Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

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Acting Director of Planning

March 19, 2009

TO: Supervisor Don Knabe, Chair
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
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Supervisor Michael D. Antonovich

FROM: Jon Sanabria
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SUBJECT: ANNUAL HOUSING ELEMENT PROGRESS REPORT

On August 5, 2008, the Board of Supervisors unanimously adopted the Fourth Revision to the Housing Element, which covers the period 2008-2014. On November 6, 2008, the Housing Element was certified by HCD.

The purpose of the Annual Housing Element Progress Report is to demonstrate the County's compliance with the requirements of Government Code Section 65400(a)(2), which mandates that an annual status report on the implementation of the Housing Element and the County's status toward meeting its regional housing goals be prepared and submitted to the Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR) by April 1 of every year, using the guidelines set forth in the Housing Element Law and as provided by HCD.

The Annual Housing Element Progress Report is intended as a tool for informing local legislative bodies of the jurisdiction's effectiveness in implementing its Housing Element. Providing a copy to HCD fulfills a statutory requirement to report certain housing information, including the County's progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to the development of housing, as defined in Government Code Sections 65584 and 65583 (c)(3).

Prior to submitting the Annual Housing Element Progress Report to the State, the legislative body must consider the Report at a public meeting and provide the opportunity for members of the public to submit oral and/or written comments on the Report.

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If you have any questions or concerns, please contact Connie Chung in the Housing Section at (213) 974-6425 or cchung@planning.lacounty.gov.

JS:RCH:CC

Attachments (1)

c: Chief Executive Office
County Counsel
Los Angeles County Community Commission
Department of Public Works

HOUSING ELEMENT ANNUAL PROGRESS REPORT

April 2009

PURPOSE OF REPORT

The purpose of this report is to demonstrate Los Angeles County's compliance with the requirements of Government Code Section 65400(a)(2)(B), which mandates local jurisdictions to prepare an annual report on the implementation progress of the Housing Element of their General Plan. The report must provide information on the County's progress toward meeting its share of the regional housing need and local efforts to remove governmental constraints to the development of housing, as defined in Government Code Sections 65584 and 65583(c)(3). The information must be reported to the CA Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR) by April 1 of every year, using the guidelines set forth in the Housing Element Law and as provided by HCD. Prior to submission to the State, the report must be considered at a public meeting before the Board of Supervisors, where members of the public can submit oral and/or written comments on the report.

BACKGROUND

On August 5, 2008, the Board of Supervisors unanimously adopted the Fourth Revision to the Housing Element, which covers the period 2008 – 2014. One change made by the Board is the addition of language in the Housing Element to strengthen the County's commitment to SB 2, a bill that requires adequate planning for emergency shelters and clarifies the definition of supportive and transitional housing. In addition, the Board instructed the staff to initiate and expedite the implementation of two programs, and report back within a year: Program 10 Inclusionary Housing Feasibility Study, and Program 12 Small Lot Subdivisions Feasibility Study and Ordinance. On November 6, 2008, the Housing Element was certified by HCD. In December 2008, the certified Housing Element was reformatted to be consistent with the format of the General Plan Update (**Appendix A**). The staff is also in the process of developing a summary poster plan.

To facilitate the implementation of the Housing Element at the County of Los Angeles Department of Regional Planning (DRP), the Housing Section organized a series of briefings with staff from the Current Planning, Land Use Regulation and Advance Planning Divisions, as well as with the Regional Planning Commission (RPC) on how to use the Housing Element as a tool for case processing and project implementation.

REGIONAL HOUSING NEEDS ALLOCATION (RHNA)

The Southern California Association of Governments (SCAG) is responsible for determining the Regional Housing Needs Allocation (RHNA) for each local jurisdiction within its six-county region.[1] For the Fourth Revision of the Housing Element, the County unincorporated area has been allocated a RHNA of 57,176 units, which is broken down by income level as follows:

- Extremely Low/Very Low Income (up to 50 percent of AMI): 14,425 units (25.2 percent)[2]
- Lower Income (51 to 80 percent of AMI): 9,073 units (15.9 percent)
- Moderate Income (81 to 120 percent of AMI): 9,816 units (17.2 percent)
- Above Moderate Income (more than 120 percent of AMI): 23,862 units (41.7 percent)

The County is required through the Housing Element to ensure the availability of residential sites at adequate densities and appropriate development standards in the unincorporated areas to accommodate the RHNA over the planning period. During the implementation period, the County is required to report on the progress toward reaching the RHNA goals, through residential building permit activities.

Residential Building Permit Activity in 2008

Table A1, which is a summary of building permit activity and construction for affordable housing developments (subsidized and/or deed-restricted, or "market affordable"[3]) between January 1, 2008 and December 31, 2008, indicates that the County completed a 32-unit single-family, for-sale development, with 15 units affordable to lower income households, during the reporting period.[4] **Table A2**, which is a summary of building permit activity for above moderate income units, indicates that the County issued 924 building permits during the reporting period.[5]

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1 Southern California Association of Governments (SCAG) covers a six-county region, including Los Angeles County, Orange County, Riverside County, San Bernardino County, Ventura County, and Imperial County.

2 The County has a RHNA allocation of 14,425 very low income units. Pursuant to AB 2634, the County must project the housing needs of extremely low income households based on Census income distribution, or assume 50 percent of the very low income units as extremely low income units. In the absence of income data for the extremely low income households, 50 percent of the very low income units are assumed to be extremely low income. Therefore, the County's RHNA of 14,425 very low income units may be divided into 7,212 extremely low income units and 7,213 very low income units. However, for the purposes of identifying adequate sites for the RHNA, the State law does not mandate the separate accounting of units for extremely low income households.

3 Non deed-restricted units, but meets the State's definition of affordable. The report must include analyses on rents and housing prices, and other information to demonstrate affordability and in order to credit these units as "affordable."

4 Source: Los Angeles County Community Development Commission, affordable housing development completions data, January 1, 2008-December 31, 2008.

5 Source: County of Los Angeles Department of Public Works, Building and Safety Division, Unincorporated County Area, Residential Building Permit Data, January 1, 2008-December 31, 2008.

Table A1
Annual Building Activity Report
Very Low, Lower, and Moderate Income Units and Mixed Income Multifamily Projects

APN	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Assistance Programs for Each Development	Deed Restricted Units
			Very Low-Income	Lower Income	Moderate Income	Above Moderate-Income			
6010028030	SF	O	0	15	0	17	32	$1,933,385 HOME $575,000 Industry Funds	15
Total of **Above Moderate** from Table A2 ► ► ►						924	924		
Total by income units Table A ► ► ► ► ►			0	15	0	941	956		

Table A2
Annual Building Activity Report Summary for Above Moderate Income Units

	Single Family Residences[6]	**Two-Family Dwellings**	**Multi-Family Structures**	**Mobile Homes**	**Total**
No. of Units Permitted for Above Moderate	408	26	443	47	924

Regional Housing Needs Allocation Progress

Table B identifies the housing units completed from January 1, 2006 through December 31, 2008, as compared to the unincorporated County's share of regional housing needs, by income level. As shown on the Table, the County issued building permits for a total of 2,012 dwelling units in 2006, 1,601 dwelling units in 2007, and 956 dwelling units in 2008.[7] At this time, the number of additional dwelling units needed during the 2008-2014 planning period is 52,607, or roughly 92 percent of the RHNA.

[6] Building permits for second units are tracked as single family structures, and at this time, the information to determine the percentage of second units is not available.

[7] Source: County of Los Angeles Department of Public Works, Building and Safety Division, Unincorporated County Area, Residential Building Permit Data, January 1, 2006-December 31, 2008.

Table B
Regional Housing Needs Allocation Progress

		2006	2007	2008	2009	2010	2011	2012	2013	2014	Total Units to Date	Total Remaining RHNA by Income Level
Income Level	**RHNA Allocation by Income Level**	**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**	**Year 6**	**Year 7**	**Year 8**	**Year 9**		
Extremely Low/ Very Low	14,425	0	99	0							99	14,326
Lower	9,073	12	25	15							52	9,051
Moderate	9,816	206	138	0							344	9,472
Above Moderate	23,862	1,794	1,339	941							4,074	19,758
Total RHNA	57,176	2,012	1,601	956							4,569	52,607
Total Units ► ► ►												
Remaining Need for RHNA Period ► ► ► ► ►												

Note: The RHNA for the Fourth Revision of the Housing Element in the SCAG region used January 1, 2006 as the baseline for projecting housing needs. As such, housing units that have been constructed, issued building permits, or approved since January 1, 2006 have been credited toward the RHNA for the 2008-2014 planning period.

Sources: SCAG, *Regional Housing Needs Assessment, 2007*; Los Angeles County Department of Public Works, Building & Safety Division for the number of dwelling units assumed to be constructed during the period January 1, 2006-December 31, 2008; Los Angeles County Community Development Commission affordable housing development completions, January 1, 2006-December 31, 2008. Income categories based on a household of four members and the area median income, which is annually revised according to the U.S. Dept. of Housing and Urban Development and HCD.

HOUSING ELEMENT PROGRAM IMPLEMENTATION

The Housing Element contains programs with specific time frames for implementation. **Appendix B: Table C1** shows the implementation progress of programs between July 1, 2008 and December 31, 2008.

Adequate Sites Inventory

The adequate sites inventory in the Housing Element identifies qualified sites that allow an array of housing types and densities, and in the case of mixed use areas, sites that permit other, non-residential uses. In order to maintain the adequate sites inventory to meet the County's RHNA over the planning period, as specified in Program 1 Adequate Sites for Regional Housing Needs Allocation, the Annual Housing Element Progress Report will note when a site does not meet or exceeds the projected potential, and identify alternative qualifying sites, which can be identified through the planning approval of projects on sites

that were not identified on the inventory and through the creation of new sites through zone changes and plan amendments. As shown in **Table C2**, as of the end of 2008, there is a surplus of sites that will provide 137 very low/lower income units, and there are potentially 224 approved units that could be market-affordable to very low/lower income households.[8] Also, as shown in **Table C3**, as of the end of 2008, there is a loss of potential (10 units) in moderate income sites, but there are also potentially 10 approved units that could be market-affordable to moderate income households.

Table C2
Status of Adequate Sites Inventory
Potential for Very Low/Lower Income Units

KEY: Listed on Adequate Sites Inventory

APN	Adequate Sites Inventory Unit Potential	Approved Units (5/1/08-12/31/08)		NOTES
	Very Low/Lower	Income Restricted (Very Low/Lower)	Market Rate	
6060009900	0	61	0	Adequate Sites inventory identifies site as having potential for 10 moderate income units (see Table C3)
6181032040 6181032046	0	54	0	54 very low income units for persons with developmental disabilities and senior citizens
7344023001 7344023138 7344023139	0	22	224	246 attached condo units (22 of which are income-restricted for lower income households)
TOTAL	0	137	224	

Note: This comparison only includes units approved between May 1, 2008 to December 31, 2008. Units approved on or prior to April 30, 2008 have been credited toward the RHNA in the Housing Element (see Table 2.11 of the Housing Element). This comparison also excludes the affordable housing development at 105th and Normandie, which was approved in June 2008, but has already been accounted for in the Housing Element (see Footnote #13 on page 36 in the Housing Element).

[8] The affordability of non deed-restricted units must be demonstrated through the analysis of rents and housing prices, which would be analyzed when the project is actually built.

Table C3
Status of Adequate Sites Inventory
Potential for Moderate Income Units

KEY Listed on Adequate Sites Inventory

APN	Adequate Sites Inventory Unit Potential	Approved Units (5/1/08-12/31/08)		NOTES
	Moderate	Income Restricted (Moderate)	Market Rate	
6060009900	10	0	0	Site was approved for 61 very low income units (see Table C2)
6342018006	0	0	3	Triplex
6342035007	0	0	3	Triplex
6010020004	0	0	4	4-unit apartment
TOTAL	10	0	10	

Note: This comparison only includes units approved since May 1, 2008 because units approved on April 30, 2008 or prior have been credited toward the RHNA in the Housing Element (see Table 2.11 in the 2008 Housing Element).

OTHER HOUSING INITIATIVES

Although not required by the State law, providing information for planning approvals, in addition to building permit activities, can provide additional insight into the affordable housing activities within the County unincorporated areas.

Discretionary Approvals in 2008

From January 1, 2008 through December 31, 2008, the County issued discretionary planning approvals for 19 residential development projects totaling 691 dwelling units. This figure includes three projects totaling 145 units for very low income households and 22 units for lower income households. This figure does not include ministerial/non-discretionary planning approvals.

Affordable Housing Approved under the Density Bonus Ordinance

On August 8, 2006, the Board of Supervisors adopted Ordinance 2006-0063, amending the Los Angeles County Zoning Code with eligibility, regulations and procedures for the granting of density bonuses and incentives for affordable and senior citizen housing—as required for consistency with Section 65915 of the California Government Code, the State Density Bonus Law. The County's density bonus provisions go beyond the State-mandated requirements by providing options for additional density bonuses and incentives for affordable housing and senior citizen housing (through a discretionary procedure). In addition, the ordinance uses a menu of incentives to encourage projects that provide 100%

affordable, are located near mass transit and/or provide infill development, while granting all incentives consistently with the State-mandated requirements.

As of the end of 2008, the Department has approved 434 affordable units and 682 units total from the density bonus program since SB 1818, which made significant changes to the State Density Bonus Law, took effect on January 1, 2005.

Second Units

On March 3, 2004, the Los Angeles County Board of Supervisors adopted Ordinance 2004-0012, amending the Los Angeles County Zoning Code with regulations and procedures for the review of second residential units—as required for consistency with the State law.

As of the end of 2008, the Department has approved 384 second units since the ordinance has taken effect.

In addition to programs in the Housing Element, the County has other housing initiatives to increase the supply of housing, especially affordable housing; preserve existing units and provide equal access to housing opportunities.

Housing Advisory Committee

The Housing Advisory Committee, which is comprised of housing professionals, community leaders and other major stakeholders interested in the production and preservation of housing in the unincorporated areas, was formed in September 2002 as part of the implementation of the previous Housing Element. The Committee continues to convene to assist the DRP in the implementation of the current Housing Element.

Since its formation, the Housing Advisory Committee has convened 28 times, with another meeting scheduled in May 2009. Copies of the agendas and notes from the Committee's meetings since May 2008 are included as **Appendix C**.

Mixed Use Ordinance

On July 1, 2008, the Board of Supervisors adopted amendments to the Los Angeles County Zoning Code to modify certain commercial zones to allow vertical mixed use developments and joint live and work units that adhere to specified use exceptions, development standards and performance standards, through an administrative procedure. The Ordinance took effect on July 31, 2008, and is included as **Appendix D**. The staff is currently preparing a one-year implementation progress report on the Ordinance, which will be submitted to the Board of Supervisors in July 2009.

Marina del Rey Affordable Housing Policy

On January 27, 2009, the County finalized the Affordable Housing Policy for Marina del Rey, which implements the Mello Act (Government Code Section 65590) in Marina del Rey. The Mello Act requires local jurisdictions to require the preservation and inclusion of affordable housing in new developments and redevelopments within the Coastal Zone, where feasible. The Affordable Housing Policy is included as **Appendix E**.

Neighborhood Stabilization Program (NSP)

In July 2008, the Housing and Economic Recovery Act of 2008 (H.R. 3221 or HERA) was enacted to provide $3.92 billion in emergency Community Development Block Grant (CDBG) funds for the Neighborhood Stabilization Program (NSP) to assist states and local governments in the redevelopment of abandoned and foreclosed homes in response to the foreclosure aftermath. The Los Angeles Urban County, which includes the unincorporated areas and small cities under 50,000 in population, received an allocation of $16,847,672 for targeting assistance to the areas with the greatest need. As the lead agency in administering the NSP funding, the Community Development Commission (CDC) will implement two programs – the Housing and Economic Recovery Homeownership (HERO) Program and the NSP Scattered Sites Rental Program – to assist those communities hardest hit, creating economic and housing stability for the area residents.

The HERO Program is designed to meet the needs of first time homebuyers with low-, moderate and middle incomes who are unable to qualify for a mortgage and/or obtain the necessary down payment without financial assistance. An eligible home must be vacant and foreclosed upon or abandoned, and must be used as the principal residence of the homebuyer. Also, eligible homes must be located in one of the targeted areas specified in the program. In addition, the HERO program also has a rehabilitation grant component to provide “as needed” assistance for the rehabilitation of foreclosed and abandoned home after completion of the purchase. The program assistance must be used to rehabilitate the home to a decent, safe, and habitable condition in accordance with program standards.

The NSP Scattered Sites Rental Program has been designed to provide financial assistance for the creation of affordable rental housing for low-income persons. Housing developers will receive secured zero interest deferred loans, to acquire and rehabilitate properties, and agree to operate the housing at affordable rents for a minimum of 15 years. The properties must have between 1 and 4 units that were foreclosed upon or abandoned. Eligible properties must be located in one of the target areas specified in the program. The CDC is currently seeking proposals from qualified developers for the program. The Request for Proposals was made available on March 19, 2009. A description of the County’s program is included as **Appendix F**.

AFTERWORD

The Annual Housing Element Progress Report provides information on the implementation status of the County's Housing Element. This report complies with the submission requirements of the State law and is consistent with the guidelines set forth by HCD. The Department of Regional Planning will continue to keep track of the County's progress in implementing the major programs discussed in this report and in the Housing Element.

JS:RH:CC:TF

Enclosures:

Appendix A: Los Angeles County Housing Element, Reformatted Version, December 2008
Appendix B: Table C1 Implementation Progress of Housing Programs
Appendix C: Housing Advisory Committee Agendas and Meeting Notes
Appendix D: Mixed Use Ordinance
Appendix E: Marina del Rey Affordable Housing Policy
Appendix F: Neighborhood Stabilization Program
Appendix G: Zoning Ordinance Update Program Annotated Outline
Appendix H: Board of Supervisors August 5, 2008 Meeting Minutes
Appendix I: Green Building Program Adopted Ordinances and Outreach Materials

Appendix A

Los Angeles County Housing Element, Reformatted Version (CD)

December 2008

Appendix B

Table C1 Implementation Progress of Housing Programs

TABLE C1: Los Angeles County Housing Element Programs 2008-2014
Implementation Status

Program #	Program Name	Timeframe & Objectives	Progress/Status (Quantify if possible)
1	Adequate Sites for Regional Housing Needs Allocation	• Facilitate the development of a variety of housing types by providing a supply of land that is adequate to accommodate the RHNA of 57,176 units. • Maintain an inventory of sites and make it available to interested developers. • Pursue completion and adoption of the General Plan Update and its associated Zoning Ordinance amendments by 2010.	• The Housing Section staff continued to maintain the adequate sites inventory. See Tables C2 and C3 in the Annual Housing Element Progress Report for a comparison between the potential number of units estimated in the adequate sites inventory and the number of units approved during the reporting period. • Refer to the Annual General Plan Progress Report for the status on the General Plan Update.

TABLE C1: Los Angeles County Housing Element Programs 2008-2014
Implementation Status

Program #	Program Name	Timeframe & Objectives	Progress/Status (Quantify if possible)
2	Removal of Governmental Constraints	• Amend the Zoning Ordinance through the Zoning Ordinance Update Program (ZOUP) and other programs by 2010. • Prepare reasonable accommodation policy and procedure by 2009.	• **Zoning Ordinance Update Program (ZOUP)**: The DRP staff has recently begun submitting various sections of the revised ordinance to the Regional Planning Commission (RPC) for review and discussion. After the entire ordinance has been presented to the RPC, the staff will make any necessary revisions and initiate public outreach to present the new ordinance and any substantive changes. The staff anticipates completing the public outreach portion of the program by the end of 2009, and finalizing the draft ordinance for review by the RPC in 2010. ZOUP's Annotated Outline, which summarizes the major changes to the zoning code, can be found in **Appendix G**. • **Reasonable Accommodations Ordinance**: The Reasonable Accommodations Ordinance will provide a clear and streamlined procedure for persons with disabilities to request exceptions from planning and zoning, when necessary, to afford equal access to residential opportunities. At the time of this report, DRP has convened a focus group, which consists of special needs housing providers, advocates of persons with disabilities, fair housing attorneys and legal aid groups. The focus group has met four times to discuss the parameters of a reasonable accommodations procedure and fair housing laws. The staff has also presented to the Los Angeles County Commission on Disability, the Residential Protocols Task Force, and will present to the Los Angeles County Special Needs Housing Alliance. The staff anticipates the release of a draft ordinance for public review and public hearing before the Regional Planning Commission in the summer of 2009. Following the adoption of the ordinance, the staff will facilitate its implementation by creating awareness of the availability of the procedure to request reasonable accommodations. (Continued on next page)

TABLE C1: Los Angeles County Housing Element Programs 2008-2014
Implementation Status

Program #	Program Name	Timeframe & Objectives	Progress/Status (Quantify if possible)
			• **Farmworker Housing Ordinance**: The Third Revision of the Housing Element includes Program 43, a program to encourage the provision of sites for housing for agricultural workers in the unincorporated areas. The County is currently preparing a draft ordinance in order to ensure that the County's provisions for farmworker housing meet the requirements of the Employee Housing Act (Sections 17000-17062.5 of the Health and Safety Code). Since May 2007, the staff has undergone a comprehensive analysis of farmworker housing issues in Los Angeles County, which includes GIS analyses and field work. In September 2008, the Housing Section staff held two community outreach meetings, one in the Santa Clarita Valley (Val Verde) and one in the Antelope Valley (Palmdale), to obtain input from major stakeholders regarding the needs of farmworkers. The staff has also presented to the Los Angeles County Department of Education's Migrant Education Program and the Association of Rural Town Councils. In addition, the staff distributed surveys to owners of active agricultural lands to receive additional input. The staff has prepared a draft ordinance and environmental documents, and a draft background report (which includes an assessment of farmworker housing needs, clarification of the State law, and an overview of the County's current provisions for farmworker housing), which the staff anticipates will be available for public review in April 2009, and ready for public hearing before the Regional Planning Commission in May 2009.
3	Affordable Housing Density Bonus Program	By 2009, promote the County Density Bonus Program to developers, particularly in conjunction with the Mixed Use Ordinance and Transit Oriented Districts, through the dissemination of brochures, presentations and web postings on the DRP web site, and by offering technical assistance to the public.	Staff continues to offer technical assistance and consultation to the public.

TABLE C1: Los Angeles County Housing Element Programs 2008-2014
Implementation Status

Program #	Program Name	Timeframe & Objectives	Progress/Status (Quantify if possible)
4	Infill Sites Utilization Program*	Promote awareness of the County's Infill Sites program to small property owners/developers, as funds become available, in conjunction with the efforts for the Affordable Housing Density Bonus Program (Program 3).	The Infill Sites Utilization Program will be amended in early 2009 to incorporate the use of Federal Neighborhood Stabilization Funds for the acquisition and rehabiliation of foreclosed one to four unit properties.
5	Graduated Density Zoning	• Conduct study to determine the feasibility of a graduated zoning approach in 2010. • In the event that the program is determined to not be feasible, establish an alternative program to incentivize lot consolidation to promote appropriate and targeted higher density housing.	No activity in 2008
6	Transit Oriented Districts	• Adopt the Metro Gold Line Eastside Extension TOD Specific Plan by 2009. • Using the Gold Line TOD as a model, retool and enhance existing TODs, including providing additional incentives for housing development by 2011. • Promote the use of incentives available for all TODs.	The consultant team of Moule and Polyzoides is working with the County staff to prepare the **Gold Line 3rd Street Specific Plan** for the area around the Metro Gold Line Eastside Extension in East Los Angeles. The project is currently in the Project Definition phase, which involves gathering and analyzing field data in preparation for a series of discovery workshops, where background information will be presented to the community and issues and opportunities will be discussed. The workshops are tentatively scheduled to take place in the spring of 2009. After the completion of the workshops, the consultant will hold a week-long community charette. The consultant will facilitate the development of form based codes with the community's participation. The staff anticipates completion of the Specific Plan in the summer of 2010.

TABLE C1: Los Angeles County Housing Element Programs 2008-2014
Implementation Status

Program #	Program Name	Timeframe & Objectives	Progress/Status (Quantify if possible)
7	Land Banking/Write Downs*	• Develop an inventory of potential properties in 2009 and update quarterly. • Establish a land banking strategy in 2009 and identify appropriate funding sources (certain funding sources have strict limitations on land banking activities, e.g., CDBG and HOME). • Review the list of surplus properties owned by other County departments on a quarterly basis to identify potential sites for affordable housing.	Due to the implementation of a new policy, no CDC administered funds will be used to land bank or develop sites within 500 feet of a freeway. As a result, those sites will be sold to the market. Funding constraints will not allow the purchase of additional sites for landbanking at this time.
8	Second Unit Ordinance	• Promote second unit development through the County web site and brochures at public counters. • Retool the existing Second Unit Ordinance to emphasize good design through a streamlined procedure and flexibility in standards by 2013. • Study the feasibility of hosting a design competition for second units and implementing a procedure for pre-approved plans, using the winning entries.	No activity in 2008
9	Community Land Trust	• Evaluate the feasibility of establishing a land trust in 2009. • In the event that the program is not feasible, develop an alternative program to promote long-term affordable homeownership.	Negotiations with the developer of for-sale units to be a part of a land trust were placed on hold due to market conditions. Conditions will be evaluated on an ongoing basis. Literature reviews and other research on community land trusts are being conducted in conjunction with the Inclusionary Housing research for Program 10.

TABLE C1: Los Angeles County Housing Element Programs 2008-2014
Implementation Status

Program #	Program Name	Timeframe & Objectives	Progress/Status (Quantify if possible)
10	Inclusionary Housing Program	• Evaluate the feasibility of establishing an inclusionary housing policy in 2010. • In the event that the program is not feasible, develop other strategies for creating a local source of funding for affordable housing.	On August 5, 2008, the Los Angeles County Board of Supervisors adopted the 2008-2014 Housing Element and instructed the Department of Regional Planning (DRP) to initiate a feasibility study for establishing an inclusionary housing program, and to report back to the Board in a year. On October 22, 2008, the staff briefed the Regional Planning Commission on inclusionary housing. Currently, the staff is drafting the study, which will outline other local jurisdictions' policies, arguments for and against inclusionary housing, policy options, and legal issues. In addition, the staff is reaching out to major stakeholders to obtain a variety of perspectives on inclusionary housing. On February 12, 2009, the staff facilitated a discussion on inclusionary housing with the Housing Advisory Committee, and will continue the discussion with the HAC in May 2009. The DRP staff intends to submit the study to the Board in August 2009. A copy of the minutes from the Board's meeting on August 5, 2008 is included as **Appendix H**.
11	Commercial Linkage Fee for Housing	• Evaluate the feasibility of establishing a commercial linkage fee for housing in 2010. • In the event that the program is not feasible, develop other strategies for creating a local source of funding for affordable housing.	Literature reviews and other research on commercial linkage fees for housing are being conducted in conjunction with the Inclusionary Housing research for Program 10.
12	Small Lot Subdivisions	• Explore the feasibility of establishing a program for small lot subdivisions in 2011, and if feasible, pursue Zoning Ordinance amendments in 2012. • In the event that the program is not feasible, develop another strategy to promote affordable homeownership through smaller-sized houses.	On August 5, 2008, the Los Angeles County Board of Supervisors adopted the 2008-2014 Housing Element and instructed the Department of Regional Planning (DRP) to initiate a feasibility study for establishing a program for small lot subdivisions and to report back to the Board in a year. On October 22, 2008, the staff briefed the Regional Planning Commission on small lot subdivisions. The Housing Section staff has been researching how small lot subdivisions have been implemented by other local jurisdictions and has been meeting with various County departments to determine what issues or concerns small lot subdivisions may raise. The DRP staff intends to submit the study to the Board in August 2009. A copy of the minutes from the Board's meeting on August 5, 2008 is included as **Appendix H**.

TABLE C1: Los Angeles County Housing Element Programs 2008-2014
Implementation Status

Program #	Program Name	Timeframe & Objectives	Progress/Status (Quantify if possible)
13	Countywide Affordable Rental Housing Development*	Assist in the development of 450 low income rental housing units in the unincorporated areas through gap financing, a revolving loan fund, and technical assistance during the next planning period.	Over $16 Million in public funds were made available during this period through the CDC's annual NOFA for housing to be developed within 15 miles of the City of Industry. Fifteen applications were received, and will be evaluated for funding eligibility during early 2009.
14	Priority of Water and Sewer for Affordable Housing	Upon adoption and certification of the Housing Element, provide copies of the Housing Element, including information on sites used to meet the County's low income RHNA, to all water and sewer districts that may be required to provide service to developments within the unincorporated areas.	In March 2009, the the Department of Regional Planning distributed copies of the Housing Element to all water and sewer districts that provide services to the unincorporated areas.
15	Redevelopment Affordable Housing Requirements*	Provide financing, technical assistance, as well as a revolving loan fund, to acquire sites and assist in the development of 143 affordable housing units in the Redevelopment project areas by 2009: 1. East Rancho Dominguez – 69 units 2. Willowbrook – 60 units 3. West Altadena – 14 units	The 69 unit East Rancho Dominguez project is currently under construction. The project consists of 10 one-bedroom units, 26 two-bedroom units, 23 three-bedroom units, and 10 four-bedroom units all of which are affordable to households with incomes that do not exceed 50% of the area median income. Seven of the units are reserved for Emancipated Foster Youth between the ages of 18-24. One three-bedrrom unit is provided for the onsite manager and has no affordability requirements. The affordability requirements will remain in effect for 55 years. The project also includes a family service center, which consists of a health clinic and a childcare center.
16	Homebuyer Assistance*	Assist 1,200 low and moderate income first-time homebuyers in the unincorporated areas, along with 43 affordable units through AHOP, during the planning period. 1. HOP – 300 households 2. MCC – 420 households 3. SCHFA – 480 households 4. AHOP – 43 affordable units	Fifteen MCC's were issued, with a value of $4,075,000. In addition, 7 HOP loans were funded, with a value of $464,000. The SCHFA program was dormant and only 6 AHOP units were sold.

TABLE C1: Los Angeles County Housing Element Programs 2008-2014
Implementation Status

Program #	Program Name	Timeframe & Objectives	Progress/Status (Quantify if possible)
17	Section 8 Rental Housing Assistance*	Provide rental assistance to 4,000 extremely low and very low income households, and homeless individuals and families in the unincorporated areas during the planning period. • Housing Choice Voucher – 3,800 households • Homeless Housing Program – 70 homeless individuals or families • Housing Assistance for Homeless with AIDS – 30 homeless persons with HIV/AIDS	Efforts to provide assistance to qualified applicants is an ongoing program at the Housing Authority. More than 150 were processed for these programs (all inclusive) during this period.
18	Family Self Sufficiency Program*	• Assist 100 Section 8 recipients and public housing residents in the unincorporated areas to achieve self-sufficiency and homeownership during the planning period. • Annually apply to foundations, corporations, and public and private organizations for funds to provide additionally needed supportive services during the planning period.	Ongoing efforts are made to assist public housing residents to achieve self sufficiency. Qualified applicants are made aware of home ownership opportunities.
19	Housing Relocation for CalWORKS Recepients	Continue to provide assistance to CalWORKs participants during the planning period.	Unavailable
20	Shelter Plus Care - Supportive Housing Programs*	Annually apply for funding to develop and expand the Continuum of Care strategy for the homeless, using Shelter Plus Care – Supportive Housing Program during the planning period.	LACDC/HACOLA applied and received approximately $1.5 million for one new Shelter Plus Care Tenant-Based grant under the 2008 NOFA. The grant will be administered in partnership with L.A. County Dept. of Mental Health for 25 homeless individuals and/or families with special needs. Additionally, LACDC/HACOLA has received over $4.5 million in renewal funding to support existing Shelter Plus Care projects.

TABLE C1: Los Angeles County Housing Element Programs 2008-2014
Implementation Status

Program #	Program Name	Timeframe & Objectives	Progress/Status (Quantify if possible)
21	Green Building Program	The Green Building Program is currently in development; anticipated adoption by the Board of Supervisors by end of 2008, standards to be required by 2009, and certification for certain residential projects may be required by 2010. Low impact development and drought-tolerant landscaping will be applicable immediately after adoption.	On November 18, 2008, the Los Angeles County Board of Supervisors adopted the County's Green Building Program. The program, which is comprises of three ordinances, addresses energy efficiency, water conservation, the use of recycled materials, the importance of rainwater infiltration and the need for better indoor air quality. The Green Building Ordinance seeks to reduce the need for energy within buildings, ensure that construction waste is diverted from landfills and provide the infrastructure for future environmentally friendly technologies. The Drought-tolerant Landscaping Ordinances provides guidelines of how to plant more water efficient landscapes, which both look nice and cost less to maintain. Finally, the Low Impact Development Ordinance guides the creation of developments that allow infiltration and treatment of rainwater that would otherwise flow into gutters. The adopted ordinances and initial outreach materials can be found in **Appendix I**.
22	Energy Efficiency-Based Utility Allowance Schedule*	• Conduct annual updates on standard utility allowance and develop EEBUA based on standard allowance. • Develop implementation of the program by 2009. • Market to and train area developers as part of the CDC's affordable housing NOFA/RFP process.	A draft EEBUA was prepared by consultants through funding by CEC. However, the California Tax Credit Allocation Committee (TCAC) developed the California Utility Allowance Calculator (CUAC). This project-based tool will be introduced in 2009 and will be used in place of the EEBUA for tax credit projects.
23	Green Grant Program*	Annually allocate funding to implement program based on CDBG funding availability.	The Green Grant Program did not materialize because of conflicts with timing and logistics of Industry NOFA.
24	Ownership Housing Rehabilitation Program*	Assist 1,730 low income households in the unincorporated areas during the planning period. 1. Single-Family Loan – 240 households 2. Single-Family Grant – 1,200 households 3. Residential Sound Insulation – 50 households 4. Handyworker – 240 households	The following number of loans/grants were completed during the reporting period: 27 Single-Family Rehab Loans; 124 Single-Family Grants; and 50 Residential Sound Insulation Grants.
25	Public Housing Modernization Program*	Continue to improve and modernize the 1,945 public housing units in the unincorporated areas during the planning period.	Modernization of existing public housing is an ongoing activity of the Housing Authority, and over 100 units were undergoing modernization during this period.

TABLE C1: Los Angeles County Housing Element Programs 2008-2014
Implementation Status

Program #	Program Name	Timeframe & Objectives	Progress/Status (Quantify if possible)
26	Preservation of At-Risk Housing*	• Annually update the status of at-risk housing projects during the planning period. • Discuss preservation options with at-risk project owners. As funding permits, explore acquisition of at-risk projects or extension of affordability covenants. • Contact nonprofit housing organizations by the end of 2009 to solicit interest in preserving at-risk housing projects. • Pursue funding from State and Federal programs to assist in preserving at-risk housing. • Allocate Section 8 Housing Choice Vouchers for households displaced due to the expiration of Section 8 project-based rental assistance. • Work with nonprofits and landlords to provide notification of expiring units to tenants; engage tenants in the effort to preserve at-risk units, in addition to identifying affordable housing options.	No developments in the unincorporated areas were determined to be at-risk during this period. No actions were taken.
27	Fair Housing Programs*	• Annually allocate funding to support fair housing and tenant/landlord services during the planning period. • Provide training to County staff on fair housing laws and responsibilities.	As of 12/31/08, the County of Los Angeles' Fair Housing Program has served a total of 1,662 clients directly regarding general and fair housing inquiries. Forty Fair Housing cases have been opened, with 10 of the cases currently being litigated. The program has distributed 35,198 pieces of literature; sponsored 67 Public Service Announcements; participated in 21 community event informational booths; offered 15 management trainings; and six fair housing tester trainings.
28	Homeowner Fraud Prevention	Continue to provide fraud prevention counseling services to low and moderate income homeowners during the planning period.	The Department of Consumer Affairs continues to provide ongoing fraud prevention counseling services to low and moderate income homeowners.

TABLE C1: Los Angeles County Housing Element Programs 2008-2014
Implementation Status

Program #	Program Name	Timeframe & Objectives	Progress/Status (Quantify if possible)
29	Coordination and Implementation	• Convene a committee of staff representatives from DRP, CDC, DPW, FD, and Environmental Health to raise awareness of the unique, complicated, and time-sensitive nature of affordable housing development by 2009. • Create and implement a streamlined entitlements procedure for all stages of the development process to expedite the development of affordable housing by 2010.	No activity in 2008
30	Annual Progress Report	Prepare an annual report for submittal to HCD by April 1 during the planning period.	Completed
31	Monitoring of Housing Issues	Ongoing efforts during the planning period include, but are not limited to: 1. Attending housing and legislative review conferences; 2. Attending training workshops; 3. Consulting with housing professionals through the Housing Advisory Committee, Special Needs Housing Alliance, and Land Development Advisory Committee, among others; 4. Working with the State to enhance and refine State mandated housing policies, including but not limited to the Mello Act, Income Limits, the Regional Housing Needs Assessment, Density Bonus Law, and the Housing Element Law; 5. Participating in regional planning efforts coordinated by the Southern California Association of Governments (SCAG); and 6. Interfacing with other County agencies and the public.	• The Housing Advisory Committee met on September 25, 2008 to discuss the County's current subdivision procedures and policies, and within this context, the opportunities and obstacles to affordable housing development. The committee also explored policies, such as small lot subdivisions, and other tools that the County can consider to facilitate affordable housing and infill housing development.. • DRP staff continues to be involved in the Special Needs Housing Alliance, Housing Committee of the San Gabriel Valley Council of Governments (SGVCOG) and the Plans and Programs Technical Advisory Committee for SCAG. • DRP staff commented on proposed legislative bills on housing.

*As reported by staff from the Los Angeles County Community Development Commission and Housing Authority of the County of Los Angeles.

Appendix C

Housing Advisory Committee Agendas and Meeting Notes

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

May 8, 2008

TO: Housing Advisory Committee

FROM: Connie Chung, AICP, Section Head
Housing Section

SUBJECT: **MAY 22, 2008 MEETING MATERIALS**

The next meeting of the Housing Advisory Committee (HAC) is scheduled for Thursday, May 22, 2008. The enclosed meeting agenda provides details about the meeting and the location at the Kenneth Hahn Hall of Administration (KHHOA), in room 864.

At this meeting, we will connect the dots between the County's momentum over the past few years to address homelessness and special needs housing, and the Housing Element Update. What are some of the recent steps that the County has taken to help eradicate homelessness and encourage special needs housing, and what are some of the lessons-learned from these recent initiatives? What are the County's current regulatory provisions for special needs housing in the unincorporated areas, and what are some strategies that the County can apply to be consistent with State and Federal Fair Housing Laws? What are some considerations for implementing a reasonable accommodations ordinance for zoning and land use? How is the County addressing the requirements of SB 2 in the Housing Element Update? The discussion will be led by a panel of experts in special needs housing, including staff from the Los Angeles County Community Development Commission Housing Development and Preservation Division—Special Needs Housing Section; staff from Shelter Partnership, a nonprofit focused on special needs housing and homelessness; and staff from the Los Angeles Homeless Services Authority (LAHSA).

In addition, the Housing Section will provide updates on the Los Angeles County Housing Element Update.

We are enclosing a copy of the meeting notes from the February 14, 2008 meeting, for your information.

Should you have any questions, please contact me at (213) 974-6425. I look forward to seeing you at the May 22nd meeting.

Enclosures: Meeting Notice and Agenda
February 14, 2008 Meeting Notes

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

May 8, 2008

TO: Housing Advisory Committee

FROM: Connie Chung, AICP, Section Head
Housing Section

SUBJECT: MEETING NOTICE/AGENDA

The next meeting of the Housing Advisory Committee is scheduled for:

Day/Date:	**Thursday, May 22, 2008**
Time:	9:00 –11:00 A.M. (Refreshments will be available at 8:30 a.m.)
Location:	**Kenneth Hahn Hall of Administration Room 864** 500 West Temple Street Los Angeles, CA 90012

Please park in Lot 11, 227 N. Spring Street, entering from Spring, or Lot 26, 120 S. Olive Street, entering from First Street; both are operated by 5-Star Parking Services. Bring Parking Ticket to meeting for validation.

