



EAST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: August 13, 2026

Case No.: ZA-2025-2856-CU1-SPPC-HCA-1A

Council District: 1 – Hernandez

CEQA: ENV-2025-2857-CE

Plan Area: Northeast Los Angeles

Related Case: ADM-2024-7883-PMUL

Project Site: 1236 North Cliff Drive

Applicants: Hallie Black, As The Crow, LLC

Appellant: Brianna MacGillivray

At its meeting of **July 8, 2026**, the East Los Angeles Area Planning Commission took the actions below in conjunction with the following:

Construction, use, and maintenance of two new single-family dwellings measuring approximately 3,693.83 square feet total. Cliff Residence South measures approximately 2,380.78 square feet, including an attached parking area, and Cliff Residence North measures approximately 1,313.05 square feet, including a detached parking area, on a 9,305.80 square foot vacant lot (pursuant to Senate Bill 9 approved per ADM-2024-7983-PMUL) that is within the Mount Washington – Glassell Park Specific Plan area.

1. **Determined**, based on the whole administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Sections 15303, Class 3 and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the state CEQA Guidelines regarding location, cumulative impacts significant effects or unusual circumstances, scenic Highways, or hazardous waste site, or historical resources applies;
2. **Granted** the appeal in part; **Denied** the appeal in part; and **sustained** the Zoning Administrator's determination, dated April 10, 2026;
3. **Denied**, pursuant to Chapter 1 Section 12.24 X.28 and Chapter 1A Section 13B.2.1 of the Los Angeles Municipal Code (LAMC), a Class 1 Conditional Use to allow the construction, use and maintenance of two new single-family dwellings on a lot fronting a Substandard Hillside Limited Street without providing a minimum 20-foot wide roadway adjacent to the property as required by LAMC Chapter 1 Section 12.21 C. 10(i)(2);
4. **Approved**, pursuant to LAMC Chapter 1 Section 12.24 X.28 and Chapter 1A Section 13B.2.1, a Class 1 Conditional Uses to allow:
 - a. The construction, use and maintenance of two new single-family dwellings fronting on a Substandard Hillside Limited Street where a minimum 20-foot-wide continuous paved roadway is not provided from the driveway apron to the boundary of the Hillside Area as required by LAMC Chapter 1 Section 12.21 C. 10(i)(3);
 - b. A reduced front yard setback in lieu of the minimum five feet otherwise required by LAMC Chapter 1 Section 12.21 C. 10(a);
5. **Approved**, pursuant to LAMC Chapter 1A Section 13B.4.2., and the Mount Washington/Glassell Park Specific Plan Ordinance No. 68,707, a Specific Plan Project Compliance for the construction, use and maintenance of two new single-family dwellings totaling approximately 3,693.83 square

feet on an approximately 9,305.80 square-foot vacant hillside lot with additional terms and conditions;

6. **Adopted** the attached Modified Conditions of Approval; and
7. **Adopted** the attached Amended Findings.

The vote proceeded as follows:

Moved: Avila-Hernandez
Second: Song
Abstain: Dellinger
Absent: Geaga, Gutierrez

Vote: 2 – 0 – 1



Bryan Sanchez, Commission Executive Assistant I
East Los Angeles Area Planning Commission

APPEAL PERIOD - EFFECTIVE DATE

The decision of the East Los Angeles Area Planning Commission is final effective upon the mailing of this determination letter and not further appealable.

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the CEQA clearance is an appealable clearance under Section 13B.11.1.F2 (EIR, ND MND, SCEA, Exemption/No Project) made by a decisionmaker other than the City Council; all available appeals on the entitlement approval(s) have been taken; and the Determination on the entitlement(s) is final and not further appealable.

WHO CAN FILE AN APPEAL

An applicant or any other person aggrieved by the Decision Maker's decision may file an appeal.

HOW TO FILE AN APPEAL

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment. Appeals may be filed either online or in person as referenced below:

Forms are available online at <http://planning.lacity.gov/development-services/forms>.

ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)



QR Code to
Online Appeal Filing

Online Application System (OAS): The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely online. Appeal fees may be paid for by credit card or e-check.

IN PERSON APPEAL FILINGS



QR Code to Forms
for In-Person Appeal
Filing

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays only, and payment can be made by credit card or check.

- a. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications;
- b. Alternatively, appeal applications can be filed with staff at DSC public counters.

CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa St 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Blvd Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org
South LA DSC <i>Tuesday and Thursday Only</i>	8475 S. Vermont Ave, 1st Floor Los Angeles, CA 90044	(213) 978-1465	planning.southla@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

SCHEDULING CASE CONDITION CLEARANCE AND BUILDING PERMIT SIGN-OFFS

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the

applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).



QR Code to BuildLA
Appointment Portal for
Condition Clearance

In order to clear conditions and/or obtain building permit sign-offs, you must make an [appointment](#) with the Department of City Planning's Development Services Center (DSC). You may schedule a Case Condition Clearance Appointment with the DSC at appointments.lacity.org after the effective date of the determination..

See instructions on how to prepare for your appointment at planning.lacity.gov/project-review/case-filings

Attachments: Modified Conditions of Approval, Amended Findings

cc: Jonathan A. Hershey, Associate Zoning Administrator

CONDITIONS OF APPROVAL

(As Modified by the East Los Angeles Area Planning Commission at its meeting on July 8, 2026)

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan and floor plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.
6. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for inclusion in the case file.
7. **Authorization.** Authorized herein is the construction, use, and maintenance of two single-family dwellings on a hillside lot that does not have a 20-foot wide Continuous Paved Roadway from their driveway apron to the boundary of the Hillside Area, a reduced front yard setback, and a Specific Plan Compliance Review for compliance with the Mount Washington/Glassell Park Specific Plan.
 - a. A zero-foot front yard setback is authorized for the dwellings, if a dedication from the property is required in conjunction with improvements to the Cliff Drive public right-of-way.
 - b. A minimum 3-foot front yard setback is authorized for the dwellings, if no dedication from the property is required in conjunction with improvements to the Cliff Drive public right-of-way.

8. No other deviations have been requested or approved from any other applicable provisions of the Hillside regulations (Section 12.21 C.10 of the LAMC Chapter 1). All applicable provisions shall be observed.
9. Prior to the removal of any Protected Tree, a Permit and approved replacement plan shall be obtained from the Urban Forestry Division, Bureau of Street Services, Department of Public Works.
10. Prior to Development Services Center condition clearance for the issuance of a permit for construction of the dwellings, the applicant shall complete all improvements necessary to provide a minimum 20-foot wide roadway along the whole of the property frontage.
11. Prior to Development Services Center condition clearance for the issuance of a permit for construction of the dwellings, the applicant shall submit the driveway plans to the Department of Transportation for review and approval. Said Department's approval shall be included in the plans submitted to the Development Services Center.
12. Prior to Development Services Center condition clearance for the issuance of a permit for construction of the dwellings, the applicant shall submit the plans to the Fire Department for review and approval. Said Department's approval shall be included in the plans submitted to the Development Services Center.
13. The project shall comply with all conditions contained within the August 8, 2024, Department of Building and Safety, Geology and Soils Report Approval Letter, Log # 129125-02, and as it may be further amended.
14. **Retaining Walls.** Pursuant to LAMC Chapter 1, Section 12.21 C.8, a maximum of one free standing vertical or approximately vertical retaining wall may be built on any lot with a maximum height of 12 feet as measured from the top of the wall to the lower side of the adjacent ground elevation; or a maximum of two vertical or approximately vertical walls or portions of a wall may be maintained on a property if 1) the minimum horizontal distance between the two walls is three feet, 2) neither of the two walls exceed a height of 10 feet measured from the top of each wall to the lower side of the adjacent ground elevation at each wall, and 3) in no case shall the height of a wall located in a required yard exceed the height allowed by Section 12.22 C.20.(f).
15. **Stormwater Drainage System.** Replacement/installation of a stormwater drainage system shall be pursuant to issued permit(s) after review and approval by the Department of Public Works and the Department of Building and Safety.
16. **Mount Washington/Glassell Park Specific Plan Compliance Conditions.**
 - a. **Site Development** – Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped "Exhibit A", and attached to the subject case file.
 - b. **Floor Area** – As defined by the Mount Washington/Glassell Park Specific Plan, Floor Area is that area in square feet confined within the exterior walls of a building of a One-Family Project, including the area of stairways, shafts, covered automobile parking areas and basement storage areas, and excluding uncovered outdoor decks. The total gross floor area shall not exceed 3,693.83 square feet, including attached covered parking areas.

