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August 5, 2026

Los Angeles City Council  
c/o Office of the City Clerk  
City Hall, Room 395  
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**CEQA APPEAL CASE NO. ENV-2023-8122-CE-1A FOR THE PROPERTY LOCATED AT 1400 NORTH VISTA MORAGA; CF 26-0766**

At its meeting on April 23, 2026, the Los Angeles City Planning Commission determined, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15303 (Class 3) and 15332 (Class 32), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. The Commission also sustained the Deputy Advisory Agency's approval of the Preliminary Parcel Map, Case No. AA-2023-8121-PMLA, and adopted amended findings and modified conditions of approval.

Following the Commission's final action, an appeal of the CEQA determination was filed on May 12, 2026. The appeal raises concerns regarding significant effect due to unusual circumstances, biological resources and wildlife movement, consistency with applicable General Plan policies and zoning regulations, and alleged piecemealing of environmental review. The following summarizes and responds to those contentions relevant to the CEQA review conducted for the project via Case No. ENV-2023-8122-CE.

Unusual Circumstances

The Appellant contends that the Project is subject to the unusual-circumstances exception under CEQA Guidelines Section 15300.2(c), primarily because of the size of the existing parcel, its hillside location, and its proximity to mapped habitat areas.

*Lot Size and Location*

The size of the existing parcel does not constitute an unusual circumstance in the context of CEQA. As addressed in the Notice of Exemption Justification, pages 5–6, the relevant entitlement is the subdivision of a residentially zoned property into two lots that each comply with the applicable minimum lot-area and lot-width requirements. The subject property is approximately

143,359 square feet (3.29 net acres) and is designated predominantly Very Low I Residential, with approximately 13,949 square feet (0.32 acres) designated Minimum Residential. The proposed subdivision would create Parcel A, measuring 113,546 square feet (2.61 acres), and Parcel B, measuring 29,812 square feet (0.68 acres). Parcel A is the only resulting lot containing any portion of the Minimum Residential designation; Parcel B lies entirely within the Very Low I designation. Both parcels within the proposed subdivision exceed the minimum lot size of 20,000 square feet required under LAMC Section 12.07. 01. ("RE" Residential Estate Zone).

The resulting development pattern is consistent with the low-density residential uses and large hillside lots surrounding the Project Site. The subdivision involves a two-lot division of an existing residential parcel within a fully developed residential neighborhood. The site is surrounded by residential uses and is not uniquely situated relative to other hillside properties within the Community Plan area. The administrative record does not demonstrate that the Project presents unusual circumstances that distinguish it from other hillside residential properties eligible for the exemption. The proposed subdivision would not introduce unusual land use or an intensity of development unbecoming of the surrounding area.

The mere presence of hillside or fire-hazard conditions does not establish an unusual circumstance where those conditions are typical of the surrounding area and currently governed by existing zoning, building, grading, fire-safety, and hillside-development regulations.

#### *Biological Resources and Wildlife Movement*

The administrative record also contains extensive site-specific information within several Biological Resource reports and supplemental addenda addressing biological resources, wildlife movement, geology, wildfire conditions, access, and future development. As outlined in the Notice of Exemption Justification, an updated Biological Resources Report dated October 30, 2025, and a supplemental memorandum prepared by England Ecology dated April 30, 2025, evaluated site conditions and concluded that wildlife movement through the subject property is unlikely due to existing development and physical barriers, including existing fencing that is documented in the April 30, 2025 memorandum. The memorandum describes multiple layers of permanently installed six-foot fencing (in some cases higher), double fencing and concrete walls along Linda Flora Drive, and other site features that impede wildlife permeability.

The memorandum further explains that the subject property is not within any mapped habitat block and is not near identified wildlife movement corridors on the Eastern Santa Monica Mountains Habitat Linkage Planning Map. Based on these existing conditions, the biological consultant concluded that the property does not function as habitat for special-status species and that the proposed land division would not result in significant biological impacts.

While development of a single-family dwelling is not proposed at this time, the CEQA analysis conducted for the project considered the future development of Parcel B and any potential impacts to biological resources. As provided in the Biological Resources Report, the report analyzed "the potential effects of maximal development (which is not currently proposed within the newly created parcel. Where applicable, effects analysis considers development area of 5,366.16 square feet and allowable fencing of 6 feet in the side and rear yards, and 3.5 feet in the front yard" (pg. 10, England Ecology 2025). The report concludes the project will not have an impact on biological resources and that any future development is subject to existing regulatory compliance measures.

The appellants' reliance on generalized regional habitat mapping and speculative future development does not constitute substantial evidence of a significant environmental effect

resulting from the proposed parcel map. Photographs or observations showing that wildlife occurs in the broader neighborhood do not demonstrate that this particular developed property functions as habitat or a wildlife-movement corridor. The appeal therefore does not overcome the site-specific biological evidence in the administrative record. The record does not establish unusual circumstances or a reasonable possibility of a significant environmental impact, the exception set forth in CEQA Guidelines Section 15300.2(c) does not apply.

#### General Plan and Zoning Consistency

The Appellant contends that the Project does not satisfy the Class 32 requirement for consistency with the General Plan, Community Plan, and applicable zoning regulations.

As addressed in the Notice of Exemption Justification, pages 2–3, the Project Site is designated Very Low I Residential and Minimum Residential and is zoned RE20-1-H-HCR. The proposed parcels would be approximately 113,546 square feet and 29,812 square feet and would exceed the applicable minimum lot-area and lot-width requirements. The subdivision would retain the low-density single-family residential pattern contemplated by the Bel Air–Beverly Crest Community Plan.

The record does not rely on a finding that the Project is merely in “substantial conformance.” It affirmatively concludes that the Project is consistent with the applicable land-use designations, General Plan and Community Plan policies, and zoning regulations. The City Planning Commission’s Amended Findings, pages F-1 through F-3, separately find that the map, density, improvements, and resulting parcels are consistent with the applicable plans and zone.

The Appellant does not provide substantial evidence to support their claim, disagreement with those findings does not demonstrate an inconsistency or invalidate the Class 32 determination.

#### Piecemealing

The Appellant contends that the City improperly limited its analysis to the land division while excluding the environmental effects of a future residence on Parcel B.

The Project description and exemption analysis expressly identify the Project as a subdivision that would accommodate up to one future single-family residence and related ancillary structures. The reasonably foreseeable residential use of Parcel B was therefore included in the City’s CEQA analysis and formed the basis for the Class 3 and Class 32 determinations.

No particular residence, grading plan, driveway configuration, or building design for Parcel B is presently proposed or approved. Any future construction would remain subject to applicable zoning, building, grading, fire, access, and permitting requirements. The City was not required to speculate regarding details of a future development application that had not yet been proposed; rather, the full zoning-contingent buildout potential of the proposed Parcel B was veritably considered as part of the requisite environmental review process. Accordingly, the record does not support the contention that the Project was divided into separate components to avoid environmental review.

#### Conclusion

Planning staff recommends that the PLUM Committee and City Council deny the appeal and determine, based on the whole of the administrative record, including the Notice of Exemption and supporting justification for Case No. ENV-2023-8122-CE and the City Planning Commission’s

Letter of Determination and Amended Findings for Case No. AA-2023-8121-PMLA-1A, that the Project is categorically exempt pursuant to CEQA Guidelines Sections 15303 and 15332 and that no substantial evidence demonstrates that an exception pursuant to CEQA Guidelines Section 15300.2 applies.

Sincerely,

VINCENT P. BERTONI, AICP  
Director of Planning

  
Juliet Oh  
Senior City Planner

VPB:SMP:JBO:JDO