AGENDA

1.	Introductions and Reports	Connie Chung, AICP Housing Section, DRP
2.	Presentation and Discussion: - Special Needs Housing and the Los Angeles County Housing Element Update	Nicky Viola Shelter Partnership Paria Kooklan LAHSA Speaker TBA Housing Development and Preservation Division, CDC
3.	Discussion: - Housing Element Update - Other County matters	Housing Section
4.	Schedule next meeting date	

MEETING NOTES

LOS ANGELES COUNTY HOUSING ADVISORY COMMITTEE
Meeting Date: May 22, 2008

Attendees:

Members:
Steve Goddard, California Association of Realtors
Steve Lamb, Altadena Town Council
Tim O'Connell, Century Housing Corporation

Other Attendees:
Jack Henningsen, Cox, Castle, & Nicholson
Nicky Viola, Shelter Partnership
Ellen Fitzgerald, Psomas
Kenneth Quan, Psomas
Paria Kooklan, Los Angeles Homeless Services Authority (LAHSA)
Ugochi Anaebere, Neighborhood Legal Services

Board of Supervisors:
Nick Ippolito, 4th District

Department of Regional Planning:
Connie Chung, Housing Section
Tina Fung, Housing Section
Anne Russett, Housing Section
Gretchen Siemers, Housing Section
Mark Herwick, General Plan Section
Marshall Adams, Countywide Studies

Chief Executive Office:
Angie Gentry

Community Development Commission:
Lois Starr
LaCheryl Porter

Introductions and Reports

Welcoming comments from Connie Chung, Department of Regional Planning.

Ms. Chung provided the Committee with an update on the Draft Housing Element. She informed the Committee that the Department received its 60-day review letter from the State Department of Housing and Community Development (HCD), and that the Housing Section was currently working on incorporating the suggestions made by HCD and the public into a revised Draft.

Ms. Chung introduced the presenters: Nicky Viola from Shelter Partnership, Paria Kooklan from LAHSA, Gretchen Siemers from the DRP, Anne Russett from the DRP, and Lois Starr from CDC.

Presentations

Overview of Fair Housing Laws

Ms. Russett gave a brief overview of State and Federal Fair Housing Law, including the classes of individuals that are protected from discrimination based on the Federal Fair Housing Act and the California Fair Housing and Employment Act, and the protections provided persons with disabilities, including the responsibility of local jurisdictions to provide reasonable accommodations, or flexibility in the application of land use and zoning regulations. Ms. Russett also provided a summary of the State's requirements for the treatment of residential care facilities and group homes in zoning codes.

Special Needs Housing and the Los Angeles County Housing Element Update

Ms. Viola gave a presentation on the relatively recent changes to the State Housing Element Law related to special needs housing and homelessness, pursuant to the adoption of AB 2634 (Lieber) and SB 2 (Cedillo).

Ms. Viola explained that per AB 2634, local jurisdictions are required to quantify their fair share of the extremely low-income housing need. A local jurisdiction's extremely low-income housing need can be calculated as 50% of the RHNA allocation for Very Low Income households, or through an independent analysis. Ms. Chung noted that Los Angeles County calculated its extremely low-income need using the 50% rule of thumb. Ms. Viola added that AB 2634 also revised the land inventory analysis of the Housing Element to incorporate supportive housing and single room occupancy units (SROs).

Ms. Viola also discussed SB 2 (Cedillo), which became effective on January 1, 2008. SB 2 pertains to the siting of emergency shelters, as well as the treatment of emergency shelters, and supportive and transitional housing. Ms. Viola explained that SB 2 requires local jurisdictions to identify a zone or zones where emergency shelters are permitted without a discretionary process. In addition, the zone(s) must be able to accommodate the homeless need that exists within the local jurisdiction. Furthermore, SB 2 stipulates that supportive housing and transitional housing must be treated like other residential uses, and not subject to additional requirements, within the same zone. Ms Viola also explained that SB 2 amended the California Housing Accountability Act to prohibit local jurisdictions from denying the development of an emergency shelter, transitional housing, or supportive housing proposal that is both consistent with the zoning code and needed within the community.

Ms. Kooklan discussed LAHSA's Housing Element outreach efforts, which focuses on ensuring that local jurisdictions are analyzing the needs of the homeless in their Housing Elements. Furthermore, she stated the importance of proposing programs in Housing Elements that address the identified homeless need.

Ms. Kooklan outlined some examples from other local jurisdictions, including Section 8 vouchers set aside for homeless individuals and their families. Both the City of Los Angeles and the County of Los Angeles have such a program in place. Other programs include inclusionary zoning and an affordable housing trust fund. She also noted that some of these programs are not as feasible for smaller jurisdictions to implement.

Los Angeles County's Special Needs Housing Programs and Resources

Ms. Starr discussed the CDC/County's efforts to address special needs housing and homelessness, which include:

- Facilitating a 50% Special Needs Housing Set-Aside from the City of Industry Funds;
- Working in conjunction with the CEO to spearhead the efforts of the Special Needs Housing Alliance, which is an inter-agency forum to provide affordable and special needs housing education to other County departments and agencies, as well as to make recommendations on homelessness and special needs housing to the Board;
- Working on the LA County's Homeless Prevention Initiative; and
- Developing and maintaining the LA County Housing Resource Center[1] – an online database of affordable, special needs, and emergency housing available in Los Angeles County. This web site is a very useful tool for both renters and landlords.

Permitting Procedures and the County's Draft Housing Element

Ms. Siemers provided the Committee with information on the County's current entitlement practices for residential care facilities, group homes and homeless shelters, and summarized the analysis included in the County's Draft Housing Element regarding the County's permit procedures.

Discussion

A majority of the meeting consisted of a discussion surrounding the nuances of Federal and State Fair Housing Laws. The Committee discussed how the definition of family in zoning codes, which sometimes illegally distinguish between related and unrelated individuals, can act as a constraint to housing persons with special needs. Ms. Chung clarified that a legal definition of family must emphasize that the individuals occupying the unit function as a household, and therefore, cannot be subject to additional requirements.

Discussion also ensued regarding the definition of disability in the State Fair Housing and Employment Act. Members of the Housing Section highlighted the broad definition of disability, which includes any physical or mental illness. Furthermore, any individual currently in recovery from an alcohol or drug addiction is also protected by fair housing laws.

In addition, the discussion also focused on some of the confusion around the County's proposal in the Draft Housing Element to define transitional and supportive housing in its zoning code.

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[1]The HAC hopes to discuss the LA County Resource Center in more detail at a future meeting date. In the mean time, please visit the website: http://housing.lacounty.gov/.

Ms. Chung clarified that the County's intent is not to distinguish these use types, but to provide clarification and be consistent with the definitions provided in the Health and Safety Code per SB 2. She noted that these concerns will be taken into consideration when implementing these provisions.

The group also agreed that planning staff and departments need to be better educated on Federal and State Fair Housing Laws. One committee member suggested that service providers should offer educational opportunities to local jurisdictions. Another member noted the efforts made by the Southern California Association of Nonprofit Housing (SCANPH), and suggested that the American Planning Association (APA) needs to play a larger role in educating its members on fair housing issues.

Conclusion

Ms. Chung acknowledged the presenters and thanked everyone in attendance for providing their insight and perspectives on this important topic.

Next Meeting Date

The next meeting is scheduled for **Thursday, September 25, 2008, from 9:00am – 11:00am** (refreshments will be provided beginning at 8:30am) and will be held at the **Kenneth Hahn Hall of Administration, Room 864, 500 West Temple Street, Los Angeles, CA 90012.**

Should you have any questions, please contact Connie Chung at (213) 974-6425 or by e-mail at cchung@planning.lacounty.gov

CC:AR
August 12, 2008

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

September 2, 2008

TO: Housing Advisory Committee

FROM: Connie Chung, AICP, Section Head
Housing Section

SUBJECT: **SEPTEMBER 25, 2008 MEETING MATERIALS**

The next meeting of the Housing Advisory Committee (HAC) is scheduled for Thursday, September 25, 2008. The enclosed meeting agenda provides details about the meeting and the location at the Kenneth Hahn Hall of Administration (KHHOA), in room 864.

At this meeting, we will be joined by staff from our Land Divisions section to discuss the County's current subdivision procedures and policies, and within this context, the opportunities and obstacles to affordable housing development. We will also explore policies, such as small lot subdivisions, and other tools the County can consider to facilitate affordable housing and infill housing development.

In addition, the Housing Section will provide updates on the Department of Regional Planning's current housing initiatives, including the Los Angeles County Housing Element Update, Farmworker Housing Ordinance, Reasonable Accommodations Ordinance and a study to consider the feasibility of an inclusionary housing policy for the unincorporated areas.

We are enclosing a copy of the meeting notes from the May 22, 2008 meeting, for your information. In addition, enclosed is a fact sheet on the State Subdivision Map Act for your reference.

Should you have any questions, please contact me at (213) 974-6425. I look forward to seeing you at the September 25th meeting.

Enclosures: Meeting Notice and Agenda
May 22, 2008 Meeting Notes
Fact Sheet on State Subdivision Map Act

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

September 2, 2008

TO: Housing Advisory Committee

FROM: Connie Chung, AICP, Section Head
Housing Section

SUBJECT: MEETING NOTICE/AGENDA

The next meeting of the Housing Advisory Committee is scheduled for:

Day/Date:	**Thursday, September 25, 2008**
Time:	9:00 –11:00 A.M. (Refreshments will be available at 8:30 a.m.)
Location:	**Kenneth Hahn Hall of Administration Room 864** 500 West Temple Street Los Angeles, CA 90012

Please park in Lot 11, 227 N. Spring Street, entering from Spring, or Lot 26, 120 S. Olive Street, entering from First Street; both are operated by 5-Star Parking Services. Bring Parking Ticket to meeting for validation.

AGENDA

1.	Introductions and Reports	Housing Section
2.	Presentation and Discussion: - County Subdivision Procedure and Policies	Alejandrina C. Baldwin Land Divisions Section, DRP Tina Fung Housing Section, DRP
3.	Discussion: - Housing Element Update - Other County matters	Housing Section
4.	Schedule next meeting date	

Fact Sheet - Subdivision Map Act

Evolution of California's Subdivision Map Act	
1893	• Early State subdivision legislation required preparation and recordation of maps showing subdivided lots.
1901	• Amendments required presentation of map to the local jurisdiction for the purpose of accepting streets and highways for public use, if so intended.
1907	• Amendments added procedures for processing dedications and additional recording information to formalize conveyances.
1913, 1915, 1919, 1921, 1929	• Additional amendments further formalizing requirements for same purposes.
1937	• First reference to "Subdivision Map Act." • Prohibited sale of subdivided land without governmental approval. • Authorized local governments to regulate "design and improvement" of subdivided property (i.e. began to take on planning function).
1943	• Incorporated into the Business and Professions Code
1971	McCarthy Act Amendments: • Added requirement that the local jurisdictions make a finding that the design and improvement of the proposed subdivision is consistent with the General Plan and any applicable specific plan to approving a Tentative or Final Map (See current Govt. Code Section 66473.5). • Expanded definition of "design and improvement," giving local jurisdictions greater authority to condition map approval beyond streets and utilities. • Added requirement of maps for the division of land that creates four or fewer parcels ("Parcel Maps").
1974, 1975	Senator Gregorio Recodification: • Placed the Subdivision Map Act in the Government Code (previously in the Business and Professions Code). • This recognized changed role of the Subdivision Map Act from technical statute concerned largely with recording and recordkeeping, to a planning law. • See current Govt. Code Section 66410 et seq.

Source: Thomas Jacobson, AICP, Dept. of Environmental Studies & Planning, Sonoma State University

What is a Subdivision?

"Subdivision" means the division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. "Subdivision" includes a condominium project, as defined in subdivision (f) of Section 1351 of the Civil Code, a community apartment project, as defined in subdivision (d) of Section 1351 of the Civil Code, or the conversion of five or more existing dwelling units to a stock cooperative, as defined in subdivision (m) of Section 1351 of the Civil Code. (Government Code Section 66424)

MEETING NOTES

LOS ANGELES COUNTY HOUSING ADVISORY COMMITTEE
Meeting Date: September 25, 2008

Attendees:

Members:
Monroe Wooton, R.S. Cooper & Associates Realty
Henry Porter, Jr., Southwest Community Association
Paul Zimmerman, Southern California Association of Non-Profit Housing

Other Attendees:
Ellen Fitzgerald, PSOMAS
Kenneth Quan, PSOMAS
Paria Kooklan, Los Angeles Homeless Services Authority
Sarah Dimson, Los Angeles Community Design Center

Board of Supervisors:
Julie Moore, Fourth Supervisorial District

Department of Regional Planning:
Rose Hamilton, Advance Planning Division
Ron Hoffman, Housing Section
Connie Chung, Housing Section
Tina Fung, Housing Section
Anne Russett, Housing Section
Gretchen Siemers, Housing Section
Alejandrina Baldwin, Land Divisions Section

Other County Departments:
Ariel Palomares, Public Works, Building and Safety
Juan Padilla, Los Angeles County Fire Department, Land Development
Pansy Yee, Community Development Commission
Jacqueline Rodarte, Community Development Commission

Introductions

Welcoming comments from Connie Chung, Department of Regional Planning.

Ms. Chung informed the Committee that the Los Angeles County Housing Element was adopted by the Board of Supervisors on August 6, 2008.

Ms. Chung introduced Tina Fung from the Department of Regional Planning Housing Section and Alejandrina Baldwin from the Land Divisions Section.

Presentation

Los Angeles County Subdivision Process

Ms. Baldwin outlined the County's current subdivision process. Subdivision applications are a two-step process consisting of a Tentative map and then a Final map. Depending on the type of project proposed, either a Parcel Map or Tract Map is filed. Parcel Maps, or Minor Land Divisions, are needed for projects of four units or less; commercial and industrial subdivisions with four lots or less; parcels with a gross area of 20 acres or more with access to a public street; all parcels with a gross area of 40 acres or more; and reversion to acreage or merger. A Tract Map, or Major Land Division, is required when there are more than four lots or units.

Either a Parcel Map or Tract Map can be submitted for residential, commercial, industrial, or any combination thereof. Different types of subdivisions include: condominium projects (multiple units on one lot, subdivision of air space, common land ownership); condominium conversions; reversion to acreage or merger; lease or finance projects; and lease projects.

Additional entitlements might be required, such as a Zone Change, Local Plan Amendment, General Plan Amendment, Conditional Use Permit, Oak Tree Permit, or Housing Permit. All associated entitlements to the project are processed concurrently with the tentative map by the Land Divisions Section of Regional Planning.

Tentative map procedures

According to Ms. Baldwin, Regional Planning recommends that applicants meet with staff prior to designing a tentative map and filing the project. At a One-Stop Counseling session, information regarding the process and applicable regulations are discussed.

Soon after the filling of a subdivision project or revision to a pending project, maps and project materials distributed to the Subdivision Committee, and scheduled for a Subdivision Committee Meeting ("SCM"). This Committee is composed of the Department of Public Works, Fire Department, Department of Parks and Recreation, Department of Health Services and Department of Regional Planning. Regional Planning acts as the Chair of the Committee. During this meeting, the project undergoes a thorough technical review for all applicable regulations, including the Subdivision Map Act, the Permit Streamlining Act, the Countywide General Plan/Community Plan/Specific Plans and the County Code.

The project is then reviewed by the applicable hearing body. If the tentative map is approved, the map and its associated permits expire within three years, per recent changes to State law. In certain circumstances, applicants may request extensions to the expiration date.

Final Map and Parcel Map Waivers

Ms. Baldwin explained that all tract maps require a final map to be filed prior to tentative map expiration. Certain parcel maps may be granted a parcel map waiver (PMW) instead of requiring a final map. Parcel map waivers are generally only granted in flat non-urban areas where no dedications or improvements are required. A final map must be prepared by a licensed surveyor or registered civil engineer. Final maps must be recorded prior to tentative map expiration.

The Department of Public Works accepts Final Maps, and submits them to the Subdivision Committee to ensure that all tentative map conditions are addressed. If there are concurrent discretionary permits, those conditions must also be addressed. At this time, all required improvements must be constructed or installed, or the improvements must be bonded for with Public Works. Before the final map can be recorded, all departments must approve the map, and the Board of Supervisors must approve the map at a public hearing.

Fees

Ms. Baldwin provided an overview of the various fees that are required at the time of filing a tentative map, including a deposit and application fees. After the 2nd map revision, each subsequent revision is assessed an additional fee. There are additional fees for DPW review of certain plans and reports.

Prior and subsequent to filing the final map, required fees include a deposit for review of final map or parcel map waiver, construction and/or bonding and/or fees for required improvements, Quimby fees, school district fees, library facility fees, and fees for other agencies, facilities and services, as applicable.

Other Local Jurisdictions

Ms. Fung presented an analysis of subdivision procedures in other local jurisdictions. Los Angeles County, the City of Los Angeles, as well as the City of Riverside, each have an advisory committee comprised of technical experts, who review the initial map for compliance with regulations.

City of Los Angeles

The City of LA has a subdivision procedure to allow smaller subdivisions. The City's Small Lot Ordinance permits the subdivision of multi-family and commercially zoned properties into small, fee simple single family lots by reducing the minimum lot size and side yard requirements, and eliminating requirements for conventional street frontage. The intent of the ordinance is to reduce the cost of home ownership and generate creative housing solutions. Under this ordinance, the dwelling units can be townhomes, bungalow courtyard style or other configurations, as long as each structure, from the foundation to the roof, is separate and independent on its own. The ordinance does not apply to single family zones.

Riverside

Ms. Chung described the City of Riverside’s Planned Development Residential Permit, which is intended to facilitate the development of small-lot infill subdivisions in existing single family

neighborhoods. This discretionary procedure permits small-lots in all zones that permit single family residential except at the lowest density, RA-5. By encouraging more creative and imaginative project design, a greater development density may be achieved. In return, planned residential developments are required to incorporate amenities and superior design features not normally required of standard single-family residential developments. Up to a 20% density bonus for "superior design" including the provision of amenities, pedestrian friendliness, retention of unique natural features. A Parcel Map is still required, and development standards supersede development standards in the underlying base zone.

Discussion

Meeting attendees agreed that local jurisdictions should treat affordable housing projects differently in the subdivision review process. The group identified case processing times as the most significant barrier to housing development in the unincorporated areas. Ms. Baldwin noted that subdivision processing times often exceed two years, with larger projects sometimes extending to ten years. State law requires a 30 day review window, unless the application is deemed incomplete. In addition to the complicated nature of the projects, the comprehensive review procedures and mandated State time limits, limited staff resources and a case backlog have posed significant challenges for Regional Planning.

The Committee suggested that affordable housing cases be expedited, as well as cases for housing for persons with disabilities. Ms. Chung indicated that cases that are subsidized by the Community Development Commission are prioritized, yet in some cases may face significant processing times, as there are limited staff resources. The forthcoming reasonable accommodations ordinance may be a vehicle for developers of housing for persons with disabilities to request expediting if case processing times are an impediment to housing access. Ms. Chung also noted that the recently adopted Housing Element includes a program whereby an inter-departmental committee could facilitate the development process of affordable housing.

Committee members noted that there are timeframe constraints when financing non-profit housing and that the County's delays may impede the development of tax-credit projects. Committee members also noted the political considerations that influence case processing times.

Committee members discussed the issue of case expediting available for market-rate development projects. Other local jurisdictions utilize a fee-based expediting process, with or without a minimum quota component. Committee members commented that the County's long processing times can cause developers to be disinterested in projects in the unincorporated areas. Ms. Chung responded that this has been considered, yet there have been questions of fairness raised because many applicants are not in the position to afford an additional fee. Ms. Chung noted that DRP is completing a report on how to streamline the entitlement process; Committee members indicated that they will like to see the final report. Staff committed to inviting the planners preparing this report at a future meeting.

Another barrier in the County's subdivision process that was discussed is the Lease Only Map. This is a subdivision needed when developing rental housing comprised of two or more detached buildings. Other local jurisdictions do not have this requirement.

The Committee discussed examples of small-lot developments in the Los Angeles area. Homes at 1002 Leighton in Los Angeles, for example, were developed by using the City of Los Angeles small lot subdivision ordinance and design guidelines, and in consultation with Enterprise

Community Partners. Committee members noted that with higher densities and smaller lots than typical single family homes, buyers in Southern California are not yet comfortable with the new design.

Committee members discussed the need for flexibility in development standards and design to implement a small lot subdivision policy. Parking standards may need to allow tandem parking. Driveways may need to be shared. Flag lot development, which has been traditionally discouraged in the unincorporated areas, may need to be analyzed for impacts on surrounding neighborhoods. Fire Department staff noted the importance of access to the structure and to hydrants, when designing standards for small lot developments. Also, the building code needs to be reviewed for any policies regarding setbacks, ventilation and windows, etc.

The County may need to identify a mechanism to allow the maintenance of shared courtyards and driveways. However, the CDC staff added the importance of avoiding situations with additional fees and owner costs, which would counter the intent of a small lot subdivision policy.

The Committee discussed the potential zones in which this ordinance would apply. CDC staff encourages the policy to be applicable in R-1 zones. As this would increase densities, good design and the benefits of density are important to communicate in the development of the policy.

Conclusion

Ms. Chung provided a quick update on the Housing Element plans for implementation. Outreach for the Reasonable Accommodation ordinance is underway, as well as the initial stages of preparation of the feasibility studies for Small Lot Subdivision and Inclusionary Housing programs. Anne Russett of the Housing Section provided a brief update on the status of the Farmworker Housing Ordinance, and Gretchen Siemers of the Housing Section provided an overview of some recently adopted legislation that will affect housing planning.

Next Meeting Date

The next meeting is scheduled for **February 12, 2009, from 9:00am – 11:00am** (refreshments will be provided beginning at 8:30am) and will be held at the **Kenneth Hahn Hall of Administration, Room 864, 500 West Temple Street, Los Angeles, CA 90012.**

Should you have any questions, please contact Connie Chung at (213) 974-6425 or by e-mail at cchung@planning.lacounty.gov

CC:GS
01.13.09

Appendix D

Mixed Use Ordinance

ANALYSIS

This ordinance amends Title 22 - Planning and Zoning of the Los Angeles County Code related to mixed use developments and joint live and work units in certain commercial zones.

RAYMOND G. FORTNER, JR.
County Counsel

By

ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

EML:di

5/29/08 (requested)
5/29/08 (revised)

500514_4

ORDINANCE NO. _____

An ordinance amending Title 22 - Planning and Zoning of the Los Angeles County Code related to mixed use developments and joint live and work units in certain commercial zones.

The Board of Supervisors of the County of Los Angeles hereby ordains as follows:

SECTION 1. Section 22.08.100 is hereby amended to add the following definition in alphabetical order as follows:

22.08.100 J.

— "Joint live and work unit" shall mean a dwelling unit comprised of both living space and work space, where either a residential use or a commercial use can be the primary use, and in which at least one resident of the living space is responsible for the commercial activity performed in the work space. The terms "living space" shall mean the area for the residential use and "working space" shall mean the area for the commercial use.

. . .

SECTION 2. Section 22.08.130 is hereby amended to add the following definition in alphabetical order as follows:

22.08.130 M.

. . .

— "Mixed use development," unless otherwise specified, shall mean a development that combines residential and commercial uses.

. . .

SECTION 3. Section 22.28.050 is hereby amended to add the following in alphabetical order as follows:

22.28.050 Uses subject to director's review and approval. If site plans therefore are first submitted to and approved by the director, premises in C-H Zone may be used for:

. . .

— Joint live and work units, as provided in Part 19 of Chapter 22.52.

— Mixed use developments, as provided in Part 18 of Chapter 22.52.

. . .

SECTION 4. Sections 22.28.100.A, 22.28.150.A, and 22.28.200.A are hereby amended to add the following uses requiring director's review and approval in Zones C-1, C-2, C-3, respectively, as follows:

. . .

— Joint live and work units, as provided in Part 19 of Chapter 22.52.

— Live entertainment, accessory, in a legally established bar, cocktail lounge or restaurant having an occupant load of less than 200 people, where in full compliance with the conditions of Section 22.56.1754.

— Mixed use developments, as provided in Part 18 of Chapter 22.52.

. . .

SECTION 5. Section 22.28.260.A is hereby amended to add the following in alphabetical order as follows:

22.28.260 **Uses subject to permits.** Premises in C-M Zone may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

. . .

— Joint live and work units, as provided in Part 19 of Chapter 22.52 and in accordance with the minor conditional use permit procedure provided in Section 22.56.085.

. . .

— Mixed use developments, as provided in Part 18 of Chapter 22.52 and in accordance with the minor conditional use permit procedure provided in Section 2.56.085.

. . .

SECTION 6. Section 22.52.1145 is hereby added to read as follows:

22.52.1145 **Joint live and work units.** Each joint live and work unit shall have a minimum of two uncovered standard parking spaces.

SECTION 7. Part 18 of Chapter 22.52 is hereby added to read as follows:

PART 18

MIXED USE DEVELOPMENTS

Sections:

22.52.1900 **Purpose.**

22.52.1910 **Permitted areas.**

22.52.1920 **Use exceptions.**

22.52.1930 **Development standards.**

22.52.1940 **Performance standards.**

22.52.1950 **Covenant and agreement.**

22.52.1960 **Conversion of uses—Subject to permit.**

22.52.1900 **Purpose.** The purpose of this Part 18 is to facilitate the establishment of, and to ensure the compatibility of, residential and commercial uses within vertical mixed use developments by allowing such uses in certain commercial zones with appropriate development limitations and standards, and to streamline the permitting procedure for such uses. Joint live and work units may occupy portions of buildings designed for mixed use developments. A proposed mixed use development that does not comply with this Part 18 is subject to the regular conditional use permit procedure set forth in Part 1 of Chapter 22.56.

22.52.1910 Permitted areas.

A. Subject to the limitations set forth in subsection B below, and the exceptions and standards set forth in this chapter, mixed use developments shall be permitted in zones C-H (Commercial Highway), C-1 (Restricted Business), C-2 (Neighborhood Business), C-3 (Unlimited Commercial), and C-M (Commercial Manufacturing) provided that the applicant obtains one of the following:

1. A ministerial director's review and approval, as provided in Part 12 of Chapter 22.56 for mixed use developments in zones C-H, C-1, C-2, or C-3; or

2. A minor conditional use permit, as provided in Section 22.56.085 for mixed use developments in zone C-M.

B. Notwithstanding the above, no mixed use development approved in accordance with this Part 18 shall be allowed if any portion of the development would be located in a Significant Ecological Area (SEA); an Environmentally Sensitive Habitat Area (ESHA); a Very High Fire Hazard Severity Zone; an Airport Land Use influence area as depicted in the Los Angeles County Airport Land Use Plan; on land with a slope of 25 percent or more; or, on land not served by a public water or public sewer system.

22.52.1920 Use exceptions.

A. The commercial component of a mixed use development allowed pursuant to Section 22.52.1910, shall not include any of the following uses:

— Air pollution sampling stations.

— Assaying.

— Athletic fields.

— Auction houses.

— Automobile and other vehicle repair garages.

— Automobile battery service.

— Automobile brake repair shops.

— Automobile muffler shops.

— Automobile radiator shops.

— Automobile rental and leasing agencies.

— Automobile sales, sale of new and used motor vehicles.

— Automobile sightseeing agencies.

— Automobile service stations.

— Automobile supply stores.

— Bakery goods distributors.

— Beauty shops.

— Boat and other marine sales.

— Boat rentals.

— Car washes, automatic, coin operated, and hand wash.

— Communications equipment buildings.

— Dog training schools.

— Dry cleaning establishments.

— Electric distribution substations, including microwave facilities.

— Furniture and household goods, transfer and storage.

— Gas metering and control stations, public utility.

— Golf courses including the customary clubhouse and appurtenant facilities.

— Ice sales.

— Industrial uses listed in subsection B of Section 22.28.230.

— Laboratories, research, and testing.

— Laundry plants, wholesale.

— Lodge halls.

— Microwave stations.

— Mobilehome sales.

— Mortuaries.

— Motion picture studios and indoor sets, including the temporary use of domestic and wild animals in motion picture and television production.

— Motorcycle, motor scooter, and trail bike rentals.

— Motorcycle, motor scooter, and trail bike sales.

— Parcel delivery terminals.

— Pet grooming.

— Pet stores.

— Radio and television broadcasting studios.

— Recording studios.

— Recreational vehicle rentals.

— Recreational vehicle sales.

— Rental services, including:

1. Furniture and appliance rentals;
2. Hospital equipment and supply rentals;
3. Party equipment rentals;
4. Tool rentals, including rototillers, power mowers, sanders and saws, cement mixers, and other similar equipment, but excluding heavy machinery or trucks.

— Taxidermists.

— Telephone repeater stations.

— Tire retreading or recapping.

— Trailer rentals.

— Trailer sales.

— Truck rentals.

B. Mixed use developments approved in accordance with this Part 18 that require approval by the department of public works shall first be referred to the department of regional planning for review and approval in order to ensure that the use exceptions specified in this Part 18 are properly regulated.

22.52.1930 Development standards. All development standards in the zone in which mixed use developments are proposed in accordance with this Part 18 shall apply, in addition to the following:

A. Parking.

1. With the exception of fully subterranean structures, all parking areas shall:

a. Be located in the rear of the structure(s); and

b. Be completely screened with walls and/or landscaping so that they are not visible from the street that provides frontage, except that views of parking areas down or along access driveways need not be screened.

2. Separate commercial and residential parking spaces must be provided in compliance with Part 11 of Chapter 22.52, which spaces shall be separately designated by posting, pavement marking, and/or physical separation.

B. Loading/unloading. Off-street loading areas shall be located toward the rear of the structure(s) and shall not be visible from the street.

C. Trash/recycling. Areas for the collection and storage of refuse and recyclable materials shall be located on the site in locations that are convenient for both the residential and commercial uses. The trash enclosures shall be located toward the rear of the structure(s) and shall not be visible from the street.

D. Zone-specific standards:

1. Zones C-H, C-1, and C-2. Properties in Zones C-H, C-1, and C-2 developed with mixed use developments in accordance with this Part 18 shall not contain more than 17 dwelling units per net acre.

2. Zones C-3 and C-M.

a. Dwelling unit density. Properties in Zones C-3 and C-M developed with mixed use developments in accordance with this Part 18 shall not contain more than 50 dwelling units per net acre;

b. Height. A building or structure in a mixed use development approved in accordance with this Part 18 shall not exceed a height of 60 feet above grade, excluding chimneys and rooftop antennas.

22.52.1940 Performance standards. All performance standards in the zone in which mixed use developments are proposed in accordance with this Part 18 shall apply, in addition to the following:

A. Mixed use development type.

1. With the exception of entrance hallways and joint live and work units, commercial and residential uses shall not be located on the same floor;

2. With the exception of joint live and work units, the ground floor space shall be devoted solely to commercial uses;

3. With the exception of joint live and work units, all floor space above the ground floor shall be devoted solely to residential uses.

B. Hours of operation. The hours of operation for commercial uses shall be no earlier than 7:00 a.m., and no later than 10:00 p.m., daily.

C. Operating activities prohibited. The following operating activities shall be prohibited:

1. Storage or shipping of flammable liquids or hazardous materials beyond that normally associated with a residential use;

2. Welding, machining, or open flame work.

22.52.1950 **Covenant and agreement.** The applicant shall record in the office of the county recorder, an agreement that the mixed use developments will be maintained in accordance with this Part as a covenant running with the land for the benefit of the County of Los Angeles, and the covenant shall also declare that any violation thereof shall be subject to the enforcement procedures of Part 6 of Chapter 22.60.

22.52.1960 **Conversion of uses—Subject to permit.** Conversion from a mixed use development to an exclusive residential use shall require a regular conditional use permit as provided in Part 1 of Chapter 22.56.

SECTION 8. Part 19 of Chapter 22.52 is hereby added to read as follows:

PART 19

JOINT LIVE AND WORK UNITS

Sections:

22.52.2000 **Purpose.**

22.52.2010 **Permitted areas.**

22.52.2020 **Permitted uses.**

22.52.2030 **Development standards.**

22.52.2040 **Performance standards.**

22.52.2050 **Covenant and agreement.**

22.52.2060 **Conversion of uses—Subject to permit.**

2.52.2000 **Purpose.** The purpose of this Part 19 is to facilitate the establishment of, and to ensure the compatibility of, residential and commercial uses within joint live and work units by allowing such uses in certain commercial zones with appropriate development limitations and standards, and to streamline the permitting procedure for such uses. Joint live and work units may occupy portions of buildings designed for mixed use developments. A joint live and work unit that does not comply with this Part 19 is subject to the regular conditional use permit procedure set forth in Part 1 of Chapter 22.56.

22.52.2010 **Permitted areas.**

A. Subject to the limitations set forth in subsection B below, and the standards set forth in this chapter, joint live and work units shall be permitted in zones C-H (Commercial Highway), C-1 (Restricted Business), C-2 (Neighborhood Business), C-3 (Unlimited Commercial), and C-M (Commercial Manufacturing) provided that the applicant obtains one of the following:

1. A ministerial director's review and approval, as provided in Part 12 of Chapter 22.56, for joint live and work units in zones C-H, C-1, C-2, or C-3; or

2. A minor conditional use permit as provided in Section 22.56.085 for joint live and work units in zone C-M.

B. Notwithstanding the above, no joint live work unit approved in accordance with this Part 19 shall be allowed if any portion of the development would be located in a Significant Ecological Area (SEA); Environmentally Sensitive Habitat Area (ESHA); a Very High Fire Hazard Severity Zones; an Airport Land Use influence

area as depicted in the Los Angeles County Airport Land Use Plan; on land with a slope of 25 percent or more; or, on land not served by a public water and sewer system.

22.52.2020 Permitted uses.

A. Notwithstanding the uses otherwise permitted in the basic zone, the commercial component of the joint live and work units approved in accordance with this Part 19 shall only include the following uses:

1. In zones C-H, C-1, C-2, C-3, and C-M:

— Antiques, the restoration of genuine antiques.

— Architecture and building design.

— Art studio, including painting and sculpturing.

— Bookbinding.

— Cartooning and animation.

— Ceramics, the making of.

— Clothing, the design and sewing of.

— Commercial art.

— Costume designing.

— Engraving of metal products.

— Furniture, the crafting and assembly of, including custom upholstering.

— Glass, the hand production of, including glass blowing, glass, crystal, and art novelties, and the assembly of stained art glass.

— Graphic design and display studio.

— Interior decorating.

— Jewelry, the creation of.

— Leatherwork, using previously tanned leather.

— Musical instruments, the creation and assembly of.

— Offices, business or professional.

— Ornamental metal, provided that there are no forging works or any process used in bending or shaping.

— Photography studio.

— Picture mounting and framing.

— Pottery, the throwing of.

— Printing and publishing.

— Shoes, footwear, the fabrication of.

— Silk screen processing.

— Textile weaving, hand looms only.

— Toys, the production of.

— Transcription studios.

— Watch making.

— Woodcarving.

— Wood products, the crafting of.

2. In C-M Zone, in addition to the uses specified in subsection A.1, the following assembly and manufacture uses involving previously prepared materials, and

excluding the use of drop hammers, automatic screw machines, punch presses exceeding five tons capacity and motors exceeding one horsepower capacity that are used to operate lathes, drill presses, grinders or metal cutters, are permitted provided that all activities are conducted within an enclosed building:

- Aluminum products.
- Appliance assembly, electrical, electronic and electromechanical.
- Bone products.
- Canvas products.
- Cellophane products.
- Cloth products.
- Cosmetics, excluding soap.
- Equipment assembly, electrical, electronic and electromechanical.
- Felt products.
- Fur products.
- Glass products and stained-glass assembly, provided no individual crucible shall exceed a capacity of 16 square feet.
- Instrument assembly, electrical, electronic and electromechanical, including precision machine shops.
- Jewelry manufacture.
- Leather products, excluding machine belting.
- Metals, working and casting of rare, precious, or semiprecious metals.

— Optical goods manufacture.

— Paper products.

— Perfume manufacture.

— Plastic products.

— Shell products.

— Stone products.

— Textile products.

— Toiletries, excluding soap.

— Wicker and bamboo products.

— Yarn products, excluding dyeing of yarn.

B. All joint live and work units approved in accordance with this Part 19 that require approval by the department of public works shall first be referred to the department of regional planning for review and approval in order to ensure that the use exceptions specified in this Part 19 are properly evaluated.

22.52.2030 Development standards. In addition to the development standards specified in Section 22.52.1930, the following development standards for proposed joint live and work units approved pursuant to this Part shall apply:

A. Parking. Parking for joint live and work units shall comply with the provisions of Section 22.52.1145.

B. Minimum size. The minimum size of a joint live and work unit shall be 1,000 square feet.

22.52.2040 Performance standards. In addition to the performance standards specified in Section 22.52.1940, the following performance standards for proposed joint live and work units approved pursuant to this Part shall apply:

A. At least one resident of the living space shall perform or oversee the commercial activity performed in the working space.

B. The living and working spaces within a joint live and work unit shall not be rented, leased, or sold separately.

C. The maximum number of employees who do not reside within a joint live and work unit is two.

D. For a multi-story joint live and work unit that is located partially on the ground floor, the working space shall be located on the ground floor.

E. The minimum floor area for working space shall be 250 square feet.

F. Where a ground-floor joint live and work unit fronts upon a street, the working space shall be oriented to the street.

G. The joint live and work unit shall have at least one shared external entrance/exit for the working space and the living space.

H. There shall be direct access between the living space and working space.

22.52.2050 Covenant and agreement. The applicant shall record in the office of the county recorder, an agreement that the joint live and work units will be maintained in accordance with this Part as a covenant running with the land for the benefit of the county of Los Angeles, and the covenant shall also declare that any

violation thereof shall be subject to the enforcement procedures of Part 6 of Chapter 22.60.

22.52.2060 Conversion of uses—Subject to permit. Conversion from a joint live and work unit, which is not located on the ground floor of a building, to a commercial use which is permitted in the underlying zone, or conversion of any joint live and work unit to an exclusive residential use shall require a regular conditional use permit as provided in Part 1 of Chapter 22.56.

SECTION 9. Section 22.56.085 is hereby amended to read as follows:

22.56.085 Grant or denial of minor conditional use permit by director.

A. Any person filing an application for a conditional use permit may request the director to consider the application in accordance with this section for the following uses:

— Joint live and work units, as provided in Part 19 of Chapter 22.52.

— Mixed use developments, as provided in Part 18 of Chapter 22.52.

— Wind energy conversion system, non-commercial (WECS-N).

. . .

SECTION 10. Section 22.60.100 is hereby amended to read as follows:

22.60.100 Filing fees and deposits.*

A. For the purpose of defraying the expense involved in connection with any application or petition required or authorized by this Title 22, the following fees shall accompany the application or petition:

. . .

— Conditional Use Permit ~~for Wind Energy Conversion System (WECS-N) – $5,369.00, except that~~, Minor where a request for consideration under Section 22.56.085 is made, the initial fee shall be $967.00 and an additional fee of $4,402.00 shall be imposed in the event a public hearing is required by Section 22.56.070.

. . .

[MIXEDUSEDEVELCC]

Appendix E

Marina del Rey Affordable Housing Policy

COUNTY OF LOS ANGELES - MARINA DEL REY
AFFORDABLE HOUSING POLICY

The Mello Act (Government Code section 65590, *et seq.*) mandates that each local government whose jurisdiction is situated, in whole or in part, within the Coastal Zone, has the responsibility to require the replacement of housing units occupied by persons or families of low or moderate income when it approves the conversion or demolition of those units, and to require the provision of housing units for persons and families of low or moderate income, where feasible, when it approves new housing developments in the Coastal Zone. The County of Los Angeles (County) is the owner of all real property in the unincorporated territory of Marina del Rey, which includes a small craft harbor and adjacent lands, all within the Coastal Zone. The County leases landside and waterside parcels in Marina del Rey for development. The County is also the primary land use regulatory authority for Marina del Rey through the Marina del Rey Local Coastal Program (LCP), including the Marina del Rey Specific Plan. The LCP, through the Specific Plan, establishes land use policy, development standards and guidelines which are the principal regulatory basis for future development, preservation and reconstruction efforts in Marina del Rey.

