Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

January 26, 2016

TO: Supervisor Hilda L. Solis, Chair
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe
Supervisor Michael D. Antonovich

FROM: Richard J. Bruckner
Director of Planning

RECOMMENDATIONS TO IMPROVE ZONING ENFORCEMENT SERVICES THROUGHOUT THE COUNTY OF LOS ANGELES (ITEM 54, SEPTEMBER 29, 2015)

This memorandum is in response to a September 29, 2015, motion by Supervisor Don Knabe to:

> Instruct the Interim Chief Executive Officer (CEO) and the Director of Regional Planning to report back on or before, the mid-year budget adjustment in January, with recommendations to improve zoning code enforcement services throughout the County, beginning in Fiscal Year (FY) 2015-16 and FY 2016-17.

Background

The zoning enforcement (ZE) function of the Department of Regional Planning (DRP) is housed in the Land Use Regulation Division and is divided into three sections covering geographic areas of North, East, and West. ZE staff provide a wide range of services aiming to improve the quality of life in the unincorporated neighborhoods. Current staffing level stands at 36 budgeted planning positions including three supervising positions and three principal positions, one of each per section. Together they are responsible for 2,625 square miles of the unincorporated areas and serve over 1 million population.

Responsibility and Challenge

A study of ZE staff assignments was conducted by DRP in 2015. The purpose of the study was to assess the level of zoning enforcement services throughout the Los Angeles unincorporated areas. The study concluded that DRP's ZE resources are

equally distributed based on demographic and geographic factors before and after the 2007 Supervisorial District redistricting and service area boundary changes. See the attached report for more detailed information.

ZE staff engage in the following activities, each is critical and has its own challenges:

Complaint Investigation

DRP responds to 400-500 public inquires and complaints per month. This is often the training ground for new hires to familiarize themselves with the County code and the communities. Not taking into account the supervising and principal positions, each field enforcement planner covers more than 87 square miles, an area larger than most of the 88 cities in the County. Addressing code violations in an expeditious manner has a positive impact on the quality of life in our communities. Our staff work closely with the Board offices field deputies to resolve code violations as soon as possible. The magnitude of our jurisdiction makes it challenging to provide adequate coverage and timely response. Furthermore, other enforcement responsibilities including those listed below, stretch thin existing staff resources. The supervising and principal planners devote significant amount of time to cover field work and handle all activities related to special Board directives and task forces.

Currently, DRP makes every effort to investigate a complaint within two weeks after it is received. Unfortunately, this timeframe has become very challenging to meet with the existing level of staffing resources. Additional resources will allow DRP to consistently maintain this two-week commitment.

New Land Use Challenges

In recent years, emerging land use issues often interweave with other social, economic, public health, and legal issues crossing jurisdictions, horizontally and vertically. Medical marijuana dispensaries (MMDs) and maternity boarding houses are two examples.

The County prohibits MMDs in the unincorporated area. In 2014, ten complaints related to MMDs were received, compared to more than 65 in 2015, a 600 percent increase. To successfully stop operation of an illegal MMD, staff must work closely with County Counsel and the District Attorney's office in conducting extensive legal research and case preparation, and spend countless hours in court hearings. MMD operators typically invest in high power attorneys who deploy legal dexterity to prolong the process and delay the final decision. ZE staff is also assigned to the County's Maternity Boarding House Task Force in response to an increase in the number of maternity hotels. The task force receives an average of ten complaints per month and to date has responded to 145 complaints. Investigation of maternity hotels involves time-consuming inter-agency coordination at the County, state, and federal levels in the areas of land use permitting, business licensing, income/revenue reporting, health and medical practices, and immigration.

Currently, most of these cases are deadlocked due to limited ZE resources assigned to collect evidence or conduct investigations to support the legal proceedings associated with these cases. If additional resources can be allocated to routine complaint

investigations, more experienced planners can be reassigned from routine complaint investigations to the more complex cases such as MMDs.

Permit Condition Check

ZE is responsible for ensuring compliance of over 1,800 Conditional Use Permits (CUP). This number increases by approximately 120 each year. Most CUPs are operational for 15-20 years and require annual inspections. A typical CUP contains about 20-30 conditions, many of them are in response to community concerns. If compliance issues arise, more inspections may be necessary to ensure compliance with the approval.

Currently, three ZE staff conduct condition checks for a portion of their workday. As a result, some CUP inspections may be scheduled outside of the time frame as required by the conditions of the approved permits, which may result in liability exposure to the County. If additional resources become available, DRP will be able to conduct needed inspections as required by the permit conditions.

CEQA Mitigation Monitoring

ZE is responsible for overseeing the Mitigation Monitoring Programs (MMP), a product of the California Environmental Quality Act (CEQA) compliance, as part of discretionary permits. MMPs are environmental conditions of approval that developers need to fulfill to ensure public health and safety. While CEQA was enacted in 1970, the MMP component has become much more sophisticated and a monitoring challenge within the past decade or two. Some MMPs that are complex and of major magnitude such as the NBC Universal City Specific Plan and commercial scale solar energy facilities, require that a planner be assigned to each project on a full-time basis to ensure compliance of an extensive list of conditions, which are often at different project stages from construction to operation. In addition, the responsible agencies for individual mitigation measures of the same permit may be different. For example, measures associated with project grading may need to be overseen by DPW, while measures associated with fire hazard prevention may require securing concurrence from Fire. DRP as the lead County Department, coordinates with impacted departments to ensure compliance of the MMP in its entirety.

