

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2023-001119-(2)
VARIANCE NO. RPPL2023001583

RECITALS

1. **HEARING DATE(S).** The Los Angeles County ("County") Hearing Officer conducted a duly noticed public hearing on June 18, 2024, in the matter of Project No. PRJ2023-001119-(2), consisting of Variance No. RPPL2023001583.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **ENTITLEMENT REQUESTED.** Henry Hernandez ("Permittee") requests a Variance to reduce the minimum lot area requirement to allow 1,810 square feet in lieu of the required 5,000 square feet and to reduce the minimum lot width requirement to allow 37.4 feet in lieu of the required 50 feet ("Project"), to allow the construction of a proposed duplex, for an undersized lot located at 7507 Crockett Boulevard in the unincorporated community of Florence-Firestone ("Project Site") in the RLM-2 (Residential Low-Medium 2) Zone of the Florence-Firestone Transit Oriented District Specific Plan ("Specific Plan") pursuant to County Code Section 22.194.020 (Variance Applicability).
4. **ASSOCIATED MINISTERIAL ENTITLEMENT.** The Project is associated with Site Plan Review ("SPR") No. RPPL2024000514 to authorize construction of a duplex ("Associated Project") on the Project Site in the RLM-2 Zone of the Specific Plan pursuant to County Code Section 22.418.060.B (Land Use Regulations for TOD Residential Zones). The Associated Project is a ministerial review, subject to approval of the Variance to authorize the undersized lot area and width.
5. **ENTITLEMENT(S) REQUIRED.** On February 16, 2023, Certificate of Compliance ("COC") No. RPPL2023000759 was recorded on the Project Site with the condition to comply with County zoning requirements for undersized parcels. A Variance is required to authorize the 1,810-square-foot lot area and 37.4-foot lot width to clear the condition of the recorded COC. A ministerial SPR is required to authorize construction of a duplex in the RLM-2 Zone of the Specific Plan.
6. **LOCATION.** The Project is located at 7507 Crockett Boulevard within the Roosevelt Park Zoned District and Metro Planning Area.
7. **PREVIOUS ENTITLEMENT(S).** The Project Site has not been granted any previous entitlements and is currently vacant.
8. **LAND USE DESIGNATION.** The Project Site is zoned RLM-2 in the Specific Plan, which implements the H30 (Residential 30 – 20 to 30 Dwelling Units per Net Acre) land

use category of the General Plan, consistent with the Florence-Firestone Community Plan (“Community Plan”).

9. **ZONING.** The Project Site is zoned RLM-2 in the Specific Plan. The Specific Plan does not establish minimum lot area or width requirements for the RLM-2 Zone; therefore, the required lot area is 5,000 square feet and the required width is 50 feet pursuant to County Code Section 21.24.240 (Area and width – Requirements generally). Pursuant to County Code Section 22.194.020 (Variance Applicability), a Variance is required to modify minimum lot area and width requirements.

10. SURROUNDING LAND USES AND ZONING.

LOCATION	SPECIFIC PLAN LAND USE POLICY	SPECIFIC PLAN ZONING	EXISTING USES
NORTH	H30	RLM-2	Single-family residences (“SFRs”), multi-family residences (“MFRs”)
EAST	H30	RLM-2	SFRs, MFRs
SOUTH	H30	RLM-2	SFRs, MFRs
WEST	H30, H50 (Residential 50 – 20 to 50 Dwelling Units per Net Acre)	RLM-2, RM (Residential Medium)	SFRs, MFRs

11. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is approximately 1,810 square feet in size, 37.4 feet in width, and consists of one lot. The undersized lot was created by deed on June 13, 1944, and conditionally certified by COC No. RPPL2023000759 on February 16, 2023. The Project Site is undersized, rectangular in shape, has a flat topography, and is currently vacant. The Project Site will be served by public sewage and water.

B. Site Access

The Project Site is accessible via Crockett Boulevard to its east. Primary access for pedestrians and vehicles entering the Project Site will be via Crockett Boulevard, a 40-foot-wide local public street.

C. Site Plan

The site plan for the Associated Project depicts a new three-story duplex with 10-foot front and 5-foot interior setbacks, 695 square feet of landscaping, two new 15-gallon arbutus marina trees in the front yard, a new 16-foot-wide driveway, and adjacent public right-of-way. The lot is 37.4 feet wide and 46.4 feet deep. A new 16-foot-wide curb cut is proposed on Crockett Boulevard, which will serve as the

primary vehicle access to the attached 408-square-foot two-car garage on the first floor, which will be set back 18 feet from the front property line as required per the Specific Plan.

