

DEPARTMENT OF
CITY PLANNING
COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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CITY OF LOS ANGELES
CALIFORNIA



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MAYOR

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VINCENT P. BERTONI, AICP
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SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

July 26th, 2023

Owner / Applicant

IML Properties LLC

Ilan Levy

16542 Ventura Blvd., Suite 308
Los Angeles, CA 91436

RE: Vesting Tentative Tract Map No. 82210-SL

Related Case[s]: CPC-2019-4791-GPA-ZC

Address: 5808 N Etiwanda Ave

Community Plan: Encino-Tarzana

Council District: 3 - Blumenfield

Existing Zone: RA-1 – OS-1XL

Proposed Zone: (T)(Q)RD1.5-1

CEQA: ENV-2019-4792-ND

EXTENSION OF TIME

On September 24th, 2020, the Deputy Advisory Agency conditionally approved Vesting Tentative Tract Map No. 82210-SL for a maximum of nine (9) small lot homes for the purposes of a Small Lot Subdivision, as shown on map stamp-dated October 20th, 2020, the (T)(Q)RD1.5-zone, located 5808 N Etiwanda Ave within the Encino-Tarzana Community Plan.

Soon after, on December 1st, 2020, the City Planning Commission approved and recommended CPC-2019-4791-CPA-ZC for a General Plan Amendment to amend the Encino-Tarzana community to redesignate the subject parcel from low Medium I Residential and Open Space to Low Medium II Residential land use and a zone change from RA-1 and OS-1XL to (T)(Q)RD1.5-1. On August 18th, 2021, City Council adopted the City Planning Commission's recommendation, and the Mayor approved their action on August 20th, 2021.

Pursuant to LAMC Section 17.07 A.1 the final map must be recorded within three years of the approval. In accordance with the provisions of Section 66452.6(e), Article 2, Chapter 3 of the Government Code, and LAMC Section 17.07 A.2, the Deputy Advisory Agency is authorized to grant a six-year extension for the recording of the final Vesting Tentative Tract Map No. 82210-SL.

In addition, pursuant to Chapter 1, LAMC Section 12.36 G.3, legislative approvals granted in conjunction with a subdivision approval pursuant to these multiple entitlement procedures may be extended for the full time limit of the subdivision approval, including time extensions pursuant to Article 7 of this Code, for the purpose of recordation of an approved map.

Therefore, the new expiration date for the subject map and related Case No. CPC-2019-4791-CPA-ZC is **September 24th, 2029**.

VINCENT P. BERTONI, AICP
Director of Planning

A handwritten signature in black ink, appearing to read 'Nelson Rodriguez', written over the printed name.

Nelson Rodriguez
Deputy Advisory Agency
VPB:[NR]:[NR]

cc: Councilmember Bob Blumenfield

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LISA M. WEBBER, AICP
DEPUTY DIRECTOR

VACANT
DEPUTY DIRECTOR

March 16, 2021

IML Properties LLC (A)(O)
CB & KM Holdings LLC
16542 Ventura Boulevard #308
Encino, CA 91436

Jerome Buckmelter (R)
Jerome Buckmelter Associates, Inc.
23534 Aetna Street
Woodland Hills, CA 91367

RE: Case No. VTT-82210-SL
Incidental Case No.: CPC-2019-4791-GPA-ZC
Address: 5808 North Etiwanda Avenue
Community Plan: Encino-Tarzana
Existing Zone: RA-1 and OS-1XL
Council District: 3 – Blumenfield
CEQA No.: ENV-2019-4792-ND

LETTER OF CORRECTION

On September 24, 2020, in accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 12.22-C,27, 17.03 and 17.15, the Advisory Agency approved Vesting Tentative Tract Map No. 82210-SL, located at 5808 North Etiwanda Avenue, to allow the construction of nine (9) small lot homes.

Subsequent to the issuance of the Letter of Determination, staff recognized an error in the Grant Clause. Specifically, the Grant Clause incorrectly refers to a map stamp-dated June 24, 2020, rather than the map stamp-dated October 20, 2020 which was distributed to the appropriate City departments on August 21, 2019. Therefore, the Grant Clause hereby is clarified as follows (deletions in ~~strikeout~~ and additions in underline):

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.03, 17.15, and 12.22-C,27, the Advisory Agency approved Vesting Tentative Tract Map No. 82210-SL, located at 5808 North Etiwanda Avenue, for a maximum of nine (9) small lot homes for the purposes of a Small Lot Subdivision, as shown on map stamp-dated ~~June 24, 2020~~ October 20, 2020, in the Encino-Tarzana Community Plan. This unit density is based on the ~~(T)(Q)RD~~ 1.5-1 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning Code as it applies to this particular property.) For an appointment with the Development Services Center, call (213) 482-7077 or (818) 374-5050 or (310) 231-2598. The Advisory Agency's approval is subject to the following conditions:

All other conditions remain unchanged.

