

SMALL LOT SUBDIVISION



FREQUENTLY ASKED QUESTIONS – JULY 2018

The Small Lot Subdivision Code Amendment is a comprehensive update to the Small Lot Ordinance that: 1) modifies existing provisions of the Small Lot Ordinance to reduce previously established incentives for newly constructed small lot homes; 2) establishes a process to further facilitate fee-simple homeownership opportunities through the preservation of existing housing within the City; 3) establishes a set of map standards to be discretionarily administered to all small lot subdivision maps; and 4) establishes an administrative review process that permits an enforceable design review process of small lot homes.

The following is a list of Frequently Asked Questions related to the Small Lot Code Amendment and general Small Lot Subdivision process:

1. What is a Small Lot Subdivision?

Adopted in 2005, the Small Lot Subdivision Ordinance (“Ordinance”) introduced a new housing typology to the City, the small lot home. The small lot home was enabled by the Ordinance’s subdivision regulations that permitted fee-simple homeownership of homes located on conventionally smaller lots and in zones where apartment units would be permitted by-right. Such regulations included reduced minimum lot areas, setback and passageway requirements, and altogether removed of open space requirements.

As a result, the Small Lot Subdivision Ordinance enabled new infill housing development, presented as a hybrid between single- and multi-family housing, that has been a smart growth alternative to traditional suburban style single-family subdivisions. This housing typology has facilitated the construction of homes that look and function like townhomes, but where each unit is built independently on an individual “small lot,” combining the benefits of a single-family home and fee-simple homeownership with the conveniences of a townhouse lifestyle.



2. What changes to the Small Lot Subdivision process have resulted from the Small Lot Code Amendment?

The Amendment consists of:

- Modifying existing permitting regulations of the Small Lot Ordinance to reduce previous incentives for new construction;
- Establishing a process to convert existing apartment homes constructed more than 45 years ago to Small Lot Homes;

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- Recognizing a set of Small Lot Map Standards to be administered under the authority of the Advisory Agency; and
- Establishing an administrative review process that permits an enforceable design review of individual small lot homes.

3. What are the specific incentives that are being modified for new construction?

The following modifications apply to Small Lot Subdivisions that involve new construction:

- **Permitted Zones.** Small Lot Subdivisions are no longer permitted in the R2 Zone. Small Lot Subdivisions are permitted in the RD, R3, R4, R5 and RAS Zones.
- **Lot Width.** The minimum individual small lot width has been increased from 16 feet to 18 feet.
- **Lot Coverage.** The maximum permitted lot area coverage by all small lot structures has been reduced from 80% to 75%. Small Lot Subdivisions are still permitted to exceed this lot area coverage if an open space easement equivalent to 25% of the lot area of each lot not meeting this requirement is provided.
- **Yards.**
 - When sharing a property line with an R1 or more restrictive single-family zone, the provisions of the front, side and rear yard of the underlying zone shall apply to the perimeter of the subdivision. A minimum 5-foot side yard shall be required.
 - For all others:
 - **Front.** The provisions of the front yard of the underlying zone shall apply to the front lot line of the perimeter of a Small Lot Subdivision.
 - **Side.** A minimum 5-foot yard shall apply to the side lot lines of the perimeter of a Small Lot Subdivision.
 - **Rear.** A minimum 10-foot yard shall apply to the rear lot line of the perimeter of a Small Lot Subdivision. When the rear lot line abuts an alley, a minimum 5 feet shall be required.
- **Fences and walls.** Fences and walls surrounding the perimeter of subdivisions and located within the required yard setback areas adjacent to a public right-of-way shall be no more than 3 ½ feet in height. This does not apply to perimeter fences or walls located adjacent to an alley.

