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CITY PLANNING**

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Decision Date: December 18, 2023

Ronald Flores (A)(O)
15535 El Cajon Street
Sylmar, CA 91342

RE: Urban Lot Split-Preliminary Parcel Map No.:
ADM-2022-8252-PMUL-HCA
Address: 15533 & 15535 El Cajon Street
Community Plan: Sylmar
Zone: RA-1-K
Council District: 7-Rodriguez

LETTER OF COMPLIANCE – Ministerial Review of SB 9 Urban Lot Split

The Advisory Agency determines based on the administrative record, the project meets the requirements of Government Code Section (GCS) 66411.7 and qualifies as an urban lot split subject to a ministerial review pursuant to GCS 66411.7. In accordance with the provisions of GCS 66411.7 and Los Angeles Municipal Code (LAMC) Section 17.50, the Advisory Agency approves Urban Lot Split Preliminary Parcel Map No. ADM-2022-8252-PMUL-HCA, located at 15535 El Cajon Street, for the subdivision of a single lot to create two (2) separate lots (Parcel A and Parcel B) as shown on the map stamp-dated May 17, 2023, in the Sylmar Community Plan. The Advisory Agency determines based on the whole of the administrative record, that the Project is statutorily exempt from the California Environmental Quality Act (CEQA) as a ministerial project pursuant to Public Resources Code Section 21080(b)(1). This subdivision is based on the RA-1-K Zone and Government Code Section (GCS) 66411.7. (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.) The Advisory Agency's approval is subject to the following conditions:

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.

The final map must be recorded within 36 months of this approval, unless the subdivider requests a time extension and it is granted before the end of such period, if applicable. Time Extensions may not always be granted.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding this report should be directed to Julia Li of the Permit Case Management Division, located at 201 N. Figueroa Street, Suite 290, or calling (213) 808-8971.

1. That labeling of the proposed parcels be shown as Parcel A and Parcel B on the final map.
2. That the final map be labeled as "Urban Lot Splits per CA Senate Bill 9" satisfactory to the City Engineer.
3. That a Covenant and Agreement be recorded granting a private sanitary sewer easement within Parcel B for the benefit of Parcel A of the parcel map.
4. That a Covenant and Agreement be recorded granting a private driveway easement within Parcel B for the benefit of Parcel A of the parcel map.
5. That all the existing public utility easement(s) be clearly designated on the final map.
6. That the subdivider make a request to BOE Valley District Office to determine the capacity of existing sewers in this area.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor. The approval of this Tract Map shall not be construed as having been based upon geological investigation such as will authorize the issuance of building permits on the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.

7. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

8. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division, shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Remove all the existing accessory structures (sheds) on Parcel A without a main structure. Accessory structures and uses are not permitted to remain on lots without a main structure of use.
 - b. Obtain permits for the removal of portion of the existing structures on the site crossing the new property line between Proposed Parcels A and B. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - c. Provide building plans to show compliance with current Los Angeles City Residential Code concerning the exterior wall / opening protection requirements with respect to the new property line with existing ADU on Proposed Parcel B.
 - i. Provide 1-hr fire-resistance exterior walls if fire separation distance is less than 5' [T-R302.1(1)].

- ii. Maximum 25% opening area is allowed when the fire separation distance is between 3' and 5' for building without automatic sprinkler. (T-302.1(1)).
 - iii. Unlimited opening area is allowed when the fire separation distance is $\geq 5'$ for building without automatic sprinkler.
 - iv. All noncompliance issues shall be corrected, required permits shall be obtained, and the final work inspected prior to a clearance letter being issued or revise the map so show compliance.
- d. The following items do not comply with the current Zoning requirements. Revise the map or obtain approval from the Advisory Agency to approve for the deviations from the Zoning code.
 - i. Proposed Parcel A does not provide the required street frontage to the public or private street or the minimum required access street width as required by the definition of a "lot". Revised the map to provide 20 ft. street frontage and 20 ft. wide access strip for each lot or obtain the approval from the Advisory Agency to approve the deviations from the Zoning code.

Notes:

This property is located within the "K" Equinekeeping District

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

DEPARTMENT OF TRANSPORTATION

Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, call (818)374-4699.

9. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - 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 LADOT.
 - b. A two-way driveway width of W=18 feet is required for all two-way driveways, or to the satisfaction of LADOT.
 - 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. 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 ADM-2022-5451-PMUL. Note: The applicant may be required to comply with any other applicable fees per this new ordinance.

