

**CITY OF LOS ANGELES**  
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: October 9, 2024

TO: Los Angeles City Planning Staff;  
Subdivision Committee;  
Interested Parties

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**SUBJECT: Implementation of Senate Bill 684 (2023) - Streamlined Subdivision Review for Housing Development Projects with 10 or Fewer Units**

Senate Bill (SB) 684 took effect on July 1, 2024. The legislation requires a ministerial approval process for a parcel map or a tentative and final map for a subdivision resulting in 10 or fewer parcels and corresponding housing development projects of 10 or fewer units, excluding Accessory Dwelling Units (ADUs) or Junior Accessory Dwelling Units (JADUs). Eligible projects that meet specified requirements would not be subject to discretionary review or a public hearing and must be approved or denied within 60 days from the date a completed application is received. The bill adds Sections 65852.28, 65913.4.5, and 66499.41 to the California Government Code.

This memorandum describes the state law and its implementation by Los Angeles City Planning (LACP) and other city departments involved in the subdivision process. The first section summarizes eligibility criteria, while the second details the objective standards that can and cannot be applied to qualified projects. The final section describes the application process for submitting an SB 684 project.

Please note that the memo summarizes the provisions of SB 684 for reference and discussion only and does not include many applicable planning and building regulations that will also apply to SB 684 projects. In addition, other departments or agencies may have other requirements or procedures not described herein.

## I. SB 684 Property Eligibility Criteria

Government Code Section (GCS) 66499.41 details the eligibility criteria for streamlined processing allowed by SB 684. Those provisions are summarized in this section. Please review the SB 684 Eligibility Criteria Checklist in ZIMAS (<https://zimas.lacity.org>) to verify site eligibility.<sup>1</sup> The checklist can be found under the “Planning and Zoning” tab.

First, the proposed subdivision must result in 10 or fewer parcels and the housing development project on the lot proposed to be subdivided must contain 10 or fewer residential units, not inclusive of ADUs or JADUs. Please see Question #3 in the Q & A Section for more information on ADUs/JADUs in SB 684 projects. The lot proposed to be subdivided must also be less than 5 acres, zoned for multifamily residential development, and substantially surrounded by qualified urban uses. Lots that were established pursuant to this law or an SB 9 (2021) Urban Lot Split are ineligible. Finally, newly created lots pursuant to SB 684 must be at least 600 square feet.

Housing units on the lot proposed to be subdivided must be either constructed on fee simple ownership lots, part of a common interest development (ex. condos), part of a housing cooperative as defined in Section 817 of the Civil Code, or owned by a community land trust as defined in the law. Additionally, the average total area of floorspace for the proposed housing units on the lot proposed to be subdivided cannot exceed 1,750 net habitable square feet. Please see Question #8 in the Q & A section below for more information about how this would be calculated. The limit on average total floorspace will be applied during the development phase of the overall subdivision and will not preclude additions or renovations to individual structures after a Certificate of Occupancy has been issued.

### Housing Element Sites

Pursuant to GCS 66499.41(a)(5), if a site is identified in the City’s 2021-2029 Housing Element, the development must result in at least as many units as projected for that parcel. This would apply to the following site categories identified in Chapter 4 of the 2021-2029 Housing Element: Inventory of Adequate Sites (Appendix 4.1), Public Development Pipeline Projects (Appendix 4.2), and Private Development Pipeline Projects (Appendix 4.3). Any Housing Element Site projected to host more than 10 units is ineligible for streamlining under SB 684. Additionally, if a parcel listed in any of these appendices was identified to accommodate any portion of the City’s Regional Housing Needs Assessment (RHNA) for low or very low income households, the development must result in at least as many low or very low income units projected for that parcel. Please see Question #4 in the Q & A Section for more information on how to identify if a site is listed in the Housing Element as well as unit projections or affordable housing requirements.

If the parcel is **not** identified in Chapter 4 of the 2021-2029 Housing Element, the development must result in at least as many units as the maximum allowable residential density permitted by the zoning.

