

August 30, 2022

TO: Staff

FROM: Amy J. Bodek, AICP  
Director of Regional Planning



## **SUBDIVISION AND ZONING ORDINANCE INTERPRETATION NO. 2022-02 MINOR MAP AMENDMENT**

### **PURPOSE**

This memorandum provides guidance for applying Los Angeles County Code Title 21 procedures for proposed minor changes to an approved tentative map or phasing plan that fall below the threshold for an Amendment Map. This procedure, the Minor Map Amendment (MMA), addresses minor changes to an approved tentative map or phasing prior to final map recordation. These include small changes to phasing, lot lines, and grading, prior to final map recordation, that do not increase the environmental impacts of the project.

### **BACKGROUND**

Currently, there is no established administrative procedure for the County's review of minor changes to tentative maps or phasing plans after tentative map approval. As projects are further refined after tentative map approval and prior to final map recordation, minor changes to the approved tentative maps or phasing plans are often required. While a substantial conformance review is codified to address minor map amendments within a Specific Plan area through a Substantial Conformance Review, and minor amendments to Exhibit "A"s associated with a Conditional Use Permit (CUP) through a Revised Exhibit "A" (REA), there is no corresponding process to make minor changes to approved tentative maps or phasing plans. Currently, the process for very minor changes to approved tentative maps or phasing plans can be costly and time consuming. Many such minor changes do not alter, and may even decrease, a project's environmental impacts. There is a need for subdividers to efficiently make minor changes to approved tentative maps or phasing plans. By establishing an MMA process, the County can apply an appropriate review procedure that ensures the changes are minor in nature and no increase in environmental impacts will occur.

## **Current Processes in Place**

### **1. Amended Exhibit Map (AEM) Process**

#### ***Los Angeles County Code (County Code) Section 21.16.015 et seq.***

Under County Code Section 21.16.015 et seq., Exhibit Maps are reviewed by the County Subdivision Committee, which consists of LA County Planning and County Departments of Public Works, Fire, Parks and Recreation, and Public Health. The County Code also allows approved Exhibit Maps to be amended administratively by LA County Planning, with concurrence from Public Works and Fire.

### **2. Phasing Plans**

A phasing plan is provided for projects that want to record their tentative map in phases. For such projects, a phasing plan is included as part of the tentative map, and the Subdivision Committee will review the phasing plan as part of the tentative map. This review confirms, but is not limited to, that:

- The proposed amenities, including parks and trails, are recorded when appropriate and as early in the process as possible,
- The number of units is consistent with the tentative map,
- Each phase meets certain access requirements, and
- Each phase's percentage of the total proposed open space is at least proportional to the percentage of the units included in the phase.

The phasing plan is a part of the tentative map approved by the decision-making body. Currently, there is no codified process to update phasing plans after tentative map approval. By practice, LA County Planning staff has used the AEM process when a subdivider requests to modify a phasing plan, which includes circulating the updated phasing plan for Subdivision Committee review.

### **3. Revised Exhibit "A" (REA) Process**

#### ***County Code Chapter 22.184***

CUPs are approved with an Exhibit "A." Chapter 22.184 allows staff to administratively approve minor changes to an approved Exhibit "A" through the REA process.

## **POLICY**

Minor changes to an approved tentative map or phasing plan that fall below the threshold for an Amendment Map, may file an MMA, which is an administrative process most similar to the AEM.

## **CRITERIA**

The Director of LA County Planning (Director) has the sole discretion to determine whether an MMA is the appropriate process for proposed tentative map or phasing plan changes prior to final map recordation. If not appropriate, an Amendment Map or Revised Map would be required, as applicable.

An MMA may be applied for minor changes that may include, but are not limited to:

- Moving lots from one phase to another with no increase in overall density, so long as project amenities and open space are not moved from an earlier phase to a later phase;
- Minor shifting of lot lines that do not increase the number of developable lots and do not increase the project's development footprint;
- Minor pad elevation (generally a difference of three feet or less);
- Minor changes in project grading amount (generally a difference of 10 percent or less) that do not result in a significant environmental impact as long as the total grading (cut plus fill, including excavation and recompaction) for the project does not result in additional requirements, such as a grading CUP;
- Revising private roadways such that they are shown as separate lots or including them within lots; and
- Shifting a lot line, boundary of a planning area, or boundary of a phase to either include or exclude a driveway or roadway where access is not negatively impacted by this shift.

To qualify for an MMA, any proposed changes to an approved tentative map and/or phasing plan may not increase the environmental impacts of a project. Consistent with the project's California Environmental Quality Act (CEQA) determination, only changes that reduce, or do not affect, a project's environmental impact would be eligible. Therefore, to qualify for an MMA the project **MAY NOT**:

1. Create or intensify substantial negative impacts to the surrounding area,
2. Create or intensify substantial negative environmental impacts,
3. Change the approved use or significantly change the project design,
4. Create a detrimental change upon which the environmental determination for the project was made, or
5. Change a project feature upon which the review authority made findings for approval of the project.

### **PROCEDURE**

To initiate an MMA, the subdivider shall submit to LA County Planning:

- A project description, and
- Documentation from a CEQA consultant substantiating the five qualifying statements above.

After review, LA County Planning may accept an MMA application. The fee for the MMA shall be a minimum initial deposit of \$1,000.00, to be submitted to LA County Planning, from which actual planning costs shall be billed and deducted, and any supplemental deposits, as required by Subsection H.6 of County Code Section 21.16.015 (Building Location and Access Restrictions – Exhibit Map).

The MMA review shall follow the AEM process. At the Director's discretion, the MMA would be circulated to Public Works and Fire for review and consideration. These Departments may review the MMA or state that no review is required.

If approved, LA County Planning would stamp the MMA as approved and prepare an approval letter. The tentative map expiration date will not change, and the subdivider is

responsible for applying for any time extensions, as applicable. The CEQA information provided at the beginning of the MMA process will serve as environmental documentation for the MMA.

### **APPLICABILITY**

This memorandum applies to all new and existing applications under review as of the date of this memorandum and will be rescinded once provisions are added to the County Code.

AJB:DD:ST:JH:ML

Attachment:

1. Minor Map Amendment Checklist Public

**INFORMATION:**

An online **DRP – Base Application - Subdivisions** must be completed via EPIC-LA (<https://epicla.lacounty.gov>) Incomplete applications will not be accepted. Please refer to “[How to Apply Online](#)” on our applications page (<http://planning.lacounty.gov/apps>).

Applicants are advised to consult with planning staff prior to applying at **213-974-6411** or [subdivisions@planning.lacounty.gov](mailto:subdivisions@planning.lacounty.gov).

- Complete the checklist below.
- Once submitted the assigned Planner will contact you directly.

**Please provide the following:**

1. [Owner Acknowledgment Form](#).
2. Proposed Map. Refer to the [Subdivisions Application Checklist](#) for map requirements.
3. Copy of the Approved Map.
4. A memo from a CEQA Consultant substantiating how the following does not increase the environmental impacts of a project:
  - Substantial negative impacts to the surrounding neighborhood,
  - Substantial negative environmental impacts,
  - A change to the approved use or a significant change to project design,
  - A detrimental change to the basis on which the environmental determination for the project was made, or
  - A change to the basis upon which the review authority made the findings for approval of the project.
5. Detailed narrative of the proposed changes. Refer to the Interpretation Memo for more information.