



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

REPORT TO THE REGIONAL PLANNING COMMISSION

DATE ISSUED:	October 9, 2019	
MEETING DATE:	October 23, 2019	AGENDA 7 ITEM:
PROJECT NUMBER:	R2009-00966	
PROJECT NAME:	Compact Lot Subdivision Ordinance	
PLAN NUMBER(S):	RADV-201200008, RPPL2018005420	
SUPERVISORIAL DISTRICT:	1-5	
PROJECT LOCATION:	Countywide	
PROJECT PLANNER:	Tina Fung, Principal Regional Planner tfung@planning.lacounty.gov	

RECOMMENDATION

The Department of Regional Planning staff (Staff) recommends the Regional Planning Commission (RPC) adopt the attached resolution (Exhibit A) recommending **APPROVAL** to the Los Angeles County Board of Supervisors (Board) the Compact Lot Subdivision Ordinance, Advance Planning No. RADV-201200008 and Environmental Assessment No. RPPL2018005420.

Staff recommends the following motion:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND RECOMMEND ADOPTION OF THE NEGATIVE DECLARATION ALONG WITH THE REQUIRED FINDINGS OF FACT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

I ALSO MOVE THAT THE REGIONAL PLANNING COMMISSION ADOPT THE ATTACHED RESOLUTION RECOMMENDING APPROVAL TO THE LOS ANGELES COUNTY BOARD OF SUPERVISORS OF THE COMPACT LOT SUBDIVISION

ORDINANCE, ADVANCE PLANNING NO. RADV-201200008, WITH THE REVISIONS RECOMMENDED BY STAFF.

PROJECT DESCRIPTION

Advance Planning No. RADV-201200008 is a proposed ordinance amending Title 21 (Subdivisions) and Title 22 (Planning and Zoning) of the Los Angeles County Code (County Code) to establish provisions for compact lot subdivisions in the unincorporated areas of Los Angeles County. A “compact lot subdivision” is a land division that creates fee-simple, single-family residential lots, known as “compact lots” that are less than the typical minimum area of 5,000 square feet and minimum lot width of 50 feet. By allowing greater flexibility in lot sizes and widths, compact lot subdivisions provide a space-efficient and economical alternative to traditional options for homeownership. Compact lot subdivisions reduce the amount of land required for new single-family residences, which potentially create opportunities for affordable homeownership through lower land costs. A greater variety in lot sizes and flexibility in lot configuration also promote urban infill, a diversity of housing types, and neighborhood stability. It is important to note that undersized lots, underwidth lots, substandard lots, lots with the required area and/or width modified by a Housing Permit, a Conditional Use Permit or a Variance, or lots in the antiquated subdivisions in the Santa Monica Mountains are not considered compact lots.

The proposed ordinance amends Title 21 (Subdivisions) of the County Code to:

- Exempt compact lots from the street frontage requirement; and
- Establish special requirements for compact lot subdivisions. These special requirements include but are not limited to: 1) regulations to prohibit compact lot subdivisions in certain areas; 2) additional information required to be shown on a parcel map, tentative map, and final map for the purposes of a compact lot subdivision; 3) maximum number of compact lots allowed to be created on a parcel; 4) regulations regarding features within a compact lot subdivision, such as walkways, landscaped buffer and strip; and 5) the requirement of a covenant or maintenance agreement for compact lot subdivisions with common use areas or common use amenities.

In addition, the proposed ordinance amends Title 22 (Planning and Zoning) of the County Code to:

- Specify that the development of single-family residences on compact lots are permitted in the multi-family residential zones: R-2 (Two-Family Residence), R-3 (Limited Density Multiple Residence), and R-4 (Medium Density Multiple Residence), subject to the approval of a Conditional Use Permit (CUP); and

- Establish new development standards for single-family residences on compact lots. These new development standards include but are not limited to: required lot area and lot width, setbacks, floor area, height, private usable open space, landscaping, tree planting, and parking.

