GENERAL PLAN ANNUAL PROGRESS REPORT

2011

The purpose of this report is to meet the requirements of Government Code Section 65400, which mandates local jurisdictions to submit an annual report on the status of the General Plan and progress in its implementation. The report must be submitted to the Governor's Office of Planning and Research (OPR) and the Housing and Community Development (HCD). The requirement to report on the County's progress in meeting its share of regional housing needs, and to remove governmental constraints to the maintenance, improvement, and development of housing, is addressed in a companion document, the Housing Element Annual Progress Report.

The Los Angeles County General Plan, which was adopted in 1980, is designed to guide the long-term physical development and conservation of the County's land and environment in the unincorporated areas, through a framework of goals, policies, and implementation programs. The General Plan also provides a foundation for more detailed plans and implementation programs, such as area or community plans, zoning ordinances, and specific plans. Los Angeles County is currently undergoing a General Plan Update, with anticipated completion in late 2012/early 2013.

The following report provides the status of the General Plan and progress in its implementation for the 2011 calendar year. **Part I: General Plan Implementation** consists of a list of adopted and pending amendments to the zoning code in 2011. **Part II: General Plan Amendments** lists adopted and pending amendments to the General Plan in 2011.**Part III: General Plan Update** provides an overview of the major changes proposed to the General Plan; a report of the activities in 2011; and a schedule to complete the General Plan Update.

I. GENERAL PLAN IMPLEMENTATION

Adopted Ordinances

Reasonable Accommodations Ordinance (Adopted November 29, 2011)	The Board of Supervisors adopted the Reasonable Accommodations Ordinance on November 29, 2011. The ordinance establishes procedures for individuals with disabilities to request reasonable accommodations from planning and land use regulations in order to obtain equal access to a residential use. Please refer to the Housing Element Progress Report for more details.
Stonyvale Community Standards District (adopted August 23, 2011)	The Board of Supervisors adopted the Stonyvale Community Standards District on August 23, 2011 for the 57 acre rural community of Stonyvale, which is located in the Angeles National Forest and was destroyed in the August 2009 Station Fire. The CSD facilitates the construction of single-family residences, accessory structures, fences, and walls in consideration of the unique development conditions of the community.
Healthy Design Ordinance (Intent to approve January 24, 2012)	The Board of Supervisors voted their intent to adopt the Healthy Design Ordinance on January 24, 2012. The ordinance amends Title 21 (Subdivision Ordinance) and Title 22 (Zoning Ordinance) to fight obesity by encouraging physical activity through updates to subdivision and zoning standards and requirements. "Healthy Design" is defined as features of the built environment that promote physical activity in the form of walking, bicycling and exercise. The HDO will ensure that unincorporated Los Angeles County is made safer, more convenient and more pleasant for pedestrians and bicyclists by minimizing hazards, improving accessibility and increasing attractiveness.
Exterior Lighting Standards for Rural Communities Ordinance (Intent to approve January 24, 2012)	The Board of Supervisors voted their intent to adopt the Exterior Lighting Standards for Rural Communities Ordinance on January 24, 2012. This ordinance proposes lighting standards to prohibit light trespass, require shielded fixtures, and reduce wasted light. These standards apply to Lighting Districts in the rural unincorporated areas of Santa Clarita Valley, Antelope Valley and Santa Monica Mountains.

Pending Ordinances

Agua Dulce Community Standards District Amendment	Proposed expansion of the Community Standards District boundary, and other provisions to continue to protect the equestrian, agricultural, historical, cultural, archaeological, and geological characteristics of the community.
Hillside Management Ordinance Amendment	Proposed regulations and design guidelines that limit hillside development based on slope, soil, natural drainage channels, seismic hazards, and fire hazards, and that consider potential public safety, environmental degradation, and hillside alteration, in areas where the slope is 25% or greater.
Lake Los Angeles Community Standards District	Proposed Community Standards District in the zoning code, which includes standards and procedures to protect and enhance the rural, equestrian and agricultural character of the community of Lake Los Angeles.
Leona Valley Community Standards District Amendment	Proposed amendments to the Leona Valley Community Standards District in the zoning code to: enhance the appearance of the Leona Valley community; ensure that future public and private improvements are consistent with the community's existing development pattern and eclectic architectural mix; ensure reasonable access to public hiking and riding trails; mitigate potential incompatibilities between land uses; and minimize the need for urban infrastructure, such as sewers, streetlights, concrete sidewalks, paved roads, and concrete flood control systems that would alter the community's character.
Oak Tree Permit Ordinance Amendment	Proposed updates to pruning standards to be consistent with Fire Department requirements. The ordinance also defines and specifies the regulation of deadwood, and adds an exemption to allow the Fire Department to adopt and implement their draft Healthy Oaks Ordinance. The amendment will not directly or indirectly allow the pruning or impact of trees for development.

Significant Ecological Areas (SEA) Ordinance Amendment	Proposed amendments to the SEA ordinance to implement the proposed amendments to the SEA Program in the General Plan Update.
Technical Update	Proposed comprehensive revision to the Zoning Code to produce an ordinance that is understandable and easy to use, and to address contemporary planning issues.
General Plan Update Zoning Consistency	Proposed comprehensive revision to the zoning code to implement the General Plan Update, including the addition of new residential, commercial, and mixed use zones, as well as revisions to the existing mixed use and manufacturing zones.
Green Building Ordinance Amendment	Proposed comprehensive revision to the Green Building Ordinances and Technical Manual, which were adopted in 2008. The purpose of the revision is to achieve clarity and consistency with the adopted statewide CALGreen code and the County's Green Building standards code (Title 31).
Transit Oriented Districts Ordinance Amendment	Proposed amendments to the Transit Oriented Districts (TOD) ordinance, which are to be adopted with the General Plan Update. Specific revisions include incentives, procedures, and development standards to implement the TOD program in the General Plan Update, which increases the number of TODs from six to 10 in the unincorporated areas, establishes TOD boundaries at one half mile radius from a transit station; increases maximum density in commercial corridors with mixed use land use category to 150 du/ac, and establishes a 3.0 FAR.
Title 22 Clean Up Ordinance	Proposed amendments to Title 21 (Subdivision Ordinance) and Title 22 (Zoning Ordinance) of the Los Angeles County Code to clarify ambiguous language, confusing processes and account for changes in related regulations including State law. Amendments are to the following sections: 21.08.090 (Lease project); 21.12.010 and 21.12.020 (Subdivision Committee); 21.40.040 and 21.48.040 (Information or documents required for tentative maps); 21.40.180 and 21.48.120 (Tentative map extensions); 22.08.230 (Definitions); 22.40.080 (Review of zone classification); 22.56.080 (Minor CUPs); 22.56.085 (Grant or denial of minor CUP by director); 22.56.1650 (Appeal from the hearing officer); and 22.60.190 (Administration).
Zoning Ordinance Update Program	Proposed comprehensive policy changes to the zoning code, including deleting obsolete uses and adding emerging uses, changing permitting allowances on a number of uses, modifying or adding development standards, conferring new duties and procedures and modifying existing ones.
Housing for Senior Citizens Code Amendment (Second Units)	Proposed amendments for provisions for existing housing for senior citizens to be consistent with State Second Unit provisions (CA Government Code 65852.1). The amendments include provisions for existing housing for senior citizens with expired as well as effective CUP's, and clarification on converting the residence into a regular Second Unit, subject to the Second Unit requirements and restrictions.

