

FINDINGS
(as amended by the Central Los Angeles Area Planning Commission
on February 28, 2017)

FINDINGS OF FACT (CEQA)

The Central Los Angeles Area Planning Commission determined based on the whole of the administrative record, the Project is exempt from CEQA pursuant the following CEQA Guidelines 1) Article III, Section 1, Class 32; 2) Article III, Section 1, Class 3, Category 2 and 3) Article III, Section 1, Class 15 and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Class 15: consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have a slope greater than 20 percent.

The proposed project is for the division of one existing lot into four (4) small lots for the construction, use and maintenance of four small lot homes. The parcel map is in compliance with the Zoning Code and the Small Lot Ordinance and no deviations are being requested. The project site is developed with an existing duplex and the new project will be served by existing infrastructure (sewers, streets, etc). The project site is not part of a larger subdivision and the site has a gentle slope of less than percent.

Class 3, Category 2

“Apartments, duplexes, and similar structures, designed for not more than four dwelling units or not in conjunction with the building of two or more such structures. In urbanized areas, the exemption applies to single apartments, duplexes, and similar structures designed for not more than six dwelling units or not constructed in conjunction with the building of two or more such units.”

CEQA Guidelines sec. 15300.2

a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project site is zoned RD1.5-1-O and is currently developed with a duplex. The surrounding area is developed with single-and multi-family homes. The proposed project is the development of four small lot homes and four small lots. According to EnviroStore, the project site is not located on a hazardous waste site.

b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The project site is zoned RD1.5-1-O with a land use designation of Low Medium Residential II, which permits a total of four residential units. The property is currently

developed with a duplex which was built in 1927. The proposed project would result Net increase of two units. Additionally, no discretionary projects were found within 500 feet radius of site. Therefore, there is no cumulative impact.

c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The project site is flat with limited topography and currently developed with a duplex. There are no unusual circumstances on the site.

d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

The project site does not contain any scenic resources, no located on a scenic highway.

e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

According to EnviroStore, the project site is not located on a hazardous waste site.

f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The existing building was built 1927. Survey LA has identified the area as being in the Orange Grove Avenue Multi-Family Residential Historic District, a potential protected district. However, the district is not an adopted Historic Preservation Overlay Zone and the site has been designated as a "non-contributor" to the potential district. The proposed project as redesigned is keeping with the historic Spanish Colonial/Mediterranean style prevalent in the area. The project incorporates compatible materials (stucco, tile, wrought iron), arched fenestration, molded window and door surrounds, window muntins dividing the glass panes, multi-paneled wood front entry doors, horizontal molded wrap-around band courses, sloping variegated Spanish tile roofs, dark-colored contrasting wood beams and corbels supporting projections, sand-colored stucco relating to the surrounding buildings, wrought iron hand and guardrails for visual interest similar in character to the district, and large decorative lanterns in a Spanish Colonial/Mediterranean fashion, relating to the surrounding district. As such, the proposed project will not have an impact on a historic resource.

Class 32:

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the conditions described in this section. The five (5) conditions which the project must meet in order to qualify for the Class 32 Categorical Exemption are as follows: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in

any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services.

As mentioned, the site is zoned RD1.5-1-O and has a General Plan Land Use Designation of Low Medium II Residential. As a development consisting of four residential units on a lot that is 6,354 square feet in size, the project is in conformance with the General Plan and Zoning designation. Planning staff evaluated the exceptions to the use of Categorical Exemptions for the proposed ordinance listed in "CEQA Guidelines" Section 15300.2 and determined that none of the exceptions apply to the proposed project. The project is an infill project located in an existing multiple- and single-family developed residential neighborhood and will not create any impacts on an environmental resource of hazardous or critical concern. The site is not a wildland area, and is not inhabited by endangered, rare, or threatened species. There is one (1) unprotected tree on the site that will all be removed due to the grading required for the proposed project, as described in the Tree Report prepared by a registered landscape architect. The tree that is removed has been conditioned for replacement pursuant to this action. It would not create a significant cumulative impact on the environment nor are any unusual circumstances anticipated. The project is not located on or adjacent to a scenic highway and has not been identified as a hazardous waste.

