

Attachment "D"

At our December 2020 PLU meeting we reviewed a project at 1765 & 1785 Clear View AA- AA-2020-4429-PMEX . The application for the AA case was to allow the (division of land) Parcel Map Exemption to allow a lot line adjustment between neighboring parcels, per LAMC 17.50 B.3(c) in blue below.

SEC. 17.50. PARCEL MAPS – GENERAL PROVISIONS.

A. Purpose. The following parcel map regulations are intended to assure compliance with the Subdivision Map Act, the Comprehensive Zoning Plan of the City of Los Angeles as set forth in [Article 2](#) of this chapter, and the various elements of the City’s General Plan, to assure lots of acceptable design and of a size compatible with the size of existing lots in the immediate neighborhood; to preserve property values; to assure compliance with the Design Standards for Streets and Alleys as specified in Section [17.05](#) of this Code where street or alley dedication and/or improvement are required; and to prevent interference with the opening or extension of streets necessary for emergency vehicle access, proper traffic circulation and the future development of adjacent properties; and to provide that the dividing of land in the hillside areas be done in a manner which will assure that the separate parcels can be safely graded and developed as building sites. **(Amended by Ord. No. 143,254, Eff. 5/14/72.)**

B. Scope.

1. No land shall be separated in ownership or otherwise divided into two, three, or four parcels or condominiums, and no such divided parcel or condominium shall be separately maintained unless the division conforms to that shown on a parcel map which has been approved by the Advisory Agency and recorded in the office of the county recorder. **(Amended by Ord. No. 147,224*, Eff. 6/27/75.)**

* The provisions of this ordinance shall become operative 90 days after the publication date of such ordinance.

2. No building permit shall be issued, and no building or structure shall be constructed, altered or maintained on any land which has been separated in ownership or otherwise divided into two, three or four parcels in violation of the provisions of this article, and until and unless a Parcel Map has been recorded in the office of the county recorder All conditions of approval shall be completed prior to filing the Parcel Map.

3. These regulations shall not apply to the leasing of apartments, offices, stores or similar space within an apartment building, industrial building, commercial building or mobilehome park, nor to mineral, oil or gas leases, nor shall they apply to the following divisions of land, except as may be required by Subsection C. hereof. **(Amended by Ord. No. 161,716, Eff. 12/6/86.)**

(a) Those made in compliance with the Subdivision Map Act and the subdivision regulations contained in this article.

(b) Those divisions of land made solely because of the sale, acquisition, lease or combining of lands by governmental agencies, including City of Los Angeles and any department thereof, or any further division of such lands by a lessee of such governmental agency.

(c) **(Amended by Ord. No. 176,321, Eff. 1/15/05.)** Those where the Advisory Agency or the Appeal Board determines that all the following conditions exist:

(1) A lot line adjustment is made between four or fewer existing adjoining lots or parcels and the land taken from one lot or parcel is added to an adjoining lot or parcel;

(2) The resulting number of lots or parcels remains the same or is decreased;

(3) The parcels or lots resulting from the lot line adjustment will conform to the local general plan, any applicable coastal plan, and zoning and building ordinances.

(d) Those involving land dedicated for cemetery purposes under the applicable provisions contained in the Health and Safety Code of the State of California.

SEC. 17.52. PARCEL MAP – AUTHORITY OF ADVISORY AGENCY.

A. Disapproval Of Maps.

1. No preliminary Parcel Map shall be approved which violates or would result in a violation of, or fails to comply with, the Subdivision Map Act or any other applicable law of this City or State. **(Amended by Ord. No. 130,871, Eff. 9/20/65.)**

2. In addition the Advisory Agency may disapprove a preliminary Parcel Map if, after investigation, it determines that said map does not substantially comply with the various elements of the City's General Plan, or does not provide such street or alley dedication or improvements as are necessary to achieve the purposes of these regulations, or fails to provide acceptable lot design or lot sizes which closely conform to the size of the contiguous or nearby lots on the same street, or results in reorientation of a lot or parcel in such a manner as to be detrimental to adjoining properties or the surrounding neighborhood. **(Amended by Ord. No. 138,800, Eff. 6/23/69.)**

3. Where a Parcel Map involves land for which a General Plan, including dwelling unit densities, has been adopted by the Council, and said land is also in an "H" Hillside or Mountainous Area established by [Article 2](#) of this Chapter, the number of lots or parcels on said map shall be limited so that the number of dwelling units permitted by the applicable zoning regulations shall not substantially exceed the dwelling unit densities shown on said plan. **(Amended by Ord. No. 138,800, Eff. 6/23/69.)**

4. Where a Parcel Map includes land upon which either a combination of parking and commercial zones or a combination of parking and industrial zones has been established, the Parcel Map shall not be approved unless each parcel being created substantially conforms to the established ratio of space for parking to space for commercial use or space for parking to space for industrial use as such ratio existed immediately prior to the land division. **(Amended by Ord. No. 141,831, Eff. 5/30/71.)**

5. The Advisory Agency shall disapprove a preliminary Parcel Map when the property is situated in a Hillside Area as defined in [Article 1 of Chapter 9](#) of this Code and the Department of Building and Safety or the Bureau of Engineering has submitted a report in writing to the Advisory Agency recommending disapproval of the preliminary Parcel Map because of any existing or potential geologic hazards lacking satisfactory engineering solutions. **(Amended by Ord. No. 143,254, Eff. 5/14/72.)**

