



SOUTH VALLEY AREA PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.lacity.org/PLN/index.htm

LETTER OF DETERMINATION

Mailing Date: DEC 14 2020

CASE NO. VTT-82539-SL-1A

Council District: 2 – Krekorian

CEQA: ENV-2019-242-CE

Plan Area: Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass

Project Site: 12918 West Bloomfield Street

Applicant: Michael Shlomof, 12918 Bloomfield LLC
Representative: Armin Gharai, GA Engineering Inc.

Appellant: Yejudah Fersht

Appellant: Gavriel Stark

At its meeting of **November 12, 2020**, the South Valley Area Planning Commission held a public hearing to consider the appeals of the determination by the Advisory Agency, related to Case No. VTT-82539-SL. After a full hearing, during which time the Appellants, Applicant, and members of the public were afforded an opportunity to offer testimony, the Commission voted, through a 2-1 vote, to deny the appeal in part and grant the appeal in part, to add a condition to clarify that the Applicant is prohibited from constructing any trellis or habitable living space on the roof, thereby resulting in a failure to act. In accordance with the Commission's Rules and Operating Procedures, Rule 9.5, a "failure to act is when a majority of the Commission (3 votes) fails to approve or reject an agenda item."

Pursuant to Section 17.06 A.3. of the Los Angeles Municipal Code (LAMC), a failure of the Commission to act resulted in a denial of the appeals by operation of law, and the Advisory Agency's June 19, 2020 determination from which the appeal was taken is deemed affirmed. The Advisory Agency's determination approved, pursuant to the Small Lot Subdivision Ordinance No. 185,462, a Vesting Tentative Tract No. VTT-82539-SL for a maximum of five small lots; and approved, pursuant to Section 17.03 of the Los Angeles Municipal Code, an Adjustment for rear and side yard setback reductions, as conditioned, in the RD1.5-1-RIO Zone.

The vote proceeded as follows:

Moved: Dierking
Second: Menedjian
Nays: Mather
Absent: Beatty

Vote: 2 – 1

James K. Williams, Commission Executive Assistant II
South Valley Area Planning Commission

Effective Date/Appeals: The decision of the South Valley Area Planning Commission is appealable to the City Council within 10 days of the mailing date of this determination 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 South Valley 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: DEC 24 2020

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 to a City appellate body** 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.

Attachment: Deputy Advisory Agency's Determination Letter dated, June 19, 2020, Planning Entitlement Appeals Fact Sheet, Interim Appeal Filing Procedures

cc: Claudia Rodriguez, Senior City Planner
Andrew Jorgenson, City Planner
Olga Ayala, Planning Assistant

**DEPARTMENT OF
CITY PLANNING**

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INFORMATION
<http://planning.lacity.org>

Decision Date: June 19, 2020

12918 Bloomfield, LLC (A-O)
Michael Shlomof
19528 Ventura Boulevard #286
Tarzana, CA 91356

Armin Gharai (R)
GA Engineering, Inc.
6747 Odessa Avenue
Van Nuys, CA 91356

Case No. VTT-82539-SL
Address: 12918 W. Bloomfield Street
Planning Area: Sherman Oaks - Studio City –
Toluca Lake - Cahuenga Pass
Zone: RD1.5-1-RIO
D. M.: 165-B-161
C. D.: 2-Krekorian
CEQA: ENV-2018-242-CE
Legal Description: Fraction of Lot 30; Tract 6375

Appeal End Date: June 29, 2020

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency determined based on the whole of the administrative record, that the Project is exempt from State CEQA Guidelines Article 19, Section 15332, Class 32 (Infill development) and approved Vesting Tentative Tract No. VTT-82539-SL, located at 14535 W. Bloomfield Street for a maximum of **five (5) small lots**, pursuant to the Small Lot Subdivision Ordinance No. 185,462, as shown on map stamp-dated January 14, 2019 in Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan and approve a Zoning Administrator's Adjustment for a reduced to the rear and side yard setbacks as conditioned. This unit density is based on the RD1.5-1-RIO Zone. The subject site and surrounding properties are fully developed and there are no wildlife habitats in proximity to the project. The project site is located within an urbanized area that is fully developed with various multi-family, single-family and nearby commercial dwellings. The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning Code as it applies to this particular property. For an appointment or if you have any questions, please call Public Counter staff at (213) 482-7077, (310) 231-2901 or (818) 374-5050. The Advisory Agency's approval is subject to the following conditions:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

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

1. That the entire vehicular common access easement driveway be correctly shown on the final map.
2. 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.
3. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 185462" satisfactory to the City Engineer.
4. That all common access easements including the vehicular access and pedestrian access easement be part of the adjoining lots.
5. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Valley Engineering District Office.
6. 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.
7. That the subdivider make a request to the Valley District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
8. 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.

9. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance. It has to be satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Geology and Soils Report Approval dated January 2, 2019, Log No. 106468 and attached to the case file for Tract No. 6375.

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 Laura Duong at (213) 482-0434 to schedule an appointment.

