

RESOLUTION

WHEREAS, the City Council unanimously approved the final ordinances for the adopted Downtown Los Angeles Community Plan (Downtown Plan) and Chapter 1A of the Los Angeles Municipal Code (New Zoning Code) on December 4, 2024 (CF 22-0617); and, the City Council unanimously approved the final ordinances for the Citywide Housing Incentive Program (CF 21-1230-S5), the Resident Protections Ordinance (CF 21-1230-S8), and the Housing Element Sites and Minimum Density Ordinance (CF 21-1230-S6) on February 7, 2025;

WHEREAS, the City Council's approval authorized the Department of City Planning to prepare and present to City Council non-substantive technical corrections to the New Zoning Code Ordinance (No. 188,418), the Citywide Housing Incentive Program Ordinance (No. 188,477 and Ordinance No. 188,478), the Resident Protections Ordinance (No. 188,481 and Ordinance No. 188,482), and the Housing Element Sites and Minimum Density Ordinance (No. 188,479 and Ordinance No. 188,480) within a year of the operative or effective dates of the respective ordinances;

WHEREAS, such technical corrections may include corrections to typographical errors and citations, stylistic and formatting consistency edits, corrections to ensure consistency between provisions, corrections to clarify the implementation of a provision, and updates to illustrations or graphics to align with the text of Chapter 1A of the Los Angeles Municipal Code;

WHEREAS, the City Council authorized the Department of City Planning to bring those corrections to the City Council for final approval;

WHEREAS, the Department of City Planning has prepared technical corrections to the New Zoning Code that would bring the ordinance into conformance with the adopted policies of the City Council through Council Files 22-0617, 21-1230-S5, 21-1230-S8, and 21-1230-S6;

WHEREAS, the technical corrections would fix code citations, style and formatting, typographical errors, and other clean up changes to clarify implementation that do not result in substantive changes to the policies adopted by the City Council through Council Files 22-0617, 21-1230-S5, 21-1230-S8, and 21-1230-S6 in their approval of the final ordinances;

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the corrections to Chapter I. and Chapter 1A of the LAMC in Attachment "1", Exhibit "A", Exhibit "B", Exhibit "C", Exhibit "D", and Exhibit "E", which are attached hereto and incorporated herein by reference.

ATTACHMENT “1”

Additions are shown in underline and deletions are shown in ~~striketrough~~. Terms defined in the Glossary in Chapter 1A Article 14 are shown in *italics*.

Clarifications and Amendments to Citywide Housing Incentive Program (CHIP) Ordinance No. 188,477 and Ordinance No. 188,478

Item 1.

- 1.1. Chapter I. (General Provisions and Zoning), Sec. 12.24.U.26. (Density Bonus for a Housing Development in Which the Density Increase Is Greater than the Maximum Permitted in Section 12.22 A.37.)

The following clarifies the correct implementation of overlapping amendments to Chapter I made by the RPO (Ord. No. 188,481, Sec. 5) and CHIP ordinance (Ord. No. 188,477, Sec. 11). Both ordinances contain substantively similar amendments to paragraph (a) of Subdivision 26 of Subsection U. of Sec. 12.24 of the Code. However, Sec. 5 of Ord. No. 188,481 did not include the full set of amendments to Paragraph (a) as made by Sec. 11 of Ord. No. 188,477. Consistent with the City Council's intent to adopt the full set of amendments to Paragraph (a) contained in Sec. 11 of Ord. No. 188,477, this Resolution clarifies that the amendments in Sec. 11 of Ord. No. 188,477 shall prevail over those contained in Sec. 5 of Ord. No. 188,481.

- 1.2. Adopt the amendments to Chapter 1A of the LAMC as shown in **Exhibit “A”**.

Amendments to Resident Protections (RPO) Ordinance No. 188,481 and Ordinance No. 188,482

Item 2.

- 2.1. Chapter I. (General Provisions and Zoning), Sec. 19.18.B.2. (Exemptions)

The following clarifies the correct implementation of overlapping amendments to Chapter I made by the RPO (Ord. No. 188,481, Sec. 11) and CHIP ordinance (Ord. No. 188,477, Sec. 27). The amendments to Paragraph (b) of Subdivision 2 of Subsection B of Section 19.18 made by Sec. 11 of Ord. No. 188,481 shall prevail over the amendments to the same paragraph (b) made by Sec. 27 of Ord. No. 188,477, but shall be reconciled to include the full set of amendments to Paragraph (b) made by the two ordinances consistent with the City Council's intent to adopt the full set of amendments. The amendments made by Sec. 11 of Ord. No. 188,481 to Paragraph (b) of Subdivision (2) of Subsection B. of Section 19.18 of the Los Angeles Municipal Code are corrected to read as follows:

(b) Any for-sale or rental housing development containing restricted affordable units where at least 40% of the total units or guest rooms are dedicated for moderate income households, or at least 20% of the total units or guest rooms are dedicated for low income households, or at least 11% of the total units or guest rooms are dedicated for very low income households, or at least 8% of the total units or guest rooms are dedicated for extremely low income households, for at least 55 or 99 years, as specified in Section 16.61 A of this Code, where a covenant has been made with the Los Angeles Housing Department and required covenant and monitoring fees have been paid, or any project approved pursuant to Section 12.22 A.38 of this Code. Such a covenant shall also subject projects using this exemption to the replacement policies in Section 16.60, and to LAHD fees related to housing replacement determinations pursuant to state law, as set forth in this Code. For the purposes of this section, total units includes any units added by a density bonus or other land use incentive, consistent with the affordability levels defined in Government Code Section 65915.

No changes to paragraph (h) of Subdivision (2) are made herein to Sec. 11 of Ord. No. 188,481.

2.2. Adopt the amendments to Chapter 1A of the LAMC as shown in **Exhibit "B"**.

Amendments to Housing Element Sites and Minimum Density Ordinance No. 188,479 and Ordinance No. 188,480

Item 3.

3.1. Chapter I. (General Provisions and Zoning), Amend Paragraph 1 and Paragraph 2 of Sec. 16.70.F. (Approval Requirements for Housing Element Sites.) to read:

1. Ministerial Approval for Prior Housing Element Sites.

If a Housing Development Project is proposed on a Prior Housing Element Site that is identified in the most recent Housing Element to accommodate a portion of the housing need for low and very low income households and at least twenty percent of the project's units will be made affordable and available to Lower Income Households, the project shall be subject to Ministerial Approval by the City Department of City Planning. Any eligible Housing Development Project that would have otherwise required a discretionary entitlement from the Department of City Planning to permit owner-occupied or rental multiple family residential dwelling use on the site shall be processed through an Expanded Administrative Review, as set forth in Section 13B.3.2. of Chapter 1A of this Code. Any nonresidential use in a mixed-use Housing Development Project shall comply with any discretionary review required for that use under the Code, or any plan or overlay adopted under the Code. In no case shall Project Review pursuant to Section 13B.2.4 of Chapter 1A be required for any Housing Development Project.

2. Ministerial Approval for Lower Income Rezoning Housing Element Sites.

If a Housing Development Project is proposed on a Lower Income Rezoning Housing Element Site that has a minimum density of at least 20 units per acre, and at least

twenty percent of the project's units will be made affordable and available to Lower Income Households, the project shall be subject to Ministerial Approval by the City Department of City Planning. Any eligible Housing Development Project that would have otherwise required a discretionary entitlement from the Department of City Planning to permit owner-occupied or rental multiple family residential dwelling use on the site shall be processed through an Expanded Administrative Review, as set forth in Section 13B.3.2. of Chapter 1A of this Code. Any non-residential use in a mixed-use Housing Development Project shall comply with any discretionary review required for that use under the Code, or any plan or overlay adopted under the Code. In no case shall Project Review pursuant to Section 13B.2.4 of Chapter 1A be required for any Housing Development Project.

3.2. Adopt the amendments to Chapter 1A of the LAMC as shown in **Exhibit "C"**.

Amendments to Chapter 1A of the LAMC as Adopted through Council File 22-0617

Article 3. (Frontage)

Item 4. Article 3. (Development Standards); Sec. 3B.2.1. (Multi-Unit 1 (MU1)), Sec. 3B.2.2. (Multi-Unit 2 (MU2)), Sec. 3B.3.1. (General 1 (G1)), Sec. 3B.4.1. (Shopfront 1 (SH1)), Sec. 3B.4.2. (Shopfront 2 (SH2)), Sec. 3B.5.1. (Market 1 (MK1)), Sec. 3B.7.1. (Warehouse 1 (WH1)), Sec. 3B.8.1. (Alley Market (AL1)), Sec. 3B.8.2. (Alley Shopfront (AL2)):

4.1. Subsection A. (Lot):

- 1. BUILD-TO
- 2. PARKING
- 3. LANDSCAPING

4.2. Subsection B. (Facade):

- 1. TRANSPARENCY
- 2. ENTRANCES
- 3. GROUND STORY

Item 5. Article 3. (Development Standards); Sec. 3B.9.1. (Historic Core (CHC1)), Sec. 3B.9.2. (Daylight Factory (CDF1)), Sec. 3B.9.3. (Daylight Factory / River (CDR1)):

5.1. Subsection B. (Lot):

- 1. BUILD-TO
- 2. PARKING
- 3. LANDSCAPING

5.2. Subsection C. (Stories):

- 1. GROUND FLOOR ELEVATION
- 2. STORY HEIGHT

5.3. Subsection D. (Facade):

1. ARTICULATION

2. FEATURES

5.4. Subsection E. (Doors):

1. ENTRANCES

5.5. Subsection F. (Windows):

1. TRANSPARENCY

5.6. Subsection G. (Cladding):

1. EXTERIOR MATERIALS

Item 6. Article 3. (Development Standards); Sec. 3B.9.1. (Historic Core (CHC1)), Sec. 3B.9.2. (Daylight Factory (CDF1)), Sec. 3B.9.3. (Daylight Factory / River (CDR1)):

6.1. H. Roof

<u>1. ROOF DESIGN</u>	<u>Div. 3D.11.</u>
	<u>Not applicable</u>

Item 7. Article 3. (Development Standards); Sec. 3B.9.1. (Historic Core (CHC1)):

7.1. Sec. 3B.9.1.D. (Facade)

<u>1. ARTICULATION</u>		<u>Div. 3D.6.</u>	
A	Base, middle & top <u>articulation</u>	Required	Required
B	Horizontal bands <u>articulation</u>	Required	Required
C	Vertical bands <u>articulation</u>	Required	Required

7.2. Sec. 3B.9.1.D. (Facade)

<u>2. FEATURES</u>		<u>Div. 3D.7.</u>	
	Restricted features	<u>Projecting balcony</u>	
	<u>Projecting balcony</u>	<u>Prohibited</u>	<u>Prohibited</u>

7.3. Sec. 3B.9.1.F. (Windows)

<u>1. TRANSPARENCY</u>		<u>Div. 3D.9.</u>	
B	Upper stories (min/max) *	30%/80%	30%/80%

7.4. Sec. 3B.9.1.G. (Cladding)

1. EXTERIOR MATERIALS		Div. 3D.10.	
A	Principal materials <u>coverage</u> (min)	70%	
B	Accessory materials <u>coverage</u> (max)	30%	

Item 8. Article 3. (Development Standards); Sec. 3B.9.2. (Daylight Factory (CDF1)):

8.1. Sec. 3B.9.2.D. (Facade)

1. ARTICULATION		Div. 3D.6.	
A	Vertical bands <u>articulation</u>	Required	Required

8.2. Sec. 3B.9.2.G. (Cladding)

1. EXTERIOR MATERIALS		Div. 3D.10.	
A	Principal materials <u>coverage</u> (min)	70%	
B	Accessory materials <u>coverage</u> (max)	30%	

Item 9. Article 3. (Development Standards); Sec. 3B.9.3. (Daylight Factory/River (CDR1)):

9.1. Sec. 3B.9.3.D. (Facade)

1. ARTICULATION		Div. 3D.6.		
A	Vertical bands <u>articulation</u>	Required	Required	Required

9.2. Sec. 3B.9.3.G. (Cladding)

1. EXTERIOR MATERIALS		Div. 3D.10.	
A	Principal materials <u>coverage</u> (min)	70%	
B	Accessory materials <u>coverage</u> (max)	30%	

9.3. Sec. 3B.9.3.F. (Windows)

1. TRANSPARENCY		Div. 3D.9.		
B	Upper stories (min/max)*	40%/70%	30%/70%	30%/70%

Item 10. Article 3. (Development Standards); Sec. 3B.5.1. (Market 1 (MK1)), Sec. 3B.8.1. (Alley Market (AL1)), Sec. 3B.8.2. (Alley Shopfront (AL2)):

10.1. Sec. 3B.5.1.A. (Lot)

2. PARKING		Div. 3C.2.	
D	Street/alley setback <u>Parking Setback</u> (min)	20'	5'

10.2. Sec. 3B.8.1.A. (Lot)

2. PARKING		Div. 3C.2.		
C	Setback <u>Parking Setback</u> (min)	15'	20'	5'

10.3. Sec. 3B.8.2.A. (Lot)

2. PARKING		Div. 3C.2.		
D	Setback <u>Parking Setback</u> (min)	15'	20'	5'

Item 11. Article 3. (Frontage); Sec. 3A.1.2.B.2. (Determine Applicable Frontage District Standards):

- 11.1. Adopt updated graphics within this Section to reflect paragraph additions in districts made pursuant to this resolution as reflected on pages 2 and 3 of **Exhibit "E"**.

Article 4. (Development Standards)

Item 12. Article 4. (Development Standards); Part 4B. (Development Standards Districts):

- 12.1. Amend Part 4B. (Development Standards Districts) in its entirety to read as shown in **Exhibit "D"**.

- 12.2. Article 14. (General Rules), Amend Sec. 14.2.7.A.3. (Development Standards District 5) to read:

In a *lot* with an applied Development Standards District 5 (~~Div. 4B.5.~~) (Sec. 4B.2.2.), the following rules apply:

- 12.3. Article 4. (Development Standards), Sec. 4A.1.2. (How to Use Article 4. (Development Standards)):

Replace existing graphic in Sec. 4A.1.2 (How to Use Article 4. (Development Standards)) with the graphic shown in paragraph 2. of **Exhibit "E"**.

Item 13. Article 4. (Development Standards); Renumber the following Sections, Sec. 4C.11.6.C.1. (Awning Sign), Sec. 4C.11.6.C.2. (High-Rise Sign 1), Sec. 4C.11.6.C.3. (High-Rise Sign 2), Sec. 4C.11.6.C.4. (Illuminated Canopy Sign), Sec. 4C.11.6.C.5. (Marquee Sign), Sec. 4C.11.6.C.6. (Monument Sign), Sec. 4C.11.6.C.7. (Pedestrian Sign), Sec. 4C.11.6.C.8. (Pole Sign), Sec. 4C.11.6.C.9. (Projecting Sign), Sec. 4C.11.6.C.10. (Roof Sign), Sec. 4C.11.6.C.12.(Wall Sign), Sec. 4C.11.6.C.13. (Window Sign), Sec.

4C.11.6.C.14. (Yard Sign) to read:

- A. a. DEFINITION
- B. b. GENERAL STANDARDS
- C. c. SIGN TYPE PERMISSIONS
- D. d. DIMENSIONAL STANDARDS

Item 14. Article 4. (Development Standards), Renumber Sec. 4C.11.6.C.11. (Roof Sign: Open Panel) to read:

- A. a. DEFINITION
- B. b. GENERAL STANDARDS
- C. c. APPROVAL
- D. d. SIGN TYPE PERMISSIONS
- E. e. DIMENSIONAL STANDARDS

Article 5. (Use)

Item 15. Article 5. (Use); For the following sections, Sec. 5B.1.1. Open Space 1 (OS1), Sec. 5B.2.1. Agricultural 1 (A1), Sec. 5B.3.1. Residential 1 (RG1), Sec. 5B.4.1. Residential-Mixed 1 (RX1), Sec. 5B.5.1. Commercial-Mixed 1 (CX1), Sec. 5B.5.2. Commercial-Mixed 2 (CX2), Sec. 5B.5.3. Commercial-Mixed 3 (CX3), Sec. 5B.5.4. Commercial-Mixed 4 (CX4), Sec. 5B.6.1. Industrial-Mixed 1 (IX1), Sec. 5B.6.2. Industrial-Mixed 2 (IX2), Sec. 5B.6.3. Industrial-Mixed 3 (IX3), Sec. 5B.6.4. Industrial-Mixed 4 (IX4), Sec. 5B.7.1. Industrial 1 (I1), Sec. 5B.7.2. Industrial 2 (I2), Sec. 5B.8.1. Public 1 (P1), Sec. 5B.8.2. Public 2 (P2), add paragraph numbering to the subsections to read:

Subsection B. (Allowed Uses & Use Limitations):

- 1. RESIDENTIAL
- 2. PUBLIC & INSTITUTIONAL
- 3. OPEN SPACE & RECREATION
- 4. TRANSPORTATION
- 5. GENERAL COMMERCIAL
- 6. HEAVY COMMERCIAL
- 7. LIGHT INDUSTRIAL
- 8. HEAVY INDUSTRIAL
- 9. AGRICULTURAL

Item 16. Article 5. (Use), Part 5B. (Use Districts):

- 16.1. Amend Subsection B. (Allowed Uses & Use Limitations) of Sec. 5B.3.1. (Residential 1 (RG1)), Sec. 5B.4.1. (Residential-Mixed 1 (RX1)), Sec. 5B.6.2. (Industrial-Mixed 2 (IX2)), Sec. 5B.6.3. (Industrial-Mixed 3 (IX3)), and Sec. 5B.6.4. (Industrial-Mixed 4 (IX4)) to read:

Freight Transfer Facility	--	Accessory to:	Other allowed use
Heliport	CU2*	<u>Accessory to:</u>	<u>Other allowed use</u>

16.2. Amend Subsection B. (Allowed Uses & Use Limitations) of Sec. 5B.7.2. (Industrial 2 (I2)) to read:

Freight Transfer Facility	CU3	Acessory to:	Other allowed use
Heliport	CU2*	<u>Accessory to:</u>	<u>Other allowed use</u>

Item 17. Article 5. (Use), Part 5B. (Use Districts):

17.1. Sec. 5B.4.1. (Residential-Mixed 1 (RX1)), Sec. 5B.5.1. (Commercial-Mixed 1 (CX1)), Sec. 5B.5.2. (Commercial-Mixed 2 (CX2)), Sec. 5B.5.3. (Commercial-Mixed 3 (CX3)), Sec. 5B.5.4. (Commercial-Mixed 4 (CX4)):

17.1.1. Amend *Animal Services: General* in Sec. 5B.4.1. (Residential-Mixed 1 (RX1)) to read:

Use	Permission	Use Standard	Specification
Animal Services:			
General	P*	General Commercial Use Category Standards apply, as listed above	
		<u>Supplemental standards:</u>	<u>Sec. 5C.2.4.A.1.</u>

17.1.2. Amend *Animal Services: General* in Sec. 5B.5.1. (Commercial-Mixed 1 (CX1)), Sec. 5B.5.2. (Commercial-Mixed 2 (CX2)) to read:

Use	Permission	Use Standard	Specification
Animal Services:			
General	P*	General Commercial Use Category Standards apply, as listed above	
		Enclosure	Indoors
		<u>Supplemental standards:</u>	<u>Sec. 5C.2.4.A.1.</u>

17.1.3. Amend *Animal Services: General* in the following Sections, Sec. 5B.5.3. (Commercial-Mixed 3 (CX3)), Sec. 5B.5.4. (Commercial-Mixed 4 (CX4)), to read:

Use	Permission	Use Standard	Specification
Animal			

Services:			
General	P*	Enclosure	Indoors
		<u>Supplemental standards:</u>	<u>Sec. 5C.2.4.A.1.</u>

- 17.2. Amend *Lodging* in the following Sections, Sec. 5B.5.1. (Commercial-Mixed 1 (CX1)), Sec. 5B.5.2. (Commercial-Mixed 2 (CX2)), Sec. 5B.5.3. (Commercial-Mixed 3 (CX3)), Sec. 5B.5.4. (Commercial-Mixed 4 (CX4)), and Sec. 5B.6.4. (Industrial-Mixed 4 (IX4)), to read:

Use	Permission	Use Standard	Specification
Lodging	CU3*	Supplemental findings:	Sec. 5C.2.4.C.B.1.
		Project <u>category</u> exceptions:	<u>CU3</u>
		Intensification of use	Exempt
		Intensification threshold	<u>Lodging units: 25% max</u>
		<u>Lodging units</u>	<u>25% max</u>

- 17.3. Amend *Retail: Pet Shop* in Sections, Sec. 5B.5.1. (Commercial-Mixed 1 (CX1)), Sec. 5B.5.2. (Commercial-Mixed 2 (CX2)), Sec. 5B.5.3. (Commercial-Mixed 3 (CX3)), Sec. 5B.5.4. (Commercial-Mixed 4 (CX4)), Sec. 5B.6.1. (Industrial-Mixed 1 (IX1)), Sec. 5B.6.2. (Industrial-Mixed 2 (IX2)), Sec. 5B.6.3. (Industrial-Mixed 3 (IX3)), and Sec. 5B.6.4. (Industrial-Mixed 4 (IX4)), Sec. 5B.7.1. (Industrial 1 (I1)) and Sec. 5B.7.2. (Industrial 2 (I2)), to read:

- 17.3.1. Sec. 5B.5.1. (Commercial-Mixed 1 (CX1)) and Sec. 5B.5.2. (Commercial-Mixed 2 (CX2)):

Use	Permission	Use Standard	Specification
Pet Shop	P*	General Commercial Use Category Standards apply, as listed above	
		<u>Supplemental standards</u>	<u>Sec. 5C.2.4.F.1.</u>

- 17.3.2. Sec. 5B.5.3. (Commercial-Mixed 3 (CX3)), Sec. 5B.5.4. (Commercial-Mixed 4 (CX4)), Sec. 5B.6.1. (Industrial-Mixed 1 (IX1)), Sec. 5B.6.2. (Industrial-Mixed 2 (IX2)), Sec. 5B.6.3. (Industrial-Mixed 3 (IX3)), and Sec. 5B.6.4. (Industrial-Mixed 4 (IX4)):

Use	Permission	Use Standard	Specification
Pet Shop	P ₋	<u>Supplemental standards</u>	<u>Sec. 5C.2.4.F.1.</u>

17.3.3. Sec. 5B.7.1. (Industrial 1 (I1)) and Sec. 5B.7.2. (Industrial 2 (I2)):

Use	Permission	Use Standard	Specification
Pet Shop	P*	Accessory to:	Wholesale Trade & Warehousing
		Relief	CU1
		<u>Supplemental standards</u>	<u>Sec. 5C.2.4.F.1.</u>

17.4. Amend *Motor Vehicle Sales & Rental: Household Moving Truck Rental* in Sections, Sec. 5B.7.1. (Industrial 1 (I1)) and Sec. 5B.7.2. (Industrial 2 (I2)) to read:

Use	Permission	Use Standard	Specification
Household Moving Truck Rental	P*	Screening	
		<i>Frontage screen</i>	F-Screen 3
		<i>Transition screen</i>	T-Screen 1
		<u>Supplemental standards:</u>	<u>Sec. 5C.2.5.D.1.</u>

17.5. Amend the title in Sec. 5C.2.7.H. (Mineral & Ore Extraction) to read:

1. Supplemental Findings Standards

17.6. Amend Agricultural: *Plant Cultivation: Farming* in Sec. 5B.1.1. (Open Space 1 (OS1)) to read:

Use	Permission	Use Standard	Specification
Farming	--	Supplemental standards:	Sec. 5C.2.8.G.1.

17.7. Amend Agricultural: *Plant Cultivation: Farming* in Sec. 5B.4.1. (Residential-Mixed 1 (RX1)) to read:

Use	Permission	Use Standard	Specification
Farming	P*	Supplemental standards:	Sec. 5C.2.8. <u>G</u> .H.1.

Item 18. Article 5. (Use), Part 5B. (Use Districts)

- 18.1. Amend Heavy Industrial: *Recycling Facility Collection* in Subsection B. (Allowed Uses & Use Limitations) of the following Sections: Sec. 5B.2.1. (Agricultural 1)(A1)), Sec. 5B.3.1. (Residential 1) (RG1)), Sec. 5B.4.1. (Residential-Mixed 1 (RX1)), to read:

Recycling Facility:			
Collection	CU2*	In conjunction with:	Public & institutional use
		Minimum area:	200 SF
		<u>Size, entire use (max):</u>	<u>200 SF</u>
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.

- 18.2. Amend Heavy Industrial: *Recycling Facility Collection* in Sec. 5B.5.1. (Commercial-Mixed 1) (CX1)), Subsection B. (Allowed Uses & Use Limitations) to read:

Recycling Facility:			
Collection	CU2*	In conjunction with:	Other allowed use
		Minimum area:	200 SF
		<u>Size, entire use (max):</u>	<u>200 SF</u>
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental	Sec. 5C.2.7.D.1.

		standards:	
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- 18.3. Amend Heavy Industrial: *Recycling Facility Collection* in Subsection B. (Allowed Uses & Use Limitations) of the following Sections, Sec. 5B.5.2. (Commercial-Mixed 2 (CX2)), , Sec. 5B.5.3. (Commercial-Mixed 3 (CX3)), Sec. 5B.5.4. (Commercial-Mixed 4 (CX4)), Sec. 5B.6.1. (Industrial-Mixed 1 (IX1)), Sec. 5B.6.2. (Industrial-Mixed 2 (IX2)), Sec. 5B.6.3. (Industrial-Mixed 3 (IX3)), Sec. 5B.6.4. (Industrial-Mixed 4 (IX4)) to read:

Recycling Facility:			
Collection	CU2*	In conjunction with:	Other allowed use
		Minimum area:	600 SF
		<u>Size, entire use (max):</u>	<u>600 SF</u>
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.

Item 19. Article 5. (Use); Section 5C.2.5. (Motor Vehicle Service: Light, Heavy, & Large Vehicle):

- 19.1. Amend Div. 5C.2. to read:

DIV. 5C.2. SUPPLEMENTAL USE STANDARDS, PROCEDURES, & FINDINGS

Supplemental use standards are development and operational regulations that apply only to the specified use. Supplemental use standards are unique for each *use* and, unless specific *project activities* are listed, apply to any *project* affecting the *subject use*. See the *Use District* for applicable supplemental use standards. When a supplemental use standard for a specified use does not apply the *Use District* will indicate “Not required” for that specified use.

Supplemental procedures are modifications of existing procedures from Sec. 13B. (Processes & Procedures) that apply to the approval of a specified use or allowed relief from the use standards when indicated in the applied *Use District*. When supplemental

procedures for a specified use do not apply, the *Use District* will indicate “Not required” for that specified use.

Supplemental use findings are additional findings or requirements that apply to the conditional use process for *specified uses* when indicated by the applied *Use District*. When applicable, supplemental use findings are unique for each *use*. See the *Use District* for applicable supplemental use findings. When supplemental use findings for a specified use with a conditional use process does not apply, the *Use District* will indicate “Not required” for that specified use.

19.2. Amend Section 5C.2.5.A. (Motor Vehicle Services: Light, Heavy, & Large Vehicle) to read:

1. Supplemental Standards

a. For new construction involving new floor area or a major remodel, Bay doors and other building entrances and exits designed and intended for motor vehicle access shall not be frontage lot line facing. shall meet the following standards:

- i. ~~Shall remain closed except during the allowed hours of operation, and~~
- ii. ~~Shall not face any frontage lot line.~~

b. Bay doors and other building entrances and exits designed and intended for motor vehicle access shall remain closed except during the allowed hours of Operation.

~~b. c. New~~ An off-street freight loading areas shall be in compliance with development standard requirements for freight loading areas pursuant to Sec. 4C.2.2.C.2. (Freight Loading Areas). shall be provided to adequately accommodate all loading, unloading, and any other activities requiring the use of commercial vehicles for transportation.

~~e. d.~~ All client vehicles being serviced by motor vehicle services use shall be stored on-site.

~~d. e.~~ An annual site inspection shall be conducted by LADBS, pursuant to Sec. 13B.10.4. (Annual Inspection Monitoring (Type 2)).

19.3. Amend 5C.2.5.B. (Motor Vehicle Services: Car Wash) to read:

1. Supplemental Standards

For new construction involving new floor area or a major remodel, Bay doors and other building entrances and exits designed and intended for motor vehicles shall not face any residential use or school unless the residential use or school is located more than 100

feet from the car wash facility.

Item 20. Article 5. (Use), Amend Sec. 5C.3.1. (Inclusionary Housing Program) to read:

A. Intent

The Inclusionary Housing Program is intended to ensure the development of housing that is affordable to a range of *households* at all income levels by requiring that a portion of all *projects* involving the construction of ~~10 or more dwelling units~~, referred to in this Section (Inclusionary Housing Program) as an *inclusionary housing project*, pursuant to this program includes *restricted affordable units*. When implemented, this program will help to increase the availability of *dwelling units* at all income levels, and help the *City* meet its share of regional housing needs in a manner that is consistent with the *General Plan* and other *City* policies related to housing.

B. Applicability

1. The requirements of this Section (Inclusionary Housing Program) apply to a *project* involving *new construction*, a major remodel, a *use modification*, or a *renovation*, that will result in ~~10 or more new dwelling units~~ on a *lot* included on the Inclusionary Housing Map, as established in Sec. 1.5.10. (Inclusionary Housing Map), and as outlined in the Subsections below.

2. The requirements of this Section (Inclusionary Housing Program) do not apply to a *project* involving *new construction*, a *major remodel*, a *use modification*, or a *renovation*, that will result in 9 or fewer *dwelling units*. These projects are considered permitted if the applied *Use District* specifies the *use permission level* of "S" or "S*" for the *dwelling use*, but may be subject to additional use standards as established in the applied *Use District* (Part 5B.).

~~2-3.~~ *Lots* that have not been designated on the Inclusionary Housing Map shall not be subject to the requirements of this Section (Inclusionary Housing Program).

~~3-4.~~ An *adaptive reuse project* in accordance with Sec. 9.4.5. (Downtown Adaptive Reuse Program) or Sec. 9.4.6. (Citywide Adaptive Reuse Program) shall not be subject to the requirements of this Section (Inclusionary Housing Program).

~~4-5.~~ A *project* subject to this Section (Inclusionary Housing Program) shall be referred to as an *inclusionary housing project*.

Item 21. Article 5. (Use), Amend Paragraph 1 of Sec. 5C.3.1.E. (Records & Agreements) to read:

1. Restricted Affordable Unit Covenants

For any *inclusionary housing project* that contains *restricted affordable units*, a covenant

acceptable to the Los Angeles Housing Department must be recorded with the Los Angeles County Recorder, guaranteeing that the affordability criteria will be observed for at least 99 years, except as established in Subparagraph a., Subparagraph b., and Subparagraph c. below, from the issuance of the *Certificate of Occupancy* or a longer period of time if required by the construction or mortgage financing assistance program, mortgage assistance program, or rental subsidy program. ~~A copy of the covenant shall be filed with the Department of City Planning and the Department of Building and Safety.~~ The following are exempt from the 99 year covenant length:

- a. An *inclusionary housing project* in which 100 percent of all *dwelling units*, exclusive of a *manager unit* or units, are *restricted affordable units*, which are subject to a recorded affordability restriction of at least 55 years or utilize public subsidies that are tied to a specified covenant period. At minimum, all *restricted affordable units* in the *inclusionary housing project* shall be covenanted for at least 55 years; or
- b. A mixed-income *inclusionary housing project* utilizing public subsidies that are tied to a specified covenant period. At minimum, all *restricted affordable units* in the *inclusionary housing project* shall be covenanted for at least 55 years; or
- c. *Inclusionary housing projects* financed by low-income housing tax credits. At minimum, all *restricted affordable units* in the *inclusionary housing project* shall be covenanted for at least 55 years.

Item 22. Article 5. (Use), Sec. 5C.3.3. (Alcohol Sales Program):

- 22.1. Amend performance standard 8. (Alcohol License Type) within Sec. 5C.3.3.C (Alcohol Permission Area Standards) to read:

Alcohol Sales Standard Applicability				
Alcohol Permission Areas	Alcohol Sensitive Sales Area	Limited Restaurant Beverage Area	Restaurant Beverage Area	Restaurant & Bar Nightlife Area
Performance Standards (see Subsection D.)				
8. Alcohol License Type	Applicable	Applicable	Applicable	<u>Not</u> Applicable

- 22.2. Amend Subparagraph a. (Eligibility Criteria & Standards) of Sec. 5C.3.3.G.6. (Outdoor Dining Area Administrative Alcohol Authorization) to read:

- a. Eligibility Criteria & Standards

On-site Alcohol service provided in conjunction with an eating & drinking use restaurant involving the sale of food for on-site consumption may be provided in an outdoor dining area on private property and/or in the public right-of-way through an administrative alcohol authorization, pursuant to Sec. 13B.3.1. (Administrative Review), provided the establishment meets all of the following eligibility criteria and standards:

- i. The establishment is not located on a lot identified as being within an Alcohol Sensitive Sales Area ~~or a Restaurant & Bar Nightlife Area~~.
- ii. The *outdoor dining area* complies with Sec. 5C.2.4.B. (Eating & Drinking: All) or is permitted on a public sidewalk by a revocable permit issued by the Department of Public Works, Bureau of Engineering;
- iii. The eating & drinking establishment has a valid approval for the alcohol service use they wish to expand from the *Department of City Planning* or have existing alcohol sales with no conditional use approval prior to March 1, 1977;
- iv. The eating & drinking establishment has a license to sell alcohol from the California Department of Alcoholic Beverage Control;
- v. The eating & drinking establishment is not subject to any enforcement mechanisms set forth in Sec. 5C.2.4.B. (Eating & Drinking: All) that upon further investigation by the City, result in citation, the imposition of fines or penalties, or revocation;
- vi. The eating & drinking establishment has not been the subject of a wage claim, on or after January 31, 2024, under Chapter XVIII. (Employee Wages and Protections), Article 8. (Los Angeles Office of Wage Standards Ordinance) of this Code.

22.3. Amend Sec. 5C.3.3.H.2. (Covenant & Agreement) to read:

2. Covenant & Agreement

a. Prior to approval by the *Department of City Planning* pursuant to Sec. 13.B.3.1. (Administrative Review), or by the *Zoning Administrator* pursuant to Sec. 13B.2.2. (Class 2 Conditional Use Permit), a Covenant and Agreement acknowledging and agreeing to comply with all applicable performance and security standards or conditions of approval shall be recorded with the Los Angeles County Recorder. The Covenant and Agreement shall run with the land and shall be binding for any subsequent owners, heirs or assigns. After recordation, a certified copy bearing the recorder's number and date shall be provided to the *Department of City Planning*.

b. This Paragraph (Covenant & Agreement) does not apply to *projects* authorized pursuant to Sec. 5C.3.3.G.6. (Outdoor Dining Area Administrative Alcohol Authorization).

Item 23. Article 5. (Use); Sec. 5A.1.2.C.6. (Relief From Use Standard):

Replace existing graphic within Section 5A.1.2.C.6. (Relief From Use Standard) with the graphics in paragraph 3 in **Exhibit “E”**.

Article 7. (Alternate Typologies)

Item 24. Article 7. (Alternate Typologies); For Sec. 7B.1.1. (Civic Institution 1) add subparagraph numbering to the table titles in the paragraphs in Subsection D and E to read as follows:

24.1. Sec. 7B.1.1.D.1. (Lot Parameters)

a. LOT SIZE

b. COVERAGE

c. AMENITY

24.2. Sec. 7B.1.1.D.2. (Bulk and Mass)

a. HEIGHT & FAR

b. UPPER-STORY BULK

c. BUILDING MASS

24.3. Sec. 7B.1.1. E.1. (Site)

a. BUILD-TO

b. PARKING

c. LANDSCAPE

24.4. Sec. 7B.1.1. E. 2. (Facade):

a. TRANSPARENCY

b. ENTRANCES

c. GROUND STORY

Item 25. Article 7. (Alternate Typologies); Sec. 7A.1.2.C. (Interpret Standards):

Replace the graphic in Section 7A.1.2.C. (Interpret Standards) with the graphic in paragraph 4 of **Exhibit “E”**.

Article 8. (Supplemental & Special Zoning)

Item 26. Article 8. (Supplemental & Special Zoning); Amend Sec. 8.2.3.D.1. (Establishing a Sign District) to read:

1. Sign District standards and boundaries are established and amended in accordance with Sec.

~~13B.1.4. (Zone Change) Sec. 13B.1.2. (Specific Plan Adoption/Amendment)~~, and are represented as part of the third bracket set of the *lot's* zone string with the acronym "SN."

Item 27. Article 8. (Supplemental & Special Zoning); Amend Sec. 8.2.8.D.1. (Establishing a TCN District) to read:

1. TCN District boundaries and standards shall be established and amended in accordance with Sec. 13B.1.4. (Zone Change)~~Sec. 13B.1.2. (Specific Plan Adoption/Amendment)~~, and such boundaries and standards are represented as part of the third bracket set of the zoning designation of a *lot* with the acronym "TCN."

Article 9. (Public Benefit Systems)

Item 28. Article 9. (Public Benefit Systems); Sec. 9.4.5.D.9. (Loading Space) and Sec. 9.4.6.D.9. (Loading Space):

i. a. Where an existing *loading space* is provided, it shall be allowed to maintain its current, existing dimensions, regardless of whether it complies with the provisions of Sec. 4C.2.2.C.2. (Freight Loading Areas).

ii. b. If no *loading spaces* exist, then a *loading space* shall not be required in conjunction with the development of an *adaptive reuse project*.

Article 12. (Nonconformities)

Item 29. Article 12. (Nonconformities); Sec. 12.5.1.F. (Use Permission Exceptions):

F. In the Industrial Use Districts (Div.5B.7.), the *nonconforming* use of land where no *buildings* are occupied in connection with the use or where the only *buildings* occupied are accessory to or incidental to the use, may be continued, subject to the following limitations:

~~a.~~ 1. The *nonconforming use* shall not be enlarged in any way beyond the limits of what was originally permitted.

~~b.~~ 2. The *nonconforming use* shall be completely enclosed within a *building* or within an area *enclosed* on all sides with a Type T1 *transition screen* pursuant to Sec. 4C.8.2.C.3.a. (T-Screen 1), within one year from the date the *use* becomes *nonconforming*.

Article 13. (Administration)

Item 30. Article 13. (Administration); Amend Paragraph 6 in Sec. 13A.1.3.D. (Specific Authority) to read:

6. No ordinance, order or resolution referred to in Sec. 554 ~~Sec. 555~~ (General Plan – Purpose and Contents) or 558 (Procedure for Adoption, Amendment or Repeal of Certain ordinances, orders and Resolutions) of the City Charter shall be adopted by the City Council, unless it shall have first been submitted to the *City Planning Commission* or the *Area Planning Commission* for report and recommendation, in the manner set forth in those Sections. The report and recommendation shall indicate whether the proposed ordinance, order, or resolution is in conformance with the *General Plan*, any applicable *Specific Plans*, any plans being prepared by the *Department of City Planning*, and any other applicable requirement set forth in those City Charter Sections.

Item 31. Article 13. (Administration); Amend Subparagraph c. in Sec. 13B.2.4.D.5. (Decision) to read:

c. If the *Director* fails to make a decision on an application within the time limit specified in this Subsection, the applicant may file a request for transfer of jurisdiction to the *Area Planning Commission* pursuant to ~~Sec. 13.2.6. (Transfer of Jurisdiction)~~ Sec. 13A.2.6. (Transfer of Jurisdiction).

Item 32. Article 13. (Administration); Amend Subparagraph a. in Sec. 13B.2.3.I.2. (Filing an Application) to read:

32.1. a. A Vesting Conditional Use Permit *application* shall be filed on the same form and have the same contents, accompanying data and reports and shall be processed in the same manner as set forth in this Section for a conditional use permit except as provided below. The *application* shall specify that the case is for a Vesting Conditional Use Permit. If any rules, regulations or ordinances in force at the time of filing require any additional approvals, the complete *application* for these additional approvals shall be filed prior to or simultaneously with the Vesting Conditional Use Permit to be processed pursuant to Sec. 13A.2.10. (Multiple Approvals).

Item 33. Article 13. (Administration); Amend Subparagraph a. and Sub-subparagraph b.i. in Sec. 13A.2.10.C.6. (Advisory Agency) to read:

a. Procedures

If a *project* requiring multiple approvals also requires a *Subdivision Approval* by the *Advisory Agency*, that *Subdivision Approval* shall be decided and governed by the rules set forth in Div. 13B.~~8~~.7 (Division of Land) of this Code.

b. Appeals

i. When a *Subdivision Approval* is appealed, it shall follow the procedures set forth in Div. 13B.~~8~~.7 (Division of Land), except when other approvals are also appealed.

Exhibit “A”:

Citywide Housing Incentive Program (CHIP) Amendments

Amendments to CF: 21-1230-S5 (Ordinance 188,478)

The Citywide Housing Incentive Program (CHIP) is an ordinance amending Articles 1, 2, 4, 7, 9, 13, 14, and 15 of Chapter 1A of the Los Angeles Municipal Code (LAMC). This exhibit shows amendments to Ordinance 188,478 to match the style and formatting of Chapter 1A of the LAMC, including corrections to typographical errors and citations, and modifications to clarify the implementation of provisions.

Additions to Chapter 1A text are shown in underline and deletions are shown in ~~striketrough~~. *Italics* signify that a term is defined in Div. 14.3. (Glossary) of Chapter 1A of the LAMC.

EXHIBIT “A” CHIP

Section 1. A new Subsection C. is added to Section 1.4.5. of Division 1.4. of Article 1, of Chapter 1A of the Los Angeles Municipal Code to read as follows:

- C. An entitlement for a project utilizing Sec. 9.2.1. (State Density Bonus Program) or Sec. 9.2.2. (Affordable Housing Incentive Program) that was filed and fees paid prior to the effective date of the Citywide Housing Incentive Program Ordinance, Ordinance No. _____, 188,478, may utilize the special vesting rights in Subsection D. (Administration) of Sec. 9.2.1. (State Density Bonus Program) or Subsection D. (Administration) of Sec. 9.2.2. (Affordable Housing Incentive Program), respectively.

Sec. 2. A new Section 1.5.12. is added to Division 1.5. of Article 1. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 1.5.12. PUBLIC BENEFITS INCENTIVE MAP

A. ~~Purpose~~Applicability

The Public Benefits Incentive Map identifies *lots* that are eligible to utilize the Public Benefits Menu established in Sec. 9.3.4. (Public Benefits Menu), as well as which Public Benefits Incentive Set the individual *lots* are eligible to utilize.

B. Boundaries

1. The Public Benefits Incentive Map identifies *lots* designated, using the Department of Public Works, Bureau of Engineering land base dataset, as eligible for the Public Benefits Menu in Sec. 9.3.4. (Public Benefits Menu) if a project on an eligible *lot* utilizes an applicable incentive program in Article 9. (Public Benefit Systems) and meets all requirements of the incentive program and Sec. 9.3.4. (Public Benefits Incentive Menu). An eligible *lot* shall be designated with one of the Public Benefits Incentive Sets established in Sec. 9.3.4.C.3. (Public Benefits Incentive Sets).
2. Where the Public Benefits Incentive Map shows “CPIO” or “SP” on a *lot*, the applicable Public Benefits Incentive Set for that *lot* shall be established by or otherwise modified or replaced by the applicable *CPIO* or *Specific Plan*.
3. A *lot* shall be eligible for any additional Public Benefits Incentive Sets other than the incentive set designated on the Public Benefits Incentive Map if specified in an incentive program in Div. 9.2. (Citywide Housing Incentive Programs).

C. Amendments

The Public Benefits Incentive Map shall only be revised pursuant to Sec. 13B.1.3. (Zoning Code Amendment).

Sec. 3. A new Section 1.5.16. is added to Division 1.5. of Article 1. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 1.5.16. TRANSIT ORIENTED INCENTIVE MAP

A. Purpose

The Transit Oriented Incentive Map identifies *lots* that are eligible to participate in the Transit Oriented Incentive Program established in Sec. 9.2.5. (Transit Oriented Incentive Program).

B. Boundaries

1. General

The Transit Oriented Incentive Map identifies *lots* designated, using the Department of Public Works, Bureau of Engineering land base dataset, as eligible for the Transit Oriented Incentive Program (Sec. 9.2.5.), if the *project* on the *lot* using the program provides the number of *restricted affordable units* required by the applicable incentive set and meets all other requirements of the incentive program. An eligible *lot* shall be designated with one of the Transit Oriented Incentive Sets established in Paragraph 3. (Transit Oriented Incentive Sets) below.

2. Exclusions

- a. Transit Oriented Incentive Sets shall not be mapped on *lots* in the boundary of the Downtown Community Plan, the Boyle Heights Community Plan, the Harbor Gateway Community Plan, the Wilmington-Harbor City Community Plan, or the Cornfield Arroyo Seco Specific Plan.
- b. Transit Oriented Incentive Sets shall not be mapped on *lots* located within a *Very High Fire Hazard Severity Zone*, the *Coastal Zone*, or a *Sea Level Rise Area*.
- c. Transit Oriented Incentive Sets shall not be mapped for any *lot* with an applied Use District (Part 5B₂) listed in Div. 5B.7. (Industrial Use Districts), or, an applied Density District (Part 6B₂) of N or 1L.

3. Transit Oriented Incentive Sets

- a. T-1A

- i. The T-1A Transit Oriented Incentive Sets shall be applied to all *lots*, that in whole or in part, meet the following criteria:

- a) Are located in a *higher opportunity area*, and
- b) Meet the distance to *major transit stop* criteria as provided in the table below:

Type of Major Transit Stop Description	Incentive Set Eligibility Based on Distance To Major Transit Stop
Two Regular Buses (intersection of two non-Rapid Bus Lines each with at least 20-minute average peak headways)	<2640 feet
Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)	750 - 2640 feet
Two Rapid Buses (intersection of two Rapid Bus lines)	1500 - 2640 feet
Metrolink Rail Station	750 - 2640 feet
Metro Rail Station or Bus Rapid Transit Station	-

b. T-1B

- i. The T-1B Transit Oriented Incentive Sets shall be applied to all *lots* that, in whole or in part, meet the following criteria:

- a) Are located in a *moderate opportunity area* or *lower opportunity area*, and
- b) Meet the distance to *major transit stop* criteria as provided in the table below:

Type of Major Transit Stop Description	Incentive Set Eligibility Based on Distance To Major Transit Stop
--	---

Two Regular Buses (intersection of two non-Rapid Bus Lines each with at least 20-minute average peak headways)	<2640 feet
Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)	750 - 2640 feet
Two Rapid Buses (intersection of two Rapid Bus lines)	1500 - 2640 feet
Metrolink Rail Station	750 - 2640 feet
Metro Rail Station or Bus Rapid Transit Station	-

c. T-2A

- i. The T-2A Transit Oriented Incentive Sets shall be applied to all *lots* that, in whole or in part, meet the following criteria:
 - a) Are located in a *higher opportunity area*, and
 - b) Meet the distance to *major transit stop* criteria as provided in the table below:

Type of Major Transit Stop Description	Incentive Set Eligibility Based on Distance to Major Transit Stop
Two Regular Buses (intersection of two non-Rapid Bus Lines each with at least 20-minute average peak headways)	-
Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)	<750 feet
Two Rapid Buses (intersection of two Rapid Bus lines)	<1500 feet
Metrolink Rail Station	<750 feet
Metro Rail Station or Bus Rapid Transit Station	≤ 2640 feet

d. T-2B

- i. The T-2B Transit Oriented Incentive Sets shall be applied to all *lots* that, in whole or in part, meet the following criteria:

- a) Are located in a *moderate opportunity area* and *lower opportunity area*, and
- b) Meet the distance to *major transit stop* criteria as provided in the table below:

Type of Major Transit Stop Description	Incentive Set Eligibility Based on Distance to Major Transit Stop
Two Regular Buses (intersection of two non-Rapid Bus Lines each with at least 20-minute average peak headways)	-
Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)	<750 feet
Two Rapid Buses (intersection of two Rapid Bus lines)	<1500 feet
Metrolink Rail Station	<750 feet
Metro Rail Station or Bus Rapid Transit Station	≤ 2640 feet

e. T-3A

- i. The T-3A Transit Oriented Incentive Sets shall be applied to all *lots* that, in whole or in part, meet the following criteria:
 - a) Are located in a *higher opportunity area*, and
 - b) Meet the distance to *major transit stop* criteria as provided in the table below:

Type of Major Transit Stop Description	Incentive Set Eligibility Based on Distance to Major Transit Stop
Two Regular Buses (intersection of two non-Rapid Bus Lines each with at least 20-minute average peak headways)	-

Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)	-
Two Rapid Buses (intersection of two Rapid Bus lines)	-
Metrolink Rail Station	-
Metro Rail Station or Bus Rapid Transit Station	<750 feet from intersection with another rail line or a Rapid Bus

f. T-3B

- i. The T-3B Transit Oriented Incentive Sets shall be applied to all *lots* that, in whole or in part, meet the following criteria:
 - a) Are located in a *moderate opportunity area* and *lower opportunity area*, and
 - b) Meet the distance to *major transit stop* criteria as provided in the table below:

Type of Major Transit Stop Description	Incentive Set Eligibility Based on Distance to Major Transit Stop
Two Regular Buses (intersection of two non-Rapid Bus Lines each with at least 20-minute average peak headways)	-
Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)	-
Two Rapid Buses (intersection of two Rapid Bus lines)	-
Metrolink Rail Station	-
Metro Rail Station or Bus Rapid Transit Stations	<750 feet from intersection with another rail line or a Rapid Bus

- g. *Major transit stop*, major transit stop type, and applicable incentive set based on distance, are verified and analyzed separately. Major transit stop types and incentive sets reliant on the presence of a Rapid Bus do not need to use

the Rapid Bus as the basis for first identifying the *major transit stop*. For example, the Regular Plus Rapid Bus major transit stop type could be based on two regular buses that constitute the *major transit stop*, plus a Rapid Bus that stops at the *major transit stop*.

C. Amendments

1. The *Director* shall prepare and publish the Transit Oriented Incentive Map upon the adoption of this Section (Transit Oriented Incentive Map) pursuant to the terms of this Section (Transit Oriented Incentive Map). Thereafter, the *Director* shall be authorized to amend the designations of the Transit Oriented Incentive Sets on the Transit Oriented Incentive Map on an annual basis in order to align with updated zoning and geographic data, including updates to *higher opportunity areas*, *moderate opportunity areas*, and *lower opportunity areas*; updates to transit service and planned transit lines and headways, or updates to the *Very High Fire Hazard Severity Zone*, *Sea Level Rise Area*, or the *Coastal Zone*, provided that any amendments comply with the criteria established in Subsection B. (Boundaries), above. The *Director* shall have authority at any time to amend the Transit Oriented Incentive Map to correct errors provided all other requirements of this Section (Transit Oriented Incentive Map) are met. Any other amendments to the Transit Oriented Incentive Map shall be pursuant to Sec. 13B.1.3.4 (Zoning Code Amendment).
2. The Transit Oriented Incentive Program may be superseded by a *Specific Plan*, a *Supplemental District*, or a *Special Zone*, or a zone change ordinance, including as part of a Community Plan Update or Transit Neighborhood Plan, if the *Specific Plan*, the *Supplemental District*, or the *Special Zone*, or zone change ordinance, exceeds the development incentives or set-aside percentages set forth in the Transit Oriented Incentive Program. In such a case, the area covered by the superseding *Specific Plan*, *Supplemental District*, *Special Zone*, or other zoning ordinance shall not be subject to the update frequency provisions of Paragraph 1. Sec. 1.5.16. C.1 (Transit Oriented Incentive Map), above.

Sec. 4. A new Section 1.5.17. is added to Division 1.5. of Article 1. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 1.5.17. MIXED INCOME HOUSING INCENTIVE MAP

A. Purpose

The Mixed Income Housing Incentive Map identifies *lots* that are eligible to participate in various mixed-income housing incentive programs, including the Opportunity Corridors Housing Incentive Program established in Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program) and the Corridor Transitions

Incentive Program established in Sec. 9.2.4. (Corridor Transitions Incentive Program), and identifies the highest housing incentive set in any applicable housing incentive program that the individual *lots* are eligible to utilize.

B. Boundaries

1. General

The Mixed Income Housing Incentive Map identifies *lots* designated, using the Department of Public Works, Bureau of Engineering land base dataset, as eligible for the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.) or the Corridor Transitions Incentive Program (Sec. 9.2.4.), if the *project* on the *lot* using the program provides the number of *restricted affordable units* required by the applicable incentive set and meets all other requirements of the incentive program. An eligible *lot* shall be designated with one of the incentive sets as provided in Paragraph 2. (Opportunity Corridors Incentive Sets) or Paragraph 3. (Corridor Transitions Incentive Sets), below.

2. Opportunity Corridors Incentive Sets

A *lot* eligible for participation in the Opportunity Corridors Housing Incentive Program, pursuant to Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program), shall be designated with one of the Opportunity Corridors Incentive Sets in Subparagraphs b. (OC-1), Subparagraph c. (OC-2), or Subparagraph d. (OC-3), below.

a. Exclusions

- i. Opportunity Corridors Incentive Sets shall not be mapped on *lots* in the boundaries of the Downtown Community Plan, the Boyle Heights Community Plan, the Harbor Gateway Community Plan, the Wilmington-Harbor City Community Plan, or the Cornfield Arroyo Seco Specific Plan.
- ii. Opportunity Corridors Incentive Sets shall not be mapped on *lots* located within a *Very High Fire Hazard Severity Zone*, the *Coastal Zone*, or a *Sea Level Rise Area*. Except that *lots* that are in *Very High Fire Hazard Severity Zones* or the *Coastal Zone* that are *abutting* or *adjoining* a *lot* that otherwise meets the criteria for one of the Opportunity Corridors Incentive Sets, may be mapped with the same Opportunity Corridors Incentive Set as the applicable *abutting* or *adjoining lot*.
- iii. Opportunity Corridors Incentive Sets shall not be mapped on a *lot* with an applied Use District (Part 5B₂) in Div. 5B.7. (Industrial Use Districts), or an applied Density District (Part 6B₂) of N or 1L.

b. OC-1

The OC-1 Opportunity Corridors Incentive Set shall be applied to any *lot* that meets all of the following criteria:

- i. Is located, in whole or in part, on a corridor with a *street designation* of Local, Collector, Avenue I, Avenue II, Avenue III, Boulevard I, or Boulevard II with a service frequency of 30 minutes or less between 6:00 to 9:00 AM and 3:00 to 7:00 PM in at least one direction, and
- ii. Is located in, in whole or in part, in a *higher opportunity area*.

c. OC-2

The OC-2 Opportunity Corridors Incentive Set shall be applied to any *lot* that meets all of the following criteria:

- i. Is located, in whole or in part, on a corridor with a *street designation* of Local, Collector, Avenue I, Avenue II, Avenue III, Boulevard I, or Boulevard II that has *high quality transit service*, and
- ii. Is located, in whole or in part, in a *higher opportunity area*.

d. OC-3

The OC-3 Opportunity Corridors Incentive Set shall be applied to any *lot* that meets all of the following criteria:

- i. Is located, in whole or in part, on a corridor with a *street designation* of Avenue I, Avenue II, Avenue III, Boulevard I, or Boulevard II within one-half mile from a Metro Rail Station or Bus Rapid Transit Stop, and
- ii. Is located, in whole or in part, in a *higher opportunity area*.

3. Corridor Transitions Incentive Sets

A *lot* eligible for participation in the Corridor Transitions Incentive Program, pursuant to Sec. 9.2.4. (Corridor Transitions Incentive Program), shall be designated with one of the Corridor Transitions Incentive Sets in Subparagraphs b. (CT-1), Subparagraph c. (CT-2), or Subparagraph d. (CT-3), below.

a. Exclusions

- i. Corridor Transitions Incentive Sets shall not be mapped on a *lot* in the boundary of the Downtown Community Plan (previously Central City North and Central City Community Plan), the Boyle Heights Community Plan, the Harbor Gateway Community Plan, the Wilmington-Harbor City Community Plan, or the Cornfield Arroyo Seco Specific Plan.
- ii. Corridor Transitions Incentive Sets shall not be mapped on *lots* located within a *Very High Fire Hazard Severity Zone*, the *Coastal Zone*, or a *Sea Level Rise Area*.
- iii. Corridor Transitions Incentive Sets shall not be mapped on a *lot* with an applied Density District (Part 6B₂) of N or 1L.

b. CT-1

The CT-1 Corridor Transitions Incentive Sets shall be applied to any *lot* that meets all of the following criteria:

- i. Is located, in whole or in part, within 750 feet of a *lot* mapped with an Opportunity Corridors Incentive Set, measured from the *lot line* furthest from the corridor,
- ii. Is located, in whole or in part, in a *higher opportunity area*, and
- iii. Has an applied Use District (Part 5B₂) listed in Div. 5B.2. (Agricultural Use Districts), Div. 5B.3. (Residential Use Districts), Div. 5B.4. (Residential-Mixed Use Districts) or Div. 5B.8. (Public Use Districts), and does not have an applied Density District (Part 6B₂) of 2, 3, 4, 6, 8, or 10.

c. CT-2

The CT-2 Corridor Transitions Incentive Sets shall be applied to any *lot* that meets all of the following criteria:

- i. Is located, in whole or in part, within 500 feet of a *lot* mapped with an Opportunity Corridors Incentive Set, measured from the *lot line* furthest from the from the corridor,
- ii. Is located, in whole or in part, in a *higher opportunity area*, and
- iii. Has an applied Use District (Part 5B₂) listed in Div. 5B.2. (Agricultural Use Districts), Div. 5B.3. (Residential Use Districts), Div. 5B.4. (Residential-Mixed Use Districts) or Div. 5B.8. (Public Use Districts),

and does not have an applied Density District (Part 6B.) of 2, 3, 4, 6, 8, or 10.

d. CT-3

The CT-3 Corridor Transitions Incentive Sets shall be applied to any *lot* that meets all of the following criteria:

- i. Is located, in whole or in part, within 250 feet of a lot mapped with an Opportunity Corridors Incentive Set, measured from the *lot line* furthest from the from the corridor,
- ii. Is located, in whole or in part, in a *higher opportunity area*,
- iii. Has an applied Use District (Part 5B.) listed in Div. 5B.2. (Agricultural Use Districts), Div. 5B.3. (Residential Use Districts), Div. 5B.4. (Residential-Mixed Use Districts) or Div. 5B.8. (Public Use Districts), and does not have an applied Density District (Part 6B.) of 2, 3, 4, 6, 8, or 10.
- iv. Does not contain ~~d~~*Designated* ~~h~~*Historic* ~~r~~*Resources*, or a ~~n~~*Non-cContributor*. A *lot* with a ~~d~~*Designated* ~~h~~*Historic* ~~r~~*Resource* or a ~~n~~*Non-nContributor* that meets all other criteria listed in Sub-subparagraphs i, ii., and iii., above, shall be mapped with the CT-2 Incentive Set.

