

FINDINGS

FINDINGS OF FACT (CEQA)

The City of Los Angeles determined based on the whole of the administrative record that the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 82077-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.

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the Los Angeles Municipal Code ("LAMC").

The Los Angeles Municipal Code (LAMC) implements the goals, objectives, and policies of the Community Plan through adopted zoning regulations. The Zoning Code regulates, but is not limited to, the maximum permitted density, height, and the subdivision of land. The Venice Community Plan does not address subdivision explicitly, however, the plan does provide for land designations with the corresponding zones.

The subject project is a flat, irregular-shaped, 11,104 square-foot corner lot with approximately 160-foot frontage along Penmar Avenue and 40 feet along Palms Boulevard. The site is currently improved with a 7-unit bungalow court and associated parking.

The site is located within the Venice Community Plan area, in the City of Los Angeles, which designates the property for Low Medium II Residential land uses, with corresponding zones of R1.5, RD2, RW2, and RZ2.5. The property zoned [Q]RD1.5-1XL. Residential uses are permitted in [Q]RD1.5-1XL zoned lots with a development density of 1,500 square feet per dwelling unit. Thus, the project would allow for seven (7) dwelling units. The proposed project would be comprised of seven (7) residential bungalow court units.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the proposed zoning and General Plan land use designation. Multi-family and single-family uses are permitted in the [Q]RD1.5-1XL Zone and Low Medium II Residential land use designation. Therefore, the Vesting Tentative Tract Map for the subdivision of seven (7) residential bungalow court lots and one (1) bungalow court lot for parking allowable under the proposed zone and the land use designation, and will be consistent with the General

and Community Plans and the request is consistent with Article 7 (Division of Land Regulations) of the Los Angeles Municipal Code. The project site is governed by the Los Angeles Coastal Transportation Corridor Specific Plan; however, the subdivision is not considered a project and thus subject to the Specific Plan's provisions according to the signed Geographic Planning Referral Form dated April 18, 2018.

b. The design and improvement of the proposed subdivision are consistent with applicable general and specific plans.

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

Section 17.05-C of the LAMC enumerates design standards for Subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Section 17.05-C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes ("net area"). LAMC Section 17.06-B lists the map requirements for a tentative tract map. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the LAMC. In addition, Section 12.22-C,27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small lot subdivisions. For the request herein, the LAMC requires that the proposed small lot subdivision with regard to bungalow courts and existing structures that are nonconforming as to use, density, yards, or parking may be subdivided provided that the subdivision does not further increase the density nor reduce the yards, and that existing required parking be maintained, respectively.

The proposed project complies with the requirements of both the tentative tract map and a small lot subdivision.

In addition, the amended ordinance requires all small lot subdivision maps to comply with the established Small Lot Map Standards, as well as compliance with established design standards. The conditions incorporated herein will ensure that the project adhere to the standards set forth by the ordinance and requires the development to include, among other things, a pedestrian pathway and common access driveway.

The design and layout of the vesting tentative tract map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including Bureau of Engineering, Building and Safety, Department of Recreation and Parks, Fire Department, and Bureau of Street Lighting) have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval.

The project site is governed by the Los Angeles Coastal Transportation Corridor Specific Plan; however, the subdivision is not considered a project and thus subject to the Specific Plan's provisions according to the signed Geographic Planning Referral Form dated April 18, 2018.

Therefore, the design and improvement of the proposed subdivision is consistent with the intent and purpose of the applicable General and Specific Plans.

c. The site is physically suitable for the proposed type of development.

The subject project is a flat, irregular-shaped, 11,104 square-foot corner lot with approximately 160-foot frontage along Penmar Avenue and 40 feet along Palms Boulevard. The site is currently improved with a 7-unit bungalow court and associated parking.

The project involves the subdivision of one (1) lot into an eight-lot small lot small lot subdivision; seven (7) residential bungalow court lots and one (1) bungalow court low for parking with a total of seven (7) parking spaces. All parking is provided within a covered garage accessed along the alley to the west.

The [Q]RD1.5-1XL Zone permits a density of one (1) unit per 1,500 square feet of lot area. As such, the applicant would be permitted to construct a maximum of seven (7) dwelling units on the subject property, based on the lot area of 11,104 square feet. With seven (7) residential bungalow court lots proposed, the project's density is below the maximum allowable for the [Q]RD1.5-1XL Zone.

The property is located within the Urban Agriculture Incentive Zone. The property is located within 4.3km of the Santa Monica Fault, and within a liquefaction zone. The site is not located in a flood zone, or the Alquist-Priolo Fault Zone. The Department of Building and Safety, Grading Division, will require that the project satisfy the requirement of the City's Grading Regulations as enumerated in Section 91.3000 of the Los Angeles Municipal Code. Removal of trees on-site and street trees through the development of the proposed project will be replaced as per the requirements of the Bureau of Street Services, Urban Forestry Division.

Multi-family and single-family land uses in the [Q]RD1.5-1XL, [Q]R2-1XL, [Q]RD3-1XL, and R1V2 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into eight (8) Small Lots is an allowed use on the site under the [Q]RD1.5-1XL Zone and would be a compatible use with the existing mixed use density of the neighborhood. Therefore, the project site is physically suitable for the proposed type of development.

d. The site is physically suitable for the proposed density of development.

The General Plan identifies geographic locations where planned and anticipated densities are permitted through its Community Plans and Specific Plans. Zoning relating to the sites throughout the city, are allocated based on the type of land use, physical suitability and where future population growth is expected to occur.

The proposed project includes a subdivision of one (1) lot to create eight (8) small lots for seven residential (7) bungalow court lots and one (1) bungalow court lot for parking. Each home will be two-stories tall with a maximum height of 27 feet and 1 inch. Provided on-site parking will include seven (7) covered spaces within an existing garage.

The site is not located within a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, or on land prone to landslide.

The RD1.5-1 Zone would permit a density of one (1) dwelling unit per 1,500 square feet of lot area. The property provides a net lot area of 11,104 square feet which would allow for the development of seven (7) Small Lot homes. The project has been conditioned for a maximum of seven (7) Small Lot homes.

Multi-family and single-family land uses in the [Q]RD1.5-1XL, [Q]R2-1XL, [Q]RD3-1XL, and R1V2 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into eight (8) Small Lots for seven (7) residential bungalow court lots and one (1) bungalow court lot for parking is an allowed use on the site under the [Q]RD1.5-1XL Zone and, as such, the site is physically suitable for the proposed density of the development.

- e. The design of the subdivision and 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 and the surrounding area are urbanized, have been developed and improved with structures for many decades, and do not provide a natural habitat for either fish or wildlife. Therefore, the proposed project would not have any effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Services, and no impacts would occur. As such, the proposed project will not cause substantial environmental damage or injury to wildlife or their habitat.

- f. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems.**

The proposed subdivision, and subsequent improvements, are subject to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements, as mandated by law, would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

The project is not located on a hazardous materials site, flood hazard area, nor is it located on a site having unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The area surrounding the property is fully developed with similar uses indicating that sewers and other services are available. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- g. The design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.**

The project site does not adjoin or provide access to a public resource, natural habitat, public park, or any other officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed 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 property within the proposed subdivision.

- h. The design of the proposed subdivision will 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 parcels 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 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 Map No. 82077-SL.