II. GENERAL PLAN AMENDMENTS

Adopted

Local Plan Amendment Case No. 2008-00011-(1) (adopted January 25, 2011)	Local Plan Amendment Case No. 2008-00011-(1): A plan amendment to the East Los Angeles Community Plan, which relates to the development of a convenience store and auto service center located at 3949 Dennison Street relating to the Eastside Unit No. 1 Zoned District No. 6, applied for by BP West Coast Product, LLC.
General Plan Amendment No. 200900013-(2) (adopted April 19, 2011)	General Plan Amendment Case No. 2009-00013-(2): A change the subject property's existing land use designation in the General Plan from Category 1 to Category 4, which relates to the development of a multi-family residential complex consisting of 196 rental units with appurtenant structures, located at 5544 and 5550 Grosvenor Boulevard within the unincorporated community of West Fox Hills.
Local Plan Amendment Case No. 201000003/Hacienda Heights Community Plan Update (adopted May 24, 2011)	Local Plan Amendment Case No. 201000003: A repeal the Hacienda Heights Community General Plan adopted in 1978, and adoption of the comprehensive update of the Hacienda Heights Community Plan to reflect recent changes in the population demographics and emerging needs of Hacienda Heights.

Pending

Antelope Valley Area Plan Update	Proposed update of the Antelope Valley Area Plan. This project recognizes the individual needs and identity of each unique town in the unincorporated Antelope Valley, as well as the collective needs and identity of the Antelope Valley as a whole. Its success depends upon the commitment of residents, property owners, business owners, and other stakeholders in the Valley to develop a common vision that will guide growth in the unincorporated areas of the Antelope Valley in coming years.
Bike Plan Update	Proposed update to the Bikeway Master Plan, which is a sub-element of the Transportation Element of the General Plan. The Plan seeks to expand and connect the County network of bikeways, expand existing County maintained bicycle facilities, and develop a prioritized list of projects. The Plan was approved by the Regional Planning Commission on January 11, 2012, and is scheduled for a public hearing before the Board of Supervisors on February 28, 2012.
Centennial Specific Plan	Proposed master-planned community, with a proposed Specific Plan, located in the northwestern part of the County. Centennial is located on approximately 11,680 acres and will include 22,998 dwelling units, 12.4 million square feet of Business Park (light industrial) uses, and 2 million square feet of commercial uses. The project will also provide K-8 schools and high schools, fire stations, a Sheriff station, library and other services and utilities, including potable water and wastewater treatment facilities. Entitlements needed for Centennial include a General Plan amendment; Antelope Valley Areawide General Plan amendment; zone change; oak tree permit; and conditional use permit for development in an SEA, hillside management and project grading. The project will be built in phases over approximately 25 years. Phase One consists of a large lot parcel map and three vesting tentative tract maps, and when built will consist of approximately 4,190 acres with 5,834 dwelling units, 3.3 million square feet of Business Park uses, 255,915 square feet of commercial uses and two K-8 schools, one high school, a fire station, an interim Sheriff station, an interim library and necessary infrastructure and utilities.
Florence-Firestone Community Plan	Proposed Community Plan for the unincorporated community of Florence-Firestone, which is an outgrowth of a visioning process conducted in 2009, and which refines the broad framework established in the vision plan through a series of community workshops and activities. The Community Plan refines land use designations around the three Transit Oriented Districts to implement the draft TOD Program in the General Plan Update. The Community Plan also addresses infrastructure needs, housing, public safety and open space. In addition, during the reporting period, the County received a grant from the Southern California Association of Governments to prepare a series of technical reports to help inform development of the Community Plan. These include: Land Use and Sustainability; Transit-Oriented Development Evaluation; and Market Feasibility Analysis. Staff also obtained a Caltrans Community-Based Transportation Planning Grant to complete community outreach workshops and prepare the Preliminary Draft Plan, which was completed in January 2012.