The existing building was built 1927. Survey LA has identified the area as being in the Orange Grove Avenue Multi-Family Residential Historic District, a potential protected district. However, the district is not an adopted Historic Preservation Overlay Zone and the site has been designated as a "non-contributor" to the potential district. The proposed project as redesigned is keeping with the historic Spanish Colonial/Mediterranean style prevalent in the area. The project incorporates compatible materials (stucco, tile, wrought iron), arched fenestration, molded window and door surrounds, window muntins dividing the glass panes, multi-paneled wood front entry doors, horizontal molded wrap-around band courses, sloping variegated Spanish tile roofs, dark-colored contrasting wood beams and corbels supporting projections, sand-colored stucco relating to the surrounding buildings, wrought iron hand and guardrails for visual interest similar in character to the district, and large decorative lanterns in a Spanish Colonial/Mediterranean fashion, relating to the surrounding district. As such, the proposed project will not have an impact on a historic resource.

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will reduce any potential impacts on noise and water to less than significant. The project site will be adequately served by all public utilities and services given that the construction of a four (4) new residential units will be on a site which has been previously developed with a duplex. Therefore, based on the facts herein, it can be found that the project meets the qualifications of the Class 32 Exemption.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Parcel Map No. AA-2016-2034-PMLA-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 subdivision of land is regulated pursuant to Article 7 of the LAMC. Specifically Section 17.50 requires that the preliminary parcel map comply 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 parcel map indicates the location 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 rights-of-ways.

The project site is located within the Wilshire Community Plan, one of the 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, and RZ2.5. As the project site is zoned RD1.5-1-O, the zone is consistent with the land use designation. The site is not located within a specific plan area.

The Wilshire Community Plan, a part of the Land Use Element of the City's General Plan, states the following relevant Objective and Policy to the current project:

Objective 1-1

Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.

Policy1-1.3

Provide for adequate Multiple Family residential development.

The proposed small lot project, as conditioned, will meet the intent of the aforementioned Community Plan's Goals and Objectives and will provide much needed new home ownership opportunities for the Wilshire Community Plan area in the form of small lot homes as part of an infill development.

Furthermore, 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 RD1.5-1-O Zone would permit a maximum density of four dwelling units, one dwelling per 1,500 square feet of lot area. As proposed, for a maximum of four small lot homes, the density is consistent with the zone and land use designation.

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 parcel 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.

Section 66418 of the Subdivision Map Act defines the term "design" as follows: "Design" means: (1) street alignments, grades and widths; (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 firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) such other specific physical requirements in the plan and configuration of the entire

subdivision as maybe necessary to ensure consistency with, or implementation of the general plan or any applicable specific plan.

Section 17.05-C of the Los Angeles Municipal Code enumerates design standards for Subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Stanley Avenue is a local standard street that is currently improved to a 55-foot right-of-way width. The Bureau of Engineering is requiring 2.5 foot dedication along Stanley Avenue. Additionally, the project has been conditioned to reconstruct a minimum 6-foot wide concrete sidewalk; repair and replace any broken or off-grade curb, gutter and roadway pavement; close any unused driveway; and plant trees and landscape the parkway area.

Additionally, the Bureau of Street Lighting (BSL) is not requiring street lighting if there no street widening. If there is street widening, BSL is requiring the removal and reinstallation of the existing conduit behind the new curb and gutter along Stanley Avenue. In addition, all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 1990. The subdivision will be required to comply with all regulations pertaining to grading, building permits, and street improvement permit requirements. Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the tentative map, building permit, grading permit, or certificate of occupancy.

LAMC Section 17.05-C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes ("net area"). The site contains 6,354 net square feet. The project site is zoned RD1.5-1-O which permits a maximum density of four dwelling units, one dwelling per 1,500 square feet of lot area. As proposed, for a maximum of four small lot homes, the density is consistent with the zone and land use designation.

The design and layout of the parcel map is consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including Fire Department, Department of Building and Safety, Bureau of Engineering, and the Department of Transportation have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval. The project has been conditioned to construct the necessary house connection sewer to serve each parcel and evaluate the efficiency of the existing house connection sewers, to the satisfaction of the Central Engineering District Office. The subdivision will be required to comply with all regulations pertaining to grading, building permits, and street improvement permit requirements. Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the parcel map, building permit, grading permit, or certificate of occupancy.

