended use may have. The submitted plans show that frontage of the property is approximately 67'-6", and a 20'-0" access is required by the Fire Department in order to provide fire protection services to house in the rear of the property on Parcel A. This then only leaves 47'-6" of lot width for the utilization of the front additional parcel, less than the 50'-0" required by Los Angeles Municipal Code for an R1 property. The reduced lot-width of 47'-6" in lieu of 50'-0" in the R1 zone is only a minor 5% reduction, but is necessary if the rear lot is to have adequate access for fire protection services. In this instance, the Code's intent to allow adequate access for fire services, and the applicant's desire to provide functional lots for two dwellings and maintain two existing homes, can both be accommodated in a manner consistent with the purpose of the zoning regulations.

- (d) **There are no adverse impacts from the proposed adjustment or any adverse impacts have been mitigated.**

The proposed project will result in a development similar to and consistent with at least five other properties on the same block on Saticoy Street as the subject site, and with six more located on Cohasset Street within 500 feet of the site. No adverse impact will result because the flag lot configuration is common in the neighborhood to the adjoining or neighboring properties, and the existing single-family homes have been in this configuration for over 60 years. Additionally, since no physical change will occur on the property, other than a minor demolition of a portion of the house on Parcel A, the granting of this adjustment will not result in any environmental impacts.

- (e) **The site and/or existing improvements make strict adherence to the zoning regulations impractical or infeasible.**

The density permitted in the R1-1 zone is one unit per 5,000 square feet in area. Since the project has a total of approximately 19,372 square feet gross square feet, a total of three lots would be allowed on the subject site. However, considering the existing dwelling units and the width of the lot, the proposed configuration of a flag lot would only allow for the development of two single-family units. The submitted plans show that frontage of the property is approximately 67'-6", and a 20'-0" access is required by the Fire Department in order to provide fire protection services to house in the rear of the property on Parcel A. This then only leaves 47'-6" of lot width for the utilization of the front additional parcel, less than the 50'-0" required by Los Angeles Municipal Code for an R1 property. The 50'-0" required lot-width could have been provided, but at the expense of a narrower access strip for fire services to the rear lot. Therefore, the site and the existing improvements make strict adherence to zoning regulations impractical or infeasible.

**THE FOLLOWING NOTES ARE FOR INFORMATIONAL PURPOSES AND ARE NOT CONDITIONS OF APPROVAL OF THIS PARCEL MAP:**

The above action shall become effective upon the decision date noted at the top of this letter unless an appeal has been submitted to the North Valley Area Planning Commission within 15 calendar days of the decision date. If you wish to appeal, a Master Appeal Form No. CP-7769, must be submitted, accepted as complete, and appeal fees paid **by 5:00 PM on July 24, 2009** at one of the City Planning Department Public Counters, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
(213) 482-7077

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

\*Please note the cashiers at the public counters close at 3:30 PM.

**Appeal forms are available on-line at <http://cityplanning.lacity.org/>**

Pursuant to Ordinance 176,321, effective January 15, 2005, Parcel Map determinations are only appealable to the Area Planning Commission. There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

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, including all appeals, if any.

No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of the date of approval, unless an extension of time has been requested in person **before 5:00 p.m. July 9, 2012.**

No requests for time extensions or appeals received by mail shall be accepted. If you have any questions, please call Parcel Maps staff at (818) 374-9941.

These findings shall apply to both the preliminary and final maps for Parcel Map AA-2008-3059-PMLA.

S. Gail Goldberg, AICP  
Advisory Agency



DAVID SILVERMAN  
Deputy Advisory Agency

SGG:DS:MZ

cc:

Bureau of Engineering – 4 Maps  
Community Planning Bureau  
Planning Office & 1 Map  
Bureau of Street Lighting  
Street Tree Division & 1 Map

Dept. of Building & Safety, Zoning & 2 Maps  
Department of Building & Safety, Grading  
Department of Fire  
Department of Recreation & Parks & 1 Map  
Department of Transportation, CPC Section