

ORDINANCE NO. _____

An ordinance amending Sections 12.03, 12.10.5, 12.11.5, 12.12.2, 12.13, 12.21, 12.21.1, 12.40, 12.41, 12.42, 12.43, 13.08, 13.09, 14.00, 19.04, 62.177 and 91.7012 of Chapter 1 of the Los Angeles Municipal Code (LAMC) to update the existing Landscape Ordinance, to establish Landscape and Site Design Standards, and to define and streamline provisions related to Outdoor Amenity Areas. The addition of Landscape and Site Design Development Standards will support development patterns that promote physical activity and healthy communities; address climate change and improve air quality through the inclusion of drought-tolerant, shade-producing, and locally native plant species; and provide a comfortable and safe walking environment in the public realm. The addition of an Outdoor Amenity Area definition and standards will help create functional outdoor spaces that support user needs, integrate nature into the built environment, provide shade, and promote social interaction.

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

Sec. 1. The table of contents preceding Article 2 of the Los Angeles Municipal Code is amended to read as follows:

Section	
12.00	Title.
12.01	Continuation of Existing Regulations.
12.02	Purpose.
12.03	Definitions.
12.04	Zones - Districts - Symbols.
12.04.01	Violations of Specific Plans.
12.04.05	“OS” Open Space Zone.
12.04.09	“PF” Public Facilities Zone.
12.05	“A1” Agriculture Zone.
12.06	“A2” Agricultural Zone.
12.07	“RA” Suburban Zone.
12.07.01	“RE” Residential Estate Zone.
12.07.1	“RS” Suburban Zone.

- 12.08 "R1" One-family-Zone.
- 12.08.1 "RU" Residential Urban Zone.
- 12.08.3 RZ Residential Zero Side Yard Zone.
- 12.08.5 "RW1" Residential Waterways Zone.
- 12.09 "R2" Two-Family Zone.
- 12.09.1 "RD" Restricted Density Multiple Dwelling Zone.
- 12.09.3 "RMP" Mobilehome Park Zone.
- 12.09.5 "RW2" Residential Waterways Zone.
- 12.10 "R3" Multiple Dwelling Zone.
- 12.10.5 RAS3 Residential/Accessory Services Zone Purpose Statement.
- 12.11 "R4" Multiple Dwelling Zone.
- 12.11.5 RAS4 Residential/Accessory Service Zone Purpose Statement.
- 12.12 "R5" Multiple Dwelling Zone.
- 12.12.1 "P" Automobile Parking Zone.
- 12.12.1.5 "PB" Parking Building Zone.
- 12.12.2 "CR" Limited Commercial Zone.
- 12.13 "C1" Limited Commercial Zone.
- 12.13.5 "C1.5" Limited Commercial Zone.
- 12.14 "C2" Commercial Zone.
- 12.16.1 "CW" Central City West Specific Plan Zone.
- 12.16.2 ADP Alameda District Specific Plan Zone.
- 12.16.3 LASED Los Angeles Sports and Entertainment District Specific Plan Zone.
- 12.16.4 CEC Convention and Event Center Specific Plan Zone.
- 12.16.5 USC-1A University of Southern California University Park Campus Specific Plan Subarea 1A Zone.
- 12.16.6 USC-1B University of Southern California University Park Campus Specific Plan Subarea 1B Zone.
- 12.16.7 USC-2 University of Southern California University Park Campus Specific Plan Subarea 2 Zone.

- 12.16.8 USC-3 University of Southern California University Park Campus Specific Plan Subarea 3 Zone.
- 12.16.9 PVSP Ponte Vista at San Pedro Specific Plan Zone.
- 12.17 "C5" Commercial Zone.
 - 12.17.1 "CM" Commercial Manufacturing Zone.
 - 12.17.2 "CM(GM)" Commercial Manufacturing (Glencoe/Maxella) Specific Plan Zone.
 - 12.17.5 "MR1" Restricted Industrial Zone.
 - 12.17.5.5 "CCS" Century City South Specific Plan Studio Zone.
 - 12.17.6 "M1" Limited Industrial Zone.
- 12.18 "MR2" Restricted Light Industrial Zone.
 - 12.18.1 "WC" Warner Center Specific Plan Zone.
- 12.19 "M2" Light Industrial Zone.
 - 12.19.1 LAX Los Angeles International Airport Zone.
- 12.20 "M3" Heavy Industrial Zone.
 - 12.20.1 SL Ocean – Submerged Land Zone.
 - 12.20.2 Coastal Development Permits (Prior to Certification of the Local Coastal Program.)
 - 12.20.2.1 Coastal Development Permit Procedures After Certification of the Local Coastal Program.
 - 12.20.3 "HP" Historic Preservation Overlay Zone.
- 12.21 General Provisions.
 - 12.21.1 Height of Building or Structures.
 - 12.21.2 Height of Building or Structures in Century City.
 - 12.21.3 Height of Building or Structures in Community Redevelopment Plan Areas.
 - 12.21.4 Height of Building or Structures in Enterprise Zones.
 - 12.21.5 Height of Building or Structures in Centers Study Areas.
 - 12.21.6 Height of Building or Structures in All R1V, R1F, and R1R One-Family Zone Variations.
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- 12.22.1 City of Los Angeles Safer Filming Ordinance.
- 12.23 Nonconforming Building and Uses.
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- 12.40 Landscape and Site Design Ordinance
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- 12.70 Adult Entertainment Zoning.
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- 12.81 Homeless Shelters – Emergencies – Charitable Organizations.
- 12.82 Homeless Shelters – Emergencies – El Niño 2016.

Sec. 2. Section 12.03 of Article 2 of Chapter 1 of the LAMC is amended to modify and add the following definitions in alphabetical order and to read as follows:

FLOOR AREA. 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, Outdoor Amenity Areas, and basement storage areas.

Buildings on properties zoned RA, RE, RS, and R1, except properties in the Coastal Zone which are not designated as Hillside Area, are subject to the definition of Residential Floor Area.

OUTDOOR AMENITY AREA. An outdoor space that may be covered or enclosed, in whole or in part, intended for the purpose of providing outdoor spaces used for private or public active or passive recreation that may be shaded and protected from the natural elements. Such areas may include outdoor spaces covered with overhead structures, such as awnings, balconies, outdoor passages and walkways, or other similar areas. Outdoor Amenity Areas may be located at-grade or any level of the building, provided that the Outdoor Amenity Area standards are met, pursuant to Section 12.21 A.25.

Outdoor Amenity Areas may be permitted in all zones except RA, RE, RS, R1, RU, RZ, RW1, R2, RD, RMP, RW2 and A zones. All or portions of Outdoor Amenity Areas that satisfy development standards in Section 12.21 A.25. shall be excluded from the calculation of floor area and height. Outdoor Dining Areas are not Outdoor Amenity Areas and shall be regulated pursuant to Sections 12.03 and 12.21 A.24. Outdoor Amenity Areas shall exclude areas used for storage, vehicle parking or circulation, utility or mechanical areas, and trash enclosures or any similar ancillary use on the lot. Structures proposed as Outdoor Amenity Areas may require a building permit and are subject to applicable provisions in the Los Angeles Municipal Code.

NATIVE PLANT. Any plant species listed on CalScape as occurring in the South Coast region.

STREAM. Any perennial or intermittent watercourse having a surface or subsurface flow that supports or has supported riparian vegetation.

TREE. Any woody plant (exhibiting secondary growth), including those identified as Native and/or Protected Trees, with a primary/leading trunk and supporting branches and leaves. Trees shall not include palms or succulent species. Tree sizes are differentiated by their canopy at maturity as follows:

<u>TREE SIZE</u>	<u>CANOPY (DIAMETER AT MATURITY)</u>
<u>Small</u>	<u>15 feet</u>
<u>Medium</u>	<u>30 feet</u>
<u>Large</u>	<u>50 feet</u>

TREE, PROTECTED. See LAMC Section 46.01 for definition of Protected Tree or Shrub.

TREE, SIGNIFICANT. Any tree with a trunk that measures 12 inches or more in diameter at four and one-half feet above the average natural grade at the base of the tree and/or is more than 35 feet in height

TREE, STREET. Any tree or landscape feature located within the public right-of-way, including but not limited to any sidewalk, median, alley, refuge island, or embankment on City-owned land.

WETLAND. Any natural lake, intermittent lake, pond, intermittent pond, marsh, swamp, seep or spring.

Sec. 3. (RAS3) Subdivision 2. of Subsection B. of Section 12.10.5 of Article 2 of Chapter 1 of the LAMC shall be amended to read as follows:

2. All use activities are conducted wholly within an enclosed building, except that restaurants may have Outdoor Dining Areas, and Outdoor Amenity Areas shall be permitted.

Sec. 4. (RAS4) Subdivision 2 of Subsection B. of Section 12.11.5 of Article 2 of Chapter 1 of the LAMC shall be amended to read as follows:

2. All use activities are conducted wholly within an enclosed building, except that restaurants may have Outdoor Dining Areas, and Outdoor Amenity Areas shall be permitted.

Sec. 5. (C1) Subparagraph 2 of Paragraph b of Subdivision 2 of Subsection A. of Section 12.13 of Article 2 of Chapter 1 of the LAMC shall be amended to read as follows:

(2) All use activities are conducted wholly within an enclosed building, except that except that restaurants may have Outdoor Dining Areas, and Outdoor Amenity Areas shall be permitted.

