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Decision Date: December 19, 2024
Last Day to File an Appeal: January 3, 2025

Mehran Tebyani (A/O)
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Pouya Payan (R)
Labyrinth Design Studio Inc.
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**CASE NO. ZA-2023-1206-ZAD-DRB-SPP-
MSP-HCA**
ZONING ADMINISTRATOR DETERMINATION

4230 N. Saltillo Street
Community Plan: Canoga Park- Winnetka-
Woodland Hills- West Hills
Zone : R1-1
C.D. : 3- Blumenfield
D.M. : 165A107
CEQA : ENV-2023-1207-CE
Legal Description: Lot: 5458, Arb: None,
Block: 70, Tract : TR 6170

Pursuant to CEQA Guidelines Section 15061, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to State CEQA Guidelines, Article 19, Section 15303, and Class 3, and there is no substantial evidence demonstrating that an exception to a categorical exemption applies pursuant to CEQA Guidelines, Section 15300.2 applies;

Pursuant to Los Angeles Municipal Code Sections 12.24.X.28, I hereby DENY:

A Zoning Administrator's Determination to permit the construction, use, and maintenance of a new 1,899 square foot single family home on a lot that fronts on a Substandard Hillside Limited Street without providing a 20-foot-side Adjacent Minimum Roadway along Saltillo Street as required by LAMC Section 12.21 C.10(i)(2).

Pursuant to Los Angeles Municipal Code Sections 12.24.X.28, I hereby APPROVE:

A Zoning Administrator's Determination to permit the construction, use, and maintenance of a new 1,899 square foot single family home fronting on a Substandard Hillside Limited Street which does not have a 20-foot-wide continuous paved roadway from driveway apron to the boundary of the Hillside Area as required by LAMC Section 12.21 C.10(i)(3).

Pursuant to LAMC Sections 11.5.7 C and 16.50, and Section 11 of the Mulholland Scenic Parkway Specific Plan (Ordinance No. 167,943), and based upon the recommendation of the Mulholland Design Review Board, I have reviewed the proposed project, and I hereby APPROVE:

The construction of a new two-story 1,899 square foot single family home with a 573 square foot 4-car garage, 818 square foot basement, two retaining walls, and a swimming pool. The project is in the Inner Corridor, and subject to the Baseline Hillside Ordinance. The project site is downslope and Visible from the Mulholland Drive right-of-way. The project proposes 726 cubic yards of cut, zero cubic yards of fill, 726 cubic yards of export, and zero cubic yards of import grading. The project proposes the removal of two Oak trees and one street tree.

Pursuant to LAMC Section 11.5.7 C, and Section 5 of the Girard Tract (Ordinance No. 165,040), I have reviewed the proposed Project and as the designee of the Director of Planning, I hereby APPROVE:

A Girard Tract Project Permit Compliance Review for the construction of a new two-story 1,899 square foot single-family home with an 818 square foot 4-car garage, 573 square foot basement, 2 retaining walls, and a swimming pool.

The project approval is subject to the attached Conditions of Approval, and is based upon the attached Findings:

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. Prior to the effectuation of this grant, the applicant shall revise Exhibit "A" to comply with the entitlements and revisions required as a result of this action. This Exhibit "A" shall receive signoff from the Planning Department with regards to its continued compliance with the Mulholland Specific Plan and the Girard Tract Specific Plan.
4. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.

6. Approved herein is the construction of a new three-story single-family dwelling on a lot that fronts on a Substandard Hillside Limited Street improved to a roadway which is consistent with the Los Angeles Municipal Code on a lot that does not have vehicular access via a 20-foot-wide continuous paved roadway from the driveway apron to the boundary of the Hillside Area, as shown on Exhibit "A".
7. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
8. The maximum Residential Floor Area as a result of the proposed project shall not exceed 1,899 sq. ft.
9. The maximum height of the proposed project shall not exceed 28 feet.

Mulholland Scenic Parkway Specific Plan Project Permit Compliance

10. **Retaining Walls.** Retaining walls shall be coated with stucco and be a minimum 75% screened with plant material from the Plan's Preferred Plant List. The number of retaining walls shall comply with the rules and regulations of the Los Angeles Municipal Code. The project proposes two retaining walls, both of which shall be stucco coated and contain landscape screening.
11. **Environmental Protection Measures.** Pursuant to Sections 6.B and 5.B, no oak tree (*quercus agrifolia*, *lobata*, *q. virginiana*) shall be removed, cut down or moved without written approval of the Director. The project proposes the removal of two Oak Trees, which will be replaced on a 4:1 basis, according to the Tree Report prepared by Lisa Smith and reviewed by the Urban Forestry Division.
12. **Trees.** Street trees shall be provided to the satisfaction of the Urban Forestry Division. The removal of any protected tree shall follow the rules and regulations of a tree removal permit with Urban Forestry review.
13. **Wildlife.** Should an agreement between the Applicant and the Mountains Recreation and Conservation Authority (MRCA) be reached, a Deed Restriction via Covenant would prohibit fencing, walls, lighting, planting of non-native vegetation, structures, or new hardscape within the deed restricted area. This deed restriction would not affect the residence as currently proposed or interfere with its stated purpose as a single-family residence and the existing hardscape pathways would be specifically exempted from the prohibition on hardscape. If and when this agreement is reached, a copy shall be provided for the case file.
14. **Grading.** The project shall be limited to 726 cubic yards of cut, 726 cubic yards of export, 0 cubic yards of fill, and 0 cubic yards of import as demonstrated on Exhibit A.
15. **New Glass.** All glass materials shall be non-glare and non-reflective.

