

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
APCNV-2017-1102-ZC	ENV-2017-1101-CE	6
RELATED CASE NOS.		COUNCIL FILE NO:
VTT-74873-SL <input type="checkbox"/> N/A		<input type="checkbox"/> N/A
PROJECT ADDRESS / LOCATION:		
8553 North Noble Avenue		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Edmond and Roubina Manouchehri	818-554-4534	pjijik1@yahoo.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Oscar Ensafi	818-988-3242	approvedplans@yahoo.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
<input checked="" type="checkbox"/> N/A		
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Laura Frazin Steele, City Planner	818-374-9919	Laura.frazinsteele@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
Zone Change (ZC)		
<input type="checkbox"/> <i>The preparation of a draft ordinance by the City Attorney will be required.</i>		
FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)		
<input checked="" type="checkbox"/> N/A		
ITEMS APPEALED:		
<input checked="" type="checkbox"/> N/A		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input checked="" type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration (ND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Mitigated Negative Declaration (MND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> T Conditions	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report (EIR)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Proposed Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program (MMP)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Zone Change Map and Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Project Exemption (SCPE)	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA)	<input type="checkbox"/>
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR)	<input type="checkbox"/>
<input type="checkbox"/> Exhibit A – Plans	<input type="checkbox"/>	<input type="checkbox"/> Appendices	<input type="checkbox"/>
<input checked="" type="checkbox"/> Mailing List	<input type="checkbox"/>	<input type="checkbox"/> Other:	<input type="checkbox"/>
<input checked="" type="checkbox"/> Interested Parties List	<input type="checkbox"/>		
<input type="checkbox"/> Appeal	<input type="checkbox"/>		
<input type="checkbox"/> Development Agreement	<input type="checkbox"/>		
<input type="checkbox"/> Site Photographs	<input type="checkbox"/>		
<input type="checkbox"/> Other:	<input type="checkbox"/>		

NOTES / INSTRUCTIONS:

N/A

FISCAL IMPACT STATEMENT:

Yes No

*If determination states administrative costs are recovered through fees, indicate "Yes."

PLANNING COMMISSION:

- | | |
|--|--|
| <input type="checkbox"/> City Planning Commission (CPC)
<input type="checkbox"/> Cultural Heritage Commission (CHC)
<input type="checkbox"/> Central Area Planning Commission
<input type="checkbox"/> East LA Area Planning Commission
<input type="checkbox"/> Harbor Area Planning Commission | <input checked="" type="checkbox"/> North Valley Area Planning Commission
<input type="checkbox"/> South LA Area Planning Commission
<input type="checkbox"/> South Valley Area Planning Commission
<input type="checkbox"/> West LA Area Planning Commission |
|--|--|

PLANNING COMMISSION HEARING DATE:

July 6, 2023

COMMISSION VOTE:

4 – 0

LAST DAY TO APPEAL:

N/A

DATE APPEALED:

N/A

TRANSMITTED BY:

Cecilia Lamas
Commission Executive Assistant II

TRANSMITTAL DATE:

August 1, 2023



NORTH VALLEY AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: AUGUST 1, 2023

Case No.: APCNV-2017-1102-ZC

Council District: 6

CEQA: ENV-2017-1101-CE

Plan Area: Mission Hills – Panorama City – North Hills

Related Case: VTT-74873-SL

Project Site: 8553 North Noble Avenue

Applicant: Edmond and Roubina Manouchehri
Representative: Oscar Ensafi, Approved Plans, Inc.

At its meeting of **July 6, 2023**, the North Valley Area Planning Commission took the actions below in conjunction with the approval of the following Project:

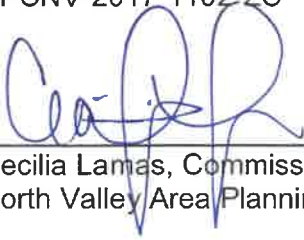
Construction, use, and maintenance of six residential structures, each one approximately 3,111 square-foot, 26.5 feet in height and two stories, on a 31,868 (gross) square-foot lot in the RA-1 Zone (applicant is requesting an RD5-1 Zone). As proposed, each 3,111 square-foot structure will include a 2,077 square-foot single-family dwelling and a 1,034 square-foot attached accessory dwelling unit. Each structure will be constructed with a two-car garage for the single-family dwelling and a tandem parking space for the accessory dwelling unit. The Applicant proposes to demolish an existing approximately 1,770 square-foot single-family residence. There are 16 trees on the subject site, including one protected California Black Walnut tree. All of the trees on site are proposed to be removed. Less than 500 cubic yards of grading is proposed.

1. **Determined**, that based on the whole of the administrative record, the Project is exempt from California Environmental Quality Act (CEQA) Guidelines, Article 19, Section 15332, Class 32, and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Approved and Recommended** that the City Council **adopt**, pursuant to Section 12.32 F of the Los Angeles Municipal Code, a Zone Change from RA-1 to (T)(Q)RD5-1 over the entire site;
3. **Adopted** the Conditions of Approval; and
4. **Adopted** the Findings.

The vote proceeded as follows:

Moved: Collado
Second: Sampson
Ayes: Del Rio, Parseghian
Absent: Diaz

Vote: 4 – 0



Cecilia Lamas, Commission Executive Assistant II
North Valley Area Planning Commission

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

Effective Date/Appeals: The decision of the North Valley Area Planning Commission as it relates to the Vesting Zone Change is appealable by the Applicant only, if disapproved in whole or in part by the Commission, is appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: N/A

Notice: An appeal of the CEQA clearance for the Project pursuant to LAMC Section 11.5.13 is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) is not further appealable and the decision is final. For other limitations see LAMC Section 11.5.13.

