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Decision Date: July 7, 2016

Last Day to Appeal: July 22, 2016

Rob Anderson
Rocking Horse Development, LLC
3073 St. George Street
Los Angeles, CA 90027

Case No. AA-2015-1432-PMLA-SL
Related Case: none
Address: 1625 & 1625 ½ North Morton Avenue
Planning Area: Silver Lake – Echo Park –
Elysian Valley
Zone: [Q]RD2-1VL
D. M. : 141 A 209, 141 A 211
C. D. : 13
CEQA: ENV-2015-1434-CE
Legal Description: Lot 4, McIntyre Tract

In accordance with provisions of Section 17.53 of the Los Angeles Municipal Code, the Advisory Agency adopted Categorical Exemption ENV-2015-1434-CE as the environmental clearance and approved Parcel Map AA-2015-1432-PMLA-SL, pursuant to the Small Lot Subdivision Ordinance No. 176,354, for a maximum of **3 small lots** as shown on map stamp-dated April 16, 2015. This unit density is based on the RD2 Zone and subject to the following conditions. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which shall legally interpret the Zoning Code as it applies to this particular property.

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. A copy of the first page of this grant and all conditions and/or any subsequent appeal of this grant and its resultant conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of Building and Safety for purposes of having a building permit issued.

BUREAU OF ENGINEERING

1. That a 3-foot wide strip of land be dedicated along Morton Avenue adjoining the subdivision to complete a 33-foot wide half right-of-way dedication in accordance with Collector Street Standards.
2. That, if necessary and for street address purposes, if this parcel map is approved as "Small Lot Subdivision", then all the common access area to this subdivision be named on the final map.
3. That if this parcel map is approved as a Small Lot Subdivision, then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176354".
4. That any necessary public sanitary sewer easements be dedicated within the common access area on the final map based on an alignment approved by the Central Engineering District Office.
5. That, if necessary and for street address purposes, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
6. That any hillside surcharge fee in conjunction with the Very High Fire Hazard Severity Zone be paid.
7. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve Morton Avenue adjoining the subdivision by repairing or replacing any bad order curb, gutter, roadway pavement; reconstructing concrete sidewalk, including the dedicated area; plant trees and landscaping the parkway area.
 - b. Construct the necessary mainline sewer and house connection within the common access area with sufficient width to serve each parcel, or any other arrangement acceptable to the Central Engineering District Office.

Any questions regarding this report should be directed to Ray Saidi of the Land Development Group located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3492.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

8. 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 3, 0216, Log No. 86577 and attached to the case file for Tract No. 73212.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

9. 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 compliance to the requirements of the [Q] Conditions per Ordinance 176827. Condition (2)(b) of Ordinance 176827 limits the lot coverage for each lot to no more than 56% of the lot area or obtain approval from Department of City Planning.
 - c. Show all street dedication as required by the Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Front yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
 - d. Provide a minimum 15-foot front yard setback for Parcel A along Morton Avenue after required street dedication is taken as required for the RD2 Zone. Revise the map to show compliance with the above requirement or obtain approval from the Department of City Planning.
 - e. Resubmit the map the provide and maintain a minimum 20 foot 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-foot minimum common access strip. Provide the 20-foot 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.
 - f. Provide and dimension the reciprocal private easement for pedestrian egress and ingress, drainage and utilities on the final map.

Notes:

This property is in the RD2 Zone within the Hillside Grading Area and may require to comply with the Hillside Ordinance (Section 12.21A.17 LAMC).

This property is located in a Fault Zone.

This property is located in a Liquefaction Zone.

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.

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

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact John Francia at (213) 482-0010 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

10. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. In addition, the following items shall be satisfied:

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

FIRE DEPARTMENT

11. Submit plot plans for Fire Department review and approval prior to recordation of this Parcel Map Action. Access for Fire Department apparatus and personnel to and into all structures shall be required. In addition, the following items shall be satisfied:

- a. Mitigating measures shall be considered. These measures shall include, but not be limited to, the following:

- Boxed-in eaves.
- Single pane, double thickness (minimum 1/8" thickness) or insulated windows.
- Exposed wooden members shall be two inches nominal thickness.
- Noncombustible finishes.

Irrigated and managed greenbelts around the perimeter of all structures for a distance of 100 feet shall be considered as a buffer between the brush and the proposed project.

All landscaping shall use fire-resistant plants and materials. A list of such plants is available from the Fire Department.

All homes shall have noncombustible roofs (Non-wood).

The brush in the area adjacent to the proposed development shall be cleared or thinned periodically by the homeowner's association under supervision to the Los Angeles City Fire Department in order to reduce the risk of brush fires spreading to the homes.

