

**DRAFT DISTRICT NOHO SPECIFIC PLAN ORDINANCE**  
(as modified by City Council on December 8, 2023)

## **DISTRICT NOHO SPECIFIC PLAN**

An ordinance establishing the District NoHo Specific Plan pursuant to the provisions of Section 13B.1.2 of Chapter 1 A of the Los Angeles Municipal Code (Code), for a portion of the North Hollywood – Valley Village Community Plan area.

**WHEREAS**, the District NoHo Project will be located in the North Hollywood - Valley Village Community Plan, where the General Plan Framework calls for the preservation and enhancement of the positive characteristics of existing residential neighborhoods while improving the function, design and economic vitality of the commercial corridors;

**WHEREAS**, the Project is located in the vicinity of the North Hollywood Los Angeles County Metropolitan Transportation Authority (Metro) Station, at the terminus of Metro's G (Orange) and B (Red) Lines, in the greater NoHo Arts District Area;

**WHEREAS**, the Project is intended to be consistent with Metro's vision set forth in its December 2015 Guide for Development for the North Hollywood Station and the City's ongoing planning effort as part of the G (Orange) Line Transit Neighborhood Plan;

**WHEREAS**, the Project will enhance the neighborhood through the development of an iconic, high-intensity, transit-oriented development which incorporates pedestrian-activating ground floor uses, multi-modal connections, and streetscape improvements surrounding the North Hollywood Metro Station;

**WHEREAS**, the Project will develop an integrated mix of uses in a manner that reduces vehicular trips by providing market-rate and affordable housing in combination with community-serving commercial and job-producing office uses in the immediate vicinity of public transit;

**WHEREAS**, the Project will construct a public transit plaza and other plaza amenity spaces, centered around a redeveloped Metro Station, to serve as a new community gathering place for North Hollywood;

**WHEREAS**, the existing zoning divides the Specific Plan area into five different zones, resulting in duplicative and conflicting regulations that inhibit the unified transit-oriented development proposed by the Project; and

**WHEREAS**, a consistent set of standards provided by this Specific Plan would allow for the orderly development of the Specific Plan area and implementation of the General Plan.

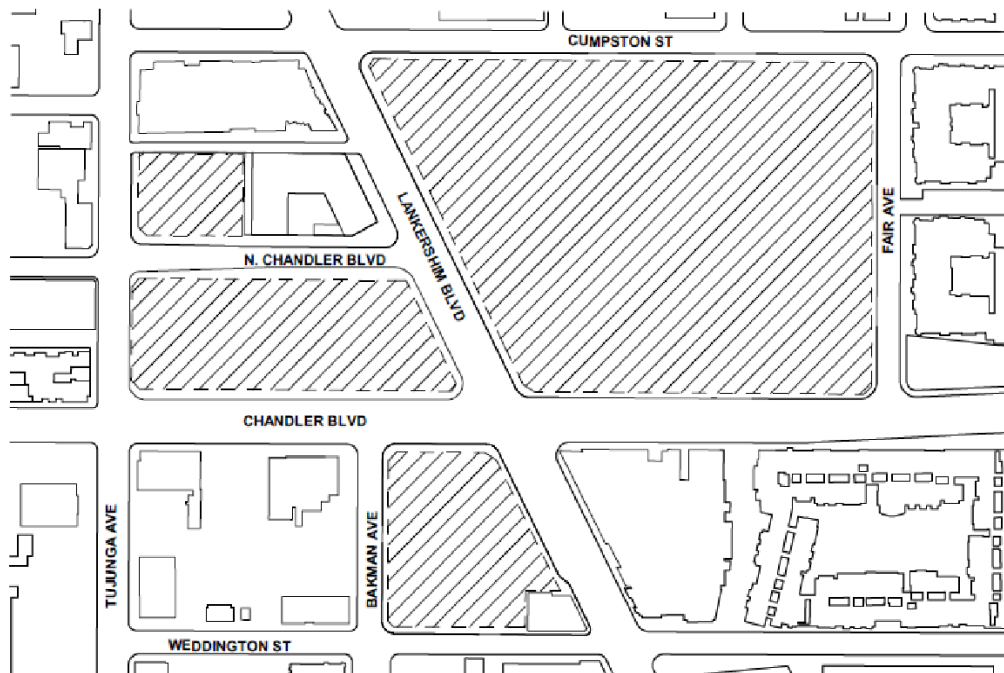
**NOW, THEREFORE, THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:**

## SECTION 1. ESTABLISHMENT OF THE SPECIFIC PLAN

### Section 1.1 Boundaries.

The City Council hereby establishes the District NoHo Specific Plan, which shall be applicable to that area of the City depicted within the heavy line on Map 1 – Specific Plan Boundary Map, comprising approximately 16 acres of land after street dedications and mergers, generally located in the vicinity of the North Hollywood Metro Station and the terminus of Metro’s G (Orange) and B (Red) Lines at the intersection of Lankershim Boulevard and Chandler Boulevard. The Specific Plan area includes the City block bounded by North Chandler Boulevard to the north, Lankershim Boulevard to the east, Chandler Boulevard to the south, and Tujunga Avenue to the west; the City block bounded by Cumpston Street to the north, Fair Avenue to the east, Chandler Boulevard to the south, and Lankershim Boulevard to the west; a parcel located at the northeast corner of Tujunga Avenue and Chandler Boulevard and bounded by an alley to the north, adjoining property to the east, North Chandler Boulevard to the south, and Tujunga Avenue to the west; and the City block bounded by Chandler Boulevard to the north, Lankershim Boulevard to the east, Weddington Street to the south, and Bakman Avenue to the west, excluding the corner lot at Lankershim Boulevard and Weddington Street. *[NOTE: MAP BELOW IS A PLACEHOLDER AND WILL BE UPDATED]*

