

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.