Currently, three ZE staff monitor 225 MMPs as part of their responsibilities and the number of MMPs will continue to grow as the economy strengthens. DRP will be able to develop a stronger mitigation monitoring program to device a County governance structure of MMPs and provide systematic inspections if additional resources become available.

Complex New Regulations

The County continues to adopt new zoning regulations in response to special uses and these regulations often call for unconventional enforcement by the County. For example, the County adopted the Baldwin Hills Community Standards District (CSD) for the Inglewood Oil Field. The CSD requires annual reporting of oil field activities and environmental compliance, ongoing coordination with the state and county agencies that have regulatory oversight of oil field operations, and ongoing community outreach.

ZE staff oversee annual compliance reporting and a multi-agency coordination committee comprised of the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR), South Coast Air Quality Management District (SCAQMD), Regional Water Quality Control Board (RWQCB), and various county departments. DRP staff members also serve on the Community Advisory Panel (CAP) comprised of community members, the oil field operator, representatives from neighboring jurisdictions, and county agencies.

Currently, the supervising and principal planners devote significant amount of time to conduct field work. DRP will assign these experienced staff to work on complex new regulations while additional resources can be assigned to conduct field work.

Code Violation Prevention

It has long been recognized that the best strategy for effective code enforcement is through proactive and prevention measures that engage the communities. As a pilot project in 2015, DRP designed a brochure to advise home buyers on how to recognize code violations to prevent buyers from inheriting unpermitted structures and uses when they purchase a property. ZE staff promoted the brochure through presentations to real estate professionals and communities. It is evident that this brochure has motivated sellers to resolve ZE violations when a sale is at stake.

There are many other innovative ideas that DRP can explore to enhance services. For example, technology advancement can play a more significant role in code violation prevention. In addition, social media has proven to be an effective code enforcement measure in other County agencies (i.e. Public Works and Sheriff) and jurisdictions which allocate adequate staff resources to deploy their social media outreach strategies. DRP's Strategic Plan also calls for assessments of the most prevalent violations and difficult-to-enforce requirements in order to develop strategies (such as initiation of a zoning code amendment project) that will address their causes and reduce the frequency of their occurrence. This assessment can identify geographical patterns of various violations to allow DRP to inform target communities about applicable zoning regulations and how to remain in compliance.

If additional resources become available, DRP can pursue these proactive code enforcement ideas, all of them internally, without impacting its existing operation or other County Departments.

Recommendations

DRP has been exploring and evaluating the commitment to enhance proactive code enforcement as well as addressing the ongoing code enforcement and more sensitive land use matters. It has been determined that DRP's proposal of a multi-pronged approach can achieve effective land use regulation by adding six Regional Planning Assistant II (RPA II) positions with two each being allocated to the three different geographically aligned ZE Sections. The additional six RPA IIs will report directly to the three respective Section Heads.

The six RPA IIs will be responsible for necessary field work to allow the supervising planners to focus on their management responsibilities, communicate with field staff and County leaders, and formulate strategies that will fundamentally strengthen enforcement operation as a whole.

Fiscal Impact/Financing

FY 2015-16
Funding required to implement the above recommendations during the current year is $188,250 for six RPA IIs ($31,375 per position including Salary and Employee Benefits for three months). DRP does not have sufficient funding in its current operating budget to support this service enhancement. Should funding become available, DRP anticipates being able fill the six additional positions by April, 2016.

Presently, DRP has one RPA II vacancy in the ZE – West Area Section. In order to move forward with implementing this service enhancement in the current fiscal year, DRP will work closely with CEO to secure Ordinance Position Authority to add five ordinance only RPA II positions through the end of the current fiscal year.

FY 2016-17
Funding required to implement the above recommendations in FY 2016-17 is $753,000 for six RPA IIs ($125,500 per position including Salary and Employee Benefits). DRP has requested the six additional RPA II positions in its FY 2016-17 Recommended Budget in order to maintain this enhanced service delivery on a permanent basis.

It is our understanding that the CEO will consider the FY 2016-17 request as part of the annual budget process.

If you have any questions regarding this report please contact Jon Sanabria, Deputy Director, at (213) 974-6431 or jsanabria@planning.lacounty.gov.

RJB:DLS:JS:SFR:ar

Attachment

c: Planning Deputies, Board of Supervisors
Acting Executive Officer, Board of Supervisors

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

ZONING ENFORCEMENT STAFF ASSIGNMENTS FOR COUNTY OF LOS ANGELES SUPERVISORIAL DISTRICTS

By: Zoning Enforcement Regional Planning Assistants II
Erica Gutierrez and Miriam Thompson

December 3, 2015

OVERVIEW

This report examines the levels of zoning code enforcement service throughout the unincorporated areas of the County of Los Angeles. It provides an objective analysis of staff assignments for the five Supervisorial Districts (SD) and Zoning Enforcement (ZE) Service Areas today, as well as before the 2007 SD redistricting and service area boundary changes. This report looks at general staff assignments and takes into account recent demographic data and case counts. The analysis is organized into the following sections: data collection, ZE staff assignments for 2007 and 2014 including a comparative view, SD demographic data including total area, housing and population, and a brief summary and conclusion.