C. Amendments

1. The *Director* shall prepare and publish the Mixed Income Incentive Map upon the adoption of this Section (Mixed Income Housing Incentive Map) pursuant to the terms of this Section (Mixed Income Housing Incentive Map). Thereafter, the *Director* shall be authorized to amend the designations of the Opportunity Corridor Incentive Sets and the Corridor Transitions Incentive Sets on the Mixed Income Housing Incentive Map on an annual basis in order to align with updated zoning and geographic data, including updates to *higher opportunity areas*, *moderate opportunity areas*, and *lower opportunity areas*; updates to transit service and planned transit lines and headways, or updates to the *Very High Fire Hazard Severity Zone*, *Sea Level Rise Area*, or the *Coastal Zone*, provided that any amendments shall comply with the criteria established in Paragraph 2. (Opportunity Corridors Incentive Sets) and Paragraph 3. (Corridor Transitions Incentives Sets) of Subsection B. (Boundaries), above. The *Director* shall have authority at any time to amend the Mixed Income Housing Incentive Map to correct errors provided all other requirements of this Section are met. Any other amendments to the Mixed Income Housing Incentive Map shall be pursuant to Sec. 13B.1.43. (Zoning Code Amendment).

Sec. 5. A new Paragraph 3. is added to Subsection E. of Section 2C.3.1. of Division 2C.3. of Article 2. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

3. Where the applied Form District (Part 2B.) identifies an eligible lot amenity alternative, in lieu of the otherwise required *lot amenity space* in this Section (Lot Amenity Space), a project may provide a *lot amenity space* meeting the requirements established for that listed lot amenity alternative type, as provided in Sec. 2C.3.5. (Lot Amenity Alternatives).

Sec. 6. A new Section 2C.3.5. is added to Division 2C.3. of Article 2 of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 2C.3.5. LOT AMENITY ALTERNATIVES

Lot amenity alternatives are defined as space types with a predetermined set of design standards that may be used as an allowable alternative to the standard lot amenity space requirements of a Form District (Part 2B.).

A. Intent

The intent of the standards of this Section (Lot Amenity Alternatives) is to provide alternative options for the design of spaces for recreation and open space for the tenants of a *project*. ~~*Lot amenity-space alternatives*~~ establish design criteria for common and desirable open space typologies that both incentivize certain kinds of open spaces and potentially improve the feasibility of achieving required *lot amenity space* on constrained *lots*, while maintaining high-quality and contextually appropriate design.

B. Applicability

1. *Lot amenity alternatives* apply to *projects* with a *lot amenity space* requirement, as established in Sec. 2C.3.1. (Lot Amenity Space) on a *lot* with an applied Form District (Part 2B.) that lists one or more eligible lot amenity alternative types.
2. *Lot amenity alternatives* are optional alternatives to the *lot amenity space* requirements in Sec. 2C.3.1. (Lot Amenity Space), except *projects* utilizing the Corridor Transitions Incentive Program in Sec. 9.2.4. (Corridor Transitions Incentive Program) shall utilize a Lot Amenity Alternative Type.

C. Standards

1. General

- a. Where the applied Form District (Part 2B.) lists one or more lot amenity alternative types, a *project* may provide a *lot amenity space* that meets the standards established in Paragraph 2. -(Lot Amenity Alternative Types), below for any one of the lot amenity alternative types listed in the Form District (Part 2B.).
- b. The provided lot amenity alternative shall be considered to meet the *lot amenity space* requirement for the *lot*, even if providing an eligible lot amenity alternative type results in providing less total *lot amenity space* on the *lot* than would otherwise be required pursuant to Sec. 2C.3.1. -(Lot Amenity Space).
- c. *Projects* providing a lot amenity alternative are still subject to any required Residential Amenity Space (Sec. 2C.3.2.).

2. Lot Amenity Alternative Types

a. Courtyard

i. Width

The width of the courtyard shall be a minimum of 30 percent of the *lot width*, or a minimum of 15 feet, whichever is greater, measured parallel to the applicable *primary street lot line*.

ii. Depth

The depth of the courtyard shall be a minimum of 40 percent of the *lot depth*, measured perpendicular to the applicable *primary street lot line*.

iii. Outdoor Space

The entirety of the courtyard space shall meet the requirements of Sec. 2C.3.4.C.1. (Outdoor Space).

iv. Location

The courtyard shall be placed in one of the following locations on the *lot*:

- a) *Abutting* the front yard on a *lot*, so as to create a courtyard that extends backward into the *lot* starting from the *front yard* or a courtyard that connects the *front yard* to another outdoor space meeting the standards of Sec. 4C.3.4.C.1. (Outdoor Space) on the *lot*.

- b) An internal courtyard, surrounded on all sides by *buildings* or *structures* and contained entirely within a single *lot*.
- c) *Abutting* an *at-grade lot amenity space* on an *abutting lot*, so as to create the effect of one large open space across multiple *lots*.

b. Paseo

i. Width

The width of the paseo shall be a minimum of 10~~ten~~ percent of the *lot width*, or a minimum of ~~ten~~10 feet, whichever is greater, measured parallel to the applicable *primary street lot line*.

ii. Depth

The depth shall be a minimum of 60 percent of the *lot depth*, measured perpendicular to the applicable *primary street lot line*.

iii. Covered Area

The entirety of the paseo space shall meet the requirements of Sec. 2C.3.4.C.1. (Outdoor Space).

iv. Pedestrian Pathway

An unobstructed pathway with *direct access* to the *primary street lot line* shall be provided with a minimum width of four feet along the entire depth of the paseo space.

v. Location:-

The paseo space shall be located between one or more *buildings* on the *lot*.

c. Rear Yard

i. Width

The width of the rear yard shall be a minimum of 50 percent of the *lot width*, measured parallel to the applicable *primary street lot line*.

ii. Depth

The depth shall be a minimum of ~~10~~^{ten} percent of the lot depth, or a minimum of 15 feet, whichever is greater, measured perpendicular to the applicable *primary street lot line*.

iii. Covered Area

The entirety of the rear yard space shall meet the requirements of Sec. 2C.3.4.C.1. (Outdoor Space), with the exception of portions of the rear yard space located within the required rear *setback*, which shall be open to the sky except for the encroachments allowed pursuant to Subsection E. (Exceptions) of Sec. 2C.2.2. (Building Setbacks).

iv. Location

The rear yard shall be located *abutting* the *rear lot line*.

D. Measurement

1. General

A lot amenity alternative is measured as provided or not provided based on whether the design of a *lot amenity space* meets the standards of an eligible lot amenity alternative type specified by the applied Form District (Part 2B₂).

2. Width

The width of a lot amenity alternative type shall be measured parallel to the *primary street lot line* and the minimum width shall be maintained along the entire required depth of the space.

3. Depth

The depth of a lot amenity alternative type shall be measured perpendicular to the *primary street lot line* and the minimum depth shall be maintained along the entire required width of the space.

4. Covered Area

For the measurement of an uncovered space, see Sec. 14.2.2.- (Covered Area (%)).

E. Relief

No relief from the design standards established in Paragraph 2. (Lot Amenity Alternative Types) of Subsection C. (Standards), above, shall be permitted. *Projects*

| may instead defer to the standard *lot amenity space* requirements, pursuant to Sec. 2C.3.1. (Lot Amenity Space), including any relief allowed pursuant to that Section.

Sec. 7. Subsection C. of Section 2C.4.1. of Division 2C.4. of Article 2. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

C. Standards

1. Base

A *lot* shall not exceed the maximum base *floor area ratio* without meeting the requirements of Article 9. (Public Benefit Systems), or an applicable *Specific Plan, Supplemental District, or Special Zone*.

2. Tier 1 Bonus

- a. A *lot* may exceed the base *floor area ratio* up to the maximum tier 1 *bonus floor area ratio* of the applied Form District (Part 2B₂) as allowed in Div. 9.3. (Community Benefits Program) if the participating *project* provides the required *restricted affordable units*.
- b. *Projects* participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Affordable Housing Incentive Program (Sec. 9.2.2.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridor Transitions Incentive Program (Sec. 9.2.4.), Transit Oriented Incentive Program (Sec. 9.2.5.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum tier 1 *bonus floor area ratio* of the applied Form District (Part 2B₂).

3. Tier 2 Bonus

- a. A *lot* may exceed the base *floor area ratio* up to the maximum *tier 2 bonus floor area ratio* as allowed in Div. 9.3. (Community Benefits Program), or an applicable *Specific Plan, Supplemental District, or Special Zone*, if the participating *project* provides the required restricted affordable units and additional public benefits.
- b. *Projects* participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Affordable Housing Incentive Program (Sec. 9.2.2.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.2.), the Corridor Transitions Incentive Program (Sec. 9.2.3.), Transit Oriented Incentive Program (Sec. 9.2.4.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum *tier 2 bonus floor area ratio* of the applied Form District (Part 2B₂).

Sec. 8. Subsection C. of Section 2C.4.2. of Division 2C.4. of Article 2. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

C. Standards

1. *Buildings and structures* shall not exceed the base maximum *height in feet* without meeting Div. 9.3. (Community Benefits Program), or an applicable *Specific Plan, Supplemental District, or Special Zone*.
2. Tier 1 Bonus
 - a. *Buildings and structures* may exceed the base maximum *height in feet* up to the tier 1 *bonus height* of the applied Form District (Part 2B.) as allowed in Div. 9.3. (Community Benefits Program), if the participating project provides the required *restricted affordable units*.
 - b. *Projects* participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Affordable Housing Incentive Program (Sec. 9.2.2.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridor Transitions Incentive Program (Sec. 9.2.4.), Transit Oriented Incentive Program (Sec. 9.2.5.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum tier 1 *bonus height* of the applied Form District (Part 2B.).
3. Tier 2 Bonus
 - a. *Buildings and structures* may exceed the maximum *height in feet* up to the maximum *tier 2 bonus height* of the applied Form District (Part 2B.) if allowed pursuant to Div. 9.3. (Community Benefits Program), or an applicable *Specific Plan, Supplemental District, or Special Zone*, if the participating *project* provides the required *restricted affordable units* and additional public benefits.
 - b. *Projects* participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Affordable Housing Incentive Program (Sec. 9.2.2.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridor Transitions Incentive Program (Sec. 9.2.4.), Transit Oriented Incentive Program (Sec. 9.2.5.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum *tier 2 bonus height* of the applied Form District (Part 2B.).

Sec. 9. Subsection C. of Section 2C.4.3. of Division 2C.4. of Article 2. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

C. Standards

1. Minimum Height in Stories

a. General-

Each portion of *building width* used to meet the minimum *build-to width* standard specified by the applied Frontage District (Part 3B.) shall contain *floor area* for a depth no less than 15 feet on every *story* above the *ground floor elevation*, up to, and including the minimum *height in stories* specified by the applied Form District (Part 2B.).

b. Bonus Minimum Height in Stories

- i. When bonus minimum *height in stories* is specified by the applied Form District (Part 2B.), the minimum *height in stories* applies only to projects utilizing *bonus FAR* pursuant to Sec. 2C.4.1.C.2. (Tier 1 Bonus) or Sec. 2C.4.1.C.3. (Tier 2 Bonus).
- ii. The minimum *height in stories* requirement does not apply to predominantly non-residential *projects*. For the purposes of this rule, “predominantly non-residential” means a project with more than 50 percent of the total *floor area* allocated to *non-residential uses* (not including uses in the eating & drinking, personal services, and retail use groups).

2. Maximum Height in Stories

a. Base

Buildings and structures shall not exceed the base maximum *height in stories* without meeting Div. 9.3. (Community Benefits Program).

b. Tier 1 Bonus

- i. *Buildings and structures* may exceed the base maximum *height in stories* up to the *tier 1 bonus height* of the applied Form District (Part 2B.) as allowed in Div. 9.3. (Community Benefits Program), if the participating *project* provides the required *restricted affordable units*.
- ii. *Projects* participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridor Transitions Incentive Program (Sec 9.2.4.), Transit Oriented

Incentive Program (Sec. 9.2.5.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum *tier 1 bonus height* of the applied Form District (Part 2B₂).

c. Tier 2 Bonus

- i. *Buildings and structures* may exceed the maximum *height in stories* up to the maximum *tier 2 bonus height* of the applied Form District (Part 2B) as allowed by Div. 9.3. (Community Benefits Program), or an applicable *Specific Plan, Supplemental District, or Special Zone*, if the participating *project* provides the required *restricted affordable units* and additional public benefits.
- ii. *Projects* participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.2.), the Corridor Transitions Incentive Program (Sec. 9.2.3.), Transit Oriented Incentive Program (Sec. 9.2.4.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum *tier 2 bonus height* of the applied Form District (Part 2B₂).

Sec. 10. Subsection C. of Section 2C.5.1. of Division 2C.5. of Article 2. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

C. Standards

1. General

- a. No applicable *building* or collection of *abutting buildings* located on the same *lot* shall be wider than the maximum *building width* specified by the applied Form District (Part 2B₂).
- b. In order to establish *buildings* on the same *lot* as separate *buildings* for the purpose of measuring maximum *building width*, a *building break* shall be provided between the *buildings*.
- c. *Buildings* that are located on separate *lots*, share no interior circulation, and are structurally independent, are considered separate *buildings* for the purpose of measuring *building width*.
- d. A *building* on a *corner lot* within the *build-to zone* area of overlap is allowed to exceed the maximum *building width* by up to 40 feet along both *primary street lot lines* and *side street lot lines*.

- e. All applicable *buildings* and collections of *abutting buildings* located on the same *lot* shall be separated by at least the minimum *building break* dimension for the full depth of the *building* in order to establish them as separate *buildings* for the purpose of measuring *building width*.
- f. No *building* or *structure* shall encroach into the *building break*, except where allowed in Subsection E. (Exceptions) below.

2. Bonus Building Width

- a. Notwithstanding Paragraph 1. (General), above, *buildings* and *structures* may exceed the maximum *building width* up to the *bonus building width* in feet of the applied Form District (Part 2B₂) as allowed by Div. 9.3. (Community Benefits Program), if the participating *project* provides the required *restricted affordable units* or other public benefits.
- b. *Projects* participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.2.), the Corridor Transitions Incentive Program (Sec. 9.2.3.), Transit Oriented Incentive Program (Sec. 9.2.4.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum *bonus building width* of the applied Form District (Part 2B₂).

Sec. 11. Subsection E. of Sec. 4C.14.1. of Div. 4C.14. of Article 4. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

E. Exceptions

- 1. *Projects* located on a *lot* subject to Development Review Threshold Package 1 are exempt from review pursuant to Sec. 13B.2.4. (Project Review) provided that the *project* meets all of the following requirements:
 - a. The *project* involves the *new construction* of *floor area* dedicated to one or more *residential uses* and to one or more *non-residential uses*;
 - b. Fifty percent or more of the total new *floor area* is dedicated to *restricted affordable units*;
 - c. The *project* maintains or increases the total number of preexisting *restricted affordable units* on the *lot* and maintains or increases the total *floor area* dedicated to *restricted affordable units*; and
 - d. The *project* results in the *new construction* of no more than 150,000 square feet of *floor area* dedicated to one or more *non-residential uses*.

2. *Projects* that provide *restricted affordable units* consistent with the affordability requirements in Subparagraph b. of Sec.15.4.3.B.1. (Exemptions) are exempt from review pursuant to this Section (Development Review Threshold Packages).

Sec. 12. Subsection A. of Section 7A.1.4. of Division. 7A.1. of Article 7. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

A. Typology Category

The first component of each Alternative Typology name is a typology category. Typology categories group all typologies with similar allowed uses, characteristics, and intent. Typology categories are organized as follows:

1. Civic Institution
2. Corner Store
3. Small Lot Subdivision
4. Drive-Through
5. *Fueling Station*
6. Opportunity Corridors
7. Corridor Transitions

Sec. 13. A new Division 7B.6. is added to Article 7. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

DIV. 7B.6. **OPPORTUNITY CORRIDORS** ~~Opportunity Corridors~~

SEC. 7B.6.1. **OPPORTUNITY CORRIDORS 1A** ~~Opportunity Corridors 1A~~

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A_, RG_, RX_	2L, 3L, 4L, 2,

3, 4, 6, 8, 10,
12, 15, 20, 25,
30, 40, 50, 60,
FA

2. Eligible Projects

In order to be eligible to use the Opportunity Corridors 1A Alternate Typology, a *project* must be on a *lot*, in whole or in part, mapped in the OC-1 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17.), and must be utilizing, and meeting all requirements of, Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

B. Intent

The Opportunity Corridors 1A Alternate Typology is intended to establish a package of alternative standards for housing projects to encourage the provision of *restricted affordable units* in exchange for incentives such as additional allowable *floor area* and height in order to increase the feasibility of construction. The alternate typology facilitates the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.) and establishes the citywide baseline standards for mixed-income housing projects that are appropriate along major streets with transit service.

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

4. *Projects* shall utilize the Form standards provided in the tables below, as applicable.

1. Lot Parameters

a. LOT SIZE	Div. 2C.1.
Lot Area (min)	Set by Form District
Lot Width (min)	Set by Form District
b. COVERAGE	Div. 2C.2.
Building Coverage (max)	Set by Form District
Building Setbacks	Set by Form

	District
Permeable Surface (min)	Set by Form District
c. AMENITY	Div. 2C.3.
Lot Amenity Space (min)	Set by Form District
Residential Amenity Space (min)	Set by Form District

2. Bulk and Mass

a. FAR & HEIGHT	Div. 2C.4.
Base FAR	Set by Form District
Base Height in Stories	Set by Form District
Tier 1 Bonus FAR (max)	4.0
Tier 1 Bonus Height in Stories (max)	6 stories
Tier 2 Bonus FAR (max)	7.0 or
Tier 2 Bonus Height in Stories (max)	9 stories
b. BUILDING MASS	Div. 2C.5.
<u>Building Width (max)</u>	
<u>Base Building Width</u>	<u>Set by Form District</u>
<u>Bonus Building Width</u>	<u>160'</u>
<u>Building Break (min)</u>	<u>15'</u>
c. UPPER-STORY BULK	Div. 2C.6.
Upper Story Bulk	
Street Step-Back	Set by Form District
District Boundary Height Transition	Set by Form District

c. Building Mass	Div. 2C.5.
Building Width (max)	
Base Building Width	Set by Form District
Bonus Building Width	160'
Building Break (min)	15'

2. 3. In lieu of the *floor area ratio* and height standards in Paragraph 24. (Bulk and Mass), above, a project may use the following standards, as applicable:

- a. A *tier 1 bonus floor area ratio* of up to a 45 percent increase in the base *floor area ratio* in the applied Form District (Part 2B₂), or applicable *Supplemental District, Specific Plan, or Special Zone*, and a *tier 1 bonus height* in stories of one additional *story* of height beyond the base height in the applied Form District (Part 2B₂), or applicable *Supplemental District, Specific Plan or Special Zone*.
- b. A *tier 2 bonus floor area ratio* of up to an additional 3.0 *FAR* on top of the applicable *tier 1 bonus floor area ratio* in Paragraph 24. (Bulk and Mass), above, or Subparagraph a., above, and a *tier 2 bonus height* in stories of an additional ~~three~~3 stories beyond the applicable *tier 1 bonus height*, in Paragraph 24. (Bulk and Mass), above, or Subparagraph a., above.

3. 4. Regardless of Paragraphs 1. (Lot Parameters), Paragraph ~~and 2.~~ (Bulk and Mass) and Paragraph 3., above, a *project* on a site with a designated historic resource or a *non-contributor* shall be subject to the following standards:

- a. Unless a *project* utilizes eligible public benefits incentives pursuant to Sec. 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum *FAR* shall be limited to the base *FAR* of the applied Form District (Part 2B₂).
- b. Unless a *project* utilizes eligible public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum height shall be up to one additional *story* above the base *height in stories*, and up to an additional 11 feet above the base *height in feet*, of the applied Form District (Part 2B₂).

E. Frontage Standards

Set by applied Frontage District (Part 3B₂).

F. Development Standards

1. Set by the applied Development Standards District (Part 4B₂) except as provided in Paragraph 2. (Required Automobile Parking Stalls), below.

2. Required *Automobile Parking Stalls*

No *automobile parking* shall be required for residential uses.

G. Use Standards

Set by the applied Use District (Part 5B₂).

H. Density Standards

The maximum density shall be the density allowed in an FA Density District, pursuant to Sec. 6B.2. (Lot Area-Based Density Districts).

SEC. 7B.6.2. **OPPORTUNITY CORRIDORS 1B** ~~Opportunity Corridors 1B~~

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	CX_, IX_, P_	2L, 3L, 4L, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Projects

In order to be eligible to use the Opportunity Corridors 1B Alternate Typology, a *project* must be on a *lot* mapped in the OC-1 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17₂), and must be utilizing, and meeting all requirements of, Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

B. Intent

The Opportunity Corridors 1B Alternate Typology is intended to establish a package of alternative standards for housing projects to encourage the provision of *restricted affordable units* in exchange for incentives such as additional allowable *floor area* and height in order to increase the feasibility of construction. The alternate typology facilitates the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), and establishes the citywide baseline standards for mixed-income housing projects along major streets with transit service.

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

4. *Projects* shall utilize the Form standards provided in the tables below, as applicable.

1. Lot Parameters

a. LOT SIZE	Div. 2C.1.
Lot Area (min)	Set by Form District
Lot Width (min)	Set by Form District
b. COVERAGE	Div. 2C.2.
Building Coverage (max)	Set by Form District
Building Setbacks	Set by Form District
Permeable Surface (min)	Set by Form District
c. AMENITY	Div. 2C.3.
Lot Amenity Space (min)	Set by Form District
Residential Amenity Space (min)	Set by Form District

2. Bulk and Mass

a. FAR & HEIGHT	Div. 2C.4.
Base FAR	Set by Form District
Base Height in Stories	Set by Form District
Tier 1 Bonus FAR (max)	4.5
Tier 1 Bonus Height in Stories (max)	7 stories
Tier 2 Bonus FAR (max)	7.5
Tier 2 Bonus Height in Stories (max)	10 stories
b. BUILDING MASS	Div. 2C.5.
<u>Building Width (max)</u>	
<u>Base Building Width</u>	<u>Set by Form District</u>
<u>Bonus Building Width</u>	<u>210'</u>
<u>Building Break (min)</u>	<u>25'</u>
c. UPPER-STORY BULK	Div. 2C.6.
Upper Story Bulk	
Street Step-Back	Set by Form District
District Boundary Height Transition	Set by Form District
c. Building Mass	Div. 2C.5.
Building Width (max)	
<u>Base Building Width</u>	<u>Set by Form District</u>
<u>Bonus Building Width</u>	<u>210'</u>

Building Break (min)	25'
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2. 3. In lieu of the *floor area ratio* and height standards in Paragraph 24. (Bulk and Mass), above, a *project* may use the following standards, as applicable:
 - a. A *tier 1 bonus floor area ratio* of up to a 50 percent increase in the base *floor area ratio* in the applied Form District (Part 2B₂), or applicable *Supplemental District, Specific Plan, or Special Zone*, and a *tier 1 bonus height* in stories of one additional *story* of height beyond the base height in the applied Form District (Part 2B₂), or applicable *Supplemental District, Specific Plan or Special Zone*.
 - b. A *tier 2 bonus floor area ratio* of up to an additional 3.0 *FAR* on top of the applicable tier 1 bonus *floor area ratio* in Paragraph 24. (Bulk and Mass), above, or Subparagraph a., above, and a *tier 2 bonus height* in stories of an additional ~~three~~3 stories beyond the applicable *tier 1 bonus height* in stories, in Paragraph 24. (Bulk and Mass), above, or Subparagraph a4., above.
3. 4. Regardless of Paragraphs 1. (Lot Parameters), Paragraph 2. (Bulk and Mass), and Paragraph 3. and 2., above, a *project* on a site with a *designated historic resource* or a *non-contributor* shall be subject to the following standards:
 - a. Unless a *project* utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum *FAR* shall be limited to the base *FAR* of the applied Form District (Part 2B₂).
 - b. Unless a *project* utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum height shall be up to one additional *story* above the base *height in stories*, and up to 11 additional feet above base *height in feet*, of the applied Form District (Part 2B₂).

E. Frontage Standards

Set by applied Frontage District (Part 3B₂).

F. Development Standards

1. Set by the applied Development Standards District (Part 4B₂) except as provided in Paragraph 2. (Required Automobile Parking Stalls), below.
2. Required Automobile Parking Stalls

No automobile parking shall be required for *residential uses*.

G. Use Standards

Set by the applied Use District (Part 5B.).

H. Density Standards

The maximum density shall be the density allowed in an FA Density District, pursuant to Sec. 6B.2. (Lot Area-Based Density Districts).

SEC. 7B.6.3. OPPORTUNITY CORRIDORS 2A~~Opportunity Corridors 2A~~

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A_, RG_, RX_	2L, 3L, 4L, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Projects

In order to be eligible to use the Opportunity Corridors 2A Alternate Typology, a *project* must be on a *lot* mapped in the OC-2 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17.), and must be utilizing, and meeting all the requirements of, Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

B. Intent

The Opportunity Corridors 2A Alternate Typology is intended to establish a package of alternative standards for housing projects to encourage the provision of *restricted affordable units* in exchange for incentives such as additional allowable *floor area* and height in order to increase the feasibility of construction. The alternate typology facilitates the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), and establishes the citywide baseline standards for mixed-income housing projects along major streets with transit service.

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

4. *Projects* shall utilize the Form standards provided in the tables below, as applicable.

1. Lot Parameters

a. LOT SIZE	Div. 2C.1.
Lot Area (min)	Set by Form District
Lot Width (min)	Set by Form District
b. COVERAGE	Div. 2C.2.
Building Coverage (max)	Set by Form District
Building Setbacks	Set by Form District
Permeable Surface (min)	Set by Form District
c. AMENITY	Div. 2C.3.
Lot Amenity Space (min)	Set by Form District
Residential Amenity Space (min)	Set by Form District

2. Bulk and Mass

a. FAR & HEIGHT	Div. 2C.4.
Base FAR	Set by Form District
Base Height in Stories	Set by Form District
Tier 1 Bonus FAR (max)	4.5
Tier 1 Bonus Height in Stories (max)	7 stories
Tier 2 Bonus FAR (max)	7.5

Tier 2 Bonus Height in Stories (max)	10 stories
b. BUILDING MASS	<u>Div. 2C.5.</u>
<u>Building Width (max)</u>	
<u>Base Building Width</u>	<u>Set by Form District</u>
<u>Bonus Building Width</u>	<u>160'</u>
<u>Building Break (min)</u>	<u>15'</u>
c. UPPER-STORY BULK	Div. 2C.6.
Street Step-Back	Set by Form District
District Boundary Height Transition	Set by Form District
Building Mass	<u>Div. 2C.5.</u>
Building Width (max)	
<u>Base Building Width</u>	<u>Set by Form District</u>
<u>Bonus Building Width</u>	<u>160'</u>
Building Break (min)	<u>15'</u>

2. 3. In lieu of the *floor area ratio* and height standards in Paragraph 24. (Bulk and Mass), above, a *project* may use the following standards, as applicable:

- a. A *tier 1 bonus floor area ratio* of up to a 50 percent increase in the base *floor area ratio* in the applied Form District (Part 2B₂), or applicable *Supplemental District, Specific Plan, or Special Zone*, and a *tier 1 bonus height* in stories of one additional *story* of height beyond the base in the applied Form District (Part 2B₂), or applicable *Supplemental District, Specific Plan or Special Zone*.
- b. A *tier 2 bonus floor area ratio* up to an additional 3.0 *FAR* on top of the applicable *tier 1 bonus floor area ratio* in Paragraph 24 (Bulk and Mass)., above, or Subparagraph a., above, and a *tier 2 bonus height* in stories of an

additional ~~three~~3 stories beyond the applicable *tier 1 bonus height* in Paragraph ~~24~~. (Bulk and Mass, above, or Subparagraph a., above.

3. ~~4~~. Regardless of the Paragraphs 1. (Lot Parameters), Paragraph ~~and 2~~. (Bulk and Mass) and Paragraph ~~3~~, above, a *project* on a site with a *designated historic resource* or a *non-contributor* shall be subject to the following standards:

a. Unless a *project* utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum *FAR* shall be limited to the base *FAR* of the applied Form District (Part 2B₂).

b. Unless a *project* utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum height shall be up to one additional *story* above the base *height in stories*, and up to an additional 11 feet above the base *height in feet*, of the applied Form District (Part 2B₂).

E. Frontage Standards

Set by applied Frontage District (Part 3B₂).

F. Development Standards

1. Set by the applied Development Standards District (Part 4B₂) except as provided in Paragraph 2. (Required Automobile Parking Stalls), below.

2. Required Automobile Parking Stalls

No automobile parking shall be required for *residential uses*.

G. Use Standards

Set by the applied Use District (Part 5B₂).

H. Density Standards

The maximum density shall be the density allowed in an FA Density District, pursuant to Sec. 6B.2. (Lot Area-Based Density Districts).

SEC. 7B.6.4. OPPORTUNITY CORRIDORS 2B~~Opportunity Corridors 2B~~

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	CX_, IX_, P_	2L, 3L, 4L, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Projects

In order to be eligible to use the Opportunity Corridors 2B Alternate Typology, a *project* must be on a *lot* mapped in the OC-2 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17.), and must be utilizing, and meeting all requirements of, Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

B. Intent

The Opportunity Corridors 2B Alternate Typology is intended to establish a package of alternative standards for housing projects to encourage the provision of *restricted affordable units* in exchange for incentives such as additional allowable *floor area* and height in order to increase the feasibility of construction. The alternate typology facilitates the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), and establishes the citywide baseline standards for mixed-income housing projects along major streets with transit service.

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

4. *Projects* shall utilize the Form standards provided in the tables below, as applicable.

1. Lot Parameters

a. LOT SIZE	Div. 2C.1.
Lot Area (min)	Set by Form District
Lot Width (min)	Set by Form District

b. COVERAGE	Div. 2C.2.
Building Coverage (max)	Set by Form District
Building Setbacks	Set by Form District
Permeable Surface (min)	Set by Form District
c. AMENITY	Div. 2C.3.
Lot Amenity Space (min)	Set by Form District
Residential Amenity Space (min)	Set by Form District

2. Bulk and Mass

a. FAR & HEIGHT	Div. 2C.4.
Base FAR	Set by Form District
Base Height in Stories	Set by Form District
Tier 1 Bonus FAR (min)	4.75
Tier 1 Bonus Height in Stories (min)	7 stories
Tier 2 Bonus FAR (min)	7.75
Tier 2 Bonus Height in Stories (min)	10 stories
b. BUILDING MASS	Div. 2C.5.
Building Width (max)	
<u>Base Building Width</u>	<u>Set by Form District</u>
<u>Bonus Building Width</u>	<u>210'</u>
<u>Building Break</u> (min)	<u>25'</u>
c. UPPER-STORY BULK	Div. 2C.6.
Upper Story Bulk	
Street Step-Back	Set by Form

	District
District Boundary Height Transition	Set by Form District
Building Mass	Div. 2C.5.
Building Width (max)	
Base Building Width	Set by Form District
Bonus Building Width	210'
Building Break (min)	25'

2. 3. In lieu of the *floor area ratio* and height standards in Paragraph 24. (Bulk and Mass), above, a *project* may use the following standards:
- a. A *tier 1 bonus floor area ratio* of up to a 55 percent increase in the base *floor area ratio* in the applied Form District (Part 2B₂), or applicable *Supplemental District, Specific Plan, or Special Zone*, and a *tier 1 bonus height* in stories of one additional *story* of height beyond the base height in the applied Form District (Part 2B₂), or applicable *Supplemental District, Specific Plan or Special Zone*.
 - b. A *tier 2 bonus floor area ratio* of up to an additional 3.0 *FAR* on top of the applicable *tier 1 bonus floor area ratio* in Paragraph 24. (Bulk and Mass), above, or Subparagraph a., above, and a *tier 2 bonus height* in stories of an additional three stories beyond the applicable *tier 1 bonus height* in stories, in Paragraph 24. (Bulk and Mass), above, or Subparagraph a., above.
3. 4. Regardless of Paragraphs 1. (Lot Parameters), Paragraph 2. (Bulk and Mass) and Paragraph 32., above, a *project* on a site with a designated historic resource or a *non-contributor* shall be subject to the following standards:
- a. Unless a *project* utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum *FAR* shall be limited to the base *FAR* of the applied Form District (Part 2B₂).
 - b. Unless a *project* utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum height shall be up to one additional story above the

base *height in stories*, and up to an additional 11 feet above the base *height in feet*, of the applied Form District (Part 2B₂).

E. Frontage Standards

Set by applied Frontage District (Part 3B₂).

F. Development Standards

1. Set by the applied Development Standards District (Part 4B₂) except as provided in Paragraph 2. (Required Automobile Parking Stalls), below.

2. Required Automobile Parking Stalls

No automobile parking shall be required for *residential uses*.

G. Use Standards

Set by the applied Use District (Part 5B₂).

H. Density Standards

The maximum density shall be the density allowed in an FA Density District, pursuant to Sec. 6B.2. (Lot Area-Based Density Districts).

SEC. 7B.6.5. OPPORTUNITY CORRIDORS 3A~~Opportunity Corridors 3A~~

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A_, RG_, RX_	2L, 3L, 4L, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Projects

In order to be eligible to use the Opportunity Corridors 3A Alternate Typology, a *project* must be on a lot mapped in the OC-3 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17₂), and must be utilizing,

and meeting all requirements of, Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

B. Intent

The Opportunity Corridors 3A Alternate Typology is intended to establish a package of alternative standards for housing projects to encourage the provision of *restricted affordable units* in exchange for incentives such as additional allowable *floor area* and height in order to increase the feasibility of construction. The alternate typology facilitates the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), and establishes the citywide baseline standards for mixed-income housing projects along major streets with transit service.

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

4. *Projects* shall utilize the Form standards provided in the tables below, as applicable.

1. Lot Parameters

a. LOT SIZE	Div. 2C.1.
Lot Area (min)	Set by Form District
Lot Width (min)	Set by Form District
b. COVERAGE	Div. 2C.2.
Building Coverage (max)	Set by Form District
Building Setbacks	Set by Form District
c. AMENITY	Div. 2C.3.
Lot Amenity Space (min)	Set by Form District
Residential Amenity Space (min)	Set by Form District

2. Bulk and Mass

a. FAR & HEIGHT	Div. 2C.4.
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Base FAR	Set by Form District
Base Height in Stories	Set by Form District
Tier 1 Bonus FAR (max)	5.0
Tier 1 Bonus Height in Stories (max)	8 stories
Tier 2 Bonus FAR (max)	8.0
Tier 2 Bonus Height in Stories (max)	11 stories
<u>b. BUILDING MASS</u>	<u>Div. 2C.5.</u>
<u>Building Width (max)</u>	
<u>Base Building Width</u>	<u>Set by Form District</u>
<u>Bonus Building Width</u>	<u>160'</u>
<u>Building Break (min)</u>	<u>15'</u>
<u>c. UPPER-STORY BULK</u>	<u>Div. 2C.6.</u>
<u>Upper Story Bulk</u>	
Street Step-Back	Set by Form District
District Boundary Height Transition	Set by Form District
<u>Building Mass</u>	<u>Div. 2C.5.</u>
<u>Building Width (max)</u>	
<u>Base Building Width</u>	<u>Set by Form District</u>
<u>Bonus Building Width</u>	<u>160'</u>
<u>Building Break (min)</u>	<u>15'</u>

2. 3. In lieu of the *floor area ratio* and height standards in Paragraph 24.(Bulk and Mass), above, a *project* may use the following standards, as applicable:

- a. A *tier 1 bonus floor area ratio* of up to a 60 percent increase in the base *floor area ratio* in the applied Form District (Part 2B₂), or applicable *Supplemental District, Specific Plan, or Special Zone*, and a *tier 1 bonus height* in stories of one additional *story* of height beyond the base height in the applied Form

District (Part 2B₂), or applicable *Supplemental District, Specific Plan* or *Special Zone*.

- b. A *tier 2 bonus floor area ratio* of up to an additional 3.0 FAR on top of the applicable *tier 1 bonus floor area ratio* in Paragraph ~~2~~⁴. (Bulk and Mass), above, or Subparagraph a., above, and a *tier 2 bonus height* in stories of an additional ~~three~~³ stories beyond the applicable *tier 1 bonus height* in Paragraph ~~2~~. (Bulk and Mass)⁴, above, or Subparagraph a., above.

- ~~3~~. ~~4~~. Regardless of Paragraphs ~~1~~. (Lot Parameters), Paragraph ~~2~~. (Bulk and Mass) and Paragraph ~~3~~², above, a *project* on a site with a *designated historic resource* or a *non-contributor* element shall be subject to the following standards:

- a. Unless a *project* utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum *FAR* shall be limited to the base *FAR* of the applied Form District (Part 2B₂).
- b. Unless a project utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum height shall be up to one additional story above the base height in stories, and up to an additional 11 feet above the base height in feet, of the applied Form District (Part 2B₂).

E. Frontage Standards

Set by applied Frontage District (Part 3B₂).

F. Development Standards

- 1. Set by the applied Development Standards District (Part 4B₂) except as provided in Paragraph ~~2~~. (Required Automobile Parking Stalls), below.

- 2. Required Automobile Parking Stalls

No automobile parking shall be required for residential uses.

G. Use Standards

Set by the applied Use District (Part 5B₂).

H. Density Standards

The maximum density shall be the density allowed in an FA Density District, pursuant to Sec. 6B.2. (Lot Area-Based Density Districts).

SEC. 7B.6.6. OPPORTUNITY CORRIDORS 3B~~Opportunity Corridors 3B~~

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	CX_, IX_, P_	2L, 3L, 4L, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Projects

In order to be eligible to use the Opportunity Corridors 3B Alternate Typology, a project must be on a lot mapped in the OC-3 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17.), and must be utilizing, and meeting all requirements of, Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

B. Intent

The Opportunity Corridors 3B Alternate Typology is intended to establish a package of alternative standards for housing projects to encourage the provision of restricted affordable units in exchange for incentives such as additional allowable *floor area* and height in order to increase the feasibility of construction. The alternate typology facilitates the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), and establishes the citywide baseline standards for mixed-income housing projects along major streets with transit service.

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

4. Projects shall utilize the Form standards provided in the tables below, as applicable.

1. Lot Parameters

a. LOT SIZE	Div. 2C.1.
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Lot Area (min)	Set by Form District
Lot Width (min)	Set by Form District
<u>b. COVERAGE</u>	Div. 2C.2.
Building Coverage (max)	Set by Form District
Building Setbacks	Set by Form District
<u>c. AMENITY</u>	Div. 2C.3.
Lot Amenity Space (min)	Set by Form District
Residential Amenity Space (min)	Set by Form District

2. Bulk and Mass

<u>a. FAR & HEIGHT</u>	Div. 2C.4.
Base FAR	Set by Form District
Base Height in Stories	Set by Form District
Tier 1 Bonus FAR (max)	5.0
Tier 1 Bonus Height in Stories (max)	8 stories
Tier 2 Bonus FAR (max)	8.0
Tier 2 Height in Stories (max)	11 stories
<u>b. BUILDING MASS</u>	<u>Div. 2C.5.</u>
<u>Building Width (max)</u>	
<u>Base Building Width</u>	<u>Set by Form District</u>
<u>Bonus Building Width</u>	<u>210'</u>
<u>Building Break (min)</u>	<u>25'</u>
<u>c. UPPER-STORY</u>	Div. 2C.6.

BULK Upper Story Bulk	
Street Step-Back	Set by Form District
District Boundary Height Transition	Set by Form District
Building Mass	Div. 2C.5.
Building Width (max)	
— Base Building Width	Set by Form District
— Bonus Building Width	210'
Building Break (min)	25'

2. 3. In lieu of the floor area ratio and height standards in Paragraph 24. (Bulk and Mass), above, a *project* may use the following standards, as applicable:

- a. A *tier 1 bonus floor area ratio* of up to a 60 percent increase in the base *floor area ratio* in the applied Form District (Part 2B₂), or applicable *Supplemental District*, *Specific Plan*, or *Special Zone*, and a *tier 1 bonus height* in stories of one additional *story* of height beyond the base height in the applied Form District (Part 2B₂), or applicable *Supplemental District*, *Specific Plan* or *Special Zone*.
- b. A *tier 2 bonus floor area ratio* of up to an additional 3.0 *FAR* on top of the applicable *tier 1 bonus floor area ratio* in Paragraph 24. (Bulk and Mass), above, or Subparagraph a., above, and a *tier 2 bonus height* in stories of an additional three3 stories beyond the applicable *tier 1 bonus height*, in Paragraph 24. (Bulk and Mass), above, or Subparagraph a., above.

3. 4. Regardless of Paragraphs 1. (Lot Parameters), Paragraph 2. (Bulk and Mass) and Paragraph 3.2., above, a *project* on a site with a designated historic resource or a *non-contributor* shall be subject to the following standards:

- a. Unless a *project* utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum *FAR* shall be limited to the base *FAR* of the applied Form District (Part 2B₂).

- b. Unless a *project* utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum height shall be up to one additional story above the base *height in stories*, and up to 11 additional feet above the base *height in feet*, of the applied Form District (Part 2B₂).

E. Frontage Standards

Set by applied Frontage District (Part 3B₂).

F. Development Standards

- 1. Set by the applied Development Standards District (Part 4B₂) except as provided in Paragraph 2. (Required Automobile Parking Stalls), below.

- 2. Required Automobile Parking Stalls

No automobile parking shall be required for *residential uses*.

G. Use Standards

Set by the applied Use District (Part 5B₂).

H. Density Standards

The maximum density shall be the density allowed in an FA Density District, pursuant to Sec. 6B.2. (Lot Area-Based Density Districts).

Sec. 14. A new Division 7B.7. is added to Article 7. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

DIV. 7B.7. CORRIDOR TRANSITIONS~~Corridor Transitions~~

SEC. 7B.7.1. CORRIDOR TRANSITIONS 1~~Corridor Transitions 1~~

A. Eligibility

- 1. Eligible Districts

FORM

FRONTAGE

STANDARD

USE

DENSITY

All	All	All v	A_, RG_, RX_, P_	2L, 3L, 4L, 10, 12, 15, 20, 25, 30, 40, 50, 60
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2. Eligible Projects

In order to be eligible to use the Corridor Transitions 1 Alternate Typology, a *project* must be on a *lot* mapped in the CT-1 Corridor Transitions Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17.), and must be utilizing, and meeting all requirements of, Sec. 9.2.4. (Corridor Transitions Incentive Program).

B. Intent

The Corridor Transitions 1 Alternate Typology is intended to establish a package of alternative standards for housing projects in order to facilitate the creation and development of *restricted affordable units* in lower density areas in the city, and aid in smoothing the transition between higher-scale development along principal corridors to lower-scale development in interior neighborhoods. The Corridor Transitions 1 Alternate Typology provides moderate increases in density and *floor area ratio* to meet this goal, while controlling for lower-scale residential design needs and constraints. The alternate typology facilitates the Corridor Transitions Incentive Program (Sec. 9.2.4.).

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.4. (Corridor Transitions Incentive Program).

D. Form Standards

4. *Projects* shall utilize the Form standards provided in the tables below, as applicable.

1. Lot Parameters

a. LOT SIZE	Div. 2C.1.
Lot Area (min)	Set by Form District
Lot Width (min)	Set by Form District
b. COVERAGE	Div. 2C.2.

Building Coverage (max)	70%
Building Setbacks	
Primary street (min)	10'
Side street (min)	4'
Side (min)	3'
Rear (min)	4'
Alley (min)	0'
<u>c. AMENITY</u>	Div. 2C.3.
Required Lot Amenity Alternatives	Courtyard Paseo Rear Yard
Residential Amenity Space (min)	Set by Form District

2. Bulk and Mass

<u>a. FAR & HEIGHT</u>	Div. 2C.4.
Base FAR	Set by Form District
Base Height in Stories	Set by Form District
Tier 1 Bonus FAR (max) (Incremental FAR)	1.45, subject to Paragraph 2, below
Tier 1 Bonus Height in Stories (max)	2 stories
Tier 2 Bonus FAR (max)	1.95
Tier 2 Bonus FAR in Stories (max)	3 stories
<u>b. BUILDING MASS</u>	<u>Div. 2C.5.</u>
<u>Building Width (max)</u>	
<u>Base Building Width</u>	<u>Set by Form District</u>
<u>Bonus Building Width</u>	<u>75 '</u>

<u>Building Break (min)</u>	<u>6'</u>
c. UPPER-STORY BULK Upper Story Bulk	Div. 2C.6.
Street Step-Back	Set by Form District
District Boundary Height Transition	Set by Form District
Building Mass	Div. 2C.5.
Building Width (max)	
Base Building Width	Set by Form District
Bonus Building Width	75'
Building Break (min)	6'

2. 3. Incremental FAR

The maximum *floor area* is limited by the total number of *dwelling units* on the lot and increases incrementally as the number of dwelling units in the *project* increases. The *tier 1 bonus floor area ratio* for total *dwelling units* in a *project* is provided in the table, below:

Incremental Bonus FAR	
Total Dwelling Units	Tier 1 Bonus Floor Area Ratio
1-3	N/A
4	1.15
5	1.30
6 or more	1.45

3. 4. Tier 2 Bonus FAR

A *project* may receive up to the *tier 2 bonus floor area ratio* in Paragraph 24. (Bulk and Mass), above, through the provision of additional public benefits,

pursuant to Sec. 9.2.4.C.3. (Public Benefits) of the Corridor Transitions Incentive Program.

4. 5. Small-Lot Subdivision Standards

Regardless of Paragraph 1. (Lot Parameters) and Paragraph 2. (Bulk and Mass), a *project* providing *dwelling units* as part of a small-lot *subdivision* shall be subject to the following standards for *lots* within the *subdivision*:

- a. Minimum *lot area*: 600 square feet
- b. Minimum *lot width*: 15 feet
- c. Side building setback: 0 feet

E. Frontage Standards

1. Lot

	Primary	Side	Special
a. BUILD-TO	Div. 3C.1.		
Build-to depth (min)	5'	10'	10'
Build-to width (min)	50%	30%	50%
b. PARKING	Div. 3C.2.		
Parking setbacks (min)	20'	5'	5'
c. LANDSCAPING	Div. 3C.3.		
Frontage planting area (min)	50%	50%	50%
Frontage yard fence & wall type allowed:	A2	A2	A3

2. Facade

	Primary	Side	Special
a. TRANSPARENCY	Div. 3C.4.		
Transparent area			
Ground story (min)	15%	10%	15%
Upper stories (min)	20%	15%	20%

Active wall spacing (max)	20'	30'	20'
b. ENTRANCES	Div. 3C.5.		
Street-facing entrances	Required	n/a	Required
Entrance spacing (max)	n/a	n/a	n/a
Entry feature	Required	n/a	Required
Options:	<ul style="list-style-type: none"> • Porch • Raised entry • Forecourt • Recessed entry • Courtyard • Breezeway 		
c. GROUND STORY	Div. 3C.6.		
Ground story height (min)	10'	10'	10'
Ground floor elevation (min/max)	-2' / 5'	-2' / 5'	-2' / 5'

F. Development Standards

1. Set by the applied Development Standards District (Part 4B₂) except as provided in Paragraph 2. (Required Automobile Parking Stalls) and Paragraph 3. (Small-Lot Subdivision Standards), below.

2. Required Automobile Parking Stalls

No automobile parking shall be required for residential uses.

3. Small-Lot Subdivision Standards

A project providing dwelling units as part of a small-lot subdivision may provide a pedestrian accessway three feet in width for the lots in the subdivision in lieu of required automobile access or pedestrian access.

G. Use Standards

Set by the applied Use District (Part 5B₂).

H. Density Standards

1. The maximum density shall be the density allowed in Density District 15, pursuant to Sec. 6B.2. (Lot Area-Based Density Districts).
2. Regardless of Paragraph 1., above, a project opting to provide restricted affordable units at the rates required for the CT-2 Corridor Transitions Incentive Set pursuant to Sec. 9.2.4.C.1.e. (Affordability Levels), shall have the maximum density allowed in Density District 10, pursuant to Sec. 6B.2. (Lot Area-Based Density Districts).

SEC. 7B.7.2. CORRIDOR TRANSITIONS 2~~Corridor Transitions 2~~

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A_, RG_, RX_, P_	2L, 3L, 4L, 10, 12, 15, 20, 25, 30, 40, 50, 60

2. Eligible Projects

In order to be eligible to use the Corridor Transitions 2 Alternate Typology, a project must be on a lot mapped in the CT-2 Corridor Transitions Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17.), and must be utilizing, and meeting all requirements of, Sec. 9.2.4. (Corridor Transitions Incentive Program).

B. Intent

The Corridor Transitions 2 Alternate Typology is intended to establish a package of alternative standards for housing projects and aims to facilitate the creation and development of *restricted affordable units* in lower density areas in the city, aiding in smoothing the transition between higher-scale development along principal corridors to lower-scale development in interior neighborhoods. The Corridor Transitions Incentive Program provides the rules and framework for granting moderate increases in density and *floor area ratio* to meet this goal, while controlling lower-

scale residential design needs and constraints. The alternate typology facilitates the Corridor Transitions Incentive Program (Sec. 9.2.4.).

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.4. (Corridor Transitions Incentive Program).

D. Form Standards

4. *Projects* shall utilize the Form standards provided in the tables below, as applicable.

1. Lot Parameters

a. LOT SIZE	Div. 2C.1.
Lot Area (min)	Set by Form District
Lot Width (min)	Set by Form District
b. COVERAGE	Div. 2C.2.
Building Coverage (max)	70%
Building Setbacks	
Primary street (min)	10'
Side street (min)	4'
Side (min)	3'
Rear (min)	4'
Alley (min)	0'
c. AMENITY	Div. 2C.3.
Required Lot Amenity Alternatives	Courtyard Paseo Rear Yard
Residential Amenity Space (min)	Set by Form District

2. Bulk and Mass

a. FAR & HEIGHT	Div. 2C.4.
Base FAR	Set by Form District
Base Height in Stories	Set by Form District
Tier 1 Bonus FAR (max) (Incremental FAR)	2.0, subject to Paragraph 2., below
Tier 1 Bonus Height in Stories (max)	3 stories
Tier 2 Bonus FAR (max)	2.5
Tier 2 Bonus FAR in Stories (max)	4 stories
b. BUILDING MASS	Div. 2C.5.
<u>Building Width (max)</u>	
<u>Base Building Width</u>	<u>Set by Form District</u>
<u>Bonus Building Width</u>	<u>160'</u>
<u>Building Break (min)</u>	<u>15'</u>
c. UPPER-STORY BULK	Div. 2C.6.
Street Step-Back	Set by Form District
District Boundary Height Transition	Set by Form District
Building Mass	Div. 2C.5.
Building Width (max)	
<u>Base Building Width</u>	<u>Set by Form District</u>
<u>Bonus Building Width</u>	<u>160'</u>

Building Break (min)	15'
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2. 3. Incremental FAR

The maximum *floor area* is limited by the total number of dwelling units on the lot and increases incrementally as the number of dwelling units in the project increases. *The tier 1 bonus floor area ratio* for total *dwelling units* in a *project* is provided in the table, below:

Incremental Bonus FAR	
Total Dwelling Units	Tier 1 Bonus Floor Area Ratio
1-3	N/A
4	1.15
5	1.30
6	1.45
7	1.60
8	1.75
9	1.90
10 or more	2.0

3. 4. Tier 2 Bonus FAR

A *project* may receive up to the *tier 2 bonus floor area ratio* in Paragraph 24. (Bulk and Mass), above, through the provision of additional public benefits, pursuant to Sec. 9.2.4.C.3. (Public Benefits) of the Corridor Transitions Incentive Program.

4. 5. Small-Lot Subdivision Standards

Regardless of Paragraph 1. (Lot Parameters) and Paragraph 2. (Bulk and Mass), above, *Projects* providing *dwelling units* as part of a small-lot subdivision shall be subject to the following standards on lots within the subdivision:

- a. Minimum lot area: 600 square feet

b. Minimum lot width: 15 feet

c. Side building setback: 0 feet

E. Frontage Standards

1. Lot

	Primary	Side	Special
a. BUILD-TO	Div. 3C.1.		
Build-to depth (min)	5'	10'	10'
Build-to width (min)	50%	30%	50%
b. PARKING	Div. 3C.2.		
Parking setbacks (min)	20'	5'	5'
c. LANDSCAPING	Div. 3C.3.		
Frontage planting area (min)	50%	50%	50%
Frontage yard fence & wall type allowed:	A2	A2	A3

2. Facade

	Primary	Side	Special
a. TRANSPARENCY	Div. 3C.4.		
Transparent area			
Ground story (min)	15%	10%	15%
Upper stories (min)	20%	15%	20%
Active wall spacing (max)	20'	30'	20'
b. ENTRANCES	Div. 3C.5.		
Street-facing entrances	Required	n/a	Required
Entrance spacing (max)	n/a	n/a	n/a
Entry feature	Required	n/a	Required

Options:	<ul style="list-style-type: none"> • Porch • Raised entry • Forecourt • Recessed entry • Courtyard • Breezeway 		
c. GROUND STORY	Div. 3C.6.		
Ground story height (min)	10'	10'	10'
Ground floor elevation (min/max)	-2' / 5'	-2' / 5'	-2' / 5'

F. Development Standards

1. Set by the applied Development Standards District (Part 4B₂) except as provided in Paragraph 2. (Required Automobile Parking Stalls) and Paragraph 3. (Small-Lot Subdivision Standards), below.

2. Required *Automobile Parking Stalls*

No automobile parking shall be required for *residential uses*.

3. Small-Lot Subdivision Standards

Projects providing dwelling units as part of a small-lot subdivision may provide a pedestrian accessway three feet in width for the lots in the subdivision in lieu of otherwise required automobile access or pedestrian access.

G. Use Standards

Set by the applied Use District (Part 5B₂).

H. Density Standards

The maximum density shall be the density allowed in Density District 6, pursuant to Div. 6B.2. (Lot Area-Based Density Districts).

SEC. 7B.7.3. CORRIDOR TRANSITIONS 3 ~~Corridor Transitions 3~~

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A_, RG_, RX_, P_	2L, 3L, 4L, 10, 12, 15, 20, 25, 30, 40, 50, 60

2. Eligible Lots

In order to be eligible to use the Corridor Transitions 3 Alternate Typology, a *project* must be on a lot mapped in the CT-3 Corridor Transitions Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17.), and must be utilizing, and meeting all requirements of, Sec. 9.2.4. (Corridor Transitions Incentive Program).

B. Intent

The Corridor Transitions 3 Alternate Typology is intended to establish a package of alternative standards for housing projects and aims to facilitate the creation and development of *restricted affordable units* in lower density areas in the city, aiding in smoothing the transition between higher-scale development along principal corridors to lower-scale development in interior neighborhoods. The Corridor Transitions Incentive Program provides the rules and framework for granting moderate increases in density and *floor area ratio* to meet this goal, while controlling lower-scale residential design needs and constraints. The alternate typology facilitates the Corridor Transitions Incentive Program (Sec. 9.2.4.).

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.4. (Corridor Transitions Incentive Program).

D. Form Standards

4. *Projects* shall utilize the Form standards provided in the tables below, as applicable.

1. Lot Parameters

a. LOT SIZE	Div. 2C.1.
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Lot Area (min)	Set by Form District
Lot Width (min)	Set by Form District
b. COVERAGE	Div. 2C.2.
Building Coverage (max)	70%
Building Setbacks	
Primary street (min)	10'
Side street (min)	4'
Side (min)	3'
Rear (min)	4'
Alley (min)	0'
c. AMENITY	Div. 2C.3.
Required Lot Amenity Alternatives	Courtyard Paseo Rear Yard
Residential Amenity Space (min)	Set by Form District

2. Bulk and Mass

a. FAR & HEIGHT	Div. 2C.4.
Base FAR	Set by Form District
Base Height in Stories	Set by Form District
Tier 1 Bonus FAR (max) (Incremental FAR)	2.90, subject to Paragraph 2, below
Tier 1 Bonus Height in Stories (max)	3 stories
Tier 2 Bonus FAR (max)	3.4
Tier 2 Bonus FAR in Stories (max)	4 stories

b. BUILDING MASS	Div. 2C.5.
Building Width (max)	
Base Building Width	Set by Form District
Bonus Building Width	160'
Building Break (min)	15'
c. UPPER-STORY BULK	Div. 2C.6.
Street Step-Back	Set by Form District
District Boundary Height Transition	Set by Form District
e. Building Mass	Div. 2C.5.
Building Width (max)	
Base Building Width	Set by Form District
Bonus Building Width	160'
Building Break (min)	15'

2. 3. Incremental FAR

The maximum *floor area* is limited by the total number of *dwelling units* on the lot and increases incrementally as the number of *dwelling units* in the *project* increases. The *tier 1 bonus floor area ratio* for total *dwelling units* in a *project* is provided in the table, below:

Incremental Bonus FAR	
Total Dwelling Units	Tier 1 Bonus Floor Area Ratio
1-3	N/A
4	1.15
5	1.30

6	1.45
7	1.60
8	1.75
9	1.90
10	2.0
11	2.15
12	2.30
13	2.45
14	2.60
15	2.75
16 or more	2.90

3. 4. Tier 2 Bonus FAR

A *project* may receive up to the *tier 2 bonus floor area ratio* in Paragraph 24. (Bulk and Mass), above, through the provision of additional public benefits, pursuant to Sec. 9.2.4.C.3. (Public Benefits) of the Corridor Transitions Incentive Program.

