



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



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TO: Supervisor Kathryn Barger, Chair
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REPORT ON BOARD MOTION REGARDING AFFORDABLE HOUSING ACTION PLAN IMPLEMENTATION (AGENDA ITEM NO. 8, FEBRUARY 20, 2018)

On February 20, 2018, the Los Angeles County (County) Board of Supervisors (Board) instructed the Director of the Department of Regional Planning (DRP) to initiate the following:

- Prepare an ordinance to preserve existing affordable housing units, both income-restricted as well as unsubsidized “naturally occurring affordable housing,” that considers a variety of anti-displacement strategies, such as the regulation of condominium conversions and mobile home park closures, and one-for-one replacement or “no net loss” policies;
- Prepare an ordinance for the establishment of an inclusionary housing policy that considers applicability to both for-sale and rental housing projects, inclusionary requirements tied to different income categories, and options for applicants to fulfill this obligation, which could include, but are not limited to, an in-lieu fee, off-site development, the dedication of land for the development of affordable housing, and the acquisition and rehabilitation of existing affordable housing units;
- Prepare an ordinance to remove zoning obstacles to encourage and incentivize permanent supportive housing, including motel conversions, to comply with California State Senate Bill (SB) 2 (2007), removing barriers to homeless shelters,

and transitional and permanent supportive housing in the Zoning Code and other County Code titles, and considering fair housing and reasonable accommodations;

- Prepare an ordinance to streamline multi-family residential development by allowing this development by-right in certain zones where appropriate and consider whether additional parking reductions should be provided in Transit Oriented Development areas; and
- Report back to the Board quarterly on the timely progress towards adopting and implementing the four ordinances until such time that all ordinances are adopted, implemented and their effectiveness can be monitored through the annual Affordable Housing Outcomes Report.

This report provides an overview of the County's efforts during the past quarter. In addition to the work discussed below, DRP worked with a consultant to prepare environmental analyses for the four housing ordinances.

Affordable Housing Preservation Ordinance

During the quarter, staff developed the public hearing draft of the Ordinance. A nexus fee study and feasibility analysis for affordable housing replacement requirements was completed and posted on the DRP web site. A public hearing draft of the Ordinance was posted on June 25, 2020. Staff continued public outreach on the Ordinance during meetings with the Los Angeles County Business Federation on June 17, 2020; the Building Industry Association Los Angeles County Committee on June 29, 2020; the Health Innovation Community Partnership of East Los Angeles on July 10, 2020; the Association of Rural Town Councils on July 2, 2020; and the Altadena Town Council on July 21, 2020. On July 29, 2020, the Regional Planning Commission (RPC) recommended approval of the Ordinance. On August 5, 2020, the Airport Land Use Commission found the Ordinance consistent with the County's airport land use plans. Staff anticipates a public hearing for the Ordinance before the Board in the fall of 2020.

Inclusionary Housing Ordinance

During the quarter, staff continued outreach on the Ordinance, which was recommended for approval to the Board by the RPC on April 29, 2020. Staff revised the draft Ordinance to incorporate the RPC's recommendations, including changing the threshold for small projects from 20 units to 15 units; requiring off-site affordable units to be located in the same or higher resource area as the principal project; requiring that off-site units located in areas of known displacement risk be within two miles of the principal project site; requiring a memorandum of understanding (MOU) that includes the agreed upon compensation that the applicant will give to a partner that constructs off-site units; requiring notification of such projects with MOUs, and the ability for the RPC to call them up for review; changing the duration of affordability for rental affordable units from 55

years to 99 years, for projects not utilizing a density bonus; and changing the language for Housing Permits to ensure that applicants not utilizing a density bonus can be reviewed through the Housing Permit. Staff continued public outreach on the Ordinance during meetings with the Health Innovation Community Partnership of East Los Angeles on June 5, 2020; the Los Angeles County Business Federation on June 17, 2020; the Building Industry Association Los Angeles County Committee on June 29, 2020; the Acton Town Council on June 30, 2020; and the Altadena Town Council on July 21, 2020. On August 4, 2020, the Board indicated its intent to approve the Ordinance with the following changes: requiring the inclusionary housing affordability duration be in perpetuity for inclusionary set aside units created without the benefit of a density bonus; requiring that affordable housing set aside units built offsite have a certificate of occupancy prior to issuing the final certificate of occupancy for the primary project; and allowing an applicant for a project subject to the inclusionary housing requirements to request that those requirements be adjusted or waived based on the applicant's showing that applying the requirements to its project would constitute an unconstitutional taking of property. Furthermore, the BOS instructed the Department to report back with data and updated feasibility studies to track the development activities for the areas that were excluded from the Ordinance.

Interim and Supportive Housing Ordinance

Staff continued to refine the Ordinance based on data analysis, research, and feedback from engagement with residents, developers, and County staff. The public hearing draft of the Ordinance was posted on June 18, 2020. Staff continued public outreach on the Ordinance during meetings with the Los Angeles County Business Federation on June 17, 2020; the Building Industry Association Los Angeles County Committee on June 29, 2020; the Association of Rural Town Councils on July 2, 2020; the Health Innovation Community Partnership of East Los Angeles on July 10, 2020; and the Altadena Town Council on July 21, 2020. On July 22, 2020, the RPC recommended approval of the Ordinance by the Board. The RPC expressed interest in further investigating innovative housing types and codification of consequences for not meeting the required time limits in the Ordinance for review of interim and supportive housing. On August 5, 2020, the Airport Land Use Commission found the Ordinance consistent with the County's airport land use plans. Staff anticipates a public hearing before the Board in the fall of 2020.

By-Right Housing Ordinance

During the quarter, staff continued to refine the Ordinance to ensure internal consistency. On June 17, 2020, the RPC recommended approval of the Ordinance by the Board. Staff continued public outreach on the Ordinance during meetings with the Acton Town Council on June 15, 2020 and June 30, 2020; the Los Angeles County Business Federation on June 17, 2020; the Building Industry Association Los Angeles County Committee on June 29, 2020; and the Altadena Town Council on July 21, 2020. On August 5, 2020, the

Airport Land Use Commission found the Ordinance consistent with the County's airport land use plans. Staff anticipates a public hearing before the Board on September 29, 2020.

Related Efforts

In addition to the efforts around the four housing ordinances, DRP has been working on other initiatives to further the County's housing goals. DRP continued conversations with Public Works and LACDA staff on opportunities to streamline how the County tracks and monitors affordable housing projects. DRP continued participation on the multi-department Affordable Housing and Sustainable Communities (AHSC) Grant Committee, which is beginning assessment of project viability for AHSC Round 6. Staff also participated in the multi-department committee that developed the Board-initiated Displacement Map and collected the relevant data sets, and the GIS team of DRP created the Displacement Map application. On June 9, 2020, the Board adopted the Compact Lot Subdivision Ordinance, which amends Title 21 (Subdivisions) and Title 22 (Planning and Zoning) of the County Code to establish provisions for compact lot subdivisions in the multi-family residential zones in the unincorporated areas. In addition, on August 4, 2020, the Board indicated its intent to approve the update to the Accessory Dwelling Unit (ADU) Ordinance, which incorporates recent changes to the State ADU law. Furthermore, DRP continued to develop the County's Housing Element Update, which is a component of the General Plan and serves as a policy guide to address the comprehensive housing needs of the unincorporated areas.

The next report will be provided to you no later than November 18, 2020. Should you have any questions about this report, please contact Tina Fung, Section Head, Housing Policy Section at (213) 974-6417 or tfung@planning.lacounty.gov.

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