

**DRAFT CITYWIDE HOUSING INCENTIVE PROGRAM ORDINANCE (CHAPTER 1A)  
NOVEMBER 2024**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance adding 1.5.12 (Public Benefits Map), Sec 1.5.16 (Transit Oriented Incentive Map), Section 1.5.17 (Mixed Income Housing Incentive Map) of Article 1, and Section 2C.3.1 (Lot Amenity Space), Section 2C.3.5 (Lot Amenity Alternatives), Section 2C.4.2 (Height in Feet), Section 2C.5.1 (Building Width) of Article 2, Paragraph 2 of Subsection E. (Exceptions) of Sec. 4C.14.1 (Development Review Threshold Packages) of Article 4, and Section 7B.6.1 (Opportunity Corridors 1A), Section 7B.6.2 (Opportunity Corridors 1B), Section 7B.6.3 (Opportunity Corridors 2A), Section 7B.6.4 (Opportunity Corridors 2B), Section 7B.6.5 (Opportunity Corridors 3A), Section 7B.6.6 (Opportunity Corridors 3B), Section 7B.7.1 (Corridor Transitions 1), Section 7B.7.2 (Corridor Transitions 2, Section 7B.7.3 (Corridor Transition 3) of Article 7, and Section 9.2.2 (Affordable Housing Incentive Program), Section 9.2.3 (Opportunity Corridors Housing Incentive Program), Section 9.2.4 (Corridor Transitions Incentive Program), Section 9.2.5 (Transit Oriented Housing Incentive Program), 9.3.2 (Local Affordable Housing Incentive Program), and Section 15.4.1 (Density Bonus Program Fees) of Article 15, and amending Section 2C.4.1 (Floor Area Ratio FAR), Subsection 2 (Maximum Height in Stories) of Sec. 2C.4.3 (Height in Stories) of Article 2, and Section 9.1.2 (General Provisions), Section 9.2.1 (State Density Bonus), Section 9.3.1 (Community Benefits Program Structure) of Article 9, and Division 14.2 (Glossary) of Article 14, and Section 15.4.2 (Fees For Enforcement for Housing Covenants), Section 15.4.3 (Affordable Housing Linkage Fee) of Article 15, and renumber Section 9.2.2 (Transit Oriented Communities Affordable Housing Incentive Program). For the purpose of implementing the Citywide Housing Incentive Program.

**Sec 1.** Add Sec. 1.5.12. (Public Benefits Incentive Map) of Article 1. (Introductory Provisions) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

**SEC. 1.5.12. PUBLIC BENEFITS INCENTIVE MAP**

**A. 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**

- a. The Public Benefits Incentive Map includes 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

Incentive Menu) by participating in an applicable incentive program established in Article 9 (Public Benefit Systems) and providing one or more allowable public benefit options, contingent on meeting the requirements of the applicable incentive program and of 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).

- b. 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.
- c. Lots may also be eligible for the Public Benefits Menu in Sec. 9.3.4. (Public Benefits Incentive Menu) if specified 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 2.** Add Sec. 1.5.16. (Transit Oriented Incentive Map) of Article 1. (Introductory Provisions) 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

a. General

Any lot 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.), contingent on providing the number of restricted affordable units required by the applied housing incentive set and meeting all eligibility criteria and rules of the applicable housing incentive program.

b. Exclusions

- i. Transit Oriented Incentive Sets shall not be mapped in the Downtown Community Plan Area, the Boyle Heights Community Plan Area, the Harbor Gateway Community Plan Area, the Wilmington-Harbor City Community Plan Area, and the Cornfield Arroyo Seco Specific Plan.
- ii. 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.
- iii. Transit Oriented Incentive Sets shall not be mapped if they have an applied Use District (Part 5B) listed in Div. 5B.7. (Industrial Use Districts), and/or, if they have an applied Density District (Part 6B) of N or 1L.

c. Transit Oriented Incentive Sets

i. T-1A

1. The T-1A Transit Oriented Incentive Sets shall be applied to all lots that meet the following criteria:

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

<u>Distance to Major Transit Stop</u>	<u>Eligibility Subarea</u>
<u>Description</u>	
<u>Two Regular Buses (intersection of two non Rapid Bus Lines each with at least 15 minute average peak headways)</u>	<u>&lt;2640 feet</u>
<u>Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)</u>	<u>750 - &lt; 2640 feet</u>
<u>Two Rapid Buses (intersection of two Rapid Bus lines)</u>	<u>1500-2640 feet</u>
<u>Metrolink Rail Stations</u>	<u>750 - &lt;2640 feet</u>
<u>Metro Rail Stations and Rapid Bus Transit Stations</u>	<u>=</u>

ii. T-1B

1. The T-1B Transit Oriented Incentive Sets shall be applied to all lots that meet the following criteria:

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

<u>Distance to Major Transit Stop</u>	<u>Eligibility Subarea</u>
<u>Description</u>	
<u>Two Regular Buses (intersection of two non Rapid Bus Lines each with at least 15 minute average peak headways)</u>	<u>&lt;2640 feet</u>
<u>Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)</u>	<u>750 - &lt; 2640 feet</u>
<u>Two Rapid Buses (intersection of two Rapid Bus lines)</u>	<u>1500-2640 feet</u>
<u>Metrolink Rail Stations</u>	<u>750 - &lt;2640 feet</u>
<u>Metro Rail Stations and Rapid Bus Transit Stations</u>	<u>=</u>

iii. T-2A

1. The T-2A Transit Oriented Incentive Sets shall be applied to all lots that meet the following criteria:

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

<b><u>Distance to Major Transit Stop</u></b>	<b><u>Eligibility Subarea</u></b>
<u>Description</u>	
<u>Two Regular Buses (intersection of two non Rapid Bus Lines each with at least 15 minute average peak headways)</u>	=
<u>Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)</u>	<u>&lt;750 feet</u>
<u>Two Rapid Buses (intersection of two Rapid Bus lines)</u>	<u>&lt;1500 feet</u>
<u>Metrolink Rail Stations</u>	<u>&lt;750 feet</u>
<u>Metro Rail Stations and Rapid Bus Transit Stations</u>	<u>≤ 2640 feet</u>

iv. The T-2B Transit Oriented Incentive Sets shall be applied to all lots that meet the following criteria:

1. The T-2B Transit Oriented Incentive Sets shall be applied to all lots that meet the following criteria:

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

<b><u>Distance to Major Transit Stop</u></b>	<b><u>Eligibility Subarea</u></b>
<u>Description</u>	
<u>Two Regular Buses (intersection of two non Rapid Bus Lines each with at least 15 minute average peak headways)</u>	=
<u>Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)</u>	<u>&lt;750 feet</u>
<u>Two Rapid Buses (intersection of two Rapid Bus lines)</u>	<u>&lt;1500 feet</u>
<u>Metrolink Rail Stations</u>	<u>&lt;750 feet</u>
<u>Metro Rail Stations and Rapid Bus Transit Stations</u>	<u>≤ 2640 feet</u>

v. T-3A

1. The T-3A Transit Oriented Incentive Sets shall be applied to all lots that meet the following criteria:

a. The T-3A Transit Oriented Incentive Sets shall be applied to all lots that meet the following criteria:

- i. Are located in a higher opportunity area, and
- ii. Meet the distance to major transit stop criteria as outlined in the table below:

<b><u>Distance to Major Transit Stop</u></b>	<b><u>Eligibility Subarea</u></b>
<u>Description</u>	
<u>Two Regular Buses (intersection of two non Rapid Bus Lines each with at least 15 minute average peak headways)</u>	=
<u>Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)</u>	=
<u>Two Rapid Buses (intersection of two Rapid Bus lines)</u>	=
<u>MetroLink Rail Stations</u>	=
<u>Metro Rail Stations and Rapid Bus Transit Stations</u>	<u>&lt;750 feet from intersection with another rail line or a Rapid Bus</u>

vi. T-3B

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

<b><u>Distance to Major Transit Stop</u></b>	<b><u>Eligibility Subarea</u></b>
<u>Description</u>	
<u>Two Regular Buses (intersection of two non Rapid Bus Lines each with at least 15 minute average peak headways)</u>	=
<u>Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)</u>	=
<u>Two Rapid Buses (intersection of two Rapid Bus lines)</u>	=
<u>Metrolink Rail Stations</u>	=
<u>Metro Rail Stations and Rapid Bus Transit Stations</u>	<u>&lt;750 feet from intersection with another rail line or a Rapid Bus</u>

C. Amendments

- a. The Director shall have the authority to update application of the Transit Oriented Incentive Sets on an annual basis in order to align with updated zoning and geographic data updates, including updates to 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 the map updates align with the criteria established in Subsection B. (Boundaries), above.
- b. In the case that a Community Plan Update, Specific Plan, or Transit Neighborhood Plan, proposes to exceed the development incentives or

set-aside percentages as set forth in the Transit Oriented Incentive Program, the Community Plan, Specific Plan, or Transit Neighborhood Plan, may supercede the Transit Oriented Incentive Program. If these provisions are met, Community Plans and Overlay Plans shall not be subject to the Update Frequency provisions of Sec. 1.5.16. C.a (Transit Oriented Incentive Map), above.

- c. For other revisions to the application of Transit Oriented Incentive Sets, such as modifying the eligibility criteria for one or more incentive sets or establishing additional incentive sets, the Director of Planning is authorized to revise the Transit Oriented Incentive Map, pursuant to Sec. 13B.1.3. (Zoning Code Amendment).
- d. No unauthorized person may alter or modify the Transit Oriented Incentive Map.

**Sec 3.** Add Sec. 1.5.17. (Mixed Income Housing Incentive Map) of Article 1 (Introductory Provisions) 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), as well as the highest housing incentive set in the applicable housing incentive program that the individual *lots* are eligible to utilize.

B. Boundaries

1. General

Any *lot* 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.), contingent on providing the number of restricted affordable units required by the applied housing incentive set and meeting all eligibility criteria and rules of the applicable housing incentive program.

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 following Opportunity Corridors Incentive Sets. The applied Opportunity Corridors Incentive Set establishes the Opportunity Corridors Alternate Typology established in Div. 7B.6. (Opportunity Corridors) that projects on the lot may be eligible to utilize through participation in the Opportunity Corridors Housing Incentive Program. Projects must meet all eligibility criteria and requirements established in Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program) in order to receive the incentives facilitated by the Mixed Income Incentive Map.

a. Exclusions

i. Opportunity Corridors Incentive Sets shall not be mapped in the Downtown Plan Area, the Boyle Heights Community Plan Area, the Harbor Gateway Community Plan Area, the Wilmington-Harbor City Community Plan Area, the Downtown Community Plan Area, and 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 abutting or adjoining a lot that otherwise meets the criteria for one of the Opportunity Corridors Incentive Sets, as outlined below, may be mapped with the same Opportunity Corridors Incentive Set as the applicable abutting or adjoining lot, regardless of location within a Very High Fire Hazard Severity Zone, the Coastal Zone, or a sea level rise area.

- iii. Opportunity Corridors Incentive Sets shall not be mapped if they have an applied Use District (Part 5B) listed in Div. 5B.7. (Industrial Use Districts), and/or, if they have an applied Density District (Part 6B) of N or 1L.
- b. OC-1  
The OC-1 Opportunity Corridors Incentive Set shall be applied to all lots that meet all of the following criteria:
  - i. Are located on a corridor with a street designation of Avenue I, Avenue II, Avenue III, Boulevard I, or Boulevard II with 30 minute or less service frequency between 6:00 to 9:00 AM and 3:00 to 7:00 PM in at least one direction.
  - ii. Are located in a *higher opportunity area*, and
  - iii. Do not qualify for the OC-2 or OC-3 Opportunity Corridors Incentive Sets.
- c. OC-2  
The OC-2 Opportunity Corridors Incentive Set shall be applied to all lots that meet all of the following criteria:
  - i. Are located on a corridor with a *street designation* of Avenue I, Avenue II, Avenue III, Boulevard I, or Boulevard II that has *high quality transit service*,
  - ii. Are located in a *higher opportunity area*, and
  - iii. Do not qualify for the OC-3 Opportunity Corridors Incentive Set.
- d. OC-3  
The OC-3 Opportunity Corridors Incentive Set shall be applied to all lots that meet all of the following criteria:
  - i. Are 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 Portal and Rapid Bus Stop, and
  - ii. Are located 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 following Corridor Transitions Incentive Sets. The applied Corridor Transitions Incentive Set establishes the Corridor Transitions Alternate Typology established in Div. 7B.7. (Corridor Transitions) that projects on the lot may be eligible to utilize through participation in the Corridor Transitions Incentive Program. Projects shall meet all eligibility criteria and requirements established in Sec. 9.2.4. (Corridor Transitions Incentive Program) in order to receive the incentives facilitated by the Mixed Income Incentive Map.

a. Exclusions

- i. Corridor Transitions Incentive Sets shall not be mapped in the Downtown Community Plan Area, the Boyle Heights Community Plan Area, the Harbor Gateway Community Plan Area, the Wilmington-Harbor City Community Plan Area, and 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 if they have an applied Density District (Part 6B) of N or 1L.

b. CT-1

The CT-1 Corridor Transitions Incentive Sets shall be applied to all lots that meet all of the following criteria:

- i. Located within 750 feet of a lot mapped with an Opportunity Corridors Incentive Set, measured from the lot line furthest from the corridor.
- ii. Are located in a higher opportunity area, and
- iii. Have 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 do not have an applied Density District (Part 6B) of 2, 3, 4, 6, 8, or 10.

c. CT-2

The CT-2 Corridor Transitions Incentive Sets shall be applied to all lots that meet all of the following criteria:

- i. Located 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. Are located in a higher opportunity area, and
- iii. Have 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 do 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 all lots that meet all of the following criteria:

- i. Located 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. Are located in a higher opportunity area,
- iii. Have 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 do not have an applied Density District (Part 6B) of 2, 3, 4, 6, 8, or 10.
- iv. Do not contain designated historic resources, or non-contributing elements. Lots with designated historic resources or non-contributing elements that meet all other criteria listed in Sub-subparagraphs i, ii, and iii, above shall instead be mapped with the CT-2 Incentive Set.

C. Amendments

1. The Director shall have the authority to update application of the Opportunity Corridors Incentive Sets and Corridor Transitions Incentive Sets on an annual basis in order to align with updated zoning and geographic data updates, including updates to 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 the map updates align with the criteria established in Paragraph 2 (Opportunity Corridors Incentive Sets) and Paragraph 3 (Corridor Transitions Incentives Sets) of Subsection B. (Boundaries), above.

2. For other revisions to the application of Opportunity Corridors Incentive Sets or Corridor Transitions Incentive Sets, such as modifying the eligibility criteria for one or more incentive sets or establishing additional incentive sets, the Director of Planning is authorized to revise the Mixed Income Housing Incentive Map, pursuant to Sec. 13B.1.3. (Zoning Code Amendment).
3. No unauthorized person may alter or modify the Mixed Income Housing Incentive Map.

**Sec 4.** Add Subsection F. (Exceptions) of Sec. 2C.3.1. (Lot Amenity Space ) of Div. 2C.3. (Amenity) of Article 2 (Form) of Chapter 1A of the Los Angeles Municipal Code to read as follows

F. Exceptions

Where the applied Form District (Part 2B) identifies one or more eligible lot amenity alternatives, projects may provide a lot amenity space meeting the requirements established for that listed lot amenity alternative type, as established in Sec. 2C.3.5. (Lot Amenity Alternatives, in lieu of a lot amenity space meeting the standard lot amenity requirements described in this Section.

**Sec 5.** Add Sec. 2C.3.5. (Lot Amenity Alternatives) of Div. 2C.3. (Amenity) of Article 2. (Form) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 2C.3.5. LOT AMENITY ALTERNATIVES

Lot amenity 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.

A. Intent

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 may be applied to *projects* with required lot amenity space, as established in Sec. 2C.3.1 (Lot Amenity Space).
2. Lot amenity alternatives may only be applied in *projects* on a *lot* with an applied Form District (Part 2B) that lists one or more eligible lot amenity alternative types.
3. Lot amenity alternatives are optional, and applicable *projects* may opt to use the standard *lot amenity space* requirements outlined Sec. 2C.3.1 (Lot Amenity Space) instead. *Projects* utilizing the 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.
  - 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.3.3.).
2. Lot Amenity Alternative Types
  - a. Courtyard
    - i. Width

The width of the courtyard shall be a minimum of 30% 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% 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% of the lot width, or a minimum of 10 feet, whichever is greater, measured parallel to the applicable primary street lot line.

ii. Depth

The depth of the paseo shall be a minimum of 60% 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 4 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% of the *lot width*, measured parallel to the applicable *primary street lot line*.

ii. Depth

The depth of the paseo shall be a minimum of 10% 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 2B).

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 uncovered space, see Sec. 14.1.2. 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 6.** Amend Subsection C (Standards) of Sec. 2C.4.1 (Floor Area Ratio FAR ) of Div. 2C.4 (Floor Area Ratio & Height) of Article 2. (Form) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

C. Standards

1. Base

A lot shall not exceed the maximum base floor area ratio without meeting *Article 9. (Public Benefit Systems).*

2. Tier 1 Bonus

- a. A lot may exceed the base ~~FAR~~ floor area ratio up to the maximum ~~bonus FAR~~ tier 1 bonus floor area ratio of the applied Form District (Part 2B) for projects participating in a community benefits program, pursuant to Div. 9.3. (Community Benefits Program).
- b. Projects participating in ~~other~~ incentive programs intended to implement State law, including ~~Density Bonus (Sec. 9.2.1.)~~ 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 only exceed the maximum ~~base FAR or maximum bonus FAR~~ tier 1 bonus floor area ratio of the applied Form District (Part 2B) if the project meets the eligibility and other program rules needed to qualify for additional floor area ratio benefits beyond that exceeds the established maximum base or bonus FAR tier 1 bonus floor area ratio, pursuant to state law.

### 3. Tier 2 Bonus

- a. A lot may exceed the base floor area ratio up to the maximum tier 2 bonus floor area ratio for projects participating in a community benefits program, pursuant to Div. 9.3. (Community Benefits Program) that provide other public benefits in addition to restricted affordable units in exchange for access to additional bonus floor area ratio, as dictated by the applicable incentive program. An applicable CPIO or Specific Plan may also establish eligibility criteria for access to tier 2 bonus floor area ratio.
- 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 only exceed the maximum tier 2 bonus floor area ratio of the applied Form District (Part 2B) if they meet the eligibility and program requirements needed to qualify for additional floor area ratio benefits beyond the established maximum tier 2 bonus floor area ratio, pursuant to state law.

**Sec 7.** Amend Subsection C (Standards) of Sec. 2C.4.2 (Height in Feet) of Div. 2C.4 (Floor Area Ratio & Height of Article 2. (Form) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

C. Standards

1. Tier 1 Bonus

- a. Buildings and structures may exceed the base maximum height in feet up to the *tier 1 bonus maximum height in feet of the applied Form District (Part 2B)* as allowed in *Div. 9.3. (Community Benefits Program)*.
- 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 only exceed the maximum *tier 1 bonus height* of the applied Form District (Part 2B) if they meet the eligibility and program requirements needed to qualify for additional height benefits beyond the established maximum *tier 1 bonus height*, pursuant to state law.

2. 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) for projects participating in a community benefits program, pursuant to Div. 9.3. (Community Benefits Program) that provide other public benefits in addition to *restricted affordable units* in exchange for access to additional bonus height as dictated by the applicable incentive program. An applicable CPIO or Specific Plan may also establish eligibility criteria for access to *tier 2 bonus height*.

- 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 only exceed the maximum *tier 2 bonus height* of the applied Form District (Part 2B) if they meet the eligibility and program requirements needed to qualify for additional *height benefits* beyond the established maximum *tier 2 bonus height*, pursuant to state law.

**Sec 8.** Amend Subsection C.b.i (Bonus Minimum Height in Stories) and Subsection 2 (Maximum Height in Stories) of Sec. 2C.4.3 (Height in Stories) of Div. 2C.4 (Floor Area Ratio & Height of Article 2. (Form) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

#### SEC. 2C.4.3. HEIGHT IN STORIES

##### 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 accessing 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 bonus minimum height in stories, predominantly non-residential means projects where more than 50 percent of the total floor area of the project is 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 bonus maximum height in stories~~ the tier 1 bonus height of the applied Form District (Part 2B) as allowed in *Div. 9.3. (Community Benefits Program)*.

- 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 only exceed the maximum tier 1 bonus height of the applied Form District (Part 2B) if they meet the eligibility and program requirements needed to qualify for additional height benefits beyond the established maximum tier 1 bonus height, pursuant to state law.

### 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) for projects participating in a community benefits program, pursuant to Div. 9.3. (Community Benefits Program) that provide other public benefits in addition to *restricted affordable units* in exchange for access to additional bonus height as dictated by the applicable incentive program. An applicable *CPIO* or *Specific Plan* may also establish eligibility criteria for access to *tier 2 bonus height*, pursuant to state law.

- 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 only exceed the maximum *tier 2 bonus height* of the applied Form District (Part 2B) if they meet the eligibility and program requirements needed to qualify for additional *height benefits* beyond the established maximum *tier 2 bonus height*, pursuant to state law.

**Sec 9.** Amend Subsection C (Standards) of Sec. 2C.5.1.C (Building Width) of Div. 2C.5. (Building Mass) of Article 2. (Form) of Chapter 1A of the Los Angeles Municipal Code 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 2B)*.

- 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 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.
- ~~1. 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 2B)*.~~
- ~~2. 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*.~~
- ~~3. 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.~~
- ~~4. 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 and *side street lot lines*.~~
- ~~5. 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*.~~

~~6. No *building* or *structure* shall encroach into the *building break*, except where allowed in *Subsection E. (Exceptions)* below.~~

2. Bonus Building Width

- a. Buildings and structures may exceed the maximum *building width* up to the *bonus building width* in feet of the applied Form District (Part 2B) for projects participating in a community benefits program, pursuant to Div. 9.3. (Community Benefits Program) that provide other *restricted affordable units* or other public benefits in exchange for access to additional bonus *building width*, as dictated by the applicable incentive program.
- 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 only exceed the maximum *bonus building width* of the applied Form District (Part 2B) if they meet the eligibility and program requirements needed to qualify for additional *building width* benefits beyond the established maximum *bonus building width*, pursuant to state law.

**Sec 10.** Add Paragraph 2. of Subsection E. (Exceptions) of Sec. 4C.14.1 (Development Review Threshold Packages) of Div. 4C.14.1 (Development Review Threshold Packages) of Article 4. (Development Standards) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 4C.14.1. Development Review Threshold Packages

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.

~~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:~~

- ~~1. The project involves the new construction of floor area dedicated to one or more residential uses and to one or more non-residential uses;~~
- ~~2. Fifty percent or more of the total new floor area is dedicated to restricted affordable units;~~
- ~~3. 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~~

~~4. 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 set forth in Subparagraph b of Sec.15.4.3.B.1. (Exemptions) for exemption from the otherwise required Affordable Housing Linkage Fee (Sec. 15.4.3.) are also exempt from review pursuant to this Section.

**Sec 11.** Add Div. 7B.6. (Opportunity Corridors) of Article 7. (Alternate Typologies) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

DIV. 7B.6. Opportunity Corridors

SEC. 7B.6.1. 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, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Lots

In order to be eligible to use the Opportunity Corridors 1A Alternate Typology, a project must take place on a lot mapped in the OC-1 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17).