DATA COLLECTION

In order to carry out this research, it was necessary to look at staff reports for 2014, as well as for 2007 before redistricting, along with assignment breakdowns for each Planner. The staff counts include Regional Planning Assistants II (RPAII) and Senior Regional Planning Assistants (SRPA), but exclude the six Supervising and Principal Planners. Though staff reports were from 2007 and 2014, most demographic data used in this report is from the 2010 U.S. Census, Census Designated Places (CDP) category. Though certain unincorporated areas within County subdivisions are not included in these housing and population figures, this does not significantly affect the analysis or its conclusions. It is also important to note that U.S. Census housing unit counts do not include informal housing such as unpermitted garage conversions and/or additional unpermitted dwelling units.

Metrics include current and past Supervisorial District and Zoning Enforcement Service Area boundaries, total area (square miles), population, and housing. In addition to this, reports from the Department of Regional Planning (DRP) database tracking system, KIVA, were utilized to obtain a total case count for 2014. This information was then broken down by Supervisorial District using current district boundaries. The KIVA data includes regular zoning enforcement cases, but not conditional use monitoring cases for Conditional Use Permits (CUPs). Finally, case count data was projected onto several maps accompanying this report.

ZONING ENFORCEMENT STAFF ASSIGNMENTS FOR 2007

In order to provide a comparative perspective, we examined past Zoning Enforcement assignments from 2007 before redistricting. In 2007, there were 27 Zoning Enforcement Planners in all (RPAII and SRPA) primarily dedicated to serving a single assigned Supervisorial District. Only one Planner was assigned to two Supervisorial Districts (SD 2 and SD 3). Figures 1 and 2 depict this data, as well as general staff assignments by Supervisorial District for 2007. Please note: Planners serving one district are counted as 1, whereas Planners serving two to three districts are counted as .5 and .333, respectively.

Figure 1 Zoning Enforcement Planning Staff Serving Single vs. Multiple Supervisorial Districts, 2007

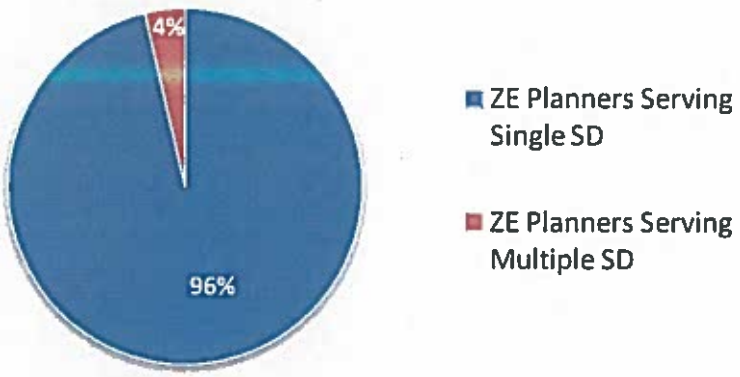
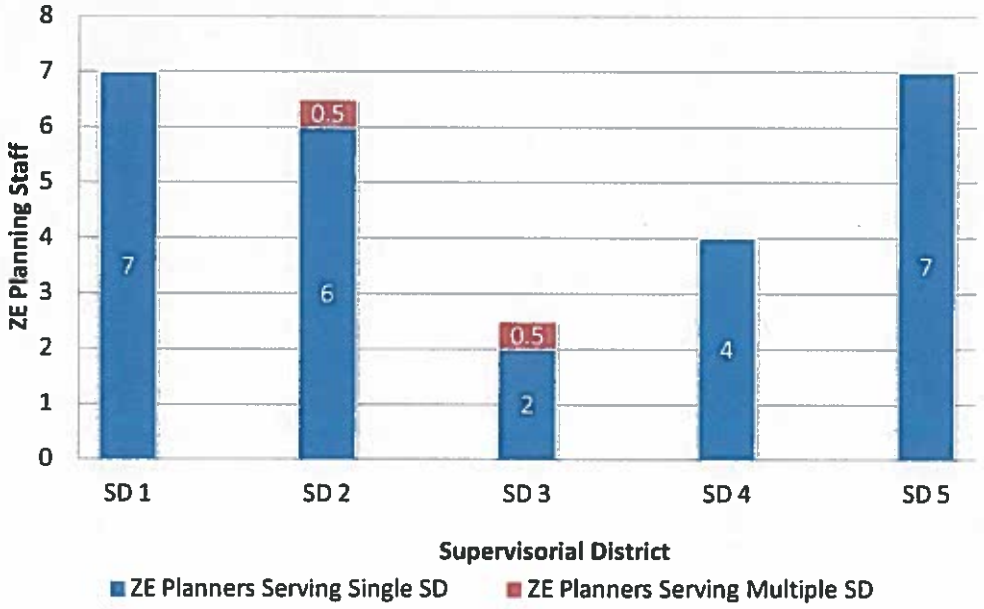


Figure 2 Zoning Enforcement Planning Staff by Supervisorial District,



2007

ZONING ENFORCEMENT STAFF ASSIGNMENTS FOR 2014

In 2014, the Zoning Enforcement Planning staff count remained unchanged at 27 Planners in all (RPAII and SRPA). More Zoning Enforcement staff, 10 Planners (37%), are now serving multiple Supervisorial Districts though the majority of staff, 17 Planners (63%), still serve a single Supervisorial District. Figures 3 and 4 depict this data, as well as general staff assignments by Supervisorial District for 2014.