- c. **Height** – The proposed Cliff Residence South shall be limited to 35 feet 9 inches in height and Cliff Residence North shall be limited to 29 feet 2 inches in height. Within six feet of the front lot line, the building heights for both dwellings shall be limited to 15 feet. Within six feet to 12 feet of the front lot line, the building heights for both dwellings shall be limited to 24 feet.
- d. **Front Yard Setback** – The project shall provide a minimum front yard setback according to Condition No. 7.
- e. **Parking** – The project shall provide vehicle parking spaces as required by the LAMC and determined by the Department of Building and Safety.
- f. **Landscape Plan:**
 - i. Xeriscape Requirements. The project shall comply with the xeriscape requirements set forth under Sections 12.40 through 12.43 of the LAMC.
 - ii. Landform Planting Design. To the extent feasible, the type and placement of landscape materials on graded sloped shall conform to the standards set forth in the Landform Grading Manual.
 - iii. Fire Safety. The landscaping and preservation, relocation, and removal of Native and Significant Trees shall not require any planting in violation of applicable fire safety regulations.
 - iv. Landscape and Preservation, Relocation, and Removal of Native and Significant Trees. As identified in the Tree Report prepared by Julio Matos (WE-9101A), revised on September 16, 2025, there are three (3) Protected Trees/Shrubs and three (3) Significant Trees on-site. No on-site Protected Trees are proposed for removal. One (1) Significant Tree is proposed for removal as part of the project. There is one (1) Protected Street Tree. The one (1) Protected Street Tree is proposed for removal. The project shall provide Replacement Trees per LAMC Section 46.02. of the Code for the one (1) Protected Street Tree being removed. One (1) Replacement Tree will be planted on a 1:1 ratio for the one (1) Significant Tree being removed. This Tree Report was reviewed by the Urban Forestry Division on September 16, 2025.
 - v. The applicant shall observe the Tree Protection Guidelines set forth in said tree report and the standards of approval of Relocation/Removal of Native or Significant Trees of the Mount Washington/Glassell Park Specific Plan during the Pre-Construction Phase and Construction Phase by using protective fencing, keeping the site clean, sufficient irrigation, no flooding, using hand tools around the tree locations, do not back any equipment up to the trunk of trees, avoid root impact, trenching and root pruning, maintain natural grade, place mulch, and under observation by an arborist.

17. Construction Conditions.

- a. **Construction Traffic Mitigation Plan**. The property owner is fully responsible and shall ensure the project contractor and crew read, fully understand, and comply with all conditions imposed in this grant and the Construction Traffic Management Plan reviewed and approved by the Los Angeles Department of Transportation on

October 21, 2024, during all applicable demolition, grading and construction phases of the project. Should this grant contain more restrictive conditions, the project personnel shall comply with the more restrictive conditions.

b. **Hillside Construction Regulations.**

- i. **Maximum Grading.** For any single lot, the total cumulative quantity of Grading, or the total combined value of both Cut and Fill for the import and export of earth, or incremental Cut and Fill for Import and Export of earth shall be limited to the “by-right” maximum pursuant to Section 12.21 C.10 and shall not exceed 6,000 cubic yards.
- ii. **Maximum Import and/or Export for Hillside Areas Fronting Substandard Streets.** For a lot which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, the total cumulative quantity of Import and Export of earth combined, shall be no more than 75 percent of the “by-right” maximum pursuant to Section 12.21 C.10 and shall not exceed 6,000 cubic yards.
- iii. **Hauling Truck Trips.** A maximum of four trucks are permitted to haul per hour per project site. A grouping or convoy of hauling vehicles shall not be allowed; only one hauling vehicle is permitted per project site at any one time.
- iv. **Hauling Truck Operations.** As conditions of project approval for the issuance of a grading or building permit for projects in a HCR District, each of the following hauling operation standards shall be met:
 1. Projects required to obtain a Haul Route approval from the Board of Building and Safety Commissioners for the import and/or export of 1,000 cubic yards or more of earth material shall prominently post the final action letter with the approved Haul Route staff report on the job site at all times.
 2. No grading shall be performed within any areas designated “hillside” unless a copy of the grading permit is prominently posted on the job site at all times.
 3. All hauling vehicles must be identified by a placard identifying the project address which shall be prominently displayed on each hauling vehicle.
- v. **Equipment.** As conditions of project approval for the issuance of a grading or building permit for projects in a HCR District, each of the following equipment standards shall be met:
 1. 10-wheeler dump trucks (with a 10 cubic yard capacity) or smaller are the only type of trucks permitted for hauling of earth. Notwithstanding the foregoing, the Board of Building and Safety Commissioners may authorize the use of other types of hauling vehicles for a project through the Haul Route approval process.

2. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.

vi. **Operating Hours and Construction Activity.** Compliance with each of the following standards shall be required for all projects in a HCR District requiring the issuance of a grading or building permit. However, if a Haul Route approval by the Board of Building and Safety Commissioners is required for import and/or export of 1,000 cubic yards or more, then the conditions set by the Board of Building and Safety Commissioners during the Haul Route approval process shall prevail and the following standards shall not apply.

1. Hauling operations shall be conducted only on Monday through Friday, between the hours of 9:00 a.m. and 3:00 p.m. Hauling operations on Saturdays, Sundays, or state or federal designated holidays is strictly prohibited.
2. Haul trucks shall be staged off-site and outside of the HCR District. As deemed necessary, the Board of Building and Safety Commissioners may permit staging on-site or in any alternate staging area by special condition during the Haul Route Approval process.
3. Construction activity shall be limited to Monday through Friday, between the hours of 8:00 a.m. to 6:00 p.m. Exterior construction work at any other time is strictly prohibited. However, interior construction work may be conducted on Saturdays between the hours of 8:00 a.m. to 6:00 p.m. Excess exterior illumination of the site through the use of flood lights and/or similar lighting devices is strictly prohibited after 6:00 p.m. on any day of the week.
4. A log noting the dates of hauling activity and the number of hauling truck trips per day shall be available on the job site at all times.
5. The owner or contractor shall control dust caused by grading and hauling and provide reasonable control of dust caused or exacerbated by wind at all times. Grading and hauling activities shall be discontinued during periods of high winds and Red Flag days as determined by the Los Angeles Fire Department.
6. Loads shall be secured by trimming and shall be covered to prevent spillage and dust. Haul trucks are to be contained at the export site to prevent blowing of dirt and are to be cleaned of loose earth at the export site to prevent spilling.
7. Streets shall be cleaned of spilled materials at the termination of each workday.
8. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit from the project site in each direction.
9. Flag person(s) shall be required for all project sites. Flag persons with radio control and warning signs shall be in compliance with the

latest edition of the "Work Area Traffic Control Handbook." Flag persons provided at the job site shall assist trucks in and out of the project area.

c. **Community Notification.**

- i. 10 days prior to the commencement of grading, excavation, hauling (import and export), and construction activities, the name and telephone/cellphone number of a Construction Contact person to receive inquiries and resolve complaints from residents regarding construction activities shall be provided to all residents along Cliff Drive between its intersections with Roseview Avenue to the east and Tacoma Avenue to the south. The Construction Contact should be empowered to respond to both immediate and persistent issues.
 - ii. 10 days prior to the commencement of grading, excavation, hauling (import and export), and construction activities, the applicant shall provide a written estimated schedule to all residents along Cliff Drive between its intersections with Roseview Avenue to the east and Tacoma Avenue to the south. The schedule shall indicate the anticipated dates and times of specified activity, their anticipated duration, and specific notes about anticipated impacts to Cliff Drive. This schedule shall be updated and redistributed as necessary to reflect changes in the schedule.
 - iii. Visible and legible sign(s) (at a distance of 50 feet) shall be posted and maintained on the construction site identifying a telephone number for (1) Parking Enforcement, Department of Transportation; (2) Building and Safety enforcement; and, (3) the Construction Contact where residents can inquire about the construction process and register complaints; calls to this telephone/cellphone number shall be immediately responded to. The signs shall be located in a conspicuous place on the subject property, along Cliff Drive, and shall remain visible, legible, and attached to its post throughout the entire construction period.
- d. Complaints or inquiries to the Construction Contact shall be responded to within 24 hours or sooner to ensure resolution of a problem or violation.
- e. **Reduced Roadway Width.** Construction activities shall not reduce the Cliff Drive roadway width to less than 10 feet.
- i. Whenever construction-related activities will reduce the Cliff Drive roadway width, flag persons, equipped with working and operable two-way radios, shall coordinate traffic between the construction site and the intersections of Cliff Drive and Roseview Avenue to the east and Tacoma Avenue to the south, to facilitate pauses in the construction activity in order to allow reasonable and safe vehicle passage past the construction site.
 - ii. No construction activities, including construction material/vehicle deliveries, pick-ups, soil hauling, and concrete pouring, may be conducted that reduces the Cliff Drive roadway width on trash pick-up and Red Flag days.

