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May 10, 2018

Los Angeles City Council  
c/o Office of the City Clerk  
City Hall, Room 395  
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**REPORT BACK REGARDING HILLSIDE IMPACT OF THE PROPOSED ACCESSORY DWELLING UNIT ORDINANCE; COUNCIL FILE: 16-1468**

On March 21, 2017, the Planning and Land Use Management (PLUM) Committee requested a report back on the number of parcels impacted by prohibiting an Accessory Dwelling Unit (ADU) on a parcel located in a Hillside Area, except in instances where the parcel is abutting an existing built standard roadway.

The proposed ordinance, as amended by the PLUM Committee, includes a prohibition on new construction and additions to create ADUs in Hillside Areas (conversions within existing space cannot be prohibited per state law). The draft ordinance recommended by the City Planning Commission included an exception to the Hillside Area prohibition for properties located within one-half mile of a transit stop and for properties abutting a street meeting standard street dimensions. These exceptions to the prohibition were removed by the PLUM Committee; however, the Committee requested a report back on the potential impacts

**Background**

Hillside Areas are defined in Section 12.03 of the Los Angeles Municipal Code (LAMC) as parcels as shown in the shaded portion of the Department of City Planning Hillside Area Map, dated September 23, 2009, attached to Council File No. 09-1039 (see map in Attachment 1). These parcels are subject to the Baseline Hillside Ordinance.

There are 149,316 parcels located within Hillside Areas. However, about 8,000 parcels were determined to unsuitable for ADUs because they were not zoned for residential uses or already contained multifamily uses (three or more units). This leaves 141,849 parcels eligible for potential ADU development in Hillside Areas that would be prohibited under the current proposed ordinance. Hillside Areas encompass about 28% of all the single-family zoned parcels in the City.

The PLUM Committee instruction requested analysis of instances where the parcel is abutting an existing built standard roadway in Hillside Areas. This requires that the existing street width is equal to or exceeds the designated street standards adopted by the City Planning Commission per LAMC Section 17.05 H.

### **Potential Impact of Proposed Hillside Area ADU Prohibition**

There are three types of Hillside street designations: Hillside Collectors, Hillside Locals, and Hillside Limited Standard, which have street width standards of 40, 36 and 28 feet, respectively. The City does not currently maintain a database with Hillside street width information wider than 28 feet. In addition, the data for the 28 feet Hillside Limited Standard streets is not comprehensive. Therefore the Department has prepared the best estimate possible of the maximum number of Hillside Area parcels potentially affected by an exception to the proposed ban based on adjacency to a standard street.

Based on the available substandard street database mentioned above, at least 21,926 ADU eligible Hillside Area parcels have street widths of less than 28 feet, and would thus be substandard based on the narrowest Hillside street designation (Hillside Limited Standard, 28 feet). Subtracted from the total number of eligible parcels in Hillside Areas (141,849), this would leave a *maximum* number of 119,923 Hillside Area parcels that would be eligible for ADUs under a proposal that limited ADUs in Hillside Areas, except in instances where the parcel is abutting an existing built standard roadway. However, this is likely a significant overstatement of eligible properties, as it does not consider Hillside Collector and Hillside Local streets, which have standard widths of 40 or 36 feet, respectively.

As a comparison, there are approximately 108,156 Hillside parcels (76%) that are within one-half mile of a public transit stop, which is broadly defined to include any rail or bus stop. To further understand the potential impacts of a prohibition in Hillside Areas, the Department analyzed the number of ADU permits issued in Hillside Areas in 2017, compared to the rest of the City. Out of a total of 2,342 permits issued for ADUs in 2017, a total of 171 were located in Hillside Areas. This represents about 7 percent of the total ADU permits issued in the City. The lower amount of ADU construction in Hillside Areas likely reflects the difficult topography and unique construction regulations that already exist in the Hillside Areas (e.g. the *Baseline Hillside Ordinance*).

The vast majority of 2017 ADUs permitted in Hillside Areas (70 percent) were conversions of existing space which, consistent with state law, would not be prohibited under the Hillside ban that is under consideration. Fourteen ADUs in Hillside Areas were new construction, while 38 were additions. This is a significantly lower percentage of new construction and additions than the City as a whole, indicating that ADUs in hillsides are much less likely to involve new construction of a standalone structure. The distribution of ADU permits, by type, in 2017 is shown on a map in Attachment 1.

### **Conclusion**

Despite the large number of Hillside Area properties eligible to construct ADUs (141,849), the impacts of the proposed Hillside Area restrictions on ADU creation is expected to be much smaller. Hillside homeowners will continue to be able to convert existing space to ADUs per state law. While allowing ADUs on Hillside Area parcels abutting a street meeting standard street dimensions would allow for opportunities to construct new ADUs, these opportunities would only exist on a limited number of additional properties. In addition, new construction of standalone

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ADUs in Hillside Areas is already difficult and has been relatively uncommon, further minimizing impacts of a restriction on overall ADU production levels.

If you have any questions about this report please contact Matthew Glesne from the Department of City Planning at (213) 978-2666 or [matthew.glesne@lacity.org](mailto:matthew.glesne@lacity.org).

Sincerely,

A handwritten signature in blue ink, appearing to read "K. J. Keller", with a long horizontal flourish extending to the right.

KEVIN J. KELLER, AICP  
Executive Officer

KJK:AV:MG:mn

Enclosures

Attachment 1. Distribution of ADU Building Permits in 2017, by Permit Type

