



# Los Angeles County Department of Regional Planning

*Planning for the Challenges Ahead*



**Amy J. Bodek, AICP**  
Director of Regional Planning

**Dennis Slavin**  
Chief Deputy Director,  
Regional Planning

## SUPPLEMENTAL REPORT TO THE REGIONAL PLANNING COMMISSION

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DATE ISSUED:	June 16, 2020	
MEETING DATE:	June 17, 2020	AGENDA 7 ITEM:
PROJECT NUMBER:	PRJ2020-000245	
PROJECT NAME:	By-Right Housing Ordinance	
PLAN NUMBER(S):	RPPL2020001381, RPPL2020001391, and RPPL2020001384	
SUPERVISORIAL DISTRICT:	1-5	
PROJECT LOCATION:	Countywide	
PROJECT PLANNER:	Heather Anderson, Regional Planner <a href="mailto:handerson@planning.lacounty.gov">handerson@planning.lacounty.gov</a>	

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### **ADDITIONAL STAFF RECOMMENDATION**

As a follow up to the staff reports dated June 4, 2020 and June 11, 2020, please see the revision below to Section 22.02.050 (Consistency with the General Plan) of the Draft By-Right Housing Ordinance, which staff recommends for clarification purposes:

#### **22.02.050 Consistency with the General Plan.**

**A. General Plan Goals and Policies. Building permits may only be issued for developments and land uses that conform to the goals and policies of the General Plan, and an applicable Area, Community or Neighborhood Plan.**

**AB. Use. ~~Notwithstanding the current zone classification applicable to any lot, if that zone classification does not conform to the General Plan affecting the same lot, then~~ Building permits may be issued only for those land uses that are allowed through zoning and deemed compatible with the general intended uses of the land use designation in the General Plan, or an applicable Area, Community, or Neighborhood Plan. ~~which are authorized by both the zone and the objectives, policies, and land uses specified in the General Plan.~~**

**BC. Density.**

1. General. Except as specified otherwise in this Title 22, all proposed densities, exclusive of dwelling units permitted by a density bonus awarded by any provisions in this Title 22, shall fit within the range of density specified by the land use designation in the General Plan, or an applicable Area, Community, or Neighborhood Plan.

2. Maximum. Except as specified otherwise in this Title 22, the maximum density specified by the land use designation in the General Plan, or an applicable Area, Community, or Neighborhood Plan shall be used to calculate the maximum number of dwelling units permitted on a lot, exclusive of dwelling units permitted by a density bonus awarded by any provisions in this Title 22.

GD. Floor Area Ratio. Except as specified otherwise in this Title 22, all buildings subject to this Title 22 shall comply with the maximum floor area ratio specified by the land use designation in the General Plan, or an applicable Area, Community, or Neighborhood Plan.

### **ADDITIONAL PUBLIC COMMENTS**

Please find the enclosed correspondence that was received subsequent to hearing package submittal to the Regional Planning Commission (Exhibit A).

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Report

Reviewed By:



Tina Fung, Supervising Regional Planner

Report

Approved By:



Bianca Siegl, Deputy Director

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### **LIST OF ATTACHED EXHIBIT**

EXHIBIT A

Additional Public Correspondence

**Exhibit A: Additional Public Correspondence**

## Heather Anderson

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**From:** Acton Town Council <atc@actontowncouncil.org>  
**Sent:** Thursday, June 11, 2020 9:33 PM  
**To:** Heather Anderson; Acton Town Council  
**Subject:** The draft By Right housing ordinance

**CAUTION: External Email. Proceed Responsibly.**

Dear Ms. Anderson;

It has just come to my attention that the "By Right" housing ordinance is scheduled for public hearing with the Regional Planning Commission next week. The ATC was not notified of this hearing, which is strange because I thought the ATC email address was on your "Housing Initiatives" distribution list.

