



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: June 15, 2022

TO: Hearing Officer

SUBJECT: Certificate of Exception #393

LOCATION: 131 Linda Vista Avenue
(AIN 5708-027-004, 5708-029-009, 5708-027-012, 5708-027-013, 5708-027-014, 5708-027-015)

APPLICANT: Hasung Lee and Theresa Lee

ZONING DESIGNATION: RS-2-HD (Single-Family Residential, 0-2 dwelling units per acre, Hillside Development Overlay) and RS-4-HD (Single-Family Residential, 0-4 dwelling units per acre, Hillside Development Overlay)

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 #393 with the conditions in Attachment B.

PROJECT PROPOSAL: Certificate of Exception: A lot line adjustment that would consolidate adjacent parcels 5708-027-014 and 5708-027-015 into a single parcel, and parcels 5708-029-009 and 5708-027-012 into a single parcel.

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 use and paved driveway improvements will remain after the lot line adjustment. No construction, demolition, or tree removal is proposed as part of this application. Therefore, this request would have no potential for causing a significant effect on the environment.

BACKGROUND:

Site characteristics: The subject site consists of six separate parcels that are currently developed with a single-family residence, paved driveways, and remnants of prior development. Access to the parcels is from Linda Vista Avenue to the east.

Adjacent Uses: North – Single-family residential
South – Single-family residential
East – Single-family residential
West – Single-family residential

Adjacent Zoning: North – RS-2-HD (Single-Family Residential, 0-2 dwelling units per acre, Hillside Development Overlay) and RS-4-HD (Single-Family Residential, 0-4 dwelling units per acre, Hillside Development Overlay)
South – RS-2-HD (Single-Family Residential, 0-2 dwelling units per acre, Hillside Development Overlay)
East – RS-4-HD (Single-Family Residential, 0-4 dwelling units per acre, Hillside Development Overlay)
West – RS-2-HD (Single-Family Residential, 0-2 dwelling units per acre, Hillside Development Overlay)

Previous Zoning Cases on this Property: Tentative Parcel Map #6136: To divide the subject property consisting of approximately 4.7 acres by parcel map procedure into four parcels. Approved May 6, 1976. Modifications approved May 18, 1976. Time extension approved May 6, 1977. Time extension approved May 6, 1978. Refiled and approved December 7, 1978.

Variance #7698: Permission to divide the property into 4 separate sites for single-family dwellings. Denied October 20, 1966. Re-opened at the request of the City Board of Directors and approved March 2, 1967.

Exception #7583: Permission to construct a single-family dwelling on portions of recorded lots located at 131 Linda Vista Avenue. Approved April 7, 1966.

PROJECT DESCRIPTION:

The applicants, Hasung Lee and Theresa Lee, have submitted a Certificate of Exception application to allow a lot line adjustment that would consolidate adjacent parcels 5708-027-014 and 5708-027-015 into a single parcel, and parcels 5708-029-009 and 5708-027-012 into a single parcel.

An existing single-family residence resides across parcels 5708-027-014 and 5708-027-015. The consolidation would allow the dwelling to reside on one parcel, and not across two separate parcels. Parcel 5708-029-009 is a 2,492 square-foot remnant parcel that is substandard in area and width. The consolidation with parcel 5708-027-012 would resolve this nonconforming condition. Two other separate but adjacent parcels (5708-027-013, 5708-027-004) would remain in their current configuration unaffected by the proposed lot line adjustments.

This application only concerns an adjustment to the existing lot boundaries, no demolition, new construction, or tree removal is proposed with this application.

ANALYSIS:

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 parcels sizes, with the total representing the consolidated parcel size after the lot line adjustment.

Table 1: West Parcel

Assessor's Number	Zone	Existing Lot Area
5708-027-015	RS-2-HD	27,587 sf
5708-027-014	RS-2-HD	30,875 sf
Total (Proposed West Parcel)		58,462 sf

Table 2: East Parcel

Assessor's Number	Zone	Existing Lot Area
5708-027-012	RS-2-HD and RS-4-HD	43,316 sf
5708-027-009	RS-2-HD and RS-4-HD	2,492 sf
Total (Proposed East Parcel)		45,808 sf

The applicant's proposal would consolidate the westerly parcels, -015 and -014 into a single 58,462 square-foot parcel. A greater number of parcels than currently exists would not be created. The resulting parcel would remain entirely within the RS-2-HD zoning district.

Separately, the applicant's proposal would consolidate the easterly parcels, -012 and -009 into a single 45,808 square-foot parcel. A greater number of parcels than currently exists would not be created. The resulting parcel would extend across two zoning districts, RS-2-HD and RS-4-HD. 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.

The proposed west parcel, located in the RS-2-HD zone, would consist of 58,462 square feet after the lot line adjustment.