10. 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. The setbacks shall apply to the perimeter of the small lot subdivision. For any subdivision, that shares a property line with an R1 or more restrictive single-family zone, the provisions of the front yard, side yard and rear yard of the underlying zone (**RD1.5 Zone**) shall apply. The subdivision is sharing a property line with an **R1 Zone** on the west side of subdivision. Revise the Map and Setback Matrix to show compliance with the following requirements or obtain approval from the Department of City Planning for the setbacks:
 - i) Provide a minimum 5-foot side yard setback along the east and west side of the perimeter of the subdivision (Lots 1-5) for a 2-story building, 6-foot side yard setback for a 3-story building, or 7-foot side yard setback for a 4-story building. Indicate the proposed number of stories for proposed dwelling to provide the correct side yard setback.
 - ii) Provided a minimum 15-foot rear yard setback for south side of the perimeter of the subdivision (Lot 5).
 - c. Show all street dedications 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 dedications. Front yard requirement shall be required to comply with current code as measured from new property lines after all dedications
 - d. Provide and dimension the reciprocal private easement for driveway egress and ingress in the final map.

Notes:

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

If you have any questions, you may contact Brandon Wilson at brandon.wilson@lacity.org or 818-374-4691.

11. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum 20-foot reservoir space is required between any security gate or parking space and the property line, or to the satisfaction of DOT.
 - b. A two-way driveway width of W=24 feet is required for all driveways, or to the satisfaction of DOT.
 - c. A parking area and driveway plan should be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Blvd., Room 320, Van Nuys, CA 91401.
 - d. The subdivision report fee and condition clearance fee be paid to the Department of Transportation as required per Ordinance No. 183,270 and LAMC Section 19.15 prior to recordation of the final map. Note: The applicant may be required to comply with any other applicable fees per this new ordinance.

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 (818) 374-4351. You should advise any consultant representing you of this requirement as well.

12. 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. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.

- c. 505.1 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.
- d. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- e. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- f. 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.
- g. 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.
- h. Submit plot plans indicating access road and turning area for Fire Department approval.
- i. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- j. 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.
- k. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- l. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- m. 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.
- n. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- o. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- p. 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.
- q. Site plans shall include all overhead utility lines adjacent to the site.

- r. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- s. 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.
- t. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- u. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- v. Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
- w. Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
- x. Standard cut-corners will be used on all turns.

DEPARTMENT OF WATER AND POWER

- 13. 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 SANITATION

- 14. 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 November 20, 2019. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

- 15. 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 now paid at 221 N. Figueroa Street, Suite 400, Los Angeles, CA 90012. If you have any questions or comments regarding this information, please feel free to contact the RAP Park Fee staff at (213) 202-2682.

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

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.

17. 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 5 lots.
- b. A Certificate of Occupancy (temporary or final) for the buildings in Vesting Tentative Tract No. 82539 -SL shall not be issued until after the final map has been recorded.
- c. Provide a minimum of 2 covered off-street parking spaces per dwelling unit.
- d. 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 Los Angeles Municipal Code (LAMC) Section 12.22 C.27:

(i) Setbacks shall be permitted as follows:

| LOT # | EAST SIDE | WEST SIDE | NORTH SIDE | SOUTH SIDE |
|-------|----------------|------------------|-----------------|------------|
| 1 | 5-foot | 11-foot 8-inches | 15-foot (front) | 3-inches |
| 2 | 5-foot (front) | 14-foot 2-inches | 3-inches | 2-inches |
| 3 | 5-foot (front) | 14-foot 2-inches | 2-inches | 2-inches |
| 4 | 5-foot (front) | 14-foot 2-inches | 2-inches | 2-inches |
| 5 | 5-foot (front) | 5-foot | 2-inches | 12-foot |

- (ii) The Common Access Driveway may have a minimum width of 11 feet 8-inches clear-to-sky, in accordance with Exhibit A.
- (iii) Grant a Zoning Administrator's Adjustment pursuant to LAMC Section 17.03 A and 12.28 C.4, to allow 5-foot setback from the east and west property lines in lieu of 6-feet and a 12-foot setback from the south property line in lieu of 15-feet.
- e. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.

- f. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- g. 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.
- h. 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.

18. 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.
19. 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.

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 shade trees for the unavoidable loss of desirable trees on the site. **(Note: 4 non-protected trees are proposed to be removed.)**

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) No street lighting requirement.

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 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - (1) Improve Bloomfield Street adjoining the subdivision by the removal of the existing improvements and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway; or a new full width concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvements. **Any existing driveway closures may affect the adjoining property access therefore City Engineer shall review and approve any existing driveway closures and any new driveway construction.**
 - (2) 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 Los Angeles Municipal Code (LAMC), unless approved specifically for this project under separate conditions.