The ATC has reviewed the first few pages of the draft ordinance and we are stunned at the changes that are proposed for Section 22.02.050. To be perfectly frank, we are stridently opposed to any zoning code revision which strips out language which restricts the issuance of building permits to authorize only uses that conform to the General Plan and General Plan objectives and policies. The changes that are proposed to 22.02.050 essentially eliminate substantial protections that currently exist for rural communities like Acton. For this reason, the Acton Town Council stands resolutely opposed to the changes identified for section 22.02.050.

We have not had time to review the draft ordinance in its entirety; we will do so over the next few days and also bring it to the public's attention at our upcoming Acton Community Protest meeting scheduled for next week. I have had the chance to review the staff report that was posted on June 4; it indicates that Regional Planning only received public comments from "Abundant Housing", "Thrive LA", and "Kagel Canyon Civic Association". The report errs in failing to disclose that the residents of Acton and the Acton Town Council provided extensive input on this and the other "housing initiative: ordinances when you and Ms. Chung presented them at September 16, 2019 meeting of the Acton Town Council. At that time, the ordinance was not yet written, but as I recall, our community expressed support for the general objectives and overview of the ordinance. We also expressed appreciation for your and Ms. Chung's diligence in balancing the need for increased housing with the infrastructure limitations in rural areas like Acton. I respectfully request that you make whatever revisions are necessary to the staff reports so that the record reflects that the Community of Acton did provide public comment on this program at every opportunity that we were given to do so.

Sincerely  
Jacqueline Ayer  
Correspondence Secretary



June 12, 2020

Department of Regional Planning  
County of Los Angeles  
320 West Temple Street  
Los Angeles, CA 90012

Dear Commissioners,

Thank you for your department's hard work in developing the proposed County By-Right Housing Ordinance. I write on behalf of Abundant Housing LA, a pro-housing education and advocacy organization working to help solve Southern California's housing crisis. Our organization strongly supports efforts to streamline and expedite housing production, which is why we generally favor "by-right" approval for residential and mixed-use development.

We are supportive of the County By-Right Housing Ordinance's expansion of by-right housing production. The ordinance would:

- Legalize by-right mixed-use and residential development in commercial areas, which will expand the housing supply near job centers and transit corridors
- Facilitate the production of "missing middle" apartment buildings in residential areas by encouraging lot splits
- Streamline the density bonus program, allowing deed-restricted affordable housing units to come online faster

We view all of these policy changes as helpful steps that will ease L.A. County's housing shortage and affordability crisis. We thank you for bringing them forward.

The ordinance also contains modest changes to setback and on-site parking requirements. However, we would respectfully urge you to consider bolder changes to these policies. Setback and on-site parking requirements [reduce the amount of space available for housing and raise the cost of construction](#), which ultimately makes housing more expensive. Furthermore, on-site parking requirements encourage automobile usage and lead to dangerous, pedestrian-unfriendly streetscapes. With [over 17 million parking spaces in L.A. County](#), we believe that the last thing the county needs is more mandated parking.

We propose the following amendments to the ordinance:

- Eliminate front yard, rear yard, and corner side yard setback requirements for residential-only projects in commercial zones. This would apply the proposed setback rules for mixed-use developments in commercial zones to residential-only developments in those zones.

- Fully eliminate on-site parking requirements for residential and mixed-use projects that are within one mile of a bus or rail stop and/or meet a minimum percentage of deed-restricted affordable units.
- Institute on-site parking **maximums** for residential and mixed-use projects that are within one mile of a bus or rail stop, and implement fees on new parking spaces to help fund streetscape improvements and mass transit.

Thank you for your consideration and for your continued engagement with our organization.