It is important to note that all future subdivisions proposed pursuant to this Ordinance will be subject to the allowable densities specified by the land use designations in the General Plan or applicable area or community plan land use legend. As such, this Ordinance in and of itself does not increase density.

A. Project Background

The Los Angeles County 2014-2021 Housing Element, which was adopted by the Board on February 4, 2014 and certified by the State Department of Housing and Community Development on April 30, 2014, outlines programs and strategies to encourage a diversity of housing types to meet the diverse housing needs in the unincorporated areas of Los Angeles County. This Fifth Revision to the Housing Element commits the County to pursuing ordinance amendments to allow for compact lot subdivisions, formerly known as small lot subdivisions (Program 8).

On November 28, 2018, Staff presented a brief overview of a preliminary draft of the Ordinance to the RPC. The presentation and discussion was part of an ongoing forum for the RPC to stay informed and give feedback on the Department's efforts to address housing issues in the unincorporated areas of Los Angeles County.

B. Major Elements and Key Components

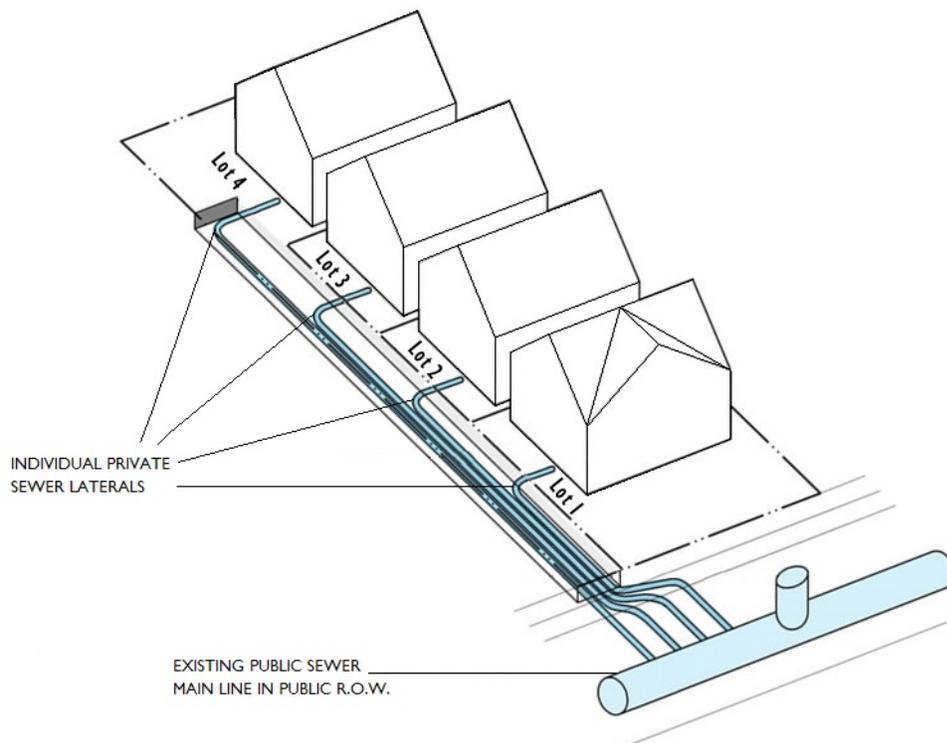
The Public Hearing Draft Ordinance dated August 28, 2019 (Exhibit B), which reflects many lessons learned from similar zoning regulations in other local jurisdictions, includes the following major elements and key components:

- **Prohibited Areas:** As a strategy that encourages infill development and redevelopment in established communities and urbanized areas, the Ordinance prohibits a parcel to be subdivided into compact lots if the parcel:
 - Has any portion located within a Very High Fire Hazard Severity Zone;
 - Has any portion located within a Coastal Zone;
 - Is not served by a public water system;
 - Is not served by a public sewer system; or
 - Does not front a highway or a public street.

