

FINDINGS - ZONING ADMINISTRATOR'S DETERMINATION
7921 Denivelle Road, Los Angeles, CA, 91040

Request: Per LAMC Section 12.21 C.10(i)(3), a ZAD to allow construction of a single family dwelling that does not have a vehicular access route from a street improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area.

BACKGROUND

The subject property is an upward sloping hillside lot with a width of 60 feet on the north side of Denivelle Road. The lot has a depth of 175 feet. The lot is zoned RE 40-1 but has a lot area of only 10,495.2 square feet. The property is presently vacant but the site has previously been excavated and contains retaining walls to maintain the slope integrity. The applicant proposes to construct a single family dwelling on the property and an ADU, which will be reviewed ministerially, per City and State requirements.

Surrounding uses to the north, west and east consist of single-family dwellings developed on lots that are zoned RE40-1. Property to the south across Denivelle Road are zoned R1-l and are developed with single-family dwellings.

Ordinance No. 171,936, effective April 18, 1998, resulted in the property being zoned RE40- 1.

Denivelle Road adjoining the property on the south, is a Substandard Limited Hillside Local Street dedicated to a width of 40 feet and improved with a minimum 18 foot in width asphalt paved roadway, concrete curbs and gutters. This right-of-way is a red flag restricted street and parking is permitted only on the south side of the roadway.

SECTION 12.24 FINDINGS

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 10,495.2 square foot lot with a frontage of 60 feet on the north side of West Denivelle Road. West Denivelle Road is classified as a Substandard Hillside Limited Street. The property is zoned RE 40-1 and is presently vacant. The applicant intends to construct a single-family dwelling on the property. In so doing, the design will comply with all of the requirements of the zone. All other Zoning, Planning, and Green Building standards will be adhered to in this project. West Denivelle Road adjoining the property is improved to a width of approximately 15 to 18 feet. There is no minimum 20-foot wide continuous paved roadway from the subject property to the boundary of the Hillside Area. Denivelle Road between Mount Gleason Avenue and the subject property is largely developed with a number of

single-family dwellings on lots of a similar size as the subject property. The roadway continues beyond the subject property to encompass approximately fifteen lots. The lot immediately adjacent to the west is vacant. Properties on the south side of Denivelle Road appear to be mostly developed with single-family residences.

The applicant is proposing to develop a single-family dwelling with an attached two car garage. The dwelling will have a 24'-6"-foot front yard setback, a 16'3"-foot setback to the rear retaining wall, and side yard setbacks of 11 feet. The 1,442.3 foot main dwelling will have a 410 square foot attached two-car garage and driveway on the subject property. Also included in the project, which will be reviewed ministerially per City and State law, is a 996.3 sf ADU. Since the single-family dwelling is to be used by one family, the impacts deriving from such development are limited to normal family activities and supporting activities. Sufficient parking is proposed on-site so as to minimize any parking impacts on the narrow roadway. The proposed single-family dwelling on the subject lot will be similar in most respects to existing adjacent development. As conditioned herein, with the requirements and safeguards that are a part of this determination, it is reasonable to conclude that the proposed development is desirable for the public convenience and welfare.

The subject site is located in a Very High Fire Hazard Severity Zone, a Special Grading Area, and a Hillside area. The property is subject to the Baseline Hillside Ordinance (BHO) which was adopted to preserve the character of single-family hillside neighborhoods. Property owners who want to deviate from the BHO development standards may apply for limited relief if the required findings can be made in the affirmative.

This ZAD request was approved in 2006 under case ZA-2005-8349 (ZAD), at this same site. However, the previous grant was not utilized within the required period so this request simply renews this previously approved request. In the previous case, the applicant was not required to do off-site street improvements because the Zoning Administrator determined that requiring off-site street improvements would be a hardship and create practical difficulties since the land is outside the control of the project proponent. While such widening of the road is desirable, it is not practical to impose this requirement on a single property owner when sections of the roadway out of compliance are not under the ownership of the applicant. The same is true in the subject case. Widening the section of Denivelle Raod that is less than 20 feet wide is not feasible because it would require the disruption of existing retaining walls and structures on property that does not belong to the applicant. As conditioned, the project will enhance the built environment in the surrounding neighborhood.