Sec. 6. Subdivision 25 of Subsection A. of Section 12.21 of Article 2 of Chapter 1 of the LAMC shall be added to read as follows:

25. Outdoor Amenity Area Applicability and Standards.

- (a) **Intent.** To allow for amenity areas, intended to facilitate passive or active recreation, located in an outdoor environment.
- (b) **Eligibility.** To meet the requirement for Outdoor Amenity Area as defined in Section 12.03, each area must meet all of the following criteria:
- (1) **Covering of Outdoor Amenity Area.** An Outdoor Amenity Area can be covered with a solid, impermeable covering. Permeable covering areas such as lattice roofs, pergolas, perforated panels and shade sails are not considered covered if the overhead roof material or gaps are at least 50% open to the sky. Covered Outdoor Amenity Areas may be attached to a building or entirely detached.
 - (2) **Enclosure of Outdoor Amenity Area.** If an Outdoor Amenity Area is covered as defined above, then the area may be enclosed by less than two-thirds of the surface area of the projected perimeter walls. Perforated or slatted materials shall be considered solid perimeter walls for purposes of calculating enclosure. Examples of enclosure elements may include vertical walls, retractable wall systems, sliding doors, and/or temporary or permanent fences.

Figure 1: This diagram illustrates a Covered Outdoor Amenity Area whose solid area is less than two-thirds of the perimeter walls (perspective view).

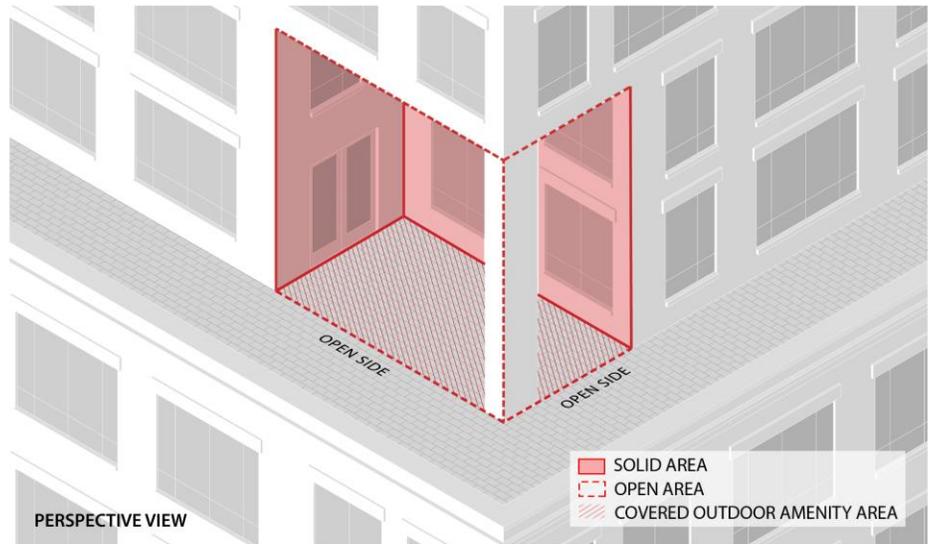
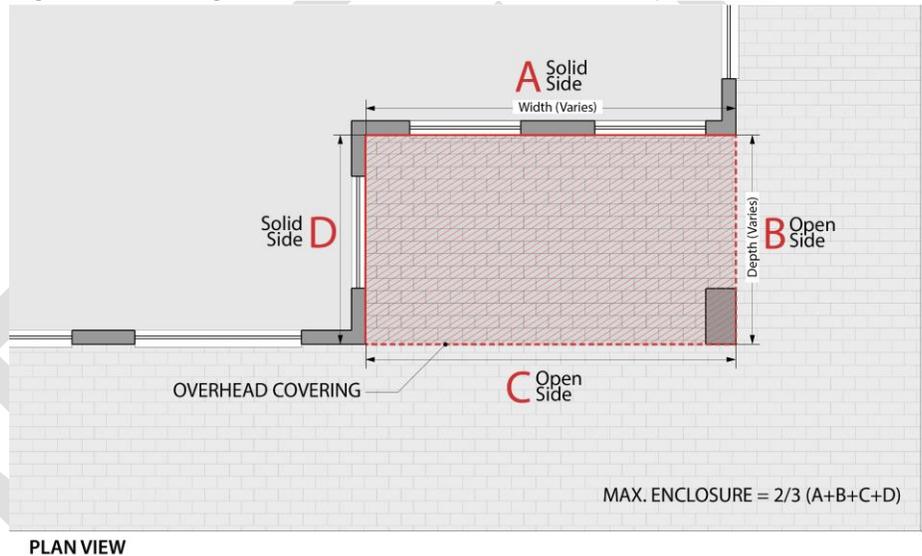


Figure 2: The diagram illustrates the same condition in plan view.



- (i) **Exemptions from Enclosure.** The following components shall be exempt from the calculation of enclosure: Any required guard rails 42 inches in height or less, measured from finished floor elevation, do not count toward solid wall area; nor do any structural components such as beams and columns.

(3) **Use.** Outdoor Amenity Areas shall be used for the purpose of providing outdoor spaces for active or passive recreation. Should the Outdoor Amenity Area be converted to another use or otherwise be physically modified such that it no longer complies with the Outdoor Amenity Area Design Standards pursuant to Section 5 below, it must conform to the current regulations of the

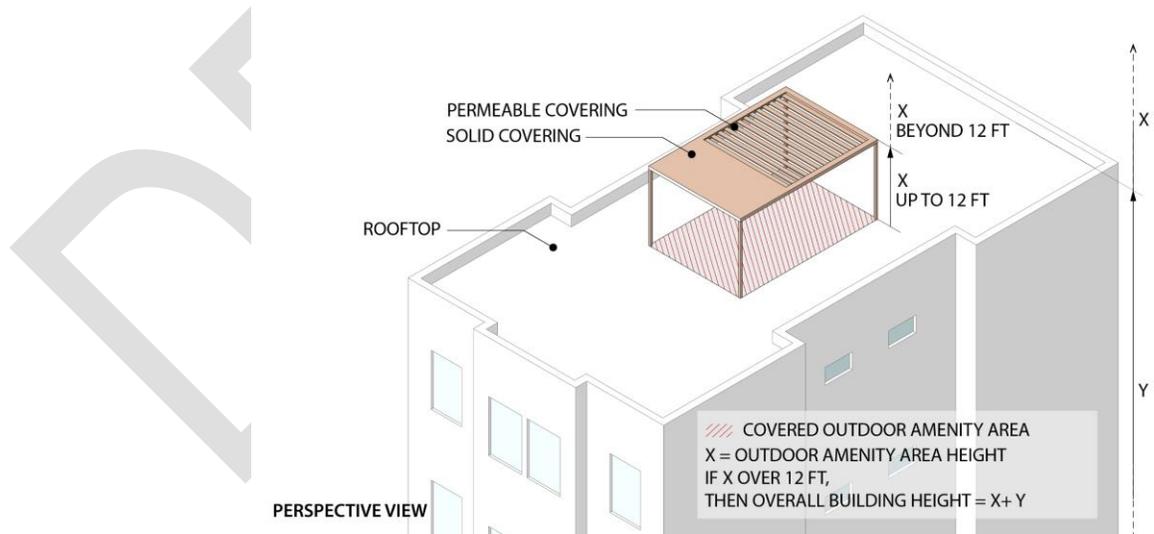
zone, which may require discretionary entitlements required under the LAMC, and other applicable current land use regulations.

Where Outdoor Amenity Areas are proposed within 100 feet of residential uses, no amplified sound shall be permitted after 10:00 pm.

(4) Relationship to Floor Area. New or existing Outdoor Amenity Areas satisfying the following development standards shall not be considered as floor area, as long as the Outdoor Amenity Areas meet all other applicable Los Angeles Municipal Code requirements.

(5) Relationship to Height. Rooftop Outdoor Amenity Area structures shall not be counted towards the total building height provided they do not exceed 12 feet in height from the building rooftop finish floor elevation to the top of the Outdoor Amenity Area structure; if the structure extends more than 12 feet in height above the roof of the main structure, the entire Outdoor Amenity Area will count towards the overall building height and floor area.

Figure 3: This diagram illustrates the relationship of rooftop covered Outdoor Amenity Area to building height.



(6) Relationship to Required Yards. A Covered Outdoor Amenity Area within a required front or rear yard may be attached to the primary building or structure or completely detached. Both attached and detached Outdoor Amenity Areas may take up to a cumulative maximum area of 25 percent of the required front or

rear yard area in which they are located. Outdoor Amenity Areas shall not be permitted within the required side yard area.

Covered Outdoor Amenity Areas shall not be considered accessory buildings. Where provisions herein conflict with regulations in Sections 12.21 C.1 through 12.21 C.3 or in Section 12.22 C.20 related to placement on a lot, this code section shall prevail. Outdoor Amenity Area structure placement shall not block passageways required for fire access.

Figure 4: This diagram illustrates the relationship of an attached Covered Outdoor Amenity Area to Required Yards.

