



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** September 18, 2019

**TO:** Hearing Officer

**SUBJECT:** Certificate of Exception #358

**LOCATION:** 1265, 1275 Rancheros Road & 927 Linda Vista Avenue

**APPLICANT:** Wendy Cobleigh

**ZONING DESIGNATION:** RS-2-HD (Single-Family Residential, 0-2 dwelling units per acre of site area, Hillside Development Overlay District) & RS-4-HD (0-4 dwelling units per acre of site area, Hillside Development Overlay District)

**GENERAL PLAN DESIGNATION:** Low Density Residential

**CASE PLANNER:** Jason Van Patten

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Certificate of Exception #358 with the conditions in Attachment B.

---

**PROJECT PROPOSAL:** Certificate of Exception: To allow a lot line adjustment between three adjacent parcels, 1265 Rancheros Road (Parcel 1), 1275 Rancheros Road (Parcel 3), and 927 Linda Vista Avenue (Parcel 2). The proposal would take 60,380 square feet from Parcel 1 and add to Parcel 2. An additional 60,380 square feet would be taken from Parcel 1 and added to Parcel 3. The proposal would result in the elimination of Parcel 1 and the consolidation of three lots into two. No construction, demolition, or tree removal is proposed as part of this application.

**ENVIRONMENTAL DETERMINATION:** This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, (Existing Facilities); and

there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 exempts projects that involve negligible or no expansion of an existing use. The existing single-family uses will remain after the lot line adjustment. No construction, demolition, or tree removal is proposed as part of this application. The request for the boundary adjustment is also covered by the general rule (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15061, Review for Exemption) that CEQA applies only to projects which have a potential for causing a significant effect on the environment. This request does not result in any new construction, does not expand existing improvements, does not involve tree removal, and is limited to adjusting the property lines between adjacent parcels. Therefore, this request would have no potential for causing a significant effect on the environment.

**BACKGROUND:**

**Site characteristics:**

The subject properties are located east of Linda Vista Avenue and north of Rancheros Road. All three parcels back into a hillside and are characterized by steep topography. Parcel 1, an interior lot addressed 1265 Rancheros Road measures 120,760 square feet in area and is vacant and undeveloped. Parcel 3, an interior lot, addressed 1275 Rancheros Road measures 19,758 square feet in area and is improved with a single-family dwelling. Parcel 2, a flag lot, addressed 927 Linda Vista Avenue measures 52,935 square feet in area and is improved with a single-family dwelling.

**Adjacent Uses:**

North – Vacant  
South – Single Family Residential  
East – Single Family Residential  
West – Vacant

**Adjacent Zoning:**

North – PD-9 (El Mirador Planned Development)  
South – RS-2-HD (Single-Family Residential, 0-2 dwelling units per acre of site area, Hillside Development Overlay District)  
East – RS-4-HD (Single-Family Residential, 0-4 dwelling units per acre of site area, Hillside Development Overlay District)  
West – RS-2-HD (Single-Family Residential, 0-2 dwelling units per acre of site area, Hillside Development Overlay District)

**Previous Zoning Cases on this Property:**

Exception #5112: To divide the property into two separate sites for single-family dwellings. Parcel 'A' located at 927 Linda Vista Avenue would have a width of over 75 feet at the front building line and an area of approximately 40,835 square feet. Parcel 'B' located at 933 Linda Vista Avenue would have a width of approximately 100 feet at the front building line and an area of approximately 12,100 square feet. Approved November 29, 1956.

**PROJECT DESCRIPTION:**

The applicant, Wendy Cobleigh, has submitted a Certificate of Exception application to allow a lot line adjustment between three adjacent parcels. The proposal would take land from 1265 Rancheros Road (Parcel 1) and add to adjacent parcels addressed 927 Linda Vista Avenue (Parcel 2) and 1275 Rancheros Road (Parcel 3). The existing lot size of Parcel 2 would increase from 52,935 square feet to 113,315 square feet. The boundary adjustment would shift Parcel 2’s rear property line west, thereby increasing the lot depth. The existing lot size of Parcel 3 would increase from 19,758 square feet to 80,138 square feet. The boundary adjustment would shift Parcel 3’s east property line further east, thereby increasing the width of the lot. Parcel 1 would be eliminated through the lot line adjustment. This application only concerns an adjustment to the existing lot boundaries. No new development, demolition, or tree removal is proposed.