- **Street Frontage Exemption:** Compact lots may front on an alley or a private common driveway in lieu of a street. A private common driveway is a privately owned and maintained driveway located on a strip of land, connecting two or more compact lots to a public street. In some cases, each user of a private common driveway owns part of the driveway and has the legal right to use the entire driveway. In other cases, one compact lot property owner owns the entire private common driveway, and the other users have the right to use it for ingress, egress, drainage, sewer, water, utilities, right to grade, and maintenance purposes only via a recorded easement.
- **Maximum Number of Compact Lots:** Given the neighborhood characteristics and development potential in areas where compact lot subdivisions will be permitted, future subdivisions proposed pursuant to this Ordinance must be small-scale, with no more than eight compact lots created cumulatively on a parcel of land. Driveway lots and commonly-owned parking-only lots, as described below, do not count toward this limit.
- **Required Area of Compact Lot:** In general, a compact lot created pursuant to this Ordinance shall have a net area of not less than 1,750 square feet. In Zone R-4, the required net area of a compact lot is 1,450 square feet if 1) only one parking space is required and provided on the compact lot; or 2) a mechanical parking stacker is used where two parking spaces are provided in a garage on the compact lot. Furthermore, where some or all of the required parking spaces are provided on a separate, commonly-owned parking-only lot, the required net area of a compact lot is 1,200 square feet. Various factors were considered in determining the proposed minimum required compact lot sizes. These factors include but are not limited to:
 - Lot dimensions of sites with potential for compact lot subdivisions;
 - The allowable densities specified by the land use designations in the General Plan or applicable area or community plan land use legend;
 - A minimum lot dimension that is necessary in order to physically place a single-family residence with its basic amenities on a piece of property; and
 - The location of parking spaces. Parking requirements are further discussed below.
- **Required Width of Compact Lot:** Depending on the configuration of the compact lots, which are impacted by factors such as the frontage of the compact lots and the location of parking spaces, the minimum required compact lot width ranges from 19 feet to 38 feet.

- **Flag Lot Strip Width:** Pursuant to the State Plumbing Code, a private sewer lateral may cross no more than one abutting lot with an easement when connecting to the public sewer main line in the public right-of-way. As many sites with potential for compact lot subdivisions are deep and narrow, resulting in some compact lots without street frontage, this sewer provision is a critical factor in the configuration of individual compact lots and the private common driveway. One design solution is to configure one of the compact lots as a “flag lot,” so that the entire private common driveway is located on the “flag lot strip.” In this configuration, the private sewer laterals of all single-family residences in the compact lot subdivision cross only the flag lot when connecting to the existing public sewer main line in the public right-of-way (see Figure 1). In order to accommodate compact lot subdivisions on many of these deep and narrow sites, the Ordinance establishes a 12-foot flag lot strip width requirement specifically for compact lot subdivisions, providing greater flexibility for site layout compared to the current 15-foot flag lot strip width requirement for traditional flag lot subdivisions.

