

All other conditions remain unchanged.

A handwritten signature in black ink, appearing to read 'Jojo Pewawang', with a stylized, cursive script.

JOJO PEWSAWANG
Deputy Advisory Agency

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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**CITY OF LOS ANGELES
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200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

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DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

November 2, 2023

Owner/ Applicant

RC Thornton KTM Holdings,
LLC
7123 Macapa Drive
Los Angeles, CA 90068

Representative

David A. Lopez
Lopez Architects AIA
15547 Calle El Captain
Santa Clarita, CA 91390

RE: Parcel Map No. AA-2019-3186-PMLA

Related Cases: None

Address: 5023 N. Ventura Canyon Avenue

Community Plan: Van Nuys-North Sherman Oaks Community
Plan

Council District: : 4 - Nithya Raman

CEQA: ENV-2019-3187-CE

EXTENSION OF TIME

On July 13, 2020, the Deputy Advisory Agency (DAA) approved AA-2019-3186-PMLA for the creation of a maximum four (4) lots, located at 5023 N. Ventura Canyon Avenue as shown on revised map stamp-dated June 19, 2020, within the Van Nuys-North Sherman Oaks Plan.

Pursuant to Los Angeles Municipal Code (LAMC) Section 17.07 A.1, the initial life of the map approval is three years. Absent an allowable extension of time or tolling, the subdivider shall record the final map within this period, or in this instance, by July 13, 2023.

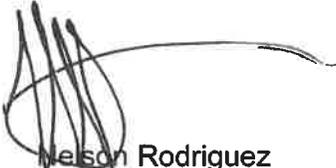
On October 19, 2022, the property owner retained services from, Jeffer Mangels Butler & Mitchell (JMBM) LLP to begin electronic correspondence (see attachments), to the City Planning's Advisory Agency to clarify and correct LADBS Condition 17.g.(1) along with documentation regarding the map's eligibility for tolling under the development moratorium provisions of the Subdivision Map Act pursuant to Government Code Sections 66463.5(d)(1)-(2). Specifically, these electronic correspondences cite evidence delays related to clarification regarding the front yard measurements that necessitated a Letter of Clarification from the Department of City Planning (Planning) that needed prior to clearance of certain Department of Building and Safety clearances. Specifically, the documentation supports that additional time was needed between October 19, 2022, through May 22, 2023 to allow Planning time to review, process, and provide the clarification letter. As a result, the LADBS condition 17.g.(1) could not be cleared since there was ambiguity in determining the front yard for Parcels A thru D. After some preliminary discussion, between LADBS and Planning, Planning issued a final clarification letter on June 13, 2023 to make clear the LADBS condition 17(g).1 clarifying the frontages for Parcels "A through D" so the condition can be cleared (See Exhibit B). The City Planning Advisory Agency's inaction to provide a letter of clarification to Condition 17.g.(1) resulted in delays to the progress of recording the final map.

Based on the DAA's review of the documentation and evidence provided, the City hereby determines that the Subdivision Map Act's development moratorium tolling applies to the map entitlement, approved under AA-2019-3186-PMLA, specifically the provisions set forth in Government Code Sections 66463.5(d)(1)-(2), related to the clarification of Condition 17.g.(1). Based on the foregoing, the Parcel Map approval shall be tolled for **215 days** (the period from October 19, 2022 to May 22, 2023).

In addition, in accordance with the provisions of Section 66452.6(e) of the Government Code, and LAMC Section 17.07 A.2, the DAA is authorized to grant an additional six-year extension for the recording of the final Parcel Map No. AA-2019-3186-PMLA.

Therefore, the new expiration date for the subject map is **February 13, 2030**.

VINCENT P. BERTONI, AICP
Director of Planning

A handwritten signature in black ink, appearing to read 'Nelson Rodriguez', with a long horizontal flourish extending to the right.

Nelson Rodriguez
Deputy Advisory Agency
VPB:AMV:NR

cc: Councilmember – Nithya Raman

Encls.: Exhibit A – Electronic Correspondence
Exhibit B – Letter of Clarification

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CALIFORNIA**



KAREN BASS
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EXECUTIVE OFFICES

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LOS ANGELES, CA 90012-4801
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DIRECTOR

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

DATE: June 13, 2023

RC Thornton (O/A)
KTM Holdings, LLC
7123 Macapa Drive
Los Angeles, CA 90068

David A. Lopez (R)
Lopez Architects AIA
15547 Calle El Captain
Santa Clarita, CA 91390

Case No. AA-2019-3186-PMLA
5023 N. Ventura Canyon Avenue
Van Nuys-North Sherman Oaks Community
Plan

Zone : R1-1-RIO
D.M. : 171B157
C.D. : 4 - Raman
CEQA : ENV-2019-3187-CE
Legal Description: Lot 6; Tract 10907

CLARIFICATION LETTER

On July 13, 2020, the Deputy Advisory Agency approved a parcel map located at 5023 North Ventura Canyon Avenue to subdivide one lot into four lots as shown on the map stamp-dated June 19, 2020. A subsequent Correction Letter was issued on December 16, 2020 to reference department comments from the Bureau of Sanitation that were inadvertently missed and to make a correction regarding Parcel "D" having a dwelling unit and not an accessory structure. No appeals were filed.

On June 5, 2023, the applicant requested a clarification letter from the Advisory Agency stemming from the following changes related to the project's scope of work; 1) removal of a portion of an existing garage structure that extended over the property line between Parcels B and C; 2) need for a lot tie to tie together Parcels A and B so that the owner may remain within the existing structure; and 3) yard clarifications as a result of the subdivision and the designation of Hesby Street as the fronting street. After some preliminary discussion with the Department of Building and Safety, only Item 3 regarding the front yard designation requires further clarification.

Condition 17(g)1 states the following:

Parcels "A through D" front yard designation shall be along the north property line, fronting Hesby Street.

As the scope of the project has been modified to retain the existing dwelling and to tie Parcels A and B to remain as one, condition 17(g)1 is hereby modified with additional clarifying language (additions are in underline, deletions are in ~~strikeout~~):

Parcels "A through D" front yard designation shall be along the north property line, fronting Hesby Street. If Parcels A and B are to be tied as one parcel/building site, then said parcel will front Ventura Canyon Ave instead of Hesby Street until the lot tie affidavit is terminated.

All other conditions remain unchanged.

A handwritten signature in black ink, appearing to read 'Jojo Pewsawang', with a stylized flourish at the end.

JOJO PEWSAWANG
Deputy Advisory Agency

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PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

DAVID H. J. AMBROZ
CAROLINE CHOE
HELEN LEUNG

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MARC MITCHELL

VERONICA PADILLA-CAMPOS
DANA M. PERLMAN

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

TRICIA KEANE
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

Decision Date: July 13, 2020

RC Thornton (O/A)
KTM Holdings, LLC
7123 Macapa Drive
Los Angeles, CA 90068

David A. Lopez (R)
Lopez Architects AIA
15547 Calle El Captain
Santa Clarita, CA 91390

Re: AA-2019-3186-PMLA
5023 N. Ventura Canyon Avenue
Van Nuys-North Sherman Oaks Community
Plan
Zone : R1-1-RIO
D.M. : 171-B-157
C.D. : 4 -Ryu
CEQA : ENV-2019-3187-CE
Legal Description: Lot 6; Tract 10907

Last Day to File an Appeal: July 28, 2020

This CORRECTION LETTER of a Parcel Map approval is being issued to include reference to a letter received by the Bureau of Sanitation that was inadvertently missed and to make a correction per Building and Safety, that the structure on Parcel "D" is a dwelling unit, not an accessory structure. This correction does not extend the time limit from the original approval date. Corrected text is bolded and underlined. Replaced text has a strikethrough.