VINCENT P. BERTONI, AICP
Advisory Agency

A handwritten signature in black ink, appearing to read "Heather Bleemers", with a long horizontal flourish extending to the right.

HEATHER BLEEMERS
Deputy Advisory Agency

HB:ON:AT:bk

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LISA M. WEBBER, AICP
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VACANT
DEPUTY DIRECTOR

November 4, 2020

IML Properties LLC (A)(O)
CB & KM Holdings LLC
16542 Ventura Boulevard #308
Encino, CA 91436

Jerome Buckmelter (R)
Jerome Buckmelter Associates, Inc.
23534 Aetna Street
Woodland Hills, CA 91367

RE: Case No. VTT-82210-SL
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All other conditions remain unchanged.

VINCENT P. BERTONI, AICP
Advisory Agency

NICK HENDRICKS
Deputy Advisory Agency

NH:ON:AT:bk

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LISA M. WEBBER, AICP
DEPUTY DIRECTOR

VACANT
DEPUTY DIRECTOR

Decision Date: September 24, 2020

Appeal Period Ends: October 5, 2020

IML Properties LLC (A)(O)
CB & KM Holdings LLC
16542 Ventura Boulevard #308
Encino, CA 91436

Jerome Buckmelter (R)
Jerome Buckmelter Associates, Inc.
23534 Aetna Street
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RE: Case No. VTT-82210-SL
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NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 3-foot wide strip of land be dedicated along Etiwanda Avenue adjoining the tract to complete a 33-foot wide half public right-of-way in accordance with Collector Street standards of the LA Mobility Plan.
2. That if this tract map is approved as "Small Lot Subdivision" then, if necessary for street address purposes, all the common access to this subdivision be named on the final map satisfactory to the City Engineer.

3. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176354" satisfactory to the City Engineer.
4. That all common access easements including the vehicular access and pedestrian access easement be part of the adjoining lots.
5. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Valley Engineering District Office.
6. That, if necessary, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
7. That all pedestrian common access easements be shown on the final map.
8. That any fee deficit under Work Order No. EXT00833 expediting this project be paid.

BUREAU OF SANITATION

9. The Wastewater Collection Systems Division of the Bureau of Sanitation has reviewed the sewer/storm drain lines serving the subject tract/area and found no potential problems to their structures or potential maintenance problems, as stated in the memo dated August 26, 2019. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(d).)

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

10. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall comply with any requirements with the Department of Building and Safety, Grading Division for the recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

11. Prior to recordation of the final map, a clearance letter will be issued by the Department of Building and Safety, Zoning Division stating that no Building or Zoning Code violations exist relating to the subdivision on the subject site once the following items have been satisfied:
 - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Provide a copy of (T) and (Q) condition(s). Show compliance with the above condition(s) as applicable or Department of City Planning approval is required.
 - c. Small Lot Subdivision is not allowed in the OS-1XL Zone. Obtain Zone Change approval from the Department of City Planning and City Council.

- d. Zone Change must be recorded prior to obtaining Zoning clearance.
- e. Provide a copy of the Zone Change and show compliance to the Zone Change requirements/conditions as applicable.
- f. A 15 ft. rear yard setback is required for the small lots adjacent to the lots not part of the approved zone for Small Lot Subdivision. Revise the map or obtain City Planning approval to have the Setback Matrix reflect the correct setbacks shown on the map.
- g. Show zone boundaries on the Map. No required yard, parking spaces or other open space around a building shall be located in a more restrictive zone than that of the property on which such building is located. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning.
- h. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Front yard requirements shall be required to comply with current code as measured from new property lines after dedication.
- i. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress in the final map.

Notes:

This property is located in a Liquefaction Zone.

Proposed 6 ft. side yard for the perimeter of the subdivision are limited to maximum of three stories.

