Small Lot Subdivision Feasibility Study Focus Group
Meeting Minutes

Date: May 26, 2009

Location: Community Development Commission – Commission Room

Time: 2:00 – 4:00 pm

Attendees: Derek Levaitt, Modative, Inc.; Jim Green, South Coast Communities; Fernando Laullon, William Hezmalhalch Architects; Bob Wilhelm, William Hezmalhalch Architects; Matthew Perry, Mayans Development; Ismael Mayans, Mayans Development; Stephen Romero, Mayans Development; John Abell, Abell Helou Homes Inc.; Carol Helou, Abell Helou Homes, Inc.; Roland Fournier, The Olson Co., John Kaliski, Urban Studio; Juan Padilla, Fire Department; Ariel Palomares, Building and Safety ; Jonathan Lam, Building and Safety; Connie Chung, Regional Planning; Tina Fung, Regional Planning; Ron Hoffman, Regional Planning; Jacqueline Rodarte;CDC

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1. Flexibility (Design Guidelines) vs. Inflexibility (Development Standards)
   - Maintain as much flexibility as possible
     - The County has great geographic and community diversity; one standard cannot apply to all areas.
     - Urban infill sites differ greatly in size, shape and topography.
     - Architectural features should be very flexible and not dictated. Do not write up the ordinance in terms of architectural styles; rather, in relation to neighborhood compatibility (transition; massing of building).
   - But too much flexibility can lead to too much uncertainty and risk
     - It is difficult to prepare a financial "pro forma" when there are too many uncertainties that could impact the cost of a project
     - Total flexibility is a big risk for a developer
   - Some things should be well-established and not too flexible
     - Examples are: setbacks, massing, access width requirements, sewer/utility hookups, parking requirements, trash collection, open space requirements etc.

2. Parking
   - This is a huge factor than has a big impact on the design and cost of a project.
   - Perhaps parking requirements could be reduced based on a project's location relative to transit opportunities.
     - The LEED for homes provisions have some very clear standards on how parking standards are reduced for projects which are close to transit facilities. Staff should check with Ordinance Studies Section on the LEED parking provisions.
     - City of Portland has parking standards based on transit location.

3. Fire Dept. regulations
   - Some things are set in the Fire Code and other aspects are subjective decisions made by staff.
   - County Fire Department is reviewing its provisions relating to such things as access on deep lots and sprinklers.
   - Sprinklers can add $2-4/ square foot to the cost of a development

- Sprinkler requirements are not applied in a consistent fashion and some small lot subdivision projects may be adversely affected.
- Unprotected openings are treated differently in an apartment house than a condo; special fire walls are needed.

4. Procedure and process
   - It would be ideal if a developer/applicant could go to one person who is also a decision-maker in the County to find out what all the requirements will be for a project.
   - Major changes in requirements during the application approval process can be a disaster for an applicant and can make the project financially infeasible.
   - Timing of the discretionary permit process is crucial. The longer it takes, the more expensive it is for the applicant.
   - Is there a way that building permits for a SLS project could be issued after the tentative map and CUP have been approved but before the final map records? Staff needs to check with LA City to see how they do this.
   - Good coordination among County departments and good understanding of the guidelines/standards by staff are keys to the streamlined process.
   - Pre-approved plans may not work since each project site is unique with different issues.
   - Developers need to know the processing time in order to evaluate the financial feasibility of a project.

5. Neighborhood Factors
   - Since SLS are discretionary projects that require public hearings, the views and opinions of neighbors often play a major factor in the approval or denial of a project and what types of conditions are placed on it.
   - A SLS project with three story structures placed in a neighborhood of single story homes is going to have serious opposition.
   - Landscaping is something that the neighbors really focus on.
   - The location and context of a project is very important. How the project fits in or addresses neighborhood compatibility is very important.
   - A SLS infill project is by its nature going to be somewhat different than the existing neighborhood pattern, but the SLS design should not ignore the character of the existing neighborhood.

6. Fee Simple Lots vs. Condo
   - Some developers prefer fee simple while others have found the condo approach better.
   - Most agree that a fee simple lot project is much more marketable, has fewer impediments (e.g. no Home Owners Association) and can get larger loans.
   - A HOA does not work for a three lot project; a maintenance agreement is a much better approach, but an HOA is very good for maintaining large common areas.
   - A maintenance agreement works well with a maximum of six units; the scope of the agreement needs to be very limited.
   - A fee simple project has to be carefully figured out in terms of the design and location of easements for utilities (especially sewer and water). DPW involvement is crucial.
   - For a common driveway in a maintenance agreement project, it is wise to build it to much more rigorous standards (e.g. 6” paving rather than 4”) to make sure the improvements last a long time.

- Fee simple works for flag lots and smaller projects. A larger project could be fee simple if the access is provided by public streets and there are no common areas.

7. Open Space
   - A SLS should not have common open space areas. Private open space is better.
   - There should be a minimum open space requirement, but it should be flexible in the kinds of areas that can be used (e.g. roof decks, balconies).
   - Open space areas should be allowed to be broken up into pieces rather than having to be in one contiguous area.
   - Open space should be in the "buildable" area (i.e. in addition to the required front, rear and side yard areas).

8. Miscellaneous Items
   - Some consideration should be given to allowing pedestrian access on private driveways rather than having to build additional interior sidewalks.
   - ADA (Americans with Disabilities Act) issues need to be considered. (e.g. site distance for access within a development).
   - How are addresses established on a project with interior private driveways? In LA City this has lead to some bizarre designs. Planning staff needs to check with Building and Safety – they issue house numbers – and the Fire Dept. – they need to know how to get to a house quickly in an emergency.
   - Trash container storage areas on-site and how they will be picked up can be a touchy issue.
   - Multigenerational housing is something that needs to be considered, especially on standard sized lots.
   - Multiple units and granny flats are allowed in LA City SLS.
   - Ordinances worth looking at: Pasadena: City of Gardens; Santa Monica