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ORDINANCE NO. _____

An ordinance amending Chapter 1A of the Los Angeles Municipal Code to establish a new Zoning Code.

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

Section 1. Articles 1 through 15 of Chapter 1A of the Los Angeles Municipal Code are amended to read as provided in Exhibit A, attached and incorporated herein.

Sec. 2. The following Zone Maps attached as Exhibit B and incorporated herein by reference are adopted:

- A. Targeting Planting – Downtown
- B. Alcohol Permission Area – Downtown
- C. Local Affordable Housing Incentive – Downtown
- D. Inclusionary Housing – Downtown
- E. Special Lot Line - Downtown

Sec. 3. The operative date for this ordinance shall be January 27, 2025.

Sec. 4. Upon the rezoning of all parcels within the City of Los Angeles utilizing the new Zoning Code, Article 1.5 through Article 9 of Chapter I of the LAMC are repealed and shall no longer have force or effect and Chapter I shall be renamed "General Provisions."

Sec. 5. **SEVERABILITY.** If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance, which can be implemented without the invalid provisions and, to this end, the provisions of this ordinance are declared to be severable. The City Council hereby declares it would have adopted each and every provision and portion thereof not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would subsequently be declared invalid or unconstitutional.

EXHIBIT A

EXHIBIT A

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ARTICLE 1.

**INTRODUCTORY
PROVISIONS**

PREFACE

This Zoning Code (Chapter 1A) of the Los Angeles Municipal Code (LAMC) serves as the new Zoning Code, a comprehensive update of the City's zoning system. The new Zoning Code will be applied incrementally on a geographic basis through the update of the City's Community Plans. In drafting the revised plans, the new zoning tools provided in this Zoning Code (Chapter 1A) will be applied to properties within each Community Plan area.

Eventually, this Zoning Code (Chapter 1A) will supersede and serve as the only Zoning Code for Los Angeles. However in the interim, until all the Community Plans have been updated and properties remapped using the new zoning system, properties in Community Plan areas not yet updated will be regulated by the provisions of the Zoning Code found in existing *Chapter I. (General Provisions and Zoning)* of this LAMC. Only when the entire City has been rezoned using the new zoning in this Zoning Code (Chapter 1A) will *Chapter I. (General Provisions and Zoning)* be removed from the LAMC.

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DIV. 1.1. GENERAL MUNICIPAL CODE PROVISIONS

See Chapter I. (General Provisions and Zoning), Article 1. (General Provisions) of this Code.

DIV. 1.2. MUNICIPAL CODE ADMINISTRATIVE CITATIONS

See Chapter I. (General Provisions and Zoning), Article 1.2. (Administrative Citations) of this Code.

DIV. 1.3. ORIENTATION

This Division (Orientation) provides an overview of the structure of this Zoning Code (Chapter 1A).

SEC. 1.3.1. ZONE STRING

The combination of zoning districts applied to a lot including, Form District (Part 2B.), Frontage District (Part 3B.), Development Standards District (Part 4B.), Use District (Part 5B.), and Density District (Part 6B.).

A. Zone String Brackets

1. A zone is comprised of the following districts, as established in Sec. 1.5.2. (Zoning Map):



2. In order to regulate the built environment and activities allowed on a property, as provided for in this Zoning Code (Chapter 1A), land is designated with the districts listed in Sec. 1.3.1.B. (Zoning Districts) for zoning purposes. The zone of a lot is separated into two or more bracket sets [] in order to reinforce the separation of the built environment from the types of activities as two distinct permissions on a lot. The first bracket set contains the zoning districts that determine the built environment, and the second bracket set contains the zoning districts that determine the types of activities allowed on a lot. Although the districts that make up the zone string may refer, or have standards that are tied, to other districts in the zone string, each district in the string is independent, and the various districts are combined in response to the variety of planning needs found throughout the City.

B. Zoning Districts

All zoning districts that compose a zone string including Form District (Part 2B.), Frontage District (Part 3B.), Development Standards District (Part 4B.), Use District (Part 5B.), and Density District (Part 6B.).



1. *Article 2. (Form)* regulates the placement, scale, and intensity of buildings and structures on a lot to ensure building forms are compatible with their context and to promote projects that support community goals.
2. *Article 3. (Frontage)* regulates the portions of a lot and exterior building facades that impact the public realm. *Frontage Districts (Part 3B.)* help ensure that projects respond to the public realm in a contextually appropriate manner. The regulations in *Frontage Districts (Part 3B.)* range from minimal standards for Warehouse Frontages to a robust set of standards for Shopfront Frontages which require projects to support a high-quality public realm that is active, comfortable, safe, and visually interesting, with strong connections between the public realm and uses inside buildings.
3. *Article 4. (Development Standards)* regulates site design, including location and characteristics of access, parking, landscape, and other site features. *Development Standards Districts (Part 4B.)* consist of regulations that are appropriate to a variety of contexts such as city centers, suburban neighborhoods, and rural hillsides.
4. *Article 5. (Use)* establishes *Use Districts (Part 5B.)*, *Use Standards (Part 5C.)*, and *Use Definitions (Part 5D.)* that regulate the activities on a lot and to mitigate any potential impacts within a lot and on surrounding property as a result of those activities.
5. *Article 6. (Density)* establishes *Density Districts (Part 6B.)*, which regulate the number of household dwelling units or efficiency dwelling units permitted on a lot, otherwise known as density. *Density Districts (Part 6B.)* allow for a wide variety of zoning approaches to housing.

C. Specific Plans & Supplemental Districts

Article 8. (Supplemental & Special Zoning) establishes additional regulations that may be applied through the use of Specific Plans and Supplemental Districts. These are represented in a third bracket set of the zone string, and separated by a hyphen (-) when more than one is applied. For further details, see *Sec. 1.5.2.A.3. (Specific Plans & Supplemental Districts)*.

D. Special Zones

Article 8. (Supplemental & Special Zoning) also establishes unique zone designations called Special Zones that, where applied, serve in lieu of zoning districts, Specific Plans, and Supplemental Districts. Special Zones respond to unique conditions that do not lend themselves to the regulations established in this Zoning Code (Chapter 1A). For further details, see *Sec. 1.5.2.A.4. (Special Zoning)*.

SEC. 1.3.2. NON-ZONE STRING ARTICLES

In addition to the zoning district articles, other articles in the Zoning Code (Chapter 1A) include:

- A. *Article 7. (Alternate Typologies)*, governs instances where the desired physical form for development on a lot is prohibited by the applied zoning. The zoning districts established in this Zoning Code (Chapter 1A) recognize that, in general, the physical form of development need

not be determined by its use. There are certain cases, however, in which the physical form that development takes is directly tied to a specific use or activity. In those cases, *Article 7. (Alternate Typologies)* outlines a series of regulatory solutions that override specific regulations otherwise addressed by zoning districts applied to a lot. *Article 7. (Alternate Typologies)* establishes eligibility criteria for each Alternate Typology, and what regulations are superseded from the applicable zoning districts.

- B. *Article 9. (Public Benefit Systems)* details procedures for implementing state density bonus provisions to increase the production of affordable housing, as well as other programs to facilitate the provision of public benefits to communities in the vicinity of new development in the City, consistent with the General Plan and other housing-related policies.
- C. *Article 10. (Streets & Parks)* provides standards for the development of streets and parks.
- D. *Article 11. (Division of Land)* governs the division of land in accordance with the Subdivision Map Act.
- E. *Article 12. (Nonconformities)* provides relief from the requirements of this Zoning Code (Chapter 1A) for existing lots, buildings and structures, and uses that conformed to the zoning regulations at the time they were lawfully established, but do not conform to current district standards or use permissions.
- F. *Article 13. (Administration)* provides the procedures for various approvals under this Zoning Code (Chapter 1A) and *Chapter I. (General Provisions and Zoning)* of this Code. This is the only Article in this Zoning Code (Chapter 1A) that applies to both Chapters.
- G. *Article 14. (General Rules)*, includes general rules that apply to development, as well as defining glossary terms with specific meaning in this Zoning Code (Chapter 1A).
- H. *Article 15. (Fees)* details the fees required for various approvals.

SEC. 1.3.3. RELIEF

Throughout this Zoning Code (Chapter 1A), relief statements specify the only relief options available for the standards or rules to which the statements apply. If a relief option is not specified for a particular standard or rule, that relief option is not available, unless otherwise stated by the *City of Los Angeles Charter*.

DIV. 1.4. INTRODUCTORY PROVISIONS

SEC. 1.4.1. GENERAL RULES

A. Title

This Chapter of the Los Angeles Municipal Code (LAMC) is the City of Los Angeles Zoning Code, and is referred to or cited as "this Zoning Code (Chapter 1A)" or "this Chapter" throughout the LAMC.

B. Intent

This Zoning Code (Chapter 1A) regulates the development and use of property to achieve the following objectives:

1. Preserve, protect, and promote the public health, safety, and general welfare of residents and businesses in the City of Los Angeles.
2. Implement the goals and policies of officially adopted plans and policy documents, including the City's General Plan, Community Plans, and any other policy documents pertaining to planning, land use, and urban design.
3. Provide zoning options that realize a wide variety of community visions established in plans throughout the City.
4. Provide clear standards and consistent procedures for appropriate and effective public involvement in land use and development decisions.
5. Ensure transparency and fairness through consistent interpretation of development regulations.
6. Promote equitably, environmentally, and economically sustainable construction and land development practices.
7. Ensure compatible transitions of use, building scale, and height between existing and new development.
8. Provide building form and site design standards that address the public aspects of private development and how building form, placement, and uses contribute to the safety and quality of the public realm.
9. Promote sustainable building, site, and landscape design practices that advance the livability, function, and beauty of the City.
10. Provide opportunities for a diverse range of housing options.
11. Provide standards for a variety of development patterns that emphasize connectivity between mobility networks.

SEC. 1.4.2. APPLICABILITY OF THIS ZONING CODE

A. Territorial Applicability

1. This Zoning Code (Chapter 1A) refers only to the omission or commission of acts within the territorial limits of the City and that territory outside of this City over which the City has jurisdiction or control by virtue of the Constitution, Charter or any law, or by reason of ownership or control of property.
2. With the exception of *Article 13. (Administration)*, this Zoning Code (Chapter 1A) applies only to projects located on lots with zone designations established in this Zoning Code (Chapter 1A), and does not apply to those lots zoned with districts established in *Chapter I. (General Provisions and Zoning)* of this Code.
3. *Article 13. (Administration)* applies to all land use and development in the City, including lots zoned with districts established in this Zoning Code (Chapter 1A) and lots where *Chapter I. (General Provisions and Zoning)* of this Code is still in effect.
4. *Chapter I. (General Provisions and Zoning)* of this Code does not apply to those areas in which this Zoning Code (Chapter 1A) is applicable, unless expressly stated in this Zoning Code (Chapter 1A).

B. Required Conformance

1. All buildings, structures, or land, in whole or in part, shall be used or occupied in conformance with this Zoning Code (Chapter 1A).
2. Any project activity, as outlined in *Sec. 14.2.15. (Project Activities)*, in whole or in part, shall be done so in conformance with this Zoning Code (Chapter 1A).
3. The provisions of this Zoning Code (Chapter 1A) apply to all buildings, structures, or land owned, operated or controlled by any person, corporation, or to the extent permitted by law, governmental agency.
4. In the event that any provision of this Zoning Code (Chapter 1A) conflicts with *Chapter V. (Public Safety and Protection)*, *Article 7. (Fire Code)* of this Code, then *Chapter V. (Public Safety and Protection)*, *Article 7. (Fire Code)* of this Code shall prevail.

C. Certificate Of Occupancy

No vacant land shall be occupied or used, except for agricultural uses as established in *Sec. 5D.10. (Agricultural Uses)* and as permitted by the applied *Use District (Part 5B.)*, and no building erected or structurally altered shall be occupied or used, until a Certificate of Occupancy has been issued by the Department of Building and Safety.

1. Certificate of Occupancy for a Building

- a. An application for a Certificate of Occupancy for a new building or structure, addition, renovation, or modification of an existing building must be made coincidentally with the application for a building permit. The Certificate of Occupancy shall be issued after written request for the Certificate of Occupancy has been made to the Department of Building and Safety and after the erection, addition or modification of the building or part of the building has been completed in conformity with the provisions of these regulations. Pending the issuance of a regular Certificate of Occupancy, a temporary Certificate of Occupancy may be issued by the Superintendent of Building for a period not to exceed six months during the completion of modifications or during partial occupancy of a building pending its completion. A temporary certificate shall not be construed as in any way altering the respective rights, duties, or obligations of the owners or of the City relating to the use or occupancy of the premises or any other matter covered by this Zoning Code (Chapter 1A), and such temporary certificate shall not be issued except under such restrictions and provisions as will adequately ensure the safety of the occupants.
- b. No excavation for any building shall be started before application has been made for a Certificate of Occupancy.

2. Certificate of Occupancy for Off-Site Parking, Alleys, Loading Zones, & Residential Planned Developments

- a. Whenever the automobile parking stalls which are required for a building by the provisions of this Zoning Code (Chapter 1A), are provided on a lot other than the one on which the building is located, the Certificate of Occupancy for said building shall be valid only while such parking stalls are maintained and shall bear a notation to that effect. The certificate shall be kept posted in a conspicuous place in the building. The Superintendent of Building shall keep a record of each lot on which required automobile parking stalls are provided for a building located on another lot, and whenever the Superintendent of Building finds that such automobile parking stalls are no longer so maintained, the Superintendent of Building shall notify the persons having custody of the building of that fact. If the required automobile parking stalls are not maintained, the Certificate of Occupancy shall become void and the building shall not thereafter be occupied or used until the required automobile parking stalls are again provided and a new certificate is issued.
- b. Whenever a lot abutting a public alley in a *Commercial-Mixed Use District (Div. 5B.5.)* is developed and used solely for dwelling purposes with no more than 20 dwelling units on the lot and no loading space is provided, the Certificate of Occupancy for any building thereon shall be valid only while all the buildings on said lot are maintained for said use and the certificate shall bear a notation to that effect. If at any time any of the buildings on said lot are structurally altered or enlarged, or the use thereof is changed to a hospital, hotel, institution, commercial or industrial purposes, or a dwelling so as to exceed 20

dwelling units on the lot, the certificate shall become void and none of the buildings on said lot shall thereafter be occupied or used until the required loading space is provided and a new Certificate of Occupancy is issued.

- c. Wherever authority is granted to permit the sale of a lot in a residential planned development contingent upon the possession of an interest in common areas and facilities which are appurtenant to the lot including through shares of stock or voting membership in an owners association, the Certificate of Occupancy for buildings on the lot shall be valid only while the interest is held by the owner.

3. Certificate of Occupancy for Land

An application for a Certificate of Occupancy for the use of vacant land or a change in the character of the use of land, including the construction of tennis or paddle tennis courts, shall be made before any such land shall be occupied or used for any purpose except that of tilling the soil for the purposes of plant cultivation, as established in Sec. 5D.10.2. (Plant Cultivation). A Certificate of Occupancy shall be issued after the application has been made, provided such use is in conformity with the provisions of this Zoning Code (Chapter 1A).

4. Certificate of Occupancy — Contents

The Certificate of Occupancy shall state that the building or proposed use of a building or land conforms to the provisions of this Zoning Code (Chapter 1A). A record of all certificates shall be kept on file in the office of the Superintendent of Building, and copies shall be furnished, on request, to any person having a proprietary or tenancy interest in the building or land affected.

5. Plats

All applications for a Certificate of Occupancy shall be made on a form to be furnished by the Superintendent of Building, and shall contain accurate information and dimensions as to the size and location of the lot, the size and location of the buildings or structures on the lot, the dimensions of all yards and open spaces, and such other information as may be necessary to provide for the enforcement of these regulations. Where complete and accurate information is not readily available from existing records, the Superintendent of Building may require the applicant to furnish a survey of the lot prepared by a licensed surveyor. The applications and plats shall be kept by the office of the Superintendent of Building, and the duplicate copy shall be kept at the building at all times during construction.

6. Recorded Agreements

Whenever a recorded agreement(s) is required as part of the approval of a project on a lot(s) as a prerequisite to the issuance of the required building permit or Certificate of Occupancy, the owner(s) of said lot(s) shall record an agreement with the Los Angeles County Recorder as a covenant running with the land for the benefit of the City, providing that such owner or owners shall continue to maintain conformance with such agreement(s) so long as the building or use they are intended to serve is maintained.

D. Interpretation

1. Control Over Less Restrictive Laws & Regulations

Unless otherwise stated, if any condition or requirement imposed by this Zoning Code (Chapter 1A) is more restrictive than a condition or requirement imposed by any other City law, rule or regulation of any kind, the more restrictive condition or requirement governs.

2. State & Federal Law

This Zoning Code (Chapter 1A) shall comply with state and federal law.

3. Text & Graphics

Illustrations, graphics, and photographs are included in this Zoning Code (Chapter 1A) only to assist users in understanding the intent and requirement of the text. In the event that a conflict occurs between the text of this Zoning Code (Chapter 1A) and any illustrations, graphics, or photographs, the text shall prevail.

4. Effect of Heading

See *Chapter I. (General Provisions and Zoning), Sec. 11.00.(f) (Heading, Effect of)* of this Code.

5. References to Other Laws, Requirements, Chapters, & Codes

a. Despite *Chapter 1. (General Provisions and Zoning), Sec. 11.05. (Effect of Renumbering or Redesignation of Provisions or Sections in Statutes or Codes of the State of California Which are Referenced to in the Los Angeles Municipal Code)*, any references to State or Federal statutes or regulations in this Chapter 1A shall be to those statutes or regulations as written and in effect on the date the ordinance adding those references is adopted. This general rule is intended to control over a specific rule to the contrary and shall not be subject to the rule of statutory construction that where there is a conflict, a specific statute controls over a general statute.

b. References within this Zoning Code (Chapter 1A) to requirements of other City or government agencies or Chapters of the LAMC, as well as other local, state, and federal codes are provided for informational purposes and are not intended to be comprehensive or to provide exemption from any additional applicable regulations from other City or government agencies or Sections of the LAMC not explicitly referenced in this Zoning Code (Chapter 1A).

6. Defined Terms

Defined terms within this Zoning Code (Chapter 1A) are underlined with a dotted line and their definitions are located in *Div. 14.3. (Glossary)*.

7. Reconciling Provisions

This *Subsection (Interpretation)* prevails over any other contrary provision in this Chapter.

E. Effect of Adoption on Past Actions and Obligations

See Chapter I. (General Provisions and Zoning), Sec. 11.00.(d) (Effect of Code on Past Actions and Obligations Previously Accrued) of this Code.

F. Inconsistent Permit or License

See Chapter I. (General Provisions and Zoning), Sec. 11.02. (Inconsistent Permits and Licenses) of this Code.

G. Public Utilities & Public Services

The provisions of this Zoning Code (Chapter 1A) shall not be construed to limit or interfere with the construction, installation, operation and maintenance for public utility purposes, of water and gas pipes, mains and conduits, electric light and electric power transmission and distribution lines, telephone and telegraph lines, oil pipelines, sewers and sewer mains, and incidental appurtenances.

SEC. 1.4.3. SEVERABILITY

See Chapter I. (General Provisions and Zoning), Sec. 11.00.(k) (Validity of Code) of this Code.

SEC. 1.4.4. SUCCESSIONAL RIGHTS

Any project with an entitlement application that was filed and for which all applications fees were paid prior to the effective date of this Zoning Code (Chapter 1A), where applied, may continue to use the zoning that was in effect at the time of application, provided that approvals are granted and used within the time limits established in Sec. 13A.2.7. (Scope of Decision), unless the applicant elects to utilize the provisions of Chapter 1A. Projects subject to Chapter I. (General Provisions and Zoning) shall be subject to any subsequent amendments to Chapter I. (General Provisions and Zoning) of this Code unless the application has been vested pursuant to Sec. 1.4.5. (Vested Rights).

- A. When applicable, modifications of the entitlements outlined above may be granted, provided that approvals are granted and are effectuated and utilized within the time limits established in Sec. 13A.2.7. (Scope of Decision).
- B. Any project with approved entitlements that cannot be effectuated and utilized within the time limits established in Sec. 13A.2.7. (Scope of Decision) shall proceed in accordance with the regulations of this Zoning Code (Chapter 1A).

SEC. 1.4.5. VESTED RIGHTS

- A. Any project with an approved entitlement listed in the table below may be considered vested - see the specific Section cross-referenced in the Table for additional vesting details.

VESTED RIGHTS REFERENCE TABLE	
Entitlement	Section
Vesting Zone Change	<i>Sec. 13B.1.4.I.</i>
Vesting Conditional Use Permit, Class 2	<i>Sec. 13B.2.2.I.</i>
Vesting Conditional Use Permit, Class 3	<i>Sec. 13B.2.3.I.</i>
Vesting Tentative Map	<i>Sec. 13B.7.3.I.</i>
Vesting Parcel Map	<i>Sec. 13B.7.5.I.</i>

- B. Whenever plans sufficient for a complete plan check are accepted by the Department of Building and Safety and a fee is paid, see *Sec. 13B.10.1.B.2. (Vesting of Development Plan)*.

SEC. 1.4.6. CONTINUANCE OF EXISTING DEVELOPMENT

Existing lots, site improvements, buildings and structures, and uses that conformed to the zoning regulations at the time they were established, but do not conform to current zoning district standards or use permissions, are allowed to continue the existing use, and conduct maintenance & repair as well as renovation. Where further changes are proposed, see *Article 12. (Nonconformities)*.

SEC. 1.4.7. WARREN E&P, INC. V. CITY OF LOS ANGELES AND OIL REGULATIONS

In recognition of the September 6, 2024 trial court ruling in *Warren E&P, Inc. v. City of Los Angeles*, Los Angeles Superior Court No. 23STCP00060, and its related cases, all oil production and oil well related regulations in this Chapter 1A, including but not be limited to the provisions in *Part 5B. (Use Districts)*, *Part 5C. (Use Rules)*, *Part 5D. (Use Definitions)*, *Sec. 8.2.4. (Oil Drilling Districts (O))*, *Sec. 14.3. (Glossary)*, and any related Zoning Administrator Memos and Interpretations shall be ineffective until such time as this Section (*Warren E&P, Inc. v. City of Los Angeles and Oil Regulations*) is amended.

DIV. 1.5. ZONING CODE MAPS

SEC. 1.5.1. GENERAL

A. Intent

The land use and development regulations outlined in this Zoning Code (Chapter 1A) provide responsive zoning solutions to many planning policy objectives. Typically, these provisions apply in a geographically-specific manner through mapped zoning districts, Specific Plans, Supplemental Districts, Special Zones, and other types of land designations. This collection of public right-of-way and parcel-specific maps is referred to as the Zoning Code Maps. Zoning Code Maps enable the City to effectively coordinate the application of regulations by establishing zoning districts, Specific Plans, Supplemental Districts, or other land designations through which geographic planning objectives can be addressed and further enhance the regulatory tools provided by this Zoning Code (Chapter 1A).

B. Maintenance and Access

1. Adoption & Maintenance of Zoning Code Maps

Zoning Code Maps shall be created pursuant to *Sec. 13B.1.3. (Zoning Code Amendment)* and amended as established for each Zoning Code Map.

a. Zoning Code Maps

The maps established in this *Division (Zoning Code Maps)*, maintained by the Department, published as layers of digital files that are part of its Geographic Information Systems database, shall:

- i. Delineate the boundaries of the various zoning districts, Specific Plans, Supplemental Districts, Special Zones, and other types of land designations through which regulations in this Zoning Code (Chapter 1A) are made applicable.
- ii. Include all matters, notations, and representations.
- iii. When adopted and approved, are incorporated and made a part hereof, as if fully set forth herein, and collectively constitute the official Zoning Code Maps.

b. Record of Changes

All changes to Zoning Code Maps shall be made by updating the digital file for each change with the date of the change. All amendments to official Zoning Code Maps shall be maintained by the Department, and made available to the public. Zoning Code Maps shall be marked pursuant to a system of identification established by the Department.

c. Scale of Map

Zoning Code Maps shall be maintained in the City's adopted datum, maintained by the Department of Public Works, Bureau of Engineering. Where a boundary is not a street,

alley or lot line, or where property indicated on the Zoning Code Map is not subdivided into lots and blocks, the boundary on the Zoning Code Map is determined by the scale and projection contained on the map and any metadata included as part of the Geographic Information Systems database file.

d. **Land Base Dataset**

The Department of Public Works, Bureau of Engineering is responsible for reviewing identifying, and updating the City's public and private land records, and establishes and maintains the City's land base dataset used by the Department of City Planning. The Department of City Planning shall make the necessary adjustment to the Zoning Code Maps as updates to the land base dataset are issued.

e. **Annexations**

If the City's jurisdiction is amended, changes in the Zoning Code Map shall be identified by updating the Geographic Information Systems database file with the date of the change.

2. **Accessing Zoning Code Maps**

Zoning Code Maps can be accessed electronically through the Department's Zoning Information and Map Access System (ZIMAS), or on the Zoning Code Maps in the Department's Map Gallery on the Department website. Hard copies of Zoning Code Maps can be made available by visiting one of the Department's Development Services Centers and making a reproduction request with payment of any applicable fees.

SEC. 1.5.2. **ZONING MAP**

A. **Purpose**

1. **Zoning Districts**

In order to regulate the use and development of property, as provided for in this Zoning Code (Chapter 1A), land is designated with the following districts for zoning purposes. The zone of a lot is separated into two or more bracket sets [] in order to reinforce the separation of the built environment from the types of activities as two distinct permissions on a lot. The first bracket set contains the zoning districts that determine the built environment, and the second bracket set contains the zoning districts that determine the types of activities on a lot. Although the zoning districts may refer, or have standards that are tied, to other districts, each is independent and are combined in response to the variety of planning needs found throughout the City.

[Form – Frontage – Standards] [Use – Density]

- a. Form Districts are outlined in *Article 2. (Form)*.
- b. Frontage Districts are outlined in *Article 3. (Frontage)*.

- c. Development Standards Districts are outlined in *Article 4. (Development Standards)*.
- d. Use Districts are outlined in *Article 5. (Use)*.
- e. Density Districts are outlined in *Article 6. (Density)*.

2. Alternate Typologies

The zoning districts established in this Zoning Code (Chapter 1A) recognize that, in general, the physical form of development need not be determined by its use. There are certain cases, however, in which the physical form that development takes is directly tied to a specific use or activity. In those cases, *Article 7. (Alternate Typologies)* outlines a series of regulatory solutions that overrides specific regulations otherwise addressed by zoning districts applied to a lot. Each Alternate Typology establishes eligibility parameters for each option, and what metrics it supersedes from the applicable zoning districts.

3. Specific Plans & Supplemental Districts

In addition to the provisions of *Paragraph 1. (Zoning Districts)* above, additional regulations may be applied as outlined in *Div. 8.1. (Specific Plans (SP))* and *Div. 8.2. (Supplemental Districts)*. These are represented in a third bracket set of the zoning using the acronym "SP" for Specific Plans or the acronyms established for the respective Supplemental District. The third bracket set may include multiple Specific Plans or Supplemental Districts separated by a hyphen (-).

4. Special Zoning

- a. In order to achieve specific planning objectives in designated areas having unique characteristics, Special Zones may replace the zoning in *Sec. 1.5.2.A.1. (Zoning Districts)* and Supplemental Districts in *Sec. 1.5.2.A.3. (Specific Plans & Supplemental Districts)* established above. Special Zones respond to unique conditions and stipulate land use and development requirements or incentives tailored to distinctive qualities that may not lend themselves to the regulations established in this Zoning Code (Chapter 1A), except as outlined within each Special Zone.
- b. The Special Zones outlined in *Div. 8.3. (Special Zoning)* shall serve as the designated zone, in lieu of zoning districts, Specific Plans, and Supplemental Districts, where applied.
- c. Lots zoned with Special Zones shall have a maximum of two bracket sets []. The first bracket set shall state the name of the Special Zone. The second bracket set may include multiple Specific Plans or Supplemental Districts separated by a hyphen (-). In instances in which a lot is zoned only with a Special Zone, only one bracket set shall be included.

5. Zoning of Annexed or Unzoned Land

- a. All land or territory annexed to the City after the effective date of this Zoning Code (Chapter 1A), where applied, is automatically classified [LF2-WH1-5] [A1-1L] unless the City Council specifically determines otherwise.

- b. The City Council may establish specific zoning by ordinance for land or territory to be annexed. The zoning ordinance may be adopted concurrently with the annexation. Unless the specific zoning is established by ordinance, the Zoning Map shall be amended to indicate the land or territory annexed as [LF2-WH1-5] [A1-1L] without additional proceedings.
- c. Any land or territory in the City not indicated on the Zoning Map as being in any zone shall be construed as being classified in the same zone that exists on a lot on the opposite side of the street or highway of the subject land or territory, and the Zoning Map shall be amended to indicate that zone without additional proceedings.

B. Boundaries

1. Street, Alley or Lot Lines

Zone boundaries occur at street, alley, or lot lines unless otherwise shown on the Zoning Map, using the land base dataset, and where the indicated boundaries on the Zoning Map are approximately a street, alley or lot line, the street, alley or lot line are the boundaries of the zone.

2. Street or Public Right-of-Way

- a. A street, alley, railroad or railway right-of-way, watercourse, channel, or body of water included on the Zoning Map shall, unless otherwise indicated, be included within the zone boundaries of the adjoining property on either side of the street, alley, railroad or railway right-of-way, watercourse, channel or body of water.
- b. Where the street, alley, public right-of-way, watercourse, channel, or body of water serves as a boundary between two or more different zones, a line midway in the street, alley, public right-of-way, watercourse, channel, or body of water, and extending in the general direction of its longest dimension is the boundary between zones.

3. Vacated Street or Alley

- a. In the event a dedicated street or alley shown on the Zoning Map is vacated, the property formerly in the street or alley shall be included within the zone of the adjoining property on either side of the vacated street or alley.
- b. In the event the street or alley was a zone boundary between two or more different zones, the new zone boundary is the former centerline of the vacated street or alley.

C. Amendments

1. Zone Changes

a. Process

The Zoning Map shall only be revised pursuant to *Sec. 13B.1.4. (Zone Change)*. For zone changes involving Specific Plans, the Zoning Map may only be revised pursuant to *Sec. 13B.1.2. (Specific Plan Adoption/Amendment)*.

2. Zone Boundary Adjustments

a. Process

Whenever public necessity, convenience, general welfare or good zoning practice justifies the action, the Director may approve, conditionally approve, or deny a zone boundary adjustment, pursuant to *Sec. 13B.5.2. (Adjustment)*, and make minor adjustments to the location of a zone boundary to carry out the intent of this *Section (Zoning Map)* when:

- i. Property as shown on the Zoning Map has been divided or approved for division into parcels or lots and blocks by a final map, and the parcel or lot and block arrangement does not conform to that anticipated when the zone boundaries were established;
- ii. Property was redivided or approved for subdivision by a final map action into a different arrangement of lots and blocks than indicated on the Zoning Map; or
- iii. Where uncertainty exists in applying the provisions of this *Subsection B. (Boundaries)* or where revision is necessary to correct dimensional or mapping errors, the Director may determine the location of the zone boundary.

b. Limitation

Zone boundary adjustments permitted pursuant to this *Subsection B. (Boundaries)* are limited to a distance of no more than 50 feet. When the adjustment is requested prior to recordation, the Director's decision does not become effective until after the final map has been recorded with the Los Angeles County Recorder.

c. Dedications

The Director may require that the abutting streets, alleys, or highways be dedicated and improved in conformance with the standards for improvement of streets, alleys, and highways, if it is determined that traffic on the abutting streets, alleys or highways would be increased or impeded as a result of the zone boundary adjustment. An offer to dedicate or filing of a bond in conformance with *Sec. 10.1.4. (Dedication Procedure)* and *Sec. 10.1.5. (Improvement Procedure)* may be construed as compliance with these requirements.

d. **Zoning Map**

The Zoning Map shall conform with the Director's decision after the conditions are imposed, if any.

SEC. 1.5.3. **PRIMARY STREET MAP**

A. **Purpose**

Each lot shall have at least one primary street lot line based on a set of criteria established in Sec. 14.2.12.C.1. (*Primary Street Lot Line*). However, a side street lot line may be re-designated into a primary street lot line when the adjacent public way has been established as a primary street on the Primary Street Map.

B. **Boundaries**

The Primary Street Map is composed of street segments made up of a line midway in the public way, and extending in the general direction of its longest dimension between each intersection.

C. **Amendments**

The Primary Street Map shall only be revised pursuant to Sec. 13B.1.3. (*Zoning Code Amendment*).

SEC. 1.5.4. **LOCAL AFFORDABLE HOUSING INCENTIVE MAP**

A. **Purpose**

The Local Affordable Housing Incentive Map identifies lots that are eligible to participate in the Local Affordable Housing Incentive Program established in Sec. 9.3.2. (*Local Affordable Housing Incentive Program*), as well as which Local Incentive Program Set the individual lots are required to utilize.

B. **Boundaries**

Any lot designated, using the Department of Public Works, Bureau of Engineering land base dataset, as eligible for the Local Affordable Housing Incentive Program pursuant to Sec. 9.3.2. (*Local Affordable Housing Incentive Program*) by providing restricted affordable units as required by the applied Local Incentive Program Set. The Local Affordable Housing Incentive Map shall establish the automobile parking incentive for which a housing development project is eligible.

1. **Local Incentive Program Set**

An eligible lot shall be designated with one of the Local Incentive Program Sets established in Sec. 9.3.2.B.1. (*Local Incentive Program Sets*).

2. **Automobile Parking Incentive**

An eligible lot shall be designated with one of the Automobile Parking Incentives established in Sec. 9.3.2.C.4. (*Automobile Parking Incentives*).

C. Amendments

The Local Affordable Housing Incentive Map shall only be revised pursuant to *Sec. 13B.1.3. (Zoning Code Amendment)*.

SEC. 1.5.5. TARGETED PLANTING MAP

A. Purpose

Lots identified in an identified planting area, as established in *Sec. 1.5.5.B. (Boundaries)*, on the Targeted Planting Map shall comply with the corresponding planting requirements in a separate regulatory document named "Department of City Planning - Targeted Planting Lists" (*Targeted Planting List*) as established by the *Director of Planning*.

B. Boundaries

Any land designated, using the Department of Public Works, Bureau of Engineering land base dataset, as any of the following planting area designations in the Targeted Planting Map.

1. River Planting Area

Plants in these areas, and outlined in this category in the *Targeted Planting List*, shall be limited to:

- a. *Native plants* that occur naturally in a given geographic area, which can be trees, flowers, grasses, or any other plants, included in the *California Native Plant Library*.
- b. Species included in the *Watershed Wise Plant List* published by the Council for Watershed Health.
- c. Species included in the *Los Angeles County River Master Plan's Landscaping Guidelines* and plant palettes comprised primarily of *native plants* suitable for a riparian habitat.

2. Filtration Planting Area

Trees planted in these areas, and outlined in this category in the *Targeted Planting List*, shall be low in water use, low in biogenic emissions, high in carbon and particulate matter filtration qualities and retain foliage for more than six months of the year.

C. Amendments

The Targeted Planting Map shall only be revised pursuant to *Sec. 13B.1.3. (Zoning Code Amendment)*.

SEC. 1.5.6. HILLSIDE AREA MAP

A. Purpose

The Hillside Area Map identifies lots with topographical features subject to additional regulations intended to address the specific nature of hillside development. These additional regulations are

outlined in this Zoning Code (Chapter 1A) and are applicable by reference to this Zoning Code Map.

B. Boundaries

Any land designated, using the Department of Public Works, Bureau of Engineering land base dataset, as Hillside Area as shown in the shaded portion of the Hillside Area Map.

C. Amendments

The Hillside Area Map shall only be revised pursuant to *Sec. 13B.1.3. (Zoning Code Amendment)*.

SEC. 1.5.7. COASTAL ZONE MAP

[Reserved]

SEC. 1.5.8. SPECIAL LOT LINE MAP

A. Purpose

The Special Lot Line Map identifies any lot lines subject to zoning district provisions that apply to special lot lines that require specific identification, as established in *Sec. 14.2.12.C.3. (Special Lot Line)*.

B. Boundaries

The Special Lot Line Map is composed of line segments, based on lot lines established in the Department of Public Works, Bureau of Engineering land base dataset, designated as any of the following types of special lot lines.

1. River Special Lot Line

A lot line which is adjacent to, or in the general vicinity of, a river, where buildings need to provide a strong and active presence along the river.

2. Alley Special Lot Line

An alley lot line where buildings need to provide a strong and active presence along the alley.

C. Amendments

The Special Lot Line Map shall only be revised pursuant to *Sec. 13B.1.3. (Zoning Code Amendment)*.

SEC. 1.5.9. ALCOHOL PERMISSION AREA MAP

A. Purpose

The Alcohol Permission Area Map identifies lots that are subject to *Sec. 5C.3.3. (Alcohol Sales Program)*, which establishes permission levels and standards for uses involving the sale or dispensing of alcoholic beverages.

B. Boundaries

Any land designated, using the Department of Public Works, Bureau of Engineering land base dataset, as any of the following Alcohol Permission Area designations in the Alcohol Permission Area Map.

1. Alcohol Sensitive Sales Area
2. Restaurant Beverage Area
3. Limited Restaurant Beverage Area
4. Restaurant & Bar Nightlife Area

C. Amendments

The City Council shall have the ability to establish and subsequently modify the Alcohol Permission Area Map, pursuant to an adopted City Council Resolution. In adopting the resolution, the City Council must find that the establishment or modification is in conformity with public necessity, convenience, general welfare and good zoning practice. The Director is authorized to revise the Alcohol Permission Area Map as established in the adopted resolution. The Alcohol Permission Area Map shall not be altered or modified by an unauthorized person.

SEC. 1.5.10. INCLUSIONARY HOUSING MAP

A. Purpose

The Inclusionary Housing Map identifies lots that require inclusionary housing projects to provide restricted affordable units pursuant to *Sec. 5C.3.1. (Inclusionary Housing Program)*. Any lot not included on this map shall not be subject to those provisions.

B. Boundaries

Any lot designated, using the Department of Public Works, Bureau of Engineering land base dataset, with the following designations.

1. Inclusionary Housing Areas

Lots that are subject to the *Inclusionary Housing Program (Sec. 5C.3.1.)* shall be designated with one of the following options.

a. Inclusionary Rental (IR)

An Inclusionary Rental (IR) designation shall mean that a project involving the construction of an inclusionary housing project that includes dwelling units that are for-rent shall be subject to the applicable provisions in *Sec. 5C.3.1. (Inclusionary Housing Program)*.

b. Inclusionary Rental & For-Sale (IRF)

An Inclusionary Rental & For-Sale (IRF) designation shall mean that a project involving the construction of an inclusionary housing project that includes dwelling units which are for-rent and/or for-sale shall be subject to the applicable provisions in *Sec. 5C.3.1. (Inclusionary Housing Program)*.

c. Community Plan Implementation Overlay (CPIO)

A Community Plan Implementation Overlay (CPIO) designation shall mean that a project involving the construction of an inclusionary housing project shall be subject to the provisions in *Sec. 5C.3.1. (Inclusionary Housing Program)* and as further modified by an applied Community Plan Implementation Overlay.

2. Affordability Requirement Set

Lots shall also be designated with one of the Affordability Requirement Sets as established in *Sec. 5C.3.1.C.3. (Inclusionary Program Set Designations)*.

C. Amendments

The Inclusionary Housing Map shall only be revised pursuant to *Sec. 13B.1.3. (Zoning Code Amendment)*.

SEC. 1.5.11. PUBLIC ACCESS EASEMENT MAP

A. Purpose

The Public Access Easement Map identifies lots in the City that are affected by the public access easement standards established in *Sec. 14.2.17. (Public Access Easements)*.

B. Boundaries

The Public Access Easement Map is composed of line segments, based on lot lines and easement lines established in the Department of Public Works, Bureau of Engineering land base dataset, designated as a public access easement.

C. Amendments

The Public Access Easement Map shall only be revised pursuant to *Sec. 13B.1.3. (Zoning Code Amendment)*.

DIV. 1.6. EMERGENCY PROVISIONS

SEC. 1.6.1. LOCAL EMERGENCY TEMPORARY REGULATIONS

A. Declaration of Intent

It is the intent and objective of this *Division (Emergency Provisions)* is to establish reasonable and uniform regulations to protect the public welfare and to provide a streamlined method for consideration of applications for temporary use approvals and other land use approvals in an emergency, such as fire, storm, severe earthquake, civil disturbance, or other disaster declared by the Governor.

B. Long-Term Temporary Uses

1. Authority of the Zoning Administrator

- a. Regardless of any other provision of this Zoning Code (Chapter 1A) to the contrary, the Zoning Administrator has the authority to approve the use of a lot in any zone for the temporary use of property which will aid in the immediate restoration of an area adversely impacted by a severe fire, storm, earthquake, similar natural disaster, or a civil or military disturbance, and declared by the Governor as an emergency area if the Zoning Administrator finds:
 - i. That the nature and short duration of the proposed temporary use assures that the proposed use will not be materially detrimental to the character of development in the immediate neighborhood;
 - ii. That the proposed use will not adversely affect the implementation of the General Plan or any applicable Specific Plan; and
 - iii. That the proposed use will contribute in a positive fashion to the reconstruction and recovery of areas adversely impacted during the emergency.
- b. In making a determination pursuant to this *Section (Local Emergency Temporary Regulations)*, the Zoning Administrator shall balance the public interest and benefit to be derived from the proposed temporary use against the degree, significance of, and temporary nature of the inconvenience to be caused in the area where the temporary use is located. The Zoning Administrator may promulgate regulations and guidelines as are necessary and proper to administer the provisions of this *Division (Emergency Provisions)*.

2. Conditions of Approval

- a. In approving the location of any temporary use, the Zoning Administrator may impose conditions as the Zoning Administrator deems necessary to protect the peaceful and quiet enjoyment of nearby properties. The Zoning Administrator shall require the posting of a completion bond, or other guarantee satisfactory to the Zoning Administrator, to cover the cost of the removal of any improvements made to a lot or cleaning of the lot after termination of the temporary authorized use.

- b. Furthermore, the Zoning Administrator shall require termination of the temporary use within one year from the date of the approval of the temporary use, the removal of all temporary improvements on the lot, and the restoration of the lot to a permitted use within a reasonable period of time determined by the Zoning Administrator. Approval of any application for a temporary use does not result in any vested or nonconforming rights to carry on the temporary use after the term authorized.
- c. The automobile parking design and improvement provisions of *Sec. 4C.4.3. (Parking Area Design)* and *Sec. 4C.4.4. (Parking Lot Design)* and the yard requirements of this Zoning Code (Chapter 1A) do not apply to temporary permits for public parking in the *Residential Use Districts (Div. 5B.3.)*. However, in approving permits, the Zoning Administrator may impose those conditions as the Zoning Administrator deems necessary to protect the peaceful and quiet enjoyment of the subject and nearby properties.

3. Revocation

- a. The Zoning Administrator may suspend or revoke any temporary use approval, if the Zoning Administrator determines that the temporary use bears no significant relation to the reconstruction and recovery of areas adversely impacted by the emergency, or that the conditions imposed on any temporary use approval have not been complied with, or that an unreasonable level of interference with the peaceful enjoyment of neighboring properties is created by the conduct of any authorized activity.
- b. Prior to the revocation of a temporary use approval, the Zoning Administrator shall give written notice to the record owner or lessee to appear within five days, or less if justified by a threat to public health and safety, at a time and place fixed by the Zoning Administrator and show cause why the temporary use approval should not be revoked or why further conditions should not be imposed.
- c. A determination of the Zoning Administrator pursuant to this *Subsection B. (Long-Term Temporary Uses)* may be appealed to the Area Planning Commission on a form prescribed by the Department in accordance with the procedures described in this *Section (Local Emergency Temporary Regulations)*.

4. Other Permits and Licenses

This *Division (Emergency Provisions)* does not, except as stated here, modify or affect in any way the duty of any applicant to obtain any other permit or license which may be required under any other provision of this Zoning Code (Chapter 1A) or state law.

5. Application

- a. An application to allow any temporary use referred to in this *Division (Emergency Provisions)* shall be filed with the Department of City Planning upon forms and accompanied by data as the Department may require.

- b. The application may be filed by an owner or a lessee and shall be verified by the applicant attesting to the truth and correctness of all facts and information presented with, or contained in the application and shall also be signed by the owner of record of any lot where the proposed temporary use will be located.
- c. A copy of any application so filed shall be transmitted by the Department to the Councilmember of the district in which the proposed use would be located and to the Department of Transportation for their information.

6. Notice & Hearing

- a. Upon the filing of a complete application, the Zoning Administrator shall set the matter for public hearing. Notice of the time, place, and intent of the hearing shall be given by mailing a written notice at least 14 days prior to the date of the hearing to the applicant, to the owner of the subject property, to abutting property owners, and to property owners directly across the street or alley from the subject property.
- b. An application for a temporary use shall be set for public hearing unless the Zoning Administrator makes written findings, attached to the file involved, that the requested temporary use:
 - i. Will not have a significant effect on adjoining properties or on the immediate neighborhood; or
 - ii. Is not likely to evoke public controversy.

7. Time Limit

The Zoning Administrator shall make a determination within 30 days from the filing of a complete application. This time limit may be extended by mutual written consent of the applicant and Zoning Administrator.

8. Fee

An application for an approval pursuant to this Section (*Local Emergency Temporary Regulations*) does not require any filing fee.

9. Decisions by the Zoning Administrator

Decisions by the Zoning Administrator shall be supported by written findings of fact based upon written or oral statements and documents presented to the Zoning Administrator, which may include photographs, maps and plans, together with the results of the Zoning Administrator's investigations. Upon making a decision, the Zoning Administrator shall mail a copy of the written findings and decisions to the applicant, and to the other persons who were required to be notified under Paragraph 6. (*Notice & Hearing*) above.

10. Decision Effective & Appeal

The decision of the Zoning Administrator is final, unless appealed, after an elapsed period of 10 days from the date of mailing a copy of the written findings and decision to the applicant. During this period, any person aggrieved by the decision may file a written appeal to the Area Planning Commission. The appeals shall set forth specifically the points at issue, the reasons for the appeal, and how the appellant believes there was an error or abuse of discretion by the Zoning Administrator. No fee will be charged for this appeal.

11. Failure to Act

If the Zoning Administrator fails to make a decision on a temporary land use application within the time limit specified in *Paragraph 7. (Time Limit)* above, then the applicant may file a request in the Office of Zoning Administration for a transfer of jurisdiction to the Area Planning Commission and for a decision by the Area Planning Commission on the original application. In that case, the Zoning Administrator shall lose jurisdiction and the Area Planning Commission shall assume jurisdiction, provided, however, that the matter may be remanded to the Zoning Administrator or the Area Planning Commission may accept the applicant's request for withdrawal of the transfer of jurisdiction. In either case, the Zoning Administrator will regain jurisdiction for the time and purpose specified by the Area Planning Commission.

12. Transfer of Jurisdiction

When considering any matter transferred to its jurisdiction pursuant to *Subsection C. (Special Provisions for Other Proceedings)* below because of the failure of the Zoning Administrator to act, the Area Planning Commission shall make its decision within 30 days after the request to transfer jurisdiction is filed. All decisions become final on the date of mailing a copy of the Area Planning Commission's decision to the applicant.

13. Record on Appeal

Within five days of receipt of the filing of an appeal, the case file of the Zoning Administrator appealed, and the appeal shall be delivered to the Area Planning Commission. At any time prior to the action by the Area Planning Commission on the appeal, the Zoning Administrator may submit supplementary pertinent information as the Zoning Administrator deems necessary or as may be requested by the Area Planning Commission.

14. Appeal Hearing Date-Notice

Upon receipt of the appeal, the matter shall be set for an Area Planning Commission hearing and notice shall be given by mail of the time, place and purpose of the hearing to the appellant, to the applicant, to the owner or owners of the property involved, to the Zoning Administrator and to any other interested party who has requested in writing to be notified. This notice shall be in writing and mailed at least five days prior to the hearing.

15. Appeal Hearing Date-Continuance

Upon the date set for the hearing, the Area Planning Commission will hear the appeal, unless, for cause, the Area Planning Commission shall on that date continue the matter. No notice of continuance need be given if the order to continue is announced at the time for which the hearing was set.

16. Area Planning Commission Decision

- a. When considering an appeal from an action by the Zoning Administrator, the Area Planning Commission shall make its decision within 15 days (in the case of a revocation, within 10 days) after the expiration of the appeal period, or within an extended period of time as may be mutually agreed upon in writing by the applicant and the Area Planning Commission. The Area Planning Commission shall base its decision only upon:
 - i. Evidence introduced at the hearing, or hearings, if any, before the Zoning Administrator, on the issue;
 - ii. The record, findings and determination of the Zoning Administrator; and
 - iii. The consideration of arguments, if any, presented to the Area Planning Commission orally or in writing.
- b. If an applicant or aggrieved person wishes to offer into the proceedings any new evidence in connection with the matter, a written summary of that evidence, together with a statement as to why that evidence could not reasonably have been presented to the Zoning Administrator shall be filed with the Area Planning Commission prior to the hearing. If the Area Planning Commission fails to act on any appeal within the time limit specified in the Subsection, the determination of the Zoning Administrator is final.
- c. The Area Planning Commission may modify or reverse the ruling, decision or determination appealed from only upon making findings indicating how the action of the Zoning Administrator was in error or constituted an abuse of discretion and shall make specific findings supporting any modification or reversal. The decision of the Area Planning Commission is final as of the date of its determination on the matter. After making a decision, a copy of the findings and determination shall be placed on file in the Department of City Planning and a copy of the determination shall be furnished to the applicant, the appellant, and the Department of Building and Safety.

C. Special Provisions For Other Proceedings

1. Regardless of any provision of this Zoning Code (Chapter 1A) or any other ordinance to the contrary, with respect to those uses, buildings and lots destroyed or damaged in connection with a declared emergency, and in the area covered by the declaration of emergency, the following exceptions apply:
 - a. Payment of all Department of City Planning and Zoning Administrator fees may be deferred until the applicant seeks any Certificate of Occupancy.

- b. For applications relating to new actions pursuant to *Div. 13B.2. (Quasi-Judicial Review)*, *Sec. 13B.4.5. (Project Exception)*, *Article 12. (Nonconformities)*, and *Sec. 13B.5.3. (Variance)*, any project permits pursuant to moratorium ordinances or interim control ordinances, and any revocation or modification proceedings:
 - i. If the law otherwise requires or authorizes a public hearing, the matter shall be set for public hearing unless the Zoning Administrator or Director of Planning makes written findings, attached to the file involved, that the matter:
 - a) Will not have a significant effect on adjoining properties or on the immediate neighborhood; or
 - b) Is not likely to evoke public controversy.
 - ii. Provided, however, that no hearing will be waived in any proceeding involving:
 - a) Eating & drinking: alcohol service
 - b) Retail: alcohol
 - c) Retail: merchant market
 - d) Retail: firearms
 - e) Financial services: alternative
 - f) Motor vehicle services: light
 - g) Motor vehicle services: heavy
 - iii. When a matter is set for public hearing, written notice of the hearing shall be given to the applicant, the owner or owners of the property involved, and to the owners of all property within and outside of the City within 500 feet of the property involved.
- c. Payment of the Affordable Housing Linkage Fee pursuant to *Sec. 15.4.3. (Affordable Housing Linkage Fee)*.

D. Restoration of Damaged or Destroyed Buildings

1. Nonconforming

- a. Regardless of any other provisions of this *Division (Emergency Provisions)* to the contrary, a building nonconforming as to use, yards, height, number of stories, lot area, floor area, density, loading space, parking, off-site signs, or other nonconforming provisions of this Zoning Code (Chapter 1A), which is damaged or destroyed as a result of the declared emergency may be repaired or reconstructed with the same nonconforming use, yards, height, number of stories, lot area, floor area, density, loading space, parking, or off-site signs as the original building. Provided, however, that repair or reconstruction shall be commenced within two years of the date of damage or destruction and completed within two years of obtaining a permit for reconstruction. Provided, further, that neither the

footing nor any portion of the replacement building encroaches into any area planned for widening or extension of existing or future streets as determined by the Department of City Planning upon the recommendation of the City Engineer.

- b. The provisions of this Section (*Local Emergency Temporary Regulations*) supersede any interim control ordinances, interim plan revision ordinances, Specific Plans (excluding the *South Central Alcohol Beverage Specific Plan, Ord. No. 171,681*), Sec. 4C.14.1. (*Development Review Threshold Packages*), and the City's hillside regulations under Article 4. (*Development Standards*), except for fire protection and street access standards. Regardless of any provision in this Section (*Local Emergency Temporary Regulations*) to the contrary, any existing provision of law regulating the issuance of building or demolition permits for buildings or structures currently with historical or cultural designations on the federal, state, and City lists remain in full force and effect. All Historic Preservation Overlay Zone regulations continue in full force and effect with respect to the demolition, maintenance & repair, and reconstruction of damaged or destroyed buildings or structures.
- c. For purposes of this Subsection D. (*Restoration of Damaged or Destroyed Buildings*), a building or structure may only be demolished and rebuilt to its nonconforming status, relative to the provisions of this Zoning Code (Chapter 1A), any interim control ordinances, interim plan revision ordinances, Specific Plans (excluding the *South Central Alcohol Beverage Specific Plan, Ord. No. 171,681*), and Sec. 4C.14.1. (*Development Review Threshold Packages*), and the City's hillside regulations under Article 4. (*Development Standards*), except for those fire protection and street access standards), if the building or structure is either destroyed or damaged in the following manner:
 - i. Any portion of the building or structure is damaged by earthquake, wind, flood, fire, or other disaster, in such a manner that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and is less than the minimum requirements of this Zoning Code (Chapter 1A) for a new building or structure of similar structure, purpose or location, as determined by the Department of Building and Safety; and
 - ii. The cost of repair would exceed 50 percent of the replacement cost of the building or structure, not including the value of the foundation system, as determined by the Department of Building and Safety.
- d. Nothing here shall be interpreted as authorizing the continuation of a nonconforming use beyond the time limits set forth in Article 12. (*Nonconformities*) that were applicable to the lot prior to the events which necessitated the declaration of the emergency.
- e. If issues of interpretation relating to the above provisions arise, the Zoning Administrator is hereby authorized to resolve those issues in light of the scope and purposes of this Subsection D. (*Restoration of Damaged or Destroyed Buildings*).

2. Conditional Uses & Uses that Benefit the Public

- a. Uses authorized by a Conditional Use Permit pursuant *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*, *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, or *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*, or other procedure in effect at the time of authorization of the approved Conditional Use Permit, are deemed exempt from the requirements of *Sec. 13B.5.4. (Modification of Entitlement)*, provided that the structures containing these uses are rebuilt as they lawfully existed prior to their destruction, with the same building footprint and height.
- b. The following uses are considered to be of such importance and their expeditious replacement is of such value to the health and safety of the community that they are deemed exempt from the requirements of *Sec. 13B.5.4. (Modification of Entitlement)*, provided that the structures containing these uses are rebuilt as they lawfully existed prior to their destruction, with the same building footprint and height.
 - i. *All Public & Institutional Uses (Div. 5D.3.)*
 - ii. Airports
 - iii. Medical clinic
 - iv. Supportive housing; medical care
- c. If issues of interpretation or administration relating to the above exemptions arise, the Director of Planning is authorized to resolve those issues in light of the scope and purposes of this *Subsection D. (Restoration of Damaged or Destroyed Buildings)*.
- d. As an exception to *Paragraph 1. (Nonconforming)* above, the following uses are not exempt from the provisions of this Zoning Code (Chapter 1A), interim control ordinances, Specific Plans, and interim plan revision ordinances:
 - i. Eating & drinking; alcohol service
 - ii. Retail; alcohol
 - iii. Retail; merchant market
 - iv. Retail; firearms
 - v. Financial services; alternative
 - vi. Motor vehicle services; light
 - vii. Motor vehicle services; heavy

3. Boulevard, Avenue, & Collector Street Dedication & Improvement

- a. For any lot identified by the City as having sustained damage during and as a result of the situation causing the declared emergency, the issuance of a building permit for a new development on that lot does not require improvement of frontage for boulevards, avenues, and collector streets widening purposes under *Article 10. (Streets & Parks)*.
- b. Nothing here prevents a property owner from, obtaining necessary permits, voluntarily improving the public right-of-way and undertaking public improvements which conform to the applicable sections of this Zoning Code (Chapter 1A).

4. Zoning Administrator Adjustments

- a. Regardless of any other provision of this Zoning Code (Chapter 1A), the Zoning Administrator may grant deviations of no more than 10 percent from the City's floor area, height, yard, parking, and loading space requirements for buildings and structures damaged or destroyed in an emergency declared by the Governor when the deviations are necessary to accommodate the requirements of the *Americans With Disabilities Act*, *Federal Fair Housing Amendments Act of 1988*, or the *California Code of Regulations, Title 24. (Building Standards Code)*, provided the Zoning Administrator finds:
 - i. That the deviations are not likely to cause an undue burden on nearby streets or neighboring properties;
 - ii. That the grant is not likely to evoke public controversy; and
 - iii. That the development cannot feasibly be designed to meet the requisite disabled access standards without the deviations.
- b. Prior to acting on an application for a deviation, the Zoning Administrator shall give notice to all adjoining property owners and hold a public hearing. The Zoning Administrator may waive the public hearing if the Zoning Administrator makes the findings in *Subsection C. (Special Provisions for Other Proceedings)* above. The notice and procedures provided above in *Subsection B. (Long-Term Temporary Uses)* shall be followed for granting any deviation.

E. Critical Response Facilities

1. Authority of the Department of Building and Safety

Regardless of any other provision of this Zoning Code (Chapter 1A) to the contrary, the Department of Building and Safety shall, during the first six months following the declaration of an emergency, have the authority to issue a temporary permit for the duration of the emergency, on any lot, regardless of zone, for any police, fire, emergency medical or emergency communications facility which will aid in the immediate restoration of an area adversely impacted by a severe fire, storm, earthquake, similar natural disaster, or a civil or military disturbance, and declared by the Governor as an emergency area, provided that the Department of Building and Safety maintains records of all temporary permits.

F. Short-Term Temporary Uses

1. Authority of the Department of Building and Safety

Regardless of any other provision of this Zoning Code (Chapter 1A), the Department of Building and Safety shall, during the first six months following the declaration of an emergency, have the authority to issue a temporary 90-day permit on any lot, regardless of zone, for any temporary use which will aid in the immediate restoration of an area adversely impacted by a severe fire, storm, earthquake, similar natural disaster, or a civil or military disturbance, and declared by the Governor as an emergency area, provided that the Department of Building and Safety maintains records of all temporary permits.