D. Parking

The Project will not modify parking standards and does not itself require parking. No minimum number of parking spaces are required for the Associated Project pursuant to California Assembly Bill No. 2097 (“AB 2097”). Although no parking is required, the Permittee is proposing voluntary covered parking in an attached two-car garage on the first floor. No bicycle parking spaces are required or proposed.

12. CEQA DETERMINATION.

Prior to the Hearing Officer’s public hearing on the Project, Department of Regional Planning (“LA County Planning”) staff determined that the Project qualifies for a Class 3, 4, and 5 Categorical Exemptions from the California Environmental Quality Act (“CEQA”) under State CEQA Guidelines Sections 15303, 15304, and 15305, respectively. The Permittee requests a Variance to reduce the minimum lot size requirement to develop on an undersized 1,810-square-foot, 37.4-foot-wide lot in the RLM-2 Zone. The Project is associated with a proposed three-story duplex with an attached 408-square-foot two-car garage on a vacant urban lot, and no grading is proposed. The requested Variance and construction of a duplex at the Project Site will not result in changes to surrounding land use or density. No exception to the exemptions applies, because the Project is not located within a Significant Ecological Area, a scenic highway or a hazardous waste site, is not known to contain historic resources, and there are no unusual circumstances that would indicate a reasonable possibility that the Project could have a significant or cumulative effect on the environment. Therefore, LA County Planning staff (“Staff”) recommends that the Hearing Officer determine that the Project is categorically exempt from CEQA.

13. COMMUNITY OUTREACH. On May 15, 2024, Staff reached out to the Permittee who confirmed that the Permittee informed some neighboring residents about the pending public hearing, and proposed duplex, in passing. No formal outreach efforts had been made.

14. PUBLIC COMMENTS. Staff has not received any comments at the time of this report.

15. AGENCY RECOMMENDATIONS.

- A. County Department of Public Works: Recommended clearance to public hearing with conditions in a letter dated October 10, 2023.
- B. County Fire Department: Recommended clearance to public hearing with no conditions in a letter dated April 4, 2024.
- C. County Department of Public Health: Recommended approval in a letter dated January 25, 2024.

16. **LEGAL NOTIFICATION.** Pursuant to Section 22.222.120 (Public Hearing Procedure) of the County Code, the community was properly notified of the public hearing by mail, newspaper (La Opinion), and property posting. On May 16, 2024, approximately one month prior to the public hearing, a "Notice of Public Hearing" sign was posted on an existing wrought-iron fence fronting the Project Site, plainly visible from the public right-of-way on Crockett Boulevard. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On May 8, 2024, a total of 145 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as 3 notices to those on the courtesy mailing list for the Roosevelt Park Zoned District and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

17. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the General Plan and Community Plan because the H30 land use designation is intended for single-family, two-family, and multifamily residences. The request for a Variance to reduce the minimum lot area and width requirements, allowing construction of a duplex, is consistent with the surrounding uses and the H30 land use designation.
18. **GOALS AND POLICIES – LAND USE ELEMENT.** The Hearing Officer finds that the Project is consistent with the following goals and policies of the General Plan Land Use Element applicable to the proposed Project:
- **Goal LU 4: Infill development and redevelopment that strengthens and enhances communities.**
 - **Policy LU 4.1: Encourage infill development in urban and suburban areas on vacant, underutilized, and/or brownfield sites.**
 - **Policy LU 4.3: Encourage transit-oriented development in urban and suburban areas with the appropriate residential density along transit corridors and within station areas.**

The Project Site is a vacant lot surrounded mostly by SFRs and duplexes. Due to the minimum lot size requirement, this lot will remain vacant unless approved by a Variance, lot line adjustment, or zone change. The proposed Project provides an opportunity for infill development on a property that is already served by existing utilities, roadways, and services. The Project Site is located within a half-mile of the Florence Avenue Station ("Florence Station") on the Los Angeles Metro ("Metro") A Line, formerly known as the Metro Blue Line, a light-rail transit line extending from Long Beach to Azusa, with connections to other Metro bus and rail lines. Therefore, approval of the Project is consistent with the goal and policies referenced above by authorizing development on vacant and underutilized land along a transit corridor.