In accordance with provisions of Section 17.03 and 17.51 of the Los Angeles Municipal Code (LAMC), the Advisory Agency determines that the project is Categorically Exempt, and issues ENV-2019-3187-CE as the environmental clearance, and approves Parcel Map No. AA-2019-3186-PMLA, located at 5023 N. Ventura Canyon Avenue, for a maximum of **four lots**, as shown on revised map stamp-dated June 19, 2020, in the Van Nuys-North Sherman Oaks Community Plan. This unit density is based on the R1-1 Zones. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) If you have any questions or for an appointment, please call Public Counter staff (213) 482-7077 (Los Angeles), (310) 231-2901 (West Los Angeles) or (818) 374-5050 (Valley). The Advisory Agency's approval is subject to the following conditions:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding this report should be directed to Julia Li of the Land Development Section, located at 201 North Figueroa Street, Suite 290, or by calling (213) 202-3481.

1. That a 5-foot wide strip of land be dedicated along Hesby Avenue adjoining the tract to complete a 30-foot wide half right-of-way in accordance with **Local Street** Standards of LA Mobility Plan including a 15-foot radius property line return at the intersection with Ventura Canyon Avenue. In addition, provide any necessary public sidewalk easement adjoining the dedication stated above to provide a meandering 5-foot wide concrete sidewalk to preserve the existing street trees.
2. That a 30-foot wide strip of land be dedicated along Buffalo Avenue adjoining the subdivision to complete a 60-foot wide total public right-of-way including a variable strip of land to complete the existing cul-de-sac satisfactory to the City Engineer including a 15-foot radius property line return at the intersection with Hesby Street.
3. 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.
4. That any existing future street abutting the subdivision be accepted by suitable resolution.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor suite 1200. The approval of this Tract Map shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.

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

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

6. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. **For proposed Parcel D**, obtain permit for the ~~demolition or removal of~~ **a portion of the structure on the parcel to comply with required yard setbacks (minimum 20% of the lot depth front yard and minimum five foot side yard) and Residential Floor Area (RFA 45% of lot area for the R1 Zone.** ~~all existing structures on the Proposed Parcels A, C, and D. Accessory structures and uses (garage and ADU) are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits~~ **a copy of the permit** and signed inspection cards to show completion of the ~~demolition~~ work.

- b. Obtain a grading permit for the removal of the swimming pool and backfill of pool area. Provide a copy of the final grading permit to show completion of the work.
- c. For Proposed Parcel B, obtain permit for the removal portion of the structure on the parcel to comply required yard setbacks (minimum 20% of the lot depth, minimum 5 ft. side yard and minimum 15 ft. rear yard) and Residential Floor Area (RFA-45% of lot area for the R1 Zone. Also, obtain permit for the demolition existing garage straddling over the new property line. Provide copies of the permits and signed inspection cards to show completion of the work.
- d. No openings are allowed within 3 feet of proposed property lines. Verify no openings are within this limit. All noncompliance issues shall be corrected, required permits shall be obtained, and the final work inspected prior to a clearance letter being issued.
- e. Required covered parking spaces are required to remain for the remaining structure on the Proposed Parcel B. Show location of all parking spaces and access driveways within the parcel. Provide copies of permits and final inspection cards, for any new garages or carports.
- f. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication.

DEPARTMENT OF TRANSPORTATION

If you have any questions, you may contact me at brandon.wilson@lacity.org or 818-374-4699.

7. That prior to recordation of the final map, 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, or to the satisfaction of DOT.
 - b. A two-way driveway width of $W=30$ feet is required for all driveways, or to the satisfaction of DOT.
 - 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 submittal of 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.
 - d. The subdivision report fee and condition clearance fee be paid to the Department of Transportation as required per Ordinance No. 183270 and LAMC Section 19.15 prior to recordation of the final map. Note: The applicant may be required to comply with any other applicable fees per this new ordinance.

FIRE DEPARTMENT

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY

APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (818) 374-4351. You should advise any consultant representing you of this requirement as well.

8. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submit plot plans for Fire Department review and approval prior to recordation of Parcel Map Action.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - c. Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
 - d. One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).
 - e. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units
 - f. The entrance or exit of all ground dwelling units or guest room shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
 - g. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
 - h. Fire Lane Requirements:
 - a. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
 - b. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
 - c. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
 - d. Submit plot plans indicating access road and turning area for Fire Department approval.
 - e. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

- f. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- g. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- h. All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
- i. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- i. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- j. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- k. Site plans shall include all overhead utility lines adjacent to the site.
- l. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- m. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- n. Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
- o. Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
- p. Standard cut-corners will be used on all turns.
- q. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- r. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
 - a. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall

automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.

- b. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
- c. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
- d. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
- e. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.
- s. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.

LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)

- 9. That prior to the issuance of any demolition or grading permit or any other permit allowing site preparation and/or construction activities on the site, satisfactory arrangements shall be made with the Los Angeles Unified School District, implementing the measures for demolition and construction. The project site is located on the pedestrian and bus routes for students attending Millikan Middle School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/ motorists with the LAUSD Transportation Branch, phone no. 213-580-2950 or (213)580-2900, and the principals or designees of Millikan Middle School. (This condition may be cleared by a written communication from the LAUSD Transportation Branch attesting to the required coordination and/or the principals of the above referenced schools and to the satisfaction of the Advisory Agency).
- 10. Conditions listed per LAUSD letter dated May 11, 2020 (attached herein) shall be complied with. Should any subsequent modification be agreed upon between the applicant and LAUSD, a letter shall be provided from LAUSD for the case file detailing any changes from the May 11, 2020 letter.

DEPARTMENT OF WATER AND POWER

- 11. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

Street Lighting clearance for this Street Light Maintenance Assessment District condition is conducted at 1149 S. Broadway Suite 200. Street Lighting improvement condition clearance will be conducted at the Bureau of Engineering District office, see condition S-3. (c).

12. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

13. **Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated November 20, 2019.** Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

14. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

DEPARTMENT OF RECREATION AND PARKS

Park fees are paid at 221 North Figueroa Street. Suite 350, Los Angeles. Please contact Park Fees staff at (213) 202-2682 for any questions or comments, at your convenience.

15. That the Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

16. The project is conditioned to preserve thirteen (13) on-site trees per Condition No. 18 (Tree # 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, and 19) of which eight (8) trees (Evergreen Ash trees # 2 – 9) will be within the future right-of-way after dedication per the revised Parcel Map stamp-dated June 19, 2020. (It should be noted that Tree# 1 has already been removed, Tree# 18 to be retained is a 24-inch diameter Jacaranda tree located on the south adjoining property, and Parcel “A” proposed driveway from Ventura Canyon Avenue is conditioned to be located south of Tree# 2 & 3.) Tree preservation and protection during demolition and construction shall be to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency. Review and approval shall be obtained from the Urban Forestry Division prior to the issuance of a grading permit. (NOTE: See Planning Condition No. 18 for additional tree requirements).

Note: Protected tree preservation must be approved by the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077.

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

Clearances may be conducted at the Figueroa, Valley, or West Los Angeles Development Services Centers. To clear conditions, an appointment is required, which can be requested at planning.lacity.org.

17. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors for Condition Nos. 17-22 as follows:
 - a. Limit the proposed development to a maximum of four (4) lots.
 - b. Provide a minimum of 2 covered off street parking spaces per dwelling unit.
 - c. Parcel "A" driveway shall be located off of Ventura Canyon Avenue, south of Tree Numbers 2 & 3 (which are to be preserved), and Parcel "D" driveway shall be located off of Buffalo Avenue (not Hesby Street). A revised parcel map shall be submitted to correctly show driveway locations.
 - d. Street names – A revised parcel map shall be provided showing the street names as required.
 - e. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard. A solid fencing or solid non-masonry wall may be used in order to preserve trees along the fence line area.
 - f. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - g. Note to City Zoning Engineer and Plan Check. The Deputy Advisory Agency approved the following:
 - (1) Parcels "A through D" front yard designation shall be along the north property line, fronting Hesby Street.
 - (2) Maintenance of an ~~Accessory Structure~~ and **the two** Single Family Dwellings. ~~A portion of the existing accessory structure (garden cottage) on Parcel "D" shall be permitted to remain provided the required side yard setback after street dedication on Buffalo Avenue is maintained.~~ The existing single family dwelling on Parcel "B" shall be permitted to remain without the off-street parking spaces for a period of time not to exceed 90 days subject to the following conditions:
 - (i) That as a prerequisite to the filing of the final Parcel Map with the City Engineer, the owner or owners of record of the subject property shall record in the office of the County Recorder of Los Angeles County,

California, a covenant running with the and in which such owner or owners agree to comply with the conditions imposed by the Advisory Agency in approving the Parcel Map.

- (ii) That upon approval of the proposed Parcel Map, in addition to the permanent copy placed on file in the City Planning Department, the Advisory Agency shall furnish a copy of said action to the applicant and to the Department of Building and Safety.

18. Tree Preservation and Requirements.

- a. Preserved Trees. A total of 13 trees shall be preserved and protected in place on-site per marked Exhibit "A" Tree Survey Plan and Tree Inventory Report received January 8, 2020 amended herein as follows:
- Parcel "A"
 - *Evergreen Ash #2, 3, 4, 5, 6 (future street trees)
 - Parcel "B"
 - *Evergreen Ash #7, 8, 9 (future street trees)
 - Parcel "C"
 - Olive #10
 - Orange #19
 - Parcel "D"
 - Mexican Fan Palm #13, 14
 - Carrotwood #15

(NOTE: Tree #1 has been removed, Tree #18 is an off-site Jacaranda tree on the south adjoining property).

- b. Revised Parcel Map. A revised parcel map shall be submitted which clearly identifies trees are to remain and which are to be removed as conditioned above.
- c. Parcel "A" proposed driveway from Ventura Canyon Avenue shall be located south of Tree# 2 & 3 to be preserved.
- d. Preserved trees shall be clearly identified on the site to be saved prior to the issuance of a demolition and grading permit and tree protective "orange fencing" or other highly visible barrier shall be installed outside of the drip line of locally protected and significant trees to be preserved. The barrier shall be maintained throughout the grading phase, and shall not be removed until the completion and cessation of all grading activities.
- e. New On-Site Trees. A total of four (4) 24-inch size box shade trees shall be planted and distributed within the front or rear yard of each new parcel.
- f. Tree Removal, and Nesting Native Birds. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (*as early as February 1 for raptors*) to avoid take (including disturbances which would cause abandonment of active nests containing eggs

and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).

If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:

- i. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
- ii. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
- iii. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
- iv. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

19. **Tribal Cultural Resource Inadvertent Discovery.** In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the Applicant shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (818) 374-5059.
- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 30 days, to conduct a site visit and make recommendations to the Applicant and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.

- The Applicant shall implement the tribe's recommendations if a qualified archaeologist and by a culturally affiliated tribal monitor, both retained by the City and paid for by the Applicant, reasonably concludes that the tribe's recommendations are reasonable and feasible.
 - The Applicant shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist and by a culturally affiliated tribal monitor to be reasonable and feasible. The Applicant shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
 - If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or by a culturally affiliated tribal monitor, the Applicant may request mediation by a mediator agreed to by the Applicant and the City who has the requisite professional qualifications and experience to mediate such a dispute. The Applicant shall pay any costs associated with the mediation.
 - The Applicant may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and by a culturally affiliated tribal monitor and determined to be reasonable and appropriate.
 - Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
20. **Human Remains Inadvertent Discovery.** In the event that human skeletal remains are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5 which requires that no further ground disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to California Public Resources Code Section 5097.98. In the event human skeletal remains are discovered during construction or during any ground disturbance activities, the following procedures shall be followed:
- Stop immediately and contact the County Coroner: 1104 N. Mission Road Los Angeles, CA 90033 323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or 323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
 - If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).
 - The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
 - The most likely descendent has 48 hours to make recommendations to the Applicant, for the treatment or disposition, with proper dignity, of the human remains and grave goods.

- If the Applicant does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.
21. **Archaeological Resources Inadvertent Discovery.** In the event that any subsurface cultural resources are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5. At which time the applicant shall notify the City and consult with a qualified archaeologist who shall evaluate the find in accordance with Federal, State, and local guidelines, including those set forth in the California Public Resources Code Section 21083.2 and shall determine the necessary findings as to the origin and disposition to assess the significance of the find. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined to be unnecessary or infeasible by the City. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.
22. **Paleontological Resources Inadvertent Discovery.** In the event that any prehistoric subsurface cultural resources are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, at which time the applicant shall notify the City and consult with a qualified paleontologist to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined to be unnecessary or infeasible by the City. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.
23. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.** Applicant shall do all of the following:
- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
 - (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$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. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Los Angeles Municipal Code (LAMC).
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such

easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.

- (e) That drainage matters be taken care of satisfactory to the City Engineer.
 - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - (g) That any required slope easements be dedicated by the final map.
 - (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private streets, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.

- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - (1) Construct new street lights: one (1) new street light on Buffalo Avenue, one (1) new street light on Ventura Canyon Avenue, and two (2) new street lights on Hesby Street.

Notes: The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection. Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (i) Improve Buffalo Avenue being dedicated and adjoining the subdivision by the construction of the following:
 - (1) An integral concrete curb and gutter, and a 5-foot wide concrete sidewalk and landscaping of the parkway.
 - (2) Suitable surfacing to join the existing pavements and to complete an 18-foot wide half roadway.
 - (2) Any necessary removal and reconstruction of existing improvements.
 - (3) The necessary transitions to join the existing improvements.
 - (4) Suitable improvement of the partial cul-de-sac including partial 35-foot curb radius cul-de-sac all satisfactory to the City Engineer.

- (j) Improve Hesby Street being dedicated and adjoining the subdivision by the construction of a 5-foot wide meandering concrete sidewalk and landscaping of the parkway including necessary transitions to join the existing improvements.
- (k) Improve Ventura Canyon Avenue by removing the existing curb and construction of a new concrete curb and a 2-foot wide concrete gutter and construction of a 5-foot concrete sidewalk and landscaping of the parkway including necessary removal and reconstruction of existing improvements all satisfactory to the City Engineer.
- (l) Construct the necessary main line sewer and house connections for each parcel satisfactory to Valley District Office of the Bureau of Engineering.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the parcel map action. However the existing or proposed zoning may not permit this number of units.

Any removal of the existing street trees shall require Board of Public Works approval.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code (LAMC).