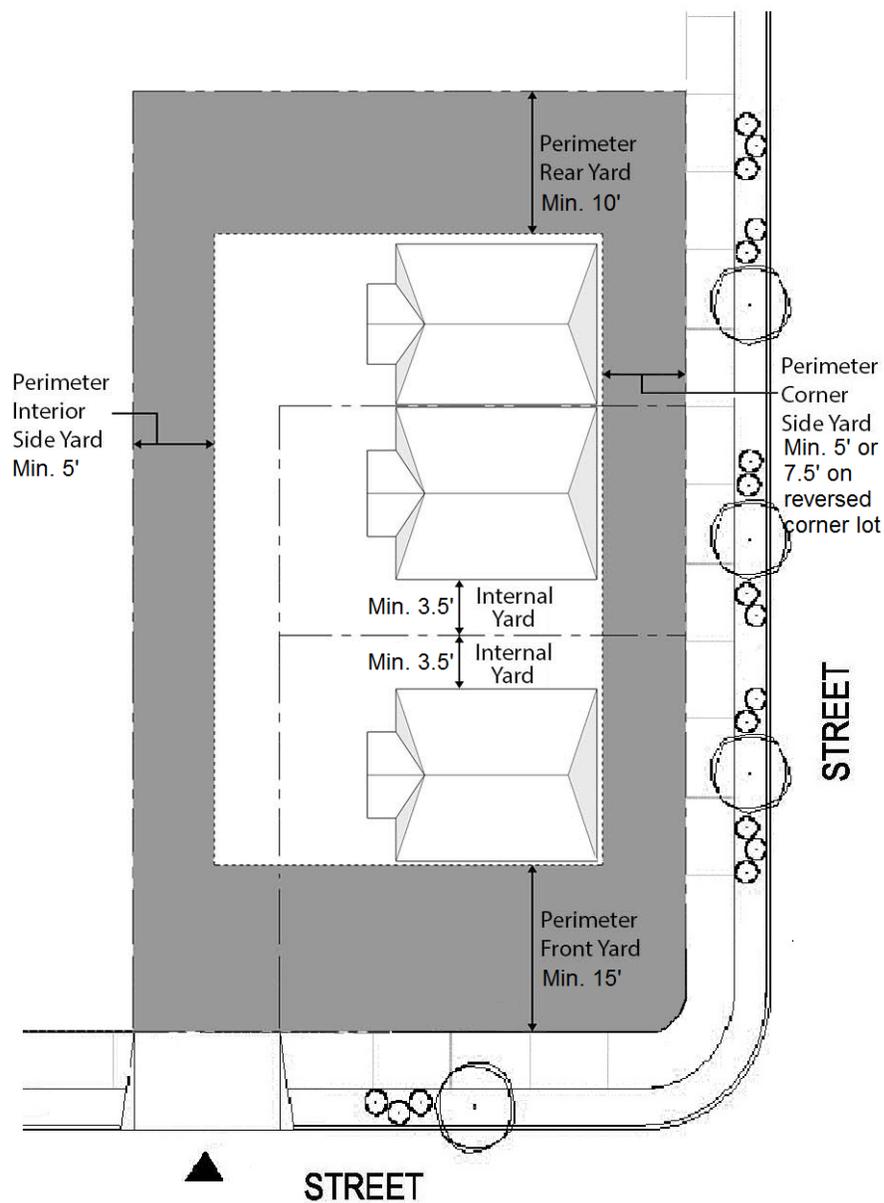
Figure 1. Sewer Connections in a Compact Lot Subdivision with a Flag Lot Configuration



- **Setbacks:** The Ordinance requires setbacks from a compact lot subdivision site's perimeter while allowing alternate zero lot lines within the subdivision.

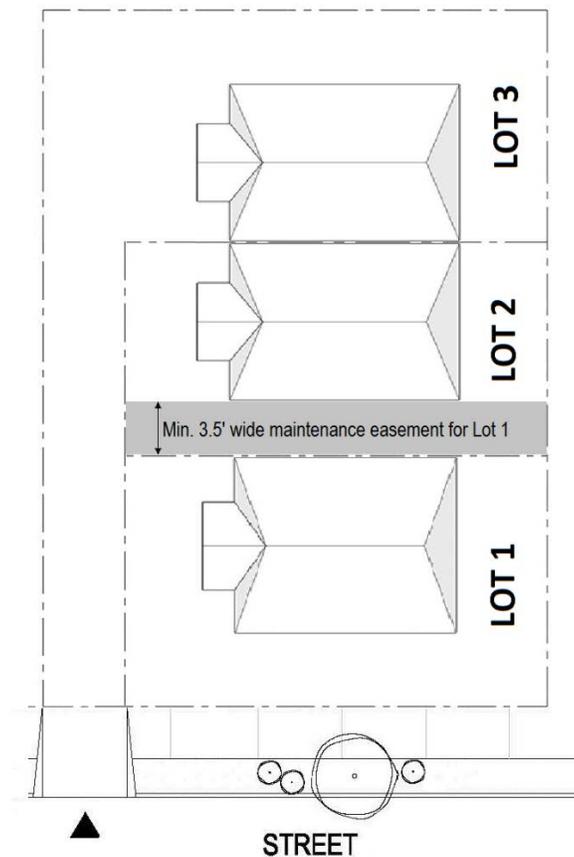
- *Perimeter Yards, Internal Yards, and Alternate Zero Lot Lines:* The required perimeter front, rear, and side yards are comparable to the currently required front, rear, and side yards in the multi-family residential zones. The Ordinance also allows alternate zero lot lines, where the internal yards between two structurally independent single-family residences are zero feet (see Figure 2). The benefits of allowing alternate zero lot lines include greater flexibility in creating more usable spaces within the single-family residences and better design. Alternate zero lot lines ensure that each single-family residence will have at least three sides that are open, which in turn enhances the single-family residences' access to air, natural light, and outdoor space.

