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Decision Date: November 8, 2018

Last Day to Appeal: November 19, 2018

SBD Real Estate Three, LLC (A)(O)
c/o Nate Hobba
340 S. Lemon Ave, #2212
Walnut, CA 91789

Land Use Developers Corp. (R)
7136 N. Haskell Avenue, Suite 320
Van Nuys, CA 91406

DHS & Associates, Inc (E)
275 Centennial Way #205
Tustin, CA 92780

RE: Vesting Tentative Tract No. VTT-74809-SL
Related Case: ZA-2017-204-ZAA-ZAD
Address: 6105 North Toltec Way (6105-
6107 N. Toltec Way)
Community Plan: Northeast Los Angeles
Zone: RD1.5-1
District Map: 150A-231
Council District: 14
CEQA No.: ENV-2017-205-CE
Legal Description: Lots PT 11, 12, and 13,
Oak Hill Park Tract; VAC M D & D 5-143

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.03, 17.15, and Section 12.22 C.27, the Advisory Agency approved Vesting Tentative Tract Map No. 74809-SL, located at 6105-6107 North Toltec Way, for a maximum of **nine (9) small lots**, in conjunction with the construction of nine (9) small lot homes, in the Northeast Los Angeles Community Plan. This unit density is based on the RD1.5-1 Zone. (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 with the Development Services Center call (213) 482-7077, (818) 374-5050, or (310) 231-2598. 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 or Julia Li of the Land Development Section, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3484.

1. That an 8-foot wide strip of land be dedicated along Toltec Way adjoining the easterly boundary of the subdivision as shown on the map dated June 22, 2018 to complete an 18-foot wide half public right-of-way. In addition a 30-foot radius property line return be dedicated at southeasterly corner of the tract.
2. That an 8-foot variable width future street be dedicated along Toltec Way adjoining the southerly boundary of the subdivision, and as shown on the tentative map stamp dated June 22, 2018, satisfactory to the City Engineer.
3. That if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
4. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176354" satisfactory to the City Engineer.
5. That if necessary public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Central Engineering District Office.
6. That 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. There are no existing public sewers available for this development at this time. Any private septic system shall be approved by the Department of Building and Safety Grading Division prior to the recordation of the final map. If possible the developer may construct the off-site and onsite public mainline sewer satisfactory to the City Engineer.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

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

8. 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, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated February 7, 2017, Log No. 96490 and attached to the case file for Tract No. 74809-SL.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

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

9. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division, shall issue a clearance letter stating that no Building or Zoning Code violations existing relating to the subdivision on the subject site once the following items have been 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. Provide a copy of ZA case ZA-2017-204-ZAA-ZAD. Show compliance with all the conditions/requirements of the ZA case(s) as applicable.
- c. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
- d. The submitted map does not comply with the maximum density (1,500 s.f. of lot area/dwelling unit) requirement of the RD1.5-1 Zone. Revise the map to show compliance with the above requirement based on the lot area after required street dedication is taken or obtain approval from the Department of City Planning.
- e. Revise proposed Lot Matrix to reflect the correct setbacks for Lot 9.
- f. Lots 1, 6, 7, 8 and 9 along Toltec Way do not comply with the minimum 15 ft. front yard setback after required street dedication is taken as required for the RD1.5-1 Zone. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning for the setbacks indicated in the Setback Matrix.
- g. Revise map to show compliance with Section 12.22 C.20 for projections into the required yards.
- h. Dimension the reciprocal private easement for pedestrian and driveway egress and ingress, back up space, drainage, and utilities on the final map.

Notes:

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

This property is located in a Liquefaction Zone.

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

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

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

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

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

DEPARTMENT OF TRANSPORTATION

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

FIRE DEPARTMENT

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6509. You should advise any consultant representing you of this requirement as well.

11. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. This project is located in the very high fire hazard severity zone and shall comply with requirements set forth in the Section 4908, 2014 City of Los Angeles Fire Code.
 - c. Mitigating measures shall be considered. These measures shall include, but not be limited to the following:
 - i. Boxed-in eaves.
 - ii. Single pane, double thickness (minimum 1/8" thickness) or insulated windows.
 - iii. Non-wood siding.
 - iv. Exposed wooden members shall be two inches nominal thickness.
 - v. Noncombustible finishes.
 - d. Irrigated and managed greenbelts around the perimeter of all structures for a distance of 100 feet shall be considered as a buffer between the brush and the proposed project.
 - e. All landscaping shall use fire-resistant plants and materials. A list of such plants

is available from the contact Brush Clearance Unit 6262 Van Nuys Blvd., Room 451, Van Nuys 91401 (800) 994-4444.

- f. All homes shall have noncombustible roofs. (Non-wood)
- g. The brush in the area adjacent to the proposed development shall be cleared or thinned periodically by the Homeowner's Association under supervision to the Los Angeles City Fire Department in order to reduce the risk of brush fires spreading to the homes.
- h. Any required roadway improvement within the Hillside Ordinance shall be completed prior to the Fire Department signing off on building plans or building permit application.
- i. For any new construction of, or addition to, a one-family dwelling on a lot that does not have a vehicular access route from a street improved with a minimum 20 foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area, no building permit or grading permit shall be issued unless the construction or addition meets the requirements of this Subdivision or has been approved pursuant to Section 12.24 x 21.
- j. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- k. 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.
- l. 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.
- m. 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.
- n. 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.
- o. 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.
- p. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
- q. Submit plot plans indicating access road and turning area for Fire Department

approval.

- r. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- s. 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.
- t. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- u. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- v. 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.
- w. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- x. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- y. 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.
- z. Site plans shall include all overhead utility lines adjacent to the site.
- aa. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- bb. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- cc. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

DEPARTMENT OF WATER AND POWER

- 12. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with the following conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering:
 - a. Prior to receiving water service the developer must arrange for the Department to install the following: fire hydrants.

- b. Pressure regulators will be required in accordance with the Los Angeles City Plumbing Code for the following lot(s) where pressures exceed 80 psi at the building pad elevation: Min 74 psi, Max 126 psi.
- c. Existing water mains are located in or adjacent to this tract as follows: 2" water main in Toltec Way.
- d. The following water mains may be inadequate to serve this tract and may need to be enlarged at the Developer's expense: 2" water main in Toltec Way.
- e. New fire hydrants and/or top upgrades to existing fire hydrants are required in accordance with the Los Angeles Fire Code. Install one (1) 2-1/2" x 4" D.F.H. on the W side of Toltec Way, approximately 410' SS Hardison Way.

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

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

BUREAU OF SANITATION

- 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 problems, as stated in the memo dated February 27, 2018. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the city Engineer clears Condition No. S-1(d).)

DEPARTMENT OF RECREATION AND PARKS

- 15. That the Park Fee be calculated as a Subdivision (Quimby in-lieu) fee.

DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS

- 16. 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 nine (9) small lot homes per Condition No. 18.
 - b. A Certificate of Occupancy (temporary or final) for the building(s) in Tract No. 74809-SL shall not be issued until after the final map has been recorded.
 - c. Provide a minimum of two covered off-street parking spaces per dwelling unit. (Note: One space may be a compact space. Tandem parking is allowable.)

- d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- e. 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.
- f. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
- g. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.
- h. A Maintenance Association shall be formed, 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 members of the association and shall be subject to a proportionate share of the maintenance. The Maintenance Association shall include a notice of the potential future dedication of Toltec Way adjoining the southerly border of the subdivision and compliance with Condition No. 18 would be required at that time. The Maintenance Association 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.
- i. 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.