4. 5. Small-Lot Subdivision Standards

Regardless of Paragraph 1. (Lot Parameters) and Paragraph 2. (Bulk and Mass), above, a *project* providing *dwelling units* as part of a small-lot subdivision shall be subject to the following standards on lots within the subdivision as follows:

- a. Minimum lot area: 600 square feet
- b. Minimum lot width: 15 feet
- c. Side building setback: 0 feet

E. Frontage Standards

1. Lot

	Primary	Side	Special
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a. BUILD-TO	Div. 3C.1.		
Build-to depth (min)	5'	10'	10'
Build-to width (min)	50%	30%	50%
b. PARKING	Div. 3C.2.		
Parking setbacks (min)	20'	5'	5'
c. LANDSCAPING	Div. 3C.3.		
Frontage planting area (min)	50%	50%	50%
Frontage yard fence & wall type allowed:	A2	A2	A3

2. Facade

	Primary	Side	Special
a. TRANSPARENCY	Div. 3C.4.		
Transparent area			
Ground story (min)	15%	10%	15%
Upper stories (min)	20%	15%	20%
Active wall spacing (max)	20'	30'	20'
b. ENTRANCES	Div. 3C.5.		
Street-facing entrances	Required	n/a	Required
Entrance spacing (max)	n/a	n/a	n/a
Entry feature	Required	n/a	Required
Options:	<ul style="list-style-type: none"> • Porch • Raised entry • Forecourt • Recessed entry • Courtyard • Breezeway 		

c. GROUND STORY	Div. 3C.6.		
Ground story height (min)	10'	10'	10'
Ground floor elevation (min/max)	-2' / 5'	-2' / 5'	-2' / 5'

F. Development Standards

1. Set by the applied Development Standards District (Part 4B₂) except as provided in Paragraph 2. (Required Automobile Parking Stalls) and Paragraph 3. (Small-Lot Subdivision Standards), below.

2. Required Automobile Parking Stalls

No automobile parking shall be required for *residential uses*.

3. Small-Lot Subdivision Standards

Projects providing dwelling units as part of a small-lot subdivision may provide a pedestrian accessway three feet in width for the lots in the subdivision in lieu of otherwise required automobile access or pedestrian access.

G. Use Standards

Set by the applied Use District (Part 5B₂).

H. Density Standards

The maximum density shall be the density allowed in Density District 4, pursuant to Div. 6B.2₂ (Lot Area-Based Density Districts).

Sec. 15. Section 9.1.2. of Division 9.1. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

SEC. 9.1.2. GENERAL PROVISIONS ~~General Provisions~~

A. Summary

This Article (Public Benefit Systems) consists of affordable housing incentive programs established in Div. 9.2. (Citywide Housing Incentive Programs), the community benefits program established in Div. 9.3. (Community Benefits Program), a variety of other incentive programs established in Div. 9.4. (General Incentive

Programs), and *accessory dwelling unit* incentive programs established in Div. 9.5. (Accessory Dwelling Unit Incentive Program).

B. Eligibility

A *project* providing *dwelling units*, including a *project* with subdivisions of land, may use an affordable housing program as provided in Div. 9.2. (Citywide Housing Incentive Programs) or Div. 9.3. (Community Benefits Program), pursuant to the eligibility requirements for the specific program being used. The programs provided in Div. 9.4. (General Incentive Programs) and Div. 9.5. (Accessory Dwelling Unit Incentive Program), can be used, as applicable, and in conjunction with any other incentive program established in this Article (Public Benefit Systems), unless otherwise specified.

Sec. 16. Rename Division 9.2. of Article 9 of Chapter 1A of the Los Angeles Municipal Code to read as follows:

DIV. 9.2. CITYWIDE HOUSING INCENTIVE PROGRAMS

Sec. 17. Section 9.2.1. of Division 9.2. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is amended in entirety to read as follows:

SEC. 9.2.1. STATE DENSITY BONUS PROGRAM

A. Intent

The purpose of this Section 9.2.1. (State Density Bonus Program), "State Density Bonus Program," is to establish procedures for implementing the State Density Bonus provisions in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, and to increase the production of affordable housing citywide in the City of Los Angeles, consistent with the *General Plan* and other City policies related to housing.

B. Applicability

1. Project Activities

A *project* meeting the eligibility criteria established in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below, and that meets the definition of "housing development" pursuant to California Government Code Sec. 65915(i), may be eligible for participation in the State Density Bonus Program, for the following *project activities*.

- a. *New construction* for which all new *floor area* meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).
- b. *A use modification*, including the conversion of existing *floor area* from a commercial use to a *residential use* or an increase in *dwelling units* within existing *floor area*, for which all resulting new *dwelling units* and all renovated *dwelling units* meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).
- c. *A lot modification* that results in *dwelling units* that meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

- i. *A project* participating in the State Density Bonus Program in this Section (State Density Bonus Program) shall be ineligible for the bonuses, *incentives* and procedures of any other housing *incentive* program contained in this Article 9. (Public Benefit Systems), elsewhere in the Los Angeles Municipal Code, or in a *Specific Plan*, *Supplemental District*, or *Special Zone*, or in any other *City* regulation or guideline, except a *project* may utilize the streamlining *incentives* in the Housing Element Sites Streamlining Program (Sec. 9.2.6.) and the Citywide Adaptive Reuse Program (Sec. 9.4.6.), as applicable. ~~Projects with Requests for Density Bonuses in Excess of the Base Incentive~~ requesting additional density pursuant to Sec. 9.2.1.D.1.e. (Projects with Requests for Density Bonuses in Excess of the Base Incentive), below, shall not be eligible for the Housing Element Sites Streamlining Program (Sec. 9.2.6.).
- ii. For a *project* providing 80-100 percent of the project *dwelling units* (including bonus units) as *restricted affordable units*, the *project* may instead seek development bonuses and *incentives* through the procedures of Sec. 9.2.2. (Affordable Housing Incentive Program).

b. Relationship to Specific Plans, Supplemental Districts, and Special Zones

As this Section (State Density Bonus Program) is intended to implement State Density Bonus Law contained in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, in the event that any provision of a *Specific Plan*, *Supplemental District*, or *Special Zone* differs from the procedures, requirements, and provisions of this Section (State Density Bonus Program), the provisions of this Section (State Density Bonus Program) shall prevail where a *project* applicant seeks approval through this Section (State Density Bonus Program).

c. Relationship to Other Zoning Provisions

i. Relationship to Inclusionary Housing

Restricted affordable units provided in order to meet the eligibility criteria for participation in the State Density Bonus Program may also be used in order to count toward the *restricted affordable units* required by the Inclusionary Housing Program, pursuant to Sec. 5C.3.1. (Inclusionary Housing Program) where applicable.

d. Relationship to State Density Bonus Law

This Section (State Density Bonus Program) is consistent with State Density Bonus Law contained in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. If at any time, this Section (State Density Bonus Program) becomes inconsistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec.65915-65918 (State Density Bonus Law), as determined by the *Director*, the provisions of State Density Bonus Law shall supersede the provisions in this Section (State Density Bonus Program). The Director may prepare Implementation Memorandums, Technical Bulletins, and/or User Guides for the requirements set forth in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, for the purpose of providing guidance of implementation of this Section (State Density Bonus Program) in compliance with the State Density Bonus Law.

C. Program Rules

1. Eligibility

To be eligible for any base *incentive*, additional *incentive*, *waiver*, public benefit, or other *incentive* provided in the State Density Bonus Program in Paragraphs 2. (Base Incentives) through Paragraph 5. (Public Benefits), below, a *project* shall comply with all requirements provided in this Paragraph 4. (Eligibility), below, as applicable, and provide any required *restricted affordable units* in order to obtain any particular *incentive*.

a. Unit Threshold

The *project*, including a mixed-use development, must have a minimum of five or more *dwelling units*, or five or more *shared housing units* in a *shared housing building*. For the purpose of establishing the minimum number of five units, *restricted affordable units* shall be included and *density bonus* units shall be excluded.

b. Maximum Allowable Residential Density

The *project* must occur on a *lot* with a *maximum allowable residential density* of five or more units.

c. Affordability Levels

The *project* shall reserve a minimum percentage of its *dwelling units*, or *shared housing units* in a *shared housing building* (excluding bonus units), for *restricted affordable units* (at the specified income level) or for the *target populations* as shown in the table below, subject to the provisions in Sub-subparagraphs i. through iv., below.

Required Percentage of Restricted Affordable Units or Target Population Units	
Income Level	Minimum % of Dwelling Units
Very Low Income (For Rental or For Sale)	5
Low Income (For Rental or For Sale)	10
Moderate Income (For Sale)	10
Target Population	Minimum % of Dwelling Units
Senior <u>Citizen</u>	100
Transitional <u>Foster</u> Youth as defined in the California Education Code Sec. 66025.9; d <u>Disabled</u> v <u>Veteran</u> as defined in California Government Code Sec. 18541; or h <u>Homeless</u> p <u>Persons</u> as defined in the federal McKinney-Vento Homeless Assistance Act 42 U.S.C. Sec. 11301 et seq.	10
Lower <u>i</u> Income <u>s</u> <u>Students</u>	20

- i. *Senior citizen housing developments* shall comply with California Civil Code, Secs. 51.2 and Sec. 51.3, and all *dwelling units* provided in the resulting *senior citizen housing development* shall be reserved for *senior citizens*.
- ii. *Dwelling units* provided for *transitional foster youth, disabled veterans, or homeless persons target populations* shall be provided as very low income *restricted affordable units*.
- iii. *Dwelling units* provided for *lower income students* shall be provided at an affordability level as specified in California Government Code, Sec. 65915(b)(1)(F).
- iv. *Projects* may exceed the minimum percentage of *restricted affordable units* in the table above and provide a higher percentage in exchange for additional bonuses or *incentives* as described in this Section (State Density Bonus Program).

d. Calculating Affordability Requirements

The required number of *restricted affordable units* for any particular *incentive* shall be calculated based on a *project's* provided *dwelling units*, or *shared housing units* in a *shared housing building*, excluding any units added by a *density bonus* awarded pursuant to this Section (State Density Bonus Program). When calculating a *project's* affordability requirement, any number resulting in a fraction shall be rounded up to the next whole number.

e. Rent and Housing Cost Schedules and Covenants

The rate of housing costs or rent for any required *restricted affordable units* shall not exceed those specified in California Health and Safety Code, Chapter 2. (Definitions), Sec. 50052.5 (Affordable Housing Costs) for for-sale *dwelling units* or California Health and Safety Code, Chapter 2. (Definitions), Sec. 50053 (Affordable Rent) for rental *dwelling units*. Covenants documenting required rental or for sale rates shall be recorded pursuant to the procedures in Sec. 9.2.1.D.3. (Records and Agreements) below.

f. Housing Replacement

The *project* shall meet any applicable housing replacement requirements and demolition protections of California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c)(3) and Division 4C.15. (Resident Protections) of this Chapter. Replacement *dwelling units* required pursuant to Division 4C.15. (Resident Protections) shall count toward any *restricted affordable unit* requirements. When calculating a *project's* housing

replacement requirement, any number resulting in a fraction shall be rounded up to the next whole number.

g. Fair Housing Requirements

Restricted affordable units shall meet the applicable requirements regarding the size, location, amenities and allocation of *restricted affordable units* established in Sec. 4C.15.3. (Restricted Affordable Units) and in any Implementation Memorandum or Technical Bulletin prepared and adopted by the Los Angeles Housing Department or the Department of City Planning.

h. Historic Resources

A *project* requiring the *demolition* of a *designated historic resource*, as *demolition* is defined in Subsection C. (Definitions) of Sec. 13B.8.1. (General Provisions), is not eligible for the State Density Bonus Program. Any proposed *alteration* to a *designated historic resource* shall not be approved for the State Density Bonus Program until any required review pursuant to the LAMC, or other state or federal law, is completed.

i. Unit Habitability Requirements

For purposes of this Section (State Density Bonus Program)-9.2.4, the term “dwelling unit” or “unit” shall mean a complete independent living facility that includes permanent provisions for living, sleeping, eating, a kitchen, and sanitation, and shall also mean a *shared housing unit* in a *shared housing building*. The term “dwelling unit” or “unit” in this Section (State Density Bonus Program) shall not be a reference to a *household dwelling unit* or an *efficiency dwelling unit*.

2. Base Incentives

Projects meeting the eligibility criteria established in Paragraph 1. (Eligibility), above, shall receive the base *incentives* as provided below.

a. Density

Projects shall be eligible for a *density bonus* as provided in this Subparagraph (Density)~~a~~, subject to the calculation rules in Sub-subparagraph i. (Calculating a Density Bonus), below. *Dwelling units* constructed as a result of a *density bonus* may be permitted in geographic areas of the *project* other than the areas where *restricted affordable units* or *dwelling units* for a *target population* are located. A *project* does not need to use any or all of the *density bonus* for which the *project* is eligible.

i. Calculating a Density Bonus

For the purposes of calculating a *density bonus* the following shall apply:

- a) *Dwelling units* that comprise a *project* shall be on *abutting lots* that are the subject of a single development *application* or are part of a single *unified development*, but do not need to be based on individual *subdivision maps* or *parcels*.
- b) When calculating a *density bonus*, any number resulting in a fraction shall be rounded up to the next whole number.

ii. Density Bonus up to 50%

A *density bonus* up to 50 percent shall be granted based on the following table, when the *Project* provides very low or low income *restricted affordable units* as for-sale or rental housing, or moderate income *restricted affordable units* as for-sale housing, at the percentages provided for the corresponding *density bonus* identified in the table. *Projects* seeking a *density bonus* above 50 percent shall use the provisions in Sub-subparagraph iii. (Additional Density Bonus), below.

Required Percentage of Restricted Affordable Unit Set Asides - Density Bonuses Up to 50%			
Percentage of Density Bonus	Percentage of Very Low Income	Percentage of Low Income	Percentage of Moderate Income (For-Sale)
5	-	-	10
6	-	-	11
7	-	-	12
8	-	-	13
9	-	-	14
10	-	-	15
11	-	-	16
12	-	-	17
13	-	-	18
14	-	-	19
15	-	-	20
16	-	-	21
17	-	-	22
18	-	-	23
19	-	-	24
20	5	10	25
20.5	-	-	-
21	-	-	26
21.5	-	11	-
22	-	-	27
22.5	6	-	-
23	-	12	28
23.5	-	-	-
24	-	-	29

Required Percentage of Restricted Affordable Unit Set Asides - Density Bonuses Up to 50%			
Percentage of Density Bonus	Percentage of Very Low Income	Percentage of Low Income	Percentage of Moderate Income (For-Sale)
24.5	-	13	-
25	7	-	30
25.5	-	-	-
26	-	14	31
26.5	-	-	-
27	-	-	32
27.5	8	15	-
28	-	-	33
28.5	-	-	-
29	-	16	34
29.5	-	-	-
30	9	-	35
30.5	-	17	
31	-	-	36
31.5	-	-	-
32	-	18	37
32.5	10	-	-
33	-	-	38
33.5	-	19	-
34	-	-	39
34.5	-	-	-
35	11	20	40
38.75	12	21	41
42.5	13	22	42

Required Percentage of Restricted Affordable Unit Set Asides - Density Bonuses Up to 50%			
Percentage of Density Bonus	Percentage of Very Low Income	Percentage of Low Income	Percentage of Moderate Income (For-Sale)
46.25	14	23	43
50	15	24	44

iii. Additional Density Bonus

Projects that provide *restricted affordable units* sufficient to qualify for a 50 percent *density bonus* pursuant to Sub-subparagraph ii., ~~above,~~ (Density Bonus up to 50%), above, may seek an additional *density bonus* by providing additional *restricted affordable units* as provided in the following table, except the *project* may not include more than 50 percent of the project dwelling units, excluding *density bonus* units, as *restricted affordable units*. The additional *density bonus* shall be calculated excluding any *density bonus* units awarded under ~~S~~Subparagraph ii. (Density Bonus up to 50%). This Additional Density Bonus provision may be used in lieu of or in combination with a request for Projects with Requests for Density Bonuses in Excess of the Base Incentive (Sec. 9.2.1.C.6.) ~~Density Bonuses in Excess of the Base Incentive (Sec. 9.2.1.C.6.)~~ to the extent the bonus is available as specified herein.

Required Percentage of Restricted Affordable Unit Set Asides - Additional Density Bonuses Above 50%		
Percentage of Density Bonus	Percentage of Very Low Income	Percentage of Moderate-Income
20	5	5
22.5	-	6
23.75	6	-
25	-	7

Required Percentage of Restricted Affordable Unit Set Asides - Additional Density Bonuses Above 50%		
Percentage of Density Bonus	Percentage of Very Low Income	Percentage of Moderate-Income
27.5	7	8
30	-	9
31.25	8	-
32.5	-	10
35	9	11
38.75	10	12
42.5	-	13
46.25	-	14
50	-	15

iv. Housing for Target Populations

Projects that provide dwelling units for a target population listed in Subparagraph c. (Affordability Levels) of Paragraph 1. (Eligibility), above, shall receive a density bonus as provided in the table, below. These density bonuses may be granted in lieu of a density bonus for units set aside as restricted affordable units based on Sub-subparagraph ii. (Density Bonus up to 50%), above, so long as the restricted affordable units are set aside for the applicable target population.

Housing for Target Populations - Density Bonuses		
Target Population	Percentage of Density Bonus	
Senior c Citizen	20% of the number of s Senior c Citizen units	
Transitional f Foster y Youth/ d Disabled v Veterans/ h Homeless p Persons	20% of the number of t Target p Population units giving rise to a d Density b Bonus	
Lower i Income s Student	Percent Bonus	Percent of Units (excluding bonus)

Housing for Target Populations - Density Bonuses		
Target Population	Percentage of Density Bonus	
		units) that are Restricted Affordable Units
	35%	20%
	38.75%	21%
	42.5%	22%
	46.25%	23%
	50%	24%

v. Land Donation

An applicant for a *subdivision*, *parcel map* or other residential development approval that donates land for housing to the City satisfying the criteria of California Government Code ~~Section~~, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(g), as verified by the Department of City Planning, shall be granted a minimum *density bonus* of 15 percent. The Department of City Planning may create an Implementation Memorandum for the purpose of clarifying procedures associated with the implementation of land donations pursuant to California Government Code ~~Section~~, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(g).

b. Parking

Consistent with California Government Code ~~Section~~, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(p), regardless of any applicable parking requirement, upon the request of an applicant a *project* is only required to provide the number of *parking stalls* per *dwelling unit* provided in the following table, subject to the provisions in Sub-subparagraphs i. through v., below. In using the table, the number of *parking stalls* are calculated based on the number of bedrooms or *habitable rooms* in each *dwelling unit*, as indicated.

Vehicular Parking Ratio for Eligible Projects	
Number of Bedrooms	Automobile Parking Stalls per Dwelling Unit
Zero to one bedroom (one to two <i>habitable rooms</i>)	1
Two to three bedrooms (three to four <i>habitable rooms</i>)	1.5
Four and more bedrooms (five or more <i>habitable rooms</i>)	2.5

- i. Regardless of the above, parking shall not be required for a *project* located within 1/2~~one-half~~ mile of a major transit stop.
- ii. Consistent with California Civil Code ~~Section~~, Sec. 1947.1, *automobile parking stalls* shall be sold or rented separately from the *dwelling units* in properties with 16 or more *dwelling units*, as verified by the Los Angeles Housing Department.
- iii. The required automobile parking shall be calculated on all *dwelling units* in a *project* (not just the *restricted affordable units*), inclusive of accessible parking, where applicable. All *automobile parking stalls* provided shall comply with Sec. 4C.4.3. (Parking Area Design), except any combination of standard, compact or tandem stalls may be provided. Tandem parking stalls do not need to comply with the configuration requirements of Sec. 4C.4.3.C.12. (Tandem Parking) provided a parking attendant or an automated parking system is provided.
- iii.
- iv. Regardless of any otherwise applicable automobile parking design requirement, required *automobile parking stalls* provided may be *covered* or *uncovered*.
- v. If applicable, when calculating a *project's* required *automobile parking stalls*, any number resulting in a fraction shall be rounded up to the next whole number.

3. Additional Incentives

Any *project* that meets the criteria established in Paragraph 1. (Eligibility), above, shall be granted additional *incentives* as provided below.

a. Number of Incentives

- i. The *project* shall be granted the number of additional *incentives* calculated using the table below. The additional *incentives* granted may be any combination of *incentives* listed in Subparagraph c. (Menu of Additional Incentives), below, and *incentives* granted pursuant to Subparagraph d. (Incentives Not Listed on the Menu of Additional Incentives), below. Refer to Subsection D. (Administration), below, for the approval procedure that is consistent with the *project's incentive* request.

Allowed Number of Additional Incentives				
Level of Affordability (for applicable typology)	Required Percentage of Restricted Affordable Units From Provided Dwelling Units (excluding Density Bonus units)			
	1 Incentive	2 Incentives	3 Incentives	4 Incentives
Very Low Income (for rental or for sale)	5	10	15	16
Low Income (for rental or for sale)	10	17	24	N/A
Moderate Income (for sale)	10	20	30	45
Lower Income Student Housing Development	20	23	N/A	N/A

- ii. For a *lower income student* housing development, comply with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(b)(1)(F) for *lower income student* housing.

b. Commercial Off-Site

Consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915.7, a *project* consisting entirely of *non-residential uses* may request a development bonus set forth in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915.7(b) if the commercial developer directly contributes affordable housing, or enters into a contract for partnered housing described in California Government Code-Section, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915.7 with a housing developer to construct affordable housing. If a commercial developer partners with a housing

developer, an agreement, subject to approval by the Department of City Planning, shall identify exactly how the commercial developer will contribute affordable housing. If California Government Code Section 65915.7 sunsets, this Subparagraph (Commercial Off-Site) shall be of no further force or effect. Housing constructed pursuant to this Subparagraph (Commercial Off-Site) shall be constructed on the *site* of the commercial development or on a *site* that meets all of the following requirements:

- i. Located within the boundaries of the City of Los Angeles; and
- ii. In close proximity to public amenities including schools and employment centers; and
- iii. Located within 1/2~~one-half~~ mile of a Major Transit Stop.

c. Menu of Additional Incentives

Projects granted additional *incentives* may request those *incentives* from the following “Menu of Additional Incentives,” subject to the review procedures in Sec. 9.2.1.D.1.a. (Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives), below. Each request from the Menu of Additional *Incentives* shall constitute one *incentive* request unless otherwise stated. Regardless of the above, a *project* located in a *Very High Fire Hazard Severity Zone*, a *Sea Level Rise Area*, or the *Coastal Zone* is not eligible to use the Menu of Additional Incentives.

i. Floor Area Ratio

An eligible project may request a percentage increase in the allowable base *FAR* equal to the percentage of *density bonus* for which the *project* is eligible, not to exceed 35 percent or 3.0:1 whichever is greater, provided the project is located within a 1/2~~one-half~~ mile radius (2,640 feet) of a major transit stop, subject to the following:

- a) For a *project* that includes *residential uses* and *non-residential uses*, the *FAR* bonus shall only apply to the portion of the development dedicated to *residential uses* and *residential amenity space* for the units; and the portion of the development dedicated to *non-residential uses* shall be limited to the base *FAR* of the applied Form District (Part 2B₂).
- b) A *project* located on a *lot* with an applied Density District (Part 6B₂) of 1L to 4L or 15 through 60 shall not be eligible for this *FAR incentive*.
- c) A *project* located on a *lot* with *designated historic resources*, or *non-contributors* shall not be eligible for this *FAR incentive*.

ii. Height

An eligible project may request an increase in height of one additional story beyond the base height of the applied Form District (Part 2B.). The increase in height shall be applicable over the entire *lot* regardless of the height limits of the applied Form District (Part 2B.), including stepback requirements and height transitions.

iii. Setbacks

A *project* may reduce all applicable *building setbacks* by the allowable adjustment amount specified for each applicable setback in Sec. 2C.2.2.F. (Relief) Subsection F. of Sec 2C.2.2. (Building Setbacks). The bundle of reduced setbacks shall require the use of only one *incentive*.

iv. Average of Floor Area Ratio, Density, Parking and Lot Amenity Space

A *project* that is located on two or more *abutting lots* may average the maximum *floor area*, minimum *lot amenity space*, minimum parking, and maximum density over the *project site* provided that:

- a) The *proposed uses* are permitted by the applied Use District (Part 5B.) of each *lot* where the *proposed uses* are located; and
- b) A covenant running with the land is recorded with the Los Angeles County Recorder, and a copy is provided to the *Department of Building and Safety* prior to the issuance of any *building permit*, that specifies no further *lot line* adjustment or any other action that may cause the *project site* to be subdivided subsequent to this grant, is permitted for the life of the *project*.
- c) The *project* is located on one or more contiguous *lots* that are not separated by a street or *alley*.
- d) The *project* includes the number of ~~*r*~~*Restricted* ~~*a*~~*Affordable* ~~*u*~~*Units* sufficient to qualify for a 35 percent% ~~*d*~~*Density* ~~*b*~~*Bonus*.

v. Supplementary Parking Reductions

An applicant may request either or both of the following reductions as a single *incentive*:

- a) Commercial Parking

Eligible projects may request the elimination of any requirement to provide new or maintain existing *automobile parking stalls* required by the applied Development Standards District (Part 4B,) associated with a commercial use proposed as part of the *project*.

b) General Parking Reduction

Projects located within ~~1/2~~^{one-half} mile radius of a high quality transit service may request up to a 50 percent reduction in required *automobile parking stalls* consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(p)(5).

vi. By-Right Adjustment

An eligible project may request relief from any standard or requirement established elsewhere in the Los Angeles Municipal Code, a *Supplemental District, Specific Plan, Special Zone*, or other zoning condition that would otherwise require approval pursuant to Sec. 13B.5.2. (Adjustment), and shall not be subject to the requirements of Sec. 13B.5.2. (Adjustment). Each adjustment-equivalent request for relief shall count as one *incentive* request. The following limitations apply to this *incentive*:

- a) This *incentive* shall not apply to standards that regulate *FAR*, height, *building setbacks*, ground story requirements, *signs*, required trees, *parking setbacks*, *pedestrian access*, *frontage screen* and *transition screen* requirements, and *lot amenity space*.
- b) This *incentive* shall not apply to a *designated historic resource* or a *non-contributor*.
- c) *Incentives* Not Listed on the Menu of Additional Incentives

Projects may request *incentives* not listed in or in excess of the *incentive* allowed in Subparagraph c. (Menu of Additional Incentives), above, subject to the approval process in Sec. 9.2.1.D.1.b. (Projects Requesting Incentives Not Listed on the Menu of Additional Incentives), below.

4. Waivers

A *project* may request *waivers*, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(e) along with the additional *incentives* granted under Subparagraph a. (Number of Incentives) of Paragraph 3. (Additional Incentives),

above, subject to the procedures and findings in Sec. 9.2.1.D.1.c. (Projects with Requests for Waivers or Reductions of Development Standards), below.

5. Public Benefits

A *project* that meets the eligibility criteria provided in Paragraph 1. (Eligibility), may be granted additional *FAR* and height beyond the *FAR* and height increases available as *incentives* listed in Paragraph 3. (Additional Incentives), above, by providing one or more of the public benefits listed in Subparagraph b. (Public Benefit Options), below. Regardless of the above, housing developments located in *Sea Level Rise Areas*, *Very High Fire Hazard Severity Zones*, the *Coastal Zone*, or housing developments that provide fewer *restricted affordable units* than required for the maximum number of *incentives* available to an income category or *target population*, shall not be eligible for the Multi-Bedroom Units or Surveyed Historic Resource Façade Rehabilitation public benefit options.

a. A *project* providing public benefits shall receive the bonuses described in Subparagraph be. (Public Benefit Options) below, for the associated public benefit. Multiple public benefits may be provided in one *project* to combine and stack bonuses.

b. Public Benefit Options

i. Childcare Facility

A *project* that provides a childcare facility meeting the standards provided in Sec. 9.3.4.C.4.a. (Childcare Facility) shall receive either the *incentive* in Sub-sub-subparagraph a) or b), below. However pursuant to California Government Code, ~~Section~~ 65915(h)(3), a *density bonus* or *incentive* for a childcare facility shall not be provided if the applicable *decision-maker* finds, based on substantial evidence, that the community has adequate childcare facilities. The two incentive options are:

- a) Additional *floor area* for *residential use* equivalent to the total *floor area* dedicated to a qualifying childcare facility space in the *project*,
or
- b) One additional *incentive* from the Menu of Additional Incentives (Sec. 9.2.1.C.3.a.) or an *incentive* pursuant to Sec. 9.2.1.C.3.b. (Incentives Not Listed on the Menu of Additional Incentives) that contributes significantly to the economic feasibility of the childcare facility.

ii. Multi-Bedroom Units

A *project* with multi-bedroom *dwelling units* shall be granted an *incentive* under Sub-sub-subparagraph a) or an *incentive* under Sub-sub-subparagraph b), below, where the project applicant and property owner execute a covenant in favor of the *City* that is recorded in the development site's chain of title in order to guarantee that qualifying multi-bedroom units will maintain the same bedroom count and will not be converted to additional *dwelling units* in the future.

- a) A *project* that includes a minimum of 10 ~~ten~~ percent of overall *dwelling units* (including units added by a *density bonus*) with three bedrooms (four or more *habitable rooms*) or more shall be granted additional *floor area* and/or height as provided in the table below, above the additional *incentives* provided in Paragraph 3. (Additional Incentives), above.

Additional FAR and Height for Multi-Bedroom Units		
Overall Dwelling Units (including Density Bonus Units)	Additional FAR	Additional Height (Stories)
0-30	0.5	1
31-50	1.0	1
51-75	1.5	2
75+	2.0	2

- b) A *project* shall be granted the following *floor area* and height *incentives*, as described below:

- i) —An exemption of the *floor area* of all *dwelling units* with three or more bedrooms (~~four~~4 or more *habitable rooms*) from the *floor area* calculations of the *project*, so that the specified residential units do not count against the maximum *floor area* allowed on the development *site*, and/or
- ii) —An additional *story* of height beyond the height *incentives* provided in Paragraph 3. (Additional Incentives), above, provided that the *floor area* of this additional *story* is limited to the square footage exempted from the *floor area* calculation above.

- iii. Surveyed Historic Resource Facade Rehabilitation

Projects incorporating a *surveyed historic resource* into the project design shall be granted additional *floor area* up to 1.0 *FAR* and two stories in height beyond the *incentives* listed in Paragraph 3. (Additional Incentives), above, provided all the following standards are met:

- a) The *project* retains all *street-facing facades* to a depth of 10 feet;
- b) New *floor area* shall be set back behind the 10-foot retention area in Sub-sub-subparagraph a) above, except that amenity space, balconies, and non-habitable architectural projections may encroach on the 10-foot retention area. In instances where a *lot* contains dual frontages, the setback shall be applied from both frontages; and Rehabilitation of the *facades* is completed pursuant to the Secretary of the Interior's Standards for the Treatment of Historic Properties, as supported by an expert report or study, prepared by a qualified historical consultant, or demonstrated by the *project* plans and accepted by the Office of Historical Resources consistent with any Implementation Memorandum, Guidelines, or Technical Bulletin of the Director of City Planning. This option does not apply if the Office of Historic Resources has determined that the *surveyed historic resource* is not eligible for listing individually or as a contributor.

6. Projects with Requests for Density Bonuses in Excess of the Base Incentive

Consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(n), a *project* may be granted additional *density bonus* beyond the density allowed for a single income category under the base *incentives* in Paragraph 2. (Base Incentives), above, by providing additional *restricted affordable units* in that single income category, subject to the procedures in Sec. 9.2.1.D.1.e. (Projects with Requests for Density Bonuses in Excess of the Base Incentive).

- a. An additional *density bonus* shall be granted for setting aside additional *restricted affordable units* in the following manner:
 - i. For every additional one percent set aside of very low income *restricted affordable units*, the project shall be granted an additional 2.5 percent density increase; or
 - ii. For every additional one percent set aside of low income *restricted affordable units*, the *project* shall be granted an additional 1.5 percent density increase; or

- iii. For every additional one percent set aside of moderate income *restricted affordable units* in for-sale projects, the *project* shall be granted an additional one percent density increase.
- b. In calculating the density increase and *restricted affordable units*, each component of any density calculation, including the calculation of *maximum allowable residential density*, base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number.
- c. A *project* receiving additional density increases beyond 50 percent may be granted the *incentives* in Paragraph 2. (Base Incentives) and Paragraph 3. (Additional Incentives), above, pursuant to the requirements in those Paragraphs.

D. Administration

1. Procedures

A *project* utilizing this Section (State Density Bonus Program) shall be reviewed using the procedures in this Subsection (Administration). Approval of any base or additional *incentive*, *waiver*, or public benefit, pursuant to this Section (State Density Bonus Program) shall not, in and of itself, require a General Plan amendment, zone change, project review or other discretionary review action required by this Chapter, a Specific Plan, Supplemental District, or Special Zone. Ministerial approval in this Paragraph (Procedures) shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code Sec. 65583.2(i).

a. Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives

A *project* requesting only the *incentives* provided in Paragraph 2. (Base Incentives) of Subsection C. (Program Rules), above, or additional *incentives* from the menu of additional *incentives* in Sec. 9.2.1.C.3.c. (Menu of Additional Incentives), above, and not requesting any waivers under Sec. 9.2.1.C.4. (Waivers) or *incentives* under Sec. 9.2.1.C.3.d. (Incentives Not Listed on the Menu of Additional Incentives), shall be approved with a ministerial approval by the *Department of Building and Safety* as follows:

- i. Base *incentives* shall be granted.
- ii. Additional *incentives* shall be granted subject to the standards provided in Sec. 9.2.1.D.2.a. (Standards for Review for Additional Incentives), below.

b. Projects Requesting Incentives Not Listed on the Menu of Additional Incentives

A *project* requesting “off menu” *incentives* under Sec. 9.2.1.C.3. (Additional Incentives), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review), subject to the additional standards provided in Sec. 9.2.1.D.2.a. (Standards for Review for Additional Incentives).

c. Projects Requesting Waivers

A *project* requesting *waivers*, modifications, or reductions of applicable zoning standards and requirements beyond the number of additional *incentives* permitted pursuant to Sec. 9.2.1.C.3.a. (Number of Incentives), above, shall be reviewed pursuant to Sec. 13B.2.3. (Class 3 Conditional Use), except the approval is subject to the findings in Sec. 9.2.1.D.2.b. (Required Findings for Waivers), below, instead of the findings in Sec. 13B.2.3.E. (Standards for Review and Required Findings), and there is no right to an appeal of the initial decision.

d. Projects Providing Public Benefits

Projects requesting higher *incentives* or additional *incentives* in exchange for providing one or more public benefit options described in Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review).

e. Projects with Requests for Density Bonuses in Excess of the Base Incentive

A *project* requesting a *density bonus* over the base *incentive* shall be approved pursuant to the procedures in Sec. 13B.2.3. (Class 3 Conditional Use), except a *project* requesting a *density bonus* that exceeds 88.75 percent requires the following supplemental findings:

- i. The *project* is consistent with and implements the affordable housing provisions of the Housing Element of the *General Plan*, and does not seek approval through the Housing Element Sites Program (Sec. 9.2.6.) ~~of this Code~~;
- ii. The *project* contains at minimum the requisite number of *restricted affordable units*, based on the number of *dwelling units* provided, excluding *dwelling units* added by a *density bonus*, on the date of *application* as follows under a single income category:
 - a) ~~Twenty-five~~ 25 percent very low-income units for an 88.75 percent density increase (15 ~~percent~~% + 10 ~~percent~~% per California Government Code Sec. 65915(f) and (v)); or

b) ~~Twenty-four~~24 percent low-income units for a 50 percent density increase (California Government Code Sec. 65915(f)); or

c) ~~Forty-four~~44 percent moderate income units for a 50 percent density increase in for-sale project (California Government Code Sec. 65915(f)).

iii. The *project* meets any applicable *dwelling unit* replacement requirements and demolition protections of California Government Code Sec. 65915(c)(3), and ~~Division~~ 4C.15. (Resident Protections) of this Chapter, as verified by the Los Angeles Housing Department (LAHD). Replacement units required pursuant to these provisions may count towards any on-site *restricted affordable unit* requirement above.

iv. The *project's restricted affordable units* are subject to a recorded affordability restriction of 55 years or 99 years pursuant to ~~Division~~ 4C.15. (Resident Protections) as applicable, running from the issuance of the Certificate of Occupancy, recorded in a covenant acceptable to the Los Angeles Housing Department, and subject to fees as set forth in Sec. 15.4.2. (Fees For Enforcement of Housing Covenants).

v. The *project* meets the requirements for *projects* that include affordable housing referenced in Sec. 4C.15.3. (Restricted Affordable Units), including the Fair Housing Requirements For Affordable Housing.

f. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10. (Multiple Approvals) apply to a *project* seeking other discretionary approvals in conjunction with an *application* requested pursuant to this Section (State Density Bonus Program).

Regardless of any other findings that may be applicable for the other discretionary approvals, the *decision maker* shall approve the *incentives* requested pursuant to the State Density Bonus Program, subject to any procedures established in this Paragraph ~~4.~~(Procedures) and findings and standards established in Paragraph 2. (Standards for Review and Required Findings), below.

2. Standards for Review and Required Findings

a. Standards for Review for Additional Incentives

For the purposes of standards of review for additional *incentives*, ‘incentive’ shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(k).

Additional *incentives* in Sec. 9.2.1.C.3. (Additional Incentives) shall be granted unless one of the following written findings is made, based upon substantial evidence:

- i. The *incentive* does not result in identifiable and actual cost reductions, consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(k), to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c); or
- ii. The *incentive* will have a specific adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to *low-income households* and *moderate-income households*. Inconsistency with the zoning ordinance or *General Plan Land Use Designation* shall not constitute a specific adverse impact upon the public health or safety; or
- iii. The *incentive* would be contrary to state or federal law.

b. Required Findings for Waivers

For the purposes of required findings for *waivers*, ‘development standard’ shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(o)(2). *Waivers* pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be approved by the applicable ~~decision maker~~decision-making authority unless the ~~decision maker~~decision-making authority finds any of the following, based on substantial evidence:

- i. The development standard associated with a request for a *waiver* will not have the effect of physically precluding the construction of a development meeting the eligibility criteria described in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), above, at the densities or with the base *incentives* and additional *incentives* permitted under Subsection C. (Program Rules), above; or
- ii. The *waiver* would have a specific adverse impact, upon public health and safety and for which there is no feasible method to satisfactorily

mitigate or avoid the specific adverse impact. Inconsistency with the zoning ordinance or General Plan Land Use Designation shall not constitute a specific adverse impact upon the public health or safety; or

- iii. The *waiver* would have an adverse impact on any real property that is listed in the California Register of Historical Resources; or
- iv. The *waiver* would be contrary to state or federal law.

3. Records and Agreements

Prior to the issuance of a *building permit* for any *project* qualifying for a *density bonus* pursuant to the provisions of this Section (State Density Bonus Program), covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section (State Density Bonus Program) and in Div. 4C.15. (Resident Protections) shall be recorded with the Los Angeles County Recorder.

4. Vesting-

An *application* for an entitlement that was filed and fees paid prior to the date on which this Section (State Density Bonus Program) becomes operative, shall be subject to all applicable provisions of this Chapter ~~Los Angeles Municipal Code Chapter 1A~~, including any *incentive* menus or options, that were in effect on the date the *application* was filed and fees were paid where a public hearing, when required, has been held. An *application* for an entitlement that was filed and fees paid prior to the date on which this Section (State Density Bonus Program) becomes operative, may elect to apply the Procedures and comply with the Administration requirements of this Section (State Density Bonus Program), if a public hearing, when required, has not yet been held for the *project*. Any such *project* shall be subject to all other applicable provisions of this Chapter ~~Chapter 1A of the Los Angeles Municipal Code~~ that were in effect on the date the *application* was filed and fees were paid. *Projects* shall only be eligible for the incentives of this Section (State Density Bonus Program) if a new *application* is filed and associated fees for the new filing are paid on or after the operative date of this Section (State Density Bonus Program).

Sec. 18. Section 9.2.2. of Division 9.2. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is renumbered to Section 9.2.7. of Division 9.2. Article 9. of Chapter 1A of the Los Angeles Municipal Code.

Sec. 19. A new Section 9.2.2. is added to Division 9.2. of Article 9. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 9.2.2. AFFORDABLE HOUSING INCENTIVE PROGRAM

A. Intent

The Affordable Housing Incentive Program aims to increase the production of affordable housing projects, including priority housing projects, by implementing state density bonus requirements as set forth in California Government Code Sections 65915-65918 for *one hundred percent affordable housing projects*, with tailored *application* for sites owned by public agencies, *religious institutions*, nonprofit community land trusts, and cooperatives. In conjunction with the *incentives* granted by state law, the program offers *incentives* to make affordable housing construction more feasible, particularly in areas of higher opportunity and quality transit service. The program establishes applicability, program rules, and streamlined procedures through which eligible projects can access state and local *incentives*.

B. Applicability

This Section (Affordable Housing Incentive Program) ~~9.2.2.~~, the “Affordable Housing Incentive Program”, applies to a *project* that meets all of the following criteria: meets the definition of either a *one hundred percent affordable housing project*, a *faith-based organization project*, a *shared equity project*, or a *public land project*; provides the required set-asides of *restricted affordable units* in exchange for a *density bonus* and additional *incentives*; meets the eligibility criteria in Sec. 9.2.2.C.1. (Eligibility), below, and involves a *project activity* listed in Paragraph 1. (Project Activities), below.

1. Project Activities

The following *project activities* are subject to the Affordable Housing Incentive Program:

- a. *New construction* for which all new *floor area* meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.
- b. *A use modification*, including the conversion of existing *floor area* from a *non-residential use* to a *residential use* or an increase in *dwelling units* within existing *floor area*, for which all resulting new *dwelling units* and all renovated *dwelling units* meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.
- c. *A lot modification* that results in *dwelling units* that meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).

2. Reconciling Provisions

- a. Relationship to Other Incentive Programs

A *project* is ineligible for the bonuses, *incentives* and procedures of the Affordable Housing Incentive Program, if it participates in any other housing *incentive* program in this Article 9. (Public Benefit Systems), elsewhere in the Los Angeles Municipal Code, in a *Specific Plan*, *Supplemental District*, or *Special Zone*, or in any other *City* regulation or guideline, except:

- i. A *project* may utilize the streamlining incentives in the Housing Element Sites Streamlining Program (Sec. 9.2.6.), provided that the *projects* meets the requirements for both programs.
- ii. A *project* that meets the definition of a Type I Unified Adaptive Reuse Project, and the eligibility requirements for both the Affordable Housing Incentive Program and the Citywide Adaptive Reuse Program, pursuant to Sec. 9.4.6. (Citywide Adaptive Reuse Program), may participate in both incentive programs and receive incentives pursuant to both programs. The portion of the Type I Unified Adaptive Reuse Project consisting of *new construction* may be eligible for base *incentives*, additional *incentives*, *waivers*, and public benefits options outlined in Paragraphs 2. (Base Incentives), Paragraph 3. (Additional Incentives), Paragraph 4. (Waivers), and Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), below, unless otherwise stated, and the *project* shall comply with Paragraph 1. (Procedures) in Subsection D. (Administration) based on the corresponding project type definition and associated project request.
- iii. This Section (Affordable Housing Incentive Program) expressly authorizes a *project* to use another housing incentive program as specified.

b. Relationship to Specific Plans, Supplemental Districts, and Special Zones

As this Section (Affordable Housing Incentive Program) implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event an applicable *Specific Plan*, *Supplemental District*, or *Special Zone* differs from the procedures, requirements, and provisions of this Section (Affordable Housing Incentive Program), the provisions of this Section (Affordable Housing Incentive Program) shall prevail where a project applicant seeks approval through this Section (Affordable Housing Incentive Program).

c. Relationship to Other Zoning Provisions

i. General

As this Section (Affordable Housing Incentive Program) implements State Density Bonus law pursuant to California Government Code,

Chapter 4.3 (Density Bonuses and Other Incentives), Sec. 65915-65918, in the event of any difference between the provisions of this Section (Affordable Housing Incentive Program) and any other provision of ~~this~~ the Zoning Code (Chapter 1A), the provisions of this Section (Affordable Housing Incentive Program) shall prevail.

ii. Relationship to Inclusionary Housing

Restricted affordable units provided in order to meet the eligibility criteria for participation in the Affordable Housing Incentive Program may also be used in order to count toward the *restricted affordable units* required by the Inclusionary Housing Program, pursuant to Sec. 5C.3.1. (Inclusionary Housing Program), where applicable.

iii. Relationship to Project Review Threshold Packages

Regardless of the otherwise applicable Development Review Threshold Package required by the applied Development Standards District (Part 4B.) and the requirements in Development Review (Sec. 4C.14.), *projects* participating in the Affordable Housing Incentive Program are exempt from review pursuant to Sec. 13B.2.4. (Project Review).

d. Relationship to State Density Bonus Law

The Affordable Housing Incentive Program is intended to be consistent with State Density Bonus Law ~~in~~at California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. If at any time, the Affordable Housing Incentive Program becomes inconsistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, as determined by the *Director*, the provisions of State Density Bonus Law shall supersede the provisions in this Section (Affordable Housing Incentive Program). The *Director* may prepare Implementation Memorandums, Technical Bulletins, and/or User Guides for the purposes of providing additional guidance on the implementation of this Section (Affordable Housing Incentive Program) and maintaining consistency with the State Density Bonus Law.

C. Program Rules

1. Eligibility

To be eligible for any base *incentives*, additional *incentives*, *waivers*, public benefits, or other *incentives* provided in the Affordable Housing Incentive Program in Paragraphs 2. (Base Incentives), Paragraph 3. (Additional Incentives), Paragraph 4. (Waivers), and Paragraph 5. (Public Benefits) ~~Paragraphs 2. through 5., below~~, a *project* shall comply with all

requirements provided in this Paragraph 4. (Eligibility), as applicable, and provide the required *restricted affordable units* in order to obtain any particular *incentive*.

a. Unit Threshold

A *project* must have a minimum of five or more *dwelling units*. The units counted for purposes of this requirement includes *dwelling units* permitted as a result of a *density bonus* granted pursuant to Paragraph 2. (Base Incentives), below.

b. Zoning

- i. The *project* shall not be located on a *lot* with an applied Density District (Part 6B₂) of N, except a *public land project*.
- ii. The *project* shall not be located on a *lot* with an applied Density District (Part 6B₂) of 1L, except any of the following:
 - a) A *public land project*.
 - b) A *faith-based organization project* on a *lot* purchased by a *religious institution* before January 1, 2024, or on a *lot* located within 0.1 miles of a *lot* containing an operating *community assembly* use owned by the filing *religious institution*.
 - c) A *one hundred percent affordable housing project* on a project site with a *maximum allowable residential density* of five5 or more *dwelling units*.

c. Residential Use

A minimum of 2/3~~two-thirds~~ of the total *floor area* of a *project*, including newly constructed *floor area* and renovated or converted *floor area*, must be dedicated to *residential uses* and *residential amenity space* for the units.

d. Affordability Levels

i. Percentage of Restricted Affordable Units

The *project* shall reserve a minimum percentage of all *dwelling units* (including bonus units) for *restricted affordable units* on-site according to the *project* type as shown in the table below, subject to the affordability standards below.

Required Percentage of Restricted Affordable Units by Project Type

Project Type	Minimum % of All Project Units That Are Restricted Affordable Units
<i>One hHundred pPercent aAffordable hHousing pProjects</i>	100
<i>Public lLand pProjects</i>	80
<i>Faith-bBased oOrganization pProjects</i>	80
<i>Shared eEquity pProjects</i>	80

ii. Income Levels

a) One Hundred Percent Affordable Housing Projects

Consistent with California Government Code Sec. 65915(b)(1)(G), in a *one hundred percent affordable housing project* all *dwelling units* or *shared housing units* in a *shared housing building* (including density bonus units but excluding a *manager's unit* or staff units pursuant to California Government Code Sec. 65913.16), shall be *restricted affordable units* for *lower income households* (California Health and Safety Code Sec. 50079.5), except that up to 20 percent of all *dwelling units* may be for *moderate income households* (California Health and Safety Code Sec. 50053 and 50093). The affordable rents for at least 20 percent of all units shall be set per California Health and Safety Code Sec. ~~tion~~ 50053, but affordable rents for the remaining units shall be set for *lower income households* as determined by the California Tax Credit Allocation Committee. For for-sale units, the affordable housing costs are defined by California Health and Safety Code Sec. ~~tion~~ 50052.5.

b) Public Land Projects

A *public land project* shall provide a percentage of *dwelling units* (excluding *dwelling units* added by a *density bonus*) as *restricted affordable units* meeting one of the following income and affordability levels for one of the unit types specified in parentheses: 16 percent for *very low income households* (for rent or sale), 25 percent for *lower income households* (for rent or sale), or 45 percent for *moderate income households* (for sale), as those referenced incomes, rents and housing costs are specified in California Government Code Sec. 65915. The remaining required *restricted affordable units* may be set up to the maximum income, affordable rent, and affordable for-sale housing cost, for

households earning up to 120 percent of the area median income, as determined by the California Tax Credit Allocation Committee, or per California Health and Safety Code Sections 50052.5 and Sec. 50053. A *project* may elect to set these remaining required *restricted affordable units* at a lower income and affordability level. In addition, 20 ~~twenty~~-percent of all project dwelling units (inclusive of *density bonus* units) may be unrestricted.

c) Faith Based Organization Projects

A ~~faith-based~~ *organization project* shall provide a percentage of *dwelling units* (excluding *dwelling units* added by a *density bonus*) as *restricted affordable units* meeting one of the following income and affordability levels for one of the unit types specified in parentheses: 16 percent for *very low-income households* (for rent or sale); 25 percent for *low-income households* (for rent or sale); or 45 percent for *moderate income households* (for sale), as those referenced incomes, rents and housing cost are defined in California Government Code Sec. 65915. The remaining required *restricted affordable units* may be set up to the maximum income, affordable rent, and affordable for-sale housing cost for *lower income households*, as determined by the California Tax Credit Allocation Committee, or per California Health and Safety Code Sections 50052.5 and Sec. 50053; but with the exception that up to 20 percent of the remaining required *restricted affordable units* may be set at an affordable rent or for-sale housing cost to *households* earning up to 120 percent of the area median income, as determined by the California Tax Credit Allocation Committee, or per California Health and Safety Code Sections 50052.5 and Sec. 50053. A *project* may elect to set these remaining required *restricted affordable units* at a lower income and affordability level. In addition, 20 percent of the ~~all~~-project dwelling units (inclusive of a *density bonus*) may be unrestricted.

d) Shared Equity Projects

A *shared equity project* shall provide a percentage of *dwelling units* (excluding *dwelling units* added by a *density bonus*) as *restricted affordable units* meeting one of the following income and affordability levels for one of the unit types specified in parentheses: 16 percent for *very low income households* (for rent or sale), 25 percent for *lower income households* (for rent or sale), or 45 percent for *moderate income households* (for sale), as those referenced incomes, rents and housing costs are specified in California Government Code Sec. 65915. The remaining required *restricted affordable units* may be set up to the maximum income,

affordable rent, and affordable for-sale housing cost, for *households* earning up to 120 percent of the area median income, as determined by the California Tax Credit Allocation Committee, or per California Health and Safety Code Sections 50052.5 and Sec. 50053. A *project* may elect to set these remaining required *restricted affordable units* at a lower income and affordability level. In addition, 20 ~~twenty~~ percent of all project dwelling units (inclusive of density bonus units) may be unrestricted.

iii. Calculating Affordability Requirements

In calculating the minimum percentage of on-site *restricted affordable units*, the percentage of each affordability level shall be based on the total project dwelling unit count, including *dwelling units* permitted as a result of a *density bonus* granted pursuant to Subparagraph a. (State Base Incentives) of Paragraph 2. (Base Incentives), except where otherwise specified for certain project types. Any number resulting in a fraction shall be rounded up to the next whole number, and not as specified in Sec. 6C.1.2. (Lot Area Per Household Dwelling Unit) or Sec. 6C.1.3. (Lot Area Per Efficiency Dwelling Unit).

iv. Rent Schedules

As specified in the provisions in this Section (Affordable Housing Incentive Program), *projects* shall use the indicated rent schedule published by the Los Angeles Housing Department for purposes of providing *restricted affordable units*. Covenants documenting required rental or for sale rates shall be recorded pursuant to the procedures described in Sec. 9.2.2.D.3. (Records and Agreements).

e. Housing Replacement

The *project* shall meet any applicable housing replacement requirements and demolition protections in Div. 4C.15. (Resident Protections). Replacement dwelling units required pursuant to Div. 4C.15. (Resident Protections) shall count toward any *restricted affordable unit* requirements.

f. Fair Housing Requirements

Restricted affordable units shall meet the applicable requirements regarding the size, location, amenities and allocation of *restricted affordable units* established in Sec. 4C.15.3. (Restricted Affordable Units) and in any Implementation Memorandum or Technical Bulletin prepared and adopted by the Los Angeles Housing Department or Department of City Planning.

g. Environmental Exclusions

- i. A *faith-based organization project* or *shared equity project* participating in the Affordable Housing Incentive Program shall not be located fully or partially on a *lot* located within a *Very High Fire Hazard Severity Zone*, the *Coastal Zone*, or a *Sea Level Rise Area*.
- ii. A *one hundred percent affordable housing project* on a *lot* with a *maximum allowable residential density* of less than five *dwelling units* shall not be eligible for the Affordable Housing Incentive Program if the *project* is fully or partially on a *lot* located within a *Very High Fire Hazard Severity Zone*, the *Coastal Zone*, or a *Sea Level Rise Area*.

h. Historic Resources

- i. A *project* requiring the *demolition* of a *designated historic resource*, as *demolition* is defined in Subsection C. (Definitions) of Sec. 13B.8.1. (General Provisions), shall not be eligible for the Affordable Housing Incentive Program (Sec. 9.2.2.) Any proposed *alteration* to a *designated historic resource* shall not be approved for the Affordable Housing Incentive Program until any required review pursuant to the LAMC, or other state or federal law, is completed.
- ii. A *faith-based organization project* or a *shared equity project* shall not be eligible for the Affordable Housing Incentive Program (Sec. 9.2.2.) if it requires the *demolition*, as defined in Sec. 13B.8.1.C. (General Provisions), of a *surveyed historic resource*.
- iii. A *faith-based organization projects* or a *shared equity project* that proposes to alter a *surveyed historic resources* must be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, as supported by an expert study that has been accepted by the Office of Historic Resources, or demonstrated by the project plans and accepted by the Office of Historical Resources if consistent with adopted Implementation Memorandum, Guidelines, or Technical Bulletin of the Director of City Planning. This requirement does not apply if the Office of Historic Resources has determined the *surveyed historic resource* is not eligible for listing individually or as a contributor to a district on a local, state or federal register of historic resources.

i. Unit Habitability Requirements

For purposes of a *one hundred percent affordable housing ~~affordable housing project~~* in this Section ~~9.2.2. (Affordable Housing Incentive Program)~~, the term “dwelling unit” or “unit” shall mean a complete independent living facility that includes permanent provisions for living, sleeping, eating, a *kitchen*, and sanitation, or a *shared housing unit* in a *shared housing building*; but the term

shall not include a *household dwelling unit* or an *efficiency dwelling unit*. When the term “dwelling unit” or “unit” is used in reference to a *shared equity project, public land project, or a faith-based organization project* in this ~~Section 9.2.2.~~ (Affordable Housing Incentive Program), the term “dwelling unit” or “unit” shall mean a complete independent living facility that includes permanent provisions for living, sleeping, eating, a *kitchen*, and sanitation; but the term shall not include a *shared housing unit, household dwelling unit, or an efficiency dwelling unit*.

2. Base Incentives

a. State Base Incentives

A *one-hundred percent affordable housing project* shall be eligible for any density bonus, height, and parking incentives provided by California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Secs. 65915-65918, as shown in the table below for reference.

Base Incentives through State Density Bonus			
Geographic Criteria	Density Bonus	Height	Parking
Citywide	The amount of additional units granted as a density bonus shall be equivalent to 80% of the number of units that were set aside for <i>lower income households</i> prior to the application of the <i>density bonus</i> .	None	Refer to California Government Code Section 65915(p)
Within 0.5 miles of a major transit stop or	Limited by f <i>Floor a</i> <u>Area</u>	33 feet or 3 stories,	Refer to California Government

within a very <i>low vehicle travel area</i>		whichever is greater	Code Section 65915(p)
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b. Local Base Incentives

Base ~~incentives~~ shall be granted to a *project* participating in the Affordable Housing Incentive Program, subject to all applicable provisions in this Subparagraph (Local Base Incentives), and Sec. 9.2.2.D.1.a. (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives).

i. Project type. The project shall be one of the following:

- a) *A one-hundred percent affordable housing project;*
- b) *A faith-based organization project;*
- c) *A shared-equity project; or*
- d) *A public land project.*

ii. Base incentives-

The base incentives described in the following table shall be granted to the *project* based on the *project's* geographic criteria and maximum residential density under the assigned Density District (Part 6B.).

Base Incentives for the Affordable Housing Incentive Program					
Geographic Criteria	Maximum Allowable Residential Density	Density Bonus	FAR	Height	Parking
Citywide	Less than 5	The amount of additional units granted as a <i>density bonus</i> shall be equivalent to	Maximum of 1.5	An increase of 11 feet or 1 story, whichever is greater.	The minimum parking is <u>0.5</u> <i>automobile parking stalls per dwelling unit.</i>

	5 or more	80% of the number of units that were set aside for <i>lower income households</i> prior to the application of the <i>density bonus</i> .	Maximum of 3.0 or a 35% increase, whichever is greater	An increase of 22 feet or 2 <i>stories</i> , whichever is greater.	
Within 0.5 miles of a major transit stop or a very low vehicle travel area	Less than 5	Density is limited by <i>floor area</i> .	Maximum of 2.0	An increase of 11 feet or 1 <i>story</i> , whichever is greater.	No minimum residential parking is required.
	5 or more		Maximum of 4.5 or a 50% increase, whichever is greater	An increase of 33 feet or 3 <i>stories</i> , whichever is greater.	
In a higher opportunity area or moderate opportunity area	Less than 5	Density is limited by <i>floor area</i> .	Maximum of 2.5	An increase of 11 feet or 1 <i>story</i> , whichever is greater.	No minimum residential parking is required. Required parking for current or proposed <i>non-residential uses</i> may be reduced by 25%.
	5 or more		Maximum of 4.65, or a 55% increase, whichever is greater	An increase of 33 feet or 3 <i>stories</i> , whichever is greater.	

iii. Public Land Project and One Hundred Percent Affordable Housing Project Exceptions to Local Base Incentives

- a) Regardless of the contrary in the table above, a *public land project* shall be granted a minimum *floor area* ratio of 3.0, *residential uses*, the applicable *incentives* identified for *projects* with a *maximum*

allowable residential density of five in the table immediately above, and a height of three *stories* or 33 feet. *Public land projects* may also access the *incentives* in Sub-sub-subparagraph c), below.