Figure 2. Yards within a Compact Lot Subdivision



- *Maintenance Easement in Internal Yard:* Where a zero lot line of a compact lot is not adjoined by a zero lot line of an adjacent compact lot, the Ordinance requires a maintenance easement that is a minimum of three and a half feet in width to be recorded on the adjoining compact lot that abuts the zero internal yard setback (see Figure 3).

Figure 3. Maintenance Easement in an Internal Yard



- *Exceptions for Existing, Legally-Built Residences:* In order to encourage infill development on underutilized sites, it is important to provide greater flexibility for existing, legally-built principal residential buildings to be incorporated as part of a compact lot subdivision. As such, the Ordinance deems the following to have the required yard depth, even if the measurement is less than the minimum yard depth mentioned above:
 1. The depth of a yard between an existing, legally-built principal residential building and an existing lot line; or

2. The depth of a yard of an existing, legally-built principal residential building, reduced as the result of a highway dedication required for the compact lot subdivision.
- **Single-Family Residences on Compact Lots:** Many sites with potential for compact lot subdivisions are surrounded predominantly by single or two-story buildings. Therefore, to ensure compatibility between future subdivisions proposed pursuant to this Ordinance and the surrounding neighborhood context, the Ordinance limits the height of a single-family residence on a compact lot to a maximum of two stories and 35 feet above grade. In addition, to address practical spatial challenges and ensure a high-quality living environment within the compact lot subdivisions, the Ordinance establishes the following development standards for single-family residences on compact lots:
 - The ground floor must contain a habitable space of at least 14 feet in width;
 - The total floor area must be at least 575 square feet; and
 - Any portion above the first floor may project into a private common driveway, provided that the private common driveway is not a fire lane and at least seven and a half feet in width open to the sky.
 - **Parking:** In general, the number of parking spaces required for a single-family residence on a compact lot is comparable to the number of parking spaces required for a traditional single-family residence (minimum two spaces). Where a single-family residence contains one bedroom or less and is less than 750 square feet in size, only one parking space is required. In addition, the Ordinance also provides greater flexibility with respect to the location, size, and type of parking spaces:
 - Allowance of a separate, commonly-owned parking-only lot within a compact lot subdivision. The benefits of the parking-only lot configuration include potentially lower construction costs, as well as greater flexibility for site layout and unit configuration;
 - Parking spaces may be covered or uncovered;
 - Where two parking spaces are required for a single-family residence, one of the spaces may be compact; and
 - Mechanical parking stackers may be used where two parking spaces are provided in a garage on a compact lot in Zone R-4.

Also, due to spatial constraints and for safety purposes, tandem parking is only allowed on an alley-fronting compact lot where vehicles back directly onto the alley.

