

## FINDINGS

### FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 84089-SL-HCA 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 consists of two lots encompassing a total lot area of approximately 17,124 square feet (0.39 acres) in the La Cienega Heights neighborhood. The Project site is located within the West Adams – Baldwin Hills – Leimert Community Plan with a land use designation of Low Medium II Residential with corresponding zones RD1.5 and RD2. The subject property is zoned RD1.5-1, thus it is consistent with the existing land use designation. The Project site contains a frontage of approximately 105 feet along the eastern side of South Preuss Road and a depth of approximately 160 feet. The site is not located within the boundaries of any relevant specific plan or interim control ordinance, and is currently developed with two single-family homes and accessory structures.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the existing General Plan Land Use Designation of Low Medium II Residential and RD-1.5 zoning of the site. Single-family and multi-family family residences, including apartment houses, condominiums, and small lot homes are permitted in the RD1.5-1 Zone and Low Medium II Residential land use designation. Therefore, the proposed construction of a small lot development on the subject property is permitted. The proposed Project will subdivide the Project site, consisting of two lots into 12 small lots (Lots A-L) for the construction of a new 12-unit small lot development. The unit density is based on the RD1.5-1 Zone. The R1.5-1 Zone permits a density of one unit per 1,500 square feet of lot area, therefore the applicant would be permitted to construct a maximum of 12 dwelling units on the subject property ( $17,924.4 \text{ SF} / 1,500 \text{ SF} = 11.95$  or 12 units, rounded up to whole number; lot area includes  $\frac{1}{2}$  area of the adjacent alley and the dedication of land to be provided).

The Los Angeles Municipal Code (LAMC) implements the goals, objectives, and policies of the Community Plan through adopted zoning regulations. The Zoning Code regulates, but is not limited to, the maximum permitted density, height, and the subdivision of land. The West Adams – Baldwin Hills – Leimert Community Plan addresses subdivisions in its goals and objectives for Residential land uses as follows:

Goal LU7      A community that promotes an environment of safe, inviting, secure and high-quality multi-family neighborhoods for all segments of the community.

LU7-1      Address Diverse Resident Needs. Strive for the conservation/preservation of existing assisted affordable and non-assisted housing stock and in particular rent-stabilized units, and for the development of new housing, including restricted affordable housing, to address the

diverse economic and physical needs of the existing residents and projected population of the Community Plan Area to the year 2030.

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| LU7-3     | Compliance with Design Guidelines. Recommend that new multifamily residential development be designed in accordance with the adopted Citywide Residential Design Guidelines. |
| Goal LU9  | A community that promotes an environment of safe, inviting, secure and high-quality multi-family neighborhoods for all segments of the community.                            |
| LU9-1     | Affordability. Prioritize housing that is affordable to a broad cross-section of income levels and that provides the ability to live near work and achieve homeownership.    |
| Goal LU10 | A community that supports cohesive neighborhoods and lifecycle housing to promote health, well-being and safety.   |
| LU10-6    | Increase Homeownership. Provide for development of townhouses and other similar condominium type housing units to increase homeownership options.                            |

The Project will be consistent with the aforementioned goals and policies as the subdivision will allow for the construction of 12 single-family residences in a predominantly single- and multi-family residential neighborhood. Of the 12 small lot homes proposed, one (1) unit will be reserved for Very Low Income Households thereby expanding affordable housing and homeownership opportunities in the neighborhood. In addition, the Project will be consistent with the Citywide Design Guidelines and Small Lot Design Guidelines.

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. 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 percent; and 5-foot setback requirements for the rear (when the rear lot line abuts an alley), 5-foot side yard setback requirements, and setback requirements aligning with those of the underlying zone for the front boundaries of the subdivision. Concurrent with the subject subdivision, the Project also requests an On-Menu Incentive for an increase in maximum building height and a Waiver of Development Standard for a reduction in the front building line setback through the State Density Bonus Law under Case No. CPC-2023-6115-DB-HCA. The proposed 12-unit small development is contingent upon the approval of Case No. CPC-2023-6115-DB-HCA.

On April 22, 2024, an administrative clearance was issued for the proposed project after determining project compliance with the Small Lot Design Standards. The Small Lot Design Standards establish specific and enforceable design rules to ensure a small lot subdivision's compatibility with existing by-right zoning and neighborhood contexts. These standards address numerous design components including building orientation, primary entryways, façade articulation, roofline variation, building modulation, pedestrian pathways, landscaping, and common open space areas. Pedestrian access to the front entrances of each small lot home will be located along the northern and southern walkways. The northern walkway will provide access to Units A – F and the southern walkway will provide access to the Units G – L. Vehicular access to each of the 12 small lot homes will be located along a center driveway accessible along South Preuss Road and the eastern adjacent alley. In addition, each small lot home will also feature balconies and a roof deck orientated towards the center driveway away from the adjacent residential properties. Therefore, the small lot homes will minimize vehicular and residential noise impacts on the surrounding neighborhood and the outdoor residential spaces will prevent direct views of abutting residential neighbors. Compliance with the Small Lot Design Standards is a requirement established by the Small Lot Subdivision Ordinance.