FIRE DEPARTMENT

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6543. You should advise any consultant representing you of this requirement as well.

10. 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 the following:

- a. Access for the Fire Department apparatus and personnel to and into all structures shall be required.
- b. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- c. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- d. 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.
- e. One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).
- f. Fire Lane Requirements: (When Required by Fire code official)
 - 1) 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.
 - 2) 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.
 - 3) 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.
 - 4) Submit plot plans indicating access road and turning area for Fire Department approval.
 - 5) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
 - 6) 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.
 - 7) Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

- 8) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
- 9) No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- g. Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.
- h. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.
- i. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- j. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- k. Smoke Vents may be required where roof access is not possible; location and number of vents to be determined at Plan Review.
- l. Site plans shall include all overhead utility lines adjacent to the site.
- m. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- n. 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.
- o. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- p. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- q. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, Private Street or Fire Lane. This stairwell shall extend onto the roof.
- r. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

- s. 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.
- t. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

DEPARTMENT OF WATER AND POWER

- 8. 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).)

BUREAU OF SANITATION

- 9. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structures or potential maintenance problems, as stated in the memo dated January 27, 2023.

INFORMATION TECHNOLOGY AGENCY

- 10. 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 RECREATION AND PARKS

Please contact RAP at (213) 202-2682 for any questions regarding the following:

- 11. The applicant shall record a Covenant & Agreement, the language of which shall be subject to the approval of the Department of Recreation and Parks, stating that the future development of said property for residential purposes shall be subject to the Subdivision Park Fee prior to the issuance of Certificate of Occupancy, at whatever the applicable rate of the fee is at the time of issuance.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

Removal of Protected trees, and removal or planting of any tree in the public right-of-way requires the approval of the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

- 12. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall

be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.

13. Note: All protected tree removals must be approved by the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077.

DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS

14. 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 Preliminary Parcel Map No. ADM-2022-8252-PMUL-HCA shall not be issued until after the final map has been recorded.
- b. The subdivision shall be limited to residential uses.
- c. Limit the subdivision to two (2) lots.
- d. Parking shall be provided in conformance with GCS 66411.7(e)(3). One space shall be required for each unit.
- e. 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.
- f. 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.
- g. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
- h. 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.
- i. **Note to City Zoning Engineer and Plan Check:** The Advisory Agency has considered the following in conjunction with the approved map. Such deviations are necessary in order to accommodate other conditions of approval as required by other City agencies.
 - i. LAMC Section 12.07 requires a rear yard setback of not less than 25% of the depth of the lot, but not to exceed 25 feet for residential structures in the RA zone. LAMC Section 12.07 also require a side yard of not less than 10 feet or 10% for a lot that is less than 70 feet in width. The proposed project will maintain an existing single-family dwelling and second dwelling unit in the resulting Parcel B. The applicant will remove the outdoor porch of the second dwelling unit that would encroach into the common access driveway. Portions of the second dwelling unit and carport will be located in the required rear yard for Parcel B.
 - ii. The existing accessory structures and uses on proposed Parcel A are permitted without a main structure or use.

- iii. Proposed Parcel A is not required to provide a 20 foot street frontage nor a 20 foot wide access strip.
 - a. In lieu of the required street frontage, the project proposes a 20-foot-wide easement to be utilized as a common access driveway.
 - i. This easement shall meet all turnaround requirements as determined by the Bureau of Engineering for road dimensions and the turnaround complies with Appendix D of Los Angeles City Fire Codes.
 - ii. The Common access driveway shall be listed as "Fire Lane" and no parking conditions should be posted.
 - j. The Applicant shall sign an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.

15. 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 cost 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.
- f. 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 the limit the rights of the City or the obligations of the applicant otherwise created by this condition.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1. That the following provisions be accomplished in conformity with the improvements constructed herein:

- 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 Los Angeles Municipal Code (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 and drainage easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records 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 if necessary, satisfactory 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.

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. Any required bonded sewer fees shall be paid prior to recordation of the final map.
- c. Any construction activity within public streets, private streets, alleys and easements shall be constructed under permits in conformity with plans and specifications approved by the Bureau of Engineering.

S-3. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:

- a. Construct any necessary mainline and house connection sewers to serve the tract as determined by the City Engineer.
- b. Construct any necessary drainage facilities.
- c. Close any unused driveways satisfactory to the City Engineer.
- d. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
 - i. Construct the necessary house connection sewers to serve each parcel.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the parcel map action. However the existing or proposed zoning may not permit this number of units. This map does not constitute approval of any variations from the Municipal Code, unless approved specifically for this project under separate conditions.