Santa Monica Mountains Local Coastal Program	Proposed Santa Monica Mountains Local Coastal Program, which consists of the Coastal Zone Plan and implementing actions, including the Community Standards District, amendments to Title 21 (Subdivision Ordinance) and Title 22 (Zoning Ordinance), and a zoning consistency program. The Local Coastal Program (LCP) will replace the Malibu Land Use Plan, which was certified by the Coastal Commission in 1986 and is currently the planning tool used for the Santa Monica Mountains Coastal Zone. The Local Coastal Program includes some of the policies of the 1986 Land Use Plan, new policies, and many policies from the Santa Monica Mountains North Area Plan. The Board of Supervisors signed its intent to approve the proposed LCP on October 30, 2007.
Santa Monica Mountains North Area Plan	Proposed amendments to the Santa Monica Mountains North Area in conjunction with a proposed Community Standards District for the Santa Monica Mountains North Area, which the Board of Supervisors directed the Department of Regional Planning to initiate in 2009 to fully implement the Santa Monica Mountains North Area Plan. The amendments will be considered by the Regional Planning Commission in early 2013.
Marina del Rey Local Coastal Program	Proposed update to the Marina del Rey Local Coastal Program (LCP) to incorporate modifications suggested by the California Coastal Commission and to guide growth in the Marina over the next 20 years. The amendments will be considered by the Regional Planning Commission in mid-2013.
Santa Clarita Valley Area Plan Update (One Valley, One Vision)	Proposed joint planning effort between the City of Santa Clarita and the County of Los Angeles to address future growth in the Santa Clarita Valley. The OVOV effort, addresses the region's growth, infrastructure development, transportation, housing, and open space. The Draft Plan and Final Environmental Impact Report (FEIR) are scheduled for public hearing before the Board of Supervisors on February 28, 2012.
Third Street Specific Plan	Proposed Specific Plan for the unincorporated portion of the East Los Angeles, located north and south of the Metro Gold Line Eastside Extension along 3rd Street. The Third Street Specific Plan defines a vision and a set development principles to guide future development within the plan area over the next 20 years. The Specific Plan includes a form based code and recommendations for improving the public realm, which are intended to implement principles of transit-oriented development. Please refer to the Housing Element Progress Report for more details.
Universal Studios Specific Plan	Proposed joint planning effort between NBC Universal, the City of Los Angeles, and the County of Los Angeles to address the redevelopment of the 391-acre Universal City property. Through a Memorandum of Understanding, the City of Los Angeles (Lead Agency) and the County of Los Angeles (Responsible Agency) have jointly prepared a Draft EIR (DEIR) for two separate specific plans; the Universal Studios Specific Plan (County), and the Universal City Specific Plan (City). The DEIR has completed the public review stage, and the Final EIR is currently in process. The Universal Studios Specific Plan (County) effort primarily addresses approximately 2 million square feet of new development including studio, office, childcare, hotel, theme park, amphitheater, and City Walk retail uses. The Universal City Specific Plan (City) effort primarily addresses the project's proposed 2,937 units of residential development and supporting neighborhood commercial and open space uses. In total, the NBC Universal Evolution Plan includes a net annexation of 44 acres from the County to the City (76 acres annexed from the County to the City and 32 acres detached from the City to the County). One joint City/County public meeting was held in December of 2010 to take oral public comments on the DEIR from interested parties. The first public hearing on the EIR is anticipated to take place in 2012. Separate City and County public hearings on the respective City and County land use entitlements would take place in respective jurisdictions at a later date.

III. GENERAL PLAN UPDATE PROGRAM

In 1997, the Los Angeles County Board of Supervisors initiated the General Plan Update. Over the years, the Department of Regional Planning ("DRP") has conducted nearly 100 community meetings and presentations to garner stakeholder input, which have shaped the goals and policies in the General Plan Update. In addition to community outreach efforts, the DRP has worked closely with public agencies and major stakeholders to review and revise multiple drafts of the General Plan Update.

The General Plan Update represents a comprehensive effort to update the County's 1980 General Plan, and guide development through the year 2035. The General Plan Update consists of the following elements:

- Land Use Element
- Mobility Element
- Air Quality Element
- Housing Element (adopted and certified 2008)
- Conservation and Open Space Element
- Parks and Recreation Element
- Noise Element
- Safety Element
- Public Services and Facilities Element
- Economic Development Element

The theme of the General Plan Update is sustainability. Sustainability requires that planning practices meet the County's needs without compromising the ability of future generations to realize their economic, social, and environmental goals. The General Plan Update has been designed to utilize, promote and implement policies that promote healthy, livable, and sustainable communities.

The General Plan also identifies five guiding principles—Smart Growth; Sufficient Community Services and Infrastructure; Strong and Diversified Economy; Environmental Resource Management; and Healthy, Livable and Equitable Communities—to further the overall goal of sustainability. These principles are supported by community-identified goals and stakeholder input.

Recent Activities

In 2011, the DRP staff held 13 community meetings along with numerous stakeholder meetings to solicit input on the Draft General Plan. Based on comments from these meetings and input from other County departments, DRP staff made refinements to the maps, figures, and content of the Draft General Plan.

The DRP staff also released the Notice of Preparation for the EIR and held two scoping meetings--one in Downtown Los Angeles, and another in the Antelope Valley.

Incorporating new data into the Draft General Plan has also been a major focus in 2011. The release of the 2010 Census and proposed 2012 SCAG RTP growth projections prompted staff to readjust the corresponding tables and models used throughout the Draft General Plan.

Staff also continued to support the development of General Plan-related projects, such as Antelope Valley Area Plan Update, Bicycle Master Plan Update, Hillside Management Ordinance, SEA ordinance, and Zoning Consistency.

Schedule

The DRP anticipates releasing a draft of the revised General Plan in April 2012. The DRP also anticipates releasing the Draft EIR to the public in the Summer of 2012. Furthermore, the DRP anticipates initiating the public hearings on the General Plan Update and the EIR in late 2012.

April 2012	• Revised Draft General Plan
Summer 2012	• Draft EIR
Fall/Winter 2012	• Public Hearings

For more information on the General Plan Update, please visit the DRP's web site at: http://planning.lacounty.gov/generalplan.

HOUSING ELEMENT ANNUAL PROGRESS REPORT

2011

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) 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.

I. 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.

II. 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)

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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.

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 2011

Table A1, 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, 2011 and December 31, 2011. **Table A2**, is a summary of building permit activity for above moderate income units issued by the County during the 2011 reporting period.

Table A1
Annual Building Activity Report
Very Low, Lower, and Moderate Income Units and Mixed Income Multifamily Projects 2011

APN	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Assistance Programs for Each Development	Deed Restricted Units	Housing without Financial Assistance or Deed Restrictions
			Very Low-Income	Lower Income	Moderate Income	Above Moderate Income				
		R	74				74	HOME		
		R	12				12	HOME, Industry, CDBG/NSP		
		O		4			4	HOME, Industry		
Total of **Above Moderate** from Table A2 ► ► ►						163				
Total by income units Table A ► ► ► ► ►			86	4	0	163				

Sources: County of Los Angeles Community Development Commission, Affordable Housing Data, Jan. 1st 2011 – Dec.31st 2011.
County of Los Angeles Department of Public Works, Building and Safety Division, Unincorporated County Area, Residential Building Permit Data, January 1, 2011 - December 31, 2011.

Table A2
Annual Building Activity Report Summary for Above Moderate Income Units for 2011

	Single Family Dwellings	Two-Family Dwellings	Multi-Family Units	Mobile Homes	Total
No. of Units Permitted for Above Moderate	83	14	63	3	163

Source: County of Los Angeles Department of Public Works, Building and Safety Division, Unincorporated County Area, Residential Building Permit Data, January 1, 2011 - December 31, 2011.

[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."