Any required roadway improvement within the Hillside Ordinance shall be completed prior to the Fire Department signing off and building plans or building permit application.

Access for Fire Department apparatus and personnel to and into all structures shall be required.

No building or portion of a building shall be constructed more than 150 feet from the edge of the roadway of an improved street, access road or designated fire lane.

Fire lane width shall not be less than 20 feet. Where 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.

The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.

Submit plot plans indicating access road and turning area for Fire Department approval.

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.

No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.

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

Site plans shall include all overhead utility lines adjacent to the site.

Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

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 within a minimum amount of waiting, please call

(213) 482-6509. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF RECREATION AND PARKS

12. That the Quimby fee be based on the RD2 Zone.

BUREAU OF STREET LIGHTING - SPECIFIC CONDITIONS

13. The Bureau of Street Lighting's recommended condition of approval for the subject city planning case is as follows: (Improvement condition added to S-3(c) where applicable.)
- a. **SPECIFIC CONDITION:** 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.
 - b. **IMPROVEMENT CONDITION:** Construct new street light: one (1) on Morton 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) above, requiring an improvement that will change the geometrics of the public roadway may require additional or the reconstruction of street lighting improvements as part of that condition.

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. **Use.** Limit the proposed development to a maximum of 3 units.
 - b. **Parking.** That a minimum of two (2) parking spaces per dwelling unit shall be provided. All exterior parking area lighting shall be shielded and directed onto the site.
 - c. **Landscape Plans.** 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 permit. 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. **Failure to comply with this condition as written shall require the filing of a modification to this parcel map in order to clear the condition.**

In the event the subdivider decides not to request a permit before the recordation of the final map, the following statement shall appear on the plan and be recorded as a covenant and agreement satisfactory to the Advisory Agency guaranteeing that:

- i. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of each housing unit.
 - ii. The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
 - iii. The developer/builder shall guarantee all trees and irrigation for a period of six months and all other plants for a period of 60 days after landscape and irrigation installation.
- d. **Plans.** Prior to the issuance of building permits, detailed development plans, including a project design plan shall be prepared consistent with the Community Plan.
- e. **Fence.** 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. The wall shall be covered with clinging vines or screened by vegetation capable of spreading over the entire wall.
- f. **Energy Conservation.** 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. **Air Filtration.** The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.
- h. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of

subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

"Action" shall be defined to include suits, proceedings (including

those held under alternative dispute resolution procedures), claims, or lawsuits. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

15. 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.
16. **Small Lot Subdivision – Note to City Zoning Engineer and Plan Check.** Pursuant to Ordinance Number 176,354 (Small Lot Subdivisions) of the Los Angeles Municipal Code, the Advisory Agency has approved the following conditions as it applies to this subdivision and the proposed development on the site:

a. **Setback Matrix.**

PARCEL #	FRONT	SIDE 1	SIDE 2	REAR
A*	0'-0" (EAST)	5'-0" (NORTH)	18'-11" (SOUTH)	0'-4" (WEST)
B	5'-0" (NORTH)	6'-6" (WEST)	0'-4" (EAST)	18'-11" (SOUTH)
C	5'-0" (NORTH)	5'-0" (WEST)	3'-0" (EAST)	18'-11" (SOUTH)

*Parcel A shall have a 0'-0" front yard setback.

- b. **Lot Coverage.** All structures on any one parcel shall occupy no more than 56% of the lot area for that parcel in compliance with Ordinance 176,827. Lot Coverage shall be noted on the Final Map.
- c. **Access.** Vehicular and pedestrian access shall be provided off Morton Avenue.
- d. **Driveway Width.** The open-to-sky width of the common access easement shall be no less than 18.91 feet. The driveway entry width of the common access area shall be no less than 12 feet in width. Driveway entry width dimensions shall be shown on the Final Map.
- e. An affidavit or reciprocal vehicle and pedestrian access easement between Parcels A, B and C shall be recorded.
- f. 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.

17. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

Air Quality

- | | |
|------|---|
| CM-1 | 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-2 | The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind. |
| CM-3 | All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. |
| CM-4 | All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust. |
| CM-5 | 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-6 | General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. |

Noise

- | | |
|------|--|
| CM-7 | 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-8 | Construction and demolition shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. |

- CM-9 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-10 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-11 The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

Grading

- CM-12 Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-13 Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These shall shield and bind the soil.
- CM-14 Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

General Construction

- CM-15 Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-16 Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These shall shield and bind the soil.
- CM-17 Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

- CM-18 Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-19 Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-20 Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

FINDINGS OF FACT

FINDINGS OF FACT (CEQA)

On April 16, 2015, the Planning Department determined that the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act of 1970 designates the subject project as Categorically Exempt under Article III, Section 1, Class 15, ENV-2015-1434-CE.