G. Activation & Termination

The provisions of this *Division (Emergency Provisions)* are applicable to a particular area upon the declaration of an emergency by the Governor relating to that area, pursuant to *California Government Code, Title 2. (Government of the State of California), Div. 1. (General), Chapter 7. (California Emergency Services Act)*. The provisions of this *Division (Emergency Provisions)* cease to be applicable to a particular area two years following the date of declaration of emergency, and for one additional year if an extension is approved by the City Council, provided, however, that the provisions of this *Division (Emergency Provisions)* are considered as still remaining in full force and effect thereafter for the intent of maintaining or defending any civil or criminal proceeding with respect to any right, liability or offense that may have arisen under the provisions of this *Division (Emergency Provisions)* during its operative period, or with respect to enforcing any condition of approval of the temporary permit. The City Council may also extend by resolution any other time limits in this *Division (Emergency Provisions)* for one additional year.

SEC. 1.6.2. EMERGENCY HOMELESS SHELTERS — CITY OWNED & LEASED PROPERTY

- A. Regardless of any provisions of this Zoning Code (Chapter 1A) to the contrary, during any period for which the Mayor or the City Council have declared a shelter crisis within the meaning of *California Government Code, Sec. 8698. (Shelter Crisis), et seq.*, a transitional shelter may be established and operated on property owned or leased by the City of Los Angeles in any zone as a matter of right regardless of the number of beds or number of persons served.
- B. Facilities used as a transitional shelter under this *Section (Emergency Homeless Shelters — City Owned & Leased Property)* shall comply with the minimum building regulations set forth in *Chapter IX. (Building Regulations), Sec. 91.8605. (Emergency Homeless Shelters)* of this Code, as it is currently written or as it may be amended in the future, and are exempt from the requirements of the zoning districts.
- C. If the lot on which any such shelter is located does not have sufficient area to provide the number of parking stalls required by *Sec. 4C.4.1. (Automobile Parking Stalls)*, then the number of spaces required shall be the number for which adequate area exists. If insufficient area for any parking stalls exists on the lot, no spaces shall be required.

SEC. 1.6.3. EMERGENCY HOMELESS SHELTERS — CHARITABLE ORGANIZATIONS

- A. Regardless of any provisions of this Zoning Code (Chapter 1A) to the contrary, during any period for which the Mayor or the City Council have declared a shelter crisis within the meaning of *California Government Code, Sec. 8698. (Shelter Crisis), et seq.*, a transitional shelter may be established and operated on a lot zoned with a *Residential Use District (Div. 5B.3.)* with a *Density District (Part 6B.)* of FA to 8, *Residential-Mixed Use District (Div. 5B.4.)* with a *Density District (Part 6B.)* of FA to 8, *Commercial-Mixed Use District (Div. 5B.5.)*, *Industrial-Mixed Use District (Div. 5B.6.)*, or *Industrial Use District (Div. 5B.7.)* regardless of the number of beds or number of persons served, or any applicable *Form District (Part 2B.)* or *Frontage District (Part 3B.)* standards, if the transitional shelter is operated by a religious institution or a non-profit charitable organization and the transitional shelter is located on property owned or leased by that institution or organization.
- B. Facilities used as a transitional shelter under this *Section (Emergency Homeless Shelters — Charitable Organizations)* shall comply with the minimum building regulations set forth in *Chapter IX. (Building Regulations), Sec. 91.8605. (Emergency Homeless Shelters)*, as it is currently written or as it may be amended in the future, and are exempt from the requirements of the zoning districts.
- C. If the lot on which any such transitional shelter is located does not have sufficient area to provide the number of parking stalls required by *Sec. 4C.4.1. (Automobile Parking Stalls)*, then the number of spaces required shall be the number for which adequate area exists. If insufficient area for any parking stalls exists on the lot, no spaces shall be required.
- D. Unreinforced masonry or non-ductile concrete buildings shall not be used as shelters for the homeless.
- E. Any provider establishing and operating a transitional shelter shall also comply with the following requirements:
 - 1. Providers shall register with the City of Los Angeles by submitting a Cold/Wet Weather Temporary Shelter Application online via the City's website (*www.lacity.gov*); and
 - 2. Providers shall comply with the Cold/Wet Weather Temporary Shelter requirements promulgated by the Los Angeles Fire Department's Fire Prevention and Public Safety Bureau;
 - 3. Providers shall provide written notification to the owners of properties abutting the subject property, as well as to any school located within 500 feet of the subject property, prior to operating a transitional shelter on the subject property; and
 - 4. Providers shall comply with all local, state, and federal requirements that apply to the permitted use of their property while operating a transitional shelter pursuant to this *Section (Emergency Homeless Shelters — Charitable Organizations)*.

SEC. 1.6.4. TEMPORARY RESIDENCY IN RESIDENTIAL VEHICLE PENDING RECONSTRUCTION OF DISASTER-DESTROYED DWELLING

A. Use of Land Permit

Regardless of any other provision of this Zoning Code (Chapter 1A) to the contrary, the Department of Building and Safety may issue a use of land permit to any resident-owner of a single-unit dwelling destroyed by disaster to temporarily place and reside in a residential vehicle upon the subject property. Such use of land permit shall be limited to a period of one year from the date of the subject disaster, during which period a building permit for the reconstruction of the subject dwelling unit shall be obtained. When such a building permit is obtained, the use of land permit shall be valid for an additional period to total no more than two years from the date of the subject disaster or until the dwelling unit is complete, whichever occurs first. No other extension of time shall be granted for such use of land permit.

B. Fence Requirement

Where a residential vehicle is placed within a required yard, such residential vehicle shall be screened from public view by a fence constructed to the specifications of *California Existing Building Code Chapter 15, Sec. 3306. (Protection of Pedestrians)*, pursuant to *Chapter IX. (Building Regulations), Sec. 91.2.1500. (Basic Provisions)* of this Code; on corner lots, the restrictions of *Chapter VI. (Public Works and Property), Sec. 62.200. (Street Intersections - Obstructions to Visibility)* of this Code shall also apply. Such fence shall be maintained in good condition and appearance.

C. Yard Area Requirements

Such residential vehicle shall observe five foot front, side, and rear setbacks and adequate access shall be assured to permit the removal of the residential vehicle after reconstruction of the disaster-destroyed dwelling unit.

D. Site Restoration

Within 30 days of the removal of the residential vehicle, all equipment and utilities accessory to such residential vehicle and any nonconforming fence constructed pursuant to this Section (*Temporary Residency in Residential Vehicle Pending Reconstruction of Disaster-Destroyed Dwelling*) shall be removed and the site restored to permitted use and condition.

SEC. 1.6.5. TEMPORARY REGULATORY RELIEF DURING A LOCAL EMERGENCY

A. Intent

The intent of this *Section (Temporary Regulatory Relief During a Local Emergency)* is to provide land use regulatory relief from certain Zoning Code provisions during a declared local emergency. The regulatory relief, upon activation by the City Council, provides flexibility for businesses and property owners in the recovery from a local emergency by extending the time limitations for certain land use approvals and providing relief from certain automobile parking standards.

B. Applicability

The provisions of this *Section (Temporary Regulatory Relief During a Local Emergency)* may be invoked upon the adoption of a City Council resolution following the Mayor's declaration of emergency pursuant to local and state law, provided the resolution does not conflict with any Mayoral orders issued in relation to the declared local emergency.

1. State Law & City Charter

The provisions of this *Section (Temporary Regulatory Relief During a Local Emergency)* do not supersede state law or the Mayor's authority under the City of Los Angeles Charter and Los Angeles Administrative Code.

2. Effective Dates

Regardless of any other provisions of this *Article (Introductory Provisions)* to the contrary, the regulatory relief provided by this *Section (Temporary Regulatory Relief During a Local Emergency)* shall automatically terminate 12 months after the expiration or termination date of the relevant emergency declaration, or upon City Council's action by resolution to terminate earlier than that date. However, the City Council may, by resolution, extend the regulatory relief provided by this *Section (Temporary Regulatory Relief During a Local Emergency)* for up to an additional 24 months, thereby allowing the provisions to apply for a total of 36 months after the termination or expiration of the local emergency order. The City Council retains the discretion to terminate these provisions by resolution at any time after the expiration or termination of the local emergency order.

C. Regulatory Relief

Regardless of any provision of this Zoning Code (Chapter 1A), Zoning Administrator Interpretation of this Zoning Code (Chapter 1A), ordinance, or Specific Plan to the contrary, the following regulatory relief shall be granted to a qualifying project.

1. Time Limitations

a. Extension of Time Limitations

Regardless of the expiration periods set forth in *Sec. 13A.2.7.A. (Discretionary Project Approvals Time Limits)*, the expiration of a Conditional Use Permit that was either approved or valid during the application of these provisions, shall be calculated by adding the term of the local emergency, plus up to an additional 12 months when the eligibility criteria in *Subparagraph c. (Eligibility Criteria)* below are met, to the term prescribed in *Sec. 13A.2.7.A. (Discretionary Project Approvals Time Limits)*.

i. Multiple Approvals

Regardless of the expiration periods set forth in *Sec. 13A.2.7.A. (Discretionary Project Approvals Time Limits)*, if an eligible conditional use or other quasi-judicial approval is part of a project that requires multiple legislative and/or quasi-judicial approvals pursuant to *Sec. 13A.2.10. (Multiple Approvals)*, then the expiration period set forth in *Sec. 13A.2.7.A. (Discretionary Project Approvals Time Limits)* is extended by a term equivalent to the time period of the local emergency, plus up to an additional 12 months from the expiration of the local emergency for all approvals concurrently granted.

b. Extension of Term-Limited Grants

Regardless of any condition of approval that specifies an expiration date or term limit for a Conditional Use Permit, where the expiration date occurs during the local emergency, that expiration date is automatically extended for the term of the local emergency, plus up to an additional 12 months when the criteria in *Subparagraph c. (Eligibility Criteria)* below are met.

i. Multiple Approvals

Regardless of any provision of this Zoning Code (Chapter 1A) to the contrary, if an eligible Conditional Use Permit is part of a project that requires multiple legislative and/or quasi-judicial approvals pursuant to *Sec. 13A.2.10. (Multiple Approvals)* and any of the approvals include a condition with a separate expiration date or term limit, the expiration date shall be extended concurrently with the Conditional Use Permit that meets the criteria in *Subparagraph c. (Eligibility Criteria)* below.

c. Eligibility Criteria

i. Eligible Conditional Use Approvals

All uses approved by Conditional Use Permit per the applicable *Use District (Part 5B.)* are eligible for the time extension, except for the following:

- a) Conditional Use Permits related to mineral & ore extraction, manufacturing, heavy: petroleum & coal products, or waste facility: hazardous waste as defined in Part 5D. (Use Definitions) are not eligible for the time extension within this Paragraph 1. (Time Limitations).
- b) Businesses or properties that are or have been the subject of revocation proceedings, pursuant to Sec. 13B.6.2. (Nuisance Abatement/Revocation), that resulted in corrective conditions or revocation are not eligible for a time extension.

ii. Application

The relief provided by this Subsection C. (Regulatory Relief) is subject to the procedures in Sec. 13B.3.1. (Administrative Review), and fee(s) under Sec. 15.3.16. (Time Extension) shall be paid in accordance with procedures set forth by the Department of City Planning.

iii. Original Approval

The Director shall verify that the prior discretionary approval and existing environmental documentation under CEQA is adequate for the issuance of the extension.

iv. Notification

In accordance with the procedures set forth by the Department of City Planning, the applicant shall notify the Los Angeles Police Department, the Department of Building and Safety, and the Councilmember whose district includes any portion of the property as part of the application process for the extension of the time limits.

2. Automobile Parking Relief

a. Use Modifications

A use modification shall not trigger additional required automobile parking beyond that required by the existing approved use if all the following requirements are met. However, if the total parking required by Div. 4C.4. (Automobile Parking) for the new use is less than the number of parking stalls that exist on the lot, then the number of parking stalls may be reduced to the number of required parking stalls.

i. Requirements

- a) The use modification is limited to a non-residential use allowed by the applied Use District (Part 5B.).
- b) The building where the use modification is proposed has one of the following: a valid Certificate of Occupancy; temporary Certificate of Occupancy; or a building permit if the building predates the Certificate of Occupancy requirement. Those

documents must have been issued prior to the declaration of the local emergency related to the City Council's resolution invoking this Section (Temporary Regulatory Relief During A Local Emergency).

- c) The automobile parking relief only applies to the first 5,000 square feet of floor area for any tenant space. Any floor area in excess of 5,000 square feet for the tenant space shall conform to the automobile parking requirements in *Div. 4C.4. (Automobile Parking)*, and any applicable Specific Plan, inclusive of any aggregate floor area, including floor area sectioned from a separate tenant space that may have been previously eligible or approved for the automobile parking reduction allowed by this *Paragraph 2. (Automobile Parking Relief)*.
- d) The creation of new floor area within the subject building, occurring during the period this Section is activated by City Council resolution, is limited to the area within the existing walls and existing roofline of the building.
- e) The use modification shall not result in a net loss of dwelling units.

ii. **Consistency**

The relief provided in this *Paragraph 2. (Automobile Parking Relief)* is limited to the automobile parking provisions established in this *Paragraph 2. (Automobile Parking Relief)*, and the project shall otherwise be consistent with this Zoning Code (Chapter 1A) and the General Plan.

b. **Outdoor Dining**

Any new or expanded outdoor dining area, shall not require any automobile parking, and the maintenance of existing automobile parking shall not be required for any portion of the parking lot utilized for an approved outdoor dining area during the effective dates of this Section if the following requirements are met.

i. **Eligibility**

Only permitted eating & drinking establishments with verifiable indoor seating for on-premises dining are eligible for the relief provided within this *Subparagraph b. (Outdoor Dining)*.

ii. **Consistency**

The relief provided in this *Subparagraph b. (Outdoor Dining)* is limited to the automobile parking provisions enumerated herein, and the project shall otherwise be consistent with this Zoning Code (Chapter 1A) and the General Plan.

iii. **Termination**

Whenever the provisions of this *Paragraph 2. (Automobile Parking Relief)* cease to apply, the automobile parking requirements that existed prior to the declaration of

the local emergency shall apply, and any outdoor dining areas shall comply with the applicable requirements of this Zoning Code (Chapter 1A) and any applicable Specific Plan.

c. Existing Conditions of Approval

Any existing condition of approval that requires valet automobile parking or off-site automobile parking is suspended and shall not be enforced during the effective dates of this Section (*Temporary Regulatory Relief During A Local Emergency*), if all the following requirements are met.

i. Eligibility

Only the following entitlement approvals are eligible for this relief, and only if they were approved or active during the period that these provisions are invoked.

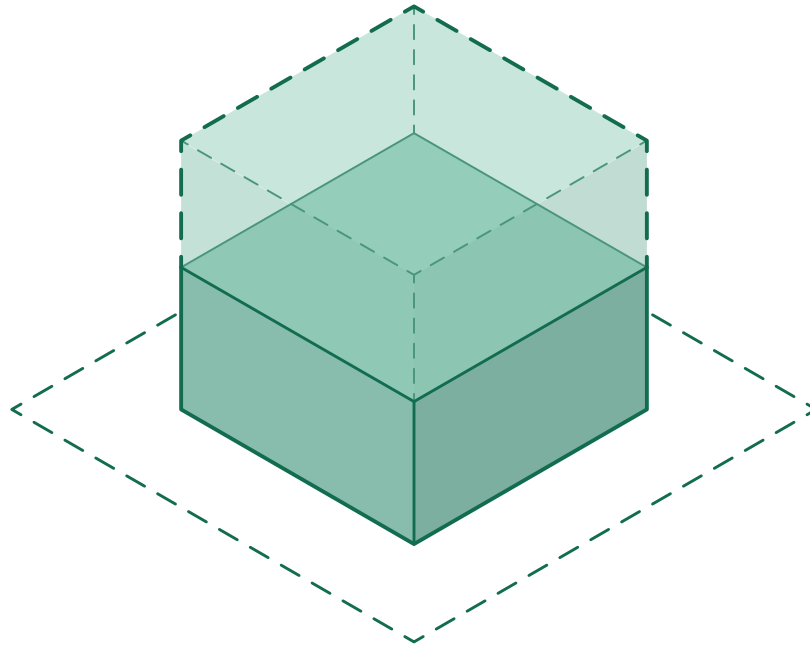
ELIGIBLE ENTITLEMENT APPROVALS	
Entitlement	Reference
Zone Change	Sec. 13B.1.4.
Class 1 Conditional Use Permit	Sec. 13B.2.1.
Class 2 Conditional Use Permit	Sec. 13B.2.2.
Class 3 Conditional Use Permit	Sec. 13B.2.3.
Project Adjustment	Sec. 13B.4.4.
Project Exception	Sec. 13B.4.5.
Adjustment	Sec. 13B.5.2.
Variance	Sec. 13B.5.3.

ii. Existing Covenant

The suspension of enforcement activity as a result of the invocation of the provisions of this Paragraph 2. (*Automobile Parking Relief*) shall not be construed to terminate or void any recorded covenant documenting valet or off-site parking requirements.

iii. Termination

Whenever the provisions of this Section (*Temporary Regulatory Relief During A Local Emergency*) cease to apply, all conditions of approval and associated covenants shall be enforced and, if the conditions were never met, the applicant shall provide verification of compliance with the conditions of approval to the Department of City Planning, in accordance with procedures set forth by the Department, within 90 days of the termination of the provisions of this Section (*Temporary Regulatory Relief During A Local Emergency*).



ARTICLE 2. **FORM**

[**FORM** - FRONTAGE - STANDARDS] [USE - DENSITY]

Part 2A. **Introduction**

Part 2B. **Form Districts**

Part 2C. **Form Rules**

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PART 2A. INTRODUCTION

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DIV. 2A.1. **ORIENTATION**

SEC. 2A.1.1. **RELATIONSHIP TO ZONE STRING**

A zone string is composed of the following districts:



The Form District is a separate and independent component of each zone.

SEC. 2A.1.2. **HOW TO USE ARTICLE 2. (FORM)**

A. **Identify the Applicable Form District**

The first component in a zone string is the Form District applied to a property.

B. **Determine Applicable Form District Standards**

1. Form Districts standards are outlined in *Part 2B. (Form Districts)*. Each Form District page identifies the standards specific to that Form District.
2. Each standard on a Form District page in *Part 2B. (Form Districts)* provides a reference to *Part 2C. (Form Rules)* where the standard is explained in detail. Text in italics below a heading provides a definition of that heading.

Form District Example:

Zone String

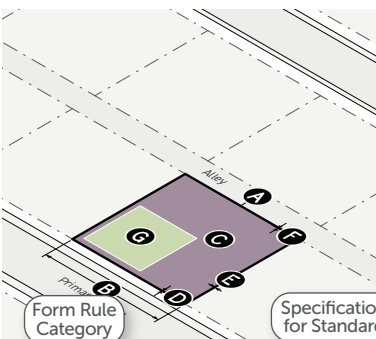
[**LM2** - MU2-5] [RG1-FA]

Find Your Applied
Form District

Part 2B. (Form Districts)

For Illustrative Purposes Only
 SEC. 2B.9.2. **LOW-RISE MEDIUM 2 (LM2)**

A. Lot Parameters

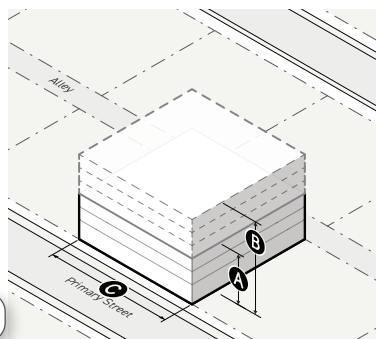


Form Rule Category: **Form Standard** (points to A), **Label on Graphic** (points to C), **No Label on Graphic** (points to E)

Specification for Standard

1. LOT SIZE		Div. 2C.1
A Lot area (min)	2,500 sf	
B Lot width (min)	25'	
2. COVERAGE		Div. 2C.2
C Building coverage (max)	90%	
Building setbacks		
D Primary street (min)	0'	
Side street (min)	0'	
E Side (min)	0'	
F Rear (min)	0'	
G Alley (min)	0'	
Special: All (min)	0'	
3. AMENITY		Div. 2C.3
H Lot amenity space (min)	25%	
Residential amenity space (min)	None	

B. Bulk and Mass



1. FAR & HEIGHT		Div. 2C.4
Floor area ratio (FAR)		
Base (max)	1.5	
Bonus (max)	3.0	
Height in stories		
A Base (max)	3	
B Bonus (max)	6	
2. BUILDING MASS		Div. 2C.5
C Building width (max)	100'	
Building break (min)	15'	
3. UPPER-STORY BULK		Div. 2C.6

Link to Rules: **Standard Not Applicable**

Find Your Rules

Part 2C. (Form Rules)

For Illustrative Purposes Only

Form Rule Category: **Form Standard**

BUILDING MASS

SEC. 2C.5.1 **BUILDING WIDTH**

Building width is defined as the horizontal dimension of any building or collection of abutting buildings on a lot.

A. Intent

The intent of the standards of this Section (Building Width) is to promote fine-grained patterns of development and prevent long buildings that are significantly out of context with traditional patterns by breaking wide buildings into multiple, clearly distinguished building widths, and to encourage larger projects to provide open space for pedestrians and recreation.

B. Applicability

Building width standards apply to new construction or an exterior modification of any frontage lot, line-facing buildings or structures. When the building width standards apply, the standards only apply to those portions of a building or structure located above the ground floor elevation.

C. Standards

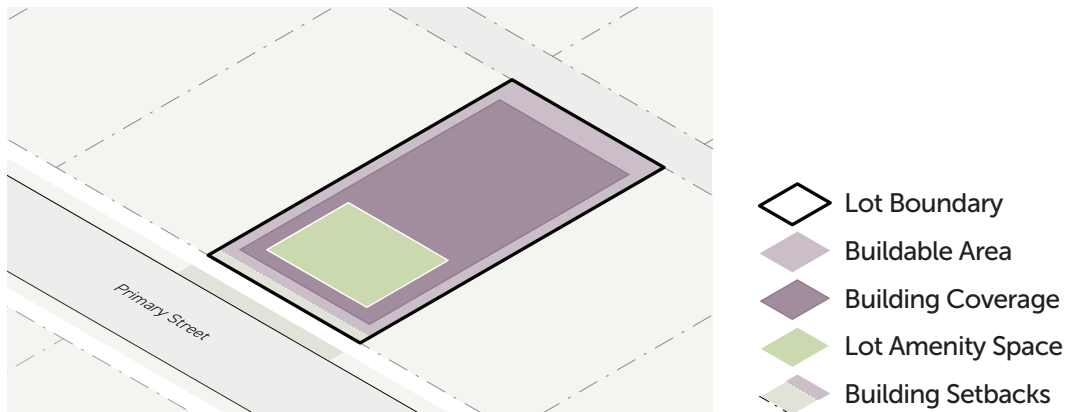
- No applicable building or collection of abutting buildings located on the same lot shall be wider than the maximum building width specified by the applied Form District (Part 2B).
- In order to establish buildings on the same lot as separate buildings for the purpose of measuring maximum building width, a building break shall be provided between the buildings.
- 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.
- A building on a corner lot within the build-to zone area of overlap is allowed to exceed the maximum building width by up to 40 feet along both primary street lot lines and side street lot lines.

SEC. 2A.1.3. FORM DISTRICT DIAGRAMS

A. General

Diagrams and illustrations within this *Article (Form)* are provided to assist users in understanding the intent and requirements of the text. In the event a conflict occurs between the text of this *Article (Form)* and any illustration or graphic, the text prevails.

B. Lot Parameter Diagrams



1. Lot Boundary

This line represents the perimeter of the subject lot, serving as a reference for both lot area and lot width.

2. Buildable Area

This shape represents the area on a lot where buildings are allowed, reduced by required building setbacks, or the lot boundary when no setback is required.

3. Building Setbacks

The area between a lot boundary and the minimum required setback, represented with a dotted white line and bounded by the buildable area.

4. Building Coverage

This shape represents the total building coverage allowed in proportion to the lot area, but does not reflect any requirement as to the location or configuration of any buildings or structures.

5. Lot Amenity Space

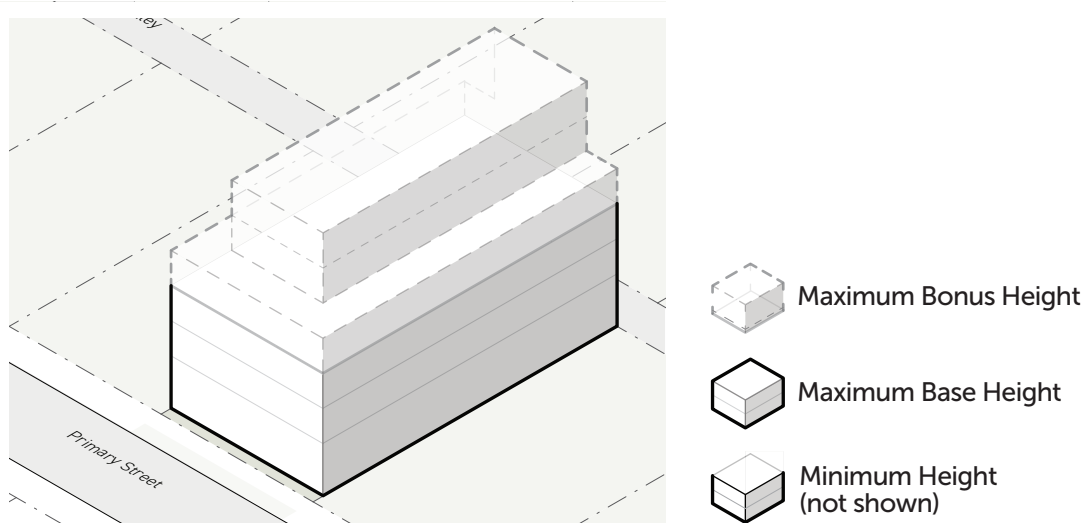
This shape represents the total lot amenity space required in proportion to the lot area, but does not reflect any requirement as to the location or configuration of any amenity space.

C. Bulk and Mass Diagrams

1. General

- a. Bulk and mass diagrams represent the volume where a building is allowed to be located by showing the maximum height allowed for the entire buildable area. The volume does not represent the massing of an allowed building. Other standards, such as maximum building coverage and floor area ratio (FAR), may limit the ability for a building to fill the full volume.
- b. *Form Districts (Part 2B.)* that include a maximum height standard and those that do not include a height limit are represented differently in the bulk and mass diagram.

2. Districts with a Maximum Height Standard



a. Maximum Bonus Height

Maximum bonus height represents the maximum number of stories allowed beyond the number of stories allowed by the maximum base height in stories.

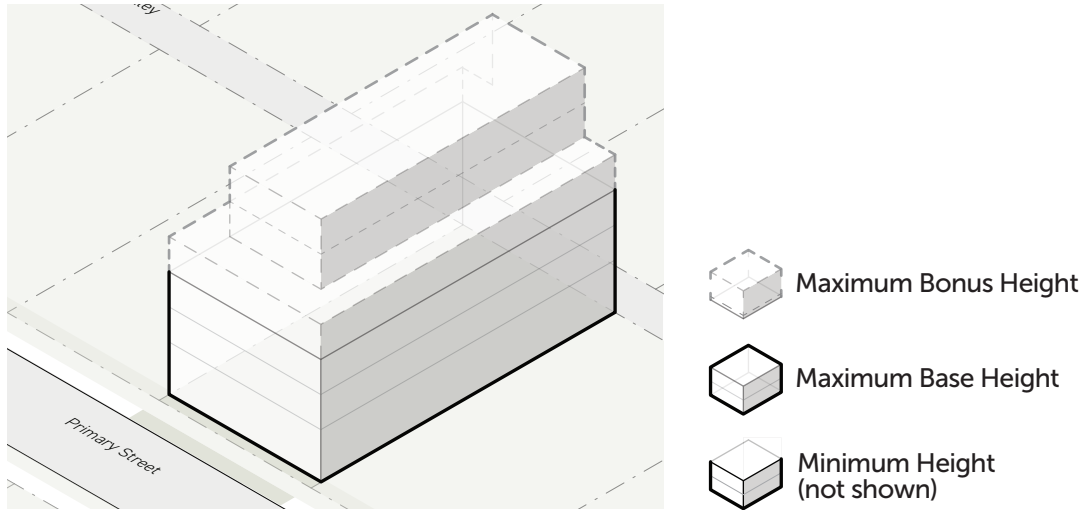
b. Maximum Base Height

Maximum base height represents the number of stories allowed without providing public benefits in trade for additional height according to *Article 9. (Public Benefit Systems)*.

c. Minimum Height

Minimum height represents the lowest number of stories required.

3. Districts with no Maximum Height Standard



a. Unlimited Height

This volume represents the building height allowed, in addition to the likely height of the building based on maximum Base FAR.

b. Likely Height Based on Bonus FAR

This volume represents the likely building height based on the maximum allowed bonus FAR, in addition to the likely height of the building based on maximum base FAR.

c. Likely Height Based on Base FAR

This volume represents the likely building height based on the maximum allowed base FAR, in addition to the minimum required height of the building.

d. Minimum Height

This volume represents the minimum number of stories required.

SEC. 2A.1.4. **FORM DISTRICT NAMING CONVENTION**

There are three different types of naming conventions for *Form Districts (Part 2B.)*. Each Form District name is composed of a variety of components that are specific to that district.

A. **Rural & Estate Form Districts**

[Reserved]

B. **House Form Districts**

[Reserved]

C. **All Other Form Districts**

All other Form District names are composed of three components:

1. **FAR Category**

The first component of each Form District name is a floor area ratio (FAR) category. FAR categories group all districts within a range of maximum allowed FAR. FAR categories are organized as follows:

- a. Very Low-Rise (>0.65-1.5 FAR)
- b. Low-Rise (>1.5-4.0 FAR)
- c. Mid-Rise (>4.0-6.0 FAR)
- d. Moderate-Rise (>6.0-8.5 FAR)
- e. High-Rise (>8.5-13.0 FAR)

2. **Building Width Category**

The second component of each Form District name is a building width category. Building width categories group all districts within a range of maximum allowed building width. Each building width category is organized as follows:

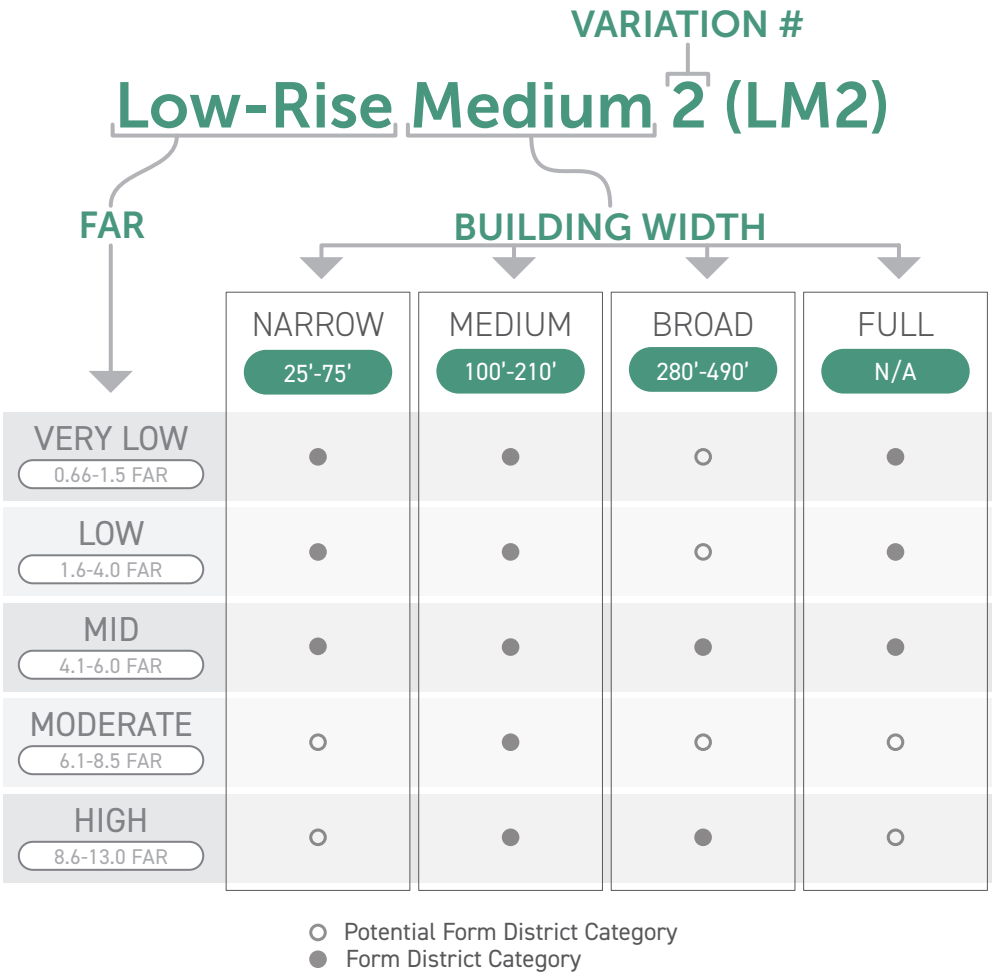
- a. Narrow (25 feet - 75 feet)
- b. Medium (100 feet - 210 feet)
- c. Broad (280 feet - 490 feet)
- d. Full (no building width maximum)

3. **Variation Number**

The last component of each Form District is a variation number. All Form Districts are numbered in the order they fall within this *Article (Form)*.

4. **Example Form District**

Potential Form District categories are shown below to illustrate the naming convention that would be applied to new Form Districts that may be added to this *Article (Form)* through future code amendments.



DIV. 2A.2. **GENERAL RULES**

SEC. 2A.2.1. **FORM**

This *Article (Form)* regulates the placement, scale, and intensity of buildings and structures on a lot in order to ensure building forms are compatible with their context and promote projects that support community goals.

SEC. 2A.2.2. **FORM APPLICABILITY**

A. **General**

All projects filed after the effective date of this Zoning Code (Chapter 1A) shall comply with the Form District standards in this *Article (Form)*, as further specified in the applicability statement of each Section in *Part 2C. (Form Rules)*. Form District standards only apply to the project activities listed in each Section's applicability statement in *Part 2C. (Form Rules)*. For vested rights, see Sec. 1.4.5. (*Vested Rights*), and for continuance of existing development, see Sec. 1.4.6. (*Continuance of Existing Development*).

B. **Applicable Components of Lots, Buildings, & Structures**

Unless otherwise provided, *Form District (Part 2B.)* standards apply to all portions of a lot and all buildings and structures on a lot.

C. **Nonconformities**

Article 12. (Nonconformities) may provide relief from the requirements of this *Article (Form)* for existing lots, site improvements, buildings, structures, and uses that conformed to the zoning regulations, at the time they were established, but do not conform to current district standards or use permissions. All project activities shall conform with *Form District (Part 2B.)* standards unless otherwise specified by *Div. 12.2. (Form Exceptions)*.

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DIV. 2B.1. **RURAL FORM DISTRICTS**

[Reserved].

DIV. 2B.2. **ESTATE FORM DISTRICTS**

[Reserved].

DIV. 2B.3. **HOUSE FORM DISTRICTS**

[Reserved].

DIV. 2B.4. **VERY LOW-RISE NARROW FORM DISTRICTS**

[Reserved].

DIV. 2B.5. **VERY LOW-RISE MEDIUM FORM DISTRICTS**

[Reserved].

DIV. 2B.6. **VERY LOW-RISE BROAD FORM DISTRICTS**

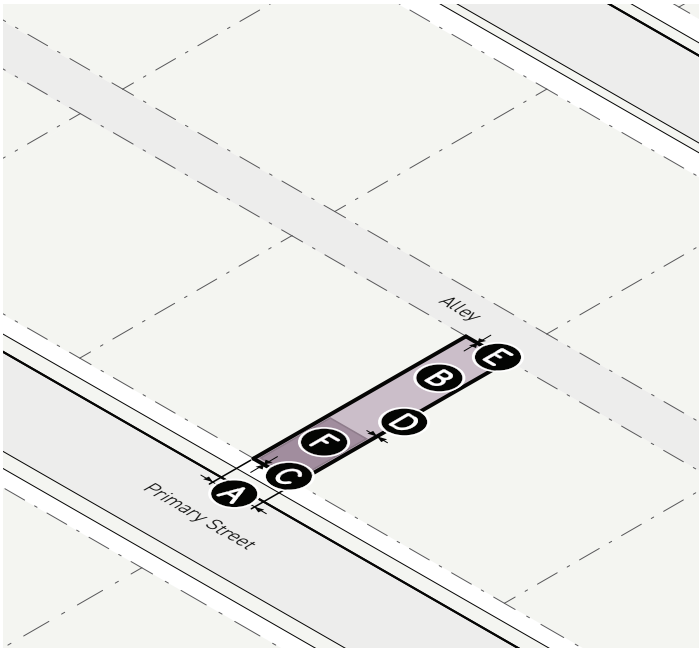
[Reserved].

DIV. 2B.7. VERY LOW-RISE FULL FORM DISTRICTS

Pursuant to Sec. 2A.1.4. (Form District Naming Convention), each Very Low-Rise Full Form District has a maximum FAR ranging from 0.66 to 1.5, and no maximum building width.

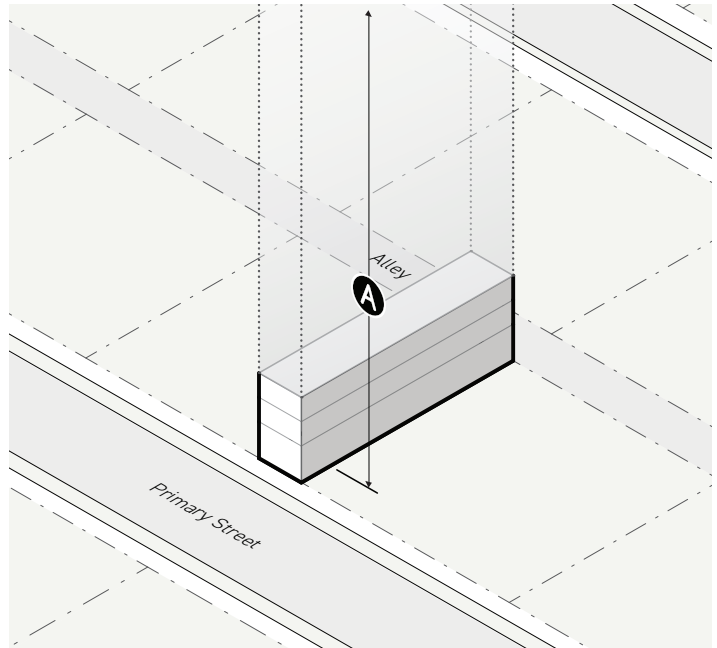
SEC. 2B.7.1. VERY LOW-RISE FULL 1 (VF1)

A. Lot Parameters



1. LOT SIZE	Div. 2C.1.
Lot area (min)	None
A Lot width (min)	20'
2. COVERAGE	Div. 2C.2.
B Building coverage (max)	25%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: River (min)	10'
Special: Other (min)	0'
3. AMENITY	Div. 2C.3.
Not applicable	

B. Bulk and Mass



1. FAR & HEIGHT	Div. 2C.4.
Floor area ratio (FAR)	
Base (max)	1.5
Bonus (max)	None
A Height (max)	None
2. BUILDING MASS	Div. 2C.5.
Not applicable	
3. UPPER-STORY BULK	Div. 2C.6.
Not applicable	

DIV. 2B.8. LOW-RISE NARROW FORM DISTRICTS

Pursuant to Sec. 2A.1.4. (Form District Naming Convention), each Low-Rise Narrow Form District has a maximum FAR ranging from 1.6 to 4.0, and a maximum building width ranging from 25 to 75 feet.

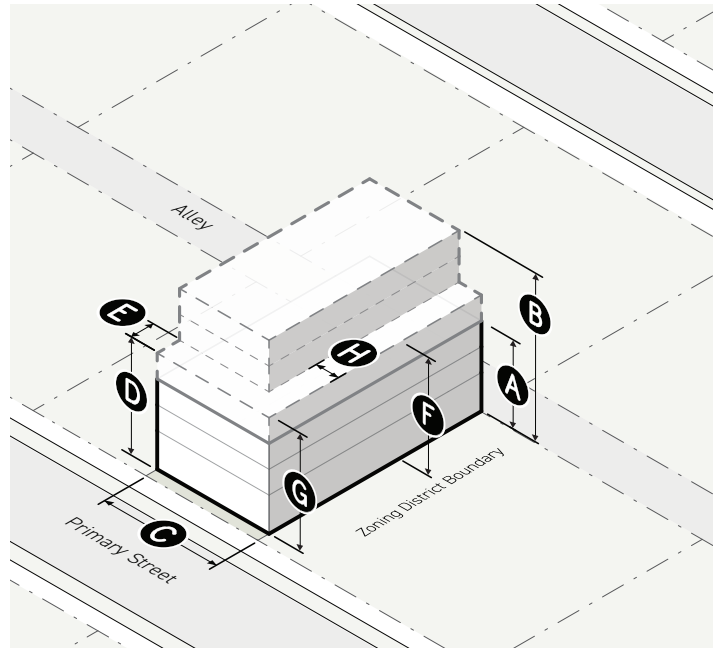
SEC. 2B.8.1. LOW-RISE NARROW 1 (LN1)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
A Lot area (min)	2,500 sf
B Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
C Building coverage (max)	80%
Building setbacks	
D Primary street (min)	5'
Side street (min)	0'
E Side (min)	0'
Rear (min)	0'
F Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
G Lot amenity space (min)	25%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	1.5
Bonus (max)	3.0
Height in stories	
A Base (max)	3
B Bonus (max)	6
2. BUILDING MASS Div. 2C.5.	
C Building width (max)	75'
Building break (min)	6'
3. UPPER-STORY BULK Div. 2C.6.	
Street step-back	
D Stories without step-back (max)	4
E Primary street step-back depth (min)	10'
Side street step-back depth (min)	10'
District boundary height transition	
F Abutting district allowed height (max)	45'
G Stories without height transition (max)	4
H Transition depth (min)	10'

DIV. 2B.9. LOW-RISE MEDIUM FORM DISTRICTS

Pursuant to Sec. 2A.1.4. (*Form District Naming Convention*), each Low-Rise Medium Form District has a maximum FAR ranging from 1.6 to 4.0, and a maximum building width ranging from 100 to 210 feet.

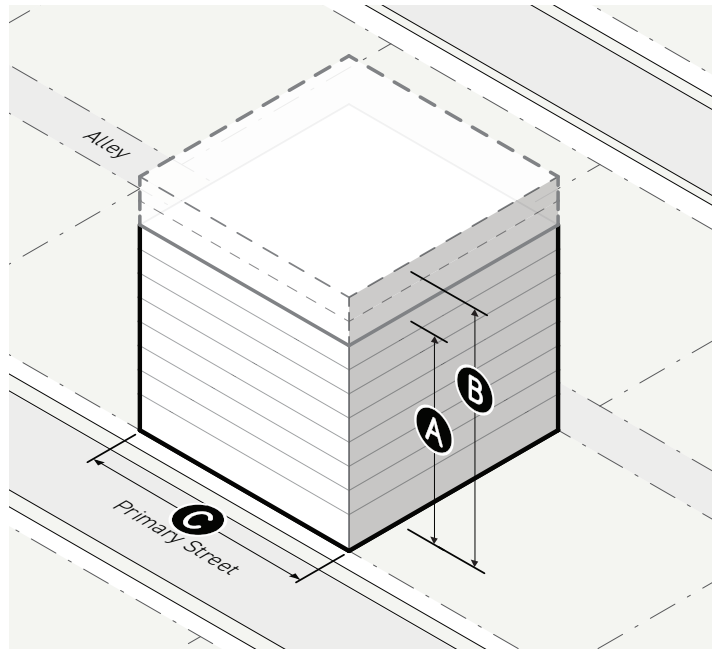
SEC. 2B.9.1. LOW-RISE MEDIUM 1 (LM1)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	15%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	1.5
Bonus (max)	3.0
Height in stories	
A Base (max)	8
B Bonus (max)	10
2. BUILDING MASS Div. 2C.5.	
C Building width (max)	160'
Building break (min)	15'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

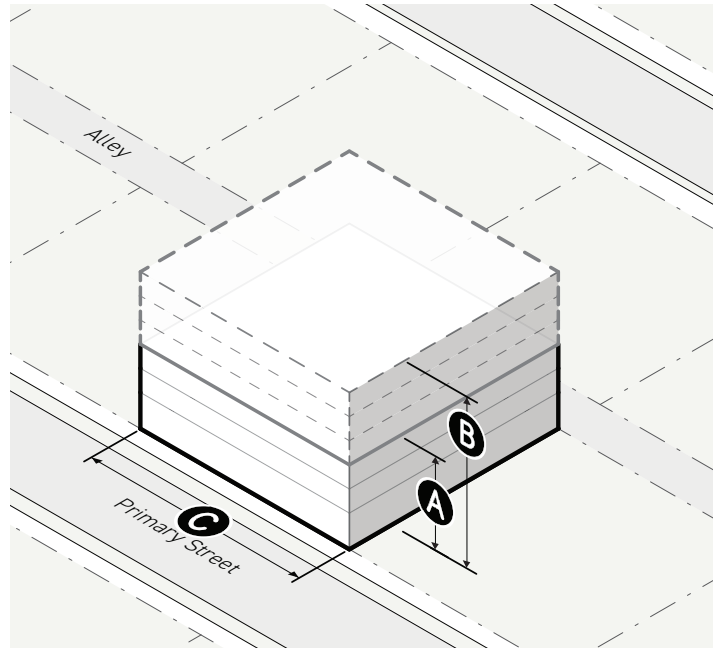
SEC. 2B.9.2. LOW-RISE MEDIUM 2 (LM2)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
A Lot area (min)	2,500 sf
B Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
C Building coverage (max)	90%
Building setbacks	
D Primary street (min)	0'
Side street (min)	0'
E Side (min)	0'
Rear (min)	0'
F Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
G Lot amenity space (min)	25%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	1.5
Bonus (max)	3.0
Height in stories	
A Base (max)	3
B Bonus (max)	6
2. BUILDING MASS Div. 2C.5.	
C Building width (max)	100'
Building break (min)	15'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

DIV. 2B.10. LOW-RISE BROAD FORM DISTRICTS

Pursuant to Sec. 2A.1.4. (Form District Naming Convention), each Low-Rise Broad Form District has a maximum FAR ranging from 1.6 to 4.0, and a maximum building width ranging from 280 to 490 feet.

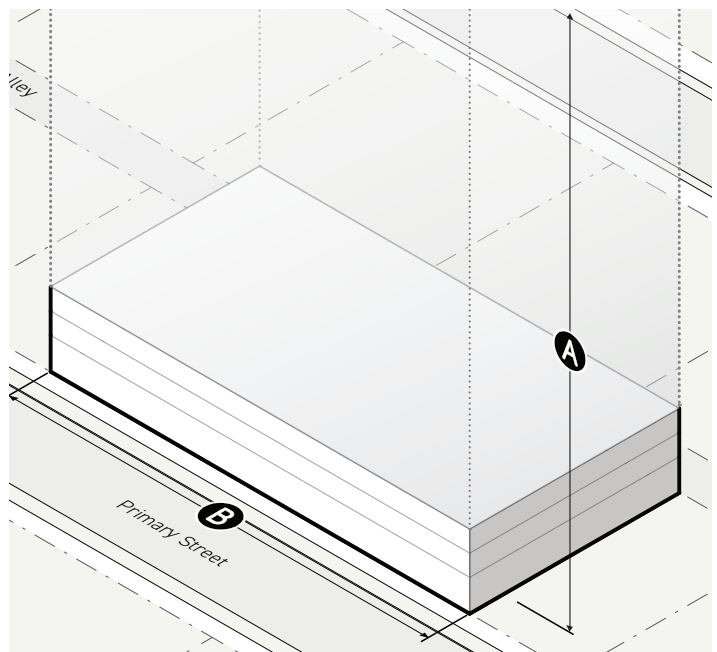
SEC. 2B.10.1. LOW-RISE BROAD 1 (LB1)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	90%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	15%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	3.0
Bonus (max)	None
A Height (max)	None
2. BUILDING MASS Div. 2C.5.	
B Building width (max)	350'
Building break (min)	25'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

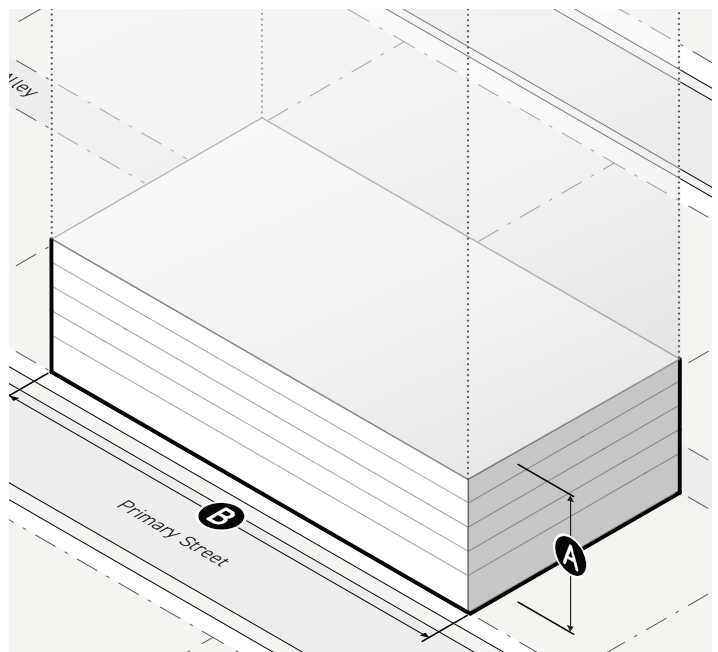
SEC. 2B.10.2. LOW-RISE BROAD 2 (LB2)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	90%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: River (min)	10'
Special: Other (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	15%
Residential amenity space (min)	10%

B. Bulk and Mass



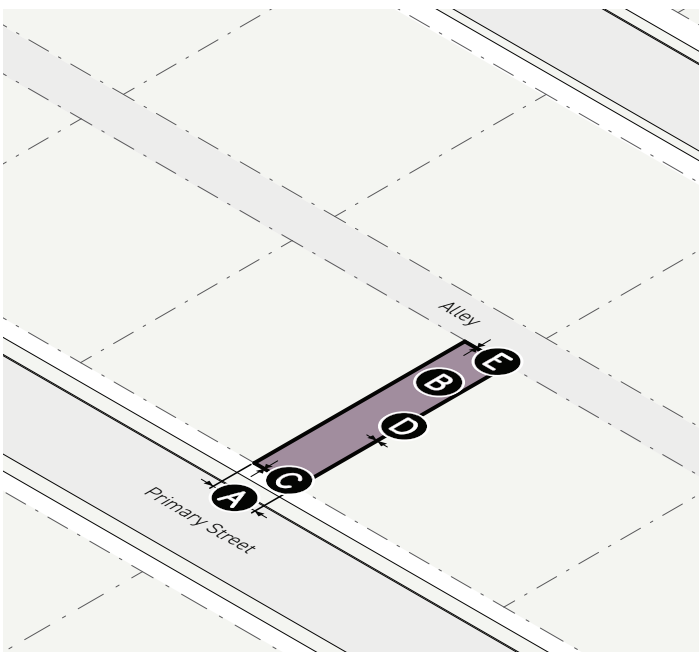
1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	1.5
Bonus (max)	3.0
Height in stories	
A Base (max)	5
Bonus (max)	None
2. BUILDING MASS Div. 2C.5.	
B Building width (max)	280'
Building break (min)	25'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

DIV. 2B.11. LOW-RISE FULL FORM DISTRICTS

Pursuant to Sec. 2A.1.4. (Form District Naming Convention), each Low-Rise Full Form District has a maximum FAR ranging from 1.6 to 4.0, and no maximum building width.

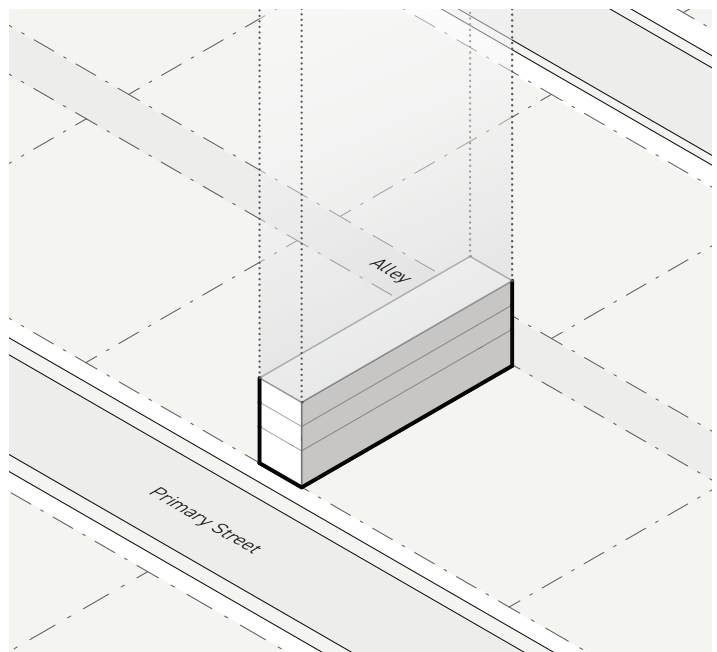
SEC. 2B.11.1. LOW-RISE FULL 1 (LF1)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	20'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
Not applicable	

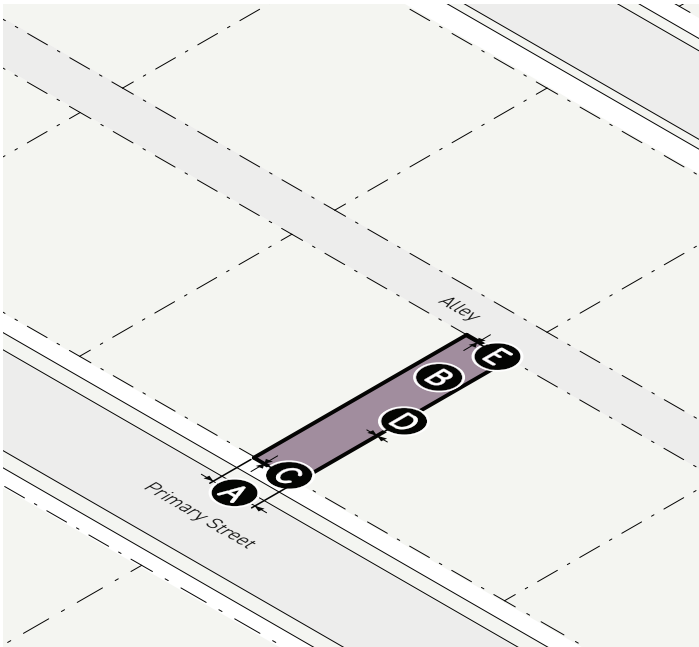
B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	3.0
Bonus (max)	None
City Hall Height Restriction	Yes
2. BUILDING MASS Div. 2C.5.	
Not applicable	
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

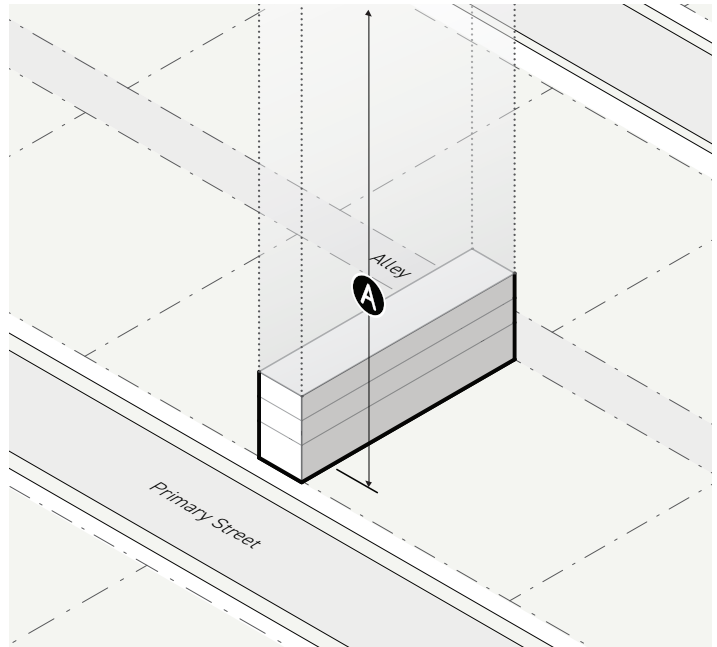
SEC. 2B.11.2. LOW-RISE FULL 2 (LF2)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	20'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: River (min)	10'
Special: Other (min)	0'
3. AMENITY Div. 2C.3.	
Not applicable	

B. Bulk and Mass



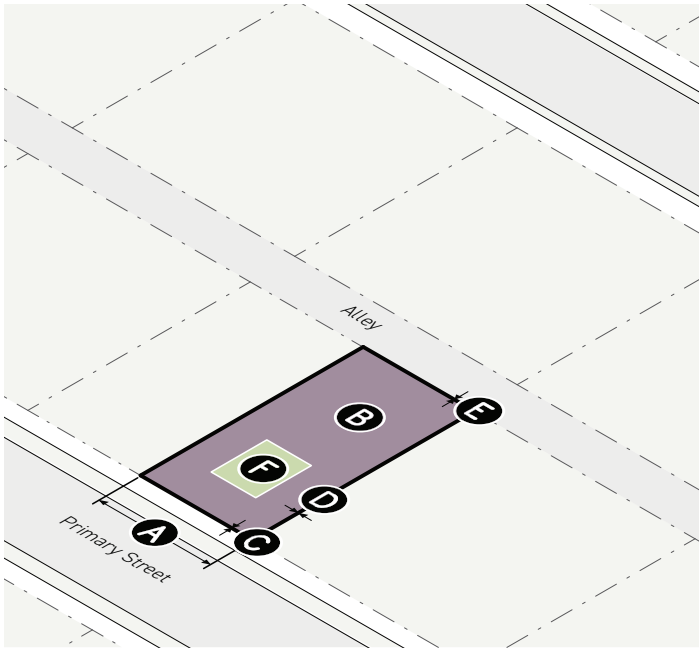
1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	3.0
Bonus (max)	None
A Height (max)	None
2. BUILDING MASS Div. 2C.5.	
Not applicable	
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

DIV. 2B.12. MID-RISE NARROW FORM DISTRICTS

Pursuant to Sec. 2A.1.4. (*Form District Naming Convention*), each Mid-Rise Narrow Form District has a maximum FAR ranging from 4.1 to 6.0, and a maximum building width ranging from 25 to 75 feet.

