



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

October 20, 2016

EGL Associates, Inc.
Attn: Shawn Yu
11819 Goldring Road, Suite 6
Arcadia, CA 91006

**REGARDING: PROJECT NO. 2016-000014-(5)
TENTATIVE PARCEL MAP NO. 074016
5228 MYRTUS AVENUE, SOUTH MONROVIA ISLANDS**

The Regional Planning Commission, by its action of **October 19, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **October 31, 2016. Appeals must be delivered in person.**

Appeals: **To file an appeal, please contact:**
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. A Notice of Exemption, if applicable, may also be filed according to the instructions in the enclosed Affidavit of Acceptance.

For questions or for additional information, please contact Tyler Montgomery of the Land Divisions Section at (213) 974-6433, or by email at tmontgomery@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner



Kim K. Szalay, Supervising Regional Planner
Land Divisions Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: Board of Supervisors; DPW (Land Divisions)

SDJ:TM

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 2016-000014-(5)
TENTATIVE PARCEL MAP NO. 074016**

1. **HEARING DATE(S).** The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on October 19, 2016, in the matter of Project No. 2016-000014, consisting of Tentative Parcel Map No. 074016.
2. **ENTITLEMENT(S) REQUESTED.** The applicant requests Tentative Parcel Map to create two (2) single-family fee lots on 0.37 gross (0.27 net) acres, pursuant to County Code Section 21.40.020.
3. **LOCATION.** The project site is located at 5228 Myrtus Avenue in the community of South Monrovia Islands.
4. **PROJECT DESCRIPTION.** The applicant requests a Tentative Parcel Map to create two residential fee lots from a rectangular-shaped subject property. Parcel 1, as proposed, would have a net area of 6,363 square feet with a street frontage of 56.66 feet, while Parcel 2 would be a flag lot with a net area of 5,520 square feet and a street frontage of 20 feet. The applicant proposes to develop two single-family residences on the resulting two lots, although this would be done through a separate approval. Two (2) existing on-site residences would be demolished, while one existing oak tree would be preserved.
5. **TOPOGRAPHY.** The subject property is relatively level and is currently occupied by two single-family residences, which are proposed to be demolished, and one oak tree, which would be preserved. It is surrounded by single-family residences to the north, south, and west, and single-family residences and apartments to the east, fronting on Tyler Avenue.
6. **ZONING.** The subject property is zoned A-1 (Light Agricultural).
7. **LAND USE CLASSIFICATION.** The Land Use classification of the project site under the Countywide Land Use Plan is "H9—Residential 9 (0-9 dwelling units per net acre)."
8. **SURROUNDING ZONING.** Surrounding Zoning within a 500-foot radius:

North: A-1
South: A-1
East: R-3 (Limited Multiple Residence)
West: A-1

9. **SURROUNDING LAND USES.** Surrounding land uses within a 500-foot radius include:
 - North: Single-family residences
 - South: Single-family residences
 - East: Single-family residences, apartments
 - West: Single-family residences
10. **SITE ACCESS.** Myrtus Avenue provides public street frontage and access to the Project site.
11. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** The Los Angeles County Subdivision Committee consists of representatives of the departments of Regional Planning, Public Works, Fire, Parks and Recreation, and Public Health. Based on the reports submitted to the Subdivision Committee for the map dated July 27, 2016, all departments have cleared the project for public hearing and approval. The full Subdivision Committee Report of August 23, 2016 is included as part of the Tentative Parcel Map's conditions of approval.
12. **ENVIRONMENTAL DETERMINATION.** The Commission has determined that the project is Categorically Exempt (Class 15—Minor Land Divisions) from the California Environmental Quality Act ("CEQA") reporting requirements. The project is a tentative parcel map in an urban area that does not request any modifications or variances.
13. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.**

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting, and DRP website posting.
14. **PUBLIC COMMENTS.**

