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CITY PLANNING**

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Decision Date: December 6, 2019

Appeal Period Ends: December 16, 2019

Dr. Steve Brouman (A)(O)
8641 Wilshire Boulevard, Suite 205
Beverly Hills, CA 90211

Aaron Belliston (R)
BMR Enterprises
5250 Lankershim Boulevard, Suite 500
Los Angeles, CA 91601

RE: Vesting Tentative Tract Map No.: 82781-SL
Address: 1452 South Butler Avenue
(1454, 1456 and 1456 ½ South Butler
Avenue)
Community Plan: West Los Angeles
Existing Zone: [Q]R3-1
Council District: 11 - Bonin
CEQA No.: ENV-2019-4554-CE

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.03, 17.15, and 12.22-C, 27, the Advisory Agency approved Vesting Tentative Tract Map No. 82781-SL, located at 1452 South Butler Avenue, for a maximum of **five (5) small lot homes** for the purposes of a Small Lot Subdivision, as shown on map stamp-dated August 1, 2019, in the West Los Angeles Community Plan. This unit density is based on the existing [Q] R3-1 Zone (The sub divider 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 Development Services Center, call (213) 482-7077 or (818) 374-5050. The Advisory Agency's approval is subject to the following conditions:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, sub divider should follow the sequence indicated in the condition. For the benefit of the applicant, sub divider 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 5-foot future alley be provided along the alley adjoining the tract, to the satisfaction of the Bureau of Engineering.
2. That if this tract map is approved as "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. 176354" 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 West Los Angeles 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 all pedestrian common access easements be shown on the final map.
8. That any fee deficit under Work Order No. EXT00832 expediting this project be paid.
9. That the following improvements be either constructed prior to the recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve the alley being dedicated and adjoining the tract by construction of a suitable surfacing to provide a 10-foot wide half alley and a 2-foot wide concrete longitudinal gutter including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
 - b. Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

10. All conditions of the Soils Report Approval Letter, dated June 24, 2019, shall be complied with during site development.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

11. Prior to recordation of the final map, a clearance letter will be issued by the Department of Building and Safety, Zoning Division stating that no Building or Zoning Code violations exist relating to the subdivision on the subject site once the following items have been 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. Provide a copy of CPC Case No. CPC-2017-3647-ZC. Show compliance with all the conditions /requirements of the CPC case as applicable.
- c. Show all street/alley 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/alley dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication.
- d. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress in the final map.

Notes:

This property is located in a Liquefaction Zone.

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

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 sub divider 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.

The proposed buildings may not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

Back up 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.

No parking space can back up onto a street when the driveway is serving more than two dwelling units. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

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 Wong at (213) 482-6876 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

- 12. Prior to recordation of the final map, a suitable arrangement shall be made satisfactory to the Department of Transportation, binding the sub divider and all successors to the following:

- a. This project is subject to the West Los Angeles Transportation Improvement and Mitigation Specific Plan requirements. A parking area and driveway plan shall be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1" = 40' to DOT's West LA/Coastal Development Review Section located at 7166 W. Manchester Ave., Los Angeles, 90045. For an appointment, call (213) 485-1062.

FIRE DEPARTMENT

13. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the sub divider and all successors to the following:
 - a. Submit plot plans for Fire Department approval and review prior to the 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. 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.
 - e. 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.

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.

- Site plans shall include all overhead utility lines adjacent to the site.
- Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

- 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.
- Adequate off-site public and on-site private hydrants may be required. Their number and location to be determined after the Fire Department's review of the plat plan.

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) 482-6509**. You should advise any consultant representing you of this requirement as well.

BUREAU OF STREET LIGHTING

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. The Wastewater Collection Systems Division of the Bureau of Sanitation has reviewed the sewer/storm drain lines serving the subject tract/area and found no potential problems to the structures and/or potential maintenance issues. Note: This Approval is for the Tract Map only and represents the office of LA Sanitation/CWND. The applicant may be required to obtain other necessary Clearances/Permits from LA Sanitation and appropriate District office of the Bureau of Engineering. If you have any questions, please contact Rafael Yanez at (323) 342-1563.