The final map must be recorded within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

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

None of the exceptions to the Categorical Exemption(s) under CEQA Guidelines Section 15300.2, applies to the proposed project. The proposed project will not result in significant cumulative impacts from successive projects of the same type in the same place. The project does not involve unusual circumstances. The proposed project will not damage scenic resources in a state scenic highway. The project site is not on a list compiled pursuant to Government Code Section 65962.5 related to hazardous waste sites. The project will not cause a substantial adverse change in the significance of a historical resource.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Parcel Map No. 2018-3529-PMLA 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 Land Use Element of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The Community Plans establish goals, objectives, and policies for future developments at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Pursuant to LAMC Section 17.50, parcel maps are to be designed in conformance with the parcel map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The project site is located within the Van Nuys-North Sherman Oaks Community Plan, which designates the site with a land use designation of Low Residential. The Project Site zoning of R1 is consistent with the corresponding zones for the respective land use designation noted above. The project site has approximately 30,459 gross square feet of lot area and 26,645 net square feet after dedication. The R1 zone permits one dwelling unit per 5,000 square feet of lot area. As shown on the parcel map, the Project proposes to subdivide the project site into four lots with lot areas of 6,688 square feet for Parcel "A" and "B", 6,668 square feet for Parcel "C", and 6,599 square feet for Parcel "D," which is consistent with the density per the zone.

Pursuant to Los Angeles Municipal Code (LAMC) Section 17.51 A, a preliminary parcel map is not required to be prepared by a licensed land surveyor or registered civil engineer, but is required to contain information regarding the boundaries of the project site, as well as the abutting public rights-of-way, hillside contours for hillside properties, location of existing buildings, existing and proposed dedication, and improvements of the tract map. The parcel map indicates the parcel map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.51 A. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and is consistent with the applicable General Plan.

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

For purposes of a subdivision, design and improvement is defined by Section 66418 and 66419 of the Subdivision Map Act and LAMC Section 17.02. Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. LAMC Section 17.50 and 17.05 enumerates the design standards for a parcel map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. As indicated in Finding (a), LAMC Section 17.05 C requires that the parcel map be designed in conformance with the zoning regulations of the project site. As the project site is zoned R1-1, the zone would permit a maximum of one dwelling unit per 5,000 square feet of lot area. As the map is

proposed for one dwelling unit per lot which range in size from 6,599 square feet to 6,688 square feet of lot area, the proposed project is consistent with the uses and density permitted by the zone.

The parcel map was distributed to and reviewed by the various city agencies of the Subdivision Committee that have the authority to make dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the parcel map for compliance with the Street Design Standards. The Bureau of Engineering has recommended dedication and/or improvements to the public right-of-way along Buffalo Avenue, which will widened Buffalo Avenue thereby removing the existing narrow bottleneck to two lanes where currently the street is only one lane as well as complete the cul-de-sac, as well widen the roadway and construct a sidewalk and parkway along the Hesby Street frontage and improve Ventura Canyon Avenue with a new sidewalk and parkway, consistent with the standards of the Mobility Element. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site mainline sewers and all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 2010. Four street lights have been recommended, two for Hesby Street, and one for Buffalo Avenue and Ventura Canyon Avenue. As the project site is located across the street from a public school, the Los Angeles Unified School District has requested conditions to ensure bus access and pedestrian/student safety is maintained during construction. 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 TYPE OF DEVELOPMENT.

The subject site is a level, rectangular shaped lot, consisting of 30,459 gross square feet of lot area with an approximate width of 300 feet and depth of 100 feet. The site is currently developed with a one-story, single family dwelling (built in 1940), a detached garage, a garden cottage (~~accessory dwelling unit~~) built in 1938, and a built in swimming pool. There is a 1-foot future street indicated along the Buffalo Avenue frontage. The site is currently accessed from Hesby Street. The site has a total of 22 non-protected trees per a tree inventory and survey report completed on September 7, 2019 (and revised on January 8, 2020), by Nunez Tree Care & Consulting. Thirteen trees are conditioned to be preserved, of which eight (8) of the trees will be located within the future right-of-way after street dedication on Hesby Street and Ventura Canyon Avenue. The project includes the potential preservation of an existing garden cottage ~~accessory~~ dwelling unit on Parcel "D" (~~proposed to be converted to a single family dwelling~~), and the demolition of a garage, smaller accessory structures (i.e. sheds), and removal of the swimming pool. The proposed four lots will be oriented with front yards along Hesby Street and will range in lot size from 6,599 to 6,688 square feet. Parcel "A" and "D" will have driveway access off of Buffalo Avenue and Ventura Canyon Avenue, respectively, to lesson potential vehicular activity along Hesby Street during school travel peak times and to provide and/or maintain off-street parking along Hesby Street.

The project site is located within an Urban Agriculture Incentive Zone, a Liquefaction Area, and within 5.0 kilometers of the Hollywood Fault, but is not located within the Alquist-Priolo Fault Zone. The site is not located within a designated hillside area or within the BOE Special Grading Area. The site is not located within a high fire hazard severity zone, flood zone, landslide, methane, or tsunami inundation zone. Prior to the issuance of any permits, the project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department. The site is not identified as having hazardous waste or past remediation. The site is outside of a Flood Zone. 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 parcel map has been approved contingent upon the satisfaction of the Department of Building and Safety, 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 site is one of the last remaining largest R1 zoned lots in the neighborhood. Properties to the south and east are zoned R1 and developed with single family dwellings. The north abutting property is zoned [Q]PF-1XL-RIO and is developed with a school (Millikan Middle School) on an approximate 19 acre site. Properties to the west are zoned R3-1 and developed with two-story multi-family buildings (all built in 1961) fronting Buffalo Avenue. Most of the dwellings are one-story and built in the late 1930's through the 1960's, including the south adjoining properties. The two-story dwellings are generally newer, built in the 1980's and 90's or were later additions. The lots in the neighborhood mostly range from 6,800 to approximately 7,500 square feet, with the smallest lot at 5,200 square feet and largest, second largest to the subject site, at 21,000 square feet. The R1 Zone requires a minimum lot width of 50 feet and minimum lot area of 5,000 square feet. The proposed parcels lot size will range from 6,599 to 6,688 square feet and each will have an approximate lot width of 70 feet.

The parcel map has been approved contingent upon the satisfaction of the Department of Building and Safety prior to the recordation of the map and issuance of any permits. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

- (e) THE DESIGN OF THE SUBDIVISION OR 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 is currently developed with a one-story dwelling, built in 1940, and includes a guest house, garage, accessory buildings and a swimming pool. The site has a total of 22 non-protected trees per a tree inventory and survey report completed on September 7, 2019 (and revised on January 8, 2020), by Nunez Tree Care & Consulting. The majority of trees on site are proposed to be preserved. Of the thirteen trees to be preserved, eight (8) of the trees will be located within the future right-of-way after street dedication on Hesby Street and Ventura Canyon Avenue. The project has been conditioned to ensure there is compliance with the regulatory requirements (i.e. State Fish and Game, Federal Migratory Bird Act) such that project ground disturbances, including brush and tree removal, are conducted outside of bird/raptor nesting season. As such, it has been determined that the project and the design of the subdivision and proposed improvements will not cause substantial environmental damage or injury to wildlife or their habitat.

- (f) THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

- (g) THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS, ACQUIRED BY THE PUBLIC AT LARGE, FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

As required by LAMC Section 12.03, the project site has a minimum of 20 feet of frontage along Ventura Canyon Avenue, which is a public street. The project site consists of a parcel identified as Lot 6 of Tract 10907 and is identified by the Assessor Parcel Map No. 2359-000-6012. There are no known easements acquired by the public at large for access through or use of the property within the proposed subdivision, as identified on the parcel map.

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 of the property within the proposed subdivision.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION SHALL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

The proposed four lots will have a north/south orientation and will front Hesby Street to the north. The project includes substantial tree preservation and an additional shade tree to be planted on-site, within the front, rear, or side yard setback. Additionally, new street trees will be required on the street frontages where no such tree exists, such as along the western Hesby Street frontage along Parcel "C" and "D" as well as within the new parkway along the Buffalo Avenue frontage. As such, the new shade trees and some of the preserved shade trees will help to provide natural cooling of the site and new dwellings.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

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

These findings shall apply to both the Preliminary and final maps for Parcel Map No. AA-2019-3186-PMLA.