Regional Planning staff received one letter requesting clarification of the project's scope and questions on reporting potential violation of project conditions. No other public comments have been received regarding the project.
15. **HEARING PROCEEDINGS.** A duly noticed public hearing was held before the Regional Planning Commission on October 19, 2016. Regional Planning staff gave a brief presentation recommending approval of the project. The applicant's representative, Mr. Shawn Yu, was sworn in and testified in favor of the project. After a brief discussion, the Commission recommended that a condition of approval be added requiring that any tenants of the current residential structures be given the appropriate legal notice prior to the structures' demolition. The Commission subsequently closed the public hearing and approved the project.
16. **PLAN CONSISTENCY.**

The Countywide Land Use Plan designates the project site as H9—Residential 9 (0-9 dwelling units per net acre). This would allow for a maximum of 2.4 units on

the 0.27-acre site. The proposed development of two dwelling units (7.4 dwelling units per net acre) is consistent with this permitted density. The site's proposed use as single-family residences is also consistent with the residential classification of the Plan.

17. ZONING CODE CONSISTENCY.

The project site is located in the A-1 (Light Agricultural) Zone. Single-family residences are permitted by right within this zone.

Lot Area:

Pursuant to Section 21.24.240 of the County Code, the minimum required net area for new lots is 5,000 square feet. The proposed residential parcels would be 6,363 and 5,520 square feet in area, respectively.

Lot Width/Frontage:

Pursuant to Section 21.24.240 of the County Code, the minimum average width for new lots is 50 feet. Both of the proposed parcels would meet this requirement. Pursuant to Section 21.24.300 of the County Code, new lots should have street frontages of 50 feet whenever feasible, except lots radial to a turnaround or knuckle may provide street frontages of 40 feet. Parcel 1 would conform to this standard, as it would have a street frontage of 56.66 feet. Parcel 2 would have a street frontage of only 20 feet. However, Section 21.24.320 of the County Code allows for flag lots with street frontages of 15 feet or more when the design is appropriate for the neighborhood. Parcel 2 is proposed as a flag lot.

All other applicable development standards of Titles 21 and 22 of the County Code would be met by the proposed project. Yard/setback and lot coverage standards were not considered, as specific residential designs will be approved at a later date through site plan review.

- 18. LAND USE COMPATIBILITY.** The proposed development of two single-family residential parcels is compatible with the maximum density permitted by the H9 Land Use category of the Countywide Land Use Plan. In addition, policies of the General Plan Housing Element strongly support infill development to promote diversity in housing options to serve the housing need. The project is also consistent with the Subdivision Code and Zoning Code. The subject property is surrounded by compatible residential uses and has access to a County maintained street. The proposed flag-lot design is also appropriate to the neighborhood. Two other incidents of flag lots are located on the same block of Myrtus Avenue, while six are located one block to the west on Florinda Avenue, and an additional six are located one block to the north on Wildflower Road.

No degradation of natural features will occur, as the subject property is an infill site located in an urbanized area, and no sensitive resources are located on the site. One fairly large oak tree on the project site would be preserved, and any future encroachment into its protected zone would require a separate oak tree permit.

Shopping and employment opportunities are available north and south of the subject property.

19. **PHYSICAL SITE SUITABILITY.** The Regional Planning Commission finds that the site is physically suitable for the type of development being proposed since the property is relatively level and is served by adequate road and utility infrastructure.
20. **SEWER DISCHARGE.** The Regional Planning Commission finds that the discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the Water Code. Public Works has issued conditional approval of the subject land division, and sewer service is available for the site.
21. **DESIGN IMPACT – PUBLIC HEALTH.** The Regional Planning Commission finds that the design of the subdivision and the type of improvements will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geologic and soils factors are already adequately addressed.
22. **WILDLIFE/HABITAT IMPACTS.** The Regional Planning Commission finds that there is no substantial evidence, based on the record as a whole, that the proposed project will have potential for an adverse effect on wildlife resources or the habitat upon which, either individually or cumulatively, the wildlife depends. The proposed subdivision is on a relatively small site completely surrounded by developed land and does not contain any sensitive wildlife or habitat environments.
23. **PASSIVE COOLING.** The Regional Planning Commission finds that the design of the subdivision provides to the extent feasible, for future passive or natural heating or cooling opportunities therein. Future structures built on the subject property after subdivision recordation will be required to comply with State and County Green Building standards, which regulate the heating and cooling efficiency of structures for the benefit of the natural environment.
24. **RIGHTS-OF-WAY/EASEMENTS.** The Regional Planning Commission finds that the division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and shown on the tentative map, provide adequate protection for any such easements.
25. **WATERCOURSE IMPACT.** The Regional Planning Commission finds that Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
26. **HOUSING/EMPLOYMENT NEEDS.** The Regional Planning Commission finds that the housing and employment needs of the region were considered and balanced