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 and 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

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

BUREAU OF STREET SERVICES, URBAN FORESTRY DIVISION

18. The applicant shall submit a tree report and a landscape plan prepared by a Tree Expert, as required by LAMC Ordinance No. 177, 404, for approval by the city Planning Department and the Urban Forestry Division, Bureau of Street Services. The Tree Report shall contain the Tree Expert's recommendations for the preservation of as many desirable (eight inches diameter or greater) trees as possible and shall provide species, health and condition of all trees with tree locations plotted onto a site survey. An on-site 1:1 tree replacement shall be required for the unavoidable loss of any desirable on-site trees.

Note: Removal of Protected trees requires the approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information. CEQA document must address protected tree removals.

19. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. Parkway tree removals shall be replanted at a 2:1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division at:(213) 847-3077 upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at (213) 847-3077 for permit information. CEQA document must address parkway tree removals.

DEPARTMENT OF CITY PLANNING- SITE SPECIFIC CONDITIONS

20. Prior to the recordation of the final map, the sub divider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the sub divider and all successors to the following:
- a. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tentative Tract No. 82781-SL shall not be issued until after the final map has been recorded.
 - b. Limit the proposed development to a maximum of five (5) small lots.
 - c. Provide a minimum of two (2) covered off-street parking spaces per dwelling unit. (Note: One space may be a compact space. Tandem parking is allowable.)

- d. A common access walkway (easement) shall provide pedestrian access from a public street to the subdivision. The common access walkway must be a minimum of 3 feet in width and remain unobstructed and open to the sky.
- e. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high fence or wall made of slumpstone, decorative masonry, or other comparable-quality material, which may include materials such as wood or vinyl, shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yards.
- f. No vehicular gates shall be permitted within the development.
- 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 sub divider 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.
- i. A utility easement shall be provided per Department of Water and Power or similar agency requirements.
- j. All trash and recycling pick-up shall be conducted on-site.
- k. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material, unless individual receptacles are provided in each home.
- l. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
- m. A Maintenance Agreement shall be formed, 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 members of the agreement and shall be subject to a proportionate share of the maintenance. The Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The sub divider shall submit a copy of this Agreement, once recorded to the Planning Department for placement in the tract file.
- n. 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.

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.

Setbacks shall be permitted as follows:

Setbacks (in feet)				
Lot No.	Front	Rear	Side 1	Side 2
1	15'-0" (West)	0'-0" (East)	5'-0" (North)	5'-0" (South)
2	5'-0" (North)	5'-0" (South)	0'-0" (East)	0'-0" (West)
3	5'-0" (North)	5'-0" (South)	0'-0" (East)	0'-0" (West)
4	5'-0" (North)	5'-0" (South)	0'-0" (East)	0'-0" (West)
5	5'-0" (North)	5'-0" (South)	10'-3/4" (East)	0'-0" (West)

21. The small lot subdivision shall conform to the plans stamped Exhibit "A" and approved by the Director of Planning under Case No. ADM-2019-4555-SLD. In the event the Advisory Agency modifies Vesting Tentative Tract Map No. 82781-SL to be inconsistent with the stamped plans, the sub divider shall submit revised plans in substantial conformance with the approved map to the satisfaction of the Advisory Agency.
22. The small lot subdivision shall comply with Ordinance 186,108 (West Los Angeles Transportation Improvement Mitigation Specific Plan).
23. 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.
24. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. 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.
- b. 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.
- c. 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 (b).

- d. 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 (b).
- e. If the City determines it necessary to protect the City's interests, 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, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions 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.

DEPARTMENT OF CITY PLANNING - STANDARD SMALL LOT HOME 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 sub divider 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-C of the LAMC 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 following the instructions of Form CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site.

In the event the sub divider 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 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 un-subdivided 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 2010.
- 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 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 or that the construction be suitably guaranteed.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction shall 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.
 - 1. Construct new street light: one (1) on Butler Ave.

