



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- Area Planning Commission City Planning Commission City Council Director of Planning
- Zoning Administrator

Regarding Case Number: VTT-82658-SL-1A

Project Address: 2820 North Avenel Street Los Angeles CA 90039

Final Date to Appeal: 10/22/2021

2. APPELLANT

- Appellant Identity:** (check all that apply)
- Representative Property Owner
 - Applicant Operator of the Use/Site

Person, other than the Applicant, Owner or Operator claiming to be aggrieved

Person affected by the determination made by the **Department of Building and Safety**

- Representative Owner Aggrieved Party
- Applicant Operator

3. APPELLANT INFORMATION

Appellant's Name: David Wheatley

Company/Organization: _____

Mailing Address: 2988 Avenel Terrace

City: Los Angeles State: CA Zip: 90039

Telephone: (323) 821-0203 E-mail: freshwater@prodigy.net

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. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? Entire Part

b. Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

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

Appellant Signature: David Whiskey Date: 10/21/21

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

a. **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.

- Appeal Application (form CP-7769)
- Justification/Reason for Appeal
- Copies of Original Determination Letter

b. 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. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

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

d. Notice Requirement

- Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- OW?* Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- 1.** Appeal of the *Department of Building and Safety* determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- 2.** Appeal of the *Director of City Planning* determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

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.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

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)

David Wheatley

2988 Avenel Terrace

Los Angeles CA 90039

323-821-0203

freshwater@prodigy.net

Project name: 2820 North Avenel Street Los Angeles CA 90039 (2820 and 2820 ½ North Avenel Street)

Last day to Appeal to the Los Angeles City Council October 22 2021

Reasons for Appeal of VTT-82658-SL and related case ENV-2019-4140-CE and any other related cases

To the Los Angeles City Council and Interested Parties and To Whom It May Concern:

This Justification pertains primarily to the Letter of Determination (“LOD”) from the Central Los Angeles Area Planning Commission (“CLAPC”) dated October 12 2021. Additional Justifications are to follow upon availability by City Planning and other Agencies and Departments for inspection of the complete administrative record by Appellant.

It also pertains to the meeting of the Central Los Angeles Area Planning Commission on September 28 2021 and its following meeting.

There is information to show there was not a proper quorum present for the September 28 2021 meeting. This information will be provided as additional documents.

The Commission did not provide sufficient advance information to the Appellant and to the Public as to how the meeting would be conducted thereby denying the Appellant and the Public the right to fully participate.

It also pertains to the notice given for the hearing on June 22 2021 and to the hearing itself.

The notice for the hearing on June 22 2021 was published in a Spanish language newspaper La Opinion and not in an English language newspaper as would be expected. This file and the processing of this case is being conducted in English. This limited publication in Spanish only denied the entire Public it’s right to fully participate in the hearing and in the processing of this case.

The Project is not exempt from CEQA. A new development located at 2600 Riverside Drive nearby in Los Angeles is expected to add 100 units and commensurate parking and traffic to the area. Another new high parking and traffic development is underway at the corner of Rowena and Rokeby. These projects are in addition to the projects being built on Waverly Drive. The cumulative effect of these projects needs to be assessed to determine how and if CEQA applies. None of these projects were referenced in the Notice of Determination. None were referenced by the Project Planner at the hearing on June 22.

Page 2 VTT-82658-SL ENV-2019-4140-CE

The hearing notice description did not include the plan to remove many mature trees protected or not. Therefore the Community was not informed as to the environmental impact of this project.

The Department of Transportation did not provide a report for the hearing. No representative from Transportation attended nor spoke at the hearing. Therefore it could be assumed the Department of Transportation report would be detrimental to the Public.

The Public therefore was not sufficiently informed during the hearing to be able to adequately participate in the hearing.

The Brown Act requires that documents to be considered during a public hearing be made available before the hearing. Documents such as reports from agencies such as Transportation were missing.

Documents that come into existence or become known after the hearing that are part of the decision making process can best be considered at another hearing. Another hearing was not held.

I respectfully ask the Los Angeles City Council grant my appeal for new hearing by the Central Los Angeles Area Planning Commission or preferably by the City Planning Commission.

Thank you for your thoughtful consideration.

I welcome your questions.