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## Demolition Protections

GCS 66499.41(a)(8) includes provisions that aim to prevent the displacement of lower-income tenants. First, a SB 684 housing development project on the lot proposed to be subdivided shall not require the demolition or alteration of any of the following types of housing:

- 1) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low, very low, or extremely low income;
- 2) Housing that is subject to the Rent Stabilization Ordinance (RSO); or
- 3) Housing that has been occupied by a tenant in the last five years prior to the application, including vacant sites.

In addition, the development may not be located on parcels on which an Ellis Act withdrawal of units has occurred within 15 years of the application. Please also note that demolition or any structural alteration permits issued since January 2023 may be reviewed to ensure an SB 684 project is not the result of a prohibited demolition or alteration of the types of housing listed above.

Finally, all housing replacement requirements and review procedures from the Housing Crisis Act of 2019 (HCA) will still apply to any SB 684 project that would result in the demolition of one or more residential units. These requirements will remain in effect until the HCA expires on January 1, 2030, absent an extension of the law or the enactment of a City ordinance to codify these provisions.

## Environmental Criteria

SB 684 includes several provisions that either prohibit or restrict eligibility for sites located in environmentally sensitive areas. First, a lot proposed to be subdivided pursuant to SB 684 may **not** be located on a site that is any of the following:

- 1) Prime farmland or farmland of statewide importance;
- 2) Wetlands;
- 3) Very high fire hazard severity zone;
- 4) Land identified for conservation in an adopted natural community conservation plan;
- 5) Habitat for protected species; or
- 6) Lands under a conservation easement.

Next, the following type of sites may only utilize SB 684 streamlining if the applicable conditions or standards have been met:

- 1) Hazardous waste sites;
- 2) Regulatory floodways;
- 3) Special flood hazard areas; and
- 4) Earthquake fault zones.

Please see GCS 66499.41(a)(9) for more information about these site limitations as well as any specific conditions or standards that would need to be met to verify eligibility.

## II. **Application of Objective Standards for SB 684**

GCS 65852.28 details the objective standards that will apply to subdivisions and housing development projects eligible for SB 684. This section also says local governments *may apply* objective zoning, subdivision, or design standards related to the design and improvement of a parcel as long as they do not conflict with the provisions described below. However, GCS 66499.41(d) *requires* housing development projects constructed on lots subdivided pursuant to SB 684 to comply with all applicable objective zoning, subdivision, and design standards that are not inconsistent with the provisions of SB 684.

Additionally, tentative tract and preliminary parcel map applications utilizing SB 684 are **not** subject to the standard findings for approval from the Subdivision Map Act (GCS 66474). However, all subdivisions allowed pursuant to SB 684 must conform to all applicable objective requirements of the Subdivision Map Act.

The provisions discussed below summarize the relevant provisions of SB 684 and local objective standards for reference and discussion and do not include every potential planning and/or building regulation that would apply to projects submitted pursuant to SB 684.

### **Local Objective Standards That *Cannot* be Applied**

First, the City may not impose any standard that physically precludes the development of a project built at the density specified in GCS 65583.2(c)(3)(B) for jurisdictions in a metropolitan county - which is 30 units per acre. This translates to 1,452 square feet of lot area per dwelling unit. The City may also not impose any requirement that applies solely because the project is subject to SB 684.

#### *Rear/Side Lot Line Setbacks*

Any side or rear setback imposed from the original property line of the pre-subdivided lot must align with GCS 65852.21(b)(2)(B). This prohibits cities from imposing setbacks from the original rear or side lot lines beyond four feet as well as any setbacks for existing structures or a structure constructed in the same location with the same dimensions as an existing structure.

#### *Building Separation / Passageways*

No zoning setbacks or other building separation requirements between units may be enforced. This includes any passageways that would normally be required by Los Angeles Municipal Code (LAMC) Section 12.21 C.2. However, any building separation requirements from the California Building Code would still apply.