Regional Housing Needs Allocation Progress

Table B identifies the housing units, by income level, completed from January 1, 2006 through December 31, 2011. Also the table shows the progress towards reaching the unincorporated County's share of regional housing needs. As shown on the Table, the number of additional dwelling units needed during the 2008-2014 planning period is 51,495, or roughly 90 percent of the RHNA.

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	14,423*	0	99	0	0	0	86				185	14,238
Lower	9,071*	12	25	15	0	0	4				56	9,015
Moderate	9,812*	206	138	0	0	0	0				344	9,468
Above Moderate	23,853*	1,794	1,339	941	310	532	163				5,079	18,774
Total RHNA	57,159*	2,012	1,601	956	310	532	253				5,664	51,495
Total Units ► ► ►												
Remaining Need for RHNA 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, 2011; Los Angeles County Community Development Commission affordable housing development completions, January 1, 2006-December 31, 2011. 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.

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. 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.

*RHNA allocations reflect adjustments made per a RHNA transfer to the City of Diamond Bar, effective October 27, 2010, and a transfer to the City of Calabasas, effective December 9, 2011.

III. HOUSING ELEMENT PROGRAM IMPLEMENTATION

The Housing Element contains programs with specific time frames for implementation. **Appendix A: Table C1** shows the implementation progress of programs between January 1, 2011 and December 31, 2011.

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 notes when a site does not meet or exceeds the projected potential. In addition, the Report identifies alternative sites—sites with approved projects, or zone changes and plan amendments, which were not identified in the Housing Element.

As shown in **Table C2**, as of the end of 2011, the County's adequate sites inventory accommodates 374 income-restricted very low and lower income units and 528 market-rate units that are potentially affordable to very low and lower income households.[4] This is in comparison to the projected 230 very low and lower income units in the adequate sites inventory. As shown in **Table C3**, as of the end of 2011, the County's adequate sites inventory does not accommodate any income-restricted moderate income units, but does accommodate 588 market-rate units that are potentially affordable to moderate income households. This is in comparison to the projected 564 moderate income units in the adequate sites inventory.

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

KEY: Listed on Adequate Sites Inventory
Listed as a pending case in the Housing Element

APN	Year	Adequate Sites Inventory Unit Potential	Approved Units (5/1/08-12/31/11)		NOTES
		Very Low/Lower	Income Restricted (Very Low/Lower)	Market Rate	
6060009900	2008	0	61	0	R2007-02305: 61 very low income units for seniors. Note: Adequate Sites Inventory identifies site as having potential for 10 moderate income units (see Table C3)
6181032040 6181032041 6181032042 6181032043 6181032044 6181032045 6181032046	2008	0	54	0	R2007-01819: 54 very low income units for persons with developmental disabilities and senior citizens (+30 in the City of Compton for a total of 84 units)
7344023001 7344023138 7344023139	2008	0	22	224	TR067784: 246 attached condo units (22 of which are income-restricted for lower income households)

[4] 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.

APN	Year	Adequate Sites Inventory Unit Potential	Approved Units (5/1/08-12/31/11)		NOTES
		Very Low/Lower	Income Restricted (Very Low/Lower)	Market Rate	
3204005025	2009	0	75	0	R2005-03443: 75 very low income senior citizen housing development with density bonus
5250003904 5250003905 5250003906 5250003908	2009	0	60	0	R2009-00659: 60 unit mixed use complex with 12 joint live and work units, a community center and 48 apartments for very low and lower income households.
8404004048	2009	14	0	20	R2008-01682: 20 apartment units
6090008023 6090008024 6090008025	2010	6	0	14	TR068503: One multifamily lot with 14 attached condo units in two buildings on 0.89 gross acres.
7344002028	2010	159	0	74	R2009-00807 CUP for 74 unit mobile home park. Categorically exempt from CEQA.
6079005014 6079005015 6079005016	2011	51	72	0	R2011-00374: 72 unit affordable housing project with density bonus.
6009008021	2011	0	30	0	R2006-00769: 30 unit apartment building.
4211003038 4211003040 4211003041 4211003042 4211003068	2011	0	0	196	General Plan Amendment Case No. 2009-00013-(2): A change the subject property's existing land use designation in the General Plan from Category 1 to Category 4, which relates to the development of a multi-family residential complex consisting of 196 rental units with appurtenant structures, within the unincorporated community of West Fox Hills.
TOTAL		230	374	528	

Source: County of Los Angeles Department of Regional Planning, Housing Approvals Report, Jan. 1st 2011 – Dec. 31st 2011.

Note: This comparison only includes units approved between May 1, 2008 to December 31, 2011. 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).

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

KEY
Listed on Adequate Sites Inventory
Listed in as a pending case in the Housing Element

APN	Date	Adequate Sites Inventory Unit Potential	Approved Units (5/1/08-12/31/11)		NOTES
		Moderate	Income Restricted (Moderate)	Market Rate	
6060009900	2008	10	0	0	Site was approved for 61 very low income units (see Table C2)
6342018006	2008	0	0	3	R2006-1950: Triplex
6342035007	2008	0	0	3	R2008-00636: Triplex
6010020004	2008	0	0	4	R2007-01670: Four unit apartment
2826022027	2009	93	0	93	TR 53653: 1 MF lot for 93 market-rate units for seniors (+ 93 SF)
5009004011	2009	8	0	0	Convert SFR to retail
5227018019	2009	2	0	0	SFR
5229013010	2009	2	0	2	R2008-02087:Duplex
5284010022	2009	0	0	4	PM063158:Create MF lot for 4 attached condos
5751005033	2009	9	0	0	New retail
5845022001-14 58450220016	2009	278	0	278	R2007-02030: 278 independent living and assisted living units for seniors, including a 44 unit senior citizen housing development with a 14% density bonus.
6021005035	2009	4	0	4	R2005-01470:4-unit apartment
6059028003	2009	2	0	2	R2006-03768: Duplex
6079002048 6079002049 6079002065 6079002077	2009	69	0	69	To amend the West Athens-Westmont Neighborhood Plan Land Use Policy Map from RD 2.3 (Single-Family Residence, 8 units or fewer per acre) to RD 3.1 (Two-Family Residence, 17 units or fewer per acre) to create one multi-family lot with 69 detached condominium units and one private park lot on 7.0 gross acres, for property located at 1535 West 120th Street, West Athens-Westmont Zoned District.