Any removal of the existing street trees shall require Board of Public Works approval.

A haul route hearing before the Board of Building and Safety Commissioners ("BBSC") is required for all applications for the import or export of more than 1,000 cubic yards of soil in the "hillside" area, as designated by the current Bureau of Engineering Basic Grid Map No. A-13372, and as referenced in ZIMAS, as a "Special Grading Area."

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 Section 17.05-N of the Los Angeles Municipal Code (LAMC).

The final map must be recorded 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.

SENATE BILL 9 BACKGROUND

On September 16, 2021, Governor Gavin Newsom approved Senate Bill (SB) 9, effective as of January 1, 2022, which requires a ministerial review process for a parcel map application for the creation of an Urban Lot Split if a project meets the State law provided in California Government Code Section (GCS) 66411.7. The purpose of SB 9 is to provide eligible developments a ministerial approval process that is not subject to the California Environmental Quality Act (CEQA). A local agency shall approve an Urban Lot Split only if it conforms to all applicable objective requirements of the Subdivision Map Act (Division 2) (commencing with Section 66410), except as otherwise expressly provided in SB 9.

PROJECT BACKGROUND

Subject Property

The subject property is located on the northeastern side of El Cajon Street between El Dorado Avenue and Telfair Avenue in the Sylmar Community Plan Area. The site is comprised of one lot with an approximate area of 28,048 square feet with 85 feet of street frontage and a lot depth of 330 feet. The site is currently developed with a 1,940 square-foot single-family dwelling, 1,200 square-foot second dwelling unit and 600 square-foot carport.

The subject site is not located within a hillside area, a Very High Fire Hazard Severity Zone, a floodway, nor a methane hazard site. While the subject property is located near the Sierra Madre Fault Zone, the property is not located within a fault zone, per the California Geological Survey dated March 25, 1999. It is not within the Alquist-Priolo Fault Zone. The property is located within a liquefaction zone.

ZIMAS records show that the subject site is designated for Equine Keeping in the City of Los Angeles (ZI-2438). Prior to issuing any building permit for this site, the Los Angeles Department of Building and Safety (LADBS) will review the distance requirements between habitable uses and any equine keeping structures that may be proposed on this site or exist on surrounding sites.

Zoning and Land Use Designation

The project site is located within the Sylmar Community Plan Area and has a land use designation of Very Low I Residential with corresponding zones of RE20 and RA. The site is zoned RA-1-K and is consistent with the land use designation.

Surrounding Uses

The properties to the south, west and north are developed with single-family dwellings in the RA-1-K Zone and the properties abutting to the northeast and east across El Cajon Street are developed with two units in the RA-1-K Zone. The surrounding area also includes properties developed with single-family dwellings in the (Q)R1-1-K, (T)RS-1, RS-1, and R1-1-K Zones.

Project Description

The proposed project is for the subdivision of one lot with an area of approximately 28,048 square feet into two lots. Parcel A will have a gross area of 11,234 square feet and a net area of 8,563 square feet and Parcel B will have a gross area of 16,815 square feet and net area of 14,164 square feet. Proposed Parcel B is developed with an existing 1,940 square-foot single-family dwelling and 1,200 second dwelling unit and 600 square-foot carport with three parking spaces. The existing porch of the second dwelling unit will be removed to allow for the construction of the common access driveway. Proposed Parcel A has existing accessory structures.

SB 9 ELIGIBILITY CRITERIA

Pursuant to GCS 66411.7(a), a local agency shall ministerially approve a parcel map for an urban lot split only if the local agency determines that the parcel map for the urban lot split meets all the following requirements, outlined below. Based on the administrative record, the project meets the requirements of GCS 66411.7 and qualifies as an urban lot split subject to a ministerial review pursuant to GCS 66411.7.

(1),(2) The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.	☒ Complies ☐ Does Not Comply
The existing unsubdivided lot has an area of approximately 28,048 square feet. The proposed lot split results in Parcel A with a lot area of 16,815 square feet (60 percent of the existing lot area) and Parcel B with a lot area of 11,234 square feet (40 percent of the existing lot area). Both newly created parcels are no smaller than 1,200 square feet.	