#### *Parking*

No automobile parking requirements may be applied that exceed what is permitted by SB 9 in GCS 65852.21(c)(1). This section precludes cities from requiring more than one automobile parking space per unit. However, no onsite parking spaces can be required if the site is within one block of a car share

vehicle<sup>2</sup> or is within one-half mile walking distance from a high quality transit corridor<sup>3</sup> or a major transit stop<sup>4</sup>. In addition, no requirements that onsite parking be covered or enclosed may be enforced.

#### *Minimum Lot Width*

GCS 66499.41(b)(1) prohibits the City from enforcing any minimum size, width, or depth requirements for lots created pursuant to SB 684. However, all newly created parcels must have a minimum area of 600 square feet.

### **Local Objective Standards That *Will* be Applied**

#### *Height & Floor Area Ratio (FAR)*

LAMC requirements for building height and FAR from the site's underlying zone will apply to all SB 684 projects. The law does set a minimum FAR that can be imposed (at least 1.0 for 3-7 unit projects & 1.25 for 8-10 unit projects - excluding ADUs/JADUs) but most city zones currently eligible for SB 684 streamlining allow at least a 1.5 FAR.

### **Local Objective Standards That *May* be Applied**

#### *Small Lot Design Standards*

The City's Small Lot Design Standards ([CP-6975](#)) are objective standards that would still apply to all SB 684 projects that opt into the City's Small Lot Subdivision (SLS) Ordinance and its provisions. Compliance with these standards has been conducted through an administrative review, consistent with SB 684's ministerial processing requirement.

However, the following Small Lot Design Standard would be superseded by SB 684 for projects between seven and ten units (excluding ADUs/JADUs) or with more than 180 feet of continuous wall space:

Standard A.7(a) *Building Mass Variation* limits clusters of small lot homes to no more than six dwellings in a single continuous row or 180 linear feet (whichever is smaller) and requires a minimum building gap of six feet between each cluster. GCS 65852.28 (b)(2)(c) forbids any building separation requirement between units beyond what is mandated by the California Building Code. As such, this standard could not be enforced on eligible housing development projects between seven and ten units or with more than 180 feet of continuous wall space.

Any other standards listed in the Small Lot Design Standards that would conflict with the provisions of SB 684, including but not limited to Standard A.7(a), cannot be imposed.

#### *Dedications of Rights-Of-Way and Off-site Improvements.*

SB 684 allows local governments to require dedications of rights-of-way or the construction of off-site improvements for the parcels being created as a condition of approval for Parcel or Tract Maps. A security (bond payment) may be required to ensure the faithful performance of such requirements but the cost shall not exceed 300 percent the estimated costs of the improvements or of the acts to be performed. More information concerning this process can be found in GCS 65913.4.5(a)(3).

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<sup>2</sup> Please see Question #10 in the Q & A Section for more information.

<sup>3</sup> As defined in Public Resources Code Section 21155 (b).

<sup>4</sup> As defined in Public Resources Code Section 21064.3.

However, a right-of-way dedication cannot preclude the development of a project built to a density of at least 30 units per acre (1,452 square feet per unit). For example, a 5,000 square-foot lot in the RD2 Zone could be subdivided into three smaller lots pursuant to SB 684 (5,000 / 1,452). A right-of-way dedication cannot prevent the creation of at least three small lots that otherwise meet the requirements of SB 684.

#### *Access*

The definition of a “Lot” in LAMC Section 12.03 requires all parcels in the City to have a minimum 20-foot access-strip fronting a public or private street. SB 684 does not include any provisions that explicitly prohibit the imposition of lot access requirements for newly subdivided lots. However, a lot access requirement that would physically preclude the development of a project built to a density of at least 30 units per acre (1,452 square feet per unit) cannot be imposed. The Deputy Advisory Agency has the discretion to waive or modify this and other requirements on a project by project basis.