Figure 3 Zoning Enforcement Planning Staff Serving Single vs. Multiple Supervisorial Districts, 2014

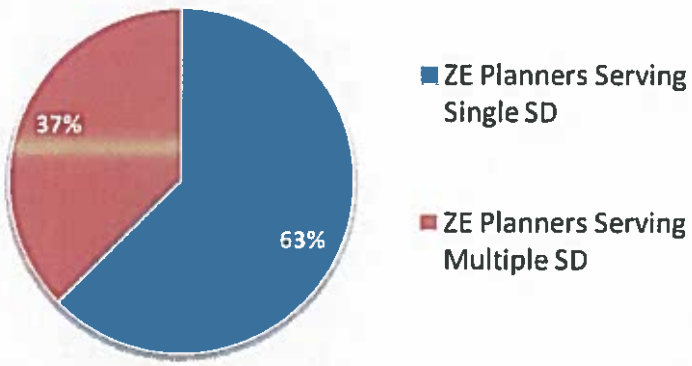
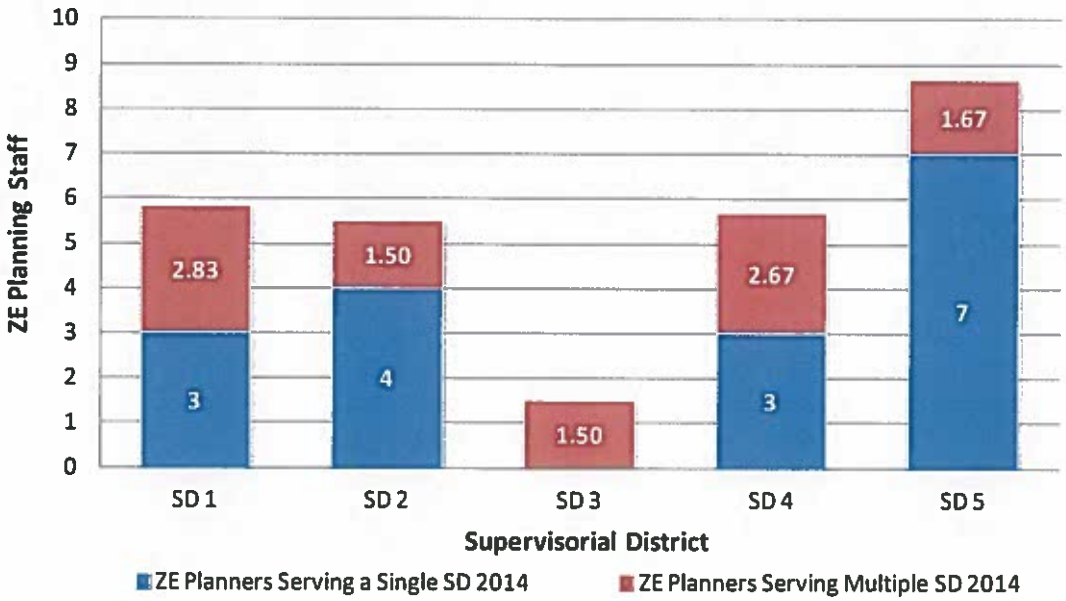