(3) The parcel being subdivided meets all the following requirements:	
(A) The parcel is located within a single-family residential zone. Which includes the RA, RE, RS, R1, RU, RZ, and RW zones.	☒ Complies ☐ Does Not Comply
The subject lot is zoned RA.	
(B) The parcel subject to the proposed urban lot split is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.	☒ Complies ☐ Does Not Comply
The site is comprised of a legal parcel located within the boundaries of the City of Los Angeles.	
(C) The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4: <i>(6) The development is not located on a site that is any of the following:</i> <i>B. Either prime farmland or farmland of statewide importance.</i> <i>C. Wetlands.</i> <i>D. Within a very high fire hazard severity zone.</i> <i>E. A hazardous waste site.</i> <i>F. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards.</i> <i>G. Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood).</i> <i>H. Within a floodway.</i> <i>I. Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or natural resource protection plan.</i>	☒ Complies ☐ Does Not Comply

<i>J. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).</i> <i>K. Lands under conservation easement.</i>	
As shown in the ZIMAS parcel report and the administrative record, the property is not zoned or designated for agricultural use (California Department of Conservation Farmland Mapping and Monitoring Program) and is not located within a wetland (National Wetlands Inventory). The property is not identified as a hazardous waste site that is listed pursuant to GCS 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code. Furthermore, the property is not located within a very high fire hazard severity zone (Office of the State Fire Marshal) nor a special flood hazard area or floodway (FEMA National Flood Hazard Layer FIRMeTte mapping system). In addition, the property is not in a conservation or natural resource protection plan, nor lands under conservation easement (CA Department of Fish and Wildlife). As provided in an Owner's Declaration of No Habitat form dated August 3, 2022, the property does not contain Habitat as provided in GCS 65913.4(a)(6)(J). Per the California Geological Survey dated March 25, 1999, the property is not located within a fault zone, but is located within a liquefaction zone. The project is subject to mitigation measures pursuant to existing building standards applicable to the development and complies with the requirements of Section 65913.4.	
(D) The proposed urban lot split would not require demolition or alteration of any of the following types of housing: (i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income. (ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power. (iii) A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application. (iv) Housing that has been occupied by a tenant in the last three years.	☒ Complies ☐ Does Not Comply

The project will maintain an existing single-family dwelling and an existing second dwelling unit. The project will require the removal of the porch of the second dwelling unit to allow for the construction of the common access driveway. No other demolition or alteration is proposed.

(E) The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

☒ **Complies**
☐ Does Not Comply

As shown in ZIMAS and Los Angeles Historic Resources Inventory, the property is not located within a Historic District identified by the State or a Historic Preservation Overlay Zone (HPOZ) designated by the City.

(F) The parcel has not been established through prior exercise of an urban lot split as provided for in this section.

☒ **Complies**
☐ Does Not Comply

A review of the subject site parcel data shows no previous approval of an urban lot split.

(G) Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split as provided for in this section.

☒ **Complies**
☐ Does Not Comply

A review of the adjacent parcels shows no applications or approvals for an urban lot split.

Pursuant to GCS 66411.7(g)(1) a local agency shall require an applicant for an urban lot split to sign an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.

(1),(2),(3) The applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the Urban Lot Split. This requirement does not apply to an applicant that is a "community land trust" or is a "qualified nonprofit corporation". See the last page for the Applicant Declaration Related to Owner Occupancy.

☒ **Complies**
☐ Does Not Comply

As shown in the Los Angeles Department of City Planning Attachment to SB9 Urban Lot Split Parcel Map Application Applicant Declaration Related to Owner Occupancy signed, dated August 3, 2022, the applicant intends to occupy the existing single-family dwelling as their principal residence for a minimum of three years.

Pursuant to GCS 66411.7(j) a local agency shall not be required to permit more than two units on a parcel created through the exercise of the authority contained within this section. For the purposes of this section, "unit" means any dwelling unit, including, but not limited to, a unit or units created pursuant to GCS 65852.21, a primary dwelling, an accessory dwelling unit as defined in GCS 65852.2, or a junior accessory dwelling unit as defined in GCS 65852.22.

(1),(2) Notwithstanding any provision of Section 65852.2, 65852.21, 65852.22, 65915, or this section, a local agency shall not be required to permit more than two units on a parcel created through the exercise of the authority contained within this section.	☐ Complies ☐ Does Not Comply ☒ Not Applicable
The project will maintain an existing single-family dwelling and existing second dwelling unit on Parcel B. No new dwelling units are proposed pursuant to GCS 65852.21.	