6. The Advisory Agency may disapprove a preliminary Parcel Map unless the proposed name of each street thereon has been approved by the City Engineer. Advisory Agency approval shall be withheld if the City Engineer has determined that a proposed street name would create confusion, be misleading, be unduly long or carry connotations offensive to good taste and decency **(Added by Ord No 158,691, Eff. 3/12/84)**

B. Lots May Be Increased In Size.

1. Where the Advisory Agency finds it necessary in order to promote the general welfare, to provide for a more consistent development for the area, and to preserve property values, it may require that lots or parcels described in a Parcel Map and located in an RA or R Zone be increased in size from that proposed so as to more closely conform to the size of existing contiguous lots or nearby parcels on the same street. However, in no case may the Advisory Agency require such parcels in the aforementioned zones other than RA, RE20 and RE40 to contain an area of more than 20,000 square feet **(Amended by Ord. No. 133,753, Eff. 2/12/67)**

2. Where the Advisory Agency finds that a future public easement will be needed on a portion of such lots or parcels for street or other public uses, it may require that such lots or parcels be increased in size from the proposed so as to provide space for such easement; and in addition, it may impose conditions prohibiting or restricting the erection for buildings, or structures on that portion needed for such easement. **(Amended by Ord. No. 130,871, Eff. 9/20/65.)**

C. Maps Involving Private Road Easements. Whenever a proposed division of land involves one or more parcels which are contiguous or adjacent to a private road easement with the remaining parcel contiguous or adjacent to a dedicated street, only the Parcel Map need be filed, without requiring the payment of additional fees or the filing of a Private Street Map. The Advisory Agency may approve, conditionally approve, or disapprove the map subject to the applicable provisions of this article or [Article 8, Chapter 1](#) of this Code. **(Amended by Ord. No. 130,871, Eff. 9/20/65.)**

D. Lots In The Very High Fire Hazard Severity Zone. (Title Amended by Ord. No. 176,943, Eff. 10/5/05.)

1. (Amended by Ord. No. 176, 943, Eff. 10/5/05.) The Advisory Agency may disapprove a preliminary Parcel Map for land located in the Very High Fire Hazard Severity Zone, pursuant to Section [57.4908](#) of the Municipal Code, because of inadequate fire protection facilities unless:

(a) The designated area in which buildings are to be erected on each proposed parcel or lot, as shown on said map, are located not more than 1,000 feet from a fire hydrant, said distance to be measured along a route providing reasonable access, as determined by the Fire Chief, for the laying of fire hoses in an emergency, or

(b) Said Fire Chief reports that adequate fire protection exists, or is in the process of being provided, for said parcels or lots.

2. Upon proper application to the City Council, and upon recommendation of the Chief Engineer of Waterworks of the Department of Water and Power, the City may provide for contribution toward the cost of installation of water mains and hydrants necessary to comply with this subsection where said Chief Engineer determines that the cost of such installation is greatly in excess of normal charges for providing like facilities.

E. Maps Involving Future Streets. In the event that the Advisory Agency determines that certain streets or alleys in a proposed division of land must be reserved for future public use, they shall be indicated on the preliminary Parcel Map and offered for dedication as future streets or future alleys prior to recording the Parcel Map. The applicant shall furnish the Bureau of Right of Way and Land an offer of dedication therefor in accordance with the provisions of Subdivision 1 of Subsection C of Section [17.53](#) of this Code. (Amended by Ord. No. 130,871, Eff. 9/20/65.)

SEC. 17.53. APPROVAL OF PRELIMINARY PARCEL MAP.

A. Processing.

1. (Amended by Ord. No. 143,254, Eff. 5/14/72.) Upon receipt and acceptance of a properly prepared map, together with sufficient copies for appropriate City agencies, the Planning Department shall immediately forward copies to the City Engineer and, if in a Hillside Area, the Superintendent of Building for a report and recommendation. The City Engineer and the Superintendent of Building shall make their reports within twenty-one days after the map is transmitted to them unless a geologic and soils engineering report is required as specified in Section [17.51](#)-C of this Code, in which case they shall make their reports within thirty-five days after the subject geologic and soils report is received. The Advisory Agency shall not take final action on any preliminary Parcel Map until first having received a report thereon from the City Engineer and if in a Hillside Area, the Superintendent of Building, or until the expiration of the applicable period.

2. A copy of the preliminary Parcel Map shall be forwarded to the Chief Engineer of the Fire Department for report and recommendation to the Advisory Agency. The Chief Engineer shall make his report within seven days after the map is transmitted to him. Said report shall indicate whether the designated areas in which buildings are to be erected on each proposed parcel or lot, as shown on said map are less than 1,000 feet from a Los Angeles City Fire Department fire hydrant, said distance to be measured along a route providing reasonable access for the laying of fire hoses in an emergency, or whether adequate alternative fire protection exists or is in the process of being provided for said parcel or lots. **(Amended by Ord. No. 143,254, Eff. 5/14/72.)**

B. Approval. When Advisory Agency determines that the proposed Parcel Map complies with all the provisions of these parcel map regulations, and no dedication or improvement is required, it shall approve the map.

C. Conditional Approval. When the Advisory Agency determines that the preliminary Parcel Map complies with all of the provisions of these parcel map regulations, but that street or alley dedications or improvements, storm drain easements, sanitary sewer easements or slope easements are necessary, or that grading or construction of an engineered retaining structure as specified in this section is necessary. It may approve the proposed preliminary Parcel Map subject to the following conditions being complied with to the satisfaction of the City Engineer: **(Amended by Ord. No. 143,254, Eff. 5/14/72.)**