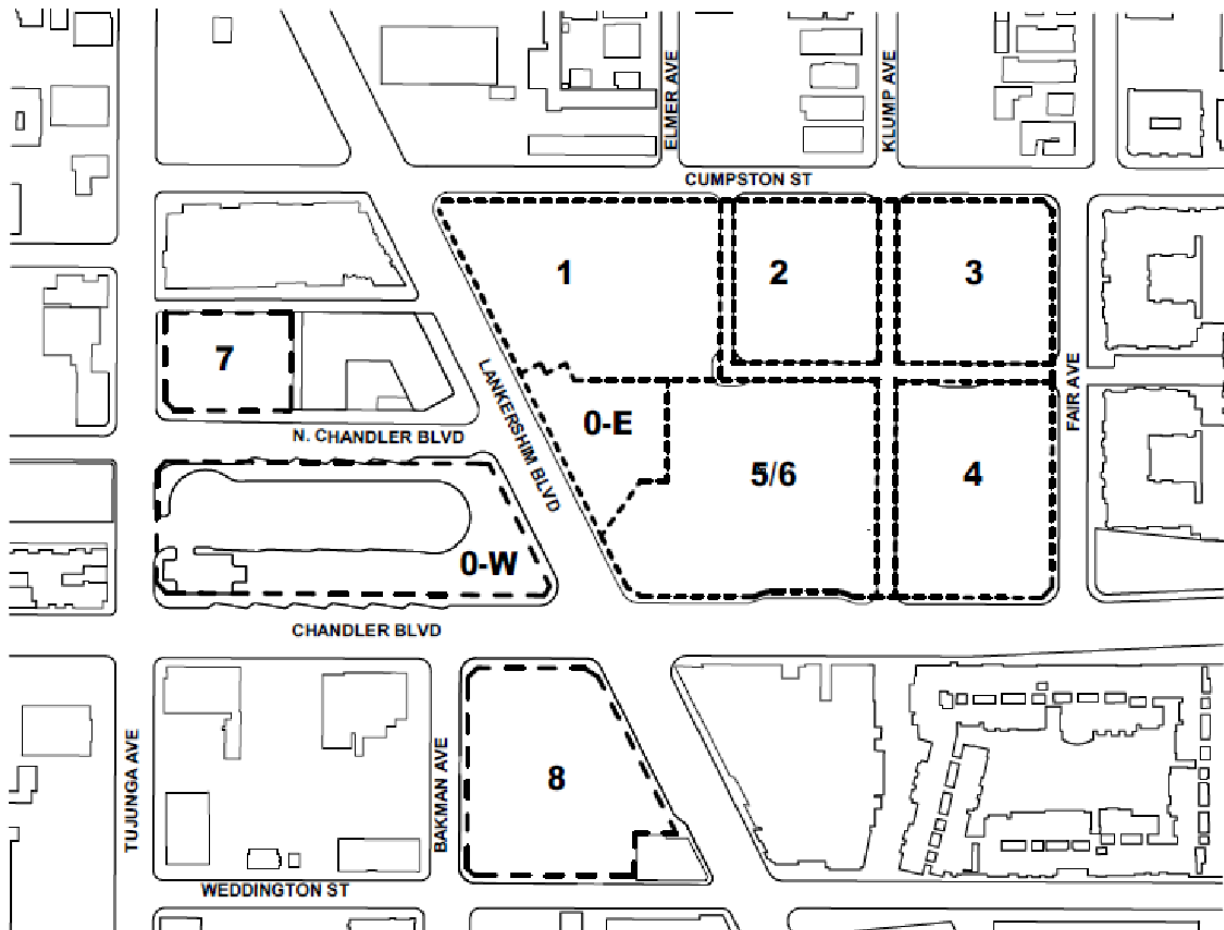
**MAP 1. SPECIFIC PLAN BOUNDARY MAP**



## Section 1.2 Subareas.

In order to regulate the use of property as provided in this Specific Plan, the Specific Plan is divided into nine subareas. The locations and boundaries of these subareas are depicted on Map 2 (Specific Plan Subarea Map), as the same may be modified from time to time in accordance with the requirements of this Specific Plan. *[NOTE: MAP BELOW IS A PLACEHOLDER AND WILL BE UPDATED TO IDENTIFY INTERNAL DRIVES]*

**MAP 2. SPECIFIC PLAN SUBAREA MAP**



### **Section 1.3      Relationship to the Code.**

**A. Does Not Convey Rights.** The regulations of this Specific Plan are in addition to those set forth in the planning and zoning provisions of the Chapter 1 or 1A of the Code, as amended, and any other relevant ordinances, and do not convey any rights or privileges not otherwise granted under the provisions and procedures contained in the Code or other ordinances, except as provided for in this Specific Plan.

**B. Superseded Code Regulations.** Wherever this Specific Plan contains provisions that establish regulations (including, but not limited to, standards such as density, height, use, floor area, setbacks, vehicle and bicycle parking, open space and landscape requirements), that are different from, more restrictive, or more permissive than the Code, this Specific Plan shall prevail and supersede the applicable provisions of the Code. If subsequent to the effective date of this Specific Plan any particular regulation in the Code is amended such that it becomes more permissive than the corresponding regulation in this Specific Plan, the Applicant may elect for a Project to be regulated under the more permissive Code regulation; provided, however, that in no event shall such amended regulations apply to the minimum number of affordable housing units or minimum amount of residential open space required under this Specific Plan. Accordingly, approvals (including, without limitation, conditional use approvals) under, and compliance with, the following sections are not required for development within the Specific Plan area:

1. Project Review. Code Section 16.05.
2. Major Development Project. Code Section 12.24 U.14.
3. Mini-Shopping Centers and Commercial Corner Development. Code Sections 12.22 A.23 and 12.24 W.27.
4. Alcoholic Beverage Sales and Service Regulations. Code Sections 12.21 A.10, 12.21 A.14, and 12.24 W.1.
5. Street Dedications and Improvements. To the extent set forth in Section 9.1 of this Specific Plan, Code Section 12.37.
6. Commercial and Artscraft District. Ordinance 170,549.

**C. Sign Regulations.** In the event the City adopts a “SN” Supplemental Signage Use District (Sign District) with boundaries that are the same as, or include the Specific Plan area, the provisions of the Sign District would govern signs located within those portions of the Specific Plan area which are within the Sign District. The

adoption of the Sign District shall be subject to all the provisions set forth in Section 13.11 of the Code with the following exception: properties in the District NoHo Specific Plan may be included in such Sign District notwithstanding the restrictions on the zoning of property included in a sign district as set forth in Section 13.11 B of the Code. To this extent, this Specific Plan and the Sign District, if adopted, shall supersede Section 13.11 of the Code.

#### **Section 1.4 Relationship to the Government Code.**

Nothing in this Specific Plan shall supersede or limit in any way the application of California Government Code Sections 53090 and 53091, which exempt Metro from local building codes and zoning ordinances. Subsequent references in this Specific Plan to Government Code Sections 53090 or 53091 are intended for emphasis only and neither the inclusion nor omission of such references shall establish or imply any limitation of the application of these code sections whatsoever.

### **SECTION 2. PURPOSE**

**Section 2.1 General.** This Specific Plan provides the regulatory framework for the comprehensive redevelopment of the Specific Plan area into an integrated, high-density, mixed-use, transit- and pedestrian-oriented development that provides an active residential, shopping, dining, entertainment, cultural, and working community that centers upon an enhanced and redeveloped North Hollywood Metro Station and supports the viability of the NoHo Arts District.

**Section 2.2 Purposes and Objectives.** The purposes and objectives of this Specific Plan are as follows:

- A.** Provide a regulatory framework for development of the Specific Plan area and assure orderly development and for the design of development within the Specific Plan area.
- B.** Develop an iconic, high-intensity, transit-oriented development with a mix of uses around the North Hollywood Metro Station, which will serve the community and further the City's land use, housing, and economic development goals.
- C.** Facilitate in-fill development with a mix of land uses and at a density and scale to enable the Specific Plan area to function as an independent regional center and support existing and proposed transit infrastructure at all hours of the day.
- D.** Support the interconnected network of public transit and services and encourage the Metro Station as the primary focal point for development.

- E. Facilitate an infill development that complements and supports efforts by Metro to consolidate and redevelop the Metro transit center and provide enhancements to the G (Orange) Line terminus property.
- F. Locate a mix of new housing and employment opportunities in a manner that reduces vehicular trips by providing market-rate and affordable housing, in combination with community-serving commercial and office uses, in the immediate vicinity of public transit.
- G. Expand the economic base of the City by creating employment opportunities and additional revenues to the region.
- H. Support the City's housing goals and critical need for housing by providing a mix of housing options, including market rate and affordable housing.
- I. Connect multi-modal access to a centralized district with pedestrian-oriented retail, restaurants, and plazas to serve as a new community gathering place and amenity for North Hollywood, with a redeveloped Metro Station at the heart of the district.
- J. Promote the use of public transit through enhanced transit infrastructure, transit-oriented urban design, bicycle parking, limitations on the number of automobile parking spaces, and other transit-serving features.
- K. Develop and implement cohesive streetscape elements, enhanced pedestrian connections, and an enhanced bike path network within the Specific Plan area.
- L. Incorporate public art and design elements that reflect and contribute to the creative arts-oriented identity and viability of the NoHo Arts District.