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 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 Urban Forestry Division of the Bureau of Street Services.
- e. Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- f. Close any unused driveways satisfactory to the City Engineer.
- g. Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 2010.
- h. That the following improvements be either constructed prior to the recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve Butler Avenue being dedicated and adjoining the subdivision by the construction of the following:
 - i. 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 action. However, the existing or proposed zoning may not permit this density.

Approval from the Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through the 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 sub divider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05, N.

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.

The sub divider 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 sub divider upon his request.

FINDINGS OF FACT (CEQA)

On November 22, 2019, the subject project was issued a Notice of Exemption (Subsection C, Section 2, Article II, City CEQA Guidelines), log reference ENV-2019-4554-CE, for a Categorical Exemption, Class 32, City CEQA Guidelines (Sections 15300-15333, State CEQA Guidelines). I hereby adopt that action.

CLASS 32 CATEGORICAL EXEMPTION

The proposed project qualifies for a Class 32 Categorical Exemption because it conforms to the definition of "In-fill Projects". The project can be characterized as in-fill development within urban areas for the purpose of qualifying for Class 32 Categorical Exemption as a result of meeting the five conditions listed below.

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations:**

The project site is located within the adopted West Los Angeles Community Plan, which is one of 35 Community Plans that make up the Land Use Element of the General Plan. The Community Plan designates the subject property with

a land use designation of Medium Residential, corresponding to the R3 Zone and Height District 1. The subject property is zoned [Q] R3-1, and is thus consistent with the existing land use designation. The project site is further located within the boundaries of the West Los Angeles Transportation Improvement Mitigation Specific Plan.

The project proposes to subdivide the site into five (5) small lots pursuant to Los Angeles Municipal Code (LAMC) Section 12.22-C, 27. The applicant is not requesting a zone change or general plan amendment and the project would comply with the applicable regulations of small lot developments and the LAMC. The project would construct five (5) small lot homes – as proposed, the height, and other zoning attributes are consistent with the zone designation and with the Community Plan. The existing [Q] R3-1 Zone permits a density of one unit per 800 square feet of lot area. The net lot area after dedication would allow up to eight (7) units on the site. Therefore, the project is consistent with the applicable general plan designation and all applicable general plan policies, as well as with applicable zoning designation and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses:

The project site is located in the West Los Angeles Community Plan area within Los Angeles city limits. The project site encompasses approximately 5,849 square feet of total lot area (approximately 0.13 acres). The site is in a built-up and previously developed area – it is currently developed with a single family dwelling, a duplex and accessory structures. The neighborhood is primarily developed with a variety of single and multi-family residential uses. The nearest commercial uses are located with approximately .2 miles of the subject property at the intersection of Butler Avenue and Santa Monica Boulevard. Therefore, the project will occur within city limits on a project site of no more than five acres substantially surrounded by urban uses.

(c) The project site has no value as habitat for endangered, rare or threatened species:

The project site is located in an urbanized area within the West Los Angeles Community Plan area. The project site and the surrounding neighborhood have been developed with structures and landscape for several decades. There are no protected trees, as defined under Los Angeles Municipal Ordinance No. 177,404. Additionally, the project site does not include any riparian areas or other sensitive plant communities, and as an urbanized site with existing residential development, it does not have substantive value as a habitat for endangered, rare, or threatened species. Therefore, the project site has no value as habitat for endangered, rare, or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality:

Traffic. The project site is currently developed with a single-family dwelling, a duplex and accessory structure. The project proposes the demolition of all existing structures and the construction of five (5) small lot homes, resulting in a net increase of two (2) units. Per the LADOT traffic studies manual and the L.A. CEQA Thresholds Guide, a Traffic Study is only required for development projects forecasted to generate over 43 afternoon commuter peak hour trips, or if more than 500 daily trips will be generated or diverted/shifted. The construction and operation of five small lot homes is not expected to exceed either of these thresholds. Additionally, further traffic review may be required if the project adds more than 25 residential units, as prescribed by the LADOT; however, the project proposes a net increase of just two (2) units, and thus does not exceed this threshold either. As a result, the project will not have a significant impact relating to traffic.