- b) Regardless of the otherwise applicable use permissions set by the applied Use District (Part 5B₂), use permissions for the *public lands project* participating in the Affordable Housing Incentive Program shall be given an A+ *use permission level*, as described in Subsection B. (Dependent on Most Permissive Adjoining Zone (A+)) of Sec. 5A.3.6. (Depending on Adjoining Zoning (A- & A+).
- c) To implement the Affordable Housing Incentive Program, as part of the *City's* implementation of the State Density Bonus Law, a *public land project* that receives a preceding resolution of support from *City Council*, may seek more than one *waiver* through the process ~~in~~ at Sec. 13B.3.2₂ (Expanded Administrative Review).
- ~~d) d) Regardless of the local base *incentives* listed above, a *one hundred percent affordable housing project* is limited to the *density bonus*, parking and height incentives in California Government Code Sec. 65915 for a *project* meeting the eligibility criteria of Section 65915(b)(1)(G), where the *project site* allows five or more *dwelling units* (excluding bonus units), and the *site* is located in *Very High Fire Hazard Severity Zone*, the *Coastal Zone*, or *Sea Level Rise Area*; is on a *lot* with an applied Density District (Part 6B₂) of 1L; or in an Industrial Use District or Industrial-Mixed Use District, that does not allow for *residential uses*. ~~or is in a manufacturing or hybrid industrial zone that disallows multiple family residential uses; or is in a residential use district that is single-family or more restrictive.~~~~

iv. Shared Equity Project and Faith-Based Organization Project Exception to Local Base Incentives

A *shared equity project* or a *faith-based organization project* shall be limited to the base *incentives* in the table above for *sites* with a *maximum allowable residential density* less than five *dwelling units*, regardless of the applicable *maximum allowable residential density*.

a) Measure ULA Exception

A *shared equity project* receiving funding from a program established under Ordinance No. 187,692 (Measure ULA) shall be eligible for *incentives* as determined by the *maximum allowable residential density* of the *project site*.

v. Additional Base Incentives

- a) The required parking for current or proposed *community assembly* uses owned by a filing *religious institution* shall be reduced by 50 percent and be counted toward the automobile parking requirement of a *project*, pursuant to California Government Code Sec. 65913.6.
- b) No automobile parking is required for a *faith-based organization project*, including both *residential uses* and *non-residential uses*, when there is a car share vehicle located within one block of the *project site*.
- c) A *project* shall be exempt from any applicable improvement requirement for roadway widening, including the relocation of an established curb or curb and gutter, pursuant to Div. 10.1. (Street Dedication & Improvement). This *incentive* shall not require an approval pursuant to Sec. 10.1.10. (Waiver and Appeals). A *project* utilizing this *incentive* shall comply with all dedication requirements under Div. 10.1. (Street Dedication & Improvement) and complete all other required *public right-of-way* improvements, including but not limited to sidewalk improvements, unless a Waiver of Dedication and Improvement is granted pursuant to Sec. 10.1.10. (Waiver & Appeals). A *project* shall further be eligible for relief from some required dedication, where specified by Sec. 10.2.1. (Requirements). Regardless of the above, any otherwise required dedication and improvement shall conform to the Street Dedication and Improvement Investigation Criteria adopted or amended pursuant to Council File 22-1476. A *project* in a *Very High Fire Hazard Severity Zone*, *Hillside Area*, *Coastal Zone*, or *pProjects* subject to procedures in ~~LAMC Section 13B.2.3. (Class 3 Conditional Use Permit) of Chapter 1A of this Code~~ shall not be eligible for this local base *incentive*.

vi. Additional Standards for Base Incentives

- a) Any additional *floor area* provided in a local base *incentive* and exceeding the base *floor area ratio* allowed by the applied Form District (Part 2B.) shall be dedicated only to *residential uses* and *residential amenity space*.
- b) Any increase in height shall be applicable to a *project site* over the entire *site* regardless of the number of underlying height limits. The height increase may be applied to the maximum allowable *height in feet* or *height in stories* permitted by the Form District (Part 2B.).

- c) For the purposes of calculating *dwelling units* granted as a result of a *density bonus*, any calculation resulting in fractional numbers shall be rounded up to the next whole number.
- d) If an applicable *Specific Plan*, *Supplemental District*, or *Special Zone*, or the applied Form District (Part 2B₂) allows a *tier 1 bonus floor area ratio* or *tier 1 bonus height* higher than what is granted in this program, qualifying projects may instead opt to use the *tier 1 bonus floor area ratio* or *tier 1 bonus height* granted by the applicable *Specific Plan*, *Supplemental District*, *Special Zone*, or the applied Form District (Part 2B₂), in lieu of the *floor area ratio* or height granted in the local base *incentive*.
- e) All *automobile parking stalls* provided shall comply with Sec. 4C.4.3. (Parking Area Design), except that any combination of standard, compact or tandem stalls may be provided. Tandem parking stalls that do not comply with Sec. 4C.4.3.C.12. (Tandem Parking) may be provided in any configuration as long as a parking attendant or an automated parking system is provided. Regardless of any otherwise applicable automobile parking design requirement, required *automobile parking stalls* provided may be either *covered* or *uncovered*, consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(p)(4).
- f) If applicable, when calculating a *project's* required *automobile parking stalls*, any number resulting in a fraction shall be rounded up to the next whole number.

3. Additional Incentives

In addition to the applicable base *incentives* established in Paragraph 2. (Base Incentives), above, a *project* shall be granted up to five additional *incentives* in this Paragraph (Additional Incentives). A *project* that satisfies the applicable eligibility criteria of this Section (Affordable Housing Incentive Program) may receive up to five ~~incentives~~ provided a *project* includes the applicable percentage of *restricted affordable units* (excluding units added by a *density bonus*) that is necessary to obtain the maximum number of *incentives* available to an income category under California Government Code Section 65915, as listed on the table in Sec. 9.2.1.C.3.a.i₂ (Allowed Number of Additional Incentives). *Projects* may use *incentives* to deviate from a development standard or requirement in this Zoning Code (Chapter 1A) or an applicable *Specific Plan*, *Supplemental District*, or *Special Zone*, unless otherwise specifically provided. The five additional *incentives* may be any combination of *incentives* listed in Subparagraph a. (Menu of Additional Incentives), below, or *incentives* requested

under Subparagraph b. (Incentives Not Listed on the Menu of Additional Incentives).

a. Menu of Additional Incentives

A *project* shall be granted requested *incentives* from the Menu of Additional Incentives listed in Sub-subparagraph i. through xiii., below, pursuant to the procedures in Sec. 9.2.2.D.1.a. (Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives), below. Regardless of the above, a *project* described in Subparagraph c. (Exclusions), below, shall not be granted any *incentive* from the Menu of Additional Incentives.

i. By-Right Adjustments

Relief from any zoning standard that would otherwise require approval pursuant to Sec. 13B.5.2. (Adjustment) may be granted as an on-menu *incentive*, and shall not be subject to the requirements of Sec. 13B.5.2. (Adjustment). Each adjustment-equivalent grant shall count as one *incentive* request. By-right adjustments shall not be granted in the following cases:

- a) A by-right adjustment shall not be used for an increase in height, any modifications of *signs* standards, or for requests to allow *parking* in front of *buildings*, including requests for reduction in *parking setbacks* that result in *automobile parking stalls* being located closer to a *frontage lot line* than other *buildings* or *structures* in the *project*.
- b) A by-right adjustment shall not apply to *designated historic resources* or *non-contributors*.

ii. Alternative Frontage Districts

A *project* may use an alternative Frontage District in lieu of the applicable Frontage District, depending on the applied Use District (Part 5B_) on the project lot, as specified below. Use of this *incentive* shall count as two *incentives* due to the number of *development standards* included in a Frontage District, and shall not be combined with a further by-right adjustment, pursuant to Sub-subparagraph i. (By-Right Adjustments), above, for any of the *development standards* except for *ground story height*.

- a) A *project* located on a *lot* with an applied *Use District* (~~Part 5B~~) listed in Div. 5B.1. (Open Space Use Districts), Div. 5B.2. (Agricultural Use Districts), Div. 5B.3. (Residential Use Districts), Div. 5B.4. (Residential-Mixed Use Districts), or Div. 5B.8. (Public

Use Districts) may use the Multi-Unit 2 (MU2) Frontage District, in Sec. 3B.2.2. (Multi-Unit 2 (MU2)).

- b) A *project* located on a *lot* with any applied *Use District*, not listed in Sub-sub-subparagraph (a), above, may use either the Multi-Unit 2 (MU2) Frontage District, in Sec. 3B.2.2. (Multi-Unit 2 (MU2)), or the General 1 (G1) Frontage District, in Sec. 3B.3.1. (General 1 (G1)).

iii. Averaging of Floor Area, Lot Amenity Space, Parking, and Density

A *project* that is located on two or more *abutting lots* may average the maximum *floor area*, minimum *lot amenity space*, minimum parking, and maximum density over the *project site*, provided that:

- a) The *proposed uses* are permitted by the applied Use District (Part 5B.) of each area the *proposed uses* will be located; and
- b) A covenant running with the land is recorded with the Los Angeles County Recorder, and a copy is provided to the *Department of Building and Safety* prior to the issuance of any *building permit*, that specifies no further *lot line* adjustment or any other action that may cause the *project site* to be subdivided subsequent to this grant, is permitted for the life of the *project*.

iv. Setbacks

A *project* may reduce all applicable *building setbacks* by 20 percent or less as specified in Sec. 2C.2.2.F. (Relief) ~~Subsection F. of Sec. 2C.2.2. (Building Setbacks)~~. The bundle of reduced setbacks shall require the use of only one *incentive*.

v. Upper-Story Bulk

A *project* may be exempt from any District Boundary Height Transition requirement established in Sec. 2C.6.2. (District Boundary Height Transition) or required by an applicable *Specific Plan*, *Special Zone*, or *Supplemental District*.

vi. Ground Floor Activation

Where *floor area* dedicated to *non-residential uses* is required by an applied ~~z~~*Zoning d**District* or applicable *Specific Plan*, *Supplemental District*, or *Special Zone*, that requirement may be reduced by 50 percent and be satisfied by providing residential lobbies, community rooms, *residential amenity spaces*, child care facilities, supportive services areas, or another *use* with the primary purpose of providing

services and assistance to *residents* of the *building* or the general public.

vii. Ground Story Height

A *project* may provide a *ground story height* of ~~10~~ten feet in lieu of an otherwise applicable *ground story height* requirement. This *incentive* shall not be combined with a by-right adjustment related to *ground story height*, pursuant to Sub-subparagraph i. (By-Right Adjustments), above, or used in conjunction with an alternative frontage, pursuant to Sub-subparagraph ii. (Alternative Frontage Districts), above.

viii. Commercial Parking

A *project* may request the elimination of any requirement to provide new or maintain existing *automobile parking stalls* associated with a *general commercial use* or *heavy commercial use* that is proposed in conjunction with the *project*.

ix. Density Calculation

Any area of any land required to be dedicated for street or *alley* purposes may be included as *lot area* for purposes of calculating the maximum density permitted by the applied Density District (Part 6B.).

x. Building Coverage

Up to a 25 percent increase in *building coverage* limits is allowed.

xi. Lot Width

Up to 25 percent decrease in the required *lot width* is allowed.

xii. Low-Density Lot Requirements

A *faith-based organization project* or a *shared equity project* on a *lot* with a *maximum allowable residential density* of less than five *dwelling units* is eligible for a reduction of otherwise required *lot* size standards as part of a small *lot subdivision* as follows:

a) Minimum *lot area*: 600 square feet

b) Minimum *lot width*: 15 feet

- c) Minimum lot access: A three-foot *pedestrian accessway* may be provided in lieu of otherwise required automobile access requirements.

xiii. Low-Density Setbacks

A faith-based organization project or a shared equity project on a lot with a maximum allowable residential density of less than five dwelling units is eligible for the reduction of otherwise required building setback standards, up to the following minimums:

- a) *Primary street* setback reductions are limited to no more than the average of the *primary street* setbacks of *buildings* on *abutting lots facing* the same *primary street lot line*. If a *project* is located on a *corner lot* or *adjacent* to a *vacant lot*, the *primary street* setback may align with the *building face* of the forward-most *building* on the *abutting lot facing* the same *primary street lot line*. If there are no *buildings* on *abutting lots*, no reduction in *primary street* setback is permitted. If a *project* occupies all the *lots* on an entire *block*, a reduction to the *primary street* setback is permitted when combined with an increase in the rear setback of the same dimension.
- b) Side setback of four feet for a three-story *structure*, or three feet for a two-story *structure*.
- c) A *project* providing *dwelling units* as part of a small-lot *subdivision* may utilize an interior side setback of zero feet.
- d) Rear setback of four feet.
- e) *Alley* setbacks of zero feet for a *structure* that maintains a height of less than 26 feet in height for at least the first 15 feet from the *alley lot line*.

b. Incentives Not Listed on the Menu of Additional Incentives

A project may request incentives not listed in Subparagraph a. (Menu of Additional Incentives), above, or in excess of an incentive allowed in Subparagraph a. (Menu of Additional Incentives), above, subject to the approval process in Sec. 9.2.2.D.1.b. (Projects Requesting Incentives Not on the Menu of Additional Incentives), below.

c. Exclusions

Projects meeting either of the criteria below are not eligible to use the Menu of Additional Incentives established in Subparagraph a. (Menu of Additional Incentives), above:

- i. *Projects* located in a *Very High Fire Hazard Severity Zone*, the *Coastal Zone*, or a *Sea Level Rise Area*, or
- ii. *Projects* requiring *demolition*, as *demolition* is defined in Subsection C. (Definitions) of Sec. 13B.8.1. (General Provisions), of either
 - a) ~~(a)~~ a *designated historic resource*, or
 - ii. ~~b)~~ *(b)* a *surveyed historic resource* identified in a *Specific Plan*, *CPIO* or *Conservation District* for any historic protection, special consideration, or special review for historic or architectural significance.

4. Waivers

A *project* may request *waivers*, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the additional *incentives* granted pursuant to Paragraph 3. (Additional Incentives) above, subject to the approval process in Sec. 9.2.2.D.1.c. (Projects Requesting Waivers) below.

5. Public Benefits

A *project* may access additional *floor area ratio* or height, or other modifications of standards by providing one or more public benefits, as described below. *Projects* providing public benefits shall be reviewed and approved pursuant to the processes provided in Sec. 9.2.2.D.1.d. (Projects Providing Public Benefits), below.

- a. Any *project* providing a childcare facility meeting the standards in Sec. 9.3.4.C.4.a. (Childcare Facility) of Sec. 9.3.4. (Public Benefits Menu) shall receive either the *incentive* in Sub-subparagraphs i. or ii., below:
 - i. Additional *floor area* for *residential use* equivalent to the total *floor area* dedicated to a qualifying childcare facility in the *project*, or
 - ii. One additional *incentive* from the Menu of Additional Incentives (Sec 9.2.2.C.3.a.) or an *incentive* not listed on the ~~M~~ menu of ~~A~~ additional incentives (Sec 9.2.2.C.3.b.) that contributes significantly to the economic feasibility of the construction of the childcare facility.
- b. Any *project*, except for (a) a *faith-based organization project*, or (b) a *one hundred percent affordable housing project* located in whole or in part on a *lot*

in a *Very High Fire Hazard Severity Zone*, the *Coastal Zone*, or a *Sea Level Rise Area*, is eligible to utilize the following public benefits options:

- i. Any public benefit options listed for Public Benefits Incentive Set 2 (Sec. 9.3.4.C.3.b.); and
 - ii. Any public benefit options listed for any Public Benefits Incentive Set mapped for the *lot* on the Public Benefits Incentive Map (Sec.1.5.12.).
- c. Multiple public benefit options can be provided by one *project* in order to combine and stack public benefit bonuses and may exceed the *tier 2 bonus floor area ratio* and the *tier 2 bonus height* of the applied Form District.
- d. A *project* that provides five or more public benefit options shall receive an additional 11 feet in height in addition to any height bonus(es) granted through base *incentives*, additional *incentives*, *waivers*, and public benefits pursuant to Paragraphs 2., 3., 4., and 5. of this Subsection C. (Program Rules).

D. Administration

1. Procedures

The following review and approval procedures apply to *projects* participating in the Affordable Housing Incentive Program. Ministerial approval in this Paragraph shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code Sec. 65583.2(i).

- a. Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives

A *project* requesting only the base *incentives* provided in Paragraph. 2. (Base Incentives) of Subsection C. (Program Rules), above, or *incentives* from the menu of additional *incentives* as listed in Sec. 9.2.2.C.3.a. (Menu of Additional Incentives), above, and not requesting any *waivers* under Sec. 9.2.2.C.4. (Waivers) or off-menu *incentive* under Sec. 9.2.2.C.3.b. (Incentives Not Listed on the Menu of Additional Incentives), shall be granted with a ministerial approval by the *Department of Building and Safety*, subject to the following:

- i. Additional *incentives* shall comply with the additional standards in Sec. 9.2.2.D.2.a. (Standards for Review for Additional Incentives), below; and,
- ii. A *faith-based organization project* or a *shared equity project* on a *lot* that includes a *surveyed historic resource* shall be reviewed pursuant

to Sec. 13B.3.2. (Expanded Administrative Review), unless the *project* proposes alterations to the *surveyed historic resource* that do not conform to the Secretary of Interior's Standards for the Treatment of Historic Properties, as supported by an expert study that has been accepted by the Office of Historic Resources, or demonstrated by the project plans and accepted as determined by the Office of Historic Resources, if consistent with the applicable adopted Implementation Memorandum, Guidelines or Technical Bulletins of the *Director* of City Planning; and in that case is subject to review pursuant to Sec. 13B.2.5. (Director Determination).

b. Projects Requesting Incentives Not Listed on the Menu of Additional Incentives

A *project* requesting *incentives* pursuant to Sec. 9.2.2.C.3.b. (Incentives Not Listed on the Menu of Additional Incentives) shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review) and shall be granted subject to the additional standards provided in Sec. 9.2.2.D.2.a. (Standards for Review for Additional Incentives), below.

i. Exceptions

A *faith-based organization project* or a *shared equity project* on a lot that includes a *surveyed historic resource* shall be reviewed pursuant to Sec. 13B.2.5. (Director Determination), if the *project* proposes alterations to the *surveyed historic resource* that does not conform to the Secretary of Interior's Standards for the Treatment of Historic Properties, as determined by the Office of Historic Resources in consideration of an expert study.

c. Projects Requesting Waivers

A *project* requesting a *waiver*, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the number of additional *incentives* permitted pursuant to Sec. 9.2.2.C.3. (Additional Incentives) above, shall be reviewed and approved as follows:

i. *Projects* requesting only one *waiver* pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be reviewed pursuant to Sec. 13B.3.2. (Expanded Administrative Review).

a) Exceptions

A *faith-based organization project* or a *shared equity project* on a lot that includes a *surveyed historic resource* shall be reviewed

pursuant to Sec. 13B.2.5. (Director Determination), if the project proposes alterations to the *surveyed historic resource* that does not conform to the Secretary of Interior's Standards for the Treatment of Historic Properties, as determined by the Office of Historic Resources in consideration of an expert study.

- ii. A *project* requesting two or three waivers pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be reviewed pursuant to Sec. 13B.2.5. (Director Determination).
- iii. A *project* requesting more than three *waivers* pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be reviewed pursuant to Sec. 13B.2.3. (Class 3 Conditional Use).
- iv. Regardless of any provision of Div. 13B.2 (Quasi-Judicial Review), findings for *waivers* shall be those in Subparagraph b. (Required Findings for Waivers) of Paragraph 2. (Standards for Review and Required Findings), in lieu of any findings in Div. 13B.2. (Quasi-Judicial Review); and waivers requiring a Class 3 Conditional Use Permit are final at the *City Planning Commission* and are not appealable. *Waivers* requiring a Director Determination are appealable to the *City Planning Commission*.
- v. A *public land project* that received a preceding resolution of support from City Council may request more than one *waiver* through Sec. 13B.3.2. (Expanded Administrative Review) and applicable findings.

d. Projects Providing Public Benefits

A *project* requesting higher *incentives* or additional *incentives* in exchange for providing one or more public benefits as provided in Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review).

e. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10. (Multiple Approvals) apply to a *project* seeking other discretionary approvals in conjunction with any approvals requested pursuant to the Affordable Housing Incentive Program, including those listed in Paragraph 2. (Base Incentives), Paragraph 3. (Additional Incentives), Paragraph 4. (Waivers), or Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), above. Regardless of any other findings that may be applicable for the other discretionary approvals, the decision maker shall approve the *incentives* requested pursuant to the Affordable Housing Incentive Program, subject to any procedures established in this Paragraph 1. (Procedures), and findings and standards

established in Paragraph 2. (Standards for Review and Required Findings), below.

f. Density Bonuses, Incentives or Waivers Exceeding this Program

A ~~p~~*Project* that seeks additional density bonuses, incentives or waivers beyond what is expressly allowed by this Section 9.2.2. (Affordable Housing Incentive Program), shall be reviewed pursuant to Sec. 9.2.1. (State Density Bonus Program), including the requirements and findings in Sec. 9.2.1.D.1.e. (Projects with Requests for Density Bonuses in Excess of the Base Incentive).

2. Standards for Review and Required Findings

a. Standards for Review for Additional Incentives

For the purposes of standards of review for additional *incentives*, 'incentive' shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(k). Additional *incentives* allowed pursuant to Sec. 9.2.2.C.3. (Additional Incentives), above, shall be granted unless one of the following written findings are made, based upon substantial evidence:

- i. The *incentive* does not result in identifiable and actual cost reductions, consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(k), to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c); or
- ii. The *incentive* will have a specific adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to *low-income households* and *moderate-income households*. Inconsistency with the zoning ordinance or ~~G~~*general P*~~plan~~ *Land Use D*~~esignation~~ shall not constitute a specific adverse impact upon the public health or safety; or
- iii. The incentive would be contrary to state or federal law.

b. Required Findings for Waivers

For the purposes of required findings for *waivers*, 'development standard' shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(o)(2). *Waivers* pursuant to Sec. 9.2.2.C.4. (Waivers), above, shall be approved by the applicable decision maker~~decision-making authority~~ unless the decision maker~~decision-making~~

authority makes one of the following findings, based upon substantial evidence:

- i. The *development standard* associated with a request for a *waiver* will not have the effect of physically precluding the construction of a development meeting the eligibility criteria described in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), above, at the densities or with the base *incentives* and additional *incentives* permitted above; or
- ii. The *waiver* would have a specific adverse impact upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Inconsistency with the zoning ordinance or General Plan Land Use Designation shall not constitute a specific adverse impact upon the public health or safety; or
- iii. The *waiver* would have an adverse impact on any real property that is listed in the California Register of Historical Resources; or
- iv. The *waiver* would be contrary to state or federal law.

3. Records and Agreements

Prior to the issuance of a *building permit* for any *project* participating in the Affordable Housing Incentive Program and utilizing one or more *incentives* pursuant to this Section (Affordable Housing Incentive Program), covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section (Affordable Housing Incentive Program) and Div. 4C.15. (Resident Protections) shall be recorded with the Los Angeles County Recorder. For *shared equity projects*, covenants shall restrict the resale of the property to Community Land Trusts, as defined in California Revenue and Taxation Code Section 402.1(a)(11)(C)(ii), Limited Equity Housing Cooperatives and Workforce Housing Cooperative Trusts, as defined in California Civil Code Section 817, public agencies, or nonprofit affordable housing corporations pursuant to Section 501(c)(3) of the United States Internal Revenue Code.

4. Vesting-

An *application* for an entitlement that was filed and fees paid prior to the date on which this Section (Affordable Housing Incentive Program) becomes operative, shall be subject to all applicable provisions of this Chapter ~~Los Angeles Municipal Code Chapter 1A~~, including any *incentive* menus or provisions, that were in effect on the date the *application* was filed and fees were paid where a public hearing, when required, has been held. An *application* for an entitlement that was filed and fees paid prior to the date on which this Section (Affordable

Housing Incentive Program) becomes operative, may elect to apply the Procedures and comply with the Administration requirements of this Section (Affordable Housing Incentive Program), if a public hearing, when required, has not yet been held for the *project*. Any such *project* shall be subject to all other applicable provisions in this Chapter Chapter 1A of the Los Angeles Municipal Code that were in effect on the date the *application* was filed. *Projects* shall only be eligible for the *incentives* of this Section (Affordable Housing Incentive Program) if a new *application* is filed and associated fees for the new filing are paid on or after the operative date of this Section (Affordable Housing Incentive Program).

Sec. 20. A new Section 9.2.3. is added to Div. 9.2. of Article 9. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 9.2.3. OPPORTUNITY CORRIDORS HOUSING INCENTIVE PROGRAM

A. Intent

The Opportunity Corridors Housing Incentive Program aims to establish specific *incentives* and procedures for the local implementation of State Density Bonus requirements, pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(n), in order to encourage the creation and development of *restricted affordable units* in mixed-income developments along transit corridors in higher opportunity areas, and to ensure an equitable distribution of affordable housing across the city.

B. Applicability

This Section (Opportunity Corridors Housing Incentive Program)9.2.3., the “Opportunity Corridors Housing Incentive Program”, applies to a *project* providing *restricted affordable units* in exchange for *incentives* granted in this Section (Opportunity Corridors Housing Incentive Program), and the *project* meets the eligibility criteria in Sec. 9.2.3.C.1. (Eligibility), below, and involves a *project activity* listed in Paragraph 1. (Project Activities), below.

1. Project Activities

The following *project activities* are subject to the Opportunity Corridors Housing Incentive Program:

- a. *New construction* for which all new *floor area* meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.
- b. *A use modification*, including the conversion of existing *floor area* from a commercial use to a *residential use* or an increase in *dwelling units* within

existing *floor area*, for which all resulting new *floor area* and all renovated *floor area* meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.

- c. A *lot modification*, including a subdivision, or common interest development (as defined in California Civil Code, Sec. 4100), that results in *dwelling units* that meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

A *project* is ineligible for the bonuses, *incentives* and procedures in the Opportunity Corridors Housing Incentive Program if it is participating in any other housing *incentive* program in the Los Angeles Municipal Code, or in a *Specific Plan*, *Supplemental District*, or *Special Zone*, or in any other *City* regulation or guideline, except:

- i. *Projects* participating in the Opportunity Corridors Housing Incentive Program may utilize the streamlining incentives granted through the Housing Element Sites Streamlining Program (Sec. 9.2.6.), provided that the *projects* meet the eligibility requirements and program rules for both programs.
- ii. *Projects* that meet the definition of a Type I Adaptive Reuse Project, and the eligibility requirements for both the Opportunity Corridors Housing Incentive Program and the Citywide Adaptive Reuse Program, pursuant to Sec. 9.4.6. (Citywide Adaptive Reuse Program), may participate in both *incentive* programs and receive *incentives* pursuant to both programs. The portion of the Type I Adaptive Reuse Project consisting of *new construction* may be eligible for base *incentives*, additional *incentives*, *waivers*, and public benefits options provided in Paragraphs 2., 3., 4., and 5. of Subsection C. (Program Rules), below, unless otherwise stated, and the *project* shall comply with Paragraph 1. (Procedures) in Subsection D. (Administration) based on the corresponding project type definition and associated project request.
- iii. This Section (Opportunity Corridors Housing Incentive Program) expressly authorizes a *project* to use another housing incentive program, as specified.

b. Relationship to Specific Plans, Special Districts, and Special Zones

As this Section (Opportunity Corridors Housing Incentive Program) implements State Density Bonus law pursuant to California Government Code

Sections 65915-65918, in the event of any difference between the provisions of an applicable *Specific Plan*, *Supplemental District*, or *Special Zone*, and the provisions of this Section (Opportunity Corridors Housing Incentive Program), the provisions of this Section (Opportunity Corridors Housing Incentive Program) shall prevail where a *project* seeks approval through this Section (Opportunity Corridors Housing Incentive Program).

c. Relationship to Other Zoning Provisions

i. General

As this Section (Opportunity Corridors Housing Incentive Program) implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any difference between the provisions of this Section (Opportunity Corridors Housing Incentive Program) and any other provision of this Zoning Code (Chapter 1A), the provisions of this Section (Opportunity Corridors Housing Incentive Program) shall prevail.

ii. Relationship to Inclusionary Housing

Restricted affordable units provided in order to meet the eligibility criteria for participation in the Opportunity Corridors Housing Incentive Program may also be used in order to count toward the *restricted affordable units* required by the Inclusionary Housing Program, pursuant to Sec. 5C.3.1. (Inclusionary Housing Program) where applicable.

iii. Regardless of the otherwise applicable Development Review Threshold Package required by the applied Development Standards District (Part 4B.) and the requirements of the Development Review (Sec. 4C.14.), projects participating in the Opportunity Corridors Housing Incentive Program are exempt from review pursuant to Sec. 13B.2.4. (Project Review).

d. Relationship to State Density Bonus Law

The Opportunity Corridors Housing Incentive Program is intended to be consistent with State Density Bonus Law at California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. If at any time, the Opportunity Corridors Housing Incentive Program becomes inconsistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, as determined by the Director, the provisions of State Density Bonus Law shall supersede the provisions in this Section (Opportunity Corridors Housing Incentive Program). The *Director* may prepare Implementation Memorandums, Technical Bulletins, and/or User

Guides for the purposes of providing additional guidance on the implementation of this Section (Opportunity Corridors Housing Incentive Program) and maintaining consistency with the State Density Bonus Law.

C. Program Rules

1. Eligibility

To be eligible for any base *incentives*, additional *incentives*, *waivers*, public benefits, or other *incentives* provided in the Opportunity Corridors Housing Incentive Program in Paragraphs 2. (Base Incentives), Paragraph 3. (Additional Incentives), Paragraph 4. (Waivers) and ~~through Paragraph 5. (Public Benefits)~~, below, a *project* shall comply with all requirements provided in this Paragraph (Eligibility) ~~4.~~, as applicable, and provide any required *restricted affordable units* in order to obtain any particular *incentive*.

a. Unit Threshold

A *project* must have a minimum of five or more *dwelling units*. The units counted for purposes of this requirement includes *dwelling units* permitted as a result of a *density bonus* granted pursuant to Paragraph 2. (Base Incentives), below.

b. Zoning

The *project* shall not be located on a *lot* with an applied Density District (Part 6B.) of N or 1L or with an applied Use District (Part 5B.) in Div. 5B.7. (Industrial Use Districts).

c. Residential Uses

A minimum of ~~2/3~~ two-thirds of the total *floor area* of a *project*, including newly constructed *floor area* and renovated or converted *floor area*, must be dedicated to *residential use* and *residential amenity space* for the units.

d. Mixed Income Housing Incentive Map

A *project* must be located on a *lot*, in whole or in part, for which an Opportunity Corridors Housing Incentive Set has been mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.), or is mapped through a *Specific Plan*, a *Supplemental District*, or a *Special Zone*.

e. Affordability Levels

The *project* shall reserve a minimum percentage of its *dwelling units* for *restricted affordable units* on-site according to the Mixed Income Incentive Set

designated for the project lot, based on the housing market tier or the opportunity area of the *lot*, and subject to the affordability standards in Sub-subparagraphs i. through v., below.

i. Single or Mixed Affordability Option

A *project* may opt to meet its affordability requirement by providing *restricted affordable units* at rates determined by the methodology provided in: Sub-sub-subparagraph a) (Single Affordability Requirements), below; Sub-sub-subparagraph b) (Mixed Affordability Options), below; or Sub-sub-subparagraph c) (Low Income Site Affordability Requirements), below, as applicable.

a) Single Affordability Requirements

A *project* opting to use the “Single Affordability Requirements” shall provide *restricted affordable units* for one of the income levels listed in the “Income Levels” column in the table below at the corresponding percentage of total *dwelling units* (all units including bonus units) for the applicable Opportunity Corridors Incentive Set and Market Tier for the project lot.

Single Affordability Requirements				
Mixed Income Incentive Set	Market Tiers	Income Levels		
		Extremely Low Income	Very Low Income	Low Income
OC-3	High Medium and High Market Tiers	13%	17%	27%
OC-2		12%	16%	25%
OC-1		11%	14%	23%
OC-3	Low and Medium Market Tiers	11%	15%	25%
OC-2		10%	14%	23%
OC-1		9%	12%	21%

b) Mixed Affordability Requirements

A *project* in a higher opportunity area, as specified by the California Tax Credit Allocation Committee (TCAC) opportunity area for the project lot, may use the “Mixed Affordability Options” table to meet its *restricted affordable unit* requirement. Under this option a *project* may provide *restricted affordable units* at the percentages and in the combinations listed in the “Income Levels” columns in

the following table, by applying the percentages to all project units (including bonus units). A *project* opting to use the Mixed Affordability Options must also provide at least one *restricted affordable unit* containing four or more *habitable rooms* at the acutely low-income affordability level.

Mixed Affordability Options				
TCAC Opportunity Area	Income Levels			
	Acutely Low Income	Extremely Low Income	Very Low Income	Moderate Income
Higher Opportunity Areas	4%	4%	-	12%

c) Low Income Site Affordability Requirements

A *project* on a site identified in Section 1.5.15. (Lower Income Rezoning Housing Element Sites Map) may meet its affordability requirement by providing 20 percent of its on-site *restricted affordable units* for *lower income households*, consistent with California Government Code Section 65583.2.

ii. Opportunity Corridors Housing Incentive Set Designation

The applicable Opportunity Corridors Housing Incentive Set shall be determined based on the designation shown on the Mixed Income Housing Incentive Map established in Sec. 1.5.17. (Mixed Income Housing Incentive Map) or is mapped through a *Specific Plan*, a *Supplemental District*, or a *Special Zone*.

iii. Calculating Affordability Requirements

In calculating the minimum percentage of *restricted affordable units*, the percentage of each affordability level shall be based on the total project *dwelling unit* count, including *dwelling units* permitted as a result of a *density bonus*. Any number resulting in a fraction shall be rounded up to the next whole number, and not as specified in Sec. 6C.1.2. (Lot Area Per Household Dwelling Unit) or Sec. 6C.1.3. (Lot Area Per Efficiency Dwelling Unit).

iv. Housing Market Tier Designation

A *project's* housing market tier shall be determined by the residential market areas adopted by City Council resolution, as described in Sec. 15.4.3. (Affordable Housing Linkage Fee).

v. Rent and Housing Cost Schedules and Covenants

The rate of housing costs or rent for any required *restricted affordable unit* shall not exceed those specified in California Health and Safety Code Section, 50052.5 (Affordable Housing Costs) for for-sale units or California Health and Safety Code, Section 50053 for rental units. Covenants documenting required rental or for sale rates shall be recorded pursuant to the procedures described in Sec. 9.2.3.D.3. (Records and Agreements). *Restricted affordable units* associated with One Hundred Percent Affordable Housing Projects shall comply with the affordability specified in Sec. 9.2.2.C.1.d.ii.a. (One Hundred Percent Affordable Housing Projects).

f. Housing Replacement

The *project* shall meet any applicable housing replacement requirements and demolition protections established in Division 4C.15. (Resident Protections). *Replacement dwelling units* required pursuant to Division 4C.15. (Resident Protections) shall count toward any *restricted affordable unit* requirements. In calculating replacement units, any number resulting in a fraction shall be rounded up to the next whole number.

g. Fair Housing Requirements

Restricted affordable units shall meet the applicable requirements regarding the size, location, amenities and allocation of *restricted affordable units* established in Sec. 4C.15.3. (Restricted Affordable Units) and in any Implementation Memorandum or Technical Bulletin prepared and adopted by the Los Angeles Housing Department or Department of City Planning.

h. Historic Resources

- i. A *project* requiring the *demolition*, as *demolition* is defined in Subsection C. (Definitions) of Sec. 13B.8.1. (General Provisions), of a *designated historic resource*, or *surveyed historic resource* identified for historic protection or special consideration or review by an applicable *Specific Plan*, *CPIO* or *Conservation District* is not eligible for *incentives* under the Opportunity Corridors Housing Incentive Program.

- ii. A *project* involving the alteration of a *designated historic resource* shall be consistent with the Secretary of the Interior's Standards for Rehabilitation as supported by an expert study that has been accepted by the Office of Historic Resources, or demonstrated by the project plans and accepted by the Office of Historic Resources, if consistent with the applicable adopted Implementation Memorandum, Guidelines or Technical Bulletins of the Director of City Planning.

i. Unit Habitability Requirements

For purposes of this Section ~~Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program)~~, the term “dwelling unit” or “unit” shall mean a complete independent living facility that includes permanent provisions for living, sleeping, eating, a *kitchen*, and sanitation. The term “dwelling unit” or “unit” in this Section (Opportunity Corridors Housing Incentive Program) shall not be a reference to a *household dwelling unit*, a *shared housing unit*, or an *efficiency dwelling unit*.

2. Base Incentives

A *project* meeting the eligibility criteria in Paragraph 1. (Eligibility), shall be granted the following base *incentives*, Sec. 9.2.3.D.1.a. (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives).

- a. The project may utilize an Alternate Typology established in Div. 7B.6. (Opportunity Corridors) as provided in the table below.

Opportunity Corridors Incentive Set Mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.)	Applied Use District	Eligible Opportunity Corridors Alternate Typologies (Div. 7B.6.)
OC-1A	Residential Use Districts, Residential Mixed-Use Districts, Agricultural Use Districts	Opportunity Corridors 1A OC-1A (Sec. 7B.6.1.)
OC-1B	Commercial Mixed-Use Districts, Industrial Mixed-Use	Opportunity Corridors 1B OC-1B (Sec. 7B.6.2.)

	Districts, Public Use Districts	
OC-2A	Residential Use Districts, Residential Mixed-Use Districts, Agricultural Use Districts	Opportunity Corridors 2A OC-2A (Sec. 7B.6.3.)
OC-2B	Commercial Mixed-Use Districts, Industrial Mixed-Use Districts, Public Use Districts	Opportunity Corridors 2B OC-2B (Sec. 7B.6.4.)
OC-3A	Residential Use Districts, Residential Mixed-Use Districts, Agricultural Use Districts	Opportunity Corridors 3A OC-3A (Sec. 7B.6.5.)
OC-3B	Commercial Mixed-Use Districts, Industrial Mixed-Use Districts, Public Use Districts	Opportunity Corridors 3B OC-3B (Sec. 7B.6.6.)

- b. The *project* shall be exempt from any applicable improvement requirement for roadway widening, including the relocation of an established curb or curb and gutter, pursuant to Div. 10.1. (Street Dedication & Improvement). This *incentive* shall not require an approval pursuant to Sec. 10.1.10. (Waiver and Appeals). A *project* utilizing this *incentive* shall comply with all dedication requirements under Div. 10.1. (Street Dedication & Improvement) and complete all other required public *right-of-way* improvements, including but not limited to sidewalk improvements, unless a Waiver of Dedication and Improvement is granted pursuant to Sec. 10.1.10. (Waiver & Appeals). A project shall further be eligible for relief from some required dedication, where specified by Sec. 10.2.1. (Requirements). Regardless of the above, any otherwise required dedication and improvement shall conform to the Street Dedication and Improvement Investigation Criteria adopted or amended pursuant to Council File 22-1476. A *project* in a *Very High Fire Hazard Severity Zone, Hillside Area, or Coastal Zone*, or ~~p~~*Projects* subject to procedures in ~~LAMC Section 13B.2.3. (Class 3 Conditional Use Permit) of Chapter 1A of this Code~~ shall not be eligible for this base *incentive*.

3. Additional Incentives

In addition to the applicable base *incentives* provided in Paragraph 2. (Base Incentives), above, a *project* shall be granted up to four additional *incentives* in this Paragraph (Additional Incentives). Such a *project* may receive up to four *incentives* provided a project includes the applicable percentage of *restricted affordable units* (excluding units added by a *density bonus*) that is necessary to obtain the maximum number of *incentives* available to an income category under California Government Code Section 65915, as listed on the table in Sec. 9.2.1.C.3.a.i. (Allowed Number of Additional Incentives). *Projects* may use *incentives* to deviate from a *development standard* or requirement in this Zoning Code (Chapter 1A) or in an applicable *Specific Plan*, *Supplemental District*, or *Special Zone*, unless otherwise specifically provided. The four additional *incentives* may be any combination of *incentives* listed in Subparagraph a. (Menu of Additional Incentives), below, or *incentives* requested under Subparagraph b. (Incentives Not Listed on the Menu of Additional Incentives).

a. Menu of Additional Incentives

A *project* shall be granted requested *incentives* from the Menu of Additional Incentives listed in Sub-subparagraphs i. through v., below, pursuant to the procedures in Section 9.2.3.D.1.a. (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives), below.

i. By-Right Adjustments

Relief from any zoning standard that would otherwise require approval pursuant to Sec. 13B.5.2. (Adjustment) may be granted as an on-menu *incentive*, and shall not be subject to the requirements of Sec. 13B.5.2. (Adjustment). Each adjustment-equivalent grant shall count as one *incentive* request. By-right adjustments shall not be granted in the following cases:

- a) A by-right adjustment shall not apply to standards that regulate *FAR*, height, any modifications of *signs* standards, or for requests to allow parking in front of *buildings*, and *lot amenity space*.
- b) A by-right adjustment shall not apply to a *designated historic resource* or a *non-contributor*.

ii. Averaging of Floor Area, Lot Amenity Space, Parking, and Density

A *project* that is located on two or more *abutting lots* may average the maximum *floor area*, minimum *lot amenity space*, minimum parking, and maximum density over the *project site*, provided that:

- a) The *proposed uses* are permitted by the applied Use District (Part 5B₂) of each area the *proposed uses* will be located; and
- b) A covenant running with the land is recorded with the Los Angeles County Recorder, and a copy is provided to the *Department of Building and Safety* prior to the issuance of any *building permit*, that specifies no further *lot line* adjustment or any other action that may cause the *project site* to be subdivided subsequent to this grant, is permitted for the life of the *project*.

iii. Density Calculation

Any area of any land required to be dedicated for street or *alley* purposes may be included as lot *area* for purposes of calculating the maximum density permitted by the applied Density District (Part 6B₂).

iv. Building Coverage

Up to a 25 percent increase in *building coverage* limits is allowed.

v. Lot Width

Up to 25 percent decrease in the required *lot width* is allowed.

b. Incentives Not Listed on the Menu of Additional Incentives

- i. A *project* may request *incentives* not listed in, or in excess of an *incentive* allowed in, Subparagraph a. (Menu of Additional Incentives), above, subject to the approval process in Sec. 9.2.3.D.1.b. (Projects Requesting Incentives Not on the Menu of Additional Incentives), below, with the exception of any modification listed in Sub-subparagraph ii., below.
- ii. Modifications to the following standards, or their equivalents in an applicable *Specific Plan*, *Supplemental District*, or *Special Zone*, altering the criteria or level of relief allowed in Sub-subparagraph i. (By-Right Adjustments) of Subparagraph a. (Menu of Additional Incentives), above, shall not be granted as an additional *incentive* through this Section (Opportunity Corridors Housing Incentive Program) and are not eligible for approval through this Section (Opportunity Corridors Housing Incentive Program). *Projects* that seek these types of *incentives* not on the menu shall seek approval pursuant to the procedures, *incentives* and other requirements in Sec. 9.2.1. (State Density Bonus Program):

- a) Lot Amenity Space (Sec. 2C.3.1.);

- b) Any *floor area ratio* and height restriction established in Div. 2C.4. (Floor Area Ratio & Height);
- c) Any upper story bulk limitations established in Div. 2C.6. (Upper-Story Bulk);
- d) Building Width (Sec. 2C.5.1.);
- e) Building Setbacks (Sec. 2C.2.2.);
- f) *Ground story* design requirements specified by the applied Frontage District (Part 3B₂); or
- g) Required Trees (Sec. 4C.6.2₂).

4. Waivers

A *project* may request *waivers*, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the additional *incentives* granted pursuant to Paragraph 3. (Additional Incentives) above, subject to the procedures in Sec. 9.2.3.D.1.c. (Projects Requesting Waivers) below.

5. Public Benefits

- a. A *project* may access up to the *tier 2 bonus floor area ratio*~~FAR~~ and *tier 2 bonus height* allowed by the eligible Opportunity Corridors Alternate Typology established in Div. 7B.6. (Opportunity Corridors) or by an applicable *Specific Plan, Supplemental District, or Special Zone*, by providing one or more of the public benefits pursuant to Sec. 9.3.4. (Public Benefits Menu) pursuant to the following options:
 - i. Any public benefit options listed for Public Benefits Incentive Set 2, as established in Sec. 9.3.4. (Public Benefits Menu).
 - ii. A *project* providing public benefits shall also be eligible to provide one or more of the public benefit options listed for the Public Benefits Incentive Set mapped for the *lot* on the Public Benefits Incentive Map (Sec.1.5.12.). The mapped Public Benefits Incentive Set shall establish the *floor area ratio* and height bonuses associated with each eligible public benefit option, pursuant to Sec. 9.3.4. (Public Benefits Menu).
- b. Multiple public benefit options can be provided by one *project* in order to combine and stack public benefit bonuses, but in no case shall the total bonus received exceed the *tier 2 bonus floor area ratio*~~FAR~~ and *tier 2 bonus*

height, allowed by the eligible Opportunity Corridors Alternate Typology established in Div. 7B.6. (Opportunity Corridors).

- c. *Projects* providing public benefits shall be reviewed and approved pursuant to the processes outlined in in Sec. 9.2.2.D.1.d. (Projects Providing Public Benefits), below.

D. Administration

1. Procedures

The following review and approval procedures apply to *projects* participating in the Opportunity Corridors Housing Incentive Program. Ministerial approval in this Paragraph (Procedures) shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code Sec. 65583.2(i).

- a. Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives

A *project* requesting only the base *incentives* outlined in Sec. 9.2.3.C.2. (Base Incentives), above, or additional on-menu *incentives* as outlined in Sec. 9.2.3.C.3.a. (Menu of Additional Incentives), above, and not requesting any *waivers* under Sec. 9.2.3.C.4. (Waivers) or off-menu *incentives* under Sec. 9.2.3.C.3.b. (Incentives Not Listed on the Menu of Additional Incentives), shall be subject to a ministerial approval process by the *Department of Building and Safety*. Additional *incentives* approved by the *Department of Building and Safety* shall comply with the additional standards in Sec. 9.2.3.D.2.a. (Standards for Review for Additional Incentives), below.

- b. *Projects* Requesting Incentives Not on the Menu of Additional Incentives
A *project* requesting *incentives* pursuant to Sec. 9.2.3.C.3.b. (Incentives Not on the Menu of Additional Incentives), above, shall be subject to a ministerial approval process pursuant to Sec. 13B.3.2. (Expanded Administrative Review) and shall be granted subject to the additional standards in Sec. 9.2.3.D.2.a. (Standards for Review for Additional Incentives), below.

- c. Projects Requesting Waivers

A *project* requesting a *waiver*, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the number of additional *incentives* permitted pursuant to Sec. 9.2.3.C.3. (Additional Incentives) above, shall be reviewed as follows:

- i. A *project* requesting only one *waiver* pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be approved pursuant to Sec. 13B.2.5. (Director Determination).
- ii. A *project* requesting more than one *waiver* pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be approved pursuant to Sec. 13B.2.3. (Class 3 Conditional Use).
- iii. Regardless of any provision of Div. 13B.2. (Quasi-Judicial Review), findings for *waivers* shall be those in Subparagraph b. (Required Findings for Waivers) of Paragraph 2. (Standards for Review and Required Findings), in lieu of the findings in Div. 13B.2. (Quasi-Judicial Review); and *waivers* requiring a Class 3 Conditional Use Permit are final at the *City Planning Commission* and are not appealable. *Waivers* requiring a Director Determination are appealable to the *City Planning Commission*.

d. Projects Providing Public Benefits

A *project* requesting higher *incentives* or additional *incentives* in exchange for providing one or more public benefits as outlined in Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review). Such requests shall not be subject to any hearing procedures regardless of the provisions contained in Sec. 13B.3.2. (Expanded Administrative Review).

e. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10. (Multiple Approvals) apply to *projects* seeking other discretionary approvals in conjunction with any *incentives* requested pursuant to the Opportunity Corridors Housing Incentive Program including those listed in Paragraph 2. (Base Incentives), Paragraph 3. (Additional Incentives), Paragraph 4. (Waivers), or Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), above.

Regardless of any other findings that may be applicable for the other discretionary approvals, the *decision maker* shall approve the *incentives* requested pursuant to the Opportunity Corridors Housing Incentive Program, subject to any procedures established in Paragraph 1. (Procedures), above, and standards established in Paragraph 2. (Standards for Review and Required Findings), below.

f. Density Bonuses, Incentives or Waivers Exceeding this Program

Projects that seek additional *density bonuses*, *incentives* or *waivers* beyond what is expressly allowed by this Section ~~9.2.3.~~ (Opportunity Corridor Housing Incentive Program), shall be reviewed pursuant to Sec. 9.2.1. (State Density

Bonus Program), including the requirements and findings in Sec. 9.2.1.D.1.e. (Projects with Requests for Density Bonuses in Excess of the Base Incentive)

2. Standards for Review and Required Findings

a. Standards for Review for Additional Incentives

For the purposes of standards of review for additional *incentives*, ‘incentive’ shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(k). Additional *incentives* allowed pursuant to Sec. 9.2.3.C.3. (Additional Incentives), above, shall be granted unless one of the following written findings are made, based upon substantial evidence:

- i. The *incentive* does not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c); or
- ii. The *incentive* will have a specific adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to *low-income households* and *moderate-income households*. Inconsistency with the zoning ordinance or General Plan Land Use Designation shall not constitute a specific adverse impact upon the public health or safety; or
- iii. The *incentive* would be contrary to state or federal law.

b. Required Findings for Waivers

For the purposes of required findings for *waivers*, ‘development standard’ shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(o)(2). *Waivers* allowed pursuant to Sec. 9.2.3.C.4. (Waivers) shall be approved by the applicable decision maker~~decision-making authority~~ unless the decision maker~~decision-making authority~~ makes one of the following findings, based upon substantial evidence:

- i. The *development standard* associated with a request for a *waiver* will not have the effect of physically precluding the construction of a development meeting the eligibility criteria described in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), above, at the densities

or with the base *incentives* and additional *incentives* permitted under Subsection C. (Program Rules), above.

- ii. The *waiver* would have a specific adverse impact upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
- iii. The *waiver* would have an adverse impact on any real property that is listed in the California Register of Historical Resources.
- iv. The *waiver* is contrary to state or federal law.

3. Records and Agreements

Prior to the issuance of a *building permit* for any *project* participating in the Opportunity Corridors Housing Incentive Program and utilizing one or more *incentives* pursuant to this Section (Opportunity Corridors Housing Incentive Program), covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section (Opportunity Corridors Housing Incentive Program) and Div. 4C.15. (Resident Protections) shall be recorded with the Los Angeles County Recorder.

4. Vesting

An *application* for an entitlement that was filed and fees paid prior to the date on which this Section (Opportunity Corridors Housing Incentive Program) becomes operative, shall be subject to all applicable provisions of ~~this Chapter~~ Los Angeles Municipal Code Chapter 1A, including any *incentive* menus or other provisions, that were in effect on the date the *application* was filed and fees were paid. *Projects* shall only be eligible for the *incentives*, procedures and other provisions of this Section (Opportunity Corridors Housing Incentive Program) if a new *application* is filed and associated fees for the new filing are paid on or after the operative date of this Section (Opportunity Corridors Housing Incentive Program).

Sec. 21. A new Section 9.2.4. is added to Division 9.2. of Article 9. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 9.2.4. CORRIDOR TRANSITIONS INCENTIVE PROGRAM

A. Intent

The Corridor Transitions Incentive Program aims to establish specific *incentives* and procedures for the local implementation of State Density Bonus requirements, pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other

Incentives), Sec. 65915(n), and to facilitate the creation and development of *restricted affordable units* in lower density areas in the City, in order to aid in smoothing the transition between higher-scale development along principal corridors to lower-scale development in interior neighborhoods. The Corridor Transitions Incentive Program provides the rules and framework for offering graduated increases in density and *floor area ratio* to meet this goal, while responding to lower-scale *residential* design needs and constraints.

B. Applicability

This Section (Corridor Transitions Incentive Program) 9.2.4., the “Corridor Transitions Incentive Program,” applies to a *project* providing *restricted affordable units* in exchange for *incentives* granted in this Section (Corridor Transitions Incentive Program), and the *project* meets the eligibility criteria in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below, and involves a *project activity* listed in Paragraph 1. (Project Activities), below.

1. Project Activities

The following *project activities* are subject to the Corridor Transitions Incentive Program:

- a. *New construction* for which all new *floor area* meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.
- b. *A use modification*, including the conversion of existing *floor area* from a commercial use to a *residential use* or an increase in *dwelling units* within existing *floor area*, for which all resulting new *dwelling units* and all renovated *dwelling units* meet the eligibility criteria outlined in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.
- c. *A lot modification* that results in *dwelling units* that meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

A *project* participating in the Corridor Transitions Incentive Program shall be ineligible for the *incentives* and procedures of any other housing *incentive* program in this Article, ~~9.~~ (Public Benefit Systems), elsewhere in the Los Angeles Municipal Code, or in a ~~Community Plan, overlay, Specific Plan, Supplemental District, or Special Zone~~, or in any other *City* regulation or guideline, except:

- i. A *project* participating in the Corridor Transitions Incentive Program may also utilize the streamlining *incentives* granted through the Housing Element Sites Streamlining Program (Sec. 9.2.6.), provided that the *project* meets the eligibility requirements and program rules for both programs.
- ii. *Projects* that meet the definition of a Type I Adaptive Reuse Project and the eligibility requirements for both the Corridor Transitions Incentive Program and the Citywide Adaptive Reuse Program, pursuant to Sec. 9.4.6. (Citywide Adaptive Reuse Program), may participate in both *incentive* programs and receive *incentives* pursuant to both programs. The portion of the Type I Adaptive Reuse Project consisting of *new construction* may be eligible for base *incentives*, additional *incentives*, *waivers*, and public benefits options provided in Paragraphs 2., 3., 4., and 5. of Subsection C. (Program Rules), below, unless otherwise stated, and the *project* shall comply with Paragraph 1. (Procedures) in Subsection D. (Administration) based on the corresponding project type definition and associated project request.

b. Relationship to Specific Plans, Supplemental Districts, and Special Zones

As this Section (Corridor Transitions Incentive Program) implements State Density Bonus law pursuant to California Government Code ~~Sections~~ 65915-65918, in the event an applicable *Specific Plan*, *Supplemental District*, or *Special Zone* differs from the procedures, requirements, and provisions of this Section (Corridor Transitions Incentive Program), the provisions of this Section (Corridor Transitions Incentive Program) shall prevail where a project applicant seeks approval through this Section (Corridor Transitions Incentive Program).

c. Relationship to Other Zoning Provisions

i. General

As this Section (Corridor Transitions Incentive Program) implements State Density Bonus law pursuant to California Government Code ~~Sections~~ Sec. 65915-65918, in the event of any difference between the provisions of this Section (Corridor Transitions Incentive Program) and any other provision of this Zoning Code (Chapter 1A), the provisions of this Section (Corridor Transitions Incentive Program) shall prevail.

ii. Relationship to Inclusionary Housing

Restricted affordable units provided in order to meet the eligibility criteria for participation in the Corridor Transitions Incentive Program may also be used in order to count toward the *restricted affordable*

units required by the Inclusionary Housing Program, pursuant to Sec. 5C.3.1. (Inclusionary Housing Program), where applicable.

iii. Relationship to Project Review Threshold Packages

Regardless of the otherwise applicable Development Review Threshold Package required by the applied Development Standards District (Part 4B₂), and the requirements of the Development Review (Sec. 4C.14.), *projects* participating in the Corridor Transitions Incentive Program are exempt from review pursuant to Sec. 13B.2.4. (Project Review).

d. Relationship to State Density Bonus Law

The Corridors Transitions Incentive Program is intended to be consistent with State Density Bonus Law at California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. If at any time, the Corridor Transitions Incentive Program becomes inconsistent with the State Density Bonus Law, as determined by the *Director*, the provisions of the State Density Bonus Law shall supersede the provisions in this Section (Corridor Transitions Incentive Program). The *Director* may prepare Implementation Memorandums, Technical Bulletins, and/or User Guides for the purposes of providing additional guidance on the implementation of this Section (Corridor Transitions Incentive Program) and maintaining consistency with State Density Bonus Law.