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.

Notwithstanding the small size of many surrounding lots, the property was rezoned to RE40 in 1998, while the underlying zone requires a minimum lot area of 40,000 square feet. The subject property and most of those surrounding lots on the north side of Denivelle Road are approximately 10,000 square feet in size. On the south side of the road properties are zoned R1 and are developed with single-family homes on lots of approximately 5,000 square feet. Properties on the north side of the subject road are mostly developed with single family homes on upsloping hillside lots that are narrow and rectangular in size. The resultant one story single family home will consist of approximately 1,442.3 square feet, it will have a height of approximately 16 feet and it will have a two-car garage with additional available parking in the front setback. In this, the proposed dwelling will be similar to many other homes in the area that have been built on surrounding hillside lots. With the exception of the road width, the proposed dwelling will comply with all of the requirements of the hillside ordinance. Since the proposed single-family dwelling will be similar to other surrounding development, its location is proper in relation to adjacent uses and development in the surrounding area.

Carrying out these updates to the home will not change the density or the character of the neighborhood, nor will it generate any negative impacts for adjacent properties. This project, properly conditioned, will protect the existing character and feel of the neighborhood. All required studies have been completed to ensure the project is appropriate for the site and will not degrade the surrounding neighborhood or properties.

The single family dwelling project will not add traffic or uses to the area and provides ample parking onsite. A requirement to improve or dedicate the street would be an undue burden on the property owner.

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

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 in the form of Los Angeles Municipal Code requirements. Except for the entitlement described herein, the project does not propose to deviate from any other Los Angeles Municipal Code requirements.

The General Plan is composed of the Framework Element, seven state-mandated elements, and four additional elements adopted by the City Council. The Framework Element establishes the broad overall policy and direction for the General Plan. Approval of the project is in substantial conformance with the following Framework Element housing goals and objectives:

Goal 4A: An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

Objective 4.4: Reduce regulatory and procedural barriers to increase housing production and capacity in appropriate locations.

The Housing Element provides a plan for the City's existing and future housing needs to ensure a range of housing choices for residents of all income levels. The Housing Element provides decision-makers policy guidance to evaluate discretionary housing applications. This approval conforms to the following goals and objectives in the Housing Element:

Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy, sanitary, and affordable to people of all income levels, races, ages, and suitable for their various needs.

Objective 1.2: Preserve quality rental and ownership housing for households of all income levels and special needs

Objective 1.5: Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.

Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.

The project is in conformance with the aforementioned goals and objectives of the General Plan because the proposed single family dwelling, minimal in size, will provide an additional housing unit, and an ADU unit without changing the use or character of the area.

The Mobility Element (Mobility Plan 2035) guides the further development of a citywide transportation system that provides for the efficient movement of people and goods. This includes establishing street designations and related standards. Although it would be infeasible for the project to obtain the dedications needed to provide a minimum 20-foot roadway width from the property to the boundary of the Hillside Area, the project will not be changing the character of the neighborhood or adding any impact on the existing roadway.

The proposed single-family dwelling is of a size and height that is consistent with much of the surrounding single-family development in the area. The proposed dwelling will blend into the area. The potential for increased vehicle trips resulting from the project is minimal and consistent with that associated with single-family development. Nearly the entire block is developed. West Denivelle Road is not a through street and terminates a short distance beyond the proposed development. As a result, the street is not likely to carry through traffic. Vehicles using West Denivelle Road are likely to be limited to

trips associated with local development. Any traffic increase will be minimal and limited to vehicle trips associated with single family residential development. All additional requirements of the Specific Plan have been adhered to, and all required additional studies have been completed. The proposed single-family dwelling fits in with the character of the surrounding neighborhood and, as conditioned herein, is unlikely to be materially detrimental to the character of the surrounding development.