Noise. The project must 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. The Ordinances cover both operational noise levels (i.e. post-construction), as well as any noise impact during construction. Section 41.40 of the LAMC regulates noise from demolition and construction activities and prohibits construction activity (including demolition) and repair work, where the use of any power tool, device, or equipment would disturb persons occupying sleeping quarters in any dwelling hotel, apartment, or other place of residence, between the hours of 9:00 p.m. and 7:00 a.m., Monday through Friday, and between 6:00 p.m. and 8:00 a.m., on Saturdays and holidays. All such activities are also prohibited on Sundays. Section 112.05 of the LAMC also specifies the maximum noise level of construction machinery that can be generated in any residential zone of the city or within 500 feet thereof. As the project is required to comply with the above ordinances and regulations, it will not result in any significant noise impacts. All construction-related noise impacts would be less than significant and temporary in nature.

Meridian Consultants conducted a noise study dated August 2019. The purpose of the study was to assess and discuss the potential noise impacts that may occur with the Butler Avenue SLS Project, located in Los Angeles, California. The noise report analyzes noise and ground-borne vibration impacts associated with the Project. The report also discusses the applicable federal, state, and local noise and vibration regulations; the applicable noise and vibration thresholds; the methodology used to analyze potential noise and vibration impacts; and the modeled roadway noise. The analyses resulted in the following findings:

- Construction activities would potentially result in short-term and temporary noise impacts to nearby noise-sensitive receptors due to on-site construction equipment and activities. Implementation of noise attenuation techniques and placement of the construction-staging area and earthmoving equipment away from noise-sensitive sites would lower noise levels. Thus, construction noise levels would not be considered significant.

- Construction of the Project would generate sporadic, temporary vibration effects adjacent to the project area but would not be expected to exceed the significance thresholds.
- Noise associated with cumulative construction activities would be reduced to the degree reasonably and technically feasible through proposed recommended measures for each individual project and compliance with locally adopted and enforced noise ordinances. Given that construction activities would be required to comply with the City's allowable hours and would be temporary, construction-related noise would not be significant.
- Noise associated with cumulative operational sources would not be significant.
- Due to the rapid attenuation characteristics, no potential exists for cumulative construction or operational related impacts with respect to ground-borne vibration.

The project will not generate permanent significant operational noise impacts. The proposed project is residential and will result in a net increase of only two (2) homes. In addition, the proposed project maintains the existing residential use, which is not expected to introduce any stationary noise sources, and will not include any square footage of non-residential uses. Regulatory compliance with the applicable City codes would ensure that potential noise sources associated with residential uses, such as from air conditioning systems, recurrent activities including conversation and dog barking, and automobile operation, would not increase ambient noise levels to a significant level. Thus, the project will not result in any significant effects relating to noise.

Air Quality. The South Coast Air Quality Management District (SCAQMD) is the agency primarily responsible for comprehensive air pollution control in the South Coast Air Basin and reducing emissions from area and point stationary, mobile, and indirect sources. SCAQMD prepared the 2012 Air Quality Management Plan (AQMP) to meet federal and state ambient air quality standards. A significant air quality impact may occur if a project is inconsistent with the AQMP or would in some way represent a substantial hindrance to employing the policies or obtaining the goals of that plan. The proposed project will be required to comply with all applicable regulations regarding air quality management, and thus will not conflict with or obstruct the implementation of the AQMP and SCAQMD rules. Additionally, as the development of the project will result in a net increase of only two (2) homes, the levels of emissions from the project will all likely be far below the thresholds considered by SCAQMD to be potentially significant under CEQA guidelines.

During construction, appropriate dust control measures would be implemented as part of the proposed project, as required by SCAQMD Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to,

applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project Site, and maintaining effective cover over exposed areas.