C. Program Rules

1. Eligibility

To be eligible for any base *incentives*, public benefits, *waivers* or other *incentives*, in Paragraphs 2. (Base Incentives) or Paragraph 3. (Public Benefits) below, a *project* shall comply with all requirements in this Paragraph (Eligibility)⁴, as applicable, and provide any *required restricted affordable units* in order to obtain any particular *incentive*.

a. Mixed Income Housing Incentive Map

The *project* is on a *lot* that is, in whole or in part, mapped with a Corridor Transitions Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17.), or through a *Specific Plan*, *Supplemental District*, or *Special Zone*.

b. Zoning

The *project* shall not be located on a *lot* with an applied Density District (Part 6B₂) of N, 1L, 2, 3, 4, 6, 8, or 10.

c. Unit Threshold

The *project* must have a minimum of four or more *dwelling units*. For purposes of calculating units for this requirement, new *dwelling units* created within existing *floor area* may be included and *dwelling units* permitted as a result of a *density bonus* granted pursuant to Subparagraph b. of Paragraph 2. (Incentives), below, may be counted.

d. Residential Uses

A minimum of ~~two-thirds~~2/3 of the total *floor area* of the *project*, including newly constructed floor area and renovated or converted floor area, must be dedicated to *residential use* and *residential amenity space* for the units.

e. Affordability Levels

The *project* shall reserve the number of on-site *restricted affordable units* in one of the income levels listed in the “Income Level” column in the table below for the corresponding applicable Corridor Transitions Incentive Set, unless the project is on a site identified in ~~Section 1.5.15~~. (Lower Income Rezoning Housing Element Sites Map) and the project reserves at least 20 percent of its on-site *restricted affordable units* for *lower income households*, consistent with California Government Code ~~Section 65583.2~~. The *project* unit count in the below table includes all units in a project, including units allowed through a *density bonus*. All *restricted affordable units* shall be subject to the affordability standards in Sub-subparagraphs i. through iii., below.

Affordability Requirements			
Project Units	Income Levels		
	Very Low Income	Low Income	Moderate Income
11-16	2 dwelling units	2 dwelling units	3 dwelling units
5-10	1 dwelling unit	1 dwelling unit	2 dwelling units
4	–	–	1 dwelling unit

i. Corridor Transitions Incentive Set Designation

The applicable Corridor Transitions Incentive Set for a subject lot shall be mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.) or mapped through a *Specific Plan*, a *Supplemental District*, or a *Special Zone*.

ii. Calculating Affordability Requirements

The number of required on-site *restricted affordable units* shall be counted as a flat number of required *restricted affordable units* per *lot*. For consolidated *lots*, the *project* shall provide the same total number of *restricted affordable units* as required prior to the *lot* consolidation. For example, if a *project* consolidated two *lots* that allow ~~ten~~ 10 units on each *lot* into one twenty-unit project, the project would be required to provide either two very low income or low-income units, or four moderate income units.

iii. Rent and Housing Cost Schedules and Covenants

The rate of housing costs or rent for any required *restricted affordable unit* shall not exceed those specified in California Health and Safety Code Sec. 50052.5 for for-sale units, or California Health and Safety Code ~~Sec. 50053~~ for rental units. Covenants documenting required rental or for-sale rates shall be recorded pursuant to the procedures described in Sec. 9.2.4.D.2. (Records and Agreements). Restricted affordable units associated with *One Hundred Percent Affordable Housing Projects* shall comply with the affordability specified in Sec. 9.2.2.C.1.d.ii.a-) (One Hundred Percent Affordable Housing Projects).

f. Housing Replacement

The *project* shall meet any applicable housing replacement requirements and demolition protections of California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c)(3) and ~~Division~~ Div. 4C.15. (Resident Protections) of this Chapter. Replacement *dwelling units* required pursuant to ~~Division~~ 4C.15. (Resident Protections) shall count toward any *restricted affordable unit* requirements.

g. Fair Housing Requirements

Restricted affordable units shall meet the applicable requirements regarding the size, location, amenities and allocation of restricted affordable units in Sec. 4C.15.3. (Restricted Affordable Units) and in any Implementation Memorandum or Technical Bulletin prepared and adopted by the Los Angeles Housing Department or Department of City Planning.

h. Historic Resources

A *project* shall comply with both of the following concerning historic resources:

- i. A *project* will not require the *demolition*, as *demolition* is defined in Subsection C. (Definitions) of Sec. 13B.8.1. (General Provisions), of a *designated historic resource*, or *surveyed historic resource* identified for historic protection or special consideration or review by an applicable *Supplemental District*, *Special Zone*, or *Specific Plan*. Such a *project* is not eligible for *incentives* under the Corridor Transitions Incentive Program.
- ii. A *project* involving the alteration of a *designated historic resource* shall be consistent with the Secretary of the Interior's Standards for Rehabilitation as supported by an expert study that has been accepted by the Office of Historic Resources, or demonstrated by the project plans and accepted by the Office of Historic Resources, if consistent with the applicable adopted Implementation Memorandum, Guidelines or Technical Bulletins of the Director of City Planning.

i. Unit Habitability Requirements

For purposes of this Sec. 9.2.4. (Corridor Transitions Incentive Program), the term “dwelling unit” or “unit” shall mean a complete independent living facility that includes permanent provisions for living, sleeping, eating, a *kitchen*, and sanitation. The term “dwelling unit” or “unit” in this Section (Corridor Transitions Incentive Program) shall not be a reference to a *household dwelling unit*, a *shared housing unit*, or an *efficiency dwelling unit*.

j. Lot Amenity Alternatives

The *project* shall meet its *lot amenity space* requirement by using one of the *lot amenity alternative* types in Sec. 2C.3.5. (Lot Amenity Alternatives).

2. Base Incentives

A *project* meeting the eligibility criteria in Paragraph 1. (Eligibility) shall be granted the following *incentives*, subject to the review procedures in Subsection D. (Administration), below, as applicable.

- a. The *project* may utilize one of the Alternate Typologies established in Div. 7B.7. (Corridor Transitions) as provided in the table below.

Corridor Transitions Alternate Typologies Eligibility	
Corridor Transitions Incentive Set Mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.)	Eligible Corridor Transitions Alternate Typologies

CT-3	Corridor Transitions 3 (Sec. 7B.7.3.)
CT-2	Corridor Transitions 2 (Sec. 7B.7.2.)
CT-1	Corridor Transitions 1 (Sec. 7B.7.1.)

- b. Regardless of Subparagraph a., above, a *project* on a site with a *designated historic resource* or a non-contributor shall not be eligible for Corridor Transitions 3 Alternate Typology and may use the base *incentives* outlined in the Corridor Transitions 2 Alternate Typology.
- c. The *project* shall be exempt from any applicable improvement requirement for roadway widening, including the relocation of an established curb or curb and gutter, pursuant to Div. 10.1. (Street Dedication & Improvement). This *incentive* shall not require an approval pursuant to Sec. 10.1.10. (Waiver and Appeals). A *project* utilizing this incentive shall comply with all dedication requirements under Div. 10.1. (Street Dedication & Improvement) and complete all other required public *right-of-way* improvements, including but not limited to sidewalk improvements, unless a Waiver of Dedication and Improvement is granted pursuant to Sec. 10.1.10. (Waiver & Appeals). A *project* shall further be eligible for relief from some required dedication, where specified by Sec. 10.2.1. (Requirements). Regardless of the above, any otherwise required dedication and improvement shall conform to the Street Dedication and Improvement Investigation Criteria adopted or amended pursuant to Council File 22-1476. A project in a *Very High Fire Hazard Severity Zone, Hillside Area, or Coastal Zone*, or *projects* subject to procedures in ~~LAMC Section 13B.2.3. (Class 3 Conditional Use Permit) of Chapter 1A of this Code~~ shall not be eligible for this base *incentive*.

3. Public Benefits

- a. The *project* may access up to the *tier 2 bonus floor area ratio*~~FAR~~ and *tier 2 bonus height* allowed by the applied Form District (Part 2B₂) or applicable Corridor Transitions Alternate Typology (Div. 7B.7.) by providing public benefits options allowed pursuant to Sec. 9.3.4. (Public Benefits Menu).
- b. Projects are eligible for the following public benefit options:
 - i. The public benefit option listed in Sec. 9.3.4. (Public Benefits Menu) Set 1; and

- ii. One or more of the public benefit options listed for the Public Benefits Incentive Set mapped for the lot on the Public Benefits Incentive Map (Sec. 1.5.12.).
- c. The applicable Public Benefits Incentive Set shall establish the *floor area ratio* and height bonuses associated with each eligible public benefit option, pursuant to Sec. 9.3.4. (Public Benefits Menu).

D. Administration

1. Procedures

The following review and approval procedures apply to *projects* participating in the Corridor Transitions Incentive Program. Ministerial approval in this Paragraph shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code Sec. 65583.2(i).

a. Projects Requesting Only Base Incentives

A *project* requesting only the base *incentives* outlined in Paragraph 2. (Base Incentives) of Subsection C. (Program Rules), above, shall be subject to a ministerial approval process by the *Department of Building and Safety*.

b. Projects Providing Public Benefits

A *project* requesting higher *incentives* or additional incentives in exchange for providing one or more public benefits as outlined in Paragraph 3. (Public Benefits) of Subsection C. (Program Rules), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review). Such *projects* shall not be subject to any hearing procedures regardless of the provisions contained in ~~LAMC Section~~ 13B.3.2. (Expanded Administrative Review).

c. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10. (Multiple Approvals) apply to *projects* seeking other discretionary approvals in conjunction with any incentives that are requested pursuant to the Corridor Transitions Incentive Program. Regardless of any other findings that may otherwise be applicable for the other discretionary approvals, the decision maker must approve the *incentives* requested pursuant to the Corridor Transitions Incentive Program, subject to any procedures established in this Section (Corridor Transitions Incentive Program).

d. Waivers and Additional Incentives

A *project* that requests a *waiver* (~~see Cal. Gov. Code Sec. 65915(e))~~ or additional *incentive* not offered in Sec. 9.2.4. (Corridor Transitions Incentive Program), ~~or an incentive intensity not offered in Sec. 9.2.4~~ is not eligible for review and approval through this Section (Corridor Transitions Incentive Program). Such a *project* shall seek approval pursuant to Sec. 9.2.1. (State Density Bonus Program), and the procedures, *incentive* menu and other requirements of that Section 9.2.1. (State Density Bonus Program), if eligible.

2. Records and Agreements

Prior to the issuance of a *building permit* for any project participating in the Corridor Transitions Incentive Program and utilizing one or more *incentives* pursuant to this Section (Corridor Transitions Incentive Program), covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section (Corridor Transitions Incentive Program) and set as forth in Div. 4C.15. (Resident Protections) shall be recorded with the Los Angeles County Recorder.

3. Vesting

An *application* for an entitlement that was filed and fees paid prior to the date on which this Section (Corridor Transitions Incentive Program) becomes operative, shall be subject to all applicable provisions of ~~Los Angeles Municipal Code Chapter 1A~~ this Chapter, including any *incentive* menus or other provisions, that were in effect on the date the application was filed and fees were paid. *Projects* shall only be eligible for the *incentives*, procedures and other provisions of this Section (Corridor Transitions Incentive Program) if a new *application* is filed and associated fees for the new filing are paid on or after the operative date of this Section (Corridor Transitions Incentive Program).

Sec. 22. A new Section 9.2.5. is added to Division 9.2. of Article 9. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 9.2.5. TRANSIT ORIENTED INCENTIVE PROGRAM

A. Intent

The Transit Oriented Incentive Program aims to: establish specific *incentives* and procedures for the local implementation of State Density Bonus requirements, pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(n); encourage the creation and development of *restricted affordable units* through mixed-income housing citywide; and offer tailored *incentives* in areas throughout the *City* with *high quality transit service*.

B. Applicability

This Section (Transit Oriented Incentive Program)~~9.2.5.~~, the “Transit Oriented Incentive Program,” applies to a *project* that: provides *restricted affordable units* in exchange for *incentives* granted in this Section (Transit Oriented Incentive Program); meets the eligibility criteria established in Sec. 9.2.5.C.1. (Eligibility), below; and involves a *project activity* listed in Paragraph 1. (Project Activities), below.

1. Project Activities

The following *project activities* are subject to the Transit Oriented Incentive Program:

- a. *New construction* for which all new *floor area* meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.
- b. *A use modification*, including the conversion of existing floor area from a non-residential use to a *residential use* or an increase in *dwelling units* within existing *floor area*, for which all resulting new *dwelling units* and all renovated *dwelling units* meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.
- c. *A lot modification* that results in *dwelling units* that meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

A project is ineligible for the bonuses, incentives and procedures of the Transit Oriented Incentive Program if it is participating in any other housing incentive program in the Los Angeles Municipal Code, or in a *Specific Plan*, *Supplemental District*, or *Special Zone*, or in any other *City* regulation or guideline, except:

- i. *A project* may also utilize the streamlining *incentives* in the Housing Element Sites Streamlining Program (Sec. 9.2.6.), provided that the project meets the eligibility requirements and program rules for both programs.
- ii. *A project* that meets the definition of a Type I Adaptive Reuse Project and the eligibility requirements for both the Transit Oriented Incentive Program and the Citywide Adaptive Reuse Program, pursuant to Sec. 9.4.6. (Citywide Adaptive Reuse Program), may participate in both *incentive* programs and receive *incentives* pursuant to both programs.

The portion of the *unified adaptive reuse project* consisting of *new construction* may be eligible for base *incentives*, additional *incentives*, *waivers*, and public benefits options outlined in Paragraphs 2., 3., 4., and 5. of Subsection C. (Program Rules), below, unless otherwise stated, and the project shall comply with Paragraph 1. (Procedures) in Subsection D. (Administration) based on the corresponding project type definition and associated *project* request.

- iii. This Section (Transit Oriented Incentive Program) expressly authorizes a project to use another housing *incentive* program as specified.

b. Relationship to Specific Plans Special Districts, and Special Zones

As the Transit Oriented Incentive Program implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any difference between any provision in this Section (Transit Oriented Incentive Program) and any provision in a *Specific Plan*, *Supplemental District*, or *Special Zone*, the provisions of this Section (Transit Oriented Incentive Program) shall prevail where a project applicant seeks approval through this Section (Transit Oriented Incentive Program).

c. Relationship to Other Zoning Provisions

i. General

As this Section (Transit Oriented Incentive Program) implements State Density Bonus law pursuant to California Government Code, Chapter 4.3 (Density Bonuses and Other Incentives), Sec. 65915-65918, in the event of any difference between the provisions of this Section (Transit Oriented Incentive Program) and any other provision of ~~the~~ this Zoning Code (Chapter 1A), the provisions of this Section (Transit Oriented Incentive Program) shall prevail.

ii. Relationship to Inclusionary Housing

Restricted affordable units provided in order to meet the eligibility criteria for participation in the Transit Oriented Incentive Program may also be used in order to count toward the *restricted affordable units* required by the Inclusionary Housing Program, pursuant to Sec. 5C.3.1. (Inclusionary Housing Program), where applicable.

iii. Relationship to Project Review Threshold Packages

Regardless of the otherwise applicable Development Review Threshold Package required by the applied Development Standards District (Part 4B.), and the requirements in Development Review (Sec.

4C.14.) projects participating in the Transit Oriented Incentive Program are exempt from review pursuant to Sec. 13B.2.4. (Project Review).

d. Relationship to State Density Bonus Law

The Transit Oriented Incentive Program is intended to be consistent with State Density Bonus Law ~~at~~ in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. If at any time, the Transit Oriented Incentive Program becomes inconsistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, as determined by the *Director*, the provisions of State Density Bonus Law shall supersede the provisions in this Section (Transit Oriented Incentive Program). The *Director* may prepare Implementation Memorandums, Technical Bulletins, and/or User Guides for the purposes of providing additional guidance on the implementation of this Section (Transit Oriented Incentive Program) and maintaining consistency with the State Density Bonus Law.

C. Program Rules

1. Eligibility

To be eligible for any base *incentives*, additional *incentives*, *waivers*, public benefits, or other *incentives* provided in the Transit Oriented Incentive Program in Paragraphs 2. (Base Incentives) through Paragraph 5. (Public Benefits), below, a *project* shall comply with all requirements provided in this Paragraph (Eligibility)~~4.~~, as applicable, and provide any required *restricted affordable units* in order to obtain any particular *incentive*.

a. Unit Threshold

A *project* must have a minimum of five or more *dwelling units*. The units counted for purposes of this requirement includes *dwelling units* permitted as a result of a *density bonus* granted pursuant to Paragraph 2. (Base Incentives), below.

b. Zoning

The *project* shall not be located on a *lot* with an applied Density District (Part 6B₂) of N or 1L.

c. Residential Uses

A minimum of ~~two-thirds~~ 2/3 of the total *floor area* of a *project*, including newly constructed *floor area* and renovated or converted *floor area*, must be dedicated to *residential use* and *residential amenity space* for the units.

d. Transit Oriented Incentive Map

The *project* must be located on a *lot* for which a Transit Oriented Incentive Set has been mapped on the Transit Oriented Incentive Map (Sec. 1.5.16.), or through a *Specific Plan*, Supplemental District, or *Special Zone*.

e. Affordability Levels

The *project* shall reserve the minimum percentage of its *dwelling units* for on-site *restricted affordable units* provided for the Transit Oriented Incentive Program Set designated for the project lot, based on the housing market tier or opportunity area of the lot, subject to the affordability standards in Sub-subparagraphs i. through iv., below.

i. Single or Mixed Affordability Option

A *project* may opt to meet its affordability requirement by providing *restricted affordable units* at rates determined by the methodology outlined in Sub-sub-subparagraph i.a) (Single Affordability Requirements), below, or the methodology described in Sub-sub-subparagraph ii. (Mixed Affordability Options), below, or the methodology described in Sub-sub-subparagraph c) (Low Income Site Affordability Requirements), below, as applicable.

a) Single Affordability Requirement

A *project* opting to use the Single Affordability Requirements table shall provide *restricted affordable units* for one of the income levels listed in the table below in the "Income Levels" column at the corresponding percentage of total *dwelling units* (all units including bonus units) for the applicable Transit Oriented Incentive Set and Market Tier for the project lot.

Single Affordability Requirements				
Mixed Income Incentive Set	Market Tiers	Income Levels		
		Extremely Low Income	Very Low Income	Low Income
T-3	High Medium and High Market Tiers	13%	17%	27%
T-2		12%	16%	25%

T-1		11%	14%	23%
T-3	Low and Medium Market Tiers	11%	15%	25%
T-2		10%	14%	23%
T-1		9%	12%	21%

b) Mixed Affordability Requirements

A *project* using the Mixed Affordability Options shall provide *restricted affordable units* at the percentages and in the combinations listed in the “Income Levels” columns in the following table, by applying the percentages to all project units (including bonus units). A *project* shall provide the percentages of *restricted affordable units* associated with the opportunity area for the project lot, as specified by the California Tax Credit Allocation Committee (TCAC) opportunity area for the project lot. A *project* opting to use any of the Mixed Affordability Level Options must also provide at least one *restricted affordable unit* containing four or more *habitable rooms* at the deepest affordability level required.

Mixed Affordability Options				
TCAC Opportunity Area	Income Levels			
	Acutely Low Income	Extremely Low Income	Very Low Income	Moderate Income
Moderate and Lower Opportunity Areas	-	4%	8%	-
Higher Opportunity Areas	4%	4%	-	12%

c) Low Income Site Affordability Requirements

A project on a site identified in Sec. 1.5.15. (Lower Income Rezoning Housing Element Sites Map) may meet its affordability requirement by providing 20 percent of its on-site *restricted affordable units* for *lower income households*, consistent with California Government Code Section 65583.2.

ii. Transit Oriented Incentive Set Designation

The applicable Transit Oriented Incentive Set shall be determined based on the designation shown on the Transit Oriented Incentive Map established in Sec. 1.5.16. (Transit Oriented Incentive Map), or is mapped through a *Specific Plan, Supplemental District, or a Special Zone*.

iii. Calculating Affordability Requirements

In calculating the minimum percentage of on-site *restricted affordable units*, the percentage of each affordability level shall be based on the total *project dwelling unit* count, including *dwelling units* permitted as a result of a *density bonus* granted pursuant to Paragraph 2. (Base Incentives), below. Any number resulting in a fraction shall be rounded up to the next whole number, and not as specified in Sec. 6C.1.2. (Lot Area Per Household Dwelling Unit) or Sec. 6C.1.3. (Lot Area Per Efficiency Dwelling Unit).

iv. Housing Market Tier Designation

A *project's* housing market tier shall be determined by the residential market areas adopted by City Council resolution, as described in Sec. 15.4.3. (Affordable Housing Linkage Fee).

v. Rent and Housing Cost Schedules and Covenants

The rate of housing costs or rent for any required restricted affordable unit shall not exceed those specified in California Health and Safety Code Section 50052.5 (Affordable Housing Costs) for for-sale units or California Health and Safety Code Section 50053 for rental units. Covenants documenting required rental or for sale rates shall be recorded pursuant to the procedures described in Sec. 9.2.3.D.3. (Records and Agreements). Restricted Affordable Units associated with *One Hundred Percent Affordable Housing Projects* shall comply with the affordability specified in Sec. 9.2.2.C.1.d.ii.a. (One Hundred Percent Affordable Housing Projects).

f. Housing Replacement

The *project* shall meet any applicable housing replacement requirements and demolition protections established in Division 4C.15. (Resident Protections). Replacement *dwelling units* required pursuant to Division 4C.15. (Resident Protections) shall count toward any *restricted affordable unit* requirements.

g. Fair Housing Requirements

Restricted affordable units shall meet the applicable requirements regarding the size, location, amenities and allocation of restricted affordable units established in Sec. 4C.15.3. (Restricted Affordable Units) and in any Implementation Memorandum or Technical Bulletin prepared and adopted by the Los Angeles Housing Department or Department of City Planning.

h. Historic Resources

- i. A *project* requiring the *demolition*, as demolition is defined in Subsection C. (Definitions) of Sec. 13B.8.1. (General Provisions), of a *designated historic resource*, or *surveyed historic resource* identified for historic protection or special consideration or review by an applicable *Specific Plan*, *CPIO*, or *Conservation District* is not eligible for *incentives* under the Transit Oriented Incentive Program.
- ii. A *project* involving the alteration of a *designated historic resource* shall be consistent with the Secretary of the Interior's Standards for Rehabilitation as supported by an expert study that has been accepted by the Office of Historic Resources, or demonstrated by the project plans and accepted by the Office of Historic Resources, if consistent with the applicable adopted Implementation Memorandum, Guidelines or Technical Bulletins of the Director of City Planning.

i. Unit Habitability Requirements

For purposes of this Section (Transit Oriented Incentive Program) ~~9.2.5~~, the term "dwelling unit" or "unit" shall mean a complete independent living facility that includes permanent provisions for living, sleeping, eating, a *kitchen*, and sanitation. The term "dwelling unit" or "unit" in this Section (Transit Oriented Incentive Program) shall not be a reference to a *household dwelling unit*, a *shared housing unit*, or an *efficiency dwelling unit*.

2. Base Incentives

A *project* meeting the eligibility criteria in Paragraph 1. (Eligibility), shall be granted the following base *incentives*, subject to the procedures in Sec. 9.2.5.D.1.a. (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives), below.

- a. The *project* shall be eligible for the *density bonus*, *floor area*, height, and parking *incentives* that correspond to the *project lot's* mapped Transit Oriented Incentive Set as provided in the table below:

BASE INCENTIVES FOR TRANSIT ORIENTED INCENTIVE PROGRAM				
Incentive Set	Density Bonus	Maximum Total FAR, or Increase on Top of Base FAR	Height	Parking
T-1B ¹	100%	RG, RX, and A Use Districts: 40% increase on top of the base FAR of the applied Form District (Part 2B ₂).	One additional story, up to 11 additional feet.	No parking minimum required. If parking is provided, up to 40% of spaces may be provided as compact vehicular spaces. Tandem parking may also be permitted so long as a 24-hour attendant is present on-site.
		CX, IX, P Use Districts: 3.25:1 maximum FAR, or 40% increase on top of the base FAR of the applied Form District (Part 2B ₂), whichever is greater.		
T-1A	120%	RG, RX, and A Use Districts: 40% increase on top of the base FAR of the applied Form District (Part 2B).		
		CX, IX, P Use Districts: 4.2:1 maximum FAR, or 45% increase on top of the base FAR of the applied Form District (Part 2B ₂), whichever is greater.		
T-2B	110%	RG, RX, and A Use Districts: 40% increase on top of the base FAR of the applied Form District (Part 2B ₂).	Two additional stories, up to 22 additional feet.	
		CX, IX, P Use Districts: 4.2:1 maximum FAR, or 50% increase on top of the base FAR of the applied Form District (Part 2B ₂), whichever is greater.		
T-2A	Limited by Floor Area	RG, RX, and A Use Districts: 45% increase on top of the base FAR of the applied Form District (Part 2B ₂).		
		CX, IX, P Use Districts: 4.5:1 maximum FAR, or 50% increase on top of the base FAR of the applied Form District (Part 2B ₂), whichever is greater.		

T-3B	120%	RG, RX, and A Use Districts: 45% increase on top of the base FAR of the applied Form District (Part 2B ₂).	Three additional stories up to 33 additional feet.	
		CX, IX, P Use Districts: 4.5:1 maximum FAR, or 50% increase on top of the base FAR of the applied Form District (Part 2B ₂), whichever is greater.		
T-3A	Limited by Floor Area	RG, RX, and A Use Districts: 50% increase on top of the base FAR of the applied Form District (Part 2B ₂).		
		CX, IX, P Use Districts: 4.65:1 maximum FAR, or 55% increase on top of the base FAR of the applied Form District (Part 2B ₂), whichever is greater.		

Footnote:

1 "B" incentive sets are associated with TCAC Moderate and Lower Opportunity Areas; whereas "A" incentive sets are associated with TCAC Higher Opportunity Areas.

- b. Regardless of Sub-paragraph a., above, a project with a *maximum allowable residential density* of less than five units shall only be eligible for the following density bonus based on the applicable type of Transit Oriented Incentive Set for the project lot:
 - i. T-1: 60%
 - ii. T-2: 70%
 - iii. T-3: 80%
- c. Regardless of Subparagraph a., above, a project site with a *maximum allowable residential density* of less than five5 dwelling units, or a project site involving a *designated historic resource* or a *non-contributor*, shall not be eligible for an *incentive* to increase allowable *FAR* or height above one additional *story*.
- d. The *project* shall be exempt from any applicable improvement requirement for roadway widening, including the relocation of an established curb or curb and gutter, pursuant to Div. 10.1. (Street Dedication & Improvement). This incentive shall not require an approval pursuant to Sec. 10.1.10. (Waiver and Appeals). A *project* utilizing this *incentive* shall comply with all dedication

requirements under Div. 10.1. (Street Dedication & Improvement) and complete all other required public right-of-way improvements, including but not limited to sidewalk improvements, unless a Waiver of Dedication and Improvement is granted pursuant to Sec. 10.1.10. (Waiver & Appeals). A project shall further be eligible for relief from some required dedication, where specified by Sec. 10.2.1. (Requirements). Regardless of the above, any otherwise required dedication and improvement shall conform to the Street Dedication and Improvement Investigation Criteria adopted or amended pursuant to Council File 22-1476. A *project* in a *Very High Fire Hazard Severity Zone*, a *Hillside Area*, or a *Coastal Zone*, or a project subject to the procedures in ~~LAMC Section 13B.2.3. (Class 3 Conditional Use Permit) of Chapter 1A of this Code~~ shall not be eligible for this base *incentive*.

3. Additional Incentives

In addition to the applicable base *incentives* established in Paragraph 2. (Base Incentives), above, a *project* shall be granted up to four additional *incentives* in this Paragraph (Additional Incentives). Such a *project* may receive up to four ~~*incentives*~~ provided a *project* includes the applicable percentage of *restricted affordable units* (excluding units added by a density bonus) that is necessary to obtain the maximum number of ~~*incentives*~~ available to an income category under California Government Code Section 65915, as listed on the table in Sec. 9.2.1.C.3.a.i. (Allowed Number of Additional Incentives). *Projects* may use additional *incentives* to deviate from a *development standard* or requirement in this Zoning Code (Chapter 1A) or in an applicable *Specific Plan*, *Supplemental District*, or *Special Zone*. The four allowable additional *incentives* may be any combination of *incentives* listed in Subparagraph a. (Menu of Additional Incentives), below, and/or *incentives* requested under Subparagraph b. (Incentives Not Listed on the Menu of Additional Incentives), below.

a. Menu of Additional Incentives

A *project* shall be granted requested *incentives* from the Menu of Additional Incentives listed in Sub-subparagraphs i. (By-Right Adjustments) through Sub-subparagraph v. (Lot Width), below, pursuant to the procedures in ~~Section 9.2.5.D.1.a. (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives)~~, below.

i. By-Right Adjustments

Relief from any zoning standard that would otherwise require approval pursuant to Sec. 13B.5.2. (Adjustment) may be granted as an on-menu *incentive*, and shall not be subject to the requirements of Sec. ~~132~~13B.5.2. (Adjustment). Each adjustment-equivalent grant shall count as one *incentive* request. By-right adjustments shall not be granted in the following cases:

a) A by-right adjustment shall not apply to standards that regulate *FAR*, height, any modifications of signs standards, or for requests to allow parking in front of buildings, and *lot amenity space*.

b) A by-right adjustment shall not apply to a *designated historic resource* or a *non-contributor*.

ii. Averaging of Floor Area, Lot Amenity Space, Parking, and Density

A *project* that is located on two or more *abutting lots* may average the maximum *floor area*, minimum *lot amenity space*, minimum parking, and maximum density over the project site, provided that:

a) The proposed uses are permitted by the applied Use District (Part 5B.) of each area the *proposed uses* will be located; and

b) A covenant running with the land is recorded with the Los Angeles County Recorder, and a copy is provided to the *Department of Building and Safety* prior to the issuance of any *building permit*, that specifies no further lot line adjustment or any other action that may cause the project site to be subdivided subsequent to this grant, is permitted for the life of the *project*.

iii. Density Calculation

Any area of any land required to be dedicated for street or *alley* purposes may be included as *lot area* for purposes of calculating the maximum density permitted by the applied Density District (Part 6B.).

iv. Building Coverage

Up to a 25 percent increase in *building coverage* limits is allowed.

v. Lot Width

Up to 25 percent decrease in the required *lot width* is allowed.

b. Incentives Not Listed on the Menu of Additional Incentives

i. A *project* may request *incentives* not listed in, or in excess of an incentive allowed in, Subparagraph a. (Menu of Additional Incentives), above, subject to the approval process in Sec. 9.2.5.D.1.b. (Projects Requesting Incentives Not on the Menu of Additional Incentives), below, with the exception of any modification listed in Sub-subparagraph ii., below.

- ii. Modifications to the following standards or their equivalents in an applicable ~~Community Plan, overlay, Specific Plan, Supplemental District, or Special Zone~~, altering the criteria or level of relief allowed as outlined in Sub-subparagraph i. (By-Right Adjustments) of Subparagraph a. (Menu of Additional Incentives), above, shall not be granted as an additional *incentive* through this Section (Transit Oriented Incentive Program) and are not eligible for approval through this Section (Transit Oriented Incentive Program). *Projects* that seek these types of *incentives* not on the menu shall seek approval pursuant to the procedures, *incentives* and other requirements in Sec. 9.2.1. (State Density Bonus Program).
 - a) Lot Amenity Space (Sec. 2C.3.1.);
 - b) Any floor area ratio and height restriction established in Div. 2C.4. (Floor Area Ratio & Height);
 - c) Any upper story bulk limitations established in Div. 2C.6. (Upper Story Bulk);
 - d) Building Width (Sec. 2C.5.1.);
 - e) Building Setbacks (Sec. 2C.2.2.);
 - f) Ground story design requirements specified by the applied Frontage District (Part 3B.); or
 - g) Required Trees (Sec. 4C.6.2.).

4. Waivers

A project may request *waivers*, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the additional incentives granted pursuant to Paragraph 3. (Additional Incentives), above, subject to the procedures in Sec. 9.2.5.D.1.c. (Projects Requesting Waivers), below.

5. Public Benefits

A *project* may access additional *floor area ratio*, or height, or other modifications of standards by providing one or more public benefits, as described below. *Projects* providing public benefits shall be reviewed and approved pursuant to Sec. 9.2.5.D.1.d. (Projects Providing Public Benefits), below.

- a. The *project* may use the following public benefits options:

- i. Sec. 9.3.4.C.3.b. (Public Benefits Incentive Set 2).
- ii. Public Benefits Menu

A *project* providing public benefits shall also be eligible to provide one or more of the public benefit options listed for the Public Benefits Incentive Set mapped for the *lot* on the Public Benefits Incentive Map (Sec. 1.5.12.). The mapped Public Benefits Incentive Set shall establish the *floor area ratio* and height bonuses associated with each eligible public benefit option, pursuant to Sec. 9.3.4. (Public Benefits Menu). Multiple public benefit options can be provided by one *project* in order to combine and stack public benefit bonuses.

D. Administration

1. Procedures

The following review and approval procedures apply to a *project* participating in the Transit Oriented Housing Incentive Program. Ministerial approval in this Paragraph (Procedures) shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code Sec. 65583.2(i).

a. Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives

A *project* requesting only the base incentives outlined in Sec. 9.2.5.C.2. (Base Incentives), above, or additional on-menu incentives as outlined in Sec. 9.2.5.C.3.a. (Menu of Additional Incentives), above, and not requesting any *waivers* under Sec. 9.2.5.C.4. (Waivers) or off-menu incentives under Sec. 9.2.5.C.b. (Incentives Not listed on the Menu of Additional Incentives) shall be subject to a ministerial approval process by the *Department of Building and Safety*. Additional incentives approved by the *Department of Building and Safety* shall comply with the additional standards in Sec. 9.2.5.D.2.a. (Standards for Review for Additional Incentives), below.

b. Projects Requesting Incentives Not on the Menu of Additional Incentives

A *project* requesting incentives pursuant to Sec. 9.2.5.C.3.b. (Incentives Not on the Menu of Additional Incentives), above, shall be subject to a ministerial approval process pursuant to Sec. 13B.3.2. (Expanded Administrative Review), and shall be granted subject to the standards outlined in Subparagraph a. (Standards for Review of Additional Incentives) of Paragraph 2. (Standards for Review and Required Findings), below. Such requests shall not be subject to any hearing procedures regardless of the provisions contained in Sec. 13B.3.2. (Expanded Administrative Review).

c. Projects Requesting Waivers

A *project* requesting a *waiver*, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the number of additional *incentives* permitted pursuant to Sec. 9.2.3.C.3. (Additional Incentives), above, shall be reviewed as follows:

- i. A *project* requesting only one *waiver* pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be reviewed pursuant Sec. 13B.2.5. (Director Determination).
- ii. A *project* requesting more than one *waiver* pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be reviewed pursuant Sec. 13B.2.3. (Class 3 Conditional Use).
- iii. Regardless of any provision of Div. 13B.2. (Quasi-Judicial Review), findings for *waivers* shall be those in Subparagraph b. (Required Findings for Waivers) of Paragraph 2. (Standards for Review and Required Findings), in lieu of the findings in Div. 13B.2. (Quasi-Judicial Review); and *waivers* requiring a Class 3 Conditional Use Permit are final at the City Planning Commission and are not appealable. *Waivers* requiring a *Director Determination* are appealable to the *City Planning Commission*.

d. Projects Providing Public Benefits

Projects requesting higher *incentives* or additional *incentives* in exchange for providing one or more public benefits as outlined in Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review), and shall not be subject to any hearing procedures regardless of the provisions contained in Sec. 13B.3.2. (Expanded Administrative Review).

e. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10. (Multiple Approvals) apply to projects seeking other discretionary approvals in conjunction with any incentives requested pursuant to the Transit Oriented Incentive Program, including those listed in Paragraph 2. (Base Incentives), Paragraph 3. (Additional Incentives), Paragraph 4. (Waivers), or Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), above. Regardless of any other findings that may be applicable for the other discretionary approvals, the decision maker shall approve the *incentives* requested pursuant to the Transit

Oriented Incentive Program, subject to any procedures established in Paragraph 1. (Procedures), above, and standards established in Paragraph 2. (Standards for Review and Required Findings), below.

f. Density Bonuses, Incentives or Waivers Exceeding this Program

Projects that seek additional density bonuses, *incentives* or *waivers* beyond what is expressly allowed by this Section 9.2.5. (Transit Oriented Housing Incentive Program), shall be reviewed pursuant to Sec. 9.2.1. (State Density Bonus Program), including the requirements and findings in Sec. 9.2.1.D.1.e. (Projects with Requests for Density Bonuses in Excess of the Base Incentive).

2. Standards for Review and Required Findings

a. Standards for Review for Additional Incentives

For the purposes of standards of review for additional *incentives*, 'incentive' shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(k). Additional *incentives* allowed pursuant to Sec. 9.2.5.C.3. (Additional Incentives) shall be granted unless one of the following written findings are made, based upon substantial evidence:

- i. The *incentive* does not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c); or
- ii. The *incentive* will have a specific adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to ~~low-income~~ low income households and ~~moderate-income~~ moderate income households. Inconsistency with the zoning ordinance or *general plan* land use designation shall not constitute a specific adverse impact upon the public health or safety; or
- iii. The incentive would be contrary to state or federal law.

b. Required Findings for Waivers

For the purposes of required findings for *waivers*, 'development standard' shall be defined as in California Government Code, Chapter 4.3. (Density

Bonuses and Other Incentives), Sec. 65915(o)(2). *Waivers* allowed pursuant to Sec. 9.2.5.C.4. (Waivers) shall be approved by the applicable decision-making authority unless the decision-making authority makes one of the following findings, based on substantial evidence:

- i. The development standard associated with a request for a *waiver* will not have the effect of physically precluding the construction of a development meeting the eligibility criteria described in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), above, at the densities or with the base incentives and additional incentives permitted under Subsection C. (Program Rules), above.
- ii. The *waiver* would have a specific adverse impact upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
- iii. The *waiver* would have an adverse impact on any real property that is listed in the California Register of Historical Resources.
- iv. The *waiver* is contrary to state or federal law.

3. Records and Agreements

Prior to the issuance of a *building permit* for any *project* participating in the Transit Oriented Incentive Program and utilizing one or more *incentives* pursuant to this Section (Transit Oriented Incentive Program), covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section (Transit Oriented Incentive Program) and Div. 4C.15. (Resident Protections) shall be recorded with the Los Angeles County Recorder.

4. Vesting

An *application* for an entitlement that was filed and fees paid prior to the date on which this Section (Transit Oriented Incentive Program) becomes operative, shall be subject to all applicable provisions of ~~Los Angeles Municipal Code Chapter 4A~~this Chapter, including any *incentive* menus or other provisions, that were in effect on the date the *application* was filed and fees were paid. *Projects* shall only be eligible for the *incentives*, procedures and other provisions of this Section (Transit Oriented Incentive Program) if a new *application* is filed and associated fees for the new filing are paid on or after the operative date of this Section (Transit Oriented Incentive Program).

Sec. 23. Section 9.3.1. of Division 9.3. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is amended in entirety to read as follows:

SEC. 9.3.1. COMMUNITY BENEFITS PROGRAM STRUCTURE

A. Purpose

The purpose of this Division (Community Benefits Program) is to promote the production of restricted affordable units and improvements, facilities, resources, and services for the benefit and enjoyment of the general public.

B. Applicability

This Section (Community Benefits Program Structure) shall apply to any *project* using an incentive program that meets all of the following requirements:

1. The *project* meets the eligibility requirements in Subsection C. (Eligibility), below;
2. The *project* is providing the percentage of *restricted affordable units* required in Sec. 9.3.2. (Local Affordable Housing Incentive Program), or public benefits required pursuant to a program established in this Division (Community Benefits Program); and
3. The applied Form District (Part 2B.) provides for *tier 1 bonus floor area ratio*, *tier 2 bonus floor area ratio*, *tier 1 bonus height*, or *tier 2 bonus height*.

C. Eligibility

A *project* may obtain incentives pursuant to this Division (Community Benefits Program) subject to the allowances and requirements provided below:

1. Residential Projects

- a. A *project* that involves the construction of *dwelling units* must use the incentive program in Sec. 9.3.2. (Local Affordable Housing Incentive Program) to its fullest extent. For purposes of this Subparagraph (Residential Projects), to its fullest extent means the project provides the number of *restricted affordable units* to qualify for the maximum density increase allowed by the applicable local incentive program set in Sec. 9.3.2.B.1. (Local Incentive Program Sets).
- b. Calculation of the maximum density increase allowed and number of *restricted affordable units* required shall be based on the *maximum allowable residential density*.
- c. A *project* that involves dwelling units with unused *floor area* or height based on the *tier 2 bonus floor area ratio*~~FAR~~ or *tier 2 bonus height* available in the applied Form District (Part 2B.), may use the remaining

development potential using one of the methods below, up to the maximum allowed by the applied Form District (Part 2B.):

–i. Additional Restricted Affordable Units

Providing additional *restricted affordable units* above the minimum percentage required to qualify for the maximum density increase of the applicable affordable housing program. The amount of additional FAR or height provided for additional percentages of *restricted affordable units* shall be determined by the applicable *Specific Plan, Supplemental District, or Special Zone*.

ii. Public Benefits Incentive Programs

Using one or more of the programs established in this Division (Community Benefits Program) for additional public benefits other than *restricted affordable units*, if available as incentive programs in an applicable *Specific Plan, Supplemental District, or Special Zone*.

2. Non-Residential Projects

A *project* which does not involve the construction of *dwelling units* may use any of the programs established in this Division (Community Benefits Program) that incentivize public benefits other than *restricted affordable units*. Additional *floor area ratio* or height may be awarded up to the maximum *tier 1 bonus floor area ratio* or *tier 1 bonus height* allowed by the applied Form District (Part 2B.), as established in this Section (Community Benefits Program Structure) and in an applicable *Specific Plan, Supplemental District, or Special Zone*.

Sec. 24. Subsection E. of Section 9.3.2. of Division. 9.3. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

E. Process

The following procedures apply to *housing development projects* but may be superseded by a *Specific Plan, Supplemental District, or Special Zone*.

1. Base and Additional Incentives

A *housing development project* requesting only the base incentives in Subsection C. (Base Incentives) above, and additional incentives outlined in Subsection D. (Additional Incentives) above, or in an applicable *Specific Plan, Supplemental District, or Special Zone*, shall follow the procedures in Sec.

9.2.1.D.1.a. (Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives).

2. Additional Incentives

Housing development projects requesting additional incentives outlined in Subsection D. (Additional Incentives) above, or in the applicable *CPIO* or *Specific Plan* shall follow the procedures in Sec. 9.2.1.F.2. (Projects Requesting Additional Incentives).

3. “Off-Menu” Incentives

Housing development projects that qualify for incentives by meeting the minimum required percentage of *restricted affordable units*, as outlined in Paragraph 1. (Local Incentive Program Sets) of Subsection B. (Eligibility) above, and for which the applicant requests an off-menu incentive, waiver, or modification of any Form District (Part 2B.) standard or Development Standards District (Part 6B.) standard that is not included in the incentives outlined in Subsection C. (Base Incentives) above, or Subsection D. (Additional Incentives) above, must be approved pursuant to Sec. 9.2.1.D.1.c. (Projects with Requests for Waivers).

Sec. 25. Section 9.3.3. of Division 9.3. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is amended in its entirety to read follows:

SEC. 9.3.3. [RESERVED]

Sec. 26. Section 9.3.4. of Division 9.3. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

SEC. 9.3.4. PUBLIC BENEFITS MENU

A. Intent

The purpose of this Section (Public Benefits Menu), the “Public Benefits Menu,” is to encourage the development of facilities and services that are necessary to or are of benefit to the public and the community in which the facility or service is located. The Public Benefits Menu provides a centralized and standardized list of beneficial facilities and services that other incentive programs can point to in order to activate the provision of public facilities and services that are appropriate for the goals and needs of each program or community.

B. Applicability

1. Project Activities

As the Public Benefits Menu is enabled and activated by various incentive programs throughout this Article 9–(Public Benefit Systems), *Specific Plans*, *Supplemental Districts*, and *Special Zones*, the *project activities* applicable to the use of the Public Benefits Menus shall be those *project activities* allowed for the incentive program, *Specific Plan*, *Supplemental District*, or *Special Zone* being utilized by the *project*.

2. Reconciling Provisions

As the Public Benefits Menu is enabled and activated by various different incentive programs throughout this Article 9–(Public Benefit Systems), *Specific Plans*, *Supplemental Districts*, and *Special Zones*, any conflict between the provisions of this Section and conflicting provisions in any *Zoning District*, *Supplemental District*, *Specific Plan*, *Special Zone*, or other zoning provision shall be resolved pursuant to the reconciling provisions established for the incentive program, *Specific Plan*, *Supplemental District*, or *Special Zone*, being utilized by the *project*.

C. Program Rules

1. Eligibility

A *project* must be authorized by an incentive program in this Article 9–(Public Benefit Systems), or in an applicable *Specific Plan*, *Supplemental District*, or *Special Zone*, to be eligible to receive incentives in the Public Benefits Menu in exchange for providing public benefits.

2. Incentives

a. Bonus FAR and Bonus Height

- i. If the option to provide public benefits is enabled by an incentive program in this Article 9–(Public Benefit Systems) or in an applicable *Specific Plan*, *Supplemental District*, or *Special Zone*, a *project* shall be awarded additional *floor area* up to the maximum *tier 2 bonus floor area ratio*~~FAR~~ and *tier 2 bonus height* allowed by the applied Form District (Part 2B.), by providing one or more of the public benefits options in Paragraph 3. (Public Benefits Incentive Sets), below, or by providing an alternative community facility pursuant to Sec. 9.3.1.D.1.b. (Alternative Public Benefit Options), below.

- ii. In order to qualify for additional *floor area* and height pursuant to this Section (Public Benefits Menu), a *project* is only eligible to use the public benefits options listed in Paragraph 3. (Public Benefits Incentive Sets), below, for the Public Benefits Incentive Set mapped for the *lot* on the Public Benefits Incentive Map (Sec.1.5.12.), or for the Public Benefits Incentive Set specified within an applicable incentive program.
- iii. The amount of additional *floor area* and additional height granted for each eligible public benefits option shall be established by the mapped Public Benefits Incentive Set or by the applicable *Specific Plan, Supplemental District, or Special Zone*. However, the total *floor area* on the *lot* or height of the *project* shall not exceed the maximum *tier 2 bonus floor area ratio* ~~FAR~~ and *tier 2 bonus height* allowed by the applied Form District (Part 2B₂) or applicable Alternative Typology (Part 7B.), except where permitted in Sec. 2C.4.1.C.3₂ (Tier 2 Bonus), Sec. 2C.4.2.C.3. (Tier 2 Bonus), or Sec. 2C.4.3.C.2.b. (Tier 2 Bonus).

b. Tenant Size Limitations

When used to qualify for additional *floor area* or height pursuant to this Section (Public Benefits Menu), spaces dedicated to one or more of the eligible public benefits options outlined in Paragraph 4. (Public Benefits Options), below, are not required to conform to tenant size limitations in the applied Use Districts (Part 5B₂).

3. Public Benefits Incentive Sets

a. Public Benefits Incentive Set 1

Projects on a *lot* mapped with Public Benefits Incentive Set 1 or identified as eligible for Public Benefits Incentive Set 1 through an applicable incentive program shall be eligible to obtain the any additional *floor area* and/or additional height identified in the table below, up to the maximum *tier 2 bonus floor area ratio* and *tier 2 bonus height* allowed by the applied Form District (Part 2B₂) or eligible Alternative Typology (Part 7B.), by providing the corresponding public benefits options listed in the table, as the options are described in ~~Subsection D~~ Paragraph 4. (Public Benefits Option), below:

Public Benefit Option	Additional Floor Area Granted	Additional Height Granted
Multi Bedroom Units	Option C: 0.5 FAR	Option C: 1 story

(Sec. 9.3.4.C.4.h.)		
Childcare Facility (Sec. 9.3.4.C.4.a.)	<p>Shall be granted one of the following:</p> <p>Additional <i>floor area</i> for <i>residential use</i> equivalent to the total floor area dedicated to a qualifying childcare facility in the <i>project</i>; or</p> <p>1 <i>story</i>; or</p> <p>For a <i>project</i> participating in an incentive program in Div. 9.2. (Citywide Housing Incentive Programs), one additional incentive from the Menu of Additional Incentives for the applicable incentive program or an incentive not listed on the Menu of Additional Incentives, where the requested incentive contributes significantly to the economic feasibility of the construction of the childcare facility.</p>	

b. Public Benefits Incentive Set 2

Projects on a *lot* mapped with Public Benefits Incentive Set 2 or identified as eligible for Public Benefits Incentive Set 2 through an applicable incentive program shall be eligible to obtain any additional *floor area* and/or additional height identified in the table below, up to the maximum *tier 2 bonus floor area ratio* and *tier 2 bonus height* allowed by the applied Form District (Part 2B₂) or eligible Alternative Typology (Part 7B.), by providing the corresponding public benefits options listed in the table, as the options are described in ~~Subsection D Paragraph 4.~~ (Public Benefits Option), below:

Public Benefit Option	Additional Floor Area Granted	Additional Height Granted
Active Ground Story (Sec. 9.3.4.C.4.I.)	<i>Floor area</i> equivalent to the total <i>floor area</i> dedicated to active uses located on the <i>ground story</i> , up to a maximum of 1,500 sq.-ft.	N/A
Childcare Facility (Sec. 9.3.4.C.4.a.)	<p>Shall be granted one of the following:</p> <p><i>Additional floor area</i> for <i>residential use</i> equivalent to the total <i>floor area</i> dedicated to a qualifying childcare facility in the <i>project</i>; or</p> <p>1 <i>story</i>; or</p> <p>For a <i>project</i> participating in an incentive program in Div. 9.2. (Citywide Housing Incentive Programs), one additional incentive from the Menu of Additional Incentives for the applicable incentive program or an incentive not listed on the menu of additional incentives, where the requested incentive contributes significantly to the economic feasibility of the construction of the childcare facility.</p>	
Multi-Bedroom Units (Sec. 9.3.4.C.4.h.)	<p>One of the following:</p> <p>Option A: 0.5 FAR for every 25 total project <i>dwelling units</i>, inclusive of provided multi-bedroom units (inclusive of density bonus units and <i>restricted affordable units</i>), with a maximum of 2.0 FAR; or</p> <p>Option B: <i>Floor area</i> equivalent to the total <i>floor area</i> dedicated to multi-</p>	<p>One of the following:</p> <p>Option A: 1 <i>story</i> for every 50 total project <i>dwelling units</i>, inclusive of provided multi-bedroom units, with a maximum of 2 <i>Stories</i>; or</p> <p>Option B: 1 <i>story</i>, with floor area of the top story limited to the total floor area dedicated to multi-bedroom</p>

	bedroom units in the <i>project</i> .	units in the <i>project</i> .
Privately Owned Public Space (Sec. 9.3.4.C.4.i.)	For a privately owned public space located at-grade: 1.0 FAR For a privately owned public space located on an <i>upper story</i> : 0.5 FAR	For a privately owned public space located at-grade: <i>2 stories</i> For a privately owned public space located on an <i>upper story</i> : <i>1 story</i>
Surveyed Historic Resources Facade (Sec. 9.3.4.C.4.k.)	1.0 FAR	<i>2 stories</i>

c. “CPIO” Public Benefit Incentive Sets

Where a *lot* is mapped on the Public Benefits Incentive Map (Sec.1.5.12.) as “CPIO”, the *CPIO* will establish public benefits options and the corresponding additional *floor area* and height granted for each public benefit option. The *CPIO* may establish additional public benefits options not listed in this Section (Public Benefits Menu) and when establishing additional public benefits shall provide descriptions, standards, and requirements for the use of the public benefits.

d. “SP” Public Benefit Incentive Sets

Where a *lot* is mapped on the Public Benefits Incentive Map (Sec.1.5.12.) as “SP”, a *Specific Plan* will establish the public benefits options and the corresponding additional *floor area* and height granted for each public benefit option. The *Specific Plan* may establish additional public benefits options not listed in this Section (Public Benefits Menu) and when establishing additional public benefits shall provide descriptions, standards, and requirements for public benefits.

4. Public Benefits Options

In order to qualify for any *incentive* provided in Paragraph 3. (Public Benefits Incentive Sets) above, or an applicable *incentive* program in a *Specific Plan*, *Supplemental District*, or *Special Zone*, which refers to this Section ~~9.3.4.~~ (the Public Benefits Menu), any public benefits option included in a *project* must meet all the applicable requirements provided below.

a. Childcare Facility

- i. The childcare facility shall comply with all requirements of California Code of Regulations, Title 22 (Social Security), Division 12 (Child Care Facility Licensing Regulations), Chapter 1 (Child Care Center General Licensing Requirements).
- ii. The childcare facility shall be appropriately licensed by the California Department of Social Services.
- iii. *Floor area* used as a childcare facility shall be used for such purpose for a minimum of 55 years after the *Certificate of Occupancy* is issued. For the purposes of this provision, the time in which the childcare facility space is vacant does not count towards the required minimum.
- iv. A minimum ~~ten~~10-year lease with a licensed childcare provider, with a five-year renewal option, shall be required prior to the issuance of a *Certificate of Occupancy*. This requirement does not mean that the licensed childcare provider is required to complete the term of the lease. If the lease is not completed prior to the ~~ten~~10-year term, the property owner or their representative shall find a new licensed childcare provider to complete the ten-year term. For the purposes of this provision, the time in which the childcare facility space is vacant does not count towards the required minimum.
- v. The *floor area* devoted to a childcare facility shall be located on-site.
- vi. For a *project* which is obtaining additional *floor area* for providing a childcare facility, no other *Certificate of Occupancy* for the *project* shall be issued prior to a *Certificate of Occupancy* for the childcare facility required pursuant to this Section (Public Benefits Menu).
- vii. Notwithstanding the Public Benefit available under this Subparagraph (Child Care Facility), pursuant to California Government Code Section 65915(h)(3), a *density bonus* or incentive for a childcare facility shall not be provided if it is found, based on substantial evidence, that the community has adequate childcare facilities.

b. Full-Service Grocery Store

- i. The *full-service grocery store* shall have at least 10,000 square feet of *floor area*.

- ii. At least 25 percent of the *floor area* of the *full-service grocery store* shall be dedicated to perishable food items.
- iii. The *full-service grocery store* shall accept EBT or other forms of government assistance.
- iv. *Floor area* used as a *full-service grocery store* shall be used for such purpose for a minimum of 55 years after the *Certificate of Occupancy* is issued. For the purposes of this provision, the time in which the *full-service grocery store* space is vacant does not count towards the required minimum.
- v. A minimum ~~ten~~10-year lease with a *full-service grocery store*, with a five-year renewal option, shall be required prior to the issuance of a *Certificate of Occupancy*. This requirement does not mean that the *full-service grocery store* is required to complete the term of the lease. If the lease is not completed prior to the ~~ten~~10-year term, the property owner or their representatives shall find a new *full-service grocery store* to complete the ~~ten~~10-year term. For the purposes of this provision, the time in which the *full-service grocery store* space is vacant does not count towards the required minimum.
- vi. The *floor area* devoted to a *full-service grocery store* shall be located on-site.
- vii. For a *project* which is obtaining additional *floor area* for providing a *full-service grocery store*, no other *Certificate of Occupancy* for the project shall be issued prior to a *Certificate of Occupancy* for the *full-service grocery store* required pursuant to this Section (Public Benefits Menu).

c. Health Center

- i. The *health center* shall be certified by the United States Department of Health and Human Services, Health Resources and Services Administration (HRSA) as a Federally Qualified Health Center (FQHC), or FQHC Look-Alike as defined by the HRSA.
- ii. *Floor area* provided for a *health center* shall be used for such purpose for a minimum of 55 years after the *Certificate of Occupancy* is issued. For the purposes of this provision, the time in which the *health center* space is vacant does not count towards the required minimum.

- iii. A minimum ~~ten~~10-year lease with a health service provider, with a five-year renewal option, shall be required prior to the issuance of a *Certificate of Occupancy*. This requirement does not mean that the health service provider is required to complete the term of the lease. If the lease is not completed prior to the ~~10~~ten-year term, the property owner or their representatives shall find a new health service provider to complete the ~~10~~ten-year term. For the purposes of this provision, the time in which the *health center* space is vacant does not count towards the required minimum.
- iv. The *floor area* used as a *health center* shall be located on-site.
- v. For a *project* which is obtaining additional *floor area* for providing a *health center*, no other *Certificate of Occupancy* for the *project* shall be issued prior to a *Certificate of Occupancy* for the *health center* required pursuant to this Section (Public Benefits Menu).

d. Employment Area

- i. A minimum of 50 percent of the *floor area* permitted by the Base FAR must be used for *nonresidential uses* outlined in the applicable incentive program, or *CPIO* or *Specific Plan*.
- ii. The *floor area* for those eligible uses is maintained for a minimum of 55 years after the issuance of the *Certificate of Occupancy*. For the purposes of this provision, the time in which the space for the eligible uses is vacant does not count towards the required minimum.
- iii. A minimum ten-year lease with a tenant with an eligible use, with five-year renewal option, shall be required prior to the issuance of a *Certificate of Occupancy*. This requirement does not mean that the tenant with an eligible use is required to complete the term of the lease. If the lease is not completed prior to the ~~10~~ten-year term, the property owner or their representatives shall find a new tenant with an eligible use to complete the ~~ten~~10-year term. For the purposes of this provision, the time in which the *floor area* for those eligible uses is vacant does not count towards the required minimum.
- iv. The *floor area* devoted to eligible uses shall be located on-site.

e. School and Library

- i. *Floor area* used for a *school* shall be occupied by a *school* run by or approved by the Los Angeles Unified School District (LAUSD), and shall be properly accredited. *Floor area* used for a library shall

be occupied by a library operated by the City of Los Angeles Library Department. The applicant must obtain a written agreement from either LAUSD or the City of Los Angeles Library Department confirming the space will be used for a *school* or library.

- ii. *Floor area* for a *school* or library shall be used for such purpose for a minimum of 55 years after the *Certificate of Occupancy* is issued. For the purposes of this provision, the time in which the *school* or library space is vacant does not count towards the required minimum.
- iii. A minimum 55-year lease with a *school* run by or approved by LAUSD or the City of Los Angeles Library Department shall be required prior to the issuance of a *Certificate of Occupancy*. This requirement does not mean that the *school* run by or approved by LAUSD or the City of Los Angeles Library Department is required to complete the term of the lease. If the lease is not completed by a *school* run by or approved by LAUSD prior to the ~~10~~^{ten}-year term, the property owner or their representatives shall find a new *school* run by or approved by LAUSD to complete the ~~10~~^{ten}-year term. For the purposes of this provision, the time in which the public school or public library space is vacant does not count towards the required minimum.
- iv. The *floor area* devoted to a *school* or library shall be located on-site.
- v. For a *project* which is obtaining additional *floor area* for providing a *school* or library, no other *Certificate of Occupancy* for the *project* shall be issued prior to a *Certificate of Occupancy* for the *school* or library required pursuant to this Section (Public Benefits Menu).

f. Social Service Center

- i. The *project* provides *floor area* for employment services, job training, business incubation, youth development, educational services, medical care, mental health care, substance abuse treatment, or food aid (*social service centers*).
- ii. The *social service center* must be operated by a government agency or a 501(c)(3) non-profit organization.
- iii. Services shall be provided on a voluntary basis with an emphasis on employment services, job training, business incubation, youth development, educational services, medical care, mental health care, substance abuse treatment, food aid, or other services

deemed appropriate by the *Director* of Planning pursuant to Sec. 13B.2.5. (Director Determination).