- iii. No vehicle belonging to project contractors, subcontractors, vendors, or laborers exceeding a width of 8 feet (including side mirrors) shall be parked along Cliff Drive at any time.
- f. No construction vehicle, contractor vehicle, subcontractor vehicle, vendor, worker vehicle, material lay down, or trash bin, shall obstruct any driveway of any property in the surrounding area.
- g. All deliveries shall be coordinated so that no more than one vendor/delivery vehicle is on Cliff Drive at any one time.
- h. Areas with signs labeled “No Parking” and “No Stopping” by LADOT shall not be used for parking and staging.
- i. Construction/Hauling Vehicle Staging. An off-site staging area for large trucks and any other construction vehicles and a construction parking plan shall be identified and utilized in order to control the frequency of construction traffic to the site and in the neighborhood to the satisfaction of the Department of Transportation. The specifics of the plan shall be printed on the plans.
 - i. No more than one truck shall be at the property at any one time. All trucking activities for deliveries during grading and construction stages shall be coordinated so that only one truck vehicle is at the site at one time; a construction supervisor shall be present at such time to prevent any potential traffic impacts.
 - ii. Staging will be done onsite to the extent feasible. No staging shall take place on any other street in the neighborhood.
 - iii. Concrete trucks shall be staged onsite to the extent feasible. When staging will need to be adjacent to the site, at no times shall adjacent driveways be blocked, nor can one lane of the street be blocked without the presence of a flagger. The applicant shall secure a street use permit from the Bureau of Street Services when necessary for said concrete pouring. No staging shall take place on any other street in the neighborhood.
- j. During all phases of construction, all materials related to the project shall be stored on private property. No building materials shall be stored over-night within the public right-of-way.
- k. All debris, trash and waste generated by the construction, including but not limited to building material remnants, removed weeds or dirt, food or drinks consumed by workers, etc., must be removed from the site or kept in a covered, trash receptacle on the property. Any trash stored on site must be removed at least once per week, or whenever the storage receptacle is full, whichever is sooner.
- l. No flood lighting shall be utilized after 6:00 p.m.
- m. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

18. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS

Applicant shall do all of the following:

- a. 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.
- b. 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.
- c. 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 (b).
- d. 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 (b).
- e. 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. Actions include 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.

19. Prior to the issuance of building permits, the Applicant shall demonstrate compliance with Public Resources Code Section 4290 and its implementing regulations in California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subdivision 2 (State Minimum Fire Safe Regulations) and Chapter 7 of the California Building Code.

FINDINGS

(As Amended by the East Los Angeles Area Planning Commission at its meeting on July 8, 2026)

1. **The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The subject property is a hillside, southeasterly down-sloping, interior, approximately 9,326 square-foot parcel of land with an approximately 240-foot frontage on the east side of Cliff Drive. There is an 8-foot wide sanitary sewer easement that runs from Cliff Drive for a length of approximately 60 feet along the eastern property line. The property is located on a turn in the roadway, such that Cliff Drive is located on the northern and western sides of the property. The property is vacant and undeveloped.

All of the adjoining and abutting properties are located on hillside lots zoned R1-1-HCR. The north adjoining properties, across Cliff Drive, are undeveloped and vacant lots. The east and south adjoining properties are developed with single-family dwellings. The west adjoining property is an undeveloped and vacant lot.

The proposed project is the construction of two new single-family dwellings on a hillside lot. As proposed, the project seeks a waiver of the requirements to provide a 20-foot roadway width along the property frontage and from the driveway to the boundary of the Hillside Area; and relief to allow a zero-foot front yard setback in lieu of minimum 5 feet otherwise required.

According to information submitted by the applicant:

The present use of the downslope property located at 1236 N Cliff Dr (also listed as 1236 Cliff Dr) is vacant land in the R-1 land use. The proposed use is as a single-family SB-9 Two-Unit Development (TUD) with tandem SB-9 Urban Lot Split (ULS), creating two units to be split onto their own individual parcel when the subdivision map is finalized.

The Class 1 Conditional Use Permit (CU1) application includes the two-unit development at 1236 N Cliff Dr due to required variances under the Mount Washington Specific Plan and Baseline Hillside Ordinance. For filing purposes, the smaller unit is listed as “under future finalized SB-9,” with CU1s applied to the site pre-subdivision. The larger unit (“Cliff Residence South”) included in this application is 2,380.78sqf located on the existing flat portion to the south and the smaller unit (“Cliff Residence North”) is 1,313.05sqf located to the north. Both units do not exceed the 45ft height requirement per the Baseline Hillside Ordinance and the approximately 3,693.83sqft combined floor area maximum per Mount Washington Glassell Park Specific Plan calculation taken from the post-dedication lot area (3,696.43sqft). All zoning regulations and calculations are enforced pre- and post-subdivision, whichever stricter.

Sustainability measures include exceeding exterior fire-rating requirements, upgrading stormwater and public way infrastructure, reinforcing areas with failed retaining walls, widening the street where applicable, and preserving native vegetation and protected trees to support neighborhood character and natural shading.

Critical Public Infrastructure Improvements Included: The proposal upholds the necessity of improving existing public infrastructure beyond the street improvement requirement.

The development includes excavating and replacing the existing failing 80-year-old storm water pipe. This improvement would substantially benefit properties not only on N Cliff Dr but also those downslope homeowners within the water course. Hillside properties are at risk of mudslide destruction and so, the proposal includes a civil engineering plan that maintains and improves public infrastructure for all.

The development includes rebuilding a new retaining wall along the northern edge of the dedication in lieu of abandoning the existing two retaining walls currently supporting the street. The new improved retaining wall proposed within the property are designed for the surcharging of large emergency vehicles.

Functional Compliance with Street Widening Objectives. The project provides a 20ft clear paved width across the entirety of the frontage, fulfilling the safety and circulation goals of the Mobility Plan and Hillside Area regulations without relying on full street improvements.

There is no other configuration of the units' footprints and envelopes that would adhere to the zoning guidelines (set forth in the Mount Washington Glassell Park Specific Plan, Baseline Hillside Ordinance, among other LAMC stipulations) as to not trigger additional relief requests or approvals in addition to impeding structural and construction feasibility of the site's topography and geographic condition.

The development respects a 3ft dedication requirement and carefully situates both units on the property to utilize the existing flat area of the site advantageously. This avoids undue structural surcharging on the downhill residences, minimizes grading quantities, and reduces construction impact on the neighborhood by limiting haul routes. Increasing the stand off from the existing property line with additional 5ft would negatively impact neighboring properties without providing significant environmental benefits.

The larger and longer unit, Cliff Residence South, maintains a natural separation, approximately 12ft on average, from the widened street due to the site's irregular shape and topography. This demonstrates that an additional front yard setback requirement would provide minimal aesthetic or environmental benefits. Similarly, Cliff Residence North preserves a 6ft separation from the street after widening, ensuring that the protected oak tree's canopy remains unharmed by the front yard setback requirement.

The local City Councilmember expressed opposition to the request for waiver from the requirement to provide roadway widening improvements along the property frontage. Other community members expressed similar opposition, and further cited opposition due to the project density, setback, and design, resulting in hazardous conditions along Cliff Drive and its location in a Very High Fire Hazard Severity Zone. The local Neighborhood Council expressed support for the project, but opposed the request for waiver of the roadway widening along the property frontage and the zero-foot front yard setback.

The applicant has indicated that they will provide a 20-foot-wide roadway adjacent to the property, in compliance with LAMC Section 12.21 C.10(i)(2), but they have not withdrawn

the request. As such, the request to grant relief from this requirement is denied. Had the applicant not revised their project, this request would have been denied due to the need for incremental roadway widening in this area and stated public concerns regarding the safety of vehicle and pedestrian use of the existing roadway. The applicant has further stated that they seek both a waiver of a dedication along Cliff Avenue and a waiver from improvements other than the roadway width, such as gutter, curb, sidewalk, etc. The Zoning Administrator does not have the authority to grant these requests.