Best Management Practices will be implemented that would include (but not be limited to) the following:

- Unpaved demolition and construction areas shall be wetted at least three times daily during excavation and construction, and temporary dust covers shall be used to reduce emissions and meets SCAQMD Rule 403;
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- General contractors shall maintain and operate construction equipment to minimize exhaust emissions; and
- Trucks shall not idle but be turned off.

By implementing Best Management Practices, all construction-related impacts will be less than significant and temporary in nature. No permanent significant impacts are anticipated to occur from construction.

Water Quality. The project is not adjacent to any water sources and construction of the project will not impact water quality. The project maintains the existing residential use and will not generate, store, or dispose of substantial quantities of hazardous materials that could affect water quality. Construction activities would not involve any significant excavation near an identified water source. Furthermore, the project will comply with the City's storm water management provisions per LAMC 64.70. Best Management Practices would also be required during general operation of the project to ensure that storm water runoff meets the established water quality standards and waste discharge requirements. As the project consists of the new construction of only five (5) homes, it will not have a significant impact on the amount or quality of effluent generated. Therefore, development of the proposed project would not degrade the quality of storm water runoff from the site and would not result in any significant effects relating to water quality.

(e) The site can be adequately served by all required utilities and public services:

The site is currently developed with residential buildings in a highly urbanized area served by existing public utilities and services. The site is fully served by public sewer and water, and the existing use at the site has been and will continued to be served by all required utilities and public services. The site is currently and adequately served by the City's Department of Water and Power,

the City's Bureau of Sanitation, the Southern California Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, Los Angeles Unified School District, Los Angeles Public Library, and other public services. These utilities and public services have continuously served the neighborhood for more than 50 years.

The project consists of the new construction of only five (5) homes. Three (3) existing dwelling units will be demolished, resulting in a net increase of two (2) units. As a result, the project will not have a significant impact on existing utility and service demand and capacities. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, and LED lighting. As a result, the proposed project will not create any impact on existing utilities and public services through the construction of five (5) new small lot homes.

EXCEPTIONS TO CATEGORICAL EXEMPTIONS

Planning staff evaluated the exceptions to the use of Categorical Exemptions for the proposed ordinance listed in "CEQA Guidelines" Section 15300.2 and determined that none of the exceptions apply to the proposed project.

- (a) **Location.** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

As the proposed Project is not defined as a Class 3, 4, 5, 6 or 11 project, this exception is non-applicable. The Project site is in an urbanized area in the City of Los Angeles. The Project site is not located in a particularly sensitive environment and would not be located on a site containing wetlands, endangered species, or wildlife habitats; therefore, this exception is not applicable.

- (b) **Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

This exception does not apply to the proposed project. The project involves the construction of five (5) residential units in an area previously developed with and surrounded by residential uses. The project is entirely consistent with the existing General Plan designation and zoning, which accounts for the impacts of developments which are within their parameters. Any successive projects of the same type and nature would reflect a development that is consistent with the underlying land use designation and the LAMC, and thus would be subject to the same regulations and requirements, including development standards and

environmental impacts. The impacts of each subsequent project will be mitigated if necessary, and thus will not result in a cumulative impact. Therefore, impacts under this category will be less than significant.

- (c) **Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

This exception does not apply to the proposed project. The project site is comprised of approximately 5,849 square feet of lot area located in an urbanized area within the City of Los Angeles. The project consists of residential uses and operations that are compatible with the surrounding residential development and consistent with the underlying zone. The site does not demonstrate any unusual circumstances, and the project will not generate significant traffic, air quality, water quality, or noise impacts. There are no unusual circumstances that indicate this project would reasonably result in a significant effect on the environment.

- (d) **Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.**

This exception does not apply to the proposed project. According to the California Scenic Highway Mapping System, the project site is not located on or near a portion of a highway that is either eligible or officially designated as a state scenic highway.