16. **Landscaping.** Landscaping shall consist of native-type fire resistant plant materials. The following plant material shall not be planted:

Prohibited Plant Material

Acacia decurrens (GREEN WATTLE)
 Acacia melanoxylon (BLACKWOOD ACACIA)
 Achillea millefolium (COMMON YARROW)
 Ailanthus altissima (TREE-OF-HEAVEN)
 Albizia distachya (PLUME ALBIZIA)
 Atriplex semibaccata (AUSTRALIAN SALT BUSH)
 Bamboo sp.
 Brassica sp.
 Calocedrus decurrens (INCENSE CEDAR)
 Centranthus ruber (JUPITER'S BEARD, READ VALERIAN)
 Cirsium vulgare and all other thistles
 Cortaderia jubata (A GRASS SIMILAR TO PAMPUS GRASS)
 Cotoneaster lacteus
 Cupressus sempervirens (ITALIAN CYPRESS)
 Cytisus (BROOM)
 Eucalyptus sp.
 Hirschfeldia incana (WILD MUSTARD)
 Lantana camara
 Lobularia maritima (SWEET ALYSSUM)
 Nicotiana glauca (TREE TOBACCO)
 Oxalis pes-caprae (BERMUDA BUTTERCUP)
 Palmae (PALM)
 Pennisetum setaceum (FOUNTAIN GRASS)
 Podocarpus
 Rhus
 Ricinus communis (CASTER BEAN)
 Robinia pseudoacacia (BLACK LOCUST)
 Schinus terebinthifolius (BRAZILIAN PEPPER)
 Tamarix aphylla (ATHEL TREE)

The Prohibited Plant Material list shall be printed on the landscape plan. The landscape plan shall be updated to comply with this condition.

Mulholland Design Review Conditions

17. **Roof-top Equipment.** No roof-top equipment allowed with the exception of solar panels.
18. **Mechanical Equipment.** Mechanical equipment shall be screened with plants from the Preferred Plant List or with permanent, solid fencing.
19. **Exterior Colors.** All exterior Colors must match existing colors or be 25% greyscale or greater except white and emphasize a color palette that is consistent with the Santa Monica Mountains.
20. **Exterior Lighting.** All exterior lighting fixtures shall be shielded and directed downward to illuminate only the project property. Up-lighting shall be prohibited.

21. **Trash Receptacles.** All trash and recycling receptacles should be stored inside the building or within an enclosed structure. Where receptacles are stored in any visible yard area, screening should be provided by means of landscaping and/or permanent, solid fencing. The proposed location should be identified on the site plan.

Girard Tract Specific Plan Conditions

20. **Sewer Connection.** No building permit shall be issued for the construction of the single-family residence on the parcel unless a new sewer connection and new permit is provided to the satisfaction of the City Engineer if the City Engineer determines that the subject site is located 200 or fewer feet from a sewer mainline.
21. **Off-Street Parking.** In addition to the off-street automobile parking required by Section 12.21 A 4(a) of the LAMC Per 12.21 4(a), per the Girard Tract Section 5 (2)(a-b) any RFA above 1500 shall provide one additional parking space for every 500 square foot increment. Total proposed RFA is 1,899 square feet, resulting in one additional parking for one additional increment, for a total of 4 parking spaces. This additional parking space may be tandem, uncovered, and in the front yard setback.

Administrative Conditions

22. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
23. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
24. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
25. **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 (ii).
- 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 (ii).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on **September 4, 2024**, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for granting a Zoning Administrator Determination under the provisions of LAMC Section 12.24.X.28 have been established by the following facts:

BACKGROUND

The subject property is an irregular, parallelogram shape, downslope property comprised of one empty lot consisting of approximately 4,680 square-feet.

The subject property is zoned R1-1 and is located within the Canoga Park-Winnetka- Woodland Hills-West Hills Community Plan. The Community Plan Area Map designates the subject property for Low Residential land uses. The subject property is located within the boundaries of the Mulholland Scenic Parkway Specific Plan Inner Corridor and is downslope and visible from the Mulholland Drive right-of-way. The project site is also located within the Girard Tract Specific Plan. The subject property is located within a Hillside Area, a Very High Fire Hazard Severity Zone, and is located 9.4 miles from the Malibu Coast Fault zone. The subject property is also within the Santa

Monica Mountains zone.

The applicant is requesting a Zoning Administrator's Determination to permit the construction, use, and maintenance of a new 1,899 square foot single family home on a lot that fronts on a Substandard Hillside Limited Street without providing a 20-foot-side Adjacent Minimum Roadway along Saltillo Street as required by LAMC Section 12.21 C.10(i)(2).

The applicant is also requesting a Zoning Administrator's Determination to permit the construction of a single-family dwelling on a lot that fronts on a Substandard Hillside Limited Street which does not have a 20-foot-wide continuous paved roadway from driveway apron to the boundary of the Hillside Area, in lieu of the required conditions permitted pursuant to LAMC Section 12.21.C.10(i)(2) and (3).

Finally, the applicant is also requesting a Specific Plan Project Permit Compliance and Design Review, pursuant to LAMC Sections 11.5.7 and 16.50 for the construction of a new two-story 1,899 square foot single family home with a 573 square foot 4-car garage, 818 square foot basement, two retaining walls, and a swimming pool.

SURROUNDING PROPERTIES

Surrounding properties are characterized by hillside topography and unimproved streets without a concrete curb and gutter. Adjoining and neighboring properties to the north, east, west, and south of the subject property are zoned R1-1 and developed with single-family residences.

STREETS AND CIRCULATION

Saltillo Street adjoining the subject site to the northwest is a Local Street - Standard dedicated to a width of 40 feet and improved with a width of less than 20 feet with no sidewalk, curb and gutter.

Previous Cases, Affidavits, Permits, and Orders on the Applicant's Property:

Case No. DIR-2007-1488-DRB-SPP-MSP- On March 27, 2007, The Director of Planning disapproved plans for the construction of a new single-family home due to the removal of Oak trees, which are located with reference to other trees in such a way to acquire a distinctive significance at said location, and because it was incompatible with the surrounding homes and parkway environment in terms of design.