Pursuant to Government Code Section 66411.7(c):

- (1) *Except as provided in paragraph (2), notwithstanding any local law, a local agency may impose objective zoning standards, objective subdivision standards, and objective design review standards applicable to a parcel created by an urban lot split that do not conflict with this section.*
- (2) *A local agency shall not impose objective zoning standards, objective subdivision standards, and objective design review standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet.*
- (3) *(A) Notwithstanding paragraph (2), no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure. (B) Notwithstanding paragraph (2), in all other circumstances not described in subparagraph (A), a local agency may require a setback of up to four feet from the side and rear lot lines.*

Setback (Single-Family Dwelling). LAMC Section 12.07 requires a rear yard setback of not less than 25% of the dept of the lot, but not to exceed 25 feet for residential structures in the RA zone. LAMC Section 12.07 also require a side yard of not less than 10 feet or 10% for a lot that is less than 70 feet in width. The subject site will maintain an existing single-family dwelling, second dwelling unit, and carport in proposed Parcel B. The applicant will remove the outdoor porch of the second dwelling unit that would encroach into the common access driveway. Portions of the existing carport will be located in the required rear yard, approximately 5.28 feet from the side yard lot line, and 14.09 feet from the rear yard lot line. Portions of the existing dwelling units and carport will be located in the required side yard, and located approximately 5.26 feet from the side yard lot line, and 5.23 feet from the rear yard lot line for Parcel B. The proposed lot split complies with the minimum required 40 percent of the unsubdivided lot for Parcel A. Increasing the lot area for Parcel A would reduce the size of Parcel B. Pursuant to Government Code Section 66411.7(c)(3) no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure. As such, the required rear yard and side yard for Parcel B is not required. Future construction on Parcel A may require yard requirements as authorized under SB 9, LAMC Section 12.08, and other state or local regulations.

Pursuant to Government Code Section 66411.7(i):

- (i) *A local agency shall not require, as a condition for ministerial approval of a parcel map application for the creation of an urban lot split, the correction of nonconforming zoning conditions.*

Accessory Structure. LAMC Section 12.21 C.5 does not permit accessory structures on a lot without a main use and the required setbacks. The proposed urban lot split would result in the separation of the existing single-family dwelling and second dwelling unit on proposed Parcel B from accessory structures on proposed Parcel A. The accessory structure cannot be relocated to Parcel A with the existing single-family dwelling, second dwelling unit and carport and the required rear and side yards cannot be provided. Furthermore, a new single-family dwelling is not proposed at this time for Parcel A. As such, Parcel A is not required to conform to the location requirements for accessory structures of LAMC Section 12.21 C.5, during the life of the existing unaltered structure based on GCS 66411.7(i), which states that the City shall not require the correction of nonconforming zoning conditions as a condition for ministerial approval of a parcel map application for an urban lot split. Future development on Parcel A would require compliance with the provisions of SB 9, LAMC, and other state or local regulations.

Lot Area. LAMC Section 12.07 requires that RA Suburban zoned lots have a minimum width of 70 feet, a minimum area of 17,500 square feet, and minimum lot area per dwelling unit shall be 17,500 square feet. The proposed urban lot split would result in two parcels with an area of less than 17,500 square feet and a lot width of 20 feet for Parcel A and 65 feet for Parcel B. Furthermore, the existing single-family dwelling and second dwelling unit will remain on Parcel B resulting in less than 17,500 square feet per dwelling unit. Proposed parcels A and B are not required to conform with the lot area requirement in LAMC 12.07 based on GCS 66411.7(i), which states that the City shall not require the correction of nonconforming zoning conditions as a condition for ministerial approval of a parcel map application for an urban lot split.

Access Easement. Proposed Parcel A does not provide the required street frontage to the public or private street or the minimum required access street width as required by the definition of a "lot" as defined in LAMC Section 12.03. In lieu of the required street frontage, the proposed urban lot split would result in a proposed 20-foot-wide easement to be utilized as a common access driveway. This would be considered acceptable so long as the easement meets compliance with the City's objective health and safety standards. Further, the easement shall meet all turnaround requirements as determined by the Bureau of Engineering for road dimensions and the turnaround complies with Appendix D of Los Angeles City Fire Codes. Additionally, the Common access driveway should be listed as "Fire Lane" and no parking conditions should be posted.

The Urban Lot Split Parcel Map meets the requirements outlined in Government Code Section 66411.7. The Advisory Agency approves Preliminary Parcel Map No. AA-2022-8252-PMUL.

VINCENT P. BERTONI, AICP
Advisory Agency



JoJo Pewsawang
Deputy Advisory Agency

JP:DQN:CC