- (e) **Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.**

This exception does not apply to the proposed project. The project site is not listed as a hazardous waste site on EnviroStor, California's data management system for tracking hazardous waste sites. Additionally, the subject property is in a well-established residential neighborhood, and the surrounding area has long been developed with urban residential uses. Hazardous waste and materials would not be expected to pose a significant constraint on sites long developed with such uses. Although there is the potential for asbestos and/or lead-based paint to be present in the existing buildings to be demolished due to their age, removal of such materials is subject to standard safety requirements and would not classify the project site as a hazardous waste site.

Additionally, the project site is not located within a Methane Zone or Methane Buffer Zone, nor is it located in a Hazardous Waste/Border Zone Properties area as designated by the City of Los Angeles. There are no oils, elevators, in-ground hydrologic systems, monitoring or water supply wells, or above- or below-ground

storage tanks, or potentially fluid-filled electrical equipment on or immediately adjacent to the project site. No industrial wastewater is generated on the project site and sanitary wastewater is discharged to the City Bureau of Sanitation. Therefore, this exception for a Class 32 Categorical Exemption does not apply to this project.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The subject property located at 1452-1456 ½ South Butler Avenue, is currently developed with a duplex, a single family dwelling and an accessory structure homes. One of the structures dates to 1930 while the other was constructed in 1957, and the surrounding areas consists almost entirely of other single and multi-family residences. No structures on the subject property have been identified through the Survey LA database, and the project is not located in a Historic Preservation Overlay Zone. The project site is also not identified in any state or national register of historic resources. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

CONCLUSION

As outlined above, the project is consistent with the surrounding developments, including established surrounding residential uses, and is entirely consistent with the existing General Plan designation, zoning, and requirement of the LAMC. The project will not generate a significant number of vehicle trips and will not result in any significant impacts to land use planning, environment habitat, noise, air quality or water quality. The project is located in an urbanized and long-developed area, and thus will be adequately served by all required public utilities and services.

In addition, as the project is in an urbanized area, it is not in a particularly sensitive environment, and will not impact an environmental resource of hazardous or critical concern that is designated, precisely mapped, or officially adopted by any federal, state or local agency. The project will not result in any significant impacts and, therefore, will not make a cumulatively considerable contribution to any significant impacts that are not already accounted for by the General Plan and future environmental clearances. The project is consistent with the surrounding developments, including established surrounding residential uses, does not present any unusual circumstances, and would not constitute a substantial adverse change in the significance of a historic resource as defined by CEQA. Therefore, none of the possible exceptions to Categorical Exemptions, found in Section 15300.2 Exceptions, apply to this project, and as such, the project qualifies for a Class 32 Categorical Exemption.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 82781-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 project site is located within the West Los Angeles Community Plan, one of 35 Community Plans which form the land use element of the General Plan, with a land use designation of Medium Residential corresponding to the R3 Zone. The property is currently zoned [Q] R3-1, and is thus consistent with the existing land use designation. The project site is further located within the boundaries of the West Los Angeles Transportation Improvement Mitigation Specific Plan.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the existing zoning and General Plan land use designation. Apartments, condominiums, and other multi-family uses are permitted in the R3-1 Zone and Medium Residential land use designation. The existing [Q] R3-1 Zone permits a density of one unit per 800 square feet of lot area. The net lot area after dedication would allow up to seven (7) units on the site. With five (5) small lot home proposed, the project's density does not exceed the maximum allowable density for the underlying zone.

Section 17.05-C of the LAMC enumerates design standards for Subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Section 17.05-C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes ("net area"). LAMC Section 17.06-B lists the map requirements for a tentative tract map. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the LAMC. In addition, Section 12.22-C, 27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small lot subdivisions. For the request herein, the LAMC requires that the proposed small lot subdivision comply with the required minimum lot width of 18 feet; lot area of 600 square feet; lot coverage limitation of 75%; and setback requirements aligning with those of the underlying zone for the front, side and rear boundaries of the subdivision. The proposed project complies with the requirements of both the tentative tract map and a small lot subdivision. Therefore, the proposed map is substantially consistent with the applicable General Plan affecting the project site and demonstrates compliance with Sections 17.01, 17.05-C, 17.06-B and 12.22-C, 27 of the Los Angeles Municipal Code.

b. The design and improvement of the proposed subdivision are consistent with applicable general and specific plans.