Previous Cases on Surrounding Properties

No past related cases have been identified on surrounding properties.

PUBLIC CORRESPONDENCE

There are 11 individuals who expressed opposition to the project via email. They had concerns regarding the narrow roadway width and limited parking, as well as the proposed tree removal and grading.

PUBLIC HEARING

A public hearing was held before the Zoning Administrator on September 4, 2024 at 9:00 am. The hearing was conducted entirely telephonically. The hearing was attended by 11 participants.

The following statements were made by the Owner/Applicant:

The approval is for the construction of a new two-story 1,899 square foot single family dwelling with a 4-car garage, basement, 2 retaining walls, and pool. The project is located in the Girard Tract and is in the Inner Corridor of the Mulholland Specific Plan, subject to the Baseline Hillside Ordinance. The project site is downslope and visible from the Mulholland Drive right-of-way. The project proposes 726 cubic yards of cut, zero cubic yards of fill, 726 cubic yards of export, and zero cubic yards of import grading. The project proposes the removal of two Oak trees and one street tree.

The following statements were made during the Public Comment period:

During the Public Comment period, several comments were raised regarding concerns about the project. One speaker, a nearby resident, objected to the removal of healthy trees, the ambitious footprint of the project on a substandard lot, and the challenges posed by limited roadway access. A second resident of the Girard Tract emphasized the importance of preserving the tree canopy, stating the project's size and pool were excessive and could destabilize the hillside due to extensive grading. A third speaker, the HOA president, echoed concerns about hillside stability, tree removal, and the need to widen the road for firetruck access, while requesting limitations on construction hours and parking to protect the neighborhood. The final two speakers both expressed concern about the project size and tree removal, with one adding that soil removal could destabilize the hillside and affect an existing drainage easement.

The following statements were made during the Rebuttal period:

In response, the applicant stated that no harm would come to the trees and referenced a biological study confirming no disruption to habitat. They assured the hillside would be stabilized with retaining walls and piles, with Building and Safety reviewing compliance. The applicant clarified that removed oak trees were at the front of the property and arborist-approved, while noting a 20-foot roadway widening would result in additional tree loss. They also highlighted the house's modest 1,000-square-foot footprint and acknowledged workers would park on the street.

The following statements were made during the Zoning Administrator Deliberation period:

The Zoning Administrator (ZA) questioned the Design Review Board (DRB) process, noting canceled meetings due to quorum issues. The ZA also inquired about the basement and four-car tandem garage, learning the garage is 800 square feet and the basement, which includes multipurpose space, is 573 square feet. Finally, the ZA posed an alternative design scenario, asking whether the basement and pool could be eliminated to reduce the project size and instead include a two-car garage with the house starting on the flat pad. The applicant determined that the suggested design was undesirable and opted to continue with the currently proposed project.

At the conclusion of the public hearing, the Zoning Administrator stated she would take the project under advisement to review the Zoning Administrator's requests, the evidence provided and the public feedback from the hearing and correspondences. The hearing was adjourned at 10:10 a.m.

MANDATED FINDINGS

Zoning Administrator's Determination

In order for a Zoning Administrator's Determination to be granted, all of the legally mandated findings delineated in Section 12.24 X.28 of the Los Angeles Municipal Code must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the

relevant facts of the case to same:

1. **The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The project site is located within the Canoga Park- Winnetka- Woodland Hills- West Hills Community Plan area. The Community Plan designates the project site for Low Residential land uses, corresponding to the RE9, RS, R1, RU, RD6, and RD5 Zones. The project site is zoned R1-1 and is therefore consistent with the land use designation. The project site is a sloped, irregularly shaped parcel of land measuring approximately 4,680 square feet of lot area. The site fronts on Saltillo Street to the west. The surrounding area is mostly developed with one- to two-story single-family dwellings. Properties to the north, east, south, and west of the subject property are located in the R1-1 Zone.

According to the Department of Building and Safety/ Public Works Hillside Referral Form, dated August 12, 2022, Saltillo Street is a Substandard Hillside Limited Street with a right-of-way width of 40 feet and a roadway width of less than 20 feet. Pursuant to the provisions of the Baseline Hillside Ordinance (BHO), Saltillo Street is subject to the requirement to provide a 20-foot-wide Adjacent Minimum Roadway and a 20-foot-wide Continuously Paved Roadway from the driveway apron to the Hillside boundary for any qualifying construction work.

The project site is currently vacant. The project is for the construction of a new two-story 1,899 square foot single family home with a 573 square foot 4-car garage, 818 square foot basement, two retaining walls, and a swimming pool fronting on a Substandard Hillside Limited Street in the R1-1 Zone. The proposed Residential Floor Area will be 1,899 square feet.

The applicant is hereby requesting Zoning Administrator's Determination for the construction of a single-family dwelling on a lot fronting a Substandard Hillside Limited Street improved with an Adjacent Minimum Roadway width of less than 20 feet, and which does not have a minimum 20-foot-wide Continuous Paved Roadway from the property's driveway apron to the boundary of the hillside.

As a single-family dwelling project in the Hillside Area, the project must comply with the BHO of the LAMC. One of the requirements of the BHO is to improve the Adjacent Minimum Roadway width of 20 feet where the correct roadway width is less than 20 feet at the property's frontage, as well as the Continuous Paved Roadway from the driveway apron of the property to the boundary of the hillside area.

Therefore, the requests herein are for a waiver of the requirement to improve the Adjacent Minimum Roadway to a minimum of 20 feet at the property's frontage, and a waiver of the requirement to improve the Continuous Paved Roadway from the property's driveway apron to the boundary of the hillside. All BHO deviation requests must comply with the Zoning Administrator's Determination procedure pursuant to Section 12.24X28.

Minimum Adjacent Roadway (DENIED)

The City of Los Angeles prioritizes the incremental widening of roadways adjacent to hillside properties as a standard policy and practice, ensuring compliance with safety and accessibility requirements as properties are developed.