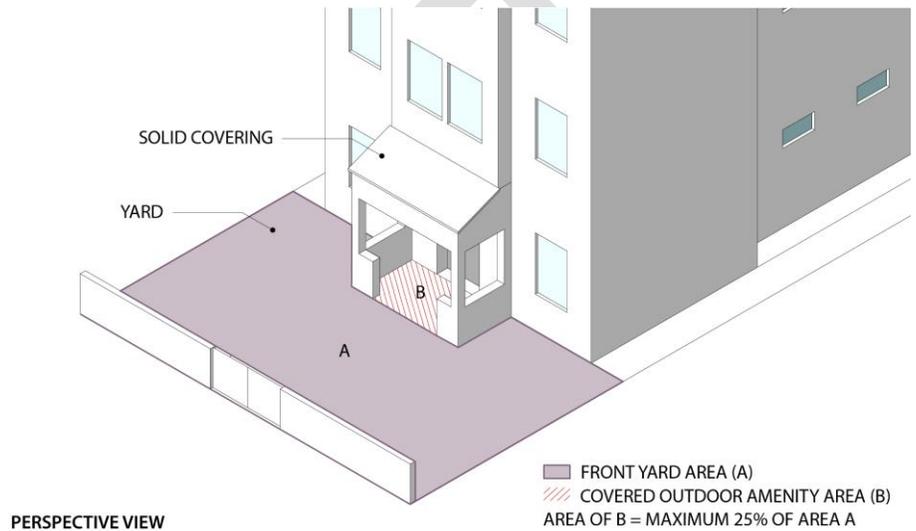
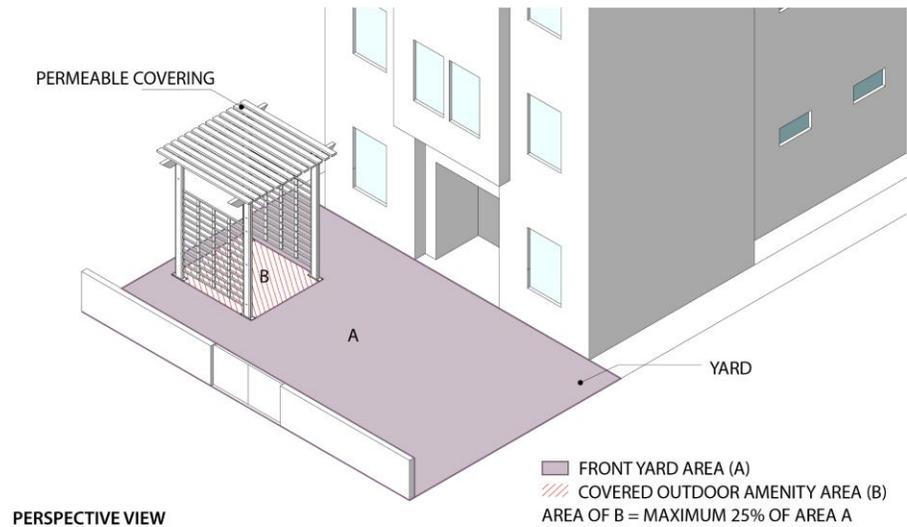


Figure 5: This diagram illustrates the relationship of a detached Covered Outdoor Amenity Area to Required Yards.



(7) Relationship to Common Open Space. To ensure that a portion of the outdoor areas used for common open space on a lot remain open to sky, the square footage of the Outdoor Amenity Area underneath all covered structures shall not exceed 50% of the cumulative total square footage of required outdoor common open space. Outdoor Amenity Areas that are not within required common open space (LAMC Section 12.21 G.2) shall not be subject to this requirement.

(c) Outdoor Amenity Area Design Standards.

(1) Minimum Clear Height for covered Outdoor Amenity Areas. Covered Outdoor Amenity Areas that are enclosed by 50 percent or more of the surface area of the projected perimeter walls, must have a minimum clear height of 1.5 times the average depth of the covered area (Height = 1.5 x Average Depth). The height shall be a minimum of 7.5 feet, as measured from finished floor elevation to the underside of the covering.

Figure 6: This diagram illustrates the minimum clear height required for a Covered Outdoor Amenity Area that is enclosed by 50 percent or more of the surface area of the projected perimeter walls.

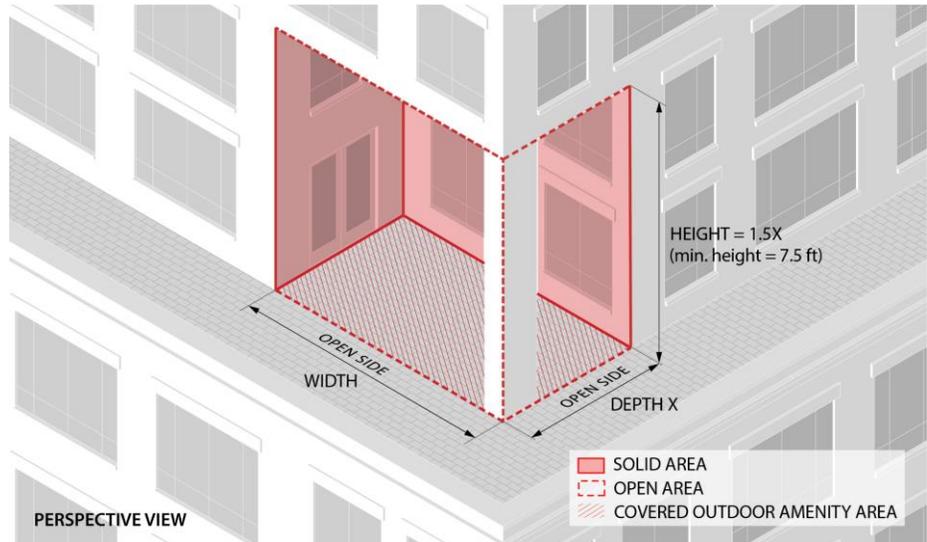
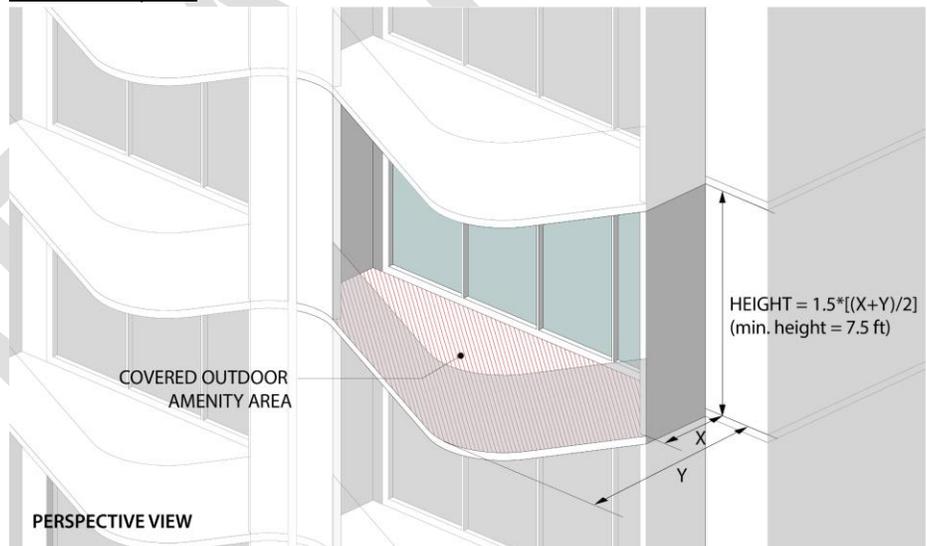


Figure 7: This diagram illustrates the way in which minimum clear height required is calculated when a Covered Outdoor Amenity Area has variable depths.



(2) Above-Ground Outdoor Amenity Areas. Outdoor Amenity Areas may be located within or below allowable architectural projections, rooftop structures, recessed areas, or other outdoor spaces attached to the primary structure.

Rooftop Outdoor Amenity Area structures, if covered, shall not exceed two-thirds of the total square footage of the rooftop.

(3) Outdoor Amenity Areas in Required Yards. Outdoor Amenity Area structures in required front or rear yards may be covered but shall not be enclosed by perimeter walls, excluding guardrails up to 42 inches in height. In addition:

(i) When attached to a main building the perimeter of covered Outdoor Amenity Area structures may be excluded from the building perimeter when establishing grade for purposes of determining building height and number of stories for the main building.

(ii) The maximum height of a covered Outdoor Amenity Area structure in a required front or rear yard shall be 12 feet in height, where height is measured from lowest adjacent grade within a five-foot perimeter of the Outdoor Amenity Area structure, to the top of structure.

(d) Relief. A deviation from Outdoor Amenity Area standards in Section 12.21 A.25 may be requested in accordance with Sec. 13 B.5.1. (Alternative Compliance) of Chapter 1A of this Code.

Sec. 7. Subdivision 1 of Subsection C. of 12.21 of Article 2 of Chapter of the LAMC shall be amended to read as follows:

(g) (Amended by Ord. No. 173,492, Eff. 10/10/00.) Every required front, side and rear yard shall be open and unobstructed from the ground to the sky, except for those projections permitted by Sections 12.08.5, 12.09.5 and 12.22.

No automobile parking space shall be provided or maintained within a required front yard. ~~Except where a lot is developed with a building meeting the requirements of Section 12.08.3 B.1., not more than 50 percent of a required front yard shall be designed, improved or used for access driveways.~~

~~All portions of the required front yard of~~ A minimum of 50 percent of front yard areas of one-family dwellings, two-family dwellings, multiple dwellings or group dwellings, apartment houses, hotels, motels, apartment hotels and retirement hotels in the RE, RS, R1, RU, RZ, R2, RD, R3, RAS3, R4, RAS4, R5, or C Zones shall be comprised of planted areas; front yard paved areas outside of planted areas shall be limited to ~~not used for~~ necessary driveways and walkways, including decorative walkways, ~~shall be used for planting, and shall not otherwise be paved.~~

The planted areas in the RD, R3, RAS3, R4, RAS4, R5, or C Zones shall include at least one tree, which shall be at least 15 gallon in size and at least six feet in height at the time of planting, for each 500 square feet of planted area (rounded up, if resulting in a fractional number) and shall be equipped with an automatic irrigation system, which shall be properly maintained. The front yard shall be planted in accordance with a landscape plan prepared by a licensed landscape architect, licensed architect, or landscape contractor to the satisfaction of the Department of City Planning. ~~The planted area shall include at least one tree, which shall be at least 15 gallon in size and at least six feet in height at the time of planting, for each 500 square feet of planted area and shall be equipped with an automatic irrigation system, which shall be properly maintained.~~

A fee pursuant to Section 19.01 I. shall be paid to the Department of City Planning for the checking of landscape plans, pursuant to this paragraph. However, the fee shall be waived if any other fee has been paid for checking of landscape plans for the same property.

No swimming pool, fish pond or other body of water which is designed or used to contain water 18 inches or more in depth shall be permitted in any required yard space in which fences over 3-1/2 feet in height are prohibited, even though the pool, pond or body of water extends below the adjacent natural ground level.