The purpose of the County of Los Angeles - Marina del Rey Affordable Housing Policy described herein is limited to ensuring that all new residential development in Marina del Rey complies with the Mello Act by preserving existing affordable housing supplies (replacement units), and creating new affordable housing units (inclusionary units), where feasible, while balancing the County's ability to generate revenues from its Marina ground leases for Countywide public benefit programs.

EXECUTIVE SUMMARY

Mello Act obligations for new development in Marina del Rey will be determined by the Regional Planning Commission based upon a joint recommendation by the Department of Regional Planning (DRP), the Los Angeles County Community Development Commission (CDC) and the Department of Beaches and Harbors (DBH) made prior to the Regional Planning Commission's consideration of an application for a Coastal Development Permit (CDP) or any other discretionary land use entitlements or non-discretionary permits necessary to the project, based on this adopted Policy.

The number of new affordable housing units to be constructed as part of any new development within County-owned Marina del Rey shall: 1) be reasonably disbursed

throughout the project; 2) be comparable in size and design to the market-rate units being developed in the rental component of the new or converted project; and 3) include a covenant guaranteeing that the relevant affordable income and rent requirements for each replacement and inclusionary affordable housing unit will be observed for a number of years equivalent to the remaining term of the ground lease.

The number of replacement units to be constructed shall be determined based on the results of an income survey to be completed by the CDC on a project-by-project basis. The rental levels of the replacement units shall be set on a like-for-like basis as determined by the income level of the existing tenant whose income level triggers the replacement requirement or, if income information is not available, by comparison of the average of the previous year's monthly rent compared to the average affordable monthly rental rates for the same year.

Subject to an analysis of each project's feasibility, the 15% inclusionary affordable housing goal shall be calculated on the net new incremental units to be constructed as part of the project with 1/3 reserved for very low-, 1/3 reserved for low-, and 1/3 reserved for moderate-income persons and families. In the event the product of the inclusionary unit calculation does not evenly divide by three, the remaining unit(s) will be designated as a low income unit(s).

Determining feasibility of on-site affordable housing for a project must be undertaken on a project-by-project basis. If on-site affordable housing initially appears infeasible, the potential use of density bonuses and other incentives and potential economic aid, such as tax credits and/or below market bond financing or grants should be considered as a means of making on-site affordable housing feasible. County rent adjustments to comply with the affordable housing requirement may be available and are subject to negotiation on a project-by-project basis.

If it is determined by the Regional Planning Commission after careful consideration of a joint recommendation by the DRP, the CDC and the DBH that providing the inclusionary units on-site causes the project to be infeasible by virtue of the developer being unable to successfully complete the project within a reasonable period of time, taking into account economic, environmental, social and technical factors, then construction of such affordable units may be permitted off-site in the following priority order:

1. In the Coastal Zone within unincorporated territory of Los Angeles County;

2. Within three miles of the Coastal Zone in the unincorporated territory of Los Angeles County;

3. In the Coastal Zone within incorporated territory of Los Angeles County; or

4. Within three miles of the Coastal Zone in incorporated territory of Los Angeles County.

Replacement units must be provided on-site or within the Coastal Zone where feasible, and if infeasible on-site or within the Coastal Zone, then within three miles of the Coastal Zone with priority given to the unincorporated areas.

The obligation to construct or rehabilitate affordable replacement and/or inclusionary housing units off-site will be the sole responsibility of the developer. The off-site affordable housing units must be completed and available for occupancy prior to the issuance of the Certificate of Occupancy for the new market rate development, but in no event later than three years from the issuance of a building permit for the new development project.

No in-lieu fee program will be available to comply with either the replacement or inclusionary housing obligations.

Guidelines for the implementation of this Policy shall be developed by County staff in consultation with the CDC, the Marina del Rey Lessees' Association and Housing Advocates, and may be updated from time to time (Guidelines), with reasonable notice and opportunity to comment by each of these groups.

MELLO ACT REQUIREMENTS

The Mello Act applies to the demolition, conversion and construction of housing within the California Coastal Zone, and is intended to preserve affordable housing for low and moderate income persons and families. The basic requirements imposed by the Mello Act are:

Replacement Housing:	Converted or demolished residential units that are occupied by low or moderate income persons or families must be replaced.

Inclusionary Housing:	New residential projects must provide inclusionary housing units affordable to low or moderate income persons or families, where feasible.
Conversion to Non-Residential Uses:	The County can only approve the demolition or conversion of residential structures for the subsequent development of commercial uses that are not coastal dependent, if it first finds that a residential use is no longer feasible at that location and otherwise requires compliance with the replacement housing requirement.

Mello Act obligations for new development in Marina del Rey will be determined by the Regional Planning Commission based upon a joint recommendation by the DRP, CDC and DBH made prior to the Regional Planning Commission's consideration of an application for a CDP under the LCP or any other discretionary land use entitlements or non-discretionary permits necessary to the project, based on this adopted Policy. Nothing in this Policy shall be interpreted as superseding the requirements of the LCP, the Mello Act or any other provisions of State law or the County Code applicable to development in Marina del Rey.

The following sections of this Policy identify the County's methodology for fulfilling the replacement and inclusionary housing obligations imposed by the Mello Act.

REPLACEMENT HOUSING

Obligations

The Mello Act requires any residential unit occupied by a low or moderate income person or family to be replaced. Therefore, applicants for discretionary and non-discretionary permits involving the demolition, conversion or construction of housing within Marina del Rey will be required to assist the CDC and/or its affordable housing consultant to complete the following activities:

1. Send a notice to all current tenants that includes:

a. A description of the proposed demolition or conversion plan;

b. An explanation of the Mello Act provisions and compliance review process;

c. Contact information for a County staff member who can provide additional information to the residents;

d. An income survey to be completed by each family and individual tenant to determine the developer's replacement housing obligation for Mello Act compliance (the Income Survey and Financial Information Form will be attached to the Guidelines and may be updated periodically). Income information obtained from individual tenants specifically named on the lease, and their family members/domestic partners, will be used exclusively to determine replacement housing eligibility. Financial information obtained from resident(s) subleasing directly from the legal tenant, but not named on the original lease/rental agreement (i.e. non-family roommates), will not be considered in determining the developer's replacement housing obligation for purposes of Mello Act compliance; and

e. Information regarding eligibility of former tenants for priority wait list status for affordable units, as set forth in sections 14 through 16, below. Notice of the availability of priority wait list status for former tenants shall be included on the income survey.

This notice shall be given prior to completion of term sheet negotiations and is not intended to serve as or replace any notice relating to the demolition of residential dwelling units or the termination of residential tenancies required to be given pursuant to the California Civil Code or any other provision of State law, the County Code, or as an express condition of the development's CDP or other permit for entitlement.

2. Identify the characteristics of each unit in the project as follows:

a. Units occupied by resident management employees will not be considered in determining the developer's replacement housing obligation for purposes of Mello Act compliance (with a limit of one management unit per seventy–five residential units).

b. Students that are claimed as a dependent on their parent's federal income tax return or whose parent(s) are guarantors on the rental/lease agreement must include parental household income information on the tenant income survey to determine affordable housing eligibility of their unit for the purposes of Mello Act compliance.

c. Any vacant unit identified at the commencement of term sheet negotiations with the DBH is deemed to be a market rate unit.

d. The Mello Act requires that a residential dwelling unit be deemed occupied by a person or family of low or moderate income if the person or family was evicted from that dwelling unit within one year prior to the filing of an application to convert or demolish the unit, if the eviction was for the purpose of avoiding the requirements of the replacement housing obligation under the Mello Act. The Mello Act further requires that if a substantial number of persons or families of low or moderate income were evicted from a single residential development within one year prior to the filing of an application to convert or demolish the structure, the evictions shall be presumed to have been for the purpose of avoiding the requirements of the replacement housing obligations under the Mello Act and the developer shall bear the burden of proving the evictions were not for the purpose of avoiding said requirements. For the purposes of this Policy, the presumption period shall run one year prior to the commencement of term sheet negotiations with DBH. If the developer cannot demonstrate that the tenant(s) were evicted for cause rather than to avoid the Mello Act replacement housing obligations during that period, the unit(s) shall be deemed occupied by a low or moderate income person or family.

e. The CDC or its designated consultant will use reasonable efforts to obtain responses to the income survey from all tenants. "Reasonable efforts" is defined as no less than two attempts (one via mail and one door-to-door) at collecting income survey information from each tenant. Affordable housing eligibility for units with tenants that return an income survey but decline to state any financial information and for tenants that do not respond to the income survey will be determined using tenant income information no more than two years old contained in the developer's files; or in the absence of such income information, using the average of the previous year's monthly rent compared to the average affordable monthly rental rates for the same year as noted below:

i. If the average monthly rent for the unit is less than or equal to the average monthly affordable rent for a very-low income household, the unit will be considered to be occupied by a very-low income person or family.

ii. If the average monthly rent for the unit is less than or equal to the average monthly affordable rent for a low income household, the

unit will be considered to be occupied by a low income person or family.

iii. If the average monthly rent for the unit is less than or equal to the average monthly affordable rent for a moderate income household, the unit will be considered to be occupied by a moderate income person or family.

iv. If the average monthly rent for the unit is greater than the average monthly affordable rent for a moderate income household, the unit will be deemed to be a market-rate unit.

f. Unmarried and unrelated tenants who wish to be treated as separate individuals rather than as a household must declare under penalty of perjury the following:

i. They are not registered domestic partners;

ii. Neither party claims employment benefits received by the other party (i.e. health insurance, etc.);

iii. They do not share a bank account; and

iv. They do not own real property together.

3. The CDC shall submit to the Regional Planning Commission the following information for each project involving the demolition, conversion or construction of housing within Marina del Rey:

a. Confirmation of household income level of the persons or families in accordance with California Health and Safety Code standards.

b. Identification of unit(s) deemed occupied by persons or families of low or moderate income pursuant to section 2.c., above.

c. Identification of the number of bedrooms in the unit eligible for replacement pursuant to the Mello Act. When a tenant is determined to be of low or moderate income, but other tenants within the same unit are above-moderate income, the replacement obligation is limited to one bedroom.

Methods of Compliance

4. The developer is required to replace each unit that is determined to be occupied by low or moderate income persons or families on a one-for-one basis (per number of bedrooms). The replacement units must adhere to the following requirements:

a. The replacement unit must be of comparable size and design to the market-rate units being developed in the rental component of the new or converted project.

b. The replacement housing obligation may be satisfied, in whole or in part, by an affordable housing set aside required as a condition of receiving a density bonus, and shall not be imposed in addition to any such set aside, except to the extent the density bonus set aside does not fully satisfy replacement and/or inclusionary housing obligations required under the Mello Act.

5. The rental levels of the replacement units shall be set on a like-for-like basis as determined by the income level of the existing tenant whose income level triggers the replacement requirement or, if income information is not available, by comparison of the average of the previous year's monthly rent compared to the average affordable monthly rental rates for the same year, as set forth in section 2.e., above.

6. Developers must provide the identified replacement housing units on-site or elsewhere within the Coastal Zone unless the developer can demonstrate that such placement is not feasible.

a. The project feasibility analysis must include:

i. An evaluation of the impacts created by incentives available to the developer such as density bonuses; development standards relief; and available state and local assistance programs.

ii. An estimate of the developer's return that would be generated by the project. This return will be compared to a feasibility factor equal to the average capitalization rate for apartment sales in Los Angeles County, as published in the California Real Estate Journal, plus an amount not to exceed 200 basis points.

iii. An evaluation of whether or not the project can be successfully completed within a reasonable period of time, taking into account economic, environmental, social and technical factors.

b. If on-site or Coastal Zone replacement is determined to be infeasible, the units shall be provided at an off-site location in the following priority order:

i. Within three miles of the Coastal Zone in the unincorporated territory of Los Angeles County; or

ii. Within three miles of the Coastal Zone in the incorporated territory of Los Angeles County.

c. Off-site units can be new construction, adaptive reuse or the substantial rehabilitation of existing units. The term "substantial rehabilitation" shall mean rehabilitation in which the total cost of rehabilitation equals or exceeds 25 percent of the value of the structure after rehabilitation. The obligation to construct or rehabilitate affordable replacement housing units off-site will be the sole responsibility of the developer.

d. No in-lieu fee program will be available to comply with the replacement housing obligations.

INCLUSIONARY HOUSING

The Mello Act requires new residential development to provide affordable housing units where feasible (inclusionary units). The County will require developers to meet the following standards:

7. The inclusionary housing obligation will be imposed separately from any replacement housing obligations being applied to the project.

8. The inclusionary units must be reasonably dispersed throughout the rental unit component of the project, and the unit sizes and design must be comparable to market rate rental units included in the project.

9. The on-site inclusionary housing obligation will be calculated based upon the net new incremental units (fractional units under 0.5 are to be rounded down and fractional units of 0.5 and above are to be rounded up) to be constructed or converted in the following manner:

a. The developer must set aside a percentage of the net new units to be constructed as affordable units, subject to an analysis of the project's feasibility on a project-by-project basis. The County's goal is to have each developer set aside 15% of

the net new units of which 1/3 will be reserved for very low-, 1/3 will be reserved for low-, and 1/3 will be reserved for moderate-income persons and families (Product of the Inclusionary Unit Calculation). In the event the Product of the Inclusionary Unit Calculation does not evenly divide by three, the remaining unit(s) will be designated as a low income unit(s).

b. The mix of inclusionary unit types (i.e., studio, one bedroom, two bedroom, etc.; varying floorplans with the same number of bedrooms will be treated as different unit types) must be provided in the same proportion to the mix of unit types proposed for the entire development (Total Unit Type Ratio). The Total Unit Type Ratio for each unit type will be multiplied by the Product of the Inclusionary Unit Calculation to determine the number of each unit type to be distributed amongst the various affordable income levels. In the event the number of each unit type does not evenly divide by three, the remaining unit(s) will be designated as a low-income unit(s).

c. If the developer requests and is eligible for a density bonus, the inclusionary unit requirement will be calculated off the pre-bonus number of units.

d. The inclusionary housing obligation may be satisfied, in whole or in part, by an affordable housing set aside required as a condition of receiving a density bonus, and shall not be imposed in addition to any such set aside, except to the extent the density bonus set aside does not fully satisfy the replacement and/or inclusionary housing obligations required under the Mello Act.

10. The developer must provide a project feasibility analysis in support of its proposed inclusionary housing obligation.

a. The project feasibility analysis must include:

i. An evaluation of the impacts created by incentives available to the developer such as density bonuses; development standards relief; and available state and local assistance programs. (Note: County rent adjustments to comply with the inclusionary housing requirement are subject to negotiation on a project-by-project basis).

ii. An estimate of the developer's return that would be generated by the project. This return will be compared to a feasibility factor equal to the capitalization rate for apartment sales in Los Angeles

County, as published in the California Real Estate Journal, plus an amount not to exceed 200 basis points.

iii. An evaluation of whether or not the project can be successfully completed within a reasonable period of time, taking into account economic, environmental, social and technical factors.

b. If on-site development of the inclusionary housing units is determined to be infeasible based upon the project feasibility analysis, the units must be provided at an off-site location in the following priority order:

i. In the Coastal Zone within the unincorporated territory of Los Angeles County;

ii. Within three miles of the Coastal Zone in the unincorporated territory of Los Angeles County;

iii. In the Coastal Zone within the incorporated territory of Los Angeles County; or

iv. Within three miles of the Coastal Zone in the incorporated territory of Los Angeles County.

c. The off-site inclusionary units can be new construction, adaptive reuse or substantial rehabilitation. The term "substantial rehabilitation" shall mean rehabilitation in which the total cost of rehabilitation equals or exceeds 25 percent of the value of the structure after rehabilitation. The obligation to construct or rehabilitate affordable housing inclusionary units off-site will be the sole responsibility of the developer.

d. No in-lieu fee program will be available to comply with the inclusionary housing obligations.

CONVERSION TO NON-RESIDENTIAL USES

In accordance with Mello Act requirements, the County will evaluate proposals to demolish or convert residential structures for the subsequent development of commercial uses that are not coastal dependent. No project will be approved unless the County determines that a residential use is no longer feasible at the proposed location. All such projects shall fully comply with the replacement housing obligations as set forth above.

ADDITIONAL PROVISIONS

11. The affordable income and rent requirements for replacement and inclusionary units will be determined as follows:

a. The income standards for very low, low and moderate income households will be based on California Health and Safety Code standards, as adjusted and annually published by the California Department of Housing and Community Development.

b. The affordable rents and utility allowance schedule will be published by CDC on an annual basis.

c. A "unit" shall consist of a group of one or more rooms, one of which will include a kitchen, designed for occupancy by one family for living and sleeping purposes, together with the land and buildings appurtenant thereto, and all housing services (services connected with the use and occupancy of a unit, including but not limited to utilities (if also provided to the market rate units) ordinary repairs or replacement, maintenance (including painting), elevator service, laundry facilities, common recreational facilities, janitor service, resident manager, refuse removal, and all privileges, benefits, furnishings and facilities supplied in connection with the use or occupancy thereof, including garage and parking facilities).

d. The affordable rent as published by the CDC, less the corresponding utility allowance, as applicable, shall be the maximum amount charged for occupancy of a "unit". There shall be no separate, additional charges for use and occupancy of a unit or for housing services related thereto, including, but not limited to charges for parking spaces required to be assigned to the unit as a condition of the CDP or other land use entitlement permit.

12. The tenant survey must be approved by the CDC during lease negotiations for County owned properties. If more than one year passes after approval of the original tenant survey, the survey must be updated and resubmitted as part of the County's Regional Planning application process for a CDP. The replacement housing obligation will be set at the higher result of the two surveys.

13. The developer must submit to the CDC an Affordable Housing Plan, which sets forth the number of affordable units, location of affordable units and all other details

regarding provision of affordable units as set forth in this Policy and the Guidelines; no Building Permits will be issued for the project until the County approves the Plan.

14. The CDC or its designee shall maintain a list of tenants or tenant households (collectively "tenants") eligible for priority wait list status based upon their unit qualifying as an affordable replacement unit (based upon income survey, income information or rent level). The CDC shall notify tenants, in writing, that their unit has qualified as an affordable replacement unit, and at what income level, within 60 days from the CDC's determination that the unit qualifies as an affordable replacement unit, but in no event later than 180 days from the first deadline for responses to the income survey or, if the income survey has been completed prior to this Policy's adoption, within 60 days of the adoption of this Policy. Such notification shall include a statement that it is the tenants' responsibility to provide the developer and CDC or its designee with updated contact information, including telephone number and mailing address, when such information changes, so that the tenants can receive notices from the developer and CDC pursuant to section 15, below.

15. Tenants who submitted an income survey that qualified a unit for replacement and were specifically named on the original lease will be eligible for priority placement in the first band on the wait list for available affordable units. Priority within the first band shall be determined by a lottery conducted by the CDC prior to tenants being placed on the wait list.

Tenants of units that qualified for replacement and were specifically named on the original lease, but did not return an income survey, will be eligible for priority placement in the second band on the wait list for available affordable units. Priority within the second band shall be determined by a lottery conducted by the CDC prior to the tenants being placed on the wait list.

The CDC or its designee shall provide at least 120 days advance written notice to each eligible tenant of the date that the CDC or its designee will conduct the lotteries described above, and each tenant will be required to submit their name prior to the date of the lotteries in order to participate in the lotteries. Tenant names must be received by the CDC at least one day prior to the lotteries in order for the tenant to participate in their respective lottery. The CDC or its designee shall initially establish the first and second bands of the wait list based upon the results of the lotteries as described above. Eligible tenants from the list established and maintained pursuant to section 14, above, who submit their names on or after the date of the lotteries shall be placed on the wait list within the first and second bands, respectively, based upon their eligibility for that band, after the lottery participants, in the order received.

The CDC or its designee shall provide written notice to each tenant of their placement on the wait list and their position within the band for which they qualify, a minimum of 60 days prior to the developer's initial lease-up of the affordable units.

Members of the general public will be eligible for placement in the third band of the wait list starting on the wait list sign-up date, after pre-qualifying with the developer for an affordable unit. The developer will provide the general public with no more than 60 days advance notice of the wait list sign-up date, which date shall in no event be prior to the date on which the lotteries described above are held.

The CDC shall establish and retain the first and second bands of the wait list as described above. The developer shall maintain the wait list for affordable units, including all three bands, and shall provide monthly updates of this list to the CDC or its designee for inspection up until the time that all of the individuals or households named on the wait list have either moved into an affordable unit or a determination has been made that they are ineligible for an affordable unit (i.e., they are not income eligible).

The developer shall not commence initial lease-up of the affordable units until a minimum of 60 days after the CDC provides written notice to each tenant of their placement on the wait list and their position within the band for which they qualify. The developer shall adhere to the wait list at all times for initial lease-up of the affordable units and for filling all vacancies thereafter, unless the wait list has been completely exhausted. Affordable units shall be offered first to those qualifying tenants from the first band in the order of their placement in the band, then to those qualifying tenants from the second band in the order of their placement in the band, and then to those qualifying members of the general public from the third band in order of their placement in the band. Placement in an affordable unit shall be determined by availability of an affordable unit reserved at the income level corresponding to the qualifying income of the wait listee at the time of availability of the affordable unit, household size and available affordable unit type, the wait listee's position on the wait list, and the wait listee qualifying with all other requirements for occupancy of an affordable unit as set forth in the Guidelines. Nothing in this Policy should be construed as granting any person or family an entitlement to any of the affordable units, except as provided herein.

16. CDC or its designee, upon request of a tenant, shall confirm that tenant's placement on the list of tenants eligible for priority wait list status established and maintained pursuant to section 14, above, and that tenant's position on the wait list described in section 15, above, if that tenant has submitted his or her name for placement on the wait list. CDC or its designee, upon request of a member of the general public, shall confirm that person's position on the wait list described in section

15, above, if that person has submitted his or her name for placement on the wait list. The CDC or its designee shall, at the same time, notify the tenant or person of the manner in which that tenant or person may confirm their initial placement and ongoing position on the wait list.

17. The developer shall record a covenant guaranteeing that the income and rent requirements for each replacement and inclusionary unit will be observed for a number of years equivalent to the remaining term of the ground lease at the time of the issuance of the Certificate of Occupancy.

18. The developer will be required to comply with the County's monitoring requirements annually throughout the covenant term which shall include a marketing plan to be approved by the CDC that will require, among other things, posting the availability of the affordable housing units on the CDC website at http://housing.lacounty.gov/

19. If replacement and/or inclusionary units are provided off-site, the off-site affordable housing units must be completed and available for occupancy prior to the issuance of the Certificate of Occupancy for the new market rate development, but in no event later than three years from the issuance of a building permit for the new development project. The Certificate of Occupancy for the new market rate development project will be withheld until all on-site and off-site affordable housing units are ready for occupancy in compliance with the Affordable Housing Plan required by section 13, above.

20. On site affordable units shall be made available at the same time as market rate units and shall have equal access to the same amenities.

21. Ownership Units

a. If a developer is proposing to develop a project that includes rental and ownership units, the replacement and inclusionary units may all be provided in the rental component.

b. If a developer is proposing to develop a 100% ownership unit project, the developer may provide rental units on-site to fulfill the replacement and inclusionary obligations.

22. If CDC elects to retain a consultant to perform any of its obligations under this Policy, said consultant shall be an independent third party consultant who shall perform such work assigned to it at the sole direction of CDC, and independent of the developer.

23. The CDC will levy the following fees:

a. The costs incurred directly by the CDC and those costs associated with engaging a consultant to undertake, distribute, conduct and/or evaluate the tenant survey will be funded by the developer.

b. The costs associated with completing or auditing the project feasibility analysis will be funded by the developer.

c. An annual fee of $145 per affordable unit will be charged to defray the ongoing compliance, inspection and reporting costs associated with the replacement and inclusionary units. This fee will be adjusted annually in accord with changes in the Consumer Price Index (CPI).

d. The cost to establish waiting lists on the http://housing.lacounty.gov/ website, a document archive and tenant call response center shall be apportioned among the developers subject to this Policy. An annual site maintenance fee will be based upon the number of affordable units in each development and calls made to the tenant call response center.

24. This Policy shall only apply to development projects in Marina del Rey subject to the Mello Act for which land use entitlements have not been approved by the Regional Planning Commission and/or the Board of Supervisors as of the date of approval of this Policy by the Board of Supervisors (the Effective Date), and shall not apply to any previously approved project that must be reconsidered after the Effective Date, by order of a court of competent jurisdiction, on grounds other than compliance with the Mello Act.

SETTLEMENT AGREEMENT AND RELEASE
FOR IMPLEMENTATION OF
THE COUNTY OF LOS ANGELES MARINA DEL REY
AFFORDABLE HOUSING POLICY

This Settlement Agreement and Release ("Agreement") is made and entered into this 18th day of NOVEMBER, 2008 ("Effective Date"), by and between the County of Los Angeles, a body corporate and politic ("County"), and People Organized for Westside Renewal ("POWER"). County and POWER are collectively referred to in this Agreement as the "Parties" and sometimes individually referred to as "Each Party."

RECITALS

A. On August 6, 2002, the County adopted an affordable housing policy for County-owned Marina del Rey to implement the requirements of the Mello Act as set forth in Government Code sections 65590 and 65590.1 which directs local jurisdictions to require the preservation and inclusion of affordable housing in new developments and redevelopments within the Coastal Zone, where feasible ("Existing Policy"). The Existing Policy includes provisions for payment on an in-lieu fee if it is not economically feasible to construct affordable units on-site.

B. On April 4, 2006, after an attempt by a developer to utilize the in-lieu fee provisions of the Existing Policy, and complaints by Marina del Rey tenants, POWER and its representatives, and the general public, as well as submissions by POWER and its representatives calling into question the conformance of the 2002 policy with the Mello Act, the Board of Supervisors ("Board") directed the then Chief Administrative Officer (now the Chief Executive Officer ("CEO")) to form and lead a task force comprised of the Directors of the Departments of Beaches and Harbors, Regional Planning, the Community Development Commission and County Counsel ("Task Force"), to review the Existing Policy and propose revisions and/or recommendations to ensure the County is in full compliance with the requirements of the Mello Act.

C. On August 1, 2006, the Board considered a draft policy entitled "County of Los Angeles—Marina del Rey Affordable Housing Policy" ("Draft Policy") prepared by the Task Force and instructed the Task Force to conduct a community forum in Marina del Rey to collect public input on the draft policy and directed County Counsel to work with the Task Force to devise an affordable housing policy options document to be considered prior to voting on the final policy parameters.

D. On September 7, 2006, the community forum was conducted.

E. On May 1, 2007, the Board considered the policy options document prepared and submitted by the Task Force and instructed the Task Force to evaluate additional policy alternatives including changes to the percentage mix between

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low- and moderate-income inclusionary housing units, like-for-like replacement of existing affordable units slated for demolition, and an extension of the affordable housing covenant through the term of the lease. In addition, the Board instructed the Task Force to complete a financial analysis of implementing the various policy alternatives.

F. On June 19, 2007, the Board conducted a public hearing and approved the Draft Policy parameters developed subsequent to the community forum in order to define the "project" for the purpose of complying with the requirements of the California Environmental Quality Act. These parameters included five percent low-income and five percent moderate-income inclusionary affordable housing goals calculated on the net new incremental units for new residential developments in Marina del Rey.

G. During each stage of this process, POWER and its representatives have consistently advocated in favor of the County implementing the Mello Act to the fullest extent feasible in order to maximize the amount of affordable housing in Marina del Rey and have provided the County with detailed written and oral comments regarding the existing and proposed policies and their implementation and impact on the community of Marina del Rey.

H. Prior to returning to the Board with a revised Draft Policy and environmental document consistent with the Board's actions of June 19, 2007, the CEO and Department of Beaches and Harbors renegotiated the proposed leases and lease extensions for pending residential projects in Marina del Rey subject to the Mello Act to provide for rent credits from the County, which the County approximates at $52,050,000, to ensure that each project would meet the proposed affordable housing goals set forth by the Board in its June 19, 2007 action.

I. On February 6, 2008, the Board, in recognition that the Draft Policy did not go far enough in meeting the regional housing needs of persons and families of very low-income, directed the CEO and County Counsel to negotiate this Agreement with POWER to revise the Draft Policy to provide for a 15 percent inclusionary affordable housing goal calculated on the net new incremental units to be constructed as part of the project with 1/3 reserved for very low-, 1/3 reserved for low-, and 1/3 reserved for moderate-income persons and families, subject to a determination of feasibility on a case-by-case basis, and to revise the Draft Policy to include reasonable notice and priority affordable unit wait lists for former occupants, a definition of "substantial rehabilitation," clarification that the covenant term be consistent with the number of years of the ground lease, and clarification that the definition of "unit" includes studio units. The Board further directed that the CEO and Department of Beaches and Harbors further renegotiate the proposed leases and lease extensions for pending residential projects in Marina del Rey subject to the Mello Act to provide for increased rent

credits to ensure that each project would meet the increased affordable housing goals. The County estimates that it will provide rent credits in the total amount of $78,213,000 for all pending projects subject to the Mello Act.

J. The purpose of this Agreement is to memorialize the terms and conditions upon which the County agrees to approve a revised Draft Policy and POWER agrees to release the claims, actual or potential, enumerated herein, relating to the Existing and Draft Policies and the County's implementation of said policies in certain cases, as specified below.

AGREEMENT

For good and valuable consideration, the receipt of which is acknowledged, the Parties agree as follows:

1. Revised Policy. The County shall adopt the revised "County of Los Angeles--Marina del Rey Affordable Housing Policy" attached hereto as Exhibit "A", and incorporated herein by this reference ("Revised Policy"), concurrent with its approval of this Agreement. The Parties agree that the Revised Policy reflects a negotiated compromise between the Parties.

2. Policy Requirements. The Revised Policy shall require that projects subject to it comply with the following requirements: (a) developers must record a covenant guaranteeing that the income and rent requirements for each replacement and inclusionary unit will be observed for a number of years equivalent to the remaining term of the ground lease at the time of the issuance of the certificate of occupancy; (b) developers must submit an Affordable Housing Plan to the County for approval, which sets forth the number of affordable units, location of affordable units and all other details regarding provision of affordable units as set forth in the Revised Policy and Guidelines (as defined in section 3, below); (c) developers shall make affordable units available for occupancy at the same time as market rate units in mixed income developments; and (d) no certificate of occupancy for any development subject to the Revised Policy shall be issued until all affordable housing requirements contained in the Revised Policy and Guidelines, as applicable, have been fully satisfied.

3. Adoption of Guidelines. The County agrees to consult with POWER, the Legal Aid Foundation of Los Angeles and the Western Center on Law and Poverty in the development of guidelines for the implementation of the Revised Policy ("Guidelines") within a reasonable time following the Effective Date, which Guidelines may be updated from time to time, with reasonable notice and opportunity to comment by POWER, the Legal Aid Foundation of Los Angeles and the Western Center on Law and Poverty. The Guidelines shall be consistent the Revised Policy and if there is a conflict between the Guidelines and Revised Policy, the Revised Policy shall control.

4. Notices of Hearings and Matters related to the Mello Act. The County will furnish POWER, the Legal Aid Foundation of Los Angeles and the Western Center on Law and Poverty with reasonable advance written notice of any hearing of the County Regional Planning Commission or the Board of Supervisors relating to: (a) a development project containing a residential component and located in Marina del Rey; or (b) any matter otherwise relating to the Mello Act (i.e., lease extensions of Marina projects with residential components and revisions to the revised Policy or Guidelines).

5. Claims. For the purposes of this Agreement, the term "Claims" shall be defined as any actions, claims, demands, suits, liens, debts, dues, damages, judgments, bonds, executions, and liabilities of whatever kind, nature or description whatsoever, known or unknown, suspected or unsuspected, arising out of or related to: (a) the County's implementation of the Existing Policy or Revised Policy prior to the Effective Date of this Agreement, except where material facts or events giving rise to the claim occurred or continued to occur after the Effective Date of this Agreement; (b) the County's adoption of the Marina del Rey Affordable Housing Policy Revised Negative Declaration and Revised Policy; (c) the County's compliance with the Mello Act for the residential projects proposed as of the Effective Date for Parcels 10, FF, 33, NR, 64, and 95, provided those projects as approved by the County and as required by a covenant recorded prior to the issuance of a certificate of occupancy for the project in question and against the subject parcel for the benefit of the County, include 15% of the net new units as affordable, of which one third will be reserved for very low-, one third will be reserved for low- and one third will be reserved for moderate-income persons and families and in all other respects comply with the Revised Policy and Guidelines, except that section 12 of the Revised Policy shall not apply and the Total Unit Type Ratio for Parcel 64 used in determining the inclusionary unit type mix as provided for in section 9.b of the Revised Policy shall be based upon the unit mix in the rental component only; and (d) the County's compliance with the Mello Act for the redevelopment of Parcels 100 and 101 as approved by the Board on May 15, 2007, and any subsequent re-approvals of this project, provided that such re-approvals do not diminish the affordable housing requirements approved by the Board on May 15, 2007, in any manner, including the requirements that Parcels 100 and 101 contain a minimum of 37 moderate-income replacement units, 17 very low-income inclusionary units, comparability of bedrooms for the affordable and market rate units and an affordability covenant for a minimum of 30 years. The term "Claims" shall not mean any effort to seek judicial enforcement of this Agreement.

6. Release. POWER, for itself, and for its respective successors, heirs, executors, employees, and assigns hereby fully, finally, and forever releases and discharges County and County's respective departments, divisions, elected officials, officers, employees, agents, predecessors, successors, partners, heirs, executors,

assigns, attorneys and representatives of and from the Claims. POWER's release of Claims in this Agreement shall not apply to any claims arising from: (a) changes to the Revised Policy approved by the Board after the Effective Date of this Agreement; or (b) any modification by the County, after the Effective Date of this Agreement, of any prior County decision or approval implementing the Existing Policy or Revised Policy, except as provided for in section 5(d), above. This Agreement shall not be interpreted in any way to limit or waive POWER's right to advocate for more affordable units at Parcels 100 and 101 during the upcoming public process and hearings regarding the redevelopment of these sites.

7. Waiver of Civil Code Section 1542. POWER acknowledges that if it hereafter discovers facts in addition to or different from those which it may now know or believe to be true with respect to the subject matter of this Agreement, it is nevertheless POWER's intention to fully and forever settle and release the Claims. In furtherance of this intention, POWER acknowledges that it is familiar with section 1542 of the California Civil Code which provides:

   > "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

   POWER hereby waives and relinquishes any rights and benefits it may have under section 1542 with respect to the Claims, and represents that section 1542 has been fully explained to POWER by its attorneys.

8. Further Assurances. The Parties agree to execute, acknowledge and deliver any and all additional papers, documents and other assurances and shall perform any and all acts and things reasonably necessary in connection with the performance of the obligations under this Agreement and to carry out the intent of the Parties.

9. Ownership of Claims. POWER hereby warrants that it is the owner of, and the party legally entitled to settle and release, all Claims referred to in this Agreement, and has not heretofore assigned or transferred or purported to assign or transfer to any person or entity any Claims herein released.

10. Independent Advice and Investigations. Each Party represents and warrants that it has received independent legal advice from its attorneys with respect to the execution of this Agreement and that it has read this Agreement and understands its contents. Each Party represents and warrants that it has made such investigation of the facts pertaining to the settlement set forth in this Agreement and of all matters pertaining thereto as it is independently deemed necessary and appropriate. Each Party further represents and warrants that it has relied

solely upon facts obtained from its own investigations and upon the advice of its own attorneys and legal representatives in executing this Agreement and that it has not relied upon any statement or representation of any other party or their attorneys or representatives.

11. Mistake. In entering into this Agreement, Each Party assumes the risk of any mistake. If any party should subsequently discover that any fact relied upon by it in entering into this Agreement was untrue or that its understanding of the facts or the law was incorrect, that party shall not be entitled to relief in connection herewith and including without limitation on the generality of the foregoing, no party shall have any right or claim to set aside or rescind this Agreement. This Agreement is intended to be and is final and binding between the Parties to the Agreement regardless of any claims of mistake of fact or law.

12. Governing Law. This Agreement shall be governed by and construed under the laws of the State of California.

13. Entire Agreement. This Agreement constitutes the entire understanding of the Parties with respect to its subject matter. All prior and contemporaneous conversations, negotiations, possible or alleged agreements, covenants, releases, representations and warranties in respect of the subject matter of this Agreement are integrated herein and superseded by this Agreement.

14. Severability. In the event any part of this Agreement should be found invalid, unenforceable, or nonbinding, the remaining portion will remain in force and fully binding.

15. Agreement Negotiated. The text of this Agreement is the product of negotiation among the Parties and their counsel and is not to be construed as having been prepared by one party or the other.

16. Heirs, Successors and Assigns. This Agreement shall bind and inure to the benefit of the Parties and their heirs, successors and assigns.

17. Execution in Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same instrument.

18. Modifications to Revised Policy and Guidelines. The County shall provide advanced written notice to POWER, the Legal Aid Foundation of Los Angeles ("Legal Aid") and the Western Center on Law and Poverty ("Western Center") of any proposed changes to the Revised Policy or Guidelines at least 60 days prior to a proposed change to the Revised Policy being placed on the Board's or Regional Planning Commission's agendas for consideration. The County shall meet and confer with POWER, Legal Aid and Western Center with regard to the

proposed changes at least 30 days prior to the Board meeting at which the changes are scheduled to be considered, unless the Parties agree to a shorter time.

19. Enforcement of Agreement. If either party allegedly breaches this Agreement, then the party alleging the breach shall notify the breaching party in writing. The notice shall set forth, with reasonable particularity, the alleged breach. The party alleged to have breached this Agreement shall meet with the party giving notice and attempt to resolve the alleged breach within 30 days of the mailing of the notice of alleged breach. If the Parties cannot resolve the alleged breach, either party may seek judicial relief by filing a new action in a court of competent jurisdiction in Los Angeles County to enforce the terms of this Agreement. The aggrieved party may seek judicial relief prior to the expiration of 30 days if necessary to prevent the expiration of any rights, claims, or causes of action or to prevent irreparable harm.

20. Notices. Any notices, reports or other documents required to be provided pursuant to this Agreement shall be sent by first class mail to the Parties at the following addresses, or any subsequent address or person provided by a party:

Executive Director
People Organized for Westside Renewal (POWER)
235 Hill Street
Santa Monica, CA 90405

Susanne Browne
Legal Aid Foundation of Los Angeles
110 Pine Ave.
Suite 420
Long Beach, CA 90802

Deanna Kitamura
Western Center on Law and Poverty
3701 Wilshire Blvd.
Suite 208
L.A., CA 90010

21. Authority. Each Party represents and warrants that they have full capacity and authority to execute and to enter into this Agreement, and that they are acting within the scope of such authority.

///
///
///
///
///

22. Third Party Beneficiaries. The Legal Aid Foundation of Los Angeles and the Western Center on Law and Poverty are third party beneficiaries of sections 1, 2, 3, 4, 8, 18, 19 and 20 of this Agreement and shall have the same right to enforce the provisions contained therein as any Party hereto.

25. Attorneys' Fees. The Parties hereto shall each bear their own attorneys' fees arising out of, relating to, or connected with the Claims, the development of the Revised Policy and the public process leading up to the Board's adoption of the Revised Policy.

26. Amendments. This Agreement may only be amended by a writing signed by the Parties.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the Effective Date.

ATTEST:
Sachi A. Hamai
Executive Officer—Clerk of the Board
of Supervisors

By: _____
Deputy

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By _____
Deputy

COUNTY OF LOS ANGELES

By: _____
Chair, Board of Supervisors

PEOPLE ORGANIZED FOR
WESTSIDE RENEWAL

By: _____

[Signatures continue on the following page.]