In this case, the widening of the Adjacent Minimum Roadway to a width of 20 feet has been

determined both feasible and necessary. The subject property is currently vacant, which presents a unique opportunity to construct a project that complies with roadway dedication and improvement requirements without the constraints associated with altering or demolishing existing structures. While it is acknowledged that the property is situated on an ascending slope and that the area contains protected trees, the required street dedication and improvement must still be implemented.

These improvements may result in modifications to the project that could require additional approvals; however, they are essential to ensure the project aligns with applicable requirements and regulations. Accordingly, the requested waiver of the minimum adjacent roadway dedication requirement is denied.

Continuous Paved Roadway (APPROVED)

In requiring the Continuous Paved Roadway to be improved would require extensive grading into the steep grade adjacent to the street. Improving the Continuous Paved Roadway from the property's driveway apron to the boundary of the hillside area is infeasible given the topography of the street as well as the impact to properties not under the ownership of the applicant.

The proposed construction on the subject property will not change the character of the neighborhood. Requiring street improvements would be a hardship and create impractical difficulties since the land is outside the control of the project proponent. The subject property slopes uphill from the edge of the existing pavement which will make it difficult and costly to widen the roadway in any dedicated area. The proposed project will enhance the built environment and perform a function that is beneficial to the community.

- 2. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The project site is located within the Canoga Park-Winnetka- Woodland Hills- West Hills Community Plan area. The Community Plan designates the subject property for Low Residential land uses, corresponding to the RE9, RS, R1, RU, RD6, and RD5 Zones. The project site is zoned R1-1 and is therefore consistent with the land use designation. The project is a sloped, irregular-shaped parcel of land measuring approximately 4,680 square feet of lot area. The surrounding area is mostly developed with one- to two-story single-family dwellings. Properties to the north, east, west, and south of the subject property are located in the R1-1 Zone.

The subject property is currently vacant. The proposed project is for the construction of a new 1,899 square foot two-story single-family home with a 573 square foot 4-car garage, 818 square foot basement, two retaining walls, and a swimming pool fronting on a Substandard Hillside Limited Street in the R1-1 Zone. The proposed Residential Floor Area will total 1,899 square feet.

Minimum Adjacent Roadway (DENIED)

The requested waiver of the minimum adjacent roadway dedication requirement is denied, as granting the waiver is not necessary and would adversely impact adjacent properties, the surrounding neighborhood, and public health, welfare, and safety.

The proposed roadway widening to a minimum width of 20 feet has been determined both feasible and essential. The subject property, currently vacant, provides a unique opportunity

to comply with the roadway dedication and improvement requirements without the challenges associated with modifying or removing existing structures.

While it is recognized that the property is located on an ascending slope and includes protected trees, these factors do not preclude compliance. The required street dedication and improvements are necessary to support public safety, adequate access, and consistency with applicable standards and regulations.

The required improvements may necessitate modifications to the proposed project and could trigger the need for additional approvals. However, such improvements are critical to ensuring the project integrates appropriately with surrounding properties and infrastructure. Consequently, the waiver request is denied upholding the integrity of applicable requirements and protect the broader public interest.

Continuous Paved Roadway (APPROVED)

The requested waiver of the continuous paved roadway requirement is approved, as the required improvements are infeasible due to the challenging topography of the street and the significant impact such improvements would have on properties not owned by the applicants.

The proposed project involves the construction of a two-story, 1,899 square foot single-family dwelling, which is consistent with and compatible with the scale and character of the surrounding neighborhood.

To mitigate potential impacts, the Zoning Administrator has imposed a comprehensive set of conditions to ensure the project will not adversely affect surrounding properties during construction or the ongoing operation of the dwelling. As such, the project, as approved, will not degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element established the broad overall policy and direction for the General Plan. The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject property is located within the Canoga Park-Winnetka- Woodland Hills-West Hills Community Plan area. According to the Canoga Park- Winnetka- Woodland Hills- West Hills Community Plan, the site is designated for Low Residential land uses, corresponding to the RE9, RS, R1, RU, RD6, and RD5 zones. The subject property is zoned R1-1 and is therefore consistent with its land use designation.

The Canoga Park- Winnetka- Woodland Hills- West Hills Community Plan includes the following objectives and policies.

Goal 1: A SAFE, SECURE, AND HIGH-QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE CANOGA PARK-WINNETKA- WOODLAND HILLS- WEST HILLS COMMUNITY PLAN AREA.

Objective 1-3: Preserve and enhance the character and integrity of existing single and multi-family neighborhoods.

The Canoga Park- Winnetka- Woodland Hills- West Hills Community Plan intends to preserve and enhance residential development that is well designed and compatible with the surrounding neighborhood. As discussed above, the proposed project, consisting of a two-story, single-family dwelling, aligns with these goals and objectives by contributing to the character and value of the surrounding neighborhood through well-designed residential development. The project is consistent with similar applications approved in other hillside communities and is compatible with adjacent properties.

However, as discussed in the denial of the requested waiver for the minimum adjacent roadway dedication, compliance with roadway dedication and improvement requirements is necessary to ensure alignment with the City's regulatory framework and to protect public safety. Although the project site presents challenges such as sloping topography and the presence of protected trees, these factors do not preclude adherence to applicable standards.

As conditioned, the approved project substantially conforms to the purpose, intent, and provisions of the General Plan, the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan, and the Mount Washington-Glassell Park Specific Plan, advancing their goals of enhancing residential quality while ensuring public safety and compatibility with the surrounding environment.

4. The request is in conformity with the public necessity, convenience, general welfare, and good zoning practice and that the action will be in substantial conformance with the various elements and objectives of the General Plan.