### SECTION 3. DEFINITIONS

Whenever the following terms are used in this Specific Plan, they shall be construed as defined in this Section. Definitions of the terms set forth in this Section shall supersede the definitions set forth in the Code, including, without limitation, Section 12.03 of the Code. Words and phrases not defined here shall be construed as defined in Section 12.03 of the Code, or pursuant to Section 13B.4.6 of the Code and Section 4.1 of this Specific Plan for interpretations of the Specific Plan by the Director.

**Active Street.** A street along which a minimum of 75 percent of ground floor space must be designed to accommodate residential, retail, or similar uses.

**Active Use.** Active uses may include retail, restaurant, office, live-work uses, building lobbies, recreation rooms, common areas, gathering or assembly spaces, cultural

facilities, and outdoor courtyards (with a minimum depth of 25 feet) with direct access to each of these uses from the sidewalk or other walkway.

**Affordable Housing Unit.** A dwelling unit which meets the standards and affordability requirements set by Code Section 11.5.11 (Affordable Housing).

**Floor Area.** Floor Area shall be as defined in Section 12.03 of the Code, except that common or private open space that meets the requirements of Section 6.2 Open Space of this Specific Plan shall not count as Floor Area.

**Food Hall.** An establishment that includes a mix of tenants and vendors that offer food and/or beverages for on-site sale and consumption.

**Initial Development Plans.** The plans attached as Appendix A to this Specific Plan, including site plans, floor plans, elevations, and landscape plans.

**Private Drive.** A lot which serves as an accessway that is improved with ADA compliant sidewalks, is designed to meet fire access requirements, and that is adjoined to another such drive or public street, as shown on Map 2 (Specific Plan Subarea Map).

**Project.** The construction, erection, addition to or structural alteration of any building or structure, or improvement in whole or in part within the Specific Plan area that requires the issuance of a building permit or use of land permit. However, the term "Project" shall not include the following:

1. Demolition in substantial conformance with the applicable provisions of the Mitigation Monitoring Program.
2. Construction, replacement, or modification of utilities or other infrastructure, including, but not limited to, water and sewer facilities, gas, cable, water and electrical generation and transmission facilities and cooling towers.
3. The construction or alteration of, including, but not limited to, exterior or interior remodeling, or addition to, or to any existing uses/facilities.
4. The maintenance, repair, reconstruction, including, but not limited to, exterior or interior remodeling, of or to any building, structure, or improvement constructed after the effective date of this Specific Plan, provided that any exterior remodeling is consistent with Appendix D (Design Standards) of this Specific Plan.
5. A change in use within or between any building, structure, or improvement, provided that the new use is a permitted use, does not involve a Land Use



Exchange per Section 5.2.E or a change between use categories set forth in Table 5.2.B, and does not exceed the Permitted Density or Permitted Floor Area under Table 5.2.B.

6. Temporary Permits and Temporary Special Event Permits, including associated structures and uses, as permitted under Code Sections 91.106.1.3 and 91.106.1.3.1.
7. Any construction for which a building permit is required:
  - a. In order to comply with any order issued by the Department of Building and Safety to repair an unsafe or substandard condition; or
  - b. In order to rebuild as a result of destruction by fire, earthquake or other natural disaster, provided that the rebuilding does not increase the height or Floor Area of the destroyed building.
8. Any construction, erection, addition to or structural alteration of any Metro building, structure, or improvement in whole or in part within the Specific Plan area by or on behalf of Metro, which is exempt from local building codes and zoning ordinances, pursuant to California Government Code Sections 53090 and 53091.

**Publicly Accessible Open Space.** Active or passive open space that is accessible to the public from at least 6 a.m. to 10 p.m., seven days a week. Examples of such space shall include, but not be limited to, park space, plazas, landscaped setbacks connected to other open spaces, walkways, bicycle ways and parkways associated with public or private drives.

**Residential Use.** This term shall include residential buildings and structures, including, without limitation, for rent and for sale multi-family units, and live/work units.

**Retail Street.** A street along which a minimum of 75 percent of ground floor space must be designed to accommodate retail or similar uses.

**Secondary Street.** A street along which a minimum of 60 percent of ground floor space must be designed to accommodate residential, retail, or similar uses.

**Street.** Any public thoroughfare other than an alley or walk. In addition, private drives within the Specific Plan, shall qualify as streets.

**Street Frontage.** The length of a lot line separating a lot from any street.

**Streetwall.** The vertical face of one or more buildings or structures that is adjacent to the street or publicly accessible open space.

**Transparent/Transparency.** Being able to provide/ability to provide unobstructed sightline and uninterrupted passage of light into a building.

## **SECTION 4. PROCEDURES**

### **Section 4.1 Specific Procedures.**

- A. Applicability of Code Sections 13B.3, 13B.4, and 13B.5.** The procedures for the granting of an Administrative Review shall be governed by and implemented in accordance with Code Section 13B.1. The procedures for granting a Project Compliance, modification to a Project Compliance, Project Adjustment, Project Exception, Specific Plan Interpretation, and/or Specific Plan Amendment shall be governed and implemented in accordance with the provisions set forth in Section 13B.4 of the Code. The procedures for the granting of an Alternative Compliance shall be governed by and implemented in accordance with Code Section 13B.5.1, except as set forth in this Section 4.1.B of this Specific Plan.
- B. Decision and Appeal Authority.** Notwithstanding the provisions of Sections 13B.4 and 13B.5 of the Code, in each case where the Area Planning Commission has the authority for initial review, hearing, appeal and/or approval of a request for Project Compliance, modification to a Project Compliance, Project Adjustment, Project Exception, and/or Specific Plan Interpretations, such authority shall be vested in the City Planning Commission in place of the Area Planning Commission.

### **Section 4.2 Development Review Process.**

- A.** Notwithstanding Code Section 13B.4, the development review process set forth in this Specific Plan shall be applicable to, and is required for, all Projects (as defined in Section 3 of this Specific Plan) in the Specific Plan area.
- B.** Any activity that does not meet the definition of "Project" (as defined in Section 3 of this Specific Plan) can be reviewed as part of a building permit sign-off and shall not require an Administrative Review or discretionary review process as set forth in Section 4.2 of this Specific Plan. This Specific Plan's Development Review Process is divided into three categories: Administrative Review, Alternative Compliance, and Project Compliance. No grading permit, foundation permit, or building permit shall be issued for a Project unless an Administrative Review, Alternative Compliance, or Project Compliance has been approved pursuant to the procedures set forth in this Section.
- C. Administrative Review.** Projects (as such term is defined in Section 3 of this Specific Plan) in substantial conformance with the Initial Development Plans or

Appendix D (Design Standards) and any Alcohol Use that complies with Section 10 (Alcohol Consumption Regulations) of this Specific Plan shall be eligible for Administrative Review. The Director shall approve an Administrative Review if the Project complies with the Specific Plan. Prior to any sign-off, in reviewing a Project, the Director shall consult with Appendix B (Environmental Standards) and the Project shall demonstrate compliance with any Project Design Features and Mitigation Measures set forth in Appendix B of the Specific Plan which apply to the specific project, and shall demonstrate that the Project is within the scope of analysis of the Environmental Impact Report (EIR). The Administrative Review shall be a ministerial review and determination of whether a Project complies with the applicable provisions of the Specific Plan and is approved with a sign-off from the Director. The approval of an Administrative Review is not discretionary for the purposes of CEQA Guidelines Sections 15060(c)(1) and 15268. The decision of the Director shall be final and not appealable.