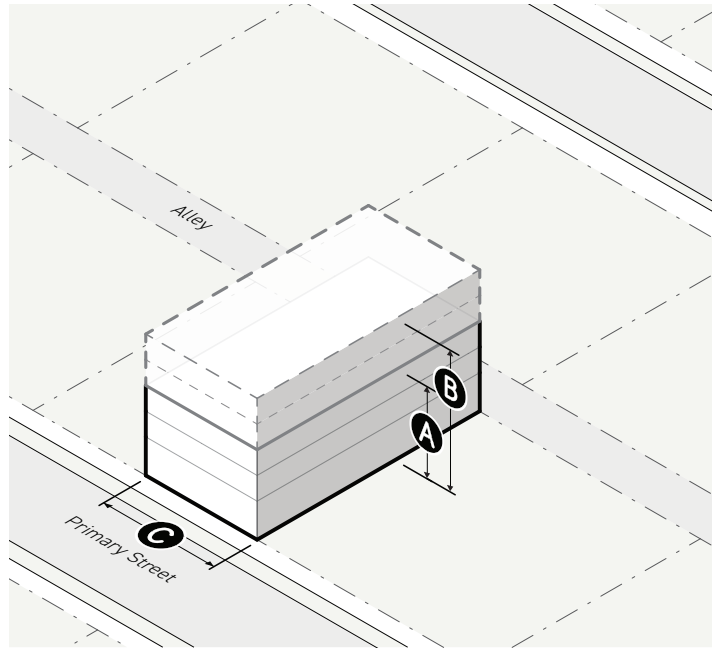
SEC. 2B.12.1. MID-RISE NARROW 1 (MN1)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: Alley (min)	0'
Special: Other (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	10%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	3.0
Bonus (max)	6.0
Height in stories	
A Base (max)	3
B Bonus (max)	5
2. BUILDING MASS Div. 2C.5.	
C Building width (max)	75'
Building break (min)	6'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

DIV. 2B.13. MID-RISE MEDIUM FORM DISTRICTS

Pursuant to Sec. 2A.1.4. (Form District Naming Convention), each Mid-Rise Medium Form District has a maximum FAR ranging from 4.1 to 6.0, and a maximum building width ranging from 100 to 210 feet.

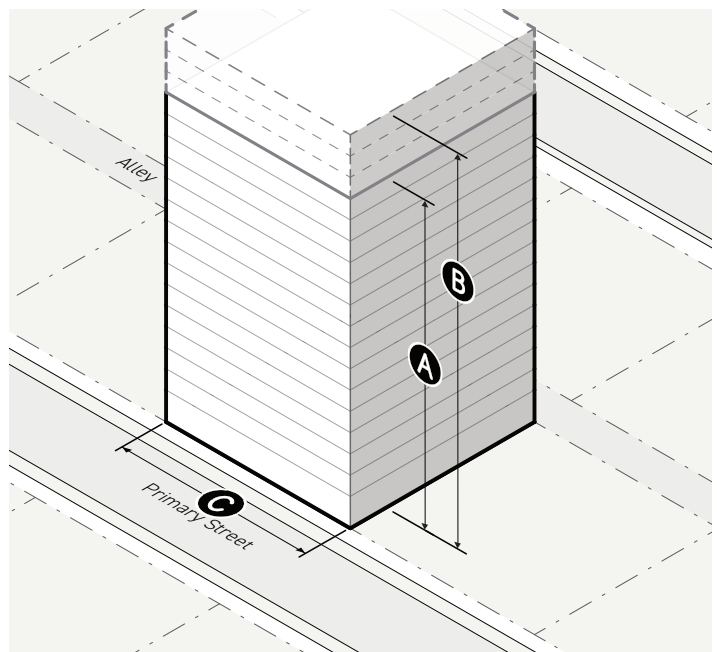
SEC. 2B.13.1. MID-RISE MEDIUM 1 (MM1)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	90%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: River (min)	10'
Special: Other (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	15%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	1.5
Bonus (max)	4.5
Height in stories	
A Base (max)	15
B Bonus (max)	18
2. BUILDING MASS Div. 2C.5.	
C Building width (max)	160'
Building break (min)	15'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

DIV. 2B.14. MID-RISE BROAD FORM DISTRICTS

Pursuant to Sec. 2A.1.4. (*Form District Naming Convention*), each Mid-Rise Broad Form District has a maximum FAR ranging from 4.1 to 6.0, and a maximum building width ranging from 280 to 490 feet.

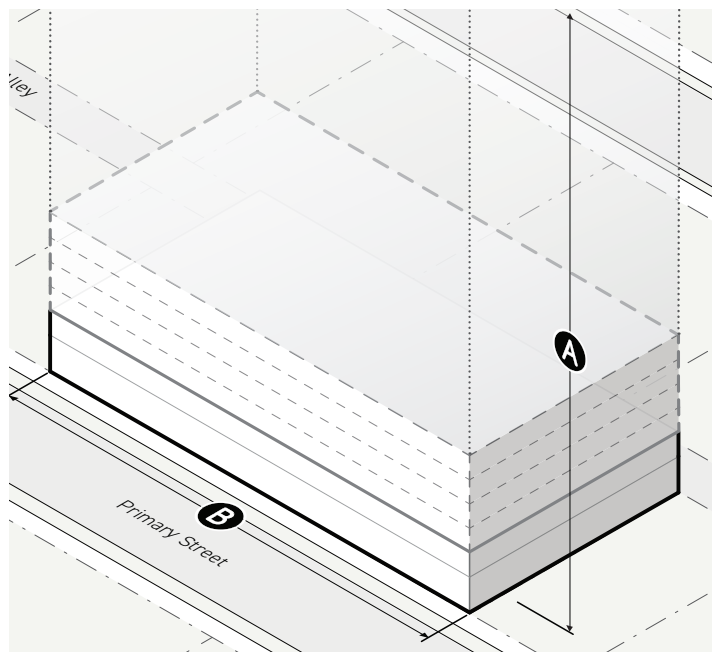
SEC. 2B.14.1. MID-RISE BROAD 1 (MB1)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	90%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	15%
Residential amenity space (min)	10%

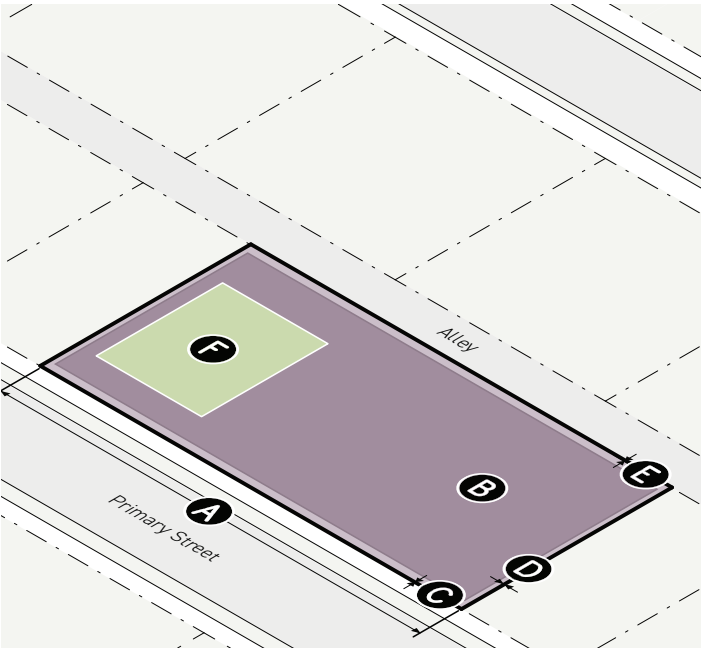
B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	1.5
Bonus (max)	6.0
Bonus height in stories (min)	
Residential	10
Predominantly non-residential	n/a
A Height (max)	None
2. BUILDING MASS Div. 2C.5.	
B Building width (max)	280'
Building break (min)	25'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

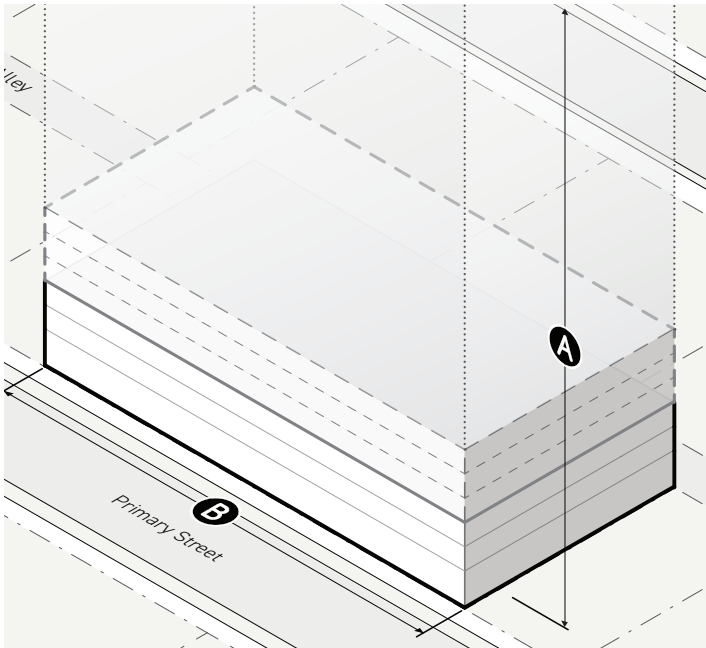
SEC. 2B.14.2. **MID-RISE BROAD 2 (MB2)**

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	90%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	15%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	3.0
Bonus (max)	6.0
A Height (max)	None
2. BUILDING MASS Div. 2C.5.	
B Building width (max)	280'
Building break (min)	25'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

DIV. 2B.15. **MID-RISE FULL FORM DISTRICTS**

Pursuant to *Sec. 2A.1.4. (Form District Naming Convention)*, each Mid-Rise Full Form District has a maximum FAR ranging from 4.1 to 6.0, and no maximum building width.

[Reserved]

DIV. 2B.16. MODERATE-RISE MEDIUM FORM DISTRICTS

Pursuant to Sec. 2A.1.4. (Form District Naming Convention), each Moderate-Rise Medium Form District has a maximum FAR ranging from 6.1 to 8.5, and a maximum building width ranging from 100 to 210 feet.

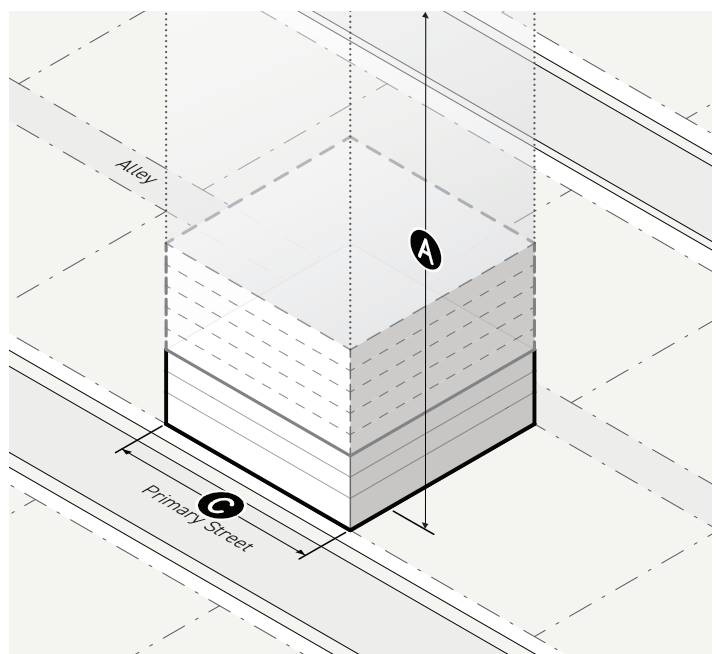
SEC. 2B.16.1. MODERATE-RISE MEDIUM 1 (DM1)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	90%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: Alley (min)	0'
Special: Other (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	15%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	3.0
Bonus (max)	8.0
A Height (max)	None
2. BUILDING MASS Div. 2C.5.	
B Building width (max)	210'
Building break (min)	15'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

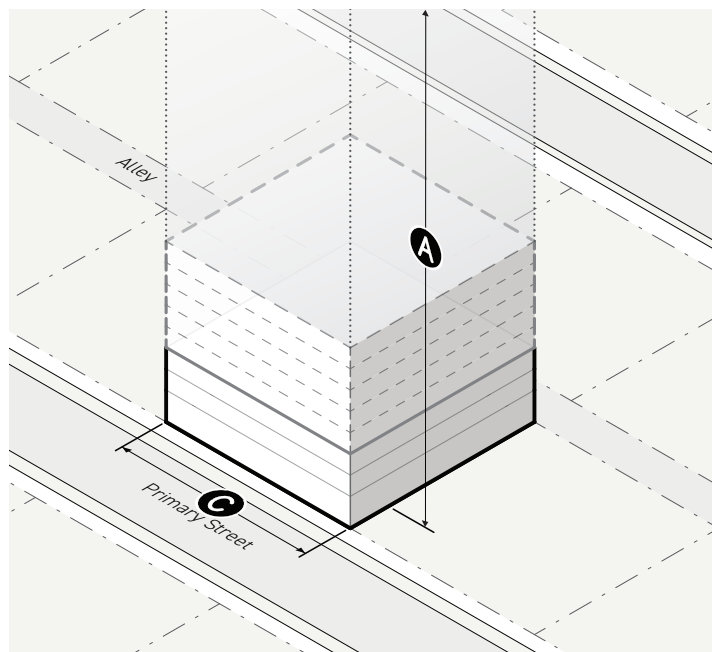
SEC. 2B.16.2. MODERATE-RISE MEDIUM 2 (DM2)

A. Lot Parameters



1. LOT SIZE	Div. 2C.1.
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE	Div. 2C.2.
B Building coverage (max)	90%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY	Div. 2C.3.
F Lot amenity space (min)	15%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT	Div. 2C.4.
Floor area ratio (FAR)	
Base (max)	3.0
Bonus (max)	8.5
A Height (max)	None
2. BUILDING MASS	Div. 2C.5.
B Building width (max)	160'
Building break (min)	15'
3. UPPER-STORY BULK	Div. 2C.6.
Not applicable	

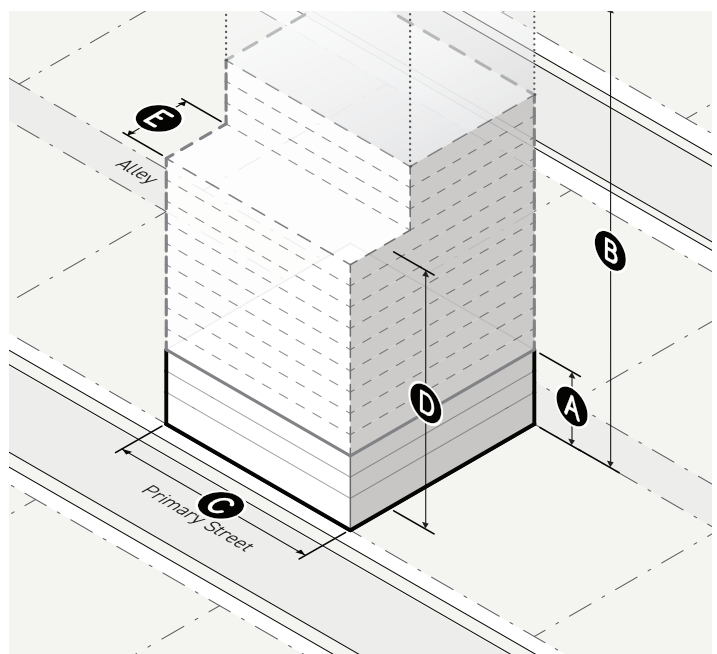
SEC. 2B.16.3. MODERATE-RISE MEDIUM 3 (DM3)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	10%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	3.0
Bonus (max)	8.5
A Height in stories (min)	3
B Height (max)	None
2. BUILDING MASS Div. 2C.5.	
C Building width (max)	160'
Building break (min)	15'
3. UPPER-STORY BULK Div. 2C.6.	
Street step-back	
D Stories without step-back (min/max)	2/12
E Primary street step-back depth (min)	30'
Side street step-back depth (min)	30'

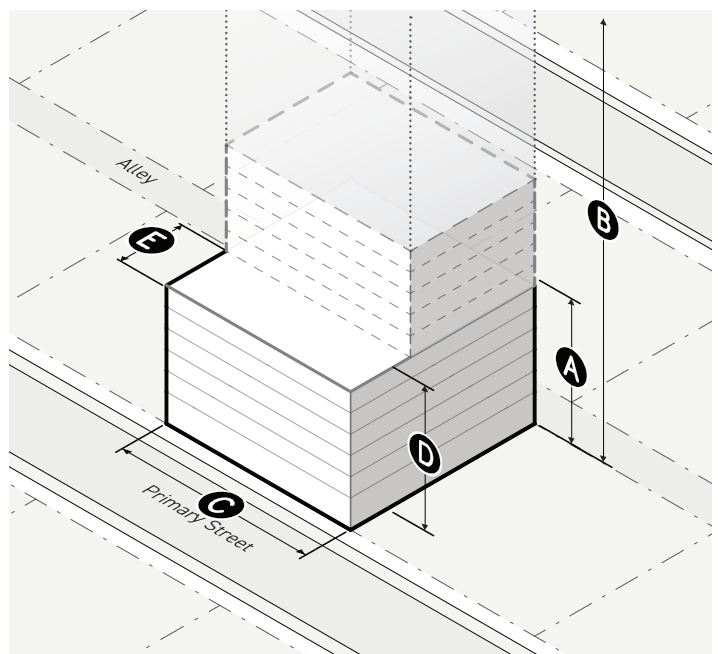
SEC. 2B.16.4. MODERATE-RISE MEDIUM 4 (DM4)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	10%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	6.0
Bonus (max)	8.5
A Height in stories (min)	6
B Height (max)	None
2. BUILDING MASS Div. 2C.5.	
C Building width (max)	160'
Building break (min)	15'
3. UPPER-STORY BULK Div. 2C.6.	
Street step-back	
D Stories without step-back (min/max)	2/12
E Primary street step-back depth (min)	30'
Side street step-back depth (min)	30'

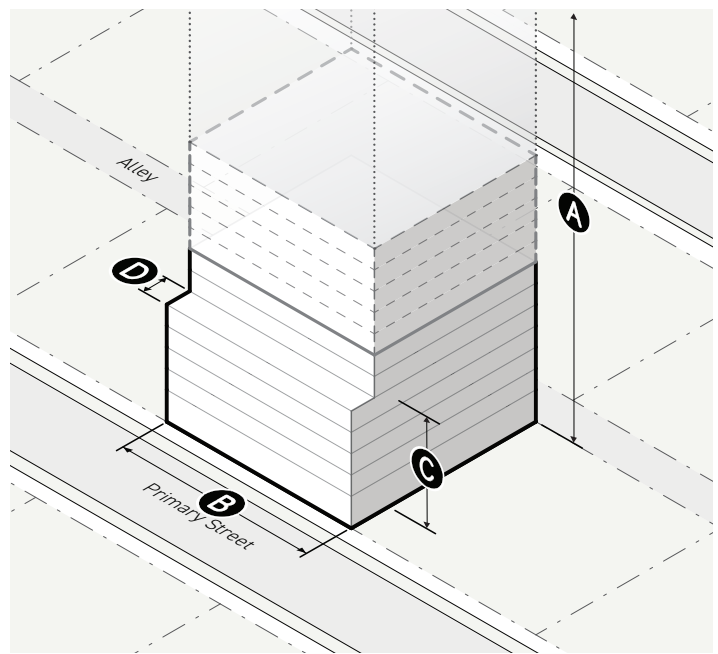
SEC. 2B.16.5. MODERATE-RISE MEDIUM 5 (DM5)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	10%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	6.0
Bonus (max)	8.5
A Height (max)	None
2. BUILDING MASS Div. 2C.5.	
B Building width (max)	160'
Building break (min)	15'
3. UPPER-STORY BULK Div. 2C.6.	
Street step-back	
C Stories without step-back (min/max)	2/5
D Primary street step-back depth (min)	10'
Side street step-back depth (min)	10'

DIV. 2B.17. **MODERATE-RISE BROAD FORM DISTRICTS**

Pursuant to *Sec. 2A.1.4. (Form District Naming Convention)*, each Moderate-Rise Broad Form District has a maximum FAR ranging from 6.1 to 8.5, and a maximum building width ranging from 280 to 490 feet.

[Reserved]

DIV. 2B.18. MODERATE-RISE FULL FORM DISTRICTS

Pursuant to Sec. 2A.1.4. (Form District Naming Convention), each Moderate-Rise Full Form District has a maximum FAR ranging from 6.1 to 8.5, and no maximum building width.

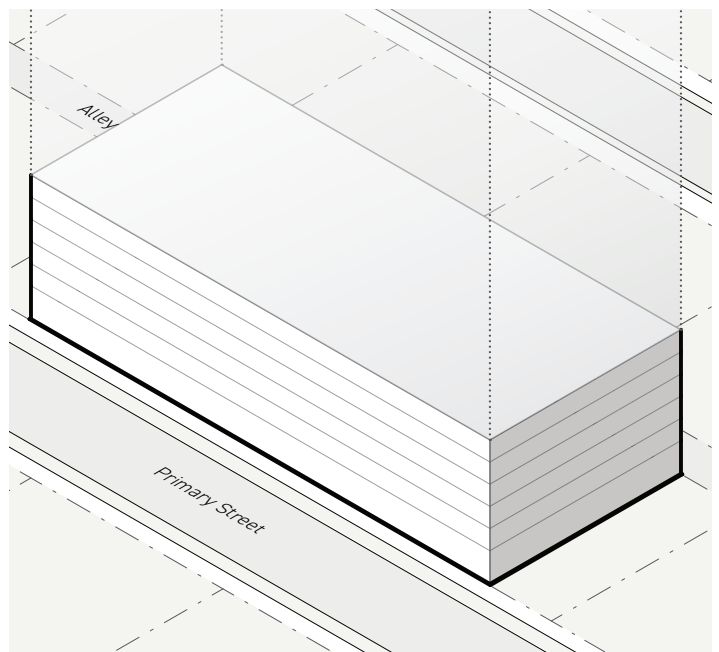
SEC. 2B.18.1. MODERATE-RISE FULL 1 (DF1)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	95%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	10%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	6.5
Bonus (max)	None
City Hall Height Restriction	Yes
2. BUILDING MASS Div. 2C.5.	
Not applicable	
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

DIV. 2B.19. HIGH-RISE MEDIUM FORM DISTRICTS

Pursuant to Sec. 2A.1.4. (Form District Naming Convention), each High-Rise Medium Form District has a maximum FAR ranging from 8.6 to 13.0, and a maximum building width ranging from 100 to 210 feet.

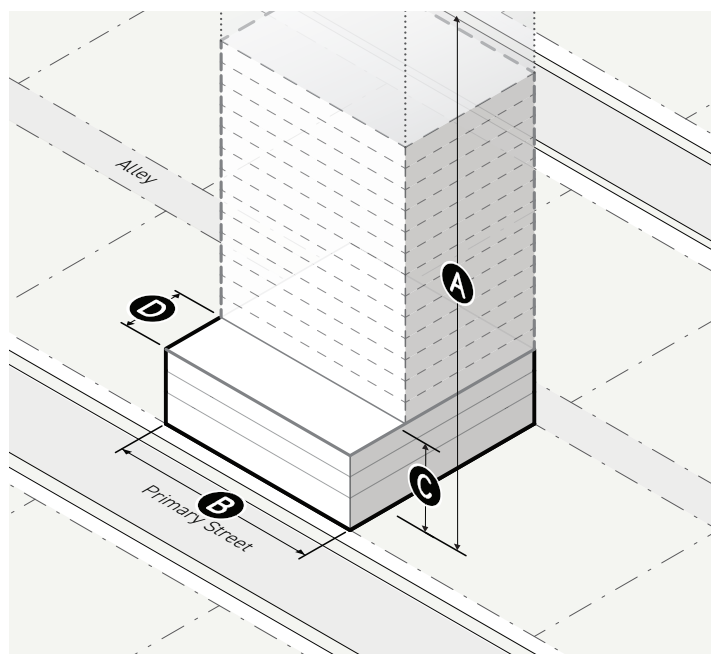
SEC. 2B.19.1. HIGH-RISE MEDIUM 1 (HM1)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	10%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	3.0
Bonus (max)	13.0
A Height (max)	None
2. BUILDING MASS Div. 2C.5.	
B Building width (max)	210'
Building break (min)	15'
3. UPPER-STORY BULK Div. 2C.6.	
Street step-back	
C Stories without step-back (min/max)	2/12
D Primary street step-back depth (min)	30'
Side street step-back depth (min)	30'

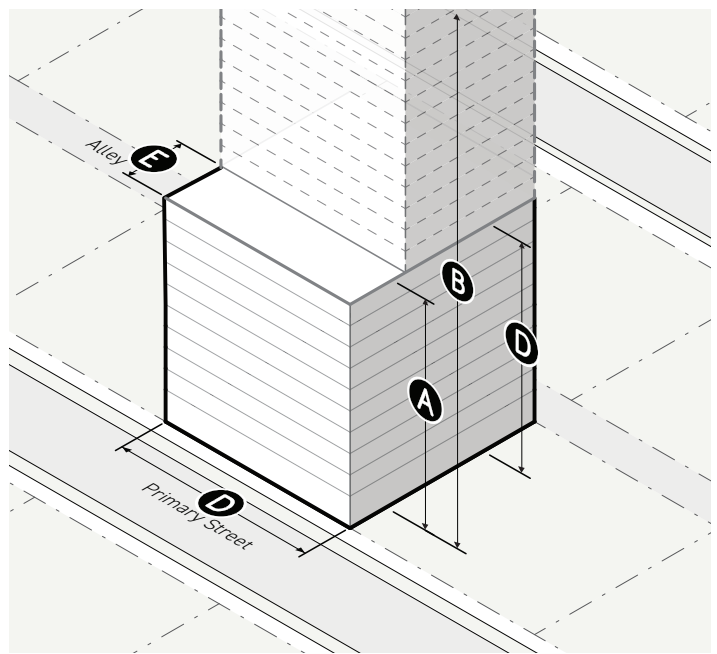
SEC. 2B.19.2. HIGH-RISE MEDIUM 2 (HM2)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	10%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	6.0
Bonus (max)	13.0
A Height in stories (min)	10
B Height (max)	None
2. BUILDING MASS Div. 2C.5.	
C Building width (max)	210'
Building break (min)	15'
3. UPPER-STORY BULK Div. 2C.6.	
Street step-back	
D Stories without step-back (min/max)	2/12
E Primary street step-back depth (min)	30'
Side street step-back depth (min)	30'

DIV. 2B.20. HIGH-RISE BROAD FORM DISTRICTS

Pursuant to Sec. 2A.1.4. (Form District Naming Convention), each High-Rise Broad Form District has a maximum FAR ranging from 8.6 to 13.0, and a maximum building width ranging from 280 to 490 feet.

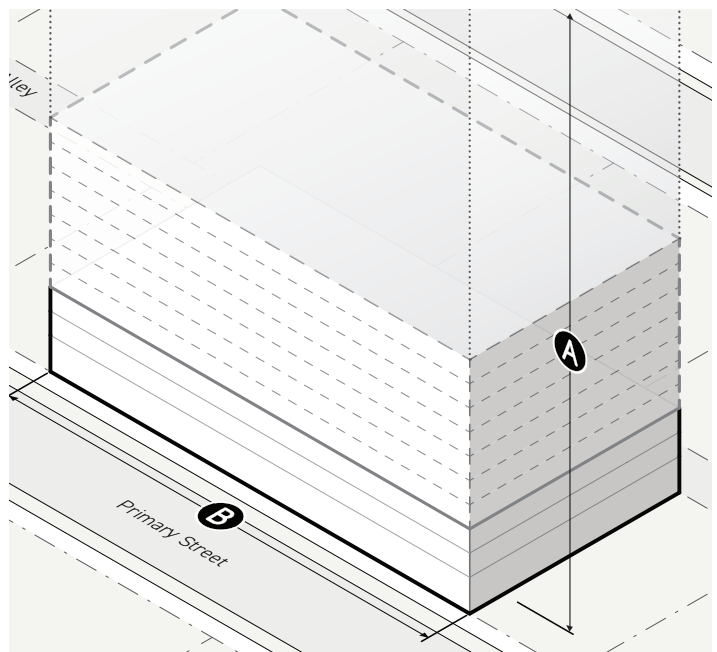
SEC. 2B.20.1. HIGH-RISE BROAD 1 (HB1)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	20%
Residential amenity space (min)	10%

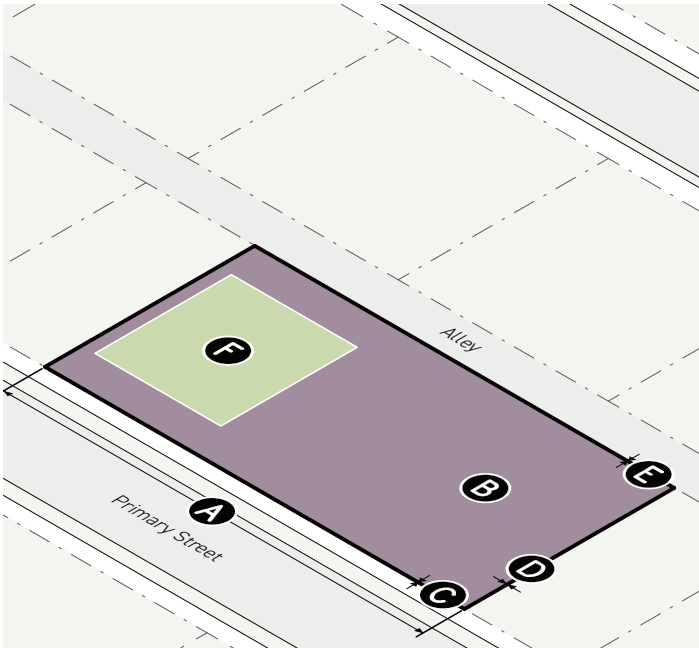
B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	3.0
Bonus (max)	10.0
A Height (max)	None
2. BUILDING MASS Div. 2C.5.	
B Building width (max)	350'
Building break (min)	25'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

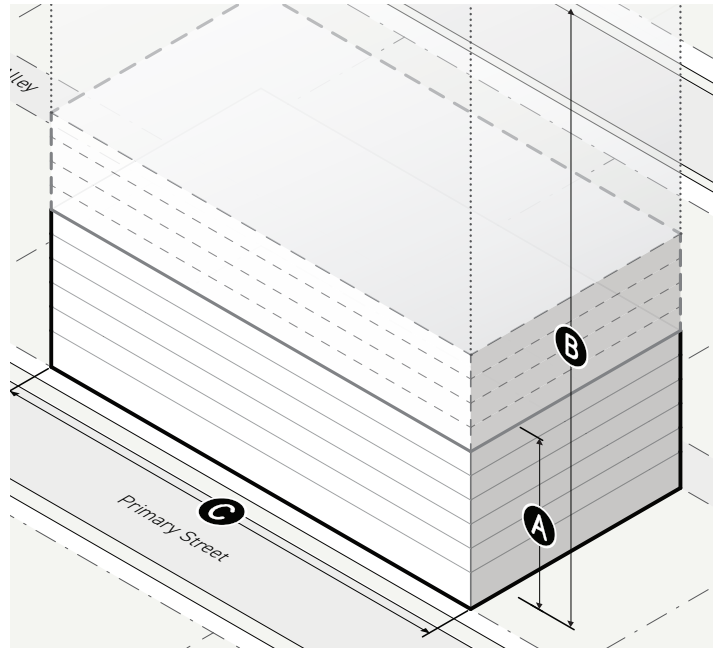
SEC. 2B.20.2. HIGH-RISE BROAD 2 (HB2)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	20%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	6.0
Bonus (max)	10.0
A Height in stories (min)	4
B Height (max)	None
2. BUILDING MASS Div. 2C.5.	
C Building width (max)	350'
Building break (min)	25'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

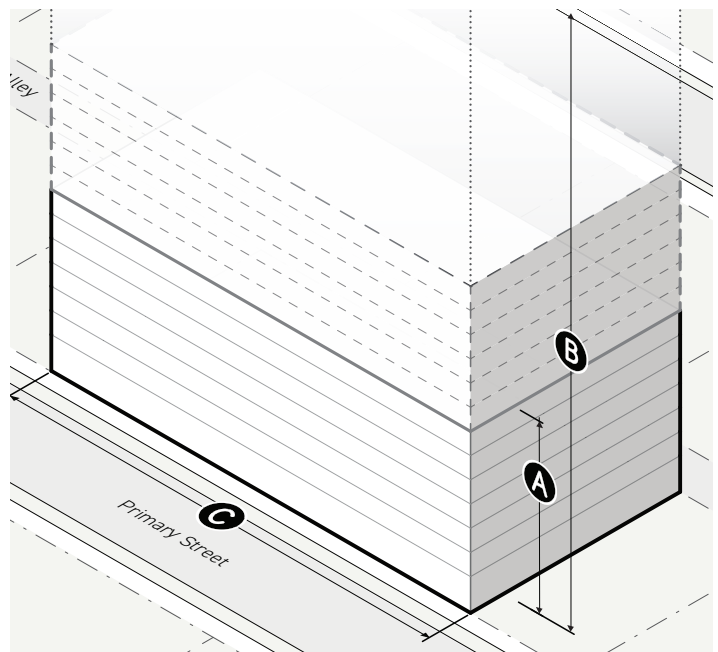
SEC. 2B.20.3. HIGH-RISE BROAD 3 (HB3)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	20%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	7.0
Bonus (max)	13.0
A Height in stories (min)	6
B Height (max)	None
2. BUILDING MASS Div. 2C.5.	
C Building width (max)	350'
Building break (min)	25'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

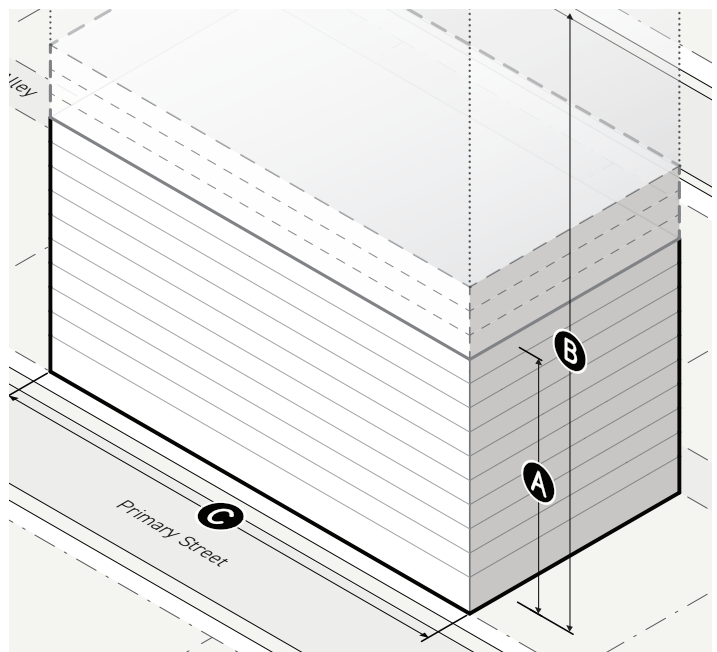
SEC. 2B.20.4. HIGH-RISE BROAD 4 (HB4)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	20%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	9.0
Bonus FAR (max)	13.0
A Height in stories (min)	10
B Height (max)	None
City Hall Height Restriction	
	Yes
2. BUILDING MASS Div. 2C.5.	
C Building width (max)	350'
Building break (min)	25'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

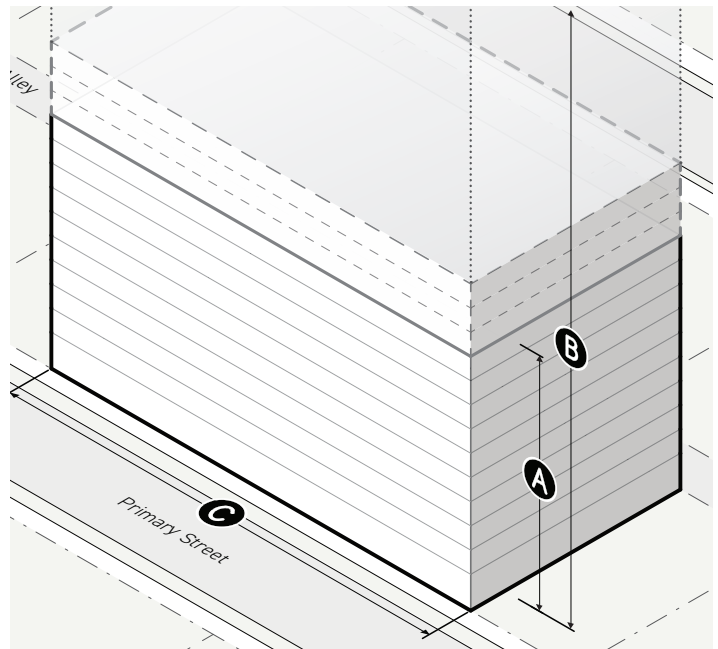
SEC. 2B.20.5. HIGH-RISE BROAD 5 (HB5)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	20%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	9.0
Bonus (max)	13.0
A Height in stories (min)	10
B Height (max)	None
2. BUILDING MASS Div. 2C.5.	
C Building width (max)	350'
Building break (min)	25'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

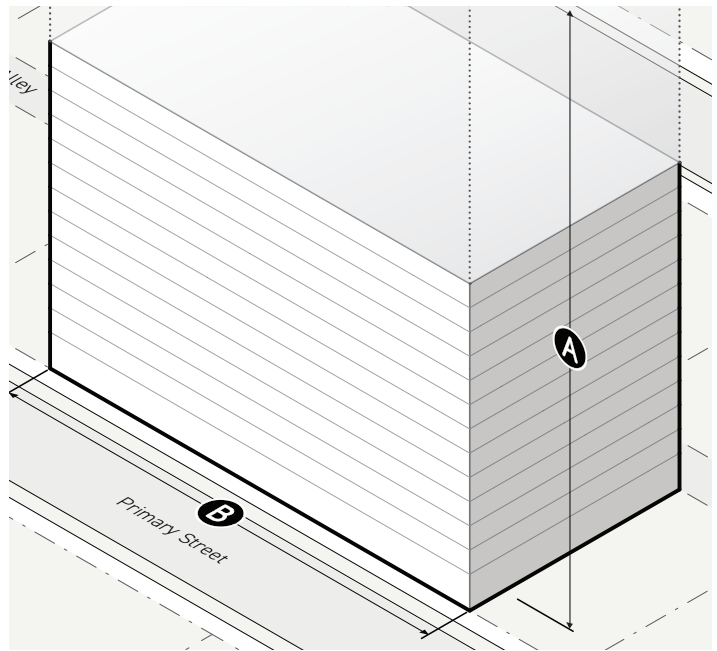
SEC. 2B.20.6. HIGH-RISE BROAD 6 (HB6)

A. Lot Parameters



1. LOT SIZE Div. 2C.1.	
Lot area (min)	None
A Lot width (min)	25'
2. COVERAGE Div. 2C.2.	
B Building coverage (max)	100%
Building setbacks	
C Primary street (min)	0'
Side street (min)	0'
D Side (min)	0'
Rear (min)	0'
E Alley (min)	0'
Special: All (min)	0'
3. AMENITY Div. 2C.3.	
F Lot amenity space (min)	20%
Residential amenity space (min)	10%

B. Bulk and Mass



1. FAR & HEIGHT Div. 2C.4.	
Floor area ratio (FAR)	
Base (max)	13.0
Bonus (max)	None
A Height (max)	None
2. BUILDING MASS Div. 2C.5.	
B Building width (max)	350'
Building break (min)	25'
3. UPPER-STORY BULK Div. 2C.6.	
Not applicable	

DIV. 2B.21. **HIGH-RISE FULL FORM DISTRICTS**

Pursuant to *Sec. 2A.1.4. (Form District Naming Convention)*, each High-Rise Full Form District has a maximum FAR ranging from 8.6 to 13.0, and no maximum building width.

[Reserved]

PART 2C. FORM RULES

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DIV. 2C.1. LOT SIZE

SEC. 2C.1.1. LOT AREA

Lot area is defined as the total area within the boundaries of a lot.

A. Intent

The intent of the standards of this *Section (Lot Area)* is to ensure that newly established lots are consistent in size with surrounding lots.

B. Applicability

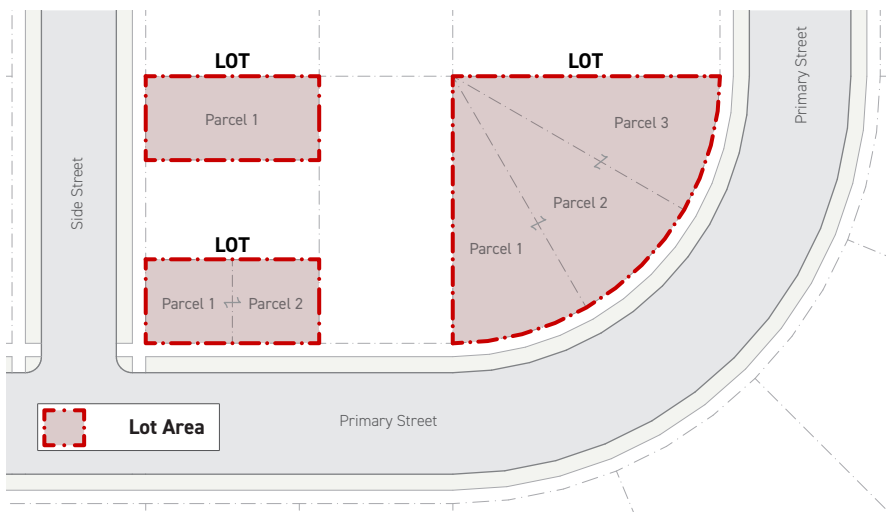
Lot area standards apply to any lot modification. When lot area standards apply, they apply to all lots subject to the lot modification.

C. Standards

No lot may have an area less than the minimum specified in the applied *Form District (Part 2B.)*.

D. Measurement

1. Lot area is measured as the total area within the boundary of a lot.
2. Lot area includes all portions of a lot allocated for required easements.
3. For measurement on portions of a lot required for land dedication, see *Sec. 14.2.11. (Lot)*.



E. Relief

1. A reduction in required lot area of 20 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. A reduction in required lot area may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 2C.1.2. LOT WIDTH

Lot width is defined as the length of primary street lot lines bounding a lot.

A. Intent

The intent of the standards of this *Section (Lot Width)* is to ensure that newly established lots are consistent in width with surrounding lots.

B. Applicability

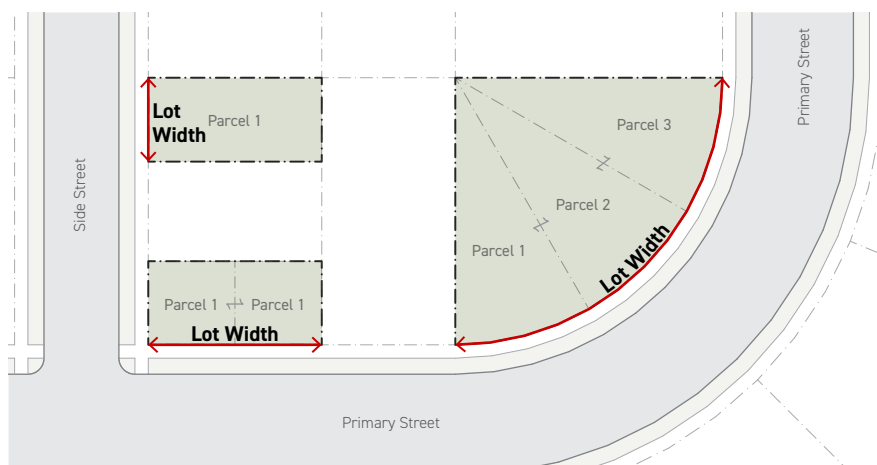
Lot width standards apply to any lot modification. When lot width standards apply, they apply to all lots subject to the lot modification.

C. Standards

1. No lot shall have a width less than the minimum specified by the applied *Form District (Part 2B.)*.
2. For the purpose of meeting minimum lot width standards, multiple lots may be grouped together as a lot when a lot tie affidavit is filed and approved by the Department of Building and Safety.

D. Measurement

1. Lot width is measured following the geometry of all primary street lot lines that bound the lot.
2. Where a lot has two or more primary street lot lines facing different streets, both primary street lot lines shall meet the minimum lot width standard.
3. For measurement on portions of a lot required for dedication of land, see Sec. 14.2.11. (Lot).



E. **Relief**

1. A reduction in required lot width of 20 percent or less may be granted in accordance with Sec. *13B.5.2. (Adjustment)*.
2. A reduction in required lot width may be granted as a variance in accordance with Sec. *13B.5.3. (Variance)*.

DIV. 2C.2. **COVERAGE**

SEC. 2C.2.1. **BUILDING COVERAGE**

Building coverage is defined as the percentage of lot area covered by buildings or structures.

A. **Intent**

The intent of the standards of this Section (*Building Coverage*) is to preserve open area on a lot by limiting the amount of buildings or structures that may cover a lot.

B. **Applicability**

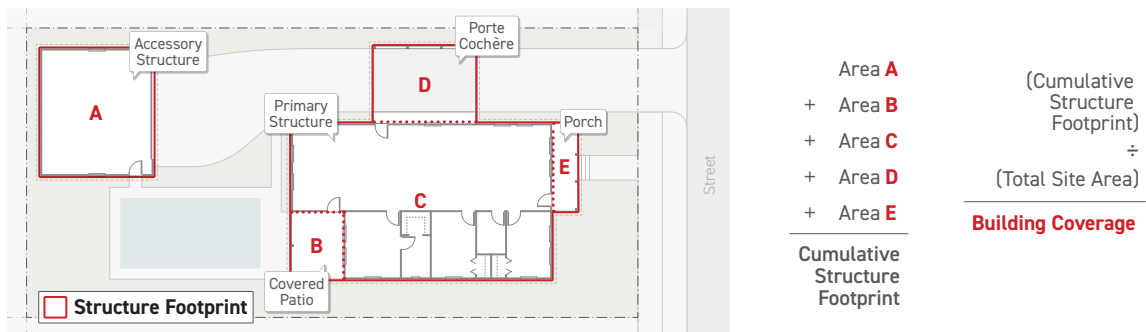
Building coverage standards apply to new construction or a major remodel. When building coverage standards apply, the standards apply to all buildings and structures on a lot.

C. **Standards**

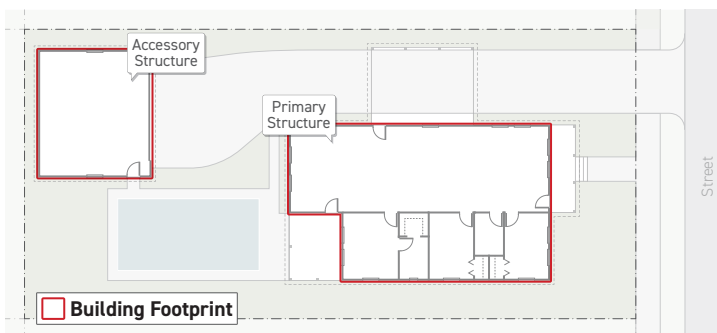
Covered structures on a lot shall not have a cumulative area in excess of the maximum building coverage specified by the applied Form District (Part 2B.).

D. **Measurement**

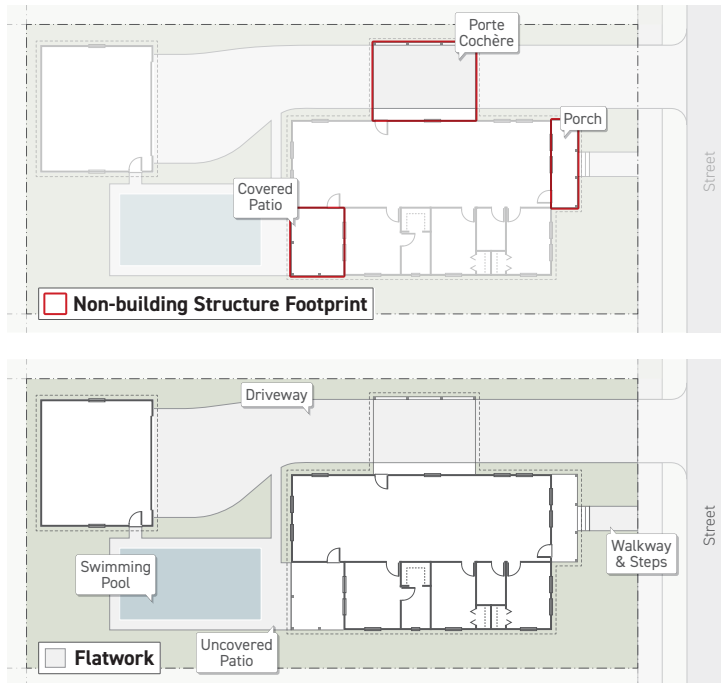
1. Building coverage is measured by dividing the cumulative area of the structure footprints of all covered structures on the lot by the lot area.



2. Structure footprints include all building footprints and structure footprints but do not include flatwork.



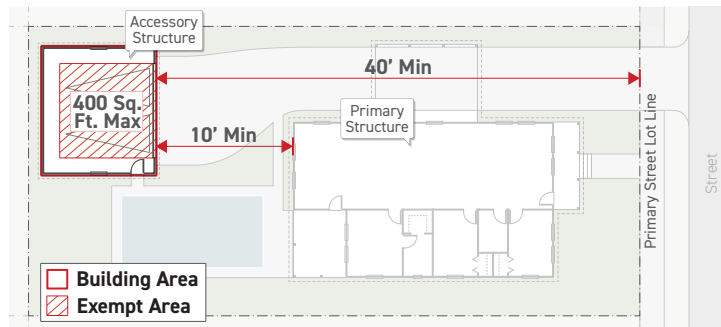
- Coverage -



3. For covered structures, see *Sec. 14.2.2.A.1. (Covered)*.
4. For structure footprint and building footprint determination, see *Sec. 14.2.1. (Building Footprint)*.

E. Exceptions

1. Covered structures or portions of covered structures less than six feet in height, as measured from adjacent finished grade, are not included in the calculation of building coverage.
2. For lots with two or fewer dwelling units, having a *House Form District (Div. 2B.3.)* applied, a maximum of 400 square feet per lot is exempt from the calculation of building coverage, provided the building or structure is:
 - a. Used for required automobile parking;
 - b. Detached from the primary building or structure by a minimum of 10 feet; and
 - c. Located a minimum of 40 feet from a primary street lot line.



F. Relief

1. Up to a 20 percent increase to the total allowed area of covered structures on a lot may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. Increased building coverage may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 2C.2.2. BUILDING SETBACKS

Building setback is defined as the area on a lot not intended for buildings and structures. Building setbacks include primary street setbacks, side street setbacks, side setbacks, rear setbacks, alley setbacks, and special lot line setbacks.

A. Intent

The intent of the standards of this *Section (Building Setbacks)* is to provide open areas on the lot and help reduce the impact of buildings or structures on abutting sidewalks and neighboring development.

B. Applicability

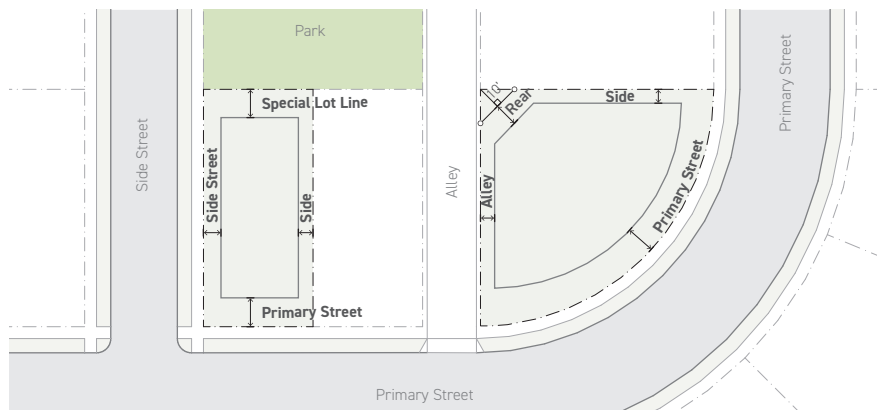
Building setback standards apply to new construction or a major remodel. When the building setback standards apply, the standards apply to all buildings and structures on a lot.

C. Standards

All buildings and structures on the lot shall be located on or behind a minimum building setback, except where allowed in *Subsection E. (Exceptions)* below.

D. Measurement

All building setbacks are measured perpendicular to the applicable lot line:



1. A primary street setback is measured from the primary street lot line.
2. A side street setback is measured from the side street lot line.

3. A side setback is measured from the side lot line.
4. A rear setback is measured from the rear lot line.
5. An alley setback is measured from the alley lot line.
6. A special setback is measured from the special lot line.
 - a. Where a special setback is specified by the applied *Form District (Part 2B.)* as "Special: All", the setback is measured from all special lot lines.
 - b. Where a special setback is specified by the applied *Form District (Part 2B.)* as "Special: River" or "Special: Alley", the setback is measured from the special lot line as designated according to *Sec. 14.2.12.C.3. (Special Lot Line)*.
 - c. Where a special setback is specified by the applied *Form District (Part 2B.)* as "Special: Other", the setback is measured from all special lot lines that are not otherwise specified.
7. For measurement on portions of a lot required for dedication of land, see *Sec. 14.2.11. (Lot)*.
8. For measurement on a lot affected by a public access easement, see *Sec. 14.2.17.B.1. (Building Setback)*.

E. Exceptions

1. The following are allowed to encroach beyond the building setback up to the minimum distance from the lot line specified below:

HORIZONTAL ENCROACHMENTS ALLOWED INTO SETBACKS			
	Lot Lines		
	Primary/Side Street, Special	Side/Rear	Alley
Architectural Details (Sec. 14.2.5.A.1.a.)			
Encroachment (max)	2'	2'	2'
Distance from lot line (min)	0'	2.5'	0'
Roof Projections (Sec. 14.2.5.A.1.b.)			
Encroachment (max)	2.5'	2.5'	2.5'
Distance from lot line (min)	0'	2.5'	0'
Unenclosed Structures: Ground story (Sec. 14.2.5.A.1.c.)			
Encroachment (max)	7'	5'	7'
Distance from lot line (min)	0'	2.5'	2.5'
Unenclosed Structures: Above ground story (Sec. 14.2.5.A.1.d.)			
Encroachment (max)	5'	3'	3'
Distance from lot line (min)	0'	5'	2.5'

HORIZONTAL ENCROACHMENTS ALLOWED INTO SETBACKS			
	Lot Lines		
	Primary/Side Street, Special	Side/Rear	Alley
Enclosed Structures: Projecting (Sec. 14.2.5.A.1.e.)			
Encroachment (max)	2.5'	1.5'	2.5'
Distance from lot line (min)	0'	2.5'	2.5'
Mechanical/Electrical Equipment: Ground mounted (Sec. 14.2.5.A.1.f.)			
Encroachment (max)	1.5'	2.5'	2.5'
Distance from lot line (min)	15'	2.5'	0'
Mechanical/Electrical Equipment: Wall mounted (Sec. 14.2.5.A.1.g.)			
Encroachment (max)	1.5'	1.5'	1.5'
Distance from lot line (min)	15'	2.5'	0'
Waste Enclosures (Sec. 14.2.5.A.1.h.)			
Encroachment (max)	0'	unlimited	unlimited
Distance from lot line (min)	15'	2.5'	0'
Utility Equipment, Underground Structures, Flatwork, Fences and Walls, Vegetation, Outdoor Furniture (Sec. 14.2.5.A.1.i. - Sec. 14.2.5.A.1.n.)			
Encroachment (max)	unlimited	unlimited	unlimited
Distance from lot line (min)	0'	0'	0'

- For existing nonconforming building exceptions, see Sec. 12.2.1. (*Coverage Exceptions*).
- Modifications to existing structures may encroach beyond the limitations specified in the Horizontal Encroachments Allowed Into Setbacks table, pursuant to *Paragraph 1.* above, only where such limitations conflict with California State Accessibility Standards or Fire Code. When greater encroachments are necessary, the horizontal encroachment shall extend the minimum amount necessary to achieve compliance.

F. Relief

- A deviation from a required setback along a special lot line that abuts a public right-of-way or public open space may be granted in accordance with Sec. 13B.5.1. (*Alternative Compliance*). In addition to the finding otherwise required by Sec. 13B.5.1. (*Alternative Compliance*), the Director shall also consider:
 - That the granting of the application will improve a site's connection with the public right-of-way or public open space.
 - Where a deviation from a required setback from a special river lot line is granted, the application will improve a site's connection with the river or will improve river access.

- Coverage -

2. A reduction in required setback of 20 percent or less may be granted in accordance with Sec. 13B.5.2. (*Adjustment*), provided the resulting setback is at least three feet.
3. A setback reduction may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

DIV. 2C.3. **AMENITY**

SEC. 2C.3.1. **LOT AMENITY SPACE**

Lot amenity space is defined as an area on a lot designated to be used for active or passive recreation, including common outdoor amenity space, pedestrian amenity space, and public amenity space.

A. **Intent**

The intent of the standards of this Section (*Lot Amenity Space*) is to provide adequate recreation and open space areas for all tenants of a project, regardless of the use of a building, and to ensure such spaces are accessible, usable, and safe.

B. **Applicability**

Lot amenity space standards apply to new construction that results in an increase of 20 percent or more floor area, or to any lot modifications.

C. **Standards**

1. The cumulative area of lot amenity space provided on a lot shall not be less than that specified by the applied *Form District (Part 2B.)*.
2. Each area provided to meet a lot amenity space requirement shall comply with the standards for one or more of the following eligible amenity space types.

ELIGIBLE AMENITY SPACE TYPES	
Amenity Space Type	Eligible
Common Outdoor Amenity Space (Sec. 2C.3.3.C.1.)	Yes
Pedestrian Amenity Space (Sec. 2C.3.3.C.2.)	Yes
Public Amenity Space (Sec. 2C.3.3.C.3.)	Yes
Private Outdoor Amenity Space (Sec. 2C.3.3.C.4.)	No
Common Indoor Amenity Space (Sec. 2C.3.3.C.5.)	No

3. A maximum of 25 percent of the total required lot amenity space may be privately accessible to individual tenant spaces, provided it meets the design standards in Sec. 2C.3.3.C.2. (*Pedestrian Amenity Space*).
4. Lot amenity space which is privately accessible pursuant to Paragraph 3. above shall abut and provide direct access to the assigned tenant space.
5. All required lot amenity space that is not private shall be made available to all tenants of the building, at no cost, from sunrise to sunset daily or during the hours of operation of the building, whichever results in a longer period of time.
6. Lot amenity space provided in accordance with Sec. 2C.3.3.C.3. (*Public Amenity Space*) may be eligible for credit toward the fee and dedication requirements in Div. 10.4. (*Park Fees & Dedications*), according to Sec. 10.4.8.B. (*Privately Owned Park & Recreational Facilities*).

