



Los Angeles County
Department of Regional Planning

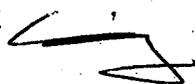
Planning for the Challenges Ahead



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July 9, 2009

TO: Leslie G. Bellamy, Chair
Wayne Rew, Vice Chair
Harold V. Helsley, Commissioner
Pat Modugno, Commissioner
Esther L. Valadez, Commissioner

FROM: Connie Chung, AICP, Supervising Regional Planner
Housing Section 

SUBJECT: **JULY 22 MEETING – AGENDA ITEM # 7**
SMALL LOT SUBDIVISION FEASIBILITY STUDY DISCUSSION
R2009-00966/RADV 200900008

At your meeting on July 22, 2009, the Housing/General Plan Section staff will discuss with you an enhanced outline of the Small Lot Subdivision Feasibility Study (Attachment 1). The purpose of this study is to determine the feasibility for the County of Los Angeles to establish a program for small lot subdivisions. As used in this study, a "small lot subdivision" is defined as a land division that creates lots having an area of less than 5,000 square feet and generally less than 50 feet wide. The small lot subdivisions are intended for detached single-family residences.

BACKGROUND

The Small Lot Subdivision Feasibility Study is Program 12 of the Los Angeles County 2008-2014 Housing Element. The purpose of the program is to promote affordable homeownership through the allowance of smaller, fee simple lots. Upon adoption of the Housing Element on August 5, 2008, the Board of Supervisors instructed the staff 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 provided you with an update on Housing Element program implementation, and Program 12: Small Lot Subdivision Feasibility Study and Ordinance was highlighted during the presentation. The staff provided you with an overview of the concept of small lot subdivisions, and the issues raised at the meeting have been highlighted in the study.

PREPARATION OF THE STUDY

In preparation of the study, the staff took the following actions:

- Studied the Countywide General Plan, Area and Community Plans to ensure that the allowance of small lot subdivisions is consistent with the County General Plan goals and policies;

- Identified current provisions in the County Code, including but not limited to those in Title 21 (Subdivision Ordinance) and Title 22 (Zoning Ordinance), which may affect the feasibility of small lot subdivisions;
- Met with various County departments and committees, other agencies, as well as other stakeholders to discuss the concept of small lot subdivisions. These discussions resulted in many comments and the identification of a number of issues that need to be considered in evaluating the feasibility of a small lot subdivision policy;
- Analyzed sites from the Community Development Commission (CDC) Scattered Sites Program to visualize the implementation of a small lot subdivision policy;
- Identified target areas, including transitional lots and large parcels, that are most suitable for small lot subdivisions, using GIS;
- Identified areas that are not suitable for small lot subdivisions due to geographic constraints;
- Studied and evaluated the experience of a small lot subdivision policy in other local jurisdictions, including the City of Los Angeles. This includes site visits to small lot subdivision projects that have been built in the City's jurisdiction.

CONCLUSION AND RECOMMENDATION

The study concludes that it is feasible for the County to establish a program for small lot subdivisions. Specifically, the study acknowledges that while certain areas in the County may not be suitable for the development of smaller lots due to geographic constraints, communities with existing urban services may be very suitable for small lot subdivisions. The study also concludes that some existing County provisions, including those in Title 21 (Subdivision Ordinance) and Title 22 (Zoning Ordinance), will need to be revised in order to allow for the creation of smaller lots, including provisions related to lot area, lot width, flag lots, and required area. Other existing regulations imposed by the Department of Public Works and the Fire Department will need to be carefully considered in the development of small lot subdivisions.

Moreover, the study acknowledges that small lot subdivisions as a policy tool brings a new set of spatial complexities. To address these unique site planning and design challenges, detailed design guidelines are a vital part of the success of a small lot subdivision policy. The design guidelines should clearly convey the goals and intent of the policy, and provide helpful tips and suggestions on site layout, building design and materials, and include "dos" and "don'ts" illustrated with pictures and diagrams. The study also recommends that a conditional use permit is the best regulatory vehicle to evaluate projects on a case-by-case basis in accordance to the design guidelines and to ensure neighborhood compatibility. In addition to the design guidelines, which focus mainly on architectural features and building design, other aspects of a development, such as minimum lot area, setbacks, access width, sewer and utility hookups, parking and open spaces, should be subject to clear-cut, well-established requirements. Finally,

while the small lot subdivision policy is envisioned as a Countywide program, special development standards may be considered in some unincorporated areas to address special issues in geographic areas and communities.