From the southwestern corner of the subject property on Cliff Avenue, to the intersection of Tacoma Avenue and Isabel Street, where the roadway width is 20 feet or greater, Tacoma Avenue measures approximately 1,033 feet in length. This curvilinear hillside public right-of-way is generally 30 feet wide, with a widening flare to 50 feet near the intersection of Tacoma Avenue and Isabel Street. A 20-foot-wide roadway can be accommodated within the existing public right-of-way. The existing roadway within this span is irregularly improved, with segments that may have a 20-foot-wide roadway, but is mostly improved to a roadway width of less than 20 feet. Along this span of roadway, there are 28 lots which front on Tacoma Drive. 10 of these lots are vacant. All of the lots are zoned for single-family residential use.

The request to waive the requirement to improve the roadway to ensure that there is a minimum 20-foot-wide Continuous Paved Roadway from the property's driveway apron to the boundary of the Hillside Area has merit.

Generally, compliance with this requirement results in a disproportionate requirement to provide off-site public improvements as compared to the activities associated with the typical construction, rehabilitation, or addition to single-family dwellings, and would render an otherwise regulation-compliant development to become infeasible. Fulfilling this requirement may involve obtaining consent and dedications from other private property owners; the replacement, relocation and reconstruction of existing public and private improvements; and the construction of many hundreds of feet of public roadway. Ultimately, there is no guarantee that off-site parties would consent to any of the work necessary to meet this requirement. Failure to obtain consent may result in the applicant's inability to meet the roadway widening requirement of the Code and force the applicant to seek relief.

Individual property owners are required to provide roadway widening improvements along their property frontage in conjunction with new construction or reconstruction within the community. The applicant has stated that roadway widening improvements along the property frontage will be provided. In the long-term development and use of this community, the roadway widths will be widened.

The property is located within a well-established hillside community, located along a long and winding roadway, a significant linear distance from the boundary of the Hillside Area. Relief from this regulation has been granted in other similar projects within the surrounding neighborhood. Granting the request facilitates the construction of new dwellings and is essential and beneficial because it increases the City's total number of housing units; denying the request would result in the property remaining as a viable but vacant hillside lot.

The applicant has clarified that should a dedication be taken along Cliff Avenue, the project will require a zero-foot front yard setback; if no dedication is taken, then the project requires relief to allow a 3-foot front yard setback. It is noted that the Zoning Administrator

has no discretionary authority over whether to require a dedication or easement in conjunction with the project, nor over other public improvements beyond the widening of the physical roadway.

The property has a challenging topography, with notable down-sloping from Cliff Drive. The existing Cliff Drive roadway improvements do not directly abut the subject property, and the front property line observes a significant setback from the edge of the existing roadway along Cliff Drive. As a result, the south dwelling is proposed to be accessible separately by a pedestrian and a vehicle bridge and the north dwelling will be accessible through an on-grade driveway only. In consideration of these circumstances, a reduced front yard setback will have little, if any, impact on vehicle or pedestrian safety along Cliff Drive.

Given the limited opportunities on the property on which to site a dwelling that is otherwise consistent with the underlying limitations and requirements of the Zone and Specific Plan, granting relief from the front yard setback requirement has merit, which will facilitate the construction, use, and maintenance of two new dwelling units on an otherwise vacant lot.

As such, the Zoning Administrator finds that the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The subject property is a hillside, southeasterly down-sloping, interior, approximately 9,326 square-foot parcel of land with an approximately 240-foot frontage on the east side of Cliff Drive. There is an 8-foot wide sanitary sewer easement that runs from Cliff Drive for a length of approximately 60 feet along the eastern property line. The property is located on a turn in the roadway, such that Cliff Drive is located on the northern and western sides of the property. The property is vacant and undeveloped.

All of the adjoining and abutting properties are located on hillside lots zoned R1-1-HCR. The north adjoining properties, across Cliff Drive, are undeveloped and vacant lots. The east and south adjoining properties are developed with single-family dwellings. The west adjoining property is an undeveloped and vacant lot.

The proposed project is the construction of two new single-family dwellings on a hillside lot. As proposed, the project seeks a waiver of the requirements to provide a 20-foot roadway width along the property frontage and from the driveway to the boundary of the Hillside Area; and relief to allow a zero-foot front yard setback in lieu of minimum 5 feet otherwise required.

According to information submitted by the applicant:

The present use of the downslope property located at 1236 N Cliff Dr (also listed as 1236 Cliff Dr) is vacant land in the R-1 land use. The proposed use is as a single-family SB-9 Two-Unit Development (TUD) with tandem SB-9 Urban Lot Split (ULS), creating two units to be split onto their own individual parcel when the subdivision map is finalized.

The Class 1 Conditional Use Permit (CU1) application includes the two-unit development at 1236 N Cliff Dr due to required variances under the Mount Washington Specific Plan and Baseline Hillside Ordinance. For filing purposes, the smaller unit is listed as “under future finalized SB-9,” with CU1s applied to the site pre-subdivision. The larger unit (“Cliff Residence South”) included in this application is 2,380.78sqf located on the existing flat portion to the south and the smaller unit (“Cliff Residence North”) is 1,313.05sqf located to the north. Both units do not exceed the 45ft height requirement per the Baseline Hillside Ordinance and the approximately 3,693.83sqft combined floor area maximum per Mount Washington Glassell Park Specific Plan calculation taken from the post-dedication lot area (3,696.43sqft). All zoning regulations and calculations are enforced pre- and post-subdivision, whichever stricter.

The lot has two side lot lines and a long frontage where N Cliff Dr curves around the gully. A former residence (built 1921, expanded 1952) was demolished in 1974 after an electrical fire. N Cliff Dr is a substandard hillside limited street, ranging 12–30 feet wide and encroaching up to 7 feet onto the property, with no legal street parking between Tacoma Ave and Roseview Ave. An 8-ft sewer easement runs along the northeast edge. A 3-ft dedication is technically required but is requested to be waived since the widened street will remain over 3 feet from the property line. The property contains one protected oak, two protected toyons, and three significant trees (>12-inch trunk), with one significant orchid tree previously removed due to poor health. Two neighboring off-site protected toyons exist: one on an abutting parcel and one in the public way; the latter will require removal for street widening. An existing stormwater drainage pipe crosses the property and must be upgraded and maintained consistent with a 2015 BOE directive following emergency repairs.

The on-site construction will occur in three general phases, with material storage, delivery staging, and worker parking accommodated on-site wherever feasible. When on-site parking is not possible, workers will shuttle from outside the hillside area. Phase 1 includes grading, limited street widening with rough paving, debris and excess earth removal, stormwater pipe replacement, and underground utility installation. This grading will create areas for later material delivery and storage. Export is limited by substandard hillside street regulations, resulting in approximately 60 cubic yards of net export (about six truckloads). Phase 2 consists of retaining walls, foundations, and similar major structural work. Phase 3 covers construction of the two residential units, followed by exterior landscaping, again with on-site storage and parking where feasible.

Sustainability measures include exceeding exterior fire-rating requirements, upgrading stormwater and public way infrastructure, reinforcing areas with failed retaining walls, widening the street where applicable, and preserving native vegetation and protected trees to support neighborhood character and natural shading.

The development includes excavating and replacing the existing failing 80-year-old storm water pipe. This improvement would substantially benefit properties not only on N Cliff Dr but also those downslope homeowners within the water course. Hillside properties are at risk of mudslide destruction and so, the proposal includes a civil engineering plan that maintains and improves public infrastructure for all.

The development includes rebuilding a new retaining wall along the northern edge of the dedication in lieu of abandoning the existing two retaining walls currently supporting the street. The new improved retaining wall proposed within the property are designed for the surcharging of large emergency vehicles.

The current proposal for the buildings' footprints does not require the removal of the protected species. As confirmed by licensed arborist, Julio Matos (ISA CERTIFIED #WE9101A, DPR LICENSE # 124807), the proposal's extensive foundation system will be engineered and designed to minimize its impact on the root system or significantly alter the tree canopy and its drip line. The property's natural characteristics and the specific plan overlay requirements were thoughtfully incorporated into the design. The removal of the cedar tree would be detrimental to the neighborhood and undermine the project's design ethos, which prioritizes blending in with the area's natural and native flora.