- D. Alternative Compliance.** Projects that do not comply with a design, development, or performance standard required by Appendix D (Design Standards) of this Specific Plan, but which propose an alternative standard or condition that does not substantially alter the execution or intent of the Specific Plan, shall be eligible for an Alternative Compliance review. A Project seeking Alternative Compliance is reviewed in accordance with Code Sections 13B.5.1.C through H, except as otherwise provided in Section 4.1.B (Decision and Appeal Authority) of this Specific Plan.
- E. Project Compliance.** Any above-grade standalone parking facility in Subarea 2 or Subarea 4, which is in lieu of the development indicated in these Subareas under the Appendix A (Initial Development Plans) and does not include habitable uses above the ground level, shall be subject to the Project Compliance discretionary process set forth in Code Section 13B.4.2.
- F. Specific Plan Deviations.** An application to deviate from the development regulations in this Specific Plan shall be processed, as applicable, in accordance with the procedures for Project Adjustments, Project Exceptions, Specific Plan Interpretations, or Specific Plan Amendments, as set forth in this Specific Plan and Sections 13B.4.6 and 13B.1.2, respectively, of the Code.
- G. Development Agreement.** No building permits shall be issued by the Los Angeles Department of Building and Safety (LADBS) until the Department of City Planning (City Planning) has verified compliance with the terms of Case No. CPC-2019-7240-DA, Development Agreement between the City of Los Angeles and NoHo Development Associates, LLC, authorized pursuant to California Government Code Section 65864, et seq., as applicable, and as may be amended.

- H. Specific Plan Tracking.** Each application submitted under this Specific Plan shall include Project information as indicated Section 5.2.C (Accounting of Floor Area and Dwelling Units).

### **Section 4.3 Environmental Standards.**

- A. Applicability.** The environmental standards (Environmental Standards) in Appendix B are included in the Specific Plan to implement the Mitigation Monitoring Program, included as part of the Environmental Impact Report ENV-2019-7241-EIR (State Clearinghouse No. 2020060573), certified on August 22, 2023. An applicant seeking an approval under this Specific Plan shall comply with all applicable Environmental Standards as set forth in Appendix B, subject to the below provisions. A Project does not need to comply with any Environmental Standard that is not relevant to the scope of activities involved with the Project. For example, a Project that proposes only minor facade alterations and no grading, shall not be subject to Environmental Standards that apply to grading activities (such as noise and vibration standards). The Director, in his or her reasonable discretion, shall determine the applicability of Environmental Standards to a Project.
- B. Plans.** Compliance with all applicable Environmental Standards listed in Appendix B shall be demonstrated on the plans as features that are physically built into the project (such as an air filtration system) or as operational measures listed on a sheet within the plans that are carried out either during the construction of the Project, or over the life of the Project, or through the submittal of other documentation, as required by the Director in his or her reasonable discretion.
- C. Specific Plan Approvals.** No approval shall be issued until an applicant has demonstrated substantial compliance with all applicable Environmental Standards or a modification of an Environmental Standards has been approved pursuant to Subsection D, below. Determination of substantial compliance shall be in the reasonable discretion of the Director.
- D. Modification of Environmental Standards.** A modification to an Environmental Standard under Section 4.3 shall not by itself require an Administrative Review, Project Compliance, Adjustment, Exception, Alternative Compliance pursuant to Section 4.2.D, or any other discretionary action. The Director or decision-making body on appeal, at the request of the Applicant, may modify or not require an Environmental Standard listed in Appendix B for any Project when: (1) the Director finds in writing, based on substantial evidence, that the Environmental Standard is infeasible because the measure or condition has been performed by others, has been rejected by an agency with jurisdiction, or for other reasons outside of the Applicant's reasonable control and the Director has adopted a new equally or more

effective measure and the new measure will not result in any new significant impact; (2) the Director finds in writing, based upon substantial evidence, the Environmental Standard is not necessary to avoid or mitigate an impact, including because of the existence of a similar or more effective regulation that applies to the Project; (3) the City complies with CEQA Guidelines, Section 15162, including by preparing an addendum or subsequent environmental clearance to the EIR to analyze the impacts from the modifications to the Environmental Standard; or (4) the City prepares a new CEQA clearance for the Project. No approval shall be issued for a Project with modified Environmental Standards until this subsection has been complied with. The modification of an Environmental Standard is not independently appealable unless an appeal of an entitlement or CEQA determination is otherwise available through the Specific Plan, the Code, or CEQA.

- E. Sustainability.** Each Project shall comply with sustainability measures identified in Appendix B such as LEED Silver for commercial buildings and LEED for Homes or GreenPoint Rated for residential buildings, or equivalent green building standards. Such standards would include energy conservation, water conservation, and waste reduction features to support and promote environmental sustainability, including but not limited to: Energy Star appliances; plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) that comply with the performance requirements specified in the City of Los Angeles Green Building Code; weather-based irrigation system; and water-efficient landscaping. Further, Appendix B incorporates commitments to water efficiency measures identified in conjunction with the Los Angeles Department of Water and Power, tailored to each subarea, including irrigation standards, California Native Plants, and efficient fixtures. Finally, Appendix B incorporates a robust program to reduce Vehicle Miles Traveled, improving air quality and reducing emissions.

## **SECTION 5. LAND USE AND DEVELOPMENT REGULATIONS**

### **Section 5.1 Permitted Uses.**

- A. Permitted Uses.** The uses permitted are set forth below are Permitted Uses under this Specific Plan.

1. All uses permitted in the C2 Zone or any successor zone
2. Bars, subject to Section 10 (Alcohol Consumption Regulations) of this Specific Plan
3. Dancing and Live Entertainment
4. Distilleries and Breweries, including ancillary tasting room, subject to Section 10 (Alcohol Consumption Regulations) of this Specific Plan

5. Farmers Markets
6. Food Halls
7. Sale and dispensing of beer and wine and/or a full line of alcoholic beverages for on-site and/or off-site consumption, including in tasting rooms in conjunction with a grocery market, brewery, winery, or distillery, subject to Section 10 (Alcohol Consumption Regulations) of this Specific Plan
8. Studios and soundstages, sound score production; studio, drama, dancing, music, and motion picture studios
9. Wineries, including ancillary tasting room subject to Section 10 (Alcohol Consumption Regulations) of this Specific Plan
10. Existing uses/facilities that were permitted in the zone in which such existing uses/facilities were located prior to the effective date of this Specific Plan

**B. Prohibited Uses.** Above-grade parking shall be prohibited, except as otherwise permitted by an Administrative Clearance in substantial conformance with Appendix A (Initial Development Plans) or Appendix D (Design Standards), or as permitted per Section 4.2.E for Project Compliance.

**C. Use Not Listed.** Proposed uses not listed in Section 5.1.A may be permitted upon determination by the Director pursuant to Code Section 13B.4.6 (Specific Plan Interpretation) that such uses are similar to and no more objectionable to the public welfare than the Permitted Uses provided above. Upon approval thereof, such uses shall be deemed Permitted Uses for all purposes under this Specific Plan.

**D. Additional Conditional Uses.** Any conditional uses allowed in the C2 Zone listed in Section 12.24 of the Code that are not Permitted Uses under this Specific Plan shall be permitted when processed and approved in accordance with the procedures established in Section 13B.2 (Quasi-Judicial Review) of the Code.

