

DEPARTMENT OF  
CITY PLANNING

200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
AND  
6262 VAN NUYS BLVD., SUITE 351  
VAN NUYS, CA 91401

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Decision Date: May 6, 2014

Appeal End Date: May 16, 2014

Benjamin Donel (O)  
Sunset Equity Partners, LLC  
6003 Compton Avenue  
Los Angeles, CA 90001

Sean Nourani (R)  
AP& E  
7723 East Misty Glen Court  
Anaheim, CA 92805

RE: Vesting Tentative Tract No. 72103-SL  
Related Case: None  
9147 North Tobias Avenue  
Mission Hills – Panorama City – North Hills Plan Area  
Zone : RD1.5 (proposed)  
D.M. : 198-B-149  
C.D. : 7  
CEQA: ENV-2012-2201-MND  
Legal : Tract 3136, Lot FR 29

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency adopted **Mitigated Negative Declaration ENV-2012-2201-MND** as the environmental clearance and approved **Vesting Tentative Tract No. 72103-SL**, located at **9147 North Tobias Avenue** for a maximum 14 lots, pursuant to the **Small Lot Subdivision Ordinance No. 176,354**, as shown on map stamp-dated **March 18, 2013** in the **Mission Hills – Panorama City – North Hills Plan Community Plan**. This unit density is based on the (T)(Q)RD1.5-1 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) The Advisory Agency's approval is subject to the following conditions:

**NOTE 1** All small lot subdivisions filed after **February 1, 2014** must comply with or meet the intent of the 2014 Small Lot Design Guidelines through either methods listed in the Guidelines or through alternative methods that achieve the same objective. The recently approved architectural site plan and building elevations stamp-dated March 18, 2013 follows the Advisory Agency prior policies dated January 10, 2006 and November 15, 2006. This project was originally filed on March 18, 2013 and is therefore exempt from the 2014 Small Lot Design Guidelines.

**NOTE 2** 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.

**NOTE 3** 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 if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes all the common access to the 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 labeled as "Small Lot Subdivision per Ordinance No. 176354" satisfactory to the City Engineer.
3. That if necessary public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Valley 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 driveway.

### **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.

### **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 any street dedication as required by Bureau of Engineering and provide the net lot area after the dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Front yard requirement shall be required to comply with current code as measured from new property lines after dedication.

- c. Provide a copy of APCNV case APCNV-2012-2200-ZC. Show compliance with all the conditions/requirements of the APCNV case as applicable.
- d. Completion of zone change is required prior to obtaining Zoning clearance from the Department of Building and Safety.
- e. A five foot setback shall be provided where a lot abuts a lot that is not created pursuant to this small lot subdivision. Provide a five foot setback on the west side of Lot 14. Correct the Setback Matrix or obtain approval from the Department of City Planning.
- f. Dimension and maintain a minimum 20 foot common access strip all the way to the public street for access and frontage purposes for all the small lots on the final map.
- g. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress, utilities, drainage, and back up space in the final map. Separate easement covenant shall be recorded if the easement is not shown on the final map.

Notes:

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 ordinance, 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.

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 prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
  - a. A minimum of 20-foot reservoir space is required between any security gate and the new property line or to the satisfaction of the Department of Transportation (DOT).
  - b. A parking area and driveway plan must be submitted to the Valley Development Review Section of DOT for approval prior to submittal of

building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Boulevard., Room 320, Van Nuys, CA 91401.

- c. That a fee in the amount of \$197 be paid to DOT as required per Ordinance No. 180542 and the LAMC Section 19.15 prior to recordation of the final map.

Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

#### **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.(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**

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 RD1.5-1 Zone.

#### **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 14 lots.
  - b. Provide a minimum of two (2) covered parking spaces per dwelling unit, plus six (6) uncovered guest parking spaces for the Small Lot Subdivision site.
  - 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 the 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. Upon the effective date of this conditional approval, 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 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.

- 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.
15. That prior to the issuance of the building permit or the recordation of the final map, a copy of the Zone Change (Case No. APCNV-2012-2200-ZC) Ordinance shall be submitted to the satisfaction of the Advisory Agency. In the event that the Zone Change is not approved, the subdivider shall submit a tract modification.
16. That prior to the recordation of the final map, the submitted map stamp-dated March 18, 2013 shall be revised to 14 lots with two (2) covered parking spaces per dwelling unit, plus six (6) uncovered guest parking spaces for the Small Lot Subdivision site.

**Note:** Revised maps are filed at the Planning Development Service Center section located at 6262 Van Nuys, Blvd., Suite 251, Van Nuys CA 91401. Twenty-eight (28) copies of the revised map is required along with a completed revised map form which is obtained at the Van Nuys Public Counter (818) 374-5050.

#### 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 No(s). 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 (preconstruction, 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:

### **Tree Report**

- MM-1 Prior to the issuance of a grading permit, the applicant shall prepare and submit a Tree Report, prepared by a Tree Expert as defined in Section 17.02, indicating the location, size, type, and condition of all existing trees on the site. Such report shall also contain a recommendation of measures to ensure the protection, relocation, or replacement of affected trees during grading and construction activities.