**ANALYSIS:**

Certificate of Exception

The three affected parcels are located in single-family residential (RS) zoning districts and are within the Hillside Overlay District (HD). Both Rancheros Road properties are located in the RS-2-HD (Single-Family Residential, 0-2 dwelling units per acre of site area, Hillside Development Overlay District) zoning district. The Linda Vista Avenue property is located in the RS-4-HD (0-4 dwelling units per acre of site area, Hillside Development Overlay District) zoning district.

Applicants may request a Certificates of Exception application for a lot line adjustment between two or more adjacent parcels, where: 1) the land taken from one parcel is added to the adjacent parcel; and 2) a greater number of parcels than originally existed is not thereby created. The Hearing Officer may approve a Certificate of Exception provided the resulting parcels conform to the General Plan, any applicable Specific Plan, and zoning and building ordinances. The table below summarizes the existing and resulting parcel sizes.

Parcel	Address	Assessor’s Number	Existing Area	Proposed Area
1	1265 Rancheros Road	5707-021-016	120,760 SF (2.77 Acres)	0 SF
2	927 Linda Vista Avenue	5707-022-005	52,935 SF (1.21 Acres)	113,315 SF (2.60 Acres)
3	1275 Rancheros Road	5707-021-012	19,758 SF (0.45 Acres)	80,138 SF (1.83 Acres)

The applicant’s proposal would take land from one parcel and add to adjacent parcels and a greater number of parcels than currently exists would not be created. The resulting Parcel 2 would extend across two zoning districts, RS-2-HD and RS-4-HD. The resulting Parcel 3 would remain entirely within the RS-2-HD zoning district. In cases where a property is divided by a zoning district boundary, the regulations applicable to each district shall be applied to the area within each district. The analysis that follows discusses the proposed parcels consistency with applicable provisions of the Zoning Code and General Plan.

*Minimum Lot Size:*

The minimum lot area in the RS-2-HD zoning district is 20,000 square feet. In the RS-4-HD zoning district the minimum lot area is 12,000 square feet. Proposed Parcel 2, located within the RS-2-HD and RS-4-HD zones would comply. Portions within the RS-2-HD zone would remain unchanged at 52,935 square feet, while portions within the RS-4-HD zone would measure 60,380 square feet in area. Proposed Parcel 3, located entirely in the RS-2-HD zone, would measure 80,138 square feet after the lot line adjustment, which complies. Therefore, both proposed parcels comply with the minimum lot size requirement.

*Minimum Lot Width:*

The minimum lot width in the RS-2-HD zoning district is 100 feet. In the RS-4-HD zoning district the minimum lot width is 75 feet. Lot width is measured across the lot at the required front setback line. Proposed Parcel 2, located within the RS-2-HD and RS-4-HD zones would comply. Portions within the RS-2-HD zone exceed a width of 200 feet and would continue to maintain the existing width after the lot line adjustment. Portions within the RS-4-HD zone exceed a width of 100 feet and would continue to maintain this after the lot line adjustment. Proposed Parcel 3, located entirely in the RS-2-HD zone, would exceed a width of 100 feet after the lot line adjustment. Therefore, both proposed parcels comply with the minimum lot width requirement.

*Gross Floor Area:*

In the RS-2-HD zoning district, the maximum allowable gross floor area is equal to 22.5 percent of the lot area, plus 500 square feet. In the RS-4-HD zoning district, the maximum allowable gross floor area is equal to 25 percent of the lot area, plus 500 square feet. Gross floor area includes all covered parking (garage and carport areas), habitable attic space, and accessory structures, among other enclosed space. For lots 10,000 square feet or more in the Hillside Overlay District, any portion equal to or greater than 50 percent slope, or any access easement on the lot must be deducted from the lot area when calculating the maximum allowable gross floor area. The pole portion of a flag lot is also excluded from the lot area when calculating the maximum allowable gross floor area. In cases, where the average slope (excluding areas sloping equal to or greater than 50 percent and the pole portion) across the lot exceeds 15 percent, the maximum allowable gross floor area is further reduced using a formula specified in Zoning Code Section 17.29.060.A.4 (Building Design Standards – Maximum Floor Area).

To determine the maximum floor area, a slope analysis was provided for both proposed parcels. The calculation for the proposed Parcel 2 considered portions located within the RS-2-HD and RS-4-HD zones separately, as required by the Zoning Code. Based on the slope analysis, proposed Parcel 2 would measure 113,315 square feet after the lot line adjustment, of which, 60,380 square feet would be located within the RS-2-HD zone, and 52,935 square feet would remain in the RS-4-HD zone. Though the portion within the RS-2-HD zone is currently undeveloped, the maximum allowed floor area calculated to 4,663 square feet. Of the 52,935 square feet in the RS-4-HD zone, 12,981 square feet slopes equal to or greater than 50 percent and 5,000 square feet is devoted to the pole portion. The average slope is 29 percent (excluding areas sloping equal to or greater than 50 percent and the pole portion). Using the calculation applicable to the RS-4-HD zone, and the reduction calculation, the maximum allowed floor area is 8,605 square feet. The existing residence on proposed Parcel 2 is located in the RS-4-HD portion and consists of an approximate 2,458 square-foot dwelling, 491 square-foot garage, and 800 square-foot detached structure, which complies. While the Zoning Code sets maximum floor

area requirements by district, the use of proposed Parcel 2 remains limited to one single-family dwelling.