- iv. *Floor area* used as a *social service center* shall be used for such purpose for a minimum of 55 years after the *Certificate of Occupancy* is issued. For the purposes of this provision, the time in which the *floor area* for the *social service center* is vacant does not count towards the required minimum.
- v. A minimum ten-year lease with a *social service center*, with a five-year renewal option, shall be required prior to the issuance of a *Certificate of Occupancy*. This requirement does not mean that the *social service center* is required to complete the term of the lease. If the lease is not completed prior to the ten-year term, the property owner or their representatives shall find a new *social service center* to complete the ~~ten~~10-year term. For the purposes of this provision, the time in which the *floor area* for the *social service center* is vacant does not count towards the required minimum.
- vi. The *floor area* devoted to a *social service center* shall be located on-site.
- vii. For a *project* which is obtaining additional *floor area* for providing a *social service center*, no other *Certificate of Occupancy* for the *project* shall be issued prior to a *Certificate of Occupancy* for the *social service center* required pursuant to this Section (Public Benefits Menu).

g. Civic Facility

- i. Eligible facilities include: cultural centers, museums, police stations, fire stations, community centers, indoor recreation, or other public facilities deemed appropriate by the Director of Planning pursuant to Sec. 13B.2.5. (Director Determination).
- ii. *Floor area* used for a *civic facility* shall be used for such purpose for a minimum of 55 years after the *Certificate of Occupancy* is issued. For the purposes of this provision, the time in which the *floor area* for the *civic facility* is vacant does not count towards the required minimum.
- iii. A minimum 55-year lease with the ~~City of Los Angeles~~, or an organization approved by the ~~City of Los Angeles~~, shall be required prior to the issuance of a *Certificate of Occupancy*. This requirement does not mean that the ~~City of Los Angeles~~, or the organization designated by the ~~City of Los Angeles~~, is required to

complete the term of the lease. If the lease is not completed by the ~~City of Los Angeles~~, or an organization approved by the ~~City of Los Angeles~~, prior to the 55-year term, the property owner or their representatives shall find a new organization approved by the ~~City of Los Angeles~~ to complete the 55-year term. For the purposes of this provision, the time in which the *civic facility* is vacant does not count towards the required minimum.

- iv. The *floor area* devoted to a *civic facility* shall be located on-site.
- v. For a *project* which is obtaining additional *floor area* for providing a *civic facility*, no other *Certificate of Occupancy* for the project shall be issued prior to a *Certificate of Occupancy* for the *civic facility* required pursuant to this Section (Public Benefits Menu).

h. Multi-Bedroom Units

For the purposes of this public benefit option, a *dwelling unit* with four or more *habitable rooms* shall be considered a multi-bedroom unit, and calculations of *dwelling units* for purposes of this Subparagraph (Multi-Bedroom Units) resulting in fractional numbers shall be rounded up to the next whole number. The applicant and property owner shall execute a covenant in favor of the *City* that is recorded in the development site's chain of title in order to guarantee the qualifying multi-bedroom units will maintain the same bedroom count and will not be converted to additional residential units in the future.

i. Multi-Bedroom Option A

At least ten percent of the total number of *dwelling units* (including bonus units) in the *project* shall be multi-bedroom units. *Projects* meeting this criterion shall be granted the additional *floor area* and height allowances listed for multi-bedroom "Option A" in Paragraph 3. (Public Benefits Incentive Sets), above.

ii. Multi-Bedroom Option B

One or more dwelling units in the *project* (including bonus units) shall be multi-bedroom units; however, additional *floor area* granted for this multi-bedroom public benefit is only equivalent to the floor area dedicated to multi-bedroom units, as the additional *floor area* and height allowances are outlined for multi-bedroom "Option B" in Paragraph 3. (Public Benefits Incentive Sets), above.

iii. Multi-Bedroom Option C

At least 40 percent of the total number of *dwelling units* (including bonus units) in the project shall be multi-bedroom units. *Projects* meeting this criterion shall be granted the additional floor area and height allowances listed for multi-bedroom “Option C” in Paragraph 3. (Public Benefits Incentive Sets), above.

i. Privately Owned Public Space

- i. The entire *publicly accessible* open space shall comply with the requirements in Sec. 2C.3.3.C.3. (Public Amenity Space), including making the open space permanently and physically open to the public for use free of charge between sunrise and sunset, or during regular business hours, whichever is longer.
- ii. The *publicly accessible* open space shall be, at minimum, equal to or greater than the size of the lot’s minimum required *lot amenity space* area required by the applied Form District, including any pedestrian amenity exemption.
- iii. This provision may not be used in conjunction with the 25 percent reduction for making outdoor amenity space publicly accessible in accordance with Sec. 2C.3.1.D.3. (Measurement). If the applied Form District does not specify a *lot amenity space* requirement, the publicly accessible open space shall be, at minimum, equal to or greater than 15 percent of the total *lot area*.
- iv. All portions of the *publicly accessible* open space shall be contiguous, whether located *at-grade* or at an *upper story*.
- v. Any access walkways to the privately owned public space from the *public sidewalk* or *public right-of-way* shall be a minimum of seven feet wide.
- vi. If a publicly accessible open space is located along a *public sidewalk* or *public right-of-way*, one entrance to the privately owned public space shall be provided from each *public sidewalk* or *public right-of-way*.
- vii. Along a *public sidewalk* or *public right-of-way*, the publicly accessible open space shall be unenclosed, as established in Sec. 14.2.4.A.2. (Unenclosed).
- viii. When additional a public facility in conjunction with a *publicly accessible* open space is required, and is not provided within the open space, access to the public facility shall be provided from the adjacent *building facades*.

- ix. Way-finding signs shall be provided at each of the access points, whether externally or internally, located on or in the building, to guide people to the publicly accessible open space. Standards include the following:
 - a) Minimum sign dimension, no less than 16 inches by 20 inches;
 - b) Required posting of the hours of operation; and
 - c) Mandatory language regarding public access.
- x. The *publicly accessible* open space complies with any additional requirements set forth in the applicable *Specific Plan, Supplemental District, or Special Zone*.

j. Community Benefits Fund

The *project* pays into a Community Benefits Fund, in compliance with the provisions established in any applicable provision in the *LAMC, a Specific Plan, Supplemental District, or Special Zone*.

k. Surveyed Historic Resources Facade

Projects incorporating a *surveyed historic resource* into the project design in which all the following standards are met:

- i. The *project* retains all existing *street-facing facades* of the *surveyed historic resource* up to a depth of 10~~ten~~ feet,
- ii. Newly constructed *floor area* shall be set back behind the ten-foot retention area, with the exception of *common outdoor amenity spaces, pedestrian amenity spaces, public amenity spaces, and private outdoor amenity spaces*, and any *horizontal encroachments* permitted pursuant to Subsection E. (Exceptions) of Sec. 2C.2.2. (Building Setbacks). For projects where the *surveyed historic resource* has two *street-facing facades*, the setback shall be applied from both *facades*, and
- iii. Rehabilitation of the retained facades of the *surveyed historic resource* is completed pursuant to the Secretary of the Interior's Standards for the Treatment of Historic Properties, based on an expert report or study, prepared by a qualified historical consultant and/or demonstrated by the project plans and accepted by the Office of Historic Resources, consistent with any *Director* adopted technical bulletin, memoranda, or guides. This option does not

apply if the Office of Historic Resources has determined that the *surveyed historic resource* is not eligible for listing individually or as a contributor.

I. Active Ground Story -

- i. *Floor area* on the *ground floor* of the *project* shall be designed and intended for *active space*. Areas for circulation, storage, mechanical equipment, parking, lobbies, mailrooms, laundry rooms, utilities, and waste collection shall not account for more than 15 percent of the *floor area* designated as *active space*.
- ii. For the area dedicated to *active space*, the *project* shall provide a minimum ground story *transparent area* of 60 percent along *primary street lot lines*, 40 percent alongside street lot lines, and 50 percent along *special lot lines*, where applicable.
- iii. For the area dedicated to *active space*, the *project* shall provide *street-facing entrances* with a maximum entrance spacing of 50 feet along *primary street lot lines*, 75 feet along *side street lot lines*, and 50 feet along *special lot lines*, where applicable. *Street-facing entrances* shall meet the standards in Subsection C. (Standards) of Sec. 3C.5.1. (Street-Facing Entrance).

D. Administration

1. Process

a. Administrative Review

A *floor area* or height incentive granted for the provision of a public benefits option included in Paragraph 4. (Public Benefits Options) of Subsection C. (Program Rules), shall be approved using the procedures in Sec. 13B.3.1. (Administrative Review), unless otherwise specified by the applicable incentive program *Specific Plan*, *Supplemental District*, or *Special Zone*.

b. Alternative Public Benefit Options

The *Director* of Planning may approve a *floor area* or height incentive provided in the applicable Public Benefits Incentive Set or applicable *Specific Plan*, *Supplemental District*, or *Special Zone*, for providing public benefit options that are not listed in Paragraph 4. (Public Benefits Options) of Subsection C. (Program Rules) pursuant to Sec. 13B.2.5. (Director Determination).

i. Supplemental Findings

In addition to the findings required by Sec. 13B.2.5. (Director Determination), to approve an incentive for an alternative public benefit option, the *Director* of Planning must also find that the alternative public benefit option will enhance the built environment or quality of life in the surrounding neighborhood and will perform a function or provide a service that is essential or beneficial to the community.

c. Change in Operator or Provider

The property owner shall notify the *Department of City Planning* in the event a change in operator or provider for a public benefit occurs. -The *Department of City Planning* shall approve any change in tenant pursuant to Sec. 13B.3.1. (Administrative Review).

i. Exceptions

- a) A *project*, or those portions of a *project*, which provided contributions pursuant to Sec. 9.3.4.C.8. (Community Benefits Fund) shall not be subject to this notification and approval requirement.
- b) A *project* participating in the State Density Bonus Program (Sec. 9.2.1.), the Affordable Housing Incentive Program (Sec. 9.2.2.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridors Transitions Incentive Program (Sec. 9.2.4.), or the Transit Oriented Incentive Program (Sec. 9.2.5.) shall not be subject to this notification and approval requirement for public benefits options listed in Sec. 9.3.4.C.3.a. (Public Benefits Set 1) or Sec. 9.3.4.C.3.b. (Public Benefits Set 2).
- c) In the event that the *Mayor* declares a fiscal emergency, property owners will not be required to have an operator or provider for public benefits for the duration of the emergency.

d. Annual Reporting

Projects that provide public benefits shall demonstrate compliance with the terms required under Paragraph 4. (Public Benefits Options) of Subsection C. (Program Rules) by the property owner submitting an annual report, the "Annual Community Public Benefits Report," to the *Department of City Planning*.

i. Annual Community Public Benefits Report

The Annual Community Facilities Report shall include all of the following information:

- a) Occupancy status of the development over the last year.
- b) Occupancy status of the public benefit over the last year.
- c) Type of public benefit options provided.
- d) Evidence showing compliance with the requirements of Paragraph 4. (Public Benefits Options) of Subsection C. (Program Rules).

ii. Non-Compliance

If the *Director* of City Planning determines after reviewing the Annual Community Public Benefits Report, or at any other time, a property is non-compliant with the requirements in Paragraph 4. (Public Benefits Options), of Subsection C. (Program Rules), above, the *Director* may notice the property owner that the 55-year term of compliance has been extended consistent with the requirements of Paragraph 4. (Public Benefits Options) and/or request the City Attorney's Office to take legal action against the owner to enforce the terms of the covenant recorded pursuant to Paragraph 2. (Records and Agreements), below.

iii. Review

The *Department of City Planning* shall review the Annual Community Facilities Public Benefits Report pursuant to Sec. 13B.3.1. (Administrative Review).

iv. Exceptions

- a) A *project*, or those portions of a *project*, that provided contributions pursuant to Sec. 9.3.4.C.8. (Community Benefits Fund) shall not be subject to the annual report requirement.
- b) A *project* participating in the State Density Bonus Program (Sec. 9.2.1.), the Affordable Housing Incentive Program (Sec. 9.2.2.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridors Transitions Incentive Program (Sec. 9.2.4.), or the Transit Oriented Incentive Program (Sec. 9.2.5.) shall not be subject to this annual report requirement for public

benefits options listed in Sec. 9.3.4.C.3.a. (Public Benefits Set 1) or Sec. 9.3.4.C.3.b. (Public Benefits Set 2).

- c) In the event that the *Mayor* declares a fiscal emergency, projects will not be subject to annual report requirements during the duration of the emergency.

e. Fine

If a property owner is found in violation of any of the applicable standards for the public benefits options in Paragraph 4. (Public Benefits Options) of Subsection C. (Program Rules), above, the property owner shall be subject to an administrative fine pursuant to Chapter I. (General Provisions and Zoning), Sec. 11.2.04. (Administrative Fines) of ~~Chapter I. (General Provisions and Zoning)~~ of this Code the LAMC.

i. Exceptions

- a) This fine shall not be imposed for public schools or public libraries after the first lease agreement has been filed with the *Department of City Planning*.
- b) This fine shall not be imposed in the event that the *Mayor* declares a fiscal emergency for the duration of the emergency.

ii. Administration of Fine

This fine shall be administered in accordance with the provisions of Chapter I. (General Provisions and Zoning), Article 1.2. (Administrative Citations) of this Code, including but not limited to the appeal in Sec. 11.2.08. (Appeal of the Administrative Citation).

2. Records and Agreements

Prior to issuance of the Certificate of Occupancy for a *project* obtaining incentives under this Section (Public Benefits Menu), a covenant acceptable to the *Department of City Planning* must be recorded with the Los Angeles County Recorder, guaranteeing that the applicant, tenant, or property owner will dedicate *floor area* within the development for public benefits for the periods outlined in Paragraph 4. (Public Benefits Options) of Subsection C. (Program Rules), and will submit annual reporting to the *Department of City Planning* in a manner consistent with Sec. 9.3.4.D.1.c. (Annual Reporting) ~~Subparagraph c. (Annual Reporting) of Paragraph 1. (Process)~~, above.

Sec. 27. Table 2 – “Process Summary” of Subsection A of Section 13A.2.2. (Process Elements) of Division 13A.2. of Article 13. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

Table 2 - Process Summary

	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
Entitlement Review													
Legislative Action													
General Plan Adoption / Amendment		R †						[R] †	[D] †	R/SV †			
Specific Plan Adoption / Amendment		R						[R] †	[D] †	SV †			
Zoning Code Amendment		R						[R] †	D †	SV †			
Zone Change		R					[R]	[R]* †	[D] †	SV †			
Guidelines or Standards Adoption / Amendment		R						[D]					
Land for Public Use								R	D				
Quasi-Judicial Review													
Class 1 Conditional Use Permit			<D>				[A]						
Class 2 Conditional Use Permit			[D] †				[A] †						
Class 3 Conditional Use Permit		[R] †						[D] †	[A]				
Project Review		<D>					[A]						

Director Determination	D				[A]	[A]													
Ministerial Action																			
Administrative Review	D																		
Expanded Administrative Review	<D>																		
Specific Plan Implementation																			
Project Compliance	<D>					[A]													
Project Compliance (Design Review Board)	D					[A]												[R]	
Project Adjustment	<D>					[A]													
Project Exception						[D]					[A]								
Specific Plan Interpretation	<D>					[A]				[A]									
Quasi-Judicial Relief																			
Alternative Compliance	D					[A]													
Adjustment	<D>					[A]													
Variance			[D] †			[A] †					[A]								
Modification of Entitlement	↔								↔									↔	
Reasonable Accommodation	D																	[A]	
Non-Compliance																			
Evaluation Non-Compliance			[D]							[A]	[D]	[A]							
Nuisance Abatement/Revocation			[D]									[A] †							
Division of Land																			
Parcel Map Exemption/Lot Line Adjustment	D									[A]	[A]								
Tentative Tract Map	[D]			R						[A]	[A]								
Final Tract Map					C													D	
Preliminary Parcel Map	[D]			R						[A]	[A]								
Final Parcel Map					C													D	
Private Street Map	<D>			R						[A]	[A]								
Subdivision Appeal										[D]	[D]								
Historic Preservation																			
Historic Preservation Overlay Zone Designation												[R]	[D]						C

Preservation Plan Adoption / Amendment	R			[R] ‡	[D]				[R]
Review of Conforming Work	D								D
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)	D				[A]				[R]
Certificate of Appropriateness (Demolition, Removal, or Relocation)					D	[A]			[R]
Certificate of Compatibility for Non-Contributing Elements	D				[A]				[R]
Coastal Development									
Coastal Development Permit (Pre-Certification)	↔				↔				↔
Coastal Development Permit (Post-Certification)	<D>		<D>		[A]				
Department of Building and Safety									
Appeals from LADBS Determination	<D>				[A]	[A]			
California Environmental Quality Act (CEQA) Provisions									
CEQA Appeal						D			
Redevelopment Plan Procedures									
Redevelopment Plan Project Administrative Review	<D>								
Redevelopment Plan Project Compliance	<D>				[A]				
Modification of Entitlement for a Redevelopment Plan Project	↔				↔				↔
Redevelopment Plan Project Adjustment	<D>				[A]				
Redevelopment Plan Amendment	R					[R] ‡	D ‡	SV ‡	

Key

C Certification

‡ Optional or where directed by decision maker

R	Review & Recommendation	Blank Cell	Not required
D	Decision or Acceptance	†	Required by City Charter
SV	Signature / Veto	Italics	Action only under certain conditions (such as project size, delegation or transfer from another agency, etc.)
A	Appeal	↔	Varies with underlying process
[]	Public Hearing	*	If filed by application and CPC recommends disapproval, its decision is appealable to CC.
< >	Public Hearing optional or waivable		

Note: This table is a general summary. Refer to Div. 13B.1. through Div. 13B.11. for the specific procedure. If there is any conflict between this table and the text in Div. 13B.1. through Div. 13B.12. relating to the procedure, the text in the applicable Division prevails.

Sec. 28. Table 4 “Summary of Notice Requirements” of Subsection F. of Section 13A.2.4. of Division 13A.2. of Part 13A. of Article 13. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

Table 4 - Summary of Notice Requirements

Action	Reference	Publication	Mail	Posting
Legislative Action		Div. 13B.1.		
General Plan Adoption / Amendment	Sec. 13B.1.1.	■	■	●
Specific Plan Adoption / Amendment	Sec. 13B.1.2.	■	●	●
Zoning Code Amendment	Sec. 13B.1.3.	■		
Zone Change	Sec. 13B.1.4.	■	●	●
Guidelines or Standards Adoption / Amendment	Sec. 13B.1.5.	■		
Land for Public Use		Sec. 13B.1.6.		
Quasi-Judicial Review		Div. 13B.2.		
Class 1 Conditional Use Permit	Sec. 13B.2.1.		■	■
Class 2 Conditional Use Permit	Sec. 13B.2.2.	■	■	■
Class 3 Conditional Use Permit	Sec. 13B.2.3.	■	■	■
Project Review	Sec. 13B.2.4.		■	■
Director Determination	Sec. 13B.2.5.		○	○

Ministerial Action	Div. 13B.3.			
Administrative Review	Sec. 13B.3.1.			
Expanded Administrative Review	Sec. 13B.3.2.		■	■
Specific Plan Implementation	Div. 13B.4.			
Project Compliance	Sec. 13B.4.2		○	
Project Compliance (Design Review Board)	Sec. 13B.4.3.		■	■
Project Adjustment	Sec. 13B.4.4.		○	
Project Exception	Sec. 13B.4.5.	■	■	■
Specific Plan Interpretation	Sec. 13B.4.6.		○	
Quasi-Judicial Relief	Div. 13B.5.			
Alternative Compliance	Sec. 13B.5.1.		○	
Adjustment	Sec. 13B.5.2.		■	■
Variance	Sec. 13B.5.3.		■	■
Modification of Entitlement	Sec. 13B.5.4.		❖	❖
Reasonable Accommodation	Sec. 13B.5.5.	○	○	○
Non-Compliance	Div. 13B.6.			
Evaluation Non-Compliance	Sec. 13B.6.1.		■	■
Nuisance Abatement/Revocation	Sec. 13B.6.2.		■	■
Division of Land	Div. 13B.7.			
Parcel Map Exemption/ Lot Line Adjustment	Sec. 13B.7.2.			
Tentative Tract Map	Sec. 13B.7.3.	■	■	■
Final Tract Map	Sec. 13B.7.4.			
Preliminary Parcel Map	Sec. 13B.7.5.	■	■	■
Final Parcel Map	Sec. 13B.7.6.			
Private Street Map	Sec. 13B.7.7.		■	■
Subdivision Appeal	Sec. 13B.7.8.		■	
Historic Preservation	Div. 13B.8.			
Historic Preservation Overlay Zone Designation	Sec. 13B.8.2.	■	■	●
Preservation Plan Adoption / Amendment	Sec. 13B.8.3.		■	
Review of Conforming Work	Sec. 13B.8.4.			

Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)	Sec. 13B.8.5.		■	■
Certificate of Appropriateness (Demolition, Removal, or Relocation)	Sec. 13B.8.6.		■	■
Certificate of Compatibility for Non-Contributing Elements	Sec. 13B.8.7.		■	■
Coastal Development	Div. 13B.9.			
Coastal Development Permit (Pre-Certification)	Sec. 13B.9.1.		■	❖
Coastal Development Permit (Post-Certification)	Sec. 13B.9.2.		■	❖
Department of Building and Safety	Div. 13B.10.			
Appeals from LADBS Determination	Sec. 13B.10.2.		■	
California Environmental Quality Act (CEQA) Provisions	Div. 13B.11.			
CEQA Appeal	Sec. 13B.11.1.		■	
Redevelopment Plan Procedures	Div. 13-B.12.			
Redevelopment Plan Project Administrative Review	Sec. 13-B.12.2.			
Redevelopment Plan Project Compliance	Sec. 13-B.12.3.		○	
Modification of Entitlement for a Redevelopment Plan Project	Sec. 13-B.12.4.		❖	❖
Redevelopment Plan Project Adjustment	Sec. 13-B.12.5.		○	
Redevelopment Plan Amendment	Sec. 13-B.12.6.	■		

Key: ■ = initial decision ● = site specific only (not City-initiated) ○ = appeal only
❖ = varies with underlying application

Sec. 29. Paragraph C. of Section 13A.2.7. of Division 13A.2. of Part 13A. of Article 13 of Chapter 1A of the Los Angeles Municipal Code is amended as follows:

C. Utilizing the Grant

1. A discretionary project approval is considered utilized after it has been effectuated by the *Department of City Planning* and a *building permit* has been issued by the *Department of Building and Safety*. Utilization of a grant must occur no later than three years from the last date an action can be effectuated. An approval not requiring building permits from the *Department of Building and Safety* is considered utilized when compliance with all conditions of approval have been demonstrated, appropriate fees paid, plans stamped and authorization has been obtained from the *Department of City Planning*.

2. Exceptions

a. Religious and Institutional Uses

Where a *lot* or *lots* have been approved for use as a governmental enterprise, religious use, *hospital*, educational institution or private school, including elementary and high schools, no time limit to utilize the privileges shall apply provided that all of the following conditions are met:

- i. The property involved is acquired or legal proceedings for its acquisition are commenced within one year of the effective date of the decision approving the conditional use.
- ii. A *sign* is immediately placed on the property indicating its ownership and the purpose to which it is to be developed, as soon as legally possible after the effective date of the decision approving the conditional use. This *sign* shall have a surface area of at least 20 square feet.
- iii. The sign is maintained on the property and in good condition until the conditional use privileges are utilized.

b. Affordable Housing Projects

A six-year time limit to utilize the privileges shall apply where a *lot* or *lots* have been approved for a *one hundred percent affordable housing project*, as defined in Division 14.32. (Glossary).

Sec. 30. Table 5 – “Classifications of Actions for Multiple Approvals” of Paragraph 2. of Subsection A. of Section 13A.2.10. of Division 13A.2. of Part 13A. of Article 13 of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

Table 5 - Classifications of Actions for Multiple Approvals

Action	Reference	Legislative	Quasi-Judicial	Subdivision	Ministerial
Legislative Action	Div. 13B.1.				
General Plan Adoption / Amendment	Sec. 13B.1.1.	■			
Specific Plan Adoption / Amendment	Sec. 13B.1.2.	■			

Zoning Code Amendment	Sec. 13B.1.3.	■			
Zone Change	Sec. 13B.1.4.	■			
Guidelines or Standards Adoption / Amendment	Sec. 13B.1.5.	■			
Land for Public Use	Sec. 13B.1.6.	■			
Quasi-Judicial Review	Div. 13B.2.				
Class 1 Conditional Use Permit	Sec. 13B.2.1.		■		
Class 2 Conditional Use Permit	Sec. 13B.2.2.		■		
Class 3 Conditional Use Permit	Sec. 13B.2.3.		■		
Project Review	Sec. 13B.2.4.		■		
Director Determination	Sec. 13B.2.5.		■		
Ministerial Action	Div. 13B.3.				
Administrative Review	Sec. 13B.3.1.				—
Expanded Administrative Review	Sec. 13B.3.2.				—
Specific Plan Implementation	Div. 13B.4.				
Project Compliance	Sec. 13B.4.2		■		
Project Compliance (Design Review Board)	Sec. 13B.4.3.		■		
Project Adjustment	Sec. 13B.4.4.		■		
Project Exception	Sec. 13B.4.5.		■		
Specific Plan Interpretation	Sec. 13B.4.6.		—		
Quasi-Judicial Relief	Div. 13B.5.				
Alternative Compliance	Sec. 13B.5.1.		■		
Adjustment	Sec. 13B.5.2.		■		
Variance	Sec. 13B.5.3.		■		
Modification of Entitlement	Sec. 13B.5.4.		■		
Reasonable Accommodation	Sec. 13B.5.5.		—		
Non-Compliance	Div. 13B.6.				
Evaluation Non-Compliance	Sec. 13B.6.1.		—		
Nuisance Abatement/Revocation	Sec. 13B.6.2.		—		
Division of Land	Div. 13B.7.				
Parcel Map Exemption / Lot Line Adjustment	Sec. 13B.7.2.			—	
Tentative Tract Map	Sec. 13B.7.3.			■	

Final Tract Map	Sec. 13B.7.4.			—	
Preliminary Parcel Map	Sec. 13B.7.5.			■	
Final Parcel Map	Sec. 13B.7.6.			—	
Private Street Map	Sec. 13B.7.7.			■	
Subdivision Appeal	Sec. 13B.7.8.			—	
Historic Preservation	Div. 13B.8.				
Historic Preservation Overlay Zone Designation	Sec. 13B.8.2.	—			
Preservation Plan Adoption / Amendment	Sec. 13B.8.3.	■			
Review of Conforming Work	Sec. 13B.8.4.				—
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)	Sec. 13B.8.5.		■		
Certificate of Appropriateness (Demolition, Removal, or Relocation)	Sec. 13B.8.6.		■		
Certificate of Compatibility for Non-Contributing Elements	Sec. 13B.8.7.		■		
Coastal Development	Div. 13B.9.				
Coastal Development Permit (Pre-Certification)	Sec. 13B.9.1.		■		
Coastal Development Permit (Post-Certification)	Sec. 13B.9.2.		■		
Department of Building and Safety	Div. 13B.10.				
Appeals from LADBS Determination	Sec. 13B.10.2.		—		
Annual Inspection Monitoring (Recycling)	Sec. 13B.10.3.		—		
Annual Inspection Monitoring (Automotive)	Sec. 13B.10.4.		—		
California Environmental Quality Act (CEQA) Provisions	Div. 13B.11.				
CEQA Appeal	Sec. 13B.11.1.		—		
Redevelopment Plan Procedures	Div. 13-B.12.				
Redevelopment Plan Project Administrative Review	Sec. 13-B.12.2.				—
Redevelopment Plan Project Compliance	Sec. 13-B.12.3.		■		
Modification of Entitlement for a Redevelopment Plan Project	Sec. 13-B.12.4.		■		
Redevelopment Plan Project Adjustment	Sec. 13-B.12.5.		■		
Redevelopment Plan Amendment	Sec. 13-B.12.6.	■			

Key: ■ = qualifies for multiple approval — = varies with underlying application

Sec. 31. Paragraph D. of Section 13B.2.1. of Division 13B.2. of Part 13B. of Article 13 of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. Decision Maker

The *Zoning Administrator* is the initial decision maker.

3. Public Hearing

- a. The Zoning Administrator shall set the matter for public hearing, giving notice in the manner specified in Subsection C. (Notice) of this Section (Class 1 Conditional Use Permit).
- b. The *Zoning Administrator* may conduct the hearing or designate a *Hearing Officer* to conduct the hearing.

4. Decision

- a. The *Zoning Administrator* shall render the initial decision within 75 days of the date the *application* is deemed complete.
- b. If the *Zoning Administrator* fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the *Area Planning Commission* pursuant to Sec. 13A.2.6. (Transfer of Jurisdiction).

5. Conditions of Approval and inspections

- a. In approving a *project*, the *decision maker* may impose conditions related to the interests addressed in the findings set forth in Subsection E. (Standards for Review and Required Findings) of this Section (Class 1 Conditional Use Permit).
- b. The decision may state that the height and area regulations required by other provisions of this Chapter and Chapter 1.4 (General Provisions and Zoning) of this Code shall not apply to the conditional use approved.
- c. The *Department* shall have the authority to conduct inspections to verify compliance with any and all conditions imposed on any conditional use or other similar *Quasi-judicial approval* granted pursuant to this Section

(Class 1 Conditional Use Permit). Clearance, monitoring, and inspection fees shall be paid by the business operator or property owner to the Department in accordance with the fee schedule in Chapter I. (General Provisions and Zoning), Article 9 (Fees) of this ~~Code of Chapter 1 (General Provisions and Zoning)~~, or in Article 15. (Fees) of this Zoning Code (Chapter 1A), as applicable.

- d. If, upon inspection, the *Department* finds that the applicant has failed to comply with conditions of any conditional use or other similar *Quasi-judicial approval* granted pursuant to this Section (Class 1 Conditional Use Permit), the *Department* shall give notice to the business operator or property owner to correct the specific deficiencies and the time in which to complete the correction. Evidence of compliance shall be submitted to the *Department* within the specified correction period. If the deficiencies are not corrected within the time prescribed by the *Department*, revocation proceedings pursuant to Sec. 13B.6.1. (Evaluation of Non-Compliance) or Sec. 13B.6.2. (Nuisance Abatement/Revocation) may commence.

Sec. 32. Paragraph D. of Section 13B.2.2. of Division 13B.2 of Part 13B. of Article 13 of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. Decision Maker

The *Zoning Administrator* is the initial decision maker.

3. Public Hearing

- a. Upon receipt of a complete *application*, the *Zoning Administrator* shall set the matter for public hearing, giving notice in the manner specified in Subsection C. (Notice) of this Section (Class 2 Conditional Use Permit).
- b. The *Zoning Administrator* may conduct the hearing or designate a Hearing Officer to conduct the hearing.

4. Decision

- a. The *Zoning Administrator* shall render the initial decision within 75 days of the date the *application* is deemed complete.

- b. If the *Zoning Administrator* fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the *Area Planning Commission* pursuant to Sec. 13A.2.6. (Transfer of Jurisdiction).

5. Conditions of Approval and Inspections

- a. In approving a *project*, the decision maker may impose conditions related to the interests addressed in the findings set forth in Subsection E. (Standards for Review and Required Findings) of this Section (Class 2 Conditional Use Permit).
- b. The decision may state that the height and area regulations required by other provisions of this Chapter and Chapter 14 (General Provisions and Zoning) of this Code shall not apply to the conditional use approved.
- c. The *Department* shall have the authority to conduct inspections to verify compliance with any and all conditions imposed on any conditional use or other similar *Quasi-judicial approval* granted pursuant to this Section. Clearance, monitoring and inspection fees shall be paid by the business operator or property owner to the *Department* in accordance with the fee schedule in Article 9 (Fees) of Chapter 1 (General Provisions and Zoning), or Article 15. (Fees) of this Zoning Code (Chapter 1A), as applicable.
- d. If, upon inspection, the *Department* finds that the applicant has failed to comply with conditions of any conditional use or other similar *Quasi-judicial approval* granted pursuant to this Section, the *Department* shall give notice to the business operator or property owner to correct the specific deficiencies and the time in which to complete the correction. Evidence of compliance shall be submitted to the *Department* within the specified correction period. If the deficiencies are not corrected within the time prescribed by the *Department*, revocation proceedings pursuant to Sec. 13B.6.1. (Evaluation of Non-Compliance) or Sec. 13B.6.2. (Nuisance Abatement/Revocation) may commence.

6. Transmittal

The *Zoning Administrator* shall transmit a copy of the written findings and decision to the applicant, to all owners of properties abutting, across the street or *alley* from, or having a common corner with, the subject property and all persons who filed a written request for the notice with the *Zoning Administrator*.

Sec. 33. Paragraph D. of Section 13B.2.3. of Division 13B.2. of Part 13B. of Article 13 of Chapter 1A of the Los Angeles Municipal Code is amended as follows:

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. Decision Maker

The *City Planning Commission* is the initial decision maker.

3. Public Hearing

- a. Upon receipt of a complete application, the *City Planning Commission* shall set the matter for public hearing, giving notice in the manner specified in Subsection C. (Notice) of this Section (Class 3 Conditional Use Permit).

- b. The *City Planning Commission* may conduct the hearing itself or designate the *Director* to conduct the hearing.

4. Decision

- a. If the *Director* conducts the public hearing, the *Director* shall transmit its findings and recommendation to the *City Planning Commission*.

- b. After the *Director* or *City Planning Commission*'s hearing is closed, the *City Planning Commission* shall render the initial decision at a public meeting.

- c. The *City Planning Commission* shall render the initial decision within 75 days of the date the application is deemed complete.

- d. If the *City Planning Commission* fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the *City Council* pursuant to Sec. 13A.2.6. (Transfer of Jurisdiction).

5. Conditions of Approval and inspections

- a. In approving a *project*, the decision maker may impose conditions related to the interests addressed in the findings set forth in Subsection E. (Standards for Review and Required Findings) of this Section (Class 3 Conditional Use Permit).

- b. The decision may state that the height and area regulations required by other provisions of this Chapter and Chapter 1 (General Provisions and Zoning) of this Code shall not apply to the conditional use approved. If the *Density Bonus* is increased beyond the maximum allowed as defined in

Sec. 12.22.A.37 (State Density Bonus) of Chapter 1 (General Provisions and Zoning), and Sec. 9.2.1. (State Density Bonus Program) of this Zoning Code (Chapter 1A), as applicable, the development project must also comply with the requisite number of *restricted affordable units* and requirements as set forth in Sec. 12.24 U.26. (a)(1) - (5) (Density Bonus for a Housing Development in Which the Density increase is Greater than the Maximum Permitted in Sec. 12.22 A.37) of Chapter 1 (General Provisions and Zoning) and Sec. 9.2.1.C. (Program Rules) of this Zoning Code (Chapter 1A), as applicable.

b.

- c. The *Department* shall have the authority to conduct inspections to verify compliance with any and all conditions imposed on any conditional use or other similar *Quasi-judicial approval* granted pursuant to this Section. Clearance, monitoring, and inspection fees shall be paid by the business operator or property owner to the Department in accordance with the fee schedule in Article 9 (Fees) of Chapter 1 (General Provisions and Zoning) or Article 15. (Fees) of this Zoning Code (Chapter 1A), as applicable.
- d. If, upon inspection, the *Department* finds that the applicant has failed to comply with conditions of any conditional use or other similar *Quasi-judicial approval* granted pursuant to this Section, the *Department* shall give notice to the business operator or property owner to correct the specific deficiencies and the time in which to complete the correction. Evidence of compliance shall be submitted to the *Department* within the specified correction period. If the deficiencies are not corrected within the time prescribed by the *Department*, revocation proceedings pursuant to Sec. 13B.6.1. (Evaluation of Non-Compliance) or Sec. 13B.6.2. (Nuisance Abatement/Revocation) may commence.

6. Transmittal

The *City Planning Commission* shall transmit a copy of the written findings and decision to the applicant, to all owners of properties abutting, across the street or *alley* from, or having a common corner with the subject property and all persons who filed a written request for the notice.

Section 34. Paragraph G. of Section 13B.2.5. of Division 13B.2. of Part 13B. of Article 13. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

G. Appeals

1. General Procedures

See Sec. 13A.2.8. (Appeals).

2. Decision Maker

- a. The Area Planning Commission is the appellate decision maker.
- b. Density Bonus

Regardless of Subparagraph a., above, the City Planning Commission is the appellate decision maker for projects seeking approval pursuant to Chapter I. (General Provisions and Zoning), Sec. 12.22 A.37(d)(5)(ii) (State Density Bonus), Sec. 12.22 A.38(d)(3) (Mixed Income Incentive Program), or Sec. 12.22 A.39(d)(3) (Affordable Housing Incentive Program) of this Code ~~Chapter I~~, or pursuant to Sec. 9.2.1. (State Density Bonus Program), Sec. 9.2.2. (Affordable Housing Incentive Program), Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program), Sec. 9.2.4. (Corridor Transitions Incentive Program), or Sec. 9.2.5. (Transit Oriented Incentive Program) of this Zoning Code (Chapter 1A).

3. Filing

- a. An applicant or any other ~~person aggrieved~~ aggrieved person by the *Director's* decision may file an appeal.
- b. Density Bonus

Regardless of Subparagraph a., above, only an applicant or an owner or tenant of a property *abutting*, across the street or *alley* from, or having a common corner with the subject property aggrieved by the Director's decision may file an appeal on projects seeking approval pursuant to Chapter I. (General Provisions and Zoning), Sec. 12.22 A.37(d)(5)(ii) (State Density Bonus Program), Sec. 12.22 A.38(d)(3) (Mixed Income Incentive Program), ~~or~~ Sec. 12.22 A.39.d.3 (Affordable Housing Incentive Program), or Sec. 12.22 A.25. (Affordable Housing Incentives – Density Bonus) of ~~Chapter 1 I. (General Provisions and Zoning)~~ this Code; or Sec. 9.2.1. (State Density Bonus Program), Sec. 9.2.2. (Affordable Housing Incentive Program), Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program), Sec. 9.2.4. (Corridor Transitions Incentive Program), Sec. 9.2.5. (Transit Oriented Incentive Program) of this Zoning Code (Chapter 1A).

4. Appellate Decision

- a. Before acting on any appeal, the *Area Planning Commission* or the *City Planning Commission*, as applicable, shall set the matter for hearing, giving notice in the manner specified in Subsection C. (Notice) of this Section (Decisions).

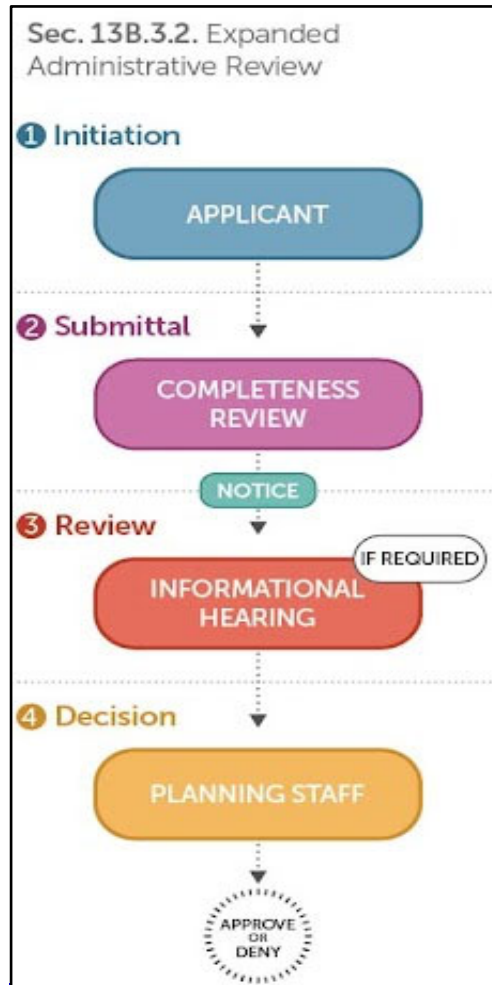
- b. The *Area Planning Commission* or the *City Planning Commission*, as applicable, shall act within 75 days after the expiration of the appeal period.

5. Exception

- a. When the *application* is filed as part of a project requiring multiple approvals, the appeals procedures set forth in Sec. 13A.2.10. (Multiple Approvals) ~~of this Code~~ shall govern.
- b. When the application is filed in conjunction with a *Parcel Map* and no other approval, the appeals procedures set forth in Sec. 13B.7.8. (Subdivision Appeal) ~~of this Code~~ shall govern.
- c. When the application is filed in conjunction with a ~~t~~*Tentative tract mMap* and no other approval, the appeals procedures set forth in Sec. 13B.7.3.G. (Appeals) ~~of this Code~~ shall govern, provided that such applications shall only be appealable to the *Appeal Board*, as defined in Div. 14.3. (Glossary) of this ~~Code~~Chapter, and shall not be subject to further appeal to the *City Council*.

Sec. 35. A new Section 13B.3.2. is added to Division 13B.3. of Part 13B. of Article 13. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 13B.3.2. EXPANDED ADMINISTRATIVE REVIEW



A. Applicability

1. This Section (Expanded Administrative Review) applies where any provision of this Code requires an Expanded Administrative Review.

B. Initiation

1. An application for an Expanded Administrative Review is filed with the Department.
2. An Expanded Administrative Review is initiated as required in order to obtain a *building permit*.

C. Notice

1. Notice of Public Hearing

The following notice is required for the public informational hearing on the decision, if held.

Type of Notice	When	Where/To Whom/Additional Requirements
Mail	24 days	<ul style="list-style-type: none">• The applicant;• The owner(s) of the property involved;• The owners and tenants of all property within 300 feet of the boundary of the subject site;• The Certified Neighborhood Council representing the area in which the property is located; and• Interested parties who have requested in writing to be notified.
Posting	10 days	<ul style="list-style-type: none">• The applicant will post notice in a conspicuous place on the property.

D. Review

1. The *Department* shall determine compliance with the applicable regulations and standards for *projects* requiring an Expanded Administrative Review.

2. Clearance

A clearance shall be issued as required pursuant to the applicable ordinance or *building permit* requirement.

3. Public Hearing

If the matter has a significant effect on neighboring properties, or if required where any provision of this Code requires an Expanded Administrative Review and a public hearing, the *Department* may require an informational public hearing subject to giving notice in the manner specified in Subsection C. (Notice).

E. Criteria for Compliance Review

The Department shall review the application for compliance with the applicable regulations and standards of this Code, any applicable *Specific Plan*, *Supplemental District*, or *Special Zone*, including the zoning standards, established development standards, and any supplemental use regulations.

F. Scope of Action

After the Expanded Administrative Review determines that the application complies with the applicable regulations and standards, the following actions must comply with the approved plans:

1. The erection, enlargement or maintenance of buildings;
2. Any development or construction work; or
3. Issuance of a grading, building, demolition, or change of use permit.

G. Appeals

There is no appeal.

H. Modification Procedures

1. Modifications Equal to or Less than 10%

- a. A *project* approved pursuant to this Section (Expanded Administrative Review) may seek a modification to modify conditions of approval for the original action prior to the issuance of the *Certificate of Occupancy*.
- b. For purposes of this Section (Expanded Administrative Review), a “modification” means any changes in the proposed physical development or related conditions of approval that were approved in the original action by no more than ~~ten~~10 percent.
- c. A modification does not include the granting of any new rights or increased or additional incentives, nor does it include the granting of any new deviation from zoning regulations in this Chapter or Chapter 1.4 (General Provisions and Zoning) of this Code.
- d. An application for a modification pursuant to this Section (Expanded Administrative Review) shall be filed with the Department before the original action expires and include development plans showing the requested modifications.

- e. In approving a modification pursuant to this Section (Expanded Administrative Review), the *Department* shall review the application for compliance with the applicable regulations and standards of this Code or any applicable *Specific Plan*, *Supplemental District*, or *Special Zone*, including the zoning standards, established development standards, and any supplemental use regulations

2. Modifications Greater than 10%

Any request for a modification that exceeds the ten percent limitation will not be processed as a modification of the original action under this Subsection (Modification Procedures) and shall instead require a filing of a new Expanded Administrative Review Application pursuant to this Section (Expanded Administrative Review).

Sec. 36. A new Section 14.2.19. is added to Division 14.2 of Article 14. (General Rules) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 14.2.19. MAXIMUM ALLOWABLE RESIDENTIAL DENSITY

Maximum allowable residential density is defined as the greatest number of dwelling units allowed on a project site as defined in California Government Code Sec. ~~tion~~ 65915(o)(6).

– A. Measurement

1. Pursuant to Government Code Sec. ~~tion~~ 65915(o)(6), a *project site* shall calculate its *maximum allowable residential density*, before the application of a density bonus granted through participation in an incentive program, using the maximum number of *dwelling units* allowed under a project site's applied *Zoning Districts*, *Specific Plan*, *Special Zone*, or *General Plan land use designation*.
2. If a range is permitted, the maximum number of *dwelling units* allowed by the specific zoning range, *Specific Plan*, *Special Zone*, or *General Plan Land Use designation* shall be applicable when determining a site's density prior to the application of a density bonus granted through participation in an incentive program. *Dwelling units* added using an incentive program contained in a *Specific Plan*, *Zoning District*, *Special Zone*, or other City program granting development bonuses, shall not count toward the calculation of *maximum allowable residential density*.
3. When calculating a lot's *maximum allowable residential density*, any number resulting in a fraction shall be rounded up to the next whole number.

Sec. 37. The following definitions in Division 14.3. of Article 14. of Chapter 1A of the Los Angeles Municipal Code are amended to read as follows:

Active Space. Active space is defined as indoor occupiable spaces designed and intended for general commercial uses, public & institutional uses, or common indoor amenity spaces.

Bonus Building Width. Bonus building width is defined as the bonus building width granted pursuant to Sec. 2C.6.1.C.2. (Bonus Building Width).

Bonus Floor Area. Bonus floor area is defined as having the same meaning as tier 2 bonus floor area ratio.

Bonus Height. Bonus height is defined as having the same meaning as tier 2 bonus height.

Density Bonus. Density bonus is defined as a density increase over the otherwise *maximum allowable residential density* under the applicable zZoning cCode, and zoning designation, or *Specific Plan*, granted pursuant to an applicable incentive program established in Article 9. (Public Benefit Systems).

Designated Historic Resource. Designated historic resource is defined as a building, structure, object, *landscaping* element, or natural feature listed or designated as an individual resource or as a contributor to a historic district, at the local, state, or national level, including but not limited to listing in the National Register of Historic Places or California Register of Historical Resources, or designation as a Historic-Cultural Monument or as an Historic Preservation Overlay Zone (HPOZ).

Dwelling Unit. Dwelling unit is defined as a habitable residential unit serving as a residence having an occupancy of greater than 30 days consecutively. Includes *household dwelling unit* and *efficiency dwelling unit*.

For the purposes of the State Density Bonus Program (Sec. 9.2.1.), Maximum Allowable Residential Density (Sec. 14.2.19.), and a *one hundred percent affordable housing project* in the Affordable Housing Incentive Program (Sec. 9.2.2.), a dwelling unit shall mean a habitable residential unit serving as a residence having an occupancy of greater than 30 days consecutively that is a complete independent living facility which includes permanent provisions for living, sleeping, eating, a *kitchen*, and sanitation, or that is a *shared housing unit* in a *shared housing building*; but the term does not include *household dwelling unit* or *efficiency dwelling unit*.

For the purposes of the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), Corridor Transitions Incentive Program (Sec. 9.2.4.), Transit Oriented Incentive Program (Sec. 9.2.5.), and a *faith-based organization project*, *shared equity project*, or *public land project* in the Affordable Housing Incentive Program (Sec. 9.2.2.), a dwelling unit shall mean a habitable residential unit serving as a

residence having an occupancy of greater than 30 days consecutively that is a complete independent living facility which includes permanent provisions for living, sleeping, eating, a *kitchen*, and sanitation; but the term does not include *household dwelling unit*, *shared housing unit*, or *efficiency dwelling unit*.

Extremely Low-Income Households. Extremely low income household is defined as a households with an annual income that does not exceed the amount designated for that category as defined in California Health and Safety Code, Sec. 50106.

Lower Income Households. Lower income households is defined as a household whose whose annual, adjusted for family size, does not exceed 80 percent of the area median income as designated for this category in the California Health and Safety Code, Sec. ~~tion~~ 50079.5. *Lower income households* include *low-income households*, *very low-income households*, *extremely low-income households*, and *acutely low-income households*.

Major Transit Stop. Major transit stop is defined pursuant California Public Resources Code Sec. ~~tion~~ 21064.3, and also includes a site containing a rail or bus rapid transit station or the intersection of two or more bus routes with a service interval of 20 minutes or less during the morning and afternoon peak commute periods in either direction. The stations or bus routes may be existing, under construction or included in the most recent Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP). A bus route may include a combination of overlapping bus lines and may be considered as one service route for the purpose of calculating service interval frequency when part of a “colinear”, “family”, or augmented line as determined in coordination with SCAG and transit agencies.

Moderate Income Households. Moderate income households is defined as a households with an annual income that does not exceed the amount designated for that category as defined in California Health and Safety Code, Sec. 50093.

Residential Use. A residential use is any *use* listed and defined in Div. 5D.2. (Residential Uses).

Restricted Affordable Unit. Restricted affordable unit is defined as a *dwelling unit* for which rental amounts or mortgage amounts are restricted so as to be affordable to and occupied by an a ~~Acutely~~ *Low-income Household*, ~~e~~ *Extremely Low-income Household*, ~~v~~ *Very Low-income Household*, *Low-income Household*, or ~~m~~ *Moderate-income Household*, as verified by the Los Angeles Housing Department.

Senior Citizen. Senior citizen is defined as individuals who are at least 62 years of age, except that for projects of at least 35 units, a threshold of 55 years of age may be used, provided all applicable *City*, state, and federal regulations are met.

Senior Citizen Housing Development. Senior citizen housing development is defined as a development that has at least 35 dwelling units, as defined in California Civil Code Sec. 51.3 and Sec. 51.12 ~~Sections 51.3 and 51.12 of the California Civil Code~~, or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to California Civil Code Section 798.76 or Sec. 799.5 of the California Civil Code.

Surveyed Historic Resource. Surveyed historic resource is defined as any building, structure, object, site, landscape, or natural feature identified through an historic resources survey as eligible for listing as either an individual resource or as a contributor to a historic district under a local, state or federal designation program, including but not limited to listing in the National Register of Historic Places or California Register of Historical Resources, or designation as a Historic-Cultural Monument or as a *Historic Preservation Overlay Zone*. This term does not include a *non-contributor* to an eligible historic district.

Sec. 38. The following definitions are added in alphabetical order to Division 14.3. of Article 14. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

Development Standard. For the purposes of Sec. 9.2.1. (State Density Bonus Program), Sec. 9.2.2. (Affordable Housing Incentive Program), Sec. 9.2.3. (Opportunity Corridors Incentive Program), Sec. 9.2.4. (Corridor Transitions Incentive Program), and Sec. 9.2.5. (Transit Oriented Incentive Program) ~~Secs. 9.2.1 through 9.2.5. (State Density Bonus Program, Affordable Housing Incentive Program, Opportunity Corridors Incentive Program, Corridor Transitions Incentive Program, Transit Oriented Incentive Program)~~ development standard is defined as site or construction condition applicable to a development pursuant to any ordinance, land use plan, law, policy, resolution, regulation or other local condition that is adopted or imposed by the City through its various powers, as defined in California Government Code Sec. 65915(o)(2). This includes, but is not limited to standards like height, yards, floor area ratio, open space requirements, parking space requirements, and facade ~~facade~~ treatments.

Disabled Veteran. Disabled Veteran shall be as defined pursuant to California Government Code Section 18541 ~~of the California Government Code~~.

Faith-Based Organization Project. Faith-based organization project is defined as a *project* containing *dwelling units* located on land owned entirely, whether directly or through a wholly owned company or corporation, by a religious institution at the time of project filing and developed by or in partnership with a qualified developer. This includes ownership through an affiliated or associated nonprofit public benefit corporation organized pursuant to the Nonprofit Corporation Law (California Corporations Code, Sec. 5110. et seq.) ~~(Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the California Corporations Code)~~.

High Quality Transit Service. High quality transit service is defined as a transit route with a service frequency of 15 minutes or less during peak commute hours in one

direction. For the purpose of determining service interval frequency, a bus route may include a combination of overlapping bus lines when part of a “colinear” or “family” line as determined in coordination with Southern California Association of Governments (SCAG and local transit agencies, may be considered as one service route for the purpose of calculating service interval frequency.

Higher Opportunity Area. Higher opportunity area is defined as including High and Highest Resource Areas as defined and identified by the California Tax Credit Allocation Committee (TCAC).

Homeless Person. Homeless pPerson as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).

Incentive. For purposes of Sec. 9.2.1. (State Density Bonus Program), Sec. 9.2.2. (Affordable Housing Incentive Program), Sec. 9.2.3. (Opportunity Corridors Incentive Program), Sec. 9.2.4. (Corridor Transitions Incentive Program), and Sec. 9.2.5. (Transit Oriented Incentive Program), ~~Secs. 9.2.1 through 9.2.5 (State Density Bonus Program, Affordable Housing Incentive Program, Opportunity Corridors Incentive Program, Corridor Transitions Incentive Program, Transit Oriented Incentive Program)~~ incentive is defined as a reduction in a site development standard or a modification to a site zoning code or architectural design requirement that results in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Government Code Sec. 65915(k).

Lot Amenity Alternatives. Pursuant to Sec. 2C.3.5. (Lot Amenity Alternatives) lot amenity alternatives are defined as space types with a predetermined set of design standards that may be used as an allowable alternative to the standard lot amenity space requirements of a Form District (Part 2B.).

Lower Income Student. Lower income student is defined as a student who has a household income and asset level that does not exceed the level for Cal Grant A or Cal Grant B award recipients as set forth in California Education Code Sec. 69432.7(k)(1) ~~Paragraph (1) of Subdivision (k) of Section 69432.7 of the Education Code.~~ The eligibility of a student to occupy a *dwelling unit* for lower income students shall be verified by an affidavit, award letter, or letter of eligibility provided by the institution of higher education in which the student is enrolled or by the California Student Aid Commission that the student receives or is eligible for financial aid, including an institutional grant or fee waiver from the college or university, the California Student Aid Commission, or the federal government.

Lower Opportunity Area. Low Resource Areas as defined and identified by the California Tax Credit Allocation Committee (TCAC).

Maximum Allowable Residential Density. Pursuant to Sec. 14.2.19. (Maximum Allowable Residential Density) maximum allowable residential density is defined as the

greatest number of *dwelling units* allowed on a *project site* as defined in California Government Code Section 65915(o)(6).

Moderate Opportunity Area. Moderate opportunity area is defined as moderate resource areas and areas experiencing moderate rates of rapid change as defined and identified by the California Tax Credit Allocation Committee (TCAC).

Non-Contributor. Non-contributor is defined as any *building, structure, natural feature, lot, or landscaping* that is identified as a non-contributor in an *historic resources survey* or an official nomination form accepted by the relevant agency for a designated federal, state, or local historic district, including *non-contributing elements* in a *Historic Preservation Overlay Zone*, or is a *building, structure, natural feature, lot or landscape feature* included in a district boundary with no identification.

Non-Residential Use. Non-residential use is defined as any *use* not listed and defined in Div. 5D.2. (Residential Uses). Non-residential use includes *uses* listed and defined in Div. 5D.3. (Public & Institutional Uses), Div. 5D.4. (Open Space & Recreation Uses), Div. 5D.5. (Transportation Uses), Div. 5D.6. (General Commercial Uses), Div. 5D.7. (Heavy Commercial Uses), Div. 5D.8. (Light Industrial Uses), Div. 5D.9. (Heavy Industrial Uses), and Div. 5D.10. (Agricultural Uses).

One Hundred Percent Affordable Housing Project. A one hundred percent affordable housing project is a *housing development project* as specified in California Government Code Section 65589.5; involves the construction of, addition to, or remodeling of any building or buildings that would result in the creation of five or more additional *dwelling units*; reserves all new *dwelling units*, renovated *dwelling units*, or *dwelling units* retrofitted for accessibility, exclusive of any *manager's units*, or staff units for projects utilizing California Government Code Section 65913.16, as *restricted affordable units*, including bonus units; and restricts all units, including bonus units, for *lower income households*, except that up to twenty percent may be for *moderate income households*.

Public Agency. Public Agency is defined pursuant to California Government Code Section 20056.

Public Land Project. A public land project is defined as a project containing dwelling units located on lots owned by a public agency.

Qualified Developer. Qualified developer is defined pursuant to California Government Code Section 65913.16(b)(9)(A-C) exclusive of (D), and shall also include a Community Development Financial Institution (CDFI) identified on the United States Department of the Treasury's CDFI Fund list of Certified CDFIs at the time of project filing, provided the CDFI maintains a non-profit status pursuant to United States Internal Revenue Code Section 501(c)(3).

Religious Institution. Religious institution is defined pursuant to California Government Code Section 65913.16(b)(10).

Sea Level Rise Area. Sea level rise area is defined as an area of the coast that is vulnerable to five feet of sea level rise, as determined by the National Oceanic and Atmospheric Administration, the Ocean Protection Council, the United States Geological Survey, the University of California, and as accepted for use by the Director of Planning, or as determined by a local coastal hazards vulnerability assessment.