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

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

The proposed buildings may not comply with City of Los Angeles Building Code requirements concerning exterior wall, protection of openings and exit requirements with respect to the proposed and existing property lines. Compliance shall be to the satisfactory of LADBS at the time of plan check.

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

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

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

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Wong at (213) 482-6876 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

12. Prior to recordation of the final map, a suitable arrangement shall be made satisfactory to the Department of Transportation, binding the subdivider and all successors to the following:
- a. A minimum 20-foot reservoir space is required between any security gate or parking space and the property line, or to the satisfaction of DOT.
 - b. A two-way driveway width of $W=30$ feet is required for all driveways, or to the satisfaction of DOT.
 - c. A parking area and driveway plan should be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Blvd., Room 320, Van Nuys, CA 91401.
 - d. That the subdivision report fee and condition clearance fee be paid to the Department of Transportation as required per Ordinance No. 183270 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

DEPARTMENT OF WATER AND POWER

13. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

FIRE DEPARTMENT

14. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to comply with the following:

- a. Access for Fire Department apparatus and personnel to and into all structure shall be required.
- b. 505.1 Address Identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
- c. No building or portion of a building shall be contracture more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- d. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- e. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- f. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
- g. Submit plot plans indicating access road and turning area for Fire Department approval.
- h. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- i. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- j. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- k. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
- l. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- m. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- n. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- o. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

- p. Site plans shall include all overhead utility lines adjacent to the site.
- q. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- r. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- s. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- t. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- u. Provide the following shall be provided in lieu of a required fire lane and turnaround:
 - i. Lot 4 and 5 will be redesigned to locate the main entry access as close to 150' from the edge of the designated roadway as possible.
 - ii. An NFPA 13R fire sprinkler system approved by LADBS will be required for all units.
 - iii. Approved smoke vents are incorporated into the design of each unit with the location to be determined by LAFD.
 - iv. Each unit is designed with adequate roof access for ground ladders where a sufficient portion of the roof line shall not exceed 28 feet in height above grade.
 - v. A revised Tract Map will need to be submitted to reflect the requirements with approval from the Bureau of Engineering.

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrants and Access Unit. This includes but is not limited to clarification pertaining to conditions, verification of condition compliance, and review of plans or building permit applications. To schedule an appointment for any request, please contact the Hydrants and Access Unit at lafdhydrants@lacity.org or (213) 482-6543. Please advise all parties involved with the project of these requirements.

DEPARTMENT OF RECREATION AND PARKS

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

BUREAU OF STREET SERVICES, URBAN FORESTRY DIVISION

- 16. The applicant shall submit a tree report and a landscape plan prepared by a Tree Expert, as required by LAMC Ordinance No. 177,404, for approval by the City Planning Department and the Urban Forestry Division, Bureau of Street Services. The Tree Report shall contain the Tree Expert's recommendations for the preservation of as many desirable

(eight inches diameter or greater) trees as possible and shall provide species, health, and condition of all trees with tree locations plotted on a site survey. An on-site 1:1 tree replacement shall be required for the unavoidable loss of any desirable on-site trees.

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

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

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

BUREAU OF STREET LIGHTING

18. If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

INFORMATION TECHNOLOGY AGENCY

19. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of 3 people in case the applicant/owner has any additional questions.

DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS

20. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - a. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tentative Tract No. 82210-SL shall not be issued until after the final map has been recorded.
 - b. Limit the proposed development to a maximum of nine (9) small lots.
 - c. Provide a minimum of two (2) covered off-street parking spaces per dwelling unit. (Note: One space may be a compact space. Tandem parking is allowable.)

- d. Prior to the recording of the final map, a revised map shall be submitted reflecting the setbacks approved by the Advisory Agency.
- e. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high fence or wall made of slumpstone, decorative masonry, or other comparable-quality material shall be constructed adjacent to neighboring properties, if no such wall already exists, except in required front yard.
- f. No vehicular gates shall be permitted within the development.
- g. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- h. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- i. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
- j. Copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.

Note to City Zoning Engineer and Plan Check: The Advisory Agency has considered the following setbacks in conjunction with the approved map. Minor deviations to the map’s setbacks are allowed in the event that such deviations are necessary in order to accommodate other conditions of approval as required by other City agencies.