- Amenity -

7. Lot amenity space located above the ground story may be required to set back from the roof edge, see *Chapter V. (Public Safety and Protection), Sec. 57.317. (Rooftop Gardens and Landscaped Roofs)* of this Code.
8. Mechanical equipment and utility equipment shall not be located within a lot amenity space, or between a lot amenity space and the adjacent building facade.
9. All mechanical exhaust outlets shall be located a minimum horizontal distance of 10 feet and a minimum vertical distance of 15 feet from a lot amenity space.
10. At least 20 percent of any outdoor lot amenity space shall be shaded by using shade trees or shade structures. Any area that is covered by a shade structure or a shade tree canopy spread at maturity shall be considered as being shaded.

D. Measurement

1. Lot amenity space is a percentage calculated by dividing the cumulative area of all lot amenity spaces by the lot area.
2. The minimum required lot amenity space is calculated by multiplying the minimum lot amenity percentage specified by the applied *Form District (Part 2B.)* by the lot area.
3. As a bonus for providing public space, outdoor amenity space area meeting *Sec. 2C.3.3.C.3. (Public Amenity Space)* counts as 1.25 square feet of lot amenity space for every one square foot of provided outdoor amenity space area.
4. Shade is calculated as the shadow cast on the publicly accessible open space measured at noon (12:00 p.m.) on the summer solstice.
5. For calculation of lot amenity space on a lot affected by a public access easement, see *Sec. 14.2.17.B.2. (Lot Amenity Space)*.

E. Exceptions

1. Where the calculation of lot amenity space requires less than 400 square feet, no lot amenity space is required.
2. When a lot modification involves an air space lot subdivision, the air space lot area is not used in the calculation for required lot amenity space.

F. Relief

1. Up to a 10 percent reduction to the total required area of lot amenity space may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. A reduction in required lot amenity space may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 2C.3.2. RESIDENTIAL AMENITY SPACE

Residential amenity space is defined as an area which is designed and intended to be used by occupants of dwelling units for recreational, domestic, or vocational purposes.

A. Intent

The intent of the standards of this Section (*Residential Amenity Space*) is to ensure projects that include housing provide residential tenants of a project with adequate access to open space, recreation, and shared amenities where the lot amenity space is insufficient, and to ensure such spaces are accessible, usable, and safe.

B. Applicability

Residential amenity space standards apply to any project that includes five or more dwelling units on a lot and involves any of the following project activities: new construction, a major remodel, a lot modification, or a use modification.

C. Standards

1. The cumulative area of residential amenity space provided on a lot shall not be less than that specified by the applied *Form District (Part 2B.)*.
2. Each area provided to meet a residential amenity space requirement shall comply with the standards for one or more of the following eligible amenity space types.

ELIGIBLE AMENITY SPACE TYPES	
Amenity Space Type	Eligible
Common Outdoor Amenity Space (Sec. 2C.3.3.C.1.)	Yes
Pedestrian Amenity Space (Sec. 2C.3.3.C.2.)	Yes
Public Amenity Space (Sec. 2C.3.3.C.3.)	Yes
Private Outdoor Amenity Space (Sec. 2C.3.3.C.4.)	Yes
Common Indoor Amenity Space (Sec. 2C.3.3.C.5.)	Yes

3. At least 75 percent of the required residential amenity space shall be outdoors and meet the design standards of either Sec. 2C.3.3.C.1. (*Common Outdoor Amenity Space*) or Sec. 2C.3.3.C.4. (*Private Outdoor Amenity Space*).
4. A maximum of 65 square feet of required residential amenity space per dwelling unit may be private, provided that not more than 50 percent of the total required residential amenity space is private, and the private residential amenity space meets the design standards in Sec. 2C.3.3.C.4. (*Private Outdoor Amenity Space*).

5. Private residential amenity space shall abut and provide direct access to the assigned tenant space.



6. All required residential amenity space that is not private shall be made available to all tenants of the building, at no cost, from sunrise to sunset daily or during the hours of operation of the building, whichever results in a longer period of time.
7. Residential amenity space provided in accordance with Sec. 2C.3.3.C.3. (Public Amenity Space) may be eligible for credit towards the fee and dedication requirements outlined in Div. 10.4. (Park Fees & Dedications), according to Sec. 10.4.8.B. (Privately Owned Park & Recreational Facilities).
8. Residential amenity space located above the ground story may be required to set back from the roof edge, see Chapter V. (Public Safety and Protection), Sec. 57.317. (Rooftop Gardens and Landscaped Roofs) of this Code.
9. Mechanical equipment and utility equipment shall not be located within a residential amenity space, or between a residential amenity space and the adjacent building facade.
10. All mechanical exhaust outlets shall be located a minimum horizontal distance of 10 feet and a minimum vertical distance of 15 feet from a residential amenity space.
11. At least 20 percent of any outdoor residential amenity space shall be shaded by shade trees or shade structures.

D. Measurement

1. Residential amenity space is a percentage calculated by dividing the cumulative area of all residential amenity spaces by the total floor area allocated to dwelling units.
2. The minimum required residential amenity space is calculated by multiplying the total floor area allocated to dwelling units by the minimum percentage specified by the applied Form District (Part 2B.).

- Amenity -

3. All lot amenity space provided may be credited toward the residential amenity space requirement.
4. As a bonus for providing public space, residential amenity space meeting Sec. 2C.3.3.C.3. (*Public Amenity Space*) counts at a rate of 1.25 square feet for every one square foot of public amenity space provided.
5. Any area that is covered by a shade structure or a shade tree canopy (as measured by spread at maturity) shall be considered as being shaded.

E. Relief

1. Up to a 10 percent reduction to the total required area of residential amenity space may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
2. A reduction in required residential amenity space may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

SEC. 2C.3.3. AMENITY SPACE TYPES

A. Intent

The intent of the standards of this *Section (Amenity Space Types)* is to ensure that amenity spaces provided by projects are sufficient enough to provide spaces which are accessible, usable, and safe, and provide adequate access to open space, recreation, and shared amenities.

B. Applicability

Amenity space types are established in Sec. 2C.3.1. (*Lot Amenity Space*) and Sec. 2C.3.2. (*Residential Amenity Space*).

C. Standards

The following standards apply by type of amenity space.

1. Common Outdoor Amenity Space

Common outdoor amenity space is defined as a type of amenity space that is outdoors, open to all tenants of a building, and meets the following standards:

COMMON OUTDOOR AMENITY SPACE		
Amenity Space Standards	Specification	Reference
Outdoor Space	Required	(Sec. 2C.3.4.C.1.)
Amenity Area (min)	400 sf	(Sec. 2C.3.4.C.2.)
Horizontal Dimension (min)	15'	(Sec. 2C.3.4.C.3.)
Adjacent Building Transparency (min)	15%	(Sec. 2C.3.4.C.4.)
Planting Area		(Sec. 2C.3.4.C.5.)
At Grade Plane Elevation (min)	25%	
Above Grade Plane Elevation (min)	15%	
Seating (min)	2 per 400 sf	(Sec. 2C.3.4.C.6.)
Ground Floor Elevation	Not Required	(Sec. 2C.3.4.C.7.)
Public Sidewalk/Way Adjacent	Not Required	(Sec. 2C.3.4.C.8.)
Pedestrian-Oriented Lighting	Not Required	(Sec. 2C.3.4.C.9.)
Publicly Accessible	Not Required	(Sec. 2C.3.4.C.10.)
Amenity Features (min)	3	(Sec. 2C.3.4.C.11.)

2. Pedestrian Amenity Space

Pedestrian amenity space is defined as a type of amenity space that is outdoors, located at ground-level, and is accessible to pedestrians and all tenants of a building by meeting the standards in the following table. See Div. 3C.1. (Build-To) for additional provisions related to pedestrian amenity spaces.

PEDESTRIAN AMENITY SPACE		
Amenity Space Standards	Specification	Reference
Outdoor Space	Required	(Sec. 2C.3.4.C.1.)
Amenity Area (min)	200 sf	(Sec. 2C.3.4.C.2.)
Horizontal Dimension (min)		(Sec. 2C.3.4.C.3.)
Enclosed (min)	15'	
Unenclosed (min)	6'	
Adjacent Building Transparency (min)	15%	(Sec. 2C.3.4.C.4.)
Planting Area		(Sec. 2C.3.4.C.5.)
At Grade Plane Elevation (min)	25%	
Above Grade Plane Elevation (min)	n/a	
Seating (min)	2 per 400 sf	(Sec. 2C.3.4.C.6.)
Ground Floor Elevation	Required	(Sec. 2C.3.4.C.7.)
Public Sidewalk/Way Adjacent	Required	(Sec. 2C.3.4.C.8.)
Pedestrian-Oriented Lighting	Required	(Sec. 2C.3.4.C.9.)
Publicly Accessible	Not Required	(Sec. 2C.3.4.C.10.)
Amenity Features (min)	3	(Sec. 2C.3.4.C.11.)

3. Public Amenity Space

Public amenity space is defined as a type of amenity space that is outdoors and, although privately owned, is open to the public, and meets the following standards:

PUBLIC AMENITY SPACE		
Amenity Space Standards	Specification	Reference
Outdoor Space	Required	(Sec. 2C.3.4.C.1.)
Amenity Area (min)	400 sf	(Sec. 2C.3.4.C.2.)
Horizontal Dimension (min)	15'	(Sec. 2C.3.4.C.3.)
Adjacent Building Transparency (min)	15%	(Sec. 2C.3.4.C.4.)
Planting Area		(Sec. 2C.3.4.C.5.)
At Grade Plane Elevation (min)	25%	
Above Grade Plane Elevation (min)	n/a	
Seating (min)	2 per 400 sf	(Sec. 2C.3.4.C.6.)
Ground Floor Elevation	Required	(Sec. 2C.3.4.C.7.)
Public Sidewalk/Way Adjacent	Required	(Sec. 2C.3.4.C.8.)
Pedestrian-Oriented Lighting	Required	(Sec. 2C.3.4.C.9.)
Publicly Accessible	Required	(Sec. 2C.3.4.C.10.)
Amenity Features (min)	3	(Sec. 2C.3.4.C.11.)

4. Private Outdoor Amenity Space

Private outdoor amenity space a type of amenity space that is uncovered or unenclosed and is available to an assigned unit or tenant space, and meets the following standards:

PRIVATE OUTDOOR AMENITY SPACE		
Amenity Space Standards	Specification	Reference
Outdoor Space	Required	(Sec. 2C.3.4.C.1.)
Amenity Area (min)	50 sf	(Sec. 2C.3.4.C.2.)
Horizontal Dimension (min)		(Sec. 2C.3.4.C.3.)
Enclosed (min)	8'	
Unenclosed (min)	5'	
Adjacent Building Transparency (min)	15%	(Sec. 2C.3.4.C.4.)
Planting Area	n/a	(Sec. 2C.3.4.C.5.)
Seating (min)	2 per 400 sf	(Sec. 2C.3.4.C.6.)
Ground Floor Elevation	Not Required	(Sec. 2C.3.4.C.7.)
Public Sidewalk/Way Adjacent	Not Required	(Sec. 2C.3.4.C.8.)
Pedestrian-Oriented Lighting	Not Required	(Sec. 2C.3.4.C.9.)
Publicly Accessible	Not Required	(Sec. 2C.3.4.C.10.)
Amenity Features (min)	Not Required	(Sec. 2C.3.4.C.11.)

5. Common Indoor Amenity Space

Common indoor amenity space is defined as a type of amenity space that is covered or enclosed, is legally required to be open to all tenants of a building, is intended to create opportunities for social and recreational activity for tenants, and meets the following standards:

COMMON INDOOR AMENITY SPACE		
Amenity Space Standards	Specification	Reference
Outdoor Space	Not Required	(Sec. 2C.3.4.C.1.)
Amenity Area (min)	400 sf	(Sec. 2C.3.4.C.2.)
Horizontal Dimension (min)	10'	(Sec. 2C.3.4.C.3.)
Adjacent Building Transparency (min)	n/a	(Sec. 2C.3.4.C.4.)
Planting Area	n/a	(Sec. 2C.3.4.C.5.)
Seating (min)	n/a	(Sec. 2C.3.4.C.6.)
Ground Floor Elevation	Not Required	(Sec. 2C.3.4.C.7.)
Public Sidewalk/Way Adjacent	Not Required	(Sec. 2C.3.4.C.8.)
Pedestrian-Oriented Lighting	Not Required	(Sec. 2C.3.4.C.9.)
Publicly Accessible	Not Required	(Sec. 2C.3.4.C.10.)
Amenity Features (min)	1	(Sec. 2C.3.4.C.11.)

D. Measurement

1. The enclosure of the horizontal dimension of an amenity space type shall be measured pursuant to Sec. 14.2.4. (*Enclosure*).
2. The grade plane elevation shall be determined per the standards written in Sec. 14.2.9. (*Grade Plane Elevation*).
 - a. For an amenity space type to be considered located at grade plane elevation, its elevation shall not be located at any elevation higher than the grade plane elevation calculation, but may be located lower.
 - b. For an amenity space type to be considered above grade plane elevation, it shall be located on a story that is above the first story of a structure.

E. Relief

1. A deviation from amenity space standards may be granted in accordance with Sec. 13B.5.1. (*Alternative Compliance*).
2. A deviation from any amenity space dimensional standard of 20 percent or less may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
3. A deviation from any amenity space standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

SEC. 2C.3.4. AMENITY DESIGN STANDARDS

A. Intent

The intent of the standards of this *Section (Amenity Design Standards)* is to ensure that amenity spaces provide sufficient recreational area in a manner that is visually interesting, connects the development to its users or the public right-of-way, promotes environmental sensitivity, and creates opportunities for the congregation of individuals at the ground story or upper-stories of a development.

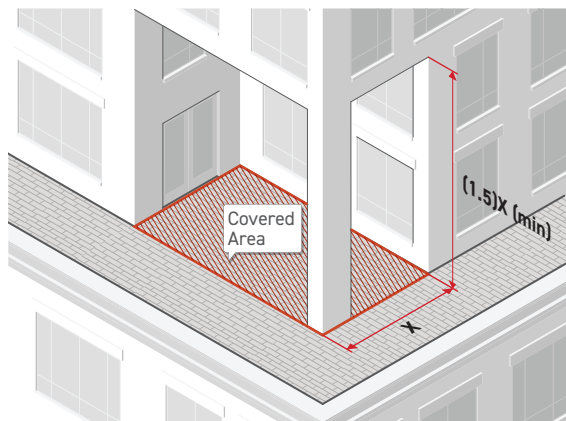
B. Applicability

Amenity space design standards are determined by the amenity space types in *Sec. 2C.3.1. (Lot Amenity Space)* and *Sec. 2C.3.2. (Residential Amenity Space)*, and as established by *Sec. 2C.3.3. (Amenity Space Types)*.

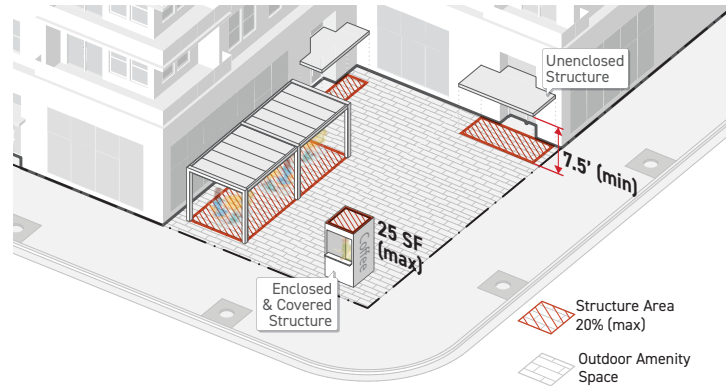
C. Standards

1. Outdoor Space

- a. Where the amenity space is enclosed, it shall not be covered. Where the amenity space is covered, it shall not be enclosed.
- b. No portion of an outdoor space may have a clear height of less than seven feet.
- c. Portions of an outdoor space that are covered shall have a minimum clear height of 1.5 times the depth of the covered area.



- d. The following structures are exempt from the outdoor space standards above, provided all exempted structures have a cumulative area no greater than 20 percent of the contiguous amenity space area.
 - i. Unenclosed structures having a clear height of at least seven feet; and
 - ii. An enclosed and covered structure, providing goods or services to tenants of the project or the public, having an area of no more than 25 square feet.



2. Amenity Area

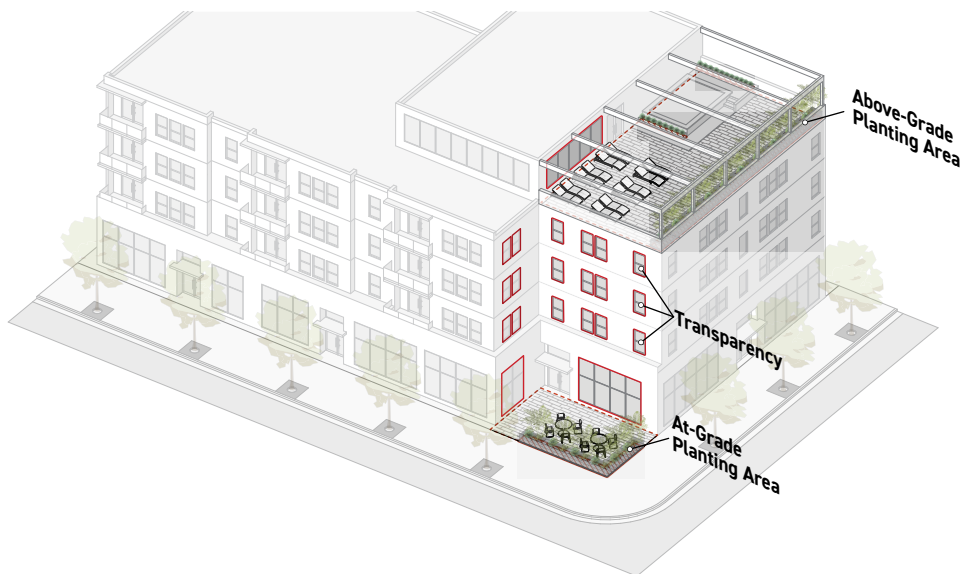
Each amenity space shall provide an area of no less than the minimum amenity area required by the amenity space type.

3. Horizontal Dimension

Each amenity space shall have the minimum horizontal dimension set by the amenity space type.

4. Adjacent Building Transparency

Building facades adjacent to the amenity space shall provide at least the minimum transparency percentage required by the amenity space type for each story.



5. Planting Area

- a. When an amenity space type satisfies its minimum planting area requirement at the grade plane elevation, the amenity space shall meet all other standards of the amenity space type within the minimum and maximum ground floor elevation as specified by the applied *Frontage District (Part 3B.)*. For other applicable standards, see *Sec. 4C.6.4.C.2. (Planting Areas)*.
- b. An amenity space shall provide at least the required minimum percentage of the total area of the amenity space as planting area.

6. Seating

- a. Permanent or movable seats shall be provided at the specified ratio based on the area in square feet of amenity space.
- b. Each permanent or movable seat provided within the amenity space shall count as one.
- c. Two linear feet of bench or seat wall provided within the amenity space shall be counted as one seat.

7. Ground Floor Elevation

- a. The finished floor or ground surface of the amenity space shall be located within the minimum and maximum ground floor elevations specified by the applied *Frontage District (Part 3B.)*.
- b. For measurement of ground floor elevation, see *Sec. 3C.6.2. (Ground Floor Elevation)*.

8. Public Sidewalk/Way Adjacent

- a. The amenity space shall abut a public sidewalk or public way for a minimum width of 15 feet.
- b. A pedestrian accessway having a minimum width of four feet shall connect the amenity space to the abutting public sidewalk or public way. No fixed wall or fence shall separate the amenity space from the abutting public sidewalk or public way for the minimum pedestrian accessway width.
- c. The space shall not be separated from the public sidewalk or public way by any structure or landscaping, with the exception of a Type A1 or Type A2 frontage yard fence & wall type as specified in *Sec. 3C.3.2. (Frontage Yard Fence & Wall)*.

9. Pedestrian-Oriented Lighting

The amenity space shall comply with the requirements of *Sec. 4C.10.1.C.3. (Pedestrian-Oriented Lighting)*.

10. Publicly Accessible

- a. The amenity space shall be made permanently available to the general public, at no cost, at minimum between sunrise and sunset daily.
- b. Signs shall be posted at every public entrance to the amenity space in accordance with the *Public Amenity Space Sign Standards* as established by the Director, and in accordance with *Div. 4C.11. (Signs)*. Standards include, but are not limited to, the following:
 - i. Minimum sign dimension, no less than 16 inches by 20 inches;
 - ii. Sign location requirements;
 - iii. Required posting of the hours of operation; and
 - iv. Mandatory language regarding public access.

11. Amenity Features

- a. The amenity space shall provide at least the minimum number of amenity features required by the amenity space type by providing from the list of options in the *Amenity Features Menu* as established by the Director, and shall be made permanently available to the tenants of the building.
- b. The location and number of amenity features shall be identified on the proposed plans submitted to the Department of Building and Safety, with the accompanying dimensions called out as required by the selected options.

D. Measurement

1. Minimum amenity area is measured as an area in square feet calculated for each contiguous amenity space located on a lot. The area of the abutting parkway is not included in the total minimum amenity area.
2. The horizontal dimension shall be measured as the shortest horizontal distance along the boundaries of the amenity space, perpendicular to any boundary of the amenity space.
3. For measurement of transparency, see *Div. 3C.4. (Transparency)*.
4. For measurement of ground floor elevation, see *Sec. 3C.6.2. (Ground Floor Elevation)*.
5. The minimum width an amenity space is required to abut a public sidewalk or public way shall be measured following the geometry of the frontage lot line abutting the applicable public sidewalk or public way.
6. The minimum pedestrian accessway width shall be measured along the frontage lot line abutting the applicable public sidewalk or public way, from one edge of the accessway perpendicularly to the opposite edge.
7. For measurement of pedestrian-oriented lighting, see *Sec. 4C.10.1.D. (Measurement)*.

E. **Relief**

1. A deviation from any amenity design dimensional standard of 20 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. A deviation from any amenity design standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

DIV. 2C.4. **FLOOR AREA RATIO & HEIGHT**

SEC. 2C.4.1. **FLOOR AREA RATIO (FAR)**

Floor area ratio or FAR is defined as the measurement of the total floor area of all buildings on a lot in relation to the size of the lot.

A. Intent

The intent of the standards of this Section (*Floor Area Ratio (FAR)*) is to regulate the bulk and massing of buildings on a lot.

B. Applicability

Floor area ratio standards apply to new construction or a lot modification. When the floor area ratio standards apply, they apply to all buildings and structures located on a lot.

C. Standards

1. Base

A lot shall not exceed the maximum base FAR without meeting the requirements of an incentive program outlined in Article 9. (*Public Benefit Systems*).

2. Bonus

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

D. Measurement

1. FAR is calculated by dividing the total floor area on a lot by the lot area.
2. For the measurement of floor area, see Sec. 14.2.7. (*Floor Area*).
3. For the purpose of calculating FAR, portions of a lot designated for private streets may be counted as lot area. For the measurement of lot area, see Sec. 2C.1.1. (*Lot Area*).
4. For the purpose of calculating FAR, lot area is the same as buildable area referred to in the *City of Los Angeles Charter, Article I. (Incorporation and Powers), Sec. 104. (e) (Floor Area Restriction)*.

5. The *Downtown Community Plan Implementation Overlay* may define and measure buildable area differently than outlined in *Paragraph 4.* above for the purpose of calculating the maximum floor area using bonus FAR.

E. Exceptions

For existing nonconforming building exceptions, see *Sec. 12.2.2. (Floor Area Ratio & Height Exceptions).*

F. Relief

1. Additional FAR may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance).*
2. For projects that include multiple parcels having different applied *Form Districts (Part 2B.),* floor area averaging across the development site may be granted, in accordance with *Sec. 13B.2.2. (Class 2 Conditional Use Permit).*

a. Supplemental Findings

In addition to the findings in *Sec. 13B.2.2. (Class 2 Conditional Use Permit),* the *Zoning Administrator* shall also find that the project meets the following conditions:

- i. The project meets the definition of unified development;
- ii. All lots included in the project have a *Commercial-Mixed Use District (Div. 5B.5.), Industrial-Mixed Use District (Div. 5B.6.),* or *Industrial Use District (Div. 5B.7.)* applied, or the project is located entirely in the *Downtown Community Plan Area* and all lots included in the project have a *Residential-Mixed Use District (Div. 5B.4.), Commercial-Mixed Use District (Div. 5B.5.), Industrial-Mixed Use District (Div. 5B.6.),* or *Industrial Use District (Div. 5B.7.)* applied.
- iii. The total floor area of all structures on an individual lot may only exceed the FAR allowed pursuant to the applied *Form District (Part 2B.)* if the total floor area across all lots in the unified development does not exceed the sum of the maximum FAR calculated based on the maximum FAR specified by each applied *Form District (Part 2B.).*

b. Supplemental Procedures

If the *Zoning Administrator* approves floor area averaging, then prior to the issuance of any building permits the property owner shall file with the *Department of Building and Safety,* a covenant running with the land that specifies the following:

- i. The operation and maintenance of the development as a unified development is continued into perpetuity;
- ii. The floor area used and the remaining unbuilt floor area, if any, is allocated to each lot;
- iii. The unifying design elements are maintained and continued into perpetuity;

- iv. The covenant is binding on all assigns and successors in interest; and
- v. An individual or entity is specified to be responsible and accountable for compliance and the fee for the annual inspection of compliance by the Department of Building and Safety, required pursuant to *Sec. 15.3.12. (Annual Inspection of FAR Averaging & Density Transfer Covenants)*.

SEC. 2C.4.2. HEIGHT IN FEET

Height in feet is defined as the vertical dimension of a building or structure measured in feet.

A. Intent

The intent of the standards of this *Section (Height In Feet)* is to provide adequate light, air, safety, and to protect the character of an area and the interests of the general public.

B. Applicability

Height in feet standards apply to all new construction or an exterior modification on a lot where the applied *Form District (Part 2B.)* specifies a maximum height in feet standard.

C. Standards

1. Base

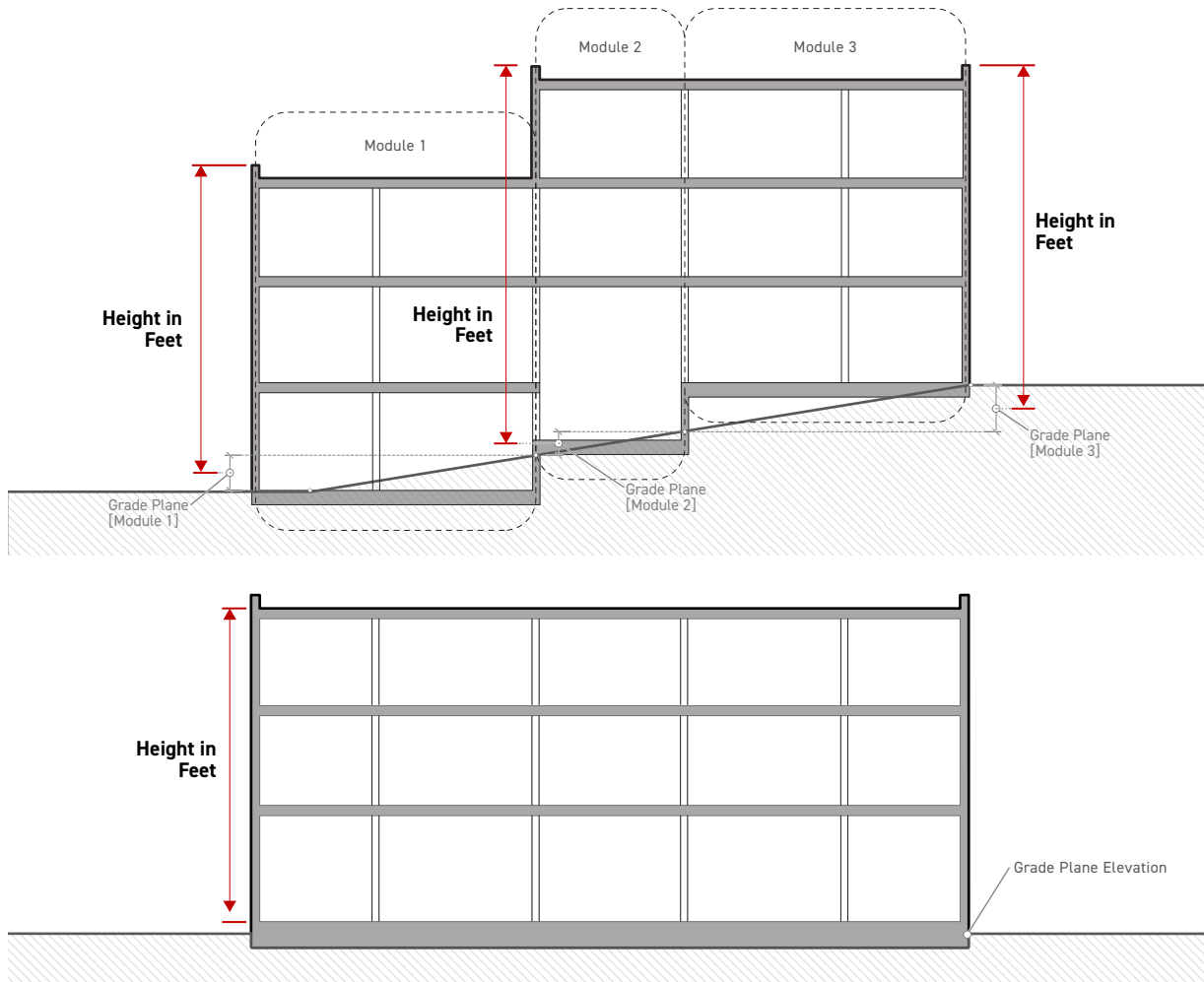
Buildings and structures shall not exceed the base maximum height in feet without meeting *Div. 9.3. (Community Benefits Program)*.

2. Bonus

Buildings and structures may exceed the base maximum height in feet up to the bonus maximum height in feet as allowed in *Div. 9.3. (Community Benefits Program)*.

D. Measurement

1. Maximum height in feet is measured as the vertical distance from grade plane to the top of the roof structure. One or more grade plane modules may be established for each building, as shown below. See Sec. 14.2.9.D. (*Building Module Method*).



2. Regardless of established grade plane, buildings shall also comply with ground floor elevation standards in Article 3. (*Frontage*).

E. Exceptions

1. The following are allowed beyond the maximum height in feet, as specified below:

ALLOWED VERTICAL ENCROACHMENTS			
	Form District Height (max)		
	45' or less	> 45' to 90'	> 90'
Mechanical/Electrical Equipment: Roof Mounted (Sec. 14.2.5.B.1.b.)			
Encroachment (max)	3'	5'	10'
Setback from roof edge (min)	3'	3'	5'
Architectural Elements (Sec. 14.2.5.B.1.c.)			
Encroachment (max)	5'	5'	10'
Setback from roof edge (min)	3'	3'	5'
Vertical Circulation (Sec. 14.2.5.B.1.d.)			
Encroachment (max)	10'	20'	20'
Setback from roof edge (min)	0'	0'	0'
Safety Barriers (Sec. 14.2.5.B.1.e.)			
Encroachment (max)	6'	6'	6'
Setback from roof edge (min)	0'	0'	0'
Unenclosed Structures (Sec. 14.2.5.B.1.f.)			
Encroachment (max)	8'	8'	8'
Setback from roof edge (min)	5'	5'	5'
Flatwork (Sec. 14.2.5.B.1.g.)			
Encroachment (max)	2.5'	2.5'	2.5'
Setback from roof edge (min)	1'	1'	1'
Vegetation (Sec. 14.2.5.B.1.h.)			
Encroachment (max)	unlimited	unlimited	unlimited
Setback from roof edge (min)	1'	1'	1'

2. Modifications to existing structures may encroach beyond the limitations of the Allowed Vertical Encroachments table, pursuant to *Paragraph 1.* above, only where such limitations conflict with California State Accessibility Standards or Fire Code. When greater encroachments are necessary, the vertical encroachment shall extend the minimum amount necessary to achieve compliance.

F. Relief

1. Increased building maximum height in feet of 20 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. Increased vertical encroachments of 20 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. Increased maximum building height in feet or vertical encroachments may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 2C.4.3. HEIGHT IN STORIES

Height in stories is defined as the vertical dimension of a building measured in stories.

A. Intent

1. Maximum height in stories standards are intended to provide adequate light, air, safety, and to protect the character of an area and the interests of the general public. Intended to help provide variation in building heights, maximum height in stories standards help ensure that story heights are not reduced to fit within a maximum height in feet.
2. Minimum height in stories standards are intended to provide a method of establishing a minimum level of intensity on a lot, and ensure that lots are not underdeveloped.

B. Applicability

1. Maximum height in stories standards apply to new construction or an exterior modification on a lot where the applied *Form District (Part 2B.)* specifies a maximum height in stories standard.
2. Minimum height in stories standards apply to new construction or an exterior modification on a lot where the applied *Form District (Part 2B.)* specifies a minimum height in stories standard.

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. (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

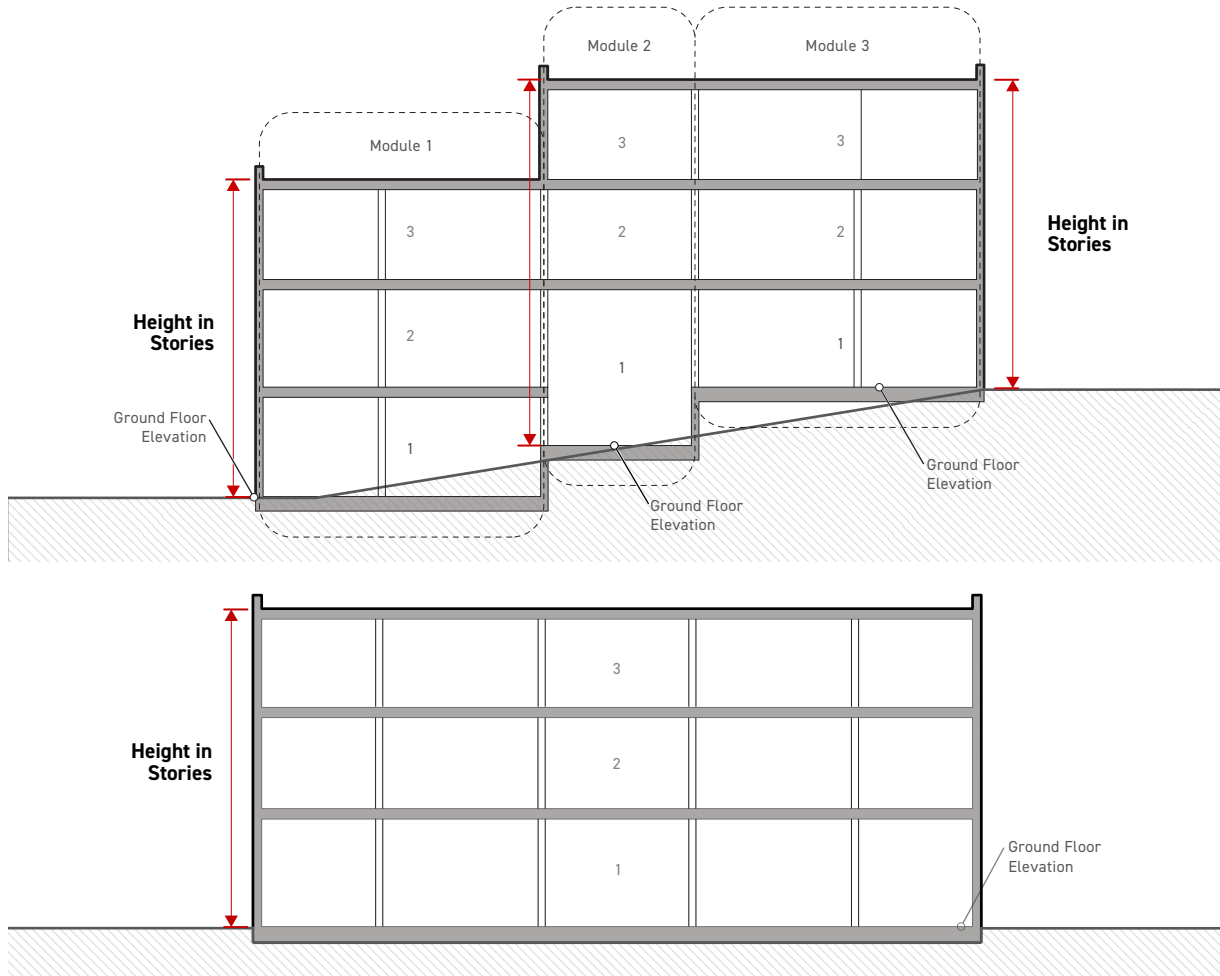
Buildings shall not exceed the base maximum height in stories without meeting Div. 9.3. (Community Benefits Program).

b. Bonus

Buildings may exceed the base maximum height in stories up to the bonus maximum height in stories as allowed in Div. 9.3. (Community Benefits Program).

D. Measurement

- Height in stories is measured as the number of stories above the ground floor elevation for each module of the building as shown below. See Sec. 14.2.9.D. (Building Module Method).



- For determining ground story, see Sec. 14.2.10.A. (Ground Story).

3. Structures without Stories

- a. For determining the maximum allowed height for structures that do not contain habitable stories when the applied form district does not also regulate height in feet, the maximum allowed height shall be determined by multiplying the maximum height in stories by 15 feet per allowable story. This resulting product shall be the maximum height allowed for a structure containing no habitable stories.
- b. When the applied form district includes a bonus maximum height in stories, the number of bonus stories specified shall be used to determine the maximum allowable height of structures containing no habitable stories.

E. Exceptions

1. The following encroachments are allowed beyond the maximum height in stories, as specified below:

ALLOWED VERTICAL ENCROACHMENTS			
	Form District Height (max)		
	3 Stories or Less	3 to 7 Stories	More than 7 Stories
Mechanical/Electrical Equipment: Roof Mounted (Sec. 14.2.5.B.1.b.)			
Encroachment (max)	3'	5'	10'
Setback from roof edge (min)	3'	3'	5'
Architectural Elements (Sec. 14.2.5.B.1.c.)			
Encroachment (max)	5'	5'	10'
Setback from roof edge (min)	3'	5'	5'
Vertical Circulation (Sec. 14.2.5.B.1.d.)			
Encroachment (max)	10'	20'	20'
Setback from roof edge (min)	0'	0'	0'
Safety Barriers (Sec. 14.2.5.B.1.e.)			
Encroachment (max)	6'	6'	6'
Setback from roof edge (min)	0'	0'	0'
Unenclosed Structures (Sec. 14.2.5.B.1.f.)			
Encroachment (max)	8'	8'	8'
Setback from roof edge (min)	5'	5'	5'
Flatwork (Sec. 14.2.5.B.1.g.)			
Encroachment (max)	2.5'	2.5'	2.5'
Setback from roof edge (min)	1'	1'	1'
Vegetation (Sec. 14.2.5.B.1.h.)			
Encroachment (max)	unlimited	unlimited	unlimited
Setback from roof edge (min)	1'	1'	1'

2. Modifications to existing structures may encroach beyond the limitations of the Allowed Vertical Encroachments table, pursuant to *Paragraph 1.* above, only where such limitations conflict with California State Accessibility Standards or Fire Code. When greater encroachments are necessary, the vertical encroachment shall extend the minimum amount necessary to achieve compliance.

F. Relief

1. An increase in maximum height in stories may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.
2. A reduction in minimum height in stories of one story may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A reduction in minimum height in stories may be granted as a Class 1 Conditional Use Permit. In addition to the findings otherwise required by *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*, the Zoning Administrator shall also find that the reduction would be consistent with prevailing heights along the block face.
4. A reduction in minimum height in stories may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 2C.4.4. CITY HALL HEIGHT RESTRICTION

City Hall height restriction is defined as a restriction to the vertical dimension of a building based-on proximity and height relative to Los Angeles City Hall.

A. Intent

The intent of the standards of this *Section (City Hall Height Restriction)* is to maintain the prominence of the historic Los Angeles City Hall tower in the Downtown Civic Center area by ensuring that the height of the tower remains significantly taller than any other building surrounding City Hall.

B. Applicability

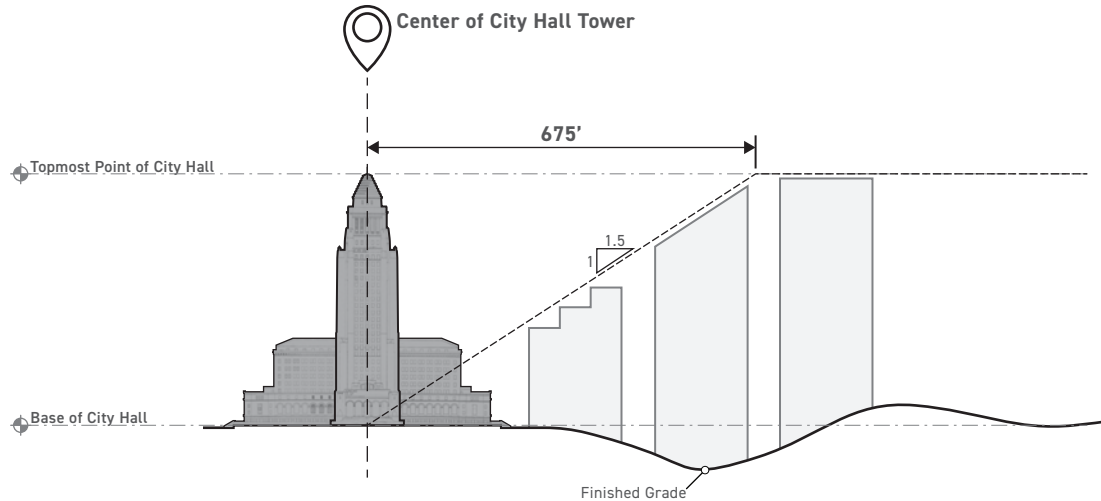
City Hall height restriction standards apply to new construction or an exterior modification on a lot where the applied *Form District (Part 2B.)* specifies "Yes" for City Hall height restriction.

C. Standards

1. For portions of buildings or structures within 675 feet of City Hall, no portion of a building or structure may be located above an elevation equal to 1.5 times its distance from City Hall plus the elevation at the base of City Hall, as measured from sea level.

2. For portions of buildings or structures located more than 675 feet from City Hall, no portion of a building or structure may be located above the elevation of the topmost point of City Hall.

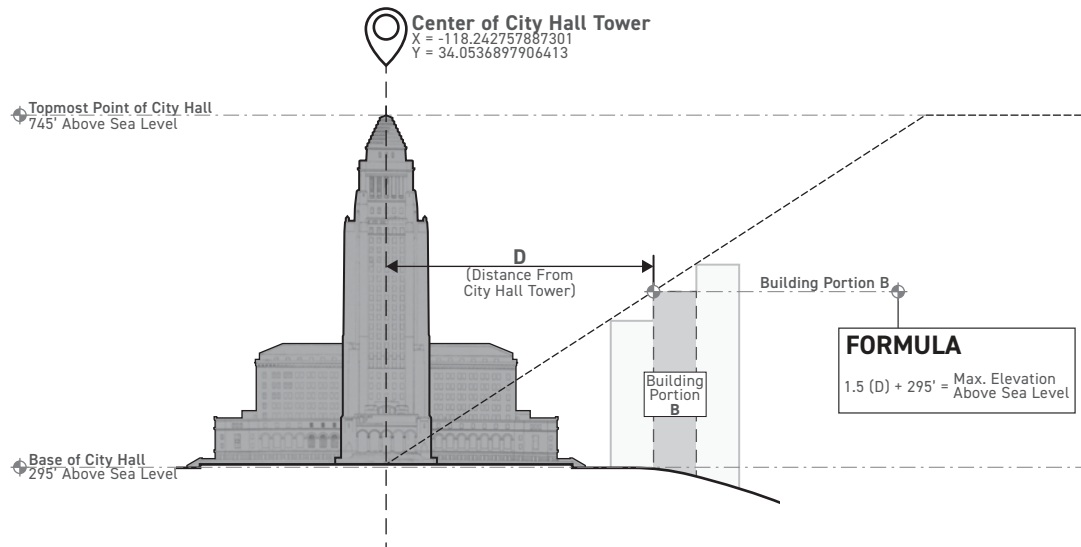
CITY HALL HEIGHT RESTRICTION



D. Measurement

1. Maximum Height

The maximum elevation of a building or portion of a building shall be calculated using the following formula: $1.5(\text{distance}) + 295 \text{ feet} = \text{maximum elevation above sea level}$



2. Distance from City Hall Tower

Distance from City Hall is measured horizontally outward from the center point of its tower. The center point of the tower is considered to be located at the following geographic coordinates:

X = -118.242757887301

Y = 34.0536897906413

3. Topmost point of City Hall Tower

The topmost point of the City Hall tower is considered to be located at 745 feet above sea level. Any portion of a building or structure located below this elevation is considered to be located below the topmost point of the tower.

4. Base of City Hall Tower

The base of City Hall is considered to be located at 295 feet above sea level.

E. Relief

An increase in building height above the City Hall height restriction may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

DIV. 2C.5. BUILDING MASS

SEC. 2C.5.1. BUILDING WIDTH

Building width is defined as the horizontal dimension of any building or collection of abutting buildings on a lot.

A. Intent

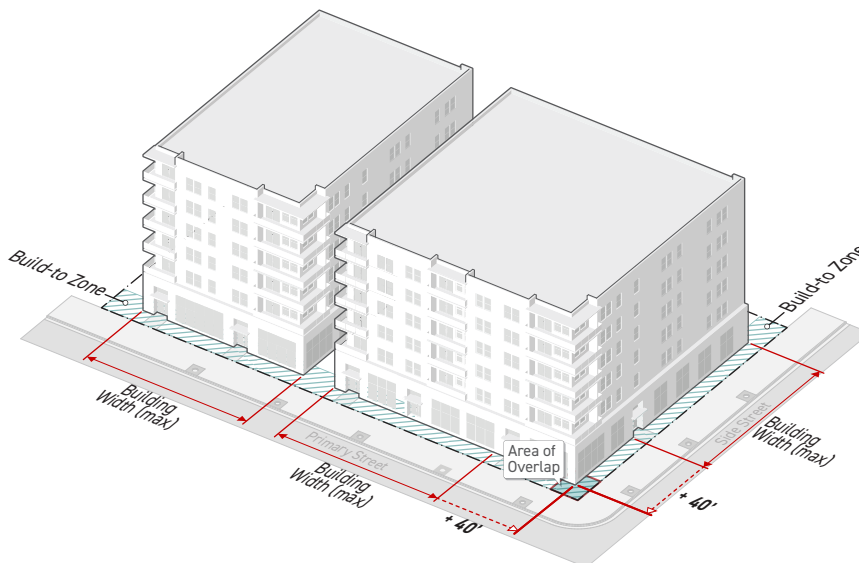
The intent of the standards of this Section (*Building Width*) is to promote fine-grained patterns of development and prevent long buildings that are significantly out of context with traditional patterns by breaking wide buildings into multiple, clearly distinguished building widths, and to encourage larger projects to provide open space for pedestrians and recreation.

B. Applicability

Building width standards apply to new construction or an exterior modification of any frontage lot line-facing buildings or structures. When the building width standards apply, the standards only apply to those portions of a building or structure located above the ground floor elevation.

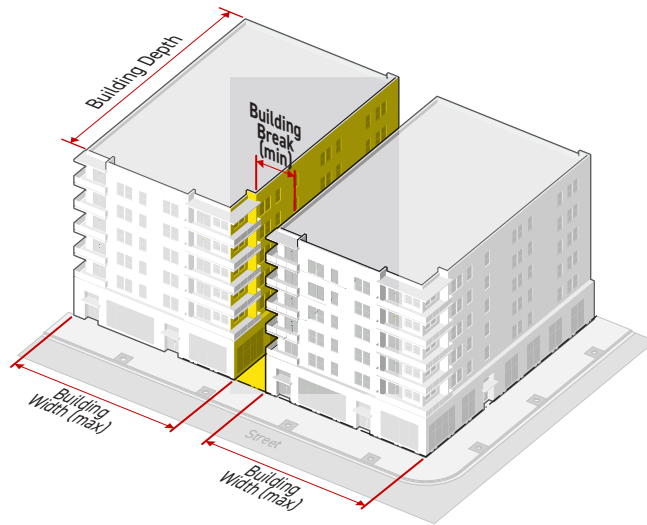
C. Standards

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 street lot lines and side street lot lines.



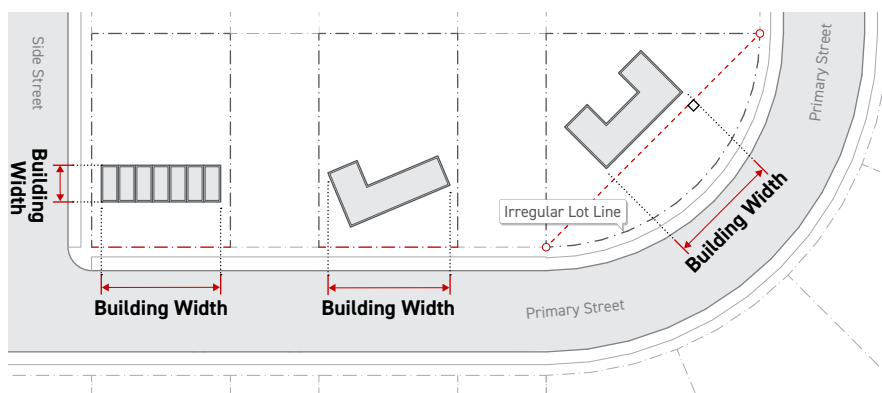
- Building Mass -

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.



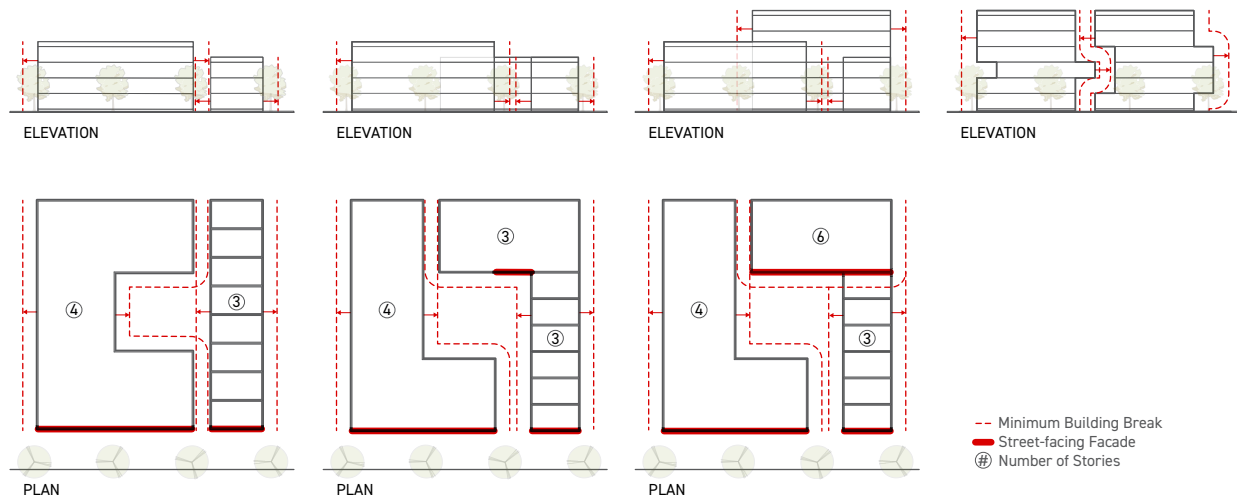
D. Measurement

1. Building width is measured horizontally and parallel to each primary street lot line and side street lot line from one end of an applicable building or collection of abutting buildings to the opposite end.



2. For lot line-facing, see Sec. 14.2.6. (Facing).
3. For measuring building width on irregular lot lines, see Sec. 14.2.14. (Irregular Lot lines).

4. A building break is measured perpendicular to the outermost surface of each applicable portion of a building both vertically and horizontally.



E. Exceptions

1. Encroachments

The following are allowed to encroach into the building break, as listed below:

ALLOWED HORIZONTAL ENCROACHMENTS	
Architectural Details (Sec. 14.2.5.A.1.a.)	
Encroachment (max)	2'
Clear width (min)	3'
Roof Projections (Sec. 14.2.5.A.1.b.)	
Encroachment (max)	2.5'
Clear width (min)	3'
Unenclosed Structures: Above Ground Story (Sec. 14.2.5.A.1.d. - Sec. 14.2.5.A.1.d.)	
Encroachment (max)	5'
Clear width (min)	3'
Mechanical/Electrical Equipment (Sec. 14.2.5.A.1.f. - Sec. 14.2.5.A.1.g.)	
Encroachment (max)	1.5'
Clear width (min)	3'

2. Building Break Amenity Space Alternative

As an alternative to a building break, a street-facing amenity space that meets the following standards may be used to establish buildings or collections of abutting buildings as separate buildings for the purpose of measuring maximum building width:

- a. The amenity space shall meet the design standards of an amenity space type pursuant to Sec. 2C.3.3. (*Amenity Space Types*) and for outdoor space pursuant to Sec. 2C.3.4.C.1. (*Outdoor Space*).
- b. The amenity space width shall be at least two times the minimum building break dimension specified in the applied *Form District (Part 2B.)*, measured parallel to the applicable street lot line.
- c. The amenity space width shall not be greater than the maximum building width, measured parallel to the applicable street lot line.
- d. The amenity space depth shall be at least five times the minimum building break dimension specified in the applied *Form District (Part 2B.)*, measured perpendicular to the street lot line.
- e. A minimum of 75 percent of the amenity space area shall meet the design standards in Sec. 2C.3.3.C.2. (*Pedestrian Amenity Space*).
- f. The amenity space may count toward the required minimum build-to width required by the applied *Frontage District (Part 3B.)*, provided it meets the requirements of Sec. 3C.1.3.E. (*Exceptions*).
- g. Any portion of the amenity space may count toward lot amenity space and residential amenity space, provided it meets all applicable standards.



F. Relief

1. Increased building width of 20 percent or less or reduced building break of 20 percent or less may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
2. Increased building width or reduced building break may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

DIV. 2C.6. UPPER-STORY BULK

SEC. 2C.6.1. STREET STEP-BACK

Street step-back is a step-like recess in the massing of a building that requires upper stories to be pushed back from the lower stories from the street.

A. Intent

The intent of the standards of this Section (*Street Step-Back*) is to reduce the perceived bulk and mass of a building along facades facing public ways, ensuring a height along the street that is appropriate to its neighboring context, while allowing for additional building height.

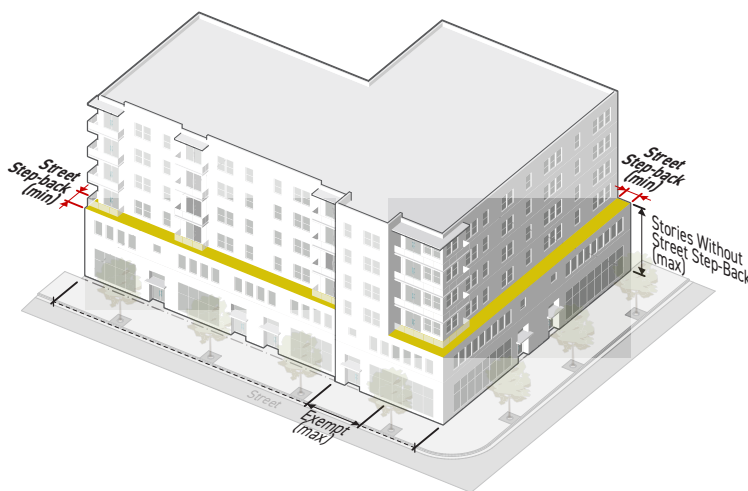
B. Applicability

Street step-back standards apply to new construction, a major remodel, or a facade modification of buildings or structures on a lot that face a frontage lot line.

C. Standards

The following standards shall be met for a minimum of 85 percent of the building width:

1. When the applied *Form District (Part 2B.)* specifies a maximum number of stories without a step-back, all stories above that maximum shall be stepped back from the street-facing facade by at least the minimum street step-back depth, as specified by the applied *Form District (Part 2B.)*.
2. No building or structure shall extend into a minimum street step-back depth, except where allowed in *Subsection E. (Exceptions)* below.
3. Buildings having a height less than the maximum stories without street step-back are not required to provide a street step-back.



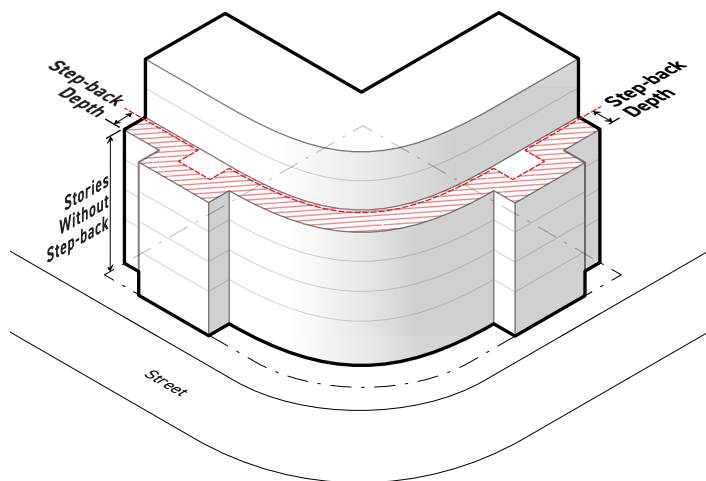
D. Measurement

1. Stories Without Street Step-back

When the applied *Form District (Part 2B.)* specifies a maximum number of stories without a step-back, that maximum is measured according to *Sec. 2C.4.3. (Height in Stories)*.

2. Street Step-back Depth

Minimum street step-back depth is measured as the horizontal distance from the outermost edge of the building facade with the topmost story without street step-back to the outermost edge of the facade of the stepped back stories. Street step-back depth is required regardless of the provided or required building setback.