- **Goal LU 5: Vibrant, livable and healthy communities with a mix of land uses, services and amenities.**

- **Policy LU 5.1: Encourage a mix of residential land use designations and development regulations that accommodate various densities, building types and styles.**

The Project Site is an undersized parcel, approximately 1,810 square feet in size, and is currently vacant. The proposed duplex is consistent with the surrounding uses which are mostly comprised of SFRs and duplexes. The Project is representative of a variety of densities, by accommodating a duplex on an undersized lot. Therefore, approval of the Project is consistent with the goal and policy referenced above by complementing varying building styles in the community.

19. GOALS AND POLICIES – COMMUNITY PLAN. The Hearing Officer finds that the Project is consistent with the following goals and policies of the Community Plan applicable to the proposed Project:

- **Goal R-1: Housing options meet a range of residents’ needs, income levels, and household sizes, providing for increased housing supply and affordability.**
- **Policy R-1.5: Provide a range of housing choices and programs targeted to alleviate overcrowding.**
- **Goal R-2: Development of new higher density housing is located near transit stations and along major corridors.**

The proposed Project provides an opportunity for infill development on an undersized property, and the associated proposed duplex is consistent with the H30 land use designation. Without approval of the Variance, the Project Site would remain vacant and underutilized, limiting the range of housing choices in the vicinity. The Project Site is located within a half-mile of the Florence Station on the Metro A Line and has access to other major corridors, such as Florence Avenue and Alameda Street. Therefore, approval of the Project is consistent with the Community Plan goals and policy referenced above by providing additional housing options on underutilized land located near transit stations and along major corridors.

ZONING CODE CONSISTENCY FINDINGS

20. PERMITTED USE IN ZONE. As the Project is a Variance to reduce minimum lot area and lot width requirements, the Hearing Officer finds that the Project is consistent with the RLM-2 zoning classification as two-family residences are permitted in such zone with an SPR pursuant to County Code Section 22.418.060.B (Land Use Regulations for TOD R Zones) as modified by Subdivision and Zoning Ordinance Interpretation Memo No. 2024-03, which clarifies certain provisions of the Specific Plan and allows duplexes in the RLM-2 Zone with a SPR pursuant to the general intent of the zone set forth in County Code Section 22.418.060.A (Purpose).

21. REQUIRED YARDS. As the Project is a Variance to reduce minimum lot area and lot width requirements, the Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.418.060.C (Development Standards

for TOD R Zones) regarding minimum building and garage door setbacks. The proposed front setback is 10 feet for the associated duplex building and 18 feet for the garage door. The proposed interior side and rear setbacks are 5 feet.

22. **HEIGHT.** As the Project is a Variance to reduce minimum lot area and lot width requirements, the Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.418.060.C (Development Standards for TOD R Zones) which limits building height to 36 feet and three stories. The proposed duplex is three stories and 30 feet and 4 inches in height.
23. **PARKING.** As the Project is a Variance to reduce minimum lot area and lot width requirements, the Hearing Officer finds that the Project Site is located within a one-half mile radius of a major transit stop or high-quality transit corridor; therefore, minimum parking requirements in the County Code cannot be enforced pursuant to AB 2097. Although parking is not required for the associated proposed duplex, an attached 408-square-foot two-car garage is proposed on the first floor. The Hearing Officer finds that the proposed parking design is consistent with the standards identified in County Code Section 22.112.080 (Parking Design).
24. **PRIVATE AND COMMON OPEN SPACE.** As the Project is a Variance to reduce minimum lot area and lot width requirements, the Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.418.090.N (TOD Zone Additional Development Standards) which requires a minimum of 80 square feet of private open space and a 120 square-foot common open space to be provided for each two-bedroom unit. Private open space is provided for each unit with a 101-square-foot balcony facing Crockett Boulevard, and common open space is provided in the side and rear yards with 695 square feet of landscaping.
25. **TREE PLANTING.** As the Project is a Variance to reduce minimum lot area and lot width requirements, the Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.126.030 (Tree Requirements) which requires two trees for a new residential project with three or fewer units. The proposed site plan depicts two new 15-gallon trees on-site.
26. **FENCES.** As the Project is a Variance to reduce minimum lot area and lot width requirements, the Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.418.060.C (Development Standards for TOD R Zones) regarding maximum fence heights. A five-foot-tall wooden fence is proposed along the side and rear property lines and is reduced to 42 inches within the 10-foot front yard setback area.

