



APPLICATIONS:

APPEAL APPLICATION CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Instructions and Checklist

Related Code Section: The Los Angeles Municipal Code (LAMC) Section 11.5.13 (Ord. No. 186,338) established the appeal procedure to the City Council for California Environmental Quality Act (CEQA) determinations.

Purpose: *The Appeal* - A CEQA clearance can only be appealed if a non-elected decision-making body (ZA, APC, CPC, DIR) makes a determination for a project that is not further appealable. To initiate appeal of a CEQA document this form must be completely filled out with the required materials attached and filed within 15 calendar days from the final administrative decision, of the entitlement application.

General Information

Appealable CEQA documents:

- Certified Environmental Impact Report (EIR)
- Sustainable Communities Environmental Assessment (SCEA)
- Mitigated Negative Declaration (MND)
- Negative Declaration (ND)
- Categorical Exemption (CE)
- Sustainable Exemption (SE)

NOTE:

- Actions not appealable include an addendum, findings made pursuant to CEQA Guidelines Section 15162, or an action in which the determination does not constitute a project under CEQA.
- All CEQA appeals are heard by the City Council.
- This form is only for the appeal of Department of City Planning determinations: All other CEQA appeals are filed with the City Clerk pursuant to the LAMC Section 197.01.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

1. Case Information

Environmental Case Number: _____

Related Entitlement Case Number(s): _____

Project Address: _____

Date of Final Entitlement Determination: _____

The CEQA Clearance being appealed is a(n):

- EIR
 SCEA
 MND
 ND
 CE
 SE

2. Appellant Identity (check all that apply)

- Representative
 Property Owner
 Other Person
 Applicant
 Operator of the Use/Site

3. Appellant Information

Appellant Name: _____

Company/Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?
 Self Other: _____

b. Is the appeal being filed to support the original applicant's position? Yes No

4. Representative/Agent Information

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

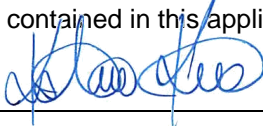
Telephone: _____ E-mail: _____

5. Appeal Justification

Attach a separate sheet providing your specific reasons for the appeal. Your reasons must state how you believe CEQA was incorrectly applied, providing a legal basis for the appeal.

6. Applicant's Affidavit

I certify that the statements contained in this application are complete and true:

Appellant Signature:  _____ Date: September 2, 2021

ENVIRONMENTAL APPEAL FILING REQUIREMENTS

Note: City Clerk prepares mailing list for CEQA appeals per LAMC Section 11.5.13 E.

1. Three (3) sets - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Environmental Appeal Application (form CP-7840)
- Justification/Reason for Appeal
- Copies of the written Determination Letter, from the final appellate body, which must be a non-elected decision-making body

2. Electronic Copy

- Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Environmental Appeal Application.pdf", "Justification/Reason Statement.pdf", "Final Determination Letter.pdf"). No file should exceed 9.8 MB in size.

3. Appeal Fee

- Original Applicant - A fee equal to 85% of the original application fee of the Environmental case; provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Other Persons - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

ATTACHMENT TO APPEAL

ENV-2020-6490-CE

Appellants: Curson Avenue Neighbors; Alfredo Mercado, immediately adjacent neighbors most impacted thereby.

Project: Parcel Map of two single family lots for the purposes of a Small Lot Subdivision (“Project”).

1. **The Categorical Exemption is Not Appropriate under CEQA**

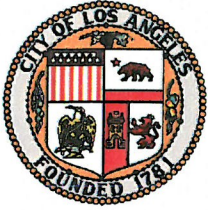
The California Environmental Quality Act (“CEQA”) provides the strong presumption in favor of requiring preparation of an Environmental Impact Report.

Class 32 Exemptions may only be used where the Project is consistent with the applicable General Plan. The Project is not consistent with the West Adams - Baldwin Hills - Leimert Community Plan.

Class 32 Exceptions are further only available where the Project would not result in any significant effects relating to traffic, noise, air quality or water quality. Here, not only is the City’s finding to such effect not supported by substantial evidence, there is evidence to the contrary.

CEQA also prohibits use of a categorical exemption when “there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” (CEQA Guidelines § 15300.2(c)). The “unusual circumstances” exception is established without evidence of an environmental effect upon a showing that the project has some feature that distinguishes it from others in the exempt class, such as its size or location. In such a case, to render the exception applicable, the party need only show a reasonable possibility of a significant effect due to that unusual circumstance. Alternatively, the “unusual circumstances” exception is established with evidence that the project will have a significant environmental effect. The City’s finding that there are no unusual circumstances is not supported by substantial evidence, there is evidence to the contrary.