Shared Equity Project. Shared equity project is defined as a project containing *dwelling units* that is located on land owned by a public agency, Community Land Trust, as defined in the California Revenue and Taxation Code Section 402.1(a)(11)(C)(ii), or a Limited-equity Housing Cooperative or Workforce Housing Cooperative Trust, as defined in California Civil Code Section 817 of The California Civil Code, except that *dwelling units*, in addition to being sold or rented to income qualified persons, may also be held by the non-profit corporation for the purpose of making *dwelling units* for *lower income households* financially stable. The land must be owned by the public agency, Community Land Trust, Limited-equity Housing Cooperative, or Workforce Housing Cooperative Trust at the time of project filing through the issuance of a *Certificate of Occupancy*.

Shared Housing Building. A residential or mixed-use structure, with five or more *Shared Housing Units* and one or more common *kitchens* and dining areas designed for permanent residence of more than 30 days by its tenants as defined in California Government Code Section 65915(o)(7)(A).

Shared Housing Unit. One or more *habitable rooms*, not within another *dwelling unit*, that includes a bathroom, sink, refrigerator, and microwave, and is used for permanent residence in a Shared Housing Building, and is as further defined in Government Code Section 65915(o)(7)(B). A Shared Housing Unit shall comply with the definition of “efficiency dwelling unit” for purposes of zoning and allowable density.

Specific Adverse Impact. Pursuant to California Government Code Section 65589.5(d)(2), specific adverse impact is defined as a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the *application* was deemed complete.

Student Housing Development. Student Housing Development is defined pursuant to California Government Code Section 65915(b)(1)(F).

Tier 1 Bonus Floor Area Ratio. Tier 1 bonus floor area ratio is defined as the bonus floor area ratio granted pursuant to Sec. 2C.4.1.C.2. (Tier 1 Bonus).

Tier 1 Bonus Height. Tier 1 bonus height is defined as the *bonus height* in feet granted pursuant to Sec. 2C.4.2.C.2. (Tier 1 Bonus) or the bonus height in stories granted pursuant to Sec. 2C.4.3.C.2.b. (Tier 1 Bonus).

Tier 2 Bonus Floor Area Ratio. Tier 2 bonus floor area ratio is defined as the tier 2 bonus floor area ratio granted pursuant to Sec. 2C.4.1.C.2. (Tier 2 Bonus).

Tier 2 Bonus Height. Tier 2 bonus height is defined as the bonus height in feet granted pursuant to Sec. 2C.4.2.C.2.3. (Tier 2 Bonus) or the bonus height in stories granted pursuant to Sec. 2C.4.3.C.2.c. (Tier 2 Bonus).

Transitional Foster Youth. Transitional foster youth is defined pursuant to California Education Code Section 66025.9 ~~of the California Education Code.~~

Very Low Vehicle Travel Area. Very Low Vehicle Travel Area is defined pursuant to California Government Code Section 65915(o)(9).

Waiver. For the purposes of Sec. 9.2.1. (State Density Bonus), Sec. 9.2.2. (Affordable Housing Incentive Program), Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program), Sec. 9.2.4. (Corridor Transitions Incentive Program), and Sec. 9.2.5. (Transit Oriented Incentive Program), waivers are defined as reductions in development standards that will have the effect of physically precluding the construction of a housing development project at the densities or with the incentives permitted under those referenced Sections, as specifically discussed in California Government Code Section 65915(e). Waivers neither reduce nor increase the number of incentives or density bonus that a project is entitled to in those Sections. The terms *density bonus*, *incentive*, and *housing development project*, are defined in this Glossary (Div.14.3.).

Sec. 39. Div. 14.3. of Article 14. of Chapter 1A of the Los Angeles Municipal Code is amended to delete the following definition:

Transit Stop/Major Employment Center

Sec. 40. The Table titled "Fees For Density Bonuses" in Section 15.4.1. of Division 15.4. of Article 15. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

Fees For Density Bonuses			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Application for a Density Bonus			
<p>Including a request in conjunction with:</p> <p>Up to one waiver of a zoning standard under the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.) or Transit Oriented Incentive Program (Sec. 9.2.5); or</p> <p>Up to three waivers of a zoning standard under the Affordable Housing Incentive Program (Sec. 9.2.2.)</p> <p>(Sec. 9.2.2.D.1.c.; Sec. 9.2.3.D.1.c.i., and Sec. 9.2.5.D.1.c.i)</p>	\$9,459	•	•
<p>Including a request in conjunction with:</p> <p>Waivers under the State Density Bonus Program (Sec. 9.2.1.) or the Local Affordable Housing Incentive Program (Sec. 9.3.2.);</p> <p>More than one waiver under the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), Transit Oriented Incentive Program (Sec. 9.2.5.); or</p> <p>More than three waivers under the Affordable Housing Incentive Program (Sec. 9.2.2.)</p> <p>(Sec. 9.2.1.D.1.c., Sec. 9.2.2.D.1.c.iii., Sec. 9.3.2.D.1.c.ii., Sec. 9.2.3.D.1.C.ii, and Sec. 9.3.2.E.3.)</p>	\$24,349	•	•

Projects with Requests for Density Bonuses in Excess of the Base Incentive (Sec. 9.2.1.) (Sec. 9.2.1.D.1.e.)	\$24,359	•	•
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Sec. 41. The opening paragraph before the Table titled, “Fees for Enforcement of Housing Covenants,” of Section 15.4.2. of Division 15.4. of Article 15. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

Unless a fee exemption pursuant to the Subsection A. (Fee Exemption) below applies, the following fees shall be charged and collected by the Los Angeles Housing Department (LAHD) for the preparation, enforcement, monitoring, and associated work relating to the affordable housing covenants required by Sec. 9.2.1. (Density Bonus), Sec. 9.2.2. (Affordable Housing Incentive Program), Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program), Sec. 9.2.4. (Corridor Transitions Incentive Program), Sec. 9.2.5. (Transit Oriented Incentive Program), and Sec. 9.3.2. (Local Affordable Housing Incentive Program), and Sec. 9.4.4.B.2. (Restricted Affordable Units).

Sec. 42. Paragraph 1. of Subsection B. of Section 15.4.3. of Division 15.4. of Article 15 of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

1. Exemptions

The Department of Building and Safety shall determine whether any of the following exemptions apply to a development project based on documentation submitted by the applicant prior to the issuance of the *building permit*. The fee imposed by this Section (Affordable Housing Linkage Fee) shall not apply to construction that includes any the following:

- a. Less than 15,000 square feet of additional non-residential floor area in any non-residential building, other than *parking garages* and parking facilities, as determined by the *Department of Building and Safety*.
- b. Any for-sale or rental *housing development project* containing restricted affordable units where the following requirements are met:

- i. At least 40 percent of the total *dwelling units* are dedicated for *moderate income households*, or at least 20 percent of the total dwelling units are dedicated for *low-income households*, or at least 11 percent of the total dwelling units are dedicated for *very low-income households*, or at least eight percent of the total dwelling units are dedicated for extremely *low-income households*; or the project is approved pursuant to Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program), or Sec. 9.2.4. (Corridor Transitions Incentive Program), or Sec. 9.2.5. (Transit Oriented Incentive Program).
- ii. The *housing development project's restricted affordable units* are subject to a recorded affordability restriction of at least 55 to 99 years pursuant to Sec. 4C.15.3. (Restricted Affordable Units) from the issuance of the *Certificate of Occupancy*, recorded in a covenant acceptable to the Los Angeles Housing Department (LAHD), and subject to fees as set forth in Sec. 15.4.2. (Fees for Enforcement of Housing Covenants). Such a covenant shall also subject projects using this exemption to the replacement policies in Sec. 4C.15.1. (Housing Projects that Result in the Demolition of Dwelling Units) or Sec. 4C.15.2. (NonHousing Projects that Result in the Demolition of Dwelling Units), and to LAHD fees related to housing replacement determinations pursuant to state law, as set forth in this Zoning Code (Chapter 1A).; also including:
 - ~~a) A housing development project in which 100 percent of all dwelling units, exclusive of manager's units, are restricted affordable units, which are subject to a recorded affordability restriction of at least 55 years or utilize public subsidies that are tied to a specified covenant period. At minimum, all restricted affordable units in the housing development project shall be covenanted for at least 55 years.~~
 - ~~b) A mixed-income housing development project utilizing public subsidies that are tied to a specified covenant period. At minimum, all restricted affordable units in the housing development project shall be covenanted for at least 55 years.~~
 - ~~c) Such a covenant shall also subject projects using this exemption to the replacement policies in California Government Code (Sec. 65915(c)(3)), and to LAHD fees related to housing replacement determinations pursuant to state law, as set forth in this Zoning Code.~~
- iii. For the purposes of this Section (Affordable Housing Linkage Fee), total dwelling units includes any units added by a density bonus or other land use incentive, consistent with the affordability levels defined in Government Code (Sec. 65915.).

- c. Any development project being constructed by, or on behalf of: 1) a government or public institution such as a school, museum, homeless shelter or other similar projects that are intended for community use; or 2) any private school that offers instruction in grades kindergarten through 12th grade.
- d. Any ~~Medical, L~~hospital: local (Sec. 5D.3.5.A.) or ~~Medical, R~~hospital: regional (Sec. 5D.3.5.B.) healthcare facility.
- e. A single-unit detached home meeting one or more of the following conditions:
 - i. Any addition of 1,500 square feet or less of floor area to an existing single-unit detached home located on a lot with an applied Residential District (*Div. 5B.3.*).
 - ii. New construction of any single-unit detached home located on a lot with an applied 1L Density District that is 1,500 square feet or less of floor area.
 - iii. Any replacement of a single-unit detached home resulting in a net increase of 1,500 square feet or less of floor area from the prior home that existed on the property.
- f. Either (1) an addition of 1,501 square feet or more of floor area to an existing single-unit detached home located on a lot with an applied 1L Density District, or (2) a replacement of a single-unit detached home resulting in a larger single-unit detached home with a net increase of 1,501 square feet or more of floor area from the prior home that existed on the property; provided, however, in either event, a covenant shall be recorded against the property prior to the issuance of a *building permit* for such addition or replacement requiring the owner of the property to pay the *linkage fee* if the home is sold within three years of the issuance of such *building permit*. The covenant shall automatically expire at the end of such three-year period, if no sale of the property has occurred during such three-year period. However, in the event of a sale of the property within such three-year period, the covenant shall not expire until a notice of covenant termination is recorded. A notice of covenant termination shall be provided by the *City* upon full payment of *linkage fee* due, based on the fee schedule in effect at the time of payment. The covenant shall run with the land and bind all successive owners of the property until the *linkage fee* is fully paid.
- g. An accessory dwelling unit pursuant to California Government Code {Sec. 65852.2.}.
- ~~h. Any residential floor area of a project located within the boundaries of the Central City West Specific Plan Area, as defined in Ordinance No. 163,094, if~~

~~the applicant agrees by covenant and agreement with the City or by development agreement to abide by the replacement and inclusionary housing obligations set forth in the Specific Plan for the Central City West Area.~~

- ~~i.h.~~ A residential project that is subject to a greater affordable housing fee requirement or is required to provide one or more physical housing units pursuant to the Mello Act (Government Code Secs. 65590-65590.1), in order to satisfy its inclusionary housing obligations. In that case, the residential component of the project shall be exempt from the linkage fee requirements of this Section (Affordable Housing Linkage Fee). Non-residential portions of mixed-use *Coastal Zone* projects shall be analyzed separately from residential portions of mixed-use projects for the purposes of the *linkage fee* requirements of this Section (Affordable Housing Linkage Fee). Nonresidential portions of such projects shall be subject to this Section (Affordable Housing Linkage Fee). The provision of housing units or in-lieu fees to satisfy replacement housing obligations under the Mello Act (as opposed to inclusionary housing obligations) shall not exempt a project from the *linkage fee* requirements of this Section (Affordable Housing Linkage Fee).
- ~~j.i.~~ A residential development project that is subject to affordable housing requirements pursuant to any land use policy or ordinance or development agreement that exceeds the *linkage fee* requirements of this Section (Affordable Housing Linkage Fee) in either fee amount or on-site affordable housing percentages provided in Paragraph b. above.
- ~~k.i.~~ A residential development project that is subject to affordable housing and labor requirements pursuant to Chapter I. (General Provisions and Zoning), Sec. 11.5.11. (Affordable Housing) ~~of Chapter I (General Provisions and Zoning)~~ of this Code.
- ~~l.k.~~ Any grocery store, provided there is no existing grocery store within a ~~one-third~~ (1/3) mile radius of the development project site.
- ~~m.l.~~ Any *adaptive reuse project* that is a designated *historic-cultural monument* and is being converted to a *residential use*.

Exhibit “B”: Resident Protections Ordinance (RPO)

Amendments to CF: 21-1230-S8 (Ordinance 188,482)

The Resident Protections Ordinance (RPO) is an ordinance amending Articles 4 and 6 of Chapter 1A of the Los Angeles Municipal Code. This exhibit shows amendments to Ordinance 188,482 to match the style and formatting of Chapter 1A of the LAMC, including corrections to typographical errors and citations.

Additions to Chapter 1A text are shown in underline and deletions are shown in ~~striethrough~~. *Italics* signify that a term is defined in Div. 14.3. (Glossary) of Chapter 1A of the LAMC.

EXHIBIT “B” RPO

Section 1. A new Division 4C.15 (Resident Protections) is added to Part 4C. (Development Standards Rules) of Article 4. (Development Standards) of Chapter 1A of the Los Angeles Municipal Code as follows:

DIV. Division 4C.15. RESIDENT PROTECTIONS (~~Resident Protections~~)

SEC. 4C.15.1. HOUSING PROJECTS THAT RESULT IN THE DEMOLITION OF DWELLING UNITS.

A. Intent.

The intent of the standards of this Section (Housing Projects That Result In The Demolition Of Dwelling Units) is to codify housing replacement requirements, ensure preservation of *dwelling units*, and ensure consistent occupant protections when residential *projects* result in the loss of *dwelling units*.

B. Applicability.

1. Loss of Protected Units.

The requirements of this Section (Housing Projects That Result In The Demolition Of Dwelling Units) apply to any *project* that meets the definition of “housing development project” as defined in California Government Code Sec. 65589.5(h)(2), except that, for purposes of this Section (Housing Projects That Result In The Demolition Of Dwelling Units), 4C.15.1, “housing development project” also includes *projects* that involve no discretionary approvals and *projects* to construct a single *dwelling unit*, and either:

- a. Will require or result in the loss or reduction of occupied or vacant *protected units*; or
- b. Is located on a *lot* where *protected units* were removed in the previous five years.

2. Loss of Dwelling Units.

The requirements of Paragraph 2. (No Net Loss of Dwelling Units) of Subsection C. (Standards), below, apply to any *project* that meets the definition of “housing development project” as defined in California Government Code Sec. 65589.5(h)(2), except that, for purposes of this Section (Housing Projects That Result In The Demolition Of Dwelling Units). ~~4C.15.1~~, “housing development project” also includes *projects* that involve no discretionary approval and *projects* to construct a single *dwelling unit*, and either:

- a. Will require or result in the loss or reduction of occupied or vacant *dwelling units*; or
- b. Is located on a lot where *dwelling units* were removed in the previous five years.

3. Project Activities-

The requirements of this Section (Housing Projects That Result In The Demolition Of Dwelling Units) apply to *project activities* that may result in the loss or reduction of occupied or vacant *protected units* or *dwelling units*, as described in Paragraph 1. (Loss of Protected Units) and Paragraph 2. (Loss of Dwelling Units), above, including:

- a. *New construction*;
- b. *Major remodel*;
- c. *Exterior modification*;
- d. *Use modification*;
- e. *Temporary use*;
- f. *Demolition*; and
- g. *Renovation*.

4. Reconciling Provisions-

- a. Relationship to *Specific Plans*, ~~Supplemental Districts and Special Zones~~

Supplemental Districts, Special Zones, and Specific Plans established in Article 8 (Supplemental & Special Zoning) may establish additional replacement requirements and/or additional occupant protections greater than those provided in this Section (Housing Projects That Result In The Demolition Of Dwelling Units), in which case, the greater replacement requirements and occupant protections shall be used. However, in the event the provisions of a *Historic Preservation Overlay Zone (HPOZ)* conflict with the provisions of this Section (Housing Projects That Result In The Demolition Of Dwelling Units), the provisions of the *HPOZ* shall prevail.

b. Relationship to State Law-

This Section (Housing Projects That Result In The Demolition Of Dwelling Units) shall be implemented consistent with the requirements of State Law contained in California Government Code Sec. 66300.6. The *Director* may prepare Implementation Memoranda, Technical Bulletins, and/or User Guides related to the local implementation of California Government Code Sec. 66300.6, ~~and through this Section (Housing Projects That Result In The Demolition Of Dwelling Units)~~4C.15.1.

C. Standards-

1. Replacement of Existing or Demolished Protected Units

The *project* shall *replace* all existing *protected units* and *protected units* demolished on or after January 1, 2020, pursuant to the replacement requirements of California Government Code Sec. 65915(c)(3), consistent with the requirements in this Section (Housing Projects That Result In The Demolition Of Dwelling Units)~~4C.15.1.~~ These requirements apply in addition to any requirements included in Chapter XV. (Rent Stabilization Ordinance), Sec. 151.28 (Ellis Act Provisions) of this Code.

a. Income Requirements-

Protected units occupied on the date of *application* shall be *replaced* with *dwelling units* at an affordable rent, see Paragraph 2 (Affordable Rent) of Subsection D (Measurement) below, or affordable housing cost, see Paragraph 1 (Affordable Housing Cost) of Subsection D (Measurement) below, to, and occupied by, persons and families in the same or lower income category as those *households* in occupancy based upon the units and incomes of those *households* in occupancy, pursuant to California

Government Code Sec. 65915(c)(3)(B)(i), inclusive of the following income categories: *low income households*; *very low income households*; *extremely low income households*; and *acutely low income households*. *Protected units* that have been demolished or vacated on or before the date of *application* shall be *replaced* with units at an affordable rent, see Paragraph 2. (Affordable Rent) of Subsection D. (Measurement) below, or affordable housing cost, see Paragraph 1. (Affordable Housing Cost) of Subsection D. (Measurement) below, based upon the highpoint in occupancy during the previous five years, pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c)(3)(B)(ii).

i. Replacement When Incomes Are Not Known

If the incomes of the individuals and households are not known, and unless otherwise demonstrated, the presumption in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c)(3)(B)(i) regarding *lower income households* shall be inclusive of the percentage of *extremely low income households*, *very low income households* and *low income households* in the same proportion as their share of all renter *households* within the ~~City of Los Angeles~~, as determined by the General Manager of the Los Angeles Housing Department utilizing the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database or equivalent census data disaggregated by tenure and income category.

ii. Replacement of Rent or Price Controlled Dwelling Units-

Notwithstanding Sub-subparagraph i. (Replacement When Incomes Are Not Known), above, *dwelling units* subject to a form of rent or price control through a local government's valid exercise of its police power shall be *replaced* as follows:

- a) In Higher Opportunity Areas and Moderate Opportunity Areas, *dwelling units* deemed or presumed to be occupied by persons or families above the lower income category shall be *replaced* with low income units.

- b) In Lower Opportunity Areas, with the *dwelling units* proportionate to the share of all lower income renter *households* within the ~~City of Los Angeles~~ described in Sub-subparagraph i. (Replacement When Incomes Are Not Known), above.

b. Equivalent Size-

All replacement units must be of equivalent size, pursuant to Paragraph 5, (Equivalent Size) of Subsection D, (Measurement) below, and *projects* shall contain at least the same total number of units and total aggregate number of bedrooms as the *protected units* being replaced. New units do not have to match bedroom configurations of demolished units, except when a tenant is exercising the right to return as defined in Paragraph 3, (Existing Occupant Protections) below.

c. Relationship to Other Affordability Requirements-

Any *protected units replaced* pursuant to this Paragraph (Replacement of Existing or Demolished Protected Units) shall be considered in determining whether the *project* satisfies the requirements of any state, local or federal requirement that requires, as a condition of the development of rental units, that the *project* provide a certain percentage of rental units affordable to, and occupied by, households with incomes that do not exceed the limits for *moderate income households, lower income households, very low income households, extremely low income households, or acutely low income households*, as specified in Sections 50063.5, 50079.5, 50093, 50105, and 50106 of the California Health and Safety Code.

d. Exceptions-

Notwithstanding the requirements above, the replacement requirements of this Section (Housing Projects That Result In The Demolition Of Dwelling Units) shall not apply to the following:

- i. A *project* that consists of a single *dwelling unit* on a site with a single *protected unit*; or

- ii. A *project* that complies with the requirements of Subparagraph a. of Paragraph 2. (No Net Loss of Dwelling Units) below.

e. Procedures-

An owner of a *project* subject to the above requirements must complete an application for a Replacement Unit Determination with the Los Angeles Housing Department (*LAHD*). Information from the owner and existing tenant(s), as well as information gathered by *LAHD*, will be used to determine whether any *protected units* exist.

2. No Net Loss of Dwelling Units-

Notwithstanding any other law and notwithstanding density limitations on a *site*, no permit shall be issued for a *project* that will require the *demolition* or loss of one or more *dwelling units* irrespective of *protected unit* status, unless the *project* will create at least as many *dwelling units* as those demolished. In addition, the *project* shall include at least as many *dwelling units* as the greatest number of *dwelling units* that existed on the *project site* within the last five years, except for the following:

- a. *LAHD* may approve an off-site replacement plan for *buildings* with *restricted affordable units* that request approval to build a smaller number of *dwelling units* on the site in the following circumstances:
 - i. The proposed construction of the new *restricted affordable units* cannot *replace* all *dwelling units* on *site* due to physical changes in *dwelling unit* type, such as replacing *efficiency dwelling units* with *household dwelling units*; or
 - ii. The proposed construction of the new *restricted affordable units* cannot *replace* all *dwelling units* on *site* and meet the *City's* required Accessible Housing Program standards.
 - iii. Off-site replacement units approved by *LAHD* pursuant to this Subparagraph shall be subject to the following requirements:
 - a) Subject to *LAHD* approval, the off-site replacement *dwelling units* will be of equivalent size, see Paragraph 5. (Equivalent Size) of Subsection D. (Measurement) below, or larger and have equivalent

amenities as the on-site replacement *dwelling units*, and will be covenanted at the same affordability levels and for at least the same length of time as the on-site replacement *dwelling units*; and

- b) Subject to *LAHD* approval, the off-site replacement *dwelling units* will be constructed within a three-mile radius of the on-site replacement *dwelling units*.

3. Existing Occupant Protections:-

a. Right to Remain

An existing occupant shall be allowed to occupy their unit until six months before the start of construction activities with proper notice, subject to California Government Code Sections 7260-7277. The project applicant shall provide an existing occupant with written notice of the planned *demolition*, the date the occupant must vacate, and the occupant's rights under this Section (Housing Projects That Result In The Demolition Of Dwelling Units). The project applicant shall provide this notice at least six months prior to the date the existing occupant must vacate, or more than six months if required under applicable state or local law.

b. Right to Return if Demolition Does Not Proceed:-

An existing occupant that is required to leave their unit shall be allowed to return to the same rental unit, or a comparable unit, see Paragraph 4. (Comparable Unit) of Subsection D. (Measurement) below, at their prior rental rate if the *demolition* does not move forward and the property is returned to the rental market. This right to return is in addition to any applicable requirement in Chapter XV. (Rent Stabilization Ordinance), Section 151.27 (Ellis Act Provisions - Re-Rental Rights of Displaced Tenants) of this Code.

c. Right to Relocation:-

For occupants who are not *lower income households*, relocation benefits shall follow the amounts and processes, as applicable, in Chapter XVI. (Housing Regulations), Sec. 165.06 A (Relocation Assistance) of this Code, Chapter XV. (Rent Stabilization Ordinance), Sec. 151.09 G (Evictions) of this Code, California Government Code Sec. 65863.7 or, for

publicly funded *projects* the greater amount under either local law or under California Government Code Sections 7260-7277.

Consistent with California Government Code Sec. 66300.6(b)(4)(A), occupants of lower income households that are displaced from their residence by a *project* shall be entitled to, and the owner shall pay, relocation benefits that are equivalent to the relocation benefits required to be paid by public entities pursuant to California Government Code Sections 7260-7277 and any implementing regulations.

The owner shall comply with this requirement by following Sub-subparagraphs i. (Comparable Replacement Unit), Sub-subparagraph ii. (Standardized Payment), or Sub-subparagraph iii. (Individualized Relocation Process Consistent with State Relocation Law) below, and by complying with all of the requirements in Sub-subparagraphs iv. - vii., below:

i. Comparable Replacement Unit

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Before or at the time of serving a notice to terminate tenancy, or if no notice is served, prior to or at the time the occupant is displaced by a *project*, provide a copy of a written lease signed by the occupant to *LAHD*, documenting that the existing occupant has access to a comparable replacement unit (as the term is used in California Government Code Section 7260) that is permanently affordable, consistent with the following requirements:

- a) The comparable replacement unit is consistent with all standards in California Government Code Sections 7260-7277, and any implementing regulations;
- b) The rent is permanently affordable to the occupant based on the income level of the occupant *household*;
- c) If the occupant is also entitled to relocation benefits under Chapter XV. (Rent Stabilization Ordinance), Section 151.09 (Evictions) or Chapter XVI. (Housing Regulations), Section 165.06 (Relocation Assistance), the owner shall comply with the respective processes and amounts set forth in Chapter XV. (Rent Stabilization Ordinance), Section 151.09 (Evictions) or

Chapter XVI. (Housing Regulations), ~~Section~~ 165.06
(Relocation Assistance); and

- d) Any requirement that an occupant make an advance payment to the owner, such as first and last month's rent or a security deposit, must be in accordance with all laws. An owner must pay the relocation benefit to the occupant before the occupant's advance payment to the owner is due.
- e) *LAHD* reserves the right to review the comparable replacement unit and the lease for compliance with California Government Code, Chapter 16. (Relocation Assistance), ~~Sections~~ 7260-7277 and any implementing regulations. *LAHD* may require the owner to provide additional proof that the occupant executed the lease at the comparable replacement unit.
- f) In the event the occupant is unable to move into the comparable replacement unit or *LAHD* determines that the unit is not a comparable replacement unit consistent with California Government Code ~~Sections~~ 7260-7277 and any implementing regulations, owner shall pay relocation benefits to the occupant under Sub-subparagraphs ii. (Standardized Payment) or Sub-subparagraph iii. (Individualized Relocation Process Consistent with State Relocation Law), below.

ii. **Standardized Payment:**

Within 15 days after serving a notice to terminate tenancy, or if no notice is served, prior to or at the time the occupant is displaced by a *project*, pay relocation benefits to the existing occupant according to the following formula and process requirements:

- a) Pay an amount equal to the difference between the Section 8 Department Voucher Payment Standard and the rent affordable to that occupant's income level per California Health and Safety Code Sec. 50053, multiplied by 42 months, plus estimated incidental moving costs;
- b) The amount for the Section 8 Department Voucher Payment Standard, the determination of the affordable rent, see

Paragraph 2. (Affordable Rent) of Subsection D. (Measurement) below, and the estimated incidental moving costs shall be determined upon the adoption of this ordinance, and then adjusted annually according to the Consumer Price Index – All Urban Consumers. For the fiscal year beginning July 1, 2025, and all subsequent fiscal years, the fee amounts shall be adjusted on an annual basis pursuant to the formula set forth in Chapter XV. (Rent Stabilization Ordinance), Section 151.06 D (Automatic Adjustments) of this Code. The adjusted amount shall be rounded to the nearest \$50 increment. *LAHD* shall publish the amount annually.

- c) The relocation benefits shall be paid in accordance with the process and timing requirements in Chapter XV. (Rent Stabilization Ordinance), Sections 151.09 G.1(a) and (b), G.2, and G.5 of this Code.

iii. Individualized Relocation Process Consistent with State Relocation Law.

Before or when the owner serves a notice to terminate tenancy, or if no notice is served, then before or when the occupant is displaced by a *project*, the owner shall be subject to an individualized relocation process to determine and pay a relocation amount equal to the amount paid by public entities pursuant to California Government Code Sections 7260-7277. The owner shall:

- a) At the time the Replacement Unit Determination is filed or at the termination of tenancy, whichever comes first, submit all relocation documents required by *LAHD* for publicly-financed *projects*, including, but not limited to: a relocation plan; a résumé and qualifications of the relocation consultant; a completed relocation tenant rent roll; and a completed project summary assessment;
- b) Before filing with *LAHD* a Notice of Intent to Withdraw or Declaration of Intent to Evict for the purpose of demolition, obtain *LAHD*'s approval of all required relocation documents. If no *LAHD* approval is obtained, then the owner may file the Notice or Declaration, but, for relocation benefit purposes must

comply with either Ssub-subparagraphs i. (Comparable Replacement Unit) or Sub-subparagraph ii. (Standardized Payment), above, instead of this Ssub-subparagraph iii. (Individualized Relocation Process Consistent with State Relocation Law);

c) Obtain *LAHD*'s approval of the calculated relocation payment once a tenant has identified replacement housing; and

d) Provide to *LAHD* evidence showing the tenant was relocated to the identified replacement housing and the owner has paid the tenant the full relocation payment.

iv. For determining whether a tenant is displaced by a *project*, the following actions shall constitute evidence of development:

a) The oOwner applies for an entitlement or *building permit* for a *project* requiring the *demolition* of an existing rental unit and the tenancy is or will be terminated as a result;

b) The oOwner applies for a Replacement Unit Determination and the tenancy is or will be terminated as a result; or

c) The oOwner serves a notice or otherwise seeks to terminate a tenancy or recover possession of a rental unit based upon one of the grounds under Chapter IV. (Public Welfare), Sec~~tion~~ 47.08 (Tenant Relocation Assistance Where Mobilehome Parks Are Changed to a Different Use) or Sec~~tion~~ 47.09 (Mobilehome Park Closure Impact Report), Chapter XV. (Rent Stabilization Ordinance), Sec~~tion~~ 151.09 A.10 (Evictions), or Chapter XVI. (Housing Regulations), Sec~~tion~~ 165.03 I.1 or Sec~~tion~~ 165.03 I.3 (Just Cause Evictions) of this Code, requiring payment of relocation assistance that includes evidence of intent to develop the property.

v. Nothing in this Ssubsection (Standards) relieves an owner from the obligation to provide relocation assistance pursuant to *City* administrative agency action or any other provision of local, state or federal law. If an occupant is entitled to monetary relocation benefits pursuant to *City* administrative agency action or any provision of local,

state or federal law, then those benefits shall operate as a credit against the highest relocation benefits required to be paid to the tenant by the owner under this Section (Housing Projects That Result In The Demolition Of Dwelling Units). The occupant is entitled to the highest relocation benefit provided by local, state, or federal law.

vi. No *demolition* permit shall be issued unless the Los Angeles Housing Department provides a written clearance to the *Department of Building and Safety* stating that the owner has complied with the relocation assistance requirements of this Section (Housing Projects That Result In The Demolition Of Dwelling Units). The owner shall provide proof of compliance with the relocation assistance requirements of this Section (Housing Projects That Result In The Demolition Of Dwelling Units) to the Los Angeles Housing Department on a form provided by the Los Angeles Housing Department. The form shall be accompanied by a fee of \$45 per unit. The annual fee increase adjustment shall be based on the Consumer Price Index – All Urban Consumers for the Los Angeles-Long Beach-Anaheim metropolitan statistical area, or if such index ceases to be published, by an equivalent index chosen by the Director of the Los Angeles Housing Department. The fee shall be averaged for the previous ~~12~~^{twelve}-month period ending September 30 of each year. The fee shall reflect the change in the Consumer Price Index over the previous consecutive twelve-month period expressed as a percentage and rounded off to the nearest whole number.

vii. If after the effective date of this ordinance (Ord. No. 188,482) an owner of residential real property has exercised its rights under California Government Code, Chapter 12.75 (Residential Rental Property), ~~Sections~~ 7060-7060.7 to withdraw the property from residential rent or lease or Chapter XVI. (Housing Regulations), ~~Section~~ 165.03 I.1 or ~~Section~~ 165.03 I.3 (Just Cause Evictions) of this Code, with no stated intent to redevelop the property in its Notice of Intent to Withdraw, paid no property relocation payments consistent with Sub-subparagraphs i. (Comparable Replacement Unit), Sub-subparagraph ii. (Standardized Payment), or Sub-subparagraph iii. (Individualized Relocation Process Consistent with State Relocation Law), above, and then within five years of submitting this Notice of Intent to Withdraw, the owner seeks to develop the property as

demonstrated by actions described in Sub-subparagraph iv., above, the following shall apply:

- a) As a condition of the clearance of *demolition* or *new construction* permits, the applicant or the applicant's successor-in-interest shall be required to pay to *LAHD* a fine equal to three times the relocation benefit amount that would have been paid under Sub-subparagraphs ii. (Standardized Payment) or Sub-subparagraph iii. (Individualized Relocation Process Consistent with State Relocation law), above, where the income of the former occupants is known. Where income of the former occupants is not known, the applicant shall be required to pay \$250,000 per displaced occupant *household*. The *LAHD* shall not clear a *demolition* or *new construction* permit until the applicant complies with this Ssection (Housing Projects That Result In The Demolition Of Dwelling Units). The withholding of permits shall not apply to *demolition* permits or approvals that are necessary to comply with a *Department of Building and Safety, LAHD*, or other government order.

Notice Process.

When an owner seeks a *demolition* or *new construction* permit clearance from *LAHD* at a property where the owner may have misrepresented its intention to develop the property in its Notice of Intent to Withdraw, and it has not paid relocation benefits to tenants consistent with having displaced them for development, *LAHD* will provide written notice to the owner that the *LAHD's* clearance of the permits is conditioned on payment of the fine. The notice shall include the address of the property at issue, a copy of the owner's Notice of Intent to Withdraw, the amount of the potential fine, and the process to appeal the imposition of the fine.

Appeal Process.

The notice shall include a right to file an appeal within 30 calendar days of the notice of the condition to pay the fine which shall include the right to an administrative hearing.

The appellant shall pay an administrative fee for the costs of the

appeal in an amount equal to the amount for appeals under Chapter XVI. (Housing Regulations), ~~Section~~ 165.06 C (Relocation Assistance) of this Code.

After the hearing officer issues a decision in the administrative hearing, the owner may seek judicial review of the determination pursuant to California Code of Civil Procedure ~~Section~~ 1094.5.

b) Any *lower income household* displaced as a result of a tenancy termination, for the purpose of property development, under Chapter XVI. (Housing Regulations), ~~Section~~ 165.03 I.1 or Sec. 165.03 I.3 (Just Cause Evictions), Chapter XV. (Rent Stabilization Ordinance), ~~Section~~ 151.09 A.10 (Evictions), Chapter IV. (Public Welfare), ~~Section~~ 47.08 (Tenant Relocation Assistance Where Mobilehome Parks Are Changed to a Different Use) or ~~Section~~ 47.09 (Mobilehome Park Closure Impact Report) of this Code, shall be entitled to relocation benefits under Sub-subparagraphs ii. (Standardized Payment) or Sub-subparagraph iii. (Individualized Relocation Process Consistent with State Relocation Law), above. The payment shall be in accordance with Chapter XV. (Rent Stabilization Ordinance), ~~Section~~ 151.09.G.1-2 (Evictions) of this Code.

c) For an occupant who was in possession of a unit at the time the owner filed the Notice of Intent to Withdraw who seeks to pursue a Private Right of Enforcement under Paragraph 2. (~~Private Right of Enforcement~~; Civil Penalties) of Subsection E. (Procedures) below for causes of action arising out of Sub-subparagraph vii. above, the cause of action shall accrue when the owner files for an entitlement, *building permit*, or Replacement Unit Determination to construct a *project*.

d. Right to Return-

The owner shall provide the following to the existing occupants of any *protected units* that are *lower income households* and agree to this requirement on a form provided by the Los Angeles Housing Department:

i. A right of first refusal for a deed-restricted comparable unit, see Paragraph 4. (Comparable Unit) of Subsection D. (Measurement)

below, available in the new housing development. The offered comparable unit in the new housing development shall be affordable to the *household* at the *household's* prior rental rate, at an affordable rent, see Paragraph 2. (Affordable Rent) of Subsection D. (Measurement) below, or at an affordable housing cost, see Paragraph 1. (Affordable Housing Cost) of Subsection D. (Measurement) below, whichever is lower. In a case where the prior rental rate is used to establish the initial rent, any subsequent rent increase for such tenant shall not exceed the allowable rent increase for a rent stabilized unit under Chapter XV. (Rent Stabilization Ordinance) of this Code, and this limitation shall be included in the covenant recorded for the affordable replacement unit. This right of first refusal requirement shall not apply to any of the following:

- a) A *project* that consists of a single *dwelling unit* located on a site where a single *protected unit* is being demolished;
- b) Units in a housing development in which 100 percent of the *dwelling units*, exclusive of a *manager's unit* or units, are reserved for *lower income households*, except when *protected units* are occupied by *households* who qualify for residence in the new development and for whom providing comparable units would not be precluded due to unit size limitations or other requirements of any funding source of the housing development, as determined by the Los Angeles Housing Department; or
- c) A *project* that meets all the criteria in Sec. 4C.15.2.E. (Exceptions).

e. Additional Tenant Notification Obligations:-

- i. A project applicant shall notify existing tenants in writing of all their legal rights under this Paragraph ~~Section 3. (Existing Occupant Protections) above~~. Information regarding a tenant's eligibility for these rights, rent guidelines for the new unit, and any procedures a tenant will need to follow to exercise these rights shall be provided in writing to the tenant in accordance with any and all requirements and procedures of LAHD's Replacement Unit Determination (RUD). The applicant shall provide and maintain accurate contact information to

tenants for purposes of communicating throughout the construction and lease up of the *project*.

- ii. A project applicant or their predecessor-in-interest shall provide written notice to any tenant who is exercising their right to return of major milestones in the development process, including but not limited to: (1) the start of construction, (2) on at least a bi-annual basis provide updates on the anticipated date of when occupancy would be opened, (3) at least 180, 90, 30, and 15 days in advance of the anticipated availability of the unit pursuant to the issuance of the ~~t~~Temporary or ~~f~~Final *Certificate of Occupancy*, (4) when the ~~t~~Temporary *Certificate of Occupancy* is issued, and (5) when the ~~f~~Final *Certificate of Occupancy* is issued. Failure to inform tenants of the *project's* major milestones may result in commensurate additional time provided to the tenant to return to the replacement unit. This shall not preclude tenants from contacting the applicant or their predecessor-in-interest to inquire about progress throughout construction and lease up of the *project*.
- iii. Where a tenant *household* has a right of return pursuant to Subparagraph d. (Right to Return), above, the project applicant or their predecessor-in-interest shall notify the tenant *household* of this right. The notice must comply with the applicable standards set forth by *LAHD* and include the rent guidelines for the *project* and any procedures the tenant must follow to claim a new unit. Where *LAHD* has created a standard notice, the project applicant must provide that standard notice to tenant *households*.
- iv. Within 30 days of receipt of the notice that the ~~t~~Temporary or ~~f~~Final *Certificate of Occupancy* has been issued and the replacement unit is available, a tenant *household* must notify the owner if it wishes to reoccupy the replacement unit or room. The owner must hold the unit or room vacant at no cost to the tenant for 60 days from the date the tenant household's written notice of its intent to reoccupy the rental unit is received.
- v. Where a tenant household has a right to remain pursuant to Subparagraph a. (Right to Remain) above, the project applicant or their predecessor-in-interest shall provide written notice to existing occupants of the planned demolition, the date they must vacate, and

their rights under this Section (Housing Projects That Result In The Demolition Of Dwelling Units).

- vi. A project applicant who experiences unforeseen delays in issuance of a ~~temporary~~ *Certificate of Occupancy* or final Certificate of Occupancy impacting the timeline of their construction milestone updates shall not be subject to the Private Right of Action described in Paragraph 2. (Private Right of Action; Civil Penalties) of Subsection E. (Procedures), below, so long as they can demonstrate compliance with the tenant notification obligations in this Subparagraph ~~e~~. (Additional Tenant Notification Obligations).

4. Withholding or Revoking of Demolition Permit Approval for Illegal Tenant Harassment or Eviction:-

a. Thresholds to Place ~~an~~ individual or Entity on LAHD's Anti-Harassment Violators Database:-

LAHD shall place a beneficial owner onto the LAHD Anti-Harassment Violators Database when:

- i. A final judgment has been issued against the beneficial owner within the last five years, which does not precede the operative date of this Paragraph (Withholding or Revoking of Demolition Permit Approval for Illegal Tenant Harassment or Eviction) Section 4C.15.1C.4, for unlawful tenant harassment under the *City's* Tenant Anti-Harassment Ordinance, known as "TAHO," as set forth under Chapter IV. (Public Welfare) of this Code, or similar actions within *City* limits under California Civil Code ~~Sections~~ 1940.2, Sec. 1942.4, or Sec. 1942.5; or
- ii. The *City* has either (A) issued three final citations for TAHO violations at properties in the *City* against the beneficial owner within the last ~~10ten~~ years, which do not precede the operative date of this Paragraph (Withholding or Revoking of Demolition Permit Approval for Illegal Tenant Harassment or Eviction)Section 4C.15.1C.4, for which all appellate remedies have expired or (B) in zones where there is a heightened risk of displacement of lower income tenants as determined by the *City's* Displacement Assessment Risk Tool, the *City* has issued one final citation for TAHO violations at a property

against the beneficial owner within the last five years for which all appellate remedies have expired; or

- iii. A final judgment has been issued against the beneficial owner within the last five years, which does not precede the operative date of this Paragraph (Withholding or Revoking of Demolition Permit Approval for Illegal Tenant Harassment or Eviction)~~Section 4C.15.1C.4~~, for wrongfully or illegally evicting a tenant within *City* limits or causing a tenant to involuntarily quit within *City* limits in violation of local or ~~s~~State law.
- iv. For purposes of this Paragraph 4-(Withholding or Revoking of Demolition Permit Approval for Illegal Tenant Harassment or Eviction), a "beneficial owner" shall be defined as established in Paragraph 3₂ (Beneficial Owner) of Subsection D₂ (Measurement) below.

b. Notice of Determination and Right to Staff Review-

After *LAHD* places an individual or entity into the LAHD Anti-Harassment Violators Database, *LAHD* shall send a Notice of Determination to the known beneficial owner(s) of the property, if different from the project applicant or permittee, as shown on the last equalized assessment roll, and to any person holding a deed of trust, mortgage, or other security interest in the property as revealed by a title search with respect to the property.

The Notice of Determination shall state that the *LAHD* General Manager, or designee, has determined based on criteria in Subparagraph a. (Thresholds to Place individual or entity on LAHD's Anti-Harassment Violators Database), above, that the beneficial owner should be placed in the LAHD Anti-Harassment Violators Database the basis for that determination, and the potential consequences under this ordinance. This Section (Housing Projects That Result In The Demolition Of Dwelling Units) does not create any new appeal rights under the Administrative Citation Enforcement (ACE) Program, Chapter I. (General Provisions and Zoning), Article 1.2. (Administrative Citations) of this Code. ~~Division 1.2. (Municipal Code Administrative Citations)~~. Within 14 days of the date of this notice, the beneficial owner(s), subject to being placed in the database, shall have a right to request an *LAHD* staff level review of this determination. At the review, the beneficial owner may submit any evidence relevant to this determination.

c. Review of Determination-

The *LAHD* staff review shall be set on a date no earlier than 20 days after the date of the Notice of Determination, and the review shall be conducted no later than 60 days after the date of the Notice of Determination. At the review, the beneficial owner may submit any evidence relevant to this determination regarding the correct identity of the violator and the correct number of violations. The review shall be limited to whether the beneficial owner meets one of the stated criteria set forth in Subparagraph a. (Thresholds to Place individual or entity on LAHD's Anti-Harassment Violators Database), above.

Within ~~thirty (30)~~ days of the review, *LAHD* shall provide a written LAHD Notice of Outcome notifying the beneficial owner of the outcome of the review. If the determination is upheld in review, the beneficial owner may seek judicial review by writ of mandamus.

d. Consequences of Placement in LAHD's Anti-Harassment Violators Database-

i. When there has been a final determination to place a beneficial owner on the LAHD Anti-Harassment Violators Database, *LAHD* shall notify in writing the Superintendent of Building and Safety and the Director of Planning.

ii. If any owner, applicant, or permittee, seeking a *demolition* permit or approval that is subject to this Section ~~4C.15.1~~. (Housing Projects that Result in the Demolition of Dwelling Units) or ~~Section 4C.15.2~~. (Non-Housing Projects that Result in the Demolition of Dwelling Units) for a *project* involving *new construction*, or major renovations, ~~or additions~~, is on the LAHD Anti-Harassment Violators Database, the Superintendent of Building and Safety shall withhold or revoke the issuance of any *demolition* permits for five years and the Director of Planning and/or Superintendent of Building and Safety shall withhold the issuance of any approval for five years unless otherwise prohibited by law. Where the *City* has denied or revoked a *demolition* permit or approval to any applicant under this Subparagraph ~~4~~. (Consequences of Placement on LAHD's Anti-Harassment Violators Database) ~~above~~, the denial or revocation for a five-year term for the subject property shall apply to any new owner, unless the new owner is developing a publicly-financed affordable housing project on the same *site* where more than 50 percent of the units are affordable, except for *manager's unit(s)*.

iii. Demolition permits or approvals that are necessary to comply with a *Department of Building and Safety*, LAHD, or other government order shall not be withheld or revoked under this Paragraph (Withholding or Revoking of Demolition Permit Approval for Illegal Tenant Harassment or Eviction).

iv. The five-year hold period shall commence on the date of the court's final judgment or the *City's* citation is final and no further judicial remedies are available.

v. If at the end of the five-year hold period, no new citations have been issued to and no new court judgment has been entered against the beneficial owner(s), the beneficial owner(s) or subsequent owners shall be removed from the LAHD Anti-Harassment Violators database. However, if during the five-year period, there is a new citation or court-entered judgment against the same beneficial owner, the five-year ban shall be extended from the date that the most recent citation or court-entered judgment becomes final and no further appeals are available. No citation used to place a beneficial owner into the database may be used against the beneficial owner more than once.

vi. Notwithstanding any other law, any action by the *Department of Building and Safety* or the *Department of City Planning* resulting from any of the provisions of this Section (Housing Projects That Result In The Demolition Of Dwelling Units), including *demolition* permit revocation and withholding of an approval shall not be further appealable.

e. Operative Date and Subsequent Ordinance-

This Paragraph 4- (Withholding or Revoking of Demolition Permit Approval for Illegal Tenant harassment or Eviction) shall become operative after *LAHD* establishes a determination and review process and publishes a notice of its effective date on the *LAHD* website and at least once in a newspaper of general circulation in the City of Los Angeles.

If the *City* adopts a subsequent ordinance in conflict with the procedures in this Paragraph 4- (Withholding or Revoking of Demolition Permit Approval for Illegal Tenant Harassment or Eviction) relating to the withholding or revoking of a *demolition* permit, this Paragraph (Withholding or Revoking of Demolition Permit Approval for Illegal Tenant Harassment or Eviction)⁴ shall be of no further force and effect.

D. Measurement

1. Affordable Housing Cost

For the purpose of meeting the requirements of this Section (Housing Projects That Result In The Demolition Of Dwelling Units), “affordable housing cost” has the same meaning as defined in California Health and Safety Code Sec. 50052.5.

2. Affordable Rent

For the purpose of meeting the requirements of this Section (Housing Projects That Result In The Demolition Of Dwelling Units), “affordable rent” has the same meaning as defined in California Health and Safety Code Sec. 50053.

3. Beneficial Owner

For the purpose of meeting the requirements of Paragraph 4 (Withholding or Revoking of Demolition Permit Approval for Illegal Tenant Harassment or Eviction) above, a “beneficial owner” includes any of the following:

- a. A natural person with a recorded ownership interest in the real property where the tenant harassment takes place.
- b. An ownership entity, including a corporation, limited liability company, limited partnership, partnership, or trust with a recorded interest in the real property where the tenant harassment takes place.
- c. An entity or natural person that meets any of the following criteria:
 - i. has an “ownership interest” or “ownership or control of ownership interest” as these terms are defined in the Code of Federal Regulations, Chapter X. (Financial Crimes Enforcement Network, Department of the Treasury), Section 1010.380(d)(2)(i)-(ii), in an entity described in Subparagraphs a. or b. ~~of this Paragraph 3. above; or~~
 - ii. exercises “substantial control,” as the term is defined in Code of Federal Regulations, Chapter X. (Financial Crimes Enforcement Network, Department

of the Treasury), ~~Section~~ 1010.380(d)(1), over an entity described in Subparagraphs a. or b. ~~of this Paragraph 3.~~, above; or

iii. receives substantial economic benefits from the assets of an entity described in Subparagraphs a. or b. ~~of this Paragraph 3.~~ above.

d. An owner for purposes of the above excludes the following:

i. A minor child;

ii. A person acting solely as an employee of an ownership entity and whose control over, or economic benefits from, that ownership entity derives solely from the employment status of the person;

iii. A person whose only interest in an ownership entity is a future interest through a right of inheritance; or

iv. A creditor of an ownership entity, unless the creditor meets the requirements specified in Subparagraph a. ~~of Paragraph 3.~~ above.

4. Comparable Unit

For the purpose of meeting the requirements of this Section (Housing Projects That Result In The Demolition Of Dwelling Units), a “comparable unit” contains the same or greater number of existing bedrooms and bathrooms. In cases where one or more single-family homes with four or more bedrooms are being *replaced* by a *project* that consists of two or more units, a comparable unit may have three bedrooms.

5. Equivalent Size

For the purpose of meeting the requirements of this Section (Housing Projects That Result In The Demolition Of Dwelling Units), “equivalent size” shall mean that the replacement units contain at least the same total number of bedrooms as the *dwelling units* being *replaced*.

E. Procedures

1. Records and Agreements.

A covenant acceptable to the *LAHD* shall be recorded guaranteeing compliance with this Section (Housing Projects That Result In The Demolition Of Dwelling Units)^{4C.15.1} and providing for a private right of enforcement by the *City*, any tenant, or owner of any *building* to which a covenant and agreement applies.

2. Private Right of Action; Civil Penalties-

- a. An aggrieved tenant under this Section (Housing Projects That Result In The Demolition Of Dwelling Units), or any person, organization, or entity who will daily and adequately represent the interests of an aggrieved tenant(s) under this Section (Housing Projects That Result In The Demolition Of Dwelling Units), may institute civil proceedings as provided by law, against any owner, or their successor-in-interest, for violating any of the provisions of this Section (Housing Projects That Result In The Demolition Of Dwelling Units) and any person who aids, facilitates, or incites another to violate the provisions of this article, including but not limited to submitting false information in response to the requirements of this Section (Housing Projects That Result In The Demolition Of Dwelling Units).
- b. A prevailing tenant may be awarded compensatory damages. A court may impose civil penalties up to \$10,000 per violation of this Section (Housing Projects That Result In The Demolition Of Dwelling Units) depending upon the severity of that violation, tenant relocation, or other appropriate relief, as adjudged by the court. Treble damages may also be awarded for willful violations. If a tenant prevailing under this article is 65 years or older or disabled, the court may impose additional civil penalties up to \$5,000 per violation depending upon the severity of the violation of this Section (Housing Projects That Result In The Demolition Of Dwelling Units). The prevailing tenant shall be awarded reasonable attorney's fees and costs.
- c. Any owner or their agent violating any of the provisions of this Section (Housing Projects That Result In The Demolition Of Dwelling Units), may be enjoined therefrom by a court of competent jurisdiction.
- d. The right to bring a civil action under this Section (Housing Projects That Result In The Demolition Of Dwelling Units) shall extend to current tenants at a property, to former tenants at a property who were displaced by violations of this Section (Housing Projects That Result In The Demolition Of Dwelling Units), and to the *City*.

- e. The remedies in this Paragraph (Private Right of Action; Civil Penalties) are not exclusive nor do they preclude any tenant or the *City* from seeking any other legal or equitable remedies, penalties and punitive damages, as provided by law.
- f. Any agreement, whether written or oral, waiving any of the provisions contained in this Section (Housing Projects That Result In The Demolition Of Dwelling Units) shall be void as contrary to public policy.

SEC. 4C.15.2. NON-HOUSING PROJECTS THAT RESULT IN THE DEMOLITION OF DWELLING UNITS-

A. Intent

The intent of this Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units) is to codify housing replacement requirements, ensure preservation of *dwelling units*, and ensure consistent occupant protections, while allowing for *non-residential projects* that result in the loss of *dwelling units*.

B. Applicability

1. Loss of Dwelling Units-

- a. The requirements of this Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units) apply to any project that meets the definition of “Project” consistent with how the term “development project” is used in California Government Code Section 66300.6, and is not a housing development project as defined in California Government Code, Chapter 3. (Local Planning), Section 65589.5, and that either:
 - i. Submits a preliminary application pursuant to California Government Code, Chapter 4.5. (Review and Approval of Development Projects), Section 65941.1, before January 1, 2030 and receive approval before January 1, 2034, and either:

- a) Will require or result in the loss or reduction of occupied or vacant *dwelling units*; or
 - b) Is located on a *lot* where *dwelling units* were removed in the previous five years; or
- ii. Is located on a *lot* that is mapped on the Inventory of Housing Element Sites Map, as established in Section 1.5.13. (Inventory of Housing Element Sites Map) and
 - a) Will require or result in the loss or reduction of occupied or vacant *protected units*; or
 - b) Is located on a *lot* where *protected units* were removed in the previous five years.

2. Project Activities-

The requirements of this Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units) apply to *project activities* that may result in the loss or reduction of occupied or vacant *protected units*, as described in Paragraph 1. (Loss of Dwelling Units), above, including:

- a. *New construction*;
- b. *Major remodel*;
- c. *Exterior modification*;
- d. *Use modification*;
- e. *Temporary use*;
- f. *Demolition*; or
- g. *Renovation*.

3. Reconciling Provisions-

- a. Relationship to Specific Plans, Supplemental Districts and Special Zones-

Supplemental Districts, Special Zones, and Specific Plans established in Article 8. (Supplemental & Special Zoning) may establish additional replacement requirements and/or additional occupant protections greater than those provided in this Section (Non-Housing Projects That Result In

The Demolition Of Dwelling Units), in which case the greater replacement requirements and occupant protections shall be used. However, in the event that the provisions of a *Historic Preservation Overlay Zone (HPOZ)* conflict with the provisions of this Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units), the provisions of the *HPOZ* shall prevail.

b. Relationship to State Law-

This Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units) is intended to comply with the minimum requirements of ~~s~~State Law contained in California Government Code, Chapter 12., (Housing Crisis Act of 2019), ~~Sec. tion~~ 66300.6. If at any time this Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units) does not meet the minimum requirements of California Government Code, Chapter 12. (Housing Crisis Act of 2019), ~~Sec. tion~~ 66300.6, the greater replacement requirements and occupant protections shall be used. The *Director* may prepare Implementation Memorandums, Technical Bulletins, and/or User Guides for the requirements set forth in California Government Code, Chapter 12. (Housing Crisis Act of 2019), ~~Sec. tion~~ 66300.6, for the purpose of providing additional information pertaining to this Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units) and meeting minimum requirements.

C. Standards-

1. Replacement of Existing Units or Demolished Protected Units-

The *project* shall *replace* all existing *protected units* and *protected units* demolished on or after January 1, 2020 pursuant to the replacement requirements of California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), ~~Sec. tion~~ 65915(c)(3) and Sec. 4C.15.1.C.1. (Replacement of Existing or Demolished Protected Units) of this Chapter, in addition to the following requirements:

- a. At the time of permit issuance, an applicant must sign an affidavit for the ~~Los Angeles Department of Building and Safety~~ to ensure the replacement housing will be developed prior to or concurrently to the *project*. “Developed prior” means a final Certificate of Occupancy or ~~t~~Temporary Certificate of Occupancy for the replacement housing must be obtained prior to issuance

of a final *Certificate of Occupancy* or ~~Temporary~~ *Certificate of Occupancy* for the non-residential project;

- b. The required replacement housing may be located on a *site* other than the *project site* but shall be located within the ~~City of Los Angeles~~, with a preference for *sites* within close proximity;
- c. The applicant may contract with another entity to develop the required replacement *dwelling units*, except that the replacement *dwelling units* shall not fulfill the affordability requirements of any other development pursuant to another law;
- d. A commercial developer seeking a commercial density bonus may propose providing *restricted affordable units* through an agreement with a housing developer for partnered housing. The agreement must be approved by the *City* pursuant to California Government Code Section 65915.7.; and
- e. Notwithstanding the requirement that an *accessory dwelling unit* be located on a *lot* with an existing or proposed primary residence, the replacement housing may be established through creation of an *accessory dwelling unit* with the primary *non-residential use* on the parcel being able to be used in place of a primary residence.

2. Existing Occupant Protections-

The *project* meets the occupant protections described in Section 4C.15.1.C.3. (Existing Occupant Protections).

D. Measurement-

None.

E. Exceptions-

A *Project* that meets all of the following criteria is exempt from the replacement requirements established in Paragraph 1₂ (Replacement of Existing Units or Demolished Protected Units) of Subsection C₂ (Standards), above:

1. The *project* includes uses defined in ~~Section 5D.8.5C.2.6-~~ (Light Industrial Uses) or Sec. ~~5D.9.5C.2.7-~~ (Heavy Industrial Uses);
2. The *project* is located on a *lot* with an applied Use District (Part 5B₂) that does not allow *residential uses* and was adopted prior to January 1, 2022; or
3. The *protected units* that are or were on the *lot* are or were *nonconforming uses*.

F. Procedures-

1. Records and Agreements-

A covenant acceptable to the Los Angeles Housing Department shall be recorded guaranteeing compliance with this Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units)~~4C.15.2-~~ and providing for a private right of enforcement by the *City*, any tenant, or owner of any *building* to which a covenant and agreement applies.

2. Private Right of Action; Civil Penalties-

- a. An aggrieved tenant under this Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units), or any person, organization, or entity who will daily and adequately represent the interests of an aggrieved tenant(s) under this Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units), may institute civil proceedings as provided by law, against any owner, or their successor-in-interest, for violating any of the provisions of this Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units) and any person who aids, facilitates, or incites another to violate the provisions of this article, including but not limited to submitting false information in response to the requirements of this Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units).
- b. The prevailing tenant may be awarded compensatory damages. A court may impose civil penalties up to \$10,000 per violation of this Section (Non-Housing Projects That Result In The Demolition Of Dwelling Units) depending upon the severity of that violation, tenant relocation, or other appropriate

relief, as adjudged by the court. Treble damages may also be awarded for willful violations. If a tenant prevailing under this article is 65 years or older or disabled, the court may impose additional civil penalties up to \$5,000 per violation depending upon the severity of the violation of this Ssection (Non-Housing Projects That Result In The Demolition Of Dwelling Units). The prevailing tenant shall be awarded reasonable attorney's fees and costs.