Sec. 8. Subdivision 8 of Subsection C. of Section 12.21 of Article 2 of Chapter 1 of the LAMC, "Retaining Walls in Hillside Areas," is hereby amended to read as follows:

(b) Landscaping. For retaining walls of eight feet or greater in height, the applicant must submit a landscape plan designed to completely hide the retaining wall from view within a ten year time period from the time of planting ~~a reasonable amount of time~~. The landscape plan shall be subject to the approval of the Director of Planning. ~~in accordance with Sections 12.40 through 12.43 of this Code and any Landscape Guidelines established by the City Planning Commission.~~

Sec. 9. Subdivision 2 of Subsection G. of 12.21 of Article 2 of Chapter of the LAMC shall be amended to read as follows:

(a) **Common Open Space:**

(1) Common open space shall meet each of the following requirements:

(i) Be open to the sky and have no structures that project into the common open space area, except for Outdoor Amenity Areas as provided in Sec. 12.21 A.25 and except for Projections Into Yards, as provided in Section 12.22 C.20.(b).

(ii) Be readily accessible to all the residents of the site.

(iii) Have a minimum area of 400 square feet with no horizontal dimension less than 15 feet when measured perpendicular from any point on each of the boundaries of the open space area, except that planters used for Medium or Large trees may be placed within this area provided that the top of the planter is no taller than 42 inches in height.

(iv) Constitute at least 50% of the total required usable open space in developments built at an RD, R3, RAS3, R4, RAS4, and/or R5 density regardless of the underlying zone. (Amended by Ord. No. 174,999, Eff. 1/15/03.)

(v) Be located at the grade level or first habitable room level, except in developments built at an RD, R3, RAS3, R4, RAS4, and/or R5 density regardless of the underlying zone. (Amended by Ord. No. 174,999, Eff. 1/15/03.)

(2) Common open space areas shall incorporate recreational amenities such as swimming pools, spas, picnic tables, benches, children's play areas, ball courts, barbecue areas and sitting areas or other site amenities listed on the Director's List of Site Amenities. (Amended by Ord. No. 184,505, Eff. 1/11/17.)

(3) A minimum of 25 percent of the common open space area shall be planted with ground cover, shrubs or trees. At least one 24-inch box tree for every four dwelling units shall be provided on site and may include existing on-site Significant Trees guaranteed to be protected during construction (pursuant to Landscape and Site Design Ordinance Standard 3.3 (e) Tree Conservation) and existing or new public right-of-way Street Trees. ~~For a common open space areas located in a building courtyard, terrace, rooftop, or other such area located above the ground floor elevation and not in natural soil, surface area not located directly on finished grade that is used for common open space, and located at ground level or the first~~

~~habitable room level~~, shrubs and/or trees shall be contained within permanent planters at least 30 inches in depth, or ground cover shall be at least 12-inches in depth. All required ~~planted landscaped~~ areas shall be equipped with an automatic irrigation system and be properly drained.

The Director of Planning or the Director's designee shall have the authority to review and approve or disapprove all proposed landscape and/or open space plans submitted in compliance with this paragraph and with LAMC Section 12.40.

(4) Notwithstanding the provisions set forth in this paragraph:

(i) Recreation rooms at least 600 square feet in area for a development of 16 or more dwelling units, or at least 400 square feet in area for a development of fewer than 16 dwelling units, may qualify as common open space, but shall not qualify for more than 25 percent of the total required usable open space.

(ii) Roof decks in developments built at an R3 or an RAS3 density, regardless of the underlying zone, may be used as common open space, excluding that portion of the roof within ten feet from the parapet wall. (Amended by Ord. No. 174,999, Eff. 1/15/03.)

(iii) Roof decks in developments built at an R4, RAS4, and/or R5 density, regardless of the underlying zone, may be used in their entirety as common open space. (Amended by Ord. No. 174,999, Eff. 1/15/03.)

Sec. 10. Subdivisions 5 through 7 of Subsection A. of Section 12.21.1 of Article 2 of Chapter 1 of the LAMC shall be amended to read as follows:

5. In computing the total floor area within a building, the gross area confined within the exterior walls within a building shall be considered as the floor area of that building, except for the space devoted to bicycle parking, stairways, elevator shafts, light courts, rooms housing mechanical equipment incidental to the operation of buildings, Outdoor Dining Areas, and Outdoor Amenity Areas, ~~outdoor eating areas of ground floor restaurants.~~

6. Whenever any unusual situation or design of building exists so that it is difficult to determine the precise application of those provisions, the Department of Building

and Safety shall make such determinations in a manner to carry out the indicated purpose and intent hereof.

7. ~~(None)~~ In computing the total height of a building, rooftop covered Outdoor Amenity Areas shall not be counted provided they are less than 12 feet in height measured from roof elevation.

Sec. 11. Subdivision 20 of Subsection C. of 12.22 (Exceptions) of Article 2 of Chapter of the LAMC shall be amended to read as follows:

20. Projections Into Yards.

(e) Open, unenclosed porches, platforms, or landing places (including access stairways thereto) not covered by a roof or canopy, which do not extend above the level of the first floor of the building, may extend or project into the required front yard, side yard, rear yard, passageway, or other open space, not more than six feet in depth as measured from the vertical plane of the building, provided that in no event shall any such porch, platform or landing space be more than six feet above the natural ground level adjacent thereto. And further provided that the linear width of such projections is limited to a cumulative total of 50 percent of the building frontage on each side. For provisions concerning Outdoor Amenity Areas in required yards, refer to Section 12.21 A.25(b)(6) (Relationship to Required Yards).

Sec. 12. Subdivision 23 of Subsection A of Section 12.22 (Exceptions) of Article 2 of Chapter 1 of the LAMC are hereby amended to read as follows:

23. Mini-Shopping Centers and Commercial Corner Development.

(a) Development Standards.

(10) Landscaping. All landscaping shall comply with Sections 12.40 12.41, 12.42, and 12.43 of this Code and the following requirements:

(i) Landscaping - Setback. A landscaped, planted area having a minimum inside width of five feet shall be required along all street frontages of the lot and on the perimeters of all parking areas of the lot or lots which abut a residential zone or use.

Notwithstanding the above, in the Downtown Business District as defined in Section 12.21 A.4.(i) of this Code, a landscape (planted) area having a minimum inside width of five feet shall be required

on the perimeters of all parking areas of the lot which abut a residential zone or use.

(ii) Irrigation System. An automatic irrigation system shall be provided for all landscaped areas. This system shall be installed prior to the issuance of any certificate of occupancy. A Landscape Management Plan shall be submitted pursuant to 12.40 H.1(b)(iii).

(b) Conditions of Operation. A mini-shopping center of a commercial corner development shall comply with the following conditions:

4. Landscape Maintenance. Maintenance of landscaped areas shall include continuous operations of watering, removal of weeds, mowing, trimming, edging, cultivation, reseeding, plant replacement, fertilization, spraying, control of pests, insects, and rodents, or other operations necessary to assure normal plant growth. All trees, shrubs, and ground cover shall be maintained as healthy and vigorous at all times. Irrigation systems, installed pursuant to the requirements in subsubparagraph (a)(10)(ii) above shall be continuously maintained in accordance with Section 12.40 12.41 B.5. of this Code.

Sec. 13. Subdivision 28 of Subsection A. of Section 12.22 (Exceptions) of Article 2 of Chapter 1 of the LAMC are hereby amended to read as follows:

28. Automotive Use.

(a) Development Standards.

(9) Landscaping. All landscaping shall comply with Sections 12.40 12.41, 12.42, and 12.43 of this Code and the following requirements:

(i) Landscaping - Setback. A landscaped, planted area having a minimum width of five feet shall be required along all street frontages of the lot or lots, except for that portion of the lot lines where an access driveway is required by the City as determined by the Department of Building and

Safety, and on the perimeters of all parking areas of the lot or lots that abut a residential zone or use.

(ii) Irrigation System. An automatic irrigation system shall be provided for all landscaped, planted areas. The system shall be installed and operational prior to the issuance of any certificate of occupancy. A Landscape Management Plan shall be submitted pursuant to 12.40 H.1(b)(iii).

Sec. 14. Section 12.40 of Article 2 of Chapter 1 of the LAMC is hereby amended to read as follows:

Section 12.40 Landscape and Site Design Development Standards – General Requirements ~~(Added by Ord. No. 170,978, Eff. 5/13/96, Oper. 7/13/96.)~~

A. Purpose. The general purpose of this section is to ensure that new residential and non-residential developments include objective design standards that address climate resilience, urban cooling, tree canopy and nature-based strategies for landscape and site design. The specific purposes of this ordinance are as follows:

- ~~1. To bring greater order and certainty to the development process.~~
- ~~2. To respond to State-level mandates for action in such areas as water conservation, energy conservation, enhancement of water quality, and amelioration of air quality.~~
- ~~3. To increase the amount and quality of appropriate landscaping appurtenant to all land uses in the City.~~
- ~~4. To establish a minimum level of regulation that protects the public and at the same time allows for design flexibility.~~
 1. To encourage the development of safe, functional, and attractive development projects, consistent with Los Angeles' urban environment, ecology, and the local neighborhood context.
 2. To create attractive and walkable public streets and spaces that combat extreme heat by promoting shade coverage and urban cooling.
 3. To respond to State, regional, and local mandates for action in such areas as water conservation and stormwater capture, amelioration of air quality, energy conservation, soil health and conservation, public health and environmental justice.