Finally, application of the Class 32 exemption is inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. Cumulative impacts have not been adequately evaluated.



SOUTH LOS ANGELES AREA PLANNING COMMISSION

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

LETTER OF DETERMINATION

MAILING DATE: AUG 23 2021

Case No. AA-2020-6489-PMLA-SL-1A
CEQA: ENV-2020-6490-CE
Plan Area: West Adams – Baldwin Hills – Leimert

Council District: 10 – Ridley-Thomas

Project Site: 2034-2036 South Curson Avenue

Applicant: Michael Nikravesh, Cane Corso, LLC

Appellant: Curson Avenue Neighbors, Alfredo Merco
Representative: Kristina Kropp, Luna & Glushon

At its meeting of **August 3, 2021**, the South Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following Project:

A Preliminary Parcel No. AA-2020-6489-PMLA-SL-HCA located at 2034-2036 Curson Avenue to subdivide one lot, totaling 5,175 square feet into two lots for the construction, use and maintenance of two small lot homes with four covered on-site parking spaces in the RD2-1 zone.

1. **Determined**, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines 15332, Class 32 (Infill Development), and there is no substantial evidence demonstrating that any exceptions to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeal and **sustained** the Deputy Advisory Agency's determination dated April 29, 2021;
3. **Approved**, pursuant to Sections 17.50 and 12.22 C.27 of the Los Angeles Municipal Code, a Parcel Map No. AA-2020-6489-PMLA-SL-HCA located at 2034-2036 South Curson Avenue to subdivide one lot, totaling 5,175 square feet into two lots for the construction, use and maintenance of two small lot homes with four covered on-site parking spaces in the RD2-1 zone. Lots one and two will have two covered parking spaces per lot and roof decks in the RD2-1 zone, pursuant to LAMC Section 17.51; and
4. **Adopted** the Conditions of Approval and Findings.

This vote proceeded as follows:

Moved: Bates
Seconded: Willis
Ayes: Anderson, Stern
Absent: Orozco

Vote: 4 – 0



Etta Armstrong, Commission Executive Assistant I
South Los Angeles Area Planning Commission

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

Effective Date/Appeals: The decision of the South Los Angeles Area Planning Commission is final upon the mailing date of this letter, and it is not further appealable.

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable and the decision is final.**

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

Attachments: Conditions of Approval, Findings, Interim Appeal Procedures

- c: Faisal Roble, Principal City Planner
- Michelle Singh, Senior City Planner
- Sergio Ibarra, City Planner
- Rafael Fontes, Planning Assistant

CONDITIONS OF APPROVAL

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That if this parcel map is approved as "Small Lot Subdivision" then, if necessary for street address purposes, all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
2. That if this parcel map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. "185462" satisfactory to the City Engineer.
3. That all common access easements including the vehicular access and pedestrian access easement be part of the adjoining lots.
4. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Central Engineering District Office.
5. That, if necessary, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
6. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
7. That all pedestrian common access easements be shown on the final map.

Any questions regarding this report should be directed to Julia Li of the Permit Case Management Division, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8917.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

8. Prior to the issuance of any permit, secure approval from the Division of Land Unit of the Department of City Planning for the proposed lot split and residential development of the property. The Division of Land Unit of the Planning Department is located in City Hall, 200 N. Spring Street, Room# 750 - Phone (213) 978-1362.
9. Retaining walls are not approved in this letter. In the event retaining walls are proposed, a supplemental report including design recommendations and calculations, plan and cross sections showing the location of the retaining walls shall be submitted to the Grading Division for review.
10. The soils engineer shall review and approve the detailed plans prior to issuance of any permit. This approval shall be by signature on the plans that clearly indicates the soils engineer has reviewed the plans prepared by the design engineer; and, that the plans included the recommendations contained in their reports (7006.1).
11. All recommendations of the report that are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.