- ***Maneuvering Aisle:*** As many sites with potential for compact lot subdivisions are deep and narrow and pose lot width constraints, the Ordinance allows the reduction of the width of a maneuvering aisle serving standard parking spaces from 26 feet to 23 feet, subject to the following:
 - The standard parking spaces are at least 10 feet in width based on a 90-degree parking layout; and
 - The proposed compact lot subdivision substantiates the finding of unnecessary hardship or unreasonable regulation due to topographic features or other site conditions.
- ***Private Usable Open Space:*** To ensure sufficient outdoor space for future residents, the Ordinance requires ground-level private usable open space on each compact lot. In general, each compact lot is required to provide no less than a total of 100 square feet of private usable open space, with at least one area measuring eight feet by eight feet. The total square footage of required private usable open space per compact lot may be reduced to 90 square feet. Private usable open space may be located within the required setbacks. However, parking areas, driveways, and internal yards with maintenance easements shall not count toward the required private usable open space. In addition, any portion above the first floor of a building may project up to three feet into the required private open space provided that there is an eight-foot vertical clearance.
- ***Tree Planting and Landscaping:*** Trees and landscaping play a critical role in enhancing the living environment of both the public and private realms, as well as transitional areas. As such, the Ordinance establishes the following requirements:
 - *On-Site Trees:*
 1. In the required perimeter front yard, at least one tree of 24-inch box in size must be planted for every 25 feet of street frontage;
 2. At least one tree must be planted on each non-street-fronting compact lot. The tree must be at least 15 gallons in size, with a minimum trunk diameter of 0.75 inches as measured six inches above the soil line at the time of planting; and
 3. For parking-only lots that contain uncovered parking spaces, at least one tree of 24-inch box in size must be planted for every four uncovered parking spaces.

The amount of required trees may be waived or modified subject to additional findings. These additional findings are intended to provide greater flexibility for compact lot subdivisions that involve existing, legally-built buildings.

- Landscaping:
 1. Perimeter front and corner yards must be entirely permeable and at least 75 percent landscaped with drought-tolerant plants;
 2. All other areas not covered by buildings, parking areas, driveway, walkways, or private usable open space must be landscaped with drought-tolerant plants;
 3. A landscaped buffer that is a minimum of three feet wide is required between a private common driveway and any building to prevent the building from directly abutting the private common driveway. However, if a walkway is located between a building and a private common driveway, then a landscaped buffer that is a minimum of three feet wide is required between the walkway and the private common driveway as a pedestrian safety measure. Walkway requirements are further discussed below;
 4. If a fence or wall is located on or along a perimeter lot line of a compact lot subdivision site, and a private common driveway is located along the fence or wall, a planting strip that is a minimum of 12 inches wide, with vines trained onto the fence or wall, is required between the fence or wall and the private common driveway.
- **Walkways:** To ensure a pedestrian-friendly living environment, the Ordinance requires unobstructed walkways that are a minimum of three and half feet wide for the following:
 - Access into a compact lot subdivision site from the sidewalk along the site's street frontage; and
 - From each single-family residence to all other single-family residences and other common use amenities, if any, within the compact lot subdivision.
- **Additional CUP Findings:** Challenges brought on by existing neighborhood context and the proximity of adjacent structures create a new set of spatial complexities that are unique to compact lot subdivisions. These spatial constraints require thoughtful considerations with respect to both lot configuration and building design. Design review, which is critical in the entitlement process, will be facilitated through the requirement of a CUP. Specifically, future subdivisions proposed pursuant to this Ordinance must substantiate, in addition to those specified in

Section 22.158.050 (Findings and Conditions) of the County Code, the following findings for the approval of a CUP:

1. That the project is designed and configured to provide an appropriate response to the surrounding context; and
2. That the project is designed and configured to create a high-quality living environment while addressing practical spatial needs.

