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CITY PLANNING

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Decision Date: July 21, 2016

Appeal Period Ends: August 1, 2016

Darry White (A)(O)
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Bryan Gentry (E)
Gentry Surveying Co.
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Simi Valley, CA 93065

David Berneman (R)
Golden Bee Investments
P.O. Box 351028
Los Angeles, CA 90035

RE: Vesting Tentative Tract Map No. VTT-73851-SL
Address(s): 331-333, 353-359, 361-363 North
La Fayette Park Place
Related Case(s): N/A
Planning Area: Silver Lake – Echo Park –
Elysian Valley
Zone : RD2-1VL
D. M. : 138A203
C. D. : 13
CEQA : ENV-2016-887-MND

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.15 and 12.22-C,27, the Advisory Agency approved Vesting Tentative Tract Map No. 73851-SL, located at 331-333, 353-359, 361-363 North La Fayette Park Place for a maximum of **nine (9) small lots** for the purposes of a Small Lot Subdivision as shown on map stamp-dated March 15, 2016 in the Silver Lake – Echo Park – Elysian Valley Community Plan. This unit density is based on the RD2-1VL. (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 for legal interpretation of the Zoning Code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077 or (818) 374-5050. 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. 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 Central 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.
5. That any fee deficit under Work Order No. EXT00671 expediting this project be paid.

Any questions regarding this report should be directed to Mr. Georgic Avanesian of the Land Development Section, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3484.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

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

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

7. 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 dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Front and side 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 for driveway and egress/ingress purposes all the way to the public

street. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning.

- d. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress in the final map.

Notes:

This property is located in a Methane Zone.

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

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.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Huang at (213) 482-6876 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

8. 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 be provided between any security gate(s) and the property line or to the satisfaction of the Department of Transportation.
 - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
 - c. This determination does not include approval of the project's driveways and internal circulation or parking scheme. Adverse traffic impacts could occur due to access and circulation issues. A parking area and driveway plan be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 550.

Please contact this section at (213) 482-7024 for any questions regarding the above.

FIRE DEPARTMENT

9. 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.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - c. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
 - d. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
 - e. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
 - f. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
 - g. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
 - h. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off
 - i. Site plans shall include all overhead utility lines adjacent to the site.
 - j. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
 - k. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
 - l. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

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) 482-6509. You should advise any consultant representing you of this requirement as well.

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

11. If new street light(s) are required, then 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 LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, 213 922-8363.

DEPARTMENT OF RECREATION AND PARKS

14. That the Quimby fee be based on the RD2-1VL Zone.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

15. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the subdivider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.

Note:

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

Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: (213) 847-3077. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

16. 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 nine (9) small lots.
 - b. A Certificate of Occupancy (temporary or final) for the building(s) in Tract No. 73851-SL shall not be issued until after the final map has been recorded.
 - c. Provide a minimum of 2 covered off-street parking spaces per dwelling unit.
 - d. Provide a minimum of 1 off-street guest parking spaces. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.
 - e. 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.
 - f. No vehicular gates shall be permitted within the development.
 - g. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.

- h. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- i. An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.
- j. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
- k. 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.
- l. 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.

Note to City Zoning Engineer and Plan Check. The Advisory Agency has approved the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site. Approved Variations as follows:

- 1) Setbacks shall be permitted as follows:

Setbacks				
Lot No.	Front (East)	Side (North)	Side (South)	Rear (West)
1	15'	7.2'	5.9'	13.3'
2	15'	5.9'	14.2'	13.3'
3	15'	14.2'	5.7'	13.3'
4	15'	5.7'	7.2'	13.3'
5	13.3'	5.5'	0.3'	5'
6	13.3'	0.3'	0.3'	5'
7	13.3'	0.3'	0.3'	5'
8	13.3'	0.3'	0.3'	5'
9	13.3'	0.3'	6.1'	5'

- 2) A minimum 18-foot clear to the sky common access strip may be provided, and may include a landscape buffer, provided that the landscape buffer does not obstruct vehicular access.

17. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
18. Indemnification and Reimbursement of Litigation Costs.

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement. (b)
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

19. 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:

MM-1. 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-2. 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.

Removal or planting of any tree in 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, Bureau of Street Services, Department of Public Works.

20. **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. Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
 - CM-2. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
 - CM-3. There shall be no staging or parking of construction vehicles or haul trucks shall be staged or idled on these streets during school hours.
 - CM-4. The developer and contractors shall maintain ongoing contact with the administrator of Vista Charter Middle School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (213)580-2950 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

DEPARTMENT OF CITY PLANNING-STANDARD SMALL LOT CONDITIONS

- SL-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 LAMC shall be fully complied with satisfactory to the Department of Building and Safety.
- SL-2. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan shall be prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730. 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. Removal of all trees in the public right-of-way shall require approval of the Board

of Public Works. Contact: Urban Forestry Division at: (213) 847-3077 and shall be in compliance with Condition No. 15 and 19-MM.1 and 2.

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 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 Transportation 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 be either constructed prior to recordation of the final map or that the construction be 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.
 - i. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise remove and reinstall existing conduit behind new curb and gutter on La Fayette Park Place.
 - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry 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 (213-485-5675) 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 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - i. Improve North La Fayette Park Place adjoining the subdivision by the construction of a new concrete curb, 2-foot wide concrete gutter and 5-foot sidewalk and landscaping of the parkway including necessary removal and reconstruction of existing improvements.
 - ii. 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 density.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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 LAMC Section 17.05N.