According to the Canoga Park- Winnetka- Woodland Hills- West Hills Community Plan, the site is designated for Low Residential uses, corresponding to Zones RE9, RS, R1, RU, RD6, and RD5. The subject property is zoned R1-1 and is therefore consistent with its land use designation.

The proposed project involves residential use of the property, aligning with the General Plan, Community Plan, and zoning requirements. The development is consistent with the surrounding neighborhood's character and mode, preserving the integrity of single-family hillside neighborhoods. As such, the proposed project conforms to public necessity, convenience, general welfare, and good zoning practice.

However, as referenced in the denial of the minimum adjacent roadway dedication waiver, compliance with roadway dedication and improvement requirements is critical to ensuring the project aligns with City regulations and to addressing public safety concerns. While challenges such as the site's sloping topography and protected trees were considered, these do not justify a waiver of the roadway dedication requirements.

The project, as conditioned, ensures adherence to the objectives of the General Plan, including enhancing residential quality and maintaining compatibility with surrounding uses. The proposed residential development will not adversely affect any element of the General Plan, as it is consistent with the property's intended use and furthers the broader goals of the Community Plan.

STREET ACCESS FINDINGS

5. The vehicular traffic associated with the building or structure will not create an adverse impact on street access or circulation in the surrounding neighborhood.

The vehicular traffic associated with the proposed project will not create any additionally adverse impacts on street access or circulation in the surrounding neighborhood as the use is that of single-family dwellings. The proposed single-family dwelling will fit with the existing character and density of the community. The proposed four parking spaces are not associated with an increase in vehicular traffic. The proposed project will comply with applicable regulations of the BHO. The improvements necessary to meet the strict application of the LAMC would not be proportionate to any potential impacts generated by the project. A number of conditions have been imposed as part of this grant to ensure good construction practices and to ensure that streets remain clear.

The traffic associated with the dwelling itself will not create any additional adverse impact on street access or circulation except for typical vehicular traffic associated with the construction of a new dwelling, which is consistent with the Community Plan. The project will not significantly alter the existing character and permitted density in the area. Access to the subject property will be from Saltillo Street. A number of conditions have been imposed as part of this grant to ensure that during construction, neighbors are informed of building schedules, including requirements for a flag person, off-site staging, and limits on truck hours and sequential deliveries. As such, approval of the proposed development will not result in the creation of an adverse impact on street access or circulation in the surrounding neighborhood.

6. The building or structure will not be materially detrimental or injurious to the adjacent property or improvements and will not have a materially adverse safety impact on the surrounding neighborhood.

The proposed construction of the single-family dwelling will be built in compliance with the Baseline Hillside Ordinance, applicable building codes, and Federal and State regulations. These measures, along with the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan, ensure that the project is harmonious with surrounding land uses and promotes the safety and welfare of the community. The proposed project, as a low-density residential development, is compatible with the character, size, and height of adjacent properties.

To further safeguard surrounding properties during construction and operation, the Zoning Administrator has imposed a comprehensive set of conditions. Additionally, specific Regulatory Compliance Measures (RCMs) established by the City of Los Angeles will regulate grading and construction activities in this sensitive hillside area, ensuring potential impacts are reduced to less-than-significant levels. These include adherence to the California Building Code and the City's Landform Grading Manual, which have been proven effective in similar environments to the satisfaction of the City Engineer. Compliance with RCMs related to grading and construction traffic will be monitored throughout the permitting and inspection processes.

It is noted, however, that the denial of the requested waiver for the minimum adjacent roadway dedication is a critical component in ensuring public safety and access. The requirement to improve the roadway to a minimum width of 20 feet is necessary to address safety concerns and ensure compliance with City standards. While this requirement may present additional challenges during project construction, it is essential to mitigate potential adverse safety impacts on the surrounding neighborhood.

As conditioned, and with adherence to the required regulatory measures and roadway improvements, the project will not be materially detrimental or injurious to adjacent properties or improvements, nor will it have a materially adverse safety impact on the surrounding neighborhood.

7. The site and/or existing improvements make strict adherence to LAMC Section 12.21 C.10(i) impractical or infeasible.

The proposed project fronts on Saltillo Street, which is a Substandard Hillside Limited Street with right-of-way width of 40 feet and a roadway width of less than 20 feet per the Department of Building and Safety/ Public Works Hillside Referral Form dated August 12, 2022. Strict compliance with Section 12.21 C.10(i)(3) of the Code would require improvements to Saltillo Street directly adjacent to the subject property. The local residents and the applicant have presented sufficient justification that the street improvements required by the Bureau of Engineering are impractical and infeasible.

It has been determined that the improvement of the Adjacent Minimum Roadway in front of the property is feasible, while the improvement to the public right-of-way for the entire Continuous Paved Roadway from the project site to the boundary of hillside is disproportionate to the cost of the proposed project and thus infeasible.

Adjacent Minimum Roadway (DENIED)

With regards to the Adjacent Minimum Roadway, granting the waiver is not necessary and would adversely impact adjacent properties, the surrounding neighborhood, and public health, welfare, and safety.

The proposed roadway widening to a minimum width of 20 feet has been determined both feasible and essential. The subject property, currently vacant, provides a unique opportunity to comply with the roadway dedication and improvement requirements without the challenges associated with modifying or removing existing structures.

While it is recognized that the property is located on an ascending slope and includes protected trees, these factors do not preclude compliance. The required street dedication and improvements are necessary to support public safety, adequate access, and consistency with applicable standards and regulations.

The required improvements may necessitate modifications to the proposed project and could trigger the need for additional approvals. However, such improvements are critical to ensuring the project integrates appropriately with surrounding properties and infrastructure. Consequently, the waiver request is denied upholding the integrity of applicable requirements and protect the broader public interest.