Thank you very much.

Sincerely,

David Wheatley

323-821-0203



CENTRAL 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: OCT 12 2021

Case No. VTT-82658-SL-1A
CEQA: ENV-2019-4140-CE
Plan Area: Hollywood

Council District: 4 - Raman

Project Site: 2820 North Avenel Street (2820 and 2820 ½ North Avenel Street)

Applicant: Dan Arthofer and Erin Arthofer, LA PALOMA HOMES, INC.
Representative: Tracy A. Stone

Appellant: David Wheatley

At its meeting of **September 28, 2021**, the Central Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

A Vesting Tentative Tract Map for a small lot subdivision of one 8,295.2 square-foot site into five small lots per the Small Lot Subdivision Ordinance (Ordinance No. 185,462) and one accessory dwelling unit. Each small lot will be developed with a small lot home with a maximum building height of 30 feet, and will provide two parking spaces per dwelling unit, for a total of ten parking spaces. The site is currently developed with one single-family and one duplex, seven non-protected on-site trees, and zero protected trees. All existing structures and trees are proposed to be removed to clear the lot. The Project involves the export of up to 500 cubic yards of earth.

1. **Determined**, based on the whole of the administrative record, the Project is exempt from the CEQA pursuant to CEQA Guidelines, Article 19, Section 15332, (Class 32) and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies;
2. **Denied** the appeal and **sustained** the Deputy Advisory Agency's determination dated July 28, 2021;
3. **Approved with conditions**, pursuant to Sections 17.06 and 17.15 of the Los Angeles Municipal Code, a Vesting Tentative Tract No. VTT-82658-SL located at 2820 North Avenel Street for the subdivision of an 8,295.2 gross square foot site into five Small Lots, pursuant to LAMC 12.22 C.27, as shown on the map stamp-dated July 27, 2021, in the Hollywood Community Plan;
4. **Adopted** the attached Conditions of Approval; and
5. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Gold
Second: Lindgren
Ayes: Lawrence
Absent: Chung-Kim, DelGado

Vote: 3 - 0

Etta Armstrong

Etta Armstrong, Commission Executive Assistant I
Central 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 Central Los Angeles Area Planning Commission is appealable to the City Council within 10 days of the mailing date of this letter. The filing of an appeal stays proceedings in the matter until the appellate body makes a decision. An appeal not filed within the 10-day period shall not be considered by the City Council and the decision of the Central Los Angeles Area Planning Commission will become final and effective upon the close of the 10-day appeal period.

Appeals shall be filed on forms provided at the Planning Department's Development Service Center located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: OCT 22 2021

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 Filing Procedures

c: Jane Choi, Principal City Planner
Deborah Kahen, Senior Planner
Valentina Knox Jones, City Planner
Danalynn Dominguez, City Planning Associate

CONDITIONS OF APPROVAL

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding this report should be directed to Julia Li of the Land Development Section, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8588.

1. That if this tract 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 tract map is approved as a small lot subdivision then the final map will be labeled as "Small Lot Subdivision per Ordinance 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.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

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

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

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Wong at (213) 482-6876.

9. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Obtain 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.
 - b. Show all street/alley dedication(s) 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/alley dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).

- c. ADU Parking shall not be located within the required front yard. Revise the map to show compliance or obtain approval from the Department of City Planning.
- d. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress in the final map.

Notes:

This property is in the RD Zone within the Hillside Area and may require to comply with the Hillside Ordinance (Section 12.21A.17 LAMC).

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

The proposed buildings may not comply with City of Los Angeles Building Code requirements concerning exterior wall, protection of openings and exit requirements with respect to the proposed and existing property lines. Compliance shall be to the satisfactory of LADBS at the time of plan check.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

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.

No parking space can back up onto a street when the driveway is serving more than two dwelling unit. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

DEPARTMENT OF TRANSPORTATION

- 10. That the project be subject to any recommendations from the Department of Transportation.

FIRE DEPARTMENT

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

11. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
- a. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - b. 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.
 - c. 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).
 - d. The entrance or exist 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.
 - e. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
 - f. Fire Lane Requirements:
 - (1) Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
 - (2) The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
 - (3) Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
 - (4) Submit plot plans indicating access road and turning area for Fire Department approval.
 - (5) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
 - (6) Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
 - (7) Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
 - (8) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a

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

- (9) No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- g. Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.
- h. Site plans shall include all overhead utility lines adjacent to the site.
- i. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- j. No proposed development utilizing cluster, group, or condominium design of one- or two-family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
- k. On small lot subdivisions, any lots used for access purposes shall be record on the final map as a "Fire Lane".
- l. Private development shall confirm to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
- m. Standard cut-corners will be used on all turns.
- n. 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.
- o. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway or an improved street, access road, or designated fire lane.
- p. 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:
 - (1) Fire lanes, where required, shall be a minimum of 20 feet in width.
 - (2) All structures must be within 300 feet of an approved fire hydrant, and
 - (3) 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.
- q. Smoke vents may be required where roof access is not possible; location and number of vents to be determined at Plan Review.
- r. 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.

- s. **FPB#105** 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- t. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
 - (1) The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
 - (2) The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
 - (3) In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
 - (4) Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
 - (5) That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.
- u. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.
- v. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- w. Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.

- x. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- y. 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.
- z. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- aa. The project is located in the Very High Fire Hazard Severity Zone and shall comply with requirements set forth in Section 4908, 2014 City of Los Angeles Fire Code.
- bb. Mitigation Measures shall be considered. These measures shall include, but not be limited to the following:
 - (1) Boxed-in eaves.
 - (2) Single pane, double thickness (minimum 1/8" thickness) or insulated windows.
 - (3) Non-wood siding.
 - (4) Exposed wooden members shall be two inches nominal thickness.
 - (5) Noncombustible finishes.

LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)

12. That prior to the issuance of any demolition or grading permit or any other permit allowing site preparation and/or construction activities on the site, satisfactory arrangements shall be made with the Los Angeles Unified School District, implementing the measures for demolition and construction contained in the LAUSD letter dated June 7, 2021, attached to the Tract file. The project site is located on the pedestrian and bus routes for students attending Ivanhoe Elementary School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/ motorists with the LAUSD Transportation Branch, phone no. 213-580-2950 or (213)580-2900, and the principals or designees of Ivanhoe Elementary School. (This condition may be cleared by a written communication from the LAUSD Transportation Branch attesting to the required coordination and/or the principals of the above referenced schools and to the satisfaction of the Advisory Agency).

DEPARTMENT OF WATER AND POWER

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

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

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

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

BUREAU OF SANITATION

15. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated October 16, 2019. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

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

DEPARTMENT OF RECREATION AND PARKS

Park fees are paid at 221 North Figueroa Street. Suite 400, Los Angeles. Please contact Park Fees staff at (213) 202-2682 or rap.parkfees@lacity.org for any questions or comments, at your convenience.

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

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

18. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. Parkway tree removals shall be replanted at a 2:1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the subdivider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077 for permit information. CEQA document must address parkway tree removals.

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

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

19. 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 five (5) small lots.
- b. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tentative Tract No. 82658-SL shall not be issued until after the final map has been recorded.
- c. Provide a minimum of two (2) covered off-street parking spaces per each single-family dwelling. Parking for the Accessory Dwelling Unit shall be consistent with Municipal Code and State regulations.
- d. The plans shall be revised to remove the parking space located within the Avenel Street front yard setback or the applicant shall obtain a Zoning Administrator Adjustment to permit the parking within the front yard setback.
- e. Note to City Zoning Engineer and Plan Check. The Advisory Agency has considered the following setbacks in conjunction with the approved map. Minor deviations to the map’s 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. In no event shall the setback from the perimeter boundary of the subdivision measure less than the yards required pursuant to LAMC Section 12.22 C.27:

(i) Setbacks shall be permitted as follows:

Setback Matrix				
Lot No.	Front	Rear	Side	Side
01	15' (West)	3' (East)	5' (North)	5' (South)
02	5' (South)	5' (North)	0' (East)	3' (West)
03	5' (South)	5' (North)	0' (East)	0' (West)
04	5' (South)	5' (North)	0' (East)	3' (West)
05	5' (South)	10' (East)	5' (North)	0' (West)

- (ii) The Common Access Driveway may have a minimum width of 16 feet clear-to-sky.
- (iii) The Common Access Walkway shall provide pedestrian access from a public street to the subdivision. The Common Access Walkway must be a minimum of three (3) feet in width and remain unobstructed and open to sky.

f. 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.

- g. The small lot subdivision shall conform to the plans stamped Exhibit A and approved by the Director of Planning under Case No. ADM-2019-4141-SLD. In the event the Advisory Agency modifies Vesting Tentative Tract No. 82658-SL in a manner that is inconsistent with the stamped plans, the subdivider shall submit revised plans in substantial conformance with the approved map to the satisfaction of the Advisory Agency, for inclusion in the case file, and prior to the issuance of a building permit.
- h. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- i. 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.
- j. 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.

20. A Community Maintenance Agreement shall be prepared, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become party to the agreement and shall be subject to a proportionate share of the maintenance. The Community Maintenance Agreement 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 tract file.
21. That copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.

Tenant Relocation Conditions

22. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded with 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.

23. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Ellis Act (Government Code §§ 7060, et seq.) and §§ 151.22 – 151.28 of the Los Angeles Municipal Code.

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 Development Services Center 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 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

SL-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. 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.

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

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

- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

- (1) Construct one (1) new streetlight on Avenel Street.

Notes:

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

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (i) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
 - a) Improve Avenel Street adjoining the subdivision by the construction of the following:
 - (1) A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk and landscaping of the parkway.
 - (2) Suitable surfacing to join the existing pavement and to complete an 18-foot half roadway.
 - (3) Any necessary removal and reconstruction of existing improvements.
 - (4) The necessary transitions to join the existing improvement.
 - b) Improve the alley adjoining the subdivision by the construction of a 2-foot wide longitudinal concrete gutter and reconstruction of the existing alley improvements adjoining the tract including any necessary removal and

reconstruction of the existing improvements including the reconstruction of the alley intersection with Avenel Street.

- c) 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 tract map 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 Municipal Code, 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 Los Angeles Municipal Code (LAMC).

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

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

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

FINDINGS

Entitlement Findings

FINDINGS OF FACT (CEQA)

The Advisory Agency determines that based on the whole of the administrative record as supported by the justification prepared and found in the environmental case file, Case No. ENV-2019-4140-CE, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15332, Class 32, and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations;
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- (c) The project site has no value as habitat for endangered, rare or threatened species;
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (e) The site can be adequately served by all required utilities and public services.

The project is for the demolition of one (1) single family dwelling and one (1) duplex for the subdivision of one (1) lot into five (5) Small Lots and the construction of five (5) new three (3)-story residential units with a two (2)-car garage on each of the five (5) subdivided lots. The project includes the removal of seven (7) non-protected trees and exporting up to 500 cubic yards of earth. There are no existing protected trees on the site. The floor area of each dwelling will range from 1,668 to 1,999 square feet. As the construction of a new five (5) lot Small Lot development and a project which is characterized as in-fill development, the project qualifies for the Class 32 Categorical Exemption.

The site is zoned RD1.5-1XL and has a General Plan Land Use Designation for Low Medium II Residential. As shown in the case file, the project is consistent with the applicable Hollywood Community Plan designation and policies and all applicable zoning designations and regulations. The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.19 acres. Lots adjacent to the subject site are developed with single and multi-family residential and commercial uses. The site is previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. There are eight (8) non-protected trees and no protected trees on the site, as identified in the Tree Report prepared by Paul Lewis, Landscape Architect #3620 dated February 18, 2019. The project proposes to remove seven (7) non-protected trees. The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance, pollutant discharge, dewatering, stormwater mitigations, and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on noise and water. While the subject site is located within a Very High Fire Severity Zone, Urban Agriculture Incentive Zone and Special Grading Area, RCMs, including Air Quality (RC-AQ-1 (Demolition, Grading and Construction Activities): Compliance with provisions of the SCAQMD District Rule 403, RC-AQ-2, RC-AQ-3, RC-AQ-4, RC-AQ-5, RC-AQ-6); Geology and

Soils (RC-GEO-1 (Seismic)); Hydrology and Water Quality (RC-WQ-3: Low Impact Development Plan); Land Use and Planning (RC-LU-1 (Slope Density)); (Noise (RC-NO-1 (Demolition, Grading, and Construction Activities)); and Public Utilities and Service Systems (RC-WS-2 (Green Building Code), RC-EN-1(Green Building Code)), in the City of Los Angeles regulate the grading and construction of projects in these particular types of “sensitive” locations and will reduce any potential impacts to less than significant. These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment the project is located. Thus, the location of the project will not result in a significant impact based on its location. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study. Therefore, the project will not have any significant impacts to traffic. 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 site will be adequately served by all public utilities and services given that the construction of the five (5) lot Small Lot development will be on a site which has been previously developed and is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32.

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

There is not a succession of known projects of the same type and within the same location as the subject project. As mentioned, the project is for the demolition of one (1) single family dwelling and one (1) duplex for the subdivision of one (1) lot into five (5) Small Lots and the construction of five (5) new three (3)-story residential units with a two (2)-car garage on each of the five (5) subdivided lots. The project includes the removal of seven (7) non-protected trees and exporting up to 500 cubic yards of earth. There are no existing protected trees on the site. The floor area of each dwelling will range from 1,668 to 1,999 square feet. All adjacent lots are developed with single and multi-family residential uses and the subject site is of a similar size and slope to nearby properties. The project proposes a Floor Area Ratio (FAR) of 1.58:1 on a site that is permitted to have a maximum FAR of 3:1. The project proposes 30-foot height limits which is not unusual for the vicinity of the subject site, and is similar in scope to other existing residential projects in the area. Thus, there are no unusual circumstances which may lead to significant effect on the environment. Additionally, the only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The Topanga Canyon State Scenic Highway is about 18 miles west of the subject site. Therefore, the subject site will not create any impacts within a designated as a state scenic highway. Furthermore, according to Envirostor, the State of California’s database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City’s HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. The Department of City Planning, Office of Historic Resources confirmed that the existing single-family dwelling and duplex are not considered historic for the purposes of CEQA per an email dated February 25, 2020. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. VTT-82658-SL the Advisory

Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The Land Use Element of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The Community Plans establish goals, objectives, and policies for future developments at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Pursuant to LAMC Section 17.05 C., tract maps are to be designed in conformance with the tract map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The project site is located within the Hollywood Community Plan, which designates the site with a Low Medium II Residential land use designation. The land use designation lists the RD2 and RD1.5 as the corresponding zones. The Project Site is zoned RD1.5-1XL, which is consistent with the land use designation. The RD1.5-1XL zone allows a density of one (1) dwelling unit per 1,500 square feet of lot area. The site also has access to an alley along the southern side of the parcel which contributes approximately 1,750 square feet of area for density calculations. The RD1.5-1XL lot and half of the alley area would permit a maximum of six (6) lots or Small Lots with a maximum of six (6) dwelling units. As shown on the Vesting Tentative Tract Map, the Project proposes to subdivide the project site into five (5) small lots, pursuant to LAMC Section 12.22 C.27, which is consistent with the density permitted by the zone.

Pursuant to LAMC Section 17.06 B, a Vesting Tentative Tract Map must be prepared by or under the direction of a licensed land surveyor or registered civil engineer. The map was prepared by Mo Sahebi, No. 33508. It is required to contain information regarding the boundaries of the project site, as well as the abutting public rights-of-way, hillside contours for hillside properties, location of existing buildings, existing and proposed dedication, and improvements of the tract map. The Vesting Tentative Tract Map indicates the map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. Additionally, as a small lot subdivision, the map indicates the common access easement for vehicular and pedestrian access to the proposed small lots, consistent with LAMC Section 12.22 C.27. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and 12.22 C.27 and is consistent with the applicable General Plan.

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

For purposes of a subdivision, design and improvement is defined by Section 66418 and 66419 of the Subdivision Map Act and LAMC Section 17.02. Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is

not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and “improvements” refers to the infrastructure facilities serving the subdivision. LAMC Section 17.05 enumerates the design standards for a tract map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. As indicated in Finding (a), LAMC Section 17.05 C requires that the tract map be designed in conformance with the zoning regulations of the project site. As the project site is zoned RD1.5-1XL, the zone would permit a maximum of five dwellings on the approximately 8,295.2 square-foot site. The site also has access to an alley along the southern side of the parcel which contributes approximately 1,750 square feet of area for density calculations. The RD1.5-1XL lot and half of the alley area would permit a maximum of six (6) lots or Small Lots with a maximum of six (6) dwelling units. As the map is proposed for five (5) small lot subdivision, it is consistent with the density permitted by the zone. As a small lot subdivision, the map indicates the common access easements from the public rights-of-way for vehicular access.