Projects eligible for the City’s Small Lot Subdivision Ordinance are not subject to this lot access requirement. Instead, LAMC Section 12.22 C.27(a)(4) allows the provision of required lot access along an alley or a common access easement noted on the recorded map.

#### *Front Lot Line Setback*

SB 684 does not include any provisions limiting setbacks from the front lot line of a pre-subdivided lot. As such, the Deputy Advisory Agency would have the discretion to require a front lot line setback consistent with the City’s Small Lot Subdivision Ordinance or not require any setback at all. This front lot line setback requirement can be found in LAMC Section 12.22 C.27(a)(7).

However, a front lot line setback that would physically preclude the development of a project built to a density of at least 30 units per acre (1,452 square feet per unit) cannot be imposed. In the example lot cited above, a front lot line setback would have to allow the creation of at least three small lots that otherwise meet the requirements of SB 684.

### **III. Application Process for Submitting an SB 684 Project**

Effective July 1, 2024, a development proponent may submit an application pursuant to SB 684 for a ministerial review of a parcel map or a tentative and final map for the subdivision of 10 or fewer parcels and corresponding housing development projects of 10 or fewer units (excluding ADUs/JADUs). SB 684 projects will be administratively reviewed for compliance with applicable objective criteria and will not be subject to a public hearing. Additionally, the California Environmental Quality Act (CEQA) will not apply and project determinations may not be appealed. However, public hearings will be required for projects located in the California Coastal Zone (please see Question #7 in the Q & A Section for more information).

An application for a parcel/tentative map for a housing development project or a housing development project submitted pursuant to SB 684 must be approved or denied within **60 days** from the date the local government receives a completed application. If the local government does not approve or deny a completed application within 60 days, the application shall be deemed approved.

Regulations for Parcel and Tract Maps are located in Article 7 of the Zoning Code, including general provisions, filing instructions, and procedures for preliminary and final map approvals and modifications

(see LAMC 17.50-17.58). Additionally, the City's Small Lot Subdivision Ordinance can be found in LAMC Section 12.22 C.27 along with the Small Lot Design Standards Administrative Review (CP-6975) on the City Planning website's forms page (see [here](#)).

A development proponent submitting a Small Lot Subdivision project eligible for SB 684 may choose to opt into the SLS Ordinance and be subject to all applicable provisions and review processes that are not explicitly preempted by SB 684. These include provisions allowing lot access to be provided via an alley or access easement and the issuance of building permits before the final map has been recorded. Development proponents that do not opt into or are ineligible for the SLS Ordinance will not be subject to its provisions and review processes.

For detailed application instructions, please refer to the Preliminary Parcel Map Filing Instructions & Checklist (CP13-1801) for projects creating up to four new lots/units or the Tentative Tract Map Filing Instructions & Checklist (CP-6110) for projects creating five to ten new lots/units (excluding ADUs/JADUs) on the forms page (see [here](#)). Please note that a Geologic and Soils Engineering Report is required in Hillside, Seismic or Liquefaction Areas (see [here](#)).

An appointment can be scheduled to submit an application at the public counter (see [here](#)). Once an application is filed, the project is assigned a case number and routed to the appropriate staff members to review.

## **Fees**

The City Planning application fee will depend on whether the project requires a Preliminary Parcel map (up to four units) or a Tract Map (five - ten units). Applicants are also advised to pay any fees required by other departments, such as the Bureau of Engineering, in a timely manner to allow for the required reviews to take place. Applications submitted pursuant to SB 684 will not be deemed complete until all required fees from other Advisory Agency departments are paid.

SB 684 dwelling units will also be assessed any applicable development impact fees such as the LAUSD Developer Fee, Park Fee, and the Affordable Housing Linkage Fee. Park Fees will be calculated by the Department of Recreation and Parks after an applicant submits the [Park Fee Calculation Application](#) and depends on the type of development (Subdivision or Non-Subdivision) and the number of new dwelling units approved (more information [here](#)). The Affordable Housing Linkage Fee is calculated based on the "market area" of the City the project is located in and whether it is a single-family or multiple-unit development (see [here](#)).