The project site is located within the West Los Angeles Community Plan, one of 35 Community Plans which form the land use element of the General Plan, with a

land use designation of Medium Residential corresponding to the R3 Zone. The property is currently zoned [Q] R3-1, and is thus consistent with the existing land use designation. The project site is further located within the boundaries of the West Los Angeles Transportation Improvement Mitigation Specific Plan.

Section 66418 of the Subdivision Map Act defines the term “design” as follows: “Design” means: (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) such other specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Subdivision Map Act expressly states that the “Design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects.”

Section 17.05-C of the LAMC enumerates design standards for Subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Section 17.05-C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes (“net area”). LAMC Section 17.06-B lists the map requirements for a tentative tract map. Section 12.22-C, 27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small lot subdivisions. For the request herein, the LAMC requires that the proposed small lot subdivision comply with the required minimum lot width of 18 feet; lot area of 600 square feet; lot coverage limitation of 75%; and setback requirements aligning with those of the underlying zone for the front, side and rear boundaries of the subdivision. The proposed project complies with the requirements of both the tentative tract map and a small lot subdivision.

The design and improvement of the proposed subdivision are consistent with the West Los Angeles Community Plan and are not subject to any Specific Plan requirements. For the purposes of approving a small lot subdivision, the “design” of the tract or parcel map refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout and building design. Easements and/or access and “improvements” refer to the infrastructure facilities serving the subdivision. Several public agencies, including the Department of Building and Safety, the Bureau of Engineering, and the Los Angeles Department of Transportation, have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval. The subdivision will be required to comply with all regulations pertaining to grading, building permits, and street improvement permit requirements. Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the vesting map, building permit, grading permit, or certificate of occupancy. Therefore, as conditioned, the design and improvement of the proposed subdivision is consistent

with the intent and purpose of the Community Plan and the General Plan.

c. The site is physically suitable for the proposed type of development.

The subject property is a rectangular-shaped parcel of land comprised of one (1) existing lot totaling approximately 5,849 square feet (approximately 0.13 acres). The property has approximately 45 feet of frontage along the eastern side of South Butler Avenue to a depth of approximately 131.5 feet. The site is currently developed with a single family dwelling, a duplex and accessory structures. The existing structures will be demolished, resulting in a net increase of two (2) units through the development of the proposed project. There are four (4) non-protected significant trees on the project site that will also be removed as a part of the development. These trees will be replaced at a one for one (1:1) ratio per the requirements of the Bureau of Street Services, Urban Forestry Division. There are no street trees located in the public right-of-way adjoining the project site.

The project site is located within the West Los Angeles Community Plan, one of 35 Community Plans which form the land use element of the General Plan, with a land use designation of Medium Residential corresponding to the R3 Zone. The property is currently zoned [Q] R3-1, and is thus consistent with the existing land use designation. The existing [Q] R3-1 Zone permits a density of one unit per 800 square feet of lot area. As such, the net lot area after dedication would permit the applicant to construct a maximum of seven (7) units on the site. With five (5) small lot homes proposed, the project's density does not exceed the maximum allowable density for the underlying zone.

The project site is in a developed and urbanized residential neighborhood. The surrounding area is characterized by mostly level terrain and is developed with improved streets and a variety of single- and multi-family residences. Abutting properties to north, south, east and west, are zoned [Q] R3-1. The abutting property to the north is developed with a single family residential dwelling unit, a duplex and accessory structure. The abutting property to the south is developed with a two-story multi-family residential building. The property to the west is developed with a one-story multi-family residential building. The property to the west, across South Butler Avenue, is developed with a two-story multi-family residential building. The abutting property to the east is developed with a three-story multi-family residential building.