Based on the slope analysis, proposed Parcel 3, located entirely within the RS-2-HD zone, would measure 80,138 square feet after the lot line adjustment. Of this, 63,365 square feet slopes equal to or greater than 50 percent and 3,571 square feet is devoted to an access easement. The average slope is 30 percent (excluding areas sloping equal to or greater than 50 percent and access easements). Using the calculation applicable to the RS-2-HD zone, and the reduction calculation, the maximum allowed floor area is 3,213 square feet. The existing residence on the property consists of an approximate 1,605 square-foot dwelling and 380 square-foot garage, which complies.

*Lot Coverage:*

The maximum allowed lot coverage is equal to 35 percent of the lot area. Lot coverage is the percentage of the site covered by roofs, soffits or overhangs extending more than three feet from a wall, and by decks more than four feet in height. This standard evaluates the percentage of land area covered by development.

The calculation for proposed Parcel 2 considered portions located within the RS-2-HD and RS-4-HD zones separately, as required by the Zoning Code. Though the 60,380 square-foot portion within the RS-2-HD zone is undeveloped, the maximum allowed lot coverage is equal to 21,133 square feet. For the 52,935 square-foot portion in the RS-4-HD zone, the maximum allowed lot coverage is equal to 18,527 square feet. The existing dwelling, detached structure and decks on the property cover an approximate area of 4,619 square feet, or nine percent, which complies.

For proposed Parcel 3, 35 percent of the 80,138 square-foot lot equates to a maximum lot coverage of 28,048 square feet. The existing dwelling, detached structure and decks on the property cover an approximate area of 6,943 square feet, or nine percent, which complies.

*Setbacks:*

The minimum front setback for the main structure in the Hillside Development Overlay is 25 feet, measured from the front property line. The boundary adjustment would not result in a less compliant front setback at either proposed parcel. The existing 143-foot front setback provided at proposed Parcel 2 and the 0-foot setback provided at proposed Parcel 3 would remain unchanged.

The minimum front setback for a garage is located at a point on the centerline of the front lot line where the elevation is ten feet above or below the top of the curb, or 25 feet, whichever is less. The boundary adjustment would not result in a less compliant garage setback at either proposed parcel. The existing garage located on the proposed Parcel 2 maintains in excess of 143 feet to the front property line and would remain unchanged. The existing garage located on proposed Parcel 3 maintains a 0-foot setback to the garage, which would also remain unchanged.

The minimum side setback is equal to 10 percent of the lot width, with a minimum requirement of five feet and a maximum requirement of 10 feet. Lot width is measured across the lot at the required front setback line, in this case, 25 feet back of the street property lines. The boundary adjustment would not result in a less compliant side setback at either proposed parcel. Proposed Parcel 2 would exceed 100 feet and be subject to 10-foot side setbacks. The portions of proposed Parcel 2 within the RS-2-HD zone that are undeveloped would not be affected. Portions of Parcel

2 within the RS-4-HD that are currently developed would maintain the existing 2'8" north side setback and the 72' south side setback to the existing dwelling. Proposed Parcel 3 would exceed a width of 100 feet and be subject to 10-foot side setbacks. The dwelling on the property would maintain the existing 0-foot west side setback and the east side setback would increase to 131 feet as a result of the lot line adjustment.

The minimum rear setback is 25 feet. The boundary adjustment would not result in a less compliant rear setback at either proposed parcel. The portions of proposed Parcel 2 within the RS-2-HD zone that are undeveloped would not be affected. Portions of Parcel 2 within the RS-4-HD that are currently developed would maintain a minimum of 100 feet from the rear property line. Proposed Parcel 3 would continue to maintain a rear setback in excess of 25 feet after the lot line adjustment.

The two parcels resulting from the lot line adjust would continue to comply with applicable development standards and provisions of the Zoning Code. Existing nonconforming conditions would not be made worse as a result of the boundary adjustment and any future development on either parcel would be required to comply with applicable development standards.