Projects requiring permit clearances or other procedures will be assessed additional fees, in addition to typical plan check, final map processing, and permit fees.

## **Early Start Building Permits**

GCS 65913.4.5(a)(1) requires the City to issue building permits for SB 684 projects if the applicant has received "...tentative map approval or parcel map approval for the subdivision." and "...submitted a building permit application that the local agency deemed complete pursuant to subdivision (b) of Section 65913.3."

Additionally, GCS 65913.4.5(a)(2) states that the City “...may condition the issuance of a building permit on the applicant submitting proof to the satisfaction of the local agency of a recorded covenant and agreement...that states that the applicant...agree[s] that the building permit is issued on the condition that a certificate of occupancy or equivalent final approval for the building will not be issued unless the final map has been recorded.” There is nearly identical language in LAMC Section 17.06(A)(2)(d) that allows for the issuance of “early start” building permits for Small Lot Subdivisions with the same condition regarding final map recordation.

As such, the City will apply the policy outlined in GCS 65913.4.5(a)(2) to all eligible projects allowed under SB 684.

### **SB 684 Projects within Overlays**

Pursuant to GCS 65852.28(c)(1), all housing development projects eligible for SB 684 shall be subject to a ministerial review process. As such, any normally required discretionary review process for a housing development project located in an overlay is prohibited if the housing development project is eligible for SB 684. However, all eligible housing development projects are still subject to any applicable objective zoning, subdivision, or design standards from the overlay unless the standard is explicitly precluded by the law. Compliance with an overlay’s applicable objective standards would be verified through an Administrative Review process, as set forth by the provisions of Section 13B.3.1 of LAMC Chapter 1A.

## **Frequently Asked Questions (FAQ) Related to Implementation of SB 684**

### Q.1 What does ministerial approval mean?

- A. A ministerial approval process is non-discretionary and administrative in nature and shall be based on objective standards only (see below). For purposes of SB 684, a ministerial project is not subject to discretionary review, a public hearing, CEQA, or the right to appeal (see GCS 65852.28(c)(1) and § 66499.41(a).

### Q.2 What are objective standards?

- A. “Objective zoning standards”, “objective subdivision standards”, and “objective design review standards” are standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal (see GCS 66300(a)(7). Examples include numeric and fixed standards such as heights or setbacks, or design standards such as specific dimensions or materials. Subjective standards require judgment and can be reasonably interpreted in multiple ways.

### Q.3 Will ADUs or JADUs be allowed in SB 684 projects? Are there any restrictions?

- A. GCS 66499.41(g) permits local jurisdictions discretion in how and whether to permit ADUs or JADUs on parcels created pursuant to SB 684. The City of Los Angeles will allow these projects to include ADUs and/or JADUs subject to the restrictions noted below.



*SB 684 ADU & JADU Regulations: Small Lot Developments:*

The following restrictions will apply to townhome-style or small lot subdivision housing development projects approved pursuant to SB 684:

- One attached ADU or JADU will be allowed on each parcel created pursuant to SB 684.
- Unless specifically noted above, all other provisions of the City's ADU Ordinance and/or State ADU law will apply.

*SB 684 ADU & JADU Regulations: Common Interest Developments (Condos):*

The following will apply to common interest or condo development projects approved pursuant to SB 684:

- Attached or detached ADUs, JADUs, or Moveable Tiny Homes, consistent with the City's ADU Ordinance or State ADU regulations for multi-family structures, will be allowed in common interest developments approved pursuant to SB 684.

Q.4 What are the requirements for sites listed in the 2021-2029 Housing Element? If a site is listed, where can I find the number of projected units or lower/moderate income unit requirements?