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

The Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan designates the subject property for Very Low II density residential development with corresponding zones of RE-40 and Height District No.1. The proposed single-family dwelling on a large lot is in keeping with the spirit and intent of the Community Plan. As such, the proposed location is in harmony with the various elements of the General Plan.

The construction of a single family dwelling will not alter the character, or impact the neighborhood. This project is in line with the character of the neighborhood and provides ample parking onsite and will not create additional traffic impacts in the vicinity. Good planning practice attempts to balance the needs of property owners and community needs without imposing undue hardships on either side. In this case, it would be impractical and infeasible to require the owner of the subject property to widen the roadway to the minimum 20 feet as required by the Bureau of Engineering. Further, retaining walls and other structural elements of buildings would be impacted. As conditioned, the proposed minor updates and improvements to the existing single family home on a lot zoned and designated for such use will help preserve the 1951 home into the future and may be considered in conformity with public necessity, convenience, general welfare and good zoning practice.

Section 12.28 X. 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 will not have an adverse impact on street access or circulation in the surrounding neighborhood. The proposed project creates a relatively modest single family home on a 10,500 sf lot, in line with the character and feel of the neighborhood. Because the density of the site use will not be out of line with the current neighborhood, it will not create an adverse impact on street access or circulation in the surrounding Neighborhood.

The applicant proposes to build a 1,442.3 square-foot single-family dwelling. The amount of traffic likely to be generated by one single-family dwelling has been calculated by traffic engineers to be

approximately ten daily trips from one single family home. Since West Denivelle Road is narrow, parking has been restricted to one side of the street. There is no through traffic on the street due to the lack of through access. As a result, traffic associated with the proposed dwelling will not be unusual and is not likely to impact street access after the dwelling is built. During construction vehicles can use a portion of the street beyond the subject property where there is little existing development.

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

The property is located within a Very High Fire Severity Zone and a BOE Special Grading area, and the site plan is subject to approval and review by the Fire Department as well as the Building and Safety Grading Division. The proposed project will be built within the required setbacks, and is a relatively modest sized home on a large lot. The proposed addition to the dwelling complies with the height and area limits established by the Baseline Hillside Ordinance and the Specific Plan. As conditioned, the building will not be materially detrimental or injurious to adjacent properties.

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

The proposed single-family dwelling will not affect the existing street width or access, and therefore will not interrupt the flow of traffic on Denivelle Road or adjacent streets. The property is located within a Very High Fire Severity Zone and a BOE Special Grading area, and the site plan is subject to approval and review by the Fire Department as well as the Building and Safety Grading Division. As conditioned, the building will not have a materially adverse safety impact on the surrounding neighborhood.

The proposed single-family home will have an attached two-car garage. An additional car will be able to park in the front driveway area. Providing ample onsite parking will serve to limit potential use of the limited curb parking available on the street. The applicant is required to obtain grading permits in order to ensure the stability of the slope on the property meets Department of Building and Safety requirements and to provide proper oversight on the retaining walls that are proposed for the property. Fire Department approval for the project is also required so that fire and life safety issues may be adequately addressed for safety purposes.

8. The site and/or existing improvements make strict adherence to Section 12.21 C.10 (i) impractical or Infeasible.

Denivelle Road is a Substandard Hillside Limited Street dedicated to a width of 40 feet and improved with a roadway that varies in width and at some point narrows to less than 20'. However, strict adherence to the off-site widening required by Los Angeles Municipal Code Section 12.21 C.10 (i)(3) would be impractical and infeasible. Even if it were possible to widen the road in that area, the associated construction and legal costs would impose an undue burden on the project. Further, the widening would greatly impact retaining walls and other structural elements of buildings in the area. The roadway, as existing, has served the neighborhood since the surrounding homes were built and this proposed single family dwelling will not add any major traffic or parking issues for the surrounding area.