Adhering to the requirement of a 5ft setback from the 3ft dedication would force the current two-unit proposal to destroy and impact the listed trees, as they would be further distanced from the street. In this scenario, two significant trees and one protected shrub would be removed requiring six trees to be replanted (four protected specimens for each protected tree or shrub removed, per LAMC 46.02(c)); one for each significant tree or shrub removed, per Mount Washington Glassell Park Specific Plan). This is in addition to the significant tree already to be removed citing poor health and its replacement one tree as well as one protected street shrub to be removed for street widening and its replacement four shrubs. In total, this scenario posits that eleven shrubs/trees would be replanted on one property. However, planting these new specimens, especially the native species, in such proximity would not promote their well-being and would only serve to satisfy the abstract mathematical calculation outlined in the planning code.

With the 3ft separation from the property line, the relief maintains the visual continuity of a typical hillside front yard. In all areas, landscaping can accommodate the width between the buildings' envelopes and the widened street dimension.

The proposal accommodates the 5ft front yard setback along two portions of the 240ft front lot line. The proposal includes two areas, one for both future lots post-lot split, where the front yard setback occurs. In total, this variance request asks for just over half the total frontage to be excluded from the 5ft front yard setback: 70ft portion for Cliff Dr South and 61ft for Cliff Dr North.

Given the nature of the extensive frontage, the variance would reflect a lot that has closer proportions of side, front, and rear setbacks to the other neighboring lots, whereby the front line is not greater than 25% the total lot perimeter. The current frontage totals 51% of the total lot perimeter, which is substantial as there is no rear lot line.

According to the submitted plans, the property will be developed with two new single-family dwellings, in conjunction with subdivision action ADM-2024-7983-PMUL, utilizing the incentives provided by Senate Bill 9.

The North dwelling, oriented toward the north side of the property, will consist of approximately 1,329 square feet, within two stories and approximately 27 feet in height.

The dwelling will observe an approximately 4-foot setback from the existing property line along the northern side of the property, fronting on Cliff Drive. If a 3-foot dedication is taken along this frontage, the dwelling will observe an approximately one-foot setback. One uncovered parking space will be provided on-site.

The South dwelling, oriented toward the southwestern side of the property, will consist of approximately 2,486 square feet, within two stories and approximately 35 feet in height. The dwelling will observe an approximately 3-foot front yard setback from the existing property line along the western side of the property, fronting on Cliff Drive. If a 3-foot dedication is taken along this frontage, the dwelling will observe an approximately zero-foot setback. A pedestrian and driveway bridge are proposed to connect the dwelling and parking areas to the public right-of-way. Two parking spaces will be provided on-site, in a tandem arrangement and partially underneath a carport.

Two new retaining walls are proposed. One new retaining wall is proposed within the eastern side yard and rear yard setback. A second new retaining wall is proposed to the east of the North dwelling, to facilitate a leveled outdoor area. There are no notations on the plans indicating the heights or lengths of span for either retaining wall. One existing retaining wall on the property, located along the northern frontage of the property, is noted as intended to be abandoned.

An Urban Forestry Joint Referral Form, reviewed by Urban Forestry on September 16, 2025, indicates that one protected Toyon will be removed due to a widening of the public right-of-way, and that a tree removal permit will be required.

A Tree Risk Assessment Qualified Report, reviewed by Urban Forestry Division, Department of Public Works, on September 16, 2025, documents the number, location, and condition of protected foliage species on the property, as well whether they are proposed for removal as a result of the project. The report identifies one protected Toyon and one non-protected but significantly-sized *Bauhinia variegata* for removal and replacement.

A Construction Traffic Management Plan, dated October 2024, reviewed and approved by the Department of Transportation on October 21, 2024, has been submitted.

A Department of Building and Safety/Public Works Preliminary Referral Form for Baseline Hillside Ordinance No. 181,624 and Hillside Ordinance No. 174,652, dated June 12, 2024, has been submitted, indicating that the Cliff Drive public right-of-way is 30 feet wide and contains a roadway that is less than 20 feet wide. It also indicates that a 3-foot dedication would be required.

A Tree Disclosure Statement, dated May 29, 2024, identifying Julio Matos, ISA Certified #WE 9101A, DPR License No. 124807, as the project Tree Expert, disclosed that there is a Coastal Live Oak, Toyon, and a significantly-sized non-protected tree on the property.

A Biologist's Statement of Habitat, dated April 2, 2024, and prepared by Marcus C. England, Principal Biologist, England | Ecology, LLC, which concluded that there are no natural habitats, woodlands, or protected flora, are on the property. A locally protected Coast Live Oak and a Toyon were found to be present.

A Geology and Soils Report Approval Letter, Log # 129125-02, dated August 8, 2024, and issued by the Department of Building and Safety, has been submitted.

The local City Councilmember expressed opposition to the request for waiver from the requirement to provide roadway widening improvements along the property frontage. Other community members expressed similar opposition, and further cited opposition due to the project density, setback, and design, resulting in hazardous conditions along Cliff Drive and its location in a Very High Fire Hazard Severity Zone. The local Neighborhood Council expressed support for the project, but opposed the request for waiver of the roadway widening along the property frontage and the zero-foot front yard setback.

The applicant has indicated that they will provide a 20-foot-wide roadway adjacent to the property, in compliance with LAMC Section 12.21 C.10(i)(2), but they have not withdrawn the request. As such, the request to grant relief from this requirement is denied. Had the applicant not revised their project, this request would have been denied due to the need for incremental roadway widening in this area and stated public concerns regarding the safety of vehicle and pedestrian use of the existing roadway. The applicant has stated that they seek both a waiver of a dedication along Cliff Avenue and a waiver from improvements other than the roadway width, such as gutter, curb, sidewalk, etc. The Zoning Administrator does not have the authority to grant these requests.

The applicant's request to waive the requirement to widen the existing roadway such that there would be a minimum 20-foot-wide Continuous Paved Roadway from the driveway apron to the boundary of the Hillside Area has merit.

From the southwestern corner of the subject property on Cliff Avenue, to the intersection of Tacoma Avenue and Isabel Street, where the roadway width is 20 feet or greater, Tacoma Avenue measures approximately 1,033 feet in length. This curvilinear hillside public right-of-way is generally 30 feet wide, with a widening flare to 50 feet near the intersection of Tacoma Avenue and Isabel Street. A 20-foot-wide roadway can be accommodated within the existing public right-of-way. The existing roadway within this span is irregularly improved, with segments that may have a 20-foot-wide roadway, but is mostly improved to a roadway width of less than 20 feet. Along this span of roadway, there are 28 lots which front on Tacoma Drive. 10 of these lots are vacant. All of the lots are zoned for single-family residential use.

The property is located within a well-established hillside community, located along a long and winding roadway, a significant linear distance from the boundary of the Hillside Area. Placing the burden of this significant public improvement on the applicant would be disproportionate to the scope of the project. Compliance with the requirement would also require the consent and cooperation of all affected off-site property owners who may not authorize necessary replacement, relocation, and reconstruction of affected private improvements. If any one of the affected property owners fails to provide consent, the applicant would not be able to comply with the requirement and then would need to seek relief due to those circumstances.

The applicant's request to allow relief from the otherwise required minimum 5-foot front yard setback has merit. The property is located along a significant bend in the roadway, which negates any attempt to preserve a sense of similar or consistent front yard setback along Cliff Drive. Due to the local topography, the setback provides no meaningful buffer from the outer edge of public improvements along Cliff Drive to the front of the proposed development. Further, the proposed reduced setback is limited in span, and will not apply to the entirety of the front yard. Strictly enforcing the setback would relocate the proposed dwellings farther downhill, jeopardizing the project's ability to meet other zoning and Specific Plan limitations for development on the property.

Granting these requests will allow the improvement of the property with a project that is otherwise in compliant with the limitations and requirements of the underlying Zoning and Specific Plan, thereby adding additional housing unit to the citywide housing stock.

It is acknowledged that any new construction of dwelling units would result in some roadway impacts during construction, and the City has an obligation to allow reasonable use of the vacant property. All hillside communities that possess narrow roads are impacted in some degree by construction activity. The most common impacts are related to construction noise, traffic, travel lane obstructions, and parking. Construction in hillside areas and concerns about these short-term impacts are common in the City. While occasional impacts can be unavoidable, they can be minimized through clear communication with the affected community and on-site coordination.

The applicant has submitted a Construction Traffic Management Plan, approved by the Department of Transportation. Further, the project will be subject to the limitations and requirements of the Northeast Los Angeles Hillside Construction Regulation District. Additional conditions have been tailored and adopted to address concerns that are unique to this project and immediate surroundings. Further, the applicant has been required to complete roadway widening improvements prior to commencement of construction of the project to allow for wider roadway conditions during construction and ensure the benefit of a wider roadway to the community. Compliance with these conditions will minimize the impacts that construction activities have on the community.