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

Attachments: Zone Change Ordinance, Map, Conditions of Approval, Findings, Appeal Filing Procedures (CEQA)

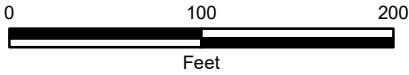
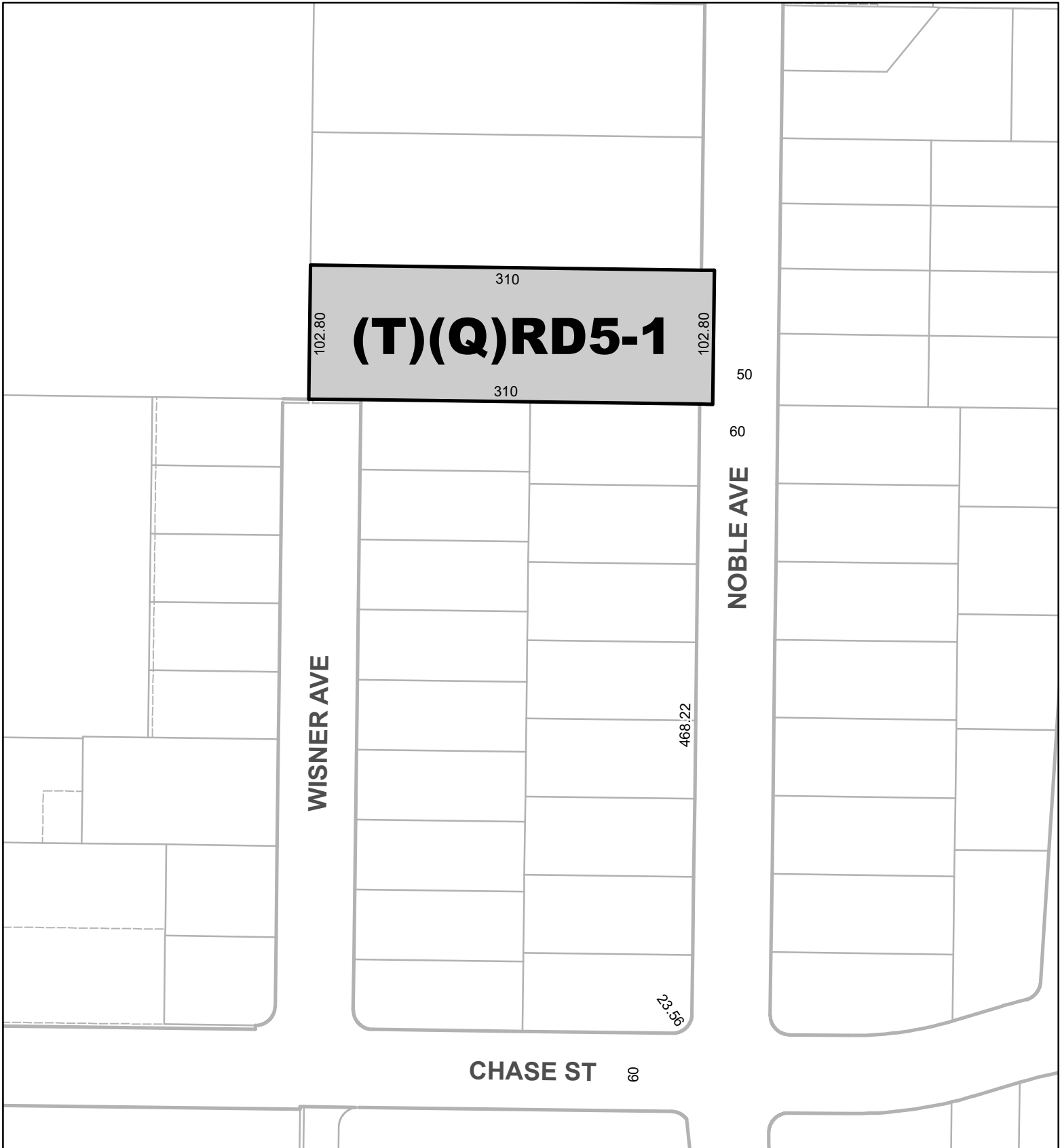
c: Blake Lamb, Principal Planner
Claudia Rodriguez, Senior City Planner
Laura Frazin-Steele, City Planner

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

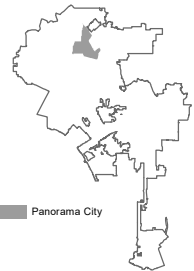


APCNV-2017-1102-ZC

AA/cf

041223

City of Los Angeles



(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 of the Los Angeles Municipal Code (LAMC), the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification.