- A. As previously noted, GCS 66499.41(a)(5) requires that all SB 684 projects located on Housing Element Sites must result in at least as many units as projected for that site in the 2021-2029 Housing Element. Additionally, projects located on Housing Element Sites identified to accommodate any portion of the City's RHNA for lower or moderate income households must result in at least as many lower or moderate income units assigned to the parcel. The following paragraphs detail where unit projections and any lower or moderate income requirements can be found for each Housing Element site category.

*Inventory of Adequate Sites (Appendix 4.1 of the 2021-2029 Housing Element)*

The full list of sites in Appendix 4.1 can be found on the City Planning website (<https://planning.lacity.gov/plans-policies/housing-element>). However, these sites are also noted in ZIMAS, the City's web-based mapping application (<https://zimas.lacity.org>), along with Zoning Information File *ZI-2512 Housing Element Inventory of Sites*. The unit projection for the subject parcel can be found in the ZIMAS "Housing" tab next to "SB 166 Units". If the projected units are listed as a fractional number, then the minimum number of units for that site would be rounded up to the next whole number. For example, if the projected unit total for a site is .45, then the development would need to result in at least one unit. ADUs may be utilized to comply with this requirement. For example, a small lot project on a site projected to contain 20 units may still utilize SB 684 by providing 10 dwelling units and 10 Attached ADUs.

*Private and Public Development Pipeline Projects (Appendix 4.3 and 4.2 of the 2021-2029 Housing Element)*

The full list of sites in Appendix 4.3 can also be found on the City Planning web page linked in the previous paragraph. To be listed in Appendix 4.3 a site must have a proposed housing development project with City Planning entitlements that are already approved or under review or

building permit applications that are approved or under review. If a housing development project on this list were revised and re-submitted pursuant to SB 684, the project would need to result in at least the number of units listed in the “Total Capacity” column for that parcel. The same rules would also apply to any eligible Public Development Pipeline Projects listed in Appendix 4.2 of the 2021-2029 Housing Element. As with Appendix 4.1, any parcel that is projected to host more than 10 units is ineligible for streamlining under SB 684.

Additionally, if a parcel in Appendices 4.1, 4.2, or 4.3 was identified to accommodate any portion of the City’s Regional Housing Needs Assessment (RHNA) for lower or moderate income households, the development must result in at least as many lower or moderate income units assigned to the parcel. This information is noted in the ZIMAS “Housing” tab for sites listed in Appendix 4.1. In Appendix 4.3, this information can be found in the “Lower Income Capacity” or “Moderate Income Capacity” columns. “Lower Income” allocations may be satisfied by providing the requisite number of units at either the “Low,” “Very Low” or Extremely Low income level, or combination thereof. If these unit allocations are listed as fractional numbers, then the minimum number of units would be rounded up to the next whole number. These units shall be subject to a recorded affordability restriction of at least 45 years or more if required by another law. RHNA allocations for “above moderate income” units are not subject to any affordability restrictions and can be treated as market-rate units.

Q.5 How do the provisions of SB 684 compare to the City’s Small Lot Subdivision (SLS) Ordinance?

A. SB 684 requires that eligible housing development projects comply with all applicable objective zoning, subdivision, and design standards established by the city unless these standards are preempted by the legislation. Please see below for a list of the specific SLS Ordinance provisions that are preempted by SB 684:

- **Site Eligibility**

Gov Code Section 66499.41 (a)(2)(A): *“The lot is zoned for multifamily residential development”*

LAMC 12.22 C.27 (a): *“...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...”*

LAMC 12.22 C.27(a)(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”.*

Key Takeaways:

R2 zoned parcels will now be eligible for small lot subdivisions pursuant to SB 684 in addition to all zones where these projects are currently permitted. However, SB 684 projects located on R2 zoned parcels will not be able to opt into the SLS Ordinance and its provisions.