### **GENERAL PLAN CONSISTENCY**

The proposed project, a mapping action consolidating three lots into two lots, is consistent with the General Plan Objectives and Policies, specifically Policy 21.9 (Hillside Housing), which strives to maintain appropriate scale, massing and access to the existing residential structures within hillside areas. The proposed density remains unchanged and is within the maximum density allowed for the Low Density Residential land use designation of the General Plan. Furthermore, the proposed lot configuration is consistent with the lot size and character of other residential lots in the vicinity of the site. The proposal does not impact existing access to any lots. The Land Use Element of the General Plan also describes the Single-Family Residential land use designation as characterized by "a variety of single-family dwellings, ample open space, extensive landscaping, and separations between single-family dwellings and/or accessory buildings. Single-family dwellings are typically some distance from the street, with large front, side, and rear yard setbacks." The proposed lot line adjustment would increase the amount of open space and landscaping on the two remaining lots. There would be no change to the existing setbacks provided to either existing dwelling.

### **ENVIRONMENTAL REVIEW:**

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, (Existing Facilities); and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 exempts projects that involve negligible or no expansion of an existing use. The existing single-family uses will remain after the lot line adjustment. No construction, demolition, or tree removal is proposed as part of this application. The request for the boundary adjustment is also covered by the general rule (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15061, Review for Exemption) that CEQA applies only to projects which have a potential for causing a significant effect on the environment. This request does not result in any new construction, does not expand existing improvements, does not involve tree removal, and is limited to adjusting the property lines between adjacent parcels. Therefore, this request would have no potential for causing a significant effect on the environment.

## **COMMENTS FROM OTHER DEPARTMENTS:**

The project was reviewed by the Departments of Public Works, Transportation, Fire, Water and Power, Building and Safety Division, and Design and Historic Preservation Section. No comments were received on this application.

## **CONCLUSION:**

It is staff's assessment, based on the analysis of the project, that the findings necessary for approving the Certificate of Exception can be made as included in Attachment A of this report. The proposed lot line adjustment would eliminate one parcel and enlarge two existing parcels and satisfies all applicable development standards, with the exception of the legal non-conforming setbacks that currently exist for each parcel. Any future development on the subject properties would be required to conform to the applicable development standards and the Building Code requirements in place at the time of any construction activity. Therefore, staff recommends that the Hearing Officer approve the application with the findings in Attachment A and the recommended Conditions of Approval in Attachment B.

### Attachments:

Attachment A: Recommended Specific Findings

Attachment B: Recommended Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR CERTIFICATE OF EXCEPTION #358**

Certificate of Exception

1. *The parcel resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.* The proposed project, a mapping action consolidating three lots into two lots, is consistent with the General Plan Objectives and Policies, specifically Policy 21.9 (Hillside Housing), which strives to maintain appropriate scale, massing, and access to the existing residential structures within hillside areas. The proposed density remains unchanged and is within the maximum density allowed for the Low Density Residential land use designation of the General Plan. Furthermore, the proposed lot configuration is consistent with the lot size and character of other residential lots in the vicinity of the site. The proposal does not impact existing access to any lots. Both parcels will comply with all applicable development standards after the lot line adjustment, with the exception of the existing non-conforming setbacks. The proposal does not include construction or removal of any trees, therefore building code compliance is not applicable

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR CERTIFICATE OF EXCEPTION #358**

The applicant or successor in interest shall meet the following conditions:

General

1. The site/floor plans submitted for building permits and/or future development shall substantially conform to the site/floor plans submitted and stamped "Approved at Hearing, September 18, 2019," except as modified herein.
2. The right granted under this application must be enacted within 24 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040.C of the Zoning Code.
3. The approval of this application authorizes the adjustment of lot lines eliminating Parcel 1 (APN 5707-021-016; 1265 Rancheros Road), allocating 60,380 square feet to Parcel 2 (APN 5707-022-005; 927 Linda Vista Avenue) and 60,380 square feet to Parcel 3 (APN 5707-021-012; 1275 Rancheros Road).
4. The applicant or successor in interest shall provide to the Zoning Administrator a legal description and plan exhibit of the parcels resulting from this Lot Line Adjustment. The legal description and plan exhibit shall be prepared by a licensed civil engineer or land surveyor and shall include the wet stamp and signature of the author.
5. The applicant or successor in interest shall be responsible for recording with the Los Angeles County Recorder a Certificate of Compliance that has been approved by the Zoning Administrator, and furnishing a Grant Deed containing a legal description matching the legal description contained in the Certificate of Exception. This lot line adjustment shall not be effective until recorded with the Los Angeles County Recorder.
6. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.