E. Exceptions

The following are allowed to encroach beyond the street step-back as listed below:

ALLOWED HORIZONTAL ENCROACHMENTS	
Architectural Details (Sec. 14.2.5.A.1.a.)	
Encroachment (max)	2'
Roof Projections (Sec. 14.2.5.A.1.b.)	
Encroachment (max)	2.5'
Unenclosed Structures (Sec. 14.2.5.A.1.c. - Sec. 14.2.5.A.1.d.)	
Encroachment (max)	5'
Enclosed Structures: Projecting (Sec. 14.2.5.A.1.e.)	
Encroachment (max)	2.5'
Mechanical/Electrical Equipment (Sec. 14.2.5.A.1.f. - Sec. 14.2.5.A.1.g.)	
Encroachment (max)	1.5'

ALLOWED VERTICAL ENCROACHMENTS	
Mechanical/Electrical Equipment: Roof Mounted (Sec. 14.2.5.B.1.b.)	
Encroachment (max)	5'
Setback from roof edge (min)	3'
Architectural Elements (Sec. 14.2.5.B.1.c.)	
Encroachment (max)	5'
Setback from roof edge (min)	2'
Safety Barriers (Sec. 14.2.5.B.1.e.)	
Encroachment (max)	4'
Setback from roof edge (min)	0'
Unenclosed Structures (Sec. 14.2.5.B.1.f.)	
Encroachment (max)	8
Setback from roof edge (min)	2'
Flatwork (Sec. 14.2.5.B.1.g.)	
Encroachment (max)	2.5'
Setback from roof edge (min)	1'
Vegetation (Sec. 14.2.5.B.1.h.)	
Encroachment (max)	unlimited
Setback from roof edge (min)	1'

F. Relief

1. A reduced street step-back depth of 20 percent or less may be granted in accordance with Sec. 13B.5.2. (Adjustment).
2. A reduced street step-back greater than 20 percent may be granted as a variance in accordance with Sec. 13B.5.3. (Variance).
3. Increased stories without street step-back may be granted as a variance in accordance with Sec. 13B.5.3. (Variance).

SEC. 2C.6.2. DISTRICT BOUNDARY HEIGHT TRANSITION

District boundary height transition is defined as a reduction in the maximum height of a building for a limited depth where abutting districts have substantially lower height allowances.

A. Intent

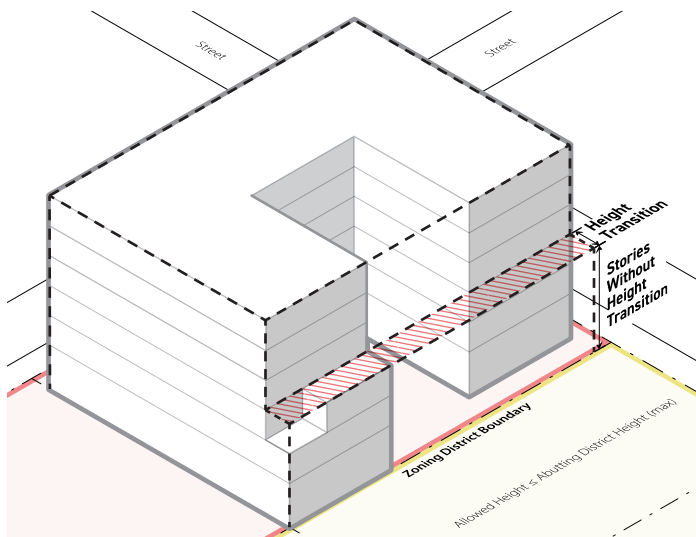
The intent of this *Section (District Boundary Height Transition)* is to prevent looming impacts and reduce the perceived bulk and mass of buildings along zoning district boundaries where maximum height standards change significantly.

B. Applicability

1. District boundary height transition standards apply to all lots abutting a zoning district that have a maximum height or bonus height of less than or equal to the abutting district allowed height pursuant to Sec. 2C.6.2.D.1. (*Abutting District Allowed Height*) below, specified by the applied Form District (Part 2B.).
2. All structures located on an applicable lot shall comply with district boundary height transition standards unless listed as an exception in Subsection E. (*Exceptions*) below.

C. Standards

1. Any portion of a story located above the maximum stories without height transition pursuant to Sec. 2C.6.2.D.2. (*Stories Without Height Transition*) below, shall be located no less than the minimum height transition depth pursuant to Sec. 2C.6.2.D.3 (*Height Transition Depth*) below, from any lot zoned with a district that specifies a maximum building height of less than or equal to the maximum abutting district allowed height pursuant to Sec. 2C.6.2.D.1. (*Abutting District Allowed Height*) below.



2. Buildings are not required to provide a district boundary height transition from public right-of-ways.
3. No structure or portion of a structure shall be located within the minimum height transition depth pursuant to Sec. 2C.6.2.D.3. (*Height Transition Depth*) below, except where allowed in Subsection E. (*Exceptions*).

D. Measurement

1. Abutting District Allowed Height

Abutting district allowed height is measured for every abutting lot which is zoned with a different zoning district than the subject lot. The abutting district height is considered to be the maximum height or bonus height allowed by the zoning district applied to the abutting lot.

2. Stories Without Height Transition

Stories without height transition is measured according to Sec. 2C.4.3. (*Height in Stories*).

3. Height Transition Depth

Height transition depth is measured as the horizontal distance from any lot zoned with a district that specifies a maximum building height of less than or equal to the maximum abutting district allowed height (*Paragraph 1. (Abutting District Allowed Height)* above) to the nearest point of any structure located above the specified maximum stories without height transition pursuant to *Paragraph 2. (Stories Without Height Transition)* above.

E. Exceptions

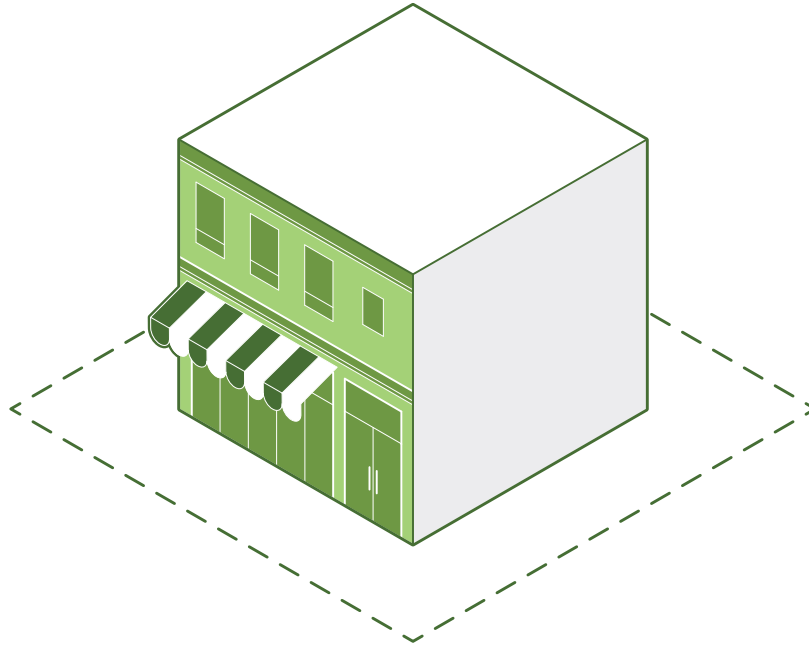
The following are allowed to encroach into the district boundary height transition as listed below:

ALLOWED HORIZONTAL ENCROACHMENTS	
Architectural Details (Sec. 14.2.5.A.1.a.)	
Encroachment (max)	2'
Roof Projections (Sec. 14.2.5.A.1.b.)	
Encroachment (max)	2.5'
Unenclosed Structures (Sec. 14.2.5.A.1.c. - Sec. 14.2.5.A.1.d.)	
Encroachment (max)	5'
Enclosed Structures: Projecting (Sec. 14.2.5.A.1.e.)	
Encroachment (max)	2.5'
Mechanical/Electrical Equipment (Sec. 14.2.5.A.1.f. - Sec. 14.2.5.A.1.g.)	
Encroachment (max)	1.5'

ALLOWED VERTICAL ENCROACHMENTS	
Mechanical/Electrical Equipment (Sec. 14.2.5.B.1.b.)	
Encroachment (max)	5'
Setback from roof edge (min)	3'
Architectural Elements (Sec. 14.2.5.B.1.c.)	
Encroachment (max)	5'
Setback from roof edge (min)	2'
Safety Barriers (Sec. 14.2.5.B.1.e.)	
Encroachment (max)	4'
Setback from roof edge (min)	0'
Unenclosed Structures (Sec. 14.2.5.B.1.f.)	
Encroachment (max)	8
Setback from roof edge (min)	2'
Flatwork (Sec. 14.2.5.B.1.g.)	
Encroachment (max)	2.5'
Setback from roof edge (min)	1'
Vegetation (Sec. 14.2.5.B.1.h.)	
Encroachment (max)	unlimited
Setback from roof edge (min)	1'

F. Relief

1. A reduced height transition depth of 20 percent or less may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
2. A reduced height transition depth may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).
3. Increased stories without height transition may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).



ARTICLE 3. **FRONTAGE**

[FORM - **FRONTAGE** - STANDARDS] [USE - DENSITY]

Part 3A. **Introduction**

Part 3B. **Frontage Districts**

Part 3C. **General Frontage Rules**

Part 3D. **Character Frontage Rules**

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PART 3A. INTRODUCTION

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DIV. 3A.1. **ORIENTATION**

SEC. 3A.1.1. **RELATIONSHIP TO ZONE STRING**

A zone string is composed of the following districts:



The Frontage District is a separate and independent component of each zone.

SEC. 3A.1.2. **HOW TO USE ARTICLE 3. (FRONTAGE)**

A. **Identify the Applicable Frontage District**

The second component in a zone string is the Frontage District applied to a property.

B. **Determine Applicable Frontage District Standards**

1. Frontage District standards are outlined in *Part 3B. (Frontage Districts)*. Each Frontage District page identifies the standards specific to that Frontage District.
2. Each Frontage rule category on a Frontage District page in *Part 3B. (Frontage Districts)* provides a reference to *Part 3C. (General Frontage Rules)* or *Part 3D. (Character Frontage Rules)*, where the standards within that rule category are explained in detail. *Part 3D. (Character Frontage Rules)* may reference *Part 3C. (General Frontage Rules)* for standards that are common to both Character Frontage Districts and general Frontage Districts. Text in italics below a heading provides a definition of that heading.

Frontage District Example:

Zone String

[LM2-**MU2**-5] [RG1-FA]

Find Your
Frontage District

Part 3B. (Frontage Districts)

For Illustrative Purposes Only
 SEC. 3B.2.2. **MULTI-UNIT 2 (MU2)**

A. Lot

Frontage Standard

Specification for Standard

B. Facade

Frontage Lot Line

	Primary	Side
BUILD-TO Div. 3C.1		
Applicable stories (min)	2	2
A Build-to depth (max)	10'	15'
B Build-to width (min)	70%	40%
Pedestrian amenity allowance (max)	Not Required	Not Required
PARKING Div. 3C.2		
C Parking setback (min)	20'	5'
LANDSCAPING Div. 3C.3		
Frontage planting area (min)	30%	30%
Frontage yard fence & wall type allowed:	A2	A2

	Primary	Side
TRANSPARENCY Div. 3C.4		
Transparent area (min)		
A Ground story	30%	30%
B Upper stories	20%	20%
C Active wall spacing (max)	30'	40'
ENTRANCES Div. 3C.5		
D Street-facing entrance	Required	Not Required
E Entrance spacing (max)	50'	100'
Entry feature	Not Required	Not Required
GROUND STORY Div. 3C.6		
F Ground story height (min)	10'	10'
G Ground floor elevation (min/max)	-2'/5'	-2'/5'

Frontage Rule Category → BUILD-TO

Label on Graphic → A, B, C

No Label on Graphic → PARKING, LANDSCAPING

Standard Does Not Apply → Pedestrian amenity allowance

Link to Rules → GROUND STORY

Find Your Rules

Part 3C. (General Frontage Rules)

For Illustrative Purposes Only
 DIV. 3C.6. **GROUND STORY**

SEC. 3C.6.1. **GROUND STORY HEIGHT**

Ground story height is defined as the floor-to-floor height of the story of a building having its finished floor elevation nearest to the finished grade.

A. Intent

The intent of the standards of this Section (Ground Story Height) is to promote active uses that are directly connected to the public realm, and ensure high-quality ground story spaces that are adaptable and appropriate to their context.

B. Applicability

Ground story height standards apply to new construction. When the ground story height standards apply, the standards apply to all portions of the ground story, within the first 15 feet of a facade of a new building or structure, pursuant to Sec. 3A.2.2.B.3. (Frontage Applicable Facades).

C. Standards

All occupiable space located in applicable portions of the ground story shall have floor-to-floor height of no less than the ground story height minimum.

D. Measurement

- Ground story height is measured vertically from the top of the finished ground story to the top of the finished floor above.
- Where no story exists above, ground story height is the shortest vertical distance from the top of the ground floor elevation to the top of the ceiling or roof structure above.
- For determining the ground story, see Sec. 14.2.10.A. (Ground Story).

E. Relief

- A reduction in required ground story height up to one foot may be granted in accordance with Sec. 13B.5.2. (Adjustment).

Character Frontage District Example:

Zone String

[LLM1-**CHC1**-5] [IH2-FA]

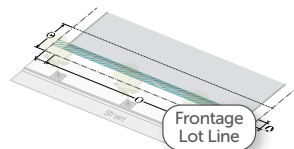
Find Your
Frontage District

Part 3B. (Frontage Districts)

For Illustrative Purposes Only
 SEC. 3B.9.1 **HISTORIC CORE (CHC1)**

A. Intent
 The Historic Core Character Frontage provides standards intended to reinforce the prevailing architectural characteristics of Downtown's Historic Core. With an architectural character established in the late 19th and early 20th centuries, key architectural characteristics of the Historic Core include grand entrances adorned with pillars and archways, highly decorative facades that clearly articulate the base, middle, and top layers of a building, deeply recessed windows, and flat roofs with prominent cornices. Buildings in the Historic Core adhere to a well-defined street wall with high ground floor activation. The Historic Core Character Frontage ensures new development contributes to the established architectural character of Downtown's Historic Core.

B. Lot



Frontage Lot Line

	Primary	Side
BUILD-TO	Div. 3D.1	
Applicable stories (min)	12	12
Build-to depth (max)	5'	10'
Build-to width (min)	90%	70%
Pedestrian amenity allowance (max)	15%	10%
PARKING	Div. 3D.2	
Parking setback (min)	20'	5'
LANDSCAPING	Div. 3D.3	
Planting area (min)	0%	0%
Frontage yard fence & wall type allowed:	A2	A2

Link to Rules

Label on Graphic

Frontage Rule Category

No Label on Graphic

Frontage Standard

Specification for Standard

Find Your Rules

Part 3D. (Character Frontage Rules)

For Illustrative Purposes Only
 DIV. 3D.2 **PARKING**
 SEC. 3D.2.1 **PARKING SETBACK**

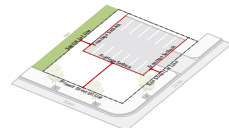
An area on a lot along a frontage lot line where motor vehicle use areas are prohibited, including primary street parking setbacks, side street parking setbacks and special lot line parking setbacks.

A. Intent
 To minimize the impact of motor vehicle dominated areas on the public realm and to promote a comfortable, safe, engaging and attractive streetscape with active uses and landscaping along the public realm.

B. Applicability
 Frontage setback requirements apply to the ground-story portions of structures and portions of lots designed or designated for motor vehicle uses, including but not limited to parking structures, parking stalls, drive lanes, loading, vehicular circulation areas, and drive-thru facilities.

C. Standards
 All applicable areas designated for motor vehicle use shall be located at or behind the required parking setback unless specifically stated as an exception below.

D. Measurement



All frontage setbacks are measured perpendicular to the frontage lot line.

1. A primary street parking setback is measured from the primary street lot line.
2. A side street parking setback is measured from the side street lot line.
3. An alley parking setback is measured from the alley lot line associated with a dual frontage.

References to
Part 3C.

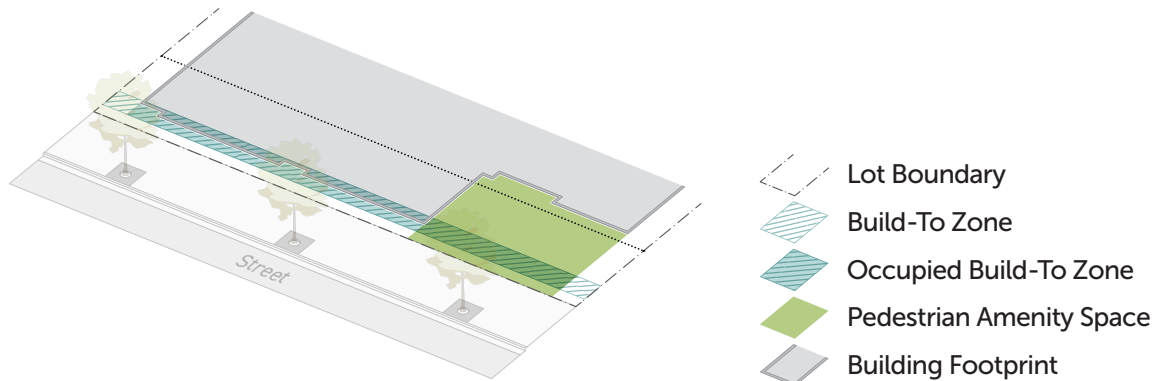
For Illustrative Purposes Only
 DIV. 3D.1 **BUILD-TO**
 DIV. 3D.2 **PARKING**
 DIV. 3D.3 **LANDSCAPING**
 DIV. 3D.4 **GROUND FLOOR ELEVATION**
 See Sec. 3C.2

SEC. 3A.1.3. FRONTAGE DISTRICT DIAGRAMS

A. General

Diagrams and illustrations are provided in this *Article (Frontage)* to assist users in understanding the purpose and requirements of the text and are not requirements but examples of compliance with a particular standard. In the event a conflict occurs between the text of this *Article (Frontage)* and any diagram or illustration, the text prevails.

B. Lot Diagrams



1. Lot Boundary

This line represents the perimeter of the subject lot, serving as a reference for build-to width.

2. Build-To Zone

This blue hatched shape represents the area on a lot, near the frontage lot line. Buildings are required to occupy the build-to zone according to the minimum build-to width specified by the applied *Frontage District (Part 3B.)*.

3. Occupied Build-To Zone

The part of the build-to zone with a blue background representing the width of the build-to zone applied toward build-to width based on location of buildings or location of pedestrian amenity spaces.

4. Pedestrian Amenity Space

This green shape represents the largest pedestrian amenity space applicable toward the build-to width according to the maximum pedestrian amenity allowance specified by the applied *Frontage District (Part 3B.)*.

5. Building Footprint

This shape represents the building footprint for the front portion of a lot including the portion of a building occupying the build-to zone, and serves as a reference for build-to width that meets the build-to standards of the applied *Frontage District (Part 3B.)*.

C. Facade Diagrams



1. Lot Boundary

This line represents the perimeter of the subject lot, serving as a reference for build-to width.

2. Pedestrian Amenity Space

This paver-patterned shape represents the pedestrian amenity space shown in the corresponding lot diagram, demonstrating the relationship between pedestrian amenity space requirements, and the standards of the applied *Frontage District (Part 3B.)*.

3. Story

This volume represents a story of a building, serving as a reference for story height and ground floor elevation standards. The volume includes a line at the top and bottom of each story, and an additional line near the top of each story indicating the bottom of a floor plate. The bottom of the floor plate is only depicted on the side of the building.

4. Transparent Area

This shape represents door and window openings on frontage applicable facades, serving as a reference for transparency standards.

5. Active Wall Spacing

This red-hatched shape represents one example measurement of active wall spacing, including the regulated facade area between one set of door or window openings. This shape does not represent all applicable facade areas.

6. Street-Facing Entrance

This red outline represents a street-facing door openings, serving as a reference for street-facing entrance and entrance spacing standards.

D. Character Frontage Diagrams

Character Frontage Districts (Div. 3B.9.) include a wider variety of diagrams, but use the same approach to representation established by the lot diagrams and facade diagrams. In addition to the elements depicted in lot and frontage diagrams, Character Frontage Districts represent articulation techniques, focal entry features, and exterior materials.

1. Articulation Techniques



Articulation standards often include a variety of regulatory elements, for example, vertical band articulation and horizontal band articulation, building layers, and articulating elements. While articulating elements are not depicted in Character Frontage District diagrams, building layers are represented with a red outline and banding is represented using a black outline around a translucent white shape.

2. Focal Entry Features and Exterior Materials



- a. Focal entry features are represented by a dashed red outline surrounding the area on a facade that meets the focal entry feature requirements in the applied *Frontage District (Part 3B.)*.
- b. Primary and secondary exterior materials are represented using a variety of colors and textures to represent one or more of the exterior materials allowed by the applied *Frontage District (Part 3B.)*.

SEC. 3A.1.4. **FRONTAGE DISTRICT NAMING CONVENTION**

Frontage District names have two components: frontage category and variation number.

A. **Frontage Category**

The first component of each Frontage District, frontage categories group all districts with similar characteristics, and are organized as follows:

1. Drive
2. Multi-Unit
3. General
4. Shopfront
5. Market
6. Large Format
7. Warehouse
8. Dual
9. Character

B. **Variation Number**

The second component of each Frontage District, a variation number represents the order that the Frontage District falls within this *Article (Frontage)*.

DIV. 3A.2. **GENERAL RULES**

SEC. 3A.2.1. **FRONTAGE**

This *Article (Frontage)* regulates the portions of a lot and exterior building facades that impact the public realm. *Frontage Districts (Part 3B.)* help ensure that projects respond to the public realm in a contextually appropriate manner. Frontage Districts range from minimal standards (for example Warehouse Frontages) to a robust set of standards (for example Shopfront Frontages) which require projects to support a high-quality public realm that is active, comfortable, safe, and visually interesting, with strong connections between the public realm and uses inside buildings.

SEC. 3A.2.2. **FRONTAGE APPLICABILITY**

A. **General**

All project applications filed after the effective date of this Zoning Code (Chapter 1A) must comply with the Frontage District standards and rules in this *Article (Frontage)*, as further specified in the applicability statement of each Section in *Part 3C. (General Frontage Rules)* and *Part 3D. (Character Frontage Rules)*. For vested rights, see *Sec. 1.4.5. (Vested Rights)*, and for continuance of existing development, see *Sec. 1.4.6. (Continuance of Existing Development)*.

B. **Applicable Components of Lots, Buildings, & Structures**

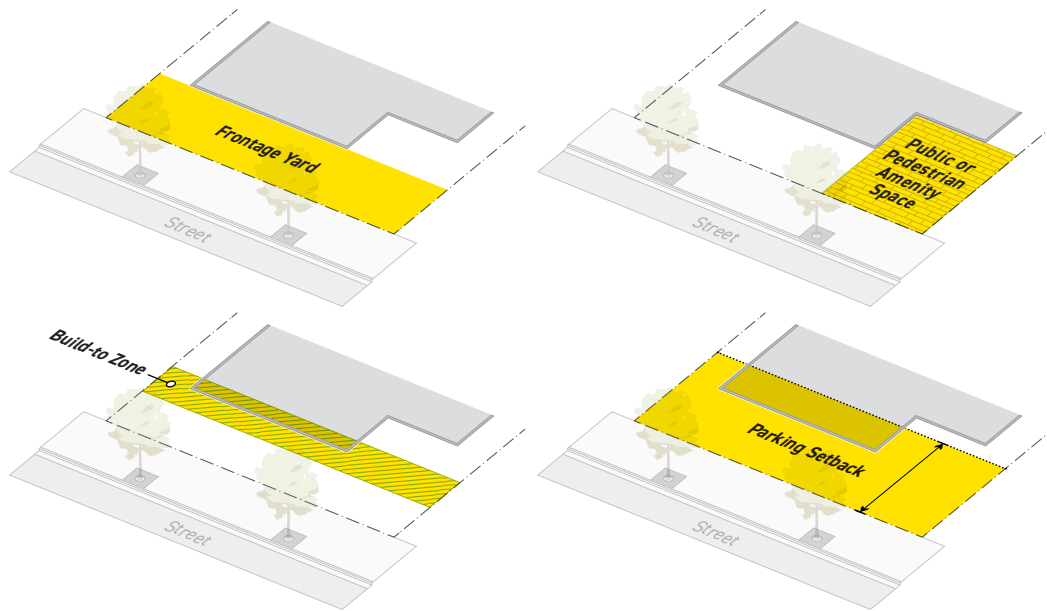
1. **General**

Frontage standards apply only to the applicable facades, portions of a lot, and building depth, as specified in *Paragraph 3. (Frontage Applicable Facades)* below. Specific Frontage District standards or rules may further limit which components of buildings and lots are required to comply with the standard within *Part 3C. (General Frontage Rules)* and *Part 3D. (Character Frontage Rules)*.

2. **Frontage Applicable Portions of a Lot**

Frontage District standards apply to the following portions of a lot:

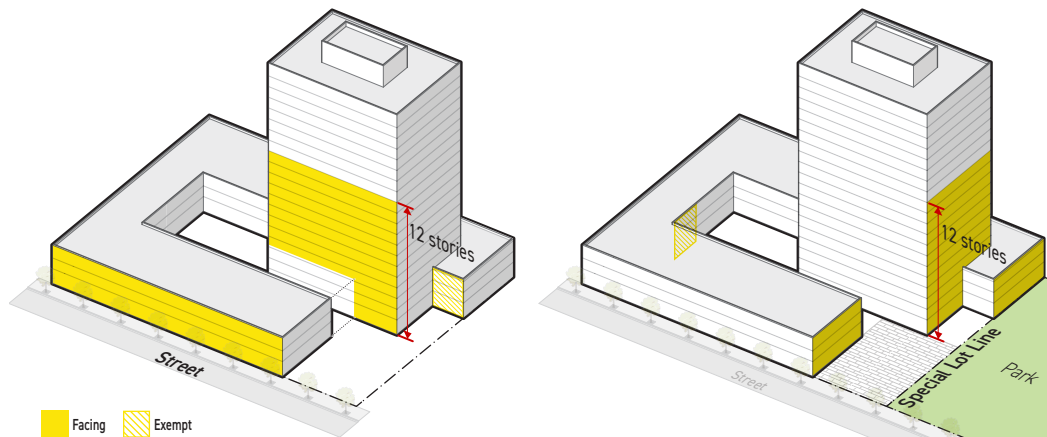
- a. Frontage yards, see *Sec. 14.2.16. (Yards)*;
- b. Public amenity spaces or pedestrian amenity spaces, see *Sec. 2C.3.3. (Amenity Space Types)*;
- c. Build-to zones; and
- d. Parking setbacks.



3. Frontage Applicable Facades

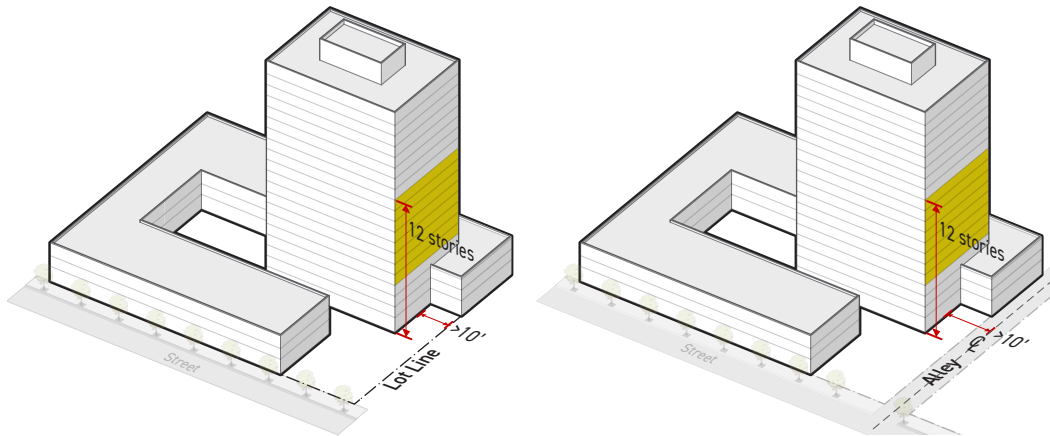
Frontage standards apply to the following facades up to the top of the 12th story, unless otherwise specified by the applied *Frontage District (Part 3B.)*:

a. Frontage Lot Line-Facing Facades



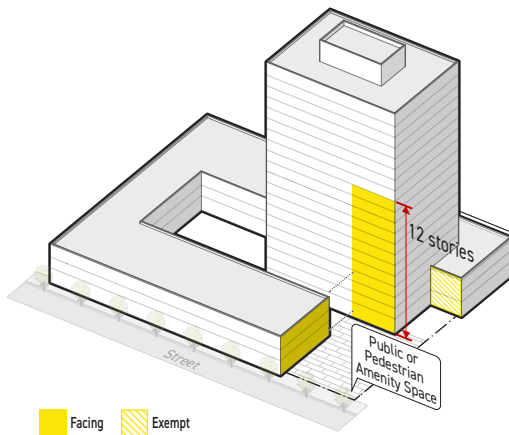
- i. Facades facing a frontage lot line, including street-facing facades, special lot line-facing facades, and when a *Dual Frontage District (Div. 3B.8.)* is applied.
- ii. These facades shall meet the standards specified by the applied *Frontage District (Part 3B.)* along the frontage lot line that the facade faces (primary street lot line, side street lot line or special lot line).

b. Lot Line-Facing Facades (Non-Frontage Lot Line)



- i. Lot line-facing facades that do not face a frontage lot line and are:
 - a) Located vertically above the top of the fourth story; and
 - b) Located 10 feet or more from a common lot line or centerline of an alley, measured horizontally.
- ii. Lot line-facing facades (non-frontage lot line) facades shall meet the standards specified by the applied *Frontage District (Part 3B.)* for the side street lot line.

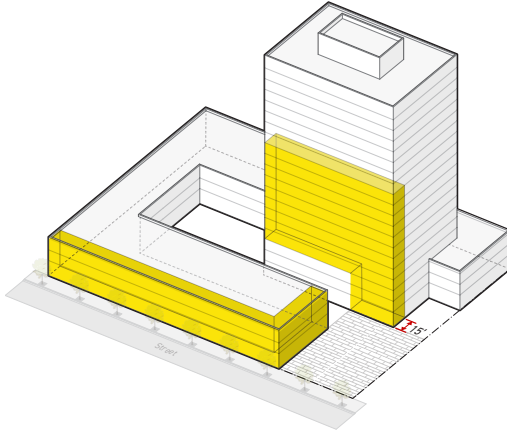
c. Pedestrian Amenity Space and Public Amenity Space-Facing Facades



- i. Facades that face a pedestrian amenity space or public amenity space, see Sec. 14.2.6.C. (*Pedestrian Amenity & Public Amenity-Facing Facade*).
- ii. These facades shall meet the standards specified by the applied *Frontage District (Part 3B.)* for the frontage lot line that the pedestrian amenity space or public amenity space abuts. Where the pedestrian amenity space or public amenity space abuts multiple frontage lot lines, the standards specified for the frontage lot line that abuts the pedestrian amenity space or public amenity space for the greatest length applies.

4. **Frontage Applicable Building Depth**

Frontage District standards apply to portions of a building interior within 15 feet of a frontage lot line-facing facade pursuant to Sec. 3A.2.2.B.3.a. (Frontage Lot Line-Facing Facades) or frontage applicable facades facing a pedestrian amenity space or public amenity space pursuant to Sec. 3A.2.2.B.3.c. (Pedestrian Amenity Space and Public Amenity Space-Facing Facades).



C. **Nonconformities**

Article 12. (Nonconformities) may provide relief from the requirements of this *Article (Frontage)* for existing lots, site improvements, buildings and structures, and uses that conformed to the zoning regulations, at the time they were established, but do not otherwise conform to current district standards or use permissions. Unless otherwise specified by *Div. 12.3. (Frontage Exceptions)*, project activities must conform with applicable frontage standards.

PART 3B. FRONTAGE DISTRICTS

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DIV. 3B.1. **DRIVE FRONTAGE DISTRICTS**

Drive Frontages control the location of vehicular access, require planted front yards, and provide flexible provisions for privacy through a combination of setbacks and frontage yard fence & wall standards.

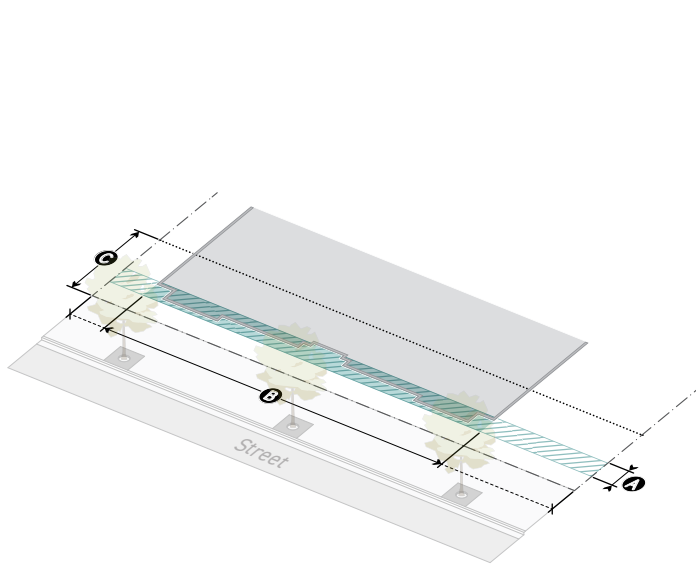
[Reserved].

DIV. 3B.2. **MULTI-UNIT FRONTAGE DISTRICTS**

Multi-Unit Frontages require higher ground floor elevation, low transparency, and frequent entrance spacing. This allows for greater privacy for tenants located on the ground story while retaining an interplay between the private and public realms. Frequent entrances activate the public realm with pedestrian activity and visual interest.

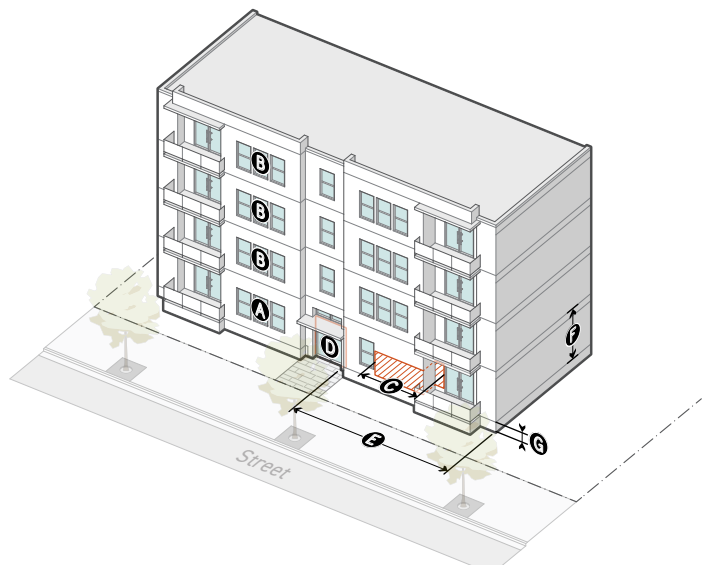
SEC. 3B.2.1. **MULTI-UNIT 1 (MU1)**

A. Lot



	Primary	Side
BUILD-TO	<i>Div. 3C.1.</i>	
Applicable stories (min)	2	2
A Build-to depth (max)	5'	5'
B Build-to width (min)	70%	40%
Pedestrian amenity allowance (max)	Not Required	Not Required
PARKING	<i>Div. 3C.2.</i>	
C Parking setback (min)	20'	5'
LANDSCAPING	<i>Div. 3C.3.</i>	
Frontage planting area (min)	30%	30%
Frontage yard fence & wall type allowed:	A2	A2

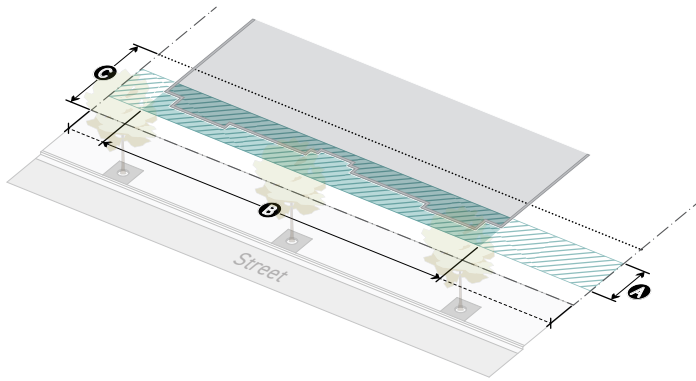
B. Facade



	Primary	Side
TRANSPARENCY	<i>Div. 3C.4.</i>	
Transparent area (min)		
A Ground story	30%	30%
B Upper stories	20%	20%
C Active wall spacing (max)	30'	40'
ENTRANCES	<i>Div. 3C.5.</i>	
D Street-facing entrance	Required	Not Required
E Entrance spacing (max)	50'	100'
Entry feature	Not Required	Not Required
GROUND STORY	<i>Div. 3C.6.</i>	
F Ground story height (min)	10'	10'
G Ground floor elevation (min/max)	-2'/5'	-2'/5'

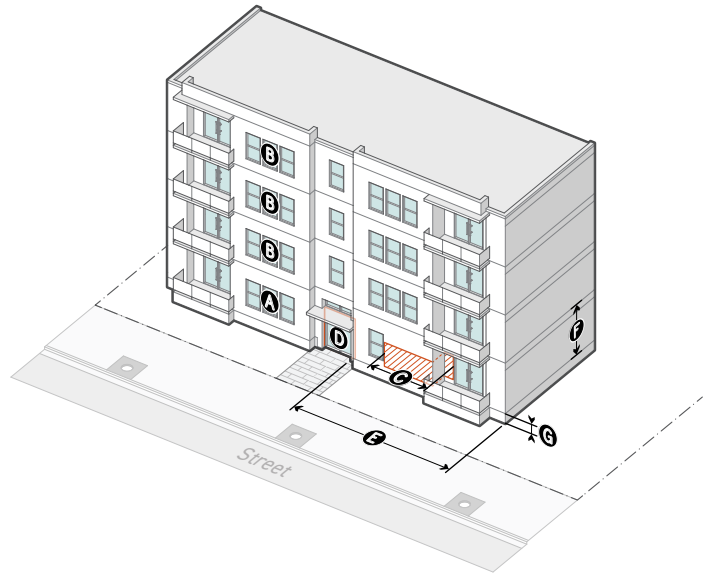
SEC. 3B.2.2. MULTI-UNIT 2 (MU2)

A. Lot



	Primary	Side
BUILD-TO	<i>Div. 3C.1.</i>	
Applicable stories (min)	2	2
A Build-to depth (max)	10'	15'
B Build-to width (min)	70%	40%
Pedestrian amenity allowance (max)	Not Required	Not Required
PARKING	<i>Div. 3C.2.</i>	
C Parking setback (min)	20'	5'
LANDSCAPING	<i>Div. 3C.3.</i>	
Frontage planting area (min)	30%	30%
Frontage yard fence & wall type allowed:	A2	A2

B. Facade



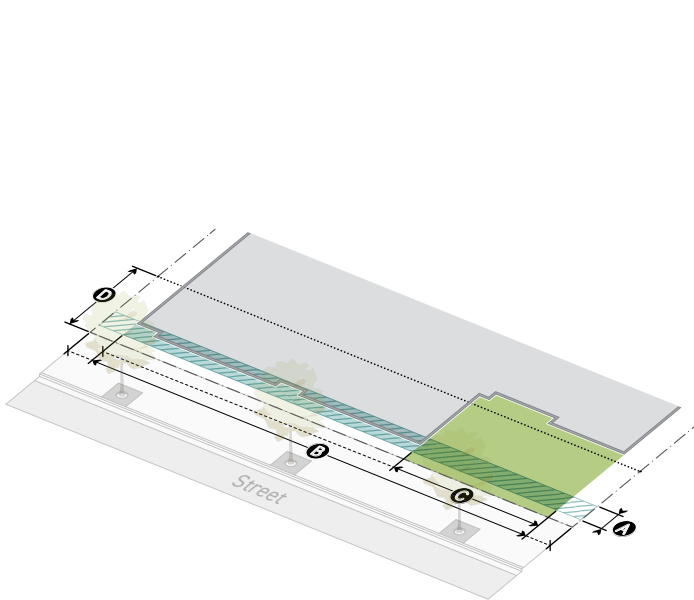
	Primary	Side
TRANSPARENCY	<i>Div. 3C.4.</i>	
Transparent area (min)		
A Ground story	30%	30%
B Upper stories	20%	20%
C Active wall spacing (max)	30'	40'
ENTRANCES	<i>Div. 3C.5.</i>	
D Street-facing entrance	Required	Not Required
E Entrance spacing (max)	50'	100'
Entry feature	Not Required	Not Required
GROUND STORY	<i>Div. 3C.6.</i>	
F Ground story height (min)	10'	10'
G Ground floor elevation (min/max)	-2'/5'	-2'/5'

DIV. 3B.3. GENERAL FRONTAGE DISTRICTS

General Frontages require moderate to high build-to widths while allowing a wide range of modifications for pedestrian amenity spaces. These Frontage Districts have a moderate transparency requirement with flexible entrance spacing standards while ensuring a high-quality pedestrian environment and providing flexibility for a variety of ground story tenants.

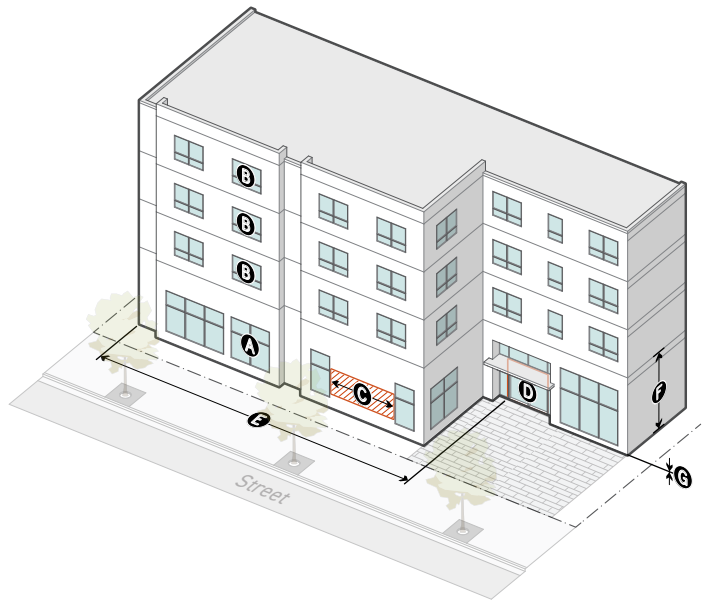
SEC. 3B.3.1. GENERAL 1 (G1)

A. Lot



	Primary	Side
BUILD-TO	Div. 3C.1.	
Applicable stories (min)	5	5
A Build-to depth (max)	10'	15'
B Build-to width (min)	90%	70%
C Pedestrian amenity allowance (max)	30%	20%
PARKING	Div. 3C.2.	
D Parking setback (min)	15'	5'
LANDSCAPING	Div. 3C.3.	
Frontage planting area (min)	30%	30%
Frontage yard fence & wall type allowed:	A2	A2

B. Facade



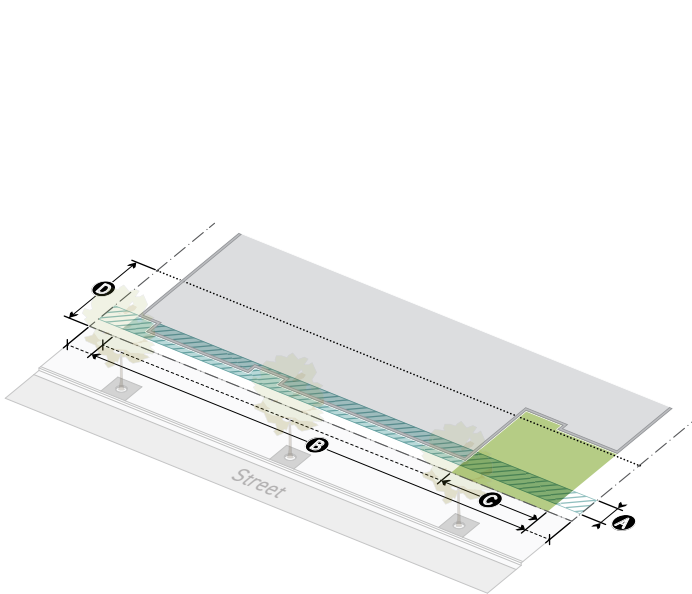
	Primary	Side
TRANSPARENCY	Div. 3C.4.	
Transparent area (min)		
A Ground story	50%	40%
B Upper stories	30%	30%
C Active wall spacing (max)	25'	25'
ENTRANCES	Div. 3C.5.	
D Street-facing entrance	Required	Required
E Entrance spacing (max)	75'	100'
Entry feature	Not Required	Not Required
GROUND STORY	Div. 3C.6.	
F Ground story height (min)	10'	10'
G Ground floor elevation (min/max)	-2'/5'	-2'/5'

DIV. 3B.4. SHOPFRONT FRONTAGE DISTRICTS

Shopfront Frontages require high build-to widths, high levels of transparency, frequent entrance spacing, and ground floor elevation at or near sidewalk grade. This promotes a legible street wall and activates the public realm with pedestrian activity and visual interest. The at-grade ground floor elevation allows for an increased connection between the interior uses and the pedestrian space.

SEC. 3B.4.1. SHOPFRONT 1 (SH1)

A. Lot



	Primary	Side
BUILD-TO	Div. 3C.1.	
Applicable stories (min)	5	5
A Build-to depth (max)	5'	10'
B Build-to width (min)	90%	70%
C Pedestrian amenity allowance (max)	20%	10%
PARKING	Div. 3C.2.	
D Parking setback (min)	20'	5'
LANDSCAPING	Div. 3C.3.	
Frontage planting area (min)	30%	30%
Frontage yard fence & wall type allowed:	A2	A2

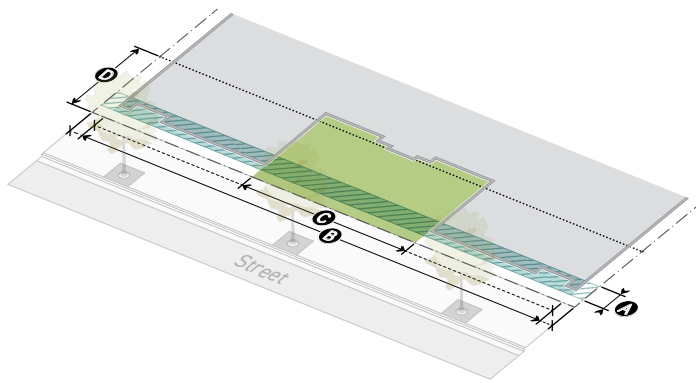
B. Facade



	Primary	Side
TRANSPARENCY	Div. 3C.4.	
Transparent area (min)		
A Ground story	70%	50%
B Upper stories	30%	30%
C Active wall spacing (max)	15'	25'
ENTRANCES	Div. 3C.5.	
D Street-facing entrance	Required	Required
E Entrance spacing (max)	50'	75'
Entry feature	Not Required	Not Required
GROUND STORY	Div. 3C.6.	
F Ground story height (min)	16'	16'
G Ground floor elevation (min/max)	-2'/2'	-2'/2'

SEC. 3B.4.2. SHOPFRONT 2 (SH2)

A. Lot



	Primary	Side
BUILD-TO	<i>Div. 3C.1.</i>	
Applicable stories (min)	5	5
A Build-to depth (max)	5'	10'
B Build-to width (min)	95%	70%
C Pedestrian amenity allowance (max)	35%	10%
PARKING	<i>Div. 3C.2.</i>	
D Parking setback (min)	20'	5'
LANDSCAPING	<i>Div. 3C.3.</i>	
Frontage planting area (min)	30%	30%
Frontage yard fence & wall type allowed:	A2	A2

B. Facade



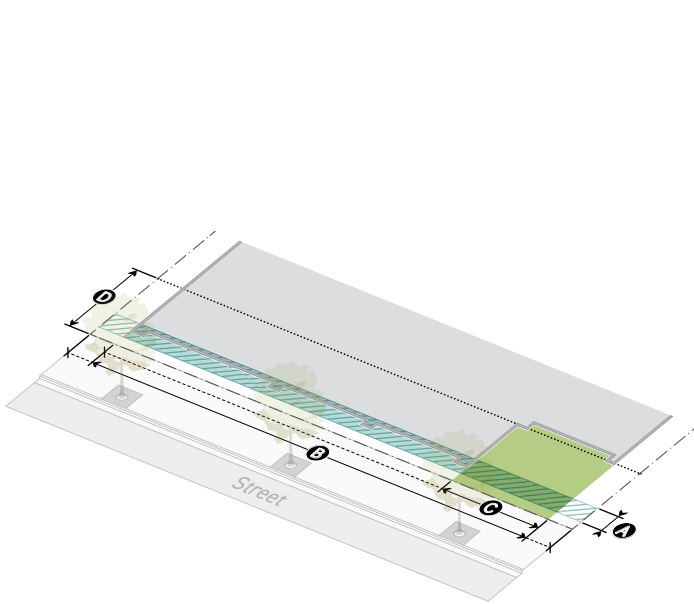
	Primary	Side
TRANSPARENCY	<i>Div. 3C.4.</i>	
Transparent area (min)		
A Ground story	60%	40%
B Upper stories	30%	30%
C Active wall spacing (max)	15'	25'
ENTRANCES	<i>Div. 3C.5.</i>	
D Street-facing entrance	Required	Required
E Entrance spacing (max)	50'	75'
Entry feature	Not Required	Not Required
GROUND STORY	<i>Div. 3C.6.</i>	
F Ground story height (min)	16'	16'
G Ground floor elevation (min/max)	-2'/2'	-2'/2'

DIV. 3B.5. MARKET FRONTAGE DISTRICTS

Market Frontages require high build-to widths and frequent entrances integrated as market stalls and shopfront bays. These entry feature options, paired with frequent entrance spacing, activates the public realm with pedestrian activity and visual interest in areas where market stalls are the dominant pattern.

SEC. 3B.5.1. MARKET 1 (MK1)

A. Lot



	Primary	Side
BUILD-TO	Div. 3C.1.	
Applicable stories (min)	5	5
A Build-to depth (max)	5'	10'
B Build-to width (min)	90%	70%
C Pedestrian amenity allowance (max)	20%	10%
PARKING	Div. 3C.2.	
D Street/alley setback (min)	20'	5'
LANDSCAPING	Div. 3C.3.	
Frontage planting area (min)	30%	30%
Frontage yard fence & wall type allowed:	A2	A2

B. Facade



	Primary	Side
TRANSPARENCY	Div. 3C.4.	
Transparent area (min)		
A Ground story	60%	40%
B Upper stories	20%	20%
C Active wall spacing (max)	15'	30'
ENTRANCES	Div. 3C.5.	
D Street-facing entrance	Required	Required
E Entrance spacing (max)	25'	50'
Entry feature	Required	Required
Options	<ul style="list-style-type: none"> • Market Stall • Shopfront Bay 	
GROUND STORY	Div. 3C.6.	
F Ground story height (min)	16'	16'
G Ground floor elevation (min/max)	-2'/2'	-2'/2'

DIV. 3B.6. **LARGE FORMAT FRONTAGE DISTRICTS**

Large Format Frontages require moderate build-to widths and infrequent entrance spacing. These Frontage Districts are designed to accommodate large tenants and controlled access in a manner that promotes a walkable street edge.

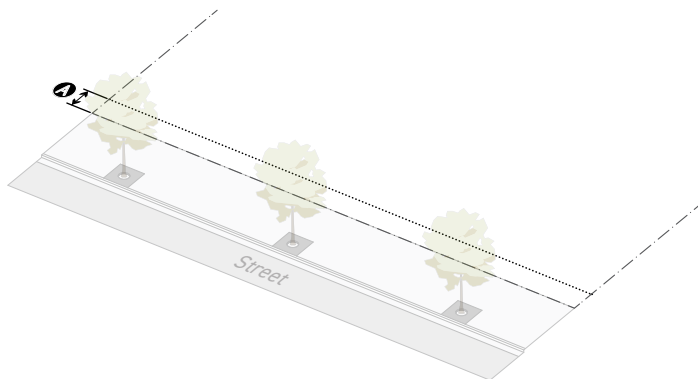
[Reserved]

DIV. 3B.7. WAREHOUSE FRONTAGE DISTRICTS

The Warehouse Frontages have few standards and allow for a high level of flexibility. These Frontage Districts are designed for freight service. Warehouse Frontages are intended for areas where pedestrian-friendly environments are not a priority.

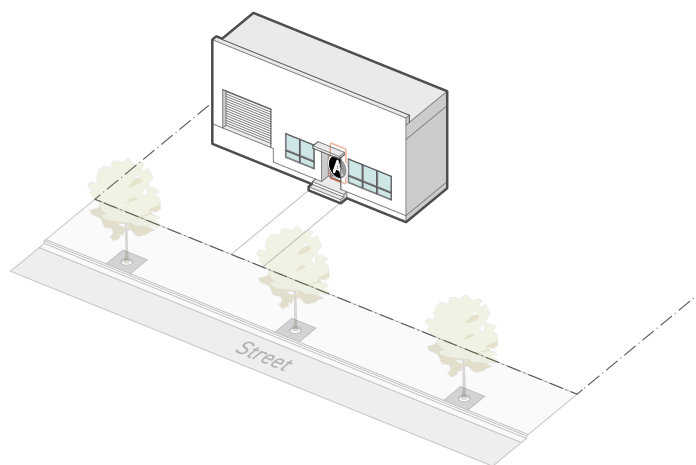
SEC. 3B.7.1. WAREHOUSE 1 (WH1)

A. Lot



	Primary	Side
BUILD-TO	Div. 3C.1.	
Not applicable		
PARKING	Div. 3C.2.	
A Parking setback (min)	5'	5'
LANDSCAPING	Div. 3C.3.	
Frontage planting area (min)	30%	30%
Frontage yard fence & wall type allowed:	A4	A4

B. Facade



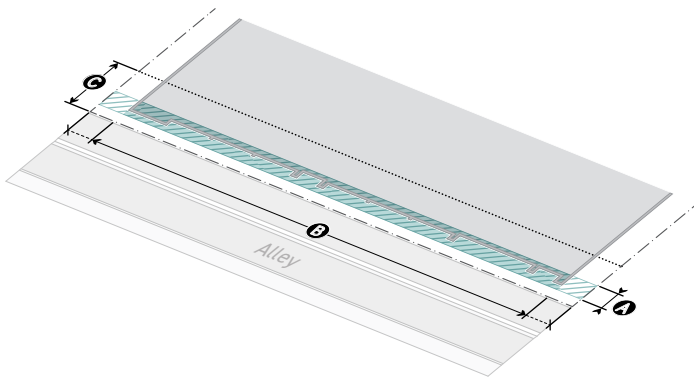
	Primary	Side
TRANSPARENCY	Div. 3C.4.	
Not applicable		
ENTRANCES	Div. 3C.5.	
A Street-facing entrance	Required	Not Required
Entrance spacing (max)	Not Required	Not Required
Entry feature	Not Required	Not Required
GROUND STORY	Div. 3C.6.	
Not applicable		

DIV. 3B.8. DUAL FRONTAGE DISTRICTS

The Dual Frontages are required to address primary, side, and special frontage lot lines. This allows for activation of the frontage lot line with increased standards.