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

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of

all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code (LAMC).

Note: The above action shall become effective upon the decision date noted at the top of this letter unless an appeal has been submitted to the Central Area Planning Commission within 15 calendar days of the decision date. If you wish to file an appeal, it must be filed within 15 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 15-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department’s Public Offices, located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

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

West Los Angeles
Development Services Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2912

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

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

Pursuant to Ordinance 176,321, effective January 15, 2005, Parcel Map determinations are only appealable to the Area Planning Commission. There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

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

No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of this approval, unless an extension of time is granted before the end of such period. No requests for time extensions or appeals received by mail shall be accepted.

VINCENT P. BERTONI, AICP
Director of Planning

VALENTINA KNOX-JONES
Deputy Advisory Agency
CR:VKJ:MK:mh

DEPARTMENT OF
CITY PLANNING
COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
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CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

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DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

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ARTHI L. VARMA, AICP
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DEPUTY DIRECTOR

Decision Date: July 13, 2020

RC Thornton (O/A)
KTM Holdings, LLC
7123 Macapa Drive
Los Angeles, CA 90068

David A. Lopez (R)
Lopez Architects AIA
15547 Calle El Captain
Santa Clarita, CA 91390

Re: AA-2019-3186-PMLA
5023 N. Ventura Canyon Avenue
Van Nuys-North Sherman Oaks Community
Plan
Zone : R1-1-RIO
D.M. : 171-B-157
C.D. : 4 -Ryu
CEQA : ENV-2019-3187-CE
Legal Description: Lot 6; Tract 10907

Last Day to File an Appeal: July 28, 2020

In accordance with provisions of Section 17.03 and 17.51 of the Los Angeles Municipal Code (LAMC), the Advisory Agency determines that the project is Categorically Exempt, and issues ENV-2019-3187-CE as the environmental clearance, and approves Parcel Map No. AA-2019-3186-PMLA, located at 5023 N. Ventura Canyon Avenue, for a maximum of **four lots**, as shown on revised map stamp-dated June 19, 2020, in the Van Nuys-North Sherman Oaks Community Plan. This unit density is based on the R1-1 Zones. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) If you have any questions or for an appointment, please call Public Counter staff (213) 482-7077 (Los Angeles), (310) 231-2901 (West Los Angeles) or (818) 374-5050 (Valley). The Advisory Agency's approval is subject to the following conditions:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding this report should be directed to Julia Li of the Land Development Section, located at 201 North Figueroa Street, Suite 290, or by calling (213) 202-3481.

1. That a 5-foot wide strip of land be dedicated along Hesby Avenue adjoining the tract to complete a 30-foot wide half right-of-way in accordance with **Local Street** Standards of LA Mobility Plan including a 15-foot radius property line return at the intersection with Ventura Canyon Avenue. In addition, provide any necessary public sidewalk easement

adjoining the dedication stated above to provide a meandering 5-foot wide concrete sidewalk to preserve the existing street trees.

2. That a 30-foot wide strip of land be dedicated along Buffalo Avenue adjoining the subdivision to complete a 60-foot wide total public right-of-way including a variable strip of land to complete the existing cul-de-sac satisfactory to the City Engineer including a 15-foot radius property line return at the intersection with Hesby Street.
3. 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.
4. That any existing future street abutting the subdivision be accepted by suitable resolution.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor suite 1200. The approval of this Tract Map shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.

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

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

6. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Obtain permit for the demolition or removal of all existing structures on the Proposed Parcels A, C, and D. Accessory structures and uses (garage and ADU) are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Obtain a grading permit for the removal of the swimming pool and backfill of pool area. Provide a copy of the final grading permit to show completion of the work.
 - c. For Proposed Parcel B, obtain permit for the removal portion of the structure on the parcel to comply required yard setbacks (minimum 20% of the lot depth, minimum 5 ft. side yard and minimum 15 ft. rear yard) and Residential Floor Area (RFA-45% of lot area for the R1 Zone. Also, obtain permit for the demolition existing garage straddling over the new property line. Provide copies of the permits and signed inspection cards to show completion of the work.
 - d. No openings are allowed within 3 feet of proposed property lines. Verify no openings are within this limit. All noncompliance issues shall be corrected, required

permits shall be obtained, and the final work inspected prior to a clearance letter being issued.

- e. Required covered parking spaces are required to remain for the remaining structure on the Proposed Parcel B. Show location of all parking spaces and access driveways within the parcel. Provide copies of permits and final inspection cards, for any new garages or carports.
- f. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication.

DEPARTMENT OF TRANSPORTATION

If you have any questions, you may contact me at brandon.wilson@lacity.org or 818-374-4699.

- 7. That prior to recordation of the final map, 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, or to the satisfaction of DOT.
 - b. A two-way driveway width of $W=30$ feet is required for all driveways, or to the satisfaction of DOT.
 - 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 submittal of 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.
 - d. The subdivision report fee and condition clearance fee be paid to the Department of Transportation as required per Ordinance No. 183270 and LAMC Section 19.15 prior to recordation of the final map. Note: The applicant may be required to comply with any other applicable fees per this new ordinance.

FIRE DEPARTMENT

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (818) 374-4351. You should advise any consultant representing you of this requirement as well.

- 8. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submit plot plans for Fire Department review and approval prior to recordation of Parcel Map Action.

- b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- c. Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
- d. One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).
- e. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units
- f. The entrance or exit of all ground dwelling units or guest room shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- g. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- h. Fire Lane Requirements:
 - a. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
 - b. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
 - c. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
 - d. Submit plot plans indicating access road and turning area for Fire Department approval.
 - e. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
 - f. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
 - g. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
 - h. All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate

of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.

- i. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- i. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- j. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- k. Site plans shall include all overhead utility lines adjacent to the site.
- l. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- m. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- n. Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
- o. Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
- p. Standard cut-corners will be used on all turns.
- q. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- r. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
 - a. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
 - b. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.

- c. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
- d. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
- e. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.
- s. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.

LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)

- 9. That prior to the issuance of any demolition or grading permit or any other permit allowing site preparation and/or construction activities on the site, satisfactory arrangements shall be made with the Los Angeles Unified School District, implementing the measures for demolition and construction. The project site is located on the pedestrian and bus routes for students attending Millikan Middle School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/ motorists with the LAUSD Transportation Branch, phone no. 213-580-2950 or (213)580-2900, and the principals or designees of Millikan Middle School. (This condition may be cleared by a written communication from the LAUSD Transportation Branch attesting to the required coordination and/or the principals of the above referenced schools and to the satisfaction of the Advisory Agency).
- 10. Conditions listed per LAUSD letter dated May 11, 2020 (attached herein) shall be complied with. Should any subsequent modification be agreed upon between the applicant and LAUSD, a letter shall be provided from LAUSD for the case file detailing any changes from the May 11, 2020 letter.

DEPARTMENT OF WATER AND POWER

- 11. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

Street Lighting clearance for this Street Light Maintenance Assessment District condition is conducted at 1149 S. Broadway Suite 200. Street Lighting improvement condition clearance will be conducted at the Bureau of Engineering District office, see condition S-3. (c).

- 12. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the

property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

13. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

14. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

DEPARTMENT OF RECREATION AND PARKS

Park fees are paid at 221 North Figueroa Street, Suite 350, Los Angeles. Please contact Park Fees staff at (213) 202-2682 for any questions or comments, at your convenience.

