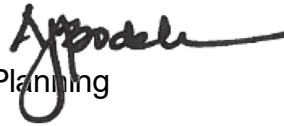


May 30, 2024

TO: Staff

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



**SUBDIVISION AND ZONING ORDINANCE INTERPRETATION NO. 2024-02
VOLUNTARY DRIVEWAYS AND PARKING IN SETBACKS AND BUILDING
SEPARATION AREAS**

BACKGROUND

AB 2097 eliminated parking requirements for most projects that are located within a one-half mile radius from a major transit stop or a high-quality transit corridor. New County ordinances and State laws related to housing, such as SB 35, SB 9, and those associated with Accessory Dwelling Units (ADU) and Density Bonus Projects, also exempt some projects from parking requirements or allow more permissive parking requirements, with the end goal to increase housing supply near transit. Additionally, the County's Transit Oriented District (TOD) Specific Plans in East Los Angeles, Florence-Firestone, West Athens-Westmont, West Carson, and Willowbrook, allow for reduced parking requirements to increase development near public transit stops.

However, applicants may want to provide *voluntary* parking spaces onsite even if they are not required. Some applicants are building additional units pursuant to the ADU Ordinance or SB 9 on properties with existing units that are wide enough or deep enough to accommodate more parking spaces. These applicants are requesting that we consider allowing voluntary uncovered parking spaces in the required side, corner side, and rear yard setback areas or in the required building separation areas. In some cases, applicants are requesting that we allow additional curb cuts and driveways that do not lead to covered parking spaces but instead lead to voluntary uncovered parking spaces. Allowing additional curb cuts on some properties removes on-street parking spaces, which some residents may use as their permanent parking. However, allowing additional curb cuts on some properties may also prevent multiple vehicles from permanently parking on the street, as they will park in voluntary uncovered parking spaces on privately-owned properties instead.

PURPOSE

This interpretation allows voluntary uncovered parking spaces in the required side, corner side, and rear yard setback areas and in the required building separation areas, and allows new curb cuts and driveways that do not lead to covered parking spaces but instead lead to

voluntary uncovered parking spaces, until such time that this interpretation is superseded by a subsequent interpretation or is incorporated into County Code Title 22 (Planning and Zoning).

APPLICABILITY

This interpretation applies to all properties in the County's unincorporated communities that are eligible for AB 2097, SB 35, SB 9, the ADU Ordinance, or any other County or State laws that remove or modify parking requirements to encourage housing supply.

ANALYSIS

County Code Section [22.14.250](#) defines yard as “an open space on the same lot, other than a court, unoccupied and unobstructed from the ground upward, except as otherwise permitted by this [Title 22](#).” Therefore, some Staff might interpret a vehicle as an obstruction while others may only interpret an inoperable vehicle as an obstruction. However, some TOD Specific Plans already allow parking in the required interior side and rear yard setbacks (e.g., East Los Angeles and West Carson).

County Code Section [22.112.040.C.1.b](#) states that many driveways no longer lead to a carport or a garage because garages and carports have been converted to ADUs. We allow uncovered parking spaces in those driveways; therefore, some staff might interpret that uncovered covered parking may also be allowed in other areas of the property that do not lead to a carport or garage.

County Code Section [22.112.040.C.1.a](#) states that “A person shall not keep, store, park, maintain, or otherwise permit any vehicle or any component thereof in the front yard, corner side yard, or any additional area of a lot situated between the road and any building or structure located thereon, except that the parking of passenger vehicles, including pickup trucks, other than a motor home or travel trailer....” Some Staff may interpret this section to allow uncovered parking spaces in the required interior side and rear yards, as those yard areas are not included as prohibited areas.

INTERPRETATION

Only inoperable vehicles are considered an obstruction in a required yard area in the context of County Code Section 22.14.250.

Staff can allow voluntary uncovered parking spaces in the required interior side, corner side yard, and rear side yard setback areas and in the required building separation areas. These parking spaces may be compact-sized spaces.

Voluntary uncovered parking spaces in the required interior side, corner side yard, and rear side yard setback areas and in the required building separation areas must comply with

the development standards related to minimum depth and width dimensions and maneuvering aisles in County Code Section 22.112.080 (Parking Design).

All projects that propose voluntary uncovered parking spaces in the required interior side, corner side yard, and rear side yard setback areas and/or in the required building separation areas, and all projects that propose new curb cuts and driveways that do not lead to covered parking spaces but instead lead to voluntary uncovered parking spaces, must comply with applicable required minimum open space and landscaping requirements.

PUBLIC WORKS REQUIREMENTS

Not all properties can qualify for a new curb cut so all projects that request a new curb cut will be routed to the Department of Public Works for conceptual approval. Below are some basic guidelines for applicants and Staff from County Code Title 16 (County Highways):

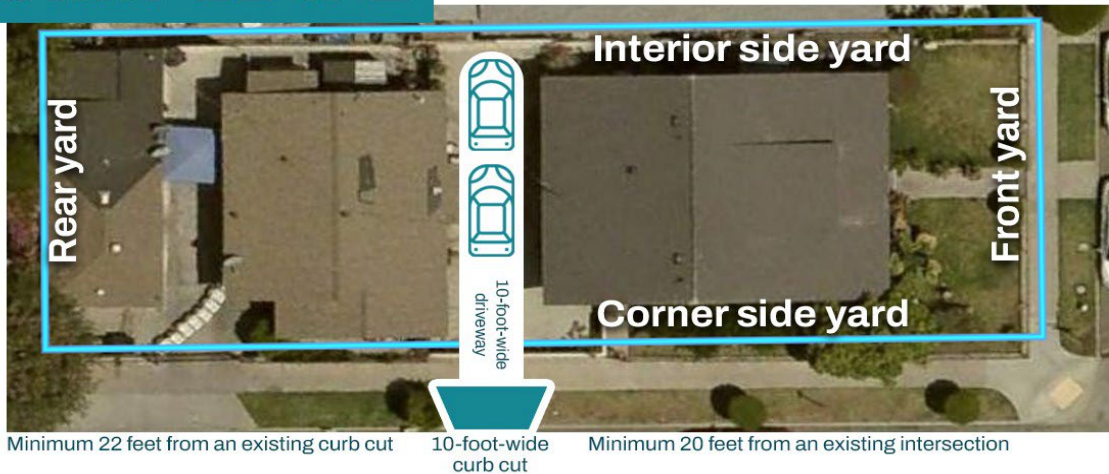
- The minimum required distance between a new curb cut and an existing intersection is 20 feet.
- The minimum required distance between a new curb cut and an existing curb cut on an adjoining property is one (1) foot.
- The minimum distance requirement between a new curb cut and an existing curb cut on the same property is 22 feet.
- A maximum of 40% of a property width can consist of a curb cut. For example, if the property is 50 feet wide, the maximum allowed curb cut will be 20 feet wide.

EXAMPLE #1



Second curb cut proposed to provide uncovered parking in the interior side yard setback.

EXAMPLE #2



Second curb cut proposed to provide uncovered parking between the existing buildings.

AJB:DJD:MG:CS:lm

- c: Star Coleman, Assistant County Counsel
- Art Vander Vis, Deputy Director
- Juan Madrigal, Assistant Deputy Director