The final map must record 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 Department of City Planning issued Mitigated Negative Declaration No. ENV-2016-887-MND on June 23, 2016. The Department found that potential negative impact could occur from the project's implementation due to:

Biological Resources (tree removal);
Public Services (fire protection, police protection);

The Deputy Advisory Agency adopts that Mitigated Negative Declaration No. ENV-2016-887-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 Nos. 19, 20, and SL-2 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, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects. A comment was received from South Coast Air Quality Management District regarding the sites located in proximity to an existing highway. No additional mitigations were required.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by adopting the attached Mitigation Monitoring Program of ENV-2016-887-MND.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 73851-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 project site is located within the Silver Lake – Echo Park – Elysian Valley Community Plan, one of 35 Community Plans that make up the Land Use Element of the General Plan. The Community Plan designates the site with a Low Medium II Residential land use designation, with the following corresponding

zones: RD1.5, RD2, RW2, RZ2.5. As the project site is zoned RD2-1VL, the zone is consistent with the land use designation. The site is not located within a specific plan area.

The Los Angeles Municipal Code (LAMC) implements the goals, objectives, and policies of the Community Plan through zoning regulations which regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land. The RD2 Zone would permit a maximum density of nine dwelling units with a maximum height of 45-feet. The proposed small lot homes will vary in height from 42 to 45 feet to the top of the roof structures. As proposed, the project is consistent with the zone and height district.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Specifically Section 17.05 requires that the vesting tentative tract map complies with the design requirements of the General Plan. As defined by the Subdivision Map Act and LAMC Section 17.03, design includes, but is not limited to, street alignments (grades and widths), utilities, location of easements, and lot size and configuration. The tract map indicates the location of common access easements for vehicular access and frontage for each of the small lots and meets the minimum lot size and width requirements of LAMC Section 12.22-C,27. Additionally the map indicates the location of utilities and public right-of-ways.

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). As such, the Advisory Agency concludes that the proposed tract map is consistent with the intent and purpose of the General Plan.

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

The design and improvement of the proposed subdivision are consistent with the Silver Lake – Echo Park – Elysian Valley Community Plan and are not subject to any Specific Plan requirements. The project is bounded by North La Fayette Park Place generally located to the east of the project site. North La Fayette Park Place is designated as a Local Street – Standard and is currently dedicated to a width of 60 feet at the project's street frontage. For the purposes of approving a small lot subdivision, the "design" of the tract or parcel map refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout and building design. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. The project was reviewed by various city agencies that have the authority to make improvement recommendations. As proposed, the tract map indicates a common access easement which would provide vehicular access to the nine small lots. The Bureau of Engineering has not recommended additional dedication requirements, but has recommended improvements to the public right-of-way. Additionally, recommendations from the Bureau of Engineering include construction of the necessary on-site mainline sewers. In addition, all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 1990. As conditioned, the design and improvements of the proposed

subdivision are consistent with the applicable General Plan.

(c) **THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.**

The project site consists of approximately 18,749 square feet of land, is currently improved with two single family dwellings and a duplex. The existing structures would be removed as part of the construction of the proposed project. The proposed project is considered to be an infill development in a neighborhood that has a mix of low to medium density multi-family residential uses and is consistent with the permitted density and height of the RD2-1VL Zone. The project site is located within 1.44 kilometers of the Upper Elysian Park Fault, but is not located within the Alquist-Priolo Fault Zone. While the site is not located within a designated hillside area, the site is located within the BOE Special Grading Area. The site is not located within a high fire hazard severity zone, flood zone, landslide, liquefaction, or tsunami inundation zone. The site is located within a Methane Zone. During the grading and construction phase of the project, the project would be required to comply with existing building and fire regulations related to methane. The site is not identified as having hazardous waste or past remediation. The site is within Flood Zone Type C, which denotes areas of minimal flooding. The Advisory Agency approved the proposed subdivision with an additional condition requiring that a MERV 11 filtration be installed during the construction of the proposed project due to the sites proximity to an existing freeway.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. Therefore, the site will be physically suitable for the proposed type of development.

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

The surrounding properties have a land use designation of Low Medium II Residential and are zoned RD2-1VL. The surrounding properties are developed with either single-, two-, or multi-family developments. The project site consists of six parcels, which were developed as three separate sites. Two of the sites are developed with a single family dwelling, each, and the third site is developed with a duplex. The project site is approximately 18,749 square feet of lot area within the RD2-1VL Zone. The RD2 Zone would permit a maximum of nine residential units. As proposed, the density is consistent with the zone and land use designation. As conditioned the proposed tract map is physically suitable for the proposed density of the 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 project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for fish. On June 23, 2016, the City Planning Department issued Mitigated Negative Declaration No. ENV-2016-887-MND. This Mitigated Negative Declaration 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 are mitigated to a less than significant level. The custodian of the documents or other material which constitute the record of proceedings upon which the decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

(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 the 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)

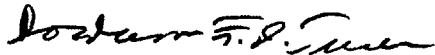
In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements. 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.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

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 Tentative Tract Map No. 73851-SL.

Vincent P. Bertoni, AICP
Advisory Agency



JORDANN TURNER
Deputy Advisory Agency
JT:MS

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 East Area 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 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213 482-7077

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

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

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.

If you have any questions, please call Development Services Center staff at (213) 482-7077 or (818) 374-5050.