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 Adams – Baldwin Hills – Leimert Community Plan, one of 35 Community Plans which form the land use element of the General Plan. The subject property consists of a two lots fronting South Preuss Road and is zoned RD1.5-1. The Community Plan designates the subject property for Low Medium II Residential land uses corresponding to the RD1.5 and RD2 Zones; thus, the subject property is consistent with the existing land use designation. The Project site contains a frontage of approximately 105 feet along the eastern side of South Preuss Road and a depth of approximately 160 feet. The Project site is also adjacent to a 15-foot alley to the east. The Project site is not located within the boundaries of any relevant specific plan or interim control ordinance, nor is it located within any other special hazard zone, flood, landslide, or tsunami inundation zone. The Project site is located within the Alquist-Proto Earthquake Fault Zone and Methane Buffer Zone, and is currently developed with a two (2) single-family houses.

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. 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. 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 percent; and 5-foot setback requirements for the rear (when the rear lot line abuts an alley), 5-foot side yard setback requirements, and setback requirements aligning with those of the underlying zone for the front boundaries of the subdivision. Concurrent with the subject subdivision, the Project also requests an On-Menu Incentive for an increase in maximum building height and a Waiver of Development Standard for a reduction in the front building line setback through the State Density Bonus Law under Case No. CPC-2023-6115-DB-HCA. Therefore, the proposed subdivision will be consistent with the applicable General Plan affecting the Project site and will comply with Sections 17.01, 17.05 C, 17.06 B and 12.22 C.27 of the Los Angeles Municipal Code.

The design and improvement of the proposed subdivision are consistent with the West Adams – Baldwin Hills – Leimert 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, the Los Angeles Department of Transportation, the Bureau of Street Lighting, the Department of Recreation and Parks, the Department of Water and Power, and the Los Angeles Fire Department 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 consists of two rectangular-shaped lots encompassing approximately 17,124 square feet. The property is located midblock along the east side of South Preuss Road between West Sawyer Street and West Guthrie Avenue. The Project site contains a frontage of approximately 105 feet along the eastern side of South Preuss Road and a depth of approximately 160 feet. The site is currently developed with two (2) single-family houses. No protected trees or shrubs will be removed on the project site or in the public right-of-way adjacent to the subject property.

The Project site is located within the West Adams – Baldwin Hills – Leimert Community Plan, one of 35 Community Plans which form the land use element of the General Plan. The Community Plan designates the subject property for Low Medium II Residential land uses corresponding to the RD1.5 and RD2 Zones. The site is zoned RD1.5-1 and therefore is consistent with the existing land use designation. The Project site is not located within

the boundaries of any relevant specific plan or interim control ordinance, nor is it located within any other special hazard zone, flood, landslide, or tsunami inundation zone.

The Project site is located within the Alquist-Proto Earthquake Fault Zone and Methane Buffer Zone.

As discussed in the Addendum Soils Engineering Exploration Report prepared by Schick Geotechnical, Inc. (March 24, 2023) and the approved Fault Study and SGI report, a trace of the fault is not located onsite. The reports also determined that the “proposed structures is feasible from a soils engineering standpoint provided the advice and recommendations contained in this report are included in the plans and are properly implemented during construction”. The Project will be consistent with the requirements of the 2023 City of Los Angeles Building Code. In a letter dated May 1, 2024, the Grading Division of the Department of Building and Safety stated that they had reviewed the referenced reports and finds that the analysis is acceptable provided that a list of 47 conditions are complied with during site development.

As discussed in the Site Methane Investigation Report for the proposed small lot subdivision dated November 22, 2022, measurable levels of methane were not detected while testing at the Project site and therefore no methane mitigation system is required. Nevertheless, the Project is required to comply with the City’s methane regulations and will implement a passive methane mitigation system.

The Project proposes to subdivide the subject property into 12 lots for the construction of a 12-unit small lot development. The Project will provide two (2) vehicular parking spaces per dwelling unit, for a total of 24 parking spaces. The Project is required to have common access driveway with a minimum 16 feet in width (with a minimum of 10 feet in width clear and open to the sky); the tentative tract map displays a common access driveway with a width of 20 feet off of South Preuss Road with a minimum of 10 feet open to the sky.

The Project site is located in a long-developed, predominantly residential neighborhood in the La Cienega Heights community. The surrounding area is developed with single- and multi-family residences. Within 600 feet of the Project site, two Vesting Tentative Tract Maps involving the construction of two small lot developments were approved by the City. Both projects are located along South Preuss Road, south of the Project site. Approximately 500 feet west of the Project site is South Robertson Boulevard, a major arterial road which connects to other neighborhoods in the community and is developed with commercial businesses and residential structures. As a similar use, the proposed subdivision and construction of 12 small lot homes at the Project site will be compatible with the surrounding area.