3. Opportunity Corridors Housing Incentive Program

In order to be eligible to use the Opportunity Corridors 1A Alternate Typology, a project must be participating in the Mixed Income Incentive Program and meet all of the eligibility criteria, rules, requirements, and

procedures established pursuant to 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 utilizing the Opportunity Corridors 1A Alternate Typology shall be subject to the applicable review procedures established in Subsection D (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

1. Projects eligible for the Opportunity Corridors 1A Alternate Typology and participating in Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program) may utilize the Form standards outlined in the table below, or the *floor area ratios* and heights established in Paragraph 2, below, in lieu of the standards otherwise required by the applied Form District (Part 2B).

<u>LOT SIZE</u>	<u>Div. 2C.1.</u>	<u>FAR &amp; HEIGHT</u>	<u>Div. 2C.4.</u>
<u>Lot Area (min)</u>	<u>Set by Form District</u>	<u>Base FAR</u>	<u>Set by Form District</u>
<u>Lot Width (min)</u>	<u>Set by Form District</u>	<u>Base Height in Stories</u>	<u>Set by Form District</u>
<u>COVERAGE</u>	<u>Div. 2C.2.</u>	<u>Tier 1 Bonus FAR</u>	<u>4.0</u>
<u>Building Coverage (max)</u>	<u>Set by Form District</u>	<u>Tier 1 Bonus Height in Stories</u>	<u>6 stories</u>
<u>Building Setbacks</u>	<u>Set by Form District</u>	<u>Tier 2 Bonus FAR</u>	<u>7.0 or</u>
<u>Permeable Surface (min)</u>	<u>Set by Form District</u>	<u>Tier 2 Bonus Height in Stories</u>	<u>8 stories</u>
<u>AMENITY</u>	<u>Div. 2C.3.</u>	<u>Upper Story Bulk</u>	<u>Div. 2C.5.</u>
<u>Lot Amenity Space (min)</u>	<u>Set by Form District</u>	<u>Street Step-Back</u>	<u>Set by Form District</u>
<u>Residential Amenity Space (min)</u>	<u>Set by Form District</u>	<u>District Boundary Height Transition</u>	<u>Set by Form District</u>
		<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. Projects may also utilize the following *floor area ratio* and height incentives:
  - i. In lieu of the *tier 1 bonus floor area ratio* and *tier 1 bonus height* listed in the table above, a project may receive a *tier 1 bonus floor area ratio* of up to a 45% increase in the base *floor area ratio* and one additional *story* of height beyond the base height established by the applied Form District (Part 2B) or applicable CPIO, Specific Plan, or Special Zone.
  - ii. In lieu of the *tier 2 bonus floor area ratio* and *tier 2 bonus height* listed in the table above, a project may receive 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* and an additional 3 *stories* beyond the applicable *tier 1 bonus height*.

3. Regardless of the tier 1 bonus floor area ratio, tier 2 bonus floor area ratio, tier 1 bonus height, and tier 2 bonus height established in the table above, projects on sites with designated historic resources or non-contributing elements shall be eligible for the following reduced incentives:
  - i. No increase allowable FAR beyond the base floor area ratio of the applied Form District (Part 2B).
  - ii. An increase in height up to one additional story, up to 11 additional feet beyond the base height of the applied Form District (Part 2B).

E. Frontage Standards

Set by applied Frontage District (Part 3B).

F. Development Standards

1. Required Automobile Parking Stalls

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

2. Additional Rules

For additional Development Standards rules, see the applied Development Standard District (Part 4B) and Development Standard Rules (Part 4C).

G. Use Standards

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

H. Density Standards

Projects participating in the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.) and utilizing the Opportunity Corridors 1A Alternate Typology as established in this Section shall be eligible for density equivalent to the density allowed in an FA Density District, pursuant to Sec. 6B.1.2. (Lot Area Based Districts).

SEC. 7B.6.2. 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 Lots

In order to be eligible to use the Opportunity Corridors 1B Alternate Typology, a project must take place on a lot mapped in the OC-1 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17).

3. Opportunity Corridors Housing Incentive Program

In order to be eligible to use the Opportunity Corridors 1B Alternate Typology, a project must be participating in the Opportunity Corridors Housing Incentive Program and meet all of the eligibility criteria, rules, requirements, and procedures established pursuant to 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 utilizing the Opportunity Corridors 1B Alternate Typology shall be subject to the applicable review procedures established in Subsection D (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

1. Projects eligible for the Opportunity Corridors 1B Alternate Typology and participating in Sec. 9.2.3. (Opportunity Corridors Housing Incentive

Program) may utilize the Form standards outlined in the table below, or the *floor area ratios* and heights established in Paragraph 2, below, in lieu of the standards otherwise required by the applied Form District (Part 2B).

<b>LOT SIZE</b>	<b>Div. 2C.1.</b>	<b>FAR &amp; HEIGHT</b>	<b>Div. 2C.4.</b>
<b>Lot Area (min)</b>	Set by Form District	<b>Base FAR</b>	Set by Form District
<b>Lot Width (min)</b>	Set by Form District	<b>Base Height in Stories</b>	Set by Form District
<b>COVERAGE</b>	<b>Div. 2C.2.</b>	<b>Tier 1 Bonus FAR</b>	4.5
<b>Building Coverage (max)</b>	Set by Form District	<b>Tier 1 Bonus Height in Stories</b>	7 stories
<b>Building Setbacks</b>	Set by Form District	<b>Tier 2 Bonus FAR</b>	7.5
<b>Permeable Surface (min)</b>	Set by Form District	<b>Tier 2 Bonus Height in Stories</b>	10 stories
<b>AMENITY</b>	<b>Div. 2C.3.</b>	<b>Upper Story Bulk</b>	<b>Div. 2C.5.</b>
<b>Lot Amenity Space (min)</b>	Set by Form District	<b>Street Step-Back</b>	Set by Form District
<b>Residential Amenity Space (min)</b>	Set by Form District	<b>District Boundary Height Transition</b>	Set by Form District
		<b>Building Mass</b>	<b>Div. 2C.5.</b>
		<b>Building Width (max)</b>	
		Base Building Width	Set by Form District
		Bonus Building Width	210'
		<b>Building Break (min)</b>	25'

2. Projects may also utilize the following *floor area ratio* and height incentives:
  - i. In lieu of the *tier 1 bonus floor area ratio* and *tier 1 bonus height* listed in the table above, a project may receive a *tier 1 bonus floor area ratio* of up to a 50% increase in the base *floor area ratio* and one additional *story* of height beyond the base height established by the applied Form District (Part 2B) or applicable CPIO, Specific Plan, or Special Zone.
  - ii. In lieu of the *tier 2 bonus floor area ratio* and *tier 2 bonus height* listed in the table above, a project may receive 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* and an additional 3 *stories* beyond the applicable *tier 1 bonus height*.
3. Regardless of the *tier 1 bonus floor area ratio*, *tier 2 bonus floor area ratio*, *tier 1 bonus height*, and *tier 2 bonus height* established in the table above.

projects on sites with *designated historic resources* or *non-contributing elements* shall be eligible for the following reduced incentives:

- i. No increase allowable FAR beyond the base *floor area ratio* of the applied Form District (Part 2B).
- ii. An increase in height up to one additional story, up to 11 additional feet beyond the base *height* of the applied Form District (Part 2B).

E. Frontage Standards

Set by applied Frontage District (Part 3B).

F. Development Standards

1. Required Automobile Parking Stalls

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

2. Additional Rules

For additional Development Standards rules, see the applied Development Standard District (Part 4B) and Development Standard Rules (Part 4C).

G. Use Standards

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

H. Density Standards

Projects participating in the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.) and utilizing the Opportunity Corridors 1B Alternate Typology as established in this Section shall be eligible for density equivalent to the density allowed in an FA Density District, pursuant to Sec. 6B.1.2. (Lot Area Based Districts).

SEC. 7B.6.3. 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 Lots

In order to be eligible to use the Opportunity Corridors 2A Alternate Typology, a project must take place on a lot mapped in the OC-2 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17).

3. Opportunity Corridors Housing Incentive Program

In order to be eligible to use the Opportunity Corridors 2A Alternate Typology, a project must be participating in Opportunity Corridors Housing Incentive Program and meet all of the eligibility criteria, rules, requirements, and procedures established pursuant to 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 utilizing the Opportunity Corridors 2A Alternate Typology shall be subject to the applicable review procedures established in Subsection D (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

1. Projects eligible for the Opportunity Corridors 2A Alternate Typology and participating in Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program) may utilize the Form standards outlined in the table below, or the *floor area ratios* and heights established in Paragraph 2, below, in lieu of the standards otherwise required by the applied Form District (Part 2B).

<u>LOT SIZE</u>	<u>Div. 2C.1.</u>	<u>FAR &amp; HEIGHT</u>	<u>Div. 2C.4.</u>
<u>Lot Area (min)</u>	<u>Set by Form District</u>	<u>Base FAR</u>	<u>Set by Form District</u>
<u>Lot Width (min)</u>	<u>Set by Form District</u>	<u>Base Height in Stories</u>	<u>Set by Form District</u>
<u>COVERAGE</u>	<u>Div. 2C.2.</u>	<u>Tier 1 Bonus FAR</u>	<u>4.5</u>
<u>Building Coverage (max)</u>	<u>Set by Form District</u>	<u>Tier 1 Bonus Height in Stories</u>	<u>7 stories</u>
<u>Building Setbacks</u>	<u>Set by Form District</u>	<u>Tier 2 Bonus FAR</u>	<u>7.5</u>
<u>Permeable Surface (min)</u>	<u>Set by Form District</u>	<u>Tier 2 Bonus Height in Stories</u>	<u>10 stories</u>
<u>AMENITY</u>	<u>Div. 2C.3.</u>	<u>Upper Story Bulk</u>	<u>Div. 2C.5.</u>
<u>Lot Amenity Space (min)</u>	<u>Set by Form District</u>	<u>Street Step-Back</u>	<u>Set by Form District</u>
<u>Residential Amenity Space (min)</u>	<u>Set by Form District</u>	<u>District Boundary Height Transition</u>	<u>Set by Form District</u>
		<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. Projects may also utilize the following *floor area ratio* and height incentives:
  - i. In lieu of the *tier 1 bonus floor area ratio* and *tier 1 bonus height* listed in the table above, a project may receive a *tier 1 bonus floor area ratio* of up to a 50% increase in the base *floor area ratio* and one additional *story* of height beyond the base height established by the applied Form District (Part 2B) or applicable CPIO, Specific Plan, or Special Zone.
  - ii. In lieu of the *tier 2 bonus floor area ratio* and *tier 2 bonus height* listed in the table above, a project may receive 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 and an additional 3 stories beyond the applicable tier 1 bonus height.

3. Regardless of the tier 1 bonus floor area ratio, tier 2 bonus floor area ratio, tier 1 bonus height, and tier 2 bonus height established in the table above, projects on sites with designated historic resources or non-contributing elements shall be eligible for the following reduced incentives:
  - i. No increase allowable FAR beyond the base floor area ratio of the applied Form District (Part 2B).
  - ii. An increase in height up to one additional story, up to 11 additional feet beyond the base height of the applied Form District (Part 2B).

E. Frontage Standards

Set by applied Frontage District (Part 3B).

F. Development Standards

1. Required Automobile Parking Stalls  
No automobile parking shall be required for residential uses.
2. Additional Rules  
For additional Development Standards rules, see the applied Development Standard District (Part 4B) and Development Standard Rules (Part 4C).

G. Use Standards

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

H. Density Standards

Projects participating in the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.) and utilizing the Opportunity Corridors 2A Alternate Typology as established in this Section shall be eligible for density equivalent to the density allowed in an FA Density District, pursuant to Sec. 6B.1.2. (Lot Area Based Districts).

SEC. 7B.6.4. 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 Lots

In order to be eligible to use the Opportunity Corridors 2B Alternate Typology, a project must take place on a lot mapped in the OC-2 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17).

3. Opportunity Corridors Housing Incentive Program

In order to be eligible to use the Opportunity Corridors 2B Alternate Typology, a project must be participating in the Opportunity Corridors Housing Incentive Program and meet all of the eligibility criteria, rules, requirements, and procedures established pursuant to 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 utilizing the Opportunity Corridors 2B Alternate Typology shall be subject to the applicable review procedures established in Subsection D (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

1. Projects eligible for the Opportunity Corridors 2B Alternate Typology and participating in Sec. 9.2.3. (Opportunity Corridors Housing Incentive

Program) may utilize the Form standards outlined in the table below, or the *floor area ratios* and heights established in Paragraph 2, below, in lieu of the standards otherwise required by the applied Form District (Part 2B).

<b>LOT SIZE</b>	<b>Div. 2C.1.</b>	<b>FAR &amp; HEIGHT</b>	<b>Div. 2C.4.</b>
<b>Lot Area</b> (min)	Set by Form District	<b>Base FAR</b>	Set by Form District
<b>Lot Width</b> (min)	Set by Form District	<b>Base Height in Stories</b>	Set by Form District
<b>COVERAGE</b>	<b>Div. 2C.2.</b>	<b>Tier 1 Bonus FAR</b>	4.75
<b>Building Coverage</b> (max)	Set by Form District	<b>Tier 1 Bonus Height in Stories</b>	7 stories
<b>Building Setbacks</b>	Set by Form District	<b>Tier 2 Bonus FAR</b>	7.75
<b>Permeable Surface</b> (min)	Set by Form District	<b>Tier 2 Bonus Height in Stories</b>	10 stories
<b>AMENITY</b>	<b>Div. 2C.3.</b>	<b>Upper Story Bulk</b>	<b>Div. 2C.5.</b>
<b>Lot Amenity Space</b> (min)	Set by Form District	<b>Street Step-Back</b>	Set by Form District
<b>Residential Amenity Space</b> (min)	Set by Form District	<b>District Boundary Height Transition</b>	Set by Form District
		<b>Building Mass</b>	<b>Div. 2C.5.</b>
		<b>Building Width</b> (max)	
		<u>Base Building Width</u>	Set by Form District
		<u>Bonus Building Width</u>	210'
		<b>Building Break</b> (min)	25'

2. Projects may also utilize the following *floor area ratio* and height incentives:
  - i. In lieu of the *tier 1 bonus floor area ratio* and *tier 1 bonus height* listed in the table above, a project may receive a *tier 1 bonus floor area ratio* of up to a 55% increase in the base *floor area ratio* and one additional *story* of height beyond the base height established by the applied Form District (Part 2B) or applicable CPIO, Specific Plan, or Special Zone.
  - ii. In lieu of the *tier 2 bonus floor area ratio* and *tier 2 bonus height* listed in the table above, a project may receive 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* and an additional 3 stories beyond the applicable *tier 1 bonus height*.
3. Regardless of the *tier 1 bonus floor area ratio*, *tier 2 bonus floor area ratio*, *tier 1 bonus height*, and *tier 2 bonus height* established in the table above,

projects on sites with *designated historic resources* or *non-contributing elements* shall be eligible for the following reduced incentives:

- i. No increase allowable FAR beyond the base *floor area ratio* of the applied Form District (Part 2B).
- ii. An increase in height up to one additional story, up to 11 additional feet beyond the base *height* of the applied Form District (Part 2B).

E. Frontage Standards

Set by applied Frontage District (Part 3B).

F. Development Standards

1. Required Automobile Parking Stalls  
No automobile parking shall be required for *residential uses*.
2. Additional Rules  
For additional Development Standards rules, see the applied Development Standard District (Part 4B) and Development Standard Rules (Part 4C).

G. Use Standards

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

H. Density Standards

Projects participating in the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.) and utilizing the Opportunity Corridors 2B Alternate Typology as established in this Section shall be eligible for density equivalent to the density allowed in an FA Density District, pursuant to Sec. 6B.1.2. (Lot Area Based Districts).

SEC. 7B.6.5. 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 Lots

In order to be eligible to use the Opportunity Corridors 3A Alternate Typology, a project must take place on a lot mapped in the OC-3 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17).

3. Opportunity Corridors Housing Incentive Program

In order to be eligible to use the Opportunity Corridors 3A Alternate Typology, a project must be participating in the Opportunity Corridors Housing Incentive Program and meet all of the eligibility criteria, rules, requirements, and procedures established pursuant to 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 utilizing the Opportunity Corridors 3A Alternate Typology shall be subject to the applicable review procedures established in Subsection D (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

**D. Form Standards**

1. Projects eligible for the Opportunity Corridors 3A Alternate Typology and participating in Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program) may utilize the Form standards outlined in the table below, or the *floor area ratios* and heights established in Paragraph 2, below, in lieu of the standards otherwise required by the applied Form District (Part 2B).

<b>LOT SIZE</b>	<b>Div. 2C.1.</b>	<b>FAR &amp; HEIGHT</b>	<b>Div. 2C.4.</b>
<b>Lot Area</b> (min)	Set by Form District	<b>Base FAR</b>	Set by Form District
<b>Lot Width</b> (min)	Set by Form District	<b>Base Height in Stories</b>	Set by Form District
<b>COVERAGE</b>	<b>Div. 2C.2.</b>	<b>Tier 1 Bonus FAR</b>	5.0
<b>Building Coverage</b> (max)	Set by Form District	<b>Tier 1 Bonus Height in Stories</b>	8 stories
<b>Building Setbacks</b>	Set by Form District	<b>Tier 2 Bonus FAR</b>	8.0
		<b>Tier 2 Bonus Height in Stories</b>	11 stories
<b>AMENITY</b>	<b>Div. 2C.3.</b>	<b>Upper Story Bulk</b>	<b>Div. 2C.5.</b>
<b>Lot Amenity Space</b> (min)	Set by Form District	<b>Street Step-Back</b>	Set by Form District
<b>Residential Amenity Space</b> (min)	Set by Form District	<b>District Boundary Height Transition</b>	Set by Form District
		<b>Building Mass</b>	<b>Div. 2C.5.</b>
		<b>Building Width</b> (max)	
		<u>Base Building Width</u>	Set by Form District
		<u>Bonus Building Width</u>	160'
		<b>Building Break</b> (min)	15'

2. Projects may also utilize the following *floor area ratio* and height incentives:
  - i. In lieu of the *tier 1 bonus floor area ratio* and *tier 1 bonus height* listed in the table above, a project may receive a *tier 1 bonus floor area ratio* of up to a 60% increase in the base *floor area ratio* and one additional *story* of height beyond the base height established by the applied Form District (Part 2B) or applicable CPIO, Specific Plan, or Special Zone.
  - ii. In lieu of the *tier 2 bonus floor area ratio* and *tier 2 bonus height* listed in the table above, a project may receive 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 and an additional 3 stories beyond the applicable tier 1 bonus height.

3. Regardless of the tier 1 bonus floor area ratio, tier 2 bonus floor area ratio, tier 1 bonus height, and tier 2 bonus height established in the table above, projects on sites with designated historic resources or non-contributing elements shall be eligible for the following reduced incentives:
  - i. No increase allowable FAR beyond the base floor area ratio of the applied Form District (Part 2B).
  - ii. An increase in height up to one additional story, up to 11 additional feet beyond the base height of the applied Form District (Part 2B).

E. Frontage Standards

Set by applied Frontage District (Part 3B).

F. Development Standards

1. Required Automobile Parking Stalls  
No automobile parking shall be required for residential uses
2. Additional Rules  
For additional Development Standards rules, see the applied Development Standard District (Part 4B) and Development Standard Rules (Part 4C).

G. Use Standards

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

H. Density Standards

Projects participating in the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.) and utilizing the Opportunity Corridors 3A Alternate Typology as established in this Section shall be eligible for density equivalent to the density allowed in an FA Density District, pursuant to Sec. 6B.1.2. (Lot Area Based Districts).

SEC. 7B.6.6. 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, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Lots

In order to be eligible to use the Opportunity Corridors 3B Alternate Typology, a project must take place on a lot mapped in the OC-3 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17).

3. Opportunity Corridors Housing Incentive Program

In order to be eligible to use the Opportunity Corridors 3B Alternate Typology, a project must be participating in the Opportunity Corridors Housing Incentive Program and meet all of the eligibility criteria, rules, requirements, and procedures established pursuant to 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 utilizing the Opportunity Corridors 3B Alternate Typology shall be subject to the applicable review procedures established in Subsection D (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

1. Projects eligible for the Opportunity Corridors 3B Alternate Typology and participating in Sec. 9.2.3. (Opportunity Corridors Housing Incentive

Program) may utilize the Form standards outlined in the table below, or the *floor area ratios* and heights established in Paragraph 2, below, in lieu of the standards otherwise required by the applied Form District (Part 2B).

<b>LOT SIZE</b>	<b>Div. 2C.1.</b>	<b>FAR &amp; HEIGHT</b>	<b>Div. 2C.4.</b>
<b>Lot Area (min)</b>	Set by Form District	<b>Base FAR</b>	Set by Form District
<b>Lot Width (min)</b>	Set by Form District	<b>Base Height in Stories</b>	Set by Form District
<b>COVERAGE</b>	<b>Div. 2C.2.</b>	<b>Tier 1 Bonus FAR</b>	5.0
<b>Building Coverage (max)</b>	Set by Form District	<b>Tier 1 Bonus Height in Stories</b>	8 stories
<b>Building Setbacks</b>	Set by Form District	<b>Tier 2 Bonus FAR</b>	8.0
		<b>Tier 2 Height in Stories</b>	11 stories
<b>AMENITY</b>	<b>Div. 2C.3.</b>	<b>Upper Story Bulk</b>	<b>Div. 2C.5.</b>
<b>Lot Amenity Space (min)</b>	Set by Form District	<b>Street Step-Back</b>	Set by Form District
<b>Residential Amenity Space (min)</b>	Set by Form District	<b>District Boundary Height Transition</b>	Set by Form District
		<b>Building Mass</b>	<b>Div. 2C.5.</b>
		<b>Building Width (max)</b>	
		<u>Base Building Width</u>	Set by Form District
		<u>Bonus Building Width</u>	210'
		<b>Building Break (min)</b>	25'

2. Projects may also utilize the following *floor area ratio* and height incentives:
  - i. In lieu of the *tier 1 bonus floor area ratio* and *tier 1 bonus height* listed in the table above, a project may receive a *tier 1 bonus floor area ratio* of up to a 60% increase in the base *floor area ratio* and one additional *story* of height beyond the base height established by the applied Form District (Part 2B) or applicable CPIO, Specific Plan, or Special Zone.
  - ii. In lieu of the *tier 2 bonus floor area ratio* and *tier 2 bonus height* listed in the table above, a project may receive 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* and an additional 3 *stories* beyond the applicable *tier 1 bonus height*.

3. Regardless of the tier 1 bonus floor area ratio, tier 2 bonus floor area ratio, tier 1 bonus height, and tier 2 bonus height established in the table above, projects on sites with designated historic resources or non-contributing elements shall be eligible for the following reduced incentives:
  - i. No increase allowable FAR beyond the base floor area ratio of the applied Form District (Part 2B).
  - ii. An increase in height up to one additional story, up to 11 additional feet beyond the base height of the applied Form District (Part 2B).

E. Frontage Standards

Set by applied Frontage District (Part 3B).

F. Development Standards

1. Required Automobile Parking Stalls  
No residential automobile parking is required.
2. Additional Rules  
For additional Development Standards rules, see the applied Development Standard District (Part 4B) and Development Standard Rules (Part 4C).

