

ORDINANCE NO. _____

An ordinance amending Sections 12.03, 12.09 A.3 and 12.22 C.27 of Chapter 1 of the Los Angeles Municipal Code to require greater front and rear yard setbacks, restrict small lot subdivisions from R2 zones, create a division-of-land process for existing structures and bungalow court projects, and establish an administrative clearance process for small lot subdivision projects that conform to the City's design standards for such projects.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 12.03 of the Los Angeles Municipal Code is amended by adding the following definition, in alphabetical order, to read as follows:

BUNGALOW COURT. A group of three or more single, duplex, or triplex dwelling structures oriented around a shared outdoor space on a single parcel.

Sec. 2. Subdivision 3 of Subsection A of Section 12.09 of the Los Angeles Municipal Code is amended to read as follows:

3. Apartment houses, boarding or rooming houses, or multiple dwellings on lots having a side lot line adjoining a lot in a commercial or industrial zone, provided that:

(a) The use, including the accessory buildings and uses and required yards, does not extend more than 65 feet from the boundary of the less restrictive zone which it adjoins; and

(b) The lot area per dwelling unit or guest room regulations of the RD1.5 zone shall apply to these uses.

Sec. 3. Subdivision 27 of Subsection C of Section 12.22 of the Los Angeles Municipal Code is amended in its entirety to read as follows:

27. **Small Lot Subdivision.** The purpose of this provision is to create alternative fee-simple home ownership within the multi-family and commercial zones. A small lot subdivision shall be permitted in the RD, R3, R4, R5, RAS and the P and C zones pursuant to an approved tract or parcel map. A subdivision for the purposes of small lots enables the construction of new small lot homes and provides opportunities for the preservation of existing residential dwelling units located on a single lot to be rehabilitated as for-sale dwellings on individual small lots.

(a) **Construction of New Small Lots.** Notwithstanding any provisions of this Code relating to minimum lot area, in the RD, R3, R4,

R5, RAS and the P and C zones, parcels of land may be subdivided into lots which may contain one, two or three dwelling units, provided that the density of the subdivision complies with the minimum lot area per dwelling unit requirement established for each zone, or, in the case of a P zone, the density of the subdivision shall comply with the minimum lot area per dwelling unit of the least restrictive abutting commercial or multi-family residential zone(s).

(1) A parcel map or tract map, pursuant to Section 17.00 et seq. of this Code, shall be required for the creation of a small lot subdivision. The parcel map or vesting tentative tract map must comply with the Advisory Agency Small Lot Map Standards; and

(2) For small lot subdivision projects, no demolition, grading, building permit or certificate of occupancy shall be issued unless the Director of Planning has reviewed the application and determined that the small lot subdivision project complies with the City Planning Commission's Small Lot Design Standards. The Director of Planning's sign-off as to compliance with the Commission's Small Lot Design Standards is a ministerial administrative clearance.

(i) The Director is authorized to designate one or more members of the professional staff of the Department of City Planning to perform any of the Director's duties in this section. The Director shall establish an administrative process, guidelines, procedures, requirements, and forms as may be necessary to conduct the review of the administrative clearance to determine conformance with the Small Lot Design Standards.

(ii) The application for this administrative clearance shall be filed concurrent with the tract or parcel map application.

(iii) As a condition of approval, all small lot subdivisions shall be required to conform to the plans approved by the Director of Planning.

(3) The minimum lot width shall be 18 feet and the minimum lot area shall be 600 square feet. The Advisory Agency shall designate the location of front yards in the subdivision tract or parcel map approval.

(4) Access shall be provided to a lot containing a dwelling unit and to its required parking spaces, pursuant to Section 12.21

A.4(a) by way of a public or private street, an alley, or an access easement.

(5) The lot area coverage by all structures shall not exceed 75% of an approved small lot, unless the tract or parcel map provides an open space easement equivalent to 25% of the lot area of each lot not meeting this provision.

(6) No front, side, or rear yard shall be required between interior lot lines created within an approved small lot subdivision.

(7) The provisions of the front yard of the underlying zone shall apply to the Front Lot Line of the perimeter of the subdivision.