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#17 NOV 18 2008

SACHI A. HAMAI
EXECUTIVE OFFICER

76813

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

17 NOV 18 2008

SACHI A. HAMAI
EXECUTIVE OFFICER

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By: _____
Deputy County Counsel

WESTERN CENTER ON LAW AND POVERTY

By: _____

LEGAL AID FOUNDATION OF LOS ANGELES

By: _____

76813

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By:_____
Deputy County Counsel

WESTERN CENTER ON LAW AND POVERTY

By:_____

LEGAL AID FOUNDATION OF LOS ANGELES

By:_____

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#17 NOV 18 2008

SACHI A. HAMAI
EXECUTIVE OFFICER

798813

State of California)
)SS.
County of)

On this 12 day of November, in the year 2008, before me ALLAN A. SASSOON, NOTARY personally appeared Christopher R. Gabrielle, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

ALLAN A. SASSOON
Commission # 1695694
Notary Public - California
Los Angeles County
My Comm. Expires Oct 22, 2010

Notary Public in and for the above
County and State Los Angeles. Calif.
My Commission expires: 10-22-10

Appendix F

Neighborhood Stabilization Program

Introduction

On July 30, 2008 the Housing and Economic Recovery Act of 2008 (H.R. 3221 or HERA) was enacted. HERA provides $3.92 billion in emergency Community Development Block Grant (CDBG) funds for the Neighborhood Stabilization Program (NSP) to assist states and local governments in the redevelopment of abandoned and foreclosed homes in response to the foreclosure aftermath.

On October 6, 2008, the U.S. Department of Housing and Urban Development (HUD) released a Notice in the Federal Register (see Appendix F) indicating the formula allocations and program requirements. HUD's formula determined the amount of funding jurisdictions received, as well as how it is to be targeted based on the number and percentages of foreclosures, subprime mortgages, and defaults or delinquencies. As part of the new NSP, the Los Angeles Urban County (County) will receive $16,847,672 for targeting assistance to the areas with the greatest need.

Based on this strategy, the Community Development Commission of the County of Los Angeles (CDC) will develop programs that will assist those communities hardest hit, creating economic and housing stability for the area residents. The CDC anticipated a much larger allocation to have a greater impact on foreclosed properties and to create new housing opportunities for low- and moderate-income residents in Los Angeles County. However, additional funds may still become available through the State and through the leveraging of other funds in the near future.

Urban County Program Description and Lead Agency

The Los Angeles Urban County Program includes the unincorporated areas of the County and small cities under 50,000 in population, which participate in the program. HUD awards CDBG; HOME Investment Partnerships (HOME), which includes the American Dream Downpayment Initiative; and Emergency Shelter Grant (ESG) programs, annually to entitlement jurisdictions such as the Los Angeles Urban County.

The CDC is the lead agency and submits the Annual Action Plan as a requirement for participation in HUD's Urban County Program. The 2008-2009 Action Plan covers the first of the five (5) program years covered by the *2008-2013 Housing and Community Development Consolidated Plan for the Los Angeles Urban County.*

The *Los Angeles Urban County 2008-2009 One-Year Action Plan* contains the County's one-year plan to carry out housing and community development activities funded by CDBG, HOME, and ESG funds received in the 2008–2009 program year from HUD. The CDC administers the County's CDBG, and HOME programs and the Los Angeles Homeless Services Authority administers the ESG program for the CDC.

The CDC will also be the lead agency in administering the NSP funding. The CDC's CDBG and Housing Development and Preservation Divisions will be responsible for planning, reporting, and implementing NSP activities.

NSP Contact Information:

Jurisdiction(s): Los Angeles County Jurisdiction Web Address: http://www.lacdc.org/CDCWebsite/CDBG/PlansReports.aspx?id=2520	NSP Contact Person: Linda Jenkins Address: 2 Coral Circle Monterey Park, CA 91755 Telephone: (323) 890-7168 Fax: (323) 890-8595 Email: Linda.Jenkins@lacdc.org

SUBSTANTIAL AMENDMENT TO THE FY 2008-2009 ACTION PLAN

In order to receive NSP funding, HUD is requiring grantees, such as the Los Angeles Urban County to submit a substantial amendment to their FY 2008-2009 Action Plans. A substantial amendment is required by HUD because additional funding under the CDBG program is being allocated and, as such, the public must have an opportunity to comment on its use. The substantial amendment also serves as the application to HUD for the funding.

The substantial amendment/application must be submitted to HUD **by December 1, 2008**.

SUMMARY OF CITIZEN PARTICIPATION PROCESS

To encourage citizen participation in the preparation of the substantial amendment to the 2008-2009 Action Plan, the CDC took the following actions in accordance with NSP requirements:

- Made the substantial amendment available at the CDC headquarters and posted it on the CDC website at http://www.lacdc.org, giving County residents 15 calendar days to review and comment on it (see Appendix D for public notice).

- A 15-day public notice was published on November 3, 2008, in the legal section of the *Los Angeles Times* advertising that the substantial amendment is available for review. The notice was also published in several local newspapers with daily or weekly circulation (see Appendix D). The notice invited citizens to review the proposed substantial amendment to the Action Plan. Citizens were invited to submit written comments to the offices of the CDC by November 18, 2008. Comments received as well as responses to the comments are included in Appendix D.

In addition to making the substantial amendment available to the public for review, the CDC also held a meeting with the Los Angeles County Board of Supervisors' Deputies on October 17 and 27, 2008 and with participating cities on October 21, 2008 to brief them on the proposed use of the funding as well as how the activities would be targeted to the areas with the greatest need.

Lastly, the Los Angeles County Board of Supervisors and Board of Commissioners of the CDC approved the substantial amendment at a board meeting on November 25, 2008.

A. Distribution and Uses of Funds

NSP Eligible Uses and Activities

Eligible Use	Eligible Activities
A. Establishing financing mechanisms for purchase and redevelopment of foreclosed homes and residential properties	• As an activity delivery cost for an eligible activity • Also, the eligible activities listed below to the extent financing mechanisms are used to carry them out.
B. Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes or properties	• Acquisition • Disposition • Relocation • Direct homeownership assistance • Eligible rehabilitation and preservation activities for homes and other residential properties • Housing counseling for those seeking to take part in the activity
C. Establish land banks for homes that have been foreclosed upon	• Acquisition • Disposition (includes maintenance)
D. Demolish blighted structures	• Clearance, for blighted structures only •
E. Redevelop demolished or vacant properties	• Acquisition • Disposition • Public facilities and improvements • Housing Counseling (limited to prospective purchasers or tenants of redeveloped properties • Relocation • New Housing Construction • Direct homeownership assistance • 570.204 activities by Community Based Development Organizations

Ineligible Activities

- Generally, if an activity is ineligible under CDBG, it is ineligible under NSP.
- Not eligible under HERA/NSP
    - Foreclosure prevention
    - Demolition of non-blighted structures
    - Purchase of properties not abandoned or foreclosed upon

Los Angeles Urban County Selected NSP Uses and Activities

The following table shows the selected eligible uses and activities that the County will implement with NSP funding (in **bold**). Each program may carry out any eligible activity under each use. For example, it may be necessary to provide housing counseling to persons under the first-time homebuyer program. This is an eligible activity under A.

Eligible Use	Eligible Activities
A. Establishing financing mechanisms for purchase and redevelopment of foreclosed homes and residential properties. **Los Angles Urban County's Housing and Economic Recovery Homeownership (HERO) Program – includes a first-time homebuyer program and housing rehabilitation program for individuals or households at or below 120 % of area median income.**	• As an activity delivery cost for an eligible activity. • Also, the eligible activities listed below to the extent financing mechanisms are used to carry them out.
B. Purchase and rehabilitate homes and residential properties that have been abandoned or foreclosed upon, in order to sell, rent, or redevelop such homes or properties. **Los Angeles Urban County's NSP Scattered Sites Rental Program – includes assistance for acquisition and rehabilitation of foreclosed and abandoned homes for rental to persons or household at or below 50% of area median income.**	• Acquisition • Disposition • Relocation • Direct homeownership assistance • Eligible rehabilitation and preservation activities for homes and other residential properties • Housing counseling for those seeking to take part in the activity

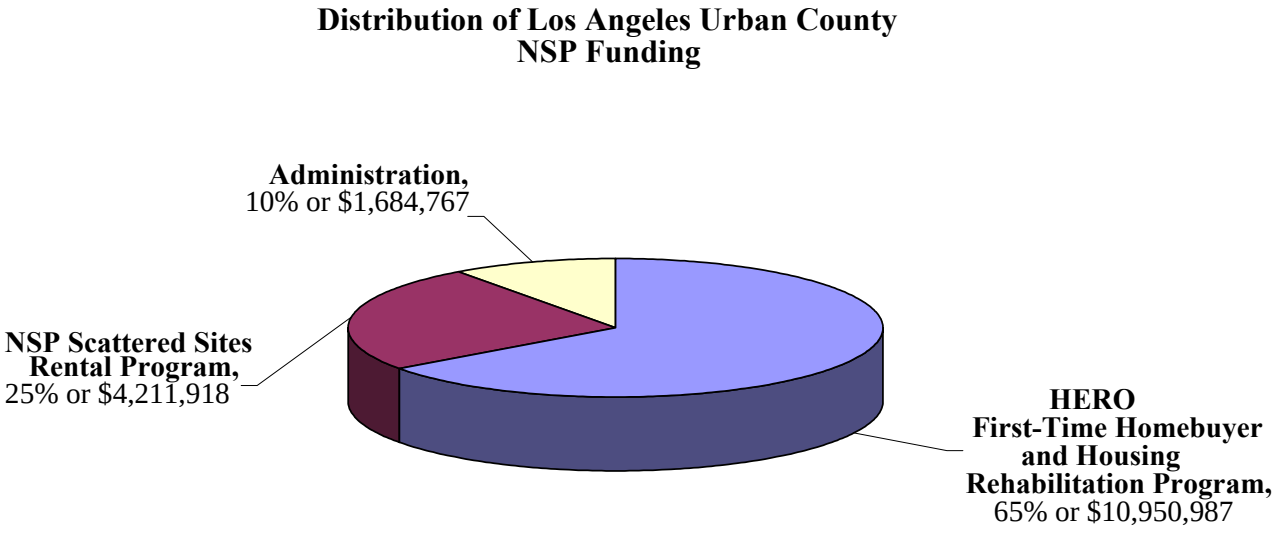
Specific details on these programs are included under G. beginning on Page 15.

Funding Breakdown

The County will receive **$16,847,672** in NSP funding. The County plans to use 65% of this funding for the Housing Economic Recovery Homeownership (HERO) Program to assist persons at or below 120% of area median income and 25% of the funding for the NSP Scattered Sites Rental Program to assist person at or below 50% of area median income. The remaining 10% will also be used for administration.

Note that it may be necessary to shift funding from one eligible use to another in order to meet the expenditure deadlines. However, the percentage of Administration funding will not exceed 10% of the allocation and at least 25% will be used for eligible activities to benefit persons or households at or below 50% of areas median income as required by the NSP.

The following pie chart shows the breakdown of how the funds will be used:



Pre-Award Costs

The County may incur pre-award costs in compliance with 24 CFR 570.200(h). Permissible costs incurred as of September 29, 2008 for items such as development of the Action Plan amendment and other administrative actions necessary to receive the NSP grant from HUD.

Additional NSP Funding from the State

The County will also apply to the State of California for additional NSP funding as necessary for the same uses and activities identified in this application.

Use Requirement

NSP funds must be used no later than 18 months after execution of the grant agreement. It is expected that the grant agreement between HUD and the County will be signed in January.

Program Income

Any program income received before July 30, 2013 may be retained by the County and used to carryout eligible NSP activities.

SUMMARIES OF LOS ANGELES URBAN COUNTY NSP ACTIVITIES

The following are summaries of the programs that are planned to be implemented with NSP funding. Specific details of each program are included in Section G. beginning on Page 15.

HOUSING AND ECONOMIC RECOVERY HOMEOWNERSHIP (HERO) PROGRAM
Assistance for first time homebuyers to purchase and rehabilitate foreclosed and abandoned homes

The HERO Program has been designed to meet the needs of first time homebuyers with low-, moderate- and middle-incomes who are unable to qualify for a mortgage and/or obtain the necessary down payment without financial assistance. The home must be vacant and foreclosed upon or abandoned pursuant to program guidelines, and must be used as the principal residence of the homebuyer. Eligible homes must be located in one of the targeted areas identified on Page 10.

This program will provide secured loans as follows:

- Homebuyers with household incomes that do not exceed 120% of area median income may borrow up to $75,000 or 25% of the purchase price, whichever is less.

- Homebuyers with household incomes that do not exceed 80% of area median income may borrow up to $100,000 or 25% of the purchase price, whichever is less.

Down payment assistance is also offered for down payment and/or closing cost assistance up to $21,000 or 6% of the purchase price, whichever is less.

The following tables show Los Angeles County's income limits for persons and households whose incomes do not exceed 120 percent and 80 percent of area median income.

Los Angeles –Long Beach, CA HUD Metro FMR Area FY 2008 Income Limits for 120% of HUD Area Median Income ($59,800)								
Household Size	**1 Person**	**2 Person**	**3 Person**	**4 Person**	**5 Person**	**6 Person**	**7 Person**	**8 Person**
Income Limit	**$63,650**	**$72,750**	**$81,850**	**$90,950**	**$98,250**	**$105,500**	**$112,800**	**$120,050**

Los Angeles –Long Beach, CA HUD Metro FMR Area FY 2008 Income Limits for 80% of HUD Area Median Income ($59,800)								
Household Size	**1 Person**	**2 Person**	**3 Person**	**4 Person**	**5 Person**	**6 Person**	**7 Person**	**8 Person**
Income Limit	**$42,450**	**$48,500**	**$54,600**	**$60,650**	**$65,500**	**$70,350**	**$75,200**	**$80,050**

This program also offers "as needed" assistance for the rehabilitation of foreclosed and abandoned homes:

- The HERO rehabilitation grant component has been designed to provide rehabilitation assistance through grants for homebuyers with low-, moderate- and middle-incomes in conjunction with their purchase of a home through the CDC's HERO Program. After completion of the purchase, the program assistance must be used to rehabilitate the home to a decent, safe, and habitable condition in accordance with program standards. The value of the home after completion of rehabilitation may not exceed the County's HOME maximum purchase price (currently $493,000 for single family homes, $394,250 for condominiums).

- Homebuyers with household incomes that do not exceed 120% of area median income may receive up to $25,000 or 25% of the purchase price, whichever is less. Income limits are included above.

NSP SCATTERED SITES RENTAL PROGRAM
Assistance for acquisition and rehabilitation of foreclosed and abandoned homes for rental to low-income persons

The NSP Scattered Sites Rental Program has been designed to provide financial assistance for creation of affordable rental housing for low-income persons. Housing developers will receive secured zero interest deferred loans, to acquire and rehabilitate properties, and agree to operate the housing at affordable rents for a minimum of 15 years. The properties must have between 1 and 4 units that were foreclosed upon or abandoned pursuant to program guidelines. Eligible properties must be located in one of the target areas identified on Page 10.

The following table shows the Los Angeles County's income limits for low-income person persons or households whose incomes do not exceed 50 percent of area median income.

Los Angeles –Long Beach, CA HUD Metro FMR Area FY 2008 Income Limits for 50% of HUD Area Median Income ($59,800)								
Household Size	**1 Person**	**2 Person**	**3 Person**	**4 Person**	**5 Person**	**6 Person**	**7 Person**	**8 Person**
Income Limit	**$26,550**	**$30,300**	**$34,100**	**$37,900**	**$40,950**	**$43,950**	**$47,000**	**$50,050**

B. Areas of Greatest Need

The HERA statue indicates that grantees should give priority emphasis in targeting the funds that they receive to "those metropolitan areas, metropolitan cities, urban areas, rural areas, low- and moderate-income areas, and other areas with the greatest need, including those--

(A) with the greatest percentage of home foreclosures;
(B) with the highest percentage of homes financed by a subprime Mortgage related loan; and
(C) identified by the State or unit of general local government as likely to face a significant rise in the rate of home foreclosures."

LOS ANGELES URBAN COUNTY – AREAS OF GREATEST NEED

HUD has provided a table with data to assist grantees in determining target areas. This table provides data from four sources that are used to predict whether or not a neighborhood has a high or low risk for foreclosed and abandoned homes. The data used to calculate the risk scores included home price declines, high cost loan rates, unemployment rates, and vacancy rates.

HUD used the data to determine an **"Estimated foreclosure abandonment risk score"** which provides a score for each neighborhood from 0 to 10, where 0 indicates that the data suggest a very low risk and 10 suggest a very high risk.

HUD also used the data to arrive at a **"Predicted 18 month underlying problem foreclosure rate"** which does not provide the actual level of problem in each neighborhood, but rather indicate there is a risk for problems.

HUD Indicated that if a state or local government was looking for a place to start in considering how to target their funds, they may want to look at the neighborhoods with high risk scores. However, they also encouraged States and local governments to use other data, such as county records on foreclosure filings or tax foreclosures that may also point to areas with the greatest problems.

The County chose to use HUD's data as well as look at foreclosures and foreclosure rates in developing the target areas to carry out NSP activities.

The County chose to use HUD's estimated foreclosure abandonment risk scores and private data relative to foreclosures and foreclosure rates as a starting point and then compared relatively high risk scores with high cost loan data and the predicted 18 month underlying problem foreclosures rates provided by HUD. Together, these factors address the HERA requirements for targeting NSP funding.

Data for HUD's estimated abandonment risk scores, high cost loan data, predicted 18 month underlying problem foreclosure rates were provided at the census tract block group level and were rolled up to the community level.

The foreclosure data was also collected for each census tract block group and was obtained from Data Quick for 2007 and the 1st half of 2008. Data Quick also provided the number of properties

in each census tract block group as of October 2008. Foreclosures and properties were rolled up to the community level for both incorporated (cities) and unincorporated areas. Once data was rolled up to the community level, the number of properties divided by the number of foreclosures was calculated to arrive at a foreclosure rate for each community.

Once the data was collected and tabulated, the County decided that each targeted area would need to include one or more of the following:

(A) A risk score of 7 or more based on HUD's estimated foreclosure abandonment risk score
(B) At least 100 foreclosures reported in 2007 and 1st half of 2008
(C) At least a 2% foreclosure rate in 2007 and 1st half of 2008

The County chose to use a risk score of 7 or more because those scores also corresponded to above average high cost loan rates and above average predicated 18 month underlying problem foreclosure rates.

For example, the average high cost loan rate throughout the Los Angeles Urban County was 19% and areas with risk scores of 7 or more had high cost loan rates of at least 25%. Also, the average predicated 18 month underlying problem foreclosure rate for the Los Angeles Urban County was 6% and all areas with risk scores of 7 or more had a predicted 18 month underlying problem foreclosure rate of at least 7%. Thirty-two (32) areas out of the 113 communities in the Los Angeles Urban County were included based on this approach.

Then, the County wanted to make sure that HUD's risk scores were accurate and corresponded to actual foreclosure data. For the most part they were consistent; however, some areas that did not have risks score above 7 had relatively high foreclosures and foreclosures rates.

Therefore, the County decided to include areas that had at least 100 foreclosures and at least a 2% foreclosure rate. Note that the average number of foreclosures was 54 and the average foreclosure rate was 1.28% overall for the Los Angeles Urban County. This approach allowed some communities that didn't necessarily have high risk scores but had a relatively high number of foreclosures or foreclosures rates to be included as target areas. Twelve (12) additional target areas were included based on this approach.

Altogether, 44 target areas were identified. The target areas are listed on the next page and are group geographically by color.

Appendix B has a list of communities in the Los Angeles Urban County as well as the data used to determine the target areas such as HUD's risk scores and Data Quick's foreclosure data.

TARGET AREAS FOR THE HERO PROGRAM

Based on the criteria above, first-time homebuyers assisted through the HERO program must purchase homes in the following target areas:

CENTRAL AND SOUTH LOS ANGELES	NORTH COUNTY	SOUTHEAST & EAST COUNTY
Athens-West Athens-Westmont -U	East Antelope Valley-Lake Los Angeles/Roosevelt-U	Avocado Heights-Bassett-U
Bell city	Littlerock-Pearblossom-Sun Village-Longview/Llano-U	Hacienda Heights-U
Commerce city	Quartz Hill-Del Sur/Green Valley/Leona Valley-U	La Puente city
East Compton-U	South Antelope Valley-U	Rowland Heights-U
Florence-U	West Antelope Valley – Elizabeth Lake/Green Valley-U	South San Jose Hills-U
Graham-Firestone-U		Valinda-U
Hawaiian Gardens city	Castaic-Val Verde-U	West Puente Valley-U
Lawndale city	East Canyon Country – Lang/Sulphur Springs-U	
Maywood city	Oat Mountain-U	Azusa city
Walnut Park-U	West Canyon Country – Bouquet Canyon/Forrest park-U	Covina city
West Compton-U	West Santa Clarita Valley-Stevenson Ranch-U	Covina Islands – Citrus-U
Willowbrook-U		East Azusa Islands-U
	Altadena-U	Irwindale city
East Los Angeles-U		
	San Fernando city	La Mirada city
Lennox-U		Norwalk-Cerritos Islands-U
View Park-Windsor Hills-U		North Whittier-U
		South Whittier-U
		Diamond Bar city

TARGET AREAS FOR THE NSP SCATTERED SITES RENTAL PROGRAM

As with the HERO program, the NSP Rental Program will target areas with the greatest need. Based on HERA's requirement that properties that are purchased or redeveloped be foreclosed, the County has defined its target areas for this program to be those that have had a high share of foreclosed multi-family rental properties in 2007 and in the 1st half of 2008.

The County chose this factor because HUD's risk scores are not broken out into single-family and multi-family scores. Therefore, the best available data on the extent of multi-family foreclosure problems would be the actual foreclosures that have recently occurred and are likely to continue in the near future. As such, areas that had at least 2% of the total multi-family foreclosures in the Los Angeles Urban County during 2007 and in the 1st half of 2008 will be targeted relative to activities under the NSP Rental Program. These areas are as follows:

East Los Angeles-U	Bell city	East Compton-U
Athens-West Athens-Westmont-U	Monrovia city	Signal Hill city
Florence-U	Maywood city	Alondra Park-U
Graham (firestone)-U	Altadena-U	South Antelope Valley-U
Lawndale city	Bell Gardens city	
Willowbrook-U	Azusa city	

Appendix C includes a list of community areas that had multi-family foreclosures in 2007 and the 1st half of 2008.

NOTE: The data used to calculate HUD's risk scores are below. The data used here are from different levels of geography, as noted below. That is, the data on home price change is for the whole metropolitan area, not just for the neighborhood and unemployment is for the place or county, not just the neighborhood. The high-risk loan rate and address vacancy data are at the neighborhood (Census Tract) level:

- Office of Federal Housing Enterprise Oversight (OFHEO) data on decline in home values as of June 2008 compared to peak home value since 2000 at the Metropolitan/Micropolitan/Non-Metropolitan level.
- Federal Reserve Home Mortgage Disclosure Act (HMDA) data on percent of all loans made between 2004 and 2006 that are high cost at the Census Tract Level.
- Labor Department data on unemployment rates in places and counties as of June 2008.
- USPS data on residential addresses identified as being vacant for 90 days or longer as of June 2008 at the Census Tract level.

C. Definitions and Descriptions

(1) Definition of "blighted structure"

In the October 6, 2008 Notice, HUD has defined a blighted structure when it exhibits objectively determinable signs of deterioration sufficient to constitute a threat to human health, safety, and public welfare. The Notice also indicates that grantees must define blighted structure in the context of state or local law. As such, the following provides the definition of blighted structure under the Amended State of California Health and Safety Code (Effective January 1, 2007):

Section 33030

(a) It is found and declared that there exist in many communities blighted areas that constitute physical and economic liabilities, requiring redevelopment in the interest of health, safety, and general welfare of the people of these communities and of the state.

(b) A blighted area is one that contains BOTH of the following:

(1) An area that is predominately urbanized, as the term is defined in section 33320.1, and is an area in which the combination of conditions set forth in Section 33031 is so prevalent and so substantial that it causes a reduction of, or lack of, proper utilization of the area to such an extent that it constitutes a serious physical and economic burden on the community that cannot reasonably be expected to be reversed or alleviated by private enterprise or governmental action, or both, without redevelopment.

(2) An area that is characterized by one or more conditions set forth in any paragraph of subdivision (a) of Section 33031 and one or more conditions set forth in any paragraph of subdivision (b) of Section 33031.

(c) A blighted area that contains the conditions described in subdivision (b) may also be characterized by the existence of inadequate public improvements or inadequate water or sewer facilities

Section 33031

(a) This subdivision describes physical conditions that cause blight:

(1) Buildings which are unsafe or unhealthy for persons to live or work. These conditions can be caused by serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.,

(2) Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. This condition may be caused by buildings of a substandard, defective or obsolete design or construction given the present general plan, zoning or other development standards.

(3) Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the project area.

(4) The existence of subdivided lots that are in multiple ownership and whose physical development has been impaired by their irregular shapes and inadequate sizes, given the present general plan, and zoning standards and present market conditions

(b) This subdivision describes economic conditions that cause blight:

(1) Depreciated or stagnant property values.
(2) Impaired property values, due in significant part, to hazardous wastes on property where the agency may be eligible to use its authority as specified in Article 12.5 (commencing with Section 33459).
(3) Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.
(4) A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.
(5) Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph, "overcrowding" means exceeding the standard referenced in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of regulations.
(6) An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety, or welfare problems.
(7) A high crime rate that constitutes a serious threat to the public safety and welfare.

(2) Definition of "affordable rents" ***Note:*** Grantees may use the definition they have adopted for their CDBG program but should review their existing definition to ensure compliance with NSP program –specific requirements such as continued affordability.

The CDC will use the HOME Program Rent definition for person below 50% of area median income, which is 30% of 50% of area median income.

(3) Describe how the grantee will ensure continued affordability for NSP assisted housing.

For homebuyers, the CDC will use the standards of its HOME Home Buyer program where the homebuyer repays the loan upon transfer, sale or refinancing of the home. Such covenants are recorded against the property. For rental, the CDC will use the terms of its HOME Infill Sites RFP for acquisition and rehabilitation program and record affordability covenants requiring affordable rents for the low-income occupants for at least 15 years.

(4) Describe housing rehabilitation standards that will apply to NSP assisted activities.

The CDC will use the Federal Housing Administration (FHA) property Standards as well as compliance with all applicable state and local laws, codes, and other requirements.

D. Low-Income Targeting

HUD requires grantees to identify the estimated amount of funds appropriated or otherwise made available under the NSP to be used to purchase and redevelop abandoned or foreclosed upon homes or residential properties for housing individuals or families whose incomes do not exceed 50 percent of area median income. ***Note***: At least 25% of funds must be used for housing individuals and families whose incomes do not exceed 50 percent of area median income.

The Los Angles Urban County will receive $16,847,672 in NSP funding and will use 25% of this funding, **or $4,211,918**, for housing individuals and families whose incomes do not exceed 50 percent of area median income. The specific activity includes the NSP Scattered Sites Rental Program described on pages 4, 7 and 19.

E. Acquisition and Relocation

HUD requires that grantees indicate if they intend to demolish or convert any low- and moderate-income dwelling units. **The CDC does not intend to conduct these activities.**

F. Public Comment

HUD requires that a summary of public comments received to the proposed NSP Substantial Amendment be included in the final document submitted. Comments received and responses to those comments are included in Appendix D.

G. NSP Information by Activity

NSP INFORMATION BY ACTIVITY (COMPLETE FOR EACH ACTIVITY)

ACTIVITY 1: HOUSING ECONOMIC RECOVERY HOMEOWNERSHIP (HERO) PROGRAM

(1) Activity Name: *Housing Economic Recovery Homeownership (HERO) Program*

(2) Activity Type: (include NSP eligible use & CDBG eligible activity)

This NSP activity provides financing mechanisms for purchase and redevelopment of foreclosed homes and residential properties.

The CDBG eligible activities planned to be undertaken for this program include:

- *Direct homeownership Assistance, 24 CFR 570.201(n) (1)(2)(3)(4)(5)*
- *Eligible rehabilitation and preservation activities for homes and other residential properties, 24 CFR 570.202 (a)(1)(b)(1)(2)(4)(5)(6)(7)(iv)(9)(ii)*
- *Housing counseling for those seeking to take part in the program, 24 CFR 570.201(e)*

(3) National Objective: (Must be a national objective benefiting low, moderate and middle income persons, as defined in the NSP Notice—i.e., ≤ 120% of area median income).

This activity provides financing mechanisms for purchase and redevelopment of foreclosed homes and residential properties to assist persons or households at or below 120% of area median income.

(4) Activity Description:
Include a narrative describing the area of greatest need that the activity addresses; the expected benefit to income-qualified persons; and whether funds used for this activity will be used to meet the low income housing requirement for those below 50% of area median income.

The HERO program provides assistance to eligible homebuyers through first-time homebuyer and housing rehabilitation assistance to stabilize communities within the Los Angeles Urban County that have the greatest need as discussed and identified on pages 8-10.

Specifically, the HERO PROGRAM has been designed to meet the needs first time homebuyers with low-, moderate- and middle-incomes who are unable to qualify for a mortgage and/or obtain the necessary down payment without financial assistance. The home can be a single family residence, condominium, townhouse dwelling, or manufactured home attached to a permanent foundation and classified as real property. The home must be vacant and foreclosed upon or abandoned pursuant to program guidelines, and must be used as the principal residence of the homebuyer. Eligible homes must be located in specific target areas in the unincorporated areas of Los Angeles County or a city participating in the Community Development Block Grant (CDBG) Urban County Program.

This program will provide secured loans as follows:

a. *Homebuyers with household incomes that do not exceed 80% of area median income - up to $100,000 or 25% of the purchase price, whichever is less.*
b. *Homebuyers with household incomes between 80% and 120% of area median income - up to $75,000 or 25% of the purchase price, whichever is less.*

The CDC will share the equity accumulated on the property at the time of resale, depending upon the circumstances that exist at the time of sale and federal requirements. The share will be based on the percentage of the original purchase price that was funded with NSP funds.

The Down Payment Assistance (DPA) is a component under the HERO PROGRAM for down payment and/or closing cost assistance to homebuyers who are unable to obtain the necessary down payment without financial assistance. This program will provide a secured loan in the amount of up to $21,000 or 6% of the purchase price, whichever is less. There is no shared equity appreciation percentage for this loan.

The homebuyer's purchase price must be at least 5% or more (pursuant to HUD's NDP program guidelines) below the current market appraised value of the property pursuant to an appraisal dated within 60 days of the offer to purchase. The appraisal must conform to the requirements of 49 CFR 24.103. All eligible homebuyers must attend and complete at least 8 hours of homebuyer counseling from a HUD-approved housing counseling agency before obtaining a program loan. Eligible homebuyers must be first time homebuyers with household incomes that do not exceed middle-income (120% of area median income). The value of the home may not exceed the County's HOME maximum purchase price (currently $493,000 for single family homes, $394,250 for condominiums).

All loans will have no interest and will be secured by a Second Deed of Trust that is second in priority after the first Deed of Trust. All repayments to the Commission are deferred until sale, transfer, refinancing or full repayment of the first mortgage. Program applicants may apply for both types of assistance.

In order to meet the NSP statutory deadlines to expedite commitment and expenditure of program funds, the CDC's HERO Program Homebuyer Assistance will adopt the design and procedures of the CDC's HOME Ownership Program. This will include all relevant aspects that comply with 24 CFR 92.254, including continued affordability through the recapture option ensured by recorded covenants, a 20-year affordability term, zero interest deferred payment loans, HOME maximum sales price, affirmative marketing, environmental clearance, relocation, CDC's housing standards, and lead-based paint.

The HERO Program has also been designed to provide the first-time buyers with housing rehabilitation assistance "as needed" through grants. Eligible homebuyers may receive up to $25,000 or 25% of the purchase price, whichever is less. Additional amounts may be provided in the discretion of the Executive Director, for repairs necessary to bring the property in compliance with all applicable codes.

After completion of the purchase, the program assistance must be used to rehabilitate the home to a decent, safe, and habitable condition in accordance with program standards. The value of the

home after completion of rehabilitation may not exceed the County's HOME maximum purchase price (currently $493,000 for single family homes, $394,250 for condominiums).

In order to meet the NSP statutory deadlines to expedite commitment and expenditure of program funds, the CDC's Rehabilitation Program will adopt the design and procedures of the CDC's CDBG Emergency Grant Program. This will include all relevant aspects that comply with 24 CFR 570, including, HOME maximum sales price, affirmative marketing, environmental clearance, FHA housing standards, and lead-based paint.

Marketing efforts for the NSP Homebuyer program will include outreach to prospective homebuyers through the lending institutions in the CDC's current homebuyer programs, posting information on the CDC and the County Housing Resources Center webpages, home buyer education seminars, and housing fairs. The Rental program will seek input on program implementation and design at stakeholders meetings, and then the finalized program will be advertised through newspapers, the City of Industry Program mailing list of developers and the CDC and County Housing Resources Center webpages.

The Program's Target Areas are listed on page 10. These target areas were chosen because they have the highest HUD foreclosure and abandonment risk scores as well as high cost loan rates and HUD's predicted 18 month underlying problem foreclosure rates or have a high number of foreclosures or foreclosure rates based on data provided by Data Quick. This program will help stabilize these high foreclosure areas by removing these properties from the foreclosure stock and repairing them as needed through the HERO rehabilitation grant component brining them up to housing quality standards.

(5) <u>Location Description</u>: (Description may include specific addresses)

The Program's Target Areas are listed on page 10.

(6) <u>Performance Measures</u> (e.g., units of housing to be acquired, rehabilitated, or demolished for the income levels of households that are 50 percent of area median income and below, 51-80 percent, and 81-120 percent).

HERO Program - estimated 70 homes for households at or below 120% of area medium income to be provided with financing to acquire and rehabilitate homes.

(7) <u>Total Budget</u>: (Include public and private components)

$10, 950,987 for eligible activities under the HERO Program (refer to 2. above)

(8) <u>Responsible Organization</u>: (Describe the responsible organization that will implement the NSP activity, including its name, location, and administrator contact information)

Community Development Commission of the County of Los Angeles, 2 Coral Circle, Monterey Park, CA 91755; contact: Larry Matthews, Manager, Housing Development and Preservation Division, (323) 890-7236

(9) <u>Projected Start Date</u>:

January 2009

(10) <u>Projected End Date</u>:
January 2013

(11) <u>Specific Activity Requirements:</u>

For acquisition activities, include:

- **discount rate**

Five percent (5%) or more.

For financing activities, include:

- **range of interest rates**

Zero percent interest deferred payment loan.

For housing related activities, include:

- **duration or term of assistance;**

20-year affordability term

- **tenure of beneficiaries--rental or homeownership;**

Homeownership

- **a description of how the design of the activity will ensure continued affordability**

Continued affordability of the recapture option ensured by recorded covenants.

ACTIVITY 2:
NSP SCATTERED SITES RENTAL PROGRAM

(1) <u>Activity Name</u>: *NSP Scattered Sites Rental Program*

(2) <u>Activity Type</u>: (include NSP eligible use & CDBG eligible activity)

This NSP activity provides for the purchase and rehabilitation of homes and residential properties that have been abandoned or foreclosed upon in order to rent such homes and properties.

The CDBG eligible activities planned to be undertaken for this program include:

- *Acquisition, 24 CFR 570.201 (a)*
- *Disposition, 24 CFR 570.201 (b)*
- *Relocation, 24 CFR 570.201 (i)*
- *Eligible rehabilitation and preservation activities for homes and other residential properties, 24 CFR 570.202 (a)(1)(b)(1)(2)(4)(5)(6)(7)(iv)(9)(ii)*

(3) <u>National Objective</u>: (Must be a national objective benefiting low, moderate and middle income persons, as defined in the NSP Notice—i.e., ≤ 120% of area median income).

This activity provides for the purchase and rehabilitation of homes and residential properties in order to rent to persons or households that are at or below 50% of area median income.

(4) <u>Activity Description</u>:
Include a narrative describing the area of greatest need that the activity addresses; the expected benefit to income-qualified persons; and whether funds used for this activity will be used to meet the low income housing requirement for those below 50% of area median income.

The NSP Scattered Sites Program has been designed to provide financial assistance for affordable rental housing for low-income persons. The residence must be a vacant property with between 1 and 4 units. The residence must have been foreclosed upon or abandoned pursuant to program guidelines. Eligible properties must be located in the rental program target areas in unincorporated areas of Los Angeles County or the cities participating in the Urban County Program.

This program will provide financial assistance through secured loans. All loans will have no interest and will be secured by a Second Deed of Trust that is second in priority after the first Deed of Trust. All repayments to the CDC are deferred until sale, transfer, refinancing or full repayment of the first mortgage.

The Program's Target Areas are listed on page 10 of this application. These target areas have the greatest need based on the extent of multi-foreclosures in each community. This program will allow for the acquisition and rehabilitation of these properties to stabilize the targeted communities as well as provide housing opportunities for individuals and households at or below 50 of area median income.

The purchase price must be at least 15% below the current market appraised value of the property pursuant to an appraisal dated within 60 days of the offer to purchase. The appraisal must conform to the requirements of 49 CFR 24.103.

Tenants must be persons with household incomes that do not exceed low-income (50% of area median income). Tenants will pay affordable rents, which will not exceed thirty percent of fifty percent of area median income.

In order to meet the NSP statutory deadlines to expedite commitment and expenditure of program funds, the CDC's NSP Scattered Sites Rental Program will be administered through the CDC's Infill Sites Open Request For Proposals for the HOME Program and City of Industry Program. This will include all relevant aspects that comply with 24 CFR 92.252, including continued affordability ensured by recorded covenants, a minimum 15-year affordability term, rehabilitation standards, zero interest deferred payment loans, affirmative marketing, environmental clearance, relocation, CDC rehabilitation standards, and lead-based paint.

(5) Location Description: (Description may include specific addresses, blocks or neighborhoods to the extent known.)

The Program's Target Areas are listed on page 10 of this application.

(6) Performance Measures (e.g., units of housing to be acquired, rehabilitated, or demolished for the income levels of households that are 50 percent of area median income and below, 51-80 percent, and 81-120 percent).

An estimated 14 rental housing units will be acquired and rehabilitated for tenants with incomes that do not exceed 50% of area median income.

(7) Total Budget: (Include public and private components)

$4,211,918 for eligible activities under the NSP Scattered Sites Rental Program (refer to 2. above)

(8) Responsible Organization: (Describe the responsible organization that will implement the NSP activity, including its name, location, and administrator contact information)

Community Development Commission of the County of Los Angeles, 2 Coral Circle, Monterey Park, CA 91755; contact: Blair Babcock, Manager, Housing Development and Preservation Division, (323) 890-7270

(9) Projected Start Date:
January 2009

(10) Projected End Date:
January 2013

(11) Specific Activity Requirements:
For acquisition activities, include:

- **discount rate**

Fifteen percent (15%).

For financing activities, include:

- **range of interest rates**

No interest, Second Deed of Trust

For housing related activities, include:

- **duration or term of assistance;**

Fifteen (15) year affordability period.

- **tenure of beneficiaries--rental or homeownership;**

Rental

- **a description of how the design of the activity will ensure continued affordability**

Continued affordability ensured by recorded covenants, a minimum 15-year affordability term.

ACTIVITY 3:
NSP ADMINISTRATION

(1) <u>Activity Name</u>: *NSP Administration*

(2) <u>Activity Type</u>: (include NSP eligible use & CDBG eligible activity)

This activity is for grant administration as allowed by HUD. HUD waived 24 CFR 570.200(g) and 570.489(a)(3) to allow grantees to expend no more than 10 percent of its grant amount, plus 10 percent of program income received by the grantee, for eligible NSP activities.

- *Eligible CDBG planning and administration activities are included under 24 CFR 570.205(a)(b), 570.206(a)(1)(2)(3)(4)(b)(c)(e)(f)(g), and pre-award costs under 24 CFR 570.200(h) for permissible costs incurred as of September 29, 2008 for items such as development of the Action Plan amendment and other administration actions necessary to receive the NSP grant.*

(3) <u>National Objective</u>: (Must be a national objective benefiting low, moderate and middle income persons, as defined in the NSP Notice—i.e., ≤ 120% of area median income).

Not Required

(4) <u>Activity Description</u>:
Include a narrative describing the area of greatest need that the activity addresses; the expected benefit to income-qualified persons; and whether funds used for this activity will be used to meet the low income housing requirement for those below 50% of area median income.

This activity is for grant administration identified under 2. above to administer the NSP.