APN	Date	Adequate Sites Inventory Unit Potential	Approved Units (5/1/08-12/31/11)		NOTES
		Moderate	Income Restricted (Moderate)	Market Rate	
6086031016 6086031017	2009	14	0	0	Charter school
6086031036	2009	11	0	0	School
6181022002 6181022003	2009	12	0	10	TR54299: Create MF lot with 10 detached units
6342023016	2009	0	0	2	R2008-02354:Add two units to single family house in R-3 zone
7344024003	2009	0	0	21	TR060027: Create MF lot for 21 attached condos
8761012015	2009	6	0	0	New retail
3231011002	2010	0	0	31	TR066202 To create one multifamily lot with 31 detached condo units on 7.61 acres
5231004015	2010	2	0	2	R2008-00129 New duplex
5239008016	2010	4	0	3	RPP 201000325 (R2010-00438) New triplex
5379014010	2010	0	0	3	PM070129 To create one multifamily lot with three detached condo units on 0.40 gross acres.
6149005040	2010	1	0	0	R2009-00375 New office building
7344024009	2010	20	0	19	TR063243: To create one multifamily lot with 19 attached condo units in four buildings on 0.92 gross acres. With approved plan amendment to increase from category 1 (low density residential-one to six dwelling units per gross ac) land use category of the Countywide General Plan to Category 3 (Medium Density Residential 12 to 22 dwelling units per gross ac).
8178031020	2010	2	0	1	Single family residence
5388032021	2011	0	0	30	TR071234: 30 detached condominium units.
6180021006	2011	4	0	0	R2010-01110: New commercial building

APN	Date	Adequate Sites Inventory Unit Potential	Approved Units (5/1/08-12/31/11)		NOTES
		Moderate	Income Restricted (Moderate)	Market Rate	
6180021005	2011	3	0	0	R2010-01110: New commercial building
5378020023	2011	4	0	4	PM069123: Create four single family lots.
TOTAL		564	0	588	

Source: County of Los Angeles Department of Regional Planning, Housing Approvals Report, Jan. 1st 2011 – Dec. 31st 2011.

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).

VI. OTHER HOUSING INITIATIVES

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 2011, the Department has approved 671 affordable units and 875 units (including market-rate senior citizen 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.

In 2011, the Department approved 31 second units, for a total of 455 second units since the ordinance took effect in 2004.

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 through an administrative procedure. In 2011 there, were zero new units created under this ordinance.

Farm Worker Housing Ordinance

On September 14, 2010 the Board of Supervisors adopted the Farmworker Housing Ordinance, which is a program that brings the County's provisions for farmworker housing into compliance with the Employee Housing Act. In 2011, there were zero new units created under this ordinance.

Reasonable Accommodations Ordinance

On November 29, 2011, the Board of Supervisors adopted the Reasonable Accommodations Ordinance, which establishes procedures for individuals with disabilities to request reasonable accommodations (with respect to planning and land use regulations) in order to obtain equal opportunity to housing.

Small Lot Subdivisions

On August 5, 2008, the Los Angeles County Board of Supervisors instructed the Department of Regional Planning to initiate a feasibility study for establishing a program for small lot subdivisions and to report back to the Board in a year. In October 2009, the staff submitted a feasibility study to the Board of Supervisors, which includes a recommendation for the county to initiate an ordinance. The staff anticipates commencing work on the ordinance in 2012 and completing the ordinance by 2013.

Inclusionary Housing Program

On August 5, 2008, the Los Angeles County board of Supervisors instructed the Department of Regional Planning to initiate a feasibility study for establishing an inclusionary housing program, and to report back to the Board in a year. The staff put the feasibility study on hold in order to study recent legislative efforts and the impacts and implications of Palmer/Sixth Street Properties v. City of Los Angeles, which has invalidated certain types of local inclusionary housing policies. The staff anticipates providing the Board with a completed report in 2012.

Appendices

Appendix A: Table C1 Implementation Progress of Housing Programs
Appendix B: Documentation regarding RHNA transfer to the City of Calabasas
Appendix C: Inclusionary Housing Program Status Reports to the Board of Supervisors
Appendix D: Adopted Reasonable Accommodations Ordinance

Appendix A

Los Angeles County 2008-2014 Housing Programs
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 was amended in early 2009 to incorporate the use of Federal Neighborhood Stabilization (NSP) Funds for the acquisition and rehabilitation of foreclosed one to four unit properties. The amended and successful program provided for the acquisition and rehabilitation of 20 units to be reserved for households earning less than 50% of the Area Median Income. The Program, as NSP 3, was operational through 2011 and will continue in 2012.
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.	CDC policy no longer allows CDC/HACOLA administered funds to be used to acquire or develop sites within 500 feet of a freeway. As a result, those sites previously acquired that meet this criteria will be sold to the market when possible, and, if applicable, subject to RDA dissolution process. Funding constraints will not allow the purchase of additional sites for land banking at this time.
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 and will remain so through 2012. Conditions will be evaluated on an ongoing basis. Literature reviews and other research on community land trusts will continue.
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 $86.8 Million in public funds ($62.1 Million in City of Industry funds and $24.7 Million in federal HOME funds) have been made available during this period through the CDC's annual NOFAs. In addition over 400 Project-Based Vouchers were made available in concert with the funds. As a result of the last two funding rounds in 2011, an additional 311 affordable units will be developed.
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 award winning Casa Dominguez development was completed in East Ranch Dominguez in 2010, but In light of the proposed (and actual) elimination of Redevelopment Areas and Agencies, all activity in the CDC Redevelopment Areas was placed on hold during 2011.The proposed developments in Willowbrook and Altadena remain in the predevelopment stage and will not proceed as redevelopment area projects.
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	Fifty MCC's were issued, with a value of $12,426,276. In addition, 256 down payment assistant loans were funded with a value of $17,673,924. The SCHFA program originated 41 loans and have 41 loans in the pipeline. In addition 9 AHOP units were sold during the period.
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	As a part of its ongoing Housing Choice Voucher Program, the Housing Authority monitors an allocation of over 22,000 Vouchers. Nearly all Vouchers require monthly monitoring and payments. A total of over 1,200 Vouchers for homeless familiies have been allocated to date, with over 700 requiring assistance during the same period.