Continuous Paved Roadway (APPROVED)

With regards to the Continuous Paved Roadway, Hillside streets are also often located next to steep slopes which would require additional grading cut, export, and retaining walls to widen public roadways while stabilizing the roadways for the entire Continuous Paved Roadway. Further, the applicant would also be required to obtain private land from each property owner along the way for the street widening which is a tremendous and impossible task. Private improvements and mature tree and landscaping may also need to be demolished for the widening creating more damage to the neighborhood than enhancement.

The intent of the Hillside regulations is to provide for safe vehicular access for traffic and for basic access to any property by emergency vehicles which the proposed development preserves, however, in this project the Code requirement for a Continuous Paved Roadway would create more harm than to further enhance the built environment. Therefore, the site and existing improvements make strict adherence to Section (3) of Paragraph (i) of Subdivision 10 of Subsection C of Section 12.21 of this Code impractical or infeasible.

Mulholland Scenic Parkway Specific Plan Project Permit Compliance and Design Review Board Findings

1. A recommendation was made by the Mulholland Design Review Board, pursuant to Los Angeles Municipal Code Section 16.50:

The proposed project is subject to the design review process because it is located within the boundaries of the Mulholland Scenic Parkway Specific Plan and is not subject to exemptions of Section 11.J.

The case project was first scheduled for a Design Review Board hearing on August 16, 2023, which was cancelled due to lack of quorum. It was then rescheduled for a hearing on September 20, 2023, which was cancelled once again due to lack of quorum. Pursuant to the Los Angeles Municipal Code Section 16.50.D, if a Design Review Board cannot obtain quorum for action with the stated limits, the application shall be transferred forthwith to the Director for action with no recommendation from the Design Review Board. Therefore, this application transferred to the Director of Planning, and no further action is required by the Mulholland Design Review Board.

2. The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.

Based on a review of the plans submitted with the application, marked Exhibit "A," ZA-2023-1206-ZAD-DRB-SPP-MSP-HCA, the Director of Planning makes the following findings in accordance with the applicable design review criteria of the Mulholland Scenic Parkway Specific Plan, Ordinance No. 167,943, effective June 29, 1992:

Section 5.A: Uses

The project proposes the use of land for a single-family dwelling, which is a permitted use and as such, the project use complies with Section 5.A of the Specific Plan.

Section 5.B: Environmental Protection Measures

The subject property is not defined as a "prominent ridge" as per the definition in Section 4 since no ridgeline appears near the property on the map of the Specific Plan Area: Map 2 of 12. As such, the project is not subject to Sections 5.B.1.a and 5.B.1.b, which limit grading and visibility on the defined Prominent Ridges in the Plan area. Furthermore, according to the same map and <http://zimas.lacity.org> the project is further than 100 feet from a watercourse and more than 200 feet from public parkland; is not subject to Section 5.B.2, which limits grading within 100 feet of a stream bank or Section 5.B.3, which limits construction and grading within 200 feet of public parkland. The project does propose to remove two Oak trees and one street tree but will not lead to irreversible soil erosion nor is it located with reference to other trees or monuments in such a way as to acquire a distinctive significance at said location, which is in accordance with Section 5.B.4. Finally, should the applicant encounter any archeological or paleontological resources while grading for the project, the applicant will need to follow the necessary notification procedures pursuant to California Health and Safety

Code Sections 7000 et sequentia to appropriately handle these resources, fulfilling the intent of Section 5.B.5 that seeks to protect these resources. As such, the project complies with Section 6.B of the Specific Plan.

According to the Biological Resources Report prepared by AJ Samra and Matthew South, from South Environmental, in March 2023, the project will avoid any potential impacts with the implementation of Regulatory Compliance Measures #1 and #2, listed below.

Regulatory Compliance Measure #1: Protected Trees and Non-protected Significant Trees

- An arborist report should be completed outlining the protected and significant trees on the site and how they will be impacted. Permits should be sought for these impacts. Compliance measures should be developed for the site that include native replacement of trees or shrubs at a ratio of 4:1 for protected individuals and a ratio of 2:1 for significant individual that are removed or that will be destroyed by root zone encroachment; in the case of encroachment, avoidance measures must be assessed in cases where trees or shrubs can potentially be preserved.

Regulatory Compliance Measure #2: Preconstruction Nesting Bird Survey

- If possible, ground disturbing activities and vegetation removal (including tree trimming) should be timed to occur outside the bird nesting season (September 1- January 31).
- If ground disturbing activities or vegetation removal (including tree trimming) are scheduled during the bird nesting season (February 1- August 31) a preconstruction survey for nesting birds should be conducted within 72 hours prior to construction activities. The survey should be conducted by a qualified biologist with prior experience conducting nesting bird surveys for construction projects. The study area should include the project site and suitable habitat within a 300-foot buffer, or a buffer size determined by the qualified biologist based on level of proposed disturbance and access. If no active nests are found, no additional measures are required.
- If active nests are found the biologist will map the location and document the species and nesting stage. A no-work buffer will be established around the active nest as determined by the qualified biologist and based on the species sensitivity to disturbance and the type and duration of the disturbance. No construction activities shall occur within the no-work buffer until the biologist has determined the nest is no longer active.

Section 5.C: Grading

The project requires 726 cubic yards to be cut, zero cubic yards of which will be used for fill, zero cubic yards will be imported, and 726 cubic yards will be exported. In Section 5.C the Plan states that:

The Director may approve grading up to two cubic yards of earth per four square feet of lot area per lot after making the following findings:

- a. The Department of Building and Safety or the Bureau of Engineering has determined that such grading is required to provide access driveways, pedestrian accessways, drainage facilities, slope easements, and/or dwelling foundations.*
- b. All grading conforms to the standards set forth in the Landform Grading Manual, unless the Department of Building and Safety has determined that landform grading will conflict with the provisions of Divisions 29 and 70 of Article 1 of Chapter IX of the Code.*
- c. The graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains.*

d. The Department of Building and Safety has determined that grading will minimize erosion.