(5) <u>Location Description</u>: (Description may include specific addresses, blocks or neighborhoods to the extent known.)

Community Development Commission of the County of Los Angeles
2 Coral Circle, Monterey Park, CA 91755

(6) <u>Performance Measures</u> (e.g., units of housing to be acquired, rehabilitated, or demolished for the income levels of households that are 50 percent of area median income and below, 51-80 percent, and 81-120 percent).

Not applicable to administration.

(7) <u>Total Budget</u>: (Include public and private components)

$1,684,767 for eligible activities under NSP grant administration (refer to 2. above)

(8) Responsible Organization: (Describe the responsible organization that will implement the NSP activity, including its name, location, and administrator contact information)

Community Development Commission of the County of Los Angeles, 2 Coral Circle, Monterey Park, CA 91755; contact: Linda Jenkins, Manager, CDBG Division, (323) 890-7168

(9) Projected Start Date:
January 2009

(10) Projected End Date:
January 2013

(11) Specific Activity Requirements:
For acquisition activities, include:

- **discount rate**

For financing activities, include:

- **range of interest rates**

For housing related activities, include:

- **duration or term of assistance;**
- **tenure of beneficiaries--rental or homeownership;**
- **a description of how the design of the activity will ensure continued affordability**

Administration of the NSP grant.

Appendix G

Zoning Ordinance Update Program Annotated Outline

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

ZONING ORDINANCE UPDATE PROGRAM

Annotated Outline

Final Revised Draft
July 2007

DYETT & BHATIA
Urban and Regional Planners

Crawford, Multari, & Clark Associates, Planning Consultants | **Duncan Associates**, Planning Consultants | **Jacobson & Wack**, Planning Consultants | **Hamilton, Rabinowitz, & Alschuler**, Economic Consultants | **EDAW**, Environmental Consultants | **The Sohagi Law Group,** PLC, Legal Counsel

Los Angeles County

ZONING ORDINANCE UPDATE PROGRAM

ANNOTATED OUTLINE

Final Revised Draft

July 2007

Prepared for
Department of Regional Planning

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INTRODUCTION

This Annotated Outline lists the divisions, parts, chapters, and sections that are recommended for inclusion in the zoning ordinance in Title 22 of the Los Angeles County Code. The outline has been drafted to be consistent with the recommendations of the *Issues and Options Working Paper* and the *Framework for Zoning* and the Draft Preliminary General Plan 2007, with the following objectives in mind:

- To consolidate zoning provisions in a logical, user-friendly format;
- To make zoning consistent with the General Plan and federal and State law;
- To create new zones with clear, complementary purposes;
- To incorporate new directions in development policy emanating from the Board and the Regional Planning Commission and the Draft General Plan, such as economic development, sustainability and green building standards, dark-sky standards and infill incentives; and
- To streamline zoning administration.

These objectives have led to a number of significant changes and new elements in the revised ordinance outline. New zone names have been proposed to reflect more intuitively their purposes. Many of the zones represent a combination of two or more similar, existing zones, while others are new and address alternative forms of development for the County's future. The ordinance places a new emphasis in urban and suburban areas on compact development, with chapters devoted to transit-oriented communities, as well as supplemental standards for infill, zero lot line, and clustered development. The ordinance similarly elevates in importance the County's role in environmental stewardship through a new set of conservation-focused requirements, keyed to plan policies for Significant Ecological Areas (SEAs) and hillside management, as well as supplemental countywide development standards for resource protection, including provisions for green buildings, dark skies, and viewshed protection.

The outline also elevates a number of other provisions and standards to the chapter level in order to highlight their importance in the revised ordinance. Sections in the existing zoning ordinance that have been expanded and elevated include those for affordable housing, landscaping, nonconformities, parking, and signs. A new chapter on general performance standards will consolidate many of the regulations buried in the current ordinance's use lists and include a number of new standards to ensure that a property does not create a nuisance to its neighbors. Standards for specific uses are grouped into their own division and alphabetized for easy reference. Finally, Community Standards Districts (CSDs), Local Plans and Specific Plans, including the Malibu Coastal Program, have been moved to the end of the ordinance and alphabetized.

County staff comments have been incorporated into the outline of the second preliminary draft. Text boxes entitled "Research Tasks" highlight issues that emerged from County staff review which need further study.

ORGANIZATION OF TITLE 22

The outline is intended to provide a logical structure to the revised ordinance so that it will be easy to use and amend over time. The numbering system remains consistent with the existing ordinance, with regular jumps in chapter numbers to allow for insertions and modifications as needed. The final version of the ordinance also will include "reserved" sections at the end of each chapter to facilitate expansion.

Generally, the most frequently consulted sections appear towards the beginning of the ordinance, while more specific and less frequently used parts—including CSDs, Specific Plans, and definitions—have been moved to the end. Administrative provisions are now combined with permit requirements and moved to the beginning of the ordinance for ease of reference by Regional Planning Commission, staff, and the general Zoning Ordinance user. In all, Title 22 will comprise nine divisions, in the following order:

Volume I

Division I – Introductory Provisions

Division II – Base Zones

Division III – Overlay and Special Purpose Zones

Division IV – Special Management Areas

Division V – Countywide Development Standards

Division VI – Standards for Specific Uses and Activities

Division VII – Administration and Permits

Division VIII – General Terms

Volume II

Division IX – Community Standards Districts

Division X – Local Plans, Specific Plans, and Coastal Program Districts

Within each of these divisions, chapters and sections have been ordered to flow logically from one idea to the next. Typically, chapters begin with statements regarding their purpose and applicability, then list general provisions and move progressively to more specific provisions and related regulations. Many chapters end with references to other parts of the ordinance, such as permits, that present further, related regulations.

BASE AND OVERLAY ZONE REGULATIONS

Zone regulations will specify the land use and development standards for each of the base and overlay zones. Each zone will have a purpose statement, a list of allowed uses specifying the level of discretionary review required, development standards applicable to those uses, supplemental regulations addressing any additional concerns, and references to administration and permit chapters that specify required levels of review.

Appendix B includes a correspondence table listing the new zone names as well as the names they replace. The re-naming of zones is intended to facilitate General Plan implementation and make the purpose of the zone clear to a lay reader (e.g. RS for Residential Single Family, CN for Commercial Neighborhood, CG for Commercial General, etc.) With a computer-based Geographic Information System (GIS), this type of "re-naming" will not generally affect zone boundaries and should be relatively easy to accomplish. Some re-zoning also may be needed for General Plan consistency.

Purpose Statement

Each zone will have a specific purpose that is based on relevant General Plan policies and the Plan's Land Use Diagram and land use classifications. The purpose statement will explain in general language the way the zone is intended to be used and how it fits into the County's land use policy. These statements will serve as a guide for specifying use regulations and standards and for administration of zone regulations; they also can provide a basis for the findings required for action on discretionary permits. Finally, they can serve as specific reference criteria for rezoning to implement General Plan policies. Purpose statements will ensure that each zone is clearly complementary to others.

Land Use Regulations

The ordinance's new set of use groups will help to streamline zoning by grouping together similar uses that will be regulated in the same manner, avoiding the need to list every conceivably allowed use. Use groups provide more flexibility by facilitating the integration of new uses and by not precluding unlisted uses that are similar in nature to others within the zone. These consolidated groups furthermore work with purpose statements to help explain the character of each zone. Limits applied to specific uses will furthermore help to ensure that they operate in a way that is compatible with zone purposes and character.

Development Standards and Supplemental Regulations

The standards of each zone will list dimensional requirements for lots, setbacks, and building heights, as well as limits on residential density and building intensity. Supplemental regulations will include elements such as performance criteria that implement General Plan policy and ensure compatibility among uses in a given zone. Examples of supplemental standards in commercial areas include:

- Building design, orientation, and entrance location
- Street façade design and window transparency
- Pedestrian amenities

- Landscaping, buffering, and screening
- Access requirements

These standards may modify, expand upon, or allow exceptions to similar standards listed in Division V, Countywide Development Standards, to achieve a zone's stated purposes. In particular, overlays such as the transit-oriented zones will employ a large number of exceptions or adjustments to provide development incentives and achieve higher densities at important nodes within the County.

Special Management Areas

The division on Special Management Areas will include standards that apply in areas designated in the General Plan as special management areas (e.g. hillside management and Significant Ecological Areas) as well as requirements in the current code for flood protection. noise insulation, and special setback requirements. These are distinguished from the preceding division in that new zones will not be created and mapped, but instead, the General Plan maps will be used for reference.

- Flood Protection Areas[1]
- Hillside Management Areas
- Noise Insulation Program Districts
- Significant Ecological Areas
- Setback Districts

Countywide Development Standards

The division on Countywide Development Standards will include those standards that apply generally to all zones. Standards applicable to particular zones will appear within the development and supplemental regulations of that zone chapter. Zone chapters will furthermore contain relevant cross-references to these countywide standards. Chapters proposed for this division include the following:

- Affordable Housing Density Bonus and Other Incentives
- Infill Development Standards and Incentives
- Landscaping
- Nonconforming Situations

[1] Provisions for flood protection districts may be deleted based on further discussion with the Department of Public Works.

- Parking and Loading
- Resource Protection Standards
- Road Dedication and Access[2]
- Signs

STANDARDS FOR SPECIFIC USES AND ACTIVITIES

Division 6 will collect the variety of standards found in various locations within the current Zoning Ordinance that apply to individual land-use types. In general, the existing standards attempt to address compatibility and performance issues associated with each specific use which the County has found in the past to be problematic. Besides revising existing standards to simplify and clarify their language as well as improve effectiveness where possible, this Division also includes standards for additional land-use types that the County has more recently identified as needing explicit standards to mitigate their potentially undesirable effects. The revisions also respond to relevant state and federal laws (for example, the new (January, 2007) state law requiring the administrative approval by cities and counties of co-located cellular antennas)[3].

In order to ensure that Zoning Ordinance users easily become aware of the standards in this chapter that may affect their proposed projects, the allowable land use tables for the zones in earlier Zoning Ordinance divisions will include cross-references to the relevant sections of this Chapter. Also to improve ease of use, the standards in this Chapter will be consistently organized and formatted in a consistent manner. In addition, the organization and content of this Chapter remedies a serious shortcoming of the existing Zoning Ordinance, whereby a number of standards for specific land uses are scattered about in various counterintuitive locations, most notably in current Chapters 22.52 (General Regulations) and 22.56 (Conditional Use Permits, Variances, Nonconforming Uses, Temporary Uses and Director's Review). Instead, the standards for these land-use types are now all located in Chapter 22.60.

ADMINISTRATION AND PERMITS

This division is designed to encompass all of the permits and other authorizations and actions that the County requires in the administration of the Zoning Ordinance and the General Plan and related land use program. One major refinement is to incorporate all of the existing

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[2] This section may be deleted, pending further discussion with the Department of Public Works.

[3] Provisions for Wireless Telecommunications Facilities will be in a free-standing chapter following sign regulations, rather than a section in Chapter 22.104, Standards for Specific Land Uses, because of the complexity of the standards and procedures for different types of facilities (e.g. amateur radio antennas, microwave antennas, cell towers, satellite dishes, etc.). Trying to address all of these nuances within a single section may be confusing. Regulations for specific antenna types also will be easier to find if they are at the section level.

permits (e.g., Animal Permits, Cemetery Permits, Explosives Permits, Flood Control Permits, Housing Permits, Mobilehome Permits, Oak Tree Permits, and Parking Permits) that are identified in current Chapter 22.56 (Conditional Use Permits, Variances, Nonconforming Uses, Temporary Use Permits and Director's Reviews) into proposed Chapter 9 (Conditional Use Permits). A new permit also is proposed—the Planned Development Permit. Table 1 on page vii shows the proposed review system as well as the entire list of County-required permits and other related authorizations and actions.

Community Standards Districts and Specific Plans

These regulations, which apply to specific geographic areas, are now grouped at the end of the ordinance to reflect their relatively narrow focus. The regulations of these sections will remain identical to existing versions, but new provisions have been added to streamline and standardize administration. The sections also have been alphabetized for ease of reference. The numbering system will be designed to facilitate amendments, including the addition of new CSDs.

Next Steps

The preliminary draft of the Annotated Outline was revised based on County staff comments; these revisions also respond to Regional Planning Commission comments on the *Issues and Options* paper and the *Framework for Zoning* paper. Following County staff review and approval of the revised outline, it will serve as the framework for the preliminary draft regulations that follow.

Ordinance sections will be prepared as "modules" for County staff and Regional Planning Commission review, with introductory sections that will explain key differences from existing standards and address remaining questions for consideration. Each module also will include an appendix showing the disposition of sections in the current code. Modules include the following:

- Module 1: Base Zones and Standards for Specific Uses
- Module 2: Overlay and Special Purpose Zones and Special Management Areas
- Module 3: Countywide Development Standards (including parking and sign controls)
- Module 4: Zoning Administration

TABLE 1: PROPOSED REVIEW SYSTEM

Application or Action Type	*Advisory Body*	*Decision Maker*	*Appeal Body*
Type One: Ministerial Actions			
Zoning Conformance Reviews, Site Plans, Revised Exhibit A	N/A	Planning Director	Hearing Officer
Interpretations	N/A	Planning Director	Hearing Officer
Modification of Discretionary Approvals	N/A	Planning Director	Hearing Officer
Type Two: Discretionary "Minor" Quasi-Judicial Actions			
Director's Reviews	N/A	Planning Director	Regional Planning Commission
Minor Coastal Development Permits	Staff biologist	Hearing Officer	Regional Planning Commission
Minor Conditional Use Permits[4]	N/A	Planning Director	Hearing Officer
Minor Variances (e.g., Deviations, Waivers, and Adjustments)	N/A	Planning Director	Hearing Officer
Minor Modification of Conditions	N/A	Planning Director	Hearing Officer
Temporary Use Permits	N/A	Planning Director	Hearing Officer
Type Three: Discretionary "Major" Quasi-Judicial Actions			
Major Coastal Development Permits	Staff Biologist	Hearing Examiner/ Regional Planning Commission	Board of Supervisors
Major Conditional Use Permits[5]	Staff Biologist, ERB, SEATAC	Hearing Examiner/ Regional Planning Commission[6]	Regional Planning Commission/Board of Supervisor
Major Variances	NA	Hearing Officer	Regional Planning Commission

[4] Incorporates Animal Permits, Explosives Permits, Flood Control Permits, Mobilehome Permits, Oak Tree Permits, Parking Permits, and Surface Mining Permits.

[5] Incorporates Cemetery Permits and Housing Permits.

[6] For affordable housing-related Conditional Use Permits where a density bonus is required.

TABLE 1: PROPOSED REVIEW SYSTEM

Application or Action Type	*Advisory Body*	*Decision Maker*	*Appeal Body*
Planned Development Permits	NA	Hearing Examiner	Regional Planning Commission/Board of Supervisor
Type Four: Discretionary Legislative Actions			
Development Agreements	Regional Planning Commission	Board of Supervisors	Superior Court
Specific Plans and Plan Amendments	Regional Planning Commission	Board of Supervisors	Superior Court
General Plan Amendments	Regional Planning Commission	Board of Supervisors	Superior Court
Local Coastal Program (LCP)	Regional Planning Commission	Board of Supervisors	Superior Court
Zoning Map Amendments	Regional Planning Commission	Board of Supervisors	Superior Court
Zoning Ordinance Amendments	Regional Planning Commission	Board of Supervisors	Superior Court

Annotated Outline

The Annotated Outline on the following pages follows the proposed organization for the zoning ordinance presented in the *Framework for Zoning Paper*. It includes details on proposed divisions, parts, chapters, and sections. The numbering system generally follows that in Title 22, but an "automatic numbering" feature is used because this facilitates revisions if, for example, County staff or the Commission requests that certain chapters or sections be re-organized. The numbering is in "tens" which allows for inserting sections after adoption without having to undertake wholesale re-numbering or change internal cross-references.

Commentary, in *italics*, is intended to explain the proposed content of a chapter. Also noted is whether a chapter incorporates existing provisions, which may have been modified or edited to reflect proposed changes, or new provisions, which are intended to implement the Draft General Plan or respond to specific issues identified by County staff and the consultant team.

Parenthetical references are to recommendations of the March 2007 *Issues and Options Working Paper* and are intended to highlight how the ideas of that document have informed the new ordinance outline. Because the recommendations of the April 2007 *Framework for Zoning* are more broadly applicable, the references are included in this outline only where a specific nexus exists. All references to the General Plan are to the 2007 Los Angeles County Draft Preliminary General Plan.

Chapter numbers have been generated using an automated numbering system and are provisional only. A modified numbering system will be created once the total number of chapters has been finalized.

Appendix A lists the major proposed changes to the existing ordinance by chapter, as well as important modifications to section organization. If a section has been eliminated, the appendix states the reason behind the proposal.

Appendix B contains two tables listing correlations between existing zones and proposed zones for the new ordinance. The first table is organized according to existing zones, and the second is organized according to proposed zones.

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DIVISION 1: INTRODUCTORY PROVISIONS

CHAPTER 22.02: TITLE, PURPOSE, AND AUTHORITY

This chapter includes the same introductory provisions in the current code with minor changes. The chapter will include provisions for General Plan consistency, which have been expanded and moved up from their existing location in Section 22.12.090 with clear language to highlight their importance. Sections regarding the interpretation of language and numbers have been moved to Chapter 22.08, and administrative provisions have been moved to Division 2.

This chapter will include a section establishing the applicability of the zoning ordinance to the use of land in the County's unincorporated area, in order to consolidate a number of such statements scattered through the existing code and avoid duplication. This type of statement is typically placed in the first chapter of a zoning code.

Some Codes also include provisions on transitional rules, the effect of the new Code on projects under review and approved projects. It may make more sense to include these in the adopting ordinance, rather than codify them, as they only have a very short-term effect. However, if County Counsel wanted such provisions in the Code, they can be added to this chapter or be placed in a separate chapter.

Sections:

22.02.010 Title and Authority
22.02.020 Purpose and Relationship to General Plan
22.02.030 Organization
22.02.040 General Rules for Applicability of Zoning Regulations
22.02.050 Amendments and Additions Included

CHAPTER 22.04: RULES FOR CONSTRUCTION OF LANGUAGE, MEASUREMENT, AND INTERPRETATION

This chapter will consolidate rules for measurement and interpretation that appear in various places in the current ordinance, including Chapters 22.04 (Introductory Provisions) and 22.52 (General Regulations). These existing rules will be supplemented with additional standards where necessary to create a comprehensive guide to code interpretation. Graphics will illustrate appropriate standards for additional clarity (Recommendation 1-G).

Sections:

22.04.010 Rules for the Construction of Language
22.04.020 Rules for the Use of Numbers
22.04.030 Rules for Measurement

22.04.040 Rules for Interpretation
22.04.050 Severability

CHAPTER 22.06: ZONES AND DISTRICTS

This chapter will remain similar to Chapter 22.12 in the existing code, with some minor alterations. Administrative provisions have been moved to Division 5, and provisions regarding General Plan consistency have been moved up to Chapter 22.04. The chapter will reflect the new zone classification system described in Division 2, below, as modified to be consistent with the General Plan. Additionally, the chapter will include the establishment of Community Standards Districts and Specific Plans, with references to Divisions 8 and 9 for the detailed regulations.

Sections:

22.06.010 Designation of Base Zones
22.06.020 Suffixes to Zoning Symbols
22.06.030 Designation of Overlay Zones
22.06.040 Designation of Special Management Areas (e.g.Hillsides, SEAs and Setback Districts)
22.06.050 Designation of Community Standards Districts
22.06.060 Designation of Local Plans, Specific Plans and Coastal Program Districts
22.06.070 Official Zoning Map and District Boundaries
22.06.080 Zone Boundary Interpretations
22.06.090 Zoning of Unincorporated Territory
22.06.100 Former Zoning Symbols Designated

CHAPTER 22.08: RESERVED

DIVISION 2: BASE ZONES

Base zone regulations are divided into three parts based on geographic area: Agricultural, Conservation, and Rural zones for areas of the County subject to low-intensity development (generally the northern half of the county); Urban zones for areas of the County subject to higher intensity development (generally the unincorporated pockets in the southern half of the county); and floating "Planned Development" zones for specific areas where flexible development and use standards are desired.

Zone regulations follow a standard structure, which will include tables of allowed uses that indicate whether the use is allowed by right or subject to review and required permits and limitations, as well as cross references to additional regulations in other parts of the ordinance (Recommendation 1-D). Following these tables, development regulations will specify required setbacks, maximum height, maximum densities, and other physical standards. Minimum lot size standards that are currently located in Chapter 22.52 (General Provisions) will also be relocated here, so that all of the important development regulations for the zones are in one place. Supplemental regulations will include additional standards specific to a given zone (for example, home occupations or zero lot line development within residential zones). Finally, the Review of Plans section will provide cross references to appropriate administrative provisions in Division 2 concerning types of review.

Part 1: Agricultural, Conservation, and Rural Zones

CHAPTER 22.10: AGRICULTURAL ZONES

The new ordinance will include two agricultural zones, AL (Agriculture Limited; corresponding to the existing A-1 zone) and AG (Agriculture General). The AG zone will incorporate those additional uses allowed in the existing A-2-H zone, with development regulations to ensure that these uses do not create nuisances for other property. Supplemental regulations will include incentives for Farm Worker Housing (Recommendation 3-E). These zones will conform to the Rural Land (RL) designation in the General Plan.

Sections:

22.10.010 Purposes
22.10.020 Land Use Regulations
22.10.030 Development Regulations
22.10.040 Supplemental Regulations
22.10.050 Review of Plans

CHAPTER 22.12: CONSERVATION ZONES

The new ordinance will include OS (Open Space) and W (Watershed) zones. Regulations will mandate little or no growth within these areas. Allowed uses will remain similar to those in the

existing open space and watershed zones. These zones will conform to the Open Space (O) designation in the General Plan.

Sections:

22.12.010 Purposes
22.12.020 Land Use Regulations
22.12.030 Development Regulations
22.12.040 Supplemental Regulations
22.12.050 Review of Plans

CHAPTER 22.14: RURAL ZONES

Rural zones include RR (Rural Residential), RN (Rural Neighborhood), RM (Rural Mountain), and RD (Rural Desert) zones. Development regulations will emphasize low-intensity growth with appropriate standards to maintain a rural visual character. The Rural Neighborhood zone will implement General Plan policy and provide for low-intensity commercial uses appropriate for crossroads and small neighborhood centers. Supplemental regulations can include standards that apply specifically in these zones. One example are those currently in Section 22.52.320 (Livestock Kept as Pets—Restrictions Generally), which states the conditions under which hooved animals may be kept on lots with at least 15,000 square feet of area. These zones will conform to the Rural Land (RL) designation in the General Plan.

Sections:

22.14.010 Purposes
22.14.020 Land Use Regulations
22.14.030 Development Regulations
22.14.040 Supplemental Regulations
22.14.050 Review of Plans

Part 2: Urban Zones

CHAPTER 22.16: RESIDENTIAL ZONES

The residential zones will include RS (Residential Single-Family; corresponding to the existing R-1 zone), RT (Residential Two-Family; corresponding to the existing R-2 zone), RMF (Medium Density Multi-Family; corresponding to the existing R-3 zone), and RH (High Density Multifamily; corresponding to the existing R-4 zone). Alternatively, there could just be one RMF Residential Multi-Family zone with density designators and corresponding height limits. Suffixed numbers can establish maximum densities (e.g., RS-7 for a maximum of seven units per net acre). Development regulations will focus on mixing housing types (i.e., single-family and duplexes) with appropriate limitations, buffers, and design requirements to ensure compatibility (Recommendation 3-A). Regulations will also include provisions for zero lot line development (Recommendation 2-A) and minimum residential densities for new development in RHD zones. Transitional housing and live/work units will be incorporated into appropriate zones (Recommendation 3-C). These zones will conform to the Urban (U) designation in the General Plan.

Sections:

22.16.010 Purposes
22.16.020 Land Use Regulations
22.16.030 Development Regulations

Some standards in Chapter 22.52 (Sections 22.52.260 – 290) related to the number of permitted structures for R-2 and dwelling unit density for R-3 and R-4 will be incorporated here.

22.16.040 Supplemental Regulations
22.16.050 Review of Plans

CHAPTER 22.18: COMMERCIAL ZONES

The new ordinance will include the following zones: CN (Commercial Neighborhood; corresponding to the existing C-1, C-2, and C-H zones), CS (Commercial Service; incorporating auto-oriented uses and uses that create potential nuisances from the C-3 and C-M zones), CG (Commercial General; corresponding to the C-3 zone and including large-format uses and offices), and CR (Commercial Recreation; corresponding to the existing C-R and R-R zones). Development standards will produce pedestrian-friendly uses with active frontages in the CN zone (Recommendations 2-B, 6-E). Additional standards will provide for adequate buffering around large-format ("big box") uses in the CG zone or nuisance-generating uses in the CS zone. The CS zone will furthermore allow limited manufacturing activities within buildings, provided they conform to specified limits in scale and other development standards. Supplemental regulations will include exemptions and incentives for infill development (Recommendation 2-C), to be coordinated with infill development standards in Division 5. These zones will conform to the Commercial (C) designation in the General Plan.

Sections:

22.18.010 Purposes
22.18.020 Land Use Regulations
22.18.030 Development Regulations
22.18.040 Supplemental Regulations

A Master Use Permit will be added to allow for easier re-occupation of abandoned commercial uses in multi-tenant development (Recommendation 4-D). Regulations for drive-up and drive-through facilities can be located here if these uses are generally found only in commercial zones; otherwise, they should be placed in Division 5.

22.18.050 Review of Plans

CHAPTER 22.20: MIXED USE ZONE

The MX zone (Mixed Use; Recommendation 3-D) will be a new addition to the County's set of zoning options to allow a mixing of uses by right. Development standards will produce pedestrian-friendly uses with active frontages, as in the CN zone (Recommendations 2-B, 6-E). Incentives, such as parking reductions or flexible height limits, will encourage the co-location of commercial and residential uses. These standards also will be coordinated with standards for transit-oriented development (TOD). These zones will conform to the Commercial (C) designation in the General Plan.

Sections:

22.20.010 Purposes
22.20.020 Land Use Regulations
22.20.030 Development Regulations
22.20.040 Supplemental Regulations
22.20.050 Review of Plans

CHAPTER 22.22: INDUSTRIAL ZONES

Industrial zones will include IL (Industrial Limited; corresponding to the existing M-1 zone) and IG (Industrial General; corresponding to the existing M-1½, M-2, and M-3 zones). An IP (Industrial Park) zone could also be established to incorporate provisions currently in the SR-D (Scientific Research & Development) zone. Supplemental regulations will provide incentives for labor-intensive, environmentally sensitive industries (Recommendation 4-A). These zones will conform to the Industrial (I) designation in the General Plan.

Sections:

22.22.010 Purposes
22.22.020 Land Use Regulations
22.22.030 Development Regulations
22.22.040 Supplemental Regulations
22.22.050 Review of Plans

CHAPTER 22.24: PUBLIC AND SEMI-PUBLIC ZONE

The PS (Public and Semi-Public) zone will allow for large, publicly owned uses, including federal and State-owned land, on sites two acres or more in size that may not be appropriate within other zones. Having a PS Zone also will allow the County to consider reuse alternatives through a re-zoning process if a school, for example, is closed, rather than having the site be assumed to be viable for a single-family subdivision. These zones will conform to the Public and Semi-Public Facilities (P) designation in the General Plan.

Sections:

22.24.010 Purposes
22.24.020 Land Use Regulations
22.24.030 Development Regulations
22.24.040 Supplemental Regulations
22.24.050 Review of Plans

Part 3: Planned Zones

CHAPTER 22.26: PLANNED DEVELOPMENT ZONE

This chapter will include the Planned Development (PD) zone. The zone will operate as a floating base zone to facilitate the development of properties where greater flexibility in design is desired than would be possible through strict application of conventional zone or land use regulations. It will be broader in scope than the current MXD zone. Specific development standards will be as

specified in approved plans, but this section will include some basic standards applicable to all planned developments, such as minimum area requirements and maximum residential densities set in relation to the General Plan.

Sections:

22.26.010 Purposes
22.26.020 Land Use Regulations
22.26.030 Development Regulations
22.26.040 Supplemental Regulations
22.26.050 Review of Plans

CHAPTER 22.28: RESERVED

CHAPTER 22.30: RESERVED

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DIVISION 3: OVERLAY AND SPECIAL PURPOSE ZONES

This division will consolidate existing zones classified as either "combining zones" or "supplemental districts." Many existing combining and supplemental zones have been eliminated, but their provisions have been preserved as standards in other chapters. The zones that are not being carried forward in this division include the following: -P (incorporated into base zones), -CRS (incorporated into mixed use zone) and -PO (incorporated into base zones. The Setback districts, Flood Protection Districts and Noise Insulation Program districts will be incorporated into Division 4,Special Management Areas . Provisions for infill development will be to Division 5 as countywide development standards.

CHAPTER 22.32: BILLBOARD EXCLUSION ZONE

The Billboard Exclusion (-BE) overlay zone will retain its existing regulations, but provisions will be reorganized to fit the new, standard overlay format.

Sections:

22.32.010 Purpose
22.32.020 Applicability
22.32.030 Land Use Regulations
22.32.040 Development Regulations
22.32.050 Supplemental Standards
22.32.060 Review of Plans

CHAPTER 22.34: DEVELOPMENT PROGRAM ZONE

The Development Program (-DP) overlay zone will remain similar to the overlay in the existing ordinance, with some clarification of requirements to facilitate its use. Where appropriate, requirements may be more stringent than they currently are, and consistency with the General Plan will be required.

Research Task

Determine in consultation with County staff how to handle historic DPs that were never built, as well as potential changes in DPs, including whether or not these should use the Revised Exhibit A (Modification) process to be incorporated in Chapter 22.16, Modification of Discretionary Approvals or some other procedure.

Sections:

22.34.010 Purpose
22.34.020 Applicability
22.34.030 Land Use Regulations
22.34.040 Development Regulations
22.34.050 Supplemental Standards
22.34.060 Review of Plans

CHAPTER 22.36: ECONOMIC REVITALIZATION ZONE

The Economic Redevelopment overlay (-ER) is intended for older commercial areas with high vacancy rates and a large number of nonconforming uses and structures. Provisions will give incentives for infill and reinvestment through relaxed development standards and exemptions. The zone will also promote the reoccupation of nonconforming structures by allowing a broader range of structural additions and improvements. (Recommendation 4-B).

Sections:

22.36.010 Purpose

22.36.020 Applicability

22.36.030 Land Use Regulations

Allowed uses will be identical to those in the base zone.

22.36.040 Development Regulations

The zone will allow greater flexibility in standards that may impede growth in older, built-out commercial areas, such as required setbacks, heights, and parking.

22.36.050 Supplemental Standards

Supplemental standards will require pedestrian-oriented design with active frontages wherever appropriate. This section will also specify the range of allowed modifications and expansions to nonconforming uses and structures.

22.36.060 Review of Plans

CHAPTER 22.38: EQUESTRIAN ZONE

The Equestrian overlay (-EQ) will incorporate the County's draft ordinance on horse boarding, as well as additional standards to refine these regulations. The overlay will specify the maximum number of horses that may be kept on a property, based on lot area, as well as the maximum number of horses not owned by the property owner. The new zoning will reflect existing equestrian districts and standards that apply to specific areas in order to minimize potential nonconformities.

Research Task

Evaluate how best to incorporate existing equestrian districts into this chapter.

Sections:

22.38.010 Purpose

22.38.020 Applicability

22.38.030 Land Use Regulations

Barns and stables will be permitted, subject to more stringent development standards as specified below. On lots below a threshold area, these uses will be required to obtain discretionary approval.

22.38.040 Development Regulations

Development standards will increase required setbacks and reduce maximum building heights.

22.38.050 Supplemental Standards

Supplemental standards will establish a maximum "density" of horses, according to lot area, for various zones.

22.38.060 Specific –EQ Districts

22.38.070 Review of Plans

CHAPTER 22.40: TRANSIT ORIENTED DEVELOPMENT ZONE

The Transit Oriented Development overlay (-TO) will incorporate the provisions of the existing Transit Oriented supplemental district, with many additional use and design standards to ensure the creation of distinct, walkable neighborhoods with convenient access to multimodal transit facilities. Existing requirements for "case processing" will be incorporated into Division 6, Administration and Permits. The overlay is intended for use in areas within ¼ or ½ mile of a stop along a major transit line, such as the BRT or blue and green lines (Recommendations 6-A, 6-B, 6-C). For simplicity, it also could just be cited as a "-T" zone.

Research Task

Evaluate how best to carry forward and possibly improve existing TOD zoning while also responding to General Plan initiatives and Planning Deputies' interest in expanding the use of TOD.

Sections:

22.40.010 Purpose

22.40.020 Applicability

22.40.030 Land Use Regulations

The overlay will allow a mix of residential and commercial uses.

22.40.040 Development Regulations

Development regulations will focus on the creation of pedestrian-friendly, active spaces. Standards will specify maximum front yard setbacks (e.g., build-to lines), minimum heights or densities, and reduced parking requirements. The overlay may also mandate ground-floor retail or requirements for "active frontages" for all development, with specified exceptions for projects on secondary streets where single use buildings for housing on small interior lots, for example, may be appropriate.

22.40.050 Supplemental Standards

Supplemental design standards will require plate glass windows on the ground floor, appropriate landscaping, and other elements for pedestrian-oriented uses. This section will also detail access requirements for pedestrians and bicycles with a focus on connections to transit stops.

22.40.060 Review of Plans

CHAPTER 22.42: RESERVED

CHAPTER 22.44: RESERVED

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DIVISION 4: SPECIAL MANAGEMENT AREAS

CHAPTER 22.46: FLOOD PROTECTION AREAS

The Flood Protection districts will retain the regulations and standards in the current ordinance, with minor editing to ensure consistency with the update. This chapter also will address FEMA requirements for development in the 100-year floodplain, building on current flood protection standards.

Sections:

22.46.010 Purpose
22.46.020 Applicability and Exceptions
22.46.030 Land Use Regulations
22.46.040 Development Regulations
22.46.050 Supplemental Standards
22.46.060 Review of Plans

Research Task

Confirm with the Department of Public Works that flood protection districts still need to be incorporated as zones is still needed and evaluate how to incorporate FEMA requirements most appropriately.

CHAPTER 22.48: HILLSIDE DEVELOPMENT AREAS

The Hillside Development provisions will apply to hillside areas identified in the General Plan where it is desirable to control development in order to preserve views. These requirements will build on existing draft regulations—establishing CUP requirements, maximum densities, and other standards— prepared by the County to implement the new General Plan and will refer to General Plan maps. Zoning map designations will not be created. Standards will mandate additional analysis and design requirements for aesthetic concerns, including revegetation on cut and fill slopes and viewshed analysis with story poles. (Recommendations 5-C, 5-D). These provisions also will provide incentives for lot line adjustments on nonconforming hillside parcels (Recommendation 5-E).

Sections:

22.48.010 Purpose

22.48.020 Applicability and Exceptions

This section will reference General Plan maps and rules for granting exceptions from these provisions.

22.48.030 Land Use Regulations

Allowed uses will be identical to those in the base zone.

22.48.040 Development Regulations

Specific standards will be set on a case-by-case basis as a condition of approval of the CUP.

22.48.050 Supplemental Standards
Standards will include revegetation on cut and fill slopes and viewshed analysis with story poles along ridges.

22.48.060 Review of Plans

CHAPTER 22.50: NOISE INSULATION DISTRICTS

Noise Insulation districts will retain the regulations and standards in the current ordinance, with minor editing to ensure consistency with the update.

Sections:

22.50.010 Purpose
22.50.020 Applicability and Exceptions
22.50.030 Land Use Regulations
22.50.040 Development Regulations
22.50.050 Supplemental Standards
22.50.060 Review of Plans

CHAPTER 22.52: SETBACK DISTRICTS

Setback districts will retain the regulations and standards in the current ordinance, with minor editing to ensure consistency with the update.

Sections:

22.52.010 Purpose
22.52.020 Applicability and Exceptions
22.52.030 Land Use Regulations
22.52.040 Development Regulations
22.52.050 Supplemental Standards
22.52.060 Review of Plans

CHAPTER 22.54: SIGNIFICANT ECOLOGICAL AREAS

Regulations for Significant Ecological Areas will be based on the County's draft SEA regulations to implement the new General Plan. They are intended for areas of the county that are primary natural habitats for wildlife or present other important environmental concerns. No new mapping will be needed in order to implement the zone. As envisioned by the General Plan, SEAs will not eliminate property owners' rights within designated areas; instead, the area will mandate low-intensity, context-sensitive development around identified biological resources.

Sections:

22.54.010 Purpose
22.54.020 Applicability
22.54.030 Land Use Regulations
Allowed uses will be identical to those in the base zone.

22.54.040 Development Regulations

The overlay will mandate conservation subdivision design and other standards to preserve wildlife corridors. Specific standards will be set on a case-by-case basis as a condition of approval of the CUP.

22.54.050 Supplemental Standards

22.54.060 Review of Plans

CHAPTER 22.56: RESERVED

CHAPTER 22.58: RESERVED

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DIVISION 5: COUNTYWIDE DEVELOPMENT STANDARDS

CHAPTER 22.60: GENERAL SITE REGULATIONS

This chapter will include general site development regulations applicable in several or all zones. Regulations should be listed in alphabetical order for easy reference, and cross-referenced regulations applicable in several or all zones. Regulations should be listed in alphabetical order for easy reference in each of the base zones. Where helpful, the ordinance will provide tables to summarize certain development standards that vary by district (e.g., distance between buildings, lot widths, etc.).

Sections:

22.60.010 Purpose
22.60.020 Applicability
22.60.030 Accessory Structures and Equipment
22.60.040 Alteration, Conversion, and Demolition of Buildings and Structures
22.60.050 Distance between Buildings
22.60.060 Exceptions to Height Limits
22.60.070 Fences and Walls
22.60.080 Lighting
22.60.090 Lot Width Requirements and Exceptions
22.60.100 Lot Area Requirements and Exceptions
22.60.110 Projections into Required Yards
22.60.120 Relocation of Buildings and Structures
Corresponding to the current Section 22.52.060 (Moving of Buildings and Structures—Conditions).
22.60.130 Screening of Mechanical Equipment
22.60.140 Substandard Lots and Parcels
Including provisions for contiguous narrow lots.

CHAPTER 22.62: AFFORDABLE HOUSING DENSITY BONUS AND OTHER INCENTIVES

This chapter will incorporate the Affordable Housing Density Bonus Ordinance adopted by the County in 2006. Additionally, incentives listed will include CEQA exemptions for projects that provide a threshold number of affordable units (Recommendation 3-F).

Sections:

22.62.010 Purpose
22.62.020 Applicability and Exceptions

22.62.030 Density Bonus
22.62.040 Incentives
22.62.050 Parking Reduction
22.62.060 Waiver or Modification of Development Standards
22.62.070 Senior Citizen Housing Option
22.62.080 Affordable Housing Option

CHAPTER 22.64: INFILL DEVELOPMENT STANDARDS

The infill development standards are intended for neighborhoods that contain a significant amount of vacant or bypassed land in an otherwise built-out area. The standards will define these areas and provide incentives for development in them by altering standards such as setbacks and parking requirements that may interfere with redevelopment of infill sites. Supplemental standards will focus on the development of walkable, accessible neighborhoods (Recommendation 2-C). Criteria for infill development will be established. These may overlap with mixed use development concepts, but the purpose of this chapter will be broader and not require that all infill development be mixed use.

Sections:

22.64.010 Purpose
22.64.020 Applicability (criteria for infill development)
22.64.030 Infill Development Standards
22.64.040 Supplemental Regulations

CHAPTER 22.66: LANDSCAPING

This chapter will expand upon landscaping requirements currently contained in the ordinance's chapter on Yards, Highway Lines, and Highways. The chapter will mandate minimum landscaped areas and requirements for landscape plans as a component of a development application. The chapter will also address buffering, screening, and preferred and prohibited plant types and materials, as well as on-going maintenance requirements. Landscaping regulations specific to parking lots will be located within the chapter on vehicle parking and loading.