4. What are the Small Lot Map Standards?

The Small Lot Map Standards (“Map Standards”) have been released under the authority of the Director of Planning, acting in the capacity of the Advisory Agency. These Map Standards are to be applied in addition to the provisions of the Small Lot Ordinance (LAMC Section 12.22-C.27) and general requirements that fall under the Map Act and the authority of the Advisory Agency. Small Lot Map Standards regulate the following design components of a subdivision map:

- Common Access Driveways (easement)
- Common Access Walkways (easement)

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- Utility Easements
- Maintenance Agreements
- Automobile Guest Parking
- Short-Term Bicycle Parking
- Trash Pick-Up
- Common Open Space Easements

5. **Can a project deviate from the Small Lot Map Standards?**

Where applicable, the Small Lot Map standards establish minimum requirements that all projects are required to meet. Special circumstances may arise where a project may be required to increase the minimum requirement of a standard (i.e. common access driveway or walkway easement width) due to requirements of a different City department; however, deviations that decrease such Map Standards are not permitted.

6. **What are the Small Lot Design Standards?**

The Design Standards create specific and enforceable rules regarding design for all small lot homes, including building orientation, primary entryways, façade articulation, roofline variation, building modulation, pedestrian pathways, landscaping, and common open space areas. All small lot subdivisions must comply with the Design Standards through an Administrative Clearance process.

7. **What is the Administrative Clearance Process?**

The Administrative Clearance is a non-appealable review process that facilitates an enforceable design review of individual small lot homes.

8. **When is a project required to apply for the Administrative Clearance review?**

An application for the Administrative Clearance shall be filed concurrently with any small lot application request, including the subdivision of existing structures. In addition, any subsequent modifications to architectural plans found not to be in substantial compliance with the originally approved Exhibit A shall be required to file a new application for Administrative Clearance and pay all applicable fees concurrently with a building permit application for a small lot project (“Project”).

For purposes of the Administrative Clearance process, the term “Project” includes the erection or construction, reconstruction, rehabilitation, relocation, addition to, or exterior alteration of any building or structure, which require the issuance of a demolition permit, grading permit, or building permit. The term “Project” excludes work that consists solely of interior remodeling, interior rehabilitation or repair work that does not result in alterations to the façade or change in floor area.

9. **When is the Administrative Clearance review required to be completed?**

The Administrative Clearance review must be completed by project planning staff prior to scheduling a map for a public hearing. In cases where a hearing has been waived, the Administrative Clearance shall be completed prior to the issuance of the subdivision determination. As a condition of approval, all small lot subdivisions shall be required to conform to the plans approved during the Administrative Clearance process.

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10. Are the proposed design standards different from the existing Guidelines?

Released in 2014, the Design Guidelines were created to accompany the implementation of the Ordinance and provide examples of best practices in addressing the complexities of designing small lot developments. The Guidelines have been used to inform developers and staff and assist project design at the onset of the process. The adopted Small Lot Design Standards go a step further to create specific and enforceable rules addressing site planning, massing and other project features. As it is stated in the code, no demolition, grading, building permit or certificate of occupancy may be issued unless a project demonstrates that it complies with the Small Lot Design Standards.

11. Is pre-screening with the Urban Design Studio required prior to filing?

The Urban Design Studio was involved in a test implementation phase of the Design Standards from August 2016 until March 2018, however, now that the Ordinance Amendment and Design Standards have been adopted this is no longer a requirement.

12. Are Small Lot Projects located in a Specific Plan or other legislatively adopted overlay district also required to file an Administrative Clearance?

Yes. All new small lot subdivision application requests (Vesting Tentative Tract or Preliminary Parcel Map) shall be required to concurrently file a Small Lot Design Standards Administrative Clearance Application. Small Lot Design Standards establish minimum design requirements that are to be applied on a citywide basis.

13. Are applicants required to submit an applicable Geographic Project Planning Referral Form (CP-7812) in addition to the Small Lot Design Standards Administrative Clearance Application?

Yes.

14. Do Small Lot Subdivisions increase the permitted height of a property?

Small Lot projects are limited in height by a subject property's height district. A Small lot project may request to increase its permitted height; however, this requires an additional request.

