



Los Angeles County
Department of Regional Planning



August 23, 2016

Richard J. Bruckner
Director

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**HEARING ON AN AMENDMENT TO THE
ROWLAND HEIGHTS COMMUNITY STANDARDS DISTRICT
PROJECT RPPL2016000614
(FOURTH SUPERVISORIAL DISTRICT) (3-VOTES)**

SUBJECT

The recommended action is to approve an ordinance amending Title 22 (Planning and Zoning) of the Los Angeles County Code (Zoning Code) to prohibit living suites within the Rowland Heights Community Standards District (CSD). This would require adding a provision to Subsection C of Section 22.44.132 of the Zoning Code to prohibit the use community-wide, in any zone.

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,

1. Find that adoption of the proposed ordinance is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b) (3) of the CEQA Guidelines;
2. Approve the recommendation of the Regional Planning Commission (RPC) to amend the Zoning Code, as reflected in the proposed ordinance; and
3. Instruct County Counsel to prepare the final ordinance amending the Zoning Code as recommended by the RPC and to submit the final ordinance to the Board of Supervisors (Board) for its consideration.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Living Suite Concept and Initiation of Proposed Ordinance

A living suite is a portion of a residence that includes a living room, kitchen, bathroom, and one or more bedrooms. A living suite includes an interior connection, typically a door, to the remainder of the residence and may also have a separate exterior entrance.

The Board indicated its intent to approve the Living Suites Ordinance on September 29, 2015. The Living Suites Ordinance allows the development of living suites throughout the unincorporated areas of Los Angeles County in new planned communities in the Residential Planned Development (RPD) Zone. Establishment of living suites within a new planned community requires approval of a Conditional Use Permit (CUP).

Residents of Rowland Heights raised concerns at the 2015 Board hearing that living suites may not be appropriate for their community as they could potentially be inconsistent with the character of their community.

The Department of Regional Planning (Department) investigated the living suite concept as it applies to Rowland Heights. Based on information gathered through community outreach and statistical research, living suites are not consistent with the Rowland Heights Community General Plan (Community Plan) or community character, and therefore should be removed as a housing option in Rowland Heights.

Proposed Ordinance

The proposed ordinance (Attachment 5) would prohibit living suites within the Rowland Heights CSD. This would require adding one provision to subsection C of Section 22.44.132 of the Zoning Code to prohibit the use community-wide, in any zone.

Rowland Heights Community Character

Approximately two-thirds of Rowland Heights housing units are owner-occupied (65.5 percent), with approximately 35 percent renter-occupied (per Esri Community Analyst, Housing Profile, December 3, 2015, <https://communityanalyst.arcgis.com>). While a living suite is not intended to be rented to another household, the Living Suites Ordinance does not prohibit such rental. It would be difficult to ensure living suites do not become rental units, and therefore the proposed ordinance helps to maintain the owner-occupied, single-family residential character of the community by eliminating what is in effect a type of multi-unit residential development.

An RPD Zone could be established in any area of Rowland Heights, so prohibiting living suites also acts to further restrict multiple-family housing to parcels already designated with high-density residential land use categories. The parcels in Rowland Heights with high-density residential land use categories are appropriately located adjoining or near Colima Road, a County highway, and the Pomona Freeway, and close to services such as public transportation and local-serving commercial establishments.

Residential uses are allowed by right on approximately 6,600 acres in the Rowland Heights CSD. Just over 6,400 acres of that total – over 97 percent – are designated with by-right single-family residential zoning. The proposed ordinance, therefore, helps ensure that new housing will be consistent with the maintenance of community character.

Nearly all of the area in Rowland Heights south of Pathfinder Road is designated a Very High Fire Hazard Severity Zone (VHFHSZ) and is primarily undeveloped. Prohibiting living suites in Rowland Heights would prevent one type of higher-density development in the southern part of the community, and would protect industrial lands in the northern part of the community by removing one incentive for redeveloping industrial uses with residential uses.

General Plan Consistency

The proposed ordinance is consistent with the adopted Community Plan, a component of the adopted Los Angeles County General Plan. Specifically, the proposed ordinance supports the following Community Plan goal and policies:

- Goal 2 – Maintain the single-family character of the community.
- Land Use Policy 4 – Restrict multiple family or attached housing to the U3, U4, and U5 categories.
- Housing Policy 3 – Require that new housing be consistent with the maintenance of community character.

In addition, the proposed ordinance supports the following County General Plan policies:

- Safety Element Policy S 3.1 – Discourage high density and intensity development in VHFHSZs.
- Public Services and Facilities Policy PS/F 1.5 – Focus infrastructure investment, maintenance and expansion efforts where the General Plan encourages development.
- Economic Development Policy ED 2.1 – Protect industrial lands, especially within Employment Protection Districts, from conversion to non-industrial uses.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended action supports the second goal of the County Strategic Plan, which is to enrich lives of Los Angeles County residents by providing enhanced services, and effectively planning and responding to economic, social, and environmental challenges. The proposed ordinance will respond to the challenge of creating jobs by preserving industrial lands, to the challenge of maintaining community character by retaining the single-family character of the community, and to the challenges of preserving open spaces and promoting infill development by focusing multi-family development in existing higher-density areas with sufficient services and infrastructure.