12. A copy of the subject and appropriate referenced reports and this approval letter shall be attached to the District Office and field set of plans (7006.1). Submit one copy of the above reports to the Building Department Plan Checker prior to issuance of the permit.
13. A grading permit shall be obtained for all structural fill (106.1.2).
14. All man-made fill shall be compacted to a minimum 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557. Where cohesionless soil having less than 15 percent finer than 0.005 millimeters is used for fill, it shall be compacted to a minimum of 95 percent relative compaction based on maximum dry density. Placement of gravel in lieu of compacted fill is only allowed if complying with LAMC Section 91.7011.3.
15. If import soils are used, no footings shall be poured until the soils engineer has submitted a compaction report containing in-place shear test data and settlement data to the Grading Division of the Department; and, obtained approval (7008.2).
16. Compacted fill shall extend beyond the footings a minimum distance equal to the depth of the fill below the bottom of footings or a minimum of three feet whichever is greater (7011.3).
17. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill (1809.2, 7011.3).
18. Drainage in conformance with the provisions of the Code shall be maintained during and subsequent to construction (7013.12).
19. Grading shall be scheduled for completion prior to the start of the rainy season, or detailed temporary erosion control plans shall be filed in a manner satisfactory to the Grading Division of the Department and the Department of Public Works, Bureau of Engineering, B-Permit Section, for any grading work in excess of 200 cubic yards (7007.1).

201 N. Figueroa Street 3rd Floor, LA (213) 482-7045
20. All loose foundation excavation material shall be removed prior to commencement of framing (7005.3).
21. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the General Safety Orders of the California Department of Industrial Relations (3301.1).
22. Temporary excavations that remove lateral support to the public way, adjacent property, or adjacent structures shall be constructed using ABC slot cuts, as recommended. Note: Lateral support shall be considered to be removed when the excavation extends below a plane projected downward at an angle of 45 degrees from the bottom of a footing of an existing structure, from the edge of the public way or an adjacent property (3307.3.1).
23. Where any excavation, not addressed in the approved reports, would remove lateral support (as defined in 3307.3.1) from a public way, adjacent property or structures, a supplemental report shall be submitted to the Grading Division of the Department containing recommendations for shoring, underpinning, and sequence of construction. Shoring recommendations shall include the maximum allowable lateral deflection of

- shoring system to prevent damage to adjacent structures, properties and/or public ways. Report shall include a plot plan and cross-section(s) showing the construction type, number of stories, and location of adjacent structures, and analysis incorporating all surcharge loads that demonstrate an acceptable factor of safety against failure (7006.2 & 3307.3.2).
24. Prior to the issuance of any permit that authorizes an excavation where the excavation is to be of a greater depth than are the walls or foundation of any adjoining building or structure and located closer to the property line than the depth of the excavation, the owner of the subject site shall provide the Department with evidence that the adjacent property owner has been given a 30-day written notice of such intent to make an excavation (3307.1).
 25. Unsurcharged temporary excavations over 5 feet exposing soil shall be trimmed back at a gradient not exceeding 1: 1, as recommended.
 26. Surcharged ABC slot-cut method may be used for temporary excavations with each slotcut not exceeding 5 feet in height and not exceeding 8 feet in width, as recommended. The surcharge load shall not exceed the value given in the report. The soils engineer shall determine the clearance between the excavation and the existing foundation. The soils engineer shall verify in the field if the existing earth materials are stable in the slot-cut excavation. Each slot shall be inspected by the soils engineer and approved in writing prior to any worker access.
 27. All foundations shall derive entire support from properly placed compacted fill a minimum of 3 feet thick, as recommended and approved by the soils engineer by inspection. Footings supported on approved compacted fill or expansive soil shall be reinforced with a minimum of four (4), ½-inch diameter (#4) deformed reinforcing bars. Two (2) bars shall be placed near the bottom and two (2) bars placed near the top of the footing.
 28. The foundation/slab design shall satisfy all requirements of the Information Bulletin P/BC 2017-116 "Foundation Design for Expansive Soils" (1803.5.3).
 29. Slabs placed on approved compacted fill shall be at least 4 inches thick as recommended and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced a maximum of 16 inches on center each way.
 30. Concrete floor slabs placed on expansive soil shall be placed on a 4-inch fill of coarse aggregate or on a moisture barrier membrane. The slabs shall be at least 4 inches thick as recommended and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced a maximum of 16 inches on center each way.
 31. The seismic design shall be based on a Site Class D, as recommended. All other seismic design parameters shall be reviewed by LADBS building plan check. According to ASCE 7-16 Section 11.4.8, the long period coefficient (F_v) may be selected per Table 11.4-2 in ASCE 7-16, provided that the value of the Seismic Response Coefficient (C_s) is determined by Equation 12.8-2 for values of the fundamental period T or the building (T) less than or equal to $1.5T_s$, and taken as 1.5 times the value computed in accordance with either Equation 12.8-3 for T greater than $1.5T_s$ and less than or equal to T_L or Equation 12.8-4 for T greater than T_L . Alternatively, a supplemental report containing a site-specific