## **Section 5.2 Floor Area and Density**

**A. Floor Area.** This Specific Plan shall supersede any regulations in the Code which address the permitted Floor Area or Floor Area Ratio (FAR) for a lot. The total Floor Area contained in all buildings within the Specific Plan area shall not exceed 2,209,027 square feet. The permitted Floor Area by land use category is set forth in Table 5.2.B below.

1. The office floor area set forth in Table 5.2.B includes 87,300 square feet that may be developed in lieu of parking areas within Subarea 8.

2. Of the 105,125 square feet of retail or restaurant uses, a maximum of 75,000 square feet may be utilized for restaurant uses.
3. Notwithstanding that this Specific Plan does not allocate Floor Area to a particular subarea, at all times Subareas 1, 2, 3, 5/6, 7 and 8 shall maintain a minimum development right allocation of 1.5:1 FAR, and Subarea 4 shall maintain a minimum development right allocation of 1.0:1 FAR.

**B. Residential Dwelling Units.** The total residential dwelling units contained in all buildings shall not exceed the total set forth in the Table 5.2.B below. This Specific Plan shall supersede any regulations in the Code which address the number of dwelling units permitted within the buildable area of a lot, for the purposes of determining permitted density.

**TABLE 5.2.B. PERMITTED FLOOR AREA AND DENSITY BY LAND USE CATEGORY**

LAND USE CATEGORY	PERMITTED FLOOR AREA	PERMITTED DENSITY
OFFICE <sup>1</sup>	580,374SF	N/A
RETAIL OR RESTAURANT	105,125 SF	N/A
RESIDENTIAL, MULTI-FAMILY	1,523,528 SF	1,527 DU
<b>TOTAL</b>	<b>2,209,027 SF</b>	<b>1,527 DU</b>

*DU = Dwelling Units; SF= Square Feet*

**C. Accounting of Floor Area and Dwelling Units.** Prior to the issuance of any building permit resulting in the addition of Floor Area and/or dwelling units within the Specific Plan area, the Director shall verify that the amounts of total Floor Area and/or dwelling units proposed do not exceed the maximum allowed by the Specific Plan. The Director shall at all times maintain an updated summary sheet that accurately reflects: (a) the amount of Floor Area and dwelling units permitted or built within the Specific Plan; and (b) the remaining amounts of total Floor Area and dwelling units available under the Specific Plan. Each Administrative Review and discretionary review determination shall include, as of the date of the determination letter, the following information regarding the cumulative amounts approved through Administrative Review or discretionary actions regarding: (i) the total amount of Floor Area by Land Use Category for each subarea, (ii) the total amount of residential dwelling units permitted within each subarea, including the number of market rate and Affordable Housing Units (iii) the amount of retail or restaurant Floor Area exchanged for office Floor Area, if any, pursuant to Section 5.2.E (Land Use Exchange); (iv) the amount of trees proposed to be provided

<sup>1</sup> Office uses include studio uses.

within each subarea in compliance with Section 6.2.B (Trees); and (v) the number and types (i.e., off-site or on-site) of approvals granted for alcohol permit sales.

- D. Location of Uses, Floor Area, and Dwelling Units.** Any permitted use as set forth in Section 5.1.A is allowed in all subareas within the Specific Plan area. A Project that includes a mix of uses identified under Table 5.2.B or with an amount of Floor Area or residential dwelling units that varies from what is set forth in the Initial Development Plans for the subarea shall still qualify for an Administrative Review if: 1) the Project is in compliance with the applicable regulations set forth in this Specific Plan; 2) the permitted Floor Area for the use does not exceed that set forth in Table 5.2.B (except as allowed by Section 5.2.E Land Use Exchange); and 3) the Total Permitted Floor Area and Total Permitted Density does not exceed that set forth in Table 5.2.B.

An above-grade standalone parking facility use with ground floor retail uses may be permitted by Project Compliance in either Subarea 2 or Subarea 4, in lieu of the development indicated in these Subareas under the Initial Development Plans, if the Project is otherwise in compliance with the applicable regulations set forth in this Specific Plan.

- E. Land Use Exchange.** The Land Use Exchange procedure is established to provide development flexibility by permitting an exchange of up to 75,000 square feet of permitted retail or restaurant Floor Area to office Floor Area, as set forth above and in Table 5.2.B of this Specific Plan, while maintaining the intent and regulatory requirements of this Specific Plan. The Total Permitted Floor Area for office uses may exceed the square footages in Table 5.2.B as a result of Land Use Exchanges; however, under no circumstances shall the total permitted Floor Area of 2,209,027 square feet be exceeded. An Administrative Review shall be required to approve a Project involving a Land Use Exchange. The Applicant shall submit a revised Table 5.2.B reflecting the change in Total Permitted Floor Area for retail/restaurant and office Floor Area, based on the Land Use Exchange.
- F. Subarea 8 Additional Office Uses in Lieu of Parking.** A Project incorporating up to 87,300 square feet of additional office uses, in lieu of parking areas shown on such plans for Subarea 8 beyond that shown on the Initial Development Plans, shall be permitted by Administrative Review, provided the Project complies with the applicable provisions of this Specific Plan.

### **Section 5.3 Building Height.**

- A. Maximum Building Height.** The maximum permitted building height for any Project in Subareas 0 West and 0 East shall be 36 feet, in Subarea 6 shall be 50 feet, and for all other subareas within the Specific Plan area shall be 325 feet, excluding tanks or similar equipment required to operate and maintain the building,



skylights, steeples, flagpoles, smokestacks, wireless masts, water tanks, silos, chimney, exhaust ducts, solar water heaters, photovoltaic panels or equipment, or any roof structure housing stairways, elevators or ventilation fans, or similar structures, which may be erected above the building height limit up to 20 feet.

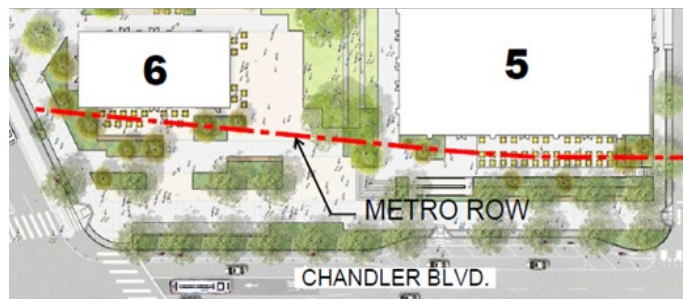
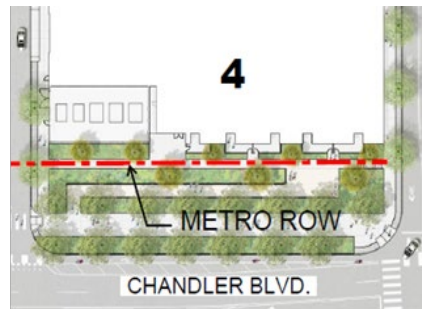
**B. Transitional Height.** The transitional height requirements of Code Section 12.21.1 A.10 shall not apply.

## Section 5.4 Yard and Setback Regulations.

**A. Yards and Setbacks.** No front, side, or rear yards or building setbacks are required, except for the following required setbacks adjacent to the Metro right-of-way along Chandler Boulevard.

1. **Chandler Blvd Setback.** To allow for the future expansion of Metro facilities, any permanent building or structure within Subareas 4 and 5/6 shall be setback from the Metro right-of-Way fronting Chandler Blvd as follows, and any decrease from the required minimum shall only be allowed only with Metro approval.