FISCAL IMPACT/FINANCING

The recommended action will not result in any new significant costs to the County because it does not add potential entitlements to, or revise application processing procedures or fees in, the Zoning Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On March 23, 2016, the RPC held a duly-noticed public hearing to consider the proposed ordinance. The RPC voted 3-1 to recommend that the Board conduct a public hearing to consider and adopt the proposed ordinance. Please see Attachment 2 (Summary of the RPC Proceedings).

A public hearing on the proposed ordinance is required pursuant to Section 22.16.200 of the Zoning Code and Section 65856 of the State Government Code. Required notice must be given pursuant to the procedures and requirements set forth in Section 22.60.174 of the Zoning Code. These procedures and requirements exceed the minimum standards of Sections 6061, 65090, and 65856 of the State Government Code pertaining to public hearing noticing.

ENVIRONMENTAL DOCUMENTATION

Adoption of the proposed ordinance is exempt from environmental review pursuant to Section 15061(b) (3) of the CEQA Guidelines because there is no possibility that adoption of the ordinance may have a significant effect on the environment. Adoption of the proposed ordinance will not result in any direct physical change in the environment and will not result in any indirect physical change in the environment that is reasonably foreseeable at this time.

This determination is supported by the following analysis:

- **The ordinance does not propose or authorize any development.** The proposed project is an ordinance and is not a development project. The ordinance does not authorize any additional "by right" uses. The proposed ordinance will prohibit development of living suites within the Rowland Heights CSD. Therefore, the ordinance will not result in any direct physical change in the environment.
- **The number, location, specific characteristics and environmental impacts of any requests for development that may occur in lieu of a residential planned development containing living suites are reasonably unforeseeable at this time.** There may be indirect physical changes to the environment in conjunction with the subsequent development of properties that would no longer be eligible for development of a residential planned development containing living suites. The

proposed ordinance will not change the requirement for such future development to undergo an initial review for environmental impacts, and to prepare environmental documents if determined necessary by that review. At this time, the number, location, specific characteristics and environmental impacts of development requests are reasonably unforeseeable due to the following factors:

- Existing RPD Zones are developed pursuant to previously approved CUPs for residential planned developments or are undeveloped with pending or previous approved CUPs for residential planned developments, and therefore these properties have already undergone environmental review;
 - Future development would have to seek approval for RPD zoning and could be proposed on a parcel which is currently designated with any number of various zones, and therefore it is not possible to determine where an RPD Zone might be proposed; and
 - The RPD Zone allows a wide range of residential uses which could be developed without a living suites component, and therefore it is not possible to determine the scope of a future project to evaluate.
- **The number, location, and specific characteristics of future development requests will largely depend on economic market factors.** The environmental impacts of future development requests on parcels that would no longer be eligible for development of a residential planned development containing living suites will depend on the characteristics of the location that is the subject of such requests. For example, environmental impacts for an "infill" residential planned development in an urbanized area will be different than environmental impacts for a "greenfield" residential planned development in an undeveloped area, and we do not know if a residential project would be proposed at all. Therefore, any attempt to analyze indirect physical changes would be speculative.
 - **A new planned community is subject to project-level CEQA review regardless of whether dwelling units in the new planned community include living suites.** There may be indirect physical changes to the environment in conjunction with the subsequent development of residential planned developments in the RPD Zone. Section 22.20.460 of the Zoning Code requires a CUP for residential planned developments and the proposed ordinance to ban living suites in Rowland Heights will not change this requirement. A CUP is a discretionary action that requires project-level CEQA review. The proposed ordinance does not eliminate the need for project-level CEQA review.
 - **The proposed ordinance does not involve any commitment to any specific project that may have a significant effect on the environment.** Future development requests will be evaluated to determine whether CEQA review is required and potential impacts identified. The proposed ordinance does not preclude the County from denying a future development request that may have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended action will not result in any negative impacts on current services or projects. As previously noted, the proposed ordinance does not add potential entitlements to, or revise application processing procedures or fees in, the Zoning Code.

For further information, please contact Gina M. Natoli at (213) 974-3426 or gnatoli@planning.lacounty.gov between 7:00 a.m. and 5:00 p.m., Monday through Thursday.

Respectfully submitted,



Richard J. Bruckner
Director

RJB:MC:GMN:ems

Attachments:

1. Project Summary
2. Summary of RPC Proceedings
3. RPC Hearing Package
4. RPC Resolution
5. Recommended Ordinance for Board Adoption
6. Board Notice of Public Hearing
7. Correspondence

c: Executive Office, Board of Supervisors
County Counsel
Assessor
Chief Executive Office
Public Works