15. That the Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

16. The project is conditioned to preserve thirteen (13) on-site trees per Condition No. 18 (Tree # 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, and 19) of which eight (8) trees (Evergreen Ash trees # 2 – 9) will be within the future right-of-way after dedication per the revised Parcel Map stamp-dated June 19, 2020. (It should be noted that Tree# 1 has already been removed, Tree# 18 to be retained is a 24-inch diameter Jacaranda tree located on the south adjoining property, and Parcel “A” proposed driveway from Ventura Canyon Avenue is conditioned to be located south of Tree# 2 & 3.) Tree preservation and protection during demolition and construction shall be to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency. Review and approval shall be obtained from the Urban Forestry Division prior to the issuance of a grading permit. (NOTE: See Planning Condition No. 18 for additional tree requirements).

Note: Protected tree preservation must be approved by the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077.

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

Clearances may be conducted at the Figueroa, Valley, or West Los Angeles Development Services Centers. To clear conditions, an appointment is required, which can be requested at planning.lacity.org.

17. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors for Condition Nos. 17-22 as follows:

- a. Limit the proposed development to a maximum of four (4) lots.
- b. Provide a minimum of 2 covered off street parking spaces per dwelling unit.
- c. Parcel "A" driveway shall be located off of Ventura Canyon Avenue, south of Tree Numbers 2 & 3 (which are to be preserved), and Parcel "D" driveway shall be located off of Buffalo Avenue (not Hesby Street). A revised parcel map shall be submitted to correctly show driveway locations.
- d. Street names – A revised parcel map shall be provided showing the street names as required.
- e. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard. A solid fencing or solid non-masonry wall may be used in order to preserve trees along the fence line area.
- f. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- g. Note to City Zoning Engineer and Plan Check. The Deputy Advisory Agency approved the following:
 - (1) Parcels "A through D" front yard designation shall be along the north property line, fronting Hesby Street.
 - (2) Maintenance of an Accessory Structure and Single Family Dwelling. A portion of the existing accessory structure (garden cottage) on Parcel "D" shall be permitted to remain provided the required side yard setback after street dedication on Buffalo Avenue is maintained. The existing single family dwelling on Parcel "B" shall be permitted to remain without the off-street parking spaces for a period of time not to exceed 90 days subject to the following conditions:
 - (i) That as a prerequisite to the filing of the final Parcel Map with the City Engineer, the owner or owners of record of the subject property shall record in the office of the County Recorder of Los Angeles County, California, a covenant running with the and in which such owner or owners agree to comply with an the conditions imposed by the Advisory Agency in approving the Parcel Map.
 - (ii) That upon approval of the proposed Parcel Map, in addition to the permanent copy placed on file in the City Planning Department, the Advisory Agency shall furnish a copy of said action to the applicant and to the Department of Building and Safety.

18. Tree Preservation and Requirements.

- a. Preserved Trees. A total of 13 trees shall be preserved and protected in place on-site per marked Exhibit "A" Tree Survey Plan and Tree Inventory Report received January 8, 2020 amended herein as follows:
- Parcel "A"
 - *Evergreen Ash #2, 3, 4, 5, 6 (future street trees)
 - Parcel "B"
 - *Evergreen Ash #7, 8, 9 (future street trees)
 - Parcel "C"
 - Olive #10
 - Orange #19
 - Parcel "D"
 - Mexican Fan Palm #13, 14
 - Carrotwood #15

(NOTE: Tree #1 has been removed, Tree #18 is an off-site Jacaranda tree on the south adjoining property).

- b. Revised Parcel Map. A revised parcel map shall be submitted which clearly identifies trees are to remain and which are to be removed as conditioned above.
- c. Parcel "A" proposed driveway from Ventura Canyon Avenue shall be located south of Tree# 2 & 3 to be preserved.
- d. Preserved trees shall be clearly identified on the site to be saved prior to the issuance of a demolition and grading permit and tree protective "orange fencing" or other highly visible barrier shall be installed outside of the drip line of locally protected and significant trees to be preserved. The barrier shall be maintained throughout the grading phase, and shall not be removed until the completion and cessation of all grading activities.
- e. New On-Site Trees. A total of four (4) 24-inch size box shade trees shall be planted and distributed within the front or rear yard of each new parcel.
- f. Tree Removal, and Nesting Native Birds. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (*as early as February 1 for raptors*) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture of kill (Fish and Game Code Section 86).

If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:

- i. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be

conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.

- ii. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
- iii. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
- iv. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

19. **Tribal Cultural Resource Inadvertent Discovery.** In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the Applicant shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (818) 374-5059.
- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 30 days, to conduct a site visit and make recommendations to the Applicant and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The Applicant shall implement the tribe's recommendations if a qualified archaeologist and by a culturally affiliated tribal monitor, both retained by the City and paid for by the Applicant, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The Applicant shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist and by a culturally affiliated

tribal monitor to be reasonable and feasible. The Applicant shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.

- If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or by a culturally affiliated tribal monitor, the Applicant may request mediation by a mediator agreed to by the Applicant and the City who has the requisite professional qualifications and experience to mediate such a dispute. The Applicant shall pay any costs associated with the mediation.
- The Applicant may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and by a culturally affiliated tribal monitor and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.

20. **Human Remains Inadvertent Discovery.** In the event that human skeletal remains are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5 which requires that no further ground disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to California Public Resources Code Section 5097.98. In the event human skeletal remains are discovered during construction or during any ground disturbance activities, the following procedures shall be followed:

- Stop immediately and contact the County Coroner: 1104 N. Mission Road Los Angeles, CA 90033 323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or 323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
- If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).
- The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- The most likely descendent has 48 hours to make recommendations to the Applicant, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- If the Applicant does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.

21. **Archaeological Resources Inadvertent Discovery.** In the event that any subsurface cultural resources are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5. At which time the applicant shall notify the City and consult with a qualified archaeologist who shall evaluate the find in accordance with Federal, State, and local guidelines, including those set forth in the California Public Resources Code Section 21083.2 and shall determine the necessary findings as to the

origin and disposition to assess the significance of the find. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined to be unnecessary or infeasible by the City. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.

22. **Paleontological Resources Inadvertent Discovery.** In the event that any prehistoric subsurface cultural resources are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, at which time the applicant shall notify the City and consult with a qualified paleontologist to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined to be unnecessary or infeasible by the City. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.
23. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.** Applicant shall do all of the following:
- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
 - (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$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. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Los Angeles Municipal Code (LAMC).
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.

- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private streets, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
 - (b) Construct any necessary drainage facilities.
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - (1) Construct new street lights: one (1) new street light on Buffalo Avenue, one (1) new street light on Ventura Canyon Avenue, and two (2) new street lights on Hesby Street.

Notes: The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection. Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (i) Improve Buffalo Avenue being dedicated and adjoining the subdivision by the construction of the following:
 - (1) An integral concrete curb and gutter, and a 5-foot wide concrete sidewalk and landscaping of the parkway.
 - (2) Suitable surfacing to join the existing pavements and to complete an 18-foot wide half roadway.
 - (2) Any necessary removal and reconstruction of existing improvements.
 - (3) The necessary transitions to join the existing improvements.
 - (4) Suitable improvement of the partial cul-de-sac including partial 35-foot curb radius cul-de-sac all satisfactory to the City Engineer.
- (j) Improve Hesby Street being dedicated and adjoining the subdivision by the construction of a 5-foot wide meandering concrete sidewalk and landscaping of the parkway including necessary transitions to join the existing improvements.
- (k) Improve Ventura Canyon Avenue by removing the existing curb and construction of a new concrete curb and a 2-foot wide concrete gutter and construction of a 5-foot concrete sidewalk and landscaping of the parkway including necessary removal and reconstruction of existing improvements all satisfactory to the City Engineer.
- (l) Construct the necessary main line sewer and house connections for each parcel satisfactory to Valley District Office of the Bureau of Engineering.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the parcel map action. However the existing or proposed zoning may not permit this number of units.

Any removal of the existing street trees shall require Board of Public Works approval.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code (LAMC).

The final map must be recorded within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

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

None of the exceptions to the Categorical Exemption(s) under CEQA Guidelines Section 15300.2, applies to the proposed project. The proposed project will not result in significant cumulative impacts from successive projects of the same type in the same place. The project does not involve unusual circumstances. The proposed project will not damage scenic resources in a state scenic highway. The project site is not on a list compiled pursuant to Government Code Section 65962.5 related to hazardous waste sites. The project will not cause a substantial adverse change in the significance of a historical resource.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Parcel Map No. 2018-3529-PMLA 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 Land Use Element of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The Community Plans establish goals, objectives, and policies for future developments at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Pursuant to LAMC Section 17.50, parcel maps are to be designed in conformance with the parcel map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The project site is located within the Van Nuys-North Sherman Oaks Community Plan, which designates the site with a land use designation of Low Residential. The Project Site zoning of R1 is consistent with the corresponding zones for the respective land use designation noted above. The project site has approximately 30,459 gross square feet of lot area and 26,645 net square feet after dedication. The R1 zone permits one dwelling unit per 5,000 square feet of lot area. As shown on the parcel map, the Project proposes to subdivide the project site into four lots with lot areas of 6,688 square feet for Parcel "A" and "B", 6,668 square feet for Parcel "C", and 6,599 square feet for Parcel "D," which is consistent with the density per the zone.

Pursuant to Los Angeles Municipal Code (LAMC) Section 17.51 A, a preliminary parcel map is not required to be prepared by a licensed land surveyor or registered civil engineer, but is required to contain information regarding the boundaries of the project site, as well as the abutting public rights-of-way, hillside contours for hillside properties, location of existing buildings, existing and proposed dedication, and improvements of the tract map. The parcel map indicates the parcel map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.51 A. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and is consistent with the applicable General Plan.

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

For purposes of a subdivision, design and improvement is defined by Section 66418 and 66419 of the Subdivision Map Act and LAMC Section 17.02. Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. LAMC Section 17.50 and 17.05 enumerates the design standards for a parcel map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. As indicated in Finding (a), LAMC Section 17.05 C requires that the parcel map be designed in conformance with the zoning regulations of the project site. As the project site is zoned R1-1, the zone would permit a maximum of one dwelling unit per 5,000 square feet of lot area. As the map is proposed for one dwelling unit per lot which range in size from 6,599 square feet to 6,688 square feet of lot area, the proposed project is consistent with the uses and density permitted by the zone.

The parcel map was distributed to and reviewed by the various city agencies of the Subdivision Committee that have the authority to make dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the parcel map for compliance with the Street Design Standards. The Bureau of Engineering has recommended dedication and/or improvements to the public right-of-way along Buffalo Avenue, which will widened Buffalo Avenue thereby removing the existing narrow bottleneck to two lanes where currently the street is only one lane as well as complete the cul-de-sac, as well widen the roadway and construct a sidewalk and parkway along the Hesby Street frontage

and improve Ventura Canyon Avenue with a new sidewalk and parkway, consistent with the standards of the Mobility Element. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site mainline sewers and all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 2010. Four street lights have been recommended, two for Hesby Street, and one for Buffalo Avenue and Ventura Canyon Avenue. As the project site is located across the street from a public school, the Los Angeles Unified School District has requested conditions to ensure bus access and pedestrian/student safety is maintained during construction. 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 TYPE OF DEVELOPMENT.

The subject site is a level, rectangular shaped lot, consisting of 30,459 gross square feet of lot area with an approximate width of 300 feet and depth of 100 feet. The site is currently developed with a one-story, single family dwelling (built in 1940), a detached garage, a garden cottage (accessory dwelling unit) built in 1938, and a built in swimming pool. There is a 1-foot future street indicated along the Buffalo Avenue frontage. The site is currently accessed from Hesby Street. The site has a total of 22 non-protected trees per a tree inventory and survey report completed on September 7, 2019 (and revised on January 8, 2020), by Nunez Tree Care & Consulting. Thirteen trees are conditioned to be preserved, of which eight (8) of the trees will be located within the future right-of-way after street dedication on Hesby Street and Ventura Canyon Avenue. The project includes the potential preservation of an existing accessory dwelling unit on Parcel "D" (proposed to be converted to a single family dwelling), and the demolition of a garage, smaller accessory structures (i.e. sheds), and removal of the swimming pool. The proposed four lots will be oriented with front yards along Hesby Street and will range in lot size from 6,599 to 6,688 square feet. Parcel "A" and "D" will have driveway access off of Buffalo Avenue and Ventura Canyon Avenue, respectively, to lesson potential vehicular activity along Hesby Street during school travel peak times and to provide and/or maintain off-street parking along Hesby Street.

The project site is located within an Urban Agriculture Incentive Zone, a Liquefaction Area, and within 5.0 kilometers of the Hollywood Fault, but is not located within the Alquist-Priolo Fault Zone. The site is not located within a designated hillside area or within the BOE Special Grading Area. The site is not located within a high fire hazard severity zone, flood zone, landslide, methane, or tsunami inundation zone. Prior to the issuance of any permits, the project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department. The site is not identified as having hazardous waste or past remediation. The site is outside of a Flood Zone. 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 parcel map has been approved contingent upon the satisfaction of the Department of Building and Safety, 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 site is one of the last remaining largest R1 zoned lots in the neighborhood. Properties to the south and east are zoned R1 and developed with single family dwellings. The north abutting property is zoned [Q]PF-1XL-RIO and is developed with a school

(Millikan Middle School) on an approximate 19 acre site. Properties to the west are zoned R3-1 and developed with two-story multi-family buildings (all built in 1961) fronting Buffalo Avenue. Most of the dwellings are one-story and built in the late 1930's through the 1960's, including the south adjoining properties. The two-story dwellings are generally newer, built in the 1980's and 90's or were later additions. The lots in the neighborhood mostly range from 6,800 to approximately 7,500 square feet, with the smallest lot at 5,200 square feet and largest, second largest to the subject site, at 21,000 square feet. The R1 Zone requires a minimum lot width of 50 feet and minimum lot area of 5,000 square feet. The proposed parcels lot size will range from 6,599 to 6,688 square feet and each will have an approximate lot width of 70 feet.

The parcel map has been approved contingent upon the satisfaction of the Department of Building and Safety prior to the recordation of the map and issuance of any permits. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

- (e) THE DESIGN OF THE SUBDIVISION OR 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 is currently developed with a one-story dwelling, built in 1940, and includes a guest house, garage, accessory buildings and a swimming pool. The site has a total of 22 non-protected trees per a tree inventory and survey report completed on September 7, 2019 (and revised on January 8, 2020), by Nunez Tree Care & Consulting. The majority of trees on site are proposed to be preserved. Of the thirteen trees to be preserved, eight (8) of the trees will be located within the future right-of-way after street dedication on Hesby Street and Ventura Canyon Avenue. The project has been conditioned to ensure there is compliance with the regulatory requirements (i.e. State Fish and Game, Federal Migratory Bird Act) such that project ground disturbances, including brush and tree removal, are conducted outside of bird/raptor nesting season. As such, it has been determined that the project and the design of the subdivision and proposed improvements will not cause substantial environmental damage or injury to wildlife or their habitat.

