

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.