A. Zone Change Entitlement Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped “**Exhibit A**” (dated October 5, 2020) and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Valley Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the project conditions.
2. **Use.** The site shall be limited to the maximum density allowed by the RD5 zone.
3. **Floor Area.** The floor area for the single-family dwelling on each lot shall not exceed 2,077 square feet. Any residential floor area created by the addition of ADUs is subject to LADBS review and approval under a separate ministerial permit. In no circumstance shall the total floor area shown on the applicant’s final plans exceed 3:1.
4. **Height.** Building height shall be limited to two-stories and 26.5 feet.
5. **Automobile Parking.** Two covered automobile parking spaces shall be provided for each single-family dwelling in compliance with LAMC Section 12.21 A.4 unless the applicant requests and is approved for reduced parking under AB 2097.
6. **Bicycle Parking.** In compliance with LAMC 12.21 A.16, a minimum of two short-term bicycle parking spaces shall be provided for each single-family dwelling unit. If the applicant is approved for reduced parking under AB 2097 and does not provide a private garage for each unit, one long-term bicycle parking space shall be provided for each single-family dwelling unit.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G.1 of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. **Bureau of Engineering.** Dedications and improvements, required pursuant to the Mobility Plan 2035, shall be made to the satisfaction of the Bureau of Engineering.
 - a. That a 10-foot wide strip of land be dedicated along Noble Avenue adjoining the tract to complete a 30-foot wide half public right-of-way in accordance with the Standard Local Street of the LA Mobility Plan.
 - b. That a minimum turning area be dedicated at the northerly terminus of Wisner Avenue within the tract area on an alignment satisfactory to the City Engineer.
 - c. That all existing public easements including the future street easement be clearly shown on the final map.
 - d. That if this tract map is approved as a Small Lot Subdivision, then if necessary for street address purposes, all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
 - e. That if this tract map is approved as a Small Lot Subdivision, then the final map shall be labeled as "Small Lot Subdivision per Ordinance No. 176,354" satisfactory to the City Engineer.
 - f. That all common access easements including the vehicular access and pedestrian access easement be part of the adjoining lots.
 - g. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Valley Engineering District Office.
 - h. That, if necessary, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
 - i. That the subdivider make a request to the Valley District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
 - j. That all pedestrian common access easements be shown on the final map.
 - k. That improvements required pursuant to Mobility Plan 2035 will either be constructed prior to recordation of the final map or that the construction be suitably guaranteed satisfactory to the City Engineer

- 1) Improve Noble Avenue being dedicated and adjoining the subdivision by

the construction of a 5-foot wide concrete sidewalk and landscaping of the parkway; or a new 12-foot full width concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvements.

- 2) Improve the newly dedicated turning area satisfactory to the City Engineer.
- 3) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

2. Urban Forestry. Prior to the issuance of a grading permit, the applicant shall submit a tree report and landscape plan prepared by a Municipal Code-designated tree expert as designated by LAMC Ordinance No. 186,873, for approval by the City Planning Department and the Urban Forestry Division of the Bureau of Street Services. The Tree Report shall contain the Tree Expert's recommendations for the preservation of as many desirable (8 inches diameter or greater) trees as possible and shall provide species, health, and condition of all trees with tree locations plotted on a site survey. Any on-site 1:1 tree replacement shall be required for any unavoidable loss of any desirable on-site trees.

- a. A minimum of one tree (a minimum of 48 inch box in size if available) shall be planted for each one that is removed. The canopy of the oak trees planted shall be in proportion to the canopies of the oak trees removed per Ordinance No. 186,873, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency.
- b. The applicant shall 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. Parkway tree removals shall be replanted at a 2:1 ratio. 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 at (213) 847-3077 upon completion of construction to expedite tree planting.
- c. All protected tree removals must be approved by the Board of Public Works. Contact the Urban Forestry Division at: (213) 847-3077.
- d. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact the Urban Forestry Division at: (213) 847-3077 for permit information.
- e. Trees in the Public Right-of-Way. New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise permitted by the Urban Forestry Division, Bureau of Public Works. Crepe Myrtle shall not be considered appropriate in meeting this condition.

3. Department of Transportation. Satisfactory arrangements shall be made with the Department of Transportation to assure:

- a. A minimum 20-foot reservoir space is required between any security gate or parking space and the property line, to the satisfaction of DOT. Backing out onto

Noble Avenue shall be prohibited.

- b. A two-way driveway apron width of $W=28$ feet is required for the common driveway access.
 - c. A parking area and driveway plan should be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Blvd., Room 320, Van Nuys, CA 91401.
- 4. Fire.** Prior to the issuance of any grading or building permit, the applicant shall submit the plot plan for Fire Department review and approval.
 - 5. Los Angeles Department of Water and Power.** 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.
 - 6. Department of Recreation and Parks.** That the Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee.

CONDITIONS OF APPROVAL

Zone Change Entitlement Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped “**Exhibit A**” (dated October 5, 2020) and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Valley Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the LAMC or the project conditions.
2. **Landscape Plan.** Revised landscape plans shall be submitted to show the size and location of all plants. The landscape plan shall indicate landscape points for the Project as required by LAMC 12.40 and Landscape Ordinance Guidelines “O”. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be landscaped, including an automatic irrigation system, and maintained in accordance with a final landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The final landscape plan shall be in substantial conformance with the submitted Landscape Plans dated October 5, 2020, and stamped as “**Exhibit A.**”
3. **Tree Report.** Prior to the issuance of a grading permit, the applicant shall submit an updated tree report and landscape plan prepared by a Municipal Code-designated tree expert as designated by LAMC Ordinance No. 186,873, for approval by the City Planning Department and the Urban Forestry Division of the Bureau of Street Services. The Tree Report shall contain the Tree Expert’s recommendations for the preservation of as many desirable (8 inches diameter or greater) trees as possible and shall provide species, health, and condition of all trees with tree locations plotted on a site survey. Any on-site 1:1 tree replacement shall be required for any unavoidable loss of any desirable on-site trees. The Tree Report shall also contain conditions to preserve and protect in place the off-site California black walnut tree to the south of the site.
4. **Tree Replacement.** A minimum of one tree (a minimum of 48 inch box in size if available) shall be planted for each one that is removed and a minimum of four trees must be planted for the removal of the protected California black walnut tree. All protected tree removals must be approved by the Board of Public Works. Contact the Urban Forestry Division at (213) 847-3077.
5. **Solar-ready Buildings.** The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
6. **Solar Power.** The project shall provide photovoltaic solar panels on a minimum of 15 percent of the building’s total roof area as a part of an operational photovoltaic system to be maintained for the life of the project.
7. **Heat Island Effect.** To reduce the heat island effect, a minimum of 50 percent of the area of pathways, patios, driveways or other paved areas shall use materials with a minimum

initial Solar Reflectance value of 0.35 in accordance with ASTM (American Society of Testing Materials) standards.