Any removal of the existing street trees shall require Board of Public Works approval.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the 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 OF FACT**FINDINGS OF FACT (CEQA)**

DETERMINED based on the whole of the administrative record the Project is exempt from State CEQA Guidelines Article 19, Section 15332, Class 32 (Infill development), and that there is no substantial evidence demonstrating that an exemption 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. VTT-82539-SL the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The 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 Los Angeles Municipal Code (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 Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan, which designates the site with a Low Medium Residential land use and corresponding zones R2, RD6, RD4, RD3, RD2, and RD1.5. The Project Site is zoned RD1.5-1-RIO, which is consistent with the land use designation. Per LAMC Section 12.09.1 B.4, the RD1.5-1-RIO zone requires at least 1,500 square feet of lot area per dwelling unit, and limits floor area to not to exceed three times the building area of the lot. The subject site is approximately 8,497 square feet, and is therefore permitted a maximum density of five (5) dwelling units. The small lot subdivision will result in five (5) new lots and maximum lot coverage of 75 percent, as required by LAMC Section 12.22 C.27 (Small Lot Ordinance 185,462). The project proposed height is 39 feet to the top of the parapet and 42 feet to the top of the staircase, which does not exceed the height allowed by the zone. The project will also provide two parking spaces per small lot home in accordance with LAMC Section 12.21 A.4.

In addition to LAMC Section 17.05 C, LAMC Section 17.06 B requires that the tract map be prepared by or under the direction of a licensed surveyor or registered civil engineer. The tentative tract map was prepared by Armin Gharai, Design & Structure Engineer Civil Engineering and contains information regarding the boundaries of the project site, as well as the abutting public rights-of-way, existing and proposed dedication, and improvements of the tract map. The tract map indicates the tract 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.

As conditioned, the proposed subdivision is consistent with the applicable General Plan and Specific Plans.

(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 RD1.5-1-RIO which would permit five (5) dwellings on the approximately 8,497 square-foot site. As the map is proposed for a five (5) small lots for the construction, use, and maintenance of five single-family small lot homes, 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 right-of-ways 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 Bloomfield Street, consistent with the standards of the Mobility Element, including connected to the sewer, a 5-foot sidewalk and landscape parkway.

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 Sanitation reviewed the sewer/drain lines serving the subject tract and found no problems to their structures or potential maintenance problems. The Department of Building and Safety, Grading Division, has conditionally approved the tract map, subject to conditions contained in the memo dated December 9, 2019. The Bureau of Street Lighting has not required the construction of new street light. Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

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

The subject site has a 50-foot frontage along Bloomfield Street and a depth measuring approximately 170 feet. The existing topography is relatively flat, slightly sloping up toward the rear of the lot. The subdivision maintains setbacks along the perimeter of the property of 12-foot to the south, 15-foot to the north, 5-foot to the east, and varying between 5 feet and 11-foot 8-inches to the west. The proposed project is considered an infill development in a neighborhood that has a mix of single- and multi-family development.

The project's common access easement is adequate for vehicular ingress and egress and emergency purposes. The project's open-to-sky driveway width of 11-feet 8-inches. The site is located within the Liquefaction Zone within acceptable levels according to the Department of Building and Safety, Grading Division stated in their memo, dated January 2, 2019.

The vesting tentative tract map was distributed to the various departments and bureaus of the Subdivision Committee for review. Their comments are incorporated into the project's conditions of approval. The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. As a condition of approval, the subdivider is required to make street improvements on Bloomfield Street abutting the property in order to meet current street standards. The Bureau of Sanitation reviewed the sewer/drain lines serving the subject tract and found no problems to their structures or potential maintenance problems.

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

The development of this tract is an infill of a mix-density multiple-family and single-family residential neighborhood. Properties to the north, east, and south are zoned RD1.5-1-RIO and R1-1-RIO and developed with multi-family and single-family dwellings respectively. Directly abutting on the east is five (5) small lot subdivision approved under Case No. VTT-72309-SL and abutting on the south are two vacant lots in the RD1.5-1-RIO Zone which are proposed for an 11 small lot subdivision under Case No. VTT-82112-SL.

The project includes the new construction, use, and maintenance of five (5) small lot homes. The subject parcel is zoned RD1.5-1-RIO, which allows for one dwelling unit per 1,500 square feet of lot area. The project site has approximately 8,497 square feet of lot area. The proposed density is below the maximum allowed density and is consistent with the land use designation. The small lot homes are proposed to be three stories and an overall height of 42 feet. As proposed, the project is consistent with and does not exceed the 75 percent maximum lot coverage. Additionally, prior to the issuance of a demolition, grading, or building permit, the project would be required to comply with conditions herein and applicable requirements of the LAMC. As conditioned, the proposed tract map is physically suitable for the proposed density of the development

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

The subject site and surrounding properties are fully developed and there are no wildlife habitats in proximity to the project. The project site is located within an urbanized area that is fully developed with various multi-family and single-family dwellings.

The Department of City Planning has determined the Project is exempt from CEQA pursuant to State 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.

As such, the proposed project will not cause substantial environmental damage or injury to wildlife or their habitat. The project site is currently developed with a single-family dwelling and detached garage. There are no protected trees on the project site or within the public right-of-way. In addition, there are four (4) non-protected trees in the project site that will be removed and replaced 1:1. The surrounding area is presently developed with structures. Neither the project site nor the surrounding area provides a natural habitat for fish or wildlife. As such, the proposed project will not cause substantial environmental damage or injury to wildlife or their habitat.