- (f) THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

- (g) THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS, ACQUIRED BY THE PUBLIC AT LARGE, FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

As required by LAMC Section 12.03, the project site has a minimum of 20 feet of frontage along Ventura Canyon Avenue, which is a public street. The project site consists of a

parcel identified as Lot 6 of Tract 10907 and is identified by the Assessor Parcel Map No. 2359-000-6012. There are no known easements acquired by the public at large for access through or use of the property within the proposed subdivision, as identified on the parcel map.

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 of the property within the proposed subdivision.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION SHALL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

The proposed four lots will have a north/south orientation and will front Hesby Street to the north. The project includes substantial tree preservation and an additional shade tree to be planted on-site, within the front, rear, or side yard setback. Additionally, new street trees will be required on the street frontages where no such tree exists, such as along the western Hesby Street frontage along Parcel "C" and "D" as well as within the new parkway along the Buffalo Avenue frontage. As such, the new shade trees and some of the preserved shade trees will help to provide natural cooling of the site and new dwellings.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

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

These findings shall apply to both the Preliminary and final maps for Parcel Map No. AA-2019-3186-PMLA.

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

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code (LAMC).

Note: The above action shall become effective upon the decision date noted at the top of this letter unless an appeal has been submitted to the Central Area Planning Commission within 15 calendar days of the decision date. If you wish to file an appeal, it must be filed within 15 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 15-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza
 201 North Figueroa Street,
 4th Floor
 Los Angeles, CA 90012
 (213) 482-7077

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

West Los Angeles
 Development Services Center
 1828 Sawtelle Boulevard,
 2nd Floor
 Los Angeles, CA 90025
 (310) 231-2912

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

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

Pursuant to Ordinance 176,321, effective January 15, 2005, Parcel Map determinations are only appealable to the Area Planning Commission. There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

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

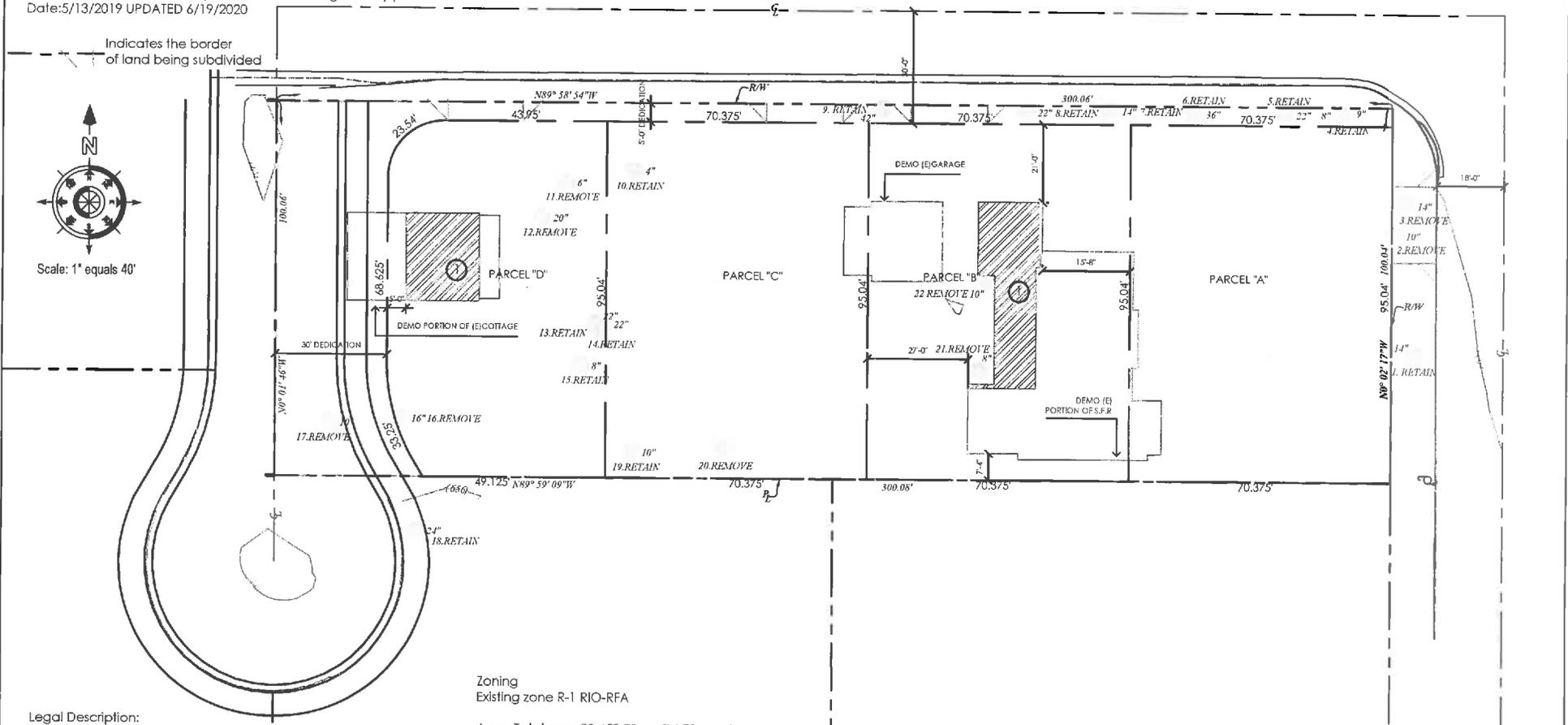
No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of this approval, unless an extension of time is granted before the end of such period. No requests for time extensions or appeals received by mail shall be accepted.

VINCENT P. BERTONI, AICP
 Director of Planning



 VALENTINA KNOX-JONES
 Deputy Advisory Agency
 CR:VKJ:MK:mkc

Preliminary Parcel Map LA No.
 Site Address: 5023 Ventura Canyon Sherman Oaks Ca 91423
 Proposed Project: Parcel Map from Lot to four single family parcels
 Date: 5/13/2019 UPDATED 6/19/2020



Zoning
 Existing zone R-1 RIO-RFA
 Area: Total area 30,459.70 sq. ft (.70 acre)

Parcel "A" 6,688.44 sq. ft (.15 acre)
 Parcel "B" 6,688.44 sq. ft (.15 acre)
 Parcel "C" 6,668.44 sq. ft (.15 acre)
 Parcel "D" 5,453.20 sq. ft (.12 acre)

Owner/Subdivider
 KTM Holdings
 P.O. Box 61594
 Irvine, Ca 92602

Land Use Consultant:
 Lopez Architects AIA
 155 Granada St Suite L
 Camarillo, Ca 93010
 email vwlopez@lopezstudio.com
 805 218 7335

Legal Description:
 Being a subdivision of PT of Lot 6 of Tract No 10907, in the city of Los Angeles, County of Los Angeles, State of California. As per map recorded in book 195, pages 1 and 2 of maps. In the office of the County Recorder of Said County.

- General Notes:
- Site is Level.
 - There is no easement on the subject property except as shown.
 - There is no hazard or hazardous material on the property.
 - No Oak trees, Western Sycamore, California Bay or Southern California Black Walnut on the property.
 - Surface and contributory drain to be conveyed to street.
 - Sewer disposal by underground sewer system.
 - There is an existing 1 story (S.F.D.) with detached garage 1,400 sq.ft of the S.F.D floor area is subject to remain on parcel "B" and 463 sq.ft of the ADU floor area is subject to remain on parcel "D"
 - Indicates combination of trees that will be removed or retained.

LOS ANGELES DEPT. OF CITY PLANNING
 SUBMITTED FOR FILING
 TENTATIVE MAP PARCEL MAP

JUN 19 2020

REVISED MAP EXTENSION OF TIME
 FINAL MAP UNIT MODIFIED
 DEPUTY ADVISORY AGENCY