Setbacks shall be permitted as follows:

Setbacks (in feet and inches)				
Lot No.	North (Side)	East (Rear)	South (Side)	West (Front)
1	6'-0"	0'	11'-3.5"	15'-0"
2	6'-0"	0'	11'-3.5"	0'
3	6'-0"	0'	11'-3.5"	0'
4	6'-0"	61'-7.5"	11'-3.5"	0'
5	11'-3.5"	25'-9"	6'-0"	0'
6	11'-3.5"	0'	6'-0"	0'
7	11'-3.5"	0'	6'-0"	0'
8	11'-3.5"	0'	6'-0"	0'
9	11'-3.5"	0'	6'-0"	15'-0"

- 21. The small lot subdivision shall conform to the plans stamped Exhibit “A” under Case No. ADM-2019-4793-SLD. In the event the Advisory Agency modifies Vesting Tentative Tract Map No. 82210-SL to be inconsistent with the stamped plans, the subdivider shall submit revised plans in substantial conformance with the approved map to the satisfaction of the Advisory Agency prior to the issuance of a building permit.

22. Prior to the issuance of the building permit or the recordation of the final map, a copy of CPC-2019-4791-GPA-ZC shall be submitted to the satisfaction of the Advisory Agency. In the event that CPC-2019-4791-GPA-ZC is not approved, the subdivider shall submit a tract modification.
23. **Inadvertent Discovery of Tribal Cultural Resources.**
- a. In the event that Native American cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards retained by the applicant shall assess the find. The Fernand^o Tataviam Band of Mission Indians and consulting Tribes shall be contacted to consult if any such find occurs. The archaeologist shall complete all relevant California State Department of Parks and Recreation (DPR) 523 Series forms to document the find and submit this documentation to the applicant, Lead Agency, Fernand^o Tataviam Band of Mission Indians, and consulting Tribes.
 - b. The Lead Agency and/or applicant shall, in good faith, consult with the Fernand^o Tataviam Band of Mission Indians on the disposition and treatment of any Tribal Cultural Resource encountered during the Project grading/excavation.
 - c. If human remains or funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County coroner shall be contacted. If the human remains are determined to be Native American in origin by the County coroner, the applicant shall immediately notify the Lead Agency, the Fernand^o Tataviam Band of Mission Indians, and consulting Tribes.
24. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

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 (b).

- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement. (b)
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

DEPARTMENT OF CITY PLANNING-STANDARD SMALL LOT CONDITIONS

- SL-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
 2. All other conditions applying to Model Dwellings under Section 12.22-A,10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.
- SL-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency following the instructions of Form CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

SL-3 Small Lot Map Standard

1. A **Common Access Driveway** (easement) shall be provided and maintained with a minimum width of 10 feet that is clear to sky and at the ground level not less than 16 feet in width.
2. A **Common Access Walkway** (easement) shall be provided and maintained with a minimum width of three (3) feet that is clear to sky.
3. A **Utility Easement** shall be provided per Department of Water and Power or similar agency requirements.
4. A **Maintenance Agreement** shall be formed, composed of all property owners to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become members of the agreement and shall be subject to a proportionate share of the maintenance. The Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded to the Planning Department for placement in the tract life.
5. **Automobile Guest Parking** shall be provided for all small lot subdivisions containing 8 or more dwelling units at a ratio of 0.25 space per dwelling unit. Guest parking shall be readily available to all guests and be accessible from a Common Access Driveway or Common Access Walkway. Where the total number of required spaces includes a fraction, the provision of Section 12.21-A,4(k) of the Municipal Code shall govern.
6. All **Trash Pick-Up** and recycling pick-up shall be conducted on-site. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material, unless individual receptacles are provided in each home.

BUREAU OF ENGINEERING – STANDARD CONDITIONS

S-1.

- a. That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
- b. That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- c. That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- d. That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- e. That drainage matters be taken care of satisfactory to the City Engineer.
- f. That satisfactory street, sewer and drainage plans and profiles as required together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- g. That any required slope easements be dedicated by the final map.
- h. That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
- i. That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
- j. That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
- k. That no public street grade exceeds 15%.
- l. That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 2010.

S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

- a. Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - b. Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
 - c. All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - d. All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - e. Any required bonded sewer fees shall be paid prior to recordation of the final map or that the construction be suitably guaranteed.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction shall be suitably guaranteed:
- a. Construct on-site sewers to serve the tract as determined by the City Engineer.
 - b. Construct any necessary drainage facilities.
 - c. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street light; one (1) on Etiwanda Ave.
 - d. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services.
 - e. Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
 - f. Construct access ramps for the handicapped as required by the City Engineer.
 - g. Close any unused driveways satisfactory to the City Engineer.
 - h. Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 2010.
 - i. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve Etiwanda Avenue adjoining the subdivision by the removal of the existing sidewalk and construction of a new 8.5-foot wide concrete sidewalk and landscaping of the parkway; or a new full width concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvements.