The Office of Historic Resources requested investigation of a potential association of the project site address 1627 Morton Avenue with community activist Grace Simons. The parcel is listed by the Los Angeles County Assessor as two buildings with the addresses of 1625 Morton Avenue and 1625 ½ Morton Avenue. The next parcel is known as 1629 Morton Avenue.

An architectural historian from Kaplan Chen Kaplan reviewed records of telephone books as well as a search of telephone books at the Los Angeles Public Library, showing that Grace Simons lived on the block but at 1672 Morton Avenue. It appears that the "1627" citation could have been a transposition error. Telephone directories from two sources (EDR research and telephone directories at the Los Angeles Central Library) list Grace Simons at the 1672 Morton Avenue address in the years of 1951, 1958, 1962, 1967, 1976, and 1982. The houses at 1625 Morton Avenue are not associated with Grace Simons.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Parcel Map No. AA-2015-1432-PMLA-SL, pursuant to Section 66474 of the State of California Government Code (the Subdivision Map Act), the Advisory Agency of the City of Los Angeles makes the prescribed findings as follows:

- (a) PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Silver Lake – Echo Park – Elysian Valley Community Plan, a part of the Land Use Element, designates the subject property for Low Medium II Residential density with corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The 0.16 acre property is zoned [Q]RD2-1VL. The proposed project is situated in a designated multifamily residential area wherein many of the parcels are underutilized based on the [Q]RD2-1VL Zone, varying in densities from single-family homes to apartments. The block is transitioning to meet the plan population

and dwelling unit capacity as dictated by the community plan. The site is not within a Specific Plan area.

The Silver Lake – Echo Park – Elysian Valley Community Plan encourages projects that:

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

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

Program: Encourage a diversity of housing types including condominium units be built in addition to rental units in areas designated for Low Medium Residential land use.

The project will provide much needed new home ownership opportunities in the Silver Lake – Echo Park – Elysian Valley Community Plan area in the form of single-family dwellings rather than residential condominiums. The Small Lot Ordinance allows for the creation of fee simple parcels without the need to establish a homeowners association and allows for single-family dwellings to be constructed on smaller parcels of land, both of which make the project more affordable.

The proposed project will generate 3 new peak hour trips, exerting a less than significant impact on the adjoining collector street which is required to be improved with road widening, sidewalk, curb and gutter, and is consistent with the Mobility 2035 Plan street standards.

Therefore, as conditioned, the proposed parcel map is consistent with the intent and purposes of the applicable General Plan.

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

The surrounding neighborhood is zoned [Q]RD2-1VL and R2-1VL, and zoned RD1.5-1VL, R3-1VL and [Q]C2-1VL in further sites still within the 500-foot radius. The development of 3 dwelling units on a 7,0001 square foot lot meets the 2,000-square foot per dwelling unit minimum of the RD2 Zone, thus meeting the target development density of the RD2 Zone and the Low Medium II Residential land use of the Silver Lake – Echo Park – Elysian Valley Community Plan.

The proposed project consists of new single-family dwellings under the Small Lot Ordinance. Lot sizes will range from 2,235 square feet to 2,430 square feet, thereby meeting the minimum 600 square-foot lot size of the Small Lot Ordinance. The site plan indicates that lot width is 50 feet, thereby meeting the minimum lot width requirement of 16 feet under the Small Lot Ordinance and the maximum lot width of 85 feet under Ordinance 176,827. As required by the Small Lot Ordinance,

the proposed project is consistent with the density requirements of the [Q]RD2-1VL Zone.

The McIntyre Tract and Richard Van Loan Tract differ from Tract 65889 in neighborhood character, lot layout, lot size and front yard setbacks. Thus Tract 65889 is not considered when reviewing the prevailing setback along Morton Avenue between Grafton Street and Morton Terrace. Parcel A has a zero-foot front yard setback, in consideration that the prevailing setback is approximately 1.83 feet for the segment of Morton Avenue along the McIntyre Tract and Richard Van Loan Tract. All other setbacks meet the minimum requirements of the Los Angeles Municipal Code. The proposed building height is 30 feet from the ground to the ceiling of the third-story and is approximately 38 feet from the ground to the top of the roof access stairway, thus the building is below the maximum 45-foot building height of the 1VL height district.

Two parking spaces per lot would provide 6 total parking spaces on the project site with a 24-foot backup space, meeting the minimum parking requirements of two parking spaces per lot. Each lot would be accessed through a common access driveway off of Morton Avenue, with an entry width of 12 feet and widening to at least 18.91 feet along the majority of the common access easement.