Staff developed a draft design guidelines document, which is included for your reference (Exhibit C), to facilitate the review of the CUP application. The design guidelines are suggested best practices to assist applicants, community members, and decision makers to determine whether the design of a compact lot subdivision substantiates the CUP findings. It is important to note that due to the unique nature of each compact lot subdivision, not all design guidelines will be appropriate in every compact lot subdivision, nor is the document's intent to capture all situations and circumstances. Applicants are encouraged to be creative when developing context-sensitive and site-specific design solutions. All characteristics of a compact lot subdivision's project design "as a whole" should be taken into consideration when making the substantiated findings.

GENERAL PLAN CONSISTENCY

The Project is consistent with the following applicable goals and policies of the General Plan:

- Goal HE 1: A wide range of housing types in sufficient supply to meet the needs of current and future residents, particularly for persons with special needs, including but not limited to low income households, seniors, persons with disabilities, large households, single-parent households, the homeless and at risk of homelessness, and farmworkers.
- Policy HE 1.2: Mitigate the impacts of governmental regulations and policies that constrain the provision and preservation of housing for low and moderate income households and those with special needs.
- Goal HE 3: A housing supply that ranges broadly in housing costs to enable all households, regardless of income, to secure adequate housing.
- Policy HE 3.1: Promote mixed income neighborhoods and a diversity of housing types throughout the unincorporated areas to increase housing choices for all economic segments of the population.
- 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 4.2: Encourage the adaptive reuse of underutilized structures and the revitalization of older, economically distressed neighborhoods.
- 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.
- Goal LU 10: Well-designed and healthy places that support a diversity of built environments.
- Policy LU 10.3: Consider the built environment of the surrounding area and location in the design and scale of new or remodeled buildings, architectural styles, and reflect appropriate features such as massing, materials, color, detailing or ornament.
- Policy LU 10.4: Promote environmentally-sensitive and sustainable design.
- Policy M 2.9: Encourage the planting of trees along streets and other forms of landscaping to enliven streetscapes by blending natural features with built features.
- Policy M 2.11: In urban and suburban areas, promote the continuity of streets and sidewalks through design features, such as limiting mid-block curb cuts, encouraging access through side streets or alleys, and promoting shorter block lengths.
- Policy PS/F 1.1: Discourage development in areas without adequate public services and facilities.

ENVIRONMENTAL ANALYSIS

Staff recommends that a Negative Declaration is the appropriate environmental documentation under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Initial Study concluded that there is no evidence that the Project may have a significant impact on the environment.

The Initial Study and Negative Declaration (Exhibit D) was provided to responsible public agencies and the public for the required review period. Pursuant to the State Public

Resources Code, formal notification of the Project was also mailed to various California Native American tribes that previously requested formal notification of proposed projects in geographic areas that are traditionally and culturally affiliated with the individual tribe prior to the release of the Negative Declaration. Staff received two written responses – one from the San Manuel Band of Mission Indians and the other from the Gabrieleno Band of Mission Indians – Kizh Nation. Since the Project is a series of amendments to the County Code and does not involve any ground disturbance, the tribes neither expressed concerns nor requested further consultation.

OUTREACH AND ENGAGEMENT

A. County Department and Agency Comments and Recommendations

County departments and agencies were consulted during the Project's development. Departments and agencies consulted include Public Works (PW), Fire (FD), Public Health (DPH), Parks and Recreation (DPR), and the Los Angeles County Development Authority (LACDA). Specifically, PW and FD have been actively involved in meetings and discussions, including a focus group meeting with architects and developers on July 16, 2019. The Public Hearing Draft Ordinance and Design Guidelines (dated August 28, 2019) reflect inputs received from the departments and agencies throughout the Project's development. Since the release of the Public Hearing Draft Ordinance and Design Guidelines (dated August 28, 2019), Staff has not received any additional comments at the time of report preparation.

B. Stakeholder Outreach and Notification

Outreach for the Project includes three focus group meetings with builders, developers, engineers, and architects on June 23, 2015, July 28, 2015, and July 16, 2019. Staff also presented a preliminary draft of the Ordinance at a standing meeting with the Los Angeles County Business Federation and the Building Industry Association on March 27, 2019 and July 31, 2019, respectively.

