

Modifications Ordinance FAQ

The County of Los Angeles (County) is in the process of updating Title 22, Planning and Zoning (Zoning Code), of the County Code, to update and streamline permits and procedures for modifying development and performance standards. The Modifications Ordinance will allow for an updated, streamlined, and user-friendly set of regulations for modifying development and performance standards for unincorporated communities in the County.

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FREQUENTLY ASKED QUESTIONS

1 What is the Modifications Ordinance Project?

The Modifications Ordinance updates the County's Zoning Code (Title 22) to create new pathways, and streamlines existing procedures, to clarify how applicants can request changes to development and performance standards for their development projects.

2 Why is this update needed?

Over decades, incremental amendments to Title 22 created unclear processes and reliance on permits that were not intended to modify development or performance standards. The Modifications Ordinance creates a consistent, streamlined framework that is easier for staff and applicants to use.

3 What are modification requests?

Modification requests are applications to adjust development or performance standards, such as yard setbacks, parking, design requirements, or hours of operation, when site conditions or unique circumstances make the strict application of standards impractical. Importantly, the Modifications Ordinance does not include any changes to density or other land use-related requests, which must be addressed through a "use" permit such as Housing Permits, Conditional Use Permits (CUPs) and Minor CUPs.

4 What are changes to the review procedures for modifications to development or performance standards?

The following illustrates the three review procedures (i.e. the two new Modification pathways and the existing Variance) that will be the review procedures for modification requests and the existing permits that will no longer be used to modify development and performance standards.

EXISTING V. PROPOSED How is the process for modifying development and performance standards changing?

EXISTING PERMITS AND REVIEW PROCEDURES

- Yard Modifications
- Revised Exhibit "A" (e.g. approved site plans)
- Other standards not specified by an application such as reductions or deviations to parking design, roadway dedications, tree planting, materials substitutions)

- Community Standards District (CSD) Modification
- Conditional Use Permit (CUP)
- Minor CUP
- Minor Parking Deviation
- Specific Plan Conformance Review

- CUP
- CUP Conditions of Approval
- Parking Permits

MODIFICATION REVIEW PROCEDURE

Ministerial
Modification Review
NEW REVIEW PROCESS - TYPE I

Modification Permit
NEW PERMIT - TYPE II

Variance
EXISTING PERMIT - TYPE III

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5 What is the role of the Zoning Administrator?
A new Zoning Administrator role will be established to review discretionary modification applications (Modification and Variance Permits), improving consistency and efficiency in decision making.

6 How does this affect existing use permits (CUPs and Minor CUPs)?
Some requests currently processed through use permits will shift to the new Modification or existing Variance Permit types, ensuring that use-related permits are used only for true land use decisions, not development or performance standard adjustments. However, modification applications can be filed and reviewed concurrently with a use permit for the same development.

7 Are there changes to public noticing?
Yes. The radius for public hearing notices will increase from 500 feet to 1,000 feet for discretionary actions requiring a public hearing.

8 Will all modification requests require a public hearing?
No. Public hearings may be waived for certain Modification Permit requests, such as minor adjustments to setbacks, driveways, fences/walls up to eight feet, and parking reductions up to 30 percent. Noticing requirements for a waived hearing are still required, and the public will retain the ability to comment and request a public hearing. Changes to the review procedures for modification requests would not change any existing modification action from a discretionary action (hearing required) to a ministerial action (no hearing).



KEY TERMS

MINISTERIAL

A decision made by applying fixed standards with little or no personal judgment. If a project meets the established criteria, the approval is automatic.

DISCRETIONARY

A decision made by a review authority, such as a Zoning Administrator, Hearing Officer, or Regional Planning Commission, using judgment to approve, deny, or condition a project.

DEVELOPMENT STANDARDS

Requirements that shape the physical aspects of development, including but are not limited to building height, lot coverage, lot size, yard setbacks, parking and site design.

PERFORMANCE STANDARDS

Requirements intended to limit impacts on surrounding properties (e.g., noise, vibration, lighting, hours of operation).

ZONING ADMINISTRATOR

A new review authority established to evaluate discretionary modification requests (e.g. Modification Permits).

TYPE REVIEW (I-IV)

A hierarchy established by the County's 2019 Technical Update that identifies different levels of review based on project complexity and required authority, using a common set of procedures, summarizes below.

- **Type I** – Ministerial Review (Director Review)
- **Type II** – Discretionary Review (Zoning Administrator or Hearing Officer)
- **Type III** - Discretionary Review (Hearing Officer or Regional Planning Commission)
- **Type IV** – Legislative/Discretionary Review (Regional Planning Commission and Board of Supervisors)



For more information visit the project website at <https://tinyurl.com/PlanModOrd> or scan the QR Code.