Figure 4 Zoning Enforcement Planning Staff by SD, 2014

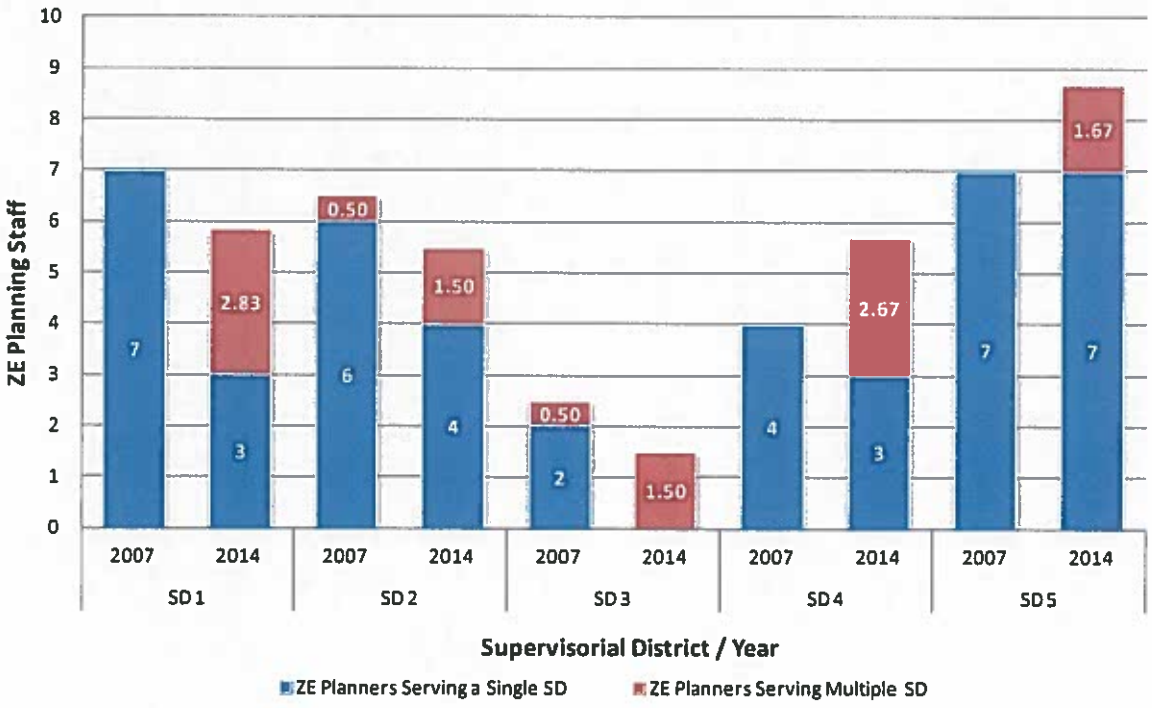


ZONING ENFORCEMENT STAFF ASSIGNMENTS FOR 2007 AND 2014

When comparing both years, 2007 and 2014, the total staff count remained steady at 27 (RPAII and SRPA), but overall staff assignments for Supervisorial Districts experienced some change. In 2014, all SDs, except SD 5, have fewer Planners serving a single Supervisorial District in comparison to 2007. Noticeably, SD 1, SD 2 and SD 3 lost total Planning staff, but SD 4 and SD 5 gained in total Planning staff. See Figure 5.

Specifically, SD 1 lost 4 Planners serving a single district, but gained 2.83 Planners serving multiple Supervisorial Districts, so its total staff numbers only declined by 1.17 from 7 to 5.83. SD 2 and SD 3 both lost 2 Planners serving single Supervisorial Districts, though their total staff count only decreased by one, from 6.5 to 5.5 and from 2.5 to 1.5, respectively. SD 4 lost one Planner serving a single Supervisorial District, but gained 2.67 Planners serving multiple Supervisorial Districts for an overall gain of 1.67 total Planning staff from 4 to 5.67. SD 5 staff increased from 7 to 8.67, keeping steady at 7 Planners serving a single Supervisorial District and gaining 1.67 Planners serving multiple Supervisorial Districts.

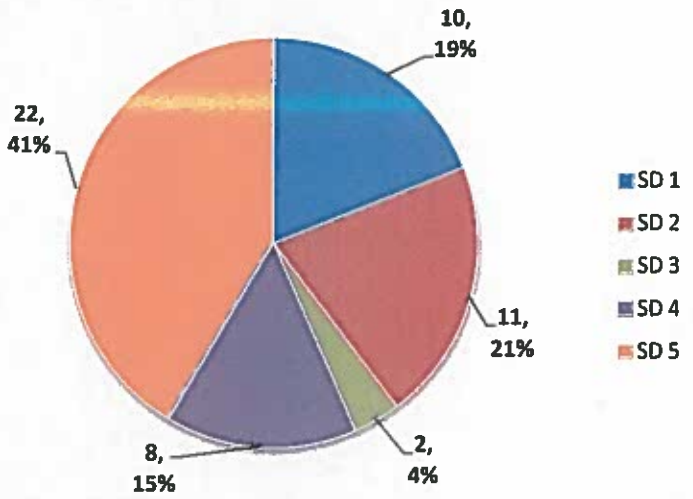
Figure 5 Comparison of Zoning Enforcement Planning Staff by Supervisorial District for 2007 & 2014



DEMOGRAPHIC DATA FOR SUPERVISORIAL DISTRICTS

Most of the demographic data used in this report is from the 2010 U.S. Census, Census Designated Place (CDP) category, which includes most unincorporated communities or 53 CDPs. The only exception for this is for total area figures, which use both CDP and block level data. Figure 6 shows the breakdown of CDPs within each of the five Supervisorial Districts. Though the CDP category excludes unincorporated areas within the County subdivisions, these are mostly rural and sparsely populated desert, forest or mountainous areas such as the Agoura Hills-Malibu region, Santa Catalina and San Clemente Islands, and portions of the North and South Antelope Valley.

Figure 6 Community Designated Places (CDPs) by Supervisorial District, 2010



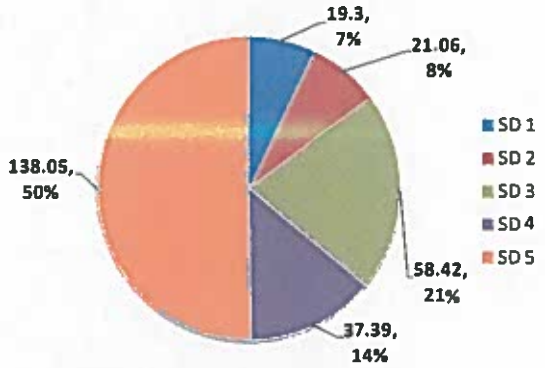
Source: 2010 U.S. Census

Other metrics used include current Supervisorial District boundaries, total unincorporated areas (Figure 7 and Figure 8), population (Figure 9), and housing (Figure 10), as well as 2014 Zoning Enforcement Planning staff assignments in relation to housing and population figures (Figures 11 and 12). The following paragraphs explain our findings with regards to each of these demographic indicators.