against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan and Community Plan.

27. **PUBLIC NOTICE.** The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and the Live Oak County Library. On September 8, 2016, Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as to eight persons on the courtesy mailing list for the South Arcadia Zoned District.
28. **LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES THAT:

- A. That the proposed use with the attached conditions will be consistent with the adopted General Plan and Community Plan.
- B. That the proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Finds that the Project is Categorical Exempt from CEQA reporting requirements pursuant to section 15315 of the State CEQA Guidelines (Class 15, Minor Land Divisions); and
2. Approves Tentative Parcel Map No. 074016, subject to the attached conditions.

ACTION DATE: 10/19/2016

Vote: 5-0

Yes: Shell, Smith, Louie, Pedersen, Modugno

No: None

Absent: None

KKS:TM

10/20/16

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. 2016-000014-(5)
TENTATIVE PARCEL MAP NO. 074016 (RPPL 2016000483)**

PROJECT DESCRIPTION

The project is a subdivision to create two single-family lots on 0.37 gross (0.27 net) acres. The project is subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and until all required monies have been paid. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 7 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring

the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. In the event that Tentative Parcel Map No. 072518 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
8. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
9. Prior to the issuance of any building permit(s), the permittee shall remit all applicable library facilities mitigation fees to the County Librarian, pursuant to Chapter 22.72 of the County Code. The permittee shall pay the fees in effect at the time of payment, pursuant to Section 22.72.030. Questions regarding fee payment can be directed to the County Librarian at (562) 940-8430. The permittee shall provide proof of payment upon request from Regional Planning.
10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions.

14. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of occurrence. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

TENTATIVE PARCEL MAP SPECIFIC CONDITIONS

The approval grants the creation of two multiple-family lots as depicted on the Tentative Parcel Map dated July 27, 2016.

16. Unless otherwise apparent from the context, the term "subdivider" shall include the applicant or any successor in interest, and any other person, corporation, or other entity making use of this grant.
17. Except as expressly modified herein, this approval is subject to all recommended conditions listed in the attached Subdivision Committee Report dated August 23, 2016, consisting of letters and reports from the Departments of Public Works, Fire, Parks and Recreation, and Public Health.
18. The project site shall be developed and maintained in substantial compliance with the approved tentative map dated July 27, 2016.
19. A final map is required for this subdivision. A parcel map waiver is not allowed.
20. As required by section 21.32.195 of the County Code, the subdivider shall plant or cause to be planted at least two trees of non-invasive species within the front yard of each of the four lots. The location and the species of said trees shall be incorporated into a landscape plan which shall be approved by the Director of Regional Planning ("Director") prior to final map approval. The subdivider shall post a bond with Public Works, or submit other verification to the satisfaction of Regional Planning, ensuring future on-site tree planting.
21. Prior to final map approval, provide a copy of the Library Fees receipt.
22. Any development activity shall avoid oak tree damage or encroachment into the protected zone of any and all off-site oak trees without first obtaining a valid oak tree permit.

23. Prior to final map approval, the existing dwelling units and accessory structures on the project site shall be demolished. The permittee shall obtain appropriate demolition permits from the Department of Public Works—Building and Safety Division and shall give any tenants the appropriate notice required by the California Civil Code.

Attachments:

Subdivision Committee Report (Tentative Parcel Map dated 07/27/16)

KKS:TM
10/20/16