- **Allowable Density**

Gov Code Section 65852.28 (b)(2)(A): *“...a local agency shall not impose on a housing development on a lot...subdivided pursuant to [SB 684] an objective zoning standard, objective subdivision standard, or objective design standard that...Physically precluded the development of*

*a project built to densities as specified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2 [30 units per acre]*”

LAMC 12.22 C.27(a): *“Notwithstanding any provisions of this Code relating to minimum lot area...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...”*

Key Takeaways:

SB 684 preempts SLS Ordinance density limitations for eligible sites located in the RD (1.5 - 6), and RMP Zones. As previously noted, 30 units per acre translates to 1,452 square feet per dwelling unit.

- **Setbacks from the Side, Rear, & Front Lot Lines**

Gov Code Section 65852.28 (b)(2)(E): *“A local agency shall not impose side and rear setbacks from the original lot line inconsistent with those allowed under Gov Code Section 65852.21 (SB 9).”*

GCS 65852.21 (b)(2)(B): *“...no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure...in all other circumstances not described above, a local agency may require a setback of up to four feet from the side and rear lot lines.”*

LAMC 12.22 C.27 (a)(8): *“The following shall apply to the perimeter of the subdivision:*

- *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 five-foot side yard shall be required.*
- *For any subdivision that does not share a property line with an R1 or more restrictive single family zone, the following shall apply:*
- *A minimum 5-foot yard shall be required along the Side Lot Line of the perimeter of the subdivision; and*
- *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...”*

Key Takeaways:

SB 684 preempts SLS Ordinance setback requirements from the rear and side lot lines. As previously mentioned, SB 684 is silent on setback requirements from the front lot line. Therefore, the SLS Ordinance provision tying this setback to the required front yard of the underlying zone would still be required unless this development standard conflicts with other SB 684 provisions.

- **Automobile Parking**

Gov Code Section 65852.28 (b)(2)(A): *“...a local agency shall not impose...parking requirements inconsistent with paragraph (1) of subdivision (c) of Section 65852.21 (SB 9).”*

GCS 65852.21 (c)(1): *“...a local agency may require...Off-street parking of up to one space per unit, except that a local agency shall not impose parking requirements in either of the following instances:*

- *The parcel is located within one-half mile walking distance of either a high-quality transit corridor...or a major transit stop...*
- *There is a car share vehicle located within one block of the parcel.”*

LAMC 12.22 C.27 (a)(4): *“Access shall be provided to a lot containing a dwelling unit and its required parking spaces, pursuant to 12.21 A.4(a), by way of a public/private street, alley, or access easement.”*

LAMC 12.21 A.4(a): *“In all zones, there shall be at least two automobile parking spaces on the same lot with each one-family dwelling...However, for small lot subdivisions...the required parking spaces shall not be required to be located on the same lot with each dwelling unit...”*

Key Takeaway:

SB 684 preempts the SLS Ordinance automobile parking requirements.

- **Minimum Lot Area/Width**

Gov Code Section 66499.41(b)(1): *“A housing development project on a proposed site to be subdivided pursuant to this section is not required to comply with...A minimum requirement on the size, width, depth, or dimensions of an individual parcel created by the development beyond the minimum parcel size specified in, or established pursuant to, paragraph (3) of subdivision (a).”*

Gov Code Section 66499.41(a)(3)(A): *“...the newly created parcels are no smaller than 600 square feet.”*

LAMC 12.22 C.27 (a)(3): *“The minimum lot width shall be 18 feet and the minimum lot area shall be 600 square feet.”*

Key Takeaway:

SB 684 would prevent the City from imposing the SLS Ordinance’s minimum lot width requirement. However, all newly created parcels must be at least 600 square feet.

Q.6 Can the City disapprove a SB 684 project?

- A. Yes. Pursuant to GCS 65852.28, the City “...may disapprove a housing development project that meets the requirements of this section if it makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.”

A "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as

they existed on the date the application was deemed complete. The following shall not constitute a specific, adverse impact upon the public health or safety:

- Inconsistency with the zoning ordinance or general plan land use designation.
- The eligibility to claim a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code.

Q.7 How does SB 684 work in the Coastal Zone?