The project site is located within the Wilshire Community Plan, one of the 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, and RZ2.5. As the project site is zoned RD1.5-1-O, the zone is consistent with the land use designation. The site is not located within a specific plan area.

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 site is a flat parcel containing approximately 6,354 net square feet of area and is located in a mixed density residential neighborhood. The subject site is not located in a hazardous zone and does not contain any known hazards (i.e., toxic waste, very high fire hazard severity zone etc.), but is located within a methane zone and is subject to liquefaction. However, any construction that occurs on site will be required to adhere to appropriate seismic and geotechnical requirements, as deemed appropriate. The site is relatively level and is not located in a slope stability study area, high erosion hazard area, or Alquist-Priolo Fault Zone.

The general area surrounding the site is developed with multi-family dwellings south of Rosewood Avenue in the RD1.5-1-O Zone and single-family dwellings in the R1-1-O Zone north of Rosewood Avenue. The northern adjoining property is zoned RD1.5-1-O and developed with two-story four-unit apartment building. The eastern adjoining properties (across Stanley Avenue) is zoned RD1.5-1-O and also developed with a four-unit apartment building. The southern adjoining properties are zoned RD1.5-1-O and is developed a six-unit apartment building. West of the subject site, the adjoining property is zoned RD1.5-1-O and is developed with a four-unit apartment building.

The Department of City Planning, on August 4, 2016, determined that the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act designates the subject project as categorically exempt under Article III, Section 1, Class 15 of the California Environmental Quality Act. This exemption is for the division of land into four or fewer parcels.

The parcel map 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 subject property is located within the adopted Wilshire Community Plan which designates the subject property for Low Medium II Residential land use with the corresponding RD1.5, RD2, RW2, and RZ2.5 Zones. The Low Medium II Residential land use designation and the RD1.5-O Zone permit the proposed project. The RD1.5-1-O zone permits one dwelling unit per 1,500 square feet of lot area. The subject site has a lot area of 6,354 square feet. The subject site is a flat, infill lot in a substantially developed urban area with adequate infrastructure.

The Central Los Angeles Area Planning Commission determined based on the whole of the administrative record, the Project is exempt from CEQA pursuant the following CEQA Guidelines 1) Article III, Section 1, Class 32; 2) Article III, Section 1, Class 3, Category 2 and 3) Article III, Section 1, Class 15 and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Furthermore, 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). The proposed project will comply with all the Los Angeles Municipal Code requirements for parking, yards, and open space in accordance with Ordinance No. 176,354. Therefore, the project site is physically suitable for the proposed type of

development.

- (e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for fish or wildlife. The environmental review conducted by the Department of City Planning (Case No. ENV-2016-2035-CE) established that the physical characteristics of the site and surrounding area is generally consistent with existing development and urban character of the surrounding community. The project site is developed with an existing duplex. Additionally, 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). The project would not result in substantial impacts to 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 August 4, 2016, the Department of City Planning issued the Categorical Exemption ENV-2016-2035-CE. 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.

The proposed subdivision and subsequent improvements are object to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements as mandated by law would apply where applicable to ensure the public health and welfare (e.g., asbestos/lead abatement, seismic safety, flood hazard management).

The project is not located over a hazardous materials site or flood hazard area and is not located on unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials tie or involve the use or transport of hazardous material or substances.

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, where collected sewage is directed to sewer treatment plants, which have been upgraded to meet Statewide Ocean Discharge Standards. The project has been conditioned to construct the necessary house connection sewer to serve each parcel and evaluate the efficiency of the existing house connection sewers, to the satisfaction of the Central Los Angeles Engineering District Office. Additionally, given that the project has been determined to be categorically exempt from the California Environmental Quality Act (CEQA), no adverse impacts to the public health or safety would occur as a result of the design and improvement of the site. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- (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.

The site is surrounded by private and public properties that adjoin public streets and sidewalks designed and improved for the specific purpose of providing public access through the area. There are no recorded instruments identifying easements encumbering the project site for the purpose of providing public access. The project site contains one legally recorded lot identified by the Assessor Parcel Record. The site is surrounded by private and public properties that adjoin public streets and sidewalks designed and improved for the specific purpose of providing public access through the area. The project site does not adjoin or provide access to a public resource, natural habitat, Public Park or any officially recognized public recreation area. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use property within the proposed subdivision.

- (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 lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

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.