The Department of City Planning, on April 24, 2024, 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. The Class 32 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 has determined that the project meets all of these criteria and thus qualifies for a Class 32 Categorical Exemption. 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 geographic locations where planned and anticipated densities are permitted through its Community Plans and Specific Plans. Zoning relating to the sites throughout the city, are allocated based on the type of land use, physical suitability and future population growth expected to occur. The West Adams – Baldwin Hills – Leimert Los Angeles Community Plan designates the site for Low Medium II Residential land uses. The site is zoned RD1.5 and is consistent with the range of zones under the corresponding land use designation.

The zoning and land use designation of the Project site permits a maximum residential density of one (1) dwelling unit per 1,500 square feet of lot area. As such, at 17,927.4 square feet in size (inclusive of lot area plus ½ area of the adjacent alley and dedication of land being provided), the Project site will allow for 12 dwelling units. With the requested Vesting Tentative Tract Map, the Project site consisting of two lots would be subdivided into 12 lots for the construction of 12 small lot residences (one residence per lot). As such, the Project will be consistent with the land use designation and the applicable zoning of the site.

The Project site is located in a long-developed, predominantly residential neighborhood. The surrounding area is characterized by a mixture of flat and hillside terrain and is developed with a variety of buildings and improved streets. Approximately 400 feet west of the Project site is South Sepulveda Boulevard, a major arterial road which connects to other communities in the West Adams – Baldwin Hills – Leimert Community Plan area and is developed with a variety of uses including commercial businesses and residential structures. Surrounding properties are primarily developed with single- and multi-family developments in the R1V2, R1R3-RG, RD1.5-1, RD2-1, and R3-1-CPIO Zones. Abutting the property to the north and south are single-family homes located in the RD1.5-1 Zone. Across South Preuss Road and the eastern adjacent alley are single- and multi-family homes located in the RD1.5-1 Zone. Therefore, the proposed 12-unit small lot development would be compatible with the surrounding area.

Based on the density calculation and land uses in the vicinity, this subdivision involves a density consistent with the General Plan and Zoning affecting the site. 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 property is located as a result of the project's proposed density. 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.

The Project site is located in an urbanized and developed area in the City of Los Angeles. The site and the surrounding area are currently developed with residential land uses, and

does not provide natural habitat for either fish or wildlife. The project was identified as being Categorically Exempt from further CEQA review pursuant Class 32 for infill development. As such, the design of the subdivision and the proposed improvements 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) and the Building Code. Other health and safety related requirements, as mandated by law, would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

The Project site is not located on a hazardous materials site and is located outside a flood zone. The Project site is also located within the Alquist-Priolo Earthquake Faultline Zone and a Methane Buffer Zone. As discussed in the Addendum Soils Engineering Exploration Report prepared by Schick Geotechnical, Inc. (dated March 24, 2023) and the approved Fault Study and SGI report, a trace of the fault is not located onsite. It was also determined in the reports that the “proposed structures is feasible from a soils engineering standpoint provided the advice and recommendations contained in this report are included in the plans and are properly implemented during construction”. The Project will be consistent with the requirements of the 2023 City of Los Angeles Building Code. The Grading Division of the Department of Building and Safety has reviewed the referenced reports and finds that the analysis is acceptable provided that a list of 47 conditions are complied with during site development. As discussed in the Site Methane Investigation Report for the proposed small lot subdivision dated November 22, 2022, measurable levels of methane were not detected while testing at the Project site and therefore no methane mitigation system is required. Nevertheless, the Project is required to comply with the City’s methane regulations and will implement a passive methane mitigation system.

The area surrounding the property is fully developed with similar residential uses indicating that sewers and other services are available. Additionally, the project has been determined to be statutorily exemption from CEQA which indicates that no adverse impacts to the public health or safety would occur as a result of the design and improvements are not likely to cause serious public health problems. Therefore, the design of the subdivision and the proposed improvements will not 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 will comply with the required easements outlined in the Bureau of Engineering - Specific Conditions in this report and the letter dated December 11, 2023. The site is surrounded by private properties that adjoin improved public streets, alleys, and sidewalks designed and improved to the specific requirements of the Los Angeles Municipal Code for providing public access throughout the area. The Project site does not adjoin or provide access to a natural habitat, public park, or any officially recognized public recreation area. The design of the subdivision and the improvements proposed by the project will not conflict with access through or use of property within the proposed subdivision. Necessary public access for

roads and utilities will be acquired by the City prior to the recordation of the proposed tract map.

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

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION 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.

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

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

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 84089-SL-HCA.