



NOTICE OF PUBLIC HEARING

Citywide Proposed Zoning Code Amendment

**CASE: CPC-2013-2450-CA
ENV-2013-2451-CE**

**Small Lot Subdivision Process Change
Council District: All**

This notice is to inform you of a public hearing for case number CPC-2013-2450-CA, a proposed zoning code amendment that has been initiated by the Director of Planning. All interested persons are invited to attend the public hearing at which you may listen, speak, or submit written information relating to the environmental determination and the proposed project.

PLACE: Los Angeles City Hall, Room 1035, 10th Floor
200 N. Spring St, Los Angeles, CA 90012

**THE LAST DAY TO SUBMIT
COMMENTS WILL BE:
THURSDAY,
OCTOBER 15, 2013**

TIME: Tuesday, September 17, 2013 at 10am

STAFF: Deborah Kahen, AICP: deborah.kahen@lacity.org, 213-978-1202

PROPOSED PROJECT: A proposed ordinance amending Section 17.06 of the Los Angeles Municipal Code to allow building permits for small lot subdivisions to be obtained prior to the recordation of the final map when a covenant and agreement is filed.

PURPOSE: The purpose of the hearing is to obtain testimony from affected and/or interested persons regarding this project. The hearing will be conducted by a Hearing Officer who will consider all the testimony presented at that time and any written communication received prior to or at the hearing from affected and/or interested persons regarding this proposed code amendment, as well as the merits of the draft ordinance as it relates to existing environmental and land use regulations. The environmental document will be among the matters considered at the hearing. After the hearing, Code Studies staff will finalize a report, including a recommendation that will be considered by the City Planning Commission at a later date.

EXHAUSTION OF ADMINISTRATIVE REMEDIES: If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on these matters delivered to the Department before the action on this matter. Any written correspondence delivered to the Department before the action on this matter will become a part of the administrative record. Note: This may not be the last hearing on this matter.

ADVICE TO PUBLIC: The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda.

WRITTEN COMMUNICATION: Written communications should cite the Case Number indicated at the top of this notice and may be mailed to the attention of the staff contact identified above at the Los Angeles Department of City Planning, Code Studies Section, City Hall - Room 763, 200 North Spring Street, Los Angeles CA 90012.

REVIEW OF THE FILE: The complete file including application and an environmental assessment is available for public review at the Department of City Planning, City Hall - Room 763, 200 North Spring Street, Los Angeles CA 90012 between the hours of 8:00 AM to 5:00 PM, Monday through Friday. Please call the staff contact indicated at the top of this notice several days in advance to assure its availability. Case files will not be available for inspection on the day of the hearing.

ACCOMMODATIONS: As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. *Como entidad cubierta bajo el Título II del Acto de los Americanos con Desabilidades, la Ciudad de Los Angeles no discrimina. La facilidad donde la junta se llevará a cabo y su estacionamiento son accesibles para sillas de ruedas. Traductores de Lengua de Muestra, dispositivos de oído, u otras ayudas auxiliares se pueden hacer disponibles si usted las pide en avance.*

Other services, such as translation between English and other languages, may also be provided upon request. *Otros servicios, como traducción de Inglés a otros idiomas, también pueden hacerse disponibles si usted los pide en avance.*

To ensure availability of services, please make your request no later than three working days (72 hours) prior to the hearing by calling the staff person referenced in this notice. *Para asegurar la disponibilidad de éstos servicios, por favor haga su petición al mínimo de tres días (72 horas) antes de la reunión, llamando a la persona del personal mencionada en este aviso.*



Q&A: Small Lot Subdivision Procedural Change Zoning Code Amendment

Q: What are small lot subdivisions?

A: Prior to the adoption of small lot subdivision (small lot) provisions in 2007, multi-family housing was most commonly built as apartment and condominium buildings. The new small lot regulations introduced a new model: fee-simple single family homes on smaller individual lots. They are most often infill development designed as row houses or multi-story homes with small yards. Small lots must respect the zone regulations. These projects create more opportunity for single family home ownership and the ability to live an increasingly popular urban lifestyle.

Q: Why change the provisions?

A: The proposed ordinance addresses a procedural issue occurring during the approval of a small lot project. After the Departments of City Planning and Building and Safety approve plans, applicants must wait lengthy periods of time (often over a year) for the final map to record and to subsequently obtain building permits. This procedural amendment allows construction to begin prior to final map recordation.

Q: Why can't applicants wait for the map to record?

A: Since the lots are not officially subdivided until the map is recorded, the structures will not comply with the Zoning Code at time of plan approval. Thus, applicants with approved plans that satisfy the Zoning Code must still either file a variance to obtain building permits or wait for the final map to record, which may take over a year. Applying for a variance or waiting for the final map introduce uncertainty for the neighborhood and applicant, as project form may change due to the new economic variable of increased processing time or a changing market. Waiting lengthy periods of time also defeats the original intent of the small lot provisions: encouraging a new model of housing by-right.

Q: Do applicants still have to record the map?

A: To protect public interest, applicants must file a covenant and agreement stating that a final or temporary Certificate of Occupancy shall not be issued until after the final map has been recorded. A Certificate of Occupancy is required to occupy or use a building.

Q: How can I provide input?

A: There will be a formal Public Hearing held on September 17, 2013 at 10am in Room 1035 of City Hall (see the attached Hearing Notice for more information). Testimony from interested individuals will be taken at that time. Questions and comments are welcomed anytime by Deborah Kahen. She can be reached at deborah.kahen@lacity.org or (213) 978-1202.

APPENDIX A

ORDINANCE NO. _____

A proposed ordinance amending Section 17.06 of the Los Angeles Municipal Code to allow building permits for small lot subdivisions to be obtained prior to the recordation of the final map when a covenant and agreement is filed.

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

Section 1. Paragraph (f) of Subdivision 2 of Subsection A of Section 17.06 of the Los Angeles Municipal Code is added to read:

(f) _____ Small lot subdivision applicants who have received a vesting tentative tract map approval or preliminary parcel map approval may obtain a building permit prior to the recordation of the final map when a recorded covenant and agreement is filed. This covenant shall state, effectively, that the applicant and his or her successors and assignees agree that the building permits are issued on the condition that a Certificate of Occupancy (temporary or final) for the buildings shall not be issued until after the final map has been recorded. The Department of Building and Safety may issue permits based upon the lots, setbacks, and other provisions the Advisory Agency approves in the tentative or preliminary map and its conditions of approval. The dedication, improvement, and sewer requirements identified in the tentative or preliminary map approval or its conditions of approval must be provided at the time of building permit issuance. Tentative or preliminary map approvals with conditions of approval that require a map revision, a street or alley merger or vacation, or off-site common access are not eligible.

Sec. 2. The City Clerk shall certify...