- 8. Greywater.** The project shall be constructed with an operable recycled water pipe system for onsite greywater use, to be served from onsite non-potable water sources such as showers, washbasins, or laundry and to be used as untreated subsurface irrigation for vegetation or for cooling equipment. The system specifics shall be required as determined feasible by the Department of Water and Power in consultation with the Department of City Planning.
- 9. Stormwater/irrigation.** The project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) guidelines.
- 10. Utility Connections.** New utility connections shall be undergrounded to the best extent possible.
- 11. Electric Vehicle Parking.** Each two-car parking garage shall be equipped with a minimum of one EV charger to immediately accommodate electric vehicles within the parking areas.
- 12. Coordination with LAUSD.** Prior to final signoff, the applicant shall communicate with the LAUSD school administrators (Noble Avenue Elementary School, Vista Middle School) to share the construction schedule, establish points of contact, and identify measures to be implemented to avoid disruption of school activities including but not limited to pick-up/drop-off by vehicles and foot, use of the school parking lot, outdoor breaks and recreation, noise beyond codified limits, and any construction activities that have potential to create airborne particulates from grading. A copy of this communication shall be submitted to the case file.
- 13. Pedestrian Pathway.** The applicant's final plans shall show a minimum 4 foot wide pedestrian pathway that is parallel to the common access driveway / fire lane and connects to the Noble Avenue right-of-way. The pedestrian pathway shall be constructed and / or treated with a change of materials, finishes, patterns, or paving that distinguishes the pathway from vehicular traffic. The applicant's final plans shall be revised to show a distinguishable pedestrian pathway across the turnaround area between Lots 3 and 4.
- 14. Primary Pedestrian Entryway.** A primary pedestrian entryway shall be provided for each small lot home. The entryway shall be oriented toward the 4 foot wide pedestrian pathway.
- 15. Primary Pedestrian Entryway.** There shall be a minimum 8 foot separation between the face of the primary entryway of each small lot home and the adjacent building wall of a neighboring small lot home to provide access to air, light, and ventilation.
- 16. Fences and Walls**

 - a. No fence or wall within the setback area abutting Noble and Wisner Avenues may exceed 3.5 feet in height.

- b. Fences and walls abutting Noble and Wisner Avenues shall be decorative but not limited to latticework, ornamental fences, screen walls, hedges, or dense shrubs / trees.
- c. Solid masonry walls along Noble or Wisner Avenues are not permitted.
- d. No other fence or wall may exceed 6 feet in height except to retain an existing fence, which shall be retained for the protection of the California black walnut tree on-site and / or the California black walnut tree off-site.

Administrative Conditions

- 17. Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
- 18. Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
- 20. Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
- 21. Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean the agencies, public offices, legislation or their successors, designees or amendment to any legislation.
- 22. Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendment thereto.
- 23. Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the department of City Planning and the Department of Building & Safety.
- 24. Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proved necessary for the protection of persons in the neighborhood or occupants of adjacent property.

25. Project Plan Modifications. Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning and the City Planning Commission.

26. Indemnification and Reimbursement of Litigation Costs.

The applicant shall do all of the following:

- i. Defend, indemnify and hold harmless the City from any and all actions against the City, in whole or in part, relating to or arising out of 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 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 \$50,000. 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. 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.

FINDINGS

A. GENERAL PLAN/CHARTER FINDINGS

1. General Plan Land Use Designation

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of seven State-mandated elements, including Land Use, Conservation, Housing, Circulation (Mobility Plan 2035), Noise, Open Space, and Safety. The Framework Element of the General Plan is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The subject property is located within the Mission Hills-Panorama City-North Hills Community Plan as updated and adopted by the City Council on June 9, 1999. The Community Plan designates the subject site for Low Medium I Residential land use with corresponding zones of R2, RD3, RD4, RD5, RD6, RZ3, RZ4, RU, and RW1. The subject site is zoned RA-1, which is more restrictive than the range of zones corresponding to the Low Medium I Residential land use designation. The applicant is requesting a Zone Change from the current RA-1 Zoning to RD5-1, which corresponds to the land use designation. The subject site is not located within any geographic specific plan area or community design overlay.

The applicant is proposing the construction, use, and maintenance of six approximately 3,111 square foot residential structures, 26.5 feet in height and two stories. As proposed, each 3,111 square foot structure will include a 2,077 square foot single-family dwelling and a 1,034 square foot attached accessory dwelling unit (ADU). The ADUs are subject to review and approval by LADBS under a separate ministerial permit and are not a part of this entitlement request. As proposed herein, each single-family dwelling will be constructed with a two-car garage for the single-family dwelling. A tandem parking space is proposed for each ADU, which is also subject to LADBS review and not a part of this entitlement request. Less than 500 cubic yards of grading is proposed.

To achieve the proposed project, the applicant is requesting a Zone Change from the current RA-1 Zone (Suburban Zone regulated by LAMC Section 12.07) to RD5-1 (Restricted Multiple Density Zone regulated by LAMC Section 12.09.1). LAMC Section 12.07 A permits single-family uses in the RA-1 Zone. However, LAMC Section 12.07 C.4 requires a minimum lot area of 17,500 square feet per dwelling unit at this site, thereby allowing one dwelling unit by-right on a 31,868 square foot lot. The RA Zone does not permit the development of small lot subdivisions pursuant to LAMC Section 12.22 C.27 (Small Lot Subdivision). LAMC Section 12.22 C.27 allows small lot subdivisions in the RD5-1 Zone.