Therefore, based on the findings of the study, the staff will make the following recommendations to the Board of Supervisors:

- Instruct the Department of Regional Planning to prepare a Countywide ordinance to modify certain provisions in Title 21 (Subdivision Ordinance) and Title 22 (Zoning Ordinance) of the Los Angeles County Code to permit small lot subdivisions through a land division application in conjunction with a conditional use permit.
- Instruct the Department of Regional Planning to coordinate with other County departments and agencies, including but not limited to the Department of Public Works and the Fire Department, in order to create and implement a coordinated entitlements procedure for all stages of the development process of small lot subdivisions.

NEXT STEPS

The staff will submit the feasibility study to the Board in late August/early September. Upon review the report, the Board may instruct the Department of Regional Planning to prepare the Small Lot Subdivision Ordinance. Any amendments to the Zoning Ordinance will require a public hearing before the Regional Planning Commission.

Should you have any questions about the Small Lot Subdivision Feasibility Study, please contact Tina Fung of the Housing/General Plan Section at tfung@planning.lacounty.gov or (213) 974-6417.

CC:TF

Attachment:

1. Small Lot Subdivision Feasibility Study Enhanced Outline

SMALL LOT SUBDIVISIONS
Feasibility Study – Enhanced Outline
July 9, 2009

I. Background/Introduction

The purpose of this study, which was requested by the Board of Supervisors on August 5, 2008, is to determine the feasibility for the County of Los Angeles to establish a program for small lot subdivisions. As used in this study, a “small lot subdivision” is defined as a land division that creates lots having areas of less than 5,000 sq. ft., and generally less than 50 ft. wide. The fee simple lots created by small lot subdivisions are intended for detached single-family residences.

This study concludes that it is feasible for the County to establish a program for small lot subdivisions. By allowing greater flexibility in lot sizes and widths, the small lot subdivision approach represents one of the tools that the County can use to promote the construction of more affordable housing. Reducing the amount of land required for new residences can potentially result in a significant reduction in the price of a new house because of the high cost of land in the County. Lower home prices would increase homeownership opportunities and neighborhood stability. Fee ownership lots in a small lot subdivision, rather than a condominium common lot ownership, could also eliminate the need for a homeowner’s association.

Small lot subdivisions can also promote urban infilling on vacant and underutilized parcels in developed communities with existing infrastructure, transit and services. Greater flexibility in lot design could provide the ability to develop vacant and underutilized R-2, R-3 and R-4 parcels with small lot subdivisions. In addition, many communities have large, deep lots zoned R-1 that have the sufficient area to add an additional dwelling unit or two, but are unable to do so now because of the existing restrictions on lot size/width and flag lots. The small lot subdivision approach could also be used to allow additional dwellings on transitional lots (i.e., R-1 zoned lots adjacent to commercially or industrially zoned parcels). Compatibility of a small lot subdivision with neighboring properties could be assured through design guidelines and the conditional use permit process.

Key features of a small lot subdivisions program:

- Voluntary program focused on urban communities as infill developments
- Densities would be consistent with General Plan (County, Area, Community)
- Subdivision and zoning regulations would be amended to increase flexibility for lot size, lot width and flag lots and revise development standards
- Community Standards Districts would be unchanged
- Allowed in Zones R-2, R-3 and R-4, and Zone R-1 for large and transitional lots
- Not allowed in areas with geographic constraints (e.g., hazards, etc.)
- Subject to new design guidelines to assure quality and compatibility
- Public hearings for all land divisions, either as tract maps (5+ lots) or parcel maps (4 or fewer lots), and heard concurrently with a conditional use permit
- All developments would be subject to environmental review

II. General Plan Consistency

Any planning program, such as small lot subdivisions, must be consistent with the goals and policies of the General Plan and should have a strong foundation and justification in the Plan. The Los Angeles County General Plan provides overall land use planning guidance for the County. In addition, the Housing Element of the General Plan, which was recently revised and adopted by the Board of Supervisors in 2008, contains numerous provisions relating to the need for more housing in general and specifically addresses small lot subdivisions as a strategy.