	Subarea 4	Subarea 5/6
Minimum Setback	6 feet	5 feet



- B. Spaces Between Buildings – Passageways.** For purposes of Code Section 12.21.C.2, which requires passageways to residential buildings which do not have entrances directly from a street, the private drive lots within the Specific Plan, as shown on Map 2 (Specific Plan Subarea Map), shall qualify as “streets”.

## **Section 5.5 Affordable Housing.**

- A.** This Specific Plan requires the construction of at least 142 Affordable Housing Units at rents affordable to Low Income households to comply with Code Section 11.5.11 (Affordable Housing). Each Project shall demonstrate that the cumulative dwelling unit development within the Specific Plan is in compliance with Code Section 11.5.11.
- B.** In addition to the Affordable Housing Units required under Section 5.A, the Specific Plan requires the construction of an additional 169 dwelling units at rents affordable to Low Income households, as defined in Section 50079.5 of the Health and Safety Code, as required by the Joint Development and Option Agreement (the agreement between NoHo Development Associates, LLC and Metro governing the joint development and ground lease of the Specific Plan area).
- C.** The required Affordable Housing Units may be constructed in a building or buildings solely composed of Affordable Housing Units<sup>2</sup>. All Affordable Housing Units shall be deemed to be located “onsite” if located within the Specific Plan area for all purposes, including without limitation for purposes of Code Section 11.5.11 (Affordable Housing) and Code Section 19.18 (Affordable Housing Linkage Fee). Should a certificate of occupancy for the requisite Affordable Housing Units not be ready for issuance when necessary to comply with Code Section 11.5.11 for a pending Project, compliance may alternatively be satisfied by one of the following means:
1. Inclusion of such Affordable Housing Units temporarily within the pending Project until such time as the certificate of occupancy for the building proposed for the Affordable Housing Units is issued, at which point such Affordable Housing Units within the pending Project may be converted to market-rate units, subject to all applicable Code requirements for tenant relocation; or
  2. Payment of the fee required under LAMC Section 11.5.11(b)(3) for such Affordable Housing Units; provided, however, that at such time as the certificate of occupancy for the building proposed for the Affordable Housing

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<sup>2</sup> Per Memo received from LAHD, dated July 20, 2022, located in the administrative case file Case No. CPC-2019-GPAJ-VZC-HD-SP-SN-BL

Units is issued, the fee payment shall be reimbursed to the applicant in its entirety.

- D.** The Residential Floor Area of the Project is exempt from the Affordable Housing Linkage Fee, pursuant to Code Section 19.18 B.2(k), as a residential Development Project that is subject to affordable housing and labor requirements pursuant to Code Section 11.5.11. Prior to the issuance of a building permit for development of a Project with residential uses, the Applicant shall provide evidence to support the Exemption from the Linkage Fee.

#### **Section 5.6      Phasing.**

Development in the Specific Plan may be constructed in one or more phases, and lots may be developed with Projects in any order, provided such phasing remains within the scope of the environmental impacts established in the District NoHo Project Final Environmental Impact Report No. ENV-2019-7241-EIR (State Clearinghouse No. 2020060573) dated June 2023 and certified by the City on August 22, 2023, together with any approved Errata or Addenda or certified Supplemental or Subsequent EIRs. Each phase shall comply with the cumulative Affordable Housing requirements set forth in Section 5.5, and shall implement a proportionate share of the Transportation requirements set forth in Section 9 of this Specific Plan.

### **SECTION 6. OPEN SPACE REGULATIONS**

#### **Section 6.1      Location of Open Space.**

Open space shall be distributed throughout the Specific Plan area in substantial conformance with Appendix A, Initial Development Plans, or as set forth in any Administrative Review or other discretionary review. Projects developed in substantial conformance with Appendix A, Initial Development Plans, shall be subject to the open space requirements of this section.

#### **Section 6.2      Open Space.**

- A.** Residential open space shall comply with requirements of Code 12.21 G, except as modified by the following standards:
1. A minimum of 75 square feet of usable open space shall be provided for each residential dwelling unit.
  2. Open space may be provided in any combination of common or private residential open space.

3. Common open space shall have a minimum area of 400 square feet, with no horizontal dimension less than 15 feet when measured perpendicular from any point on each of the boundaries of the open space area.
4. Recreation rooms at least 400 square feet in area may qualify for up to 25 percent (or 35 percent for Subarea 7 provided Subarea 7 consists of 100% income restricted units) of the total required usable open space.
5. Common or private open space may be covered and enclosed by up to three walls or 66.6% of the perimeter of the space at any level.

**B. Trees.** At least one 24-inch box tree shall be provided for every 4.2 dwelling units and may be located anywhere in the Specific Plan area or within adjacent public rights-of-ways; provided, however, that a minimum of 70 percent of the trees required for a Project's residential units shall be provided within the subarea or subareas where the Project is located. If any portion of the trees required for a particular subarea are located in another subarea, such trees shall: 1) be planted concurrently with or be planted prior to those planted within the Project's subarea; and 2) a covenant and agreement shall be recorded against the subarea containing such trees requiring the retention and maintenance of the trees for such duration to ensure compliance with this Section.

**C. Tree Wells.** The minimum depth of tree wells and planters on any above grade open space and above a subterranean structure shall be as follows:

The minimum depth of tree wells shall be as follows:

1. Minimum depth for trees shall be 42 inches.
2. Minimum depth for shrubs shall be 30 inches.
3. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.

The minimum amount of soil volume for tree wells shall be based on the size of the tree at maturity as follows:

1. 220 cubic feet for a tree 15 – 19 feet tall at maturity.
2. 400 cubic feet for a tree 20 – 24 feet tall at maturity.
3. 620 cubic feet for a medium tree or 25 – 29 feet tall at maturity.
4. 900 cubic feet for a large tree or 30 – 34 feet tall at maturity.

Trees shall be planted in a minimum three-foot-wide planter.

## **Section 6.3 Central Open Space.**

**A.** The Specific Plan shall include the construction of the Central Open Space, a publicly accessible open space, at the center of the Specific Plan area within Subareas 0 East, 1, 4, and 5/6 on the corner of Lankershim Boulevard and Chandler Boulevard, which shall be developed in substantial conformance with the

Exhibit A Initial Development Plans. Prior to the issuance of a certificate of occupancy for development on Subarea 4 or Subarea 5/6, the corresponding portion of the Central Open Space identified in the Initial Development Plans for each subarea shall be substantially completed. The Central Open Space shall not count towards the common open space requirements under Section 6.2 for any subarea.

The Central Open Space shall consist of the following elements: The Promenade shall consist of approximately 29,265 square feet (approximately 0.67 acres) of publicly accessible open space. The Transit Square shall consist of approximately 37,485 square feet (approximately 0.86 acres) of publicly accessible open space. NoHo Square shall consist of approximately 20,475 square feet (approximately 0.47 acres) of publicly accessible open space. Any changes to the Central Open Space, including reconfiguration, relocation, or reductions, may be approved by Project Adjustment, Project Exception or Specific Plan Amendment, as applicable.