Sincerely,

Anthony Dedousis  
Director of Policy and Research  
Abundant Housing LA

Michael J. Williams  
15929 Del Prado Drive  
Hacienda Heights, CA 91745

County of Los Angeles  
Department of Regional Planning  
320 W. Temple Street  
Los Angeles, CA 90012

15 June 2020

Attention: Heather Anderson, DRP & Tina Fung, DRP

Subject: By-Right Housing Ordinance Draft May 14, 2020 RPPL 20200001391

In the Public Hearing Draft, dated May 14, 2020, RPPL 20200001391, there are eight locations identified in the unincorporated Community of Hacienda Heights. These are identified as dots on the first page and subsequent pages 47, 48, 49, 50, 51, 52, 53 & 54 of 136.

On June 3<sup>rd</sup> and June 4<sup>th</sup>, 2020, I personally looked at each of the 8 locations identified in the pages noted above and here are my comments and questions:

Page 47, 8217-010-084 marked as R-3: There currently exists two apartment complexes. Standing at the corner of Clarke Ave and 9<sup>th</sup> Ave, they extend the entire block to Kinbrae Ave.

Page 48, 8217-028-017 marked at TR1134-069 R-3: This area is the "Sagewood Gardens" Apartment Complex. Comprising of single story and 2 story units.

Page 49, 8218-023-075 marked as TR1023-003 R-3: This is an Apartment Complex across the street (Turnbull Canyon Road) from the Hacienda Heights Community Center and a school consisting of trailers.

Page 50, 8219-024-027 marked as R-1-7500. This area has 15 well maintained One and Two-Story homes.

Page 51, 8219-024-054 marked as R-1-7500. This area has 6 well maintained Two-Story homes.

Page 52, 8219-024-049 marked as R-1-7500. This area has 10 well maintained Two-Story homes.

Page 53, 8215-022-055 marked as TR1401-030 R-3-DP. This area has a Church and parking lot in the in the north (front) and a Two-Story Condominium Complex built by Olson Company and opened in 2018 in the south part.

Page 54, 8215-022-051 marked as TR10910-009 & TR1025-46 R-3. This area has an Apartment Complex facing E. Newton Street on the north part and a Parking Lot facing E. Tetley Street on the south part, next door to a Church on the west side of the lot and an Apartment Complex on the East Side of the lot.

After seeing these proposed changes to the County Housing Ordinances, the following comments and questions are provided:

1. Of the 8 identified areas in Hacienda Heights, 7 have existing apartment complexes and 1 is a parking lot serving a community church. What streamlining is needed for these identified projects?
2. How were these areas identified?

3. Was or Where outside parties involved in the identified lots and tracts?
4. The first major concern is the "By Right" development to be exempt from the California Environmental Act (CEQA). How does this exemption help the current residents and the neighbors of any proposed project, of our community?
5. The second major concern is the "No Public Hearing". How does this serve the current residents of our community?
6. How do these proposed changes affect the Accessory Dwelling Units Ordinance?
7. How do these proposed changes affect the East San Gabriel Valley Area Plan?

Finally, the very designation "Br-Right" is a signal to developers and property owners they can dispense with CEQA and the inputs and comments from the neighbors and residents surrounding the proposed development. I suggest this term and this proposal be given further review.

I am writing my Supervisor, Janice Hahn, 4<sup>th</sup> Supervisorial District, to encourage her to disapprove and vote "No" to any motion to support the "By-Right Housing Ordinance".

I have been a resident of Hacienda Heights for 34 years and always concerned when zoning changes are proposed. In addition, I was the Zoning Committee Chair for the Hacienda Heights Improvement Association (HHIA) and I am a past President. I continue to remain involved in community affairs.

Thank you for the opportunity to comment.