4. To reduce reliance on vehicle trips by supporting site design features that prioritize pedestrian safety, and local amenities such as parkways, street trees, street furniture and bicycle infrastructure that support active transportation.
5. To increase the amount and quality of landscaping appropriate to Los Angeles' regional climate, topography, and micro-climates, preserving existing and increasing new tree canopy coverage as a means of addressing climate change citywide and to support biodiversity, year-long habitat and promote beneficial native landscaping.
6. To establish regulations that meet multiple Citywide policy objectives addressing open space, sustainability, conservation, and mobility based upon Los Angeles' Framework Element, Plan for a Healthy Los Angeles, Mobility Plan 2035, Conservation Element, and Sustainability pLAN, and successive updates to these policies, while allowing for design flexibility and innovation.
7. To address health considerations in design and promote physical activity and amenities that support well-being in all daily activities, by providing an inviting and comfortable experience for occupants within and around the site.
8. To establish objective design standards for landscaping and site design.

B. Prohibitions.

1. Notwithstanding any provisions of Chapter 1 of this Code to the contrary, the Department of Building and Safety shall not issue any building, grading, or use of land permit(s) for any Project, unless the Department of City Planning determines that (a) the proposed landscape and site design landscaping will meet the provisions of this Sections 12.40 through 12.43 of this Code, and (b) that any proposed landscape and site design standards selected by the Applicant will meet the requirements of this ordinance as indicated on the project plans.

~~C. Exceptions. The provisions of Sections 12.40 through 12.43 of this Code shall not apply to:~~

- ~~1. Any Project involving replacement of an earthquake hazardous building demolished as a result of an enforcement of the Earthquake Safety Ordinance (Division 88, Article 1, Chapter IX of the Los Angeles Municipal Code.)~~

- ~~2. Any Project for which a building permit is required~~

- ~~(a) in order to comply with an order issued by the Department of Building and Safety to repair an unsafe or substandard condition, or~~

~~(b) in order to rebuilding as a result of destruction by fire, earthquake, or other natural disaster.~~

~~3. Any Project regulated by Subparagraph (i) of Section 12.04.05 B 1 (a) of this Code.~~

~~4. Any Project which has obtained a still valid discretionary land use approval from the City prior to the operative date of this section, and which also required approval of landscape documents.~~

~~5. Any Project where plans were accepted by the Department of Building and Safety for plan check prior to the operative date of this ordinance. This exception does not apply to any Project where changes were later made to the Project which increase the gross square footage or number of parking spaces by more than five percent. This exception shall no longer be valid if construction is not commenced within one year of the date of issuance of the permit.~~

~~6. Any landscape that is designated a Historical Cultural Monument.~~

~~7. Cemeteries~~

C. Applicability.

1. Project. The provisions of this Section shall apply to the following, subject to the exclusions listed below in Subsection C.2.:

- (a) The construction of any new residential or mixed-use building with five or more dwelling units or guest rooms/efficiency dwelling units, and/or division of land creating five or more lots in conjunction with new construction.
- (b) The construction of any new non-residential building for commercial, institutional, or public use. This includes infill of new, detached buildings on-site with existing buildings.
- (c) The construction of any new industrial use building listed in the Subject Use list in LAMC Section 13.18, or hybrid-industrial use building; and
- (d) Parking area construction or reconfiguration projects, specifically projects involving resurfacing or regrading of existing surface parking areas and/or the creation of new surface parking areas for any size parking area.

The re-striping of parking areas, changes necessary to meet accessible parking standards, electric vehicle parking requirements, or for general maintenance and upkeep of parking facilities accessory to the primary use of land, are also considered a "Project" when they involve a surface parking area with 8 or more parking stalls.

2. **Exceptions.** The provisions of this Section shall not apply to:

- (a) Projects consisting exclusively of additions of floor area, alterations, or changes of use, or interior tenant improvements to existing residential or non-residential buildings.
- (b) Projects consisting of new construction of accessory buildings incidental to the main use and Outdoor Dining Areas.
- (c) New construction, addition, or remodel of buildings consisting of four or fewer dwelling units, inclusive of accessory dwelling units.
- (d) Any structure or use of land that is primarily comprised of permeable ground surfaces as defined in Subsection D or otherwise contains landscaping such as cemeteries, golf courses, ball fields, public parks, natural reserves, or open spaces, and the like. To qualify for this exemption, at least 60 percent of the lot or lots must be permeable. Artificial turf areas shall not be deemed permeable for purposes of this exemption.
- (e) Use of land for temporary uses (construction staging, seasonal uses like Christmas tree lots, pumpkin patch lots, and farmer's market lots, and other similar uses, excluding surface parking areas).
- (f) Reconfiguration or resurfacing of existing surface parking areas referenced in Subsection C.1 (d) shall not include re-striping of parking areas, changes necessary to meet accessible parking standards, electric vehicle parking requirements, or for general maintenance and upkeep of parking facilities accessory to the primary use of land, provided that such changes to existing surface parking areas involve fewer than eight parking stalls.
- (g) Sites designated as Historic-Cultural Monuments, if the site includes landscape features that have been identified as a character-defining feature, subject to review by the Office of Historic Resources.

D. Definitions. Whenever the following terms are used in ~~this~~ Sections 12.40 through 12.43, they shall be construed as defined below. Words and phrases not defined herein shall be construed as defined in Sections 12.03, and in the Guidelines adopted by the City Planning Commission pursuant to Subsection F below.

~~Grass – Any relatively low-growing living ground cover of the family Poaceae (Graminae), usually mown. Includes, but is not limited to, members of the species Agropyron (Wheat Grass), Agrostis (Bent Grass, Redtop), Bouteloua (Blue Grama Grass), Buchloe (Buffalo Grass), Cynodon (Bermudagrass), Festuca (Fescue), Lolium (Rye Grass), Poa (Bluegrass), Stenotaphrum (St. Augustine Grass), Zoysia (Korean Grass). Does not include members of the family Poaceae (Graminae), that are usually not mown, such as members of the species Aristidia (Triple-Awned Grass), Miscanthus (Eulalia Grass), Muhlenbergia (Deer Grass).~~

Elective Standard - An optional objective design standard that is measurable, verifiable, and knowable to all parties prior to project submittal, that can be selected to meet minimum point requirements.

Ground Floor Frontage - The lowest story within a building which is accessible to the street, the floor level of which is within three feet above or below curb level, is parallel to or primarily facing any public street, and which is at least 15 feet in depth of the total depth of the structure, whichever is less.

Designing for Health Standard - An objective design standard addressing healthy considerations that is measurable, verifiable, and knowable to all parties prior to project submittal, that can be selected to meet minimum point requirements.

Landscape Practitioner - Any person responsible for the design, installation or maintenance of landscape and irrigation systems who is a certified arborist or licensed by the State of California as a landscape architect, or landscape contractor, install or maintain landscape or irrigation systems. Any person specifically exempted by the State from the licensing requirements in the field of landscape or land management. Any owner who designs, installs or maintains landscaping or irrigation systems on his or her own property.

Landscape and Site Design Point System - A flexible, performance-based point system comprised of objective design standards with point values assigned based on effectiveness in addressing health, equity, and sustainability goals identified in the Purpose statement above.

Lawn Area - Any relatively low-growing, living, ground cover, typically (but not necessarily) mown, that will withstand foot traffic, and that requires dry-season irrigation greater than that required by Common Bermudagrass (*Cynodon dactylon*). Includes Dichondra and Clovers (*Trifolium* species.)

Native (Plant) - Any (plant) species indigenous to the Los Angeles area existing before European settlement, as identified in James Hendrickson's The Jepson Manual, or its successor standard reference, as adopted by the Director of Planning.

Native (Plant) Community - A recurring combination of native (plant) species that reflects parallel responses to similar combinations of environmental conditions, as identified in Robert F. Holland's "Preliminary Descriptions of the Terrestrial Natural Communities of California," or its successor standard reference, as adopted by the Director of Planning.

Mandatory Standard - A required objective design standard as identified in the Landscape and Site Design Point System that is measurable, verifiable, and knowable to all parties prior to project submittal.

Mandatory if Applicable Standard- An objective design standard that applies in limited circumstances, and that is measurable, verifiable, and knowable to all parties prior to project submittal.

Permeable - A material that permits water penetration to a soil depth of 18 inches or more, including non-porous surface material poured or laid in sections not exceeding one square foot in area and collectively comprising less than two-thirds of the total surface area of loosely laid material such as crushed stone or gravel.

Project - Any use of land, construction or addition which includes more than 2,000 gross square feet of impermeable surface. A Project shall include new parking areas and additions to existing parking areas constructed with impermeable paving and new parking buildings. A Project shall not include construction of or addition to one-family dwellings, nor shall a Project include any structure or use of land which is permeable.

Stream - Any perennial or intermittent stream or river identified on United State Geological Survey Maps.

Wetland - Any natural lake, intermittent lake, pond, intermittent pond, marsh, swamp, seep or spring identified on United States Geological Survey Maps.

E. Landscape and Site Design Point System. ~~(Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.)~~ The Department of City Planning shall not approve ~~proposed landscape for any Project unless the landscape satisfies the requirements of the Landscape and Site Design Point System, as established by the City Planning Commission, are satisfied.~~ A Project that satisfies any landscape requirements of this Code Sections 12.40 through 12.43 of this Code and or any other sections of this Code, may accrue points, as set forth in the Landscape and Site Design Ordinance.

1. Administration.

(a) Content of the Landscape and Site Design Point System. Upon enactment of this Ordinance, the Director of Planning or designee shall have authority to approve or disapprove projects in accordance with the Landscape and Site Design Point System pursuant to Section 13B.3.1 (Administrative Review) of Chapter 1A of this Code.

(b) Updates to the Landscape and Site Design Ordinance Point System. The City Planning Commission shall have the authority to update and modify the Landscape and Site Design Ordinance Point System to: (1) Revise Mandatory and Elective Standards and their associated point values in order to provide feasible options to applicants to meet program goals and outcomes and (2) reflect best practices, emerging technologies, and to respond to lessons learned from program evaluation.