- ground motion hazard analysis in accordance with ASCE 7-16 Section 21.2 shall be submitted for review and approval.
32. The structure shall be connected to the public sewer system per P/BC 2020-027.
 33. All roof, pad and deck drainage shall be conducted to the street in an acceptable manner in non-erosive devices or other approved location in a manner that is acceptable to the LADBS and the Department of Public Works (7013.10).
 34. An on-site storm water infiltration system at the subject site shall not be implemented, as recommended.
 35. All concentrated drainage shall be conducted in an approved device and disposed of in a manner approved by the LADBS (7013.10).
 36. The soils engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading (7008, 1705.6 & 1705.8).
 37. Prior to pouring concrete, a representative of the consulting soils engineer shall inspect and approve the footing excavations. The representative shall post a notice on the job site for the LADBS Inspector and the Contractor stating that the work inspected meets the conditions of the report. No concrete shall be poured until the LAD BS Inspector has also inspected and approved the footing excavations. A written certification to this effect shall be filed with the Grading Division of the Department upon completion of the work (108.9 & 7008.2).
 38. Prior to excavation an initial inspection shall be called with the LADBS Inspector. During the initial inspection, the sequence of construction; ABC slot cuts; protection fences; and, dust and traffic control will be scheduled (108.9.1).
 39. Slot cutting shall be performed under the inspection and approval of the soils engineer and deputy grading inspector (1705.6, 1705.8).
 40. Prior to the placing of compacted fill, a representative of the soils engineer shall inspect and approve the bottom excavations. The representative shall post a notice on the job site for the LADBS Inspector and the Contractor stating that the soil inspected meets the conditions of the report. No fill shall be placed until the LADBS Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be included in the final compaction report filed with the Grading Division of the Department. All fill shall be placed under the inspection and approval of the soils engineer. A compaction report together with the approved soil report and Department approval letter shall be submitted to the Grading Division of the Department upon completion of the compaction. In addition, an Engineer's Certificate of Compliance with the legal description as indicated in the grading permit and the permit number shall be included (7011.3).
 41. No footing/slab shall be poured until the compaction report is submitted and approved by the Grading Division of the Department.

42. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
43. A minimum 15 ft. front yard setback is required for Proposed Parcel 1 as measured along Curson Avenue after the required dedication is taken as required for the RD2 Zone. Revised the map to correct the required front yard setback or obtain approval from City Planning/Advisory Agency for a reduced front yard setback.
44. 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. A minimum 5,000 SF lot area is required after required dedication is taken as required for the RD2 Zone. Front yard requirement shall be required to comply with current code as measured from new property line after all dedication.
45. Dimension the reciprocal private easement for pedestrian and driveway egress and ingress, back up space, drainage, and utilities on the final map.

Notes:

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

Parking spaces are not allowed to backup onto a public street when the driveway is serving more than dwelling units. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

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.

DEPARTMENT OF FIRE, ENGINEERING AND HYDRANT UNIT

46. Access for Fire Department apparatus and personnel to and into all structures shall be required.
47. 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.

48. 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).
49. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
50. 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.
51. 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.
52. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
53. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
54. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
55. Smoke Vents may be required where roof access is not possible; location and number of vents to be determined at Plan Review.
56. Site plans shall include all overhead utility lines adjacent to the site.
57. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
58. Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.
59. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
60. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
61. 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.

62. The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting please call **(213) 482-6543**. You should advise any consultant representing you of this requirement as well.

BUREAU OF STREET LIGHTING

63. No street lighting improvements if no street widening per BOE improvement conditions . Otherwise, remove and reinstall existing conduit behind new curb and gutter on Curson Ave.

Notes:

The quantity of streetlights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

DEPARTMENT OF RECREATION AND PARKS

Pursuant to Los Angeles Municipal Code sections 12.33.E and 19.17, Recreation and Parks recommends the following be added as a condition of the approval of AA-2020-6489-PMLA-SL-HCA:

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

BUREAU OF SANITATION

65. Bureau of Sanitation has reviewed the sewer/storm drain lines serving the subject parcels/areas and found no potential problems to our structures and/or potential maintenance issues.

Note:

This Approval is for the Parcel Map only and represents the office of LA Sanitation/CWCDs. The applicant may be required to obtain other necessary Clearances/Permits from LA Sanitation and appropriate District office of the Bureau of Engineering. If you have any questions, please contact Rafael Yanez at (323) 342-1563.

DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS

66. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the proposed development to a maximum of two (2) small lot homes.
- b. Provide a minimum of two off-street parking spaces per dwelling unit, (Note: One space may be a compact space. Tandem parking is allowable.).
- c. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- d. 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.
- 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.
- f. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.
- g. A Maintenance Association shall be formed, composed of all property owners, to maintain all common areas such as trees, landscaping, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become members of the association and shall be subject to a proportionate share of the maintenance. The Maintenance Association shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded to the Planning Department for placement in the parcel file.
- h. Copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the parcel file.

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

- (i) The project shall comply with the setbacks as indicated in the table below.

Setbacks				
Parcel	Front	Side	Side	Rear
1	15'	5'	5'	11'
2	12'	5'	5'	10'

Minor deviations to the approved setbacks are allowed in the event that such deviations are necessary in order to accommodate other conditions of approval as required by other City agencies.

- (ii) Vehicular access will be via Buckingham Road.

i. 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.

DEPARTMENT OF CITY PLANNING-STANDARD SMALL LOT CONDITIONS

SL-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22-A, 10 and 11 and Section 17.05-0 of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.

SL-2. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan shall be prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site and shall include the following features. In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-3(i). That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- (a) Improve Curson Avenue adjoining the subdivision by the removal of the existing curb and sidewalk; and construction of a new integral concrete curb and gutter at the existing curb face and a new 5-foot wide concrete sidewalk and landscaping of the parkway; including any necessary removal and reconstruction of existing improvements.

- (b) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

Notes: The Advisory Agency approval is the maximum number of units permitted under the parcel action. However the existing or proposed zoning may not permit this number of units. This vesting map does not constitute approval of any variations from the Los Angeles Municipal Code (LAMC), unless approved specifically for this project under separate conditions.

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 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 parcel 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

DETERMINED based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332, Class 32 (Infill Development Projects), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Class 32 consists of projects characterized as in-fill development which meet the conditions described below:

- (a) *The project is consistent with the applicable General Plan Designation and all applicable General Plan Policies as well as with applicable Zoning Designation and Regulations.*

The project site is located within the West Adams - Baldwin Hills - Leimert Community Plan with a Low Medium II Residential land use designation with corresponding zone RD1.5 and RD2. The subject property is zoned RD2-1. The proposed subdivision is for one (1) lot, totaling 5,175 square-feet into two (2) lots for the construction, use and maintenance of two (2) small lot single family homes. Lots 1 and 2 will have two (2) covered parking spaces per lot and one (1) roof deck on each lot, which is consistent with the zone and land use designation.

- (b) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

The proposed development is wholly within the City of Los Angeles, on an approximately 0.161 acre site (i.e., less than five acres). Properties adjacent to the north are zoned RD2-1 and developed with a single-story single-family dwelling. The adjacent properties to the north, south, east, and west (across Curson Avenue) are zoned RD2-1 as well. These are developed with a variety of single- and multi-family dwelling, ranging from one to two stories tall.

- (c) *The project sites have no value as habitat for endangered, rare or threatened species.*

The site is not a wildland area, and is not inhabited by endangered, rare, or threatened species. The immediate vicinity is highly urbanized and is comprised of dense residential development with nearby commercial corridors. NavigateLA and the Los Angeles City Planning Department's Environmental and Public Facilities map for Significant Ecological Areas show that the subject site is not located in any of these areas.

- (d) *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

As the site is currently developed with a single-family residence and the project proposes the construction of two (2) small lots the project would be compatible with the surrounding neighborhood and would not result in significant effects relating to traffic, noise, air quality or water quality.

The project is beneath the threshold criteria established by LADOT for preparing a traffic study. Therefore, the project will not have any significant impacts to traffic. The project will not result in significant impacts related to air quality because it falls below interim air threshold established by Department of City Planning (DCP) staff. Interim thresholds

were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds.

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance, pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. More specifically, RCMs include but are not limited to:

- **Regulatory Compliance Measure RC-AQ-1(Demolition, Grading and Construction Activities): Compliance with provisions of the SCAQMD District Rule 403.** The project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
 - All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
 - All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
 - Trucks having no current hauling activity shall not idle but be turned off.
- **Regulatory Compliance Measure RC-GEO-1 (Seismic):** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

These RCMs will reduce any potential impacts to less than significant and will ensure the project will not have significant impacts on noise and water.

- (e) *The site can be adequately served by all required utilities and public services.*

The project site will be adequately served by all required public utilities and services given that the proposed construction of two (2) small lots will be located on a site

currently developed and zoned for such a use and density. The project is consistent with the type of development permitted for the areas zoned RD2-1 and designated Low Medium II Residential land use. Based on the facts herein, the project meets the qualifications of the Class 32 Exemption.