Sections:

22.66.010 Purpose
22.66.020 Applicability
22.66.030 Design Principles (optional)
22.66.040 Landscape Plans
Including provisions for alternative means of complying with standards to allow for flexibility.
22.66.050 General Requirements
22.66.060 Plant and Non-Plant Materials
22.66.070 Installation, Maintenance, Pruning, and Irrigation
22.66.080 Perimeter Buffer Landscape Requirements
22.66.090 Exemptions and Modifications

CHAPTER 22.68: PARKING AND LOADING

The parking regulations provided here have been revised to address the concerns raised by participants in the visioning and information gathering phase of the Zoning Ordinance Update Program. The new parking section of the code will be significantly different than the existing ordinance. First, the minimum parking requirements will be presented in a table that displays the required number of spaces for major land use groups (e.g., residential) with additional conditions listed where applicable to certain uses within each group. The parking requirements for 16 uses that were listed separately from the rest of the parking requirements in the existing code (e.g., day care, golf courses, salvage yards, mobile home parks) will all be merged into the new table. Any unique rules or considerations that apply to those uses will be provided in the table or an endnote.

The parking section will also contain provisions allowing for the reduction of the amount of parking required for certain uses and in certain zones (Recommendation 6-C). The existing code already permits such reductions for transit-oriented development districts and for some affordable housing developments. The new ordinance will allow such rules to be applied to a greater number of uses and in more zones, including mixed use zones. The new ordinance also will address parking on infill sites and nonconforming situations.

Finally, the new parking section will contain several major new provisions, including parking lot design and landscaping, permissible parking reductions, alternative parking arrangements, and bicycle parking standards (Recommendation 6-D).

Sections:

22.68.010 Purpose

22.68.020 Applicability

22.68.030 General Parking Requirements

Including the location of parking relative to the use served, ownership of parking spaces in residential areas, compact parking spaces, accessible parking, standards for parking adjacent to residential areas, and required drawings for applications.

22.68.040 Calculation of Parking Requirement

22.68.050 Shared Parking

22.68.060 Parking Reductions

Provisions will reference Director Review procedures in Division 6 as the basis for securing a parking reduction.

22.68.070 Alternative Compliance with Minimum Parking Requirements

22.68.080 Standards for Parking Lots

Including design, construction, and landscaping. Specific standards will be set for handicapped access, driveways, aisles, vehicular back-up space, landscaped end islands, parallel parking, and other elements, with graphics to illustrate requirements.

22.68.090 Standards for Parking Structures and Garages

22.68.100 Standards for Loading Areas and Spaces

22.68.110 Bicycle and Motorcycle Parking

22.68.120 Maintenance Standards

CHAPTER 22.70: RESOURCE PROTECTION STANDARDS

This chapter will contain standards for protecting the environmental quality of unincorporated areas of Los Angeles County. The sections are new and correspond to the referenced recommendations in the Issues and Options Working Paper. *While most provisions of this chapter will establish mandatory development standards, the section on green buildings will focus on incentives for developers to achieve LEED compliance.*

Sections:

22.70.010 Purpose
22.70.020 Applicability
22.70.030 General Resource Protection Standards
22.70.040 Dark-Sky Standards

Dark-Sky standards will specify general requirements for light design, as well as maximum illumination levels that are keyed to each base zone. (Recommendation 5-F).

22.70.050 Green Building Standards and Incentives

The section on green building standards will mandate a "silver" level of compliance with LEED standards and provide incentives for projects that go beyond this threshold. (Recommendations 4-A, 5-B).

CHAPTER 22.72: ROAD DEDICATION AND ACCESS

This chapter will provide standards for the dedication or improvement of roads linked to new development. The chapter will also provide design standards for intersection visibility and access points for vehicles, pedestrians, and bicycles (Recommendations 6-D, 6-F).

Sections:

22.72.010 Purpose
22.72.020 Applicability
22.72.030 General Road and Access Standards
22.72.040 Road Dedication and Improvement Requirement
22.72.050 Agreements to Dedicate or Improve
22.72.060 Dedication Standards
22.72.070 Vehicle Access Design
22.72.080 Pedestrian, Bicycle, and Equestrian Access Design
22.72.090 Highway Lines
22.72.100 Intersections and Corner Cutoffs
22.72.110 Major Bridge and Thoroughfare Fees
22.72.120 Exemptions, Modifications, and Variances

Research Task

Evaluate how to coordinate these requirements with DPW review procedures and requirements. Eliminate any duplication identified, in consultation with County staff.

CHAPTER 22.74: SIGNS

The sign regulations in Part 10 have been reorganized, clarified, and consolidated to improve the ordinance's usability (Recommendation 8-A). An example of how these regulations might be consolidated into a table is included below. The regulations acknowledge the impact signs have on the aesthetics and appearance of commercial areas by tailoring standards for sign types, sizes, and appearance to each zoning district. The new sign regulations also comply with the most current

legal decisions by the U.S. Supreme Court and U.S. District Courts of Appeal. All provisions that courts have found to be unconstitutional (or that could expose the County to such a challenge) have been removed, such as sign content-based provisions for "temporary real estate signs" and "temporary construction signs." Such signs are now governed by content neutral standards that deal solely with their location and physical attributes, and no longer require a County enforcement official to read a sign in order to regulate it. A section requiring a sign inventory has also been added, pursuant to requirements of the Calif. Business and Professions Code Sections 5400-5419).

TABLE: FREESTANDING SIGNS STANDARDS BY ZONING DISTRICT

Zoning district	*Freestanding Sign Type*	*Number of Signs*	*Max. Area (sq. ft.)*	*Setback (feet)*	*Height (feet)*	*Area Computation*
CH, C-1, C-2	Monument	1 per lot frontage	100	ROW	6	0.25 sq. ft./ linear ft lot frontage
C-M, C-R, C-3	All	1 per lot frontage	200	ROW	15	0.50 s2q. ft./ linear ft lot frontage
M-1, M-2, M-3	All	1 per lot frontage	200	ROW	30	1.0 sq. ft./ linear ft lot frontage
	All	1 per lot frontage	100	ROW	6	1.0 sq. ft./ linear ft lot frontage
	Development Identification	1 per street frontage	300	10	30	(No. of businesses) 4–15 = 200 sq. ft. 16+ = 300 sq. ft.
	Entrance	1 pair per entrance	50/sign	ROW	6	NA
	Banners [9]	1 per 500 ft frontage	20	ROW	20	0–100 = 12 sq. ft. 101–200ft. = 16 sq. ft. >200ft. = 20 sq. ft.

Sample

Provisions for master sign programs and sign overlay districts also have been added (Recommendations 8-B, 8-C). Those tools are in regular use in Community Standards Districts, the new code will simply make them available countywide. Sign overlay districts can be used to enhance and support a sense of place in a district and corridor. They also can be used to protect scenic views and, in historic districts, to complement period architecture and "grandfather" structures. A sign overlay district can be applied on its own, or special sign regulations can be made part of a broader urban design overlay district. For example, numerous communities along historic Route 66 have enacted special standards to maintain (or recreate, where necessary) the flamboyant neon signs at motels, gas stations, and roadhouses to evoke the early to mid-Twentieth Century rise of the American car culture. A sign overlay designed to protect views would typically have lower maximum sign heights and a prohibition on billboards. A sign overlay in a historic area may prescribe allowable materials and require external illumination.

Sections:

22.74.010 Purpose
22.74.020 Applicability
22.74.030 Design Principles (Optional)

Includes ideas about readability and legibility.

22.74.040 General Sign Regulations
22.74.050 Prohibited Signs
22.74.060 Exemptions
22.74.070 Signs Permitted in All Zones
22.74.080 Permitted Signs By Zone (TABLE)
22.74.090 Sign Overlay Districts
22.74.100 Signs Allowed in Public Rights-of-Way
22.74.110 General Standards for All Sign Types
22.74.120 Standards for Specific Sign Types
22.74.130 Multi-Tenant Signs
22.74.140 Murals
22.74.150 Outdoor Advertising Signs
22.74.160 Temporary Signs
22.74.170 Master Sign Programs
22.74.180 Maintenance of Signs
22.74.190 Nonconforming and Illegal Signs
22.74.200 Sign Permits
Alternatively, these could be in Division II.

22.74.210 Sign Inventory
22.74.220 Severability

CHAPTER 22.76: WIRELESS TELECOMMUNICATIONS FACILITIES AND ANTENNAS

This chapter will incorporate the newly adopted County ordinance on telecommunications facilities, with minor reorganization and editing. The chapter also will include existing provisions for antennas.

Research Task
Evaluate whether any additional requirements for business licenses, annual renewals, and cash bonding should be recommended for incorporation into the draft ordinance currently being considered by the County.

Sections:

22.76.010 Purpose and Applicability
22.76.020 Exemptions and Prohibitions
22.76.030 Permit Review Requirements
22.76.040 Development Standards and Conditions of Use
22.76.050 Operation, Maintenance, Licensing, and Bonding
22.76.060 Review Procedures
Includes case processing procedures for facilities subject to site plan review, director's review, and Conditional Use Permits, as well as standards and case processing procedures for central site permits.

22.76.070 Removal of Abandoned Wireless Communications Facilities
Includes current requirements for removal with additional detail, if desired, on the process of terminating permits and initiating removal, with appeal provisions.

CHAPTER 22.78: RESERVED

CHAPTER 22.80: RESERVED

DIVISION 6: STANDARDS FOR SPECIFIC USES AND ACTIVITIES

Division 6 collects the variety of standards found in various locations within the current Zoning Ordinance that apply to individual land-use types. In general, the existing standards attempt to address compatibility and performance issues associated with each specific use which the County has found in the past to be problematic. Besides revising existing standards to simplify and clarify their language as well as improve effectiveness where possible, this Division also includes standards for additional land-use types that the County has more recently identified as needing explicit standards to mitigate their potentially undesirable effects. The revisions also respond to relevant state and federal laws (for example, the new (January, 2007) state law requiring the administrative approval by cities and counties of co-located cellular antennas). In order to ensure that Zoning Ordinance users easily become aware of the standards in this chapter that may affect their proposed projects, the allowable land use tables for the zones in earlier Zoning Ordinance divisions will include cross-references to the relevant Parts of this Chapter. Also to improve ease of use, the standards in this Chapter will be consistently organized and formatted as follows, to the extent that each of the topics identified in the following sample are relevant to the specific land-use type. In addition, the organization and content of this Chapter remedies a serious shortcoming of the existing Zoning Ordinance, whereby a number of standards for specific land uses are scattered about in various counterintuitive locations, most notably in current Chapters 22.52 (General Regulations) and 22.56 (Conditional Use Permits, Variances, Nonconforming Uses, Temporary Uses and Director's Review). Instead, the standards for these land-use types are now all located in Chapter 22.60.

CHAPTER 22.82: ACCESSORY USES AND STRUCTURES

Base standards will remain similar to those in the current ordinance, with minor editing to ensure consistency with the upudate. The chapter will also address accessory live entertainment and outdoor storage and display.

Research Tasks

Evaluate which standards, such as second units, should be presented as chapters because of their complexity.

Sections:

- **22.82.010 Purpose**
- **22.82.020 Applicability**
- **22.82.030 General Standards for Accessory Uses and Structures**
- **22.82.040 Accessory Live Entertainment**
- **22.82.050 Outdoor Storage and Display**

CHAPTER 22.84: OTHER SPECIFIC USES AND ACTIVITIES

This chapter will outline standards for other specific uses and activities where special regulations apply. The new regulations will include both existing standards in the current code and previously uncodified standards that have frequently been applied as conditions of permit approval.

Sections:

22.84.010 Adult Businesses
Including massage parlors.

22.84.020 Alcoholic Beverage Sales -- For On- or Off-Site Consumption

22.84.030 Alcoholic Beverage Sales -- Beer and Wine in Conjunction with Motor Vehicle Fuel

22.84.040 Animal-Related Facilities

22.84.050 Auto-Related Facilities

22.84.060 Cemeteries

22.84.070 Clubs, Lodges, and Banquet Halls

22.84.080 Domestic Violence Shelters

22.84.090 Drive-Up and Drive-Through Facilities

22.84.100 Family Day Care

22.84.110 Food Establishments – Restaurants, Take-Out Restaurants

22.84.120 Home-Based Occupations

22.84.130 Homeless Shelters

22.84.140 Internet Cafes

22.84.150 Live Entertainment

22.84.160 Medical Marijuana Dispensaries

22.84.170 Outdoor Storage and Display

22.84.180 Personal Services – Gyms, Health or Fitness Clubs, Recreational Facilities

22.84.190 Personal Services, Restricted – Acupuncture, Acupressure, Spas

22.84.200 Recycling Facilities -- Automobile Dismantling Yards

22.84.210 Recycling Facilities – Redemption Centers

22.84.220 Recycling Facilities -- Scrap Metal Processing Yards

22.84.230 Refuse Storage Areas

22.84.240 Residential Uses -- Group Residential
Including rehab, sober living, and transitional housing.

22.84.250 Residential Uses -- Mobile Homes on Single Lots

22.84.260 Mobilehome Parks, Recreational and Travel Trailer Parks and Mobilehomes Used By Caretakers

22.84.270 Residential Uses -- Second Units

22.84.280 Residential Uses -- Senior Citizens Residences

22.84.290 Residential Uses -- Townhouse Development

22.84.300 Rubbish Dumps

22.84.310 Self-Service Storage Facilities

22.84.320 Surface Mining and Reclamation

22.84.330 Swap Meets

22.84.340 Temporary Structures

22.84.350 Wineries

22.84.360 Water Stores

Research Tasks

Research standards of approval and ZOUP documents to ensure that all problematic uses are addressed.

22.84.370 Water Wells, Shared
22.84.380 Wind Energy Conversion Systems, Noncommercial, and Temporary Meteorological Towers
22.84.390 Yard Sales

CHAPTER 22.86: NONCONFORMING SITUATIONS

This Chapter will incorporate the regulations identified in current Chapter 22.56 (Conditional Use Permits, Variances, Nonconforming Uses, Temporary Use Permits and Director's Reviews), more specifically Part 10 (Nonconforming uses, buildings and structures). The existing regulations will be revised to conform to the State-mandated requirements regarding exceptions for multi-family developments involuntarily destroyed by an act of God. The Chapter will also establish a three-tier classification system for nonconformities that distinguishes those that are benign, those that should be replaced eventually, and those that must be replaced immediately (Recommendation 7-G).

Research Task
Identify flexible criteria for parking for nonconforming uses, including minimum stall sizes and other design elements.

Sections:

22.86.010 Purpose
22.86.020 Applicability
22.86.030 Classification of Nonconforming Uses
22.86.040 Restrictions on Nonconforming Uses
22.86.050 Restrictions on Nonconforming Structures
22.86.060 Residential Dwelling Unit Exceptions
22.86.070 Restoration of Damaged Structure
22.86.080 Loss of Nonconforming Status
22.86.090 Nonconforming Parcels
22.86.100 Nonconforming Site Features (e.g., fences, landscaping, parking, etc.)
22.86.110 Changes or Substitutions of Nonconforming Uses
22.86.120 Removal of Illegal Nonconformities
22.86.130 Nuisance Abatement
22.86.140 Appeals

CHAPTER 22.88: RESERVED

CHAPTER 22.90: RESERVED

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DIVISION 7: ADMINISTRATION AND PERMITS

CHAPTER 22.92: PLANNING AGENCY

This Chapter will identify the composition, appointment, and responsibility of each of the review authorities that has a role in implementing the ordinance. The Chapter will incorporate the current regulations identified in existing Chapter 22.04 (Commission Powers and Delegation of Powers) and Chapter 22.60 (Administration), more specifically Part 1 (Hearing Officer). This Chapter will include a Review Authority Table that classifies actions according to the three types listed above and identifies the authorities responsible for decisions and appeals.

Sections:

22.92.010 Purpose
22.92.020 County Board of Supervisors
22.92.030 Regional Planning Commission
22.92.040 Hearing Officer
22.92.050 Director of Planning (Director)
22.92.060 Building Official
22.92.070 Summary of Review Authorities for Decisions and Appeals
Including Review Authority Table divided by "types" of reviews.

CHAPTER 22.94: COMMON PROCEDURES

The purpose of this Chapter is to establish uniform procedures that are common to a variety of permits and approvals required by the ordinance. This "support" material will include everything from pre-application review to time limits and extensions through to post-decision provisions. Additionally, this Chapter will incorporate the existing regulations identified in current Chapter 22.60 (Administration), more specifically Part 2 (Applications, Petitions, and Fees). Other rules that could be included in this chapter are requirements for making written findings, rules regarding public access to applications and other records, and rules applicable to ex parte communications.

Sections:

22.94.010 Purpose
22.94.020 Authority for Land Use and Zoning Decisions
22.94.030 Pre-Application Review
22.94.040 Multiple Permit Applications
22.94.050 Application Preparation and Filing
22.94.060 Application Fees
22.94.070 Indemnification
22.94.080 Initial Application Review

Research Task

Identify where to cite State permit streamlining regulations, without setting time limits in the code itself.

22.94.090 Project Evaluation and Staff Reports
22.94.100 Notice of Action and Findings Required
22.94.110 Scope of Approvals
22.94.120 Effective Dates of Permits
22.94.130 Permits to Run with the Land
22.94.140 Performance Guarantees
22.94.150 Interpretations
22.94.160 Time Limits and Extensions
22.94.170 Changes to an Approved Permit
22.94.180 Resubmittals
22.94.190 Covenants of Easements
22.94.200 Post Decision Provisions

CHAPTER 22.96: PUBLIC HEARINGS

This Chapter will contain all of the public noticing provisions required in compliance with Government Code Sections 65090, 65091, 65094 and 66451.3, as well as the hearing procedures and the issuance of the County's final action on the application. Additionally, this Chapter will incorporate the current regulations in existing Chapter 22.60 (Administration), Part 4 regarding public hearing procedures).

Sections:

22.96.010 Purpose
22.96.020 Hearing and Notice
22.96.030 Hearing Procedures
22.96.040 Director's Decision
22.96.050 Hearing Officer's Decision
22.96.060 Commission's Decision
22.96.070 Recommendation by Commission
22.96.080 Board's Decision
22.96.090 Mailing of Notice

Research Task
Consider whether this chapter should include uniform procedures for handling referrals to the CSD Councils.

CHAPTER 22.98: ZONING CONFORMANCE

This new Chapter will codify the County's current practice of reviewing nondiscretionary applications and determining whether they comply with the County's land use rules and regulations before the applicant submits the application for a Building Permit. It will also embody the regulations in current Chapter 22.56 (Conditional Use Permits, Variances, Nonconforming Uses, Temporary Use Permits and Director's Reviews). Although not specifically codified in the current Zoning Ordinance, the need for this and related provisions for Site Plan Review is repeated numerous times within Chapter 22.56. Language will be broad in order to allow the Department of Regional Planning to require zoning conformance for any development, including the establishment of businesses or change of businesses. Site plan review provisions will be included in the following chapter to the extent that they involve a discretionary determination by the Director.

Sections:

22.98.010 Purpose
22.98.020 Applicability

22.98.030 Review Authority and Related Procedures
22.98.040 Application Filing, Processing, and Review
22.98.050 Compliance Criteria (Checklist)
22.98.060 General Plan Review
Including Plan Maps (e.g. Hillsides and SEAs) and Special Management Area Policies and Hazard policies.

22.98.070 Determining Conformance
Including limitations on approvals; e.g., no conditions can be added, and no time limits can be set.

22.98.080 Post Decision Procedures

CHAPTER 22.100: DIRECTOR'S REVIEW AND SITE PLAN REVIEW

This Chapter establish a discretionary review process. It will incorporate Director's review from the existing regulations in Chapter 22.56 (Conditional Use Permits, Variances, Nonconforming Uses, Temporary Use Permits and Director's Reviews), more specifically Part 12 (Director's Review Procedures). It also will incorporate "case processing" procedures from the TOD chapter and chapters in the current ordinance where Director's review is required.

Sections:

22.100.010 Purpose
22.100.020 Applicability
22.100.030 Review Authority and Related Procedures
22.100.040 Required Findings
22.100.050 Post Decision Procedures

CHAPTER 22.102: CONDITIONAL USE PERMITS

This Chapter will incorporate the existing regulations in current Chapter 22.56 (Conditional Use Permits, Oak Tree Permits, Variances, Nonconforming Uses, Temporary Use Permits and Director's Reviews), more specifically Part 1 (Conditional Use Permits). CUP requirements will remain for Significant Ecological Areas and Hillside Management areas. Additionally, this Chapter will include provisions for Minor Conditional Use Permits to be processed administratively by the Director. (These may be named "Administrative Use Permits" with an acronym AUP, to avoid confusion with the MUP Master User Permit, proposed in Recommendation 4-D.)

Sections:

22.102.010 Purpose
22.102.020 Applicability
22.102.030 Review Authority and Related Procedures
22.102.040 Application Filing, Processing, and Review
22.102.050 Project Review
22.102.060 Findings and Decision
22.102.070 Conditions of Approval
22.102.080 Permit to Run with the Land
22.102.090 Post Decision Procedures

CHAPTER 22.104: PLANNED DEVELOPMENT PERMITS (OPTIONAL)

This Chapter will contain a new type of permit for the County. The purpose of which is to allow the Regional Planning Commission to approve a large scale project which may differ from the Zoning Ordinance prescribed standards (e.g., standards only; not allowed uses or density/intensity) in exchange for the County allowing a project that clearly excels in terms of a superb site plan and related amenities (e.g., a vastly improved mixed use project containing a greater quantity and quality of private and communal open space for the visitors and residents/tenants) then might be normally attainable by adhering to Ordinance prescribed development standards. The "quid pro quo" would be the County allowing modified standards in exchange for achieving a truly noteworthy development project. The "quid pro quo" would be guaranteed by the adherence to the codified findings that the Commission would need to make in order to approve the development project, all of which would be appealable to the Board of Supervisors. The permit would be required for projects in Planned Development Zones; it also might be available for other types of planned development which would not require rezoning to PD Zone. Minimum project size limits could be established, and all development would have to be consistent with the General Plan.

Sections:

22.104.010 Purpose
22.104.020 Applicability
22.104.030 Review Authority and Related Procedures
22.104.040 Application Filing, Processing, and Review
22.104.050 Project Review, Notice, and Hearing
22.104.060 Findings and Decision
22.104.070 Development Standards
22.104.080 Development Schedule
22.104.090 Conditions of Approval
22.104.100 Planned Development Permit Amendment
22.104.110 Use of Property Before Final Action
22.104.120 Post Decision Procedures

CHAPTER 22.106: COASTAL DEVELOPMENT PERMITS

This Chapter will incorporate the current regulations identified in existing Chapter 22.56 (Conditional Use Permits, Variances, Nonconforming Uses, Temporary Use Permits and Director's Reviews), more specifically Part 17 (Coastal Development Permits). Additionally, this Chapter will include provisions for Minor Coastal Development Permits to be processed administratively by the Director. No substantive work is envisioned, pending County staff completion of a draft and Coastal Commission review.

Research Task

County staff is currently drafting new provisions for Coastal permits, so no work is envisioned on this chapter until after Coastal Commission review. At that time, evaluate whether the new County draft incorporates all substantive provisions of the existing Part 17 (including 22.56.2281, Santa Catalina Island and Marina del Rey permits; 22.56.2286, Emergency projects; 22.56.2305, Application types and review procedures; 22.56.2315, Pre-application, 22.56.2375, Determination of status; and 22.56.2405, Administrative coastal development permit).

Sections:

22.106.010 Purpose
22.106.020 Applicability
22.106.030 Review Authority and Related Procedures
22.106.040 Coastal Development Permit Required
22.106.050 Exempt Projects
22.106.060 Application Filing, Processing, and Review
22.106.070 Findings and Decision
22.106.080 Decision on Coastal Development Permit
22.106.090 Final Action on Coastal Development Permits
22.106.100 Conditions of Approval
22.106.110 Post Decision Procedures

CHAPTER 22.108: VARIANCES

This Chapter will incorporate the existing regulations in current Chapter 22.56 (Conditional Use Permits, Variances, Nonconforming Uses, Temporary Use Permits and Director's Reviews), more specifically Part 1 (Variances) and special requirements for variances established in other chapters, such as for the TOD districts, modified as appropriate. Additionally, this Chapter will include specific criteria for identifying Minor Variances that may be handled by the Director.

Sections:

22.108.010 Purpose
22.108.020 Applicability
22.108.030 Review Authority and Related Procedures
22.108.040 Application Filing, Processing, and Review
22.108.050 Findings and Decision
22.108.060 Precedents
22.108.070 Burden of Proof
22.108.080 Use Variances Prohibited
22.108.090 Conditions of Approval
22.108.100 Use of Property Before Final Action
22.108.110 Post-Decision Procedures

CHAPTER 22.110: WAIVERS AND EXCEPTIONS

This Chapter will provide an alternate means of granting relief from the requirements of Title 22 when so doing would be consistent with the Zoning Ordinance's objectives and it is not possible or practical to approve a Variance. A primary purpose for this Chapter is to establish procedures to

make it easier to ensure compliance with State and Federal laws that require accommodation of certain protected uses. Instead of requiring applicants to apply for a Variance, these procedures would allow approval of an exception based on findings that make reference to the State and Federal mandates. This Chapter also authorizes the Director to grant minor exceptions to the Zoning Ordinance's dimensional requirements when so doing is consistent with the purposes of the Ordinance. This type of approval is distinguished from the Minor Variance, which would require conventional variance findings.

Sections:

22.110.010 Purpose
22.110.020 Standards for Which Exceptions May be Considered

To be developed based on County direction about dimensional exceptions (e.g., up to ten percent, or with specific standards for what types of exceptions may be granted)

22.110.030 Review Authority and Related Procedures
22.110.040 Application Filing, Processing, and Review
22.110.050 Findings and Decision
22.110.060 Conditions of Approval
22.110.070 Post Decision Procedures

CHAPTER 22.112: MODIFICATION OF DISCRETIONARY APPROVALS

This Chapter will codify the Director's authority to modify previously issued or approved applications generally dealing with the multitude of matters that arise following the County's final action on an application. This chapter also should include a Revised Exhibit "A" procedures to the extent appropriate and relevant to this procedure.

Sections:

22.112.010 Purpose
22.112.020 Applicability
22.112.030 Review Authority and Related Procedures
22.112.040 Required Findings and Substantial Conformance
22.112.050 Post-Decision Procedures

CHAPTER 22.114: TEMPORARY USE PERMITS

This Chapter will incorporate the existing regulations identified in current Chapter 22.56 (Conditional Use Permits, Variances, Nonconforming Uses, Temporary Use Permits and Director's Reviews), more specifically Part 14 (Temporary Use Permits).

Sections:

22.114.010 Purpose
22.114.020 Applicability
22.114.030 Exempt Temporary Uses
22.114.040 Allowed Temporary Uses
22.114.050 Review Authority and Related Procedures
22.114.060 Application Filing, Processing, and Review

22.114.070 Findings and Decision
22.114.080 Conditions of Approval
22.114.090 Standard Requirements
22.114.100 Condition of Site Following Temporary Use
22.114.110 Post-Decision Procedures

CHAPTER 22.116: APPEALS

This Chapter will incorporate the existing regulations identified in current Chapter 22.60 (Administration), more specifically Part 5 (Appeal Procedures).

Sections:

22.116.010 Purpose
22.116.020 Rights of Appeal
22.116.030 Appeal of Action
22.116.040 Filing and Processing of Appeals
22.116.050 Time Limits
22.116.060 Appeals to the Commission or Board
22.116.070 Calls for Review
22.116.080 Effective Date of Appealed Actions
22.116.090 Court of Competent Jurisdiction

CHAPTER 22.118: AMENDMENTS

This Chapter will incorporate the existing regulations identified in current Chapter 22.16 (Zoned Districts and Maps), more specifically Part 2 (Zone Changes and Amendments). Additionally, this Chapter will contain similar information relating to amendments to the County's General Plan, Local Coastal Program (LCP), and this Zoning Ordinance.

Sections:

22.118.010 Purpose
22.118.020 Applicability
22.118.030 Review Authority and Related Procedures
22.118.040 Application Filing, Processing, and Review
22.118.050 Hearings and Notice
22.118.060 Commission's Action on Amendments
22.118.070 Board's Action on Amendments
22.118.080 Findings and Decision

CHAPTER 22.120: DEVELOPMENT AGREEMENTS

This Chapter will incorporate the existing regulations identified in current Chapter 22.16 (Zoned Districts and Maps), more specifically Part 4 (Development Agreements).

Sections:

22.120.010 Purpose
22.120.020 Applicability
22.120.030 Application Filing, Processing, and Review
22.120.040 Content of Development Agreements

22.120.050 Review Procedures
22.120.060 Amendment or Cancellation
22.120.070 Periodic Review
22.120.080 Modification or Termination
22.120.090 Effect of Development Agreements
22.120.100 Approved Development Agreements

CHAPTER 22.122: SPECIFIC PLANS

This Chapter will incorporate the existing regulations identified in current Chapter 22.46 (Specific Plans), more specifically Part 1 (General Regulations).

Sections:

22.122.010 Purpose
22.122.020 Applicability
22.122.030 Minimum Project Area
22.122.040 Review Authority and Related Procedures
22.122.050 Initiation and Presubmittal Requirements
22.122.060 Application Filing and Initial Review
22.122.070 Preparation and Content
22.122.080 Application Processing
22.122.090 Adoption of Specific Plan
22.122.100 Findings and Decision
22.122.110 Implementation and Amendments
22.122.120 Land Use Regulations and Standards
22.122.130 Specific Plan Consistency

CHAPTER 22.124: ENFORCEMENT PROVISIONS

This Chapter will incorporate the existing regulations identified in current Chapter 22.60 (Administration), more specifically Part 6 (Enforcement Procedures). Additionally, this Chapter will establish clear provisions for imposing additional permit processing fees and noncompliance fees in cases where the use was initiated without first obtaining the required County permits/authorizations as well as reinspections and the associated charges for these reinspections in the case of violations that remain unresolved.

Sections:

22.124.010 Purpose
22.124.020 Enforcement Responsibilities
22.124.030 Nuisance Defined
22.124.040 Nuisance Abatement
22.124.050 Revocations and Modifications
22.124.060 Remedies are Cumulative
22.124.070 Inspections
22.124.080 Initial Enforcement Action
22.124.090 Misdemeanors and Infractions
22.124.100 Recording a Notice of Violation
22.124.110 Legal Remedies
22.124.120 Additional Permit Processing and Noncompliance Fees

22.124.130 Reinspection Fees

CHAPTER 22.126: RESERVED

CHAPTER 22.128: RESERVED

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DIVISION 8: GENERAL TERMS

Definitions for zoning terms and use classifications will be moved to the end of the ordinance as an auxiliary reference section. This division also will consolidate most definitions that are scattered among various chapters in the existing ordinance; however, terms relevant only to a specific chapter (such as sign types) could be moved to that chapter or grouped together as definitions in their division under a heading such as "sign-related terms." Similar groupings can be used for "lot types," "yard types," "flood-related terms," and "telecommunications terms." The list of terms would be alphabetized and include references to these groupings, where appropriate.

CHAPTER 22.130: LIST OF TERMS AND DEFINITIONS

Sections:

22.130.010 List of Terms

The List of Terms will establish the meaning of language used in the ordinance. For example, the list will indicate that the term Director refers to the Director of Planning.

22.130.020 Definitions

Definitions of terms commonly used throughout the ordinance will appear at the end of the document. This organizational strategy helps to elevate the most important sections of the ordinance—the regulations themselves—above the sections primarily serving as a reference tool. Their position at the end of the ordinance, however, maintains the ease with which code users can locate the section when needed.

CHAPTER 22.132: USE CLASSIFICATIONS

This chapter will list all of the established use groups employed in Division 3, with language to clarify the types of uses that fall into each use group category.

Sections:

22.132.010 Residential Use Classifications
22.132.020 Public and Semi-Public Use Classifications
22.132.030 Commercial Use Classifications
22.132.040 Industrial Use Classifications
22.132.050 Other Use Classifications

CHAPTER 22.134: RESERVED

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DIVISION 9: COMMUNITY STANDARDS DISTRICTS

The division on Community Standards Districts will include a new chapter on streamlined administration procedures. Individual CSD chapters will be alphabetized with minor editing for ease of reference. Each CSD has been elevated to the chapter level to allow additional flexibility in formatting. A new, standard list of sections for each chapter is proposed below.

CHAPTER 22.136: INTRODUCTORY PROVISIONS

Sections:

22.136.010 Establishment and Purposes
22.136.020 Administration and Procedures
22.136.030 Development restrictions
22.136.040 List of districts

CHAPTER 22.138: ACTON COMMUNITY STANDARDS DISTRICT

Sections:

22.138.010 Purposes
22.138.020 District Boundary
22.138.030 Community-Wide Development Standards
22.138.040 Zone-Specific Development Standards
22.138.050 Area-Specific Development Standards
22.138.060 Exemptions, Exceptions, and Modifications
22.138.070 Definitions

CHAPTER 22.140: AGUA DULCE COMMUNITY STANDARDS DISTRICT

Sections:

22.140.010 Purposes
22.140.020 District Boundary
22.140.030 Community-Wide Development Standards
22.140.040 Zone-Specific Development Standards
22.140.050 Area-Specific Development Standards
22.140.060 Exemptions, Exceptions, and Modifications
22.140.070 Definitions

CHAPTER 22.142: ALTADENA COMMUNITY STANDARDS DISTRICT

Sections:

22.142.010 Purposes
22.142.020 District Boundary
22.142.030 Community-Wide Development Standards
22.142.040 Zone-Specific Development Standards
22.142.050 Area-Specific Development Standards
22.142.060 Exemptions, Exceptions, and Modifications
22.142.070 Definitions

CHAPTER 22.144: AVOCADO HEIGHTS COMMUNITY STANDARDS DISTRICT

Sections:

22.144.010 Purposes
22.144.020 District Boundary
22.144.030 Community-Wide Development Standards
22.144.040 Zone-Specific Development Standards
22.144.050 Area-Specific Development Standards
22.144.060 Exemptions, Exceptions, and Modifications
22.144.070 Definitions

CHAPTER 22.146: CASTAIC AREA COMMUNITY STANDARDS DISTRICT

Sections:

22.146.010 Purposes
22.146.020 District Boundary
22.146.030 Community-Wide Development Standards
22.146.040 Zone-Specific Development Standards
22.146.050 Area-Specific Development Standards
22.146.060 Exemptions, Exceptions, and Modifications
22.146.070 Definitions

CHAPTER 22.148: EAST COMPTON COMMUNITY STANDARDS DISTRICT

Sections:

22.148.010 Purposes
22.148.020 District Boundary
22.148.030 Community-Wide Development Standards
22.148.040 Zone-Specific Development Standards
22.148.050 Area-Specific Development Standards
22.148.060 Exemptions, Exceptions, and Modifications
22.148.070 Definitions

Chapter 22.150: East Los Angeles Community Standards District

Sections:

22.150.010 Purposes
22.150.020 District Boundary
22.150.030 Community-Wide Development Standards
22.150.040 Zone-Specific Development Standards
22.150.050 Area-Specific Development Standards
22.150.060 Exemptions, Exceptions, and Modifications
22.150.070 Definitions

Chapter 22.152: East Pasadena-San Gabriel Community Standards District

Sections:

22.152.010 Purposes
22.152.020 District Boundary
22.152.030 Community-Wide Development Standards
22.152.040 Zone-Specific Development Standards
22.152.050 Area-Specific Development Standards
22.152.060 Exemptions, Exceptions, and Modifications
22.152.070 Definitions

Chapter 22.154: Florence-Firestone Community Standards District

Sections:

22.154.010 Purposes
22.154.020 District Boundary
22.154.030 Community-Wide Development Standards
22.154.040 Zone-Specific Development Standards
22.154.050 Area-Specific Development Standards
22.154.060 Exemptions, Exceptions, and Modifications
22.154.070 Definitions

Chapter 22.156: Leona Valley Community Standards District

Sections:

22.156.010 Purposes
22.156.020 District Boundary
22.156.030 Community-Wide Development Standards
22.156.040 Zone-Specific Development Standards
22.156.050 Area-Specific Development Standards
22.156.060 Exemptions, Exceptions, and Modifications
22.156.070 Definitions

CHAPTER 22.158: MALIBOU LAKE COMMUNITY STANDARDS DISTRICT

Sections:

22.158.010 Purposes
22.158.020 District Boundary
22.158.030 Community-Wide Development Standards
22.158.040 Zone-Specific Development Standards
22.158.050 Area-Specific Development Standards
22.158.060 Exemptions, Exceptions, and Modifications
22.158.070 Definitions

CHAPTER 22.160: ROWLAND HEIGHTS COMMUNITY STANDARDS DISTRICT

Sections:

22.160.010 Purposes
22.160.020 District Boundary
22.160.030 Community-Wide Development Standards
22.160.040 Zone-Specific Development Standards
22.160.050 Area-Specific Development Standards
22.160.060 Exemptions, Exceptions, and Modifications
22.160.070 Definitions

CHAPTER 22.162: SANTA MONICA MOUNTAINS NORTH AREA COMMUNITY STANDARDS DISTRICT

Sections:

22.162.010 Purposes
22.162.020 District Boundary
22.162.030 Community-Wide Development Standards
22.162.040 Zone-Specific Development Standards
22.162.050 Area-Specific Development Standards
22.162.060 Exemptions, Exceptions, and Modifications
22.162.070 Definitions

CHAPTER 22.164: SOUTH SAN GABRIEL COMMUNITY STANDARDS DISTRICT

Sections:

22.164.010 Purposes
22.164.020 District Boundary
22.164.030 Community-Wide Development Standards
22.164.040 Zone-Specific Development Standards
22.164.050 Area-Specific Development Standards
22.164.060 Exemptions, Exceptions, and Modifications
22.164.070 Definitions

CHAPTER 22.166: TOPANGA CANYON COMMUNITY STANDARDS DISTRICT

Sections:

22.166.010 Purposes
22.166.020 District Boundary
22.166.030 Community-Wide Development Standards
22.166.040 Zone-Specific Development Standards
22.166.050 Area-Specific Development Standards
22.166.060 Exemptions, Exceptions, and Modifications
22.166.070 Definitions

CHAPTER 22.168: TWIN LAKES COMMUNITY STANDARDS DISTRICT

Sections:

22.168.010 Purposes
22.168.020 District Boundary
22.168.030 Community-Wide Development Standards
22.168.040 Zone-Specific Development Standards
22.168.050 Area-Specific Development Standards
22.168.060 Exemptions, Exceptions, and Modifications
22.168.070 Definitions

CHAPTER 22.170: WALNUT PARK COMMUNITY STANDARDS DISTRICT

Sections:

22.170.010 Purposes
22.170.020 District Boundary
22.170.030 Community-Wide Development Standards
22.170.040 Zone-Specific Development Standards
22.170.050 Area-Specific Development Standards
22.170.060 Exemptions, Exceptions, and Modifications
22.170.070 Definitions

CHAPTER 22.172: WEST ATHENS—WESTMONT COMMUNITY STANDARDS DISTRICT

Sections:

22.172.010 Purposes
22.172.020 District Boundary
22.172.030 Community-Wide Development Standards
22.172.040 Zone-Specific Development Standards
22.172.050 Area-Specific Development Standards
22.172.060 Exemptions, Exceptions, and Modifications
22.172.070 Definitions

CHAPTER 22.174: WEST RANCHO DOMINGUEZ-VICTORIA COMMUNITY STANDARDS DISTRICT

Sections:

22.174.010 Purposes
22.174.020 District Boundary
22.174.030 Community-Wide Development Standards
22.174.040 Zone-Specific Development Standards
22.174.050 Area-Specific Development Standards
22.174.060 Exemptions, Exceptions, and Modifications
22.174.070 Definitions

CHAPTER 22.176: WILLOWBROOK COMMUNITY STANDARDS DISTRICT

Sections:

22.176.010 Purposes
22.176.020 District Boundary
22.176.030 Community-Wide Development Standards
22.176.040 Zone-Specific Development Standards
22.176.050 Area-Specific Development Standards
22.176.060 Exemptions, Exceptions, and Modifications
22.176.070 Definitions

CHAPTER 22.178: RESERVED

CHAPTER 22.180: RESERVED

CHAPTER 22.182: RESERVED

CHAPTER 22.184: RESERVED

Division 10: Local Plans, Specific Plans, and Coastal Program Districts

This division will include local plans, specific plans, and the Malibu Coastal Program. Some reorganization is proposed to create a more logical presentation of provisions and standards within each chapter. Each district or land use type could be a separate section, with subsections for purposes, land use regulations, and development standards.