Sincerely,



Michael J. Williams

Copy to:

Janice Hahn, Supervisor 4<sup>th</sup> District, Los Angeles County  
Bob Archela, Senator, 32<sup>nd</sup> District, State of California  
Scott Martin, President, Hacienda Heights Improvement Association



Kagel Canyon Civic Association

KCCA BOARD

William Slocum  
*President*

June 15, 2020

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Los Angeles County  
Department of Regional Planning  
320 West Temple Street, 13th Floor  
Los Angeles, CA 90012

Re: Agenda Item #7 - By-Right Housing Ordinance

DIRECTORS

Chris Cookson

Michele DeLorimier

Don Ecker

Jeff Leeson

Kit Paull

Ralf Quint

Marlene Rader

Nancy Verna

David Von Stowver

To Whom it may concern,

I write today on behalf of the Kagel Canyon Civic Association to express concerns with the Draft By-Rights Ordinance. We are in strong opposition to this change.

The Kagel Canyon Civic Association would like your “NO” vote on the ordinance change. We specifically extremely oppose this legislation for the following reasons:

1. Planning never responded to our KCCA email request asking for rescheduling of the hearing because we had not received the outreach described in the draft. Our first introduction to this ordinance change was May 14, 2020, which is not long enough to respond to appropriately.
2. We were told the deadline was the June 17, 2020 and now that seems to be in question because of the staff report already being completed.
3. The exclusion of the California Environmental Quality Act (CEQA) oversight is something we are never in favor of supporting. By the removal of CEQA and the public input process, the ordinance threatens the quality of life and character of the community we have chosen to live in and our surrounding neighbors leaving us all vulnerable.
4. We believe the map will be expanded after this development gets completed.
5. What is affordable housing in terms of an actual monetary figure/number? It is never explained.
6. How long are the CUPs and what is their review process? What is a minor CUP?
7. The ordinance starts with the requirement of having a CUP and then details how to remove the CUP requirements which is essentially changing the zoning on property without going through public process.
8. This ordinance is encouraging the development to be sub-standard construction to receive a higher percent of the density bonus. (reward for bad behavior)

9. Per the DBO, does the initiative and concessions exceptions include, fire, earthquake or flooding?
10. There is no concession for ADA regulations and the walkways take no considerations for emergency situations.
11. How many of these mixed neighborhoods developments are happening in Altadena, Burbank, and La Canada Flintridge?
12. How does dense development help in a pandemic or natural disaster?
13. What about schools, parks, health infrastructure and other quality of life needs
14. As a community that has recently been involved with two large wildfires in the past 11-years with the loss of 16 homes, we well know the dangers and problems with evacuating our current residents and animals. This ordinance places us in an even more dangerous situation with over development.
15. There is no provision in this ordinance to protect adjacent properties and their owners that could be negatively impacted by this type of development. For example, equine areas that require certain set backs.
16. This bill is a revised version of SB 50 that was defeated recently on the state level and we were in support of SB 50's defeat. As stakeholders, we do not support dense development.

Commissioners, we implore you to reject this Regional Planning By-Right Ordinance change.

Sincerely,

*William R. Slocum*

William R. Slocum  
President  
Kagel Canyon Civic Association

cc via email to:

Rosie Ruiz, LA County Planning Commission Secretary  
Kathryn Barger, Los Angeles County Fifth District Supervisor  
Anthony J. Portantino, 25<sup>th</sup> District California State Senator  
Luz Rivas, 39<sup>th</sup> District California State Assemblymember

**Fw: By-Right Housing Ordinance**

Zoe Axelrod &lt;ZAxelrod@planning.lacounty.gov&gt;

Tue 6/16/2020 4:50 PM

**To:** Zoe Axelrod <ZAxelrod@planning.lacounty.gov>

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**From:** [joshua blumenkopf](#)**Sent:** Tuesday, June 16, 2020 4:29 PM**To:** [Tina Fung](#)**Subject:** By-Right Housing Ordinance

<b>CAUTION:</b> External Email. Proceed Responsibly.
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To Whom it May Concern:

As a resident of Pasadena in Los Angeles County District 5, I fully support the proposed ordinance. The housing crisis has gone on too long and there are too many roadblocks to development. By right housing will lower housing costs, and increase tax revenue.

Sincerely,

Joshua Blumenkopf