In the RD5 Zone, a minimum lot area of 10,000 square feet is required pursuant to LAMC Section 12.09.1 B.4. Section 12.09.1 B.4 also requires a minimum lot area of 5,000 square feet per dwelling unit. Therefore, a maximum of six dwelling units can potentially be developed at a 31,868 square foot site ($31,868/5,000 = 6.37$) provided that sufficient lot area is available after the required dedications and improvements are made as required by

BOE. If the lot area is reduced as a result of required dedications, the site density will be based on the resulting lot area.

While LAMC Section 12.22 C.27 requires the density of the subdivision to comply with the minimum lot area per dwelling unit requirement established for each zone (in this case, density equals 5,000 square feet of lot area per dwelling unit), the minimum lot size of each lot is not required to be 5,000 square feet in area provided other requirements for small lot subdivisions are met (lot width, access, lot area coverage, and yard requirements). This restricts the applicant to the density allowed under the zone but also permits flexibility in site planning. The applicant's plans (see "**Exhibit A**") show Lot 1 at 4,831.6 square feet, Lot 2 at 4,651.7 square feet, Lot 3 at 5,422.7 square feet, Lot 4 at 5,422.7 square feet, Lot 5 at 4,651.7 square feet, and Lot 6 at 5,859.6 square feet. The subdivision of the approximately 31,868 square foot lot into six small lots was conditionally approved by the Deputy Advisory Agency on June 22, 2023 under related Case No. VTT-74873-SL pursuant to LAMC Sections 17.15 and 12.22 C.27.

As proposed and conditioned herein, the project is in conformance with the General Plan land use designation and zoning.

2. Charter Section 556 Findings: *That the Zone Change is in substantial conformance with the purposes, intent, and provisions of the General Plan.*

Framework Element. The Citywide Framework Element of the General Plan sets forth a citywide comprehensive long-range growth strategy. The recommended Zone Change from RA-1 to (T)(Q)RD5-1 conforms to the following objectives and policies of the Framework Element as follows:

Objective 4.1: Plan the capacity for and development incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population.

Policy 4.1.5: Monitor the growth of housing developments and the forecast of housing needs to achieve a distribution of housing resources to all portions of the City and all income segments of the City's residents.

The subject site is currently developed with a 1,077 square foot single-family dwelling that is proposed to be demolished. Given the surrounding land uses, which include single- and multi-family residences, the neighborhood would be well served by changing the zone on an underutilized RA-1 "Suburban" Zoned lot to a "Restricted Density Multiple Dwelling Unit" Zone to provide six small lots. The proposed maximum six small lot subdivision provides a transition between the single-family homes to the south and east and the multiple family uses to the north and west. The change in zone, as requested by the applicant, would further the policies of the General Plan Framework Element by increasing the supply of housing in the Mission Hills-Panorama City-North Hills Community Plan area where there has been a 4.7 percent increase in population since 2010 (Department of City Planning, 2021 Statistics).

Furthermore, the Citywide General Plan Framework Element states:

Policy 4.1.4: Reduce overcrowded housing conditions by providing incentives to encourage development of family-size units.

Policy 4.1.7: Establish incentives for the development of housing units appropriate for families with children and larger families.

The plans submitted by the applicant show five-bedroom single-family units for larger families. If the applicant were to reduce the number of bedrooms by one or two bedrooms per dwelling unit in response to Urban Design Study and Professional Volunteer Program comments, the dwelling units would provide three or four bedrooms and thereby remain appropriate for larger families.

Housing Element.

The Introduction to the 2021-2029 Housing Element of the General Plan states:

The City of Los Angeles has experienced the most severe housing crisis of any major city in the United States for some time now. With a wave of evictions threatening to further increase Los Angeles' homeless count and potentially move more families deeper into poverty, the devastating ways in which our housing crisis exacerbates existing disparities has become all too clear. The critical need for greater housing stability, affordability, equity and opportunity have never been more important.

The Housing Element continues to state the following goals, objectives and policies:

Goal 1: A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.

Objective 1.2: Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.

Policy 1.1.2: Facilitate the construction of a range of different housing types that addresses the particular needs of the city's diverse households.

The proposed six unit small lot development offers a fee-simple, single-family housing opportunity on a lot zoned for multi-family use. As such, the project provides much needed housing as well as an alternative type of housing that addresses the diverse needs of the City's population.

Mobility Element 2035. Chapter 5 of the Mobility Plan 2035 addresses Vehicle Miles Traveled (VMT) and emphasizes the need to support ways to reduce VMT per capita. One approach is identified as follows:

Land use policies aimed at shortening the distance between housing, jobs, and services that reduce the need to travel long distances on a daily basis.

The project meets this approach by providing housing in a transit-rich area. As identified on ZIMAS, the subject site is eligible for reduced parking under State AB 2097 if requested by the applicant due to its location (within one-half mile radius of a Major Transit Stop). The Metro 152 bus runs in an east-west direction along Roscoe Boulevard 0.3 miles to the south of the project site. The Metro 166 bus runs in an east-west direction on Nordhoff Street 0.6 miles north of the subject site. The Metro 234 bus runs in a north-south direction on Sepulveda Boulevard 0.5 miles west of the subject site. The LADOT DASH bus serves

the local neighborhood and stops at Sepulveda Boulevard and Parthenia Street approximately 0.5 miles west of the subject site.