The Department of City Planning, on November 22, 2019, determined that the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act designates the subject project as categorically exempt under Article III, Section I, Class 32. This exemption is for infill developments meeting the following five criteria: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant

effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services. Planning staff also evaluated the exceptions to the use of categorical exemptions for the proposed project listed under "CEQA Guidelines" Section 15300.2 and determined that none of the exceptions apply to the proposed project. Therefore, material evidence supports that the project site is physically suitable for the proposed type of development.

d. The site is physically suitable for the proposed density of development.

The General Plan identifies (through its Community and Specific Plans) geographic locations where planned and anticipated densities are permitted. Zoning applying to subject sites throughout the City are allocated based on the type of land use, physical suitability, and population growth that is expected to occur.

The project site is located within the West Los Angeles Community Plan, one of 35 Community Plans which form the land use element of the General Plan, with a land use designation of Medium Residential corresponding to the R3 Zone. The property is currently zoned [Q] R3-1, and is thus consistent with the existing land use designation. The existing [Q] R3-1 Zone permits a density of one unit per 800 square feet of lot area. As such, the net lot area after dedication would permit the applicant to construct a maximum of seven (7) units on the site. With five (5) small lot homes proposed, the project's density does not exceed the maximum allowable density for the underlying zone.

There are no known physical impediments or hazards that would be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the project is located. Therefore, the site is physically suitable for the proposed density of 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.

Both the project site and the surrounding area are urbanized, have been developed and improved with structures for many decades, and do not provide a natural habitat for either fish or wildlife. Additionally, the project was identified as being Categorically Exempt from further CEQA review pursuant to Class 32 for infill development, and that it would not result in significant impacts relating to biological resources. As such, the project will not cause substantial environmental damage or injury to wildlife or their habitat.

f. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

The proposed subdivision and subsequent improvements are subject to the provisions of the Los Angeles Municipal Code (e.g. the Fire Code, Planning and

Zoning Code, Health and Safety Code, etc.) and the Building Code. Other health and safety-related requirements as mandated by law (e.g. asbestos abatement, seismic safety, flood hazard management, etc.) would apply where applicable to ensure the public health and welfare.

Although the project site is located within a liquefaction and fault zone, a mat foundation will be used to account for any earthquake-induced settlements, per the requirements of the Department of Building and Safety, Grading Division. The project site is not located within any other special hazard zone, methane zone, hillside or special grading area, or flood, landslide or tsunami inundation zone. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances. Additionally, 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, where collected sewage is directed to sewer treatment plants which have been upgraded to meet Statewide Ocean Discharge Standards. Therefore, no adverse impacts to the public health or safety would occur as a result of the design and improvement of the site, and the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- 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.**

There are no recorded instruments identifying easements encumbering the project site for the purpose of providing public access. The project site is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The project site does not adjoin or provide access to a public resource; natural habitat, public park, or any other officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed 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 property within the proposed subdivision.

- 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 parcels to be subdivided, and other design and improvement requirements. A solar energy feasibility report, dated July 22, 2019, and a geotechnical investigation report, dated February 24, 2017 was submitted with the tract application.

The typography of the site is relatively flat. The orientation of the homes are fair for passive gain and fair for prevailing winds because their long axis are non-cardinal. There will be self-blockage. Solar access to the south is good for roof-mounted collectors. Access to prevailing westerly winds is good for the upper stories because of the distance to, and height of the structures across Butler Avenue. Construction would be largely wood framed, which will not lend itself to passive heat storage. The building's color may be light stucco, which tends to reduce cooling loads. Fair for passive heating is not planned and hence no passive devices are contemplated except those that are required by the Title 24 energy analysis.

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 tract map was filed. Prior to obtaining a building permit, the sub divider 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 buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 82781-SL.

VINCENT P. BERTONI, AICP
Advisory Agency



NICHOLAS HENDRICKS
Deputy Advisory Agency

NH:JP:QW:bk

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 West Los Angeles 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:

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

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

West Los Angeles
West Los Angeles
Development Services Center
1828 Sawtelle Boulevard, 2nd
Floor
Los Angeles, CA 90025
(310) 231-2598

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

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 Development Services Center staff at (213) 482-7077, (818) 374-5050, or (310) 231-2598.