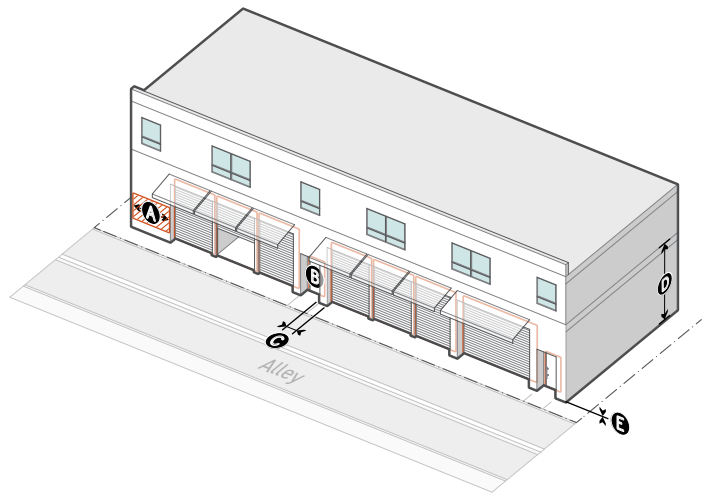
SEC. 3B.8.1. ALLEY MARKET (AL1)

A. Lot



	Special	Primary	Side
BUILD-TO	Div. 3C.1.		
Applicable stories (min)	5	5	5
A Build-to depth (max)	10'	5'	10'
B Build-to width (min)	90%	90%	70%
Pedestrian amenity allowance (max)	10%	20%	10%
PARKING	Div. 3C.2.		
C Setback (min)	15'	20'	5'
LANDSCAPING	Div. 3C.3.		
Frontage planting area (min)	10%	20%	30%
Frontage yard fence & wall type allowed:	A1	A2	A2

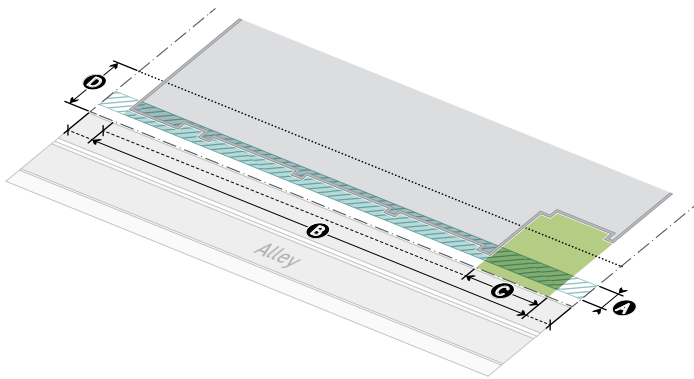
B. Facade



	Special	Primary	Side
TRANSPARENCY	Div. 3C.4.		
Transparent area (min)			
Ground story	n/a	60%	40%
Upper stories	n/a	20%	20%
A Active wall spacing (max)	25'	15'	30'
ENTRANCES	Div. 3C.5.		
B Street-facing entrance	Required	Required	Required
C Entrance spacing (max)	25'	25'	50'
Entry feature	Required	Required	Required
Options	<ul style="list-style-type: none"> • Shopfront bay • Market stall 		
GROUND STORY	Div. 3C.6.		
D Ground story height (min)	16'	16'	16'
E Ground floor elevation (min/max)	-1/1'	-2/2'	-2/2'

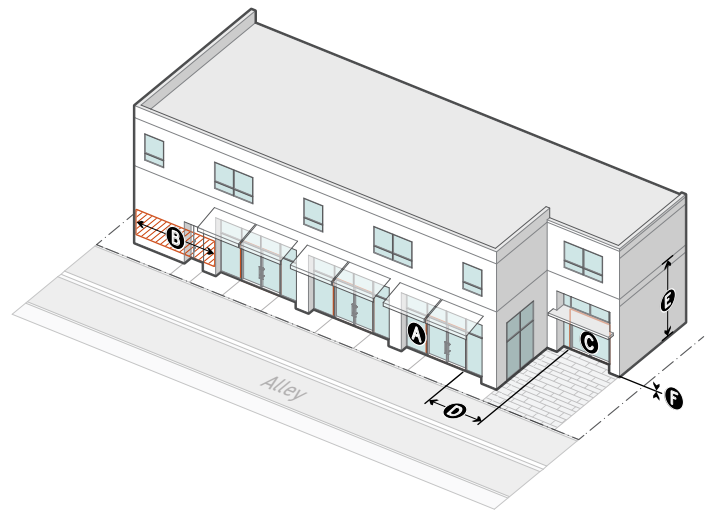
SEC. 3B.8.2. ALLEY SHOPFRONT (AL2)

A. Lot



	Special	Primary	Side
BUILD-TO	Div. 3C.2.		
Applicable stories (min)	5	5	5
A Build-to depth (max)	10'	5'	10'
B Build-to width (min)	70%	95%	70%
C Pedestrian amenity allowance (max)	15%	35%	10%
PARKING	Div. 3C.2.		
D Setback (min)	15'	20'	5'
LANDSCAPING	Div. 3C.3.		
Frontage planting area (min)	10%	20%	30%
Frontage yard fence & wall type allowed:	A1	A2	A2

B. Facade



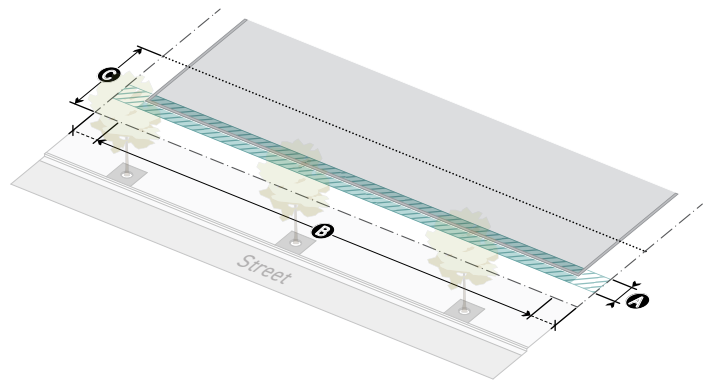
	Special	Primary	Side
TRANSPARENCY	Div. 3C.4.		
Transparent area (min)			
A Ground story	60%	60%	40%
Upper stories	n/a	30%	30%
B Active wall spacing (max)	25'	15'	25'
ENTRANCES	Div. 3C.5.		
C Street-facing entrance	Required	Required	Required
D Entrance spacing (max)	25'	50'	75'
Entry feature	Required	n/a	n/a
Options	• Storefront bay		
GROUND STORY	Div. 3C.6.		
E Ground story height (min)	16'	16'	16'
F Ground floor elevation (min/max)	-1/1'	-2/2'	-2/2'

Character Frontages provide standards for facade articulation, entry features, window design, siding materials, and roof form, in order to reinforce the prevailing architectural characteristics of the city's historically and culturally significant neighborhoods and districts.

A. Intent

The Historic Core Character Core Frontage ("Historic Core") ensures new development contributes to and reinforces the established architectural character of an urban historic core established in the late 19th and early 20th centuries, while supporting creative design and contemporary construction practices. Key architectural characteristics of the Historic Core include grand entrances adorned with pillars and archways, highly decorative facades that clearly articulate the base, middle and top layers of a building, deeply recessed windows, and roofs with prominent cornices. Buildings in the Historic Core adhere to a well-defined street wall with high ground story activation.

B. Lot



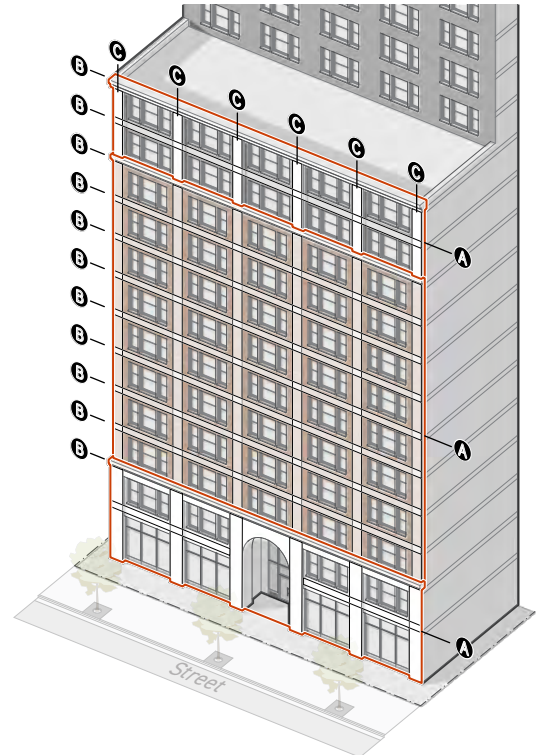
	Primary	Side
BUILD-TO	<i>Div. 3D.1.</i>	
Applicable stories (min)	12	12
A Build-to depth (max)	5'	10'
B Build-to width (min)	90%	70%
Pedestrian amenity allowance (max)	15%	10%
PARKING	<i>Div. 3D.2.</i>	
C Parking setback (min)	20'	5'
LANDSCAPING	<i>Div. 3D.3.</i>	
Frontage planting area (min)	0%	0%
Frontage yard fence & wall type allowed:	A2	A2

C. Stories



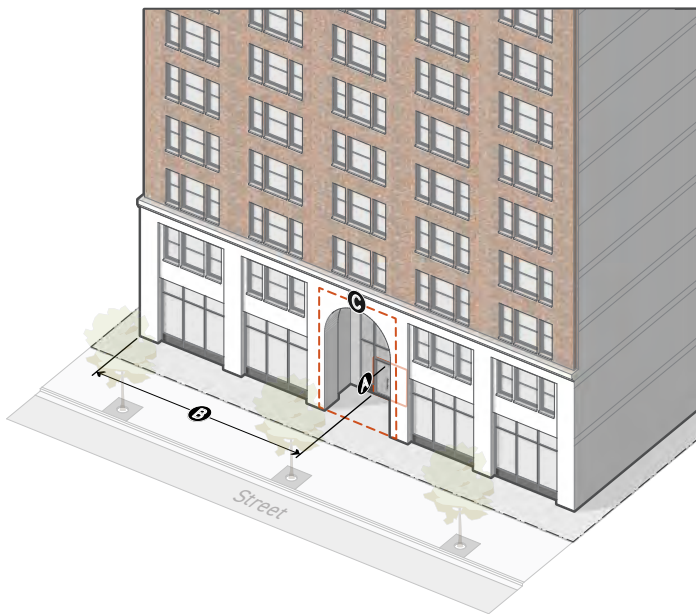
	Primary	Side
GROUND FLOOR ELEVATION	<i>Div. 3D.4.</i>	
A Ground floor elevation (min/max)	-2'2'	-2'2'
STORY HEIGHT	<i>Div. 3D.5.</i>	
B Ground story height (min)	16'	16'

D. Facade



	Primary	Side
ARTICULATION	<i>Div. 3D.6.</i>	
Applicable stories (min)	First 12	First 12
A Base, middle & top	Required	Required
B Horizontal bands	Required	Required
C Vertical bands	Required	Required
Spacing (min/max)	15'/30'	15'/30'
FEATURES	<i>Div. 3D.7.</i>	
Applicable stories (min)	12	12
Restricted features	<ul style="list-style-type: none"> Projecting balcony 	

E. Doors



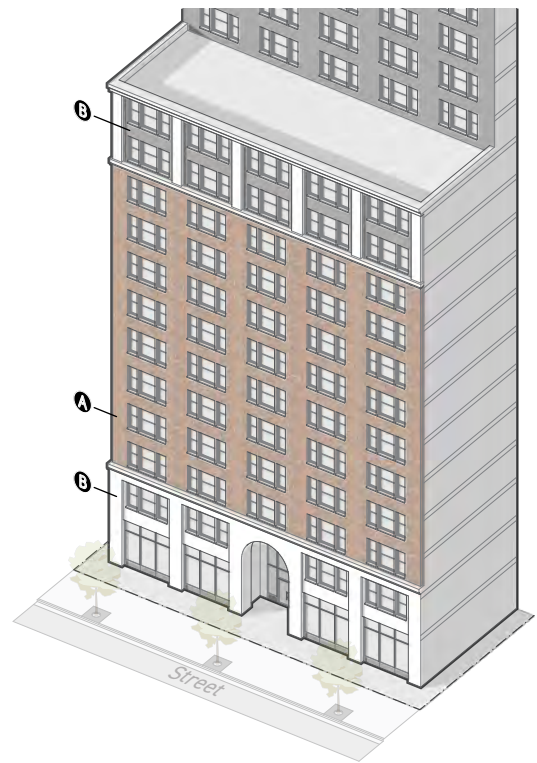
	Primary	Side
ENTRANCES	<i>Div. 3D.8.</i>	
A Street-facing entrance	Required	Required
B Entrance spacing (max)	50'	50'
Entry feature	Required	Required
Options	<ul style="list-style-type: none"> • Recessed entry • Storefront bay 	
C Focal entry feature	1	0

F. Windows



	Primary	Side
TRANSPARENCY	<i>Div. 3D.9.</i>	
Applicable stories (min)	First 12	First 12
A Ground story (min/max)	50%/80%	50%/80%
Active wall spacing (max)	15'	15'
Window recession (min)	12"	12"
Bulkhead	Required	Required
Horizontal sliding windows	Prohibited	Prohibited
Vinyl windows	Prohibited	Prohibited
B Upper stories (min/max) *	30%/80%	30%/80%
Window recession (min)	6"	6"
Sill	Required	Required
Horizontal sliding windows	Prohibited	Prohibited

G. Cladding



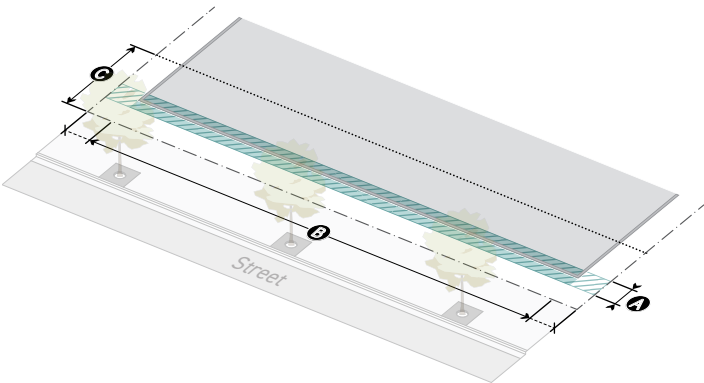
EXTERIOR MATERIALS		Div. 3D.10.
Applicable stories (min)		First 12
A Principal materials (min)		70%
Options		<ul style="list-style-type: none">• Brick• Solid stone• Concrete• Metal• Glazed tile
B Accessory materials (max)		30%
Options		<ul style="list-style-type: none">• Brick• Solid stone• Concrete• Metal• Wood• Glazed tile
Number of accessory materials (max)		2

SEC. 3B.9.2. **DAYLIGHT FACTORY (CDF1)**

A. Intent

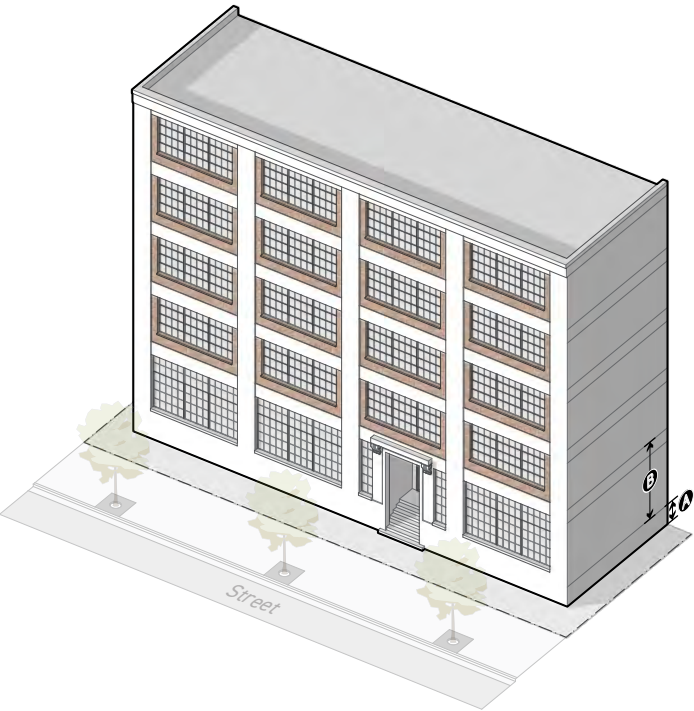
The Daylight Factory Character Frontage ensures new development reinforces the prevailing architectural characteristics of industrial districts established in the early 20th century, while supporting creative design and contemporary construction practices. Warehouse and factory buildings in these industrial districts are characterized by large, symmetrical windows that extend nearly a full story in height, high ceilings on each story, and brick and masonry facade materials. Facades are articulated to establish uniformity through horizontal repetition.

B. Lot



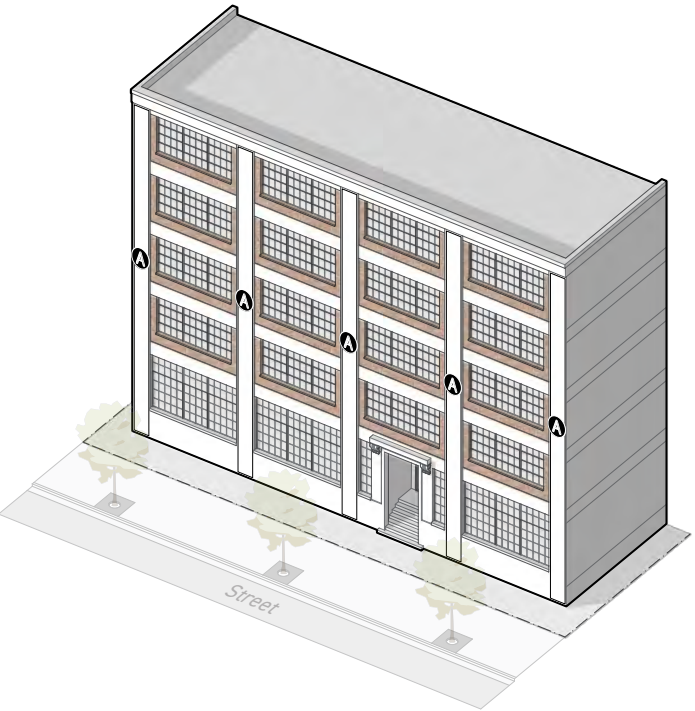
	Primary	Side
BUILD-TO	<i>Div. 3D.1.</i>	
Applicable stories (min)	3	3
A Build-to depth (max)	5'	10'
B Build-to width (min)	90%	70%
Pedestrian amenity allowance (max)	30%	30%
PARKING	<i>Div. 3D.2.</i>	
C Parking setback (min)	20'	5'
LANDSCAPING	<i>Div. 3D.3.</i>	
Frontage planting area (min)	30%	30%
Frontage yard fence & wall type allowed:	A2	A2

C. Stories



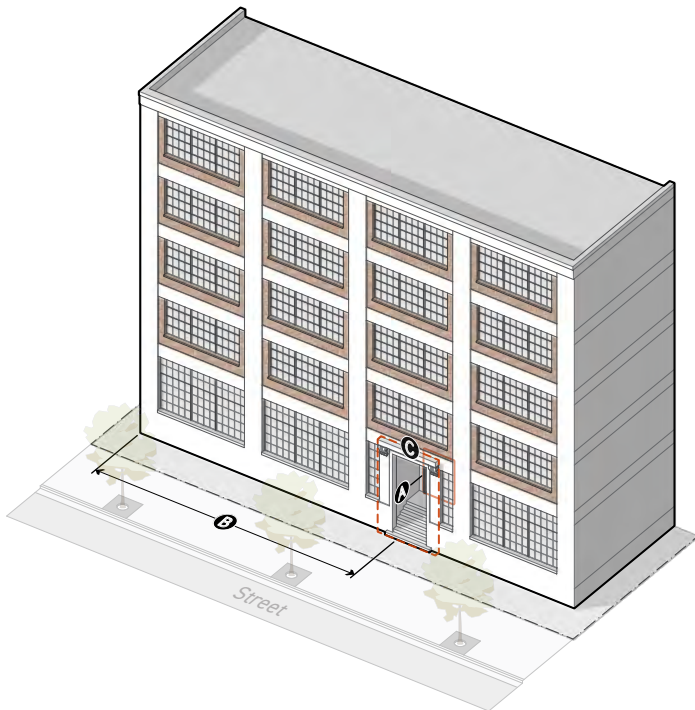
	Primary	Side
GROUND FLOOR ELEVATION	Div. 3D.4.	
A Ground floor elevation (min/max)	-2'/5'	-2'/5'
STORY HEIGHT	Div. 3D.5.	
B Ground story height (min)	16'	16'

D. Facade



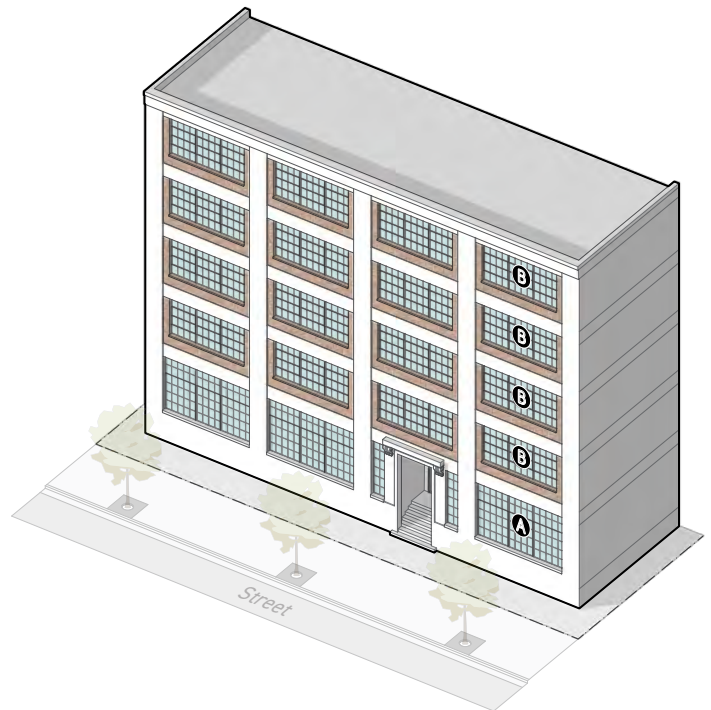
	Primary	Side
ARTICULATION	Div. 3D.6.	
Applicable stories (min)	First 3	First 3
A Vertical bands	Required	Required
Spacing (min/max)	20'/30'	20'/30'
FEATURES	Div. 3D.7.	
Not applicable		

E. Doors



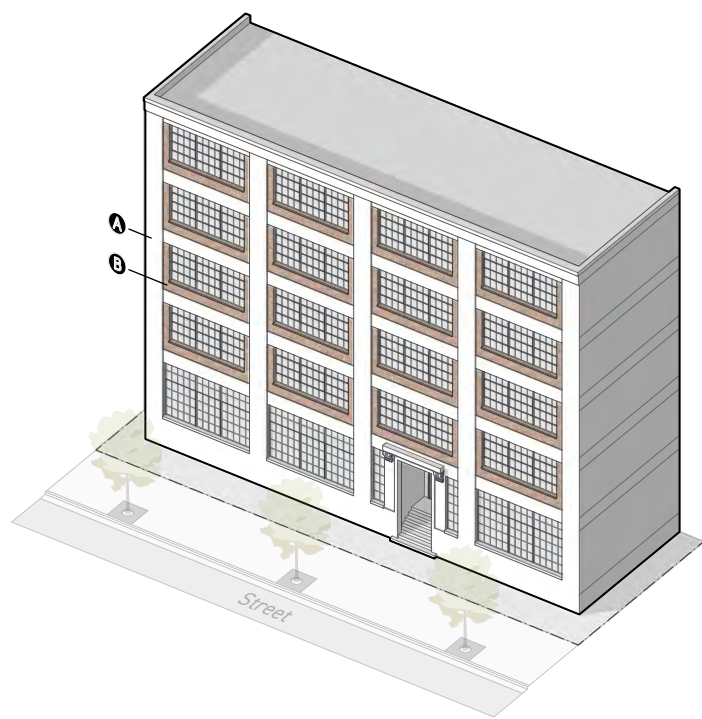
	Primary	Side
ENTRANCES	<i>Div. 3D.8.</i>	
A Street-facing entrance	Required	Required
B Entrance spacing (max)	100'	100'
Entry feature	Required	Required
Options	<ul style="list-style-type: none"> • Recessed entry • Storefront bay 	
C Focal entry feature	1	1

F. Windows



	Primary	Side
TRANSPARENCY	<i>Div. 3D.9.</i>	
Applicable stories (min)	First 3	First 3
A Ground story (min/max)	50%/80%	50%/80%
Active wall spacing (max)	15'	25'
Window recession (min)	9"	9"
Horizontal sliding windows	Prohibited	Prohibited
B Upper stories (min/max)	40%/70%	30%/70%
Window recession (min)	6"	6"
Sill	Required	Required
Horizontal sliding windows	Prohibited	Prohibited

G. Cladding



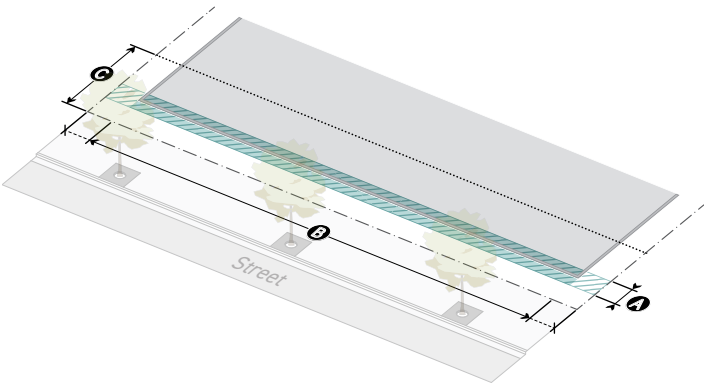
EXTERIOR MATERIALS		Div. 3D.10.
Applicable stories (min)		First 3
A Principal materials (min)		70%
Options		<ul style="list-style-type: none">• Brick• Solid stone• Concrete• Metal• Wood
B Accessory materials (max)		30%
Options		<ul style="list-style-type: none">• Brick• Solid stone• Concrete• Metal• Wood
Number of accessory materials (max)		3

SEC. 3B.9.3. **DAYLIGHT FACTORY / RIVER (CDR1)**

A. Intent

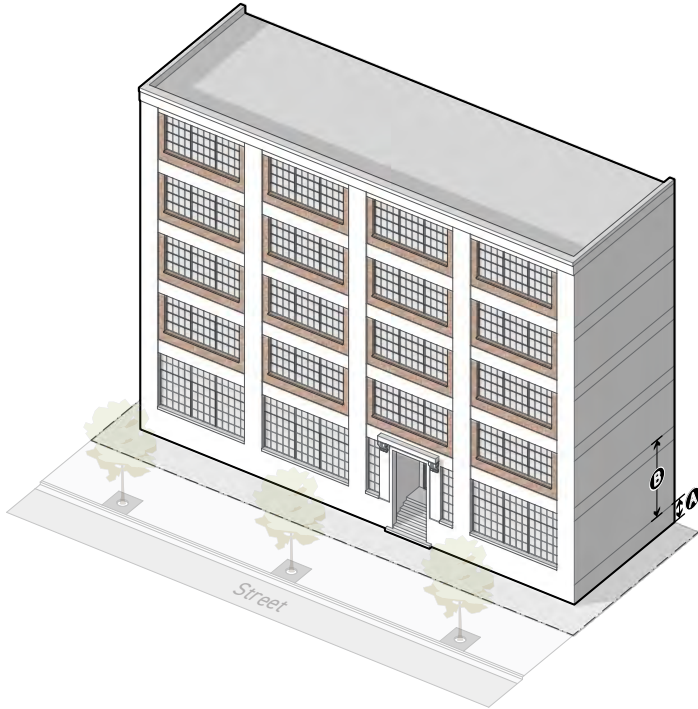
The Daylight Factory / River Character Frontage provides standards intended to support the activation of the Los Angeles River as a public amenity while reinforcing the prevailing architectural characteristics of industrial districts established in the early 20th century along the River, and supporting creative design and contemporary construction practices. Warehouse and factory buildings in these riverside industrial districts are characterized by large, symmetrical windows that extend nearly a full story in height, high ceilings on each story, and brick and masonry facade materials. Facades are articulated to establish uniformity through horizontal repetition.

B. Lot



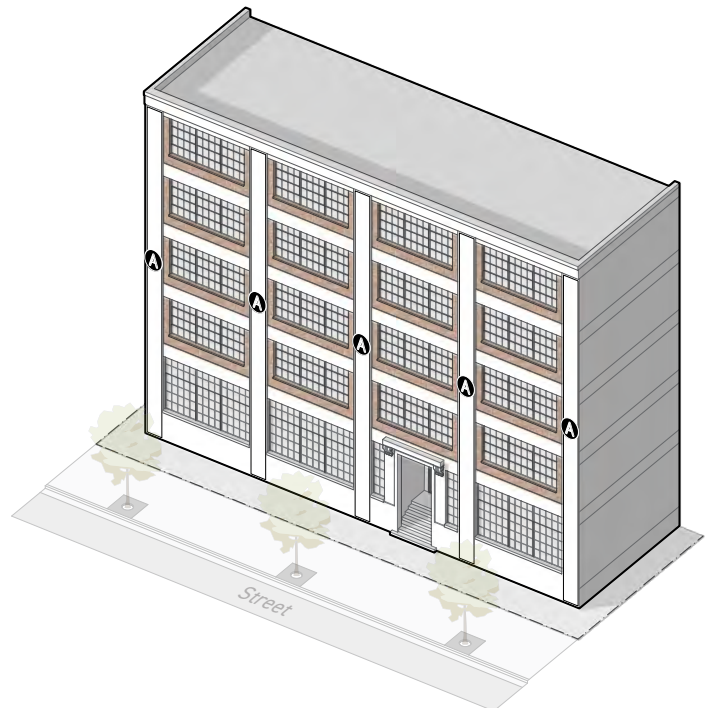
	Primary	Side	Special
BUILD-TO	Div. 3D.1.		
Applicable stories (min)	3	3	3
A Build-to depth (max)	5'	10'	20'
B Build-to width (min)	90%	70%	70%
Pedestrian amenity allowance (max)	30%	30%	40%
PARKING	Div. 3D.2.		
C Parking setback (min)	20'	5'	20'
LANDSCAPING	Div. 3D.3.		
Frontage planting area (min)	5%	5%	75%
Frontage yard fence & wall type allowed:	A2	A2	A3

C. Stories



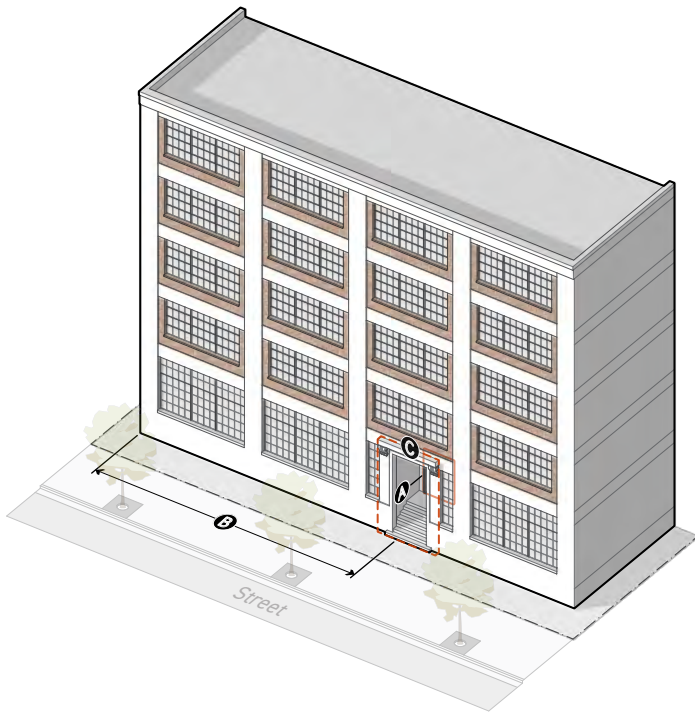
	Primary	Side	Special
GROUND FLOOR ELEVATION	<i>Div. 3D.4.</i>		
A Ground floor elevation (min/max)	-2'/5'	-2'/5'	-2'/5'
STORY HEIGHT	<i>Div. 3D.5.</i>		
B Ground story height (min)	16'	16'	16'

D. Facade



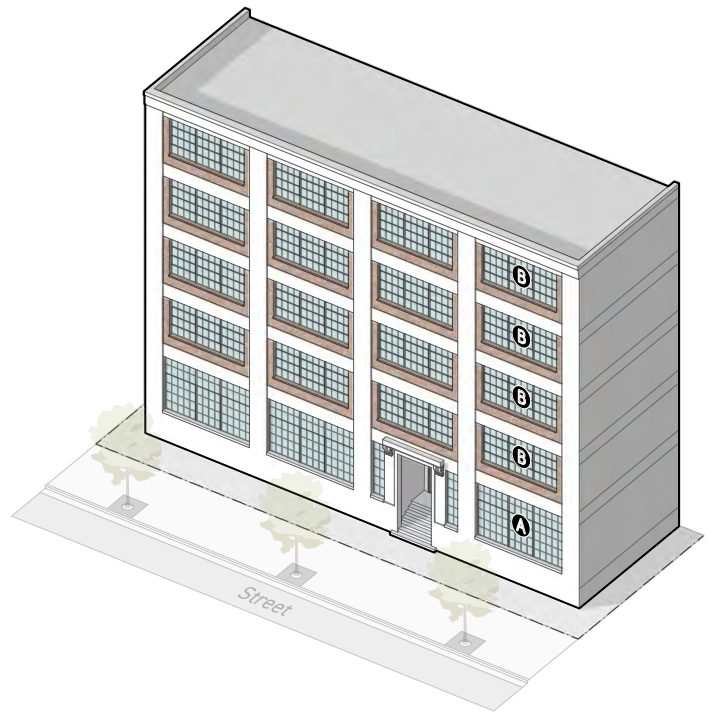
	Primary	Side	Special
ARTICULATION	<i>Div. 3D.6.</i>		
Applicable stories (min)	First 3	First 3	First 3
A Vertical bands	Required	Required	Required
Spacing (min/max)	20'/30'	20'/30'	20'/30'
FEATURES	<i>Div. 3D.7.</i>		
Not applicable			

E. Doors



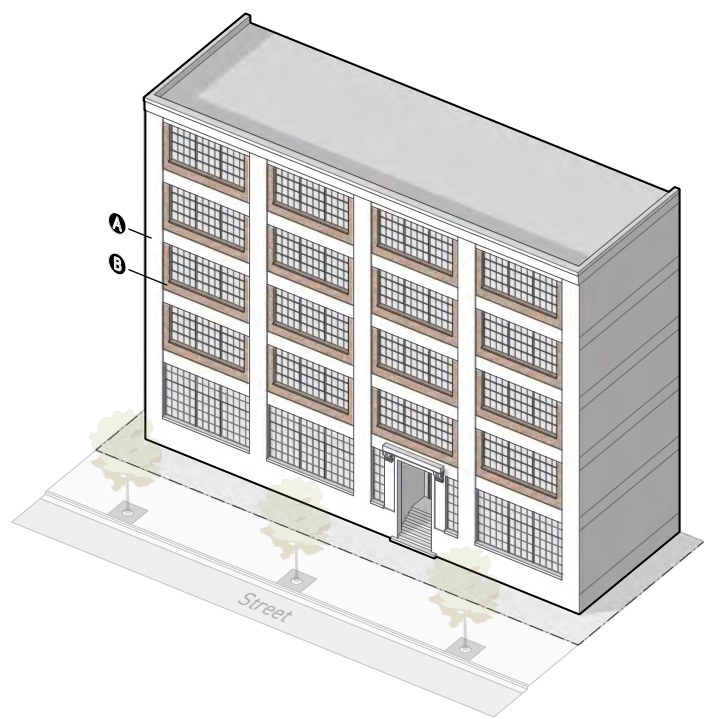
	Primary	Side	Special
ENTRANCES	<i>Div. 3D.8.</i>		
A Street-facing entrance	Required	Required	Required
B Entrance spacing (max)	100'	100'	100'
Entry feature	Required	Required	n/a
Options	<ul style="list-style-type: none"> • Recessed entry • Storefront bay 		
C Focal entry feature	1	1	n/a

F. Windows



	Primary	Side	Special
TRANSPARENCY	<i>Div. 3D.9.</i>		
Applicable stories (min)	First 3	First 3	First 3
A Ground story (min/max)	50%/80%	50%/80%	30%/80%
Active wall spacing (max)	15'	25'	25'
Window recession (min)	9"	9"	9"
Horizontal sliding windows	Prohibited	Prohibited	Prohibited
B Upper stories (min/max) *	40%/70%	30%/70%	30%/70%
Window recession (min)	6"	6"	6"
Sill	Required	Required	Required
Horizontal sliding windows	Prohibited	Prohibited	Prohibited

G. Cladding



EXTERIOR MATERIALS		Div. 3D.10.
Applicable stories (min)		First 3
A Principal materials (min)		70%
Options		<ul style="list-style-type: none">• Brick• Solid stone• Concrete• Metal• Wood
B Accessory materials (max)		30%
Options		<ul style="list-style-type: none">• Brick• Solid stone• Concrete• Metal• Wood
Number of accessory materials (max)		3

PART 3C. GENERAL FRONTAGE RULES

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DIV. 3C.1. **BUILD-TO**

SEC. 3C.1.1. **APPLICABLE STORIES**

Applicable stories is defined as the number of stories that are required to meet build-to standards.

A. **Intent**

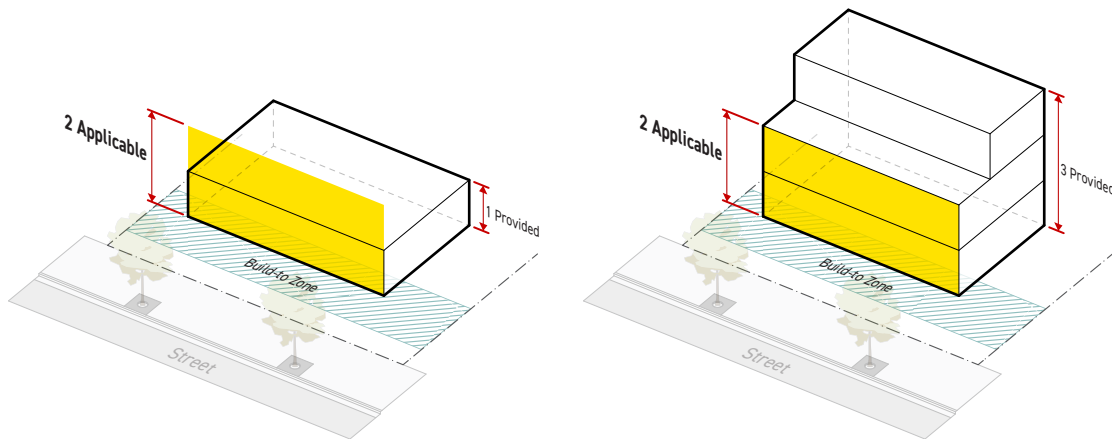
The intent of the standards of this *Section (Applicable Stories)* is to ensure that ground stories of buildings, and upper stories where appropriate, are located in a consistent manner along the street.

B. **Applicability**

Applicable stories standards apply to new construction of any portion of a building or structure, or a whole building or structure. When the applicable stories standards apply, the standards apply to any part of the building or structure that is required to meet the standards of *Sec. 3C.1.2. (Build-To Depth)* and the standards of *Sec. 3C.1.3. (Build-To Width)*.

C. **Standards**

Where minimum applicable stories are required, build-to standards apply to the ground story and any additional story provided on a lot, up to, and including, the minimum build-to applicable stories.



D. **Measurement**

For measuring height in stories, see *Sec. 2C.4.3. (Height in Stories)*.

E. **Relief**

1. A reduction of one story from the number of applicable stories may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. A reduction in number of applicable stories may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3C.1.2. **BUILD-TO DEPTH**

Build-to depth is defined as the depth of the build-to zone starting at the minimum building setback and continuing inward for the maximum build-to depth for the full width of the lot.

A. **Intent**

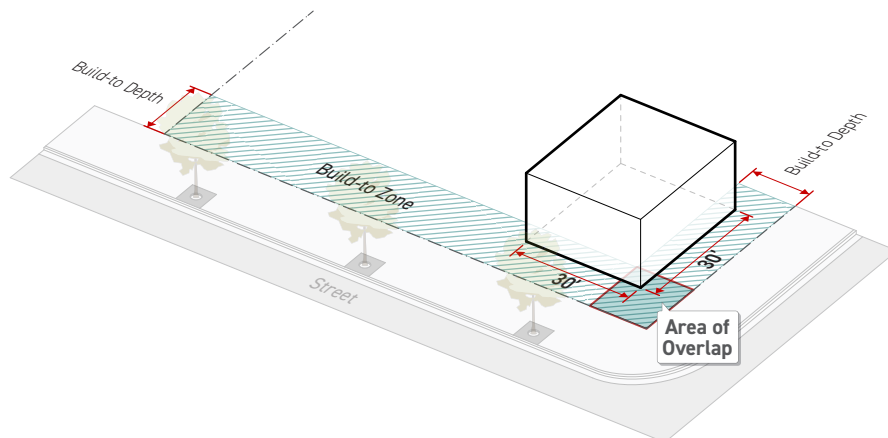
The intent of the standards of this *Section (Build-To-Depth)* is to regulate buildings along the public realm and to create a consistent street wall.

B. **Applicability**

Build-to depth standards apply to new construction. When build-to depth standards apply, they apply to all portions of buildings and structures required to satisfy the standards of Sec. 3C.1.3. (*Build-To Width*) and the standards of Sec. 3C.1.1. (*Applicable Stories*).

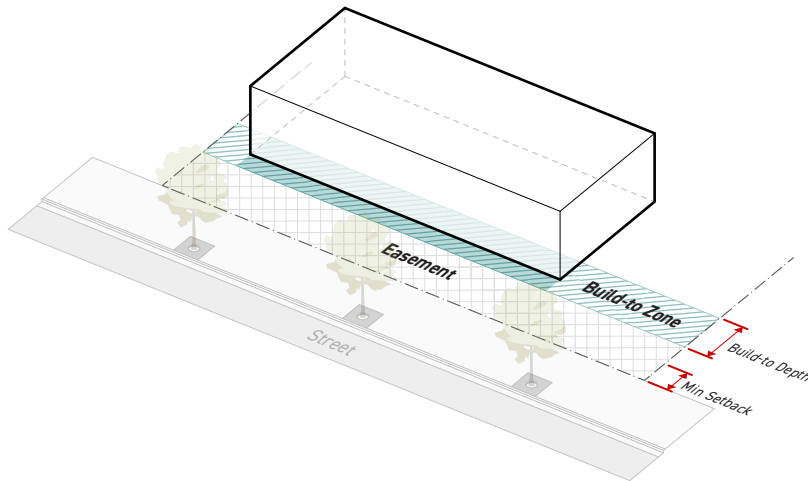
C. **Standards**

1. The build-to zone shall be no deeper than the maximum build-to depth of the applied *Frontage District (Part 3B.)*.
2. Buildings shall occupy the build-to zone for at least the minimum required build-to width.
3. Once the minimum build-to width standard has been satisfied, buildings and structures may occupy the area behind the build-to zone.
4. On a corner lot where intersecting frontage lot lines have build-to requirements, a building shall occupy the portion of the lot area where the build-to zones of the two intersecting frontage lot lines overlap, as described below:
 - a. The building shall occupy the build-to zones for both frontage lot lines for a minimum of 30 feet from the corner. This building width counts toward the required build-to width for both frontage lot lines.
 - b. This standard does not apply when a pedestrian amenity space occupies some portion of the area of overlap and is being used as a pedestrian amenity allowance. See Sec. 3C.1.4. (*Pedestrian Amenity Allowance*).



D. Measurement

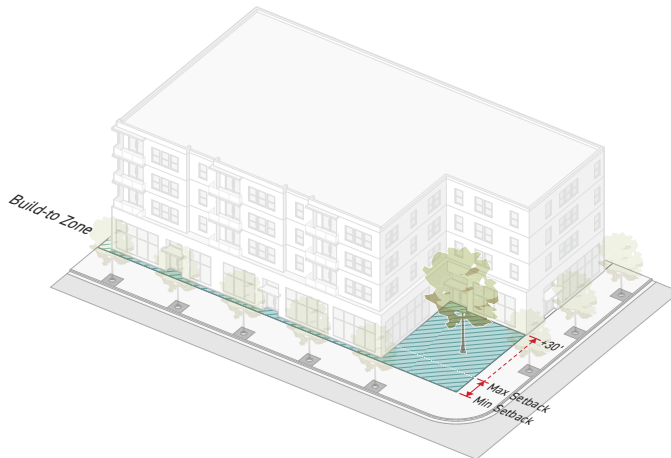
1. The build-to depth is measured perpendicular to the frontage lot line starting from the minimum building setback and continuing inward away from the frontage lot line.
2. Where a lot includes an easement that abuts the frontage lot line and the easement is deeper than the minimum building setback, the applicant may choose to measure the required build-to depth from the interior edge of the easement rather than the lot line.



3. For a lot affected by a public access easement, see Sec. 14.2.17.B.3. (*Build-To Depth*).

E. Exceptions

1. See Sec. 3C.1.4. (*Pedestrian Amenity Allowance*).
2. To preserve existing trees that meet minimum size requirements for a small species tree, the Department may increase the build-to depth beyond the maximum allowed by the applied Frontage District to the minimum depth necessary to protect the tree, but by no more than 30 feet pursuant to Sec. 13B.3.1. (*Administrative Review*).
3. See Sec. 12.3.1. (*Build-To Exceptions*).



F. Relief

1. An increase in build-to depth of 20 percent may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. A deviation from maximum build-to depth may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3C.1.3. BUILD-TO WIDTH

Build-to width is defined as the cumulative building width that shall occupy the build-to zone, relative to the width of the lot at the frontage lot line.

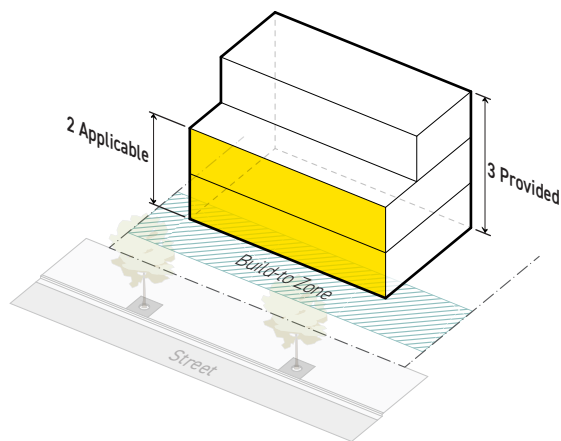
A. Intent

The intent of the standards of this *Section (Build-To-Width)* is to ensure that buildings enclose the public realm with a legible and consistent street wall, spatially defining an outdoor room, and to promote a strong visual and physical connection between uses inside buildings and the public realm.

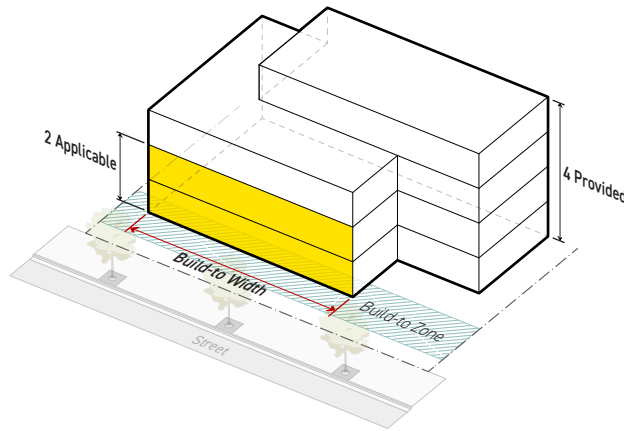
B. Applicability

Build-to width standards apply to new construction and are subject to the following:

1. Where a minimum height is specified in the applied *Form District (Part 2B.)*, build-to width standards apply to all above-grade stories up to the minimum height in stories standard in accordance with *Sec. 2C.4.3. (Height in Stories)*.



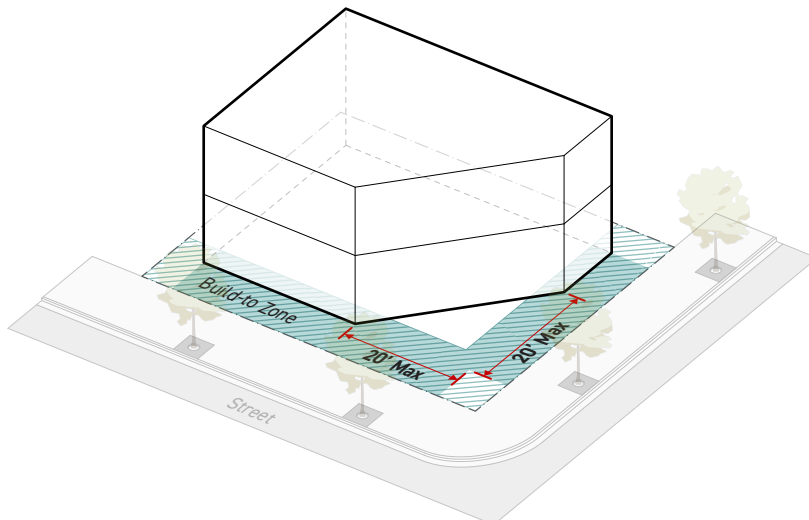
2. Where an applicable stories standard exists, build-to width standards apply to all stories located above-grade up to the applicable stories.



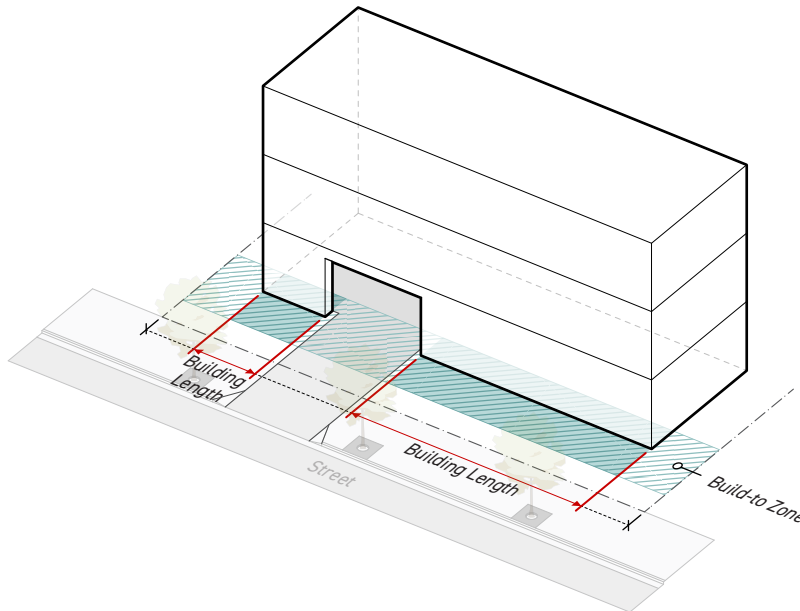
3. Where both an applicable stories standard and a minimum height standard are specified, build-to width standards apply to whichever standard requires the greatest number of stories located in the build-to zone.
4. Where no applicable stories standard is specified in the applied *Frontage District (Part 3B.)* and no minimum height standard is specified in the applied *Form District (Part 2B.)*, build-to width standards apply only to the ground story.

C. Standards

1. Building(s) shall occupy the build-to zone for a cumulative width no less than that specified by the applied *Frontage District (Part 3B.)*.
2. On a corner lot, a chamfered corner no more than 20 feet in width along both street lot lines qualifies as building width in the build-to zone for all applicable stories even where it extends outside of the build-to zone. Chamfered corner width is measured parallel to the frontage lot line.

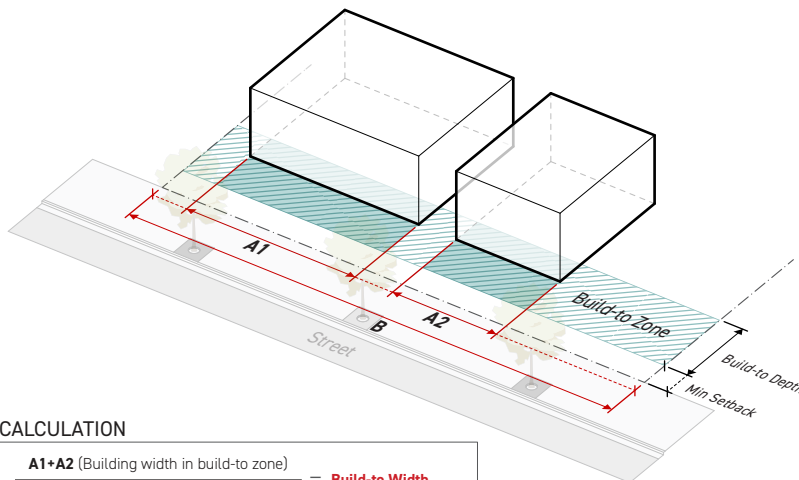


- Portions of building width providing motor vehicle access to a motor vehicle use area through the ground story of a building do not qualify as building width in the build-to zone.



D. Measurement

The build-to width is a percentage measured as the sum of the widths of all portions of buildings occupying the build-to zone divided by the total lot width.



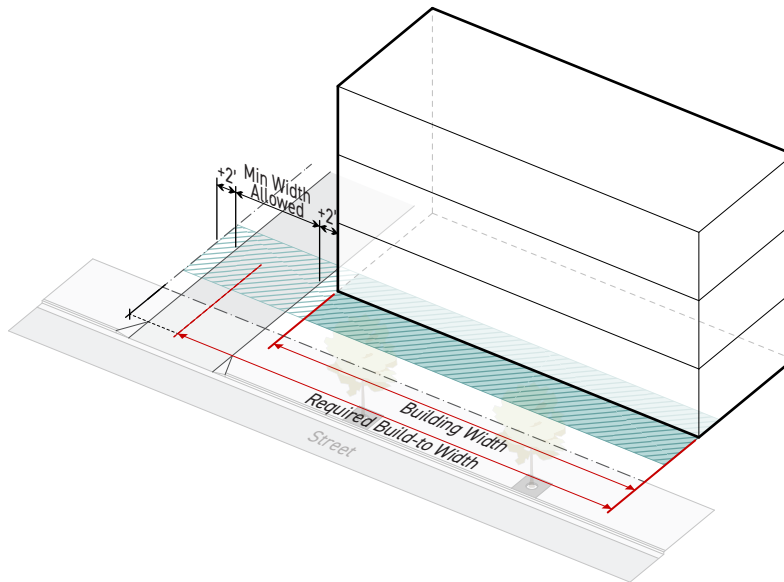
CALCULATION

$$\frac{A1 + A2 \text{ (Building width in build-to zone)}}{B \text{ (Total Lot Width)}} = \text{Build-to Width}$$

- Building width is measured parallel to the frontage lot line. For measuring building width on a lot with a curved or irregular lot line, see Sec. 14.2.14. (*Irregular Lot Lines*).
- Lot width is measured along the frontage lot line. For measuring width of a lot with a curved or irregular lot line, see Sec. 14.2.14. (*Irregular Lot Lines*).

E. Exceptions

1. Pedestrian amenity space counts toward required minimum build-to width in accordance with *Sec. 3C.1.4. (Pedestrian Amenity Allowance)*.
2. A building break that includes an open space meeting the design standards for pedestrian amenity space in *Sec. 2C.3.3.C.2. (Pedestrian Amenity Space)* counts toward the minimum build-to width required by the applied *Frontage District (Part 3B.)* according to *Sec. 3C.1.4. (Pedestrian Amenity Allowance)*.
3. Where vehicle access is taken through the frontage lot line based on the automobile access package in *Sec. 4C.2.1. (Automobile Access Packages)* as specified by the applied *Development Standards District (Part 4B.)*, and providing vehicle access prevents a building from achieving the required build-to width, a reduced build-to width may be allowed. However, the portion of the lot in the build-to zone used for vehicle access shall be no wider than the minimum required drive aisle width plus an additional four feet of width for clearance. See *Div. 4C.2. (Automobile Access)*.
4. See *Sec. 12.3.1. (Build-To Exceptions)*.



F. Relief

1. Up to a 10 percent reduction to the total required width of a building occupying the build-to zone may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. A reduced minimum build-to width may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3C.1.4. **PEDESTRIAN AMENITY ALLOWANCE**

Pedestrian amenity allowance is defined as the width of pedestrian amenity space in the build-to zone that can be counted toward the build-to width requirement.

A. Intent

The intent of the standards of this Section (*Pedestrian Amenity Allowance*) is to promote the creation of active, human-scale outdoor spaces as an extension of the sidewalk, providing visual interest and vitality to the amenity space as well as the public realm. The pedestrian amenity allowance provides flexibility to building and site design while maintaining standards essential for ensuring all projects contribute to defining a consistent and legible street wall.

B. Applicability

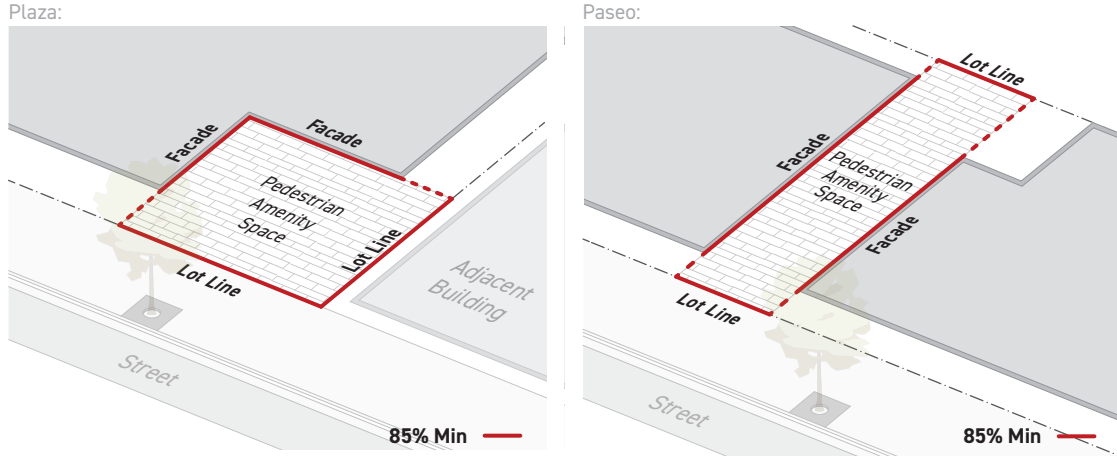
1. Pedestrian amenity allowance standards apply to new construction subject to a pedestrian amenity allowance maximum in the applied *Frontage District (Part 3B.)*.
 - a. Pedestrian amenity allowance standards apply to all portions of a building or structure required to meet the standards of *Sec. 3C.1.3. (Build-To Width)* and *Sec. 14.2.6.C. (Pedestrian Amenity & Public Amenity-Facing Facades)*, and portions of the lot between the building and the frontage lot line for the width of the pedestrian amenity space provided.

C. Standards

Where the applied *Frontage District (Part 3B.)* specifies a pedestrian amenity allowance, pedestrian amenity spaces may be provided as a substitute for a portion of the required build-to width up to the maximum percentage specified, provided they meet the following standards:

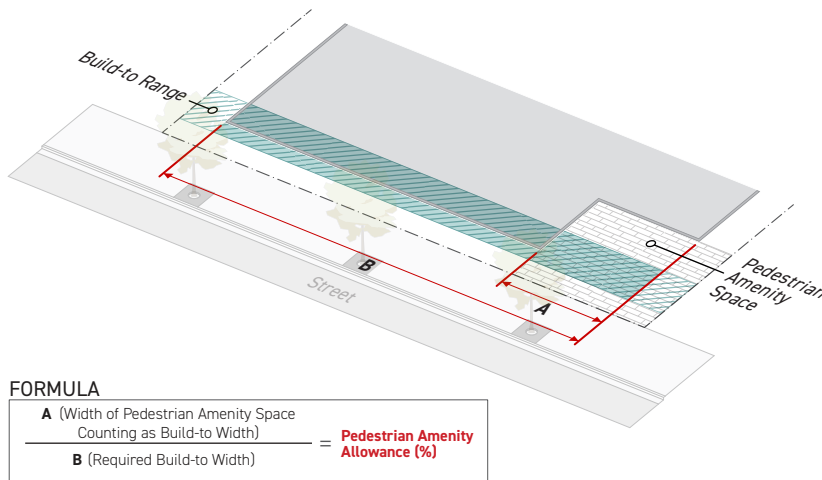
1. Meets the standards of *Sec. 2C.3.3.C. (Standards)*.
2. Pedestrian amenity spaces may be wider than the maximum allowed pedestrian amenity allowance, however, any part of the pedestrian amenity space width that exceeds the allowed pedestrian amenity allowance does not count toward the required building width in the build-to zone.

- At least 85 percent of the pedestrian amenity space perimeter shall abut a lot line or a facade meeting the standards of the applied *Frontage District (Part 3B.)* as specified for the abutting frontage lot line. Where the pedestrian amenity space abuts multiple frontage lot lines, the standards specified for the frontage lot line abutting the pedestrian amenity space for the greatest length apply.



D. Measurement

Pedestrian amenity allowance is measured as the cumulative width of pedestrian amenity spaces occupying the build-to zone divided by the required build-to width.