In addition, a series of meetings on the Department's housing initiatives, including this Project, was conducted in 2017 with community groups from the following unincorporated areas: Santa Monica Mountains; Antelope Valley; West Chatsworth; Twin Lakes; Kagel Canyon; La Crescenta-Montrose; East Pasadena-East San Gabriel; Florence-Firestone; West Athens-Westmont; Willowbrook; Lennox; East Los Angeles; West Puente Valley; Avocado Heights; and Hacienda Heights. The Department also mailed postcards on the housing initiatives to over 75,000 property owners, and provided an additional 1,600 postcards to community groups for distribution. The Department also sent emails to a housing policy courtesy list comprised of hundreds of stakeholders. Furthermore, Staff presented a preliminary draft of the Ordinance to community members from Florence-Firestone and East Los Angeles on April 10, 2019 and July 29, 2019, respectively.

The Department mailed copies of the courtesy RPC public hearing notice (Exhibit E) to approximately 16,800 property owners. The Department also noticed the RPC public hearing in 12 local newspapers of countywide distribution, including the Spanish-language newspaper *La Opinión*. In addition, the Department made copies of the hearing materials available at all County libraries and Altadena Library.

C. Public Comments

Staff received one letter from a local resident in opposition of the Project.

See Exhibit F for a copy of the correspondence.

ADDITIONAL STAFF RECOMMENDATION

In order to maintain internal consistency in Title 22 (Planning and Zoning) of the County Code, align with the Technical Update (TU) format, and for clarity on required yards for existing, legally-built residences, Staff recommends the following non-substantive revision to Section 22.140.585 (Single-Family Residences on Compact Lots) of the Public Hearing Draft Ordinance (dated August 28, 2019):

~~*E. Additional Application Material. In addition to the materials required by the Conditional Use Permit Checklist pursuant to Section 22.158.030, the applicant shall submit a Burden of Proof statement that substantiates the additional findings required by Subsection F, below.*~~

...

~~*HG. Development Standards. Development of single-family residences on compact lots shall comply with the following development standards:*~~

...

~~*2. Required Yards.*~~

...

~~*b. Exceptions. Notwithstanding Subsection H.2.a, above, where an existing, legally-built principal residential building is to remain:*~~

~~*i. The depth of a yard between the existing principal residential building and an existing lot line shall be deemed to have the required yard depth even if the depth of said yard is less than the minimum yard depth identified in Table 22.140.585-C, above.*~~

~~*ii. If, as the result of a highway dedication required for the compact lot subdivision, the depth of a yard of the existing principal residential building is reduced to less than the minimum yard depth identified in Table 22.140.585-C, the depth of said yard shall be deemed to have the required yard depth.*~~

~~*iii. Exceptions provided by this Subsection HG.2.b shall not apply to the following:*~~

~~*(a) An existing, legally-built principal residential building if more than 50 percent of the total floor area of said building is demolished as part of the compact lot subdivision. For the purposes of this Subsection G.2.b.iii.(a), total floor area includes all enclosed areas; or*~~

~~*(b) any proposed addition to the-an existing principal residential building.*~~

Report
Reviewed By: 
Connie Chung, Supervising Regional Planner

Report
Approved By: 
Bianca Siegl, Deputy Director

LIST OF ATTACHED EXHIBITS	
EXHIBIT A	Draft Resolution of the Regional Planning Commission
EXHIBIT B	Compact Lot Subdivision Ordinance – Public Hearing Draft (August 28, 2019)
EXHIBIT C	Compact Lot Subdivision Design Guidelines – Public Hearing Draft (August 28, 2019)
EXHIBIT D	CEQA Initial Study and Negative Declaration
EXHIBIT E	Notice of Public Hearing and Notice of Intent to Adopt a Negative Declaration
EXHIBIT F	Public Correspondence