G. Use Standards

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

H. Density Standards

Projects participating in the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.) and utilizing the Opportunity Corridors 3B Alternate Typology as established in this Section shall be eligible for density equivalent to the density allowed in an FA Density District, pursuant to Sec. 6B.1.2. (Lot Area Based Districts).

**Sec 12.** Add Div. 7B.7. (Corridor Transitions) of Article 7. (Alternate Typologies) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

DIV. 7B.7. Corridor Transitions

SEC. 7B.7.1. Corridor Transitions 1

A. Eligibility

1. Eligible Districts

<u>FORM</u>	<u>FRONTAGE</u>	<u>STANDARD</u>	<u>USE</u>	<u>DENSITY</u>
All	All	All	A, RG, RX, P	2L, 3L, 4L, 12, 15, 20, 25, 30, 40, 50, 60

2. Eligible Lots

In order to be eligible to use the Corridor Transitions 1 Alternate Typology, a project must take place on a lot mapped in the CT-1 Corridor Transitions Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17.).

3. Corridor Transitions Incentive Program

In order to be eligible to use the Corridor Transitions 1 Alternate Typology, a project must be participating in the Corridor Transitions Incentive Program and meet all of the eligibility criteria, rules, requirements, and procedures established pursuant to 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 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 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 utilizing the Corridor Transitions 1 Alternate Typology shall be subject to the applicable review procedures established in Subsection D (Administration) of Sec. 9.2.4. (Corridor Transitions Incentive Program).

D. Form Standards

<b>LOT SIZE</b>	<b>Div. 2C.1.</b>	<b>FAR &amp; HEIGHT</b>	<b>Div. 2C.4.</b>
<b>Lot Area (min)</b>	Set by Form District	<b>Base FAR</b>	Set by Form District
<b>Lot Width (min)</b>	Set by Form District	<b>Base Height in Stories</b>	Set by Form District
<b>COVERAGE</b>	<b>Div. 2C.2.</b>	<b>Tier 1 Bonus FAR</b>	1.45
<b>Building Coverage (max)</b>	70%	<b>Incremental FAR</b>	See Paragraph 1, below
<b>Building Setbacks</b>		<b>Tier 1 Bonus Height in Stories</b>	3 stories
Primary street (min)	10'	<b>Tier 2 Bonus FAR</b>	1.95
Side street (min)	4'	<b>Tier 2 Bonus FAR in Stories</b>	4 stories
Side (min)	3'	<b>Upper Story Bulk</b>	<b>Div. 2C.5.</b>
Rear (min)	4'	<b>Street Step-Back</b>	Set by Form District
Alley (min)	0'	<b>District Boundary Height Transition</b>	Set by Form District
<b>AMENITY</b>	<b>Div. 2C.3.</b>	<b>Building Mass</b>	<b>Div. 2C.5.</b>
<u>Required Lot Amenity Alternatives</u>	Courtyard Paseo Rear Yard	<b>Building Width (max)</b>	
<b>Residential Amenity Space (min)</b>	Set by Form District	Base Building Width	Set by Form District
		Bonus Building Width	75'
		<b>Building Break (min)</b>	6'

1. Incremental FAR

Total allowable floor area shall depend on the total number of dwelling units on the lot. Allowable floor area ratio increases as the number of total dwelling units in the project increases up to a maximum of the tier 1 bonus floor area ratio established in this Alternate Typology, as outlined in the Incremental Bonus FAR table, below:

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

2. Tier 2 Bonus FAR

A project may receive up to the tier 2 bonus floor area ratio established in this Alternate Typology through the provision of additional public benefits, pursuant to Sec. 9.2.4.C.3. (Public Benefits) of the Corridor Transitions Incentive Program.

3. Small-Lot Subdivision Standards

Projects providing dwelling units as part of a small-lot subdivision shall receive a reduction of lot size and setback standards otherwise required by this Alternate Typology for lots within the subdivision as follows:

- i. Minimum lot area: 600 square feet
- ii. Minimum lot width: 15 feet
- iii. Side setback: 0 feet

E. Frontage Standards

	Primary	Side	Special
<b>BUILD-TO</b>	Div. 3C.1.		
<u>Build-to depth (min)</u>	<u>5'</u>	<u>10'</u>	<u>10'</u>
<u>Build-to width (min)</u>	<u>50%</u>	<u>30%</u>	<u>50%</u>
<b>PARKING</b>	Div. 3C.2.		
<u>Parking setbacks (min)</u>	<u>20'</u>	<u>5'</u>	<u>5'</u>
<b>LANDSCAPING</b>	Div. 3C.3.		
<u>Frontage planting area (min)</u>	<u>50%</u>	<u>50%</u>	<u>50%</u>
<u>Frontage yard fence &amp; wall type allowed:</u>	<u>A2</u>	<u>A2</u>	<u>A3</u>
<b>TRANSPARENCY</b>	Div. 3C.4.		
<b>Transparent area</b>			
<u>Ground story (min)</u>	<u>15%</u>	<u>10%</u>	<u>15%</u>
<u>Upper stories (min)</u>	<u>20%</u>	<u>15%</u>	<u>20%</u>
<b>Active wall spacing (max)</b>	<u>20'</u>	<u>30'</u>	<u>20'</u>
<b>ENTRANCES</b>	Div. 3C.5.		
<b>Street-facing entrances</b>	<u>Required</u>	<u>n/a</u>	<u>Required</u>
<u>Entrance spacing (max)</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
<u>Entry feature</u>	<u>Required</u>	<u>n/a</u>	<u>Required</u>
<u>Options:</u>	<ul style="list-style-type: none"> <li>• <u>Porch</u></li> <li>• <u>Raised entry</u></li> <li>• <u>Forecourt</u></li> <li>• <u>Recessed entry</u></li> <li>• <u>Courtyard</u></li> <li>• <u>Breezeway</u></li> </ul>		
<b>GROUND STORY</b>	Div. 3C.6.		
<b>Ground story height (min)</b>	<u>10'</u>	<u>10'</u>	<u>10'</u>
<b>Ground floor elevation (min/max)</b>	<u>-2' / 5'</u>	<u>-2' / 5'</u>	<u>-2' / 5'</u>

F. Development Standards

1. Required Automobile Parking Stalls

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

2. Small-Lot Subdivision Standards

Projects providing *dwelling units* as part of a small-lot subdivision are permitted to provide a *pedestrian accessway* 3 feet in width for the lots within the subdivision in lieu of otherwise required automobile access or pedestrian access.

3. Additional Rules

For additional Development Standards rules, see the applied Development Standard District (Part 4B) and Development Standard Rules (Part 4C).

G. Use Standards

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

H. Density Standards

1. Projects participating in the Corridor Transitions Incentive Program (Sec. 9.2.4.) and utilizing the Corridor Transitions 1 Alternate Typology as established in this Section shall be eligible for density equivalent to the density allowed in Density District 15.

2. Projects opting to provide *restricted affordable units* at the rates required for the CT-2 Corridor Transitions Incentive Set in lieu of the CT-1 Corridor Transitions Incentive Set, pursuant to Sec. 9.2.4.C.1.e. (Affordability Levels) of the Corridor Transitions Incentive Program, shall be eligible for density equivalent to the density allowed in Density District 10.

SEC. 7B.7.2. Corridor Transitions 2

I. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A, RG, RX, P	2L, 3L, 4L, 12, 15, 20, 25, 30, 40, 50, 60

2. Eligible Lots

In order to be eligible to use the Corridor Transitions 2 Alternate Typology, a project must be located on a lot mapped in the CT-2 Corridor Transitions Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17).

3. Corridor Transitions Incentive Program

In order to be eligible to use the Corridor Transitions 2 Alternate Typology, a project must be participating in the Corridor Transitions Incentive Program and meet all of the eligibility criteria, rules, requirements, and procedures established pursuant to Sec. 9.2.4. (Corridor Transitions Incentive Program).

A. 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.).

B. Review

Projects utilizing the Corridor Transitions 2 Alternate Typology shall be subject to the applicable review procedures established in Subsection D (Administration) of Sec. 9.2.4. (Corridor Transitions Incentive Program).

C. Form Standards

<u>LOT SIZE</u>	<u>Div. 2C.1.</u>	<u>FAR &amp; HEIGHT</u>	<u>Div. 2C.4.</u>
<u>Lot Area</u> (min)	Set by Form District	<u>Base FAR</u>	Set by Form District
<u>Lot Width</u> (min)	Set by Form District	<u>Base Height in Stories</u>	Set by Form District
<u>COVERAGE</u>	<u>Div. 2C.2.</u>	<u>Tier 1 Bonus FAR</u>	2.0
<u>Building Coverage</u> (max)	70%	<u>Incremental FAR</u>	See Paragraph 1, below
<u>Building Setbacks</u>		<u>Tier 1 Bonus Height in Stories</u>	4 stories
<u>Primary street</u> (min)	10'	<u>Tier 2 Bonus FAR</u>	2.5
<u>Side street</u> (min)	4'	<u>Tier 2 Bonus FAR in Stories</u>	5 stories
<u>Side</u> (min)	3'	<u>Upper Story Bulk</u>	<u>Div. 2C.5.</u>
<u>Rear</u> (min)	4'	<u>Street Step-Back</u>	Set by Form District
<u>Alley</u> (min)	0'	<u>District Boundary Height Transition</u>	Set by Form District
<u>AMENITY</u>	<u>Div. 2C.3.</u>	<u>Building Mass</u>	<u>Div. 2C.5.</u>
<u>Required Lot Amenity Alternatives</u>	Courtyard Paseo Rear Yard	<u>Building Width</u> (max)	
<u>Residential Amenity Space</u> (min)	Set by Form District	<u>Base Building Width</u>	Set by Form District
		<u>Bonus Building Width</u>	160'
		<u>Building Break</u> (min)	15'

1. Incremental FAR

Total allowable floor area shall depend on the total number of dwelling units on the lot. Allowable floor area ratio increases as the number of total dwelling units in the project increases up to a maximum of the tier 1 bonus floor area ratio established in this Alternate Typology, as outlined in the Incremental Bonus FAR table, below:

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

2. Tier 2 Bonus FAR

A project may receive up to the tier 2 bonus floor area ratio established in this Alternate Typology through the provision of additional public benefits, pursuant to Sec. 9.2.4.C.3. (Public Benefits) of the Corridor Transitions Incentive Program.

3. Small-Lot Subdivision Standards

Projects providing dwelling units as part of a small-lot subdivision shall receive a reduction of lot size and setback standards otherwise required by this Alternate Typology for lots within the subdivision as follows:

- i. Minimum lot area: 600 square feet
- ii. Minimum lot width: 15 feet
- iii. Side setback: 0 feet

D. Frontage Standards

	Primary	Side	Special
<b>BUILD-TO</b>	<u>Div. 3C.1.</u>		
<u>Build-to depth (min)</u>	<u>5'</u>	<u>10'</u>	<u>10'</u>
<u>Build-to width (min)</u>	<u>50%</u>	<u>30%</u>	<u>50%</u>
<b>PARKING</b>	<u>Div. 3C.2.</u>		
<u>Parking setbacks (min)</u>	<u>20'</u>	<u>5'</u>	<u>5'</u>
<b>LANDSCAPING</b>	<u>Div. 3C.3.</u>		
<u>Frontage planting area (min)</u>	<u>50%</u>	<u>50%</u>	<u>50%</u>
<u>Frontage yard fence &amp; wall type allowed:</u>	<u>A2</u>	<u>A2</u>	<u>A3</u>
<b>TRANSPARENCY</b>	<u>Div. 3C.4.</u>		
<b>Transparent area</b>			
<u>Ground story (min)</u>	<u>15%</u>	<u>10%</u>	<u>15%</u>
<u>Upper stories (min)</u>	<u>20%</u>	<u>15%</u>	<u>20%</u>
<b>Active wall spacing (max)</b>	<u>20'</u>	<u>30'</u>	<u>20'</u>
<b>ENTRANCES</b>	<u>Div. 3C.5.</u>		
<b>Street-facing entrances</b>	<u>Required</u>	<u>n/a</u>	<u>Required</u>
<u>Entrance spacing (max)</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
<u>Entry feature</u>	<u>Required</u>	<u>n/a</u>	<u>Required</u>
<u>Options:</u>	<ul style="list-style-type: none"> <li>• <u>Porch</u></li> <li>• <u>Raised entry</u></li> <li>• <u>Forecourt</u></li> <li>• <u>Recessed entry</u></li> <li>• <u>Courtyard</u></li> <li>• <u>Breezeway</u></li> </ul>		
<b>GROUND STORY</b>	<u>Div. 3C.6.</u>		
<b>Ground story height (min)</b>	<u>10'</u>	<u>10'</u>	<u>10'</u>
<b>Ground floor elevation (min/max)</b>	<u>-2' / 5'</u>	<u>-2' / 5'</u>	<u>-2' / 5'</u>

E. Development Standards

1. Required Automobile Parking Stalls

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

2. Small-Lot Subdivision Standards

Projects providing *dwelling units* as part of a small-lot subdivision are permitted to provide a *pedestrian accessway* 3 feet in width for the lots within the subdivision in lieu of otherwise required automobile access or pedestrian access.

3. Additional Rules

For additional Development Standards rules, see the applied Development Standard District (Part 4B) and Development Standard Rules (Part 4C).

F. Use Standards

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

G. Density Standards

Projects participating in the Corridor Transitions Incentive Program (Sec. 9.2.4.) and utilizing the Corridor Transitions 2 Alternate Typology as established in this Section shall be eligible for density equivalent to the density allowed in Density District 6.

SEC. 7B.7.3. Corridor Transitions 3

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A, RG, RX, P	2L, 3L, 4L, 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 take place on a *lot* mapped in the CT-3 Corridor Transitions Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17).

3. Corridor Transitions Incentive Program

In order to be eligible to use the Corridor Transitions 3 Alternate Typology, a project must be participating in the Corridor Transitions Incentive Program and meet all of the eligibility criteria, rules, requirements, and procedures established pursuant to 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 utilizing the Corridor Transitions 3 Alternate Typology shall be subject to the applicable review procedures established in Subsection D (Administration) of Sec. 9.2.4. (Corridor Transitions Incentive Program).

D. Form Standards

<b>LOT SIZE</b>	<u>Div. 2C.1.</u>	<b>FAR &amp; HEIGHT</b>	<u>Div. 2C.4.</u>
<b>Lot Area</b> (min)	<u>Set by Form District</u>	<b>Base FAR</b>	<u>Set by Form District</u>
<b>Lot Width</b> (min)	<u>Set by Form District</u>	<b>Base Height in Stories</b>	<u>Set by Form District</u>
<b>COVERAGE</b>	<u>Div. 2C.2.</u>	<b>Tier 1 Bonus FAR</b>	<u>2.90</u>
<b>Building Coverage</b> (max)	<u>70%</u>	Incremental FAR	<u>See Paragraph 1, below</u>
<b>Building Setbacks</b>		<b>Tier 1 Bonus Height in Stories</b>	<u>3 stories</u>
Primary street (min)	<u>10'</u>	<b>Tier 2 Bonus FAR</b>	<u>3.4</u>
Side street (min)	<u>4'</u>	<b>Tier 2 Bonus FAR in Stories</b>	<u>4 stories</u>
Side (min)	<u>3'</u>	<b>Upper Story Bulk</b>	<u>Div. 2C.5.</u>
Rear (min)	<u>4'</u>	<b>Street Step-Back</b>	<u>Set by Form District</u>
Alley (min)	<u>0'</u>	<b>District Boundary Height Transition</b>	<u>Set by Form District</u>
<b>AMENITY</b>	<u>Div. 2C.3.</u>	<b>Building Mass</b>	<u>Div. 2C.5.</u>
<u>Required Lot Amenity Alternatives</u>	<u>Courtyard Paseo Rear Yard</u>	<b>Building Width</b> (max)	
<b>Residential Amenity Space</b> (min)	<u>Set by Form District</u>	<u>Base Building Width</u>	<u>Set by Form District</u>
		<u>Bonus Building Width</u>	<u>160'</u>
		<b>Building Break</b> (min)	<u>15'</u>

1. Incremental FAR

Total allowable floor area shall depend on the total number of dwelling units on the lot. Allowable floor area ratio increases as the number of total dwelling units in the project increases up to a maximum of the tier 1 bonus floor area ratio established in this Alternate Typology, as outlined in the Incremental Bonus FAR table, below:

<u>Incremental Bonus FAR</u>	
<u>Total Dwelling Units</u>	<u>Floor Area Ratio</u>
<u>1-3</u>	<u>N/A</u>
<u>4</u>	<u>1.15</u>
<u>5</u>	<u>1.30</u>
<u>6</u>	<u>1.45</u>
<u>7</u>	<u>1.60</u>
<u>8</u>	<u>1.75</u>
<u>9</u>	<u>1.90</u>
<u>10</u>	<u>2.0</u>
<u>11</u>	<u>2.15</u>
<u>12</u>	<u>2.30</u>
<u>13</u>	<u>2.45</u>
<u>14</u>	<u>2.60</u>
<u>15</u>	<u>2.75</u>
<u>16 or more</u>	<u>2.90</u>

2. Tier 2 Bonus FAR

A project may receive up to the tier 2 bonus floor area ratio established in this Alternate Typology through the provision of additional public benefits, pursuant to Sec. 9.2.4.C.3. (Public Benefits) of the Corridor Transitions Incentive Program.

3. Small-Lot Subdivision Standards

Projects providing *dwelling units* as part of a small-lot subdivision shall receive a reduction of lot size and setback standards otherwise required by this Alternate Typology for *lots* within the subdivision as follows:

- i. Minimum *lot area*: 600 square feet
- ii. Minimum *lot width*: 15 feet
- iii. *Side setback*: 0 feet

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E. Frontage Standards

	Primary	Side	Special
<b>BUILD-TO</b>	Div. 3C.1.		
<u>Build-to depth (min)</u>	<u>5'</u>	<u>10'</u>	<u>10'</u>
<u>Build-to width (min)</u>	<u>50%</u>	<u>30%</u>	<u>50%</u>
<b>PARKING</b>	Div. 3C.2.		
<u>Parking setbacks (min)</u>	<u>20'</u>	<u>5'</u>	<u>5'</u>
<b>LANDSCAPING</b>	Div. 3C.3.		
<u>Frontage planting area (min)</u>	<u>50%</u>	<u>50%</u>	<u>50%</u>
<u>Frontage yard fence &amp; wall type allowed:</u>	<u>A2</u>	<u>A2</u>	<u>A3</u>
<b>TRANSPARENCY</b>	Div. 3C.4.		
<b>Transparent area</b>			
<u>Ground story (min)</u>	<u>15%</u>	<u>10%</u>	<u>15%</u>
<u>Upper stories (min)</u>	<u>20%</u>	<u>15%</u>	<u>20%</u>
<u>Active wall spacing (max)</u>	<u>20'</u>	<u>30'</u>	<u>20'</u>
<b>ENTRANCES</b>	Div. 3C.5.		
<b>Street-facing entrances</b>	Required	n/a	Required
<u>Entrance spacing (max)</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
<u>Entry feature</u>	Required	n/a	Required
<u>Options:</u>	<ul style="list-style-type: none"> <li>• <u>Porch</u></li> <li>• <u>Raised entry</u></li> <li>• <u>Forecourt</u></li> <li>• <u>Recessed entry</u></li> <li>• <u>Courtyard</u></li> <li>• <u>Breezeway</u></li> </ul>		
<b>GROUND STORY</b>	Div. 3C.6.		
<u>Ground story height (min)</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
<u>Ground floor elevation (min/max)</u>	<u>-2' / 5'</u>	<u>-2' / 5'</u>	<u>-2' / 5'</u>

F. Development Standards

1. Required Automobile Parking Stalls

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

2. Small-Lot Subdivision Standards

Projects providing *dwelling units* as part of a small-lot subdivision.

3. Additional Rules

For additional Development Standards rules, see the applied Development Standard District (Part 4B) and Development Standard Rules (Part 4C).

G. Use Standards

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

H. Density Standards

Projects participating in the Corridor Transitions Incentive Program (Sec. 9.2.4.) and utilizing the Corridor Transitions 3 Alternate Typology as established in this Section shall be eligible for density equivalent to the density allowed in Density District 4.

**Sec 13.** Amend Sec. 9.1.2 (General Provisions) of Div. 9.1. (Introductory Provisions) of Article 9. (Public Benefits System) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 9.1.2. General Provisions

A. Summary

This Article (Public Benefit Systems) consists of affordable housing incentive programs established in Div. 9.2. (~~Affordable 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 program established in Div. 9.5. (Accessory Dwelling Unit Incentive Program).

B. Eligibility

~~Any project containing five or more~~ Projects providing *dwelling units*, including projects with subdivisions of land, may use an affordable housing program as

outlined in Div. 9.2. (~~Affordable-Citywide~~ Housing Incentive Programs) or Div. 9.3. (Community Benefits Program), pursuant to the eligibility requirements for the specific program being used. The programs outlined in Div. 9.4. (General Incentive Programs), can be used, as applicable, and in conjunction with any other incentive program established in this Article (Public Benefit Systems).

**Sec 14.** Amend Div. 9.2. (Citywide Housing Incentive Programs) of Article 9 (Public Benefits System) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

#### DIV. 9.2. CITYWIDE AFFORDABLE HOUSING-INCENTIVE PROGRAMS

Sec 15. Amend Sec. 9.2.1. (State Density Bonus) of Div. 9.2. (Citywide Housing Incentive Programs) of Article 9 (Public Benefits System) of Chapter 1A of the Los Angeles Municipal Code in its entirety to read as follows:

#### SEC. 9.2.1. STATE DENSITY BONUS PROGRAM

##### A. Intent

The purpose of the 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, as well as 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

*Projects* meeting the eligibility criteria established in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below, and that meet the definition of “housing development” pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915 (i), or as amended, may be eligible for participation in the State Density Bonus Program, including the following *project* activities:

- i. *New construction* for which all new *floor area* meets the eligibility criteria outlined in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).
- ii. *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).
- iii. *A lot modification* that results in *dwelling units* that meet the eligibility criteria outlined in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).

## 2. Reconciling Provisions

### a. Relationship to Other Incentive Programs

- i. *Projects* seeking a *density bonus* pursuant to Sec. 9.2.1 (State Density Bonus Program) shall be ineligible for the incentives and procedures of any other housing incentive program contained in this code or in an *overlay* or *specific plan*, with the exception of the Housing Element Site Ordinance Streamlining Incentive Program (Sec. 9.2.3.) and the Citywide Adaptive Reuse Program (Sec. 9.4.6).
- ii. For projects providing 80-100% of the project *dwelling units* as restricted affordable units, see Sec. 9.2.2. (Affordable Housing Incentive Program).

### b. Relationship to *Specific Plans*, Supplemental Use Districts, and *Special Districts*

As this Section 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 an applicable *Specific Plan, Supplemental District, or Special Zone* conflicts with the procedures, requirements, and provisions of this Section, the provisions of this Section shall prevail.

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 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 becomes inconsistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec.65915-65918, the provisions of State Density Bonus Law shall apply. 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 additional information pertaining to this Section and maintaining consistency with State Density Bonus Law.

C. Program Rules

1. Eligibility

a. Unit Threshold

Projects, including mixed-use developments, with five or more dwelling units are eligible to participate in the State Density Bonus Program. For the purpose of establishing the minimum number of five dwelling units, restricted affordable units shall be included and density bonus units shall be excluded.

b. Maximum Allowable Residential Density

Projects participating in the State Density Bonus program must occur on a lot with a maximum allowable residential density of five or more dwelling units. When calculating a lot's maximum allowable residential density, any number resulting in a fraction shall be rounded up to the next whole number.

c. Affordability Levels

The Project shall reserve a minimum percentage of its overall dwelling units provided for restricted affordable units at the following income levels or for dwelling units for target populations as shown in the table below.