The tract map was distributed to and reviewed by the various city agencies of the Subdivision Committee that have the authority to make dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the tract map for compliance with the Street Design Standards. The Bureau of Engineering has recommended improvements to the public right-of-way along Avenel Street, consistent with the standards of the Mobility Element. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site mainline sewers and all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 2010. The Bureau of Street Lighting has also recommended the construction of one (1) new streetlight along Avenel Street. As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

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

The project site is on flat, rectangular, 0.19-acre (8,295.2 square-foot) lot zoned RD1.5-1XL located in Hollywood. The site is currently developed with one (1) single-family dwelling and one (1) duplex. The project site located within 0.66 km (0.41 miles) from the Hollywood Fault, but is not located within the Alquist-Priolo Fault Zone. The site is located within a designated hillside area, within the BOE Special Grading Area, and Very High Fire Severity Zone. The site is not located within a flood zone, landslide, liquefaction, methane, or tsunami inundation zone. The site is not identified as having hazardous waste or past remediation. The site is within Flood Zone Type C, which denotes areas as Outside Flood Zone. The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). The project conforms to both the specific provisions and the intent of the Specific Plan for the Management of Flood Hazards (Sections 5 of Ordinance 172,081).

The tract map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. Therefore, the site will be physically suitable for the proposed type of development.

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

The property to the north has a land use designation of Low Medium II and is zoned

RD1.5-1XL. The site is developed with one (1) single-family dwelling and one (1) duplex. The properties to the west, north and east are zoned RD1.5-1XL and developed with single family and apartment structures. The property to the south, across from the alley, is zoned C4-1D and developed with residential uses. The project site consists of one parcel of approximately 8,295.2 gross square feet of land. The RD1.5-1XL lot and half of the alley area would permit a maximum of six (6) lots or Small Lots with a maximum of six (6) dwelling units. The Project proposes to construct five (5) small lot homes with a maximum height of 30 feet. As proposed, the density and height are consistent with the zone and land use designation, which would permit a total of six (6) dwelling units. The tract map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

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

The project site is currently developed with one (1) single-family dwelling and one (1) duplex. There are eight (8) non-protected trees and no protected trees on the site, as identified in the Tree Report prepared by Paul Lewis, Landscape Architect #3620 dated February 18, 2019. There are two (2) street trees along Avenel Street adjacent to the project site. The surrounding area is presently developed with structures. Neither the project site nor the surrounding area provides a natural habitat for fish or wildlife. It has been determined that the project and the design of the subdivision and proposed improvements will not cause substantial environmental damage or injury to wildlife or their habitat.

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

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

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

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

As required by LAMC Section 12.03, the project site has a minimum of 50 feet of frontage along Avenel Street, which is a public street. The project site consists of a parcel identified as Lot No. 18 of IVANHOE TRACT and is identified by the Assessor Parcel Nos. 5434-028-026. There are no known easements acquired by the public at large for access through or use of the property within the proposed subdivision, as identified on the tract map. Necessary easements for utilities will be acquired by the City prior to the recordation of the proposed tract map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

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

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

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

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

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

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract No VTT-82658-SL.

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: 75899

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.



6800175899



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:211021EBF-84D35238-69D9-4E06-8743-064B4A878B69, Amount:\$109.47, Paid Date:10/21/2021

Applicant: WHEATLEY, DAVID (323-8210203)
Representative:
Project Address: 2820 N AVENEL ST, 90039

NOTES: Appeal of the entire action by an aggrieved person(s), other than the applicant/owner, claiming to be aggrieved.

VTT-82658-SL-2A			
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: 4
 Plan Area: Hollywood
 Processed by MCCOY, NOAH on 10/21/2021

Signature: _____

Building & Safety Copy
 Office: Downtown
 Application Invoice No: 75899

City of Los Angeles
 Department of City Planning



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