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

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision. The design complies with the Small Lot Design Guidelines, including building orientation, primary entryways, facade articulation, roofline variation, building modulation, pedestrian pathways, landscaping, and common open space areas. For example, on facade articulation there is a change in exterior building materials that accentuate or correspond to variations in building massing such as wood sidings and white color stucco. The facade also has awnings with gray stucco finish, terraces and balconies. Façade include fixed planters, and ornamental details, such as lighting and molding, so as to create a human scale to the building.

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 20 feet of frontage along Bloomfield Street, which is a public street. The project site consists of one parcel identified as a fraction of Lot No. 30 of Tract 6375 and are identified by the Assessor Parcel No. 2375-011-028. The map also proposes a reciprocal easement for vehicular and pedestrian ingress/egress, emergency access, utilities, infrastructure, cross lot drainage and common landscaping purposes. The site is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, public park or any 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 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, but no solar is planned at this time.

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.

ADJUSTMENT FINDINGS (Sections 17.53 J and 12.28 C,4)

- (i) THAT WHILE SITE CHARACTERISTICS OR EXISTING IMPROVEMENTS MAKE STRICT ADHERENCE TO THE ZONING REGULATIONS IMPRACTICAL OR INFEASIBLE, THE PROJECT NONETHELESS CONFORMS WITH THE INTENT OF THOSE REGULATIONS.

Generally, under LAMC Section 12.22 C.27(a)(8)(ii) small lots are permitted 5-foot side yard setbacks and 10-foot rear yards along the perimeter of the subdivision. However, under LAMC Section 12.22 C.27(a)(8)(i) properties adjacent to an R1 or more restrictive single family zone, the side and rear yards of the underlying zone shall apply. The adjustment from LAMC Section 12.09.1 B.3. and 12.09.1 B.2.(a) is to provide a 12-foot rear yard setback in lieu of 15 feet and 5-foot side yard setbacks in lieu of 6 feet otherwise required of the RD1.5 Zone. The small lot subdivisions abutting on the east and south have reduced side and rear yard setbacks and they were approved under Ordinance No. 176,354, which allowed 5-foot setback along the perimeter. Further only one unit in the rear is setback 5 feet from the western property line. The remaining small lots are proposed between a minimum 11 feet 8-inches and 14 feet 2-inches, which is beyond the 6-foot requirement providing acceptable distancing between the single-family residence to the west. Strict adherence to the zoning regulation would be impractical and could result in reduction on dwellings if not approved.

- (j) THAT IN LIGHT OF THE PROJECT AS A WHOLE, INCLUDING ANY MITIGATION MEASURES IMPOSED, THE PROJECT'S LOCATION, SIZE, HEIGHT, OPERATIONS AND OTHER SIGNIFICANT FEATURES WILL BE COMPATIBLE WITH AND WILL NOT ADVERSELY AFFECT OR FURTHER DEGRADE ADJACENT PROPERTIES, THE SURROUNDING NEIGHBORHOOD, OR THE PUBLIC HEALTH, WELFARE, AND SAFETY.

As stated in the previous finding the site is surrounded by both single and multi-family residencies uses. The development of this tract is an infill of a mix-density multiple-family and single-family residential neighborhood. Properties to the north, east, and south are zoned RD1.5-1-RIO and R1-1-RIO and developed with multi-family and single-family dwellings respectively. Directly abutting on the east is five (5) small lot subdivision approved under Case No. VTT-72309-SL and abutting on the south are two vacant lots in the RD1.5-1-RIO Zone, which are proposed for an 11 small lot subdivision under Case No. VTT-82112-SL. The project height, size, and location is compatible with surrounding development. The driveway is proposed to be located along the east property line which provides a greater distance from the abutting single-family neighborhood. Small lots generally provide a softer transition from single-family to traditional multiple family located along Coldwater Canyon Avenue.


- (k) THAT THE PROJECT IS IN SUBSTANTIAL CONFORMANCE WITH THE PURPOSE, INTENT AND PROVISIONS OF THE GENERAL PLAN, THE APPLICABLE COMMUNITY PLAN AND ANY APPLICABLE SPECIFIC PLAN.

As stated in the previous findings, the propped map is in substantial conformance with the General Plan, the project site is located within the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan, which designates the site with a Low Medium Residential land use and corresponding zones R2, RD6, RD4, RD3, RD2, and RD1.5. Objective 1-4 "To promote and insure the provision of adequate housing for all persons regardless of income, age or ethnic background." The Project Site is zoned RD1.5-1-RIO, which is consistent with the land use designation and the River Improvement Overlay. Per LAMC Section 12.09.1 B.4, the RD1.5-1-RIO zone requires at least 1,500 square feet of lot area per dwelling unit, and limits floor area to not to exceed three times the building area of the lot. Small Lots are generally less expensive than traditional single-family dwellings. The townhouse style design allows for clustering of development, but still allows ownership of the unit and land of the lot.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract No VTT-82539-SL. The project is in substantial conformance with the General Plan and applicable community plan. The site is not located within a specific plan area.

No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of this approval, unless an extension of time is granted before the end of such period. No requests for time extensions or appeals received by mail shall be accepted.