- B.** Portions of the area designated as Central Open Space may (prior to or following development of the Specific Plan area), be required for the new development, extension, or expansion of Metro transit facilities and improvements. In the event that Metro proceeds with development of transit facilities within the area designated for Central Open Space, the square footage specified in Section 6.3.A for the minimum required Central Open Space area, or components thereof, may be reduced to accommodate infrastructure for elevated above-grade transit improvement. Areas which may in the future be located beneath elevated transit facilities, shall continue to be counted as part of Central Open Space square footage. Any at-grade areas removed to accommodate such above-grade transit facilities shall not require replacement with other Central Open Space areas. Any trees required under Section 6.2.B that are removed to accommodate such transit improvements shall be relocated, if feasible, or replaced at a 1:1 ratio elsewhere within the Specific Plan area. Pursuant to Government Code Sections 53090 and 53091, no amendments to or approval under this Specific Plan shall be required for Metro's development of any transit facilities or improvements within the Central Open Space.

### MAP 3. CENTRAL OPEN SPACE MAP



## SECTION 7. VEHICULAR PARKING STANDARDS

### Section 7.1 Parking Standards.

The required parking ratios and minimum parking requirements set forth in Code Section 12.21 A.4 shall not apply. The maximum amount of automobile parking permitted within the Specific Plan area for a Project shall be determined in accordance with Table 7.1.

**TABLE 7.1. PARKING STANDARDS**

LAND USE	MAXIMUM PARKING RATIO
RESIDENTIAL	1.25 SPACE PER DU
OFFICE	2.0 SPACES PER 1,000 SF OF FLOOR AREA
RETAIL/RESTAURANT	4.0 SPACES PER 1,000 SF OF FLOOR AREA

*DU = Dwelling Units*

### Section 7.2 Location of Parking.

Parking provided for a Project, or for Metro employees and riders, may be located anywhere within or outside the Specific Plan area.

### Section 7.3 Compact Spaces.

There is no limitation on the number or percentage of compact spaces permitted within the Specific Plan, and all the parking spaces within the Specific Plan area may be compact spaces.

## **SECTION 8. BICYCLE PARKING REGULATIONS**

### **Section 8.1 Bicycle Parking Reduction.**

Bicycle parking shall be provided as required by the Code, except as otherwise set forth below.

- A.** In addition to the reduction for short-term bicycle spaces provided under Code Section 12.21 A.16(f)(3), long-term residential bicycle parking for a Project with market-rate residential units may be reduced by two spaces for every bicycle share dock provided in an on-site bicycle share station on the same lot as the Project, provided for up to a maximum 20 percent reduction, as part of a Metro or City of Los Angeles bicycle sharing program to be approved by the Director in consultation with the Los Angeles Department of Transportation (LADOT). If, for any reason, bicycle share docks are removed, the associated land uses shall be required to replace the number of docks formerly counted toward required bicycle parking with an equivalent number of bicycle parking spaces.
- B.** Reductions in the required number of bicycle parking spaces of up to 10 percent per individual Project may be approved via Project Adjustment pursuant to Code Section 13.B.4.4. In no event shall a Project's total bicycle parking reduction, through a combination of the reductions available under this Section 8.1, exceed 20 percent of the Project's bicycle parking requirement.

### **Section 8.2 Location Requirements.**

Required long-term and short-term spaces shall be subject to the location requirements of the Code, except that required short-term spaces may also be located in the private drives immediately adjacent to the lot on which the Project is located.

### **Section 8.3 Bicycle Parking Design.**

Except as otherwise provided for herein, all bicycle parking shall be designed to comply with the design standards, as described in Code Sections 12.21 A.16(d) and (e), respectively.

## **SECTION 9. TRANSPORTATION AND STREETScape IMPROVEMENTS**

### **Section 9.1 Public Rights-of-Way Widths.**

Notwithstanding Code Sections 12.37 and 17.05 D.1, the required widths of any public rights-of-way adjoining the Specific Plan area shall be provided in substantial conformance with the Public Rights-of-Way Widths set forth in Table 9.1 below, and depicted on Map 4 (Public Rights-of-Way Widths), which reflects modified dedications and improvement requirements, and the merger of certain excess rights-of-way in conformance with the Mobility Plan.



TABLE 9-1. PUBLIC RIGHTS-OF-WAY WIDTHS <sup>1</sup>			
Location & Classification	Half-ROW with Project		
	Roadway	Sidewalk	Total
<b><i>Lankershim Boulevard (Boulevard II)</i></b>			
West side, adjacent to Subarea 0 West	40'	10'	50'
East side, adjacent to Subarea 1, Subarea 0 East, and Subarea 5/6	40'	10'	50'
West side, adjacent to Subarea 8	40'	10'	50'
<b><i>Chandler Boulevard (Boulevard II)</i></b>			
North side, adjacent to Subarea 4 and 5/6	40'	15' (includes 5' provided by easement)	55'
<b><i>Chandler Boulevard (North) <sup>2</sup> (Boulevard II)</i></b>			
South side, adjacent to Subarea 0	30' - 36' (var)	4' - 10' (var)	40'
North side, adjacent to Subarea 7	19' - 22'	18' - 21'	40'
<b><i>Chandler Boulevard (South) (Boulevard II)</i></b>			
North side, adjacent to Subarea 0	35' - 45' (var)	0' - 10' (var)	45'
South side, adjacent to Subarea 8	40'	15'	55'
<b><i>Tujunga Avenue (Avenue II)</i></b>			

TABLE 9-1. PUBLIC RIGHTS-OF-WAY WIDTHS <sup>1</sup>			
Location & Classification	Half-ROW with Project		
	Roadway	Sidewalk	Total
East side, adjacent to Subarea 0	40'	7'	47'
East side, adjacent to Subarea 7	43'	12'	55'
<b><i>Cumpston Street (Collector Street)</i></b>			
South side, adjacent to Subarea 1, Subarea 0 East, and Subarea 5/6	20'	13'	33'
<b><i>Fair Ave (Local Street)</i></b>			
West side, adjacent to Subarea 3 and Subarea 4	22'	10'	32'
<b><i>Weddington Avenue (Local Street)</i></b>			
North side, adjacent to Subarea 8 (easterly)	18'	12'	30'
North side, adjacent to Subarea 8 (westerly)	18'	12'	30'
<b><i>Bakman Avenue (Local Street)</i></b>			
East side, adjacent to Subarea 8	18'	12'	30'
<sup>1</sup> Reflects required dedications, the waiver of certain dedications, and the merger of certain excess right of way in conformance with the Mobility Plan. <sup>2</sup> North Chandler is designated as a one-way road therefore LADOT shall have the final determination of ROW widths.			



## **Section 9.2      Phasing of Transportation Improvements**

### **A. Required Transportation Improvements.**

- 1. Phasing Plan.** Prior to the issuance of the first Administrative Review, Alternative Compliance, or Project Compliance approval for a Project within the Specific Plan area, the Applicant shall submit a Transportation Improvement Phasing Plan (TIPP) to the LADOT General Manager for approval. The TIPP shall identify which Transportation Improvements must be constructed or otherwise implemented in connection with individual Subareas. “Transportation Improvements” include those physical improvements, transportation demand management measures, or monetary contributions imposed as non-CEQA corrective measures under the LADOT-approved Transportation Assessment for the Project dated February 1, 2022, as set forth in Appendix E to this Specific Plan, and more fully described in the Project’s Transportation Assessment dated October 2021.
- 2. Improvement Assignments.** Prior to the issuance of an Administrative Review or Project Compliance approval for a Project, the LADOT General Manager, in consultation with the Director and the Applicant, shall assign Transportation Improvements to the Project from the list in Appendix E, based on the approved TIPP.
- 3. Guarantee of Transportation Improvements.** Prior to issuance of a building permit for a Project, the Applicant shall guarantee, to the satisfaction of the LADOT General Manager, the implementation of any Transportation Improvements for which the Applicant is responsible with respect to the Project. Prior to the issuance of a certificate of occupancy, the Project Applicant shall provide improvement design plans satisfactory to the LADOT General Manager, and shall construct the assigned Transportation Improvement(s); or, for monetary contributions, fund the required monetary contribution. If the LADOT General Manager determines that construction of an assigned Transportation Improvement is infeasible at the time the Applicant seeks a certificate of occupancy, then the Applicant shall pay the cost of or provide a suitable guarantee for the improvement to the satisfaction of the LADOT General Manager. Any guarantee required pursuant to this Section may be satisfied by a letter of credit, surety bond, or other suitable guarantee satisfactory to the City Engineer and the LADOT General Manager.
- 4. Transportation Improvement Modifications.** The LADOT General Manager, at the request of the Applicant, may determine the implementation of any Transportation Improvement, listed in Appendix E, is infeasible and should be