The City has further considered whether the proposed project is subject to any of the five (5) exceptions that would prohibit the use of any of a categorical exemption as set forth in State CEQA Guidelines Section 15300.2. None of the exceptions apply for the following reasons:

- (a) **Cumulative Impacts.** *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

The project is consistent with the type of development permitted for the areas zoned RD2-1 and designated Low Medium II Residential land use. The project site is currently developed with a single-family residence proposed to be demolished. Given the proposed project is for 2 dwelling units, that equates to a net increase of one (1) dwelling unit. On July 19, 2018 the Advisory Agency approved a small lot subdivision for the construction, use and maintenance of two (2) small lot single family homes at 2022 South Curson Avenue. On November 11, 2019 the Advisory Agency approved a small lot subdivision for the construction, use and maintenance of two (2) small lot single family homes at 1918 South Curson Avenue. No other subdivision has been developed near the subject site within the last thirteen years.

As such, the addition of two (2) small lots will not significantly impact the area. Therefore, no foreseeable cumulative impacts from small-lot developments are expected.

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

The proposed project consists of development typical to a residential neighborhood; no unusual circumstances are present or foreseeable. The site is zoned RD2-1. The property is currently developed with a single-family residence proposed to be demolished, and is located within the West Adams - Baldwin Hills - Leimert Community Plan, which designates the site for Low Medium II Residential land uses. The proposed subdivision is for one (1) lot, totaling 5,175 square-feet into two (2) lots for the construction, use and maintenance of two (2) small lot single family homes. Lots 1 and 2 will have two (2) covered parking spaces per lot and one (1) roof deck on each lot, which is consistent with the zone and land use designation.

Properties adjacent to the north, south, and east are zoned RD2-1 and developed with a single-story and double story multi-family dwellings. Properties to the west (across Curson Avenue) are zoned RD2-1 as well. These are developed with a variety of single- and multi-family dwelling, ranging from one to two stories tall. The site is not in a wildland area, and is not inhabited by endangered, rare, or threatened species. Thus, there are no unusual circumstances that may lead to a significant effect on the environment.

- (c) **Scenic Highways.** *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic*

buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

According to the Caltrans' Scenic Highway Routes Map, the subject site is not in a designated state scenic highway. Therefore, the proposed project will not result in damage to scenic resources, including trees, historic buildings, rock outcroppings, or similar resources within an officially designated state scenic highway.

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

The project site is not listed on EnviroStor, the Department of Toxic Substances Control's online database for hazardous waste facilities and sites in California. Building permit history for the project site does not indicate that the site may be hazardous or otherwise contaminated. Therefore, this exception does not apply.

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

The project site is not designated a historical resource by local or state agencies, and has not been determined to be eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, and the Los Angeles Historic-Cultural Monuments Register, and/or any local register. In addition, the project site is not listed in HistoricPlacesLA or SurveyLA as a potential historical resource. The proposed project would not cause an adverse change in the significance of a historical resources as defined in Section 15064.5 of the State CEQA Guidelines. Thus, the proposed project would not result in a substantial adverse change in the significance of a historical resource and this exemption does not apply.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Parcel Map No. AA-2019-7129-PMLA-SL, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The site is zoned RD2-1. The property is currently developed with a single-family residence proposed to be demolished and is located within the West Adams - Baldwin Hills - Leimert Community Plan, which designates the site for Low Medium II Residential land uses. The proposed subdivision is for one (1) lot, totaling 5,175 square-feet into two (2) lots for the construction, use and maintenance of two (2) small lot single family homes. Lots 1 and 2 will have two (2) covered parking spaces per lot and one (1) roof deck on each lot, which is consistent with the zone and land use designation. RD2-1 zoned properties require at least 2,000 square feet of lot area per dwelling unit, and a maximum height of 45 feet. The subject parcel is approximately 5,175 square feet and is therefore permitted a maximum density of 2 dwelling units.

Subdivisions that do not share a property line with an R1 or more restrictive single-family zone are required to provide a minimum 5 foot side yard setback and a minimum 10 foot rear yard setback while complying with the provisions of the underlying zone for the front yard setback per Small Lot Ordinance No. 185,462. The project proposes a 15 foot front yard, 5 foot side yards, and a 10 foot rear yard, thus complying with these provisions.

As proposed, the subject project is consistent with the Low Medium II Residential land use designation. The subject site is currently developed with a single-family residence proposed to be demolished. The small lot subdivision will meet the Goals and Objectives of the Community Plan by providing additional housing for the neighborhood and providing homeownership opportunities.