<b><u>Required Percentage of Restricted Affordable Units</u></b>	
<u>Income Level</u>	<u>Minimum % of Dwelling Units Provided (Excluding Residential Units Added by a Density Bonus)</u>
<u>Very Low Income (For Rental or For Sale)</u>	<u>5</u>
<u>Low Income (For Rental or For Sale)</u>	<u>10</u>
<u>Moderate Income (For Sale)</u>	<u>10</u>
<u>Target Population</u>	<u>Minimum % of Dwelling Units Provided (Excluding Residential Units Added by a Density Bonus)</u>
<u>Senior Citizen</u>	<u>100</u>
<u>Transitional Foster Youth as defined in the California Education Code, Chapter 2. (General Provisions), Sec. 66025.9, Disabled Veteran as defined in California Government Code, Chapter 1. (General), Sec. 18541 of the, or Homeless Persons as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.)</u>	<u>10</u>
<u>Lower Income Students as defined in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(o)(4)</u>	<u>20</u>

- i. Per California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(b)(1)(G), a One-Hundred Percent Affordable Housing Project shall reserve all units (including units provided as a result of a Density Bonus), excluding a manager's unit or units, for lower income households earning up to 80 percent of the area median income, and rents or housing costs to the occupying residents do not exceed 30 percent of the maximum gross income, as those income ranges are defined by the United States Department of Housing and Urban Development (HUD), or any successor agency except that 20 percent of the units may be affordable to Moderate Income households, as defined in California Health and Safety Code, Chapter 2. (Definitions), Sec. 50053, or as amended.
- ii. Senior Citizen Housing Developments shall comply with California Civil Code, Sec. 51.2 and 51.3.
- iii. *Dwelling units* provided for Transitional Foster Youth, Disabled Veterans, or Homeless Persons shall be provided as Very Low Income *Restricted Affordable Units*.
- iv. *Dwelling units* provided for Lower Income Students shall be provided at an affordability level as specified in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(b)(1)(F).
- v. *Projects* may exceed the minimum percentage of *restricted affordable units* and provide a higher percentage in exchange for additional bonuses or incentives as described in Paragraph 3. (Additional Incentives) of Subsection C. (Program Rules).

d. Calculating Affordability Requirements

The required number of *restricted affordable units* shall be calculated based on a *project's* overall *dwelling units* provided, excluding any *dwelling unit* added by a *density bonus* awarded pursuant to this *Section*. When calculating a *project's* affordability requirement, any number resulting in a fraction shall be rounded up to the next whole number.

e. Rent Schedules

*Restricted affordable units* provided as part of a *project* shall be rented at rates not to exceed those specified in California Health and Safety Code, Chapter 2. (Definitions), Sec. 50052.5 for for-sale *dwelling units* or California Health and Safety Code, Chapter 2. (Definitions), Sec. 50053 for for-lease *dwelling units*. Covenants documenting required rental or for sale rates shall be recorded pursuant to the procedures described in Sec. 9.2.1.D.3. (Records and Agreements).

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). Replacement housing units required pursuant 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 Department of City Planning.

h. Historic Resources

The project shall not require the demolition of a designated historic resource, as demolition is defined in Subsection C. (Definitions) of Sec. 13B.8.1. (General Provisions), and any proposed alteration to a designated historic resource shall not be approved until a review by the Office of Historic Resources is completed.

2. Base Incentives

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

a. Density

Projects shall be eligible for a density bonus as outlined 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.

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) An applicant for a *project* may always have the ability to apply a lesser percentage of *density bonus*, including but not limited to, *no density bonus*.
  - c) 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%  
Projects with for sale or rental housing with very low or low income restricted affordable units and for sale housing with moderate income units shall receive a *density bonus* as follows unless seeking an additional *density bonus* as described in sub-sub-subparagraph c. (Additional Density Bonus). The *project* is only required to provide *restricted affordable units* for one of the listed income levels at the corresponding percentage of overall *dwelling units* (excluding *dwelling units* provided as a result of a Density Bonus) for that individual income level.

<b>Required Percentage of Restricted Affordable Unit Set Asides - Density Bonuses</b>			
<u>Percentage of Density Bonus</u>	<u>Percentage of Very Low Income</u>	<u>Percentage of Low Income</u>	<u>Percentage of Moderate Income (For-Sale)</u>
<u>5</u>	=	=	<u>10</u>
<u>6</u>	=	=	<u>11</u>
<u>7</u>	=	=	<u>12</u>
<u>8</u>	=	=	<u>13</u>

<b>Required Percentage of Restricted Affordable Unit Set Asides - Density Bonuses</b>			
<b><u>Percentage of Density Bonus</u></b>	<b><u>Percentage of Very Low Income</u></b>	<b><u>Percentage of Low Income</u></b>	<b><u>Percentage of Moderate Income (For-Sale)</u></b>
<u>9</u>	=	=	<u>14</u>
<u>10</u>	=	=	<u>15</u>
<u>11</u>	=	=	<u>16</u>
<u>12</u>	=	=	<u>17</u>
<u>13</u>	=	=	<u>18</u>
<u>14</u>	=	=	<u>19</u>
<u>15</u>	=	=	<u>20</u>
<u>16</u>	=	=	<u>21</u>
<u>17</u>	=	=	<u>22</u>
<u>18</u>	=	=	<u>23</u>
<u>19</u>	=	=	<u>24</u>
<u>20</u>	<u>5</u>	<u>10</u>	<u>25</u>
<u>20.5</u>	=	=	=
<u>21</u>	=	=	<u>26</u>
<u>21.5</u>	=	<u>11</u>	=
<u>22</u>	=	=	<u>27</u>

<b>Required Percentage of Restricted Affordable Unit Set Asides - Density Bonuses</b>			
<b><u>Percentage of Density Bonus</u></b>	<b><u>Percentage of Very Low Income</u></b>	<b><u>Percentage of Low Income</u></b>	<b><u>Percentage of Moderate Income (For-Sale)</u></b>
<u>22.5</u>	<u>6</u>	=	=
<u>23</u>	=	<u>12</u>	<u>28</u>
<u>23.5</u>	=	=	=
<u>24</u>	=	=	<u>29</u>
<u>24.5</u>	=	<u>13</u>	=
<u>25</u>	<u>7</u>	=	<u>30</u>
<u>25.5</u>	=	=	=
<u>26</u>	=	<u>14</u>	<u>31</u>
<u>26.5</u>	=	=	=
<u>27</u>	=	=	<u>32</u>
<u>27.5</u>	<u>8</u>	<u>15</u>	=
<u>28</u>	=	=	<u>33</u>
<u>28.5</u>	=	=	=
<u>29</u>	=	<u>16</u>	<u>34</u>
<u>29.5</u>	=	=	=
<u>30</u>	<u>9</u>	=	<u>35</u>

<b>Required Percentage of Restricted Affordable Unit Set Asides - Density Bonuses</b>			
<b><u>Percentage of Density Bonus</u></b>	<b><u>Percentage of Very Low Income</u></b>	<b><u>Percentage of Low Income</u></b>	<b><u>Percentage of Moderate Income (For-Sale)</u></b>
<u>30.5</u>	=	<u>17</u>	
<u>31</u>	=	=	<u>36</u>
<u>31.5</u>	=	=	=
<u>32</u>	=	<u>18</u>	<u>37</u>
<u>32.5</u>	<u>10</u>	=	=
<u>33</u>	=	=	<u>38</u>
<u>33.5</u>	=	<u>19</u>	=
<u>34</u>	=	=	<u>39</u>
<u>34.5</u>	=	=	=
<u>35</u>	<u>11</u>	<u>20</u>	<u>40</u>
<u>38.75</u>	<u>12</u>	<u>21</u>	<u>41</u>
<u>42.5</u>	<u>13</u>	<u>22</u>	<u>42</u>
<u>46.25</u>	<u>14</u>	<u>23</u>	<u>43</u>
<u>50</u>	<u>15</u>	<u>24</u>	<u>44</u>

iii. Additional Density Bonus

Projects that provide restricted affordable units sufficient to qualify for a 50% density bonus pursuant to sub-sub-subparagraph b) (Density Bonus up to 50%), may seek an additional density bonus as follows, provided that the resulting project does not restrict more than 50% of the overall units to restricted affordable units. The additional density bonus shall be calculated excluding any density bonus awarded by sub-sub-subparagraph b) (Density Bonus up to 50%).

<b>Required Percentage of Restricted Affordable Unit Set Asides - Additional Density Bonuses</b>		
<b>Percentage of Density Bonus</b>	<b>Percentage of Very Low Income</b>	<b>Percentage of Moderate-Income</b>
<u>20</u>	<u>5</u>	<u>5</u>
<u>22.5</u>	=	<u>6</u>
<u>23.75</u>	<u>6</u>	=
<u>25</u>	=	<u>7</u>
<u>27.5</u>	<u>7</u>	<u>8</u>
<u>30</u>	=	<u>9</u>
<u>31.25</u>	<u>8</u>	=
<u>32.5</u>	=	<u>10</u>
<u>35</u>	<u>9</u>	<u>11</u>
<u>38.75</u>	<u>10</u>	<u>12</u>
<u>42.5</u>	=	<u>13</u>
<u>46.25</u>	=	<u>14</u>
<u>50</u>	=	<u>15</u>

iv. Housing for Target Populations

Projects that provide dwelling units for a target population listed in Subparagraph b (Affordability Levels) of Paragraph 1 (Eligibility), above, shall receive a density bonus as outlined below. These density bonuses may be combined with a density bonus for units set aside as restricted affordable units based sub-sub-subparagraph b (Density Bonus up to 50%) so long as the restricted affordable units are set aside for the applicable target population.

<b><u>Housing for Target Populations - Density Bonuses</u></b>	
<b><u>Target Population</u></b>	<b><u>Percentage of Density Bonus</u></b>
<u>Senior Citizen</u>	<u>20%</u>
<u>Transitional Foster Youth/Disabled Veterans/Homeless Persons</u>	<u>20%</u>
<u>Lower Income Student</u>	<u>35%</u>

a) Senior Citizen Housing Development shall comply with the California Civil Code, Sec. 51.2 and 51.3.

v. Land Donation

An applicant for a subdivision, parcel map or other residential development approval that donates land for housing to the City of Los Angeles 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%. 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

Projects may reduce the number of required automobile parking stalls as follows. pursuant to California Government Code Section, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915 (p).

- i. Parking shall not be required for projects located within one-half mile of a major transit stop.

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

- ii. Pursuant to California Civil Code Section, Chapter 2. (Hiring of Real Property), Sec. 1947.1, provided automobile parking

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. Required automobile parking applies for 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 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.
- iv. Regardless of any otherwise applicable automobile parking design requirement, consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(p)(4), required *automobile parking stalls* provided may be either *covered* or *uncovered*.
- v. If applicable, when calculating a *project's* requirement for *automobile parking stalls*, any number resulting in a fraction shall be rounded up to the next whole number.

### 3. Additional Incentives

#### a. Number of Incentives

- i. Any *project* that meets the criteria established in Paragraph 1. (Eligibility), above, will receive additional incentives as outlined below. *Projects* may request incentives listed Subparagraph b. (Additional Menu of Additional Incentives), below, or use an incentive to seek a deviation from a standard or requirement established elsewhere in this Code or in an applicable *Specific Plan, Supplemental District, or*

Special Zone. The allowable additional incentives may be any combination of incentives listed in Subparagraph a. (Menu of Additional Incentives), below, and incentives not listed on the Menu of Additional Incentives pursuant to Subparagraph b. 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.

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

- ii. For Lower Income Student Housing Development, refer to 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

Pursuant to 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), 65915.7(c) 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.

c. Menu of Additional Incentives

*Projects that meet the criteria established in Paragraph 1. (Eligibility), above, are eligible to request incentives from the Menu of Additional Incentives listed below, except that projects located in a Very High Fire Hazard Severity Zone, a Sea Level Rise Area, or the Coastal Zone shall not be eligible for the Menu of Additional Incentives. Projects requesting incentives from the Menu of Additional Incentives shall be reviewed pursuant to the procedures outlined in Sec. 9.2.1.D.1.a. (Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives), below.*

i. Floor Area Ratio

An eligible *project* may request an increase in the otherwise allowed base *floor area ratio (FAR)* as follows. In a *project* that includes residential uses and non-residential uses, the

FAR bonus will apply only to the portion of the development dedicated to residential uses and the portion of the development dedicated to non-residential uses shall be limited to the base FAR of the applied Form District (Part 2B). Vehicle parking created above grade will be counted as floor area and included in the calculation of floor area ratio for projects using this incentive.

- a) A percentage increase in the allowable FAR equal to the percentage of density bonus for which the project is eligible, not to exceed 35% or 3.0:1 whichever is greater, provided the project is located within a one-half mile radius (2,640 feet) of a major transit stop.
- b) Regardless of Sub-sub-subparagraph a), above, projects located on a lot with an applied Density District (Part 6B) of 1L to 4L or 15 through 60 shall in no case be eligible for this FAR incentive and shall be limited to the base floor area ratio of the applied Form District (Part 2B).
- c) Regardless of Sub-sub-subparagraph a), above, projects located on a lot with designated historic resources, or non-contributors shall not be eligible for this FAR incentive and shall be limited to the base floor area ratio of the applied Form District (Part 2B).

ii. Height

An eligible project may request an increase in height of one additional story. 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. (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 more 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; 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 permits, that specifies no further lot line adjustment or any other action may cause the project site to be subdivided subsequent to this grant, is permitted for the life of the project.

v. Supplementary Parking Reductions

An applicant may request the following reductions as a single incentive:

- a) Commercial Parking (Eligible projects) may request to waive 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 that is proposed in conjunction with the project.

b) General Parking Reduction

Projects located within one-half mile radius of a high quality transit service may receive up to 50% reduction in required automobile parking stalls pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(p)(5).

vi. By-Right Adjustment

Relief from any standard or requirement established elsewhere in the Code that would otherwise require approval pursuant to Sec. 13B.5.2 (Adjustment) may instead be requested as an on-menu incentive, and shall not be subject to the standards of review and required findings otherwise required pursuant to Subsection D (Decision) 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, 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.

- b. Incentives Not Listed on the Menu of Additional Incentives  
Projects may request incentives not listed in Subparagraph b (Menu of Additional Incentives), above, or that exceed the level of relief allowed as listed in Subparagraph b (Menu of Additional Incentives), above. Such off-menu incentive requests shall be subject to the approval procedures outlined in Sec. 9.2.1.D.1.b. (Projects Requesting Incentives Not Listed on the Menu of Additional Incentives), below.
4. Waivers  
A project that meets the eligibility criteria outlined in Paragraph 1. (Eligibility), above, may request additional waivers, modifications, or reductions of otherwise applicable zoning standards and requirements beyond the number of additional incentives permitted pursuant to Subparagraph a (Number of Incentives) of Paragraph 3. (Additional Incentives), above; however, such additional waiver requests shall be subject to the procedures and additional findings outlined in Sec. 9.3.1.C.1.c. (Projects with Requests for Waivers or Reductions of Development Standards) of Paragraph 1. (Procedures), below.
5. Public Benefits  
A Project that meets the eligibility criteria outlined in Paragraph 1. (Eligibility) may access additional FAR and height beyond the incentives listed in Paragraph 2. (Base Incentives) and Paragraph 3. (Additional Incentives), above, by providing one or more of the public benefits listed in Subparagraph b. (Public Benefit Options), below.
  - a. A project providing public benefits shall receive the bonuses associated with each public benefit as described in subparagraph c (Public Benefit Options). Multiple public benefits can be provided by one project in order to combine and stack bonuses.

b. Public Benefit Options

i. Childcare Facility

A project that provides a childcare facility meeting the standards outlined in sub-sub paragraph 9.3.4.C.4.a. (Childcare Facility) of Sec. 9.3.4 shall receive additional floor area equivalent to the total floor area dedicated to childcare facility space in the project and shall additionally receive one additional incentive from the Menu of Additional Incentives (Sec 9.2.1.C.3.a) or an incentive not listed on the menu of additional incentives (Sec 9.2.1.C.3.b).

ii. Multi-Bedroom Units

A project with multi-bedroom dwelling units shall be granted one of the following so long as an affidavit declaring the qualifying multi-bedroom dwelling units will maintain the same bedroom count and will not be converted to additional dwelling units in the future is executed and recorded with the Department of City Planning:

- a) A project that includes a minimum of 10% of dwelling units as dwelling units with three bedrooms (4 or more habitable rooms) or more shall be granted additional floor area and height as outlined in the table below. These additional height allowances apply on top of the height incentives listed in Paragraph 2. (Base Incentives) and Paragraph 3. (Additional Incentives), above.

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

- 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 (4 or more habitable rooms) from the floor area calculations of the project, and/or
  - ii) An additional story of height beyond the height incentives listed in Paragraph 2. (Base Incentives) and Paragraph 3. (Additional Incentives), above, provided that the floor area of this additional story is limited to the square footage exempted.
  - iii. Surveyed Historic Resource Facade Renovation Projects incorporating a surveyed historic resource(s) into the project design shall be granted additional floor area up to 1.0 FAR and 2 stories in height beyond the incentives listed in Paragraph 2. (Base Incentives) and Paragraph 3.

(Additional Incentives), provided all the following standards are met:

- a) The *project* retains all street fronting facades to a depth of 10 feet.
- b) New *floor area* shall be set back behind the 10-foot retention area, 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
- c) Rehabilitation of the facades is completed pursuant to the Secretary of the Interior's Standards for Rehabilitation to the satisfaction of the Office of Historic Resources.

6. *Projects with Requests for Density Bonuses Over 50% or 88.75%* Pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec.65915(n), a *project* may be granted additional *density bonus* beyond 50% or 88.75% by providing additional *restricted affordable units*.

- a. *Additional restricted affordable units* shall be provided in the following manner:
  - i. For every additional 1% set aside of Very Low Income Units, the *project* is granted an additional 2.5% density increase; or
  - ii. For every additional 1% set aside of Low Income Units, the *project* is granted an additional 1.5% density increase; or
  - iii. For every additional 1% set aside of Moderate Income Units in for-sale *projects*, the *project* is granted an additional 1% density increase; or
- 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% or 88.75% is eligible to request the incentives in Paragraph 2. (Base Incentives) and Paragraph 3. (Additional Incentives) in this Section.
- d. A project requesting density over 50% or 88.75% shall be subject to the procedures in Sec. 9.2.1.D.1.e. (Projects with Requests for Density Bonuses Over 50% or 88.75%) of Paragraph 1. (Procedures),

#### D. Administration

##### 1. Procedures

A project that meets the provisions of this Section shall be reviewed pursuant to procedures set forth below. Approval of a density bonus or incentive pursuant to this Section shall not, in and of itself, trigger a General Plan Amendment, Zone Change, Project Review or other discretionary review actions required by this Zoning Code.

- a. Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives  
Projects requesting only the incentives outlined in Paragraph 2. (Base Incentives) of Subsection C (Program Rules), above, or incentives from the menu of additional incentives outlined in Sec. 9.2.1.C.3.c. (Menu of Additional Incentives), above, without any waivers or off-menu incentive requests, shall be considered ministerial and shall be processed by the Department of Building and Safety. Incentives requested shall be granted, subject to the additional standards outlined 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

Projects requesting additional incentives allowed by the table in Sec. 9.2.1.C.3.a. (Number of Incentives), above, but not listed in the menu of additional incentives listed in Sec. 9.2.1.C.3.c. (Menu of Additional Incentives), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review). Ministerial approval shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code, Chapter 3. (Local Planning), Sec. 65583.2 (i). Incentives requested shall be granted, subject to the additional standards outlined in Sec. 9.2.1.D.2.a. (Standards for Review for Additional Incentives).

c. Projects with Requests for Waivers

Projects requesting additional waivers, modifications, or reductions of otherwise 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, that would have the effect of physically precluding the construction of an eligible *project*, pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(e), shall be reviewed pursuant to Sec. 13B.2.3 (Class 3 Conditional Use), subject to the findings in outlined in Sec. 9.2.1.D.2.b. (Required Findings for Waivers).

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 Benefit Options) of Subsection C.

(Program Rules), above, shall be ministerially approved pursuant to Sec. 13B.3.2 (Expanded Administrative Review). Ministerial approval shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code, Chapter 3. (Local Planning), Sec. 65583.2 (i).

- e. Projects with Requests for Density Bonuses Over 50% or 88.75%  
In addition to the procedures, requirements, and supplemental findings set forth in Sec. 13B.2.3 (Class 3 Conditional Use), projects requesting a density bonus that exceeds 88.75% or 100% shall also comply with the following supplemental findings:
- i. The project is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan;
  - ii. The project contains 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:
    - a) 25% very low income units for a 88.75% density increase; or
    - b) 24% low income units for a 50% density increase; or
    - c) 44% moderate income units for a 50% density increase in for-sale projects.
  - iii. The project meets any applicable dwelling unit 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) as verified by the Los Angeles Housing Department (LAHD).

Replacement housing units required pursuant to these sections may count towards any on-site restricted affordable unit requirement:

- iv. The project meets the requirements for projects including affordable housing in Division 4C.15. (Resident Protections); and
- v. The project's restricted affordable units are subject to a recorded affordability restriction pursuant to Division 4C.15.3.C.1 (Resident Protections) 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) of the Los Angeles Municipal Code.

f. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10 (Multiple Approvals) of Chapter 1A of this Code apply for projects seeking other discretionary approvals in conjunction with an application requested pursuant to this Section. Regardless of any other findings that may be applicable, the decision-maker shall approve the requested base incentives and additional incentives, either on or off the Menu of Additional Incentives described in Sec. 9.2.1.C.3.c. (Menu of Additional Incentives), above, requested under this Section unless the decision-maker, based upon substantial evidence, makes any of the findings in Subparagraph a. (Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives), above, or in Subparagraph b. (Projects Requesting Incentives Not Listed on the Menu of Additional

Incentives) , above. of Paragraph 1. (Procedures) of Subsection D. (Administration).

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 pursuant to Paragraph 3. (Additional Incentives) of Subsection C. (Program Rules), above, shall be requested pursuant to the applicable procedure in Paragraph 2. (Procedures) of Subsection D. (Administration), above, and granted unless it is found, based upon substantial evidence, that

- 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 the physical environment 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 requested pursuant to the applicable procedure in Paragraph 2. (Procedures) of Subsection D. (Administration), above and approved by the applicable decision making authority unless that decision making authority find that:

- i. The development standard associated with a request for waiver(s) or reduction(s) in development standards 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 concessions or incentives permitted under Paragraph 2. (Base Incentives) of Subsection C. (Program Rules), above.
- ii. The waivers or reductions of development standards would have a *specific adverse impact*, upon public health and safety or on a 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*.
- iii. The waivers or reductions of development standards are 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, covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section and

in Sec. 4C.15.2. (Restricted Affordable Housing Units) shall be recorded with the Los Angeles County Recorder.