Los Angeles County 2008-2014 Housing Programs
Implementation Status

Program #	Program Name	Timeframe & Objectives	Progress/Status (Quantify if possible)
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 Recipients*	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.	The Housing Authority (HACOLA) continues to successfully apply for available grant funds on an annual and as available basis.
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.	The California Tax Credit Allocation Committee (TCAC) developed the California Utility Allowance Calculator (CUAC). This project-based tool,introduced in 2009 is now used for tax credit projects.
23	Green Grant Program*	Annually allocate funding to implement program based on CDBG funding availability.	The Green Grant Program has served 40 households to date; and will serve an additional 5 households by June 30, 2012.
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. Handy worker – 240 households	The following number of loans/grants were completed during the reporting period: 57 Single-Family Rehab Loans; 332 Single-Family Grants; and 149 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.
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.	Fair housing and tenant services activities were ongoing during this period. An average of over 375 inquiries are made each year, with 4% to 5% of the inquiries resulting in fair housing cases being opened. The program continues to distribute relevant literature, sponsor public service announcements and host community event informational booths.

Appendix B

SOUTHERN CALIFORNIA

ASSOCIATION of GOVERNMENTS

Main Office

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Pam O'Connor, Santa Monica

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Energy & Environment
Margaret Clark, Rosemead

Transportation
Paul Glaab, Laguna Niguel

RECEIVED
2011 DEC 19 PM 4: 18
CHIEF EXECUTIVE OFFICE

December 9, 2011

Cathy Creswell
California Department of Housing and Community Development
1800 3rd Street, Room 450
Sacramento, CA 95811

Subject: The Southern California Association of Governments' (SCAG) Acceptance of Transfer of RHNA Units between the County of Los Angeles and the City of Calabasas

Dear Ms. ~~Creswell~~: Cathy

As you may be aware, the County of Los Angeles (County) and the City of Calabasas (City) have reached a mutually acceptable agreement for the transfer of nine (9) housing units related to their respective Regional Housing Needs Allocation (RHNA). Further details relating to this transfer are set forth in the attached letter dated March 24, 2011 from the City of Calabasas to which SCAG received notice.

While SCAG has not received a copy of the actual transfer agreement between the County and the City on this matter, it is our understanding that the parties did reach agreement on the transfer of the nine RHNA units. Therefore in the interest of time, SCAG has elected to consider the March 24, 2011 letter as sufficient evidence to document "a mutually acceptable transfer agreement" between the County and the City.

In accordance with Government Code Section 65584.07, subdivision (d), the subject transfer agreement became effective on March 24, 2011, the date in which SCAG received notice thereof. This letter represents SCAG's formal acceptance of the transfer based upon our review of the information set forth in the City's letter.

As a result of this transfer, the respective Final RHNA allocations for the County of Los Angeles and the City of Calabasas are amended, as follows:

County of Los Angeles (Planning period of January 1, 2006 – June 30, 2014)

Number of very low income household units	Number of low income household units	Number of moderate income household units	Number of above moderate income household units	Total
14,423	9,071	9,812	23,853	57,159

The Regional Council is comprised of 84 elected officials representing 191 cities, six counties, six County Transportation Commissions and a Tribal Government representative within Southern California.

7.1.11 printed on recycled paper

City of Calabasas (Planning period of July 1, 2008 – June 30, 2014)

Number of very low income household units	Number of low income household units	Number of moderate income household units	Number of above moderate income household units	Total
137	87	96	210	530

Total number of units transferred from County to City:

Number of very low income household units	Number of low income household units	Number of moderate income household units	Number of above moderate income household units	Total
0	1	3	5	9

If you have any questions regarding this letter, please contact Ma'Ayn Johnson, Senior Regional Planner, at (213) 236-1975 or johnson@scag.ca.gov.

Sincerely,

Hasan Ikhrata
Executive Director
Southern California Association of Governments

HI:mj
Enclosure: Letter dated March 24, 2011 from Anthony M. Coroalles, City Manager, City of Calabasas

cc: William T. Fujioka, County of Los Angeles
Anthony M. Coroalles, City of Calabasas

CITY of CALABASAS

March 24, 2011

Mr. William T. Fujioka, Chief Executive Officer
County of Los Angeles
Kenneth Hahn Hall of Administration
500 W. Temple Street, Room 713
Los Angeles, CA 90012

Sent Via Electronic Mail and U.S. Mail

Dear Mr. Fujioka:

I write in response to your offer letter dated March 24, 2011 outlining a proposed agreement for transfer of Regional Housing Needs Assessment Allocation from the County of Los Angeles to the City of Calabasas for the Mont Calabasas Annexation, 2009-09.

The terms of the County's offer are acceptable to the City. The City will accept an additional nine (9) housing units from Los Angeles County, with a maximum of five units being allocated from the "Above Moderate" income category, and the remaining four units being allocated from any combination of the affordable categories (e.g., "Very Low", "Lower", or "Moderate" income). Furthermore, while the City continues to believe its allocation transfer methodologies, as presented to County staff and SCAG officials on March 7, 2011 are appropriate and reasonable, we understand and accept the County's position that no such particular methodology is being adopted in contemplation of future annexations.

Finally, we appreciate that the County will withdraw is opposition to the annexation based upon this agreement. Thank you.

Sincerely,

Anthony M. Coroalles
City Manager

c: Supervisor Zev Yaroslavsky, Third Supervisorial District
Paul A. Novak, Executive Officer, Los Angeles County LAFCO
Richard J. Bruckner, Director of Regional Planning, County of Los Angeles
Andrea Sheridan Ordin, County Counsel, County of Los Angeles
Tom Bartlett, AICP, City Planner, Calabasas
Michael Colantuono, City Attorney, Calabasas

100 Civic Center Way
Calabasas, CA 91302
(818) 224-1600
Fax (818) 225-7324

Ma'Ayn Johnson

From: Talyn Mirzakhanian <tmirzakhanian@cityofcalabasas.com>
Sent: Thursday, December 08, 2011 4:03 PM
To: Ma'Ayn Johnson
Cc: Tom Bartlett
Subject: RE: Agreement

Categories: RHNA Comments

Ma'Ayn,

The allocation of the RHNA units transferred to the City upon annexation was made with careful consideration of the current site inventory in the City's Certified Housing Element. Therefore, the distribution of the 9 units we gained as a result of this annexation shall be as follows:

Very low: 0
Low: 1
Moderate: 3
Above moderate: 5

Feel free to contact me with any further questions.