VARIANCE FINDINGS

27. **The Hearing Officer finds that because of special circumstances or exceptional characteristics applicable to the property, the strict application of the County Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.** The subject parcel was created by deed on June 13, 1944, and is approximately 1,810 square feet in area and 37.4 feet

in width. Within a 500-foot radius, there are several developed lots zoned RLM-2 with less than the required 5,000 square-foot lot area. The parcel has been certified by conditional COC No. RPPL2023000759; without approval of a Variance, the Project Site will remain vacant, and no construction would be allowed. The strict application of County Code would prohibit any construction on the Project Site and therefore would deprive the property of the ability to develop a duplex, a privilege enjoyed by other properties in the vicinity and under identical zoning classification.

28. **The Hearing Officer finds the modification authorized will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.** The requested Variance would modify the minimum lot area and width requirements to clear the condition imposed by COC No. RPPL2023000759, and no other modifications to development standards are requested. Furthermore, there are several other lots in the vicinity that have less than the required 5,000 square feet of lot area or less than the required 50-foot lot width. Therefore, the modification authorized will not constitute a grant of special privilege and it is consistent with the limitations upon other properties in the vicinity and zone in which the property is situated.
29. **The Hearing Officer finds that strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards.** COC No. RPPL2023000759 was recorded on the property with a condition that building permits shall not be issued until compliance with County zoning requirements for undersized parcels is resolved with approval of a lot line adjustment, zone change, or Variance. The Variance is requested to clear the condition of the COC and allow the related construction of a duplex at the Project Site. A lot line adjustment is infeasible as it would require coordination and exchange of real property between the adjacent property owners, and adjacent lots are not sufficient in size to accommodate such an adjustment. A zone change would require a lengthy legislative process which is impractical for the relatively small scope of this Project, and further, the Specific Plan does not establish minimum lot area or width requirements for any of its zones. The residential zones in the Specific Plan are intended to support a variety of housing options, types, and configurations. The RLM-2 Zone is intended to support townhomes, duplexes, and multifamily residential uses. Therefore, the strict application of zoning regulations would result in practical difficulties or unnecessary hardships inconsistent with the general purpose of the RLM-2 Zone.
30. **The Hearing Officer finds that such adjustment will not be materially detrimental to the public health, safety, or general welfare, or to the use, enjoyment, or valuation of property of other persons located in the vicinity.** If approved, the Variance would clear the condition imposed by COC No. RPPL2023000759 to allow development of a duplex in a low-medium density residential community. No other modifications to development standards are proposed; other applicable zoning and building regulations will ensure that the proposed duplex will not be materially detrimental to public health, safety, or general welfare. The Project Site is a vacant lot with access to existing utilities and transportation infrastructure. Because there are other undersized lots in the vicinity, similarly zoned, developed with SFRs and

duplexes, the requested Variance is not anticipated to diminish the use, enjoyment, or valuation of surrounding properties. Therefore, such adjustment is not expected to be materially detrimental in the matters referenced above.

ENVIRONMENTAL FINDINGS

31. The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines sections 15303 (Class 3, New Construction or Conversion of Small Structures categorical exemption), 15304 (Class 4, Minor Alterations to Land categorical exemption), and 15305 (Class 5, Minor Alterations in Land Use Limitations categorical exemption). The Permittee requests a Variance to reduce the minimum lot area and width requirements to allow development of a duplex on an undersized lot, which will not result in changes to or intensification of surrounding land use and density. No exception to the identified exemptions exists because the Project Site, in its entirety, is not located in an environmentally sensitive area, is not known to contain historic resources, and there are no unusual circumstances that would indicate a reasonable possibility that the Project could have a significant or cumulative effect on the environment. Therefore, the exemptions listed above remain applicable to the Project.

ADMINISTRATIVE FINDINGS

32. **LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Metro Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted Specific Plan, a component of the General Plan and Community Plan.
- B. Because of special circumstances or exceptional characteristics applicable to the property, the strict application of the County Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
- C. The modification authorized will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.

- D. Strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards.
- E. Such adjustment will not be materially detrimental to the public health, safety, or general welfare, or to the use, enjoyment, or valuation of property of other persons located in the vicinity.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines sections 15303 (Class 3, New Construction or Conversion of Small Structures categorical exemption), 15304 (Class 4, Minor Alterations to Land categorical exemption), and 15305 (Class 5, Minor Alterations in Land Use Limitations categorical exemption) and there are no exceptions to the exemptions; and
2. Approves Variance No. RPPL2023001583, subject to the attached conditions.

ACTION DATE: June 18, 2024

CS:ES

June 18, 2024

c: Zoning Enforcement, Building and Safety