- A. SB 684 applies in the Coastal Zone but does not supersede or in any way alter or lessen the effect or application of the California Coastal Act (Section 30000 of the Public Resources Code) or the current Coastal Development Permit procedures outlined in Section 13B.9.1 of Chapter 1A of the LAMC. Public Hearings will continue to be required. Applicants will be required to file for a Coastal Development Permit for any project involving the demolition, conversion, or new construction of dwelling units as well as subdivisions of land.

Q.8 How is “net habitable square feet” calculated?

- A. This refers to the definition of Floor Area in LAMC Section 12.03, but does not include the definition of Residential Floor Area (RFA), nor does it include any non-conditioned spaces such as porches, patios or breezeways with solid or lattice roofs.

The Floor Area definition in LAMC Section 12.03 states: *The area in square feet confined within the exterior walls of a Building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing Building-operating equipment or machinery, parking areas with associated driveways and ramps, space dedicated to bicycle parking, space for the landing and storage of helicopters, Outdoor Dining Areas, and Basement storage areas.*

Q.9 How are demolitions and alterations defined?

- A. A demolition is the tearing down, razing or removal of a building or structure. The removal of more than 25% of the exterior structural walls is also considered a demolition. Physical alterations include any construction or renovation to an existing structure other than a repair or addition. Additions that involve a physical alteration to the unit are considered an alteration.

Q.10 How is car share defined for the purposes of parking waivers?

- A. Car share means a vehicle rental program designed for people to rent vehicles for short periods of time, such as a few hours, pay only for their usage, and access the car at any hour, not just during business hours. The vehicles may be commercially or personally owned. Commercial car share companies generally offer a fleet of vehicles which may be picked up and returned to a designated parking spot, or are picked up and returned to non-designated parking spots. Personal vehicle sharing (peer-to-peer car sharing) allows private car owners to make their vehicles available for rental. Some car share companies operating in Los Angeles include, but are not limited to: BlueLA, Zipcar, Ryde, Waive, Getaround, Transfr, PiTcarz, Maeve, Turo, Envoy, and Animo. For the purposes of determining the applicability of this parking exemption, pick-up and drop-off locations are provided by the ADU applicant and verified online.

Q.11 How will the City determine whether habitat for protected species exists on a parcel in order to determine compliance with GCS 66499.1 (a)(9)(I)?

- A. Properties located in Hillside Areas, Very High Fire Hazard Severity Zones or the Coastal Zone have been assessed based on the potential presence of biological resources to pre-screen parcels that may need further analysis to determine if habitat exists. Parcels flagged for further review in the SB 684 Eligibility Checklist on ZIMAS (under the Planning and Zoning tab) will require a completed Biologist's Statement of No Habitat (CP-3610) form to verify eligibility. However, SB 684 applications on sites that are not flagged for further review will still require a completed Owner's Declaration of No Habitat (CP-3608) form. In either instance, all building permits for SB 684 projects will require a City Planning Clearance to demonstrate compliance with this provision.

Q.12 Can existing Parcel or Tract Map applications utilize SB 684?

- A. Yes, as long as all relevant SB 684 project and site eligibility criteria are met. Applicants with eligible projects can work with their assigned project planner and/or the Development Services Center to modify their existing application and take advantage of SB 684 streamlining.

Q.13 Can a development proponent utilize SB 684 in conjunction with a Zone Change application if a site is not located within an eligible zone?

- A. Yes, a development proponent can combine a SB 684 application for a subdivision resulting in 10 or fewer parcels with a Zone Change application. However, SB 684 ministerial processing requirements do not apply to Zone Changes, which is a discretionary process subject to the provisions of Section 13B.1.4 of LAMC Chapter 1A. If the Zone Change application is approved, it would be effectuated following recordation of the final Parcel or Tract Map.

Q.14 Do SB 684 projects require the formation of a homeowner's association?

- A. The formation of a homeowners' association is not required under SB 684, except as required by the Davis-Stirling Common Interest Development Act.