This action is only limited to consideration and relief from local Zoning regulations. The project is required to comply with other regulatory requirements, such as but not limited to the Building Code, the Fire Code, and all other applicable State regulations.

As such, the Zoning Administrator finds that, as conditioned, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

3. **The project substantially conforms to the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

The proposed project is the construction of two new single-family dwellings on a hillside lot. As proposed, the project seeks a waiver of the requirements to provide a 20-foot roadway width along the property frontage and from the driveway to the boundary of the Hillside Area; and relief to allow a zero-foot front yard setback in lieu of minimum 5 feet otherwise required.

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan.

The Land Use Element of the City's General Plan divides the City into 34 Community Plans. The subject property is located within the Northeast Los Angeles Community Plan

area. The associated General Plan Land Use Map designates the property for Low Low Density Residential land uses, with corresponding zones of RE9, RS, R1, RU, RD6, RD5. The property is zoned R1-1-HCR. The property's zoning is thus consistent with the General Plan's land use designation for the site.

The Northeast Los Angeles Community Plan is silent with regards to roadway widening and setbacks. In such cases, the Zoning Administrator must interpret the intent of the Plans. Specifically, the project addresses the following goals and policies of the Community Plan:

Goal 1 A Safe, Secure, and Attractive Residential Environment for All Economic, Age, and Ethnic Segments of the Community.

Objective 1-1 To preserve and enhance existing residential neighborhoods.

Policy 1-1.1 Protect existing stable single-family and other lower density residential neighborhoods from encroachment by higher density residential and other uses that are incompatible as to scale and character or would otherwise diminish the quality of life.

Objective 1-2 To allocate land for new housing to accommodate a growth of population that is consistent with and promotes the health, safety, welfare, convenience, and pleasant environment of those who live and work in the community based on adequate infrastructure and government services, especially schools.

Policy 1-2.1 Designate specific areas to provide for adequate residential development to accommodate anticipated increases in population while maintaining a balance between single-family and multiple-family uses.

Objective 1-3 To preserve and enhance the residential character and scale of existing single- and multi-family neighborhoods.

Policy 1-3.1 Protect the quality and scale of the residential environment through attention to the appearance of new construction including site planning and compatible building design.

Objective 1-5 To limit the intensity and density of development in hillside areas.

Policy 1-5.4 Require that any proposed development be designed to enhance and be compatible with adjacent development.

Goal 9 Adequate Community Protection Through a Comprehensive Fire and Life Safety Program.

Objective 9-1 Ensure that fire facilities and protective services are sufficient for the existing and future population and land uses.

Policy 9-1.1 Promote land use policies that enhance accessibility for fire fighting equipment and are compatible with effective levels of service.

Goal 10 To the Extent Feasible and Consistent with the Mobility Plan 2035's and Community Plans' Policies Promoting Multimodal Transportation and Safety, a System of Freeways and Streets that Provides a Circulation System Which Supports Existing, Approved, and Planned Land Uses While Maintaining a Desired Level of Service at Intersections.

Objective 10-1 To the extent feasible and consistent with the Mobility Plan 2035's and the Community Plans' policies promoting multi-modal transportation and safety, comply with Citywide performance standards for acceptable levels of service and ensure that necessary road access and street improvements are provided to accommodate traffic generated by new development.

Policy 10-1.2 Design new development projects to minimize disturbance to existing traffic flow with proper ingress and egress to parking.

The applicant has indicated that they will provide a 20-foot-wide roadway adjacent to the property, in compliance with LAMC Section 12.21 C.10(i)(2), but they have not withdrawn the request. As such, the request to grant relief from this requirement is denied. Had the applicant not revised their project, this request would have been denied due to the need for incremental roadway widening in this area and stated public concerns regarding the safety of vehicle and pedestrian use of the existing roadway.

The project's proposed two new dwelling units are consistent with the anticipated land use for the property. The proposed dwellings are consistent with the requirements and limitations of the underlying R1 Zoning of the property, except as requested. The project does not maximize the allowed square-footage or height for development on the property and is of a scale that is compatible with the surrounding single-family dwellings in the area. Together, the project demonstrates conformance with Policies 1-1.1, 1-3.1, and 1-5.4.

Development of the project will result in an improvement of the adjoining Cliff Drive roadway. The roadway widening will be an incremental improvement of the overall Cliff Drive public right-of-way, and will result in a measure of increased accessibility for emergency response services, in conformance with Policy 9-1.1.

Roadway widening improvements of the adjoining public roadway will be required prior to commencement of construction of the new dwellings. As a result, traffic along Cliff Drive will be less impacted by construction activity associated with the new dwellings, and vehicle ingress and egress from the new dwellings will similarly benefit from the wider public roadway. Finally, the project driveway plans will be required to be reviewed and approved by the Department of Transportation to ensure that their location does not result

in safety issues affecting traffic along this roadway. As a result, the project is in conformance with Policy 10-1.2.

The property is further located within the Mount Washington/Glassell Park Specific Plan area. The project does not propose any deviation from the requirements or limitations of the Specific Plan.

Therefore, as conditioned, the project substantially conforms to the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

4. **The request is in conformity with the public necessity, convenience, general welfare and good zoning practice.**

The proposed project is the construction of two new single-family dwellings on a hillside lot. As proposed, the project seeks a waiver of the requirements to provide a 20-foot roadway width along the property frontage and from the driveway to the boundary of the Hillside Area; and relief to allow a zero-foot front yard setback in lieu of minimum 5 feet otherwise required.

The applicant has indicated that they will provide a 20-foot-wide roadway adjacent to the property, in compliance with LAMC Section 12.21 C.10(i)(2), but they have not withdrawn the request. As such, the request to grant relief from this requirement is denied. Had the applicant not revised their project, this request would have been denied due to the need for incremental roadway widening in this area and stated public concerns regarding the safety of vehicle and pedestrian use of the existing roadway. The applicant has stated that they seek both a waiver of a dedication along Cliff Avenue and a waiver from improvements other than the roadway width, such as gutter, curb, sidewalk, etc. The Zoning Administrator does not have the authority to grant these requests.

Granting the request for relief from the requirement to provide a minimum 20-foot-wide Continuous Paved Roadway from the driveway apron to the boundary of the Hillside Area facilitates the development of two new single-family dwellings. Strict enforcement of the requirement would burden the applicant with a disproportionate public improvement cost as compared to the scope of the project. Further, other similar projects in the area have been granted relief from this requirement.

Due to the curvilinear hillside street pattern and the changing topography, a consistent front yard setback does not provide any meaningful sense of developmental consistency within the pattern of development along this street. Granting relief from the front yard setback requirement allows for a development that is more compatible with the surrounding area. The relief is requested due to the steep topography of the lot. Strictly observing the setback would result in taller development and the removal of more trees, resulting in development that would be less compatible than the requested deviation.

Granting the requests will allow the development of the property with new dwellings, resulting in an incremental increase in the City's housing supply. Denying the requests would result in the development of any residential use upon the property as financially infeasible and/or a more negatively impactful dwelling design. As a result, the requests are in conformity with the public necessity, convenience, general welfare and good zoning practice.

Additional Roadway Findings

5. **The vehicular traffic associated with the building or structure will not create an adverse impact on street access or circulation in the surrounding neighborhood.**

The proposed project is the construction of two new single-family dwellings on a hillside lot. As proposed, the project seeks a waiver of the requirements to provide a 20-foot roadway width along the property frontage and from the driveway to the boundary of the Hillside Area.

The applicant has indicated that they will provide a 20-foot-wide roadway adjacent to the property, in compliance with LAMC Section 12.21 C.10(i)(2), but they have not withdrawn the request. As such, the request to grant relief from this requirement is denied. Had the applicant not revised their project, this request would have been denied due to the need for incremental roadway widening in this area and stated public concerns regarding the safety of vehicle and pedestrian use of the existing roadway. The applicant has stated that they seek both a waiver of a dedication along Cliff Avenue and a waiver from improvements other than the roadway width, such as gutter, curb, sidewalk, etc. The Zoning Administrator does not have the authority to grant these requests.

A Construction Traffic Management Plan, dated October 2024, reviewed and approved by the Department of Transportation on October 21, 2024, has been submitted.

Vehicular traffic associated with the new dwellings are anticipated to be consistent with the intended use of the local street network.