15. Do Small Lot Subdivisions increase the permitted density of a property?

The density of a small lot subdivision is determined by a property's underlying zone. Oftentimes, due to their spatial challenges, this may result in fewer units than that permitted with condos and apartments. Density in a small lot subdivision may be increased in cases where the request accompanies a zone change or density bonus request.

16. Can a project seek relief from requirements of the Small Lot Subdivision ordinance in LAMC Section 12.22-C.27?

A project may only seek relief from such standards that defer back to standard Municipal Code requirements.

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17. Are Small Lot Homes permitted to contain Accessory Dwelling Units (ADUs)?

Yes. The Small Lot Ordinance does not prohibit the application of the Accessory Dwelling Unit provisions.

18. Do Small Lot Subdivisions require open space?

A subdivision that creates a community of small lots involving 20 or more new Small Lot Homes is required to provide open space at a ratio of 30 square feet of open space per unit. When considering the provision of common open space, requirements shall be triggered by the cumulative number of individual small lot homes within a project (existing dwellings and proposed dwellings) but shall only be calculated on the net new number of small lots homes.



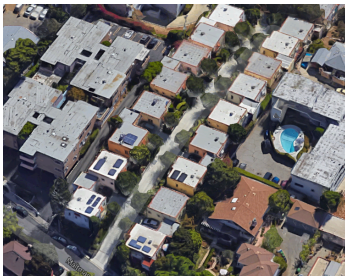
The Common Open Space Easement shall be designed in accordance with "Landscaping" provisions per the Small Lot Design Standards.

19. Do Small Lot Subdivisions require guest parking?

Guest parking requirements are triggered for all small lot subdivisions containing 8 or more dwelling units at a ratio of 0.25 space per dwelling unit. Guest parking shall be readily available to all guests and be accessible from a Common Access Driveway or Common Access Walkway. When considering guest parking, requirements shall be triggered by the cumulative number of individual small lot homes within a project (existing dwellings and proposed dwellings) but shall only be calculated on the net new number of small lots homes. Existing dwelling units that are preserved per the Small Lot Ordinance Amendment are exempt from this calculation. Where the total number of required spaces includes a fraction, the provision of Section 12.21 A.4.(k) of the Municipal Code shall govern.

20. How does the Amendment regulate existing Bungalow Courts and apartment homes to be converted into Small Lot homes?

The Code Amendment allows for the conversion of any legally constructed Group Dwellings, Bungalow Courts and detached single, duplex, or triplex structures maintained under a single ownership with an original building permit issued more than 45 years prior to the



date of submittal of the application to be subdivided into small lots. All existing



structures shall be legally constructed with an issued building permit or Certificate of Occupancy. Converted Small Lot Homes that are nonconforming in use, density, yards or parking may be subdivided provided that the subdivision does not further increase the density nor

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reduce the yards. Any new dwellings added to these subdivisions shall be subject to requirements related to lot width, lot area, parking, lot coverage, setbacks, fences, etc.

21. Are legal nonconforming apartment homes permitted to modify or add on to such structures during the subdivision process?

Modifications to legal nonconforming structures must conform to the requirements of LAMC Section 12.23-A (Buildings with Nonconforming Area, Height, or Yards).

22. What is a mixed-use Small Lot?

In addition to a typical residential small lot subdivision, the Ordinance also allows the creation of “mixed-use” small lots along the street that typically contain a ground floor commercial space with a standard small lot residential dwelling on upper floors.



23. When does the Code Amendment go into effect?

The Code Amendment (Ordinance No. 185,489) became effective on April 18, 2018.

24. Which projects will be subject to the Code Amendment?

Any small lot subdivision application that is filed, accepted and deemed complete after April 18, 2018 is subject to the regulations of the Code Amendment, including the Administrative Clearance process.

25. Where can I find a copy of the Small Lot Design Standards Administrative Clearance Application?

The future Small Lot Design Standards Administrative Clearance Application will be available on the Department of City Planning’s website (planning.lacity.org) under “Forms.” The Small Lot Map Standards, Design Standards, and the updated Code Amendment can be found under “Ordinances→Adopted Ordinances.”

Please direct your written comments or questions via email to:

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