**Sec 16.** Sec. 9.2.2 (Transit Oriented Communities Affordable Housing Incentive) of Div. 9.2. (State Incentive Programs) of Article 9 (Public Benefits System) of Chapter 1A of the Los Angeles Municipal Code as a new section Sec. 9.2.7 (Transit Oriented Communities Affordable Housing Incentive) of Div. 9.2. (State Incentive Programs) of Article 9 (Public Benefits System) of Chapter 1A of the Los Angeles Municipal Code:

SEC. 9.2.27. TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM

**Sec 17.** Add Sec. 9.2.2. (Affordable Housing Incentive Program) of Div. 9.2. (State Incentive Programs) of Article 9 (Public Benefits System) 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, and 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 serviced by quality transit. The program establishes applicability, program rules, and streamlined procedures through which eligible *projects* can access state and local incentives.

B. Applicability

The Affordable Housing Incentive Program applies to projects meeting the definition of *one hundred percent affordable housing projects, faith-based organization projects, shared equity projects, or public land projects* that provide the required set-asides of *restricted affordable units* in exchange for a *density*

bonus and additional incentives. Projects must also meet the eligibility criteria established in Paragraph 1 (Eligibility) of Subsection C (Program Rules), below, in order to participate in the Affordable Housing Incentive Program.

1. Project Activities

Projects involving the following project activities may be eligible for participation in the Affordable Housing Incentive 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.
- 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 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 outlined in Paragraph 1 (Eligibility) of Subsection C (Program Rules).

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

- i. Projects participating in the Affordable Housing Incentive Program may also 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. Unified adaptive reuse projects participating in the Citywide Adaptive Reuse Program (Sec. 9.4.6) that meet both the eligibility requirements and program rules for the Affordable Housing Incentive Program and the eligibility requirements and program rules of the Citywide Adaptive Reuse Program may participate in both incentive programs and receive incentives pursuant to both programs.

- a. The *unified adaptive reuse project* shall meet the definition of a *one hundred percent affordable housing project, public land project, faith-based organization project, or a shared equity project.*
- b. 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, for the respective project type definition 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. *Projects* participating in the Affordable Housing Incentive Program shall not simultaneously participate in any other incentive program outlined in Article 9 (Public Benefit Systems) or established in an applicable *Specific Plan* or CPIO, unless otherwise stated in this Section.
- b. *Relationship to Specific Plans, Supplemental Districts, and Special Zones*  
As the Affordable Housing Incentive Program implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any conflict between the rules, requirements, procedures, or incentives of the Affordable Housing Incentive Program and any other *Specific Plan, Supplemental District, or Special Zone*, the provisions of the Affordable Housing Incentive Program shall prevail.
- c. *Relationship to Other Zoning Provisions*
  - i. *General*  
As the Affordable Housing Incentive Program implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any conflict between the rules, requirements, procedures, or incentives of the Affordable Housing Incentive Program and any other provision of this zoning code (Chapter 1A), the provisions of the 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), projects participating in the Affordable Housing Incentive Program are exempt from review pursuant to Sec. 13B.2.4. (Project Review).
- iv. Relationship to State Density Bonus Law  
The Affordable Housing Incentive Program is intended to be 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, the Affordable Housing Incentive Program becomes inconsistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, the provisions of State Density Bonus Law shall apply. 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 additional information pertaining to this Section and maintaining consistency with State Density Bonus Law.

## C. Program Rules

### 1. Eligibility

#### a. Unit Threshold

Projects resulting in a total of five or more dwelling units, including dwelling units permitted as a result of a density bonus granted pursuant to Paragraph 2 (Base Incentives), below, are eligible for participation in the Affordable Housing Incentive Program.

#### b. Zoning

- i. Projects participating in the Affordable Housing Incentive Program shall not be located on a lot with an applied Density District (Part 6B) of N, with the exception of projects meeting the definition of a public land project.
- ii. Projects participating in the Affordable Housing Incentive Program shall not be located on a lot with an applied Density District (Part 6B) of 1L, with the following exceptions:
  - a) Projects meeting the definition of a public land project.
  - b) Faith-based organization projects on a lot purchased by a religious institution before January 1st, 2024, or on a lot located within 0.1 miles of a lot containing an existing community assembly use owned by the filing religious institution.
  - c) One hundred percent affordable housing projects with a maximum allowable residential density of 5 or more dwelling units.
- c. Residential Use

A minimum of two-thirds of the total floor area area of a project, including newly constructed floor area and renovated or converted floor area, must be dedicated to dwelling units.
- d. Affordability Levels
  - i. Percentage of Restricted Affordable Units

In order to participate in the Affordable Housing Incentive Program, projects shall provide restricted affordable units according to project type as shown in the table below.

<u>Required Percentage of Restricted Affordable Units by Project Type</u>	
<u>Project Type</u>	<u>Minimum % of <i>Dwelling Units</i> Provided (inclusive of <i>dwelling units</i> added by a density bonus)</u>
<u><i>One Hundred Percent Affordable Housing Projects</i></u>	<u>100%.</u>
<u><i>Public Land Projects</i></u>	<u>100%.</u>
<u><i>Faith-Based Organization Projects</i></u>	<u>80%.</u>
<u><i>Shared Equity Projects</i></u>	<u>80%.</u>

ii. Income Levels

- a) *One Hundred Percent Affordable Housing Projects Consistent with California Government Code Section 65915(b)(1)(G), a One Hundred Percent Affordable Housing Project shall reserve all dwelling units, excluding a manager’s unit or units for lower income households earning up to 80 percent of the area median income so rents or housing costs to the occupying residents do not exceed 30 percent of the maximum gross income as those income ranges are defined by the United States Department of Housing and Urban Development (HUD) or any successor agency.*

except that 20 percent of the units may be affordable to moderate income households, as defined in California Health and Safety Code Section 50053, or as amended.

b) Public Land Projects

A portion of dwelling units (excluding dwelling units added by a Density Bonus) shall be reserved as follows: either 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 defined in California Government Code Section 65915.

c) Faith Based Organization Projects

A portion of dwelling units (excluding dwelling units added by a Density Bonus) shall be reserved as follows: either 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 defined in California Government Code Section 65915, or as amended. Remaining restricted affordable units shall be reserved for households earning up to 80 percent of the area median income, except that up to 20 percent of remaining restricted affordable units may be affordable to moderate income households, as those income ranges are defined by the United States Department of Housing and Urban Development (HUD), so rents or housing costs shall not exceed 30 percent of the maximum gross income of the

occupying residents. 20 percent of *dwelling units* (inclusive of a density bonus) may be unrestricted.

d) *Shared Equity Projects*

A portion of *dwelling units* (excluding *dwelling units* added by a Density Bonus) shall be reserved as follows: either 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 defined in California Government Code Section 65915, or as amended. Remaining *restricted affordable units* shall be reserved for households earning up to 120 percent of the area median income as those income ranges are defined by the United States Department of Housing and Urban Development (HUD), so rents or housing costs shall not exceed 30 percent of the maximum gross income of the occupying residents. 20 percent of *dwelling units* (inclusive of a density bonus) 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. (Density) of Paragraph 2. (Base Incentives). 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).

i. Rent Schedules

Where unspecified in the table above, projects may use any 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 established in Division 4C.15. (Resident Protections). Replacement housing units required pursuant Division 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. *Faith-based organization projects* and *shared equity projects* 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. *One hundred percent affordable housing projects* with a *maximum allowable residential density* of less than 5 *dwelling units* are not

eligible for the Affordable Housing Incentive Program if they are 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. The project shall not require the demolition of a designated historic resource, as demolition is defined in Subsection C. (Definitions) of Sec. 13B.8.1. (General Provisions), and any proposed alteration to a designated historic resource shall not be approved until a review by the Office of Historic Resources is completed.
- ii. Faith-based organization projects and shared equity projects shall not require the demolition, as defined in Sec. 13B.8.1.C (General Provisions), of a surveyed historic resource.
- iii. Faith-based organization projects and shared equity projects involving surveyed historic resources shall be reviewed by the Office of Historic Resources for consistency with the Secretary of the Interior's Standards for Rehabilitation.

2. Base Incentives

a. State Base Incentives

One-hundred percent affordable projects shall be eligible for any density bonus, height, and parking incentives provided by California Government Code Section 65915 as outlined in the table below:

<u>Base Incentives through State Density Bonus</u>			
<u>Geographic Criteria</u>	<u>Density Bonus</u>	<u>Height</u>	<u>Parking</u>
<u>Citywide</u>	<u>80% of the units set aside for <i>lower income households</i> prior to the application of a <i>density bonus</i></u>	<u>None</u>	<u>Refer to , Chapter 4.3. (Density Bonuses and Other Incentives), Section 65915 (p)</u>
<u>Within 0.5 miles of a <i>major transit stop</i> or Within a <i>very low vehicle travel area</i></u>	<u>Limited by Floor Area</u>	<u>33 feet or 3 stories, whichever is greater</u>	<u>Refer to , Chapter 4.3. (Density Bonuses and Other Incentives), Section 65915 (p)</u>

b. Local Base Incentives

i. Projects meeting the following criteria are eligible for the Base Incentives in the table below:

- a) *One-hundred percent affordable projects* not located in *Very High Fire Hazard Severity Zone, the Coastal Zone, sea level rise area, or on a lot with an applied Density District (Part 6B) of 1L.*
- b) *Faith-based organization projects.*
- c) *Shared-equity projects, and*
- d) *Public land projects.*

<u>Base Incentives</u>					
<u>Geographic Criteria</u>	<u>Maximum Allowable Residential Density</u>	<u>Density Bonus</u>	<u>FAR</u>	<u>Height</u>	<u>Parking</u>
<u>Citywide</u>	<u>Less than 5</u>	<u>Any density bonus provided by California Government Code Chapter 4.3. (Density Bonuses and Other Incentives) Section 65915</u>	<u>Maximum of 1.5</u>	<u>An increase of 11 feet or 1 story, whichever is greater.</u>	<u>.5 automobile parking stalls per dwelling unit</u>
	<u>5 or more</u>		<u>Maximum of 3.0 or 35% increase, whichever is greater</u>	<u>An increase of 22 feet or 2 stories, whichever is greater.</u>	
<u>Within 0.5 miles of a major transit stop or a very low vehicle travel area</u>	<u>Less than 5</u>	<u>Limited by Floor Area</u>	<u>Maximum of 2.0</u>	<u>An increase of 11 feet or 1 story, whichever is greater.</u>	<u>No minimum residential parking required</u>
	<u>5 or more</u>		<u>Maximum of 4.5 or a 50% increase, whichever is greater</u>	<u>An increase of 33 feet or 3 stories, whichever is greater.</u>	
<u>In a higher opportunity area or moderate opportunity area</u>	<u>Less than 5</u>	<u>Limited by Floor Area</u>	<u>Maximum of 2.5</u>	<u>An increase of 11 feet or 1 story, whichever is greater.</u>	<u>No minimum residential parking required</u>  <u>Required parking for current or proposed non-residential uses may be reduced by 25%</u>
	<u>5 or more</u>		<u>Maximum of 4.65:1, or a 55% increase, whichever is greater</u>	<u>An increase of 33 feet or 3 stories, whichever is greater.</u>	

- ii. Public Land Project Exception to Local Base Incentives
  - a) Public land projects shall be granted a minimum floor area ratio of 3.0, a height of three stories or 33 feet prior, and shall be considered to have a maximum allowable residential density greater than 5 prior to the granting of Local Base Incentives. Public land projects may also access the incentives in Subparagraph c (Local Base Incentives) below.
  - b) Regardless of the otherwise applicable use permissions set by the applied Use District (Part 5B), use permissions for the public lands project shall instead default to the A+ use permission, pursuant to Subsection B. (Dependent on Most Permissive Adjoining Zone (A+)) of Sec. 5A.3.6. Depending on Adjoining Zoning (A- & A+).
  - c) Where specifically authorized through a resolution of City Council, a public land project, shall not be limited to the zoning requirements of the underlying Zoning Districts, Specific Plan, Special Zone, or General Plan.
- iii. Shared Equity Project Exception to Local Base Incentives

Shared equity projects shall be limited to the base incentives in the table above for sites with a maximum allowable residential density less than 5 dwelling units, regardless of a lots underlying maximum allowable residential density.

  - a) Measure ULA Exception

A shared equity project receiving funding from a program established under Ordinance 187692 (Measure ULA) shall be eligible for incentives as determined by the maximum allowable residential density of the project site.
- iv. Additional Base Parking 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 the entire *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*.
- v. Additional Standards for Base Incentives
- a) Any additional *floor area* provided in this Subparagraph and exceeding the base *floor area ratio* allowed by the applied Form District (Part 2B) shall be dedicated only to *residential uses*.
  - 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 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 or the applied Form District (Part 2B) 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 or applied Form District (Part 2B)

in lieu of the *floor area ratio* or height granted by this Subparagraph.

- 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 the number of required parking stalls is not a whole number, the number shall be rounded up to the next whole number.

### 3. Additional Incentives

In addition to the applicable incentives established in Paragraph 2. (Base Incentives), above, a *project* that meets the eligibility criteria outlined in Paragraph 1. (Eligibility), above, shall be entitled to up to five additional incentives. *Projects* may request incentives to seek a deviation from a standard or requirement established elsewhere in this Zoning Code or in an applicable *Specific Plan, Supplemental District, or Special Zone*. The five allowable additional incentives may be any combination of incentives listed in Subparagraph a. (Menu of Additional Incentives), below, and incentives not listed on the Menu of Additional Incentives.

#### a. Menu of Additional Incentives

*Projects* that meet the criteria established in Paragraph 1 (Eligibility), above, are eligible to request incentives from the

Menu of Additional Incentives listed below, except that projects described in Subparagraph c. (Exclusions), below, shall not be eligible for the Menu of Additional Incentives. Projects requesting incentives from the Menu of Additional Incentives shall be reviewed pursuant to the procedures outlined in Sec. 9.2.2.D.1.a. (Projects Requesting Base Incentives & Incentives from 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 instead be requested as an on-menu incentive, and shall not be subject to the standards of review and required findings otherwise required pursuant to Subsection D (Decision) of Sec. 13B.5.2. (Adjustment). Each adjustment-equivalent request for relief 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 one of two alternative Frontage Districts, depending on the applied Use District (Part 5B) on the *lot*, as specified below. An alternative Frontage District shall count

as two incentives 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) Projects 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, established in Sec. 3B.2.2.(Multi-Unit 2 (MU2)).
  - b) Projects located lots with any other applied Use District may use either the Multi-Unit 2 (MU2) Frontage District, established in Sec. 3B.2.2.(Multi-Unit 2 (MU2) or the General 1 (G1) Frontage District, established 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 adjoining 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; 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 permits, that specifies no further lot line adjustment or any other action 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 the allowable adjustment amount specified for each applicable setback in 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 Div 2C.6.2 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 Zoning District or applicable *Specific Plan, Supplemental District, or Special Zone*, that requirement may be reduced by 50% 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 request a *ground story height* of 10 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 request, pursuant to Sub-subparagraph ii (Alternative Frontage Districts), above.

viii. Commercial Parking

A project may waive 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.

xi. Lot Width

Up to 25 percent decrease in the required lot width.

xii. Low-Density Lot Requirements

*Faith-based organization projects* and *shared equity projects* on lots with a *maximum allowable residential density* of less than 5 *dwelling units* are 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 3-foot *pedestrian accessway* may be provided in lieu of otherwise required automobile access requirements.

xiii. Low-Density Setbacks

*Faith-based organization projects* and *shared equity projects* on lots with a *maximum allowable residential density* of less than 5 *dwelling units* are 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 3 feet.
- c) Projects providing *dwelling units* as part of a small-lot subdivision may utilize an interior side setback of 0 feet.
- d) *Rear setbacks* of 4 feet.
- e) *Alley setbacks* of zero feet for structures that maintain 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

Projects may request incentives not listed in Subparagraph a. (Menu of Additional Incentives), above, or that exceed the level of relief allowed as outlined in Subparagraph a. (Menu of Additional Incentives), above, to seek a deviation from a standard or requirement established elsewhere in this Code or in an applicable *Specific Plan, Supplemental District, or Special Zone*. Such incentive requests shall be subject to additional

review, pursuant to Paragraph 1. (Procedures) of Subsection D. (Administration), 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 *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 *designated historic resource*, *surveyed historic resource*, or an *eligible or architectural resource identified for any historic protection, special consideration, or review by an applicable Specific Plan, Supplemental District, or Special Zone.*

2. Waivers

A *project* that meets the eligibility criteria outlined in Paragraph 1. (Eligibility), above, may request additional waivers, modifications, or reductions of otherwise applicable zoning standards and requirements beyond additional incentives permitted pursuant to Paragraph 3. (Additional Incentives), above; however, such additional waiver requests shall be subject to the procedures Sec.9.2.2.D.1.d. (Projects Requesting Additional Waivers), below, and the standards and findings outlined in Paragraph 2 (Standards for Review and Required Findings) of Subsection D (Administration), below.

3. Public Benefits

*Projects* that meet the eligibility criteria outlined in Paragraph 1 (Eligibility), above, may access additional *floor area ratio* or height, or other modifications of standards by providing one or more of public benefits, as described below. *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.

- a. All projects are eligible to provide a childcare facility meeting the standards outlined in sub-sub paragraph 9.3.4.C.4.a. (Childcare Facility) of Sec. 9.3.4 (Public Benefits Menu) and shall additionally receive:
  - i. One additional incentive from the Menu of Additional Incentives (Sec 9.2.2.C.3.a) or an incentive not listed on the menu of additional incentives (Sec 9.2.2.C.3.b).
- b. Projects, except for one hundred percent affordable housing projects located on lots in the Very High Fire Hazard Severity Zone, the Coastal Zone, sea level rise areas or lots with an applied Density District (Part 6B) of 1L, are also eligible for the following public benefits options:
  - i. One or more of the public benefit options listed for Public Benefits Incentive Set 2 (Sec. 9.3.4.C.3.b.), and
  - ii. One or more of the public benefit options listed for any other 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. Projects that provide 5 or more public benefit options shall receive an additional 11 feet in height in addition to any height bonuses granted through base incentives, additional incentives, waivers, and public benefits pursuant to Paragraphs 2, 3, 4, and 5 of Subsection C (Program Rules)

#### D. Administration

##### 1. Procedures

The following review and approval procedures apply to projects participating in the Affordable Housing Incentive Program.

- a. Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives  
Projects requesting only the base incentives outlined 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, without any waivers or off-menu incentive requests, shall be considered ministerial and shall be reviewed by the *Department of Building and Safety*. Incentives requested shall be granted, subject to the additional standards outlined in Sec. 9.2.2.D.2.a. (Standards for Review for Additional Incentives) below, with the following exceptions:
- i. *Faith-based organization projects and shared equity projects with a surveyed historic resource* shall be reviewed pursuant to Sec. 13B.3.2. (Expanded Administrative Review).  
*Faith-based organization projects and shared equity projects projects with proposed alterations to a surveyed historic resource that do not conform to the Secretary of the Interior’s Standards for Rehabilitation* shall be reviewed pursuant to Sec. 13B.2.5 (Director Determination).
- b. Projects Requesting Incentives Not Listed on the Menu of Additional Incentives  
Projects requesting additional incentives not listed in Sec. 9.2.2.C.3.a. (Menu of Additional Incentives), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review). Ministerial approval shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code Section 65583.2 (i). Incentives requested shall be granted subject to the additional

standards outlined in Sec. 9.2.2.D.2.a. (Standards for Review for Additional Incentives).

i. Exceptions

*Faith-based organization projects and shared equity projects* projects with proposed alterations to a *surveyed historic resource* that do not conform to the Secretary of the Interior's Standards for Rehabilitation shall be reviewed pursuant to Sec. 13B.2.5 (Director Determination).

c. Projects Requesting Waivers

Projects requesting waivers, modifications, or reductions of otherwise applicable zoning standards and requirements beyond the number of additional incentives permitted pursuant to Sec. 9.2.2.C.3.a. (Number of Incentives) above, that would have the effect of physically precluding the construction of an eligible *project*, pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(e), shall be reviewed as follows:

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

a) Exceptions

*Faith-based organization projects and shared equity projects* projects with proposed alterations to a *surveyed historic resource* that do not conform to the Secretary of the Interior's Standards for Rehabilitation shall be reviewed pursuant to Sec. 13B.2.5 (Director Determination).

ii. *Projects* requesting two or three waivers pursuant to Paragraph 4. ( Waivers) of Subsection C. (Program Rules),

- above, shall be reviewed pursuant Sec. 13B.2.5. (Director Determination).
- iii. Projects requesting more than three waivers pursuant to Paragraph 4. ( Waivers) of Subsection C. (Program Rules), above, shall be reviewed pursuant Sec. 13B.2.3. (Class 3 Conditional Use). Notwithstanding the provisions set forth in Sec. 13B.2.3 (Class 3 Conditional Use Permit), the decision of the City Planning Commission shall be final.
- iv. Waivers requested pursuant to the applicable procedures required pursuant to this Subparagraph shall be approved by the applicable decision making authority unless the decision making authority makes the findings outlined in Subparagraph b. (Required Findings for Waivers) of Paragraph 2. (Standards for Review and Required Findings), below.
- 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 4. (Public Benefits) of Subsection C. (Program Rules), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review). Ministerial approval shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code Section 65583.2 (i).
- e. Other Discretionary Approvals  
Applicable procedures set forth in Sec. 13A.2.10 (Multiple Approvals) apply for projects seeking other discretionary approvals in conjunction with any incentives that are 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 otherwise be applicable for the other discretionary approvals, the decision maker must approve the

incentives requested pursuant to the Affordable Housing Incentive Program, subject any procedures established in this Paragraph 1. (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 allowed pursuant to Paragraph 3 (Incentives not on the Menu of Additional Incentives) of Subsection C. (Program Rules), above, shall be requested pursuant to the applicable procedure in Subparagraph b (Projects Requesting Incentives not on the Menu of Additional Incentives) of Paragraph 1 (Procedures), above, and shall be granted unless it is determined, based upon substantial evidence, that:

- 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 the physical environment 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 Paragraph 4. (Waivers) of Subsection C. (Program Rules), above shall be requested pursuant to the applicable procedure in Subparagraph c. (Projects Requesting Waivers) of Paragraph 1 (Procedures), above, and approved by the applicable decision making authority unless that decision making authority finds that:

i. The development standard associated with a request for waiver(s) or reduction(s) in development standards 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 concessions or incentives permitted under Paragraph 2. (Base Incentives) of Subsection C (Program Rules), above.

ii. The waivers or reductions of development standards would have a *specific adverse impact* upon public health and safety or on a 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*.

iii. The waivers or reductions of development standards are 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, covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section and set as forth in Sec. 4C.15.2. (Restricted Affordable Housing Units) 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 Section 817 of The California Civil Code, *public agencies*, or nonprofit affordable housing corporations pursuant to Section 501(c)(3) of the United States Internal Revenue Code.

**Sec 18.** Add Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program) of Div. 9.2. (State Incentive Programs) of Article 9 (Public Benefits System) 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), and to encourage the creation and development of *restricted affordable units* in mixed-income developments along transit corridors in areas of high opportunity, to ensure an equitable distribution of affordable housing across the city.

B. Applicability

The Opportunity Corridors Housing Incentive Program applies to *projects* seeking to provide *restricted affordable units* in exchange for increased allowable *floor area ratio* in combination with the *density bonuses* and other additional incentives granted through participation in the Opportunity Corridors Housing Incentive Program. *Projects* must also meet the eligibility criteria established in Paragraph

1. (Eligibility) of Subsection C. (Program Rules), below, in order to participate in the Opportunity Corridors Housing Incentive Program.

