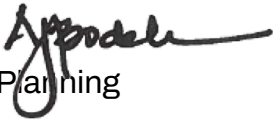


April 25, 2023

TO: Staff

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

**SUBDIVISION AND ZONING ORDINANCE INTERPRETATION NO. 2023-06:
INTERDEPARTMENTAL SUBDIVISION TEAM MEETINGS EXCLUDED FROM THE
BROWN ACT**

PURPOSE

The purpose of this memo is to confirm that Subdivision Committee meetings pursuant to Los Angeles County (County) Code Chapter 21.12 (Subdivision Committee) ceased to meet after February 24, 2022. Applicants may now discuss their project and their subdivision committee report with key County Department representative in an internal, optional meeting. The Interdepartmental Subdivision Team (IST) has been created to facilitate this meeting. This change ensures that LA County's decision-making bodies (i.e., Hearing Officer, Regional Planning Commission, and Board of Supervisors) are not overly constrained by recent changes in state law when considering subdivision projects.

BACKGROUND

Effective January 1, 2020, the Housing Crisis Act (SB 330) set forth a limit to the number of hearings that may be conducted when a proposed housing project complies with the applicable, objective General Plan and zoning standards. The established limit is five (5) hearings, with 'hearing' defined broadly to include meetings of the County's Significant Ecological Areas Technical Advisory Committee, Environmental Review Board, and Subdivision Committee.

The Subdivision Committee was established pursuant to Chapter 21.12 of the County Code, in 1945. The Subdivision Committee acts in an advisory capacity and includes representatives from County Departments of Public Works, Fire, Parks and Recreation, and Public Health as well as LA County Planning. Subdivision Committee would meet regularly to consider tentative and exhibit maps, was open to the public, and provided a written report with its recommendations to the advisory agency.

Given the number of meetings often required to review a subdivision application, it is infeasible to have Subdivision Committee meetings and still allow, in compliance with SB 330, LA County's decision-making bodies the flexibility to hold public hearings as necessary.

APPLICABILITY

This interpretation applies to all pending subdivisions.

INTERPRETATION

This Interpretation is intended to an interim solution as SB 330 has a sunset date of January 1, 2030, and may require the revision of County Code Chapter 21.12 (Subdivision Committee) in the long term. Specifically, this Interpretation suspends Sections 21.12.020 (Time of meetings) and 21.12.030 (Meetings open to the public) of the County Code. These code sections will also be updated to reflect these changes.

IST meetings are not advisory meetings open to the public. They are optional meetings for the applicant and not subject to the Brown Act; therefore, they do not meet the definition of a hearing pursuant to SB 330. IST meetings may include, but are not limited to, LA County's core development-review Departments: LA County Planning, Public Works, Fire, Parks and Recreation, and Public Health. The County Departments attending each IST meeting will depend on the needs of each project and applicant.

Section 21.12.040 of the County Code requires County staff to review subdivision applications and provide a written report. These reports are shared with the applicant as well as posted on the LA County Planning website and available to the public. The purpose of the IST is to discuss regulatory conflicts, if any, and meet with the applicant as needed to go over any questions.

This new internal review process ensures that the County's decision-making bodies can hold meetings to review and act on projects, can continue cases when necessary, and provides for the possibility of an appeal(s) while continuing to ensure that Subdivision Committee reports are available to the public through website posting.

IMPLEMENTATION / STANDARDS

The last Subdivision Committee meeting that was open to the public and subject to the Brown Act was held on February 24, 2022. Meetings held on or prior to this date were still open to the public, subject to the Brown Act, and should be noted accordingly on final hearing staff report findings as counting towards the five-meeting limit pursuant to SB 330.

Optional IST meetings held after February 24, 2022, are no longer open to the public, nor subject to the Brown Act, and shall not count towards the five-meeting limit pursuant to SB 330. These meetings should not be noted in the staff report findings. When requested, IST meetings are held virtually on Thursday mornings approximately five weeks after each submittal. Subdivision Committee reports after optional IST meetings, however; are still posted online within 30 days after the submittal of a proposed Subdivision Tentative Map. The reports are also available via [EPIC-LA](#) and on the [LA County Planning website](#).

AJB:DD:SMT:JSH:lm

c: County Counsel
Fire
Parks and Recreation
Public Health
Public Works
Subdivisions Staff