Countywide Plan (1980 General Plan)

The Land Use Element contains policies governing the location and distribution of the types of uses and their intensity. These are depicted graphically on the Land Use Policy map, which identifies four urban residential land use classifications. All of the urban residential land use categories would allow small lot subdivisions to varying degrees. The Non-Urban and Rural Communities categories would not be suitable for small lot subdivisions.

2008 Housing Element

The Housing Element specifically addresses small lot subdivisions in Program 12. This program calls for a feasibility study and, if found to be feasible, the preparation of necessary amendments to the County Code.

Area and Community Plans

An analysis of the 14 Area and Community Plans indicates that there is potential for small lot subdivisions in the urban areas. A brief listing of the small lot subdivision potential is provided for each of the plans:

<u>Area, Community or Coastal Plan</u>	<u>Small Lot Subdivision Potential</u>
Altadena	Moderate
Antelope Valley	Low (location and geographic constraints)
Diamond Bar	None (density constraints)
East Los Angeles	High
Hacienda Heights	Very good
Malibu/Santa Monica Mtns.	None (geographic constraints)
Marina del Rey	None (density and ownership constraints)
Rowland Heights	Very good
Santa Catalina Island	None (location and geographic constraints)
Santa Clarita Valley	Low (location and geographic constraints)
Santa Monica Mtns. North Area	None (geographic constraints)
Twin Lakes	None
Walnut Park	Very good
West Athens-Westmont	Very good

2008 Draft General Plan

The Department of Regional Planning prepared a draft General Plan in 2008. The draft General Plan is undergoing revisions, environmental review and will be the subject of public hearings before the Regional Planning Commission and Board of Supervisors. Upon adoption by the Board, the new General Plan will replace the 1980 General Plan.

The Land Use Element of the draft General Plan proposes the creation of seven residential land use designations with densities exceeding one dwelling unit per acre.

Four of those residential land use designations would allow small lot subdivisions of varying degrees.

III. County Code

Small lot subdivisions are land divisions that are primarily regulated by Title 21 (Subdivision Ordinance) of the County Code in conjunction with the Subdivision Map Act (California Government Code, Division 2 of Title 7). The Subdivision Ordinance relies on and refers to Title 22 (Zoning Ordinance) for a number of development standards that affect land divisions. In order to determine the feasibility of small lot subdivisions, it is important to understand some of the basic provisions of the Subdivision and Zoning Ordinances.

Subdivision Ordinance (Title 21)

- Lot area and width: 5,000 sq. ft. of area and 50 foot width generally required
- Flag lots: Must be justified by certain criteria; sets width of access strips

The provisions listed above and other minor provisions of the Subdivision Ordinance would have to be amended in order to allow small lot subdivisions.

Zoning Ordinance (Title 22)

- Required width: 50 ft. width generally required
- Required area: 5,000 sq. ft. of net area generally required
- Flag lots: Access strip not counted as part of net area
- Transitional lots: New provisions would need to be added

The provisions listed above and other minor provisions of the Zoning Ordinance would have to be amended in order to allow small lot subdivisions.

Community Standards Districts

In addition to the general provisions of the Zoning Ordinance mentioned above, there are 24 community standards districts (CSDs) in Los Angeles County that establish special development standards and, in some cases, provide unique procedural requirements. An analysis of the impact on small lot subdivisions of these 24 CSDs, which are contained in Chapter 22.44 of Title 22, reveals the following:

Small lot subdivisions would be allowed with virtually no limitations in six CSDs:

- Avocado Heights
- East Compton
- Florence-Firestone
- Rowland Heights
- West Athens-Westmont
- West Rancho Dominguez-Victoria

Seven of the CSDs would allow small lot subdivisions with varying limitations:

- Altadena (minor limitations)
- East Los Angeles (minor limitations)
- East Pasadena-San Gabriel (severe limitations)
- La Crescenta-Montrose (minor limitations)
- South San Gabriel (minor limitations).
- Walnut Park (minor limitations)
- Willowbrook (moderate limitations)

Small lot subdivisions would be prohibited in the following six CSDs because of the minimum lot size requirements imposed:

- Acton
- Agua Dulce
- Castaic Area
- Juniper Hills
- Leona Valley
- Southeast Antelope Valley

