

**LAND USE COMMITTEE  
OF THE CRESCENTA VALLEY TOWN COUNCIL**

**MINUTES  
December 2, 2021, 6:30 P.M.**

Topic: CVTC 12/2/21 LUC Meeting

Meeting Recording:

<https://us06web.zoom.us/rec/share/KsFhCPGa-p0QrIpmHd6c-Pg491oot8lXGdbg-BaaVMHAWib6s9waVLYJjvsOH3E.kjbuU9cDyrUDx5aB>

Access Passcode: Yd#7mE%P

Topic: CVTC LUC Meeting

Time: **December 2, 2021, 06:30 PM Pacific Time** (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/97589570194>

**Meeting ID: 975 8957 0194**

Meeting called to order 6:31 PM by Cheryl Davis

**OPENING BUSINESS**

1. Pledge of Allegiance
2. Roll Call: CD, IC, FB, SG (6:32 PM), KH (6:33 PM), CK, AO, JB Absent: NE
3. Approval of Agenda for November 4, 2021 - **Motion by AO, seconded by FB Approved 6:0:0**
4. Approval of Land Use Committee Minutes from October 7, 2021 **Motion by FB, seconded by JB Approved 6:0:0**
5. Public Comment – no comment provided on non-agenda items.

**INFORMATION ITEMS**

6. None

**PUBLIC HEARING & ACTION ITEMS**

7. SB 9 and SB 10 impacts in Los Angeles County and the unincorporated area of La Crescenta-Montrose, Tahirah Farris and Nathan Merrick, Los Angeles County Department of Regional Planning).

SB9 and SB10 take effect January 1, 2022 and are intended to help add needed new housing and ease California's housing shortage.

- A. SB 9, the California Housing Opportunity and More Efficiency (HOME) Act facilitates the process of homeowners to build a duplex or split their current residential lot, expanding housing options for people of all incomes that will create more opportunities for homeowners to add units on their existing properties. – *In other words; where there is **one** existing home, it could be possible to build **four**.*

Tahirah (Housing Policy Section) and Nathan (Coastal Development Section) from the Los Angeles County Department of Regional Planning provided information to how SB 9 would apply in the unincorporated area of La Crescenta-Montrose.

SB 9 will impact in Los Angeles County including the unincorporated area of La Crescenta-Montrose. SB10 is an optional bill that the Los Angeles County Department of Regional Planning is not interested in using. SB 9 applies to urbanized areas and urban clusters. SB9 will provide ministerial review and not require a hearing on new housing developments. The legislation applies to parcels in single family residential areas.

Duplex – allows for ministerial approval of certain housing developments projects containing up to two dwelling units on single family zone parcels.

Lot Split - allows for urban lot split, qualify for maximum 40-60% split, minimum square foot of 1,200 square feet for each parcel. Lot splits can only be used to split the lot once. A property owner cannot split lots as many times as they want under SB 9. Further, a property owner cannot do a lot split on an adjacent lot that uses SB 9.

Limitations - Parcels prohibited based on historic district, prime farmland, wetlands, high and very high fire hazard severity zones, conservation areas, hazardous waste site, etc.

Pre-existing site conditions - no proposal can demolish rent controlled units or units that have been occupied by a tenant within last three years.

The community can send any follow-up questions to Tahirah Farris: [tfarris@planning.lacounty.gov](mailto:tfarris@planning.lacounty.gov)

### Questions & Answer Section

Question: Can a property owner take a single R1 family home and split to make six units combining SB9 with ADUs?

Answer: Under SB 9, on the urban lot split, the property owner can only have two units, including an ADU. So under SB 9 specifically they can have four units including ADU. A junior ADU and ADU both count as a second unit.

Question: What is the parking requirement?

Answer: SB9 requires one space per unit unless other criteria are met. The criteria allow for an exception if within a half mile walking distance where there is a transit stop or walking distance to car share. A two car garage would satisfy the parking for two units.

Question: How much discretion does regional planning have with SB9?

Answer: Los Angeles County staff is interpreting the legislation based on previous guidance and their legal counsel direction. Community members can still ask questions that could tighten the guidance to help address different scenarios.

Question: How does the fire zone impact SB 9?

Answer: SB 9 does not apply in high and very high fire zones. Although SB 9 does not specifically mention “fire” in the legislation, the legislation references other legislation related to fire zones that apply. Note: A map presented shows that many areas north of Foothill Boulevard are in a very high fire zone. A map showing “high” fire zone was not shown. Areas not in the very high fire zone are mainly R-1 South of Orange, North of Foothill and between Pennsylvania and Glenwood avenues. And all areas below Foothill Blvd.

Question: Can a property owner do a lot split with an adopted fire mitigation plan?

Answer: There are no fire mitigation plans that have been adopted so the sites would not be eligible for a lot split.

Question: Will there be two parcel numbers when a lot splits?

Answer: Yes, a parcel number is applied to each lot for tax purposes. Parcel numbers are not the responsibility of the Los Angeles County Department of Regional Planning. The Assessor's office would take care of that, given the tax implications.

Question: Can ADU's be developed in high fire zone areas?

Answer: ADUs can be developed in high fire zone areas. But, SB 9 would not apply in high or very high fire zones.

Question: Will the process be handled online?

Answer: Yes. They will have an application check list to be uploaded. The application process would be implemented through their normal online application. The planner will need to keep a checklist if it is a SB9 case.

Question: Is there special funding for SB9 for homeowners?

Answer: They are not aware of any new funding for homeowners to implement SB 9.

Question: What are the application fees for SB 9?

Answer: The fees will be very similar to the current development fees. They plan to use the existing fee structure. For example, if there is a lot split, the fee would be a subdivision fee.

Question: There is a home that has the entire front yard with no curbing and entirely concrete. How does Los Angeles County enforce the codes.