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 5 feet in width, pursuant to LAMC Section 12.22-C,27:

- 1) Setbacks shall be permitted as follows:

Setbacks				
Lot No.	Front (E)	Rear (W)	Side (N)	Side (S)
1	5'-0"	0'-2"	5'-0"	8'-0"
2	0'-2"	0'-2"	5'-0"	8'-0"
3	0'-2"	0'-2"	5'-0"	8'-0"
4	0'-2"	0'-2"	5'-0"	8'-0"
5	0'-2"	5'-0"	5'-0"	6'-0"
6	0'-2"	5'-0"	6'-0"	8'-0"
7	0'-2"	0'-2"	8'-0"	8'-0"
8	0'-2"	0'-2"	8'-0"	8'-0"
9	5'-0"	0'-2"	8'-0"	8'-0"

- 2) The common access easement may have a minimum width of 16 feet clear to the sky.
17. That prior to the issuance of the building permit or the recordation of the final map, a copy of Case No. ZA-2017-204-ZAD-ZAA shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. ZA-2017-204-ZAD-ZAA is not approved, the subdivider shall submit a tract modification.
18. The owners of the small lots within the subdivision shall obtain the necessary zoning approvals in order to complete the future dedication of Toltec Way as determined by the Bureau of Engineering.
19. 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.

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 comply 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 be either constructed prior to recordation of the final map or that the construction be 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. Construct two (2) new street lights on Toltec Way.

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 Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. After submittal of hydrology and hydraulic calculations and drainage plans for review by the City Engineer prior to recordation of the final map, construction of public and private drainage facilities may be required satisfactory to the City Engineer.
 - b. Improve Toltec Way being dedicated and adjoining the easterly boundary of the subdivision by the construction of the following:
 - (1) A concrete curb, a concrete gutter, and a 4-foot concrete sidewalk.
 - (2) Suitable surfacing to join the existing pavement and to complete 14-foot half roadway.
 - (3) Any necessary removal and reconstruction of existing improvements.
 - (4) The necessary transitions to join the existing improvement.

Note: No street improvements are required adjoining the future street easement.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract 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 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 (CEQA)

The Advisory Agency found, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332 (Class 32), 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 No. 74809-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 the goals, objectives, and policies for future development at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Specifically, Section 17.05 C requires that the vesting tentative tract map be designed in compliance with the zoning regulations applicable to the project site. The project site is located within the Northeast Los Angeles Community Plan, which designates the site with a Low Medium II Residential land use designation. The land use designation lists the RD1.5, RD2, RW2, and RZ2.5 Zones as the corresponding zones. The Project Site is zoned RD1.5-1, which is consistent with the land use designation. The project site has approximately 13,438 net

square feet of lot area, which permits a maximum of eight dwelling units. The subdivider has requested a Zoning Administrator's Adjustment, Case No. ZA-2017-204-ZAA-ZAD, from the minimum lot area per dwelling unit requirement, which if approved, would permit nine dwelling units on the site. The Project proposes to subdivide the project site into nine small lots, pursuant to LAMC Section 12.22 C.27. The proposed density will be consistent with the zoning code with the approval of the Zoning Administrator's Adjustment. The site is not located within a specific plan area or other overlay.

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 tract map was prepared by Steve Nazemi, Registered Professional Engineer with the State of California (No. C044100), 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 access to the proposed small lots, consistent with LAMC Section 12.22 C.27. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and 12.22 C.27 and is consistent with the applicable General Plan.

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

For purposes of a subdivision, design and improvement is defined by Section 66418 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. The project site is zoned RD1.5-1, which would permits a maximum of eight dwellings on the approximately 13,438 net square-foot site. The subdivider has requested a Zoning Administrator's Adjustment, Case No. ZA-2017-204-ZAA-ZAD, from the minimum lot area per dwelling unit requirement, which if approved, would permit nine dwelling units on the site. The proposed density will be consistent with the Zoning Code with the approval of the Zoning Administrator's Adjustment. 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 Toltec Way, consistent with the standards of the Mobility Element. At the public hearing, the applicant requested modifications to the dedication and improvement conditions along a portion of Toltec Way. The representative from the Bureau of Engineering concurred with the request as it relates to the portion of Toltec Way that abuts the subdivision generally to the south. The Advisory Agency

accepted the modifications and noted that if the future dedication was ever made, then the proposed small lot homes would not conform to the Zoning Code. A condition has been incorporated to ensure that future homeowners are aware of the future dedication and requirement to comply with the applicable regulations at that time. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site mainline sewers and all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 2010. The Bureau of Street Lighting has requested that new street lights be installed on Toltec Way. As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