1. Project Activities

Projects meeting the eligibility criteria established in Paragraph 1 (Eligibility) of Subsection C (Program Rules), below, are eligible for participation in the Opportunity Corridors Housing Incentive Program, including the following project activities:

- i. New construction for which all new floor area meets the eligibility criteria outlined in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below
- ii. 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 outlined in Paragraph 1. (Eligibility) of Subsection C (Program Rules), below
- iii. A lot modification, including a subdivision or common interest development, as defined in Civil Code of the State of California, Section 4100, that results in dwelling units that meet the eligibility criteria outlined in Paragraph 1 (Eligibility) of Subsection C (Program Rules).

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

- i. Projects participating in the Opportunity Corridors Housing Incentive Program may also 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 both 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 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. Projects participating in the Opportunity Corridors Housing Incentive Program shall not simultaneously participate in any other incentive program established in Article 9 (Public Benefit Systems).
- b. Relationship to Specific Plans, Special Districts, and Special Zones
- i. As the Opportunity Corridors Housing Incentive Program implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any conflict between the rules, requirements, procedures, or incentives of the Opportunity Corridors Housing Incentive Program and any other Specific Plan, Supplemental District, or Special Zone, the provisions of the Opportunity Corridors Housing Incentive Program shall prevail.
- c. Relationship to Other Zoning Provisions
- i. General  
As the Opportunity Corridors Housing Incentive Program implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any conflict between the rules, requirements, procedures, or incentives of the Opportunity Corridors Housing Incentive Program and any other provision of this Zoning Code (Chapter 1A), the provisions of the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3) 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), 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 contained in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. 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 additional information pertaining to this Section and maintaining consistency with State Density Bonus Law.

C. Program Rules

1. Eligibility

a. Unit Threshold

Projects resulting in a total of five or more dwelling units, including dwelling units permitted as a result of an increase in allowable density granted pursuant to Subparagraph a. of Paragraph 2. (Base Incentives), below, are eligible for participation in the Opportunity Corridors Housing Incentive Program.

b. Zoning

Projects participating in the Opportunity Corridors Housing Incentive Program shall not be located on a lot with an applied Density District (Part 6B) of N or 1L.

c. Residential Uses

A minimum of 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 dwelling units in order for the project to be eligible for participation in the Opportunity Corridors Housing Incentive Program.

d. Mixed Income Housing Incentive Map

Projects must be located on a lot for which an Opportunity Corridors Housing Incentive Set has been mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.), or through a Specific Plan, Supplemental District, or CPIO, in order to be eligible for

participation in the Opportunity Corridors Housing Incentive Program.

e. Affordability Levels

The Opportunity Corridors Housing Incentive Program Set designated for a lot, together with the housing market tier or the opportunity area of a lot define the minimum percentage of the total dwelling units in the project required to be reserved as restricted affordable units in order for a project to be eligible for the density bonus and other incentives associated with that Opportunity Corridors Housing Incentive Set, as established in Paragraph 2. (Base Incentives), below, and Paragraph 3 (Additional Incentives), below. Projects may opt to meet their affordability requirement by providing restricted affordable units at rates determined by the methodology outlined in Sub-subparagraph i. (Single Affordability Requirements), below, or the methodology described in Sub-subparagraph ii. (Mixed Affordability Options), below.

i. Single Affordability Requirements

Projects opting to use the Single Affordability Requirements are only required to provide restricted affordable units for one of the income levels listed in the table below at the corresponding percentage of total dwelling units for that individual income level.

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

ii. Mixed Affordability Requirements

Projects opting to use the Mixed Affordability Options may also opt to meet their *restricted affordable units* requirement by providing one of the combinations of income levels listed in the table below. Projects opting to use any of the Mixed Affordability Options must also provide at least one *restricted affordable unit* containing four or more *habitable rooms* at the deepest affordability level.

<u>Mixed Affordability Options</u>				
<u>TCAC Opportunity Area</u>	<u>Income Levels</u>			
	<u>Acutely Low Income</u>	<u>Extremely Low Income</u>	<u>Very Low Income</u>	<u>Moderate Income</u>
<u>Moderate and Lower Opportunity Areas</u>	=	<u>4%</u>	<u>8%</u>	=
<u>Higher Opportunity Areas</u>	<u>4%</u>	<u>4%</u>	=	<u>12%</u>

ii. Opportunity Corridors Housing Incentive Set Designation

The applicable Opportunity Corridors Housing Incentive Program 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).

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. of Paragraph 2. (Base Incentives). 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  
Housing market tiers shall be established based on the residential market areas adopted by City Council resolution, as described in Sec. 15.4.3. (Affordable Housing Linkage Fee).
- v. Rent Schedules  
*Restricted affordable units* shall be rented at rates not to exceed those specified in California Health and Safety Code 50052.5 for for-sale units and California Health and Safety Code Section 50053 for for-lease 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).
- f. 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 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. The *project* shall not require the demolition of a *designated historic resource, or surveyed historic resource* identified for historic protection or special consideration or review by an applicable *CPIO* or *Specific Plan*, as demolition is defined in Subsection C. (Definitions) of Sec. 13B.8.1 (General Provisions).
- ii. Projects involving *designated historic resources* shall be reviewed by the Office of Historic Resources for consistency with the Secretary of the Interior's Standards for Rehabilitation.

2. Base Incentives

- a. *Projects* meeting the eligibility criteria established in Paragraph 1 (Eligibility), above, and that are mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.) with an Opportunity Corridors Housing Incentive Set shall be eligible to utilize one of the Alternate Typologies established in Div. 7B.6. (Opportunity Corridors) as outlined in the table below:

<u>Opportunity Corridors Incentive Set Mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.)</u>	<u>Applied Use District</u>	<u>Eligible Opportunity Corridors Alternate Typologies (Div. 7B.6.)</u>
<u>OC-1A</u>	<u>Residential Use Districts, Residential Mixed Use Districts, Agricultural Use Districts</u>	<u>Opportunity Corridors OC-1A (Sec.7B.6.1.)</u>
<u>OC-1B</u>	<u>Commercial Mixed Use Districts, Industrial Mixed Use Districts, Public Use Districts</u>	<u>Opportunity Corridors OC-1B (Sec.7B.6.2.)</u>
<u>OC-2A</u>	<u>Residential Use Districts, Residential Mixed Use Districts, Agricultural Use Districts</u>	<u>Opportunity Corridors OC-2A (Sec.7B.6.3.)</u>
<u>OC-2B</u>	<u>Commercial Mixed Use Districts, Industrial Mixed Use Districts, Public Use Districts</u>	<u>Opportunity Corridors OC-2B (Sec.7B.6.4.)</u>
<u>OC-3A</u>	<u>Residential Use Districts, Residential Mixed Use Districts, Agricultural Use Districts</u>	<u>Opportunity Corridors OC-3A (Sec.7B.6.5.)</u>
<u>OC-3B</u>	<u>Commercial Mixed Use Districts, Industrial Mixed Use Districts, Public Use Districts</u>	<u>Opportunity Corridors OC-3B (Sec.7B.6.6.)</u>

3. Additional Incentives

In addition to the applicable incentives established in Paragraph 2. (Base Incentives), above, a *project* that meets the eligibility criteria outlined in Paragraph 1. (Eligibility), above, shall be entitled to up to four additional incentives. *Projects* may request incentives to seek a deviation from a standard or requirement established elsewhere in this Zoning Code 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 incentives not listed on the Menu of Additional Incentives.

a. Menu of Additional Incentives

Projects requesting only a combination of the following on-menu incentives shall be approved by Department of Building and Safety review, pursuant to Subparagraph a. (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives) of Paragraph 1. (Procedures) of Subsection D. (Administration), below. Projects requesting incentives from the Menu of Additional Incentives shall be reviewed pursuant to the procedures outlined in Sec. 9.2.3.D.1.a (Projects Requesting Base Incentives & Incentives from 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 instead be requested as an on-menu incentive, and shall not be subject to the standards of review and required findings otherwise required pursuant to Subsection D (Decision) of Sec. 12B.5.2. (Adjustment). Each adjustment-equivalent request for relief shall count as one incentive request. By-right adjustments shall not be granted in the following cases:



level of relief allowed as outlined in Subparagraph a. (Menu of Additional Incentives), above, to seek a deviation from a standard or requirement established elsewhere in this Code or in an applicable *Specific Plan, Supplemental District, or Special Zone*. Such incentive requests shall be subject to the review procedures outlined in Sec. 9.2.3.D.1.c. (Projects Requesting Incentives Not on the Menu of Additional Incentives), below, with the exception of modifications to standards listed in Sub-suparagraph ii. below.

- ii. Modifications to the following standards or their equivalents in an applicable *Specific Plan or Special Zone*, exceeding the 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 additional incentive requests. Such requests shall seek approval pursuant to Sec. 9.2.1 (State Density Bonus Program).

- i. Lot Amenity Space (Sec. 2C.3.1)
- ii. Any floor area ratio and height restriction established in Div. 2C.4. (Floor Area Ratio & Height)
- iii. Any upper story bulk limitations established in Div. 2C.6. (Upper Story Bulk)
- iv. Building Width (Sec. 2C.5.1.)
- v. Building Setbacks (Sec. 2C.2.2.)
- vi. Ground story design requirements specified by the applied Frontage District (Part 3B)
- vii. Required Trees (Sec. 4C.6.2)

#### 4. Waivers

A *project* that meets the eligibility criteria outlined in Paragraph 1. (Eligibility), above, may request additional waivers, modifications, or reductions of otherwise applicable zoning standards and requirements beyond the four additional incentives permitted pursuant to Paragraph 3. (Additional Incentives), above; however, such additional waiver requests

shall be subject to the procedures Sec.9.2.3.D.1.c. (Projects Requesting Additional Waivers), below, and the standards and findings outlined in Paragraph 2 (Standards for Review and Required Findings) of Subsection D (Administration), below.

5. Public Benefits

- a. Projects that provide the full number of restricted affordable units required for their mapped Opportunity Corridors Incentive Set, pursuant to Subparagraph e. (Affordability Levels) of Paragraph 1 (Eligibility), above, may access up to the tier 2 bonus 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, Special Zone, or CPIO by providing one or more of the public benefits pursuant to Sec. 9.3.4. (Public Benefits Menu).
  - i. 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 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. All projects are eligible to provide a childcare facility meeting the standards outlined in sub-sub paragraph 9.3.4.C.4.a. (Childcare Facility) of Sec. 9.3.4 (Public Benefits Menu) and shall additionally receive:
  - i. One additional incentive from the Menu of Additional Incentives (Sec 9.2.3.C.3.a) or an incentive not listed on the menu of additional incentives (Sec 9.2.3.C.3.b).

#### D. Administration

##### 1. Procedures

The following review and approval procedures apply to projects participating in the Opportunity Corridors Housing Incentive Program.

- a. Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives  
Projects 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, shall be considered ministerial and shall be reviewed by the Department of Building and Safety. Incentives requested shall be granted, subject to the additional standards outlined 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  
Projects requesting additional incentives not listed in Sec. 9.2.3.C.3.a. (Menu of Additional Incentives), above, pursuant to Sec. 9.2.3.C.3.b. (Incentives Not on the Menu of Additional Incentives), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review). Ministerial approval shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code Section 65583.2 (i). Requests shall be approved by the applicable decision making

authority subject to the standards outlined in Sec. 9.2.3.D.2.a. (Standards for Review for Additional Incentives), below.

c. Projects Requesting Waivers

Projects requesting waivers, modifications, or reductions of otherwise applicable zoning standards and requirements beyond the number of additional incentives permitted pursuant to Sec. 9.2.3.C.3.a. (Number of Incentives) above, that would have the effect of physically precluding the construction of an eligible *project*, pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(e), shall be reviewed as follows:

i. *Projects* requesting only one waiver pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be approved pursuant Sec. 13B.2.5. (Director Determination).

ii. *Projects* requesting more than one waiver pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be approved pursuant Sec. 13B.2.3. (Class 3 Conditional Use).

iii. Waivers requested pursuant to the applicable procedures required pursuant to this Subparagraph shall be approved by the applicable decision making authority subject to the standards and findings outlined in Subparagraph b (Findings for Waivers) of Paragraph 2, below.

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). Ministerial approval shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code Section 65583.2 (i).

e. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10 (Multiple Approvals) apply for projects seeking other discretionary approvals in conjunction with any incentives that are 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 otherwise be applicable for the other discretionary approvals, the decision maker must approve the incentives requested pursuant to the Opportunity Corridors Housing Incentive Program, subject any procedures established in Paragraph 1. (Procedures), above, 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 allowed pursuant to Paragraph 3 (Incentives Not on the Menu of Additional Incentives) of Subsection C. (Program Rules), above, shall be requested pursuant to the applicable procedure in Subparagraph b (Projects Requesting Incentives not on the Menu of Additional Incentives) of Paragraph 2 (Procedures), above, and shall be granted unless it is determined, based upon substantial evidence, that:

- 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 the physical environment 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 requests allowed pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above shall be requested pursuant to the applicable procedure in Subparagraph c. (Projects Requesting Additional Waivers) of Paragraph 1 (Procedures), above, and approved by the applicable decision making authority unless that decision making authority finds that:

- i. The development standard associated with a request for waiver(s) or reduction(s) in development standards 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 concessions or incentives permitted under Paragraph 2. (Base Incentives) of Subsection C (Program Rules), above.
- ii. The waivers or reductions of development standards would have a *specific adverse impact* upon public health and safety or on a 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*.

- iii. The waivers or reductions of development standards are 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, covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section and set as forth in Sec. 4C.15.3. (Restricted Affordable Housing Units) shall be recorded with the Los Angeles County Recorder.

**Sec 19.** Add Sec. 9.2.4. (Corridor Transitions Incentive Program) of Div. 9.2. (State Incentive Programs) of Article 9 (Public Benefits System) 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, 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 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

The rules, requirements, eligibility criteria, and granted incentives of the Corridor Transitions Incentive Program apply to *projects* seeking to provide *restricted affordable units* in exchange for access to a *density bonus* and relative *floor area*

ratio increase. Projects must also meet the eligibility criteria established in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below, in order to participate in the Corridor Transitions Incentive Program.

1. Project Activities

Projects involving the following project activities may be eligible for participation in the Corridor Transitions Incentive 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.
- 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.

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

- i. Projects 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 projects meet the eligibility requirements and program rules for both programs.
- ii. Projects participating in the Corridor Transitions Incentive Program shall not simultaneously participate in any other incentive program outlined in Article 9 (Public Benefit Systems).

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

- i. As the Corridor Transitions Incentive Program implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any conflict between the rules, requirements, procedures, or incentives of the Corridor Transitions Incentive Program and any other Specific Plan, Supplemental District, or Special Zone, the provisions of the Corridor Transitions Incentive Program shall prevail.

c. Relationship to Other Zoning Provisions

i. General

As the Corridors Transitions Incentive Program implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any conflict between the rules, requirements, procedures, or incentives of the Corridors Transitions Incentive Program and any other provision of this zoning code (Chapter 1A), the provisions of the Corridors Transitions Incentive Program (Sec. 9.2.4) shall prevail.

ii. 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).

iii. Regardless of the otherwise applicable Development Review Threshold Package required by the applied Development Standards District (Part 4B), 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 contained in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. 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 additional information pertaining to this Section and maintaining consistency with State Density Bonus Law.

C. Program Rules

1. Eligibility

a. Mixed Income Housing Incentive Map

Projects on a lot 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 CPIO are eligible for participation in the Corridor Transitions Incentive Program.

b. Zoning

Projects participating in the Corridor Transitions Incentive Program shall not be located on a lot with an applied Density District (Part 6B) of N, 1L, 2, 3, 4, 6, 8, or 10.

c. Unit Threshold

Projects resulting in a total of four or more dwelling units, including dwelling units permitted as a result of a density bonus granted pursuant to Subparagraph b. of Paragraph 2. (Incentives), below, are eligible for participation in the Corridor Transitions Incentive Program. New dwelling units created within existing floor area are included in this calculation.

d. Residential Uses

A minimum of 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 dwelling units in order for the project to be eligible for participation in the Corridor Transitions Incentive Program.

e. Affordability Levels

The Corridor Transitions Incentive Sets are established in the Affordability Requirements table below. These incentive sets define the minimum number of on-site restricted affordable units required to be provided in order for a project to be eligible for the density bonus and other incentives associated with that incentive set, as established in Paragraph 2 (Incentives), below. Projects are only required to provide restricted affordable units for one of the income levels listed in the table below at the corresponding number of restricted affordable units for that individual income level.

<u>Affordability Requirements</u>			
<u>Incentive Sets</u>	<u>Income Levels</u>		
	<u>Very Low Income</u>	<u>Low Income</u>	<u>Moderate Income</u>
<u>CT-3</u>	<u>2 dwelling units</u>	<u>2 dwelling units</u>	<u>3 dwelling units</u>
<u>CT-2</u>	<u>1 dwelling unit</u>	<u>1 dwelling unit</u>	<u>2 dwelling units</u>
<u>CT-1</u>	<u>=</u>	<u>=</u>	<u>1 dwelling unit</u>

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.). Projects on lots mapped as eligible for the CT-1 incentive set may opt to provide restricted affordable units at the rates established for the CT-2 incentive set in order to receive higher incentives, as outlined in Paragraph 2 (Incentives), below.

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 mapped with Corridor Transitions Incentive Set CT-2 into one project, the project would be required to provide either 2 Very Low Income or Low Income units, or 4 Moderate Income units.

iii. Rent Schedules

Restricted affordable units shall be rented at rates not to exceed those specified in California Health and Safety Code 50052.5 for for-sale units and California Health and Safety Code Section 50053 for for-lease 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).

e. 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 Division 4C.15. (Resident Protections) shall count toward any restricted affordable unit requirements.

f. Fair Housing Requirements

The project 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.

g. Historic Resources

- i. The project shall not require the demolition of a designated historic resource, or surveyed historic resource identified for historic protection or special consideration or review by an applicable CPIO or Specific Plan, as demolition is defined in Subsection C. (Definitions) of Sec. 13B.8.1 (General Provisions).
- ii. Projects involving designated historic resources shall be reviewed by the Office of Historic Resources for consistency with the Secretary of the Interior's Standards for Rehabilitation.

2. Base Incentives

- a. Projects located on a lot mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.) with a Corridor Transitions Incentive Set, including CT-1, CT-2, and CT-3, and that meet the eligibility criteria established in Paragraph 1 (Eligibility), above, shall be eligible to utilize one of the Alternate Typologies established in Div. 7B.7. (Corridor Transitions) as outlined in the table below. The applicable Corridor Transitions Alternate Typology may be used in lieu of the applied Zoning Districts and zoning standards otherwise applicable on the lot.

<u>Corridor Transitions Alternate Typologies Eligibility</u>	
<u>Corridor Transitions Incentive Set Mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.)</u>	<u>Eligible Corridor Transitions Alternate Typologies</u>
<u>CT-3</u>	<u>Corridor Transitions 3 (Sec. 7B.7.3.)</u>
<u>CT-2</u>	<u>Corridor Transitions 2 (Sec. 7B.7.2.)</u>
<u>CT-1</u>	<u>Corridor Transitions 1 (Sec. 7B.7.1.)</u>

- b. Projects on sites with designated historic resources or non-contributing elements as defined in Sec. 13B.8.1.C of this Code shall not be eligible for Corridor Transitions 3 Alternate Typology and shall instead use the base incentives outlined in the Corridor Transitions 2 Alternate Typology.
- c. Projects on lots mapped with a CT-1 Corridor Transitions Incentive Set are eligible for additional density, as established in Sec. 7B.7.1. (Corridor Transitions 1), if the project provides restricted affordable units at the income levels and rates required for the CT-2 Corridor Transition Set, as established in the Affordability Requirements table in Subparagraph e (Affordability Levels) of Paragraph 1 (Eligibility), above.

3. Public Benefits

- a. Projects that meet the eligibility criteria established in Paragraph 1 (Eligibility), above, may access up to the tier 2 bonus FAR and tier 2 bonus height allowed by the applied Form District (Part 2B) 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; however, these procedures may be superseded by procedures required by an applicable CPIO, Specific Plan, or supplemented by procedures required by an applicable Supplemental District.

a. Projects Requesting Only Base Incentives

Projects requesting only the base incentives outlined in Paragraph 2. (Base Incentives) of Subsection C. (Program Rules), above, shall be considered ministerial and shall be reviewed by the Department of Building and Safety.

b. Projects Providing Public Benefits

Projects 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). Ministerial approval shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code Section 65583.2 (i).

- c. Other Discretionary Approvals  
Applicable procedures set forth in Sec. 13A.2.10 (Multiple Approvals) apply for 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 Subsection.
  - d. Projects that require incentives not offered in Sec. 9.2.4. (Corridor Transitions Incentive Program) or waivers or reductions from development standards shall seek approval pursuant to Sec. 9.2.1. (State Density Bonus Program).
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, covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section and set as forth in Sec. 4C.15.2. (Restricted Affordable Housing Units) shall be recorded with the Los Angeles County Recorder.

**Sec 20.** Add Sec. 9.2.5. (Transit Oriented Housing Incentive Program) of Div. 9.2. (State Incentive Programs) of Article 9 (Public Benefits System) 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), and to encourage the creation and development of *restricted affordable units* through mixed-income housing citywide, offering tailored incentives in areas throughout the City with *high quality transit service*.

B. Applicability

The Transit Oriented Incentive Program applies to projects meeting the definition of a *project* that provides the required set-asides of *restricted affordable units* in exchange for *density bonus, floor area, height, parking base incentives* and additional incentives. *Projects* must also meet the eligibility criteria established in Paragraph 1 (Eligibility) of Subsection C (Program Rules), below, in order to participate in the Transit Oriented Incentive Program.

1. Project Activities

*Projects* meeting the eligibility criteria established in Paragraph 1 (Eligibility) of Subsection C (Program Rules), below, are eligible for participation in the Transit Oriented Incentive Program, including the following project activities:

- a. *New construction* for which all new *floor area* meets the eligibility criteria outlined 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 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 outlined in Paragraph 1 (Eligibility) of Subsection C (Program Rules).

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

- i. Projects participating in the Transit Oriented Housing Incentive Program may also 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 both 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. Projects participating in the Transit Oriented Housing Incentive Program shall not simultaneously participate in any other incentive program established in Article 9 (Public Benefit Systems).

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

- i. As the Transit Oriented Incentive Program implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any conflict between the rules, requirements, procedures, or incentives of the Transit Oriented Incentive Program and any other Specific Plan, Supplemental District, or Special Zone, the provisions of the Transit Oriented Incentive Program shall prevail.

c. Relationship to Other Zoning Provisions

- i. General

As the Transit Oriented Incentive Program implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any conflict between the rules, requirements, procedures, or incentives of the Transit Oriented Incentive Program and any other provision of this Zoning Code (Chapter 1A), the provisions of the Transit Oriented Incentive Program (Sec. 9.2.5) 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. Regardless of the otherwise applicable Development Review Threshold Package required by the applied Development Standards District (Part 4B), 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 contained in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. 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 additional information pertaining to this Section and maintaining consistency with State Density Bonus Law.