The geographic constraints (e.g. fire hazard, lack of sewers, poor access) would eliminate the following five CSDs from small lot subdivision development:

- Malibou Lake
- Santa Monica Mountains North Area
- Topanga Canyon
- Twin Lakes
- Baldwin Hills (oil field)

Title 12 (Environmental Protection) and Title 16 (Highways)

Chapter 12.84 contains the provisions for Low Impact Development (LID) Standards. Small lot subdivisions must be carefully designed to comply with these standards that require stormwater and urban runoff to be retained, detained, stored or filtered on site to promote protection of the County's watersheds, water supply and water quality.

Certain provisions contained in Chapter 16.16 have a bearing on the location of driveways. These are especially important in a small lot subdivision and flag lot development where the location of driveways must be carefully considered during the design phase to comply with the County Code, promote traffic safety and provide maximum potential for on-street parking.

IV. Coordination with County Departments and Other Groups

During the preparation of this report, the staff from the Department of Regional Planning met with County departments, committees and other agencies listed below to discuss the small lot subdivision concept. These discussions resulted in many comments and identified a number of issue areas to be considered to evaluate the feasibility of implementing a small lot subdivision program.

Groups Consulted

The following groups were consulted on the dates noted below:

- Housing Advisory Committee (9/25/08)
- Regional Planning Commission (10/22/08)
- Community Development Commission (10/22/08 & 2/5/09)
- Development Review Committee – County Intra-Agency (11/18/08 & 5/12/09)
- City of Los Angeles (12/02/08)
- Department of Public Works – Sewage staff (12/11/08)
- Subdivision Committee (1/26/09)
- Developer Focus Group/CDC (5/26/09)

Major Issue Areas Discussed

- Additional Housing
- Fee Lots
- Flexibility (Design Guidelines) vs. Inflexibility (Development Standards)
- Flag Lots
- Street Design
- Driveways
- Access
- Parking
- Building Design
- Yards, Setbacks and Open Space
- Drainage
- Water Supply
- Sewers
- Procedure

The issue areas identified during the coordination process can be addressed in a proposed small lot subdivision procedure that includes a concurrent public hearing for a land division map and a conditional use permit. These discretionary permits would also require an environmental assessment and the preparation of an environmental document in compliance with the California Environmental Quality Act.

Scattered Sites Program by Community Development Commission

The Community Development Commission (CDC) of the County of Los Angeles has a program to develop for-sale home ownership dwelling units on sites located in urban unincorporated communities. In a Request for Proposals dated February 2008, CDC identified 12 sites in Florence-Firestone, West Athens-Westmont, West Rancho Dominguez-Victoria and Willowbrook for which development proposals were sought. CDC selected a proposal that used flag lot designs for nine of the sites and a common driveway design for three of the sites. With the small lot subdivision concept proposed, nine of the sites, which could not be approved under current regulations, would be able to be developed in the manner submitted. Two sites, which were combined as one project, could be developed using the existing density bonus provisions.

V. Small Lot Subdivision Target Areas

Areas Planned and Zoned for Small Lot Subdivisions

The focus of small lot subdivisions would be in unincorporated communities where urban infill development is most feasible. These are communities that have urban services (i.e. municipal water and sewers), lack of major constraints (i.e. fire, flood, hillsides, noise) and that are planned for residential densities of at least 10 dwelling units or more per net acre.

By analyzing land use and zoning data, the staff identified 20 communities that contain a total of 5,450 acres that would be suitable for small lot subdivisions. In addition to the infrastructure and constraints listed above, in order to be considered a potential for small lot subdivision development, a community had to have property in the R-2, R-3 or R-4 zones that are consistent with the land use plan.