### **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 as 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-4 Removal of 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.

### **Human Health Hazard (Vector Control)**

- MM-5 The property shall be maintained in a neat, attractive, and safe condition at all times.
- MM-6 On-site activities shall be conducted so as not to create noise, dust, odor, or other nuisances to surrounding properties.
- MM-7 Trash and garbage bins shall be maintained with a lid in working condition; such lid shall be kept closed at all times.
- MM-8 Trash and garbage collection bins shall be maintained in good condition and repair such that there are no holes or points of entry through which a rodent could enter.

- MM-9 Trash and garbage collection containers shall be emptied a minimum of once per week.
- MM-10 Trash and garbage bi collection areas shall be maintained free from trash, litter, garbage, and debris.

### **Public Services (Fire)**

- MM-11 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.

### **Utilities (Solid Waste Recycling)**

- MM-12 (Operational) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

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:

### **Standard Construction Mitigation Conditions**

- 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 The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
- CM-3 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-4 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-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 All clearing, grading, 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-8 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-9 Trucks having no current hauling activity shall not idle but be turned off.
- CM-10 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-11 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-12 Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

- CM-13 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

**Utilities (Solid Waste Recycling)**

- CM-14 (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-15 (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.

**Utilities (Solid Waste Disposal)**

- CM-16 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:
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) Construct the necessary on-site mainline sewers satisfactory to the City Engineer.
  - (b) Improve Tobias Avenue adjoining the subdivision by the construction of a new 5.5-foot wide concrete sidewalk adjoining the property line including any necessary removal and reconstruction of the existing improvements.
  - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
- IMPROVEMENT CONDITION: Construct one (1) new light on Tobias 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 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.
- (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:

**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 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.

### **FINDINGS OF FACT (CEQA)**

The Environmental Staff Advisory Committee issued Mitigated Negative Declaration ENV-2012-2201-MND on March 26, 2014. The Committee found that potential negative impact could occur from the projects implementation due to:

- Tree Removal (Non-Protected Trees)
- Tree Removal (Public Right-of-Way)
- Explosion/Release (Existing Toxic/Hazardous Construction Materials)
- Increase Noise (Demolition, Grading, and Construction Activities)
- Human Health Hazard (Vector Control)
- Public Services (Fire)
- Utilities (Solid Waste Recycling)
- Utilities (Solid Waste Disposal)

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2012-2201-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). 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.

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. 72103-SL, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Mission Hills – Panorama City – North Hills Community Plan designates the subject property for Low Medium II residential use with the corresponding zone of RD1.5, RD2, RW2, RZ2.5. The property contains approximately 0.554 gross acre site and is presently zoned RA-1. A Zone Change has been requested from RA to (T)(Q)RD1.5. The proposed development of 14-Lots as a Small Lot Subdivision is allowable under the proposed (T)(Q) RD1.5 zone and the present Low Medium II land use designation.

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

“Design” is defined under Section 66418 of the State Subdivision Map Act to mean (1) street alignment grades and width; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and fire breakers; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) other specific physical requirements in the plan and configuration of the entire subdivision that are necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan.

All small lot subdivisions filed after February 1, 2014 must comply with or meet the intent of the “2014 Small Lot Design Guidelines” through either methods listed in the Guidelines or through alternative methods that achieve the same objective. This project was filed on March 18, 2013 and follows the Advisory Agency prior policies dated January 10, 2006 and November 15, 2006. This project is exempt from the 2014 Small Lot Design Guidelines.

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 Tobias Avenue (a designated Local Street) in order to meet current street standards.

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.

The development of this tract is an infill of an otherwise multiple-family neighborhood along Tobias 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. The lots created by this subdivision would comply with area requirements of the (T)(Q)RD1.5 Zone. The proposed density of 14 single-family lots is permitted by the proposed (T)(Q)RD1.5 zone.

The Environmental Review conducted by the Department of City Planning, as indicated in Case No. ENV-2012-2201-MND. (Mitigated Negative Declaration), established that the physical characteristics of the site and surrounding area is 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.

The site plan and elevations of the proposed development show substantial compliance with the Advisory Agency's Small Lot Design Guidelines policies dated January 10, 2006 and November 15, 2006.

- (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 an otherwise multiple-family neighborhood. The proposed development of 14 single-family dwellings is the maximum density permitted based on the proposed (T)(Q)RD1.5 Zone. Therefore, the proposed small lot project is compatible by providing a density similar to other properties fronting this section of Tobias Avenue.

Building Height

The proposed (T)(Q)RD1.5-1 Zone permits a maximum building height of 45-feet. The subject lot is developing 14 single-family dwellings as Small Lots all to be approximately 35 feet in height. This height is below the maximum 45-feet allowed by-right under Height District No. 1 of the Los Angeles Municipal Code (LAMC) for the R3-1 Zone.

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

- (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, 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 a residential structure 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. 72103-SL.

Michael J. LoGrande  
Director of Planning

  
MARC WOERSCHING  
Deputy Advisory Agency

MJL:JF:MW:NR: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 90<sup>th</sup> day following the date on which the City's decision becomes final.

n:tract\_letters (09-17-13)