C. Program Rules

1. Eligibility

a. Unit Threshold

- i. Projects resulting in a total of five or more dwelling units, including dwelling units permitted as a result of density increase granted pursuant to Paragraph 2 (Base Incentives), below, are eligible for participation in the Transit Oriented Incentive Program.

b. Zoning

- i. Projects participating in the Transit Oriented Incentive Program shall not be located on a lot with an applied Density District (Part 6B) of N or 1L.

c. Residential Uses

A minimum of 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 dwelling units in order for the project to be eligible for participation in the Transit Oriented Incentive Program.

d. Transit Oriented Incentive Map

- i. Projects 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, Supplement District, or CPIO in order to be eligible for participation in the Transit Oriented Incentive Program.

e. Affordability Levels

The Transit Oriented Incentive Program Set designated for a lot, together with the housing market tier or opportunity area of a lot define the minimum percentage of the total dwelling units in the project required to be reserved as restricted affordable units in order for a project to be eligible for the density bonus and other incentives associated with that Transit Oriented Incentive Set, as established in Paragraph 2. (Base Incentives), below, and Paragraph 3 (Additional Incentives), below. Projects may opt to meet their affordability requirement by providing restricted affordable units at rates determined by the methodology outlined in Sub-subparagraph i. (Single Affordability Requirements), below, or the methodology described in Sub-subparagraph ii. (Mixed Affordability Options), below.

- i. Single Affordability Requirements

Projects opting to use the Single Affordability Requirements are only required to provide restricted affordable units for one of the income levels listed in the table below at the corresponding percentage of total dwelling units for that individual income level.

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

ii. Mixed Affordability Requirements

Projects opting to use the Mixed Affordability Level Options may also opt to meet their restricted affordable units requirement by providing one of the combinations of income levels listed in the table below. Projects 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.

<u>Mixed Affordability Options</u>				
<u>TCAC Opportunity Area</u>	<u>Income Levels</u>			
	<u>Acutely Low Income</u>	<u>Extremely Low Income</u>	<u>Very Low Income</u>	<u>Moderate Income</u>
<u>Moderate and Lower Opportunity Areas</u>	=	<u>4%</u>	<u>8%</u>	=
<u>Higher Opportunity Areas</u>	<u>4%</u>	<u>4%</u>	=	<u>12%</u>

- iii. Transit Oriented Incentive Set Designation  
The applicable Transit Oriented Incentive Program Set shall be determined based on the designation shown on the Transit Oriented Incentive Map established in Sec. 1.5.16 (Transit Oriented Incentive Program Map).
- iv. 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. (Density) of Paragraph 2. (Base Incentives). 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).
- v. Housing Market Tier Designation  
Housing market tiers shall be established based off of the residential market areas adopted by City Council resolution, as described in Sec. 15.4.3. (Affordable Housing Linkage Fee).
- vi. Rent Schedules  
*Restricted affordable units* shall be rented at rates not to exceed those specified in California Health and Safety Code 50052.5 for for-sale units and California Health and Safety Code Section 50053 for for-lease units. Covenants documenting required rental or for sale rates shall be recorded pursuant to the procedures described in Sec. 9.2.5.D.3. (Records and Agreements).
- f. 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 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. The project shall not require the demolition of a designated historic resource, or surveyed historic resource identified for historic protection or special consideration or review by an applicable CPIO or Specific Plan, as demolition is defined in Subsection C. (Definitions) of Sec. 13B.8.1 (General Provisions).
- ii. Projects involving designated historic resources shall be consistent with the Secretary of the Interior's Standards for Rehabilitation.

2. Base Incentives

- a. Projects meeting the eligibility criteria established in Paragraph 1 (Eligibility), above, and that are mapped on the Transit Oriented Incentive Map (Sec 1.5.16) shall be eligible for any density bonus, floor area, height, and parking incentives as outlined in the table below:

<b>Base Incentives for Transit Oriented Incentive Program</b>				
<b><u>Incentive Set</u></b>	<b><u>Density Bonus</u></b>	<b><u>Parking</u></b>	<b><u>FAR</u></b>	<b><u>Height</u></b>
<u>T-1B</u>	<u>100%</u>	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.	<u>RG, RX, and A Use Districts: 40% increase.</u>	<u>One additional story, up to 11 additional feet.</u>
			<u>CX, IX, P Use Districts: 3.25:1, or 40% increase, whichever is greater.</u>	
<u>T-1A</u>	<u>120%</u>		<u>RG, RX, and A Use Districts: 40% increase.</u>	
			<u>CX, IX, P Use Districts: 4.2:1, or 45% increase, whichever is greater.</u>	
<u>T-2B</u>	<u>110%</u>		<u>RG, RX, and A Use Districts: 40% increase.</u>	<u>Two additional stories, up to 22 additional feet.</u>
			<u>CX, IX, P Use Districts: 4.2:1, or 50% increase, whichever is greater.</u>	
<u>T-2A</u>	<u>Limited by Floor Area</u>		<u>RG, RX, and A Use Districts: 45% increase.</u>	
			<u>CX, IX, P Use Districts: 4.5:1, or 50% increase, whichever is greater.</u>	
<u>T-3B</u>	<u>120%</u>		<u>RG, RX, and A Use Districts: 45% increase.</u>	<u>Three additional stories up to 33 additional feet.</u>
			<u>CX, IX, P Use Districts: 4.5:1, or 50% increase, whichever is greater.</u>	
<u>T-3A</u>	<u>Limited by Floor Area</u>		<u>RG, RX, and A Use Districts: 50% increase.</u>	
			<u>CX, IX, P Use Districts: 4.65:1, or 55% increase, whichever is greater.</u>	

- b. Projects with a Maximum Allowable Residential Density of less than 5 units shall be eligible for the following Density Bonuses:
  - i. T-1: 60%
  - ii. T-2: 70%
  - iii. T-3: 80%
- c. Projects with a maximum allowable residential density of less than 5 dwelling units, designated historic resources or non-contributing elements shall not be eligible for an incentive to increase allowable FAR or height above one additional story.

3. Additional Incentives

In addition to the applicable incentives established in Paragraph 2 (Base Incentives), above, a project that meets the eligibility criteria outlined in Paragraph 1. (Eligibility), above, shall be entitled to up to four additional incentives. Projects may request incentives to seek a deviation from a standard or requirement established elsewhere in this Zoning Code 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 incentives not listed on the Menu of Additional Incentives.

a. Menu of Additional Incentives

Projects requesting only a combination of the following on-menu incentives shall be approved by Department of Building and Safety review, pursuant to Subparagraph a. (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives) of Paragraph 1. (Procedures) of Subsection D, (Administration), below. Projects requesting incentives from the Menu of Additional Incentives shall be reviewed pursuant to the procedures outlined in Sec. 9.2.5.D.1.a. (Projects Requesting Base Incentives & Incentives from 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 instead be requested as an on-menu incentive, and shall not

be subject to the standards of review and required findings otherwise required pursuant to Subsection D (Decision) of Sec. 12B.5.2. (Adjustment). Each adjustment-equivalent request for relief shall count as one incentive request. By-right adjustments shall not be granted in the following cases:

- i. 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.
- ii. 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 adjoining lots may average the maximum floor area, minimum lot amenity space, minimum parking, and maximum density over the project site, provided that:
  - i. The proposed uses are permitted by the applied Use District (Part 5B) of each lot, and
  - ii. 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 permits, that specifies no further lot line adjustment or any other action 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.

- v. Lot Width  
Up to 25 percent decrease in the required lot width.
- b. Incentives Not Listed on the Menu of Additional Incentives
  - i. Projects may request incentives not listed in Subparagraph a. (Menu of Additional Incentives), above, or that exceed the level of relief allowed as outlined in Subparagraph a. (Menu of Additional Incentives), above, to seek a deviation from a standard or requirement established elsewhere in this Code or in an applicable Specific Plan, Supplemental District, or Special Zone. Such incentive requests shall be subject to the review procedures outlined in Sec. 9.2.5.D.1.c. (Projects Requesting Incentives Not on the Menu of Additional Incentives), below, with the exception of modifications to standards listed in Sub-suparagraph ii, below.
  - ii. Modifications to the following standards or their equivalents in an applicable Specific Plan or Special Zone, exceeding the 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 additional incentive requests. Such requests shall seek approval pursuant to Sec. 9.2.1 (State Density Bonus Program)).
    - i. Lot Amenity Space (Sec. 2C.3.1)
    - ii. Any floor area ratio and height restriction established in Div. 2C.4. (Floor Area Ratio & Height)
    - iii. Any upper story bulk limitations established in Div. 2C.6. (Upper Story Bulk)
    - iv. Building Width (Sec. 2C.5.1.)
    - v. Building Setbacks (Sec. 2C.2.2.)
    - vi. Ground story design requirements specified by the applied Frontage District (Part 3B)
    - vii. Required Trees (Sec. 4C.6.2)

4. Waivers

A project that meets the eligibility criteria outlined in Paragraph 1. (Eligibility), above, may request additional waivers, modifications, or reductions of otherwise applicable zoning standards and requirements beyond the four additional incentives permitted pursuant to Paragraph 3. (Additional Incentives), above, however, such additional waiver requests shall be subject to the procedures Sec. 9.2.5.D.1.c. (Projects Requesting Waivers), below, and the standards and findings outlined in Paragraph 2 (Standards for Review and Required Findings) of Subsection D (Administration), below.

5. Public Benefits

All projects that meet the eligibility criteria outlined in Paragraph 1 (Eligibility), above, may access additional floor area ratio, or height, or other modifications of standards by providing one or more of public benefits, as described below. 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.

a. Projects that meet the eligibility criteria outlined in Paragraph 1 (Eligibility), above, are eligible for the following public benefits options:

i. Sec. 9.3.4. 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.

- iii. Projects providing public benefits shall be reviewed and approved pursuant to the processes outlined in in Sec. 9.2.5.D.1.d (Projects Providing Public Benefits), below.
- iv. Projects are eligible to provide a childcare facility meeting the standards outlined in sub-sub paragraph 9.3.4.C.4.a. (Childcare Facility) of Sec. 9.3.4 (Public Benefits Menu) and shall additionally receive:
  - i. One additional incentive from the Menu of Additional Incentives (Sec 9.2.5.C.3.a) or an incentive not listed on the menu of additional incentives (Sec 9.2.5.C.3.b).

#### D. Administration

##### 1. Procedures

The following review and approval procedures apply to projects participating in the Transit Oriented Housing Incentive Program.

- a. Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives  
Projects 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.i. (On-Menu Incentives), above, shall be considered ministerial and shall be reviewed by the Department of Building and Safety. Incentives requested shall be granted, subject to the additional standards outlined 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  
Projects requesting additional incentives not listed in Sec. 9.2.5.C.3.a.i (Menu of Additional Incentives), above, pursuant to Sec. 9.2.5.C.3.b.ii (Incentives Not on the Menu of Additional Incentives), above, shall be ministerially approved pursuant to Sec.

13B.3.2. (Expanded Administrative Review). Ministerial approval shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code Section 65583.2 (i). Requests shall be approved by the applicable decision making authority subject to the standards outlined in Subparagraph a (Standards for Review of Additional Incentives) of Paragraph 2 (Standards for Review and Required Findings), below.

c. Projects Requesting Waivers

Projects requesting waivers, modifications, or reductions of otherwise applicable zoning standards and requirements beyond the number of additional incentives permitted pursuant to Subparagraph a. (Number of Incentives) of Paragraph 3 (Additional Incentives), above, that would have the effect of physically precluding the construction of an eligible *project*, pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(e), shall be reviewed as follows:

- i. *Projects* 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. *Projects* 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. Waivers requested pursuant to the applicable procedures required pursuant to this Subparagraph shall be approved by the applicable decision making authority subject to the standards and findings outlined in Subparagraph b (Required Findings for Waivers) of Paragraph 2 (Standards for Review and Required Findings), below.

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). Ministerial approval shall mean an administrative process to approve a “use by right” as this term is defined in California Government Code Section 65583.2 (i).

e. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10 (Multiple Approvals) apply for projects seeking other discretionary approvals in conjunction with any incentives that are 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 otherwise be applicable for the other discretionary approvals, the decision maker must approve the incentives requested pursuant to the Transit Oriented Incentive Program, subject any procedures established in Paragraph 1. (Procedures), above, 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 allowed pursuant to Paragraph 3 (Incentives Not on the Menu of Additional Incentives) of Subsection C. (Program Rules), above, shall be requested pursuant to the applicable procedure in Subparagraph b (Projects Requesting Incentives Not on the Menu of Additional Incentives) of Paragraph 2 (Procedures), above, and shall be granted unless it is determined, based upon substantial evidence, that:

- 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 the physical environment 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 requests allowed pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above shall be requested pursuant to the applicable procedure in Subparagraph c. (Projects Requesting Waivers) of Paragraph 1 (Procedures), above, and approved by the applicable decision making authority unless that decision making authority finds that:

- i. The development standard associated with a request for waiver(s) or reduction(s) in development standards 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 concessions or incentives

- permitted under Paragraph 2. (Base Incentives) of Subsection C (Program Rules), above.
- ii. The waivers or reductions of development standards would have a *specific adverse impact* upon public health and safety or on a 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*.
  - iii. The waivers or reductions of development standards are 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, covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section and set as forth in Sec. 4C.15.3. (Restricted Affordable Housing Units) shall be recorded with the Los Angeles County Recorder.

#### DIV. 9.3. COMMUNITY BENEFITS PROGRAM

**Sec 21.** Amend Sec. 9.3.1. (Community Benefits Program Structure) of Div. 9.3. (Community Benefits Program) of Article 9 (Public Benefits System) of Chapter 1A of the Los Angeles Municipal Code 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 as follows:

1. The project is eligible as established in this Section (Community Benefits Program Structure);
2. The project is also eligible due to the applicable *CPIO* District or *Specific Plan*;
3. The project is providing the required percentage of *restricted affordable units* as established in Sec. 9.3.2. (Local Affordable Housing Incentive Program), or public benefits as established in another program established within this Division (Community Benefits Program); and
4. The applied Form District (Part 2B.) provides for *tier 1 bonus FAR-floor area ratio, tier 2 bonus floor area ratio, tier 1 bonus height, or tier 2 bonus height.*

## C. Eligibility

A project must meet the following criteria in order to obtain additional development incentives through the programs contained in this Division (Community Benefits Program):

1. Residential Projects
  - a. Projects that involve the construction of *dwelling units* must first use the affordable housing program established in Sec. 9.3.2. (Local Affordable Housing Incentive Program) to its fullest extent. Using the an Local Affordable Housing Incentive Program affordable housing program to its fullest extent means providing at least the minimum 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) incentive set, as established by the applicable affordable housing program.
  - b. If there is any unused *floor area* or height based on the *tier 2 bonus FAR* or *tier 2 bonus height* available for the project site according to the applied Form District (Part 2B.), then a project may use the remaining development potential using one of the methods

described in Paragraph 3. (Bonus Floor Area or Height) below, up to the maximum allowed by the applied Form District (Part 2B.).

- c. Calculation of the maximum density increase allowed and number of *restricted affordable units* required shall be based on the ~~maximum density allowed by the applied Density District (Part 6B.)~~ maximum allowable residential density.

## 2. Non-Residential Projects

Projects which do not involve the construction of *dwelling units*, including City-approved lodging and transient occupancy residential structures, may use any of the programs established in this Division (Community Benefits Program). ~~Bonus FAR or bonus height~~ 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 ~~the an~~ applicable CPIO or Specific Plan.

## 3. Bonus Floor Area or Height

A residential project ~~that does not utilize all of the FAR or height granted by the bonus FAR or bonus height of the applied Form District (Part 2B.)~~ by providing that provides the minimum amount of *on-site restricted affordable units* using the Local Affordable Housing Incentive Program may access the ~~remaining tier 2-bonus FAR~~ floor area ratio or tier 2 bonus height using one or more of the following methods.

### a. Additional Restricted Affordable Units

Providing additional *restricted affordable units* above the minimum percentage required to qualify for the maximum density increase of the allowed by the applicable affordable housing program. The amount of additional FAR or height provided for additional percentages of *restricted affordable units* is determined by an applicable CPIO or Specific Plan.

### b. Public Benefits Incentive Programs

Using one or more of the programs established in this Division (Community Benefits Program), provided that the programs are included as available incentive programs in the applicable CPIO or Specific Plan.

**Sec 22.** Amend Sec. 9.3.2. (Local Affordable Housing Incentive Program) of Div. 9.3. (Community Benefits Program) of Article 9 (Public Benefits System) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

## SEC. 9.3.2. LOCAL AFFORDABLE HOUSING INCENTIVE PROGRAM

### E. Process

The following procedures apply to *housing development projects* but may be superseded by a *CPIO* or *Specific Plan*.

#### 1. Base Incentives

*Housing development projects* requesting only the incentives outlined in Subsection C. (Base Incentives), above, without requesting any additional incentives outlined in, or applicable CPIO or Specific Plan, shall be considered ministerial and no *application* to the *Department of City Planning* is required.

Housing development projects shall comply with the records and agreements requirements of Sec. 9.2.1.D.3H. (Records and Agreements).

#### 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.D.1.a.F.2 (Projects Requesting Base Incentives & Incentives from the Menu of 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 a 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 file an application pursuant to Sec. 9.2.1.D.1.cF.3.  
(Projects with Requests for Waivers or Modification).

**Sec 23.** Remove in full Sec. 9.3.3. (Privately Owned Public Spaces) of Div. 9.3. (Community Benefits Program) of Article 9 (Public Benefits System) of Chapter 1A of the Los Angeles Municipal Code to and reserve the section to read as follows:

~~SEC. 9.3.3. PRIVATELY OWNED PUBLIC SPACES [RESERVED]~~

**Sec 24.** Amend Sec. 9.3.4. (Community Facilities) of Div. 9.3. (Community Benefits Program) of Article 9 (Public Benefits System) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

~~SEC. 9.3.4. PUBLIC BENEFITS MENU COMMUNITY FACILITIES~~

A. Purpose Intent

~~The purpose of this Section~~ the public benefits menu is to encourage the development of facilities and services that are necessary to the community 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 different incentive programs throughout Article 9 (Public Benefit Systems), the project activities applicable to the use of one or more options on the Public Benefits Menu shall defer to the project activities allowed for the incentive program, CPIO, or Specific Plan being utilized by the project to enable the use of the Public Benefits Menu.

2. Reconciling Provisions

As the Public Benefits Menu is enabled and activated by various different incentive programs throughout this Article 9 (Public Benefit Systems), rules regarding the resolution of conflicts between the provisions of this Section and conflicting provisions in any Zoning District, Supplemental District, Specific Plan, Special Zone, or other zoning provision shall defer

to the reconciling provisions established for the incentive program, *CPIO*, or *Specific Plan* being utilized by the project to enable the use of the Public Benefits Menu.

C. Program Rules

1. Eligibility

In order for a *project* to be eligible to receive incentives in exchange for providing public benefits, the *project* must be participating in an incentive program established in Article 9 (Public Benefit Systems) or established in an applicable *CPIO* or *Specific Plan* that includes the option to provide one or more public benefits options listed in this Section.

2. Incentives

a. Bonus FAR and Bonus Height

- i. If the option to provide ~~community facilities~~ public benefits is available in enabled by the an incentive program established in Article 9 (Public Benefit Systems) or established in an of the-applicable *CPIO* or *Specific Plan*, the a project may be awarded additional *floor area* up to the maximum *tier 2 bonus FAR* and *tier 2 bonus height* allowed by the applied Form District (Part 2B) by providing one or more of the ~~community facilities~~ public benefits options established in ~~Sec. 9.3.4.G. (Community Facility Options) Paragraph 3 (Public Benefits Incentive Sets), below~~, or by providing an alternative community facility pursuant to Sec. ~~9.3.4.E.2.5.1.E.1.b. (Alternative Community Facilities Public Benefit Options), below~~.
- ii. In order to qualify for additional *floor area* and height pursuant to this Section, 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.).

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 within the rules of the applicable *CPIO* or *Specific Plan* that enables the use of the Public Benefits Menu. However, in no case shall the total *floor area* on the *lot* or height of the project exceed the maximum *tier 2 bonus FAR* and *tier 2 bonus height* allowed by the applied Form District (Part 2B).

b. Tenant Size Limitations

When used to qualify for additional *floor area* or height pursuant to this Section, 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 applied Use Districts (Part 5B).

3. Public Benefits Incentive Sets

c. 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 for the following public benefits options, and shall receive the corresponding additional *floor area* and height as listed, up to the maximum *tier 2 bonus floor area* and *tier 2 bonus height* allowed by the applied Form District (Part 2B):

<b><u>Public Benefit Option</u></b>	<b><u>Additional Floor Area Granted</u></b>	<b><u>Additional Height Granted</u></b>
<b><u>Multi Bedroom Units (Sec. 9.3.4.C.4.g.)</u></b>	<u>Option C: 0.5 FAR</u>	<u>Option C: 1 story</u>

d. 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 for the following public benefits options, and shall receive the corresponding additional floor area and height as listed, up to the maximum tier 2 bonus floor area and tier 2 bonus height allowed by the applied Form District (Part 2B): CPIO

<b><u>Public Benefit Option</u></b>	<b><u>Additional Floor Area Granted</u></b>	<b><u>Additional Height Granted</u></b>
<b><u>Active Ground Story (Sec. 9.3.4.C.4.1.)</u></b>	<u>Floor area equivalent to the total floor area dedicated to active uses located on the ground story, up to a maximum of 1500 sqft</u>	<u>N/A</u>
<b><u>Childcare Facility (Sec. 9.3.4.C.4.a.)</u></b>  <u>Shall be granted either of the following:</u>	<u>Option A: Floor area equivalent to the total floor area dedicated to a qualifying childcare facility in the project</u>	<u>Option B: 1 story</u>
<b><u>Multi-Bedroom Units (Sec. 9.3.4.C.4.g.)</u></b>	<u>Option A: 0.5 FAR for every 25 total project dwelling units, inclusive of provided multi-bedroom units, with a maximum of 2.0 FAR</u>  <u>Option B: Floor area equivalent to the total floor area dedicated to</u>	<u>Option A: 1 story for ever 50 total project dwelling units, inclusive of provided multi-bedroom units, with a maximum of 2 Stories</u>  <u>Option B: 1 story, with floor area of the top story limited to the total floor area</u>

	<u>multi-bedroom units in the project.</u>	<u>dedicated to multi-bedroom units in the project.</u>
<b><u>Privately Owned Public Space (Sec. 9.3.4.C.4.h.)</u></b>	<u>For a privately owned public space located at-grade: 1.0 FAR</u>  <u>For a privately owned public space located on an upper story: 0.5 FAR</u>	<u>For a privately owned public space located at-grade: 2 stories</u>  <u>For a privately owned public space located on an upper story: 1 story</u>
<b><u>Surveyed Historic Resources Facade (Sec. 9.3.4.C.4.k.)</u></b>	<u>1.0 FAR</u>	<u>2 stories</u>

Where a lot is mapped on the Public Benefits Incentive Map (Sec.1.5.12.) as “CPIO”, the eligible public benefits options and the corresponding additional floor area and height granted for each public benefit option shall be established by the applicable CPIO. The CPIO may establish additional public benefits options not listed in this Section and provide alternative descriptions, standards, and requirements for public benefits options described in this Section.

e. SP

Where a lot is mapped on the Public Benefits Incentive Map (Sec.1.5.12.) as “SP”, the eligible public benefits options and the corresponding additional floor area and height granted for each public benefit option shall be established by the applicable Specific Plan. The Specific Plan may establish additional public benefits options not listed in this Section and provide alternative descriptions, standards, and requirements for public benefits options described in this Section.