Sincerely,

Talyn Mirzakhanian
Planner
100 Civic Center Way
Calabasas, CA 91302
Tel: (818) 224-1712
Fax: (818) 225-7329

Appendix C

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

April 1, 2011

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

FROM: Richard J. Bruckner
Director

SUBJECT: **RESPONSE TO BOARD MOTION TO INITIATE PROGRAM 10: INCLUSIONARY HOUSING PROGRAM OF THE HOUSING ELEMENT (AUGUST 5, 2008, ITEM #68)**

At the public hearing for the Los Angeles County Housing Element on August 5, 2008, the Board instructed the Department of Regional Planning (DRP) to initiate the required feasibility study for establishing an inclusionary housing program, and report back to the Board within a year.

Program 10: Inclusionary Housing Program

The intent of Program 10 of the Housing Element is to consider the feasibility of establishing an inclusionary housing program for the unincorporated areas.

Since August 2008, the DRP staff has prepared a preliminary draft of the study, which includes an extensive literature review of research on inclusionary housing, and the results of a stakeholder survey. The preliminary draft also reflects outreach with numerous stakeholders, including but not limited to planners from other local jurisdictions, building industry representatives, housing advocates, researchers and housing developers. The DRP staff also worked closely with CDC staff and the Housing Advisory Committee to identify key issues.

In light of the court decision in *Palmer/Sixth Street Properties vs. City of Los Angeles*, which found that mandatory affordability requirements for rental housing violate the Costa-Hawkins Act, the DRP is reworking the preliminary draft to ensure consistency with this recent decision. In addition, due to staff resource issues, the progress on the completion of the study has been delayed.

320 West Temple Street ▪ Los Angeles, CA 90012 ▪ 213-974-6411 ▪ Fax: 213-626-0434 ▪ TDD: 213-617-2292

The staff will provide a status report to the Board no later than January 2, 2012. If you have any questions regarding this study, please contact Connie Chung at (213) 974-6417 or cchung@planning.lacounty.gov.

RJB:JS:CC:AR

c: Chief Executive Office, Attn. Rita Robinson
County Counsel
Executive Office
Department of Public Works
Community Development Commission

Appendix D

ANALYSIS

An ordinance amending Title 21 – Subdivisions and Title 22 – Planning and Zoning of the Los Angeles County Code establishing procedures for individuals with disabilities to request reasonable accommodations with respect to planning and land use regulations to obtain an equal opportunity to use and enjoy a residential use.

ANDREA SHERIDAN ORDIN
County Counsel

By
ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

EML:vn

Requested: 08-31-11
Revised: 10-27-11

ORDINANCE NO. _____

An ordinance amending Title 21 – Subdivisions and Title 22 – Planning and Zoning of the Los Angeles County Code establishing procedures for individuals with disabilities to request reasonable accommodations with respect to planning and land use regulations to obtain an equal opportunity to use and enjoy a residential use.

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

SECTION 1. Section 21.52.010 is hereby amended to read as follows:

21.52.010 Modification or waiver of provisions authorized when.

. . .

D. The Director or the advisory agency may make modifications to regulations contained in this Title 21 pertaining to the consideration of a reasonable accommodation, as provided for in Title 22.

SECTION 2. Chapter 22.56 Part 19 is hereby added to read as follows:

Part 19 REQUESTS FOR REASONABLE ACCOMMODATION.

22.56.3000 Purpose and intent.

22.56.3010 Applicability.

22.56.3020 Definitions.

22.56.3030 Application – Filing.

22.56.3040 Required findings and role of Director.

22.56.3050 Hearing officer or commission review where concurrent.

22.56.3060 Notice of decision.

22.56.3070 Effective date.

22.56.3080 Expiration of reasonable accommodation.

22.56.3090 Recorded agreement.

22.56.3100 Appeals.

22.56.3110 Waiver of fees.

22.56.3000 Purpose and intent.

The purpose of this Part 19 is to implement part of the County's Housing Element in its General Plan and to provide a procedure for individuals with disabilities to request reasonable accommodations, consistent with the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act, as those Acts are amended from time to time. The sole intent of this Part 19 is to ensure that individuals with disabilities have an equal opportunity to use and enjoy housing by allowing an accommodation or accommodations with respect to certain County regulations, policies, procedures, and standards if said accommodation or accommodations are both reasonable and necessary to provide such equal opportunity without compromising the County's commitment to protecting community character and environmental quality.

22.56.3010 Applicability.

The provisions of this Part 19 shall apply to all requirements of this Title 22 as well as all other regulations, policies, procedures, and standards, regulated by the Department of Regional Planning.

22.56.3020 Definitions.

As used in this Part 19, the following terms shall have the following meanings.

A. "The Acts" means the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act, as those Acts are amended from time to time.

B. "Individual with a disability" shall mean individuals with a mental or physical disability as those terms are defined in California Government Code section 12926 (i), (k), and (l), as that section may be amended, and the regulations promulgated thereunder, or individuals with a handicap as that term is defined in 42 U.S.C. section 3602 of the federal Fair Housing Amendments Act of 1988, as that section may be amended, and the regulations promulgated thereunder.

C. "Reasonable accommodation" means a waiver or modification to regulations, policies, procedures, and standards that is both reasonable and necessary for a person with a disability to have an equal opportunity to use and enjoy a residential use. Examples of reasonable accommodation include, if reasonable and necessary, allowing a wheelchair ramp in a required setback, allowing an increase in building height to permit an elevator installation, or allowing an applicant additional time to submit material.

D. "Residential use" means any dwelling as defined by 42 U.S.C. 3602, subsection (b), as that section may be amended from time to time.

22.56.3030 Application – Filing.

A. Any individual with a disability, someone acting on his or her behalf, or a provider or developer of housing for individuals with disabilities, desiring to obtain a reasonable accommodation in accordance with this Part 19 shall file an application with the Director.

B. An application for a reasonable accommodation shall contain the following information:

1. Name and address of the applicant and of all persons owning any or all of the subject property;

2. Evidence that the applicant is one of the following:

a. The owner of the subject property; or

b. Has the written permission of the owner or owners to make such application.

3. Location of the subject property, including address (or vicinity) and Assessor's parcel number(s);

4. Legal description of the subject property;

5. Description of the current use of the property;

6. The specific requirements of Title 22 or other regulations, policies, procedures, and/or standards that are requested to be waived or modified;

7. A statement setting forth the basis for, and necessity of, the request, including verifiable documentation of disability status; and

8. A list, certified to be correct by affidavit or by a statement under penalty of perjury pursuant to section 2015.5 of the California Code of Civil Procedure, of the names and addresses of all persons who are shown on the latest available assessment roll of the County of Los Angeles as owners of the subject parcel of land, owners of all property abutting the exterior boundaries of the subject property, and owners of the closest inhabited property to the subject property in each direction if the abutting property in such direction is uninhabited.