Answer: Code enforcement is driven by community complaints. A community member can make an anonymous complaint on the Los Angeles County website to zoning enforcement. Enforcement is serious. If a property owner does not comply with an order, the county can require abatement that could result in court action. <http://planning.lacounty.gov/ze>

Question: How does SB9 impact setbacks? Do non-conforming yard setback conditions extend to the new lot?

Answer The yard setback part of the bill is the most direct. Any new development under SB9, can apply the four foot setback on the sides and rear yards. If there is a lot split, the new lot will be more than four feet from existing structure. Any setback that they would apply would be 4 feet.

Question: How do setback apply to a flag lot behind a front lot?

Answer: The flag lot could have four foot for side and back setback. Normal setback will not apply when using SB9. They are still looking at the setback requirements.

Question: Do you know how this will impact Los Angeles County personnel in handling the high demand to use SB 9?

Answer: They do not yet know the demand. They do know that some areas of Los Angeles County will have little impact from SB 9 because of the zone limitations, such as fire and conservation zones.

Question: Are there height restrictions under SB 9?

Answer: No. The planners will use the zoning codes. However, the codes cannot restrict the development of a new home under SB 9, which requires a minimum of 800 s.f. per unit.

Question: If there is a property that has a home with an existing ADU what can happen under SB 9?

Answer: If they wanted to do a lot split, one lot would have the existing home with ADU. The other lot could have two units. An ADU counts as one unit and under a lot split a lot can only have two units.

Question: What happens when local regulations conflict with SB 9?

Answer: SB 9 will win out on a local ordinance.

Question: How will water from the Crescenta Valley Water District be factored into the development?

Answer: There may be implications under health and safety consideration that could be applied.

Question: Does the fire department have the ability to push back on the standards used for the developments?

Answer: Regional Planning will be working with the Fire Department. The Fire Department can implement certain requirements.

LUC Comment: The Fire Department has overridden setback requirements. In one case the setback was only four feet, then the fire department required a five foot setback. Do not know if SB9 overrides fire safety.

Question: If there is an ordinance that says that a property cannot go up to 28 feet does it override SB9?

Answer: SB 9 will override local ordinances if the 800 s.f. minimum cannot be achieved because of an existing ordinance. However, Subdivision will still review without a public hearing, public health, fire, etc to ensure that each agency approves.

Question: Does the CSD take precedent over SB9?

Answer: ~~No~~ Objective standards will still apply, unless they interfere with the allowable 2 units per lot.

Community Comment: Would be good to have an assessor map that indicates where SB9 applies to reduce the time for real estate professionals in marketing properties. SB 9 properties could be a selling point for homes.

Answer: Regional Planning is not responsible for assessor maps. The public GIS site showing fire zones and urbanized area that are both public could be helpful for real estate professionals and property owners.

Crescenta Valley Town Council President Harry Leon thanked Tahirah Farris and Nathan Merrick, Los Angeles County Department of Regional Planning in providing the presentation and answering the communities questions.

- B. SB 10 Creates a voluntary process for local governments to access a streamlined zoning process for new multi-unit housing near transit or in urban infill areas, with up to 10 units per parcel. The legislation simplifies the CEQA requirements for up-zoning, giving local leaders another tool to voluntarily increase density and provide affordable rental opportunities to more Californians. – *In other words: increase the number of people living within any given community.*

Los Angeles County Department of Regional Planning does not intend on using provisions of SB 10. The Los Angeles County has already done up-zoning of parcels thru the Housing Element in order to increase the potential for affordable housing.

- C. CVTC recommendation letter to Supervisor Barger’s Office. Discussion to revisit the FAR for lots 5,000 sq. feet and under.

The LUC discussed the CVTC recommendation and the interest by some members to revisit the FAR for lots under 5,000 square feet. The LUC agreed to have a subgroup of members interested in attending a meeting on December 9, 2021 at 6:30 pm. If available, the meeting will be scheduled at the La Crescenta Library.

#### **FUTURE PUBLIC HEARING ITEMS**

- 8. None

#### **EARLY NOTIFICATION / APPLICATIONS FILED AT DEPT. REGIONAL PLANNING**

- 9. 2413 Foothill & 4521 Briggs (NW corner of Foothill & Briggs) - RPPL2019006557 housing permit associated with Conditional Use Permit RPPL2019006553 to establish a Mixed-use 40 unit, 52 feet tall, 5 stories (4 units affordable at 50% AMI) ground floor 2,500 sf commercial, 1,700 sf multipurpose room and 3 levels of underground parking (103 standard spaces) in the C-2-DP-BE zone. Requested 35% density bonus and 2 incentives (10 feet height increase and FAR) via Discretionary Housing Permit. RPPL 2019006559 is housing project next to it.
- 10. 2434 Foothill Blvd (SE corner of Sunset), Mr. Garo Nazarian (Domus Design) – Project PRJ2020-001576; Plan RPPL2020005035 filed 8/10/2020. 4-story 31-unit apartment building with 2-level sub-garage. Providing three affordable units at 50% AMI and requesting 1 incentive - 10 feet height. Per Planner Elsa Rodriguez, project is ministerial/by right, but may become discretionary due to oak tree encroachments. (Zoned C-2-BE)

#### **UPDATES/ANNOUNCEMENTS**

- 11. Frank Beyt provided an update on 710 tunnel project. Metro and Caltrans are working together to restart the costly 710 tunnel project. There is a meeting on December 8, 2021, 5:30 pm - 7:00 pm that he will attend.
- 12. Update from Nicole Englund regarding the DRP’s Design Review Committee – no update.
- 13. Next LUC meeting is January 6,, 2021 – meeting date may be changed due to Armenian Christmas.

**ADJOURNMENT - 8:33 pm**