Health and Wellness, Mobility 2035, and Air Quality Elements. The applicant's plans (see "**Exhibit A**") show a landscaped area in front of each unit that is designed with permeable paver (pea gravel) and drought-tolerant trees (dwarf strawberry tree, coast live oak, western redbud, catalina cherry, desert museum palo verde) and shrubs and ground cover (purple vine lilac, creeping barberry, angelina stonecrop, dwarf coyote bush, yankee point ceanothus, kurapia, and slipper plant). The landscape materials are also planted between each dwelling at the east and west side yards, and at the rear of each dwelling unit. To reduce levels of pollution and greenhouse gas emissions and encourage water conservation, low water trees and plants are utilized in the project landscaping. The project is conditioned to be in conformance with "**Exhibit A**" and to provide revised landscape plans that comply with LAMC Section 12.40 and Landscape Ordinance Guidelines "O." The project is also conditioned to provide an updated tree report as designated under LAMC Ordinance No. 186,873 for review and approval by the City Planning Department and Urban Forestry Division, Bureau of Street Services. Any removal of the protected California black walnut tree is subject to the review and approval of the Board of Public Works, Urban Forestry Division. Any protected tree removal is required to be replaced at a 4:1 ratio. As conditioned herein, removal or replanting of any tree in the public right-of-way requires approval of the Board of Public Works, Urban Forestry Division. To reduce heat island effect, a minimum of 50 percent of paved areas shall use materials with a minimum initial Solar Reflectance value of 0.35 as conditioned herein. The project shall be constructed with an operable recycled water pipe system for onsite greywater use as conditioned herein. As conditioned, the project shall implement on-site stormwater infiltration as feasible or analyze the potential for stormwater capture and reuse for irrigation purposes consistent with the City's LID guidelines. Every parking garage or carport shall be equipped with a minimum of one EV charger to immediately accommodate electric vehicles within the parking areas, which supports the adoption of low and zero emission transportation fuel sources by the project occupants. As further conditioned, the project is required to provide solar-ready buildings and solar panels. The solar zone area that is equal to or greater than 15 percent of the building's total roof area and will support the site's EV chargers and other site electrical uses to help reduce the site's dependence on fossil fuels and carbon generating public utility electrical power. Taken together, these features conform with Elements of the General Plan by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and City in response to General Plan Health and Wellness Element Policies 5.1 (reduce air pollution), 5.6 (resilience), 5.7 (reduce greenhouse gas emissions); Air Quality Element Policy 4.2.3 (ensuring new development is compatible with alternative fuel vehicles), 5.1.2 (shift to non-polluting sources of energy in buildings and operations); Mobility Element Policy 4.1 (expand access to transportation choices) and 5.4 (encourage adoption of low emission fuel sources, new mobility technology and supporting infrastructure).

General Plan/Community Plan. The Mission Hills – Panorama City – North Hills Community Plan Map includes the following Footnote No. 7:

There shall be no multiple residential development which exceed the density of the adjacent or surrounding residential density unless appropriately conditioned by the City Planning Commission and/or City Council to mitigate adverse impacts and to assure development harmonious and compatible with the surrounding neighborhood.

The surrounding area is developed with multi- and single-family residential uses. The property to the north of the subject site is designated Low Medium I Residential, zoned (Q)RD5-1 and (Q)RD6-1, and is developed with two-story multi-family residential dwelling units. To the northwest and west, properties are also designated Low Medium I Residential, zoned (Q)RD3-1, and are developed with multi-family residential dwelling units. To the south and east, properties are zoned R1-1, designated Low Residential, and are developed with one- and two-story single-family dwellings. To ensure that the project is harmonious and compatible with adjacent uses in the surrounding neighborhood, the project is conditioned herein to provide dedications and improvements to the satisfaction of BOE. Additionally, the project is conditioned to comply with all LADBS Grading and Zoning conditions, LADOT conditions for access and site planning, LADWP conditions for the adequacy of water and power, and Recreation and Parks conditions to provide adequate parks and recreational uses. The project is also conditioned to be reviewed and approved for Fire Department to maximize fire safety.

The Mission Hills – Panorama City – North Hills Community Plan was updated and adopted by the Los Angeles City Council on June 9, 1999. The project, a maximum of six residential small lots, advances a number of specific goals, policies, and objectives contained in the Community Plan. These include:

GOAL 1: A safe secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

Objective 1-2: To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

Policy 1-3.1: Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.

Policy 1-3.2: Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposed.

Policy 1-5.1: Promote greater individual choice in type, quality, price, and location of housing.

As conditioned, the maximum six small lot subdivision offers a fee-simple alternative to single-family home ownership, thereby promoting individual choice in type of housing to serve various economic, age, and ethnic segments of society. The project is accessible to public transit, thereby providing an opportunity to develop much-needed housing while reducing VMT. As previously stated, the project site is located within one-half mile radius of a Major Transit Stop and is accessible to the Metro 152, 166, and 234 buses. The LADOT DASH bus serves the local neighborhood and stops at Sepulveda Boulevard and Parthenia Street approximately 0.5 miles west of the subject site. Additionally, the infill project is conditioned to achieve architectural compatibility to protect the character and scale of the existing residential neighborhood. As conditioned herein, fences and walls along the Noble and Wisner Avenue right-of-way are required to be decorative and no higher than 3.5 feet. No solid masonry walls are permitted along Noble and Wisner Avenue. No other fence or wall may exceed 6 feet in height except to retain the existing fence for the protection of the on- and off-site California black walnut trees. New utility connections shall be undergrounded to the maximum extent feasible. These conditions,

together with landscaping conditions, allow for a high degree of compatibility with existing residential uses in the neighborhood and protect the character and scale of the existing residential neighborhood. Finally, as documented in the related environmental Case No. ENV-2017-1101-CE, the project will have no impact on services, public facilities, and traffic.

Therefore, the proposed project is consistent with the General Plan and the existing Low Medium I Residential land use designation and serves to implement the goals, objectives, and policies of the Mission Hills–Panorama City–North Hills Community Plan.