The Northeast Los Angeles Community Plan designates the property for use and development with single-family dwelling uses. The project proposes a use that is consistent with that land use designation. The adjoining Cliff Drive roadway will be improved to a width of 20 feet along the property frontage. This roadway widening improvement will be required prior to the commencement of construction activities associated with the dwellings. In doing so, short-term construction activities will be less impactful along the roadway. During project construction, the applicant will be required to adhere to an approved Construction Traffic Management Plan, regulations of the Hillside Construction Regulation District, and additional construction-related conditions tailored to the immediate neighborhood. Use and maintenance of the new dwelling will have no significant adverse impact on the roadway. The project will provide all required parking on-site. Therefore, as conditioned, the vehicular traffic associated with the building or structure will not create an adverse impact on street access or circulation in the surrounding neighborhood.

6. **The building or structure will not be materially detrimental or injurious to the adjacent property or improvements.**

The proposed project is the construction of two new single-family dwellings on a hillside lot. As proposed, the project seeks a waiver of the requirements to provide a 20-foot roadway width along the property frontage and from the driveway to the boundary of the Hillside Area.

The applicant has indicated that they will provide a 20-foot-wide roadway adjacent to the property, in compliance with LAMC Section 12.21 C.10(i)(2), but they have not withdrawn the request. As such, the request to grant relief from this requirement is denied. Had the applicant not revised their project, this request would have been denied due to the need for incremental roadway widening in this area and stated public concerns regarding the

safety of vehicle and pedestrian use of the existing roadway. The applicant has stated that they seek both a waiver of a dedication along Cliff Avenue and a waiver from improvements other than the roadway width, such as gutter, curb, sidewalk, etc. The Zoning Administrator does not have the authority to grant these requests.

A Geology and Soils Report Approval Letter, Log # 129125-02, dated August 8, 2024, and issued by the Department of Building and Safety, has been submitted.

Except for the requested waiver of off-site roadway widening improvements and a reduced front yard setback, the project is otherwise compliant with the requirements and limitations for development within the underlying R1 Zone, on a hillside lot, and the Specific Plan. The dwellings will be constructed in accordance with contemporary Building and Fire Codes, in addition to other State and Federal regulations. In addition, the applicant has volunteered that an existing stormwater drainage system will be replaced, improving stormwater drainage from Cliff Drive. Taken as a whole, and as conditioned, the Zoning Administrator finds that the buildings and structures will not be materially detrimental or injurious to the adjacent property or improvements.

7. The Building or Structure will not have a materially adverse safety impact on the surrounding neighborhood.

The proposed project is the construction of two new single-family dwellings on a hillside lot. As proposed, the project seeks a waiver of the requirements to provide a 20-foot roadway width along the property frontage and from the driveway to the boundary of the Hillside Area.

The applicant has indicated that they will provide a 20-foot-wide roadway adjacent to the property, in compliance with LAMC Section 12.21 C.10(i)(2), but they have not withdrawn the request. As such, the request to grant relief from this requirement is denied. Had the applicant not revised their project, this request would have been denied due to the need for incremental roadway widening in this area and stated public concerns regarding the safety of vehicle and pedestrian use of the existing roadway. The applicant has stated that they seek both a waiver of a dedication along Cliff Avenue and a waiver from improvements other than the roadway width, such as gutter, curb, sidewalk, etc. The Zoning Administrator does not have the authority to grant these requests.

A Geology and Soils Report Approval Letter, Log # 129125-02, dated August 8, 2024, and issued by the Department of Building and Safety, has been submitted.

Granting a waiver of the requirement to widen the roadway from the project driveway apron to the boundary of the Hillside Area will not be materially detrimental or injurious to the adjacent property or improvements and will not have a materially adverse safety impact on the surrounding neighborhood.

Strict enforcement of this requirement would result in the relocation of multiple public utility poles, existing driveway aprons, and other existing public and private improvements both within the public right-of-way and upon private property, and may require the property owner to acquire additional private property in order to accomplish the widening. These activities would result in significantly more impacts, for a greater duration of time, on affected properties.

Granting the request to waive roadway widening improvements from the project's driveway apron to the boundary of the Hillside Area results in fewer potential impacts

resulting from longer construction impacts on the street itself, as well as the unintended consequences resulting from having to negotiate with affected property owners and the relocation and reconstruction of existing public and private improvements.

Except for the requested waiver of off-site roadway widening improvements and a reduced front yard setback, the project is otherwise compliant with the requirements and limitations for development within the underlying R1 Zone, on a hillside lot, and the Specific Plan. The dwellings will be constructed in accordance with contemporary Building and Fire Codes, in addition to other State and Federal regulations. The applicant has volunteered that the dwelling exteriors will be clad with fire resistant materials that exceed minimum requirements. The Cliff Drive roadway, along the property frontage, will be widened to a minimum width of 20 feet. Roadway widening will be required prior to commencement of construction activities associated with the dwellings in order to minimize impacts to Cliff Drive as a result of those activities. In addition, the applicant has volunteered that an existing stormwater drainage system will be replaced, improving stormwater drainage from Cliff Drive. Therefore, as conditioned, the Buildings and Structures will not have a materially adverse safety impact on the surrounding neighborhood.

8. The site and/or existing improvements make strict adherence to Section 12.21-C,10(i) of Chapter 1 impractical or infeasible.

The proposed project is the construction of two new single-family dwellings on a hillside lot. As proposed, the project seeks a waiver of the requirements to provide a 20-foot roadway width along the property frontage and from the driveway to the boundary of the Hillside Area.

The applicant has indicated that they will provide a 20-foot-wide roadway adjacent to the property, in compliance with LAMC Section 12.21 C.10(i)(2), but they have not withdrawn the request. As such, the request to grant relief from this requirement is denied. Had the applicant not revised their project, this request would have been denied due to the need for incremental roadway widening in this area and stated public concerns regarding the safety of vehicle and pedestrian use of the existing roadway. The applicant has stated that they seek both a waiver of a dedication along Cliff Avenue and a waiver from improvements other than the roadway width, such as gutter, curb, sidewalk, etc. The Zoning Administrator does not have the authority to grant these requests.

Other projects in the area have been granted relief from off-site roadway widening requirements to the boundary of the Hillside Area.

From the southwestern corner of the subject property on Cliff Avenue, to the intersection of Tacoma Avenue and Isabel Street, where the roadway width is 20 feet or greater, Tacoma Avenue measures approximately 1,033 feet in length. This curvilinear hillside public right-of-way is generally 30 feet wide, with a widening flare to 50 feet near the intersection of Tacoma Avenue and Isabel Street. A 20-foot-wide roadway can be accommodated within the existing public right-of-way. The existing roadway within this span is irregularly improved, with segments that may have a 20-foot-wide roadway, but is mostly improved to a roadway width of less than 20 feet. Along this span of roadway, there are 28 lots which front on Tacoma Drive. 10 of these lots are vacant. All of the lots are zoned for single-family residential use.

Strict adherence to the requirement to ensure a 20-foot wide Continuous Paved Roadway from the project's driveway apron to the boundary of the Hillside Area is impractical and

infeasible. Compliance would necessitate securing the compliance and consent of all affected property owners between the subject property and the Hillside Area boundary. The participation of the other property owners is necessary in order for the applicant to obtain necessary dedications or easements, relocate and replace affected existing private improvements such as driveways, retaining walls, and fences, and relocate and replace affected public infrastructure such as public utility poles. The financial costs of such an endeavor would quickly render the project infeasible. Further, if any individual affected private property owner declines to facilitate the roadway widening effort, the Applicant would not be able to comply with the requirement, they would need to seek this relief. To require the applicant to provide these substantial off-site improvements to the public right-of-way would be disproportionate to the scope of the project and its impact on the existing roadway infrastructure. For these reasons, the site and/or existing improvements make strict adherence to Section 12.21-C,10(i) of Chapter 1 impractical or infeasible.

Additional Setback Finding

9. The reduction in yards will not be materially detrimental to the public welfare or injurious to the adjacent property or improvements.

The proposed project is the construction of two new single-family dwellings on a hillside lot. As proposed, the project seeks relief to allow a zero-foot front yard setback in lieu of minimum 5 feet otherwise required.

According to information submitted by the applicant:

The current perimeter frontage totals 59% of the total perimeter of the property. This is due to the highly irregular site conditions rendering the property boundary as two perpendicular side lot lines and one extensive front lot line. A 5ft front yard setback would eliminate 14% of the buildable area ($[\text{Gross Lot Area} - \{\text{Dedication} + \text{Side Lot Line Setbacks} + \text{Sewer Easement}\}] / [\text{Gross Lot Area} - \{\text{Dedication} + \text{Side Lot Line Setbacks} + \text{Sewer Easement} + \text{Front Yard Setback}\}]$), and with that a substantial portion of the existing, highly buildable flat area. Due to this diminished size and the required protection and management of the protected and significant trees, such guidelines in themselves would all physically preclude the construction of two 800sqft units as enforced in SB-9.

