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CITY PLANNING

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Decision Date: June 3, 2016

Appeal End Date: June 13, 2016

Matias R, Meza
17100 Orazco Street
Granada Hills, CA 91344

Spiegel Development, Inc.
10753 West Pico Blvd., #198
Los Angeles, CA 90064

RE: Vesting Tentative Tract No. 72797-SL
Related Case: CPC-2014-2016-GPA-ZC
Plan Area: Mission Hills-Panorama City-
North Hills
Zone : (T)(Q)RD2-1 & RS-1
D.M. : 201-B-149
C.D. : 6
CEQA : ENV-2014-2017-MND
Legal: Fraction of Lot 20, Tract 32900

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency adopted Mitigated Negative Declaration ENV-2014-2017-MND as the environmental clearance and approved Vesting Tentative Tract No. 72797-SL, located at 9763 Vesper Avenue and 9768 N. Cedros, for a maximum 25 lots, with 24 lots pursuant to the Small Lot Subdivision Ordinance No. 176,354, as shown on revised map stamp-dated November 9, 2015 in the Mission Hills-Panorama City-North Hills Community Plan. This unit density is based on the RD2 for the Small Lot Subdivision Use and RS zone for the Single Family Lot fronting Cedros Avenue. (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(S) 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 approved Small Lot Subdivision is not vested to the provisions of Section 12.22-C.27 until a final map is recorded. Building permit applications prior to the recordation of a final map must comply with all of the provisions of the Los Angeles Municipal Code (LAMC) including but not limited to setbacks, access width, open space, and passageway unless the Planning Department has granted approval of deviations from the provisions of said LAMC Section.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a three-foot wide strip of land be dedicated along Vesper Avenue adjoining the tract to complete a 33-foot wide right-of-way in accordance with Collector Street Standards of LA Mobility Plan.
2. That if this tract map is approved as "Small Lot Subdivision" then, and 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 if necessary public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Valley District Engineering Office.
5. That the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

6. 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. 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) conditions. Show compliance with the above conditions as applicable or Department of City Planning approval is required.
 - c. Provide a copy of CPC case CPC-2014-2016-GPA-ZC. Show compliance with all the conditions/requirements of the CPC case as applicable.
 - d. A Small Lot Subdivision is not allowed in the R1 Zone. Obtain a Zone Change to allow for the Small Lot Subdivision.
 - e. Provide a copy of the Zone Change Ordinance. Comply with the requirements for the Zone Change. Zoning Clearance cannot be obtained until the Zone Change Ordinance has been recorded.
 - f. Show all street dedications 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 dedications.

- g. Resubmit the map to provide and maintain a minimum 20 ft. common access for driveway and egress/ingress purposes all the way to the public street. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning.
- h. Dimension the reciprocal private easement for pedestrian, driveway egress and ingress, utility, drainage, and guest parking spaces on the final map. The reciprocal driveway easement should include the backup spaces for the proposed parking spaces if applicable to be shown on the map.

Notes:

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

The existing or 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 satisfaction 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 to the satisfactory of LADBS at the time of plan check.

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.

DEPARTMENT OF TRANSPORTATION

7. That the project be subject to any recommendations from the Department of Transportation.

FIRE DEPARTMENT

8. That 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. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.

DEPARTMENT OF WATER AND POWER

9. 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 STREET LIGHTING – SPECIFIC CONDITIONS

10. Street Lighting clearance for this Street Light Maintenance Assessment District condition is conducted at 1149 S. Broadway Suite 200. Street Lighting improvement condition clearance will be conducted at the Bureau of Engineering District office, see condition S-3(b).

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.

BUREAU OF SANITATION

11. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. 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).)

INFORMATION TECHNOLOGY AGENCY

12. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code (LAMC) Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, Room 1255, Los Angeles, CA 90012, (213) 978-0856.

DEPARTMENT OF RECREATION AND PARKS

13. That the Quimby fee be based on the RD2 Zone for the Small Lot Subdivision portion of the site, and the Lot fronting Cedros Avenue to be based on the RS-1 Zone for the traditional single family subdivision.