~~**F. Approvals.** (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.) The Director of Planning shall have the authority to issue approvals under Sections 12.40 through 12.43 of this Code. The Director shall review and approve or disapprove the proposed landscape. These decisions shall be based on the requirements for application submittal established by the City Planning Commission. The City Planning Commission shall adopt and revise, as necessary, guidelines to implement the provisions of Sections 12.40 through 12.43. The Director may also grant exemptions from Sections 12.40 through 12.43 if he or she finds that these landscaping requirements are inappropriate due to the temporary nature of the Project.~~

F. Development Regulations. No building permit or Certificate of Occupancy for any Project, as defined by Subsection C.1, shall be issued that is not in compliance with the requirements of the Landscape and Site Design Standards and the Landscape and Site Design Points System, pursuant to Subsection E.

1. The Landscape and Site Design Points System Conformance. The Director of Planning shall determine conformance with the Landscape and Site Design Point System, which enumerates Mandatory and Elective objective development standards. For each project type listed in Section C., the following total points shall be required to satisfy the Landscape and Site Design Point System, which may be achieved through a combination of Mandatory and Elective Standards.

(a) Residential or Mixed-Use Projects. A residential or mixed-use Project must meet a total of 27 points.

Projects pursuant to the Mixed Income Incentive Program, Affordable Housing Incentive Program, or State Density Bonus Program shall require 30 points in lieu of the 27 points otherwise required by this Section if one or more of the following incentives are requested under the Menu of Incentives: Lot Coverage, Lot Width, Open Space, or Relief from a Development Standard.

Projects seeking incentives not on the Menu of Incentives pursuant to the Mixed Income Incentive Program shall require 35 points for compliance with the Landscape and Site Design Ordinance.

(b) Non-Residential Projects (excluding projects subject to subsection c and d below). A Project must meet a total of 27 points. A minimum of 3 points are required in each category.

(c) Industrial/Hybrid Industrial Projects. Industrial or Hybrid-Industrial projects listed in the Subject Use list in LAMC Section 13.18 must meet a total of 15 points.

(d) Surface Parking Area Construction or Reconfiguration. Reconfiguration Projects involving resurfacing or regrading of existing surface parking areas and/or creation of new surface parking areas must meet a total of 15 points.

(e) Designing for Health Standards. Residential and Non-Residential Projects (a. and b. above) must meet a minimum of eight (8) required Designing for Health Standards which may be counted towards the total number of points.

Residential/Mixed-Use and Non-Residential Projects (a. and b. above) within mapped Health and Urban Forest Equity Priority Areas must meet 10 required Designing for Health Standards; Industrial and Surface Parking Area Projects (types c and d) within mapped Health and Urban Forest Equity Priority Area must meet 2 required Designing for Health Standards.

Table 1 - Landscape and Site Design Point System Requirements by Project Type.

<u>Project Type</u>	<u>Minimum Points Required per Category</u>	<u>Minimum Required Designing for Health Standards</u>	<u>Total Points Required</u>
<u>Type a or b: Residential/Mixed-Use or Non-Residential Projects</u>	3	8 10 if Project is within Priority Area Z1	27 points (See Note)
<u>Type c: Industrial/Hybrid Industrial Projects</u>	N/A	0 2 if Project is within Priority Area Z1	15 points
<u>Type d: Surface Parking Area Construction or Reconfiguration</u>	N/A	0 2 if Project is within Priority Area Z1	15 points
<p><u>Note: Projects pursuant to the Mixed Income Incentive Program, Affordable Housing Incentive Program, or State Density Bonus Program may require 30 points in lieu of the 27 points otherwise required by this Section if one or more of the following incentives are requested under the Menu of Incentives: Lot Coverage, Lot Width, Open Space, or Relief from a Development Standard Not on the Menu. Projects seeking incentives not on the Menu of Incentives pursuant to the Mixed Income Incentive Program shall require 35 points for compliance with the Landscape and Site Design Ordinance.</u></p>			

2. Mandatory Point Equivalency. In the Landscape and Site Design Point System, if a project is unable to satisfy a Mandatory or Mandatory if Applicable Standard due to a physical hardship, at least three additional points must be selected to substitute for each unmet Mandatory Standard. A maximum of three (3) Mandatory Standards can be substituted. No relief from the total required points shall be permitted.

G. Procedures.

1. Administrative Review - Authority of the Director. The Director or their designee shall review plans for compliance with the Landscape and Site Design Ordinance pursuant to Sec. 13 B.3.1. (Administrative Review) of Chapter 1A of this Code.

H. Verification of Points and Certificate of Substantial Completion.

- ~~1. When the approved landscape has been substantially installed, a landscape practitioner shall file a certificate of substantial completion certifying to the Department of City Planning, that the proposed landscape required in Sections 12.40 through 12.43 of this Code has been substantially provided on the Project.~~

1. Approvals. The Director of Planning or designee will review each Project through a two-part verification process.

(a) Preliminary Approval. During preliminary approval, the Project shall be reviewed per Chapter 1A, Sec. 13 B.3.1. (Administrative Review) for compliance with the required number of points and standards as applicable to the Project at the time of land-use application filing with City Planning for discretionary projects or building permit clearance for by-right projects.

(b) Final Compliance Verification. A final approval will require the filing of a Certificate of Completion, a Covenant and Agreement and a Landscape Management Plan demonstrating completion of installation as per approved plans in Subsection (a), prior to issuance of a Certificate of Occupancy as described in Sections (i), (ii) and (iii) below.

(i) Certificate of Completion. Prior to a final approval, when the approved project has been constructed, the architect of record and the landscape practitioner shall file a Certificate of Completion attesting to the Department of City Planning that the project design features required by this checklist and the approved plans have been implemented on the project in substantial conformance with the preliminary approval in subsection G.1.

(ii) Covenant and Agreement. Prior to a final approval, the applicant shall record a Covenant and Agreement listing the selected Landscape and Site Design Ordinance Mandatory and Elective Standards, including any required maintenance of landscaping associated with the standards, as verified by the Department of City Planning in order to guarantee compliance.

(iii) Landscape Management Plan. As part of the Covenant and Agreement, a landscape management plan for landscape installation on public and private property shall be provided to the Director of Planning by the project's Landscape Practitioner after substantial completion of project landscape improvements. Where public improvements are required, a landscape management plan for landscape installation shall be provided by the project's Landscape Practitioner to the Department of Public Works Bureau of Contract Administration prior to the issuance of the project statement of completion.

The landscape management plan shall include:

1. Plans showing landscape installation, irrigation, and drainage.
2. Recommended irrigation for each hydrozone during the initial five- year plant establishment period to ensure that newly planted trees and landscape are healthy, vigorous, and fully established.
3. Recommended summer and winter irrigation schedules after the five-year plant establishment period.
4. A statement acknowledging that pruning of any required parking lot trees, once they are established, shall not reduce the tree shading to less than 50% of its summer canopy prior to pruning.
5. A guarantee of maintenance of any installed plant material, on public or private property, and replacement in-kind of any such plant material that must be removed for any reason. The landscape management plan shall be in effect for the life of the building.

(iv) Tree Planting In-Lieu Fee. Prior to final approval, the applicant shall provide evidence of payment of tree planting in-lieu fees, for any Development Tree Planting Requirement under the provisions of this ordinance and LAMC Section 62.177.

~~2. Substantial completion may be guaranteed by the applicant, in lieu of actual installation. A performance bond, certificate of deposit, letter of credit, surety deposit, or other instrument satisfactory to the City Attorney, in any amount equal to the cost of the landscape, shall be posted with the City to ensure satisfactory completion of the landscape.~~

2. Modification of Approved Plans. If after final approval, a change to the Project occurs during permitting or construction that results in a recalculation of points or substitution of points, approval of a new Administrative Review application shall be required.

~~3. Nothing in this subsection shall be construed to prevent the Department of Building and Safety from issuing a certificate of occupancy, when otherwise permitted or required.~~

I. Relationship To Other Provisions of The Los Angeles Municipal Code.

~~1. Existing "Q" Conditions, "D" Development Limitations or "F" Funded Improvement Classifications. In the case of conflicts between Sections 12.40 through 12.43 of this Code with existing "Q" conditions, "D" development limitations or "F" funded improvements classifications, the existing "Q" conditions, "D" development limitations or "F" funded improvement classifications shall control.~~

1. Specific Plans and Supplemental Use Districts. Where development standards in Specific Plans, Supplemental Use Districts or other overlays contain similar landscaping regulations, these standards may be used to satisfy Mandatory and Elective Standards in the Landscape and Site Design Point System. In instances where the provisions of this Section 12.40 of this Code or the Landscape and Site Design Point System conflict with any provisions of any Specific Plan, Supplemental Use District, or other overlay, the more restrictive provisions shall prevail.

~~2. Existing Specific Plans. In the case of conflicts between Sections 12.40, 12.42 and 12.43 of this Code with existing specific plans, the provisions of the following existing specific plans shall control: Central City West Specific Plan, Colorado Boulevard Specific Plan, Devonshire-Topanga Specific Plan, Granada Hills Specific Plan, Mulholland Scenic Parkway Specific Plan (controls over Section 12.42 only), Pacific Palisades Commercial Village Specific Plan, Park Mile Specific Plan, Playa Vista Specific Plan, Porter Ranch Specific Plan (controls over Section 12.43 only), Reseda Central Business District Specific Plan, San Vicente Scenic Corridor Specific Plan, Valley Village Specific Plan, the Venice Coastal Zone regulations, Ventura-Cahuenga Boulevard Corridor Specific Plan, Warner Center Specific Plan, and Wilshire-Westwood Scenic Corridor Specific Plan. In the case of conflicts between Sections 12.40 through 12.43 of this Code with the provisions of the Mount Washington Specific Plan or the Foothill Boulevard Corridor Specific Plan, the more restrictive provisions shall control. (Amended by Ord. No. 171,694, Eff. 9/26/97.)~~

2. Relationship to LAMC Section 12.37. Notwithstanding LAMC Section 12.37 A, all projects subject to the Landscape and Site Design Ordinance shall be required to provide street trees pursuant to the Landscape and Site Design Point System regardless of the street classification of the abutting street frontages of the lot(s). Where complete roadway, curb, gutter and sidewalk improvements exist within the present dedication contiguous to a lot, all by-right and discretionary projects subject to the Landscape and Site Design Ordinance shall provide street trees located in tree wells or parkways or some combination thereof pursuant to this Section and the Mandatory Standard

addressing “Public Realm Improvements and New Street Trees” in the Landscape and Site Design Point System.