TOTAL CDP AND UNINCORPORATED AREA FOR SUPERVISORIAL DISTRICTS

The total unincorporated area (all CDPs) for the County according to the 2010 U.S. Census is 274.22 square miles. Figure 7 illustrates how this is broken down by Supervisorial District. SD 5, which includes 22 CDPs north of Los Angeles and in the Antelope Valley, is the largest in comparison to the remaining districts. At just over 138 square miles, its CDPs account for about 50% of all CDP unincorporated areas. SD 3 is the second largest district with approximately 58 square miles included in its CDPs, and SD 4 is the third largest district with over 37 square miles. The district with the least total CDP area is SD 1, with approximately 19 square miles, followed by SD 2, which is slightly larger at just over 21 square miles.

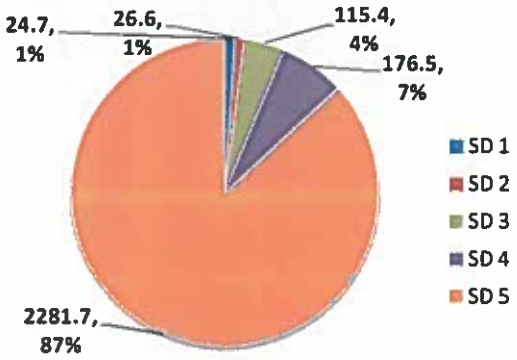
Figure 7 Total CDP Area (in Square Miles) for Supervisorial Districts, 2010



Source: 2010 U.S. Census

Figure 8 Total Unincorporated Area (in Square Miles) for Supervisorial Districts, 2010

For comparison sake, the total unincorporated area for the County according to the 2010 U.S. Census block level data is approximately 2,625 square miles. Figure 8 illustrates how this is broken down by Supervisorial District. SD 5 is by far the largest in comparison to the remaining districts accounting for about 87% of all unincorporated area in the County. Inclusive of the areas for Santa Catalina and San Clemente Islands, SD 4 is now the second largest district with approximately 176.5 square miles, and SD 3 becomes the third largest district with over 115.4 square miles. As expected, the district with the least total unincorporated area is SD 1, with approximately 24.7 square miles, followed by SD 2, which is slightly larger at just over 26.6 square miles.



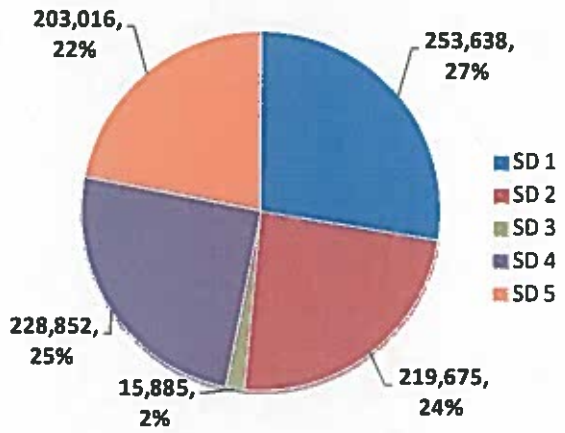
Source: 2010 U.S. Census

POPULATION AND HOUSING FOR SUPERVISORIAL DISTRICTS

According to the 2010 U.S. Census there are close to one million (921,066) people living in the unincorporated areas (all CDPs) of Los Angeles County. Figure 9 shows how this total population for unincorporated areas is dispersed throughout the five Supervisorial Districts. The most populous Supervisorial District is SD 1 with 253,638 (27%) persons in unincorporated areas. The second most populous district is SD 4 with 228,852 (25%) persons in unincorporated areas. When comparing the unincorporated population of each district, there is an even distribution between SD 1, SD 2, SD 4, and SD 5, ranging from 22-27%. SD 3 is the least populated with 15,885 (2%) persons in its unincorporated areas.

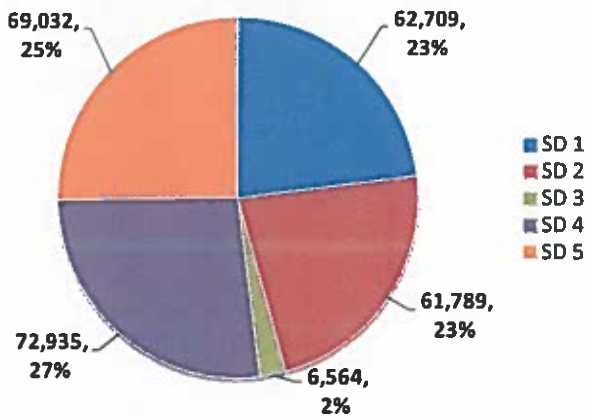
A similar configuration is reflected in housing numbers for Supervisorial Districts. See Figure 10. In this case, however, SD 4 has the most housing in unincorporated areas with 72,935 (27%) housing units, followed by SD 5 with 69,032 (25%) housing units then by SD 1 and SD 2 (23%), respectively. SD 3 has the least amount of unincorporated housing with 6,564 (2%) units.