(8) The following shall apply to the perimeter of the subdivision:

(i) For any subdivision that shares a property line with an R1 or more restrictive single family zone, the provisions of the front yard, side yard and rear yard of the underlying zone shall apply. A minimum 5-foot side yard shall be required.

(ii) For any subdivision that does not share a property line with an R1 or more restrictive single family zone, the following shall apply:

a. A minimum 5-foot yard shall be required along the Side Lot Line of the perimeter of the subdivision; and

b. A minimum 10-foot yard shall be required along the Rear Lot Line of the perimeter of the subdivision, except that where the Rear Lot Line abuts an alley a minimum 5-foot rear yard shall be required along the perimeter of the subdivision.

(9) No passageway pursuant to Section 12.21 C.2. of this Code shall be required.

(10) In a P zone, lots may be developed as a small lot subdivision, provided that the General Plan land use designation of the lot is "commercial" or "multiple family residential."

(11) A dwelling unit in a small lot subdivision shall not be required to comply with Paragraphs (a), (b) and (f) of Section 12.21 A.17 of this Code.

(12) Fences and walls within the yard setback areas adjacent to a public right-of-way, except alleys, and along the perimeter of the proposed subdivision shall be no more than 3 1/2 feet in height in accordance with Section 12.22 C.20 of this Code. Fences and walls within the yard setback areas along the perimeter, not adjacent to the public right-of-way, of the proposed subdivision shall be no more than 6 feet in height in accordance with Section 12.22 C.20 of this Code.

(13) Lots created within a small lot subdivision are exempt from the "frontage" requirement as defined in the definition of "Lot" pursuant to Section 12.03.

(b) Bungalow Court Small Lots or Existing Dwellings on a Small Lot. Existing bungalow courts or detached single, duplex or triplex dwelling structures oriented around a shared outdoor space and/or pedestrian paths with a Certificate of Occupancy in a proposed subdivision may be subdivided into small lots and shall comply with Subparagraphs (1), (2), (4) and (9) through (13) of this subdivision.

(1) Notwithstanding any provisions of this Code relating to minimum lot area to the contrary, in the RD, R3, R4, R5, RAS and the P and C zones, parcels of land may be subdivided into lots which may contain one, two or three dwelling units, provided that the density of the subdivision complies with the minimum lot area per dwelling unit requirement established for each zone, or in the case of a P zone, the density of the subdivision shall comply with the minimum lot area per dwelling unit of the least restrictive abutting commercial or multi-family residential zone(s). Bungalow courts and existing structures that are nonconforming as to use, density, yards, or parking may be subdivided provided that the subdivision does not further increase the density nor reduce the yards, and that existing required parking be maintained, respectively.

(2) A nonconforming building, structure, or improvements may be maintained or repaired or structurally altered provided it conforms to Section 12.23 A of this Code. However, alterations to existing structures shall also be in conformance with the "Bungalow Court and Existing Structure" Small Lot Design Standards adopted by the City Planning Commission.

(3) All existing dwellings shall provide parking as required on each dwelling's most recently issued permit. No additional parking is required.

(4) All new dwellings added to the small lot subdivisions of existing dwelling units shall be subject to Subparagraphs (1) through (13) of Paragraph (a) of this subdivision, including current setback requirements, parking, and applicable Small Lot Design Standards.

(c) **Exceptions.** The provisions of this section do not apply to any of the following projects, which shall comply with the regulations in effect prior to the effective date of this ordinance, as applicable:

(1) Any small lot subdivision entitlement application filed and accepted and deemed complete prior to the effective date of this ordinance as determined by the Department of City Planning.

(2) Any project for which the City has approved a small lot subdivision discretionary land use entitlement as of the effective date of this ordinance, but that has not yet submitted plans and appropriate fees to the Department of Building and Safety for plan check, as determined by the Department of City Planning.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
ADRIENNE KHORASANEE
Deputy City Attorney

Date December 8, 2017

Pursuant to Charter Section 559, I **disapprove** this ordinance on behalf of the City Planning Commission and recommend that it not be adopted

December 7, 2017


Vincent P. Bertoni, AICP
Director of Planning

File No. 16-1045

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I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than two-thirds** of all its members.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____