<u>Community Name</u>	<u>Plan Potential</u>	<u>Zoning Potential</u>
East Los Angeles	High	100%
Florence-Firestone	High	100%
Hacienda Heights	Very Good	25%
La Crescenta-Montrose	Very Good	>50%
Ladera Heights-Viewpark-Windsor Hills	Very Good	100%
Rowland Heights	Very Good	>50%
Walnut Park	Very Good	100%
West Athens-Westmont	Very Good	100%
West Carson	Very Good	100%
Willowbrook	Very Good	>50%
Alondra Park	Moderate	100%
Altadena	Moderate	100%
Avocado Heights	Moderate	25%
Del Aire	Moderate	100%
East Compton	Moderate	100%
Hawthorne Island	Moderate	>50%
La Rambla	Moderate	>50%
San Pasqual	Moderate	100%
West Rancho Dominguez-Victoria	Moderate	>50%
Whittier Narrows	Moderate	100%

Transitional Lots

Residential lots adjoining commercial or industrial properties are considered appropriate candidates for uses that serve as a transition from lower intensity to higher intensity uses. The Zoning Ordinance (see Section 22.20.090) currently promotes this concept by allowing parking lots through a Director’s Review use in portions of Zones R-1, R-A and A-1 that are located within 100 ft. of commercial and industrial zones. Using the “transitional lot” concept, the staff believes that it is good planning practice to allow small lot subdivisions to serve as a transition between a standard single-family residential development and property zoned for commercial or industrial uses. It should also be noted that this type of development would have to be consistent with any applicable community standards district.

Approximately 1,800 transitional lots were identified in 30 unincorporated communities. Three unincorporated communities, South Whittier-Sunshine Acres, West Rancho Dominguez-Victoria

and West Carson, contain approximately 40% of the transitional lots. The communities of Avocado Heights, Charter Oak and West Whittier-Los Nietos account for an additional 20% of the transitional lots. Allowing small lot subdivisions on transitional lots, coupled with revised flag lot provisions, creates additional opportunities for small lot subdivisions, which could add one additional dwelling unit on a developed lot or two dwelling units on a vacant lot. The total number of possible additional dwelling units using this approach is 1,827 when vacant lots are factored in.

Lots with Twice Required Area and Flag Lot Considerations

There are a significant number of large residential lots zoned R-1, R-A and A-1 that are suitable for additional development. Many lots that have more than twice the required area of the applicable zone are developed with only one residence and could be subdivided to create additional lots. This could be done without increasing the density allowed by either the applicable plan or the zone. However, in some cases, this is only possible if the current zoning regulations relating to flag lots are modified.

In order to determine the potential effect of encouraging flag lots on large lots, the staff inventoried property in urban communities that are zoned R-1, R-A and A-1, which have at least twice the required area of the zone (e.g. 10,000 sq. ft. in Zone R-1). Through this process, the staff identified just over 4,300 large lots. The lots identified by the staff are scattered throughout 35 different unincorporated communities. Three communities, Altadena, Ladera Heights-View Park-Windsor Hills and South Whittier-Sunshine Acres, accounted for approximately 40% of the large lots. The communities of South Monrovia Islands, South San Gabriel and Valinda accounted for another 20% of the lots. A total of 6,580 new dwelling units could be added through this process.

VI. Geographic Constraints

Certain areas of the County have serious constraints on the suitability of their use for the concentrated development pattern associated with small lot subdivisions. The majority of these areas are in rural portions of the County, which also lack many of the services needed for small lot subdivisions. For this reason, the areas shown below represent areas where small lot subdivisions are not recommended.

Very High Fire Hazard Severity Zones: These are areas characterized by hazardous wild fire conditions that have been identified and mapped by the Fire Department.

Flood Hazards: These are areas that have been identified by FEMA as being within the 100-Year Flood Plain.

Seismic Hazards: These are areas that are characterized by fault traces, seismic zones and landslide zones identified by the California Geological Survey.

Hillside Management Areas: These are areas where the slopes of the mountains and hills are greater than 25 percent.

Significant Ecological Areas: Significant Ecological Areas (SEAs) are portions of the County that have been identified for their biological importance. These areas are susceptible to degradation and require special review prior to any major development.

High Noise Impact Areas: The major area of High Noise Impact is found in the vicinity of Los Angeles International Airport (LAX).

Sewers Not Available: Sewerage service is provided to the majority of the urban unincorporated communities of the Los Angeles County by the Los Angeles County Sanitation Districts. Rural areas are generally not served by public sewer systems; small lot sizes associated with small lot subdivisions would generally not have sufficient area to accommodate the use of onsite sewage disposal systems.