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. Limit the proposed development to a maximum of 25 lots, with 24 lots to be as a Small Lot Subdivision.
 - b. Provide a minimum of two (2) covered parking spaces per dwelling unit plus nine (9) guest parking spaces for the Small Lot Subdivision lots. The single family home lot fronting Cedros Avenue to provide the parking standard as indicated by the LAMC.
 - c. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
 - d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - e. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - f. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- (i) 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.

- (ii) 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.
- (iii) 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 \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

- g. A Maintenance Association 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 association and shall be subject to a proportionate share of the maintenance. The Maintenance Association 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 file.
- h. That 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. The approval of this tract map is conditioned on the approval of an accompanying case, CPC-2014-2016-GPA-ZC. In the event that CPC-2014-2016-GPA-ZC is not approved, the number of dwelling units shall be limited to that permitted by the R1-1 zone and a revised tract map shall be submitted for approval.
- j. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tract No. 72797-SL shall not be issued until after the final map has been recorded.
- k. **Note to City Zoning Engineer and Plan Checker.** The Advisory Agency has approved the following variations from the Los Angeles Municipal Code (LAMC) as it applies to this subdivision and the proposed development on the site. Lot 25 is not a Small Lot Subdivision lot but rather a traditional single family lot with a RS-1 zone.

Approved variations as follows:

| Setbacks | | | | |
|----------|--------------|--------------|--------------|-------------|
| Lot No. | NORTH | EAST | SOUTH | WEST |
| 1 | 10'0" (Rear) | 15'0 (Front) | 13'3" (Side) | 4'8" (Side) |

| Setbacks | | | | |
|-----------------|---------------|---------------|---------------|---------------|
| Lot No. | NORTH | EAST | SOUTH | WEST |
| 2 | 10'0" (Rear) | 4'8" (Side) | 13'3" (Front) | 4'0" (Side) |
| 3 | 10'0" (Rear) | 4'0" (Side) | 13'3" (Front) | 4'5" (Side) |
| 4 | 10'0" (Rear) | 4'5" (Side) | 13'3" (Front) | 4'0" (Side) |
| 5 | 10'0" (Rear) | 4'0" (Side) | 13'3" (Front) | 7'5" (Side) |
| 6 | 13'3" (Front) | 3'6" (Side) | 10'0" (Rear) | 5'7" (Side) |
| 7 | 13'3" (Front) | 1'6" (Side) | 10'0" (Rear) | 3'6" (Side) |
| 8 | 15'3" (Front) | 1'6" (Side) | 5'0" (Side) | 12'0" (Rear) |
| 9 | 15'3" (Front) | 15'0" (Rear) | 5'0" (Side) | 11'6" (Side) |
| 10 | 5'0" (Side) | 15'0" (Rear) | 5'0" (Side) | 11'6" (Front) |
| 11 | 5'0" (Side) | 11'8" (Rear) | 5'0" (Side) | 12'0" (Front) |
| 12 | 5'0" (Side) | 11'8" (Front) | 5'0" (Side) | 12'0" (Rear) |
| 13 | 5'0" (Side) | 15'0" (Rear) | 5'0" (Side) | 11'6" (Front) |
| 14 | 5'0" (Side) | 15'0" (Rear) | 15'3" (Side) | 11'6" (Front) |
| 15 | 5'0" (Side) | 12'3" (Front) | 15'3" (Side) | 11'5" (Rear) |
| 16 | 10'0" (Rear) | 5'0" (Side) | 13'3" (Front) | 3'6" (Side) |
| 17 | 10'0" (Rear) | 3'6" (Side) | 13'3" (Front) | 28'0" (Side) |
| 18 | 13'3" (Front) | 3'6" (Side) | 10'0" (Rear) | 12'0" (Side) |
| 19 | 13'3" (Front) | 4'7" (Side) | 10'0" (Rear) | 3'6" (Side) |
| 20 | 13'3" (Front) | 3'6" (Side) | 10'0" (Rear) | 4'7" (Side) |
| 21 | 13'3" (Front) | 4'7" (Side) | 10'0" (Rear) | 3'6" (Side) |
| 22 | 13'3" (Front) | 3'6" (Side) | 10'0" (Rear) | 4'7" (Side) |
| 23 | 13'3" (Front) | 4'7" (Side) | 10'0" (Rear) | 3'6" (Side) |
| 24 | 13'3" (Front) | 15'0" (Rear) | 10'0" (Side) | 4'7" (Side) |

15. That prior to 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 requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No(s). 16, and 17 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

16. Prior to the recordation of the final map, the subdivider will 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:

Aesthetics (Project Design)

MM-1 A minimum 15-foot front yard setback shall be provided along Vesper Avenue to ensure compatibility with adjacent developments. Each residence fronting a public street shall have the primary entrance and main windows facing the street. Each residence fronting a public street

shall have a direct pedestrian pathway provided from the public sidewalk to the primary entrance. Any new walls or fencing within the 15-foot front setback along Vesper Avenue shall be limited to a maximum height of 3'-6".

Tree Removal (Non-Protected Trees)

- MM-2 Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- MM-3 All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced on a 1:1 ratio with a minimum 24 inch box tree. To achieve this goal, a minimum of one 24-inch box tree shall be planted for each single family residential lot or small-lot residential lot within the site.

Explosion/Release (Existing Toxic/Hazardous Construction Materials)

- MM-4 Prior to the issuance of any permit for demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as other applicable State and Federal rules and regulations.
- MM-5 Prior to issuance of any permit for demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building & Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

Utilities (Local Water Supplies - Landscaping)

- MM-6 The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g. use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- MM-7 In addition to the requirements of the Landscape Ordinance, the landscape Plan shall incorporate the following:

- a. Weather-based irrigation controller with rain shutoff.
- b. Matched precipitation (flow) rates for sprinkler heads.
- c. Drip/microspray/subsurface irrigation where appropriate.
- d. Minimum irrigation system distribution uniformity of 75 percent.
- e. Proper hydro-zoning, turf minimization and use of native/ drought tolerant plant materials: and
- f. Use of landscape contouring to minimize precipitation runoff.

Utilities (Local Water Supplies - All New Construction)

- MM-8 If conditions dictate, the department of Water and Power may postpone new water connections for this project until new water capacity is adequate.
- MM-9 Install high-efficiency toilets (maximum 1.28gpf), including dual-flush water closets, high efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- MM-10 Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.

Utilities (Local Water Supplies – New Residential)

- MM-8 Install no more than one shower head per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- MM-9 Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- MM-10 Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement and the applicant shall be responsible for ensuring compliance.

17. **Construction Mitigation Conditions - Prior to the issuance of a grading or building permit, or 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:

- CM-1 That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site

address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**

- Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.
- Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
- If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.

- CM-2 All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- CM-3 The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4 All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-5 All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-6 All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-7 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8 Trucks having no current hauling activity shall not idle but be turned off.
- CM-9 The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.

- CM-10 The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- CM-11 Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The applicant of BMPs includes but is not limited to the following mitigation measures:
- a. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
 - b. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
- CM-12 The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.
- CM-13 Sediments carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- CM-14 Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-15 All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- CM-16 Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- CM-17 Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- CM-18 (Construction/Demolition) Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing service(s) to the satisfaction of the Department of Building and Safety. The demolition

and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.

CM-19 (Construction/Demolition) To facilitate on-site separation and recycling of demolition and construction related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

DEPARTMENT OF CITY PLANNING - STANDARD SINGLE-FAMILY CONDITIONS

SF-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 Los Angeles Municipal Code (LAMC) shall be fully complied with satisfactory to the Department of Building and Safety.

SF-2 That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with 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.

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 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, 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 1990.
- 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 Traffic 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 streets, 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.

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

- (a) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - 1. Improve Vesper Avenue being dedicated and adjoining the subdivision by the reconstruction of a full-width concrete sidewalk with tree wells or a 5-foot sidewalk and landscaping of the parkway including any necessary removal and reconstruction of existing improvements.
 - 2. Construct the necessary mainline sewer satisfactory to the Valley District Engineering Office.
- (b) No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; two (2) on Vesper Avenue and one (1) on Cedros Avenue.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (c) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid

for tree planting, the subdivider or contractor shall notify the Urban Forestry Division (213) 847-3077) upon completion of construction to expedite tree planting.

- (d) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (e) Construct access ramps for the handicapped as required by the City Engineer.
- (f) Close any unused driveways satisfactory to the City Engineer.
- (g) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (h) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:

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 number of units. This vesting map does not constitute approval of any variations from the Los Angeles Municipal Code (LAMC), unless approved specifically for this project under separate conditions.

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

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 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.

FINDINGS OF FACT (CEQA)

The Environmental Staff Advisory Committee issued Mitigated Negative Declaration ENV 2014-2017-MND on October 15, 2014. The Committee found that potential negative impact could occur from the projects implementation due to:

- Aesthetics (project design)
- Biology (tree removal)
- Hazards (asbestos, lead paint)
- Utilities-Water (landscaping, new construction, residential)

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2014-2017-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition **No(s). 16 & 17** of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 16.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) of specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 72797-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 IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The adopted Mission Hills-Panorama City-North Hills Community Plan designates the subject property Low Residential with corresponding zones of R1, RS, RD6 & RE9. The property contains 1.63 net-acres and 70,984 square-feet and is zoned R1-1, which does not permit the requested 22 single family homes.

A zone change from R1-1 to (T)(Q)RD2-1 and a Plan Amendment from Low to Low Medium II Residential has been approved through an accompanying case, APCS-2014-2016-GPA-ZC. The proposed 24-lot Small Lot Subdivision is allowable under the approved (T)(Q)RD2 zone and Low Medium II Residential

Plan designation. Lot 25, fronting Cedros Avenue is proposed to be changed to RS-1 for the purpose of constructing a single family dwelling that will not be a Small Lot Use.

- (b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. As a condition of approval, the subdivider is required to dedicate three feet on Vesper Avenue facing the subdivision.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

Therefore, as conditioned, the proposed tract map 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.

Surrounding uses consist of multifamily residential developments on the east side of Vesper Avenue zoned R3-1 and on the west side of Vesper at Van Nuys Place zoned RD2-1. Further north and west of Vesper are single family home neighborhoods zoned RS-1. To the south along Van Nuys Boulevard to Plummer Street is neighborhood serving commercial development. The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone. The site is an in-fill lot in a substantially developed urban area. The lots created by this subdivision would comply with area requirements of the approved RD2 zone. The remaining regular sized lot fronting on Cedros Avenue is permitted by the RS zone.

The Environmental Review conducted by the Department of City Planning, as indicated in Case No. ENV-2014-2017-MND. (Mitigated Negative Declaration), established that the physical characteristics of the site and surrounding area are consistent with existing development and urban character of the surrounding community. The physical implementation of the project would not cause substantial impacts beyond baseline conditions. Potentially significant impacts identified in the Mitigated Negative Declaration would be mitigated via implementation of the required mitigation measures as identified under the Conditions of Approval for this project.

- (d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The site is one of the few under improved properties in the vicinity. The development of this tract is an infill of a mixed single family and multi-family residential neighborhood. The proposed development of 24 small lot single-family

homes is consistent with the number of units permitted by the approved RD2 zone and 25th regular sized lot is consistent with the RS zone on Cedros Avenue. The proposed RD2 zone provides a transition between the multifamily developments on the east side of Vesper Avenue zoned (Q)R3-1 and the single family home neighborhoods west of Vesper Avenue zoned RS. Therefore, the proposed small lot project is compatible to the neighborhood along Vesper Avenue.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

Building Height

Sec. 12.21.1 of the Zone Code restricts building height to 33 feet. The subject lot is developing 24 single-family homes as Small Lots with a maximum height of 25 feet, eight feet less than the height limit.

- (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 Initial Study prepared for the project identifies no potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned.

However, measures are required as part of this approval which will mitigate the above mentioned impact(s) to a less than significant level.

Furthermore, the project site, as well as the surrounding area is presently developed with residential structures and does not provide a natural habitat for either fish or wildlife.

- (f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

- (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.

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

- (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)

- 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 parcel(s) to be subdivided and other design and improvement requirements.
- 2) 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.
- 3) The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.
- 4) The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.
- 5) 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 Tract No. 72797-SL.

VINCENT P. BERTONI, AICP
Director of Planning


MARC WOERSCHING
Deputy Advisory Agency

VPB:JF:MW:mkc

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 City 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:

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

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

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

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.