3. Charter Section 558 Findings: *That the action is in substantial conformance with the purposes, intent and provisions of the General Plan.*

The Area Planning Commission shall hold a public hearing and make a report and recommendation to the Council regarding the relation of the proposed Zone Change to the General Plan and whether adoption of the proposed Zone Change will be in conformity with public necessity, convenience, general welfare and good zoning practice.

B. ENTITLEMENT FINDINGS

There is a critical and well-documented demand for housing throughout the City of Los Angeles. The proposed Zone Change, T Conditions, and Q Conditions are consistent with Section 558 of the City Charter and Section 12.32 of the LAMC. As detailed below under Finding B.4 (findings pursuant to LAMC Section 12.32), the project is in conformance with the public necessity, convenience, general welfare and good zoning practice. As proposed and conditioned herein, the proposed Zone Change will allow the property owner to make better use of the existing infill site by providing a maximum of six small lot residential housing units. Therefore, the project will be in conformance with public necessity, convenience, general welfare and good zoning practice as described below.

4. Zone Change, Section 12.32 F of the LAMC: *That the Zone Change is in conformity with the public necessity, convenience, general welfare and good zoning practice.*

Public Necessity. As previously stated, the Housing Element 2021-2029 documents the need for all housing types in the City given the existing housing supply and expected population growth. The Southern California Association of Governments (SCAG) forecasts the City's population to grow by 8.15 percent between 2020 – 2030. Department of City Planning demographics (2021) show a 4.7 percent increase in population in the Mission Hills-Panorama City-North Hills Community Plan area since 2010. The Housing Element also states that large households (those with five or more persons) particularly lack adequately sized and affordable housing. The provision of a maximum six small lot subdivision will offer housing for large families in the City and Mission Hills-Panorama City-North Hills Community, where housing overall is lacking and population is increasing.

Convenience. As previously stated, the project is located within one-half mile radius of a Major Transit Stop. The Metro 152 bus runs in an east-west direction along Roscoe Boulevard 0.3 miles to the south of the project site. The Metro 166 bus runs in an east-west direction on Nordhoff Street 0.6 miles north of the subject site. The Metro 234 bus runs in a north-south direction on Sepulveda Boulevard 0.5 miles west of the subject site. The LADOT DASH bus serves the local neighborhood and stops at Sepulveda Boulevard and Parthenia approximately 0.5 miles west of the subject site. This proximity to local transit enhances opportunities for a jobs-housing balance and allows for accessibility to

goods and services along Sepulveda Boulevard to the west and Nordhoff Street to the north. The site is also accessible to Noble Avenue Elementary School, which is located at the northwest corner of Roscoe Boulevard and Noble Avenue (approximately 0.2 miles south of the subject site) and Vista Middle School, which is located at the intersection of Roscoe Boulevard and Noble Avenue (approximately 0.4 miles south of the subject site).

General Welfare. The project is conditioned herein to promote the general welfare. For example, the project is required to be in substantial conformance with the site, floor, elevation, and landscape plans submitted with the application materials. The use is limited to a maximum of six residential small lots. The floor area for the main structure on each lot shall not exceed 2,077 square feet. Any additional residential floor area created by the addition of ADUs shall be calculated and approved by LADBS under a separate permit. In no circumstance shall the floor area shown on the applicant's final plans exceed 3:1. As conditioned, the building height is limited to two stories and 26.5 feet. To reduce greenhouse gasses and levels of pollution, the project shall comply with all requirements as conditioned herein for landscaping, tree removal and replacement, including street trees, solar power, heat island effect, greywater, and stormwater/irrigation. To improve air quality and expand transportation choices, the project is conditioned to provide EV parking. The project is conditioned to coordinate with LAUSD school administrators at Noble Avenue Elementary School and Vista Middle School to share the construction schedule, establish points of contact, and identify measures to be implemented to avoid disruption of school activities including but not limited to pick-up/drop-off by vehicles and foot, use of the school parking lot, outdoor breaks and recreation, noise beyond codified limits, and any construction activities that have potential to create airborne particulates from grading. For the safety of the project residents, the project is conditioned to provide a primary entryway for each small lot home. The entryway shall be oriented toward a minimum 4 foot wide distinguishable pedestrian pathway that is connected to the Noble Avenue right-of-way. Furthermore, to provide the project residents with access to air, light, and ventilation, there shall be a minimum 8 foot separation between the face of the primary entryway of each small lot home and the adjacent building wall of a neighboring small lot home.

Good Zoning Practice. The subject site is an approximately 31,868 square foot site that is zoned RA-1 and currently allows one single-family structure per 17,500 square feet of lot area. The requested Zone Change to RD5-1 allows a maximum of six small lot homes on an underutilized infill when applicable development standards are met. The project site is surrounded by multi-family zoning to the north and west, and the requested Zone Change is consistent with the zoning pattern in the vicinity.

Therefore, as conditioned, the Zone Change to RD5-1 is in conformity with the public necessity, convenience, general welfare and good zoning practice.