Figure 9 Population for Supervisorial Districts, 2010



Source: 2010 U.S. Census

Figure 10 Housing Units for Supervisorial Districts, 2010

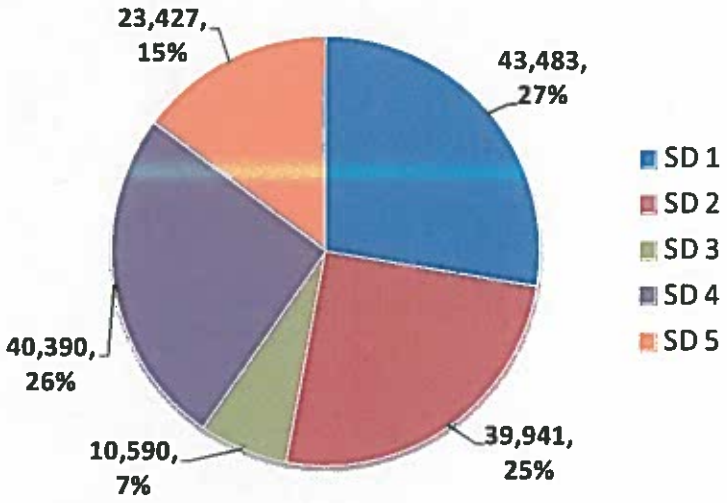


Source: 2010 U.S. Census

RESIDENTS PER PLANNER BY SUPERVISORIAL DISTRICT

Another metric that shows a multidimensional view of Zoning Enforcement staff assignments is the ratio of residents each Planner is assigned to serve. As Figure 11 shows, staff in SD 1 are assigned to serve the highest number of persons per Planner, 43,483 (27%); while SD 4 follows closely behind with 40,390 (26%) persons per Planner; SD 2 ranks third with 39,941 (25%) persons per Planner. Zoning Enforcement staff in SD 5 and SD 3 serve a smaller number of persons, 23,427 (15%) and 10,590 (7%), respectively.

Figure 11 Residents per Planner by Supervisorial District, 2014

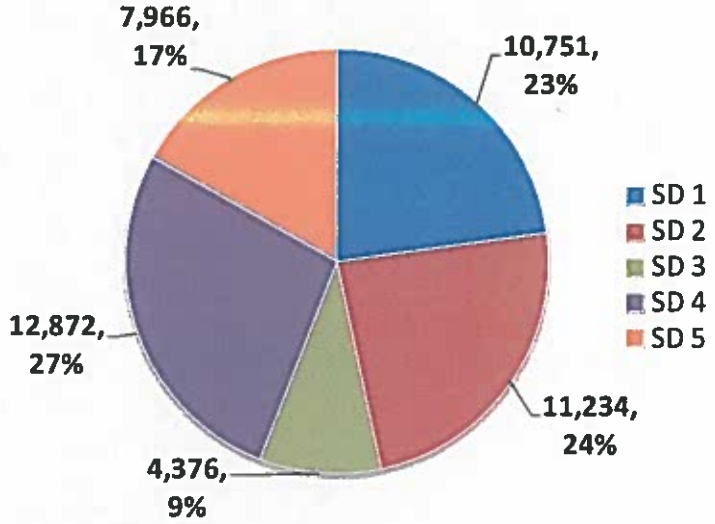


Source: 2010 U.S. Census

PLANNER PER HOUSING UNIT BY SUPERVISORIAL DISTRICT

It is important to consider the total number of housing units that Zoning Enforcement Planning staff cover, since housing is a dominant land use in many of the unincorporated areas of the County. Figure 12 shows this metric broken down by Supervisorial District. Planners in SD 4 cover a greater number of housing units (12,872, 27%) than Planners in all other districts. The second highest ratio is that of SD 2, in which Planners cover 11,234 (24%) units. Zoning Enforcement staff in SD 1 have a slightly lower ratio of Planners per housing unit at (10,751, 23%); followed by SD 5 (7,966, 17%) and finally, SD 3 (4,346, 9%).

Figure 12 Housing Units per Planner by Supervisorial District, 2014

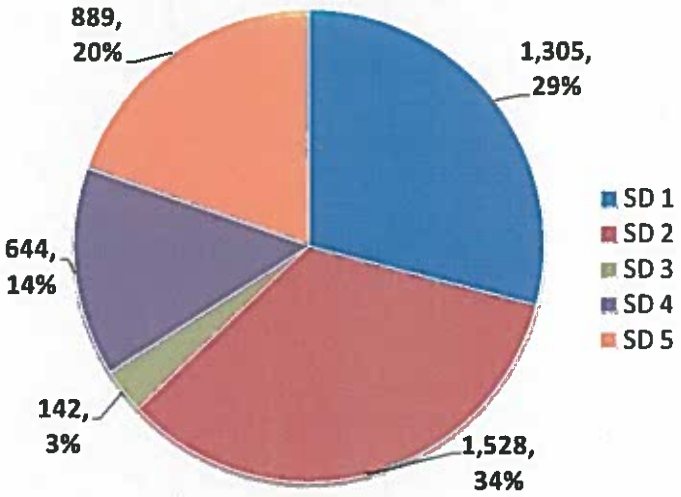


Source: 2010 U.S. Census

CASE COUNT PER SUPERVISORIAL DISTRICT FOR 2014

Aside from basic demographic factors and staff counts, case counts were also used to provide a picture of zoning enforcement activity in an area. The case counts for 2014 were obtained from the DRP database tracking system, KIVA, and include regular enforcement cases, but exclude cases opened for Conditional Use Permits (CUPs). Figure 13 helps clarify the distribution of cases between Supervisorial Districts 1-5 in 2014. As depicted below, SD 2 had the most new cases opened at 1,528 for 2014. The second highest case count is that of SD 1, which had 1,305 new cases in 2014. SD 5 had the third highest case count for 2014, with 889 new cases. In fourth place, SD 4 had less than half of the new cases as the top two districts (SD 2 and SD 1), with approximately 644 cases opened in 2014. Finally, SD 3 had the least number of cases opened in 2014 with 142 cases.