~~—3. Future Specific Plans, “Q” Conditions, “D” Development Limitations or “F” Funded Improvement Classifications. Future specific plans, “Q” conditions, “D” development limitations or “F” funded improvement classifications may impose alternate landscape requirements, if they expressly state that the specific plan’s, “Q” conditions’s, “D” development limitation’s or “F” funded improvement classification’s landscape requirements are intended to supersede the standards set forth in Sections 12.40 through 12.43 of this Code.~~

~~—I. If any provision of Sections 12.40 through 12.43 conflicts with Article 7, Chapter V of this Code, Article 7, Chapter V shall control.~~

~~—J. Unless specifically prohibited by this Code, any existing features and techniques that fulfill the requirements of Sections 12.40 through 12.43 of this Code may be used to satisfy the requirements of these sections. The provisions of Sections 12.40 through 12.43 of this Code shall not require the removal of any existing structures or features nor prohibit any existing installed landscape techniques. Where conflicts arise, all efforts shall be made to conform to the provisions of Sections 12.40 through 12.43 of this Code in a reasonable and practical manner.~~

Sec. 15. Section 12.41 of Article 2 of Chapter 1 of the LAMC is hereby repealed.

SEC. 12.41. LANDSCAPE – WATER MANAGEMENT.

~~—(Added by Ord. No. 170,978, Eff. 5/13/96, Oper. 7/13/96.)~~

~~—A. Purpose. To contribute to conservation of the City’s imported water resources mandated by state law by setting minimum standards for water delivery systems to landscapes.~~

~~—B. Requirements and Prohibitions.~~

~~—1. No building permit, use of land permit, or grading permit for which landscape is required or for which landscape is provided shall be issued, except when the purpose is to construct a one-family dwelling, unless the Department of City Planning first determines that the required Water Management features and techniques, established by the City Planning Commission will be installed on the subject lot. No water management approval shall be required or issued for these permits unless a landscape approval required for the permits has first been issued by the Department of City Planning.~~

~~—2. All permanent irrigation systems required under the provisions of this Code that use potable water shall meet the minimum specifications for features and techniques established by the City Planning Commission.~~

~~—3. No irrigation system shall be required for undisturbed native or undisturbed natural vegetation, provided that the overall hydrologic regime that supported the vegetation remains unaltered. At the discretion of the Department of City Planning, an irrigation system may be required when the applicant proposes to establish native plantings, designed to take advantage of natural rainfall.~~

~~—4. No portion of this section shall be construed to mandate any specific type of irrigation equipment, either existing or to be developed, except backflow preventers, nor any specific method of application of water, either existing or to be developed, provided it meets the criteria set forth in this section, unless specifically required by other sections of this Code. The provision of hose bibs or quick coupler valves shall be considered the provision of an irrigation system, provided all points of the irrigated area are less than 50 feet from a hose bib or quick coupler valve; no portion of the irrigated area slopes at more than a 5:1 grade; and the total area to be irrigated does not exceed 500 square feet.~~

~~—5. Irrigation Maintenance. All portions of every irrigation system shall be continuously maintained in a condition such that the intent of the irrigation design is fulfilled. Uncontrolled emission of water from any pipe, valve head, emitter, or other irrigation device shall be considered evidence of non-maintenance.~~

~~—6. For the purposes of this section only, a Landscape practitioner is as defined in Section 12.40D and also includes any person certified by a professional organization in the field of water management, or any person with a bachelor's degree or equivalent from a California college or university, in the field of water management, when not in conflict with applicable State licensing laws and guidelines adopted by the Director of Planning. The Director is hereby authorized to adopt guidelines and procedures necessary to implement the provisions of this section.~~

~~—7. Mulch. Owners of landscaping shall be encouraged to provide for plant mulching with planted areas provided with a layer of mulch a minimum of three inches deep, to aid the growth of the plants.~~

Sec. 16. Section 12.42 of Article 2 of Chapter 1 of the LAMC is hereby repealed.

~~SEC. 12.42. LANDSCAPE.~~

~~—(Added by Ord. No. 170,978, Eff. 5/13/96, Oper. 7/13/96.)~~

~~—A. Conservation of Energy.~~

~~—1. Purpose. To contribute to mitigation of increasing urban temperatures, thereby reducing the need for new power generating facilities, the following regulations shall apply.~~

~~—2. Tree Planting. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.) Applications for landscape approval shall contain a proposal for shading of walls~~

~~of structures in accordance with the guidelines established by the City Planning Commission.~~

~~B. Heat and Glare Reduction.~~

~~1. Purpose. To contribute to the mitigation of increasing urban temperatures, thereby reducing the need for new power generating facilities, to reduce storm water runoff, and to increase ground water recharge, the following regulations shall apply.~~

~~2. Vehicular Use Areas. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.) Notwithstanding any other provisions of this Code to the contrary, applications for landscape approval shall contain a proposal for heat and glare reduction in vehicular use areas in accordance with guidelines established by the City Planning Commission.~~

~~C. Air Quality Enhancement.~~

~~1. Purpose. To ensure coordination between landscape and other features of the urban environment and to contribute to the processes of oxygen regeneration, clearing the air of harmful pollutants, and removal of air-borne particulates, the following regulations shall apply.~~

~~2. Procedure. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.) Applications for landscape approval shall contain a proposal for air quality enhancement, in accordance with the guidelines established by the City Planning Commission.~~

~~D. Soil and Watershed Conservation.~~

~~1. Purpose. To conserve the unique character of the City which is largely determined by its landforms; and to encourage the restoration of such native areas as are unavoidably disturbed by development; to conserve soil and accumulated organic litter and reduce erosion by utilization of a variety of methods; and to increase residence time and precipitation in the watershed, the following regulations shall apply.~~

~~2. General Requirements.~~

~~(a) (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.) The Department of Building and Safety shall not issue any building permits for a Project where soil and watershed conservation techniques, as provided in this section and in the guidelines established by the City Planning Commission, have not been used, as determined by the Department of City Planning. Notwithstanding the provisions of Article 1 of Chapter IX of this Code, all cut and fill slopes in Hillside Areas determined under the provisions of that article of this Code to be subject to erosion, shall be planted and irrigated pursuant to the provisions of this subdivision.~~

~~(b) All cut and fill slopes in Hillside Areas shall be landform graded and landform planted to the maximum extent feasible where such techniques do not affect the stability of the graded slopes. Where landform grading is unsuitable for the entire graded area, portions of the graded area may be required by the Department of City Planning to be landform graded and landform planted, consistent with public safety. Nothing in this~~

~~paragraph shall prohibit the Department of Building and Safety from enforcing the planting and irrigation provisions of the Grading Division of Chapter IX of this Code.~~

~~—(c) The Director shall take measures to ensure that the planting of slopes shall take into consideration such factors as degree of slope, slope orientation, type of soil, rooting depth of plants, fire dangers, availability of water, original native communities, depth of soil, and other relevant design factors.~~

~~—(d) Non-native plants, when used, shall compliment native communities in growth habit, foliage color, cultural requirements, and flowering behavior.~~

~~—3. Required Vegetation. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.) Manufactured slopes shall be planted in accordance with the guidelines established by the City Planning Commission.~~

~~—E. Landscape Techniques.~~

~~—1. Turf Block. Turf block, turf stone or similar materials shall be considered non-planted areas, except in planted portions of emergency access ways when permitted by the Fire Department. (Amended by Ord. No. 171,530, Eff. 4/4/97.)~~

~~—2. Coordination with Signs and Lighting. All planting shall be coordinated with all signs and lighting on the Project site, both upon installation of the planting and upon the planting reaching its maximum designed size. All shall be designed such that one will not interfere with the other, nor require excessive maintenance.~~

~~—3. Planting Techniques. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.) All planting shall be accomplished in accordance with the guidelines established by the City Planning Commission.~~

~~—F. Walls. All concrete or masonry walls shall have a minimum nominal thickness of six inches unless designed to withstand lateral force and constructed pursuant to plans approved by the Department of Building and Safety.~~

Sec. 17. Section 12.43 of Article 2 of Chapter 1 of the LAMC is hereby repealed.

~~SEC. 12.43. SOURCE REDUCTION OF WASTE.~~

~~—(Added by Ord. No. 170,978, Eff. 5/13/96, Oper. 7/13/96.)~~

~~—A. If any landscape includes grass, all grass clippings shall be recycled on- or off-site, and shall not be introduced into the off-site waste stream.~~

~~—B. If a lot is 7,500 square feet or greater, all vegetative waste, except that which is not appropriate to recycle, shall be recycled on- or off-site and shall not be introduced into the off-site waste stream.~~

~~—C. In any landscape with lawn area greater than 15 percent of the planted area, all lawn area waste shall be recycled on- or off-site.~~

~~—D. Exceptions shall be made when the waste is produced by installation of the landscape, as a result of fulfilling the requirements of Division 88, Article 1 of Chapter IX of this Code, or as a result of fulfilling the requirements of Article 7, Chapter V of this Code.~~

~~—E. Notwithstanding any other provision of this Code, except for Subsection A, the provisions of this section shall take effect only at the time and in the manner that the Board of Public Works, after a public hearing, certifies to the Director that sufficient off-site facilities exist to handle the expected volume of recycled vegetative waste.~~

Sec. 18. Subsection F. of Section 13.18 (“CUGU” Clean Up Green Up District) of Article 3 of Chapter 1 of the LAMC is hereby amended to read as follows:

F. Development Regulations.

2. Subject Use Adjacent to Publicly Habitable Spaces.

(i) Landscaping (applies to project types: NEW, MAJOR IMPROVEMENT, ADDITION, CHANGE of USE).