Therefore, as conditioned, the design and improvement of the proposed project 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 parcel is an infill of an otherwise multiple-family residential neighborhood. The hillside site is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone. However, it is located in a Very High Fire Hazard Severity Zone, a Special Grading Area and a liquefaction zone, therefore subject to California Building Code Seismic Standards, to be monitored by the Department of Building and Safety. The proposed development was found to be adequate by the Grading Division of the Department of Building and Safety.

The Bureau of Engineering has reviewed the proposed parcel map and found that the parcel map layout is generally satisfactory. As conditions of approval, the subdivider is required to make dedications and improvements on Morton Avenue adjacent to the site in order to meet current standards. According to the Bureau of Engineering letter dated March 1, 2016, an existing sewer is available in Morton Avenue. The construction of mainline and house connection sewers within suitable easement will be required to serve each parcel.

The project access easement is adequate for vehicular ingress and egress and emergency purposes. The Fire Department reviewed the project design and issued conditions of approval consistent with their rules and policies. The project's open-to-the-sky driveway width, varying from 12 feet to 18.91 feet, shows compliance with the reduced common access strip requirements, pursuant to the approval of the Deputy Advisory Agency.

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

The area is transitioning from smaller one-story detached and attached units to two-story and three-story buildings. Although the neighborhood is mostly multi-story apartments and condominiums, several single-family homes and duplexes remain on Morton Avenue. Two other Small Lot subdivisions are nearby neighbors northeast on Morton Avenue.

As stated in Finding B, the development of 3 dwelling units on a 7,001 square foot lot exceeds the 2,000-square foot per dwelling unit minimum of the RD2 Zone, thus meeting the target development density of the RD2 Zone and the Low Medium II Residential land use of the Silver Lake – Echo Park – Elysian Valley Community Plan.

The proposed development of 3 dwelling units is a comparable density to a 3-unit apartment complex but also provides more parking spaces than what is required for an apartment complex.

(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.

On April 16, 2015, the Planning Department determined that the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act of 1970 designates the subject project as Categorically Exempt under Article III, Section 1, Class 15, ENV-2015-1434-CE.

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.

Therefore, 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.

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

There are no apparent health problems that might be caused by the design or construction of the proposed condominium units. The Bureau of Engineering has reported that existing sanitary sewer is available under Morton Avenue adjoining the subdivision. This development is required to be connected to the City's sewer system where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards.

- (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 Parcel Map. The Bureau of Engineering has included conditions of approval which requires that the applicant record a covenant and agreement to maintain all elements of those areas being merged with the public right-of-way, that the construction be guaranteed, and waivers of any damages that may occur as a result of such improvements.

During plan check and prior to recordation of the final Parcel Map, the Department of Building and Safety will review the plans to ensure that no structures encroach on the easements and right-of-way, and thereby cause no conflict. In addition, the Bureau of Engineering will require approval of the final tract map from the Bureau of Sanitation which is responsible for maintenance of the sanitary sewers. Therefore, the design of the subdivision and the proposed improvement will not conflict with easements.

THE FOLLOWING NOTES ARE FOR INFORMATIONAL PURPOSES AND ARE NOT CONDITIONS OF APPROVAL OF THIS PARCEL MAP:

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.

As part of the construction of your project, you may wish to make arrangements, with the Telecommunications Bureau, located at 200 N. Main Street Room 1255, regarding the cable television franchise holder for this area, or by calling (213) 978-0856.

The above action shall become effective upon the decision date noted at the top of this letter unless an appeal has been submitted to the East Area Planning Commission within 15 calendar days of the decision date. If you wish to appeal, a Master Appeal Form No. CP-7769, must be submitted, accepted as complete, and appeal fees paid by July 22, 2016* at one of the City Planning Department Public Counters, 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 Bl., Room 251
Van Nuys, CA 91401
(818) 374-5050

*Please note the cashiers at the public counters close at 3:30 PM.

Appeal forms are available on-line at www.lacity.org/pln.

There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

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

No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of the date of approval, unless an extension of time has been requested in person before 5:00 p.m. July 22, 2016.

No requests for time extensions or appeals received by mail shall be accepted.

If you have any questions, please call Subdivisions staff at (213) 978-1328.

Vincent P. Bertoni
Advisory Agency



KEVIN S. GOLDEN
Deputy Advisory Agency

VPB:KSG:AB

cc:

Bureau of Engineering - 4
Community Planning Bureau
Planning Office & 1 Map
D.M. 144 a 205
Bureau of Street Lighting
Street Tree Division & 1 Map

Dept. of Building & Safety, Zoning & 2 Maps
Department of Building & Safety, Grading
Department of Fire
Department of Recreation & Parks & 1 Map
Department of Transportation, CPC Section
Room 600, 221 N. Figueroa Street

CP-1809 (03-01-01)