- b. Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

NOTES:

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

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

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05-N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS OF FACT (CEQA)

The Advisory Agency finds pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Negative Declaration, No. ENV-2019-4792-ND, as circulated on July 30, 2020, ("Negative Declaration"), and all comments received, there is no substantial evidence that the project will have a significant effect on the environment; that the Negative Declaration reflects the independent judgment and analysis of the City; and hereby adopts the Negative Declaration.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 82210-SL, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- a. **The proposed map will be/is consistent with applicable general and specific plans.**

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. 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 Los Angeles Municipal Code (“LAMC”).

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 Encino-Tarzana Community Plan does not address subdivision explicitly, however, the plan does provide for land designations with the corresponding zones.

The subject project is a flat, irregular-shaped, 21,177 square-foot interior lot with a 90-foot frontage along Etiwanda Avenue. The site is currently vacant. The rear portion of the property contains a Los Angeles County Flood Control Channel (LAFCC), which was previously the Cabrillo Creek. There are 17 non-protected trees on-site.

The site is located within the Encino-Tarzana Community Plan Area. The site is zoned RA-1 and OS-1XL, with a General Plan land use designation of Low Medium I Residential and Open Space. Residential uses are permitted in RA-1 zoned lots with a development density of 17,500 square feet per dwelling unit. Thus, the project would allow for one (1) dwelling unit. The proposed project would be comprised of nine (9) residential dwelling units. The project seeks approval for a zone change to RD1.5-1 and a general plan amendment from Low Medium I Residential and Open Space to Low Medium II Residential. Residential uses are permitted within the RD1.5-1 zoned lots with a development density of 1,500 square feet per dwelling unit. Thus, based on a lot area (after dedication) of 19,898 square feet, the project would be permitted up to 13 dwelling units. The proposed development of nine (9) Small Lot homes is contingent upon approval of Case No. CPC-2019-4791-GPA-ZC.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the proposed zoning and General Plan land use designation. Multi-family and single-family uses are permitted in the RD1.5-1 Zone and Low Medium II Residential land use designation. Therefore, the Vesting Tentative Tract Map for the subdivision of one (1) lot to create nine (9) small lots is allowable under the proposed zone and the land use designation, and will be consistent with the General and Community Plans and the request is consistent with Article 7 (Division of Land Regulations) of the Los Angeles Municipal Code. The project site is not governed by a specific plan.

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

Pursuant to Section 66418 of the Subdivision Map Act, “design” of a map refers to street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; and other such 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. For the request herein, the LAMC requires that the proposed small lot subdivision comply with the required minimum lot width of 18 feet; lot area of 600 square feet; lot coverage limitation of 75%; and ten-foot setback requirements for the rear, five-foot setback requirements for the sides, and setback requirements aligning with those of the underlying zone for the front boundaries of the subdivision. The proposed project complies with the requirements of both the tentative tract map and a small lot subdivision.

In addition, the amended ordinance requires all small lot subdivision maps to comply with the established Small Lot Map Standards, as well as compliance with established design standards. The conditions incorporated herein will ensure that the project adhere to the standards set forth by the ordinance and requires the development to include, among other things, a minimum of two (2) covered off-street parking spaces per dwelling unit, pedestrian and vehicular common access.

The design and layout of the vesting tentative tract map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including Bureau of Engineering, Building and Safety, Department of Recreation and Parks, Fire Department, and Bureau of Street Lighting) have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval.

Therefore, the design and improvement of the proposed subdivision is consistent with the intent and purpose of the applicable General and Specific Plans.

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

The subject project is a flat, irregular-shaped, 21,177 square-foot interior lot with a 90-foot frontage along Etiwanda Avenue. The site is currently vacant. The rear portion of the property contains a Los Angeles County Flood Control Channel (LAFCC), which was previously the Cabrillo Creek. There are 17 non-protected trees on-site.

The proposed project includes a subdivision of one (1) lot to create nine (9) small lots and the construction, use, and maintenance of nine (9) small lot single-family homes. Each home will be three-stories tall with a maximum height of 34 feet and 6 inches. Provided on-site parking will include two (2) covered spaces per unit. The proposed development of nine (9) Small Lot homes is contingent upon approval of Case No. CPC-2019-4791-GPA-ZC.