The Subdivision Map Act requires the Advisory Agency find that the proposed map be consistent with the General Plan. The Small Lot Design Guidelines allow the Advisory Agency to implement the purposes, intent, and provisions of the General Plan and its various elements, and effectively provides the Advisory Agency with the tools to make the consistency findings. The project meets the Small Lot Design Guidelines which address a project's massing, height, circulation, and compatibility with adjacent properties by promoting design and development that complements the existing neighborhood character. The project will result in a total of two dwelling units, both homes will be three-stories with a proposed height of 38 feet 9 inches, which is consistent with and does not exceed the density or height allowed by the zone. The project will also provide a minimum two parking spaces per small lot in accordance with LAMC Section 12.21.A.4.

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

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

For the purposes of a subdivision, "design" and "improvement" is defined by Subdivision Map Act Section 66418, 66427, and LAMC Section 17.02. Pursuant to Section 66418 of the Map Act, "design" of a map refers to street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; and other such specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Map Act expressly states that the "design and location of buildings are not part of the map review process" for subdivisions. Improvements, as defined by the Map Act and Section 17.02 refers to the infrastructure facilities serving the subdivision.

The subject site is zoned RD2-1, which would permit a maximum of 2 dwelling units and a maximum height of 45 feet on the approximately 5,175 square-foot site. The proposed project for a 2-lot small lot subdivision for small lot homes with a maximum height of 42 feet 9 inches to the top of the roof access staircase, is consistent with the density and height permitted by the zone and land use designation. Access is provided via Curson Avenue through a shared driveway. The setback matrix, as conditioned, will ensure the project meets the setback requirements of LAMC Section 12.22.C.27.

In addition, LAMC Section 17.05.C enumerates design standards for subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and the General Plan. The design and layout of the parcel map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the LAMC. The Parcel map was distributed to the various departments and bureaus of the Subdivision Committee for review, and their comments and conditions are included herein.

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory with existing sewers in the streets adjoining the subdivision and will not result in violation of the California Water Code. The Bureau of Sanitation reviewed the sewer/storm drain lines serving the proposed subdivision and found no potential problems to their structures or potential maintenance problems.

Therefore, as conditioned, the proposed map is substantially consistent with the applicable General and Specific Plans affecting the project site, and demonstrates compliance with LAMC Sections 17.01, 17.05 C, and 12.22.C.27.

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

The project site consists of one rectilinear lot totaling approximately 5,175 square feet in area. The site has approximately 45 feet of frontage along the east side of Curson Avenue. The site is zoned RD2-1. The property is currently developed with a single-family residence proposed to be demolished as a part of the project and is located within the West Adams – Baldwin Hills – Leimert Community Plan, which designates the site for Low Medium II Residential. The existing topography is flat, with no change in elevation from the front of the property to the rear. Subdivisions that do not share a property line with an R1 or more restrictive single-family zone are required to provide a minimum 5 foot side yard setback and a minimum 5 foot rear yard setback when abutting an alley, while complying with the provisions of the underlying zone for the front yard setback per Small Lot Ordinance No. 185,462. The small lots will maintain a 15-foot front yard setback, a 10-foot rear yard setback and 5-foot side yard setbacks along the perimeter of the parcels. The proposed project is an infill development in a neighborhood that has multi-family and single-family development. The access easement is adequate for vehicular ingress and egress and emergency purposes.

The Parcel map was distributed to the various departments and bureaus of the Subdivision Committee for review. Their comments are incorporated into the project's conditions of approval. The Grading Division of the Department of Building and Safety has reviewed the subject Parcel Map No. AA-2020-6489-PMLA-SL-HCA, which included a soils report, dated September 25, 2020, demonstrating that the site is located in a designated liquefaction hazard zone as shown on the Seismic Hazard Zones map issued by the State of California. The report, mentioned in the Grading Division's memo as a preface to their conditions, dated October 26, 2020, demonstrates that the site soils are not subject to liquefaction.

The requirements of the 2020 City of Los Angeles Building Code have been satisfied. The property is located outside of a City of Los Angeles Hillside Area; is exempt or located outside of a fault-rupture hazard zone. A supplemental report shall be submitted to the Grading Division of the Department containing recommendations for shoring,

underpinning, and sequence of construction in the event that any excavation would remove lateral support to the public way, adjacent property, or adjacent structures (3307.3). A plot plan and cross-section(s) showing the construction type, number of stories, and location of the structures adjacent to the excavation shall be part of the excavation plans (7006.2).