Chapter 22.186: General Regulations

All regulations regarding Specific Plans (including those in the existing Special Purpose and Combining Zones chapter) will be relocated to this chapter.

Sections:

22.186.010 Intent and Authority
22.186.020 Procedure and Adoption
22.186.030 Administration
22.186.040 List of Specific Plans

Chapter 22.188: Santa Catalina Island Specific Plan

The chapter has been consolidated and reorganized with minor editing to provide a more logical relationship among individual sections.

Sections:

22.188.010 Purpose and Relationship to the Los Angeles County General Plan and Zoning
22.188.020 Organization and Content
22.188.030 Open Space/Conservation District
Including purpose, land use regulations, and development standards.

22.188.040 Two Harbors Resort Village District
Including purpose, land use regulations, and development standards.

22.188.050 Utility and Industrial District
Including purpose, land use regulations, and development standards.

22.188.060 Avalon Canyon Resort and Recreation District
Including purpose, land use regulations, and development standards.

22.188.070 Organized Camps and Special Facilities District

Including purpose, land use regulations, and development standards.

22.188.080 General Site Design Requirements
Including fire protection, standards for flora and fauna, soils and geology, slopes, view protection, and signs.

22.188.090 Access
Including interior and mainland access standards, vehicular access, Two Harbors access, access for handicapped persons, shoreline access, conditions, restrictions, and required findings.

22.188.100 Archaeological and Historical Features
22.188.110 Nonconforming Uses, Buildings, and Structures
22.188.120 Performance Standards
Including regulation of noise, water, sewage, solid waste, and energy use.

22.188.130 Roadway Construction and Limitations
22.188.140 Administration
Including permit requirements, variances, and site review.

22.188.150 Land Use Plan

CHAPTER 22.190 MARINA DEL REY SPECIFIC PLAN

The chapter has been consolidated and reorganized with minor editing to provide a more logical relationship among individual sections. The zones have been alphabetized for ease of reference. They could be left in the original order users generally refer to them by zone number.

Sections:

22.190.010 Title for Citation
22.190.020 Purpose and Relationship to the Los Angeles County General Plan and Zoning
22.190.030 Organization and Content
22.190.040 Land Use Plan, Monitoring, and Phasing
22.190.050 General Land Use Restrictions and Development Standards
22.190.060 Residential III
Including purpose, land use regulations, and development standards.

22.190.070 Residential IV
Including purpose, land use regulations, and development standards.

22.190.080 Residential V
Including purpose, land use regulations, and development standards.

22.190.090 Hotel
Including purpose, land use regulations, and development standards.

22.190.100 Visitor Serving/Convenience Commercial
Including purpose, land use regulations, and development standards.

22.190.112 Marine Commercial
Including purpose, land use regulations, and development standards.

22.190.120 Boat Storage
Including purpose, land use regulations, and development standards.

22.190.130 Office
Including purpose, land use regulations, and development standards.

22.190.140 Parking
Including purpose, land use regulations, and development standards.

22.190.150 Public Facilities
Including purpose, land use regulations, and development standards.

22.190.160 Open Space
Including purpose, land use regulations, and development standards.

22.190.170 Water
Including purpose, land use regulations, and development standards.

22.190.180 Waterfront Overlay Zone
Including purpose, land use regulations, and development standards.

22.190.190 Mixed Use Overlay Zone
Including purpose, land use regulations, and development standards.

22.190.200 Urban Design Concept and Community Identity Elements
22.190.210 General Design Standards and Guidelines
22.190.220 Access
Including methods of securing access, shoreline access, restrictions, findings, and conditions.

22.190.230 Circulation
22.190.240 Infrastructure
22.190.250 Site-Specific Development Guidelines
22.190.260 Admiralty Development Zone 7 (Exhibit 11)
22.190.270 Bali Development Zone 8 (Exhibit 12)
22.190.280 Bora Bora Development Zone 1 (Exhibit 5)
22.190.290 Fiji Way Development Zone 14 (Exhibit 18)
22.190.300 Fisherman's Village Development Zone 10 (Exhibit 14)
22.190.310 Harbor Gateway Development Zone 11 (Exhibit 15)
22.190.320 Marquesas Development Zone 3 (Exhibit 7)
22.190.330 Mindanao Development Zone 9 (Exhibit 13)
22.190.340 North Shore Development Zone 13 (Exhibit 17)
22.190.350 Oxford Development Zone 6 (Exhibit 10)
22.190.360 Palawan/Beach Development Zone 5 (Exhibit 9)
22.190.370 Panay Development Zone 4 (Exhibit 8)
22.190.380 Tahiti Development Zone 2 (Exhibit 6)
22.190.390 Via Marina Development Zone 12 (Exhibit 16)
22.190.400 Administration
To include variances, filing requirements, conditions of approval, and review of new development, or cross-references to appropriate provisions in Division 2.

22.190.410 Funding

CHAPTER 22.192: NEWHALL RANCH SPECIFIC PLAN

This chapter will be added to the ordinance as it exists currently, with only minor editing to ensure consistency.

22.192.010 Introduction
22.192.020 Development Plan
22.192.030 Development Regulations
22.192.040 Design Guidelines
22.192.050 Specific Plan Implementation
22.192.060 Definitions

CHAPTER 22.194: NORTHLAKE SPECIFIC PLAN

This chapter will be added to the ordinance as it exists currently, with only minor editing to ensure consistency.

22.194.010 Introduction
22.194.020 Development Plan
22.194.030 Development Regulations
22.194.040 Design Guidelines
22.194.050 Specific Plan Implementation

CHAPTER 22.196: MALIBU COASTAL PROGRAM DISTRICT

This chapter will be relocated from the existing Supplemental District chapter, but no changes are envisioned beyond renumbering and minor editing.

Sections:

22.196.010 Intent and Purpose
22.196.020 Description of District
22.196.030 Environmental Review Board (ERB)
22.196.040 Review of Development
22.196.050 Exemptions
22.196.060 Findings
22.196.070 Conditions

CHAPTER 22.198: RESERVED

CHAPTER 22.200: RESERVED

CHAPTER 22.202: RESERVED

APPENDIX A: REFERENCE TABLE

Note: Each module will include a detailed reference table showing where existing sections addressed in the new ordinance will be included.

EXISTING CHAPTERS	PROPOSED CHANGES
Chapter 22.04: Introductory Provisions	To include "Zones and Districts" and "Zoned Districts and Maps"
Chapter 22.08: Definitions	Moved to end of Volume I
Chapter 22.12: Zones and Districts	Moved to introductory provisions; expand and emphasize section on General Plan consistency
Chapter 22.16: Zoned Districts and Maps	Moved to introductory provisions
Part 1: General Regulations	Retained with editing
Part 2: Zone Changes and Amendments	Included in Division 2, with new provisions for changes to the General Plan, Zoning Map, and Zoning Ordinance
Part 3: Districts	Retained with editing
Part 4: Development Agreements	Moved to Division 7
Chapter 22.20: Residential Zones	Consolidated into "Base Zones" chapter; provide purpose statements; create "use groups"; expand development standards; incorporate provisions for transitional housing and live/work units
Part 1: General Regulations	Added provisions for zero lot line development

EXISTING CHAPTERS	PROPOSED CHANGES
Part 2: R-1 Single-Family Residence Zone	Integrates duplexes where appropriate on corner lots
Part 3: R-2 Two-Family Residence	Provides clearer direction on the appropriate location and design of apartment buildings
Part 4: R-3 Limited Multiple Residence	Provides clear development standards to integrate apartments into existing single-family neighborhoods (including stepped back upper floors and buffers); creates minimum density standards for undeveloped areas
Part 5: R-4 Unlimited Residence	Creates minimum density or height standards
Part 6: R-A Residential Agriculture	Adopts incentives for farm worker housing, including CEQA exemptions
Part 7: RPD Residential Planned Development	Integrated into a general PD zone
Chapter 22.24: Agricultural Zones	Consolidated into "Base Zones" chapter; provides purpose statements; creates "use groups"; expands development standards
Part 1: General Regulations	Expands development standards to ensure adequate buffers around nuisance-generating uses, such as hog farms
Part 2: A-1 Light Agricultural Zone	Renamed: AL (Limited Agriculture)
Part 3: A-2 Heavy Agricultural Zone	Renamed: AG (General Agriculture)
Part 4: A-2-H Zone—Heavy Agriculture Including Hog Ranches	Combined with AG, above
Chapter 22.28: Commercial Zones	Consolidated into "Base Zones" chapter; provides purpose statements; creates "use groups"; expands development standards

EXISTING CHAPTERS	PROPOSED CHANGES
Part 1: General Regulations	Expands development standards for pedestrian-focused areas, including active frontages, façade design, and landscaping; provides incentives for infill (including CEQA exemptions)
Part 2: C-H Commercial Highway Zone	Merged into CN (Neighborhood Commercial) zone because not used extensively in current zoning
Part 3: C-1 Restricted Business Zone	Merged into CN (Neighborhood Commercial) zone
Part 4: C-2 Neighborhood Business Zone	Merged into CN (Neighborhood Commercial) zone
Part 5: C-3 Unlimited Commercial Zone	Changed to CG (General Commercial); provides for better buffers around residential zones
Part 6: C-M Commercial Manufacturing Zone	Changed to CS (Service Commercial) with stricter buffering and performance standards
Part 7: C-R Commercial Recreation Zone	Retained; also incorporates provisions from existing Resort Recreation zone
Part 8: CPD Commercial Planned Development Zone	Merged into a general PD zone
Chapter 22.32: Industrial Zones	Consolidated into "Base Zones" chapter; provides purpose statements; creates "use groups"; expands development standards
Part 1: General Regulations	Provides incentives for labor-intensive, environmentally friendly industries and emergent technologies
Part 2: M-1 Light Manufacturing Zone	Combine with M-1.5 in new IL (Limited Industrial) zone
Part 3: D-2 Desert-Mountain Zone	Changed to RD (Rural Desert) zone

EXISTING CHAPTERS	PROPOSED CHANGES
Part 4: M-1 1/2 Restricted Heavy Manufacturing Zone	Combined with M-1 in new IL (Limited Industrial) zone
Part 5: MPD Manufacturing — Industrial Planned Zone	Merged into a general PD zone
Part 6: M-2 Heavy Manufacturing Zone and M-4 Unlimited Manufacturing Zone	M-2 merged with M-3 in new IG (General Industrial) zone; M-4 eliminated because not used in current zoning
Part 7: M-3 Unclassified Zone	Merged with M-2 in new IG (General Industrial) zone
Part 8: M-2 1/2 Aircraft, Heavy Industrial Zone	Eliminated because not used in current zoning
Part 9: B-1 Buffer Strip Zone	Integrated into development standards of individual districts
Part 10: B-2 Corner Buffer Zone	Integrated into development standards of individual districts
Chapter 22.36: Publicly Owned Property	Changed to PS (Public and Semi-Public) zone
Chapter 22.40: Special Purpose and Combining Zones	Provides purpose statements
Part 1: General Regulations	Integrated as appropriate into the standards and regulations of each base and overlay zone
Part 2: ( )-DP Development Program Zone	Provisions integrated into appropriate base zone development standards, such as buffering around residential zones
Part 3: ( )-BE Billboard Exclusion Zone	Retained with editing
Part 4: ( )-P Parking Zone	Use incorporated into PS (Public and Semi-Public) zone
Part 5: R-R Resort and Recreation Zone	Combined with CR (Commercial Recreation) zone

EXISTING CHAPTERS	PROPOSED CHANGES
Part 6: W Watershed Zone	Moved to "Base Zones" chapter
Part 7: P-R Parking Restricted Zone	Provisions integrated into appropriate base zones
Part 8: SR-D Scientific Research and Development Zone	Eliminated because the zone is not widely used on the existing zoning map; the zone could be retained if it is important to do so.
Part 9: O-S Open Space Zone	Moved to "Base Zones" chapter
Part 10: A-C Arts and Crafts Zone	Eliminated because not used on existing zoning map
Part 11: MXD Mixed Use Development Zone	Consolidated into "Base Zones" chapter; amended to allow mixed use by right; adopts incentives for ground-floor retail with housing above; uses pedestrian-friendly development standards; allows shared parking; allows live/work units
Part 12: ( )-CRS Commercial-Residential Zone	Replaced by MX base zone
Part 13: ()-PO Unlimited Residence-Professional Office Zone	Replaced by MX base zone
Part 14: IT Institutional Zone	Integrated into PS (Public and Semi-Public) zone
Part 15: SP Specific Plan Zone	Consolidated into "Base Zones" chapter
Chapter 22.44: Supplemental Districts	Merged with overlay districts; provides purpose statements
Part 1: General Regulations	Integrated as appropriate into standards and regulations of each proposed overlay zone
Part 2: Community Standards Districts	Moved to own division at end of ordinance; includes consolidated administrative provisions

EXISTING CHAPTERS	PROPOSED CHANGES
Part 3: Equestrian Districts	Requires discretionary approval for barns and stables on lots below a certain size threshold; increases minimum setbacks and reduces maximum building heights for barns and stables (see City of Los Angeles regulations); considers maximum "density" of horses
Part 4: Flood Protection Districts	Retained with editing
Part 5: Setback Districts	Retained with editing
Part 6: Malibu Coastal Program District	Merged into Specific Plan division at end of ordinance
Part 7: Noise Insulation Program	Retained with editing
Part 8: Transit Oriented Districts	Changed to an overlay district; creates pedestrian-friendly development standards (setbacks, signs, heights, frontages); provides incentives for development at heightened densities; creates minimum densities; downsizes parking requirements
Chapter 22.46: Specific Plans	Moved to Division 10
Part 1: General Regulations	Retained with editing
Part 2: Santa Catalina Island Specific Plan	Sections consolidated and reorganized
Part 3: Marina del Rey Specific Plan	Sections consolidated and reorganized
Chapter 22.48: Yards, Highway Lines And Highways	Regulations applicable to individual zones will be incorporated into corresponding base zone chapters
Part 1: General Regulations	Merged into appropriate sections of base zone development standards or general development standards in Division 5

EXISTING CHAPTERS	PROPOSED CHANGES
Part 2: Yards	Merged into appropriate sections of base zone development standards or general development standards in Division 5
Part 3: Highway Lines	Merged into appropriate sections of base zone development standards or general development standards in Division 5
Part 4: Parkways and Major and Secondary Highways	Merged into appropriate sections of base zone development standards or general development standards in Division 5
Chapter 22.52: General Regulations	Regulations applicable to individual zones incorporated into the base zone chapters
Part 1: General Design Requirements	Consolidated and retained in Division 5, General Site Development Standards, with a number of additions
Part 2: Area Requirements	Zone-specific regulations relocated to base zone chapters; others retained and consolidated
Part 3: Animals as Pets	Incorporated into regulations for residential uses
Part 4: Automobile Dismantling Yards	Retained with editing; grouped with other recycling facilities
Part 5: Flood Control	Retained with editing
Part 6: Mobilehome Parks, Recreational and Travel Trailer Parks and Mobilehomes Used by Caretakers	Retained with editing
Part 7: Outside Storage and Display	Incorporated into standards for accessory uses and structures
Part 8: Rubbish Dumps	Retained with editing
Part 9: Scrap Metal Processing Yards	Retained with editing; grouped with recycling facilities

EXISTING CHAPTERS	PROPOSED CHANGES
Part 10: Signs	Includes nonconforming signs and amortization, prohibition of roof signs, revisions for constitutional concerns, table of permitted and prohibited sign types, severability clause, substitution clause for noncommercial messages, regulations of mural signs, and master sign plans
Part 11: Vehicle Parking Space	Allows shared parking, reduced parking in TODs; creates design standards focused on pedestrian circulation and safety; promotes connections to transit stops; requires planting and permeable materials; limits compact parking to uses with low daily turnover rates (i.e. offices)
Part 12: Self-Service Storage Facilities	Should be specifically allowed in corresponding use tables
Part 13: Amateur Radio Antennas	Merged with new chapter on wireless telecommunications facilities
Part 14: Reserved	
Part 15: Non-Commercial Wind Energy Conversion Systems And Temporary Meteorological Towers	Retained with editing
Part 16: Second Units	Includes provisions for compliance with State and federal law
Chapter 22.56: Conditional Use Permits, Variances, Nonconforming Uses, Temporary Uses And Director's Review	Combined into one chapter with administration; moved to Division 7
Part 1: Conditional Use Permits	Includes provisions for Minor Conditional Use Permit or Administrative Use Permit
Part 2: Variances	Includes provisions for minor variances
Part 3: Animal Permits	Merged with Conditional Use Permits
Part 4: Cemetery Permits	Merged with Conditional Use Permits

EXISTING CHAPTERS	PROPOSED CHANGES
Part 5: Explosives Permits	Merged with Conditional Use Permits
Part 6: Mobilehome Permits	Merged with Conditional Use Permits
Part 7: Parking Permits	Merged with Conditional Use Permits
Part 8: Subdivision Directional Signs	Merged with Conditional Use Permits
Part 9: Surface Mining Permits	Retained with editing; could also be merged with Conditional Use Permits
Part 10: Nonconforming Uses, Buildings and Structures	Establishes a 3-tier classification system (benign, uses that should be replaced in the future, uses that must immediately be replaced)
Part 11: Conditional Use Permits—Modification or Elimination of Conditions	Merged with Conditional Use Permit chapter
Part 12: Director's Review—Procedures	Allows modification of discretionary approvals; codifies responsibility for code interpretation; allows deferral of action to Hearing Officer for controversial projects; grants greater authority for defining a "major project"
Part 13: Modifications and Revocations	Allows additional opportunities for getting relief from standards
Part 14: Temporary Use Permits	Retained with editing
Part 15: Oak Tree Permits	Merged with Conditional Use Permits
Part 16: Coastal Development Permits	Includes provisions for Minor Coastal Development Permits
Chapter 22.60: Administration	Combined into one chapter with permits; moved to Division 7; includes new "Common Procedures" section
Part 1: Hearing Officer	Allows to oversee more discretionary permits (along with the Director).

EXISTING CHAPTERS	PROPOSED CHANGES
Part 2: Applications, Petitions and Fees	Merged into new "Common Procedures" section; reference made to fee designations outside of the ordinance
Part 3: Bonds and Insurance	Merged into Common Procedures
Part 4: Public Hearing Procedures	Consolidates all existing procedures in one place, with exact lists of requirements
Part 5: Appeal Procedures	Retained with editing
Part 6: Enforcement Procedures	Includes provisions for additional permit processing fees for uses initiated without required authorization; specifies procedures and fees for reinspections of violations

APPENDIX B: BASE ZONE CORRESPONDENCE TABLES

TABLE B-1: CORRESPONDENCES BASED ON EXISTING ZONES

EXISTING ZONE	PROPOSED ZONE
Residential	
R-1 (Single-Family)	RS (Residential Single-Family)
R-2 (Two-Family)	RT (Residential Two-Family; could also be combined with RM and designated as RM-2)
R-3 (Medium Density Multifamily)	RMF (Residential Multifamily) 35' height; 30 du/acre
R-4 (High Density Multifamily)	RMF (Residential Multifamily) 3X FAR; 50 du/acre
R-A (Residential Agriculture)	RR (Residential Rural)
RPD (Residential Planned)	PD (Planned Development)
Commercial	
C-H (Commercial Highway)	CN (Commercial Neighborhood)
C-M (Commercial Manufacturing)	CS (Commercial Service)
C-R (Commercial Recreation)	CR (Commercial Recreation)
C-1 (Limited Commercial)	CN (Commercial Neighborhood)

TABLE B-1: CORRESPONDENCES BASED ON EXISTING ZONES

EXISTING ZONE	PROPOSED ZONE
C-2 (Neighborhood Commercial)	CN (Commercial Neighborhood)
C-3 (Unlimited Commercial)	CG (Commercial General)
CPD (Commercial Planned)	PD (Planned Development)
Industrial	
M-1 (Light Manufacturing)	IL (Industrial Limited)
M-1½ (Restricted Heavy Manufacturing)	IL (Industrial Limited)
M-2 (Heavy Manufacturing)	IG (Industrial General)
M-2½ (Aircraft)	Eliminated (0 acres currently zoned)
M-3 (Unclassified)	IG (Industrial General)
M-4 (Unlimited Manufacturing)	Eliminated (0 acres currently zoned)
MPD (Manufacturing Planned)	PD (Planned Development)
D-2 (Desert Mountain)	DR (Desert Rural)
B-1 (Buffer 1)	Eliminated
B-2 (Buffer 2)	Eliminated
Agricultural	
A-1 (Light Agriculture)	AL (Agriculture Limited)
A-2 (Heavy Agriculture)	AG (Agriculture General)
A-2-H (Heavy Agriculture with Hog Ranches)	AG (Agriculture General)

TABLE B-1: CORRESPONDENCES BASED ON EXISTING ZONES

EXISTING ZONE	PROPOSED ZONE
Special Purpose	
O-S (Open Space)	OS (Open Space)
W (Watershed)	W (Watershed)
A-C (Arts and Crafts)	Eliminated (0 acres currently zoned)
MXD (Mixed Use)	MX (Mixed Use)
IT (Institutional)	PS (Public and Semi-Public)
R-R (Resort Recreation)	CR (Commercial Recreation)
P-R (Parking Restricted)	Eliminated
SR-D (Research and Development)	Eliminated; could also be replaced by an IP (Industrial Park) zone if it is important to retain this zone

TABLE B-2: CORRESPONDENCES BASED ON PROPOSED ZONES

PROPOSED ZONE	EXISTING ZONE
Agricultural	
AL (Agriculture Limited)	A-1
AG (Agriculture General)	A-2, A-2-H
Conservation	
OS (Open Space)	O-S
W (Watershed)	W
Rural	
RR (Rural Residential)	R-A
RN (Rural Neighborhood)	New
RM (Rural Mountain)	New
RD (Rural Desert)	D-2
Residential	
RS (Residential Single-Family)	R-1
RT (Residential Two-Family)	R-2
RMF (Residential Multifamily)	R-3
Commercial	
CN (Commercial Neighborhood)	C-H, C-1, C-2

TABLE B-2: CORRESPONDENCES BASED ON PROPOSED ZONES

PROPOSED ZONE	EXISTING ZONE
CS (Commercial Service)	C-M
CG (Commercial General)	C-3
CR (Commercial Recreation)	C-R, R-R
MX (Mixed Use)	MXD
Industrial	
IL (Industrial Limited)	M-1, M-1½
IG (Industrial General)	M-2, M-3
Public and Semi-Public	
PS (Public and Semi-Public)	IT
Planned	
PD (Planned Development)	RPD, CPD, MPD
Overlay and Special Purpose Zones	
-BE (Billboard Exclusion)	-BE
-DP (Development Program)	-DP
-ER (Economic Revitalization)	New
-EQ (Equestrian)	New
-TO (Transit-Oriented Development)	New

TABLE B-2: CORRESPONDENCES BASED ON PROPOSED ZONES

PROPOSED ZONE	EXISTING ZONE
Special Management Areas	
Flood Protection Area	Flood Protection District
Hillside Development Area	New
Noise Insulation District	Noise Insulation District
Setback Districts	Setback Districts
Significant Ecological Areas	New

Appendix H

Board of Supervisors August 5, 2008 Meeting Minutes

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held August 5, 2008, the Board took the following action:

68

At the time and place regularly set, notice having been duly given, the following item was called up:

> Hearing to update the Housing Element consisting of technical revisions to address the Regional Housing Needs Assessment for the County; revisions to reflect recent changes in the State Housing Element Law; updated analyses; new programs to meet the County's housing development goals; adopt a resolution approving the 2008-14 Draft Housing Element and determine that the Draft Housing Element is compatible with and supports the goals and policies of the Los Angeles County General Plan; repeal the Board's action of October 23, 2001 (Board Order 32) relating to the Housing Element for the 1998-2005 planning period; and approval of the Negative Declaration (ND) and determination that the project will not have a significant effect on the environment and that the ND reflects the independent judgment and analysis of the County, as further described in the attached letter dated June 18, 2008 from the Director of Planning.

All persons wishing to testify were sworn in by the Executive Officer of the Board. Connie Chung, representing the Department of Regional Planning testified. Opportunity was given for interested persons to address the Board. Arnold Sachs, Sandy Chu, Paul Zimmerman and others addressed the Board. Written correspondence was presented.

(Continued on Page 2)

The following statement was entered into the record for Supervisors Molina and Yaroslavsky:

> "The housing crisis continues to loom over Los Angeles County, affecting our residents in profound ways. The Housing Element Update provides an opportunity for the County to comprehensively assess and adjust its goals, policies and programs to address the effects of the evolving housing crisis on the unincorporated communities of the County. It emphasizes the provision of housing opportunities for a variety of incomes and needs through a number of housing types. The Housing Element includes a number of new programs designed to maintain and increase the supply of housing, especially affordable housing. These programs will play a vital role in the County's ability to foster healthy communities by providing access to a broad spectrum of housing."

Therefore, on motion of Supervisor Molina, seconded by Supervisor Yaroslavsky, unanimously carried; the Board closed the hearing and took the following actions:

1. Considered and adopted the attached Negative Declaration (ND) and made a finding that there is no substantial evidence that the project will have a significant effect on the environment and that the ND reflects the independent judgment and analysis of the County;

2. Adopted a resolution approving the recommendation of the Regional Planning Commission as reflected in the attached 2008-2014 Draft Housing Element and determined that it is compatible with and supportive of the goals and policies of the Los Angeles County General Plan;

3. Repealed the Housing Element for the 1998-2005 planning period, which was adopted by the Board on October 23, 2001, upon effect of the attached 2008-2014 Draft Housing Element;

4. Instructed the Department of Regional Planning to submit the adopted resolution and adopted Housing Element to the State Department of Housing and Community Development for certification review;

(Continued on Page 3)

68 (Continued)

5. Instructed the Department of Regional Planning to immediately initiate the required feasibility studies for establishing a program for small lot subdivisions and an inclusionary housing policy and report back to the Board within a year; and

6. Instructed all County Departments identified in the Housing Element to initiate the implementation of the remaining programs identified in the Housing Element.

02080508_68

Attachments

Copies distributed:
Each Supervisor
Chief Executive Officer
County Counsel
Director of Planning

Appendix I

Green Building Program Adopted Ordinances and Outreach Materials

COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL
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RAYMOND G. FORTNER, JR.
County Counsel

November 14, 2008

Agenda No. 76
10/07/08

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Re: Ordinances for Green Building, Low Impact Development, and Drought-Tolerant Landscaping

Dear Supervisors:

Following your hearing on October 7, 2008, your Board instructed our office to prepare final ordinances, subject to the modifications approved by your Board, to establish development standards for green building, low impact development, and drought-tolerant landscaping for projects constructed after January 1, 2009. As instructed, enclosed are the analyses and ordinances for your consideration and adoption, with your Board's approved modifications.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By
LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:

for Leela Kapur
RAYMOND G. FORTNER, JR.
County Counsel

LLH:gl

Enclosures

HOA.565921.1

ANALYSIS

This ordinance amends Title 12 - Environmental Protection, Title 21 - Subdivisions, and Title 22 - Planning and Zoning of the Los Angeles County Code to establish low impact development standards for developments constructed after January 1, 2009. The low impact development standards are intended to distribute stormwater and urban runoff across development sites to help reduce adverse water quality impacts and help replenish groundwater supplies. The ordinance creates low impact development standards which are to be reflected in development site plans and in separate low impact development plans.

RAYMOND G. FORTNER, JR.
County Counsel

By
LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Property Division

LLH:sh

10/09/08 (requested)

11/12/08 (revised)

563934_2

ORDINANCE NO. _____

An ordinance amending Title 12 - Environmental Protection, Title 21 - Subdivisions, and Title 22 - Planning and Zoning of the Los Angeles County Code to establish low impact development standards for developments constructed after January 1, 2009.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapter 12.84 is hereby added to Title 12 to read as follows:

CHAPTER 12.84

LOW IMPACT DEVELOPMENT STANDARDS

Sections:

12.84.410 Purpose.

12.84.420 Definitions.

12.84.430 Applicability.

12.84.440 Low Impact Development Standards.

12.84.450 Site Plan/LID Plan Review.

12.84.460 Additional Requirements.

12.84.410 Purpose.

The purpose of this chapter is:

A. To require the use of low impact development ("LID") standards in developments. LID encourages site sustainability and smart growth in a manner that respects and preserves the characteristics of the County's watersheds, drainage paths, water supplies, and natural resources. LID builds on conventional design strategies by utilizing every softscape and hardscape surface in a development to perform a beneficial hydrologic function by retaining, detaining, storing, changing the timing of, or

filtering stormwater and urban runoff. LID encompasses the use of structural devices, engineered systems, vegetated natural designs, and education in order to distribute stormwater and urban runoff across a development site. LID reduces the impact from the development and provides the benefits of:

1. Replenishing groundwater supplies;
2. Improving the quality of surface water runoff;
3. Stabilizing natural stream characteristics;
4. Preserving natural site characteristics; and
5. Minimizing downstream impacts.

B. The provisions in this Chapter 12.84 shall be construed to augment any county, state, or federal ordinance, statute, regulation, or other requirement governing the same or related matter, and where a conflict exists between a provision in this Chapter 12.84 and such other ordinance, statute, regulation, or requirement, the stricter provision shall apply to the extent permitted by law.

12.84.420 Definitions.

The following definitions shall apply to this chapter:

A. "Beneficial Use" means the existing or potential use of receiving waters as designated by the Los Angeles or Lahontan Regional Water Quality Control Boards in their respective basin plans for the County.

B. "Best management practices (BMPs)" are the methods, measures, and/or practices designed and selected to reduce or eliminate the discharge of pollutants to surface waters from point and nonpoint source discharges, including stormwater.

C. "County" means the County of Los Angeles.

D. "Development" means activity requiring discretionary or non-discretionary land use or construction approval from the County that results in the creation, addition,

modification, or replacement of impervious surface area, which replacement is not part of routine maintenance activity. Development includes, but is not limited to, land subdivisions; the construction, installation, addition, or replacement of a building or structure; expansion of a building footprint; and land-disturbing activities related to structural or impervious surfaces. Development shall not include routine maintenance of original lines and grades and/or hydraulic capacity.

E. "Director" means the Director of Public Works.

F. "Drainage system" means a conveyance or system of conveyances, including paths, drives, roads, streets, alleys, catch basins, curbs, gutters, ditches, man-made channels, or storm drains designed or used to collect or convey urban runoff and stormwater.

G. "Excess Volume" means the additional volume of stormwater caused by development; excess volume is determined by calculating the difference in the volume of runoff under undeveloped and post-developed conditions, using the water quality design storm event.

H. "Hardscape" means any durable pervious or impervious surface material, including paving for pedestrians and vehicles.

I. "Hydromodification" means the alteration of a natural drainage system through a change in the system's flow characteristics.

J. "Low impact development ("LID")" means technologies and practices that are part of a sustainable stormwater management strategy that controls stormwater and urban runoff on site.

K. "Natural drainage system" means any unlined or unimproved (not engineered) creek, stream, river, or similar waterway.

L. "Pollutants of concern" means chemical, physical, or biological components of stormwater that impair the beneficial uses of receiving waters, including those defined in the federal Clean Water Act Section 502(6) (33 United States Code Section 1362(6)), and incorporated by reference into California Water Code Section 13373.

M. "Public Works" means the Los Angeles County Department of Public Works.

N. "Softscape" means the horticultural elements of a landscape, such as soil and plants.

O. "Stormwater" means runoff that occurs as the result of rainfall.

P. "Urban runoff" means dry weather surface flows emanating from urban development.

Q. "Water quality design storm event" means any of the volumetric or flow rate based design storm events for water quality BMPs identified in the National Pollutant Discharge Elimination System Municipal Stormwater Permit for the County of Los Angeles.

12.84.430 Applicability.

A. This chapter shall become effective on January 1, 2009, and shall apply to all development within the unincorporated areas of the County after that date except for the following:

1. Any development where a complete discretionary or non-discretionary permit application was filed with the Los Angeles County Department of Regional Planning, Public Works, or any County-controlled design control board, prior to January 1, 2009;

2. Any development involving emergency construction activities required to immediately protect public health and safety; or

3. Public road and flood control infrastructure developments, which shall be subject to Public Works' design standards that incorporate LID principles.

B. Unless excluded by subsection A above, any development that alters an existing impervious surface area shall comply with this Chapter 12.84 as follows:

1. Where the development results in an alteration of at least fifty (50) percent of the impervious surfaces of an existing developed site, the entire site shall be brought into compliance with the standards and requirements of this Chapter; and

2. Where the development results in an alteration of less than fifty (50) percent of the impervious surfaces of an existing developed site, only such incremental development shall meet the standards and requirements of this Chapter; and

3. Where a development results in an alteration of less than fifty (50) percent of the impervious surfaces of an existing developed site consisting of four (4) or fewer residential units, the development shall be exempt from this Chapter.

12.84.440 Low Impact Development Standards.

A. The LID standards of this Chapter are:

1. Mimic undeveloped stormwater and urban runoff rates and volumes in any storm event up to and including the "50-year capital design storm event," as defined by Public Works;

2. Prevent pollutants of concern from leaving the development site in stormwater as the result of storms, up to and including a water quality design storm event; and

3. Minimize hydromodification impacts to natural drainage systems.

B. The Director shall prepare, maintain, and update, as deemed necessary and appropriate, a manual ("LID Standards Manual"), which shall include urban and stormwater runoff quantity and quality control development principles and technologies for achieving the LID Standards described in subsection A of this Section. The LID Standards Manual shall also include technical feasibility and implementation parameters, as well as other rules, requirements and procedures as the Director deems necessary, for implementing the provisions of this Chapter 12.84.

C. To meet the standards described in subsection A of this Section, developments shall install and maintain minimum site design features as follows:

1. A development consisting of four (4) or fewer residential units shall implement at least two LID BMP alternatives listed in the LID Standards Manual, which alternatives include, but are not limited to, disconnecting impervious surfaces, using porous pavement, downspout routing, a dry well, landscaping and irrigation requirements, and a green roof.

2. A development consisting of five (5) or more residential units, or a nonresidential development, shall comply with the following requirements:

a. The excess volume from each lot upon which such development is occurring shall be infiltrated at the lot level, or in the alternative, the excess volume from the entire development site, including streets and public right-of-way, shall be infiltrated in sub-regional facilities. The tributary area of a sub-regional facility shall be limited to five (5) acres, but may be exceeded with approval of the

Director. When infiltration of all excess volume is not technically feasible, on-site storage, reuse, or other water conservation uses of the excess volume is required and shall be implemented as authorized by the Director in accordance with the requirements and provisions in the LID Standards Manual.

b. The runoff from the water quality design storm event associated with the developed site hydrology must be treated to the satisfaction of the Director before discharge.

12.84.450 Site Plan/LID Plan Review.

Compliance with the LID standards of this Chapter 12.84 shall be shown through a site plan review described in subsection A, below, and a LID plan review described in subsection B, below.

A. Site plan review.

1. The County Department of Regional Planning shall conduct a site plan review in accordance with Title 22 of the Los Angeles County Code to determine compliance with this Chapter 12.84. The site plan submitted for the development shall clearly depict any and all LID standards that will be incorporated into the development. Regional Planning shall approve compliance with these standards in concept only, subject to the setback and development standards in Title 22. Final approval of such compliance shall be made by Public Works in conjunction with its review and approval of the LID plan described in subsection B.

2. The same site plan shall be used to show compliance with this Chapter 12.84, the green building requirements of Part 20, Chapter 22.52, and the drought-tolerant landscaping requirements of Part 21, Chapter 22.52, to the extent these other requirements apply to the development.

3. In any case where a site plan for a development has been or will be concurrently filed with an application for a permit, variance, zone change, development agreement, or other discretionary approval under Title 22, or with an application for a subdivision under Title 21, the site plan procedure set forth in this Section 12.84.450 shall not apply and instead, the Exhibit "A," tentative map, or other site plan required for such other approval shall be used to show compliance with this Chapter 12.84.

B. LID plan review.

In addition to the site plan required by subsection A of this Section, the applicant shall also submit a LID plan to the Director for review and approval that provides a comprehensive, technical discussion of how the development will comply with this Chapter 12.84 and the LID Standards Manual. A deposit and fee to recover the costs associated with LID plan review shall be required. The time for obtaining LID plan approval shall be as follows:

1. For subdivisions, the LID plan shall be approved prior to the tentative map approval;

2. For any development requiring a conditional use permit ("CUP") or other entitlement required under Title 22 of the Los Angeles County Code, the LID plan shall be approved prior to the issuance of any such CUP or other entitlement; and

3. For all other development, the LID plan shall be approved prior to issuance of a grading permit for such development, and when no grading permit is required, prior to the issuance of a building permit for such development.

12.84.460 Additional Requirements.

Compliance with this Chapter 12.84 shall also require a development to satisfy the following:

A. All grading and/or site drainage plans for the development shall incorporate the features of the approved LID plan described in subsection B of Section 12.84.450.

B. The development's LID features shall be maintained and shall remain operable at all times and shall not be removed from the development unless and until such features have been replaced with other LID features in accordance with this Chapter 12.84. A covenant or agreement shall be recorded in the office of the Los Angeles County Registrar-Recorder/County Clerk indicating that the owner of the subject development is aware and agrees to the requirements in this subsection B. The covenant or agreement shall also include a diagram of the site indicating the location and type of each LID feature incorporated into the development. The time to record such covenant or agreement shall be as follows:

1. For any subdivision, prior to final map approval; and

2. For any other development, prior to issuance of a grading permit for the development, and when no grading permit is required, prior to the issuance of a building permit for the development.

SECTION 2. Section 21.24.420 of Title 21 of the Los Angeles County Code is hereby added to read as follows:

21.24.420 Low Impact Development.

All subdivisions shall comply with the low impact development requirements of Chapter 12.84 of Title 12 of the Los Angeles County Code, subject to the applicability provisions of said Chapter.

SECTION 3. Part 22 of Chapter 22.52 is hereby added to read as follows:

Part 22

LOW IMPACT DEVELOPMENT

22.52.2210 Applicability.

All development, as defined in Chapter 12.84 of Title 12 of the Los Angeles County Code, shall comply with the low impact development requirements of said Chapter, subject to the applicability provisions of said Chapter.

[LOWIMPACTDEVLHCC]

ANALYSIS

This ordinance amends Title 21 - Subdivisions and Title 22 - Planning and Zoning of the Los Angeles County Code to establish drought-tolerant landscaping requirements for projects constructed after January 1, 2009. The drought-tolerant landscaping standards are intended to help conserve water resources by requiring landscaping that is appropriate to the region's climate, and to the nature of a project's use. The ordinance creates drought-tolerant landscaping standards which are to be reflected in a project's site plans.

RAYMOND G. FORTNER, JR.
County Counsel

BY

LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Property Division

LLH:gl

10/09/08 (requested)

11/13/08 (revised)

558430_3

ORDINANCE NO. _____

An ordinance amending Title 21 - Subdivisions and Title 22 - Planning and Zoning of the Los Angeles County Code to establish drought-tolerant landscaping requirements for projects constructed after January 1, 2009.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 21.24.430 of Title 21 is hereby added to read as follows:

21.24.430 Drought-tolerant landscaping.

All projects, as defined therein, including their common areas, shall comply with the drought-tolerant landscaping requirements of Part 21 of Chapter 22.52 of Title 22.

SECTION 2. Part 21 of Chapter 22.52 of Title 22 is hereby added to read as follows:

Part 21

DROUGHT-TOLERANT LANDSCAPING

Sections:

22.52.2200 Purpose.

22.52.2210 Definitions.

22.55.2220 Applicability.

22.52.2230 Drought-tolerant landscaping requirements.

22.52.2240 Site plan review.

22.52.2250 Additional requirements.

22.52.2260 Exemptions.

22.52.2270 Modification of landscaping requirements.

22.52.2200 Purpose.

A. The purpose of this Part 21 is to establish minimum standards for the design and installation of landscaping using drought-tolerant plants and native plants that require minimal use of water. These requirements will help conserve water resources by requiring landscaping that is appropriate to the region's climate and to the nature of a project's use.