Per this Section, the applicant would be limited to 2,340 cubic yards of grading for the 4,680 square foot lot; as noted above the project requires 726 cubic yards of grading. The grading proposed for the single-family dwelling conforms with the Landform Grading Manual, and as conditioned in this determination letter the design of the home will be compatible with the Santa Monica Mountains. Furthermore, the applicant is subject to stricter grading requirements by the LAMC and is required to obtain grading permits and follow all practices imposed on them during the process of grading from the Building and Safety Grading Division as it has been conditioned to comply with the Baseline Hillside Ordinance grading as specifically described in Section 12.21 C.10.(f) of the LAMC. As such, the project complies with Section 6.C of the Specific Plan.

Section 5.D: Building Standards

The project's height is limited to 28 feet, which complies with the height limit identified in subdivision 6.D for structures visible from Mulholland Drive of 40 feet. However, per Section 3.B of the Specific Plan, where the Los Angeles Municipal Code (LAMC) has a lower height requirement, the LAMC prevails and as such, the project is also subject to the envelope height requirements of the Baseline Hillside Ordinance.

Guideline 12: Trees. *Oak trees and other native tree species of the Santa Monica Mountains have special protection under the Specific Plan and should be preserved.* The project proposes the removal of two Coast Live Oak trees, which will both be replaced at a four-to-one ratio with 24-inch box minimum size native oak species, as stated in the Tree Report prepared by Lisa Smith and reviewed by the Urban Forestry Division. The project proposes one protected street tree, Lemon Scented Gum Eucalyptus, which will be replaced at a 2:1 ratio or to the satisfaction of the Urban Forestry Division.

Guideline 13: Wildlife. *Projects that are near parks and wildlife corridors should be sensitive to preserving wildlife habitats and the ecology of the Scenic Parkway.* As stated in the Biological Resources Report prepared by AJ Samra and Matthew South, from South Environmental, in March 2023, the project will avoid any potential impacts with the implementation of Regulatory Compliance Measures #1 and #2.

Guideline 28: Retaining wall height. *Except for those required for public street improvements or walls contained within the building structure, retaining walls should not exceed 10 feet in height, as measured from finished grade.* The two new retaining walls do not exceed 10 feet in height, as shown on pages E-9.4 to E-9.5, and will need to comply with the regulations of the LAMC which may further limit the overall height of the proposed retaining walls, as determined by the Department of Building & Safety.

Guideline 29: Retaining wall materials. *Where freestanding site retaining walls are proposed, all visible retaining walls should be stucco coated or constructed of stone, brick or decorative block.* The project proposes the use of smooth finish exterior plaster Lahabra 81588 Morning Side (30) Base 100, as shown on pages E-9.4 to E-9.5.

Guideline 30: Retaining wall landscaping. *Where exposed site or building retaining walls are proposed, the visual impact should be diminished by the use of dense landscaping in accordance with the landscape guidelines contained in Section 4.* As shown on pages E-9.4 to E-9.5, the project proposes the use of Clematis Passiflora for landscape screening which will eventually cover at least 75% of the retaining wall.

Guideline 31: Building height. *The Specific Plan limits the maximum height of a project that*

can be approved without an exception to the Specific Plan. The proposed height of the structure is 28 feet, which does not exceed the maximum allowed height of 28 feet for a structure with a flat roof in the Inner Corridor that is visible from Mulholland Drive right-of-way.

Guideline 34: Building articulation. *Design the exterior surface (building elevations) of any structure to be articulated, presenting a variety of surfaces, textures and angles. As shown on the colored rendering and material board on page E-10.5, the proposed project will have a variety of surface textures, including smooth finish exterior plaster, composite wood siding, and sheet metal fascia. The orientation of each floor of the proposed project changes, therefore, presents a variety of angles.*

Guideline 37: Roof-top equipment. *The Specific Plan prohibits roof-mounted equipment within the Inner Corridor (with the exception of solar energy devices) on any roof which is visible from Mulholland Drive and should be avoided for all projects if alternative locations are available. Any permitted roof-mounted equipment should be screened from the view of neighboring properties or higher elevation vantage points. As shown on page E-4, the project proposes solar panels located on the roof, which is allowed.*

Guideline 38: Exterior colors. *Colors for residences, walls, fences, and all other exterior structures should complement or be consistent with the naturally occurring colors of the Santa Monica Mountains, as shown on the Color Wheel (Appendix A). As shown on page E-10.5, the project proposes the use of colors that are consistent with the Santa Monica Mountains, including gray and brown.*

Guideline 40: Exterior lighting. *Minimize the visual impact of lighting to preserve the Scenic Parkway's park-like setting, avoid the creation of an urban street environment, and protect the movement of wildlife. As shown on page E-10.5, the proposed exterior lights are recessed and downward-facing.*

Guideline 42: Windows. *Wood, vinyl or metal windows with a minimum overall frame profile of 2 inches should be utilized. As shown on the window and door schedule on page 61, the wood and aluminum windows have a frame profile of at least 2 inches.*

Guideline 43: Garages. *The project should avoid utilizing more than one double or two single garage doors in the same plane visible from the public right-of-way. As shown on the colored rendering on page E-10.3, the project proposes one double garage door.*

Guideline 44: Mechanical Equipment. *Heating, air-conditioned and utility equipment and ducts should be completely concealed within the structure or screen with landscaping and/or permanent, solid fencing. The mechanical equipment shown on page E7.2, shall be screened using plants from the Preferred Plant List or with permanent, solid fencing.*

Guideline 45: Pool equipment. *Pool equipment should be screened by means of landscaping and/or permanent, solid fencing. The pool equipment shown on the site plan on page E-6.1 must be screened.*

Guideline 46: Trash Receptacles. *All trash and recycling receptacles should be stored inside the building or within an enclosed structure. The trash receptacles shall be stored within the building, enclosed structure, and screened from view.*

Guideline 54: Protection of native and/or significant trees. *Existing native trees and distinctive or significant non-native trees located on the project site should be protected from destruction or damage, to the greatest extent possible. According to the Tree Report, Arborist*

Lisa Smith identified 7 other Coast Live Oaks on the property that will be retained and preserved.