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

The project site consists of four contiguous lots totaling approximately 13,988 gross square feet (0.32 acres) in area. The site has frontage along the westerly side of North Toltec Way (approximately 48 feet), as well as frontage along the northerly side of unimproved Toltec Way (approximately 185 feet). The property is currently developed with a single-family dwelling constructed in 1947 and a triplex constructed in 1954 for a total of four dwelling units. The site is zoned RD1.5-1 and is located within the Northeast Los Angeles Community Plan, which designates the site for Low Medium II Residential land uses. The site is not located within a Specific Plan area or Methane Zone, but is located within the Hillside Area, Transit Oriented Communities (TOC) Tier 1, Very High Fire Hazard Severity Zone, BOE Special Grading Area, and Liquefaction Zone. The project site is located within 1.3 km (0.8 miles) from the Raymond Fault, but is not located within the Alquist-Priolo Fault Zone. The site is not identified as having hazardous waste or past remediation.

The project is the demolition of the four existing dwelling units and the construction, maintenance, and use of nine small lot homes. The site will have an area of approximately 13,438 square feet after street dedications. The project involves grading with approximately 100 cubic yards of earth export. The project site, including the right-of-way, has 15 trees, of which nine will be removed. None of the existing trees are of protected species. Eighteen covered vehicle parking spaces are proposed (two per dwelling), accessed via a 22-foot wide common access driveway. The dwellings have floor area ranging from 1,952 square feet to 2,577 square feet, with a maximum height of 39 feet and three stories.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. The subdivider shall make suitable arrangements to assure compliance with all the requirements and conditions contained in Soils and Geology Report letter dated February 7, 2017, Log No. 96490. Therefore, the site will be physically suitable for the proposed type of development.

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

Adjacent properties to the north, south, and east are zoned RD1.5-1 and developed with single- or multiple-family dwellings. The adjacent property to the west is zoned OS-1XL and is improved with Hermon Park (Arroyo Seco Park). The Arroyo Seco Parkway (SR-110) is located further to the west.

The project site, which is comprised of four parcels, consists of approximately 13,988 square feet of land (before dedications) and is developed with a single-family dwelling and a triplex for a total of four dwelling units. The Project proposes to construct nine small lot homes, which would be three stories with a maximum height of 39 feet. With the approval of the Zoning Administrator's Adjustment, the density will be consistent with the zone and land use designation. 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 project site, as well as the surrounding area, are presently developed with structures and do not provide a natural habitat for either fish or wildlife. Any demolition, grading, and construction will be conducted per the requirements of the Los Angeles Municipal Code and associated permits needed to perform such work. These permits also restrict work hours to mitigate noise pollution.

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

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet statewide ocean discharge standards.

The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

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

As required by LAMC Section 12.03, the project site has a minimum of 20 feet of frontage along Toltec Way, which is a public street. The project site consists of a parcel identified as Lots 11, 12, and 13 of Oak Hill Park Tract and VAC M D & D 5-143 and is identified by the Assessor Parcel Map No. 5312-005-014. There are no known easements acquired by the public at large for access through or use of the property within the proposed subdivision, as identified on the tract map. While the project will provide a private easement for common/vehicular access purposes within the subdivision, there are no known easements acquired by the public at large for access through or use of the property within the proposed subdivision, as identified on the tract map. Necessary easements for utilities will be acquired by the City prior to the recordation of the proposed parcel 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.


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 Tract No. 74809-SL.

VINCENT P. BERTONI, AICP
Advisory Agency



MAY SIRINOPWONGSAGON
Deputy Advisory Agency



JANE J. CHOI, AICP
Senior City Planner

VPB:JJC:MS:MS

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

San Fernando Valley
Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room
251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
West Los Angeles
Development Services
Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(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.

If you have any questions, please call Development Services Center staff at (213) 482-7077, (818) 374-5050, or (310) 231-2598.