C. The Director may request additional information as he deems reasonably necessary where such request is consistent with the Acts and the privacy rights of the individual with a disability.

22.56.3040 Required findings and role of Director.

A. Where a request for a reasonable accommodation is sought in connection with a residential use for which no concurrent application for entitlement under Title 21 or Title 22 is required, the Director shall grant the request based upon the following findings, which he shall make in writing:

1. The requested accommodation is intended to be used by an individual with a disability who resides or will reside on the property;

2. The requested accommodation is necessary to afford an individual with a disability equal opportunity to use and enjoy a residential use;

3. The requested accommodation will not impose an undue financial or administrative burden on the County; and

4. The requested accommodation will not require a fundamental alteration in the nature of the land use and zoning programs of the County.

B. The Director shall deny a request for a reasonable accommodation where the findings set forth in subsection A, above cannot be substantiated, and shall make written findings to that effect.

C. Any reasonable accommodation approval shall include the requirement that such accommodation be removed when it is no longer necessary for the original purpose granted unless in the reasonable discretion of the Director it is so physically integrated into the property or the improvements thereon that the cost or effort to remove it would create an unreasonable hardship.

22.56.3050 Hearing officer or commission review where concurrent.

When a request for reasonable accommodation is filed in conjunction with an application for a permit, variance, or any other discretionary land use entitlement as provided by Title 21 and/or Title 22, the Hearing Officer or Commission shall grant or deny a request for a reasonable accommodation concurrently with the decision rendered for such permit, variance, or other discretionary land use entitlement, and shall make findings addressing the criteria set forth in Section 22.56.3040.

22.56.3060 Notice of decision.

A. The Director, Hearing Officer, or Commission, as applicable, shall notify the applicant by mail of the action taken on an application for reasonable accommodation; said notice shall include the required findings.

1. Notices of decision on applications considered by the Director pursuant to Section 22.56.3040 shall be issued within 30 days of the date of the application, or within an extended period as mutually agreed upon, in writing, by the applicant and the Director. In addition to the applicant, a copy of the notice of decision by the Director shall be provided by mail to the property owner, owners of all property abutting the exterior boundaries of the subject property in each direction, and owners of the closest inhabited property to the subject property if the abutting property in such direction is uninhabited;

2. Notices of decision on applications considered by a Hearing Officer or the Commission in conjunction with another land use entitlement application pursuant to Section 22.56.3050 shall be provided along with the decision for such other entitlement in accordance with the requirements for such other entitlement. In addition to any other persons required to receive notice of an action on the related entitlement application, a copy of the notice of decision shall also be provided by mail to the property owner, owners of all property abutting the subject property, and owners of the closest inhabited property to the subject property in each direction if the abutting property in such direction is uninhabited.

B. The notice of decision shall include notice of the right to appeal, as set forth in Section 22.56.3100.

22.56.3070 Effective date.

The Director's determination on a request for reasonable accommodation becomes effective on the 30th calendar day following the Director's mailing of the notice

of decision. The decision by a Hearing Officer or Commission made in conjunction with another land use entitlement(s) application becomes final on the latest date such related entitlement(s) becomes effective.

22.56.3080 Expiration of reasonable accommodation.

A. A reasonable accommodation which is not used within the time specified in the notice of decision or, if no time is specified, within two years after the date of grant of the reasonable accommodation, shall expire and be of no further effect, except that:

1. In cases in which the Director granted the original reasonable accommodation, the Director may extend the time to use it for a period not to exceed one year, provided an application requesting such extension is filed prior to its expiration date; and

2. In the case of a reasonable accommodation granted concurrently and in conjunction with another land use entitlement, the Hearing Officer or Commission may extend the time to use it to correspond with any extensions granted for the use of such related entitlements.

B. A reasonable accommodation shall be considered used within the intent of this section when construction, development, or use authorized by such reasonable accommodation, that would otherwise have been prohibited in the absence of an accommodation being granted, has commenced.

C. A reasonable accommodation shall automatically cease to be of any further force and effect if the use for which such accommodation was granted has

ceased or has been suspended for a consecutive period of two or more years and may be required to be physically removed in accordance with Section 22.56.3040.C.

22.56.3090 Recorded agreement.

A. The Director, Hearing Officer, or Commission may require the applicant to record, at the office of the County Recorder, an agreement that the reasonable accommodation granted will be maintained in accordance with the terms of the reasonable accommodation and this Part 19 as a covenant running with the land for the benefit of the County in those instances described in subsection B. The recorded agreement shall also provide that any violation thereof shall be subject to the enforcement procedures of Part 6 of Chapter 22.60.

B. The Director, Hearing Officer, or Commission may require the recorded agreement described in subsection A, if:

1. The accommodation is physically integrated on the property and cannot feasibly be removed or altered, and the structure would otherwise be subject to Part 10 of 22.56; or

2. The accommodation is temporary and required to be discontinued if no longer maintained in compliance with this Part.

C. The Director, Hearing Officer, or Commission may authorize termination of the agreement to maintain the reasonable accommodation described in subsection A after making written findings that the lot or parcel of land is in compliance with all applicable land use and zoning regulations.

D. The property owner is required to record the termination or release of any agreement provided by this Section.

22.56.3100 Appeals.

A. An appeal regarding a decision to grant or deny a reasonable accommodation shall be made in writing, pursuant to the procedures and the time limits established in Part 5 of Chapter 22.60.

B. All decisions on an appeal shall address and be based upon the same findings required by Section 22.56.3040.

C. Decisions on an appeal of a decision made by the Director shall be effective on the date of decision and no further administrative appeals may be heard.

D. Decisions on an appeal of a decision made by a Hearing Officer or the Commission made in conjunction with other land use entitlements as set forth in Section 22.56.3050 shall be effective on the same date as is provided for an appeal of the related land use entitlement and any further rights of appeal will be the same as is provided for an appeal of the related land use entitlement.

22.56.3110 Waiver of fees.

An applicant requesting a reasonable accommodation shall not be required to pay the County Environmental Assessment fee if the project that is the subject of said request qualifies for either a categorical exemption or statutory exemption under the California Environmental Quality Act.

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