The development respects a 3ft dedication requirement and carefully situates both units on the property to utilize the existing flat area of the site advantageously. This avoids undue structural surcharging on the downhill residences, minimizes grading quantities, and reduces construction impact on the neighborhood by limiting haul routes. Increasing the stand off from the existing property line with additional 5ft would negatively impact neighboring properties without providing significant environmental benefits.

The larger and longer unit, Cliff Residence South, maintains a natural separation, approximately 12ft on average, from the widened street due to the site's irregular shape and topography. This demonstrates that an additional front yard setback requirement would provide minimal aesthetic or environmental benefits. Similarly, Cliff Residence North preserves a 6ft separation from the street after widening, ensuring that the protected oak tree's canopy remains unharmed by the front yard setback requirement.

The applicant has clarified that should a dedication be taken along Cliff Avenue, the project will require a zero-foot front yard setback; if no dedication is taken, then the project requires relief to allow a 3-foot front yard setback. It is noted that the Zoning Administrator has no authority to waive a dedication requirement.

The applicant's request to allow relief from the otherwise required minimum 5-foot front yard setback has merit. The property is located along a significant bend in the roadway, which negates any attempt to preserve a sense of similar or consistent front yard setback along Cliff Drive. Due to the local topography, the setback provides no meaningful buffer from the outer edge of public improvements along Cliff Drive to the front of the proposed development. Further, the proposed reduced setback is limited in span, and will not apply to the entirety of the front yard. Strictly enforcing the setback would relocate the proposed dwellings farther downhill, jeopardizing the project's ability to meet other zoning and Specific Plan limitations for development on the property.

Despite observing a reduced front yard setback, the project contains no element that projects into the public right-of-way and proposes no use that would be in conflict with use of the roadway. Should the project be required to provide a gutter, curb, and sidewalk, these improvements would buffer the roadway from the front of the dwellings. If these additional improvements are not required, then it is likely that there will be a physical separation between the edge of the roadway and the dwelling, due to the existing steep drop in elevation. The adjoining properties to the east and the south of the subject property would not have a widened roadway, and therefore, it would be unlikely that vehicles passing along this portion of Cliff Drive would meaningfully increase their travel speed. Further, the site development has been designed so that the northwesterly corner of the property is open and clear so that on-coming traffic could be seen more easily along this tight turn. As such, the Zoning Administrator finds that the reduction in yards will not be materially detrimental to the public welfare or injurious to the adjacent property or improvements.

Project Permit Compliance Findings

10. **The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.**
 - a. **Floor Area.** Per the Mount Washington/Glassell Park Specific Plan Ordinance floor area is based on a prescribed formula for properties that are greater than or equal to 5,000 square feet in size, but less than 10,000 square feet in size, by using the following equation: $0.50 - \{[(\text{Lot Area} - 5,000) \times 0.10] \div 5,000\}$. For this project, the lot size is 9,305.80 square feet, and therefore, the allowable maximum floor area ratio based on the formula is 0.43 to 1. The maximum floor area allowed is 3,696.43 square feet. Cliff Residence South measures approximately 2,380.78 square feet, including an attached parking and Cliff Residence North measures approximately 1,313.05 square feet, including a detached parking area for a total floor area of approximately 3,693.83 square feet. Therefore, the subject project would not exceed the FAR maximum allowance specified in this section of the Mount Washington/Glassell Park Specific Plan.
 - b. **Building Height and Stepback Distances.** The proposed height of Cliff Residence South will be 35 feet 9 inches, and the proposed height of Cliff Residence North will be 29 feet 2 inches, which meet the 45-foot limitation imposed by the Specific Plan. The buildings are setback in accordance with the building

stepback height limitations and are in compliance with the requirements of the Specific Plan. As proposed, Cliff Residence South and Cliff Residence North meet the building stepback requirements that state that no portion of the building shall exceed 15 feet in height within the first six (6) feet of the front property line and that no portion of the building shall exceed 24 feet in height within six to 12 feet of the front property line.

- c. **Prevailing Front Yard Setback.** The Mount Washington/Glassell Park Specific Plan's Prevailing Front Yard Setback provision does not apply because there are not at least two remaining lots for the calculation and so the proposed project's minimum front yard setback will be required as in the applicable LAMC Sections. Pursuant to LAMC Section 12.21 C.10(a) of Chapter 1, the required front yard setback is five (5) feet, and the proposed dwellings propose a zero (0) foot front yard setback through the request for relief via a Class 1 Conditional Use.
- d. **Off-street Automobile Parking Requirements.** The property currently fronts a Substandard Hillside Limited Street that is not fully improved. The project includes a covered parking area for each proposed dwelling, which provides one (1) covered space for each dwelling and one (1) additional uncovered space for Cliff Residence South. Pursuant to LAMC Section 12.21 C.10. of Chapter 1 a third (uncovered) parking space is required if the floor area exceeds 2,400 square feet, (floor area for parking is calculated per definition of floor area pursuant to Section 12.03 of the LAMC). The project does exceed 2,400 square feet, as calculated by 12.03 of LAMC. However, per Senate Bill 9, the project shall be required to provide one (1) covered parking space per new unit. The project has been conditioned to comply with applicable sections of the LAMC and requirements of the Department of Building and Safety.
- e. **Public Health and Safety.** Haul routes are required only when the removal of earth from on-site exceeds 1,000 cubic yards. The proposed project will export zero (0) cubic yards of soil from the subject site, and therefore, the project is compliant with Section 6.E of the Mount Washington/Glassell Park Specific Plan and the LAMC.
- f. **Landscaping and preservation, relocation, and removal of native and significant trees.** Julio Matos, consulting Arborist (#WE-9101A) indicated there are three (3) Protected Trees and three (3) Significant Trees on site. No on-site Protected Trees and one (1) Significant Tree are proposed for removal as part of the project. There is one (1) Protected Street Tree. The one (1) Protected Street Tree is proposed for removal. The project shall provide Replacement Trees per the Code for the one (1) Protected Street Tree being removed. One (1) Replacement Tree will be planted on a 1:1 ratio for the one (1) Significant Tree being removed. This Tree Report was reviewed by the Urban Forestry Division on September 16, 2025.
- g. **The architectural design elements of the front and rear building elevations vary from the adjacent buildings.** The Mount Washington/Glassell Park Specific Plan requires variation of design including façade articulation and design of differing materials, architectural details and location of windows, doors, columns, and balconies, facades that modulate with offsets or curves, insets and use of a variety of roof treatments, including roof type, shape and pitch and that such variation distinguishes it from homes on either side. The architectural plans

attached to the subject file indicate that the architectural design elements will vary from the adjacent buildings based on the requirements of Section 8 for single-family design variation outlined in the Specific Plan.

The proposed designs of Cliff Residence South and Cliff Residence North are modern in style. Both residences incorporate a light-colored stucco or similar exterior finish with metal roofing. Cliff Residence South, the larger of the two proposed residences, includes an inset primary entrance, varied roof pitches, and multiple facade projections that create architectural variation. The design also incorporates balconies with glazing, which contributes to visual transparency along elevations. Cliff Residence North still modern in style maintains a more symmetrical and rectangular massing with a flatter roof. The proposed design incorporates select architectural projections and large-scale windows, particularly along the east elevation which provides modulation and greater transparency.

The property directly south at 3578 Tacoma Avenue is located on a down-sloping lot. The primary dwelling is not visible from the right-of-way, but the garage is. The garage features a contemporary style with a traditional gabled roof, dark colored stucco finish, and black garage door and trim.

As proposed, the architectural elevations and sections are in conformance with the Design Variation standards contained in Section 8-C of the Mount Washington/Glassell Park Specific Plan.

11. **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

It is determined that based on the whole of the administrative record, the project is exempt from CEQA pursuant to State CEQA Guidelines Article 19, Section 15303, Class 3 for one single-family residence, or a second dwelling unit in a residential zone, and there is no substantial evidence demonstrating that an exception pursuant to CEQA Guidelines, Section 15300.2 applies.

ADDITIONAL MANDATORY FINDINGS

12. **Flood Hazard.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas determined to be outside the 0.2% annual chance flood plain.