The proposed RD1.5-1 Zone permits a density of one (1) unit per 1,500 square feet of lot area. As such, the applicant would be permitted to construct a maximum of 13 dwelling

units on the subject property, based on the lot area of 19,898 square feet (after dedication). With nine (9) small lot homes proposed, the project's density is below the maximum allowable for the RD1.5 Zone.

The property is located within an Airport Hazard area (350' Height Limit Above Elevation 790), Urban and Built-up Land, and the Urban Agriculture Incentive Zone. The property contains a watercourse (an LAFCC, which was previously the Cabrillo Creek). The property is located within 11.7km of the Hollywood Fault, and within a liquefaction zone. The site is not located in a flood zone, or the Alquist-Priolo Fault Zone. The Department of Building and Safety, Grading Division, will require that the project satisfy the requirement of the City's Grading Regulations as enumerated in Section 91.3000 of the Los Angeles Municipal Code. Removal of trees on-site and street trees through the development of the proposed project will be replaced as per the requirements of the Bureau of Street Services, Urban Forestry Division.

Multi-family land uses in the (Q)RD3, (Q)RD2 (Q)RD1.5 and R3 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into nine (9) Small Lots for the construction, use, and maintenance of nine (9) Small Lot homes is an allowed use on the site under the RD1.5-1 Zone and would be a compatible use with the existing mixed use density of the neighborhood. Therefore, 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 are expected to occur.

The proposed project includes a subdivision of one (1) lot to create nine (9) small lots and the construction, use, and maintenance of nine (9) small lot single-family homes. Each home will be three-stories tall with a maximum height of 34 feet and 6 inches. Provided on-site parking will include two (2) covered spaces per unit. The proposed development of nine (9) Small Lot homes is contingent upon approval of Case No. CPC-2019-4791-GPA-ZC.

The site is not located within a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, or on land prone to landslide. The site is not under the jurisdiction of any Specific Plans or Interim Control Ordinances.

The RD1.5-1 Zone would permit a density of one (1) dwelling unit per 1,500 square feet of lot area. The property provides a net lot area of 19,898 square feet which would allow for the development of 13 Small Lot homes. The project has been conditioned for a maximum of nine (9) Small Lot homes. The proposed development of nine (9) dwelling units is contingent upon approval of Case No. CPC-2019-4791-GPA-ZC.

Multi-family land uses in the (Q)RD3, (Q)RD2 (Q)RD1.5 and R3 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into nine (9) Small Lots for the construction, use, and maintenance of nine (9) Small Lot homes is an allowed use on the site under the RD1.5-1 Zone and, as such, the site is physically suitable for the proposed density of the development.

- e. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The project site and the surrounding area are urbanized, have been developed and improved with structures for many decades, and do not provide a natural habitat for either fish or wildlife. The eastern portion of the project site will be conditioned to maintain an adequate buffer between the Los Angeles Flood Control Channel and the project's improvements while maintaining this area in a natural landscaped state. Therefore, the proposed project would not have any effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Services, and no impacts would occur. As such, the proposed project will not cause substantial environmental damage or injury to wildlife or their habitat.

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

The proposed subdivision, and subsequent improvements, are subject to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) 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 is not located on a hazardous materials site, flood hazard area, nor is it located on a site having unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The area surrounding the property is fully developed with similar uses indicating that sewers and other services are available. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- g. The design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

Adjoining the project site to the north and south are easements for driveway purposes. These easements allow for access to the Los Angeles Flood Control Channel that is partially within the project site. Furthermore, the northerly easement does encumber the project site at its northeastern corner as a driveway that continues as bridge through the project site. The proposed project will not conflict with such easements.

The project site does not adjoin or provide access to a public resource, natural habitat, public park, or any other officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed map.

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

- h. The design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. (Ref. Section 66473.1)**

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcels to be subdivided and other design and improvement requirements.

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

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

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

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 82210-SL.

VINCENT P. BERTONI, AICP
Advisory Agency



NICK HENDRICKS
Deputy Advisory Agency

NH:ON:AT:bk

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the North Valley Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

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

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

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

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

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

If you have any questions, please call Development Services Center staff at (213) 482-7077, (818) 374-5050, or (310) 231-2598.