B. The provisions of this Part 21 shall be construed to augment the regulations of any retail or wholesale water provider, and any county, state, or federal ordinance, statute, regulation, or other requirement governing the same or related matter, including a supplemental district, community standards district, or transit-oriented district established under this Title 22, and also including Chapter 71 of Title 26 of the Los Angeles County Code (Water Efficient Landscaping), and where a conflict exists between a provision in this Part 21 and such other ordinance, statute, regulation, or other requirement, the stricter provision shall apply to the extent permitted by law.

22.52.2210 Definitions.

For purposes of this Part 21, the following definitions shall apply:

A. "Department" shall mean the Los Angeles County Department of Regional Planning.

B. "Drought-tolerant plant" shall mean a native or non-native plant that requires minimal use of water, and that is appropriate to the region's climate and the nature of a project's use.

C. "Drought-tolerant plant list" shall mean a list of native and non-native plant species, approved by the Director and maintained by the Department, which list is organized by ecological zones for use in landscaped areas within all projects.

D. "Ecological zone" shall mean a geographic area where plants are indigenous or otherwise appropriate.

E. "Green building technical manual" is a manual prepared by the Department that includes the most recent third-party standards and rating systems accepted by the commission for inclusion in the manual, as required by Section 22.52.2130.E in Part 20 of Chapter 22.52, as well as other pertinent information, to assist applicants to comply with the requirements of this Part 21. The green building technical manual includes the drought-tolerant plant list.

F. "Hydrozone" shall mean a portion of a landscaped area that has plants with similar water and sun needs and that are served by an irrigation valve or set of valves operating on the same schedule.

G. "Landscaped area" shall mean any area planted with turf, shrubbery, flowers, or trees.

H. "Mature tree" shall mean any tree rooted on a lot or parcel of land, the trunk of which is at least six (6) inches in diameter, measured four and one-half feet above mean natural grade.

I. "Project" shall have the same meaning as set forth in Section 22.52.2110.P of Part 20 of Chapter 22.52, and shall include any construction

described in said Section that requires discretionary or non-discretionary land use approval from the County.

J. "Public recreational lawn" shall mean an area planted with turf or other mowed ground cover that is maintained for recreation or enjoyment by the public, including athletic fields that are available for use by the public or membership associations.

K. "Public Works" shall mean the Los Angeles County Department of Public Works.

L. "Registered historic site" shall mean a property listed on any federal, state, or county register related to historic designation or status, including, but not limited to, the National Register of Historic Places, California Register of Historical Resources, California Historical Landmarks, and State Points of Historical Interest.

M. "Third-party standards and rating systems" are the three independent green building standards and rating systems, CGB, GPR, and LEED™, as those standards and rating systems are defined in Part 20 of Chapter 22.52, and as may be updated from time to time.

N. "Total landscaped area" is the cumulative landscaped area of a lot or parcel of land, or portion thereof as determined by the Director, but shall not include the area in which any tree required by Part 20 of Section 22.52 or any mature tree on the site is situated. For single-family residences, the total landscaped area shall be any area measured from the front property line to the front of the residence.

O. "Turf" shall mean grass maintained by mowing and watering.

22.52.2220 Applicability.

This Part 21 shall become effective on January 1, 2009, and shall apply to all projects within unincorporated areas of the County after that date except for the following:

A. Any project where a complete building permit application was filed with the County Department of Public Works prior to January 1, 2009.

B. Any project involving construction of single-family residences on lots created by a parcel map which created four or fewer residential lots, or any project involving a building permit for the construction of one single-family residence on a legal lot, in both cases where a complete building permit application was filed with Public Works prior to April 1, 2009.

C. Any project involving construction on a lot with an existing single-family residence not involving the complete replacement of that residence.

22.52.2230 Drought-Tolerant Landscaping Requirements.

All projects shall comply with the drought-tolerant landscaping requirements of this Section 22.52.2230.

A. The total landscaped area of a lot or parcel of land on which a project is situated shall satisfy the following:

1. A minimum of seventy-five (75) percent of such total landscaped area shall contain plants from the drought-tolerant plant list;

2. A maximum of twenty-five (25) percent of such total landscaped area shall consist of turf, however, in no event shall turf be planted in strips that are less than five (5) feet wide, and in no event shall the total landscaped area contain more than five thousand (5,000) square feet of turf;

3. All turf in such total landscaped area shall be water-efficient. The green building technical manual shall contain a list of turf that meets this requirement; and

4. The plants in such total landscaped area shall be grouped in hydrozones in accordance with their respective water, cultural (soil, climate, sun, and light), and maintenance requirements.

B. For single-family residences, in addition to the landscaping requirements of subsection A of this Section 22.52.2240, in calculating the maximum square footage of turf used, the turf in the residence's rear and side yards shall be included in the measurement of the turf used for the total landscaped area.

22.52.2240 Site Plan Review.

Compliance with the drought-tolerant landscaping requirements of this Part 21 shall be shown through a site plan review in accordance with this Title 22 and as further described in this Section.

A. The site plan for the project shall depict or list any drought-tolerant and non-drought-tolerant landscaping that will be incorporated into the project. In addition, the site plan shall outline the areas of the project to be landscaped with drought-tolerant plants and/or turf, and calculations shall be provided on the site plan showing the

percent of landscaped area devoted to each. Upon installation of the landscaping, plants other than as originally shown on the site plan may be installed without additional approval from the Department as long as the same relative percentage of drought-tolerant plants to turf as originally designed is maintained. The site plan shall also depict the location of the trees planted, as required by Section 22.52.2130.C.5 of Part 20 of Chapter 22.52.

B. The same site plan shall be used to show compliance with this Part 21, the green building requirements of Part 20, Chapter 22.52, and the low-impact development standards of Chapter 12.84, to the extent these other requirements apply to the project.

C. In any case where a site plan for a project has been or will be concurrently filed with an application for a permit, variance, zone change, development agreement, or other discretionary approval under Title 22, or with an application for a subdivision under Title 21, the site plan procedure set forth in this Section shall not apply and instead, the Exhibit "A," tentative map, or other site plan required for such other approval shall be used to show compliance with this Part 21. In addition, in any case where the project requires a discretionary land use approval from the County, full landscape plans for the project shall be submitted to the Department to show compliance with this Part 21, and those landscape plans shall be fully reviewed by the Department as part of such approval process.

22.52.2250 Additional Requirements.

Compliance with this Part 21 shall also require the following:

A. A covenant shall be recorded in the office of the Los Angeles County Registrar-Recorder/County Clerk indicating that the owner of the subject project is aware of the drought-tolerant landscaping requirements of this Part 21 and is also aware of how said requirements apply to the owner's project.

B Any and all planting restrictions placed on the project by the County Fire Department shall apply to the project, including, but not limited to the restrictions under said Department's fuel modification plan guidelines.

22.52.2260 Exemptions.

A. The following shall be exempt from the provisions of this Part 21:

1. Registered historical sites;

2. Public recreational lawns;

3. Any new and/or renovation project for a park; and

4. Any area of a project dedicated solely and permanently to edible plants, such as orchards and vegetable gardens.

B. The following may be exempt from the provisions of this Part 21:

1. Landscaping for a manufactured cut or fill slope equal to or exceeding a gradient of 3:1, when Public Works makes a determination that such exemption is necessary to comply with the requirements of the building code regulating engineered grading.

2. Landscaped areas required for low impact development ("LID"), as described in Chapter 12.84 of Title 12 of the Los Angeles County Code, water quality facilities such as vegetated swales, rain gardens, detention ponds or basins, areas of the project used to contain pollutants, or areas irrigated by reclaimed water, when Public Works makes a determination that such exemption is necessary for compliance with the LID standards established in Chapter 12.84.

22.52.2270 Modification of Landscaping Requirements.

A. The Director of the Department, without notice or a hearing, may grant a modification to the landscaping requirements of this Part 21 under the following circumstances:

1. When a project's topographic features, lot size, or other conditions make it unreasonable, impractical, or otherwise creates an unnecessary hardship to require compliance with these landscaping requirements; or

2. When the nature of a large scale or multi-lot project necessitates flexibility in the project design that impacts the landscaping for the project.

B. Any request for a modification to the landscaping requirements of this Part 21 that is not filed concurrently with an application for a permit, variance, or other discretionary entitlement under Title 22, or with an application for a subdivision under Title 21, shall be processed as a yard modification in accordance with Section 22.48.180.

C. Any decision by the Director on a modification request pursuant to this Section 22.52.2260 may be appealed to the commission; and any decision by the commission on such appeal may be appealed to the Board of Supervisors. All such appeals shall be governed by Part 5 of Chapter 22.60.

[DROUGHTTOLERANTLHCC]

ANALYSIS

This ordinance amends Title 21 - Subdivisions and Title 22 - Planning and Zoning of the Los Angeles County Code to establish green building development standards for projects constructed after January 1, 2009. The standards relate to energy conservation, outdoor and indoor water conservation, resource conservation, and tree planting. Compliance shall be achieved through adherence to County green building standards, or standards created by recognized third-party green building organizations.

RAYMOND G. FORTNER, JR.
County Counsel

BY

LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Property Division

LLH:sh

10/09/08 (requested)

11/12/08 (revised)

558903_4

ORDINANCE NO. _____

An ordinance amending Title 21 - Subdivisions and Title 22 - Planning and Zoning of the Los Angeles County Code to establish green building development standards for projects constructed after January 1, 2009.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 21.24.440 is hereby added to read as follows:

21.24.440 Green Building.

All projects, as defined therein, shall comply with the green building requirements of Part 20 of Chapter 22.52, subject to the applicability provisions of said Part 20.

SECTION 2. Part 20 of Chapter 22.52 is hereby added to read as follows:

Part 20

GREEN BUILDING

Sections:

22.52.2100 Purpose.

22.52.2110 Definitions.

22.52.2120 Applicability.

22.52.2130 General Provisions.

22.52.2140 Site Plan Review.

22.52.2150 Waiver or Modification of Requirements.

22.52.2160 Exemptions.

22.52.2100 Purpose.

A. The purpose of this Part 20 is to establish green building development standards for new projects. Green building practices are intended to:

a. Conserve water;

b. Conserve energy;

c. Conserve natural resources;

d. Divert waste from landfills;

e. Minimize impacts to existing infrastructure; and

f. Promote a healthier environment.

B. The provisions of this Part 20 shall be construed to augment any county, state or federal ordinance, statute, regulation, or other requirement governing the same or related matter, including a supplemental district, community standards district, or transit-oriented district established under this Title 22, and where a conflict exists between a provision in this Part 20 and such other ordinance, statute, regulation, or requirement, the stricter provision shall apply to the extent permitted by law.

22.52.2110 Definitions.

For purposes of this Part 20, the following definitions shall apply:

A. "Agricultural accessory structure" shall mean a structure used to shelter animals or agricultural equipment, hay, feed, and/or other agricultural supplies. Examples include a barn, a greenhouse, a coop, a corral, and a pen.

B. "Build It Green™" is a non-profit organization whose mission is to promote healthy, energy and resource-efficient residential building practices in California.

C. "California energy efficiency standards" are the energy efficiency standards for residential and non-residential buildings established in Title 24, Part 6 (California Energy Code) of the California Code of Regulations, as these standards may be updated from time to time.

D. "County green building standards" are the minimum green building development requirements for all projects in the unincorporated areas of the County, as set forth in Sections 22.52.2130.C.1 through 22.52.2130.C.5.

E. "CGB" means California Green Builder, a green building rating system for residential construction developed by the California Building Industry Association.

F. "Department" shall mean the Los Angeles County Department of Regional Planning.

G. "Drought-tolerant plant list" shall mean a list of native and non-native plant species, approved by the Director and maintained by the Department, which list is organized by ecological zones for use in landscaped areas within all projects.

H. "First-time tenant improvement" is the initial improvement of the interior of a building or portion thereof, where the work requires a building, electrical, plumbing, and/or mechanical permit.

I. "GPR" means Green Point Rated™, a green building rating system for residential construction, developed and administered by Build It Green™.

J. "Green building technical manual" is a manual prepared by the Department that includes the most recent third-party standards and rating systems accepted by the commission for inclusion in the manual, as required by Section 22.52.2130.E, as well as other pertinent information, to assist applicants to comply with the requirements of this Part 20. The green building technical manual includes the drought-tolerant plant list.

K. "Landscaped area" shall mean the cumulative landscaped area of a lot or parcel of land, but shall not include the area in which any tree required by this Part 20 or any mature tree is situated. For single-family residences, the landscaped area shall be any area measured from the front property line to the front of the residence.

L. "LEED™" shall mean Leadership in Energy and Environmental Design Green Building Rating System™, an independent certification system of green building point categories and guidelines established by the United States Green Building Council as a means to verify the sustainable qualities of differing building types. LEED™ certification has four ratings from lowest to highest, respectively, in terms of sustainable qualities: certified, silver, gold, and platinum.

M. "LEED™ accredited professional" shall mean an accredited professional from the building industry with a demonstrated knowledge and understanding of green building practices and principles, as well as a familiarity with LEED™ requirements, resources, and processes, all as described by LEED™.

N. "Lodging house" shall mean any building or portion thereof containing five or fewer guest rooms designed, used, intended to be used, or hired out to guests for purposes of lodging.

O. "Mature tree" shall mean any tree rooted on a lot or parcel of land, the trunk of which is at least six inches in diameter, measured four and one-half feet above the mean natural grade.

P. "Project" shall mean the construction of any building, as defined in Title 22, or first-time tenant improvement, but shall exclude the remodel or addition to an existing building. If a site contains one or more separate buildings, each separate building shall comply with this Title 20.

Q. "Public Works" shall mean the Los Angeles County Department of Public Works.

R. "Registered historic site" shall mean a property listed on any federal, state, or county register related to historic designation or status, including, but not limited to, the National Register of Historic Places, California Register of Historical Resources, California Historical Landmarks, and State Points of Historical Interest.

S. "Smart irrigation controller" is a watering device that uses sensors and weather information to automatically adjust watering times and frequency in response to weather changes.

T. "Third-party standards and rating systems" are the three independent green building standards and rating systems, CGB, GPR, and LEED™, as those standards and rating systems may be updated from time to time.

U. "United States Green Building Council (USGBC)" is a non-profit organization whose mission is to promote the development of buildings and structures that are environmentally responsible, profitable, and healthy places to live and work.

22.52.2120 Applicability.

A. This Part 20 shall become effective on January 1, 2009, and shall apply to all projects within the unincorporated areas of the County after that date except for the following:

1. Any project where a complete building permit application was filed with Public Works prior to January 1, 2009, except as provided in subsection 3;

2. Any project where a building permit was obtained prior to January 1, 2009, and expired prior to its use, where Public Works determines that the use of the building permit was delayed because of third-party litigation against the County related to the County's approval of the project. This exemption shall not apply if

Public Works determines that material changes to the scope of the building permit are required as a result of the litigation;

3. Any project involving construction of single-family residences on lots created by a parcel map which created four or fewer residential lots, or any project involving a building permit for the construction of one single-family residence on a legal lot, in both cases where a complete building permit application was filed with Public Works prior to April 1, 2009; and

4. Any project that is exempt from the provisions of this Part 20 pursuant to Section 22.52.2160.

B. Where a project involves a subdivision map with single-family lots and the map was approved after the effective date of this Part 20, the total number of single-family lots on the originally approved map shall be deemed to be the number of dwelling units in the project for purposes of determining the project's appropriate green building requirements under Table 22.52.2130-1.

22.52.2130 General Provisions.

A. Table 22.52.2130-1 summarizes the general green building requirements for a project, which requirements shall be based on the building permit application filing date for the project.

B. If a project falls within more than one project description in Table 22.52.2130-1, the project description with the more stringent green building requirements shall apply.

TABLE 22.52.2130-1 GREEN BUILDING REQUIREMENTS FOR PROJECTS			
	Project Description	**Building Permit Application Filed on or after January 1, 2009, but before January 1, 2010**	**Building Permit Application Filed on or after January 1, 2010**
1	Residential projects with < 5 dwelling units	County Green Building Standards	County Green Building Standards
2	Residential projects with ≥ 5 dwelling units	County Green Building Standards	County Green Building Standards & (GPR or CGB or LEED Certified)
3	Hotels/motels, lodging houses, non-residential, and mixed-use buildings, with a gross floor area of < 10,000 square feet	County Green Building Standards	County Green Building Standards
4	Hotels/motels, lodging houses, non-residential, and mixed-use buildings, and first-time tenant improvements, with a gross floor area of ≥ 10,000 square feet and < 25,000	County Green Building Standards	County Green Building Standards & LEED™ Certified
5	Hotels/motels, lodging houses, non-residential, and mixed-use buildings, and first-time tenant improvements, with a gross floor area of ≥ 25,000 square feet	County Green Building Standards	County Green Building Standards & LEED™ Silver
6	High-rise buildings > 75 feet in height	County Green Building Standards	County Green Building Standards & LEED™ Silver

C. County Green Building Standards.

1. Energy Conservation. All projects shall be designed to consume at least fifteen (15) percent less energy than allowed under the 2005 Update to the California Energy Efficiency Standards, except that projects exempt from energy compliance under these 2005 standards shall also be exempt from this requirement.

Energy usage for purposes of this subsection shall be determined by the Time Dependent Valuation Method described in Title 24, Part 6 (California Energy Code) of the California Code of Regulations.

2. Outdoor Water Conservation.

a. A smart irrigation controller shall be installed for any area of a lot that is landscaped or designated for future landscaping.

b. All landscaped areas shall meet the drought-tolerant requirements set forth in Part 21 of Chapter 22.52.

3. Indoor Water Conservation.

All tank-type toilets installed in residential projects containing five or more dwelling units regardless of gross floor area, or in hotels/motels, lodging houses, non-residential, and mixed-use buildings with a gross floor area of at least 10,000 square feet shall be high-efficiency toilets (maximum 1.28 gallons/flush).

4. Resource Conservation.

a. A minimum of 50 percent of non-hazardous construction and demolition debris by weight from all residential projects containing less than five dwelling units regardless of gross floor area, or from hotels/motels, lodging houses, non-residential, and mixed-use buildings with a gross floor area of less than 10,000 square feet shall be recycled and/or salvaged for reuse.

b. A minimum of 65 percent of non-hazardous construction and demolition debris by weight from all residential projects containing at least five dwelling units regardless of gross floor area, or from hotels/motels, lodging houses, non-residential, and mixed-use buildings with a gross floor area of at least 10,000 square feet shall be recycled and/or salvaged for reuse.

c. Compliance with this subsection C.4 shall be governed by the methods and procedures set forth in Chapter 20.87 of the County Code.

5. Tree Planting.

a. For each lot containing a single-family residence, a minimum of two 15-gallon trees shall be planted and maintained, at least one of which shall be from the drought-tolerant plant list. The satisfaction of this requirement may be used to fulfill other tree-planting requirements of this Title 22.

b. For each lot containing a multi-family building, a minimum of one 15-gallon tree shall be planted and maintained for every 5,000 square feet of developed area, at least fifty (50) percent of which shall be from the drought-tolerant plant list. The satisfaction of this requirement may be used to fulfill other tree-planting requirements of this Title 22.

c. For each lot containing a hotel/motel, lodging houses, and non-residential buildings, a minimum of three 15-gallon trees shall be planted and maintained for every 10,000 square feet of developed area, at least sixty-five (65) percent of which shall be from the drought-tolerant plant list. The satisfaction of this requirement may be used to fulfill other tree-planting requirements of this Title 22.

d. Exceptions to tree-planting requirements.

i. If the lot size or other site condition makes the planting of the required trees pursuant to this subsection C.5 impractical in the opinion of the Director, the Director may approve the planting of the required trees off-site at twice the ratio than would otherwise be required by this subsection C.5. The procedures for planting trees off-site shall be set forth in the Green Building Technical Manual and proof that such trees have been planted off-site shall be submitted to the Department.

ii. Any existing mature tree on the involved lot shall count towards the tree planting requirements of this subsection C.5 regardless of whether such tree is listed on the drought-tolerant plant list. Such existing mature tree shall be shown on the site plan submitted to the Department.

D. Additional Green Building Requirements for Certain Projects After January 1, 2010. In addition to the green building requirements set forth in subsections C.1 through C.5, this subsection sets forth green building requirements for certain projects, described below, where the building permit application for such project is filed on or after January 1, 2010.

1. For a residential project containing five (5) or more dwelling units, the project shall achieve GPR, CGB, or LEED™ certification or, at the option of the applicant, shall achieve the equivalency of any such certification, as determined by Public Works.

2. For a hotel/motel, lodging house, non-residential or mixed-use building, or first-time tenant improvement, with a gross floor area of at least 10,000 square feet but less than 25,000 square feet, the project applicant shall retain a LEED™ accredited professional or other green building professional, approved by the Director and the Director of Public Works, to be part of the project design team. In addition, the project shall achieve the equivalency of LEED™ certification, either through USGBC certification or through an equivalency determination by Public Works. The building design submitted to Public Works shall show all of the building elements that will be used to achieve such certification or such equivalency determination.

3. For a hotel/motel, lodging house, non-residential or mixed-use building, or first-time tenant improvement project, with a gross floor area greater than 25,000 square feet or for a high-rise building greater than seventy-five (75) feet in

height, the project applicant shall retain a LEED™ accredited professional or other green building professional, approved by the Director and the Director of Public Works, to be part of the project design team. In addition, the project shall achieve the equivalency of a LEED™ silver certification, either through USGBC certification or through an equivalency determination by Public Works. The building design submitted to Public Works shall show all of the building elements that will be used to achieve such certification or such equivalency determination.

4. For purposes of this subsection D, the determination of whether a project achieves the equivalency of LEED™ certification shall be based on the project's use of a defined subset of menu options set forth in the green building technical manual.

E. Updates to the Green Building Technical Manual. The green building technical manual shall be updated with revised third-party standards and rating systems as provided in this subsection E.

1. The green building taskforce established by the Board of Supervisors shall annually review all updates to the third-party standards and rating systems, or more frequently as deemed necessary by the taskforce, to determine whether, in its opinion, the inclusion of such updates in the green building technical manual is appropriate. Any such determination by the green building taskforce shall be submitted to the commission in the form of a recommendation.

2. The commission shall hold a public hearing pursuant to Part 4 of Chapter 22.60 to consider any and all recommendations by the green building taskforce described in subsection E.1. No update to the third-party standards and rating systems may be included in the green building technical manual, or relied upon for compliance with this Part 20, until such update is approved for inclusion in the manual by the commission. Any decision by the commission regarding such inclusion shall be

appealable to the Board of Supervisors and, if appealed, shall not be included in the manual or relied upon for compliance with this Part 20 until final action by the Board of Supervisors on such appeal.

3. Any approved update to the green building technical manual pursuant to this subsection E shall be effective six months after the commission, or, where applicable, the Board of Supervisors, takes final action to approve such update, except that updates related to the California energy efficiency standards shall be effective in accordance with state law.

22.52.2140 Site Plan Review.

A. Compliance with the green building requirements of this Part 20 shall be shown through a site plan review under this Title 22, where the site plan required by Part 12 of Chapter 22.56 shall clearly depict or list any green building elements that will be incorporated into the project. In addition, all building plans and specifications required by Public Works for the project shall also clearly depict or list such green building elements. The Department shall approve compliance with these requirements in concept only. Final approval of such compliance shall be made by Public Works.

B. The same site plan shall be used to show compliance with this Part 20, the drought-tolerant landscaping requirements of Part 21, Chapter 22.52, and the low-impact development standards of Chapter 12.84, to the extent these other requirements apply to the project.

C. In any case where a site plan for a project has been or will be concurrently filed with an application for a permit, variance, zone change, development agreement, or other discretionary entitlement under Title 22, or with an application for a subdivision under Title 21, the site plan procedure set forth above in this section shall not apply and

instead, the exhibit "A," tentative map, or other site plan required for such other approval shall be used to show compliance with this Part 20.

22.52.2150 Waiver or Modification of Requirements.

The Director of Public Works may grant a waiver or modification to the requirements of this Part 20 for a project whenever said Director determines there are practical difficulties involved in carrying out the provisions of this Part 20, provided that said Director finds that a special individual reason makes the strict letter of this Part 20 impractical, that the waiver or modification is in conformity with the spirit and purpose of this Part 20, and that such modification does not lessen any fire-protection or other life-safety-related requirements or any degree of structural integrity. The details of any such action by the Director of Public Works granting a waiver or modification to the requirements of this Part 20 shall be memorialized in writing and maintained in the files of the Department and Public Works.

22.52.2160 Exemptions.

A. The following projects shall be exempt from the provisions of this Part 20:

1. Agricultural accessory structures;

2. Registered historic sites; and

3. First-time tenant improvements with a gross floor area of less than 10,000 square feet.

B. Areas of a project that include warehouse/distribution buildings, refrigerated warehouses, and industrial/manufacturing buildings shall be exempt from the energy conservation requirements in Section 22.52.2130.C.1 and the third-party standards and rating system requirements in Section 22.52.2130.D. Any office space, non-refrigerated, non-warehouse, and non-industrial/manufacturing areas of a building

that are physically separated from the exempted area of the building just described, as determined by the Director, shall comply with all of the requirements of this Part 20.

[GREENBLDGLHCC]

GREENBUILDING
L.A. COUNTY GREEN BUILDING PROGRAM

LOS ANGELES COUNTY
GREEN BUILDING REQUIREMENTS

Disclaimer– This is only a summary. Please review the ordinance for additional information on exemptions, modifications, procedures, and additional green building requirements in 2010.

Does the project propose construction of a new building*, or first-time tenant improvement of ≥10,000 square feet?

- **NO** → Green building requirements do not apply.
- **YES** → Is the project a registered historic site or an agricultural accessory structure?
  - **YES** → Green building requirements do not apply.
  - **NO** → Was a complete building permit application filed with Building and Safety prior to 1/1/09? **OR** Was a complete building permit application filed with Building and Safety prior to 4/1/09 for a project involving construction of one single-family home, or homes on lots created by a parcel map?
    - **YES** Submit receipt to verify → Green building requirements do not apply.
    - **NO** →

** A new building means a structure with a roof supported by columns/walls, however:*
- *It does not mean remodels/conversions of or additions to an existing legally constructed building, unless the additions create new residential/non-residential units, or second units.*
- *If reconstruction of a damaged or partially destroyed existing legal building exceeds 50% of the building's total market value, it is subject to these requirements.*

Residential ≤ 4 units

- Design to achieve at least 15% more energy efficiency than Title 24 2005 California Energy Efficiency Standards
- Recycle/reuse ≥ 50% of non-hazardous construction/ demolition debris by weight
- Install smart irrigation controller
- For single-family & duplex, plant 2 15-gallon trees (1 must be from drought-tolerant plant list). For multi-family, plant one 15-gallon tree per 5,000 square feet of developed area (at least 50% must be drought-tolerant).

Residential ≥ 5 units

- Design to achieve at least 15% more energy efficiency than the Title 24 2005 California Energy Efficiency Standards
- Recycle/reuse ≥ 65% of non-hazardous construction/demolition debris by weight
- Install smart irrigation controller
- For single-family & duplex, plant 2 15-gallon trees (1 must be drought-tolerant). For multi-family, plant 1 15-gallon tree per 5,000 square feet of developed area (at least 50% must be drought-tolerant)
- Install high-efficiency toilets

Non-residential (< 10,000 sq ft floor area)

- Design to achieve at least 15% more energy efficiency than the Title 24 2005 California Energy Efficiency Standards
- Recycle/reuse ≥ 50% of non-hazardous construction/ demolition debris by weight
- Install smart irrigation controller
- Plant at least three 15-gallon tree per 10,000 square feet of developed area. At least 65% of trees must be from drought-tolerant plant list

Non-residential (≥10,000 sq ft floor area)

- Design to achieve at least 15% more energy efficiency than the Title 24 2005 California Energy Efficiency Standards
- Recycle/reuse ≥ 65% of non-hazardous construction/ demolition debris by weight
- Install smart irrigation controller
- Plant at least three 15-gallon tree per 10,000 square feet of developed area. At least 65% of trees must be from drought-tolerant plant list
- Install high-efficiency toilets

http://planning.lacounty.gov/green 320 West Temple Street, Los Angeles, CA 90012 Phone: (213) 974-6411 E-mail: Zoningldcc@planning.lacounty.gov 1/21/09

GREENBUILDING
L.A. COUNTY GREEN BUILDING PROGRAM

LOS ANGELES COUNTY
DROUGHT-TOLERANT LANDSCAPING REQUIREMENTS

Does the project propose construction of a new building*, or first-time tenant improvement of ≥10,000 square feet?

- NO → Drought-tolerant landscaping requirements do not apply.
- YES ↓

Is there an existing single-family residence that will not be completely replaced?

- YES → Drought-tolerant landscaping requirements do not apply.
- NO ↓

Is the project for a registered historic site, public recreational lawn, park, edible plant area, or DPW-exempt landscaping for a manufactured cut/fill slope or LID requirement?

- YES → Drought-tolerant landscaping requirements do not apply.
- NO ↓

Was a complete building permit application filed with Building and Safety prior to 1/1/09?
OR
Was a complete building permit application filed with Building and Safety prior to 4/1/09 for a project involving construction of one single-family home, or homes on lots created by parcel map?

- YES → Drought-tolerant landscaping requirements do not apply. Submit receipt to verify
- NO ↓

Disclaimer– This is only a summary. Please review the ordinance for additional information on exemptions, modifications, and procedures.

** A new building means a structure with a roof supported by columns/ walls, however:*

- *It does not mean remodels/ conversions of or additions to an existing legally constructed building, unless the additions create new residential/non-residential units, or second units.*
- *If reconstruction of a damaged or partially destroyed existing legal building exceeds 50% of the building's total market value, it is subject to these requirements.*

Single-family Residential

- Minimum 75% of landscaping in front of the residence must be drought-tolerant
- Grass/turf:
  - Maximum 25% of all landscaping
  - Maximum total 5,000 square feet area
  - Must be water-efficient
  - Minimum 5 feet width
- Group plants with similar watering needs
- Covenant required by DRP

Residential (not single-family)

- Minimum 75% of all landscaping must be drought-tolerant
- Grass/turf:
  - Maximum 25% of all landscaping
  - Maximum total 5,000 square feet area
  - Must be water-efficient
  - Minimum 5 feet width
- Group plants with similar watering needs
- Covenant required by DRP

Non-residential (commercial, industrial, agricultural)

- Minimum 75% of all landscaping must be drought-tolerant
- Grass/turf:
  - Maximum 25% of all landscaping
  - Maximum total 5,000 square feet area
  - Must be water-efficient
  - Minimum 5 feet width
- Group plants with similar watering needs
- Covenant required by DRP

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1/21/09

GREENBUILDING
L.A. COUNTY GREEN BUILDING PROGRAM

LOS ANGELES COUNTY
LOW IMPACT DEVELOPMENT (LID) REQUIREMENTS

Disclaimer– This is only a summary. Please review the ordinance for additional information on exemptions, requirements and procedures.

Was a complete application filed with Planning, Public Works (DPW), or Beaches and Harbors prior to 1/1/09?

- **YES** (Submit proof for verification) → LID requirements do not apply.
- **NO** → Does the development alter or create impervious surfaces (new paving, structures with solid roof, swimming pools, etc.)?
  - **NO** (Depict existing impervious surface) → LID requirements do not apply.
  - **YES** (Depict existing, proposed alteration, and new impervious surfaces on the plans)
    - Residential ≤ 4 units
      - **Existing developed site** → Alter < 50% of existing impervious surface?
        - **YES** → LID requirements do not apply.
        - **NO** → Install minimum of 2 of the following:
          - Porous pavement (minimum 50% of all paving)
          - Cistern/rain barrel (minimum 200 gallon capacity)
          - Raingarden/planter box (minimum 200 gallon)
          - Dry well (minimum 200 gallon capacity)
          - Green roof (minimum 50% of total roof area)
          - Direct runoff to drain toward pervious surfaces
          - Plant 2 trees to overhang impervious surfaces
          - Covenant required by DPW
      - **New development** → Install minimum of 2 of the following:
        - Porous pavement (minimum 50% of all paving)
        - Cistern/rain barrel (minimum 200 gallon capacity)
        - Raingarden/planter box (minimum 200 gallon)
        - Dry well (minimum 200 gallon capacity)
        - Green roof (minimum 50% of total roof area)
        - Direct runoff to drain toward pervious surfaces
        - Plant 2 trees to overhang impervious surfaces
        - Covenant required by DPW
    - Residential ≥ 5 units OR Non-residential (commercial, industrial, agricultural)
      - **Existing developed site** → Alter < 50% of existing impervious surface?
        - **YES** → Only proposed alteration must comply with LID. Install Best Management Practices that promote infiltration, store and beneficially use stormwater runoff as determined by DPW
        - Covenant required by DPW
        - **NO** → Entire site must comply with LID. Install Best Management Practices that promote infiltration, store and beneficially use stormwater runoff as determined by DPW
        - Covenant required by DPW
      - **New development** → Entire site must comply with LID. Install Best Management Practices that promote infiltration, store and beneficially use stormwater runoff as determined by DPW
      - Covenant required by DPW

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GREENBUILDING
L.A. COUNTY GREEN BUILDING PROGRAM

Green Building Program Checklist

Please review carefully and sign your initials to acknowledge that you understand each requirement.

☐ **Green Building Requirements, Chapter 22.52, Part 20 (as applicable)**

_____ **Tree Planting**
Depict on the site plan the location of the required trees to be planted (Section 22.52.2130.C.5). If the property currently has mature trees, as defined in Section 22.52.2110.M, these trees must be depicted on the site plan and shall constitute compliance with this requirement.

_____ **Smart Irrigation Controller** (Section 22.52..2130.C.2.a)
Note on the plans that a smart irrigation controller shall be installed for all landscaping.

_____ **Energy Conservation**
Note on the plans that the project shall be designed to achieve at least 15% more energy efficiency than the 2005 California Energy Efficiency Standards, Title 24, Part 6 (Section 22.52.2130.C.1).

_____ **Resource Conservation**
Note on the plans that the project shall recycle and/or salvage the minimum amount of non-hazardous construction and demolition debris (Section 22.52.2130.C.4) and in compliance with requirements set forth by the Department of Public Works, Environmental Programs Division.

_____ **Indoor Water Conservation** (Non-residential with floor area > 10,000 sq. ft. or residential ≥ 5 units)
Note on the plans that the project shall comply with the requirement that tank-type toilets be high-efficiency toilets (maximum 1.28 gallons/flush) (Section 22.52.2130.C.3).

☐ **Drought-Tolerant Landscaping Requirements, Chapter 22.52, Part 21 (as applicable)**

_____ **Landscaping** (Section 22.52.2230.A, B)
Depict all landscaping (existing and proposed) on the site plan. Include a table with the total landscaped area and percent of drought-tolerant landscaping to verify compliance with the minimum 75% drought-tolerant landscaping (for single-family residences, minimum 75% drought-tolerant landscaping in front of the residence only). Drought-tolerant plants must be selected from the County's "Drought-tolerant plant list." Also, group plants with similar watering needs (hydrozones).

_____ **Grass/Turf** (Section 22.52.2230.A, B)
Depict all grass/turf (existing and proposed) on the site plan. Include a table with the area and percent of grass/turf to verify compliance with the maximum 25% of total landscaping and maximum 5000 square feet area. Grass/turf must be at least five feet in width and must be water-efficient.

_____ **Covenant** (Section 22.52.2250)
The property owner must sign, notarize and record a covenant requiring compliance with the Drought-Tolerant Landscaping ordinance.

☐ **Low Impact Development (LID) Requirements, Chapter 22.52, Part 22 (as applicable)**

_____ **Impervious Surface Areas**
Depict on the site plan any alteration of existing impervious surface area and/or creation of new impervious surface area. This includes any paving, solid roofed structures, swimming pools, etc.

_____ **Best Management Practices (BMPs)**
Note on the plans that LID BMPs shall be installed as required by the Department of Public Works (DPW) pursuant to the County's "Low Impact Develoment Standards Manual," unless modified or waived by DPW. For residential projects ≤ 4 units, identify at least two of the following LID BMPs on the site plan: Porous pavement, cistern/rain barrel, raingarden/planter box, dry well, green roof, direct runoff to drain toward pervious surfaces, or plant two trees to overhang impervious surfaces.

GREEN BUILDING PROGRAM TABLE- To be completed by applicant

Green Building Requirements
❖ A project where a complete building permit application was filed with the County Department of Public Works (DPW) prior to **January 1, 2009** is exempt. For construction of a single family residence, or homes on lots created by a parcel map, the deadline is extended to **April 1, 2009**.
Number of trees required/provided: Location of trees per green building requirements shall be approved as depicted on the plans unless waived or modified by DPW.
Unless waived/modified by DPW, the project shall comply with the energy efficiency, resource and water conservation provisions of the Green Building ordinance per DPW review.
Drought-Tolerant Landscaping Requirements
❖ A project where a complete building permit application was filed with the County Department of Public Works (DPW) prior to **January 1, 2009** is exempt. For construction of a single family residence, or homes on lots created by a parcel map, the deadline is extended to **April 1, 2009**.
Is landscaping required? ☐ Yes ☐ No Is landscaping proposed? ☐ Yes ☐ No • If you check yes for either question, complete the landscaping information below. • If you check no for both questions, skip to the next section- Green Building. Please be aware that if landscaping is proposed in the future, a new site plan review and applicable fees must be filed to ensure compliance with the Drought –Tolerant Landscaping Ordinance, Chapter 22.52, Part 21
Required landscaping (sq. ft.) (if applicable):
Total landscaping (sq. ft.):
Percent of total landscaping to be drought tolerant:
Total grass/turf area (sq. ft): Percent of total landscaping to be grass/turf: Grass/turf width must be minimum 5 feet and grass/turf must be water efficient.
Plants shall be grouped in hydrozones (with similar water and sun needs)
Drought-tolerant landscaping requirements may be modified with a yard modification application.
Low Impact Development (LID) Requirements
❖ Any development where a complete permit application was filed with the County Departments of Regional Planning, Public Works (DPW), or Beaches and Harbors prior to **January 1, 2009** shall be exempt from the requirements.
EXISTING impervious surface areas (sq. ft.):
NEW impervious surface area (sq. ft):
For residential projects ≤ 4 units, install at least two of the following (check at least two): ☐ Porous pavement (minimum 50% of all paving) ☐ Cistern/rain barrel (minimum 200 gallon capacity) ☐ Raingarden/planter box (minimum 200 gallon capacity) ☐ Dry well (minimum 200 gallon capacity) ☐ Green roof (minimum 50% of total roof area) ☐ Direct runoff to drain toward pervious surfaces ☐ Plant 2 trees to overhang impervious surfaces
Unless waived/modified by DPW, the development shall comply with LID per DPW review.

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL

[ ]

Name:
Street Address:
City:
State:
Zip:

[ ]

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COVENANT AND AGREEMENT

The undersigned hereby certify that we are the owners of the hereinafter legally described real property located in the unincorporated portion of the County of Los Angeles, State of California:

Legal Description (or see attached Exhibit "A") _____

_____

_____

This property is located at _____, California,
(street address)
in the County of Los Angeles.

We agree that all landscaping on the property shall be maintained in accordance with Part 21 of Chapter 22.52 of Title 22 of the Los Angeles County Code, the Drought-tolerant Landscaping Ordinance, unless modified or waived by the Los Angeles County Department or Regional Planning or Department of Public Works.

This covenant and agreement shall run with all of the above described lands and shall be binding upon ourselves, future owners, encumbrancers, their successors, heirs or assignees until such time as this covenant is released by the authority of the Director of Planning of the County of Los Angeles upon submittal of a request, applicable fees and evidence that this covenant and agreement is no longer required by law.

Executed this _____ day of _____, 20_____, under penalty of perjury of the laws of the State of California.

Signature (owner): _____ Print: _____

Signature (owner): _____ Print: _____

Signature (owner): _____ Print: _____

(Notary seal to be attached)