The proposed east parcel, located in the RS-2-HD and RS-4-HD zones, would consist of 45,808 square feet after the lot line adjustment. Of this, 39,635 square feet remains within the RS-2-HD zone (same as before the lot line adjustment), and 6,173 square feet remains in the RS-4-HD zone (same as before the lot line adjustment). The portion within the RS-4-HD zone consolidates existing areas of 2,492 square feet (parcel -009) and 3,681 square feet (portions of -012).

The proposed parcels comply with applicable requirements for lot size.

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.

The proposed west parcel, located in the RS-2-HD zone, would provide a width of approximately 275 feet after the lot line adjustment.

The proposed east parcel, located in the RS-2-HD and RS-4-HD zones, would provide a width of approximately 47 feet after the lot line adjustment. Though less than 75 feet, the consolidation of parcels results in a lot width that is more conforming than before the requested lot line adjustment.

The proposed parcels comply with applicable requirements for lot width.

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, where the area is under 10,000 square feet, the maximum allowable gross floor area is equal to 30 percent of the lot area, plus 500 square feet. 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. In cases, where the average slope (excluding areas sloping equal to or greater than 50 percent and access easements) 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 the proposed west and east parcels.

The proposed west parcel, located in the RS-2-HD zone, would consist of 58,462 square feet after the lot line adjustment. Of this, 15,102 square feet is devoted to access easements with an additional 14,398 square feet sloping equal to or greater than 50 percent. After excluding these areas, the maximum allowed floor area is 5,219 square feet. The existing residence on the property consists of an approximate 4,259 square-foot dwelling and 400 square-foot carport, which complies with maximum allowed floor area.

The proposed east parcel, located in the RS-2-HD and RS-4-HD zones, would consist of 45,808 square feet after the lot line adjustment. Of this, 39,635 square feet would be located within the RS-2-HD zone, and 6,173 square feet in the RS-4-HD zone. The calculations for maximum gross

floor area evaluated portions located within the RS-2-HD and RS-4-HD zones separately, as required by the Zoning Code. Of the 39,635 square feet in the RS-2-HD zone, 8,198 square feet is devoted to access easements with an additional 15,335 square feet sloping equal to or greater than 50 percent. After excluding these areas, the resulting maximum is 1,929 square feet. As this is less than 3,000 square feet, the Zoning Code defaults to 3,000 square feet for the maximum allowed floor area. For the portions located in the RS-4-HD zone, the resulting maximum is 1,051 square feet. The proposed east parcel is not currently developed with a structure.

The proposed parcels comply with applicable requirements for floor area.

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 proposed west parcel, consisting of 58,462 square feet after the lot line adjustment, would allow for a maximum lot coverage of 20,462 square feet. The existing residence on the property consisting of an approximate 4,259 square-foot dwelling, 400 square-foot carport, and 200 square-foot porte cochere covers approximately eight percent.

The proposed east parcel, consisting of 45,808 square feet after the lot line adjustment, would allow for a maximum lot coverage of 16,033 square feet. The proposed east parcel is not covered by any structures.

The proposed parcels comply with applicable requirements for lot coverage.

Setbacks:

The minimum front setback for the main structure in the Hillside Development Overlay is 25 feet, measured from the front property line. Existing structures would continue to comply with the front setback after the lot line adjustment. The existing residence on the west parcel would maintain no less than 38 feet to the front property line. There are no structures on the east parcel.

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. Existing structures would continue to comply with the front setback for covered parking after the lot line adjustment. The existing covered carport on the west parcel would maintain no less than 38 feet to the front property line. There are no structures on the east parcel.

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 existing residence on the west parcel would maintain the same existing side setbacks after the lot line adjustment. The existing residence would maintain a south side setback in excess of 42 feet, and a west side setback in excess of 12 feet. There are no structures on the east parcel.

The minimum rear setback is 25 feet. The existing residence on the west parcel would maintain no less than 52 feet to the rear property line. There are no structures on the east parcel.

The proposed parcels comply with applicable requirements for setbacks.

GENERAL PLAN CONSISTENCY

The proposed project, a mapping action consolidating existing parcels, 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 configurations are 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.

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 use and paved driveway improvements will remain after the lot line adjustment. No construction, demolition, or tree removal is proposed as part of this application. Therefore, this request would have no potential for causing a significant effect on the environment.

COMMENTS FROM OTHER DEPARTMENTS:

The Departments of Public Works, Transportation, Fire, Water and Power, Building and Safety Division, and Design and Historic Preservation Section were provide with an opportunity to review the proposal. 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 two parcels resulting from the lot line adjust would continue to comply with applicable development standards and provisions of the Zoning Code. Existing 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 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: Specific Findings

Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR CERTIFICATE OF EXCEPTION #393

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 parcels, 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 lot width that is made more conforming, and will maintain access to the street. The proposal does not include any construction or removal of any trees.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CERTIFICATE OF EXCEPTION #393

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, June 15, 2022," 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 that result in consolidation of parcels 5708-027-014 and 5708-027-015, and consolidation of parcels 5708-029-009 and 5708-027-012.
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.