5. Q Condition Findings

a. **The Q limitations are necessary to protect the best interests of and assure a development more compatible with the surrounding property or neighborhood.**

To ensure compatibility with the surrounding neighborhood, the Q limitations herein regulate use, density, floor area, height, automobile parking, and bicycle parking. The project is conditioned herein to be in substantial conformance with the plans and materials submitted by the applicant stamped "**Exhibit A**" and dated October 5, 2022. The property shall be limited to a maximum of six lots configured as a residential small

lot subdivision. As shown on the applicant's plans, the floor area of the single-family dwelling shall not exceed 2,077 square feet, and any additional floor area that results from the development of ADUs will be calculated, reviewed, and approved by LADBS under a ministerial permit process. In no circumstance shall the total floor area exceed 3:1 pursuant to the regulations of the RD5-1 Zone. As shown on "**Exhibit A**," the total height of all structures shall not exceed two stories and 26.5 feet. Two covered automobile parking spaces for each single-family home are required by LAMC Section 12.21 A.4. However, ZIMAS shows this site is subject to AB 2097; specifically, it is located within an area designated as a "Reduced Parking Area" because it is within one-half mile of a "Major Transit Stop." To date, the applicant has not requested reduced parking under AB 2097. Should the applicant request reduced parking at a later date, the project eligibility for reduced parking shall be re-evaluated at that time. Finally, the applicant is required to provide bicycle parking in compliance with LAMC Section 12.21 A.16. A minimum of two short-term bicycle parking spaces shall be provided for each single-family dwelling unit. If the applicant is approved for reduced parking under AB 2097 and does not provide a private garage for each unit, one long-term bicycle parking space shall be provided for each single-family dwelling unit. Taken together, these conditions regulate will protect the best interests of the surrounding multi-family uses to the north and west and the single-family uses to the south and east.

b. The Q limitations are necessary to secure an appropriate development in harmony with the objectives of the General Plan.

The General Plan Housing Element 2021-2029 promotes housing production that results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs. The Mission Hills-Panorama City-North Hills Community Plan promotes the construction of a range of different housing types. The Community Plan Map Footnote No. 7 states that multiple residential development that exceeds the density of the adjacent or surrounding residential density shall be in harmony with the surrounding neighborhood. As previously stated, the Q conditions require substantial conformance with "**Exhibit A**" except as conditioned herein and regulate density, height, and floor area to ensure that the six small lot subdivision is appropriate for the surrounding neighborhood and in harmony with the General Plan.

c. The Q limitation is necessary to prevent or mitigate adverse environmental effects of the zone change.

The project was analyzed under Case No. ENV-2017-1101-CE as the construction, use, and maintenance of six approximately 3,111 square foot residential structures (single-family dwellings and attached ADUs) 26.5 feet in height and two stories. The Zone Change and associated Vesting Tentative Tract Map No. 74873-SL entitlements qualify for a categorical exemption under CEQA Guidelines Section 15332, Class 32, which consists of infill development meeting the following five conditions: (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.

Since no adverse environmental effects of the proposed Zone Change and / or associated tract map are expected, the finding that the Q limitation is necessary to prevent or mitigate adverse environmental effects of the Zone Change is not applicable.

- 6. T Condition Finding: Public necessity, convenience and general welfare require that provision be made for the orderly arrangement of the property concerned into lots and/or that provision be made for adequate streets, drainage facilities, grading, sewers, utilities, park and recreational facilities; and/or that provision be made for payments of fees in lieu of dedications and/or that provision be made for other dedications; and/or that provision be made for improvements; all in order that the property concerned and the area within which it is located may be properly developed in accordance with the different and additional uses to be permitted within the zone to which the property is proposed for change.**

The current action, as recommended, has been made contingent upon compliance with “T” conditions of approval imposed herein for the proposed project. Such T Conditions are necessary to ensure that any identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These T Conditions ensure street dedication and improvements to the satisfaction of the Bureau of Engineering. Satisfactory arrangements must be made with LADOT to provide safe and adequate access to the site. The project will be reviewed by other City departments, including the Fire Department for fire safety, LADWP for the provision of water and power, and Recreation and Parks for payment of park fees. These actions and improvements will provide the necessary infrastructure to serve the proposed small lot subdivision.

C. CEQA FINDINGS

The project was analyzed under Case No. ENV-2017-1101-CE as the construction, use, and maintenance of six approximately 3,111 square foot residential structures (single-family dwellings and attached ADUs) 26.5 feet in height and two stories. The ADUs are not subject to review under CEQA and will be processed under a separate ministerial permit. The project involves the potential removal of 15 non-protected trees and one protected California black walnut tree. Another California black walnut tree is located off-site to the south and will be preserved in place.

The Zone Change and associated Vesting Tentative Tract Map No. 74873-SL entitlements qualify for a categorical exemption under CEQA Guidelines Section 15332, Class 32, which consists of infill development meeting the following five conditions: (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.

Pursuant to CEQA Guidelines Section 15300.2, the project is not located on a scenic highway or hazardous waste site and is not the site of a historic resource. Therefore, as set forth in

State CEQA Guidelines Section 15300.2, there are no exceptions that would prohibit the use of any categorical exemption and no mitigations measures are required.

Furthermore, the project is subject to review under existing City ordinances (Sewer Ordinance, Grading Ordinance, Flood Plain Management, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

Therefore, Find, based on the whole of the administrative record, the project is exempt from CEQA pursuant to Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The records upon which this decision is based are with Valley Project Planning, Department of City Planning, 6262 Van Nuys Boulevard, Room 430, Los Angeles, CA 91401.



LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES

Entitlement and CEQA appeals may be filed using either the Online Application System (OAS) or in person Drop Off at DSC (Development Services Center).

Online Application System: The OAS (<https://planning.lacity.org/oas>) allows appeals to be submitted entirely electronically online; fee payment is by credit card or e-check.

Drop off at DSC: Appeals of this determination can be submitted in person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

Metro DSC

(213) 482-7077

201 N. Figueroa Street

Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050

6262 Van Nuys Boulevard

Van Nuys, CA 91401

West Los Angeles DSC

(CURRENTLY CLOSED)

(310) 231-2901

1828 Sawtelle Boulevard

West Los Angeles, CA 90025

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable Los Angeles Municipal Code provisions.

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure that DSC staff members have adequate time to review and accept the documents, and to allow appellants time to submit payment.



QR Code to Online Appeal Filing



QR Code to Forms for In-Person Filing