- Pedestrian amenity space width is measured parallel to the frontage lot line. For measuring pedestrian amenity space width along a curved or irregular lot line, see Sec. 14.2.14. (*Irregular Lot Lines*).
- For measuring the required build-to width, see Sec. 3C.1.3. (*Build-To Width*).
- For a lot affected by a public access easement, see Sec. 14.2.17.B.4. (*Pedestrian Amenity Allowance*).

E. **Relief**

1. Up to a 10 percent increase in the allowed total width of pedestrian amenity allowance may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. A deviation from any pedestrian amenity allowance dimensional standard of up to 10 percent may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A reduced minimum build-to width may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

DIV. 3C.2. **PARKING**

SEC. 3C.2.1. **PARKING SETBACK**

Parking setback is defined as an area on a lot along a frontage lot line where motor vehicle use areas are prohibited, including primary street parking setbacks, side street parking setbacks, and special lot line parking setbacks.

A. **Intent**

The intent of the standards of this Section (*Parking Setback*) is to minimize the impact of motor vehicle dominated areas on the public realm and to promote a comfortable, safe, engaging, and attractive streetscape with active uses and landscaping along the public realm.

B. **Applicability**

Parking setback standards apply to new construction, a major remodel, or a site modification. When parking setback standards apply, the standards apply to any areas of a lot designed and designated for a parking area or motor vehicle use area.

C. **Standards**

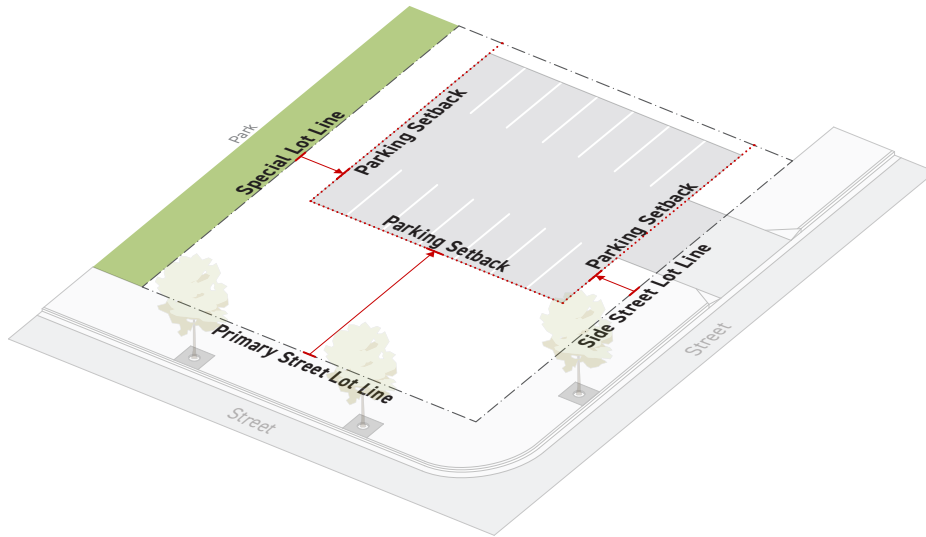
All applicable areas designated for motor vehicle use shall be located at or behind the required parking setback unless specifically stated as an exception in Subsection E. (*Exceptions*) below.

D. **Measurement**

All parking setbacks are measured perpendicular to the frontage lot line.

1. A primary street parking setback is measured from the minimum primary street setback and continues inward away from the frontage lot line.
2. A side street parking setback is measured from the minimum side street setback and continues inward away from the frontage lot line.

3. A special parking setback is measured from the minimum setback associated with a special lot line and continues inward away from the special lot line.



4. For a lot affected by a public access easement, see Sec. 14.2.17.B.5. (Parking Setback).

E. Exceptions

A driveway may provide access through a parking setback if:

1. The automobile access package specified by the applied *Development Standards District (Part 4B.)* allows automobile access through the frontage lot line associated with a parking setback, then a driveway may be permitted in the parking setback, and
2. The driveway is no wider than the minimum required width. See *Div. 4C.2. (Automobile Access)*.

F. Relief

1. A reduction in the required parking setback up to 20 percent may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. A reduction in the required parking setback may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

DIV. 3C.3. **LANDSCAPING**

SEC. 3C.3.1. **FRONTAGE PLANTING AREA**

Frontage planting area is defined as the area in a frontage yard designated and designed for plants.

A. Intent

The intent of the standards of this *Section (Frontage Planting Area)* is to support a comfortable, attractive, and contextually appropriate streetscape along the public realm, while promoting infiltration, slowing stormwater runoff, and offsetting urban heat island effect.

B. Applicability

Frontage planting area standards apply to new construction, a major remodel, or a site modification, on any lot possessing yards abutting a frontage lot line.

C. Standards

1. Each frontage yard shall provide a cumulative area at least the size of the planting area required by the applied *Frontage District (Part 3B.)*.
2. All required planting areas shall meet *Sec. 4C.6.4.C.2. (Planting Area)*.
3. All provided plants shall meet *Sec. 4C.6.4. (Plant Design & Installation)*.

D. Measurement

1. Frontage planting area is a percentage calculated as the cumulative planting area located in a frontage yard divided by the total frontage yard area.
2. For frontage yard designation, see *Sec. 14.2.16. (Yards)*.
3. For a lot affected by a public access easement, see *Sec. 14.2.17.B.6.(Frontage Planting Area)*.

E. Exceptions

Where there is less than three feet between the building and frontage lot line, planting area standards are not applicable.

F. Relief

1. Frontage planting area standards may be met through alternative compliance in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. Up to a 20 percent reduction to the total required planting area may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A reduction in the required planting area may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3C.3.2. **FRONTAGE YARD FENCE & WALL**

Frontage yard fence & wall is defined as fences, walls, and hedges that are allowed in a frontage yard.

A. **Intent**

The intent of the standards of this *Section (Frontage Yard Fence & Wall)* is to balance the needs for human-scale activation and visual interest along the public realm, and to provide security and privacy for private ground story uses in a manner appropriate to context.

B. **Applicability**

Frontage yard fence & wall standards apply to a site modification involving construction or installation of fences, walls, or hedges, in a frontage yard.

C. **Standards**

1. **General**

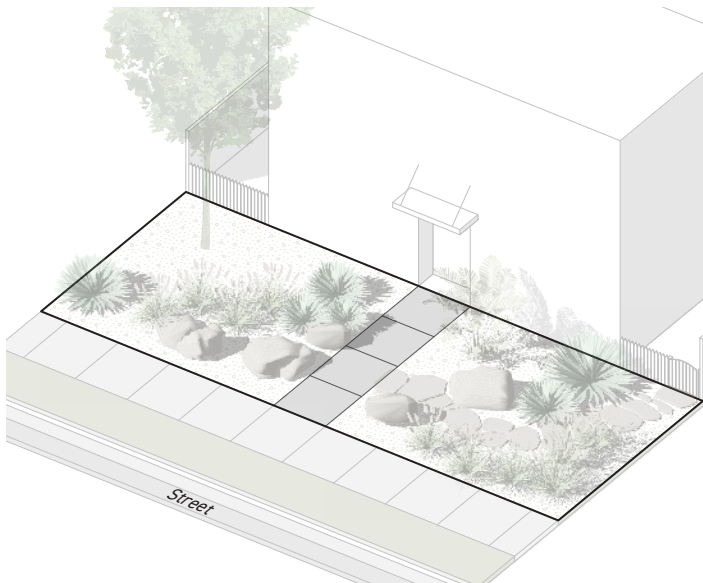
- a. Allowed frontage yard fence & wall types are hierarchical. Where a frontage yard fence & wall type with a higher number designator (e.g. Type A2) is allowed by the applied *Frontage District (Part 3B.)*, all frontage yard fence & wall types having a lower number designator (e.g. Type A1) are also allowed.
- b. No frontage yard fence & wall type with a greater number designator (e.g. Type A4) than the allowed frontage yard fence & wall type (e.g. Type A3) may be located in the frontage yard.
- c. If a required frontage screen includes a wall or fence, then the required fence or wall shall be located in the frontage yard if the wall or fence complies with the allowed frontage yard fence & wall standards specified by the applied *Frontage District (Part 3B.)*.
- d. All fences and walls including their sub-grade elements, such as footings or foundation, shall be located on-site.
- e. All fences and walls provided shall include the necessary gates or openings to comply with the applicable pedestrian access package standards in *Sec. 4C.1.1. (Pedestrian Access Packages)*.
- f. Pools, ponds, and other bodies of water requiring protective barriers according to *Chapter IX. (Building Regulations), Sec. 91.6109. (Swimming Pools and Other Bodies of Water - Protective Devices Required)* of this Code, are only allowed in a frontage yard where the required protective barrier can be designed to conform with the frontage yard fence & wall standards specified by the applied *Frontage District (Part 3B.)*.
- g. All fences and walls provided shall comply with *Sec. 4C.7.3. (Fence/Wall Design & Installation)*.
- h. All hedges provided shall comply with *Sec. 4C.6.4. (Plant Design & Installation)*.
- i. Fences and walls provided within the frontage yard shall not include barbed wire or concertina.

2. Frontage Yard Fence & Wall Types

A package of standards, specified by the applied Frontage District (Part 3B), that applies to fences, walls, and hedges located in a frontage yard.

a. Type A1

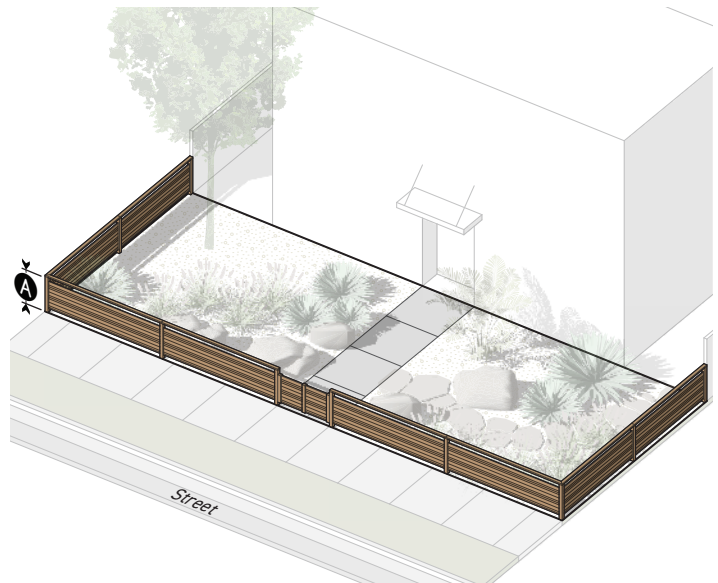
Intended for frontage yards where buildings should engage directly with the public realm to provide visual interest and activation, especially where ground story uses are commercial or non-fenced frontage yards are predominant.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.3.2.D.
Hedge height (max)		Prohibited
Fence/wall height (max)		Prohibited

b. Type A2

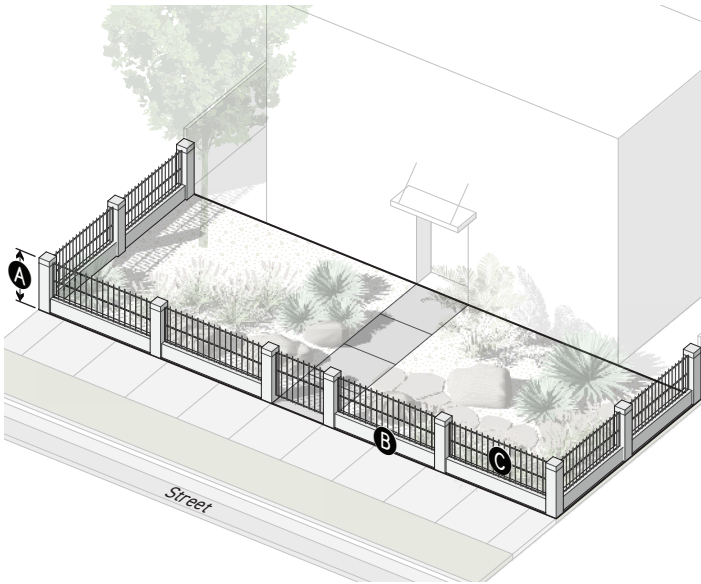
Intended for frontage yards where the need for visual interest and activation along the public realm shall be balanced with the need for separation between private ground story uses and the public realm.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.3.2.D.
Hedge height (max)		3.5'
A Fence/wall height (max)		3.5'

c. Type A3

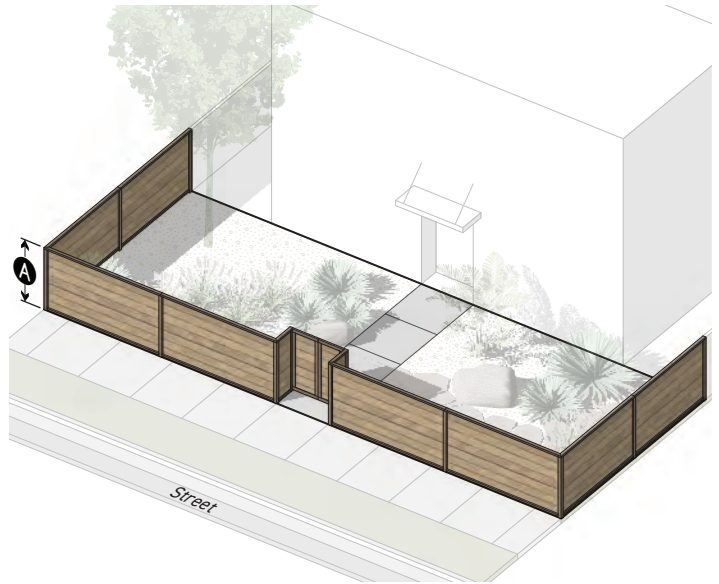
Intended for frontage yards where the need for visual interest and activation along the public realm shall be balanced with the need for security between private ground story uses and the public realm.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.3.2.D.
	Hedge height (max)	3.5'
	Fence/wall	
A	Height (max)	6'
B	Opacity below 3.5' in height (max)	100%
C	Opacity 3.5' and above in height (max)	50%

d. Type A4

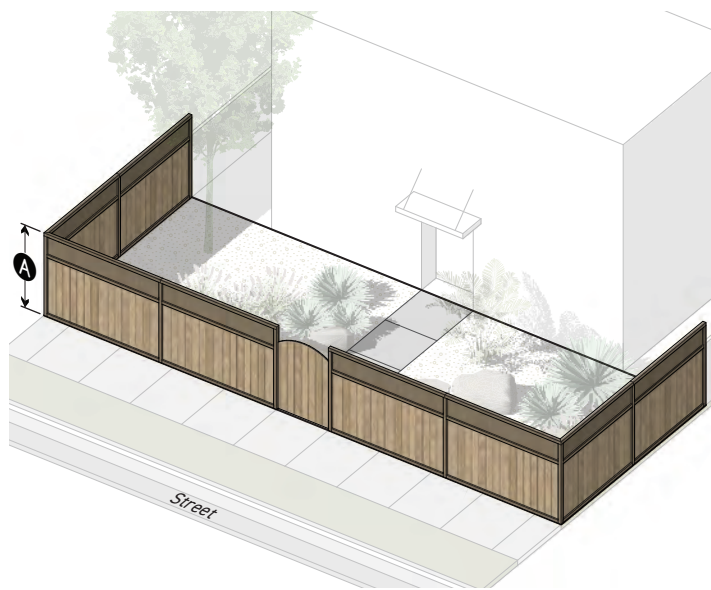
Intended for frontage yards in areas with high pedestrian and automobile traffic, where visual interest and activation along the public realm is less critical than the need to mitigate impacts from the public realm on private ground story uses.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.3.2.D.
	Hedge height (max)	6'
A	Fence/wall height (max)	6'

e. Type A5

Intended for frontage yards in areas with high pedestrian and automobile traffic, where visual interest and activation along the public realm is less critical than the need to mitigate intrusions from the public realm on private ground story uses.



DIMENSIONAL STANDARDS		For measurement see <i>Sec. 3C.3.2.D.</i>
	Hedge height (max)	8'
A	Fence/wall height (max)	8'

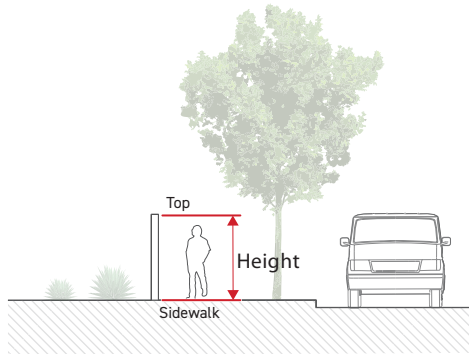
D. Measurement

1. Frontage Yard

For frontage yard designations and their measurement see *Sec. 14.2.16. (Yards)*.

2. Fence & Wall Height

- a. Where a public sidewalk is located within five feet of a wall or fence, height is measured vertically from the topmost point of the wall or fence to the adjacent public sidewalk.



- b. Where no sidewalk exists within five feet of a wall or fence, height is measured vertically from the topmost point of the wall or fence to the finished grade at the base of the wall or fence on the side that faces outward from the lot.
- c. To measure retaining walls see *Sec. 4C.9.2. (Retaining Walls)*.
- d. Fence/wall height maximums listed as "Prohibited" allow no fence or wall within the frontage yard.

3. Hedge Height

- a. Hedge height is measured according to *Sec. 4C.6.4.D.11. (Height at Maturity)*.
- b. Hedge height maximums listed as "Prohibited" allow no hedge within the frontage yard.

4. Opacity

To measure opacity, see *Sec. 14.2.13. (Opacity (%))*.

5. Public Access Easement

For a lot with a public access easement, see *Sec. 14.2.17.B.7. (Frontage Yard Fence & Wall)*.

E. Exceptions

Fences and walls located in a frontage yard may integrate outdoor lighting, entry arbors, and other accessory encroaching elements that exceed the maximum fence/wall height specified by the applicable frontage yard fence & wall type, provided all of the following are met:

1. The cumulative length of fence or wall that includes encroaching elements is no more than 10 percent of the total fence length located in the frontage yard,
2. No individual encroaching element may be wider than six feet, measured along the length of the fence or wall,
3. One encroaching element for each 40 feet of fence length may exceed the maximum fence and wall height by up to 40 inches. All other encroaching elements shall only exceed the maximum fence and wall height up to 18 inches.

F. Relief

1. A deviation up to 15 percent from any allowed frontage yard fence & wall type dimensional standard may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
2. A deviation from any allowed frontage yard fence & wall type standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

DIV. 3C.4. **TRANSPARENCY**

SEC. 3C.4.1. **TRANSPARENT AREA**

Transparent area is defined as the amount of transparent area on a building facade.

A. **Intent**

The intent of the standards of this *Section (Transparent Area)* is to provide visual interest along the public realm by encouraging visual connections between the public realm and the interior of a building.

B. **Applicability**

Transparent area standards apply to the following project activities when "transparent area" is required by the applied *Frontage District (Part 3B.)*: new construction, a major remodel, and an exterior modification. When the transparent area standards apply, the standards apply pursuant to *Sec. 3A.2.2.B.3. (Frontage Applicable Facades)* and *Sec. 3A.2.2.B.4. (Frontage Applicable Building Depth)*.

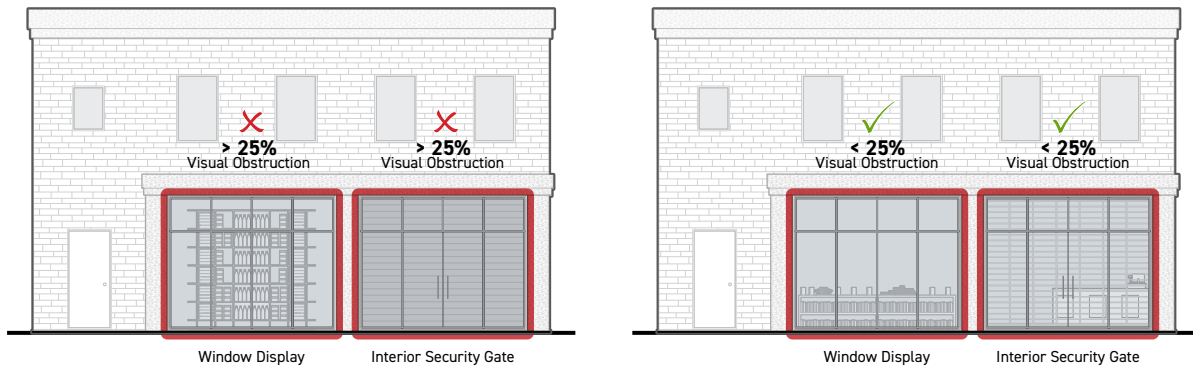
C. **Standards**

1. Each applicable facade shall provide at least the minimum transparency specified by the applied *Frontage District (Part 3B.)*.
2. Window and door openings meeting the following requirements count toward transparent area:
 - a. No walls, shelving, facade screens, or other interior or exterior visual obstructions shall be located within five feet of any ground story transparent area with the exception of visual obstructions allowed in subparagraph d below.
 - b. Exterior visual obstructions shall not be located within five feet of any upper story transparent area with the exception of visual obstructions allowed in subparagraph d below.
 - c. Visual obstructions may be located five feet or greater from a facade area counting toward transparent area.



d. The following visual obstructions may be located less than five feet from facade area counting toward transparent area:

i. Windows obscured by interior security gates and window displays may count toward transparent area, provided no more than 25 percent of the transparent area of any individual window is visually obstructed for any individual window counting toward transparent area. For measuring visual obstruction, see Sec. 14.2.13. (*Opacity (%)*).



ii. Windows obscured by fixed exterior facade screens may count toward transparent area, provided no more than 25 percent of the total transparent area is visually obstructed for any individual window opening counting toward transparent area. Percentage of visual obstruction is measured as opacity.

iii. Transparent area covered by window signs may count toward transparent area provided the window signs are permitted by the applied *Development Standards District (Part 4B.)*.

iv. Areas of transparency may be made temporarily opaque by operable window treatments, such as curtains or blinds.

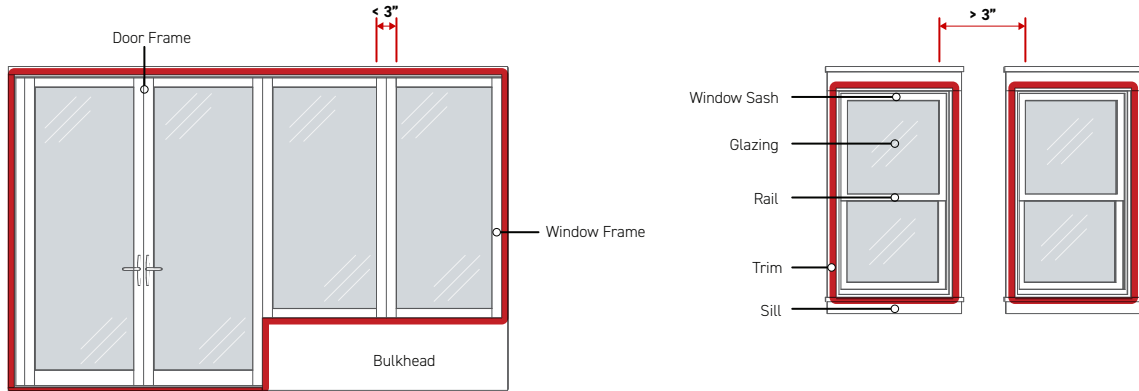
e. Distance from transparent area is measured perpendicular to the exterior face of the transparent area.

f. To be considered transparent, window and door glazing shall meet the following requirements:

TRANSPARENT AREA STANDARDS		
	Visible Light Transmittance	External Reflectance
Ground story	More than 60%	Less than 20%
Upper stories	More than 30%	Less than 40%

- Transparency -

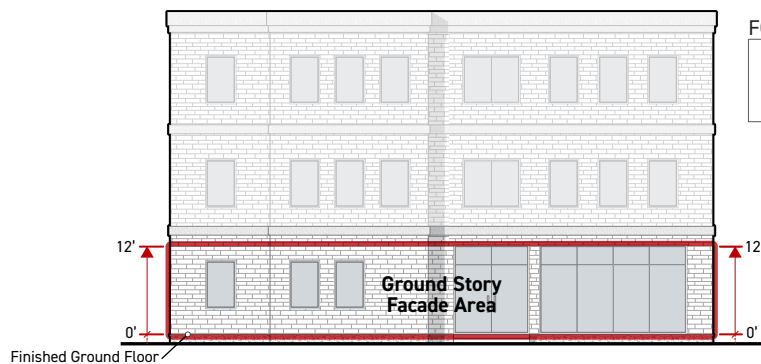
- g. Muntins, mullions, window sashes, window frames, and door frames, no more than three inches wide may be considered transparent area when contained within a window opening or door opening occupied by a window or glazed door assembly where all included glazing meets the transparent area requirements above.



D. Measurement

1. Ground Story

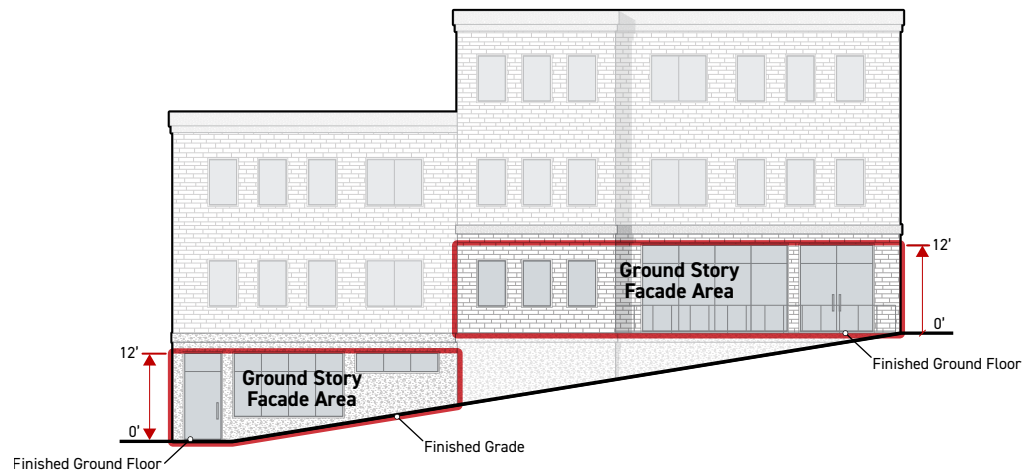
- a. Ground story transparency is a percentage, calculated as the sum of all ground story facade area meeting the standards for transparent area divided by the total ground story facade area.
- b. In calculating ground story transparency, ground story facade area is measured in the following ways:
- i. Ground story facade area is measured as the above-grade facade area between zero and 12 feet above the top of the finished floor of the ground story.



FORMULA

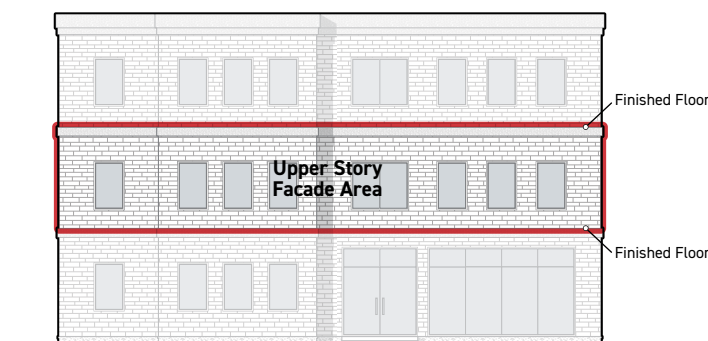
$$\frac{\text{Sum of All Ground Story Facade Transparent Area}}{\text{Total Ground Story Facade Area}} = \text{Ground Story Transparency (\%)}$$

- ii. If the ground story height is less than 12 feet, the ground story facade area is measured as the total above-grade portion of a facade between the top of the finished floor of the ground story and the top of the finished floor above. When there is no story above, ground story height is measured to the top of the uppermost surface of the ceiling structure above.
- iii. No portion of a ground story located below finished grade is included in ground story facade area.



2. Upper Stories

- a. The facade area along each upper story shall meet the required transparency standard. .
- b. Upper story transparency is a percentage, calculated as the sum of all upper story facade area meeting the standards for transparent area divided by the total upper story facade area for each story.
- c. In calculating upper story transparency, the upper story facade area is measured as the portion of a facade area between the top of the finished floor for that story to the top of the finished floor above, regardless of story height. When there is no story above, it is measured to the top of the uppermost surface of the ceiling structure above.



FORMULA

$$\frac{\text{Sum of All Upper Story Facade Transparent Area}}{\text{Total Upper Story Facade Area}} = \text{Upper Story Transparency (\%)}$$

E. Exceptions

Transparent area standards do not apply to portions of building facades that enclose a parking structure except where parking structures are required to be wrapped by the applied *Development Standards District (Part 4B.)*.

F. Relief

1. Up to a 10 percent reduction from the total required transparent area may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. A deviation from required transparent area standards may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3C.4.2. ACTIVE WALL SPACING

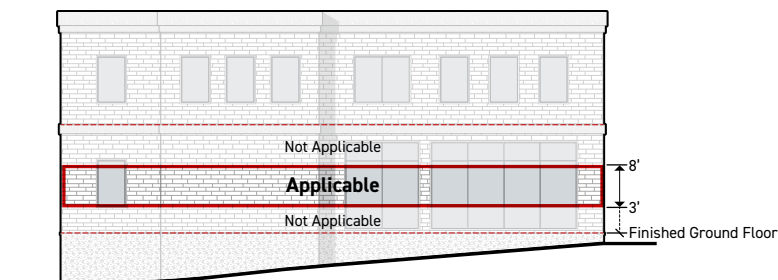
Active wall spacing is defined as the horizontal distance between widths of ground story facade and foundation wall with window or door openings.

A. Intent

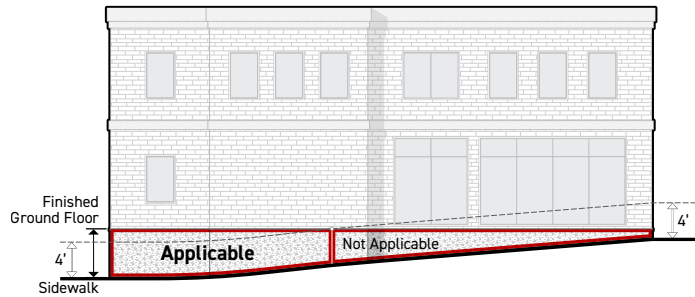
The intent of the standards of this Section (*Active Wall Spacing*) is to provide visual interest and activation along the public realm by limiting areas without visual or physical connections between the public realm and the interior of a building.

B. Applicability

1. Active wall spacing standards apply to new construction, a major remodel, or an exterior modification.
2. Active wall spacing standards apply to the following facades:
 - a. All portions of ground story frontage applicable facades pursuant to *Sec. 3A.2.2.B.3. (Frontage Applicable Facades)* located between three feet and eight feet from the ground floor elevation measured vertically.



- b. All portions of foundation walls on frontage applicable facades pursuant to Sec. 3A.2.2.B.3. (*Frontage Applicable Facades*) that are exposed four feet or greater above sidewalk grade. If foundation walls are set back more than 10 feet from a sidewalk, exposed height is measured from the lowest elevation of finished grade within five feet, measured from and perpendicular to the foundation wall.



C. Standards

1. Active Wall Spacing on Ground Story Facade

Window and door openings meeting Sec. 3C.4.1. (*Transparent Area*) on ground story facades shall be separated by a distance no greater than the maximum active wall spacing. For exceptions to this standard, see Subsection E. (*Exceptions*) below.

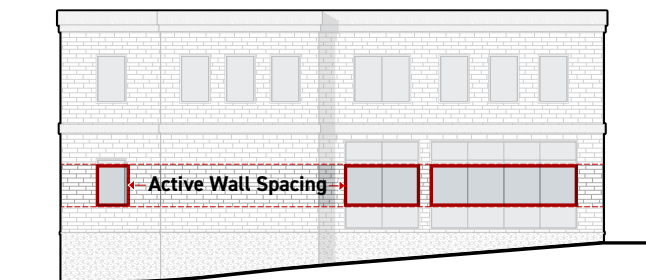
2. Active Wall Spacing on Foundation Wall

Applicable portions of foundation walls shall be no wider than the maximum active wall spacing specified by the applied *Frontage District (Part 3B)*. For exceptions to this standard, see Subsection E. (*Exceptions*) below.

D. Measurement

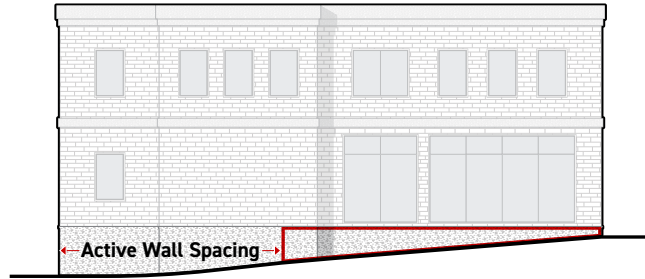
1. Active Wall Spacing on Ground Story Facade

Active wall spacing is measured horizontally and parallel to the frontage lot line from edge of transparent area to edge of transparent area, and edge of transparent area to edge of ground story facade.



2. Active Wall Spacing on Foundation Wall

Active wall spacing is measured horizontally for any individual width of applicable foundation wall that does not include transparent area.



E. Exceptions

1. Inapplicable Facades

- a. Active wall spacing standards do not apply to upper story facades.
- b. Active wall spacing standards do not apply to portions of building facades enclosing a parking structure except where parking structures are required to be wrapped or fenestrated by the applied Development Standards District (Part 4B).

2. Inactive Wall Treatment Alternatives

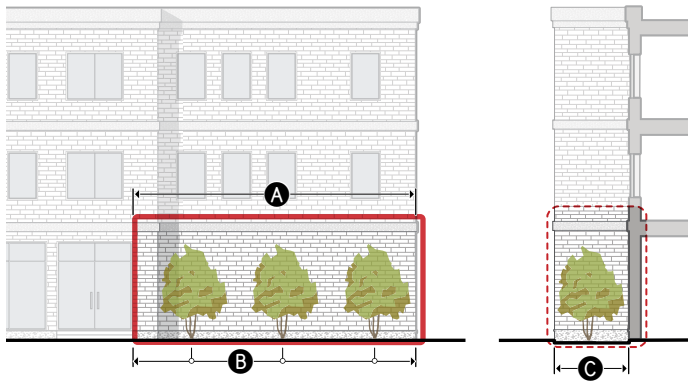
- a. Ground story facades that exceed the maximum allowed active wall spacing may apply one or more ground story inactive wall treatment alternatives to the applicable facade area between door or window openings and increase the active wall spacing by 50 percent per Paragraph 3. (*Ground Story Inactive Wall Treatment Alternatives*) below.
- b. Facades designed with foundation walls that exceed the maximum allowed active wall spacing may apply one or more foundation inactive wall treatment alternatives to the facade area between active foundation walls and double the allowed active wall spacing per Paragraph 4. (*Foundation Inactive Wall Treatment Alternatives*) below.
- c. Plants provided to meet the requirements of Paragraph 3. (*Ground Story Inactive Wall Treatment Alternatives*) and Paragraph 4. (*Foundation Inactive Wall Treatment Alternatives*) below shall also comply with Div. 4C.6. (*Plants*).

3. Ground Story Inactive Wall Treatment Alternatives

Permanent design improvements located between segments of ground story active wall and the public realm, designed to improve visual interest and the pedestrian experience.

a. Small Trees

Small trees planted between a ground story facade with no window or door openings and the public realm.

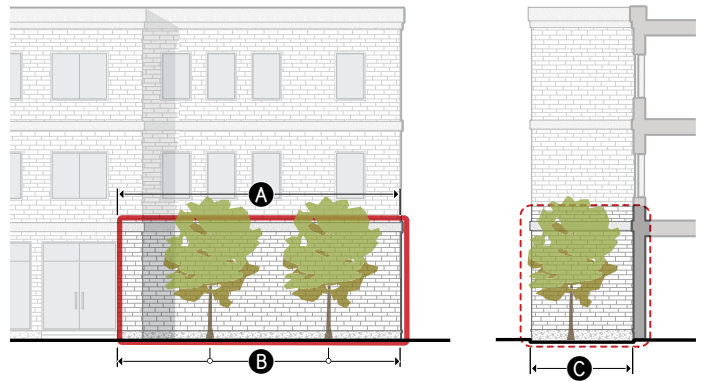


DIMENSIONAL STANDARDS		For measurement see Sec. 3C.4.2.E.5.
A	Treatment width (min portion of inactive wall)	100%
	Tree type	Small species
B	Planting frequency (min avg.)	5 per 100'
C	Planting area depth (min)	7'

See Div. 4C.6. (Plants) for additional standards.

b. Large Trees

Large trees planted between a ground story facade with no window or door openings and the public realm.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.4.2.E.5.
A	Treatment width (min portion of inactive wall)	100%
	Tree type	Large species
B	Planting frequency (min avg.)	3 per 100'
C	Planting area depth (min)	15'

See Div. 4C.6. (Plants) for additional standards.

c. Living Wall

A permanently fixed assembly located between a ground story facade with no window or door openings and the public realm that supports plants, their growing medium, and irrigation.

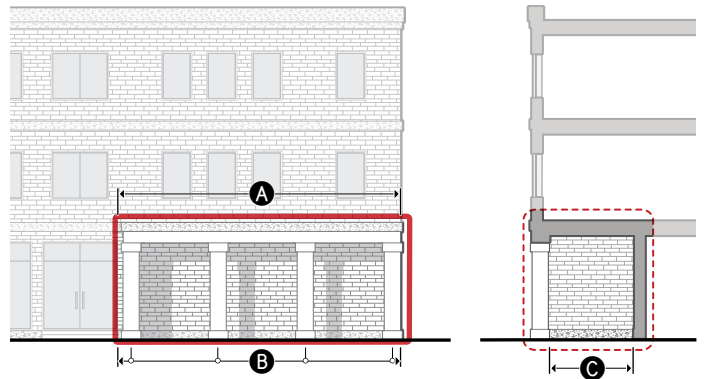


DIMENSIONAL STANDARDS		For measurement see Sec. 3C.4.2.E.5.
A	Treatment area (min % of ground story facade with inactive walls)	75%
	Planting area depth (min)	n/a

See Div. 4C.6. (Plants) for additional standards.

d. Colonnade

A sequence of columns located between a ground story facade with no window or door openings and the public realm, providing an exterior occupiable space along the inactive wall.



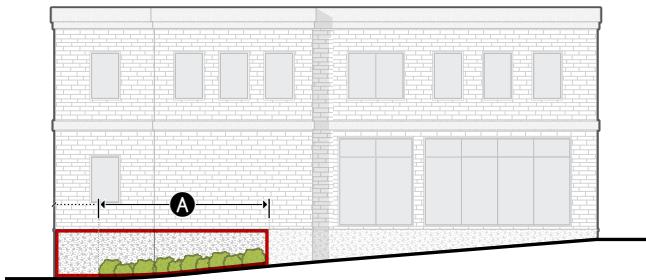
DIMENSIONAL STANDARDS		For measurement see Sec. 3C.4.2.E.5.
A	Treatment width (min portion of inactive wall)	100%
B	Column frequency (min avg.)	1 per 20'
C	Clear depth (min)	6'
	Enclosure (max)	60%

4. Foundation Inactive Wall Treatment Alternatives

Permanent design improvements located between exposed foundation walls and the public realm, designed to improve visual interest and the pedestrian experience.

a. Foundation Planting

Screening plants located between a foundation wall with no window or door openings and the public realm.

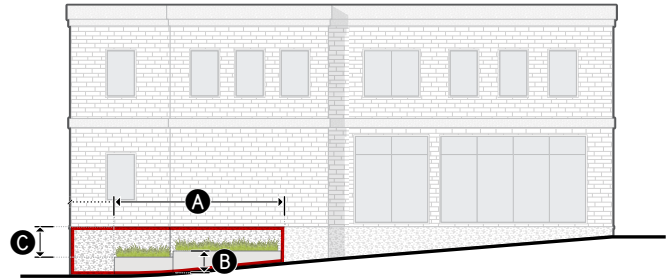


DIMENSIONAL STANDARDS		For measurement see Sec. 3C.4.2.E.5.
A	Treatment width (min portion of inactive wall)	75%
	Plant type	Screening Plant
	Planting frequency (min avg.)	3 per 10'
	Planting area depth (min)	3'

See Div. 4C.6. (Plants) for additional standards.

b. Planter

Permanent structure containing plants and their growing medium located between a foundation wall with no window or door openings and the public realm.

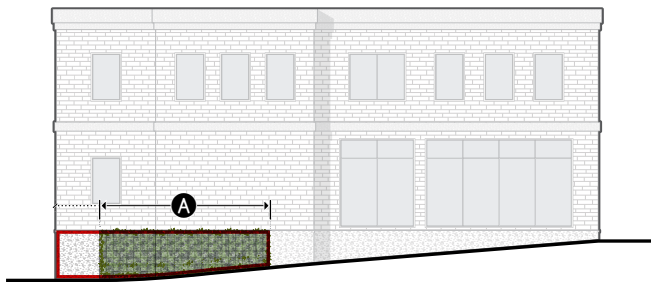


DIMENSIONAL STANDARDS		For measurement see Sec. 3C.4.2.E.5.
A	Treatment width (min)	75%
	Plant coverage (min)	75%
	Planting area depth (min)	2.5'
B	Height above sidewalk (max)	4'
C	Foundation wall reveal (max)	2'

See Div. 4C.6. (Plants) for additional standards.

c. Green wall

A structure permanently attached to a foundation wall with no window or door openings that supports climbing plants.

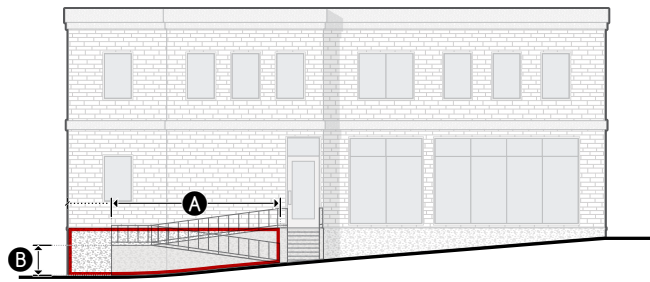


DIMENSIONAL STANDARDS		For measurement see Sec. 3C.4.2.E.5.
A	Treatment area (min)	75%
	Planting area depth (min)	1.5'

See Div. 4C.6. (Plants) for additional standards.

d. Pedestrian Access

Stairs or ramps providing pedestrian access to a street-facing entrance located between a foundation wall with no window or door openings and the public realm.

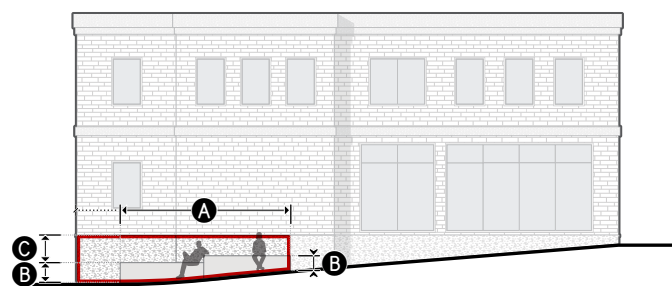


DIMENSIONAL STANDARDS		For measurement see Sec. 3C.4.2.E.5.
A	Treatment width (min)	75%
B	Height above sidewalk (max)	4'
Additional access standards		See Div. 4C.1.

See Div. 4C.1. (Pedestrian Access) for additional standards.

e. Seating

A permanent structure designed and intended for public seating located between a foundation wall with no window or door openings and the public realm.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.4.2.E.5.
A	Treatment width (min)	75%
B	Height above sidewalk (min/max)	1.5'/3'
C	Foundation wall reveal (max)	3'
	Seat depth (min)	2'

5. Inactive Wall Treatment Measurement

a. Treatment Width

Minimum treatment width percentage is calculated as the cumulative width of the provided inactive wall treatments divided by the total width of the provided active wall spacing.

b. Treatment Area

Minimum treatment area percentage is calculated as the cumulative area of the provided inactive wall treatments divided by the total applicable facade area within the provided active wall spacing.

c. Tree type

Tree type is measured as small or large species according to *Sec. 4C.6.4.C.3.a.ii. (Tree Types)*.

d. Plant type

Plant type is measured as screening plants, groundcover, and turf plants, hedges, living walls, or climbing plants according to *Sec. 4C.6.4. (Plant Design & Installation)*.

e. Plant Coverage

Minimum plant coverage is measured according to *Sec. 4C.6.4.D.2. (Plant Coverage)*.

f. Planting Frequency

Planting frequency is a ratio of the minimum number of plants required over a specified width of active wall spacing. A minimum of one plant of the required plant type shall be provided regardless of the width of inactive wall treatment.

g. Column Frequency

Minimum column frequency is a ratio of the minimum number of columns required over a specified width of treated inactive wall treatment. A minimum of two columns shall be provided regardless of the inactive wall treatment width.

h. Planting Area Depth

Minimum planting area depth is measured as the horizontal dimension of growing medium at the narrowest point, measured perpendicular to the applicable street lot line. The planting area shall be open to the sky for at least the required planting area depth.

i. Clear Depth

Minimum clear depth is measured as the horizontal dimension of the occupiable portion of an architectural element at the narrowest point.

j. **Height Above Sidewalk**

- i. Height above sidewalk is measured vertically from adjacent sidewalk grade to the topmost point of the inactive wall treatment.
- ii. For foundation walls located more than 10 feet from a sidewalk, maximum height above sidewalk is measured from the lowest elevation of finished grade within five feet, measured from and perpendicular to the foundation wall, to the topmost point of the inactive wall treatment.

k. **Foundation Wall Reveal**

Foundation wall reveal is measured vertically from the top of an inactive wall treatment to the ground floor elevation along the entire treated portion of an inactive foundation wall.

l. **Seat Depth**

Minimum seat depth is measured as the narrowest horizontal dimension of the area designed for public seating.

m. **Enclosure**

Maximum enclosure is measured according to *Sec. 14.2.4. (Enclosure)*.

F. **Relief**

1. Deviation from inactive wall treatment standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. An increase in allowed active wall spacing up to 20 percent may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. An increase in allowed active wall spacing and inactive wall treatment standards may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

DIV. 3C.5. **ENTRANCES**

SEC. 3C.5.1. **STREET-FACING ENTRANCE**

Street-facing entrance is defined as a door providing access from the public realm to the interior of a building.

A. **Intent**

The intent of the standards of this *Section (Street-Facing Entrance)* is to provide visual interest along the public realm, orient buildings to the public realm, and promote greater use and activation of the public sidewalk by limiting the width of frontage without physical connections between the public realm and the interior of a building.

B. **Applicability**

Street-facing entrance standards apply to new construction, a major remodel, or an exterior modification. When the street-facing entrance standards apply, the standards apply to those portions of buildings and structures where frontage standards apply pursuant to Sec. 3A.2.2.B. (*Applicable Components of Lots, Buildings, & Structures*).

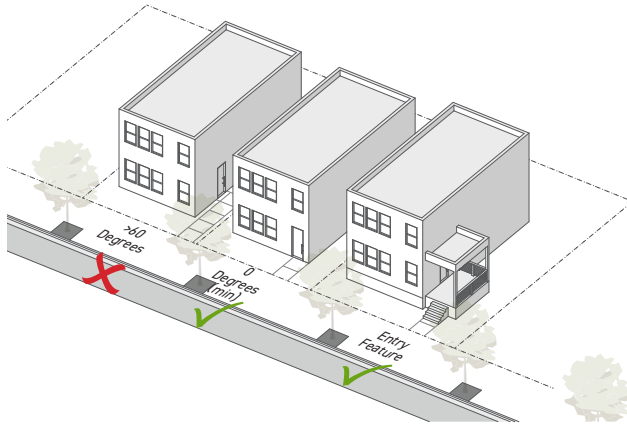
C. **Standards**

1. **General**

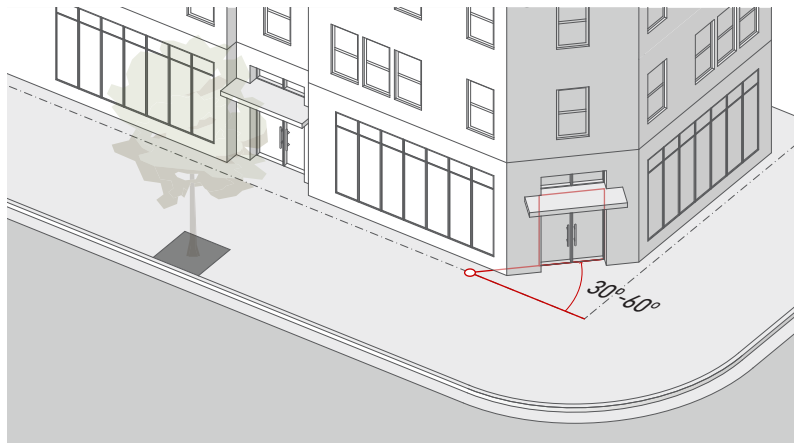
- a. Where a street-facing entrance is required by the applied Frontage District, street-facing entrances shall be provided at a rate based on the maximum entrance spacing specified in the applied Frontage District. A minimum of one street-facing entrance shall always be provided.
- b. To qualify as a street-facing entrance, building entrances shall meet the following standards:
 - i. Be located on the ground story facade.
 - ii. Provide both ingress and egress pedestrian access to the ground story of the building.
 - iii. Remain operable at all times. Access may be controlled and limited to residents or tenants.
 - iv. Provide no access directly to motor vehicle use areas, utility areas or fire stairs.

- Entrances -

- v. The exterior door surface shall be angled between zero to 60 degrees, measured parallel to the frontage lot line or the door shall have direct access from an entry feature allowed by the applied *Frontage District (Part 3B.)* having a pedestrian access point which faces the frontage lot line.



- c. On a corner lot or a lot with a *Dual Frontage District (Div. 3B.8.)* applied, having intersecting frontage lot lines, an entrance facing both intersecting frontage lot lines and angled between 30 to 60 degrees, measured parallel to each of those frontage lot lines, may be used to meet the requirement for a street-facing entrance along both frontages.



- d. Non-required entrances are allowed in addition to required entrances.

2. Entrance Spacing

The distance between street-facing entrances meeting the standards of Sec. 3C.5.1.C. (Standards).

a. Measurement

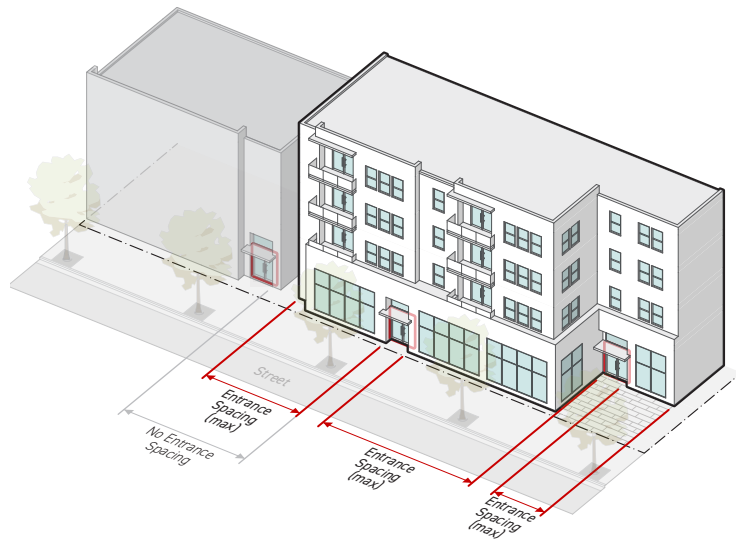
- i. The minimum number of street-facing entrances required for each frontage applicable facade is the frontage-applicable facade width divided by the maximum entry spacing requirement.

- Entrances -

- ii. Maximum entrance spacing is the greatest horizontal distance from edge of door to edge of door, and edge of door to edge of building, measured parallel to the frontage lot line.

b. Standards

- i. Street-facing entrances shall not be separated by a distance greater than the maximum allowed entrance spacing.
- ii. The maximum entrance spacing requirements shall be met for each building individually, but are not applicable to adjacent or abutting buildings.
- iii. When the applied *Frontage District (Part 3B.)* specifies that a street-facing entrance is 'not required' but does specify a maximum entrance spacing, a street-facing entrance shall only be required if the building width along the indicated frontage lot line is greater than the specified entrance spacing. Street-facing entrances shall then be required in accordance with the maximum entrance spacing requirement specified.

**D. Measurement**

Street-facing entrance is measured as "provided" or "not provided" based on the presence of entrances meeting Sec. 3C.5.1.C. (Standards).

E. Relief

1. Deviation from street-facing entrance standards may be granted in accordance with Sec. 13B.5.1. (Alternative Compliance).
2. An increase in entrance spacing up to 20 percent may be granted in accordance with Sec. 13B.5.2. (Adjustment).
3. Deviation from street-facing entrance and entrance spacing standards may be granted as a variance in accordance with Sec. 13B.5.3. (Variance).

SEC. 3C.5.2. **ENTRY FEATURE**

Entry features are improved design standards applied to each entrance along the public realm.

A. **Intent**

The intent of the standards of this *Section (Entry Feature)* is to provide architectural embellishment of entrances that promote inconspicuous wayfinding in the public realm, provide greater shelter and comfort to users, promote visual interest along the public realm, and highlight the connection between the public and private realm to improve walkability.

B. **Applicability**

Entry feature standards apply to all required street-facing entrances where entry features are required by the applied *Frontage District (Part 3B.)*.

C. **Standards**

1. **General**

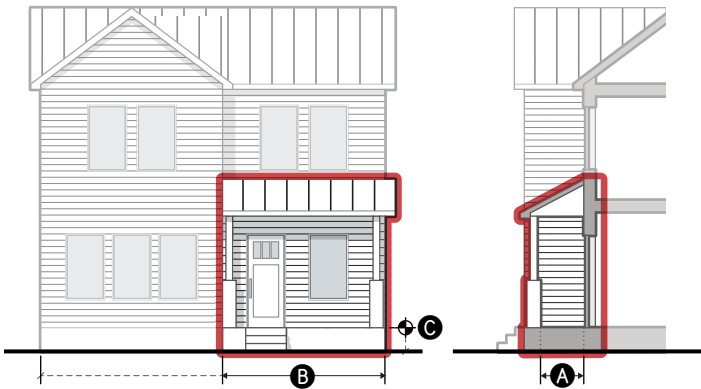
- a. Each required street-facing entrance shall include an entry feature that meet the standards for one of the allowed entry feature options specified by the applied *Frontage District (Part 3B.)*.
- b. Required entry features shall abut and provide direct access to a street-facing entrance.
- c. Required entry features shall provide direct access from the public realm associated with the frontage lot line.
- d. For building setback encroachment regulations, see *Sec. 2C.2.2.E. (Exceptions)*.
- e. For encroachments into the public right-of-way, see *Chapter IX. (Building Regulations), Sec. 91.32 (Encroachments into the Public Right-of-Way)* of this Code.
- f. In complying with entry feature standards, outdoor spaces such as landings and yards required by an entry feature count as occupiable space.

2. Entry Feature Options

Packages of design standards applied to each entrance along the public realm.

a. Porch

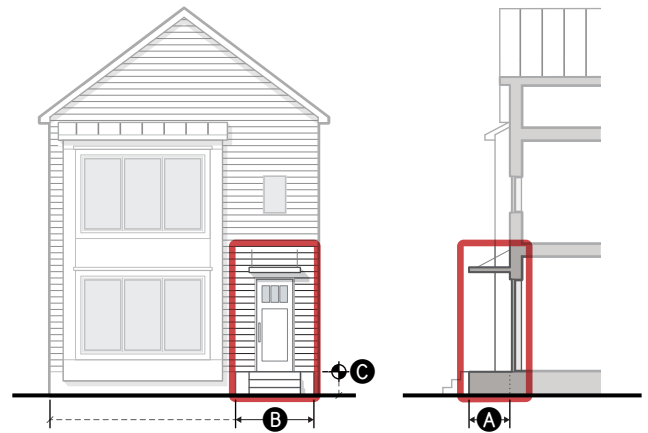
A wide, raised platform, projecting in front of a street-facing entrance, that is entirely covered but not enclosed.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.5.2.D.
A	Clear depth (min)	4.5'
B	Clear width (min)	12'
	Clear height (min)	7.5'
	Covered area (min)	100%
C	Finished floor elevation (min/max)	2'/5'
	Enclosure (max)	50%

b. Raised Entry

A raised platform accessed from an exterior staircase, providing covered access to a street-facing entrance.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.5.2.D.
A	Clear depth (min)	3'
B	Clear width (min)	4'
	Clear height (min)	7.5'
	Covered entrance	Required
C	Finished floor elevation (min/max)	2'/5'
	Enclosure (max)	50%

c. Forecourt

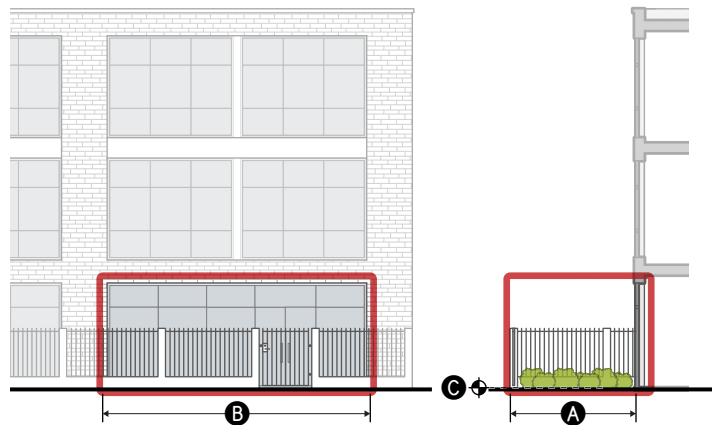
A yard screened with a short wall, fence or hedge that provides significant privacy for tenants located on the ground story, near sidewalk grade.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.5.2.D.
Ⓐ Clear depth (min)		8'
Ⓑ Clear width (min)		10'
Clear height (min)		Open to sky
Covered entrance		Required
Ⓒ Finished floor elevation (min/max)		-2'½'
Fence or wall height (min/max)		2.5'¾'

d. River Yard

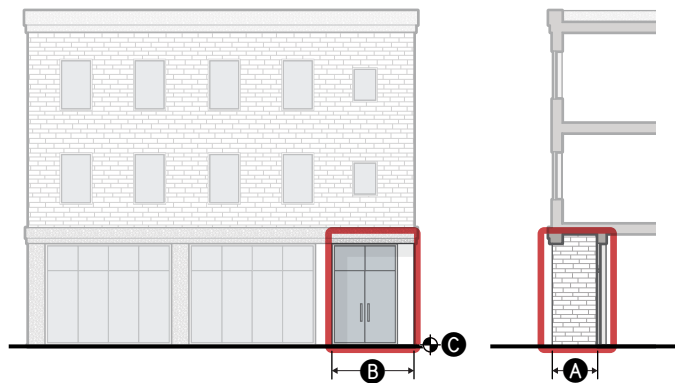
A yard located between a building and a river trail with direct pedestrian access from inside the building to the river trail.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.5.2.D.
Ⓐ Clear depth (min)		15'
Ⓑ Clear width (min)		15'
Clear height (min)		Open to sky
Ⓒ Finished floor elevation (min/max)		-2'½'
Fence or wall height (max)		6'

e. Recessed Entry

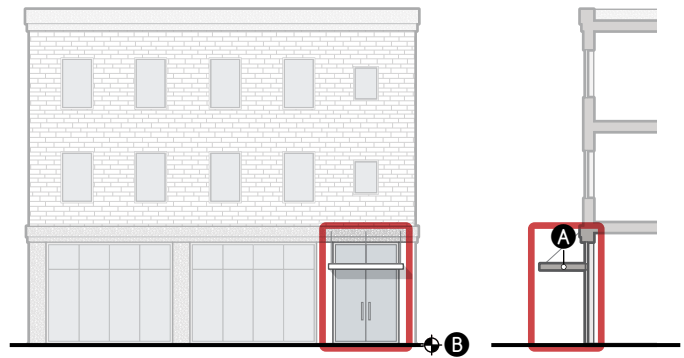
A space set behind the building face plane providing sheltered access to a street-facing entrance.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.5.2.D.
Ⓐ Clear depth (min)		3'/15'
Ⓑ Clear width (min)		5'
Clear height (min)		7.5'
Covered entrance		Required
Ⓒ Finished floor elevation (min/max)		-2'/2'
Enclosure (max)		75%

f. Covered Entry

A space that provides sheltered access to an at-grade street-facing entrance with an overhead projecting structure.