Therefore, the project site is physically suitable for the proposed type of development.

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

The development of this parcel is an infill of a multiple-family residential neighborhood. Properties adjacent to the north, south, and east are zoned RD2-1 and developed with a single-story and double story multi-family dwellings. Properties to the west (across Curson Avenue) are zoned RD2-1 as well. These are developed with a variety of single- and multi-family dwelling, ranging from one to two stories tall.

The proposed subdivision is for one (1) lot, totaling 5,175 square-feet into two (2) lots for the construction, use and maintenance of two (2) small lot single family homes. Lots 1 and 2 will have two (2) covered parking spaces per lot and one (1) roof deck on each lot, which is consistent with the zone and land use designation. RD2-1 zoned properties require at least 2,000 square feet of lot area per dwelling unit, and a maximum height of 45 feet. The subject parcel is approximately 5,175 square feet and is therefore permitted a maximum density of 2 dwelling units. The proposed density is equal to the maximum density allowed by the zone and is consistent with the land use designation of the site. The proposed project for a two-lot subdivision for two small lot homes with a maximum height of 42 feet 9 inches to the top of the roof access staircase. As proposed, the project is consistent with and does not exceed the 75 percent maximum lot coverage required by Small Lot Ordinance No. 185,462, or 45-foot height required by the zone. Additionally, prior to the issuance of a demolition, grading, or building permit, the project would be required to comply with conditions herein and applicable requirements of the LAMC. As conditioned, the proposed parcel 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 subject site and surrounding properties are fully developed and there are no wildlife habitats in proximity to the project. The project site is located within an urbanized area that is fully developed with various multi-family and single-family dwellings.

The Department of City Planning has determined that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332, Class 32 (Infill Development Projects), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies (Case No. ENV-2020-6490-CE). As such, the proposed project 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 appear 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.

No such easements are known to exist. Easements will be recorded with the development for community driveways. Needed public access for roads and utilities will be acquired by the City prior to the recordation of the proposed parcel.

- (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)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements. Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the parcel map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the parcel and final maps for Parcel No. AA-2020-6489-SL-PMLA-HCA.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check. Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment

Applicant Copy
 Office: Downtown
 Application Invoice No: 74878

City of Los Angeles
 Department of City Planning



Scan this QR Code® with a barcode reading app on your Smartphone. Bookmark page for future reference.



6800174878



City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

If you have questions about this invoice, please contact the planner assigned to this case. To identify the assigned planner, please visit <https://planning.lacity.org/pdiscaseinfo/> and enter the Case Number.

Receipt Number:020921A44-9F76DD7F-EE2A-4E2B-BB78-AF117AA9E49D, Amount:\$109.47, Paid Date:09/02/2021

Applicant: CURSON AVENUE NEIGHORS - MERCADO, ALFREDO (818-9078755)
Representative: LUNA & GLUSHON - KOPP, KRISTINA (818-9078755)
Project Address: 2034 S CURSON AVE, 90016

NOTES: CEQA APPEAL BY AN AGGRIEVED PARTY FOLLOWING FINAL DETERMINATION OF RELATED CASE NO. AA-2020-6489-PMLA-SL.

ENV-2020-6490-CE-1A			
Item	Fee	%	Charged Fee
Appeal by Aggrieved Parties Other than the Original Applicant *	\$89.00	100%	\$89.00
Case Total			\$89.00

Item	Charged Fee
*Fees Subject to Surcharges	\$89.00
Fees Not Subject to Surcharges	\$0.00
Plan & Land Use Fees Total	\$89.00
Expediting Fee	\$0.00
Development Services Center Surcharge (3%)	\$2.67
City Planning Systems Development Surcharge (6%)	\$5.34
Operating Surcharge (7%)	\$6.23
General Plan Maintenance Surcharge (7%)	\$6.23
Grand Total	\$109.47
Total Invoice	\$109.47
Total Overpayment Amount	\$0.00
Total Paid (this amount must equal the sum of all checks)	\$109.47

Council District: 10
 Plan Area: West Adams - Baldwin Hills - Leimert
 Processed by NGUYEN, MINDY on 09/02/2021

Signature: _____

Building & Safety Copy
 Office: Downtown
 Application Invoice No: 74878

City of Los Angeles
 Department of City Planning



Scan this QR Code® with a barcode reading app on your Smartphone. Bookmark page for future reference.



6800174878



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Council District: 10
 Plan Area: West Adams - Baldwin Hills - Leimert
 Processed by NGUYEN, MINDY on 09/02/2021

Signature: _____