substituted with a comparable Transportation Improvement of equivalent cost or effectiveness. In that situation, the LADOT General Manager, in consultation with the Director, may modify or substitute the Transportation Improvement without the need for an amendment to this Specific Plan, provided the LADOT General Manager meets with the Applicant and determines what alternate and/or additional Transportation Improvement measures shall be implemented by the Applicant in order to meet the objectives of this subsection and CEQA.

### **Section 9.3 Streetscape Plan.**

All Projects shall comply with the District NoHo Streetscape Plan set forth in Appendix F. Beyond general City standards and specifications that apply to streetscape projects, each Project shall be reviewed for consistency with the Streetscape Plan as a condition of approval and permitting by the Department of Public Works. In the event of a conflict between a general City standard and a standard in the Streetscape Plan, the Streetscape Plan shall prevail. Prior to the issuance of a building permit for any Project, the Director shall have the discretion to require the Applicant to record a covenant guaranteeing to the City that the Project shall improve and maintain the public right-of-way in accordance with the District NoHo Streetscape Plan. The Applicant shall complete any required Streetscape Improvement prior to the issuance of a certificate of occupancy for the Project requiring such improvement.

### **Section 9.4 Private Drive Widths.**

Private drives within the Specific Plan area, which are separate lots pursuant to Vesting Tentative Tract (VTT) Map No. 82868, and as shown on Map 2 (Specific Plan Subarea Map) shall not be subject to the minimum lot width requirements of Code Section 17.05 H.

## **SECTION 10. ALCOHOL CONSUMPTION REGULATIONS**

### **Section 10.1 Regulations for On-Site Alcohol Sales, Service, and Consumption.**

- A.** The sales and service of alcoholic beverages for on-site consumption shall be permitted within the Specific Plan area subject to the following provisions. Establishments that sell and serve alcoholic beverages for on-site consumption shall obtain, as required, licenses or permits from the State Department of Alcoholic Beverage Control (ABC).
- B. New Establishments/Uses.** On-site sales, service, and consumption of a full line of alcoholic beverages for new establishments/uses shall be subject to the following requirements.

1. **Number of Establishments.** A maximum of 17 new establishments shall be allowed for the sale and service of a full line of alcoholic beverages for on-site consumption, including, but not limited to restaurants, cafes, Food Hall uses, bars, tasting rooms and breweries. A Food Hall shall be considered a single establishment that may contain several ABC licenses held by separate entities. Up to three additional establishments (for a total of 20 establishments) may be allowed for the sales and service of a full line of alcoholic beverages for on-site consumption, provided that for each such additional establishment there shall be a corresponding reduction in the number of establishments allowed for the sale of alcoholic beverages for off-site consumption.

2. **Approval Procedure.** Each establishment subject to Section 10.B.1 shall apply for an Administrative Review, to be approved by the Director. The Applicant shall file an application with the Director prior to the utilization of any grant made herein pursuant to the sales or service of alcoholic beverages. The Director's review shall follow the same procedure as required for an Administrative Review, except that the Director's review shall be limited to the review of the application for substantial compliance with the conditions listed in Appendix C of this Specific Plan. A table identifying all existing on-site alcohol permits within the Specific Plan area, type of alcohol application, and Floor Area of each establishment shall be submitted with the application.

**C. Conditional Use Permit.** A Conditional Use Permit pursuant to the Code Section 12.24 W.1 (which is deemed to apply to the District NoHo Specific Plan Zone) shall be required to exceed the maximum number of establishments permitted by Section 10.B.1. A Project Adjustment, Project Exception, or Amendment shall not be required.

**D. Conditions.** Each establishment and Administrative Review shall comply with the conditions for all alcohol sales and service for on-site consumption in Appendix C of this Specific Plan.

**E. Revocation.** If the conditions of Appendix C have not been complied with, the City may give notice to the Applicant/licensee, property owner, and any lessee of the non-compliant alcohol establishment to appear at a time and place fixed by the City and show cause why the use permitted by this Section at such establishment should not be modified, discontinued, or revoked. These proceedings shall be in accordance with Code Section 13B.6.2.

## **Section 10.2. Regulations for Off-Site Alcohol Sales and Consumption.**

**A.** The sales of alcoholic beverages for off-site consumption shall be permitted within the Specific Plan area subject to the following provisions. Establishments that sell and serve alcoholic beverages for off-site consumption shall obtain, as required,

licenses or permits from the State Department of Alcoholic Beverage Control (ABC).

**B.** The sale of a full line of alcoholic beverages for off-site consumption shall be subject to the following requirements.

1. **Establishments.** A maximum of three new establishments shall be allowed for the sale of a full line of alcoholic beverages for off-site consumption. In addition to the off-site sales, tastings shall be permitted in such establishments, such as a grocery market, brewery, winery, or distillery. Up to two additional establishments (for a total of five establishments) may be allowed for the sale of a full line of alcoholic beverages for off-site consumption, provided that for each such additional establishment there shall be a corresponding reduction in the number of establishments allowed for the sale and service of alcoholic beverages for on-site consumption.
2. **Approval Procedure.** Each establishment subject to Section 10.2.B.1 shall apply for an Administrative Review, to be approved by the Director. The Applicant shall file an application with the Director prior to the utilization of any grant made herein pursuant to the sales or service of alcoholic beverages. The Director's review shall follow the same procedure as required for an Administrative Review, except that the Director's review shall be limited to the review of the application for substantial compliance with the conditions listed in Appendix C of this Specific Plan. A table identifying all existing off-site alcohol permits within the Specific Plan area, type of alcohol application, and Floor Area of each establishment shall be submitted with the application.
3. **Conditional Use Permit.** A Conditional Use Permit pursuant to the Code Section 12.24 W.1 (which is deemed to apply to the District NoHo Specific Plan Zone) shall be required to exceed the maximum number of establishments permitted by this Section 10.2.B.1. A Project Adjustment, Project Exception, or Amendment shall not be required.

**C. Conditions.** Each establishment and Administrative Review shall comply with the conditions for all alcohol sales for off-site consumption in Appendix C of this Specific Plan.

**D. Revocation.** If the conditions of Appendix C have not been complied with, the City may give notice to the Applicant/licensee, property owner, and any lessee of the non-compliant alcohol establishment to appear at a time and place fixed by the City and show cause why the use permitted by this Section at such establishment should not be modified, discontinued, or revoked. These proceedings shall be in accordance with Code Section 13B.6.2.

## **SECTION 11. SEVERABILITY**

If any provision of this Specific Plan or its application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the invalidity shall not affect other Specific Plan provisions, clauses or applications which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this Specific Plan are declared to be severable.