VINCENT P. BERTONI, AICP
Director of Planning


SARAH HOUNSELL
Deputy Advisory Agency

CR:SH:OA:mkc

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission or Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Downtown
Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
[\(213\) 482-7077](tel:(213)482-7077)

San Fernando Valley
Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Rm 251
Van Nuys, CA 91401
[\(818\) 374-5050](tel:(818)374-5050)

West Los Angeles
West Los Angeles Development
Services Center
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
[\(310\) 231-2598](tel:(310)231-2598)

Forms are also available on-line at <http://planning.lacity.org>

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

FACT SHEET

Planning Entitlement Appeals

Summary

Discretionary planning decisions in Los Angeles can be appealed, at times, to one of the eight City Commissions that oversee planning-related issues and, in some instances, directly to the City Council. These appeals provide members of the public with an opportunity to challenge certain planning decisions, exercising their rights in accordance with the Los Angeles Municipal Code (LAMC). City Planning has developed an informational fact sheet, complete with frequently asked questions, to inform the public of their rights and opportunities for filing project appeals.

Background

The LAMC outlines a process to allow members of the public to appeal land use decisions that are issued by the City. Appeals are intended to challenge the merits of the decision, specifically to contend that a decision maker erred or abused their discretion. To allow community members the ability to appeal qualifying planning decisions at a minimal personal cost, City Planning has consistently (and significantly) subsidized non-applicant appeal fees. This has allowed individuals to be part of a fair and equitable process, one which has provided the public with the opportunity to question certain decisions.

The Department has developed a fact sheet to further clarify the process for filing project-related appeals. This document will be updated periodically, as needed. For additional information, please contact the planning staff located at the Figueroa Plaza (Downtown), Marvin Braude (Van Nuys), or West Los Angeles Development Services Centers preferably via email at planning.figcounter@lacity.org.

Frequently Asked Questions

Where are project appeals filed?

Appeals can be filed at any of the three Development Services Centers (DSCs)—[Downtown, Van Nuys, and West Los Angeles](#)—where planning staff is located. A physical drop off area has been set up at each location to allow applicants to submit their applications, without having to file an initial appointment or enter the premises. As an additional option, the Department has also created an online portal for electronic appeal applications. Click this [link](#) to access the online forms and submit the relevant information electronically.

How long do applicants have to submit a project-related appeal?


An appeal must be filed within a specified period of time as established by the LAMC—varying in length from 10 to 15 days of the issuance of the Letter of Determination (LOD), depending on the planning entitlements being appealed. As a point of reference, deadlines for filing appeals are noted in the [Los Angeles Municipal Code](#) (LAMC) and typically also identified within the LOD.

Where can applicants access the appeal form and corresponding instructions?

The appeal form and instructions can be found [here](#). Both an applicant and “aggrieved party” (a community member opposing the decision) may choose to file an appeal. All appeals will be processed at the same time. Each appeal form represents one appeal, regardless of the number of individuals who have signed the appeal form. For certain planning entitlements, such as determinations for projects that file under the Density Bonus and [Transit Oriented Communities Incentive](#) Programs, appeals are limited to adjacent and abutting owners of property or occupants, as specified in the implementing State and/or local statute. Neighborhood Councils and/or City-appointed decision-making bodies may not file an appeal.

Who decides the outcome of project appeals?

Letters of Determination are issued by the Director of Planning (DIR), Associate Zoning Administrator (AZA), Deputy Advisory Agency (DAA), Area Planning Commission



(APC), or City Planning Commission (CPC). Depending on the initial decision-maker, there are three appellate bodies for planning cases in Los Angeles: the Area Planning Commissions, the City Planning Commission, and the City Council. The LAMC establishes appeal procedures including which types of decisions are eligible for a first- and second-level appeal (meaning that in some cases, the project can be appealed again to a higher decision maker).

How long does the City have to consider the appeal of a land use decision?

According to the LAMC, the City must process appeals under strict time limits. Depending on the planning entitlements, the date that an appeal hearing must be scheduled varies between 30 days from appeal submittal up to 75 days from the last day of the appeal period. These time periods may be extended if there is mutual agreement between the applicant and the City. The LAMC does not, however, allow a non-applicant to request an extension beyond this allotted time period for project appeals.

How (and when) are notifications sent notifying the appellant of their hearing date?

The LAMC specifies the timelines by which appeal hearings must be held. In general, appellants receive notice of their upcoming hearing at least 10 days prior to the hearing date. Notices for some appeal hearings may be published in a local newspaper. If unavailable to attend the date of the hearing, the appellant can submit written comments to the decision-maker or appoint a representative to provide public testimony on their behalf at the public hearing.

Who from City Planning can provide assistance, should there be any questions?

Planning staff at the DSCs serve as a main point of contact for [general inquiries](#). Once a project appeal has been submitted, questions can be directed to the assigned planner, who will process the appeal and take it to the hearing. The contact information for the assigned planner may be found on the Department's [Planning Case Tracking System \(PCTS\)](#).

When can documents be sent to the appellate decision maker who will hear the appeal?

In addition to the appeal application, the appellant may submit documents for the official public record at the time the appeal is filed. If there is a need to provide additional documents after the appeal has been filed, the appellant can send them to the planner assigned to the appeal. Information submitted after a staff recommendation report has been drafted will be included in the public record, but it will not have been considered at the time of the writing of the staff report.