(1) Setbacks. All required side and back yard setbacks in Section 13.18 F.2.(h) abutting a Publicly Habitable Space shall be landscaped to provide a buffer.

(2) Planting. A Landscape Practitioner shall select trees or hedges that are between 6 and 8 feet high, low in water use, low in biogenic emissions, high in carbon and particulate matter filtration qualities, and retain foliage for most months of the year. Trees shall be limited to selections from the Department of Public Works Bureau of Street Services, Street Tree Selection Guide, except non-drought tolerant trees and Palms shall be prohibited. A minimum of one tree shall be planted and maintained every 10 linear feet within the setback. A list of preferred trees is also provided in the CUGU application packet available at the Planning Department’s Development Services Counter. Landscape Plans shall be submitted to the Department of City Planning for approval.

(3) Irrigation. Project applicants shall design and install irrigation systems pursuant to the Landscape and Site Design Ordinance, Section 12.40 of this Code. A

Landscape Management Plan shall be submitted pursuant to 12.40 H.1(b)(iii).

Sec. 19. Subsection F. of Section 13.09 (Mixed-Use District) of Article 3 of Chapter 1 of the LAMC is hereby amended to read as follows:

F. Development Standards. Notwithstanding the requirements of any other provision of this chapter to the contrary, all Projects shall comply with the following development standards.

1. Landscaping and Surface Parking Lots. Landscaping of Projects and surface parking lots shall be provided in accordance with the requirements set forth in the Landscape and Site Design Ordinance, Sections 12.40 of the Code, ~~12.41, 12.42, 12.43,~~ and 12.22 A.23.(10)(ii) (mini-shopping centers and commercial corner developments) of the Code. Projects must also comply with the following additional requirements:

(a) Open Areas. All open areas not used for buildings, driveways, parking, recreational facilities, or Pedestrian Amenities shall be landscaped by shrubs, trees, ground cover, lawns, planter boxes, flowers, or fountains.

(b) Pavement. Paved areas, excluding parking and driveway areas, shall consist of enhanced paving materials such as stamped concrete, permeable paved surfaces, tile, and/or brick pavers.

(c) Street Trees. At least one 24-inch box street tree shall be planted where determined feasible in the public right-of-way on center, or in a pattern satisfactory to the Bureau of Street Services Maintenance, for every 30 ~~25~~ feet of street frontage.

(d) Landscape Management Plan. A Landscape Management Plan shall be submitted pursuant to 12.40 H.1(b)(iii).

Sec. 20. Subsection A. of Section 14.00 (Public Benefit Projects) of Article 4 of Chapter 1 of the LAMC is hereby amended to read as follows:

A. Public Benefit Projects and Performance Standards.

13. Density Bonus for Qualified Permanent Supportive Housing.

(e) Additional Concessions or Incentives. The project shall be eligible for any combination of up to five concessions or incentives described below, as applicable. Incentives shall not be used to exempt

compliance with the performance standards described in Paragraph (g) below.

(1) Yard/Setback. A Qualified Permanent Supportive Housing Project may only qualify for this incentive when the landscaping project qualifies for the number of landscape points equivalent to 10% or more than otherwise required by Section 12.40 ~~E.~~ of this Code and the Landscape and Site Design Point System. ~~Landscape Ordinance Guidelines "O."~~ All adjustments to individual yards or setbacks may be combined to count as one concession or incentive.

(i) Up to 20% decrease in the required width or depth of any individual yard or setback, except along ~~along~~ a property line that abuts an R1 or more restrictive zoned property, in which case no reduction is permitted.

(ii) In residential zones, however, the resulting front yard setback may not be less than the average of the front yards, as measured to the main building, or ~~of~~ adjoining lots along the same street Frontage. If located on a corner lot adjacent to a vacant lot, the front yard setback may align ~~align~~ with the facade of the adjacent building along the same front lot line, and may result in more or less than a 20% decrease in the required setback. If there are no adjacent buildings, no reduction is permitted.

(2) Lot Coverage. Up to 20% increase in lot coverage limits, provided that the landscaping for the Qualified Permanent Supportive Housing Project qualifies for the number of landscape points equivalent to 10% or more than otherwise required by Section 12.40 ~~E.~~ of this Code and the Landscape and Site Design Point System. ~~Landscape Ordinance Guidelines "O."~~

(3) Floor Area Ratio.

(i) Up to 35% increase in the allowable Floor Area Ratio.

(ii) In the RD1.5 Zone, up to a 20% increase in the allowable Floor Area Ratio.

(iii) In lieu of the otherwise applicable Floor Area Ratio, a Floor Area Ratio not to exceed 3:1, provided the parcel is in a commercial zone.

(4) Height. Up to 35% increase in the maximum allowable height in feet, applicable over the entire parcel regardless of any of the lower underlying height limits. For purposes of this Subparagraph, Section 12.21.1 A.10. of this Code shall not apply. In its place, the following transitional height requirements shall be applied:

(i) In any zone in which the height or number of stories is limited, this provision shall permit a maximum height increase of one additional story up to eleven feet.

(ii) When adjacent to or across an alley from an R2 or more restrictive zone, the building's transitional height shall be stepped-back within a 45 degree angle as measured from a point 25 feet above grade at the property line.



(iii) In the RD1.5 Zone, when adjacent to or across an alley from an R2 or more restrictive zone, the building's transitional height shall be stepped-back within a 45 degree angle as measured from a point 20 feet above grade at the property line.



(5) Open Space. Up to 20% decrease in the required open space, provided that the landscaping for the Qualified Permanent

Supportive Housing Project qualifies for the number of landscape points equivalent to 10% or more than otherwise required by Section 12.40 E- of this Code and the Landscape and Site Design Point System. Landscape Ordinance Guidelines “O.”

Sec. 21. The “Fees for Sign-Off or Clearance Requests” Table in Section 19.04 of Article 2 of Chapter 1 of the LAMC is hereby amended to read as follows:

The following fees and charges shall be paid to the Department of City Planning in connection with sign-off or clearance requests:

Type of Application	Base Fee
Public Benefit Project Clearance for by-right project (Section 14.00 A.)	\$603
Miscellaneous Clearance - ZA (Section 12.24 and all other projects)	\$2,347
Miscellaneous Clearance - ZA SF dwellings with no exceptions (Section 12.24 and all other projects)	\$842
Request for Approval to erect temporary Subdivision Directional Signs (First Sign) (Section 12.21 A.7.)	\$452
Request for Approval to erect temporary Subdivision Directional Signs (Each Additional Sign) (Section 12.21 A.7.)	\$400
Miscellaneous Clearance - Director	\$2,132
Miscellaneous Clearance - Commission	\$2,522
Landscape Plan Approval as part of a <u>Subdivision Discretionary Approval</u>	\$1,005
Miscellaneous Clearance - Advisory Agency	\$713
Miscellaneous Clearance - Approval of plans for Substantial Conformance	\$2,681
Building Permit Clearance - Minor	\$313
Administrative Review - Minor	\$1,408
Administrative Review - Major	\$4,173

<u>Administrative Review - Landscape and Site Design Approval and Verification (Section 12.40)</u>	<u>\$418</u>
Administrative Clearance - Restaurant Beverage Program (Sections 12.22 A.34., 12.22 A.35.)	\$2,347
Monitoring - Restaurant Beverage Program (Sections 12.22 A.34., 12.22 A.35.)	\$1,878
Inspection and Field Compliance Review - Restaurant Beverage Program (Sections 12.22 A.34., 12.22 A.35.)	\$816

Sec. 22. Section 62.177 Establishment of Tree Replacement and Planting In-Lieu Fee of Chapter VI of Article 2 (Streets and Sidewalks) of the LAMC is hereby amended to read as follows:

(Added by Ord. No. 185,573, Eff. 7/5/18.)

(a) Definitions. The definitions provided in Section 62.00 of this Code along with the definitions contained in this subsection shall govern the construction, meaning and application of words and phrases used in this section.

(1) "Board" shall mean the Board of Public Works or its designee.

(2) "Development Tree Planting Requirement" shall mean the tree planting requirement under Sections 12.21 G.2.(a)(3) and 12.40 of this Code.

Sec. 23. Section 91.7012 Planting and Irrigation of Cut and Fill Slopes in Hillside Areas of Chapter IX, Division 70: Grading, Excavations, and Fills, of Article 1 of the LAMC is hereby amended to read as follows:

91.7012.1. General. All fill and cut slopes in designated hillside areas shall be planted and irrigated to promote the growth of ground cover plants to promote slope stability and protect the slopes against erosion, as required in this section. When selecting plant species, applicants shall refer to the Wildlife Ordinance Preferred and Prohibited Plant Lists (see proposed Wildlife District Ordinance Council File 14-0518). The owner shall be responsible for planting and maintaining all slopes where such is required in this Section. ~~Planting and irrigation shall comply with the provisions of LAMC Sections 12.40, 12.41, and 12.42.~~

Sec. 24. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to

the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Pursuant to Section 559 of the City Charter, **I APPROVE** this ordinance on behalf of the City Planning Commission and recommend that it **BE ADOPTED**.

By _____

VINCENT P. BERTONI, AICP

Director of Planning

Date _____

File No. _____

I hereby certify that the foregoing ordinance was passed by a vote of not less than two-thirds of all its members by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____