4. Community Facility Public Benefits Options

Where an incentive program established in Article 9 (Public Benefit Systems), an applicable CPIO, or an applicable Specific Plan enables the use of the Public Benefits Facilities Menu, a project may be awarded additional floor area and height for providing one or more of the following

public benefits options. The applicable incentive program, *Specific Plan*, or *CPIO* shall identify which public benefits options may be used and how much additional *floor area* and height is granted for each option. In order to qualify, the public benefits option or public benefits options provided by the *project* must meet all the design criteria, rules, and regulations listed for that public benefits option below.

f. ~~Childcare Daycare Facility Incentive Area~~

~~A project in a CPIO subarea or Specific Plan that provides incentives for a on-site daycare facility pursuant to this Section (*Community Facilities*) may obtain additional floor area for providing an on-site daycare facility, subject to the following standards unless otherwise required in the applicable CPIO or Specific Plan:~~

- i. ~~The daycare childcare facility shall be in compliance 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 daycare childcare facility shall be appropriately licensed by the California Department of Social Services State.~~
- iii. ~~*Floor area* used as a daycare 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 daycare childcare facility space is vacant does not count towards the required minimum.~~
- iv. A minimum 10-year lease with a licensed daycare childcare provider, with 5 year renewal option, shall be required prior to the issuance of a *Certificate of Occupancy*. This requirement does not mean that the licensed daycare childcare provider is required to complete the term of the lease. If the lease is not completed prior to the 10-year term, the property owner or their representative shall find a new licensed daycare childcare provider to complete the 10-year term. For the purposes of this provision, the time in which

the ~~daycare~~-childcare facility space is vacant does not count towards the required minimum ~~except during fiscal emergencies as declared by the Mayor.~~

- v. The *floor area* devoted to a ~~daycare~~-childcare facility shall be located on-site.
  - vi. For a *project* which is obtaining additional *floor area* for providing a ~~daycare~~ childcare facility, no other *Certificate of Occupancy* for the *project* shall be issued prior to a *Certificate of Occupancy* for the ~~daycare~~-childcare facility required pursuant to this Section-~~(Community Facilities)~~.
- g. ~~Full-Service Grocery Store Incentive Area~~  
A ~~project within a Full-Service Grocery Store Incentive Area in an applicable CPIO or Specific Plan may obtain additional floor area for providing a full-service grocery store subject to the following standards:~~
- i. The full-service grocery store shall have at least 10,000 square feet of *floor area*.
  - ii. At least 25% of the *floor area* of the full-service grocery store shall dedicate 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 10-year lease with a full-service grocery store, with 5 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 10-year term, the property owner or their representatives shall find a new full-service grocery store to complete the 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.

c. ~~Health Center Incentive Area~~

~~A project within a Health Center Incentive Area in an applicable GPIO or Specific Plan may obtain additional floor area for providing a health center, subject to the following standards:~~

- 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 10-year lease with a health service provider, with 5 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-year term, the property owner or their representatives shall find a new health service provider to complete the 10-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.

d. ~~Employment Incentive Area~~

~~A project within an Employment Incentive Area in an applicable CPIO or Specific Plan may obtain additional floor area, subject to the following standards:~~

- i. A minimum of 50% of the *floor area* permitted by the Base FAR must be used for nonresidential uses outlined in the applicable incentive program, CPIO or Specific Plan (eligible uses).
- 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 spaces for eligible uses is vacant does not count towards the required minimum.
- iii. A minimum 10-year lease(s) with a tenant with an eligible use, with 5 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-year term, the property owner or their representatives shall find a new tenant with an eligible use to complete the 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 Incentive Area~~

~~A project is within a School and Library Incentive Area in an applicable CPIO or Specific Plan may obtain additional floor area by providing a public school or public library, subject to the following standards:~~

- 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-year term, the property owner or their representatives shall find a new school run by or approved by LAUSD to complete the 10-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.
- f. ~~Social Service Center Incentive Area~~  
~~A project within a Social Service Incentive Area in an applicable GPIO or Specific Plan may obtain additional floor area, subject to the following standards:~~
- 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 social service center is vacant does not count towards the required minimum.
  - v. A minimum 10-year lease(s) with a social service center, with 5 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 10-year term, the property owner or their representatives shall find a new social service center to complete the 10-year term. For the purposes of this provision, the time in which the floor area for 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.
- g. ~~Civic Facility Incentive Area~~  
~~A project is within a Civic Facility Incentive Area in an applicable GPIO or Specific Plan may obtain additional floor area by providing a civic facility, subject to the following standards:~~
- 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 10-year term, the property owner or their representatives shall find a new organization approved by the City of Los Angeles to complete the 10-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.
- h. Multi-Bedroom Units

For the purposes of this public benefit option, a *dwelling unit* with 4 or more *habitable rooms* shall be considered a multi-bedroom unit, and calculations resulting in fractional numbers shall be rounded up to the next whole number..

- i. Multi-Bedroom Option A  
At least 10% of the total number of *dwelling 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* 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% of the total number of *dwelling 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 be made permanently available to the general public in accordance with the requirements in Sec. 2C.3.3.C.3. (Public Amenity Space).
  - 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% 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% 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 7 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. Required entrances shall be provided pursuant to Section 2C.3.3.D.8.
- viii. The publicly accessible open space shall be unenclosed, as established in Sec. 14.1.3. (Enclosure), along a public sidewalk or public right-of-way.
- ix. When additional public facilities in conjunction with a publicly accessible open space are required, and are not provided within the open space, access to those facilities shall be provided from the adjacent building facades.
- x. 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.
- xi. The publicly accessible open space complies with any additional requirements set forth in the applicable CPIO or Specific Plan
- j. Community Benefits Fund

A *project* within any of the incentive areas listed above may obtain additional *floor area* by submitting payment to a Community Benefits Fund, in compliance with the provisions established in a *CPIO* or *Specific Plan*.
- 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 feet.
- ii. Newly constructed floor area shall be set back behind the 10-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 Rehabilitation to the satisfaction of the Office of Historic Resources.
- 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% 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% along primary street lot lines, 40% along side street lot lines, and 50% 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 established in Subsection C. (Standards) of Sec. 3C.5.1. (Street-Facing Entrance), including Sec. 3C.5.2.C.1.(General) and Sec. 3C.5.1.C.2. (Entrance Spacing).

#### D. Incentives

##### ~~1. Bonus Floor Area~~

~~A project may be awarded additional floor area up to the maximum bonus FAR allowed by the applied Form District by providing one or more of the~~

~~community facilities established in Sec. 9.3.4.C. (Community Facility Options). The amount of floor area shall be awarded as established in the applicable CPIO or Specific Plan.~~

~~2. Tenant Size Limitations~~

~~community facilities are not required to conform tenant size limitations in applied Use Districts.~~

E. ~~Process Administration~~

1. ~~Process~~

a. ~~Administrative Review~~

The *Department of City Planning* shall approve additional floor area as outlined in the applicable *CPIO* or *Specific Plan*, up to the maximum *bonus FAR* for the applied Form District for providing community facilities or contributions which meet the requirements established in ~~Subsection C. (Community Facility Options) Paragraph 4 (Public Benefits Options) of Subsection C (Program Rules), above,~~ pursuant to Sec. 13B.3.1. (Administrative Review), unless otherwise specified by the incentive program, CPIO, or Specific Plan that enables the use of the Public Benefits Menu.

b. ~~Alternative Community Facilities Public Benefit Options~~

The *Director of Planning* may approve additional *floor area* and height, as outlined in the applicable Public Benefits Incentive Set or applicable CPIO or Specific Plan, up to the maximum *bonus FAR* for the applied Form District (Part 2B) for providing ~~community facilities~~ public benefit options that are not listed in ~~Subsection C. (Community Facility Options) 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*), the *Director of Planning* must also find that the alternative ~~community facility~~ 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.

b. 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 ~~community facilities~~ 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) Projects, 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) In the event that the *Mayor* declares a fiscal emergency, property owners will not be required to have an operator or provider for ~~community facilities~~ public benefits for the duration of the emergency.

c. Annual Reporting

*Projects* that provide ~~community facilities~~ public benefits shall demonstrate compliance with the terms required under ~~*Sec. 9.3.4.C. (Community Facility Options)*~~ Paragraph 4 (Public Benefits Options) of Subsection C (Program Rules) by submitting an annual report to the *Department of City Planning*.

i. Annual Community Facilities Public Benefits Report

The Annual Community Facilities Report shall be provided by the property owner that delineates the following:

- a) Occupancy status of the development.
- b) Occupancy status of the ~~community facilities~~ public benefit.
- c) Type of ~~community facilities~~ public benefit options provided.
- d) Evidence as to compliance with the requirements of ~~*Sec. 9.3.4.C. (Community Facility Options)*~~ Paragraph

4 (Public Benefits Options) of Subsection C (Program Rules) .

ii. Non-Compliance

Non-compliance with the applicable standards for the community facilities public benefit options in Sec. 9.3.4.C. (Community Facility Options) Paragraph 4 (Public Benefits Options) of Subsection C (Program Rules) shall result in either renewal of the 55-year covenant term or legal action taken against the owner to comply with the contract.

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) *Projects*, or those portions of a project, which provided contributions to pursuant to Sec. 9.3.4.C.8 (Community Benefits Fund) shall not be subject to this annual report requirement.
- b) 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.

d. Fine

If a property owner is found in violation of any of the applicable standards for the ~~community facilities public benefit options~~ in ~~Sec. 9.3.4.C. (Community Facility Options) Paragraph 4 (Public Benefits Options) of Subsection C (Program Rules)~~, they shall be subject to an administrative fine pursuant to Sec. 11.2.04 (Administrative Fines) of Chapter 1 (General Provisions and Zoning) of 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.
  - iii. Relief  
This fine is appealable pursuant to Chapter I. (General Provisions and Zoning), Sec. 11.2.08. (Appeal of the Administrative Citation) of this Code.
2. Records and Agreements
- 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 ~~community facilities~~ public benefits for the periods outlined in ~~Sec. 9.3.4.C. (Community Facility Options)~~ 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.E.4. (Annual Reporting)~~ Subparagraph c. (Annual Reporting) of Paragraph 1. (Process), above.

**Sec 25.** Amend Div. 14.2 (Glossary) of Article 14. (General Rules) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

DIV. 14.2. GLOSSARY

~~*Active Space:* For the purposes of Sec. 14.2.7.A.3. (Development Standards District 5),~~  
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 the bonus floor area ratio granted pursuant to ~~Sec. 2C.4.1.C.2. (Bonus)~~ shall be interpreted as having the same meaning as tier 2 bonus floor area ratio.

*Bonus Height:* Bonus height is defined as the bonus height in feet granted pursuant to ~~Sec. 2C.4.3.C.2. (Bonus)~~ or bonus height in stories granted pursuant to ~~Sec. 2C.4.4.C.2. (Bonus)~~, shall be interpreted as having the same meaning as tier 2 bonus height.

*Density Bonus:* Density bonus is defined as a density bonus over the otherwise maximum allowable residential density under the applicable Zoning Code, and zoning designation, or *Specific Plan*, granted pursuant to ~~Sec. 9.2.1. (Density Bonus)~~ an applicable incentive program established in Article 9 (Public Benefit Systems).

*Designated Historic Resource:* 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).

*Disabled Veteran.* Disabled Veteran shall be as defined in Section 18541 of the California Government Code.

*Dwelling Unit:* A habitable residential unit serving as a residency having an occupancy of greater than 30 days consecutively. Includes household dwelling unit and efficiency dwelling unit.

*Extremely Low Income Households:* 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*.

*Faith-Based Organization Project:* 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 (Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code).

~~*Housing Development Project:* The construction of 5 or more new dwelling units, the addition of 5 or more dwelling units to an existing building or buildings, the remodeling of a building or buildings containing 5 or more dwelling units, the proposed conversion to condominium ownership pursuant to a final subdivision tract map submitted for approval of any multiple dwelling, residential condominium development or cooperative apartment home having 5 or more dwelling units, or a mixed use development containing dwelling units. For the purpose of establishing the minimum number of 5 dwelling units, restricted affordable units shall be included, and density bonus units shall be excluded.~~

*High Quality Transit Service:* A transit route with 15 minutes or less service frequency 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 SCAG and local transit agencies, may be considered as one service route for service interval frequency.

*Homeless Person:* Homeless Person as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).

*Lower Income Household:* A lower income household is defined as a household 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, Section 50079.5. Lower income households includes very low income households , extremely low income households, and acutely low income households.

*Lower Income Student:* 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 paragraph (1) of subdivision (k) of Section 69432.7 of the Education Code, or as amended. The eligibility of a student to occupy a dwelling unit for lower income students under this section 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.

~~*Major Transit Stop:* Pursuant to California Public Resources Code, Section 21155(b), California statute defines a "Major transit stop" as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. In addition to California Public Resources Code Section 21064.3, 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 buses and may be considered as one service route for service interval frequency when part of a "colinear", "family", or augmented line as determined in coordination with SCAG and transit agencies.~~

*Maximum Allowable Residential Density:* The greatest number of *dwelling units* allowed on a *project site* as defined in California Government Code Section 65915(o)(6), or as amended. Per Government Code Section 65915 (o)(6), a *project* 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* applicable zoning ordinance, *specific plan*, *Special Zone*, or *general plan land use designation*, whichever is greater. When calculating a *lot's* *maximum allowable residential density*, any number resulting in a fraction shall be rounded up to the next whole number. 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 *project's* density prior to the application of a *density bonus* granted through participation in an incentive program.

*Moderate Income Households:* 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.

*Moderate Opportunity Area:* 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:* Any *building*, *structure*, natural feature, *lot*, or landscaping that is identified in an *historic resources survey* or nomination form for a designated federal, state, or local historic district as a non-contributing element, or not listed in the Historic Resources Survey or nomination form.

*Non-Residential Use:* Any use not listed and defined in Sec. 5C.1.1. (Residential Uses). Includes uses listed and defined in Sec. 5C.1.2. (Public & Institutional Uses), Sec. 5C.1.3. (Open Space & Recreation Uses), Sec. 5C.1.4. (Transportation Uses), Sec.

5C.1.5. (General Commercial Uses), Sec. 5C.1.6. (Heavy Commercial Uses), Sec. 5C.1.7. (Light Industrial Uses), Sec. 5C.1.8. (Heavy Industrial Uses), and Sec. 5C.1.9. (Agricultural Uses).

One Hundred Percent Affordable Housing Project: A project containing dwelling units for which 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, are restricted affordable units.

Public Agency: As defined in California Government Code Section 20056

Public Land Project: A project containing dwelling units located on lots owned by a public agency.

Qualified Developer: As defined by California Government Code Section 65913.16.(b)(9) exclusive of (D). A qualified developer shall also include a Community Development Financial Institution (CDFI) identified on the United States Department of the Treasury's 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: Refer to California Government Code Section 65913.16(b)(10).

Residential Use: Any use listed and defined in Sec. 5C.1.1. (Residential Uses)

Restricted Affordable Unit: A dwelling unit for which rental amounts or mortgage amounts are restricted so as to be affordable to and occupied by ~~Deeply an~~ Acutely Low Income Household (~~0-15% of the Area Median Income~~), Extremely Low Income Household (~~0%-30% of the Area Median Income~~), Very Low Income Household

~~(30%–50% of the Area Median Income), *Low Income Household* (50%–80% of the Area Median Income), or *Moderate Income households* (80% to 120% of the Area Median Income), as verified by the Los Angeles Housing Department Restricted affordable units provided to meet the requirements of Sec. 9.3.2. (Local Affordable Housing Incentive Program) shall comply with income ranges as defined by the California Health and Safety Code Sec. 50052.5. or California Health and Safety Code Sec. 50053. All other restricted affordable units shall comply with income ranges as defined by the California Health and Safety Code Sec. 50052.5. or California Health and Safety Code Sec. 50053. or as defined by the US Department of Housing and Urban Development (HUD); or any successor agency, as verified by the Housing & Community Investment Department.. Affordable means that rents or housing expenses should not exceed requirements set forth in California Health and Safety Code Section 50052.5 for for-sale *dwelling units*, California Health and Safety Code Section 50053 for for-lease *dwelling units*, or by the California Tax Credit Allocation Committee.~~

*Sea Level Rise Area:* 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, or as determined by a local coastal hazards vulnerability assessment.

Senior Citizen. ~~A senior citizen is defined as an individual~~ Individuals who are at least 62 years of age, except that for projects of at least 35 units ~~that are subject to Div. 9.2. (Affordable Housing Incentive Programs),~~ a threshold of 55 years of age may be used, provided all applicable City, state, and federal regulations are met.

*Senior Citizen Housing Development:* A development that has at least 35 *dwelling units*, as defined in Sections 51.3 and 51.12 of the California Civil Code, or a mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the California Civil Code.

*Shared Equity Project:* A project containing *dwelling units* that is located on land owned by a 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 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 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*.

*Specific Adverse Impact:* Per California Government Code Section 65589.5(d)(2), 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 shall be as defined in California Government Code Section 65915(b)(1)(F).

*Surveyed Historic Resource:* 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 an 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 an *Historic Preservation Overlay Zone*. This term does not include a non-contributor to an eligible historic district.

*Tier 1 Bonus Floor Area Ratio:* Tier 1 bonus floor area ratio is defined as the tier 1 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 tier 1 bonus height in feet granted pursuant to Sec. 2C.4.2.C.2.(Tier 1 Bonus) or the tier 1 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.3.( Tier 2 Bonus).

*Tier 2 Bonus Height:* Tier 2 bonus height is defined as the tier 2 bonus height in feet granted pursuant to Sec. 2C.4.2.C.2.3.(Tier 2 Bonus) or the tier 2 bonus height in stories granted pursuant to Sec. 2C.4.3.C.2.c. (Tier 2 Bonus).

*Transit Stop/Major Employment Center:* Any one of the following:

- ~~1. A station stop for a fixed transit guideway or a fixed rail system that is currently in use, or whose location is proposed and for which a full funding contract has been signed by all funding partners, or one for which a resolution to fund a preferred alignment has been adopted by the Los Angeles County Metropolitan Transportation Authority; or~~
- ~~2. A Metro Rapid Bus stop located along a Metro Rapid Bus route; or, for a Housing Development Project consisting entirely of restricted affordable units, any bus stop located along a Metro Rapid Bus route; or~~
- ~~3. The boundaries of the following three major economic activity areas, identified in the General Plan Framework Element: Downtown, LAX, and the Port of Los Angeles; or~~
- ~~4. The boundaries of a college or university campus with an enrollment exceeding 10,000 students.~~

*Transitional Foster Youth.* Transitional Foster Youth shall be as defined in Section 66025.9 of the California Education Code.

Very Low Vehicle Travel Area: As defined in California Government Code Section 65915

(o)(9)

**Sec 26.** Add Sec. 15.4.1. (Density Bonus Program Fees) of Div 15.4. (Affordable Housing Program Fees) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

Sec. 15.4.1. DENSITY BONUS PROGRAM FEES

Fees For Density Bonuses			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Application for a Density Bonus			
<p>Including a request <del>For One or More Incentives Included in the Menu of Incentives</del> <u>in conjunction with:</u></p> <p><u>Up to one waiver of a zoning standard under the Local Affordable Housing Incentive Program or Opportunity Corridors Housing Incentive Program; or</u></p> <p><u>Up to three waivers of a zoning standard under the Affordable Housing Incentive Program</u></p> <p><del>(Sec. 9.2.1.F.1. and Sec. 9.2.1.F.2.)</del></p> <p><del>(Sec. 9.2.2.D.1.c.ii. and Sec. 9.3.1.D.1.c.ii. Sec. 9.2.4.D.1.c.ii)</del></p>	\$9,459	•	•
<p>Including a request <del>For One or More Incentives Not Included in the Menu of Incentives</del> <u>in conjunction with:</u></p>	\$24,349	•	•

<p><u>Waivers under the State Density Bonus Program:</u></p> <p><u>More than one waiver under the Local Affordable Housing Incentive Program, Opportunity Corridors Housing Incentive Program; or</u></p> <p><u>More than three waivers under the Affordable Housing Incentive Program</u></p> <p><del>(Sec. 9.2.1.F.3.)</del></p> <p><i>(Sec. 9.2.1.D.1.c., Sec. 9.2.2.D.1.c.iii., and Sec. 9.3.2.D.1.c.ii.)</i></p>			
<p><del>Exceeding a 35% Density Bonus</del></p> <p><del>(Sec. 9.2.1.F.4.)</del></p> <p><u>Including a request exceeding a Density Bonus of 50% or 88.75%</u></p> <p><u>(Sec. 9.2.1.C.6.)</u></p>	<p>\$24,359</p>	<p>•</p>	<p>•</p>

**Sec 27.** Amend Sec. 15.4.2. (Fees for Enforcement of Housing Covenants) of Div 15.4. (Affordable Housing Program Fees) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

Sec. 15.4.2. Fees For Enforcement of Housing Covenants

Unless a fee exemption pursuant to *Subsection (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 described in ~~Sec. 9.2.1.H. (Records & Agreements) and Sec. 9.4.4.B.2. (Restricted Affordable Units)~~ required by Sec. 9.2.1. (Density Bonus), Sec. 9.2.2. (Affordable Housing Incentive Program), Sec. 9.2.3. (The Opportunity Corridors Housing Incentive Program), Sec. 9.2.4 (The Corridor Transitions Incentive Program), Sec. 9.2.5. (Transit Oriented Housing Incentive Program), and Sec. 9.3.2. (Local Affordable Housing Incentive Program).

**Sec 28.** Amend Subsection 1 (Exemptions) of Sec. 15.4.3. (Affordable Housing Linkage Fee) of Div 15.4. (Affordable Housing Program Fees) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

Sec. 15.4.3 AFFORDABLE HOUSING LINKAGE FEE

B. Applicability

The regulations, requirements and provisions of this section shall apply to any development project. Unless a development project is exempt from this Section, an *applicant* must pay to the *City* the required linkage fee as a condition of the building permit for which a building permit application has been submitted in order to mitigate the need for affordable housing that is generated by or attributable to such projects. The provisions of this Section are subject to the requirements set forth in California Government Code (Sec. 66000., et seq.).

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 shall not apply to construction that includes any the following:

- a. Less than 15,000 square feet of additional nonresidential floor area in any nonresidential 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 *dwelling units* where the following requirements are met:

- i. At least 40% of the total *dwelling units* are dedicated for *moderate income households*, or at least 20% of the total *dwelling units* are dedicated for *low income households*, or at least 11% of the total *dwelling units* are dedicated for *very low income households*, or at least 8% 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. 9.3.6. (Transit Oriented Housing Incentive Program).

- ii. The *housing development project's* restricted affordable units are subject to a recorded affordability restriction of 99 years 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*); also including:

- a) A *housing development project* in which one hundred 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 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, 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.), as that section may be amended from time to time.

- 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, Local (Sec. 5D.3.5.A.) or Medical, 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* as defined by 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. 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 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. Nonresidential 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. Nonresidential portions of such projects shall be subject to this Section. 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.
- j. 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 in either fee amount or on-site affordable housing percentages provided in Paragraph b. above.
- k. A residential development project that is subject to affordable housing and labor requirements pursuant to LAMC (Sec. 11.5.11.).
- l. Any grocery store, provided there is no existing grocery store within a one-third (1/3) mile radius of the development project site.
- m. Any *adaptive reuse project* that is a designated *historic-cultural monument* and is being converted to a residential use.