City Planning's Commission Office requires that supplemental information be provided more than 48 hours in advance of the hearing, and meet the criteria as outlined below.

REQUIREMENTS FOR COMMISSION SUBMISSION OF MATERIALS

Regular Submissions: Initial Submissions, not limited as to volume must be received no later than by 4:00 pm on the Monday of the week prior to the week of the Commission meeting. Materials must be emailed to the assigned staff and Commission identified on the project's public hearing notice.

Rebuttal Submissions: Secondary Submissions in response to a Staff Recommendation Report and/or additional comments must be received electronically no later than 48 hours prior to the Commission meeting. For the Central, South Los Angeles and Harbor Area Planning Commissions, materials must be received no later than by 3:00 pm, Thursday of the week prior to the Commission meeting. Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on this announcement.

Day of Hearing Submissions: Submissions less than 48 hours prior to, and including the day of the hearing, must not exceed two (2) written pages, including exhibits, and must be submitted electronically to the staff and Commission identified on the project's public hearing notice. Photographs do not count toward the page limitation.

Non-Complying Submissions: Submissions that do not comply with these rules will be stamped "File Copy. Non-complying Submission." Non-complying submissions will be placed into the official case file, but they will not be delivered to or considered by the Commission and will not be included in the official administrative record for the item at issue.

Commission email addresses:

City Planning Commission: cpc@lacity.org

Central Los Angeles Area Planning Commission: apccentral@lacity.org

East Los Angeles Area Planning Commission: apceastla@lacity.org

Harbor Area Planning Commission: apcharbor@lacity.org

North Valley Area Planning Commission: apcnorthvalley@lacity.org

South Valley Area Planning Commission: apcsouthvalley@lacity.org

South Los Angeles Area Planning Commission: apcsouthla@lacity.org


West Los Angeles Area Planning Commission: apcwestla@lacity.org

Are appellants required to sit through the entire meeting when there are multiple items on the agenda?

The answer is no; however, the agenda items can be taken out of order. Therefore, it is in the interest of each appellant to attend the full meeting at the scheduled start time, until their item is taken up for consideration. Depending on how many items are on the agenda, and the agenda order, your item could be heard very quickly or you may have to wait through several items which could take a few hours. As a point of reference, commission meetings for Area Planning Commissions and City Planning Commission generally start at 4:30 PM and 8:30 AM, respectively. For additional details, please consult the “[Events Calendar](#)” on City Planning’s website. For City Council and Council Committee meetings, please consult the Meeting Calendar page for [City Council](#) and [Committees](#).

Will the appellant have an opportunity to speak during the hearing?

Following the presentation by the planner assigned to the appeal case, the appellant can present their case. After the appellant’s presentation, the project applicant will be given an equal amount of time to provide a rebuttal to the appellant’s presentation. There is often time for an additional rebuttal by the applicant or appellant. While there are exceptions to the rule, the appellate body may invite the appellant to respond to



questions. It is important to note that the appellate body will not engage in a back and forth conversation with either the applicant or appellant. This is done to be both fair and consistent in the amount of time allocated to each party.

What is the format and structure of a typical hearing for a project appeal?

Each appellate body follows a slightly different set of procedures when hearing project appeals. That said, there are a number of common features that apply regardless of whether the appellate body is the Area Planning Commission, Cultural Heritage Commission, City Planning Commission, or City Council. A formal public meeting structure is always maintained in order to ensure a fair and predictable process—one where all sides are heard, and the meeting is conducted in an orderly manner. In the case when a planning commission is the appellate body, there are additional steps, such as: a presentation from the Department, an opportunity for the appellant to testify, a forum for the applicant to offer their rebuttal, and time reserved for public testimony. This would take place leading up to any formal action on the part of the commissioners, as it relates to a project appeal.


To slow the spread of COVID-19, City Planning has implemented new procedures for public hearings and outreach meetings in order to practice proper physical distancing protocols. Until notified otherwise, commission meetings will be conducted virtually to allow applicants and the public to participate using a webcam or by telephone. For more information, consult the City Planning's [website](#) with detailed instructions.

How much time does the appellant have to present their argument?

The time allocated to the appellant for the purposes of their presentation varies. It is ultimately determined by the appellate body and communicated at the start of the meeting. More often than not, appellants are allocated five to 10 minutes to make their presentation. Project appeals that are heard by City Council follow slightly different procedures, which the assigned planner can explain.

Is there a need for the appellant to submit a PowerPoint presentation?

Appellants can prepare a PowerPoint presentation, in addition to making verbal remarks when it is their turn to speak. If a PowerPoint is being prepared, the appellant should



submit the document to City Planning no less than 72 hours in advance of the meeting. The assigned planner will coordinate the submission for the appellant.

What role does the planner assigned to this project play during the appeal process?