- c. Any owner or their agents violating any of the provisions of this Ssection (Non-Housing Projects That Result In The Demolition Of Dwelling Units), may be enjoined therefrom by a court of competent jurisdiction.
- d. The right to bring a civil action under this Ssection (Non-Housing Projects That Result In The Demolition Of Dwelling Units) shall extend to current tenants at a property, to former tenants at a property who were displaced by violations of this Ssection (Non-Housing Projects That Result In The Demolition Of Dwelling Units), and to the *City*.
- e. The remedies in this Pparagraph (Private Right of Action; Civil Penalties) are not exclusive nor do they preclude any tenant or the *City* from seeking any other legal or equitable remedies, penalties and punitive damages, as provided by law.
- f. Any agreement, whether written or oral, waiving any of the provisions contained in this Ssection (Non-Housing Projects That Result In The Demolition Of Dwelling Units) shall be void as contrary to public policy.

SEC. 4C.15.3. RESTRICTED AFFORDABLE UNITS:-

A. Intent:-

The intent of this Section (Restricted Affordable Units is tTo ensure *restricted affordable units* are available and accessible to residents in need and to uphold fair housing policies and regulations related to unit mix, size, quality, distribution and amenities.

B. Applicability-

1. The *Restricted Affordable Units* requirements established in this Section (Restricted Affordable Units) shall apply to any *restricted affordable units* provided within a *project*.

Supplemental Districts, Special Zones, and Specific Plans established in Article 8, (Supplemental & Special Zoning) may establish longer covenant lengths, additional requirements for unit design, mix, size, quality, distribution, amenities, and/or additional allocation requirements greater than those provided in this Section (Restricted Affordable Units), in which case the greater covenant length, additional requirements for unit design, mix, size, quality, distribution, amenities, and/or allocation requirements shall be used. However, in the event that the provisions of a Historic Preservation Overlay Zone (*HPOZ*) conflict with the provisions of this Section (Restricted Affordable Units), the provisions of the *HPOZ* shall prevail.

C. Standards-

1. Length of Affordability-

- a. A *project* is subject to this Section (Restricted Affordable Units) and must be restricted by a covenant acceptable to the *LAHD* recorded with the Los Angeles County Recorder, guaranteeing that the occupancy restrictions will be observed for at least 99 years from the issuance of the *Certificate of Occupancy* except for:
 - i. A *project* in which public subsidies are tied to a specified covenant period, as determined by the *LAHD*, unless the project applicant voluntarily agrees to a covenant period of at least 99 years;
 - ii. For sale units, which must be consistent with the for-sale requirements of California Government Code, Chapter 4.3. Section 65915(c)(2);
 - iii. *Dwelling units* for ~~Lower Income~~ Students, ~~Transitional~~ Foster Youth, ~~Disabled~~ Veterans, and/or ~~Homeless~~ Persons shall be provided at affordability levels as determined in Section 9.2.1. (State Density Bonus Program) ~~of this Zoning Code (Chapter 1A)~~ for at least 55 years from the issuance of the *Certificate of Occupancy* or a longer period of time if required by the construction or mortgage financing

assistance program, mortgage assistance program, or rental subsidy program; or

- iv. If a lesser term is required by state or federal law, Chapter I. (General Provisions and Zoning) of this Code or as a condition of approval, that term shall be no less than 55 years.

2. Requirements Regarding Unit Design, Unit Mix, Unit Size, Quality and Amenities, Access to, and Distribution of Affordable Units in Mixed-Income Developments-

The *LAHD* shall have the authority to establish and administer requirements applicable to all *restricted affordable units* in mixed-income developments regarding the unit mix, unit size, quality and amenities, access to and distribution of affordable housing units in mixed-income developments in order to ensure compliance with fair housing law and any other applicable requirements, including but not limited to requirements from funding sources. The requirements shall be enforced through an approval by *LAHD* prior to permit issuance. The requirements shall be established in a set of Fair Housing Requirements for Affordable Housing created by the Los Angeles Housing Department and the *Department of City Planning*, and adopted by Resolution at the *City Planning Commission*. If the *City Planning Commission* fails to adopt these regulations by resolution, the requirements may be presented to the *City Council* for their consideration and adoption. *LAHD* shall have the authority to interpret these requirements to best implement their goals.

- a. Amendments to the Fair Housing Requirements for Affordable Housing shall be approved by the *City Planning Commission*, pursuant to the procedures in Section 13B.1.5. (Guidelines or Standards Adoption/Amendment) ~~of this Code (Chapter 1A).~~
- b. The Director of Planning and General Manager of *LAHD* may prepare Implementation Memoranda, Technical Bulletins and/or User Guides for the purpose of providing additional information pertaining to this Paragraph (Requirements Regarding Unit Design, Unit Mix, Unit Size, Quality and Amenities, Access to, and Distribution of Affordable Units in Mixed-Income Developments) and maintaining consistency with California Government Code, Chapter 12. (Housing Crisis Act of 2019), Sec. 66300., et seq. ~~Chapter 12, commencing with Section 66300 of the California Government Code (Housing Crisis Act of 2019).~~

3. Allocation of Restricted Affordable Units-

Restricted affordable units shall be subject to the following:

- a. Affirmative Marketing and Fair Housing Outreach. Sale or lease of the *restricted affordable units* shall follow the affirmative marketing and outreach requirements of the *LAHD*, as outlined in a deed restriction drafted by *LAHD* and filed with the Los Angeles County Recorder;
- b. Affordable and Accessible Housing Registry. All *restricted affordable units* shall be registered to the extent feasible on the Affordable and Accessible Housing Registry managed by *LAHD*, or any existing equivalent listing, when available for rent; and
- c. Priority Populations-

To the extent practical and consistent with any applicable local, state and federal law, and pursuant to any locally adopted guidelines, the Affirmative Marketing and Fair Housing Outreach provisions in Subparagraph a. and Affordable and Accessible Housing Registry in Subparagraph b. ~~above of this Paragraph 3,~~ as well as any other City Planning or *LAHD* administrative procedure, should attempt to prioritize those populations with the greatest housing needs that have been displaced by government-related actions. This may include, but not be limited to:

- i. Any person or *household* displaced through a withdrawal of units pursuant to the Ellis Act and Chapter XV. (Rent Stabilization Ordinance), ~~Section~~ 151.22 (Ellis Act Provisions - Statement of Purpose and Effect) to Sec. 151.28 (Ellis Provisions - Rental of Replacement Units) of this Code;
- ii. A lower income person or lower income household subject to a rent increase related to conversion to market-rate housing due to termination of a public funding subsidy contract, mortgage prepayment, or expiring use restrictions based on land use entitlement concessions;
- iii. A person or *household* who was displaced due to a code enforcement order, including those affected by a natural disaster that resulted in their *dwelling unit* being rendered uninhabitable.

D. Procedures-

1. Records and Agreement-

A covenant acceptable to the *LAHD* shall be recorded guaranteeing compliance with this Section (Restricted Affordable Units)4C.15.3 and providing for a private right of enforcement by the *City*, and any tenant of any *building* to which a covenant and agreement applies.

2. Private Right of Action; Civil Penalties-

- a. The aggrieved current or former tenant(s) may institute civil proceedings as provided by law, against any owner, or their successor-in-interest, for violating any of the provisions of the covenant as described in this Section (Restricted Affordable Units)4C.15.3 and any person who aids, facilitates, or incites another to violate the provisions of this Section (Restricted Affordable Units), such as submitting false information in response to the requirements of this Section (Restricted Affordable Units).
- b. The prevailing tenant may be awarded compensatory or punitive damages. A court may impose civil penalties up to \$10,000 per violation of provisions of the covenant described in this Section (Restricted Affordable Units)4C.15.3 depending upon the severity of that violation, tenant relocation, or other appropriate relief, as adjudged by the court. Treble damages may also be awarded for willful violations. If a prevailing tenant 65 years or older or disabled, the court may impose additional civil penalties up to \$5,000 per violation depending upon the severity of the violation of the covenant as described in this Section (Restricted Affordable Units)4C.15.3. The prevailing tenant shall be awarded reasonable attorneys' fees and costs.
- c. Any owner or their agent violating any of the provisions of the covenant as described in this Section (Restricted Affordable Units)4C.15.3, may be enjoined therefrom by a court of competent jurisdiction.
- d. The remedies provided by this Section (Restricted Affordable Units) are in addition to any other legal or equitable remedies and are not intended to be exclusive, nor do they preclude any tenant or the *City* from seeking other remedies, penalties and punitive damages, as provided by law.

- e. Any agreement, whether written or oral, waiving any of the provisions contained in this Section (Restricted Affordable Units)~~4C.15.3~~ shall be void as contrary to public policy.

Sec. 2. A new Paragraph 4. (Records and Agreement) of Subsection E. (Process) of Section 9.3.2. (Local Affordable Housing Incentive Program) of Division 9.3. (Community Benefits Program) of Article 9 (Public Benefit Systems) of Chapter 1A of the Los Angeles Municipal Code is added to read as follows:

4. Records and Agreement:

Prior to the issuance of any *building permit*, the applicant shall record a covenant acceptable to the *LAHD* that reserves and maintains the total combined number of *dwelling units* designated as restricted affordable for at least 55 or 99 years pursuant to ~~Sec. 4C.15.3~~ (Restricted Affordable Units) from the issuance of the Certificate of Occupancy.

Sec. 3. A new Paragraph 4. (Housing Replacement) of Subsection B. (Eligibility) of Section 9.4.1 (Permanent Supportive Housing Incentive Program) of Division. 9.4. (General Incentive Programs) of Article 9 (Public Benefit Systems) of Chapter 1A of the Los Angeles Municipal Code is added to read as follows:

4. Housing Replacement:

Projects shall meet any applicable *dwelling unit* replacement requirements of ~~Sec. 4C.15.1~~ (Housing Projects that Result in the Demolition of Dwelling Units) or ~~Sec. 4C.15.2~~ (Non-Housing Projects that Result in the Demolition of Dwelling Units). Consistent with ~~Sec. 4C.15.1~~ (Housing Projects that Result in the Demolition of Dwelling Units) or ~~Sec. 4C.15.2~~ (Non-Housing Projects that Result in the Demolition of Dwelling Units), *dwelling units* that are subject to Chapter XV. (Rent Stabilization) of this Code and ~~Sec. 4C.15.1~~ (Housing Projects that Result in the Demolition of Dwelling Units) or ~~Sec. 4C.15.2~~ (Non-Housing Projects that Result in the Demolition of Dwelling Units) and that are also deemed or presumed to be occupied by persons or families above the lower income category shall be *replaced* pursuant to ~~Sec. 4C.15.1~~ (Housing Projects that Result in the Demolition of Dwelling Units) or ~~Sec. 4C.15.2~~ (Non-Housing Projects that Result in the Demolition of Dwelling Units), as determined by the *LAHD*, and all applicable monitoring fees in Article 15. (Fees) ~~Chapter 1. (General Provisions and Zoning), Article 9 (Fees)~~ of this Code shall be paid by the applicant prior to the issuance of any building permit.

Sec. 4. Subsection E. (Records and Agreement) of Section 9.4.1. (Permanent Supportive Housing Incentive Program) of Division 9.4. (General Incentive Programs) of Article 9 (Public Benefit Systems) of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

E. Records and Agreement-

Prior to the issuance of any building permit for a *qualified permanent supportive housing project*, the applicant shall record a covenant acceptable to the Los Angeles Housing Department that reserves and maintains the total combined number of *dwelling units* designated as restricted affordable for at least 55 or 99 years pursuant to Sec. 4C.15.3. (Restricted Affordable Units) from the issuance of the *Certificate of Occupancy*.

Sec. 5. Subsection E. (Records and Agreement) of Section 9.4.4. (Unpermitted Dwelling Units Program) of Div. 9.4. (General Incentive Programs) of Article 9 (Public Benefit Systems) of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

E. Records and Agreement-

Prior to the issuance of any building permit, a covenant acceptable to the Los Angeles Housing Department shall be recorded with the Los Angeles County Recorder, guaranteeing that each required *restricted affordable unit* shall be reserved and maintained for at least 55 years or 99 years pursuant to Section 4C.15.3. (Restricted Affordable Units) from the issuance of the *Certificate of Occupancy*.

Sec. 6. The following definitions in Division 14.3. (Glossary) of Chapter 1A of the Los Angeles Municipal Code are amended to read as follows:

Demolition. Pursuant to Sec. 14.2.15.B.8. (Demolition), demolition is defined as the removal of an entire *structure* or *building*. For the purposes of Sec. 4C.15.1. (Housing Projects that Result in the Demolition of Dwelling Units) and Sec. 4C.15.2. (Non-Housing Projects that Result in the Demolition of Dwelling Units), this definition shall not apply. For the purposes of Div. 13B.8. (Historic Preservation), demolition is defined as the removal of more than 50 percent of the perimeter wall framing, the removal of more than 50 percent of the roof framing, or the substantial removal of the exterior of a *facade* in the Street-Visible Area.

Protected Unit. A protected unit includes a *dwelling unit* that meets any of the following criteria:

1.(i) A *dwelling unit* that is or was subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to lower income households or very low income households within the past five years,

2.(ii) A *dwelling unit* that is or was subject to the Rent Stabilization Ordinance, pursuant to Chapter XV. (Rent Stabilization Ordinance) of this Code, or any other form of rent or price control through a public entity's valid exercise of its police power within the past five years;

3.(iii) A *dwelling unit* that is or was rented by a *lower income households* or *very low income households* within the past five years,

4.(iv) A *dwelling unit* that was withdrawn from rent or lease in accordance with the Ellis Act, pursuant to California Government Code, Chapter 12.75 (Residential Real Property), ~~Sec. tions~~ 7060-7060.7, within the past 10 years.

Replace: Replace is defined as provided in California Government Code ~~Sec. tion~~ 65915(c)(3)(B) and (C).

Sec. 7. Sub-subparagraph ii. of Subparagraph b. of Paragraph 1. (Exemptions) of Subsection B. (Applicability) of Section 15.4.3. (Affordable Housing Linkage Fee) of Division 15.4. (Affordable Housing Program Fees) of Article 15 (Fees) of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

- ii. The housing development project's *restricted affordable units* are subject to a recorded affordability restriction of at least 55 years to 99 years pursuant to ~~Sec. tion~~ 4C.15.3. (Restricted Affordable Units) from the issuance of the *Certificate of Occupancy*, recorded in a covenant acceptable to the LAHD, and subject to fees as set forth in ~~Sec. tion~~ 15.4.2. (Fees for Enforcement of Housing Covenants). Such a covenant shall also subject projects using this exemption to the replacement policies in ~~Sec. tion~~ 4C.15.1. (Housing Projects that Result in the Demolition of Dwelling Units) or ~~Sec. tion~~ 4C.15.2. (Non-Housing Projects that Result in the Demolition of Dwelling Units), and to *LAHD* fees related to housing replacement determinations pursuant to State law, as set forth in this Zoning Code (Chapter 1A).

Exhibit “C”: Housing Element Sites and Minimum Density Ordinance (HESMD)

Amendments to CF: 21-1230-S6 (Ordinance 188,480)

The Housing Element Sites and Minimum Density Ordinance (HESMD) amends Articles 1, 4, 6, and 9 of Chapter 1A of the Los Angeles Municipal Code to establish regulations regarding affordable housing development, housing replacement, and minimum density standards in compliance with state housing element law. This exhibit shows amendments to Ordinance 188,480 to match the style and formatting of Chapter 1A of the LAMC, including corrections to typographical errors and citations, and modifications to clarify the implementation of provisions.

Additions to Chapter 1A text are shown in underline and deletions are shown in ~~striketrough~~. *Italics* signify that a term is defined in Div. 14.3. (Glossary) of Chapter 1A of the LAMC.

EXHIBIT “C” HESMD

Section 1. Section 1.5.13. of Chapter 1A of the Los Angeles Municipal Code is added to read as follows:

SEC.~~Section~~ 1.5.13. INVENTORY OF HOUSING ELEMENT SITES MAP:

A. Purpose:

The Inventory of Housing Element Sites Map identifies *lots* listed in the inventory of land suitable for residential development developed pursuant to California Government Code Section 65583.

B. Boundaries:

Any *lot* designated, using the Department of Public Works, Bureau of Engineering land base dataset, that is listed on the Inventory of Housing Element Sites established in Appendix 4.1, Appendix 4.2, Appendix 4.3 of the current 2021-2029 Housing Element, any candidate sites for rezoning to address a shortfall, until those candidate sites are replaced through adoption of a rezoning program adopted by the *City Council* to implement the *City's* program to rezone for adequate sites pursuant to ~~paragraph (1) of subdivision (c) of the~~ California Government Code Section 65583(c)(1), and any sites rezoned through such program.

C. Amendments:

The *City Council* shall establish and amend the Inventory of Housing Element Sites Map pursuant to an adopted City Council Resolution.

Sec. 2. Section 1.5.14. of Chapter 1A of the Los Angeles Municipal Code is added to read as follows:

SEC.~~Section~~ 1.5.14. PRIOR HOUSING ELEMENT SITES MAP:

A. Purpose:

The Prior Housing Element Sites Map identifies sites that have been listed in a previous Housing Element cycle as suitable for residential development and are

included in the current 2021-2029 Housing Element. Sites listed in the Prior Housing Element Sites Map are eligible for streamlined review established in Sec. 9.2.6. (Housing Element Sites Streamlining Program).

B. Boundaries-

Any *lot* designated, using the Department of Public Works, Bureau of Engineering land base dataset, that is listed as a Prior Housing Element Site in Appendix 4.1 of the current 2021-2029 Housing Element.

C. Amendments-

The *City Council* shall establish and amend the Prior Housing Element Sites Map pursuant to an adopted City Council Resolution.

Sec. 3. Section 1.5.15. of Chapter 1A of the Los Angeles Municipal Code is added to read as follows:

SEC.~~Section~~ 1.5.15. LOWER INCOME REZONING HOUSING ELEMENT SITES MAP-

A. Purpose-

1. The Lower Income Rezoning Housing Element Sites Map identifies *lots* that are eligible for streamlined review in Sec. 9.2.6. (Housing Element Sites Streamlining Program) for the application of the minimum density requirements established in Sec. 6C.2.1. (Minimum Dwelling Units Per Lot Area).
2. The Lower Income Rezoning Housing Element Sites Map identifies *lots* rezoned as part of a rezoning program to meet the Housing Element need for *very low income households and low-income households* allocated pursuant to California Government Code Sec.~~tion~~ 65584. The inventory of these sites established by City Council Resolution shall be submitted to the state each year as part of the Housing Element Annual Progress Report.
3. Sites identified on the Lower Income Rezoning Housing Element Sites Map shall comply with California Government Code Sec.~~tion~~ 65583.2(h).

B. Boundaries-

4. Any *lot* designated, using the Department of Public Works, Bureau of Engineering land base dataset, and established as Lower Income Rezoning Sites, pursuant to City Council Resolution.

~~2. Any *lot* designated, using the Department of Public Works, Bureau of Engineering land base dataset, and identified as meeting the criteria a prior housing element site in the most recently adopted Housing Element, including non-vacant sites that were identified in the prior Housing Element and vacant sites that were identified in the prior two Housing Elements, including sites identified in Column O of Appendix 4.1 of the current 2021-2029 Housing Element.~~

C. Amendments-

The *City Council* shall establish and amend the Lower Income Rezoning Housing Element Sites Map, pursuant to an adopted City Council Resolution. The *Director* is authorized to revise the Lower Income Rezoning Housing Element Sites Map to correct technical errors and reflect any action that renders a site ineligible as a Lower Income Rezoning Site.

Sec. 4. Section 4C.15.4. of Chapter 1A of the Los Angeles Municipal Code is added to read as follows:

SEC. 4C.15.4. MAINTENANCE OF ADEQUATE HOUSING ELEMENT SITES THROUGHOUT THE HOUSING ELEMENT PERIOD-

A. Intent-

The no-net-loss requirements established in this Section (Maintenance of Adequate Housing Element Sites Throughout the Housing Element Period) are intended to ensure that new *projects* do not result in the reduction of existing housing capacity.

B. Applicability-

The requirements of this Section (Maintenance of Adequate Housing Element Sites Throughout the Housing Element Period) apply to any *project* located on a *lot* identified on the Inventory of Housing Element Sites Map (Sec. 1.5.13.).

C. Standards-

1. For a *project* located on a *lot(s)* identified on the Inventory of Housing Element Sites Map (Sec. 1.5.13.), the Departments of City Planning and *Department of Building and Safety* shall not, through any administrative, quasi-judicial, legislative or other actions, reduce the density of an applicable site, or approve any *project* on an applicable site with fewer *dwelling units* in aggregate, by income category, than shown as realistic capacity in the most recent inventory of land suitable for residential development for the remaining housing element planning period, pursuant to California Government Code Section 65584, unless the applicable Department either:
 - a. Makes applicable findings pursuant to California Government Code Section 65863(b), including that, while the proposed *project* would result in fewer *dwelling units* by income category than those identified in the most recent inventory of land suitable for residential development prepared for the 2021-2029 Housing Element, the remaining sites identified in the Housing Element of the General Plan are adequate to meet the requirements of California Government Code Section 65583.2 and to accommodate the *City's* share of the regional housing need pursuant to California Government Code Section 65584. A written finding with substantial evidence shall be included as part of approval of the *project* on the number of sites by income category and their adequacy to meet the requirements; or
 - b. If a finding cannot be made, then within 180 days of any of the actions described in Paragraph 1. above the *Department of City Planning* shall, in accordance with the provisions of this Code, identify and make available additional adequate sites through a rezoning to accommodate the *City's* share of the regional housing need by income level.
2. A *project* may not be denied on the basis that approval of the *project* would require compliance with Subparagraph a. of Paragraph 1., above, if the *project* meets the definition of "housing development project" as defined in paragraph (2) of subdivision (h) of California Government Code Section 65589.5, also including *projects* that involve no discretionary approvals and *projects* that include a proposal to construct a single *dwelling unit*.

Section 5. Division 6B.2. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

In the FA, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, and N Density Districts, the maximum density of *household dwelling units* and *efficiency dwelling units* permitted on a *lot* is limited according to the table below. A *lot* may contain any combination of *household dwelling units* and *efficiency dwelling units*.

LOT AREA-BASED <u>DENSITY</u> DISTRICTS			
Density District	Lot Area per Household Dwelling Unit (min SF) Sec. 6C.1.2.	Lot Area per Efficiency Dwelling Unit (min SF) Sec. 6C.1.3.	Minimum Dwelling Units per Lot Area Sec. 6C.2.1.
FA	Limited by Floor Area	Limited by Floor Area	Applicable
2	200	100	Applicable
3	300	150	Applicable
4	400	200	Applicable
6	600	300	Applicable
8	800	400	Applicable
10	1000	500	Applicable
12	1200	600	Applicable
15	1500	750	Market-Contingent
20	2000	1000	Market-Contingent
25	2500	1250	As Mapped
30	3000	1500	As Mapped

40	4000	2000	As Mapped
50	5000	2500	As Mapped
60	6000	3000	As Mapped
N	Not Permitted	Not Permitted	As Mapped

Sec. 6. A new Division 6C.2. is added to Chapter 1A of the Los Angeles Municipal Code to read as follows:

DIV~~Div.~~ 6C.2. MINIMUM DENSITY.

SEC~~Sec.~~ 6C.2.1. MINIMUM DWELLING UNITS PER LOT AREA.

A. Intent.

The M~~minimum~~ D~~dwelling~~ U~~units~~ per L~~lot~~ A~~area~~ standard is intended to implement State housing element law requirements for designated Lower Income Housing Element Rezoning Sites, and to advance the goals, policies, and objectives identified in the 2021-2029 Housing Element.

B. Applicability.

1. The Minimum Dwelling Units per Lot Area standard applies when a *project* involves the following *project activities*: n~~New~~ c~~Construction~~, m~~Major~~ r~~Remodel~~, e~~Exterior~~ m~~Modification~~, u~~Use~~ m~~Modification~~, t~~Temporary~~ u~~Use~~, d~~Demolition~~, r~~Renovation~~.
2. The minimum density rules in this Section (Minimum Dwelling Units Per Lot Area)~~6C.2.1~~ apply to all ~~projects~~any project that includes dwelling units located on ~~the~~ a lot where Minimum Dwelling Units per Lot Area is listed in Div. 6B.2. (Lot Area-Based Districts) as “Applicable” ~~or~~ “Market-Contingent”, or “As Mapped”-by the applied Density District (Part 6B.).

C. Standards

1. Applicable

Where the applied ~~D~~ensity ~~D~~istrict specifies ~~Minimum Density~~Minimum Dwelling Units per Lot Area as “Applicable” any *project* on the *lot* must propose a minimum of one *dwelling unit* per 2,000 square feet of *lot* area, which can be a combination of *household dwelling units* and *efficiency dwelling units* where permitted. *Dwelling units* provided as *accessory dwelling units*, pursuant to Div. 9.5. (Accessory Dwelling Unit Incentive Program), count toward the required minimum density on the *lot*.

2. Market Contingent-

- a. Where the applied Density District specifies Minimum Density as “Market-Contingent,” any *project* on a *lot* that is located within a High or Medium High Residential Market Area as identified by *City Council* resolution pursuant to Sec. 15.4.3.C.1. (Affordable Housing Linkage Fee), must propose a minimum of one *dwelling unit* per 2,000 square feet of *lot* area, which can be a combination of *household dwelling units* and *efficiency dwelling units* where permitted. *Dwelling units* provided as *accessory dwelling units*, pursuant to Div. 9.5. (Accessory Dwelling Unit Incentive Program), count toward the required minimum density on the *lot*.
- b. Where the applied Density District specifies Minimum Density as “Market-Contingent,” any *project* on a *lot* that is located within a Low, Medium, or Not Applicable Market Area as identified by *City Council* resolution pursuant to Sec. 15.4.3.C.1. (Affordable Housing Linkage Fee), are not subject to any minimum density requirements, unless they are located on a *lot* mapped on the Lower Income Rezoning Housing Element Sites Map (Sec. 1.5.15.). If the *project* is located on a *lot* mapped on the Lower Income Rezoning Housing Element Sites Map (Sec. 1.5.15.), the *project* shall include a minimum density of 20 *dwelling units* per acre, which may include a combination of *household dwelling units* and *efficiency dwelling units* where permitted. *Dwelling units* provided as *accessory dwelling units*, pursuant to Div. 9.5. (Accessory Dwelling Unit Incentive Program), count toward the required minimum density on the *lot*.

3. As Mapped-

- a. Where the applied Density District (Part 6B₂) specifies Minimum Density as “As Mapped,” any *project* on a *lot* mapped on the Lower Income Rezoning Housing Element Sites Map (Sec. 1.5.15.) shall include a minimum density of 20 *dwelling units* per acre, which may include a combination of *household dwelling units* and *efficiency dwelling units* where permitted. *Dwelling Units* provided as *accessory dwelling units*, pursuant to Div. 9.5. (Accessory Dwelling Unit Incentive Program), count toward the required minimum density on the *lot*.
- b. Where the applied Density District specifies Minimum Density as “As Mapped,” any *project* on a *lot* that is not mapped on the Lower Income Rezoning Housing Element Sites Map (Sec. 1.5.15.) is not subject to any minimum density requirements.

D. Measurement-

1. The required minimum number of *household dwelling units* is calculated by dividing the *lot area* by 2,000 square feet, and can be provided in combination with *efficiency dwelling units* where permitted, as calculated in Sec. 6C.1.3. (Lot Area per Efficiency Dwelling Unit). *Lot area* that has been committed to the minimum *lot area* required per *household dwelling unit* does not count toward the minimum *lot area* required for an *efficiency dwelling unit*. An *Accessory Dwelling Unit* counts toward the required minimum number of *household dwelling units*.
2. For *lots* that are adjacent to one or more *alleys*, the minimum number of *household dwelling units* may be calculated using the *lot area* plus the area between the exterior *lot lines* and the centerline of the *alley*.
3. If the minimum number of *household dwelling units* is a fraction, the minimum density required shall be rounded up to the nearest unit.
4. When density is designated as "Not Permitted," *household dwelling units* are not permitted.

E. Exceptions-

A *project* or *lot* that meets any of the following criteria is exempt from the minimum density requirement established in Subsection C₂ (Standards), above. However, a *project* or a *lot* located on the Lower Income Rezoning Housing Element Sites Map (Sec. 1.5.15.) is not subject to the exceptions listed below and must comply in all cases with the requirements of Subsection C₂ (Standards), above.

1. The *project* is limited to *new construction* of 1,500 square feet or less on a *lot* with existing *buildings* or *structures*, results in no increase in *dwelling units* and involves no *demolition* of an existing *dwelling unit(s)*;
2. A *project* where the only new *dwelling unit* added on the *lot* is an *Accessory Dwelling Unit(s)*;
3. A *project* to reconstruct an existing *dwelling unit* damaged by a disaster or deemed unsafe by the ~~Los Angeles Department of Building and Safety~~, and results in no increase to the amount of ~~fFloor~~ aArea in the prior building or buildings;
4. A development located on any of the environmentally sensitive sites specified in subparagraphs (B) to (K) of California Government Code Section 65913.4(a)(6), including a *Very High Fire Hazard Severity Zone*, regardless of any mitigation;
5. A *project* on a *lot* listed in Section 1.5.6. (Hillside Area Map), where at least 60 percent% of the *lot* is composed of *Slopes* which are 30 percent% or greater;
6. A *lot* that has an applied Oopen Sspace Uuse Ddistrict (Div. 5B.1.);
7. A *lot* that contains a ~~dDesignated~~ hHistoric ~~rResource~~; or
8. A *lot* that cannot achieve the minimum density requirement due to any objective provision of this Code that physically precludes the construction of a development, as determined by ~~the Los Angeles Department of Building and Safety~~, or due to any provision of a *Specific Plan*, or a *Community Plan Implementation Overlay*.

Sec. 7. Section 9.2.6. of Chapter 1A of the Los Angeles Municipal Code is added to read as follows:

~~SEC.~~~~Section~~ 9.2.6. HOUSING ELEMENT SITES STREAMLINING PROGRAM:

The Housing Element Sites Streamlining Program is a map-based program for streamlining the review and approval of *projects* with at least 20 percent of the *dwelling units* set aside for ~~lower-income~~ lower income households.

A. Intent:

The Housing Element Sites Streamlining Program is intended to facilitate and incentivize the construction of affordable housing by establishing procedures, objective review criteria, and allowances for ministerial review as required by California Government Code ~~Sec. 65583.2(h)~~.

B. Applicability:

1. Project Activities:

A *project* that meets the eligibility criteria established in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below, and consists of any of the *project activities* listed in Subparagraphs (a.) and (b.) below may be eligible for participation in the Housing Element Sites Streamlining Program:

- a. *New construction* for which all new *floor area* meets the eligibility criteria outlined in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below~~Sec. 9.2.6.C.1. (Eligibility)~~; or
- b. *A use modification or renovation*, including retrofitting for accessibility purposes, for which all resulting new *dwelling units* and all renovated *dwelling units* meet the eligibility criteria outlined in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below~~Sec. 9.2.6.C.1. (Eligibility)~~

2. Housing Development Project:

To participate in the Housing Element Sites Streamlining Program, a *project* listed above must also meet the definition of “Housing Development Project” as

defined in California Government Code Sec. 65589.5(h)(2), except that a housing development project shall also include a *project* that involves no discretionary approvals and a *project* that includes a proposal to construct a single *dwelling unit*.

3. Reconciling Provisions:-

a. Relationship to Other Incentive Programs:-

A *project* that seeks streamlining through this program pursuant to this Section 9.2.6 (Housing Element Site Ordinance Streamlining Program) shall be eligible for a *density bonus*, *incentive*, concession, *waiver*, or reduction of development standards pursuant to California Government Code Section 65915, or a local incentive program in this Article 9 (Public Benefits System) or any *Specific Plan*, *Supplemental District* or *Special Zone*, provided that the *project* meets the requirements for both the streamlining program and the applicable incentive program.

~~Exception: A CPIO Mixed Income Housing Project as defined in the Hollywood Community Plan Implementation Ordinance District (Hollywood CPIO), which is identified in the Lower Income Rezoning Sites List, shall be processed through the Administrative Clearance in Section 16.C.2. of the Hollywood CPIO when the Project's unit mix includes 20 percent *Restricted Affordable Units* for lower income households, in lieu of any higher minimum number of on-site *Restricted Affordable Units* for a CPIO Mixed Income Housing Project.~~

b. Relationship to Supplemental Districts and Special Zones:-

If any provision of an applicable *Supplemental District* or *Special Zone* conflicts with the procedures, requirements, and provisions of this Section (Housing Element Sites Streamlining Program) 9.2.6, the provisions of this Section (Housing Element Sites Streamlining Program) 9.2.6 shall prevail.

c. Relationship to Other Zoning Provisions:-

Restricted affordable units provided to meet the eligibility criteria for participation in the Housing Element Sites Streamlining Program may also be used to count toward any other applicable *restricted affordable units* required for any other purpose.

- d. Implementation Memoranda, FAQs, Forms/Applications and User Guides. The *Director* may prepare Implementation Memoranda, Technical Bulletins and/or User Guides related to the *Department of City Planning's* implementation of state Housing Element law (~~Article 10.6 of California Government Code, Article 10.6. (Housing Elements), Section 65580 et seq.~~) through the provisions of Chapter 1A of this Code, including, but not limited to, providing additional information for the purpose of maintaining consistency with state law.

C. Program Rules-

1. Eligibility-

An affordable housing project meeting all of the ~~the~~ following eligibility criteria shall qualify for participation in the Housing Element Sites Streamlining Program, including the streamlined review outlined in Paragraph 2. Sec. 9.2.6.C.2. (Streamlined Review) below.

a. Affordability Levels-

At least 20 percent of the *dwelling units* in an eligible ~~p~~Project must be made affordable and available to *lower income households*.

b. Zoning-

The *project* is located on a *lot* with an applied Density District (Part 6B.) that specifies a minimum density requirement of "Applicable", or "Market-Contingent", or "As Mapped" ~~minimum density district.~~

c. Mapped Lots-

The project is located on a *lot* mapped on the Prior Housing Element Sites Map (Sec. 1.5.14.) or Lower Income Rezoning Housing Element Sites Map (Sec. 1.5.15.).

d. Housing Replacement-

The *project* shall meet any applicable housing replacement requirements and demolition protections established in ~~Division~~ 4C.15. (Resident

Protections). Replacement housing units required pursuant to Division 4C.15. (Resident Protections) shall count toward any *restricted affordable unit* requirements.

e. Fair Housing Requirements-

Restricted affordable units shall meet the applicable requirements regarding size, location, amenities, and allocation of restricted affordable units established in Sec. 4C.15.3. (Restricted Affordable Units) and in any Implementation Memorandum or Technical Bulletin prepared and adopted by the Los Angeles Housing Department or *Department of City Planning*.

2. Streamlined Review-

a. Administrative Review Process-

- i. A *project* that meets the eligibility criteria outlined in Paragraph 1, Sec. 9.2.6.C.1. (Eligibility) above, shall be approved via Administrative Review, pursuant to Sec. 13-B.3.1. (Administrative Review) and consistent with Gov. Code Sec. 65583.2(i).
- ii. An eligible *project* that would have otherwise required a discretionary entitlement from the *Department of City Planning* to permit an owner-occupied or rental multifamily residential dwelling use shall be subject to and processed through an Expanded Administrative Review, pursuant to Section 13B.3.2. (Expanded Administrative Review). Any non-*residential use* in an eligible mixed-use *project* shall comply with any discretionary review required for that non-*residential use* under the Code, or any plan or overlay adopted under the Code. In no case shall Project Review pursuant to Section 13B.2.4. (Project Review) of Chapter 4A be required for an eligible *project*.

iii. Supplemental Procedures-

Despite the provisions of Sec. 13B.3.1.H. (Modification of Action), a *project* participating in the Housing Element streamlining program and approved via Administrative Review, pursuant to Sec. 13-B.3.1. (Administrative Review) may request a modification of action only as allowed under California Government Code Section 65913.4(h).

b. Exceptions-

- i. If a *project* is requesting a *subdivision*, the subdivision process shall not be streamlined pursuant to Sec. 9.2.6. (Housing Element Sites Streamlining Program) and shall be subject to all applicable review procedures and laws, including those outlined in Article 11, (Division of Land) and Div. 13B.7, (Division of Land). The part of the *project* requesting an entitlement outside of Div. 13B.7. (Division of Land) ~~this Section~~ may be streamlined pursuant to this Section. 9.2.6. (Housing Element Sites Streamlining Program).
- ii. A non-*residential use* that is not permitted by-right by the applied Use District (Part 5B), including those requiring a Class 1 Conditional Use Permit, Class 2 Conditional Use Permit, or Class 3 Conditional Use Permit, or that requires discretionary review pursuant to an applicable *special use program* outlined in Div. 5C.3. (Special Use Programs) shall not be streamlined and shall be subject to the otherwise applicable review procedures.
- iii. Any *application* for a density increase in excess of the base *incentive* that requires review under Sec. 9.2.1.D.1.e. (Projects with Requests for Density Bonuses in Excess of the Base Incentive) ~~of this Code~~ shall not be eligible for the streamlined review in Subparagraph a. (Administrative Review Process) ~~sub-paragraph (a)~~ above and shall be processed pursuant to the provisions of Sec. 9.2.1.D.1.e. (Projects with Requests for Density Bonuses in Excess of the Base Incentive).

D. Administration-

1. Procedures-

A *project* participating in the Housing Element Sites Streamlining Program shall be reviewed and approved via the streamlined process established in Paragraph 2. (Streamlined Review) of Subsection C. (Program Rules), above.

2. Records & Agreement-

Prior to the issuance of a *building permit* for any *project* participating in the Housing Element Sites Streamlining Program, covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section

| (Housing Element Sites Streamlining Program) and Sec. 4C.15.3. (Restricted Affordable Units) shall be recorded with the Los Angeles County Recorder.

Sec. 8. The following Zone Maps attached as Exhibit A and incorporated herein by reference are adopted:

- A. Inventory of Housing Element Sites Map
- B. Prior Housing Element Sites Map
- C. Lower Income Rezoning Housing Element Sites Map

Exhibit “D”:

Article 4, Part 4B. (Development Standards Districts)

Amendments to CF: 22-0617 (Ordinance 188,418)

This exhibit shows the non-substantive restructuring of Part 4B. (Development Standards Districts) of Article 4. (Development Standards) of Chapter 1A of the LAMC. This exhibit is displayed as an amendment to replace Part 4B. (Development Standards Districts) in its entirety.

PART 4B. DEVELOPMENT STANDARDS DISTRICTS

DIV. 4B.1. **DEVELOPMENT STANDARDS DISTRICTS GROUP "A"**

SEC. 4B.1.1. **DEVELOPMENT STANDARDS DISTRICT 1**

[Reserved]

SEC. 4B.1.2. **DEVELOPMENT STANDARDS DISTRICT 2**

[Reserved]

SEC. 4B.1.3. **DEVELOPMENT STANDARDS DISTRICT 3**

[Reserved]

DIV. 4B.2. DEVELOPMENT STANDARDS DISTRICTS GROUP "B"

SEC. 4B.2.1. DEVELOPMENT STANDARDS DISTRICT 4

[Reserved]

SEC. 4B.2.2. DEVELOPMENT STANDARDS DISTRICT 5

A. Intent

Development Standards District 5 prioritizes the pedestrian experience. Pedestrian access standards facilitate pedestrian circulation by improving pedestrian access from the public realm to the interior of buildings through frequent, direct and convenient access to building entrances. Parking for automobiles is not mandated, contributing to a dynamic and walkable environment. When parking is provided, it must meet high design standards to ensure pedestrian mobility, safety, and comfort are not hindered. On-site signs are sized and located to support a pedestrian-oriented public realm.

B. Standards

1. PEDESTRIAN ACCESS		Div. 4C.1.	
Pedestrian access package	Package 1		
2. AUTOMOBILE ACCESS		Div. 4C.2.	
Automobile access package	Package 1		
3. BICYCLE PARKING		Div. 4C.3.	
Division standards apply			
4. AUTOMOBILE PARKING		Div. 4C.4.	
Division standards apply			
Automobile parking stalls	Package A		
Parking structure design	Primary St.	Side St.	
Parking Garage			
Ground Story	Wrapped	Wrapped	
Upper Stories	Adaptable	Adaptable	
Integrated Parking			
Ground Story	Wrapped	Wrapped	
Upper Stories	Wrapped	Adaptable	
5. TRANSPORTATION DEMAND MANAGEMENT		Div. 4C.5.	
Division standards apply			
6. PLANTS		Div. 4C.6.	
Division standards apply			
7. FENCES & WALLS		Div. 4C.7.	
Division standards apply			
8. SCREENING		Div. 4C.8.	
Division standards apply			
9. GRADING & RETAINING WALLS		Div. 4C.9.	
Division standards apply			
10. OUTDOOR LIGHTING & GLARE		Div. 4C.10.	
Division standards apply			
11. SIGNS		Div. 4C.11.	
Sign package			Package 2
12. SITE ELEMENTS		Div. 4C.12.	
Division standards apply			
13. ENVIRONMENTAL PROTECTION		Div. 4C.13.	
Division standards apply			
14. DEVELOPMENT REVIEW		Div. 4C.14.	
Development review threshold			Package 2
15. RESIDENT PROTECTIONS		Div. 4C.15.	
Division standards apply			

DIV. 4B.3. DEVELOPMENT STANDARDS DISTRICTS GROUP "C"

[Reserved]

DIV. 4B.4. DEVELOPMENT STANDARDS DISTRICTS GROUP "D"

SEC. 4B.4.1. DEVELOPMENT STANDARDS DISTRICT 6

A. Intent

Development Standards District 6 enables the flexibility needed for a diversity of industries with changing demands. Standards for automobile access are permissive and parking minimums are not mandated.

B. Standards

1. PEDESTRIAN ACCESS		Div. 4C.1.	
Pedestrian access package	Package 4		
2. AUTOMOBILE ACCESS		Div. 4C.2.	
Automobile access package	Package 3		
3. BICYCLE PARKING		Div. 4C.3.	
Division standards apply			
4. AUTOMOBILE PARKING		Div. 4C.4.	
Division standards apply			
Automobile parking stalls	Package A		
Parking structure design	Primary St.	Side St.	
Parking Garage			
Ground Story	Concealed	Concealed	
Upper Stories	Concealed	Concealed	
Integrated Parking			
Ground Story	Concealed	Concealed	
Upper Stories	Concealed	Concealed	
5. TRANSPORTATION DEMAND MANAGEMENT		Div. 4C.5.	
Division standards apply			
6. PLANTS		Div. 4C.6.	
Division standards apply			
7. FENCES & WALLS		Div. 4C.7.	
Division standards apply			
8. SCREENING		Div. 4C.8.	
Division standards apply			
9. GRADING & RETAINING WALLS		Div. 4C.9.	
Division standards apply			
10. OUTDOOR LIGHTING & GLARE		Div. 4C.10.	
Division standards apply			
11. SIGNS		Div. 4C.11.	
Sign package	Package 1		
12. SITE ELEMENTS		Div. 4C.12.	
Division standards apply			
13. ENVIRONMENTAL PROTECTION		Div. 4C.13.	
Division standards apply			
14. DEVELOPMENT REVIEW		Div. 4C.14.	
Development review threshold	Package 1		
15. RESIDENT PROTECTIONS		Div. 4C.15.	
Division standards apply			

DIV. 4B.5. DEVELOPMENT STANDARDS DISTRICTS GROUP "E"

[Reserved]

Exhibit E:

Zoning Code Graphic Replacements

Amendments to CF: 22-0617 (Ordinance 188,418)

This exhibit shows updated graphics intended to replace those of the corresponding Sections listed herein, which include updates within Articles 3. (Frontage), 4. (Development Standards), 5. (Use), and 7. (Alternate Typology) of Chapter 1A of the LAMC. All graphics included in this exhibit are updated to align with the text of Chapter 1A of the LAMC.

- Graphic replacements for Article 3. (Frontage), Sec. 3A.1.2.B.2. (Determine Applicable Frontage District Standards) with the following:

Frontage District Example:

Zone String

[LM2-**MU2**-5] [RG1-FA]

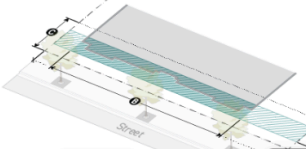
Find Your Frontage District

Part 3B. (Frontage Districts)

For Illustrative Purposes Only

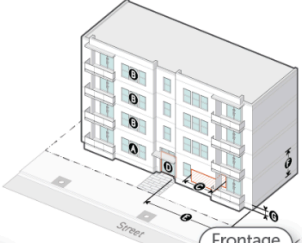
SEC. 3B.2.2. **MULTI-UNIT 2 (MU2)**

A. Lot



Frontage Standard

B. Facade



Frontage Lot Line

Frontage Rule Category

Label on Graphic

No Label on Graphic

	Primary	Side
1. BUILD-TO <i>Div. 3C.1</i>		
Applicable stories (min)	2	2
A Build-to depth (max)	10'	15'
B Build-to width (min)	70%	40%
Pedestrian amenity allowance (max)	Not Required	Not Required
2. PARKING <i>Div. 3C.2</i>		
C Parking setback (min)	20'	4'
3. LANDSCAPING <i>Div. 3C.3</i>		
Frontage planting area (min)	30%	30%
Frontage yard fence & wall type allowed:	A2	A2

Standard Does Not Apply

Link to Rules

	Primary	Side
1. TRANSPARENCY <i>Div. 3C.4</i>		
Transparent area (min)		
A Ground story	30%	30%
B Upper stories	20%	20%
C Active wall spacing (max)	30'	40'
2. ENTRANCES <i>Div. 3C.5</i>		
D Street-facing entrance	Required	Not Required
E Entrance spacing (max)	50'	100'
Entry feature	Not Required	Not Required
3. GROUND STORY <i>Div. 3C.6</i>		
F Ground story height (min)	10'	10'
G Ground floor elevation (min/max)	-2'/5'	-2'/5'

Find Your Rules

Part 3C. (General Frontage Rules)

For Illustrative Purposes Only

DIV. 3C.6. GROUND STORY

SEC. 3C.6.1. GROUND STORY HEIGHT

Ground story height is defined as the floor-to-floor height of the story of a building having its finished floor elevation nearest to the finished grade.

A. Intent

The intent of the standards of this Section (Ground Story Height) is to promote active uses that are directly connected to the public realm, and ensure high-quality ground story spaces that are adaptable and appropriate to their context.

B. Applicability

Ground story height standards apply to new construction. When the ground story height standards apply, the standards apply to all portions of the ground story, within the first 15 feet of a facade of a new building or structure, pursuant to Sec. 3A.2.2.B.3. (Frontage Applicable Facades).

C. Standards

All occupiable space located in applicable portions of the ground story shall have floor-to-floor height of no less than the ground story height minimum.

D. Measurement

- Ground story height is measured vertically from the top of the finished ground story to the top of the finished floor above.
- Where no story exists above, ground story height is the shortest vertical distance from the top of the ground floor elevation to the top of the ceiling or roof structure above.
- For determining the ground story, see Sec. 14.2.10.A. (Ground Story).

E. Relief

- A reduction in required ground story height up to one foot may be granted in accordance with Sec. 15B.5.2. (Adjustment).

Character Frontage District Example:

Zone String

[LLM1-CHC1-5] [IH2-FA]

Find Your
Frontage District

Part 3B. (Frontage Districts)

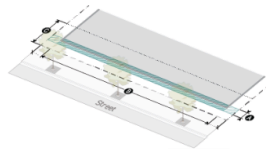
For Illustrative Purposes Only

SEC. 3B.9.1. HISTORIC CORE (CHC1)

A. Intent

The Historic Core Character Frontage ("Historic Core") ensures new development contributes to and reinforces the established architectural character of an urban historic core established in the late 19th and early 20th centuries, while supporting creative design and contemporary construction practices. Key architectural characteristics of the Historic Core include grand entrances adorned with pillars and archways, highly decorative facades that clearly articulate the base, middle and top layers of a building, deeply recessed windows, and roofs with prominent cornices. Buildings in the Historic Core adhere to a well-defined street wall with high ground story activation.

B. Lot



Frontage
Lot Line

Label on
Graphic

Frontage Rule
Category

No Label
on Graphic

	Primary	Side
1. BUILD-TO	Div. 3D.1	
Applicable stories (min)	12	12
Build-to depth (max)	5'	10'
Build-to width (min)	90%	70%
Pedestrian amenity allowance (max)	15%	10%
2. PARKING	Div. 3D.2	
Parking setback (min)	20'	5'
3. LANDSCAPING	Div. 3D.3	
Frontage planting area (min)	0%	0%
Frontage yard fence & wall type allowed	A2	A2

Link to
Rules

Frontage
Standard

Specification
for Standard

Find Your Rules

Part 3D. (Character Frontage Rules)

For Illustrative Purposes Only

DIV. 3D.2. PARKING

SEC. 3D.2.1. PARKING SETBACK

An area on a lot along a frontage lot line where motor vehicle use areas are prohibited, including primary street parking setbacks, side street parking setbacks and special lot line parking setbacks.

A. Intent

To minimize the impact of motor vehicle dominated areas on the public realm and to promote a comfortable, safe, engaging and attractive streetscape with active uses and landscaping along the public realm.

B. Applicability

Frontage setback requirements apply to the ground story portions of structures and portions of lots designed or designated for motor vehicle use, including but not limited to parking structures, parking stalls, drive lanes, loading, vehicular circulation areas, and drive thru facilities.

C. Standards

All applicable areas designated for motor vehicle use shall be located at or behind the required parking setback unless specifically stated as an exception below.

D. Measurement

All frontage setbacks are measured perpendicular to the frontage lot line.

1. A primary street parking setback is measured from the primary street lot line.
2. A side street parking setback is measured from the side street lot line.
3. An alley parking setback is measured from the alley lot line associated with a dual frontage.



References to
Part 3C.

For Illustrative Purposes Only

DIV. 3D.1. BUILD-TO

SEC. 3D.1.1. BUILD-TO

SEC. 3D.1.2. PARKING

SEC. 3D.1.3. LANDSCAPING

SEC. 3D.1.4. GROUND FLOOR ELEVATION

SEC. 3D.1.5. GROUND FLOOR ELEVATION

2. Graphic replacement for Article 4. (Development Standards), Sec. 4A.1.2. (How to Use Article 4. (Development Standards)) with the following:

Development Standards District Example:

Zone String

[LM2-MU2 **5**] [RG1-FA]

Find Your Development Standards District

Part 4B. (Development Standards Districts)

For Illustrative Purposes Only
SEC. 4B.2.2. DEVELOPMENT STANDARDS DISTRICT 5

A. Intent

Development Standards District 5 prioritizes the pedestrian experience. Pedestrian access standards facilitate pedestrian circulation by improving pedestrian access from the public realm to the interior of buildings through frequent, direct and convenient access to building entrances. Parking for automobiles is not mandated, contributing to a dynamic and walkable environment. When parking is provided, it must meet high design standards to ensure pedestrian mobility, safety, and comfort are not hindered. On-site signs are sized and located to support a pedestrian-oriented public realm.

B. Standards

1. PEDESTRIAN ACCESS	Div. 4C.1	7. FENCES & WALLS	Div. 4C.7
Pedestrian access package	Package 1	Division standards apply	
2. AUTOMOBILE ACCESS		8. SCREENING	Div. 4C.8
Automobile access package	Package 1	Division standards apply	
3. AUTOMOBILE PARKING	Div. 4C.3	9. GRADING & RETAINING WALLS	Div. 4C.9
Division standards apply		Division standards apply	
4. AUTOMOBILE PARKING	Div. 4C.4	10. OUTDOOR LIGHTING & GLARE	Div. 4C.10
Division standards apply		Division standards apply	
Automobile parking stalls	Package A	11. SITE ELEMENTS	Div. 4C.11
Parking structure design	Primary St. Side St.	Division standards apply	Package 2
Parking Garage		12. SITE ELEMENTS	Div. 4C.12
Ground Story	Wrapped	Division standards apply	
Upper Stories	Adaptable	13. FRONTAGE LOT PROTECTION	Div. 4C.13
Integrated Parking		Division standards apply	
Ground Story	Wrapped	14. DEVELOPMENT REVIEW	Div. 4C.14
Upper Stories	Wrapped	Development review threshold	Package 2
5. TRANSPORTATION DEMAND MANAGEMENT	Div. 4C.5	15. RESIDENT PROTECTIONS	Div. 4C.15
Division standards apply		Division standards apply	

Find Your Rules

Part 4C. (Development Standards Rules)

For Illustrative Purposes Only
SEC. 4C.4.1. AUTOMOBILE PARKING

SEC. 4C.4.1. AUTOMOBILE PARKING STALLS

An automobile parking stall is defined as a space within a building, or a private or public parking area, exclusive of driveways, ramps, columns, office, and work areas, for the parking of one automobile. Automobile parking stalls do not include bicycle parking.

A. Intent

The intent of the standards of this Section (Automobile Parking Stalls) is to accommodate the arrival to a lot by automobile at a level appropriate to the demand generated by a particular use within different mobility contexts without creating detrimental effects on surrounding properties or public right-of-way.

B. Applicability

Automobile parking stall standards apply to new construction, a major remodel, a site modification, or a use modification to buildings, structures, a lot, or uses on a lot, and as determined by the automobile parking package assigned by the applicable Development Standards District (Part 4B).

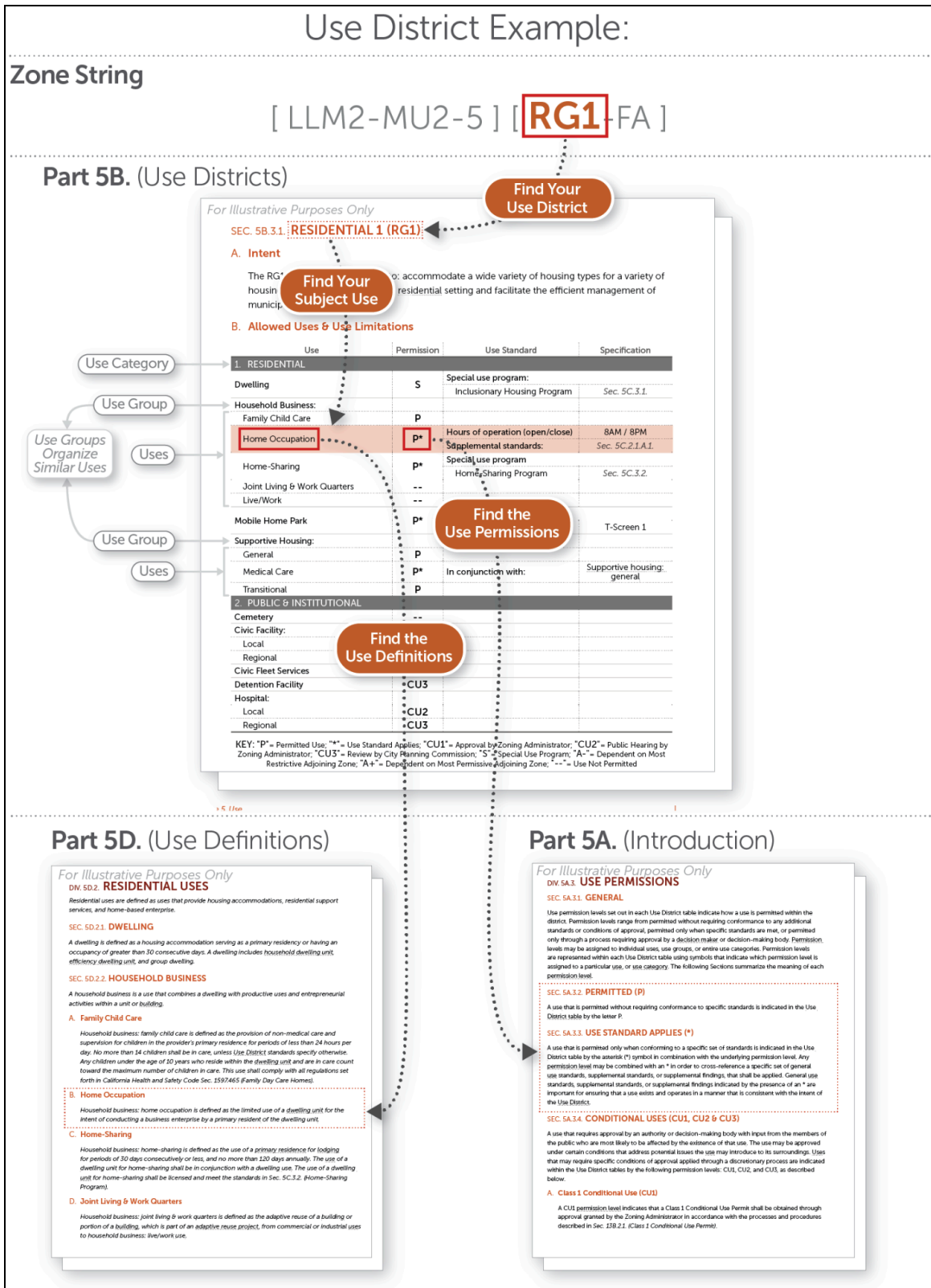
C. Standards

1. General

a. Projects shall provide the minimum number of automobile parking stalls specified in the Required Automobile Parking Table, Table 1 below, based on the project's use(s) and the parking package assigned by the applied Development Standards District (Part 4B).

b. When a lot is used for a combination of uses, the parking requirements are the sum of the requirements for each use, and no parking stall for one use may be included in the calculation of parking requirements for any other use, with the following exceptions:

3. Graphic replacements for Article 5. (Use), Sec. 5A.1.2.C.6. (Relief From Use Standard) with the following:



4. Graphic replacement for Article 7. (Alternate Typologies); Sec. 7A.1.2.C. (Interpret Standards) with the following:

