



EAST LOS ANGELES AREA PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.lacity.org/PLN/index.htm

Determination Mailing Date: NOV - 5 2015

CASE NO: VTT-73148-SL-1A

CEQA: ENV-2014-3809-MND

Location: 1936 North Preston Avenue

Council District: 13

Plan Area: Silver Lake-Echo Park-
Elysian Valley

Zone: RD1.5-1VL

Applicant: Todd Wesman

Appellants: Jennifer Deines, Carol Cetrone, David Ortiz,
The Preston Avenue Neighbors, East Sunset
Hillside Association

At its meeting on **October 14, 2015**, the **East Los Angeles Area Planning Commission** took the following action:

1. **Granted** the appeal in part and amended Condition Nos. 5 and 15.c.(3);
2. **Sustained** the action of the Deputy Advisory Agency in approving Vesting Tentative Tract No. 73148-SL;
3. **Adopted** the modified Conditions of Approval;
4. **Adopted** the Findings of the Deputy Advisory Agency;
5. **Adopted** Mitigated Negative Declaration No. ENV-2014-3809-MND and **adopted** the substituted Mitigated Negative Declaration Measure No. MM-2.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Commissioner Arellano
Seconded: Commissioner Alarcon
Ayes: Commissioners Choi, Diel, and Stein

Vote: 5-0

Fely C. Pingol, Commission Executive Assistant
East Los Angeles Area Planning Commission

Effective Date/Appeals: This action of the East Los Angeles Area Planning Commission will be final within 10 days from the mailing date on this determination unless an appeal is filed within that time to the City Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 North Figueroa Street, Third Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Room 251, Van Nuys. Forms are also available on-line at www.lacity.org/pln.

FINAL DATE TO APPEAL: NOV 16 2015

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

Attachments: Modified Conditions of Approval, Findings, and Revised Tract Map

c: Notification List
Joey Vasquez
Jose Carlos Romero-Navarro

FINDINGS

FINDINGS OF FACT (CEQA)

The Environmental Staff Advisory Committee issued Mitigated Negative Declaration ENV-2014-3809-MND on March 11, 2015. The Committee found that potential negative impact could occur from the project's implementation due to:

- aesthetics (light)
- air pollution (demolition, grading, and construction activities)
- tree removal (non-protected trees)
- erosion/grading/short-term construction impacts
- explosion/release (existing toxic/hazardous construction materials)
- hillside construction
- stormwater pollution
- increased noise levels (demolition, grading and construction activities)
- marginal fire protection facilities
- insufficient school capacity
- inadequate emergency access
- cumulative increase in demand on the City's water supplies
- creation of additional solid waste

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV 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 **Nos. 18 and 19** 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. 17.

Pursuant to CEQA Section 15074.1, the East Los Angeles Area Planning Commission found that substituted MND (Mitigation Measure 18. MM-2) for aesthetic impacts is equivalent or more effective in mitigating or avoiding significant effects to aesthetics than the original mitigation measure, and the substituted MND in itself would not have any significant effect on the environment.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 73148-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 Silver Lake-Echo Park-Elysian Valley Community Plan designates the subject property for Low Medium II Residential density with the corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The property is 7,502 square feet in size and is presently zoned RD1.5-1VL. Per the regulations of the RD1.5 Zone every lot shall have a minimum lot area of 5,000 square feet. The adopted Plan and corresponding zone allows for the proposed subdivision. The subject property is not located in a Specific Plan area. The proposed map is therefore consistent with the Silver Lake-Echo Park-Elysian Valley Community Plan.

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

The adopted Silver Lake-Echo Park-Elysian Valley Community Plan designates the subject property for Low Medium II Residential land use with the corresponding zones of RD1.5, RD2, RW2 and RZ2.5. The property contains approximately 0.17 net acres (7,502 net square feet) and is presently zoned RD1.5-1VL.

The proposed project is to create five lots for the construction of five single-family dwellings under the Small Lot Ordinance. Four of the proposed lots are 1,450 square feet in size with the fifth lot being 1,700 square feet in size. The lots therefore meet the minimum 600 square-foot lot size of the Small Lot Ordinance. Lot coverage will range from 40 percent to 58 percent – less than the permitted 80 percent. The tract map indicates lot widths of 29 feet for four lots and 39 feet for the fifth lot, thereby meeting the minimum lot width requirement of 16 feet. The proposed map is consistent with the density requirements of the RD1.5 Zone – a maximum of five lots/units are permitted on the site.

The proposed subdivision meets and implements the following goal, objective, and policies of the Silver Lake-Echo Park-Elysian Valley Community Plan:

Goal 1 A safe, secure and high quality residential environment for all economic, age and ethnic segments of the Plan area.

Objective 1-4 Promote and ensure the provision of adequate housing for all persons, including special needs populations, regardless of income, age or ethnic background.

Policy 1-4.1 Promote greater individual choice in type, quality, price and location of housing.

Policy 1-4.4 Increase home ownership options by providing opportunities for development of townhouses, condominiums and similar types of housing.

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 make improvements on Preston Avenue in order to meet current street standards.

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.**

The subject site is located in a hillside area. The Grading Division of the Department of Building and Safety has reviewed the Geology and Soils Report for the proposed project and has approved the tract map subject to all requirements and conditions contained in Inter-Departmental Letter dated January 22, 2015, Log No. 85933-01, and as conditioned by the Department of City Planning for the tract approval (Condition No. 5). Therefore, as conditioned the site is physically suitable for the proposed type of development.

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

The subject property is currently developed with a duplex which will be demolished. The site is zoned RD1.5 and designated Low Medium II Residential in the Silver Lake-Echo Park-Elysian Valley Community Plan. Adjacent land uses include a mix of single-family homes, multiple family dwellings, and commercial businesses. Per the requirements of the RD1.5 Zone and the Small Lot Ordinance, the 7,502 square-foot site is sufficient in size for a 5-lot small lot subdivision. With the requirements and conditions of the Grading Division of the Department of Building and Safety, the site is physically suitable for the proposed density of development.

(e) **THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR**

SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The Initial Study prepared for the project identifies potential adverse impacts on aesthetics, air quality, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, transportation/traffic, utilities and service systems. Mitigation measures are required as part of this approval which will mitigate the above mentioned impacts to a less than significant level.

In response to comments received on the Mitigated Negative Declaration (MND) all onsite and roof stormwater runoff will be filtered and temporarily stored onsite in Standard Urban Stormwater Mitigation Plan (SUSMP) planters, per LAMC requirements for single-family homes. These infiltration basins both filter rainwater before it is released to the street and, through the filtering process, reduce peak flow to the region's stormwater infrastructure.

Any demolition, grading, and construction will be conducted per the requirements of the Municipal Code and any associated permits needed to perform such work. These permits also restrict work hours to mitigate noise pollution.

The Fire Department has reviewed the proposed subdivision and conditioned the project to ensure public safety. As conditioned, 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. In addition, adequate public and private fire hydrants shall be required. Because the subject site is located in a Very High Fire Hazard area additional fees have been paid to the City to ensure the Fire Department serving Echo Park is funded with adequate resources.

The subdivision is required to comply with the City of Los Angeles Green Building Code. All homes will be solar ready and electric vehicle outlets will be provided in every garage.

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.

MODIFIED CONDITIONS OF APPROVAL

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency adopted Mitigated Negative Declaration ENV-2014-3809-MND as the environmental clearance and approved Vesting Tentative Tract No. 73148-SL, located at 1936 North Preston Avenue for a maximum of five (5) lots, pursuant to the Small Lot Subdivision Ordinance No. 176,354, as shown on revised map stamp dated ~~July 23, 2015~~ **October 14, 2015** in the Silver Lake-Echo Park-Elysian Valley Community Plan. This unit density is based on the RD1.5 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) 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.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. 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.
2. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176,354 satisfactory to the City Engineer.
3. That if necessary public sanitary sewer easements be dedicated on the final map based on alignment approved by the Central District Engineering District Office.
4. 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, GRADING DIVISION

5. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated ~~January 22, 2015, Log No. 85933-01~~ **September 30, 2015, Log No. 85933-02** and attached to the case file for Tract No. 73148.

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. Show all street dedications as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be rechecked as per net lot area after street dedications. A minimum of 7,500 SF lot area is required in the RD1.5 Zone for the proposed 5 small lot units. Front yard requirements shall be required to comply with current code as measured from new property lines after dedication.
 - c. Resubmit the map to provide and maintain a minimum 20 ft. common access strip open to the sky for the lots all the way to the public street for access and frontage purpose per Section 12.03 under the definition of "Lot". No projections are allowed into the 20 ft. minimum common access strip. Provide the 20 ft. wide common access open to the sky or obtain approval from the City Planning Advisory Agency to allow for a reduced and/or projection into the common access strip all the way to the public street.
 - d. The Map does not comply with the minimum 15 ft. front yard setback for Lot 1 fronting (facing) along Preston Avenue as required for the **RD1.5-1 Zone**. Revise the Map to show compliance with the above requirement or obtain written approval from the Department of City Planning Advisory Agency to allow the reduced setbacks as indicated in the Setback Matrix.
 - e. Resubmit the map to have Lot 5 provide a minimum 16 ft. wide lot frontage onto the common access strip or obtain approval from the City Planning Advisory Agency to allow for a reduced frontage width (the 10 ft. wide frontage shown on the map).

Notes:

The site is within the Designated Hillside Area and compliance with Section 12.21-A.17 LAMC might be required.

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with

the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

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

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 property line. Compliance shall be to the satisfaction of LADBS at the time of plan check.

Backup space for parking space with less than 26'-8" shall provide sufficient garage door opening width to comply with the current Zoning Code requirement.

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. Access for 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. Adequate public and private fire hydrants shall be required.
 - d. Entrance to the main lobby shall be located off the address side of the building.

Note: 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) 482-6502. You should

advise any consultant representing you of this requirement as well.

LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)

9. That prior to the issuance of any demolition or grading permit or any other permit allowing site preparation and/or construction activities on the site, satisfactory arrangements shall be made with the Los Angeles Unified School District, implementing the measures for demolition and construction contained in the LAUSD letter dated March 3, 2015 attached to the Tract file. The project site is located on the pedestrian and bus routes for students attending Elysian Heights Elementary School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/ motorists with the LAUSD Transportation Branch, phone no. 213-580-2950, and the principals or designees of Elysian Heights Elementary School. (This condition may be cleared by a written communication from the LAUSD Transportation Branch attesting to the required coordination and/or the principals of the above referenced schools and to the satisfaction of the Advisory Agency).

DEPARTMENT OF WATER AND POWER

10. 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

11. 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. (c).

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

12. 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

13. 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 Section 17.05N. 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

14. That the Quimby fee be based on the RD1.5 Zone.

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

15. 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 five (5) lots.
 - b. Provide a minimum of 2 off-street parking spaces per dwelling unit.
 - c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has reviewed and approved the locations of the following items as it applies to this subdivision and the proposed development on the site.

The project shall comply with the setbacks as indicated in the table below:

Setbacks			
Lot	Front Yard (West)	Rear Yard (East)	Side Yards
1	10'-0"	5'-0"	5'-0" North; 0'-2" South
2	10'-0"	5'-0"	0'-2" North; 0'-2" South
3	10'-0"	5'-0"	0'-2" North; 0'-2" South
4	10'-0"	5'-0"	0'-2" North; 0'-2" South
5	5'-0"	5'-0"	0'-2" North; 5'-0" South

Approved as follows:

- (1) A minimum 10-foot common access strip open to the sky.
- (2) A five-foot yard setback along Preston Avenue for Lot 1.
- (3) A minimum ~~40-foot~~ **16-foot** wide lot frontage onto the common access strip for Lot 5.

- d. 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.
 - e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - f. 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.
 - g. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
 - h. A Community Maintenance Agreement shall be prepared, 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 party to the agreement and shall be subject to a proportionate share of the maintenance. The Community Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded, to the Planning Department for placement in the tract file.
 - i. 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.
16. That the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6974) that a Certificate of Occupancy (temporary or final) for the building(s) shall not be issued until the final map has been recorded.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

17. That prior to recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) 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 Nos. 18 and 19 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, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
18. 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:
 - MM-1. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.
 - MM-2. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way **and the building shall not have reflective materials to prevent further light source reflection onto neighboring properties.** (MODIFIED BY THE EAST LOS ANGELES AREA PLANNING COMMISSION AT ITS MEETING ON OCTOBER 14, 2015).
 - MM-3. 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-4. 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 at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
 - MM-5. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

- MM-6. **(Asbestos)** Prior to the issuance of any permit for the 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 indicating 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 all other applicable State and Federal rules and regulations.
- MM-7. **(Lead Paint)** Prior to issuance of any permit for the 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 and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
- MM-8. 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.
- MM-9. The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
- MM-10. 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-11. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
- Weather-based irrigation controller with rain shutoff
 - Matched precipitation (flow) rates for sprinkler heads
 - Drip/microspray/subsurface irrigation where appropriate

- Minimum irrigation system distribution uniformity of 75 percent
- Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
- Use of landscape contouring to minimize precipitation runoff
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

MM-12. If conditions dictate, the Department of Water and Power may postpone new water connection for this project until water supply capacity is adequate.

MM-13. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.

MM-14. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.

MM-15. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.

MM-16. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

MM-17. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.

MM-18. 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-19. 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.

19. **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, 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 areas 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 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-10. 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 application 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-11. Prior to the issuance of a grading or building permit, the applicant shall submit a Construction Staging and Parking Plan to the Department of Building and Safety and the Fire Department for review and approval. The plan shall identify where all construction materials, equipment, and vehicles will be stored through the construction phase of the project, as well as where contractor, subcontractor, and laborers will park their vehicles so as to prevent blockage of two-way traffic on streets in the vicinity of the construction site. The Construction Staging and Parking Plan shall include, but not be limited to, the following:
- No construction equipment or material shall be permitted to be stored within the public right-of-way.
 - If the property fronts on a designated Red Flag Street, on noticed "Red Flag" days, all the workers shall be shuttled from an off-site area, located on a non-Red Flag Street, to and from the site in order to keep roads open on Red Flag days.

- During the Excavation and Grading phases, only one truck hauler shall be allowed on the site at any one time. The drivers shall be required to follow the designated travel plan or approved Haul Route.
 - Truck traffic directed to the project site for the purpose of delivering materials, construction-machinery, or removal of graded soil shall be limited to off-peak traffic hours, Monday through Friday only. No truck deliveries shall be permitted on Saturdays or Sundays.
 - All deliveries during construction shall be coordinated so that only one vendor/delivery vehicle is at the site at one time, and that a construction supervisor is present at such time.
 - A radio operator and/or flag person shall be on-site to coordinate the movement of material and personnel, in order to keep the roads open for emergency vehicles, their apparatus, and neighbors.
 - During all phases of construction, all construction vehicle parking and queuing related to the project shall be as required to the satisfaction of the Department of Building and Safety, and in substantial compliance with the Construction Staging and Parking Plan, except as may be modified by the Department of Building and Safety or the Fire Department.
- CM-12. 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-13. 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-14. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- CM-15. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- CM-16. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- CM-17. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

- CM-18. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-19. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-20. No parking shall be permitted on the street during Red Flag Days in compliance with the "Los Angeles Fire Department Red Flag No Parking" program.
- CM-21. All demolition and construction materials shall be stored on-site and not within the public right-of-way during demolition, hauling, and construction operations.
- CM-22. 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 services to the project, specifying recycled waste 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-23. To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins one-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.
- CM-24. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

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:
 - (a) 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.

- (b) All other conditions applying to Model Dwellings under Section 12.22-A, 10 and 11 and Section 17.05 O of the Code 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 street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- 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 on-site sewers to serve the tract as determined by the City Engineer.

- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

Construct new street light: one (1) on Preston 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.

- (d) 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 planting's 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.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
 - a) Improve Preston Avenue adjoining the subdivision by the construction of the following:
 - (1) A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk and landscaping of the parkway.

- (2) Suitable surfacing to join the existing pavements and to complete an 18-foot half roadway.
 - (3) Any necessary removal and reconstruction of existing improvements.
 - (4) The necessary transitions to join the existing improvements.
- b) That in lieu of constructing the improvements on Preston Avenue as outlined herein, the subdivider be permitted, at their option, and as concurred by the City Engineer to provide a non-refundable cash payment satisfactory to the City Engineer, including the submittal of necessary improvement plans to the Central District Engineering District Office for review and approval. All the existing conditions remain intact, including the Preston Avenue improvement condition if the cash payment option is selected, for estimating purposes only.
- c) Construct the necessary on-site mainline sewers satisfactory to the City Engineer.

NOTES:

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

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.

DETERMINATION LETTER

VTT-73148-SL-1A

MAILING DATE: November 5, 2015

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