Guideline 55: Replacement of native trees. *If the loss of any significant native trees is determined unavoidable, the Specific Plan requires that they be replaced by new trees of the same species at a ratio of two-to-one.* The Arborist Lisa Smith, stated in the Tree Report, reviewed by Urban Forestry Division, that the two Coast Live Oak trees will be replaced at a ratio of four-to-one with native oak species of 24-inch box minimum size, as shown on the site plan, page E-6. The Lemon Scented Gum Eucalyptus tree will be replaced at a 2:1 ratio, or to the satisfaction of the Urban Forestry Division.

Guideline 57: New plants. *Emphasize a variety of native or native-type plants in the landscape design for the project (see Appendix B, Preferred Plant List); retain existing native plants whenever and wherever possible.* As shown on the planting plan on page 62, the project proposes plants from the preferred list, including *Quercus agrifolia*, *Baccharis pilularis*, *Heuchera maxima*, *Muhlenbergia rigens*, *Ribes viburnifolium*, *Salvia spathacea*, and *Woodwardia fimbriata*.

Guideline 58: Plant colors. *Plant colors should be consistent with the naturally-occurring colors of the Santa Monica Mountains, as shown on the Color Wheel, Appendix A.* As shown on the planting plan on page 62, the proposed plants' colors are consistent with the naturally-occurring colors of the Santa Monica Mountains.

Guideline 68: Fencing and walls. *Fencing and all walls should be a minimum 75% screened with plant material.* As shown on pages E-9.4 and E-9.5, the two retaining walls will be at least 75% screened with *Clematis Passiflora*.

Guideline 70: Landscape planting/irrigation plan detail. *For all new home construction and additions to existing homes which enlarge the building footprint, submit a complete landscape planting plan, with a plant legend keyed to the plan using symbols and listing the quantity, botanical name, common name, size at planting, size at maturity and time to maturity of all proposed plantings, and a complete irrigation plan.* As shown on pages 62 to 64, the applicant has provided a complete and detailed planting and irrigation plan.

Section 11.I.3: Design Review Criteria

Based on a review of the project proposal, and in consideration of the recommendation of the Design Review Board, the proposed single-family residence, as modified by the conditions herein, is compatible with the surrounding homes and the parkway environment in terms of design, massing, materials, and color and as such complies with Section 11.I.3 of the Plan.

Girard Tract Specific Plan – Project Permit Compliance

3. For any lot fronting on a Substandard Hillside Limited Street as defined in Section 12.03 of the Los Angeles Municipal Code, no building or grading permit shall be issued for the construction of or addition to a one family dwelling, or for an accessory building unless the following requirements are met:

In addition to the off-street automobile parking spaces required by Section 12.21 A 4(a), the following off-street parking spaces shall be provided.

- a. *For a main building and any accessory building excluding floor area devoted to required parking, which exceeds a combined floor area of 1,500 square feet, there shall be one*

additional parking space provided for each additional increment of 500 square feet or fraction thereof of floor area for a maximum of six (6) total on-site spaces.

- b. Notwithstanding the provisions of Section 12.21 C1(g) of the LAMC to the contrary, the additional parking spaces required by this subparagraph may be uncovered and in tandem and may be located within the required front yard setback.*

As conditioned herein, the project is required to provide one (1) additional parking spaces for a total of four (4) parking spaces, as the project fronts a Substandard Hillside Limited Street, and the project is a combined floor area of approximately 1,899 square feet. As such, the project complies with Section 5.A.2 of the Specific Plan.

- 4. The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

Based on the whole of the administrative record, the Project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15303, Class 3, and there is no substantial evidence demonstrating that an exception to a categorical exemption applies pursuant to CEQA Guidelines, Section 15300.2 applies.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. The instant authorization is further conditioned upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

ADDITIONAL MANDATORY FINDINGS

The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located outside the flood zone.

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (<https://planning.lacity.org/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning’s DSC, and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

Metro DSC (213) 482-7077 201 N. Figueroa Street Los Angeles, CA 90012 planning.figcounter@lacity.org	Van Nuys DSC (818) 374-5050 6262 Van Nuys Boulevard Van Nuys, CA 91401 planning.mbc2@lacity.org	West Los Angeles DSC (CURRENTLY CLOSED) (310) 231-2901 1828 Sawtelle Boulevard West Los Angeles, CA 90025 planning.westla@lacity.org
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City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

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.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment for Condition Clearance can be made through the City's [BuildLA](https://www.lacity.org/buildla) portal (appointments.lacity.org). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to
Online Appeal Filing



QR Code to Forms for In-
Person Appeal Filing



QR Code to BuildLA
Appointment Portal for
Condition Clearance

Note of Instruction Regarding the Notice of Exemption: Applicant is hereby advised to file the Notice of Exemption for the associated categorical exemption after the issuance of this letter. If filed, the form shall be filed with the County of Los Angeles, 12400 Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). More information on the associated fees can be found online here: <https://www.lavote.net/home/county-clerk/environmental-notices-fees>. The best practice is to go in person and photograph the posted notice in order to ensure compliance. Pursuant to Public Resources Code Section 21167 (d), the filing of this notice of exemption starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations, **and the possibility of a CEQA appeal**, being extended to 180 days.

Inquiries regarding this matter shall be directed to Tiffany Corrales, Assistant City Planner for the Department of City Planning at (213) 682-6368 or tiffany.corrales@lacity.org.

CHRISTINE M. SAPONARA
Associate Zoning Administrator

cc: Councilmember Bob Blumenfield
Third Council District
Adjoining Property Owners

CMS:CR:TC:mc