The role of the assigned planner is to ensure that an appellant is notified of the appeal hearing as an interested party, to provide them with a courtesy copy of the staff report if prepared, and to make sure that all parties are informed of the outcome or final decision of the appeal. The assigned planner will analyze the appeal points and prepare a staff recommendation report responding to each of the points raised by the appellant. At the hearing, the assigned planner will make a presentation to the decision maker. All information about the case is available for public view in the case file, and the Planner can assist in making an appointment to review it. The planner can also ensure that translation and special accommodations for individuals with disabilities can be provided at the public hearing, if requested.

What happens after the Appellate Body issues a formal decision, one way or another?

After the Commission takes a vote, a formal Letter of Determination is issued. If the decision is not further appealable, this concludes the appeal process. Under the LAMC and City Charter, only certain Commission-level appellate decisions are further appealable to City Council.

When can a CEQA appeal be filed?

Generally, a standalone CEQA appeal to the City Council may only be filed if a project's land use determination is not further appealable to the City Council (with some exceptions). If a determination made by an Area Planning Commission or City Planning Commission is further appealable to the City Council, the City Council will consider CEQA related appeal points made by an appellant when considering the entire appeal of the project.



When should appellants fill out the CEQA Appeal Form?

The CEQA Appeal form shall only be used if the Area Planning Commission or City Planning Commission issues a determination for a project that is not further appealable. In these situations, an individual may file an appeal of a project's CEQA clearance to the City Council. Forms and procedures for the appeal of CEQA documents can be found here listed under "CEQA Appeal Application."

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

VESTING TENTATIVE TRACT MAP NO. 82539

IN THE CITY OF LOS ANGELES,
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
FOR SMALL LOT SUBDIVISION PURPOSES PER ORD. NO. 176,354

LOS ANGELES DEPT. OF CITY PLANNING
SUBMITTED FOR FILING
☒ TENTATIVE MAP ☐ PARCEL MAP

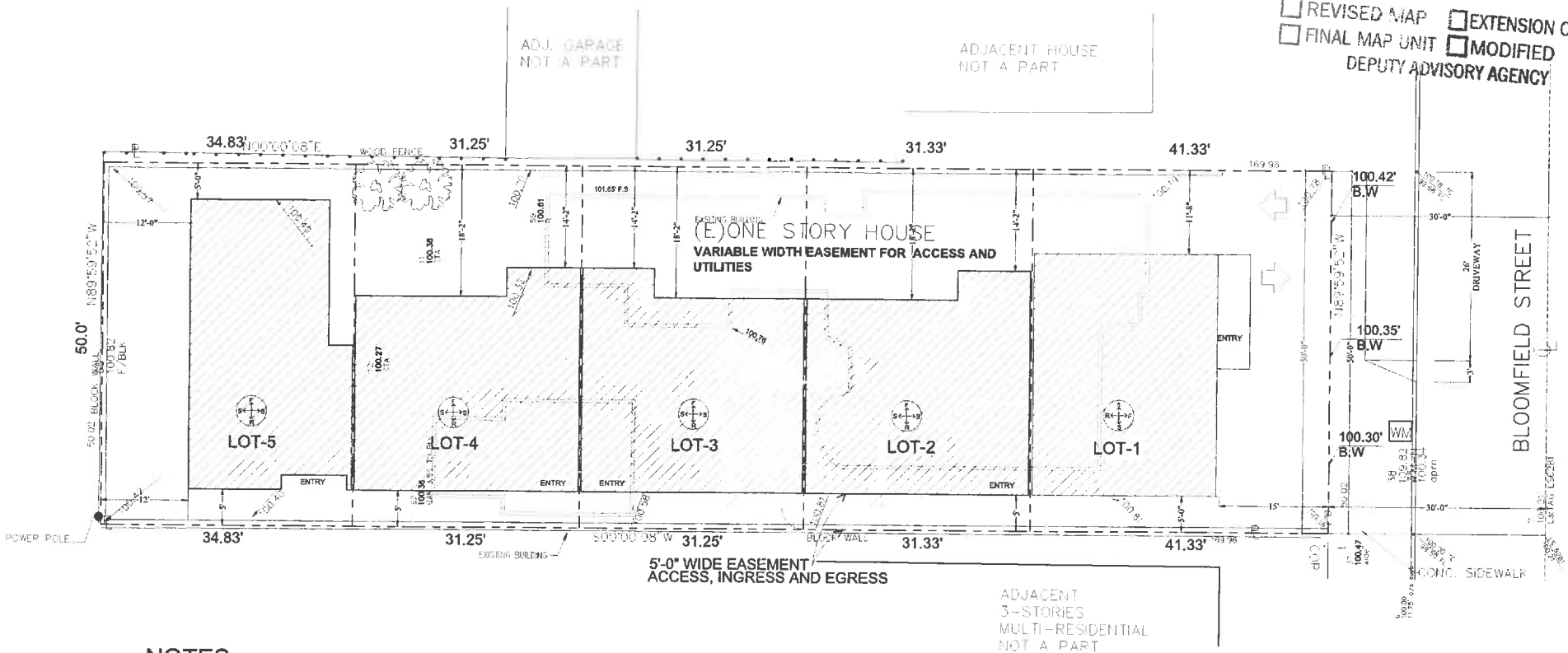
JUN 14 2019

☐ REVISED MAP ☐ EXTENSION OF TIME
☐ FINAL MAP UNIT ☐ MODIFIED
DEPUTY ADVISORY AGENCY



Armin Gharai,
C61464 exp. 6/30/2021

DATE: 05/20/2020



OWNER:

12918 W.BLOOMFIELD LLC

ENGINEER:

Armin Gharai,
C61464 exp. 6/30/2021
6747 ODESSA AVENUE #204
VAN NUYS, CA 91406
Phone: (818) 758-0018
Cell: (818) 634-6327
Fax: (818) 708-2847

LEGAL DESCRIPTION:

12918 BLOOMFIELD ST. SHERMAN OAKS, CA. 91604
PIN: 165B16 499
LOT/PARCEL AREA : 8,496
THOMAS BROTHERS GRID : PAGE 562 GRID: E5
APN: 2375-011-028
TRACK: TR 6375
BLOCK: NONE
LOT: FR 30
MAP REFERENCE: M B 66-99
MAP SHEET: 165B161

NOTES:

1. PROJECT ADDRESS: 12918 BLOOMFIELD ST. SHERMAN OAKS, CA. 91604
2. SMALL LOT SINGLE FAMILY SUBDIVISION IN THE RD1.5-1-RIO ZONE PURSUANT TO ORDINANCE NO. 176,354
3. GROSS LOT AREA = 8,496 Square Feet, 0.1950 Acres NET LOT AREA= 8,496 Square Feet,
4. SEWER AND OTHER PUBLIC UTILITIES ARE AVAILABLE.
5. THOMAS BROTHERS GRID : PAGE 562 GRID: E5
6. THE SUBJECT SITE IS CURRENTLY: ONE SINGLE FAMILY DWELLING W DETACHED GARAGE
7. PARKING : 2 COVERED PARKING SPACES WILL PROVIDED FOR RESIDENTS PER SFD , 2x5=10
8. VEHICULAR ACCESS ARE FROM THE 1 COMMON DRIVEWAYS FROM BLOOMFIELD ST
9. TRASH BIN FOR RESIDENTS ARE AT EACH SINGLE FAMILY LOT SEPARATED
10. THERE ARE NO OAK, WESTERN SYCAMORE, CALIFORNIA BAY, OR SOUTHERN CALIFORNIA BLACK WALNUT TREES ON THE SITE.
11. 4 NON-NATIVE TREES ON SITE TO BE REMOVED, REFER TO ARBORIST REPORT FOR DETAIL.
12. THE SITE IS IN LIQUEFACTION HAZARD ZONE
13. THE SITE IS NOT WITHIN FLOOD HAZARD ZONE
14. MAP PREPARED ON : 02-03-2020

LOT MATRIX

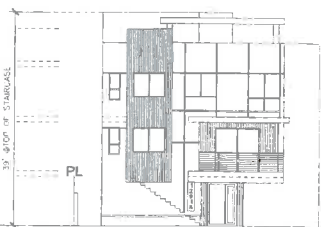
| | LOT 1 | LOT 2 | LOT 3 | LOT 4 | LOT 5 |
|--------------------|----------------|----------------------|----------------------|----------------------|----------------------|
| FRONT YARD | BLOOMFIELD ST. | COMMON DWL. WEST PL. | COMMON DWL. WEST PL. | COMMON DWL. WEST PL. | COMMON DWL. WEST PL. |
| FRONT YARD SETBACK | 15' (N) | 14'-2" (W) | 14'-2" (W) | 14'-2" (W) | 5' (W) |
| SIDEYARD SETBACK | 5' (E) | 3" (N) | 2" (N) | 2" (N) | 2"(N) |
| SIDEYARD SETBACK | 11'-8"(W) | 2" (S) | 2" (S) | 2" (S) | 12' (S) |
| REAR YARDS SETBACK | 3" (S) | 5' (E) | 5' (E) | 5' (E) | 5' (E) |
| AREA | 2,066.5 SF | 1,567 SF | 1,562.5 SF | 1,562.5 SF | 1,741.5 SF |

LEGEND: (E)EAST, (N)NORTH, (S)SOUTH, (W)WEST

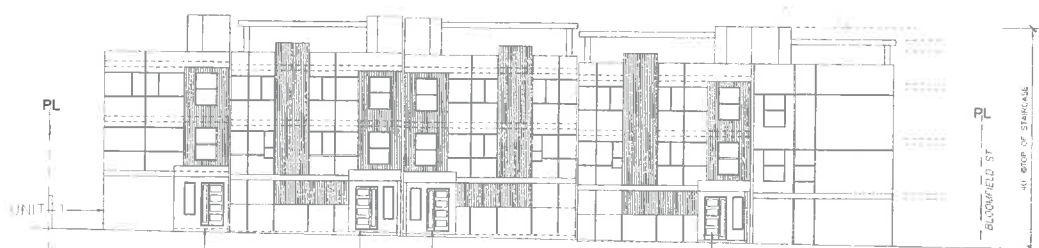
EXHIBIT



WEST ELEVATION FROM DRIVEWAY
N.T.S



NORTH ELEVATION FROM BLOOMFIELD ST.
N.T.S



EAST ELEVATION FROM UNIT ENTRANCES
N.T.S