Domestic Water Not Available: Water service provided by public agencies or private water companies generally follows a similar pattern as sewerage service and is found in all urban unincorporated areas. In rural areas not served by public water systems small lot sizes associated with small lot subdivisions would have limited ability to accommodate the use of water wells to provide sufficient water for domestic use and fire fighting purposes.

VII. Survey of Other Jurisdictions

Many local jurisdictions have established policies to allow greater flexibility in lot sizes and widths. While some local jurisdictions establish a zone specifically for smaller lot developments, others allow modification of lot sizes and widths in various residential zones through a discretionary review process. Listed below are some of the highlights of the ordinances and code provisions adopted by local jurisdictions to regulate small lot developments.

Los Angeles

- Allowed in multi-family and commercially-zoned properties.
- Lots can be as small as 600 sq. ft. with a minimum width of 16 ft.; structures may cover up to 80% of the lot area.
- Design guidelines address site layout, building design and materials, but the City has no mechanism to enforce them since it does not require any discretionary review (i.e., conditional use permit) as part of the approval process.

Marysville

- Allows large lots to be subdivided into 3,000 sq. ft. lots in a certain portion of the city. Developments must be at least the same or greater size as the majority of the existing residentially-zoned lots within a 200 ft. radius.

Merced

- Only allowed in Planned Development zones.
- Has two sets of design guidelines for lots based on width and area.
- 60% lot coverage; 10% open space; minimum lot areas of 1,950 to 3,000 sq. ft.
- Uses a discretionary development plan review or a conditional use permit.

Modesto

- Only allowed in Specific Plan areas and in Planned Development zones.
- Establishes separate guidelines for lots from 3,000 to 5,000 sq. ft. and less than 3,000 sq. ft.

- Uses a discretionary review process to evaluate compliance with guidelines.

Napa

- Permitted in all residential zones that allow single-family residences or duplexes.
- Does not place a limit on lot size and width
- Requires a use permit to ensure that the proposed subdivision is compatible with existing neighborhood development patterns and to control building size.

Oakland

- Allows a minimum lot area of 4,000 sq. ft. and a lot width of 25 ft. in certain zones.
- The maximum building height, minimum yard, lot area, width, and frontage requirements may be waived or modified in residential and commercial zones.
- A conditional use permit is required.

Santa Rosa

- Allowed in single family and multi-family zones.
- Allows minimum lot size of 2,000 sq. ft. and a density of 18 units per acre.
- Requires a conditional use permit with the land division map.

Portland, OR

- New narrow lots may be created in single-dwelling zones if certain development standards (e.g. access, parking and landscaping) are met.
- Additional modifications are allowed with a planned development review application.

Seattle, WA

- The Residential Small Lot (RSL) zone was created specifically to allow detached single-family homes on 2,500 sq. ft. lots
- Lots that are less than 5,000 sq. ft. in size can only have lot coverage equivalent to 1,000 sq. ft. plus 15% of the lot area.

VIII. Conclusion and Recommendations

Based on input from various County departments and other stakeholders, as well as research on small lot subdivision policies in other local jurisdictions, this study concludes that it is feasible for the County to establish a program for small lot subdivisions.

Specifically, this study finds that:

- Communities with existing services may be most suitable for urban infill.
- Certain areas in the County may not be suitable for the development of smaller lots due to geographic constraints.
- Some existing provisions, including those in Title 21 (Subdivision Ordinance) and Title 22 (Zoning Ordinance) need to be revised.
- Detailed design guidelines are a vital part of this program.
- A conditional use permit should be required in conjunction with the subdivision application in order to ensure compliance with the design guidelines.
- Other aspects of a development, such as minimum lot area, setbacks, access width, sewer and utility hookups, parking and open spaces, should be subject to clear-cut, well-established requirements.

- Special development standards may be needed in unincorporated areas to address special issues that are unique to certain geographic areas and communities.

Therefore, based on the findings of the study, the staff makes the following recommendations:

- Instruct the Department of Regional Planning to prepare a Countywide ordinance to modify certain provisions in Title 21 (Subdivision Ordinance) and Title 22 (Zoning Ordinance) of the County Code to permit small lot subdivisions through a land division application concurrently with a conditional use permit.
- Instruct the Department of Regional Planning to work with other County departments and agencies, including the Department of Public Works and the Fire Department, to create and implement a coordinated entitlements procedure for all stages of the development process for small lot subdivisions.