Figure 13 Case Count by Supervisorial District, 2014

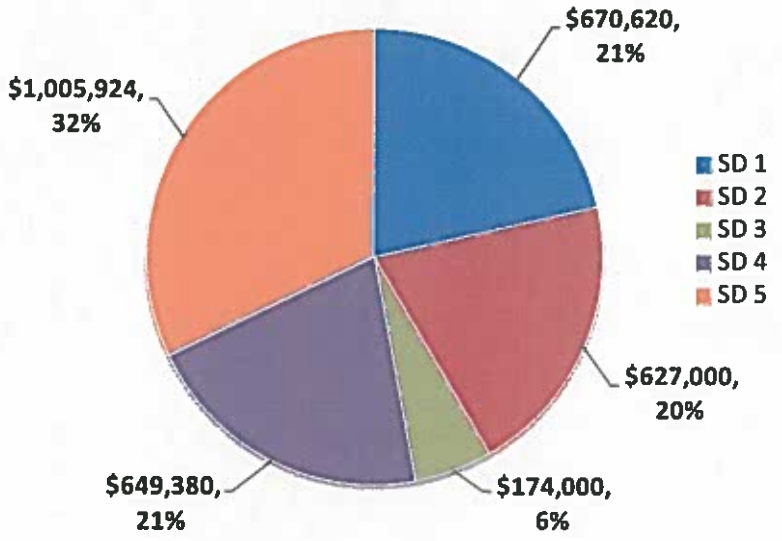


Source: 2010 U.S. Census

ANNUAL SALARY AND BENEFITS PER SUPERVISORIAL DISTRICT, 2014

Approximately $6,301,000 of $27,480,000 or 22.93% of the Fiscal Year gross appropriation is allotted for Zoning Enforcement staff salaries and benefits. The annual compensation for a Regional Planning Assistant II (RPAII) is $114,000.00 while that of a Senior Regional Planning Assistant (SRPA) is $120,000.00 (excluding the bilingual bonus which is $1,200). ZE RPAII and SRPA staff counts for 2014 were multiplied by these amounts to determine the portion of the budget that total staff for each SD commands. As the chart below illustrates SD 5 has the largest appropriation of funds allocated for ZE RPAII and SRPA staff at $1,005,924. Conversely, SD 3 yields the smallest portion of the budget at $516,000. Total budget spending for all RPAII and SRPA (excluding the bilingual bonus) was $3,126,924. This is approximately 49.63% of the total gross appropriation ($6,301,000) for Zoning Enforcement staff salaries and benefits. See Figure 14.

Figure 14 Annual Salaries and Benefits for Supervisorial Districts, 2014



DATA SUMMARY BY SUPERVISORIAL DISTRICT

Figure 15 provides a concise summary of much of the data depicted in the separate sections and graphs throughout this report, only excluding the budgetary information. It is a way of looking at many of the important indicators and findings at one glance, including demographic factors according to the 2010 U.S. Census, as well as Zoning Enforcement Planning staff assignments and recent case counts for 2014 as broken down for Supervisorial Districts 1-5.

Figure 15 Data Summary Table by Supervisorial District

	SD 1	SD 2	SD 3	SD 4	SD 5
Demographic Data, 2010					
Community Designated Places (CDPs)	10	11	2	8	22
Total CDP Area (Sq. Miles)	19.3	21.06	58.42	37.39	138.05
Total Unincorporated Area (Sq. Miles)	24.7	26.60	115.4	176.5	2281.7
Population / Residents (in CDPs)	253,638	219,675	15,885	228,852	203,016
Housing Units (in CDPs)	62,709	61,789	6,564	72,935	69,032
Zoning Enforcement Staff, 2014					
ZE Planners Serving a Single SD	3	4	0	3	7
ZE Planners Serving Multiple SD	2.83	1.50	1.50	2.67	1.67
Total ZE Planning Staff	**5.83**	**5.50**	**1.50**	**5.67**	**8.67**
Case Count for 2014	**1,305**	**1,528**	**142**	**644**	**889**

Source: 2010 U.S. Census

CONCLUSION

Report findings show that though there have been some noticeable changes in the distribution of Zoning Enforcement Planning staff by Supervisorial District, such as a shift to more Planners serving multiple Supervisorial Districts, the overall levels of service since before redistricting have maintained relatively steady with 27 Planners (RPAII and SRPA) distributed between SD 1 - 5 in all. Specifically, SD 1, SD 2 and SD 3 lost total Planning staff, while SD 4 and 5, gained total Planning staff. When taking into account all of the demographic factors such as housing, population and area, as well as total case counts and budgetary figures for 2014 Planning staff assignments appear evenly distributed.