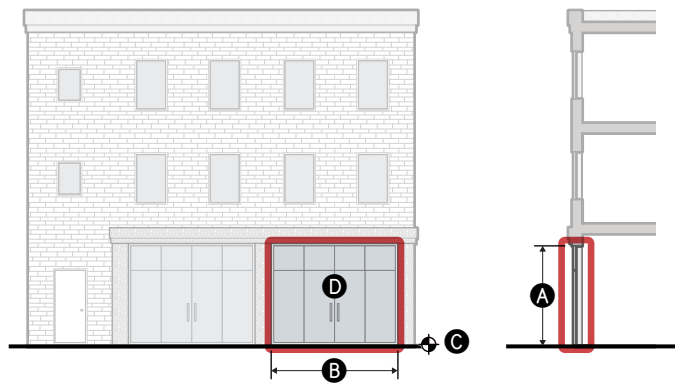


DIMENSIONAL STANDARDS		For measurement see Sec. 3C.5.2.D.
Clear height (min)		7.5'
Ⓐ Covered entrance		Required
Ⓑ Finished floor elevation (min/max)		-2'/2'
Enclosure (max)		50%

For encroachments into the public right-of-way, see Chapter IX. (*Building Regulations*), Sec. 91.32. (*Encroachments into the Public Right-of-Way*) of this Code.

g. Storefront Bay

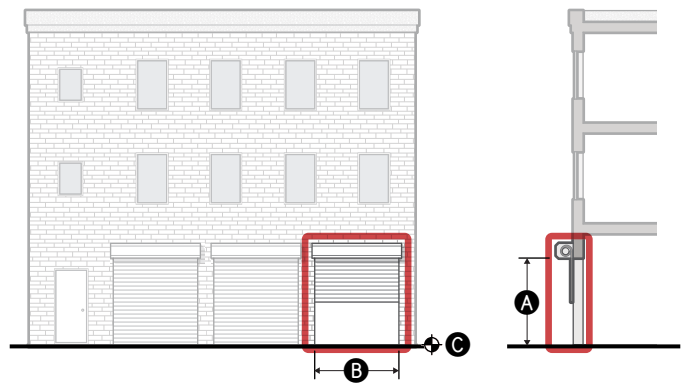
A facade area with a high level of contiguous transparency accentuating an at-grade street-facing entrance.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.5.2.D.
A	Transparent area height (min)	9'
B	Transparent area width (min)	8'
	Covered entrance	Required
C	Finished floor elevation (min/max)	-2'/2'
D	Transparency (min)	90%
	Fence or wall height (max)	0'

h. Market Stall

A facade area equipped with an overhead door or operable facade that is open to the public realm during hours of operation.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.5.2.D.
	Clear depth (min)	10'
A	Clear height (min)	9'
B	Clear width (min)	6'
C	Finished floor elevation (min/max)	-2'/5'
	Fence or wall height (max)	0'

A market stall does not count toward transparency unless it meets the standards for transparent area when shut.

D. Measurement

1. General

- a. Entry feature is measured as "provided" or "not provided" for each required street-facing entrance based on whether the design of a street-facing entrance meets the standards of an allowed entry feature specified by the applied *Frontage District (Part 3B.)*.
- b. In complying with entry feature standards, outdoor spaces such as landings and yards required by an entry feature count as occupiable space.

2. Clear Depth

Clear depth is measured as the shallowest horizontal dimension of the occupiable space immediately abutting or surrounding each required street-facing entrance, measured perpendicular to the applicable building facade to the interior of the occupiable space.

3. Clear Width

Clear width is measured as the narrowest horizontal dimension of the occupiable space immediately abutting or surrounding each required street-facing entrance, measured parallel to the applicable street lot line.

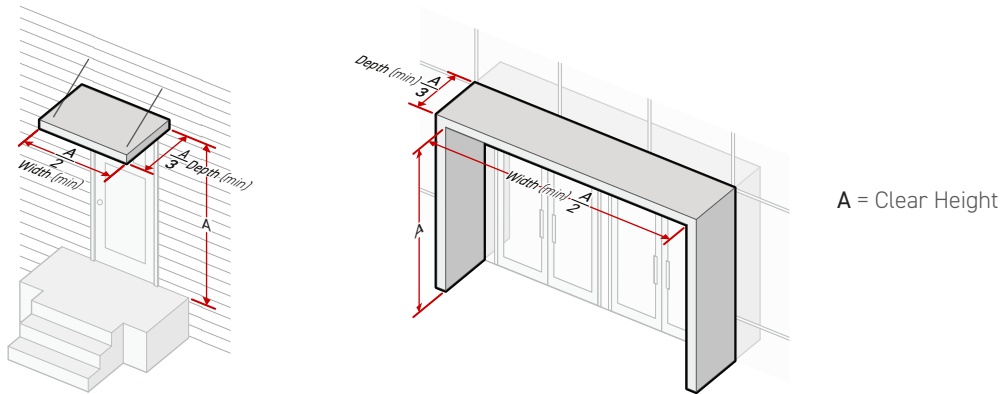
4. Clear Height

- a. Clear height is measured vertically at the shortest point between the finished floor elevation or the finished grade of the occupiable space immediately abutting or surrounding each required street-facing entrance to the bottom of the surface of any solid overhead structure creating covered space within the occupiable space.
- b. Where a minimum clear height is specified as 'open to sky', the occupiable space immediately abutting each required street-facing entrance shall be uncovered.

5. Covered Entrance

- a. When required as part of an entry feature, a canopy, roof or other sheltering structure, the covered entrance shall cover the occupiable exterior area immediately abutting the associated street-facing entrance.
- b. The minimum depth of the covered area shall be the clear height of the covered area divided by three.

- c. The minimum width of the covered area shall be the clear height of the covered area divided by two.



6. Covered Area

Covered area is measured as the occupiable space of an entry feature that is covered by a canopy, roof or other sheltering structure, divided by the total occupiable entry feature area.

7. Finished Floor Elevation

Finished floor elevation is measured from the average sidewalk grade along the adjacent sidewalk to the top of the finished floor surface or ground surface of the entry feature. Where no sidewalk exists within 10 feet of the entry feature, finished floor elevation is measured perpendicular from the average finished grade within five feet of the entry feature, to the entry feature area.

8. Transparency

- a. Transparency is the percentage of area meeting the transparent area standards of Sec. 3C.4.1.C. (Standards) provided for each street-facing entrance, divided by the required transparent area.
- b. Required transparent area is calculated by multiplying the specified transparent area height by transparent area width. For the measurement of ground story transparency, see Sec. 3C.4.1.D.1. (Ground Story).

9. Transparent Area Height

Transparent area height is measured vertically from the top of the finished floor of the ground story to the shortest height of the transparent area provided.

10. Transparent Area Width

Transparent area width is measured horizontally from the outer edges of the transparent area provided along the narrowest width.

11. **Enclosure**

For the measurement of enclosure, see *Sec. 14.2.4. (Enclosure)*.

12. **Fence or Wall Height**

Fence or wall height is measured according to *Sec. 3C.3.2.D.2. (Fence & Wall Height)*.

E. **Relief**

1. A deviation from entry feature dimensional standard up to 15 percent may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. Deviation from any entry feature standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

DIV. 3C.6. **GROUND STORY**

SEC. 3C.6.1. **GROUND STORY HEIGHT**

Ground story height is defined as the floor-to-floor height of the story of a building having its finished floor elevation nearest to the finished grade.

A. **Intent**

The intent of the standards of this *Section (Ground Story Height)* is to promote active uses that are directly connected to the public realm, and ensure high-quality ground story spaces that are adaptable and appropriate to their context.

B. **Applicability**

Ground story height standards apply to new construction. When the ground story height standards apply, the standards apply to all portions of the ground story, within the first 15 feet of a facade of a new building or structure, pursuant to *Sec. 3A.2.2.B.3. (Frontage Applicable Facades)*.

C. **Standards**

All occupiable space located in applicable portions of the ground story shall have floor-to-floor height of no less than the ground story height minimum.

D. **Measurement**

1. Ground story height is measured vertically from the top of the finished ground story to the top of the finished floor above.
2. Where no story exists above, ground story height is the shortest vertical distance from the top of the ground floor elevation to the top of the ceiling or roof structure above.
3. For determining the ground story, see *Sec. 14.2.10.A. (Ground Story)*.

E. **Relief**

1. A reduction in required ground story height up to one foot may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. Deviation from ground story height standards may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3C.6.2. **GROUND FLOOR ELEVATION**

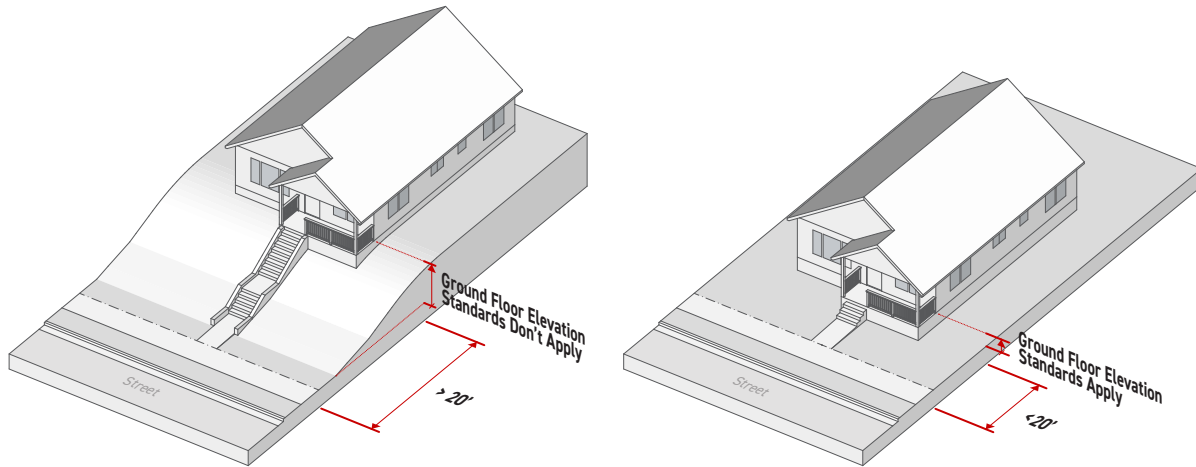
Ground floor elevation is defined as the finished floor height associated with the story of a building having its finished floor elevation nearest to the finished grade.

A. **Intent**

The intent of the standards of this *Section (Ground Floor Elevation)* is to promote high-quality ground story spaces with direct connection and visual interplay with the public realm.

B. Applicability

1. Ground floor elevation standards apply to new construction subject to the following:
 - a. For structures located less than 20 feet from the frontage lot line, all portions of the ground story located within the first 15 feet of a frontage applicable facade pursuant to Sec. 3A.2.2.B.3. (*Frontage Applicable Facades*), measured inward and perpendicular to the frontage lot line, shall comply with ground floor elevation standards.

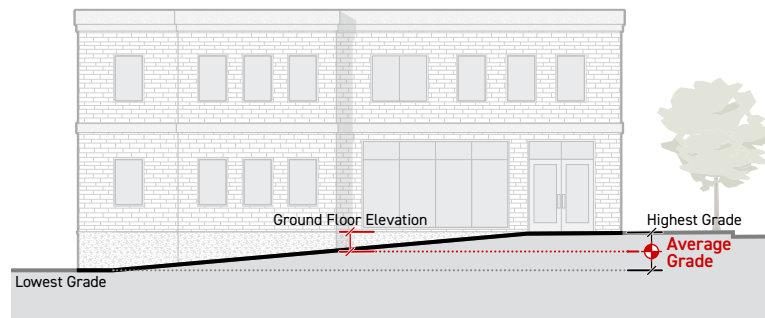


C. Standards

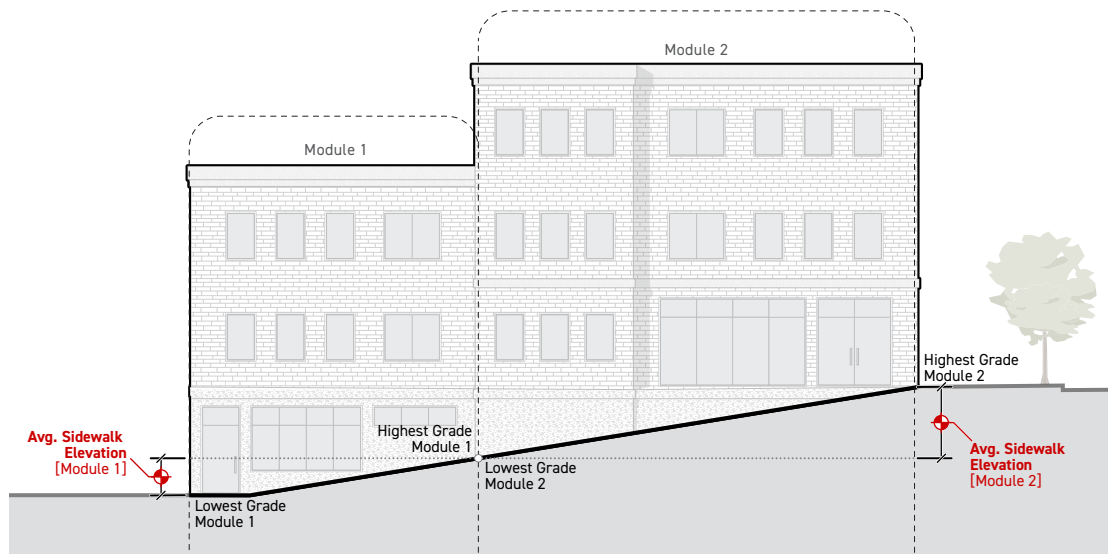
1. All occupiable space located in applicable portions of the ground story shall have a ground floor elevation no higher than the maximum ground floor elevation specified by the applied *Frontage District (Part 3B.)*.
2. All occupiable space located in applicable portions of the ground story shall have a ground floor elevation no lower than the minimum ground floor elevation specified by the applied *Frontage District (Part 3B.)*.

D. Measurement

1. Where a building is located greater than 10 feet from a public sidewalk, ground story height is measured vertically from the average finished grade within five feet of the frontage lot line facing building perimeter to the finished floor elevation of the ground story.
2. Where a building is located 10 feet or less from a public sidewalk, ground floor elevation is measured vertically from the average sidewalk grade to the finished floor elevation of the ground story. Average sidewalk grade is measured as the average of the highest and lowest sidewalk elevation for the portion of the sidewalk located in front of the building.



3. Ground floor elevation shall be measured independently for different modules of the building width. The ground floor elevation for each module shall be measured from either average sidewalk grade for the portion of the sidewalk in front of the module or from average finished grade within five feet of the frontage lot line facing building perimeter based on the distance of the building module from a public sidewalk according to Paragraph 1. and Paragraph 2. above.
 - a. For sloped lots, average elevation along the sidewalk shall be measured individually for each module and calculated as the average of the highest and lowest sidewalk elevation for the portion of the sidewalk located in front of the building module.



E. **Exceptions**

Ground floor elevation standards do not apply to structures located 20 feet or greater from the frontage lot line.

F. **Relief**

1. A deviation in minimum or maximum ground floor elevation up to 10 percent may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
2. Deviation from ground floor elevation standards may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

PART 3D. CHARACTER FRONTAGE RULES

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DIV. 3D.1. **BUILD-TO**

See Div. 3C.1. (*Build-To*).

DIV. 3D.2. **PARKING**

See Div. 3C.2. (*Parking*).

DIV. 3D.3. **LANDSCAPING**

See Div. 3C.3. (*Landscaping*).

DIV. 3D.4. **GROUND FLOOR ELEVATION**

See Sec. 3C.6.2. (*Ground Floor Elevation*).

DIV. 3D.5. **STORY HEIGHT**

SEC. 3D.5.1. **GROUND STORY HEIGHT**

For the intent, applicability, standards, measurement, and relief of ground story height see Sec. 3C.6.1. (*Ground Story Height*).

SEC. 3D.5.2. **UPPER STORY HEIGHT**

Upper story height is defined as the floor-to-floor height of any story of a building located above the ground story.

A. **Intent**

The intent of the standards of this *Section (Upper Story Height)* is to ensure upper story spaces and their facades are scaled and proportioned to contribute to the established architectural character of surrounding neighborhoods or districts.

B. **Applicability**

1. Upper story height standards apply to new construction of multi-story buildings or structures. When upper story height standards apply, the standards apply to each story located above the ground story and all build-to applicable stories specified by the applied *Frontage District (Part 3B.)*.

C. **Standards**

All occupiable space located in applicable portions of upper stories shall have a floor-to-floor height of no less than the upper story height minimum.

D. **Measurement**

1. Upper story height is measured vertically from the top of the finished floor to the top of the finished floor above.
2. Where no story exists above an upper story, upper story height is the shortest vertical distance from the top of the finished floor to the top of the ceiling or roof structure above.

E. **Exceptions**

Portions of upper stories located beyond the first 15 feet of a frontage applicable facade, measured inward and perpendicular to the facade are not required to meet upper story height standards.

F. **Relief**

1. A reduction in required upper story height of up to one foot may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
2. Deviations from upper story height standards may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

DIV. 3D.6. **ARTICULATION**

SEC. 3D.6.1. **BASE, MIDDLE & TOP ARTICULATION**

The base, middle & top articulation requirement is composed of three separate and coordinated articulating elements designed to visually break a building facade up into three separately legible layers.

A. **Intent**

The intent of the standards of this Section (*Base, Middle & Top Articulation*) is to visually break a building facade up into three separately legible building layers.

B. **Applicability**

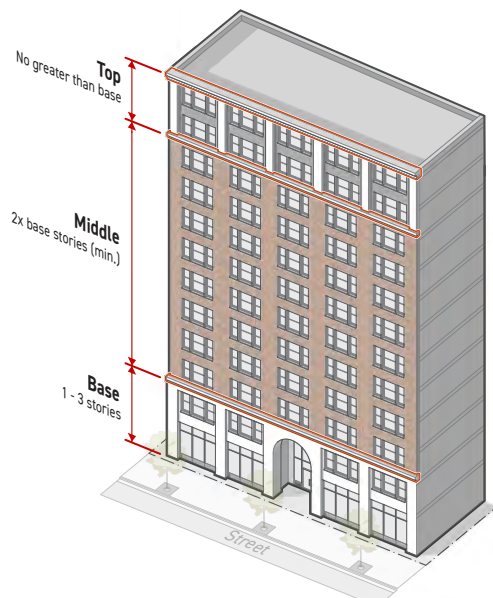
Base, middle & top articulation standards apply to new construction or any exterior modification when the applied Character Frontage District (Div. 3B.9.) requires base, middle & top articulation on facades pursuant to Sec. 3A.2.2.B.3. (*Frontage Applicable Facades*).

C. **Standards**

1. **General**

One articulating element option shall be provided for each building layer in accordance with the building layer standards below.

2. **Building Layers**



a. **Base**

- i. The base building layer shall include at least one and no more than three contiguous stories starting with the ground story and continuing upward.

- ii. At least one of the following articulating elements shall be applied along the top of the base layer, creating a transition between the base and middle layers:
 - a) *Sec. 3D.6.5.C.1. (Material Change);*
 - b) *Sec. 3D.6.5.C.2. (Belt Course); or*
 - c) *Sec. 3D.6.5.C.3. (Shopfront Cornice).*
- iii. The articulating element shall extend for the full width of the building and be located no higher than the top of the uppermost story included in the layer.

b. Middle

- i. The middle building layer shall include at least twice as many contiguous stories than the base building layer, starting at the top of the base layer and continuing upward.
- ii. At least one of the following articulating elements shall be applied along the top of the middle layer, creating a transition between the middle and top layers:
 - a) *Sec. 3D.6.5.C.1. (Material Change); or*
 - b) *Sec. 3D.6.5.C.2. (Belt Course).*
- iii. The articulating element shall extend for the full width of the building and be located no higher than the top of the uppermost story included in the layer.

c. Top

- i. The top building layer shall include at least one story and shall not include more stories than the base building layer.
- ii. All stories located in the top building layer shall be contiguous and include, at minimum, all stories between the top of the middle layer and the top of the highest of the build-to applicable stories specified by the applied *Frontage District (Part 3B.)*.
- iii. A roofline cornice articulating element shall be applied to the top building layer when the top building layer is the topmost story of the building or the topmost story before a street step-back. See *Sec. 3D.6.5.C.4. (Roofline Cornice)*.
- iv. The roofline cornice shall extend for the full width of the building and be located along the top of the topmost story included in the building layer.
- v. When the top building layer does not include the topmost story of the building or the topmost story before a street step-back, at least one of the following articulating elements shall be applied along the top of the top layer, creating a transition between the top building layer and any story above:

- a) *Sec. 3D.6.5.C.1. (Material Change); or*
 - b) *Sec. 3D.6.5.C.2. (Belt Course).*
- vi. The articulating element shall extend for the full width of the building and be located along the top of the topmost story included in the building layer.

D. **Measurement**

For measurement of stories see *Sec. 2C.4.3. (Height in Stories)*.

E. **Exceptions**

1. Where the applied *Form District (Part 2B.)* requires a street step-back depth of 10 feet or greater, the top building layer may terminate at the topmost story below the street step-back. No articulating element is required above the top building layer.
2. When a building is less than five stories, the standards of this *Section (Base, Middle & Top Articulation)* do not apply, and the standards of *Sec. 3D.6.2. (Base-Top Articulation)* apply.

F. **Relief**

1. Base, middle & top articulation standards may be met through alternative compliance in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A deviation from number of stories in building layers of one story may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. Deviation from any base, middle & top articulation standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3D.6.2. **BASE-TOP ARTICULATION**

The base-top articulation requirement is composed of two separate and coordinated articulating elements designed to visually break a building facade up into two separately legible layers.

A. **Intent**

The intent of the standards of this *Section (Base-Top Articulation)* is to visually break a building facade up into two separately legible building layers.

B. **Applicability**

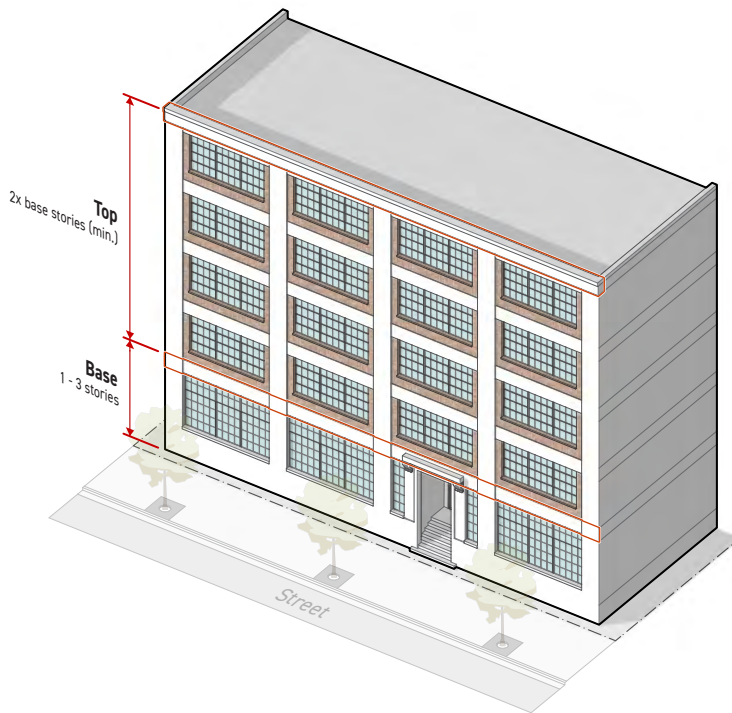
Base-top articulation standards apply to new construction and any exterior modification of a building or structure possessing five stories or fewer when the applied *Character Frontage District (Div. 3B.9.)* requires base-top articulation on all facades pursuant to *Sec. 3A.2.2.B.3. (Frontage Applicable Facades)*.

C. Standards

1. General

One articulating element option shall be provided for each building layer in accordance with the building layer standards below. See *Sec. 3D.6.5. (Articulating Elements)*.

2. Building Layers



a. Base

- i. The base building layer shall include between one and three contiguous stories starting with the ground story and continuing upward.
- ii. At least one of the following articulating elements shall be applied along the top of the base layer, creating a transition between the base and top layers:
 - a) *Sec. 3D.6.5.C.1. (Material Change)*;
 - b) *Sec. 3D.6.5.C.2. (Belt Course)*; or
 - c) *Sec. 3D.6.5.C.3. (Shopfront Cornice)*.
- iii. The articulating element shall extend for the full width of the facade and be located no higher than the top of the uppermost story included in the layer.

b. Top

- i. The top building layer shall include at least twice as many stories as the base building layer and include all remaining above-grade stories not included in the base building layer.
- ii. A roofline cornice articulating element shall be applied to the top building layer that is the topmost story of the building or the topmost story before a street step-back. See *Sec. 3D.6.5.C.4. (Roofline Cornice)*.
- iii. The roofline cornice shall extend for the full width of the facade and be located along the top of the topmost story included in the building layer.
- iv. When the top building layer does not include the topmost story of the building or the topmost story before a street step-back, at least one of the following articulating elements shall be applied along the top of the top layer, creating a transition between the top building layer and any story above:
 - a) *Sec. 3D.6.5.C.1. (Material Change)*; or
 - b) *Sec. 3D.6.5.C.2. (Belt Course)*.
- v. The articulating element shall extend for the full width of the building and be located along the top of the topmost story included in the building layer.

D. Measurement

For measurement of stories see *Sec. 2C.4.3. (Height in Stories)*.

E. Exceptions

Where the applied *Form District (Part 2B.)* requires a street step-back depth of 10 feet or greater, the top building layer may terminate at the topmost story below the street step-back. No articulating element is required above the top building layer.

F. Relief

- 1. Base-top articulation standards may be met through alternative compliance in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
- 2. A deviation from number of stories in building layers of one story may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
- 3. Deviation from any base-top articulation standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3D.6.3. **HORIZONTAL BAND ARTICULATION**

Horizontal band articulation is a continuous band of material running horizontally across a facade.

A. **Intent**

The intent of the standards of this Section (*Horizontal Band Articulation*) is to separate and align windows on a building facade in a way that contributes to the established architectural character of surrounding neighborhoods or districts.

B. **Applicability**

Horizontal band articulation standards apply to new construction or an exterior modification when the applied *Character Frontage District (Div. 3B.9.)* requires horizontal band articulations on facades pursuant to *Sec. 3A.2.2.B.3. (Frontage Applicable Facades)*.

C. **Standards**

Horizontal band articulation shall meet the following standards:

1. Be no less than eight inches in height,
2. Extend for the full width of the facade, interrupted only by required articulating elements or architectural features. Architectural features that interrupt either required vertical band articulation or required horizontal band articulation shall cover cumulatively no more than 30 percent of the total facade area. A maximum of five architectural features that interrupt required vertical band articulation or horizontal band articulation are allowed on the facade area of any individual building width.

D. **Measurement**

1. Horizontal band articulation height is measured vertically from the lowest point to the highest point of a horizontal band articulation meeting the standards above.
2. The facade area covered by an architectural feature that interrupts horizontal band articulation or vertical band articulation is measured as the area of the smallest rectangle that fully circumscribes the architectural feature.

E. **Relief**

1. Horizontal band articulation standards may be met through alternative compliance in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A deviation from horizontal band articulation dimensional standards up to 15 percent may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. Deviation from any horizontal band articulation standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3D.6.4. **VERTICAL BAND ARTICULATION**

Vertical band articulation is a continuous band of material running vertically up a facade.

A. **Intent**

The intent of the standards of this *Section (Vertical Band Articulation)* is to separate and align windows on a building facade in a way that contributes to the established architectural character of surrounding neighborhoods or districts.

B. **Applicability**

Vertical band articulation standards apply to new construction or an exterior modification when the applied *Character Frontage District (Div 3B.9.)* requires vertical band articulations on facades pursuant to *Sec. 3A.2.2.B.3. (Frontage Applicable Facades)*.

C. **Standards**

Vertical band articulation shall meet the following standards:

1. Be no less than eight inches in width, and
2. Extend uninterrupted for the full height of all build-to applicable stories, only interrupted by horizontal band articulation, required articulating elements or architectural features. Architectural features that interrupt either required vertical band articulation or required horizontal band articulation shall cover cumulatively no more than 30 percent of the total facade area. A maximum of five architectural features that interrupt required vertical band articulation or required horizontal band articulation are allowed on the facade of any individual building width.

D. **Spacing**

1. Vertical band articulation shall be applied across the full width of a facade separated by no more than the maximum spacing and no less than the minimum spacing specified by the applied *Frontage District (Part 3B.)*.
2. Vertical band articulation shall also be located at each corner of a building facade.

E. **Measurement**

1. Vertical band articulation width is measured parallel to the applicable facade and horizontally from one end of a vertical band meeting the standards above to the opposite end.
2. Vertical band articulation spacing is measured horizontally and perpendicular to the applicable building facade from edge of vertical band to edge of vertical band.
3. The facade area covered by an architectural feature that interrupts horizontal band articulation or vertical band articulation is measured as the area of the smallest rectangle that fully circumscribes the architectural feature.

F. Relief

1. Vertical band articulation standards may be met through alternative compliance in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A deviation from vertical band articulation dimensional standards up to 15 percent may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. Deviation from any vertical band articulation standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3D.6.5. ARTICULATING ELEMENTS

Articulating elements are permanent architectural details used to embellish a facade design to accentuate an articulation technique or facade composition.

A. Intent

The intent of the standards of this Section (*Articulating Elements*) is to provide visual interest to the public realm and break up a building facade with visually separate building layers in a way that contributes to the established architectural character of surrounding neighborhoods or districts.

B. Applicability

Articulating element standards apply to new construction or an exterior modification when the applied *Character Frontage District (Div. 3B.9.)* requires articulating elements on facades pursuant to *Sec. 3A.2.2.B.3 (Frontage Applicable Facades)*.

C. Articulating Element Options**1. Material Change****a. Standards**

- i. The principal exterior material applied to the building layer shall be different from the principal siding treatment applied to the abutting building layers.
- ii. The principal exterior material shall be limited to those allowed by the applied *Frontage District (Part 3B.)*.
- iii. One of the following architectural details must be provided between building layers applying the material change articulating element:
 - a) A belt course located at the transition from one principal exterior material to the next. See *Paragraph 2. (Belt Course)* below; or
 - b) The building layer applying a material change articulating element shall be recessed or project from the abutting building layers at least three inches.

b. Measurement

- i. In measuring material change, principal exterior materials are considered different if they are entirely different materials or products having the same base material where the unit size or finish surface texture is visibly contrasting.
- ii. Recessed building layers are measured horizontally from and perpendicular to the immediately surrounding facade to the outermost point of the recessed building layer facade.
- iii. Projecting building layers are measured horizontally and perpendicular from the immediately surrounding facade to the innermost point of the projecting building layer facade.

2. Belt Course

A horizontal course projecting beyond the face of the surrounding building facade often shaped to mark a division in the facade wall.

a. Standards

A belt course shall meet the following standards:

- i. Extend uninterrupted for the full width of the building layer.
- ii. Have a consistent profile across the width of the building.
- iii. Project a minimum of two inches from the immediately surrounding facade for some portion of the top two inches and the bottom two inches of the belt course profile,
- iv. Have a height of no less than 12 inches if located on the first story. An additional two inches in height are required for each story that the belt course is located about the first story. The greatest required minimum height is 48 inches.

b. Measurement

- i. Belt course height is measured vertically from the lowest point to the highest point of the belt course profile meeting the standards in subparagraph a above.
- ii. Projection is measured perpendicularly from the immediately surrounding facade to the outermost point of a belt course meeting the standards in the subparagraph a above.

3. Shopfront Cornice

A continuous molded projection located above a series of display windows on the ground story facade.

a. **Standards**

A shopfront cornice shall meet the following standards:

- i. Extend uninterrupted for the width of the building layer.
- ii. Project a minimum of four inches from the immediately surrounding facade for some portion of the top four inches and the bottom four inches of the cornice profile.
- iii. Have a height of no less than 12 inches.

b. **Measurement**

- i. Shopfront cornice height is measured vertically from the lowest point to the highest point of the cornice profile meeting the standards in subparagraph a above.
- ii. Projection is measured perpendicularly from the immediately surrounding facade horizontally to the outermost point of a shopfront cornice meeting the standards in the subparagraph a above.

4. **Roofline Cornice**

A continuous molded projection that crowns a wall, often as part of a parapet.

a. **Standards**

A roofline cornice shall meet the following standards:

- i. Extend uninterrupted for the full width of the building layer.
- ii. Project a minimum of four inches from the immediately surrounding facade for some portion of the top four inches of the cornice profile if located on the first, second or third stories. An additional two inches of projection are required for each story the roofline cornice is located above the third story. A minimum projection of at least 36 inches is required.
- iii. Have a height of no less than 12 inches if located on the first, second or third story. An additional two inches in height are required for each story the roofline cornice is located above the third story. A minimum height of at least 48 inches is required.

b. **Measurement**

- i. Roofline cornice height is measured vertically from the lowest point to the highest point of the cornice profile meeting the standards above.
- ii. Projection is measured perpendicularly from the immediately surrounding facade horizontally to the outermost point of a roofline cornice meeting the standards in the subparagraph a above.

D. **Measurement**

Articulating elements are measured as "provided" or "not provided" based on whether the applicable building layer facade applies an articulating element meeting the standards above.

E. **Relief**

1. Articulating elements standards may be met through alternative compliance in accordance with Sec. 13B.5.1. (*Alternative Compliance*).
2. A deviation from articulating elements dimensional standards up to 10 percent may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
3. Deviation from any articulating elements standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

DIV. 3D.7. **FEATURES**

SEC. 3D.7.1. **RESTRICTED FEATURES**

A. **Intent**

The intent of the standards of this *Section (Restricted Features)* is to ensure facades are built in a way that contributes to the established architectural character of surrounding neighborhoods or districts by limiting the use of architectural features that are inappropriate to the historic or desired context.

B. **Applicability**

This *Section (Restricted Features)* applies to new construction or an exterior modification when the applied *Character Frontage District (Part 3B.)* restricts features on any facade pursuant to Sec. 3A.2.2.B.3. (*Frontage Applicable Facades*).

C. **Standards**

Where the applied *Frontage District (Part 3B.)* lists a feature as "prohibited", no applicable facade located on a build-to applicable story specified by the applied *Frontage District (Part 3B.)* may include any variety of listed feature.

D. **Projecting Balcony**

An unenclosed occupiable platform, located at an elevation above the ground story, that is fixed to or integrated with an exterior building facade and projects beyond the floor area of the story immediately below. Balconies include protective barriers such as railings or parapets and may be covered or uncovered.

1. **Standards**

Where the applied *Frontage District (Part 3B.)* lists projecting balcony as "prohibited":

- a. No feature meeting the definition for projecting balcony above may be included on an applicable facade.
- b. Roof terraces that meet the definition of balcony may be allowed provided they are uncovered and do not project beyond the story immediately below.

2. **Measurement**

Projecting balconies are identified as present or absent based on whether an applicable facade includes a projecting balcony as described above.

E. **Relief**

1. Deviation from "restricted features" standards may be met through alternative compliance in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. Deviation from any "restricted features" standards may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

DIV. 3D.8. **ENTRANCES**

SEC. 3D.8.1. **STREET-FACING ENTRANCE**

For the intent, applicability, standards, measurement, and relief of street-facing entrance see Sec. 3C.5.1. (*Street-Facing Entrance*).

SEC. 3D.8.2. **ENTRY FEATURE**

For the intent, applicability, standards, measurement, and relief of entry features see Sec. 3C.5.2. (*Entry Feature*).

SEC. 3D.8.3. **FOCAL ENTRY FEATURE**

Focal entry feature are improved design standards applied to the primary entrance along the public realm.

A. **Intent**

The intent of the standards of this *Section (Focal Entry Feature)* is to establish a hierarchy of entrances on a building facade where a focal entry feature is the visually dominant entrance supported by secondary entrances designed with entry features.

B. **Applicability**

Focal entry feature standards apply to new construction, a major remodel, or an exterior modification, when the applied *Character Frontage District (Part 3B.)* requires a focal entry feature. When the focal entry feature standards apply, the focal entry feature standards apply to ground story, frontage lot line facing facades.

C. **Standards**

1. **General**

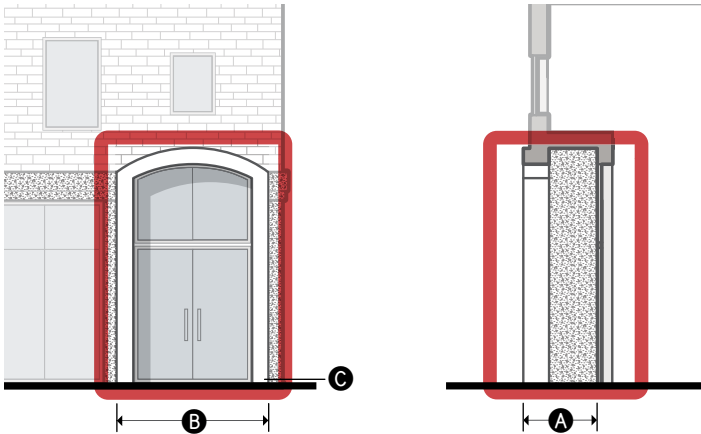
- a. Each building width shall provide at least the minimum number of focal entry features specified by the applied *Frontage District (Part 3B.)*.
- b. Each required focal entry feature shall meet the standards for one of the focal entry feature options. See Sec. 3D.8.1.C.2. (*Focal Entry Feature Options*).
- c. Required focal entry features shall abut and provide direct access to a street-facing entrance.
- d. Required focal entry features shall provide direct access to the public realm associated with the frontage lot line.
- e. For building setback encroachment regulations, see Sec. 2C.2.2.E. (*Exceptions*).
- f. For encroachments into the public right-of-way, see Chapter IX. (*Building Regulations*), Sec. 91.32. (*Encroachments into the Public Right-of-Way*) of this Code.

2. Focal Entry Feature Options

Packages of design standards applied to the primary entrance along the public realm.

a. Archway

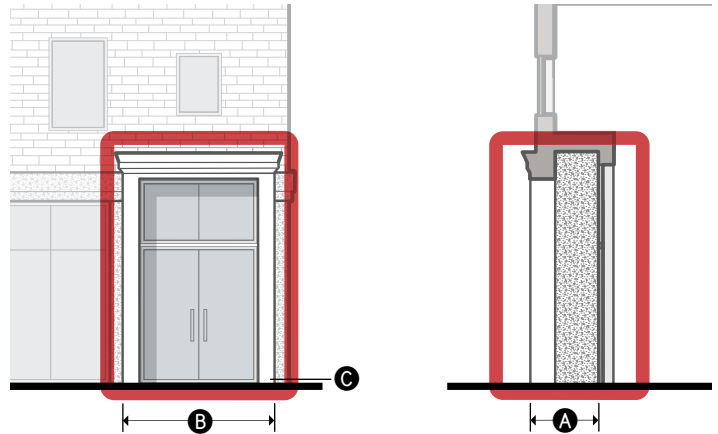
A curved symmetrical architectural detail spanning an opening to an exterior space, set behind the primary facade plane, providing sheltered access to a street-facing entrance.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.5.2.D.
A	Clear depth (min)	3'
B	Clear width (min)	8'
	Clear height (min)	9'
	Covered entrance	Required
	Covered area (min)	100%
C	Finished floor elevation (min/max)	-2'/5'
	Transparency (min)	80%
	Enclosure (max)	75%

b. Architrave

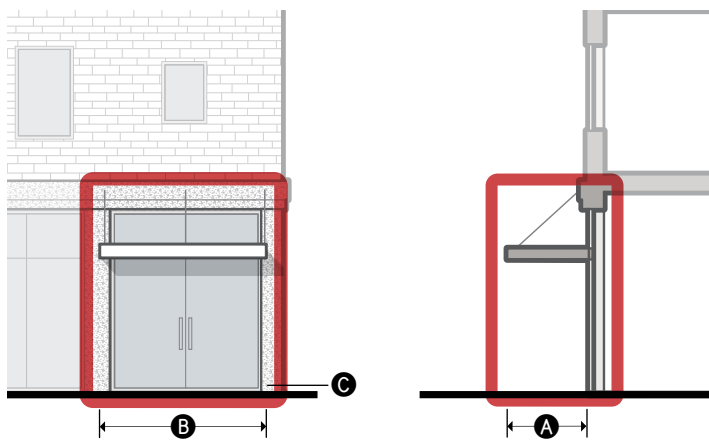
A decorative horizontal band above and connected to vertical bands framing an opening to an exterior space, set behind the primary facade plane, providing sheltered access to a street-facing entrance.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.5.2.D.
A	Clear depth (min)	3'
B	Clear width (min)	8'
	Clear height (min)	9'
	Covered entrance	Required
	Covered area (min)	100%
C	Finished floor elevation (min/max)	-2'/5'
	Transparency (min)	80%
	Enclosure (max)	75%

c. Canopy

A space that provides sheltered access to an at-grade street-facing entrance with an overhead projecting structure.



DIMENSIONAL STANDARDS		For measurement see Sec. 3C.5.2.D.
A	Clear depth (min)	4'
B	Clear width (min)	8'
	Clear height (min)	9'
	Covered entrance	Required
	Covered area (min)	n/a
C	Finished floor elevation (min/max)	-2'/2'
	Transparency (min)	n/a
	Enclosure (max)	50%

For encroachments into the public right-of-way, see Chapter IX. (Building Regulations), Sec. 91.32. (Encroachments into the Public Right-of-Way) of this Code.

D. **Measurement**

See Sec. 3C.5.2.D. (*Measurement*).

E. **Relief**

1. Deviation from focal entry feature option standards may be granted in accordance with Sec. 13B.5.1. (*Alternative Compliance*).
2. A deviation from focal entry feature dimensional standard up to 15 percent may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
3. Deviation from any entry feature standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

DIV. 3D.9. **TRANSPARENCY**

SEC. 3D.9.1. **GROUND STORY**

A. **Intent**

The intent of the standards of this *Section (Ground Story)* is to ensure projects are designed with ground story windows that contribute to the established architectural character of surrounding neighborhoods or district.

B. **Applicability**

Ground story transparency standards apply to new construction, a major remodel, or an exterior modification when the applied *Character Frontage District (Div. 3B.9.)* requires ground story transparency on facades pursuant to *Sec. 3A.2.2.B.3. (Frontage Applicable Facades)* located on the ground story and pursuant to *Sec. 3A.2.2.B.4. (Frontage Applicable Building Depth)*.

C. **Standards**

1. **General**

a. **Standards**

- i. Frontage applicable facades located on the ground story shall provide no less than the minimum transparency specified in the applied *Character Frontage District (Div. 3B.9.)*.
- ii. Frontage applicable facades located on the ground story shall provide no more than the maximum transparency specified in the applied *Character Frontage District (Div. 3B.9.)*.
- iii. All transparent area shall meet the standards of *Sec. 3C.4.1.C. (Standards)*.

b. **Measurement**

For transparent area measurement, see *Sec. 3C.4.1.D. (Measurement)*.

2. **Active Wall Spacing**

See *Sec. 3C.4.2. (Active Wall Spacing)*.

3. **Window Recession**

The depth that a window is set back from the surrounding facade.

a. **Standards**

All windows on applicable facades shall be recessed at a minimum depth as specified in the applied *Frontage District (Part 3B.)*.

b. Measurement

Window recession depth is measured inward from the immediately surrounding facade surface, exclusive of trim or accessory projecting architectural details, to the outermost element of the window assembly.

4. Bulkhead

A wall located beneath a display window on the ground story facade that elevates a window above the exterior finished grade and the interior finished floor surface.

a. Standards

- i. When listed as "required" in the applied *Frontage District (Part 3B.)*, all ground story window openings located on applicable facades shall be located between 18 and 30 inches above the finished floor of the ground story.
- ii. Ground story window openings located entirely above another ground story window may be located greater than 30 inches from the ground story finished floor provided that no portion of the opening extends beyond the width of the lower window opening.

**b. Measurement**

Bulkheads are measured as "provided" or "not provided" based on the compliance of all applicable windows with the standards above.

5. Symmetrical Lite Pattern

Window panes that are arranged or designed so that the left-side of the window composition is a mirror image of the right-side of the window composition.

a. Standards

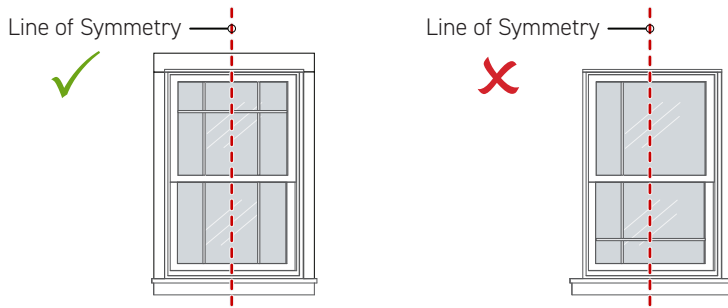
When listed as "required" in the applied *Frontage District (Part 3B.)*, all windows provided on applicable facades shall meet the following standards:

- i. Divided-lite and simulated divided-lite windows shall have a composition of muntins or grills that display reflective symmetry.
- ii. Operable windows shall have sashes that are reflectively symmetrical.

- iii. Window assemblies sharing a window opening shall be composed in a way that reflective symmetry is displayed over the entirety of the window opening.

b. Measurement

In meeting symmetrical lite pattern standards, if a vertical line can be drawn through the window opening, and the pattern and shape on both sides of the line appear approximately identical, the window or windows are considered in compliance with the symmetrical lite pattern standard.



6. Horizontal Sliding Windows

a. Standards

When listed as "prohibited" in the applied *Frontage District (Part 3B.)*, windows provided on applicable facades shall not include sashes that operate left to right or right to left.

b. Measurement

Horizontal sliding windows are identified as either present or absent.

7. Vinyl Windows

a. Standards

- i. When listed as "prohibited" in the applied *Frontage District (Part 3B.)*, window assemblies provided on applicable facades shall not contain frames, sashes, rails, styles, muntins, mullions, or grills with a vinyl exterior finish.
- ii. Other accessory window assembly components may be finished with vinyl products.

b. Measurement

Vinyl windows are identified as either present or absent.

D. Exceptions

Ground story transparency standards do not apply to parking structure facades unless the applied development standards district requires the facade to be wrapped, see *Development Standards District (Part 4B.)*.

E. Relief

1. Up to a 15 percent increase to the total allowed ground story transparent area may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. A deviation from ground story transparency dimensional standard up to 15 percent may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. Deviation from any ground story transparency standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3D.9.2. UPPER STORIES**A. Intent**

The intent of the standards of this *Section (Upper Stories)* is to ensure projects are designed with upper story windows that contribute to the established architectural character of surrounding neighborhoods or districts.

B. Applicability

Upper story standards apply to new construction, a major remodel, or an exterior modification when the applied *Character Frontage District (Div. 3B.9.)* requires upper story transparency on facades pursuant to *Sec. 3A.2.2.B.3. (Frontage Applicable Facades)* and *Sec. 3A.2.2.B.4. (Frontage Applicable Building Depth)*.

C. Standards**1. General****a. Standards**

- i. Applicable upper story facades shall provide at least the minimum transparency specified in the applied *Character Frontage District (Div. 3B.9.)*.
- ii. Applicable upper story facades shall provide no more than the maximum transparency specified in the applied *Character Frontage District (Div. 3B.9.)*.
- iii. All transparent area shall meet the standards of *Sec. 3C.4.1.C. (Standards)*.

b. Measurement

See *Sec. 3C.4.1.D.2. (Upper Stories)*.

2. Window Recession

See *Sec. 3D.9.1.C.3. (Window Recession)*.

3. Symmetrical Lite Pattern

See *Sec. 3D.9.1.C.5. (Symmetrical Lite Pattern)*.

4. Sill

The bottommost horizontal exterior surface of a window opening including a ledge or other architectural detail that projects from the surrounding building facade.

a. Standards

- i. When required by the applied *Frontage District (Part 3B.)*, all windows provided on applicable facades shall include a sill, ledge or comparable architectural detail located at the bottommost exterior surface of a window opening.
- ii. Required sills shall project a minimum of one inch beyond the immediately surrounding building facade.
- iii. Required sills shall have a width of no less than the window opening.

b. Measurement

Sills are measured as "provided" or "not provided" based on the compliance of all applicable windows with the standards of subparagraph a above.

5. Horizontal Sliding Windows

See Sec. 3D.9.1.C.6. (*Horizontal Sliding Windows*).

6. Vinyl Windows

See Sec. 3D.9.1.C.7. (*Vinyl Windows*).

D. Exceptions

Upper story transparency standards do not apply to parking structure facades unless the applied *Development Standards District (Part 4B.)* requires the facade to be wrapped.

E. Relief

1. Up to a 15 percent increase in the total allowed upper story transparent area may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
2. A deviation up to 15 percent from upper story transparency dimensional standards may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
3. Deviation from any upper story transparency standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

DIV. 3D.10. **EXTERIOR MATERIALS**

SEC. 3D.10.1. **PRINCIPAL MATERIAL COVERAGE**

Principal material coverage is defined as the building products used as the primary exterior wall finish materials of the exterior building facade.

A. Intent

The intent of the standards of this Section (*Principal Material Coverage*) is to visually unify the facade with a dominant material and ensure that building facades are finished with materials that contribute to the established architectural character of surrounding neighborhoods or districts.

B. Applicability

Principal material coverage standards apply to new construction, a major remodel, or an exterior modification. When the principal material coverage standards apply, the standards apply to facades pursuant to Sec. 3A.2.2.B.3. (*Frontage Applicable Facades*) and any build-to applicable story as specified by the applied Character Frontage District (Div. 3B.9.), and any portion of the frontage applicable facade located above the last provided story where the number of stories provided for any building is less than the specified build-to applicable stories.

C. Standards

1. General

- a. The total percentage of applicable facade area finished in a primary material shall be no less than the minimum principal material coverage specified by the applied Character Frontage District (Div. 3B.9.).
- b. Only exterior material options specified by the applied Character Frontage District (Div. 3B.9.) may be used as a primary material.
- c. Only one primary material may be used to meet the principal material coverage standard.

2. Exterior Material Options

- a. For exterior material options standards, see Sec. 3D.10.3. (*Exterior Material Options*).

D. Measurement

1. Principal material coverage is calculated for each building width separately.
2. The principal material coverage percentage is the facade area covered in a principal material divided by the total applicable facade area.
3. The principal material coverage is measured as compliant or non-compliant based on whether it meets the standards and definition of one of the allowed exterior material options specified by the applied Frontage District (Part 3B.).

E. Exceptions

Principal material coverage standards do not apply to windows nor door openings.

F. Relief

1. Up to a 10 percent reduction to the total required facade area finished in an allowed primary exterior material may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. Deviation from any principal material coverage standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3D.10.2. **ACCESSORY MATERIAL COVERAGE**

Accessory material coverage is defined as the building products used as an exterior wall finish material to accent or support the principal material.

A. Intent

The intent of the standards of this *Section (Accessory Material Coverage)* is to visually unify the facade with a consistent material palette and ensure that building facades are finished with materials that contribute to the established architectural character of surrounding neighborhoods or districts.

B. Applicability

1. Accessory material coverage standards shall apply to new construction, a major remodel, or an exterior modification. When the accessory material coverage standards apply, the standards apply to any facade pursuant to *Sec. 3A.2.2.B.3. (Frontage Applicable Facades)* and any build-to applicable story as specified by the applied *Character Frontage District (Div. 3.9.)*, and any portion of the frontage applicable facade located above the last provided story where the number of stories provided for any building is less than the specified build-to applicable stories.
2. All exterior materials cumulatively covering between five percent and 30 percent of the total applicable facade area are considered an accessory material and shall comply with all accessory material coverage, exterior material options, and number of accessory material standards.

C. Standards

1. General

- a. The total percentage of applicable facade area finished in an accessory material shall not exceed the maximum accessory material coverage specified by the applied *Character Frontage District (Div. 3B.9.)*.
- b. Only exterior material options specified by the applied *Character Frontage District (Div. 3B.9.)* may be used as an accessory material.

2. Exterior Material Options

For exterior material options standards, see *Sec. 3D.10.3. (Exterior Material Options)*.

3. Number of Accessory Materials

Individual accessory materials may not exceed the maximum number of accessory materials specified by the applied *Character Frontage District (Div. 3B.9.)*.

D. Measurement

1. Accessory material coverage is calculated for each building width separately.
2. Accessory material coverage percentage is the facade area covered in the accessory material product divided by the total applicable facade area.
3. Accessory material coverage is measured as compliant or non-compliant based on whether it meets the standards and definition of one of the exterior material options specified by the applied *Character Frontage District (Div. 3B.9.)*.

E. Exceptions

Accessory material coverage standards do not apply to windows nor door openings.

F. Relief

1. Up to a 10 percent increase in the total allowed facade area finished in a secondary exterior material may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. Deviation from any accessory material standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3D.10.3. EXTERIOR MATERIAL OPTIONS

Exterior material options is defined as building products allowed for use as primary or accessory exterior wall finish material.

A. Intent

The intent of the standards of this Section is to ensure that building facades are finished with materials that contribute to the established architectural character of surrounding neighborhoods or districts.

B. Applicability

Exterior material options standards apply to all exterior materials provided and shall comply with principal material coverage or accessory material coverage standards as specified by the applied *Character Frontage District (Div. 3B.9.)*.

C. Standards

1. General

Proposed principal and accessory materials shall meet all standards and definitions of one of the exterior material options specified by the applied *Character Frontage District (Div. 3B.9.)* to comply with principal material coverage and accessory material coverage standards.

2. Exterior Material Options

a. Brickwork

Courses of rectangular masonry units made of hardened clay, laid with mortar exposed between bricks. Examples include solid brick construction, brick veneer and thin brick veneer. Other products required for installation that are visually incidental to the brick are also included.



INTENT

To provide structures with a human scale, durability, and a connection to local history. The profile of brickwork creates a pattern of channels along the mortar beds and perpend providing shadow line effects and texture reflecting the scale of the individual brick units. The size of the brick units are of a commonly recognized scale related to its manual assembly which naturally helps observers relate to the overall scale of the structure and recognize the building as a result of tangible human activities rather than machined or synthetic installations. Brick assemblies provide lasting durability against weather and wear, reducing maintenance demands. Used as an exterior building material in some of Los Angeles most treasured historic buildings, brickwork connects observers to local history.

DIMENSIONAL STANDARDS

- i. Individual brick units shall have a height of between 1.5 and 8 inches.
- ii. Individual brick units shall have a width of between 3.5 and 16 inches.

b. Stonework

Stacked rocks quarried and worked into a specific size and shape for use as a building material. Solid stone includes mortar and other products required for installation that are visually incidental to the stone product. Examples include solid stone construction, stone veneer, and thin stone veneer. Solid stone excludes heavy aggregate concrete, terrazzo, engineered stone products, and comparable materials.



INTENT

To provide structures with a human scale, durability, and a connection to nature and local history. The profile of stonework provides dynamic shadow line effects relating to the scale of individual stones, helping observers to relate to the overall scale of the structure. The organic textures and deep natural colors of exposed stone faces provide observers with a connection to nature. Solid stone assemblies provide lasting durability against weather and wear, reducing maintenance demands. Used as an exterior building material in some of Los Angeles most treasured historic buildings, solid stone assemblies connect observers to local history.

DIMENSIONAL STANDARDS

n/a

c. Concrete

A cement based product either poured-in-place or pre-cast in a form or mold. Concrete includes engineered masonry products set in resin or cement such as terrazzo, terracotta, CMU, breeze block, and exposed columns and beams. Other products required for installation that are visually incidental to the concrete product are also included. Concrete excludes fiber cement products, brick, EFIS, and stucco.



INTENT

To provide structures with the lasting durability and a sense of weight and permanence through use of concrete.

DIMENSIONAL STANDARDS

Not applicable

d. Metal

Metal products designed and intended for architectural purposes. Examples include exposed structural steel, architectural metal panels, and decorative metal products. Other products required for installation that are visually incidental to the metal product are also included.



INTENT

To provide structures with the lasting durability and sense of permanence through use of metal.

DIMENSIONAL STANDARDS

Not applicable

e. Wood

Tree-based products milled into a particular shape and size for use as an exterior building material. Examples include wood panels, structural lumber such as cross laminated timber and glulam beams, plank siding, and shingles. Wood excludes products with exposed faces composed substantially of wood chips, particles, and fibers. Examples include structural composite lumber like PSL, LSL, and OSL, and composite panel products like OSB, fiberboard, and particleboard. Wood also excludes faux-wood products such as vinyl, aluminum, and fiber cement siding. Other products required for installation that are visually incidental to the wood product are also included.



INTENT

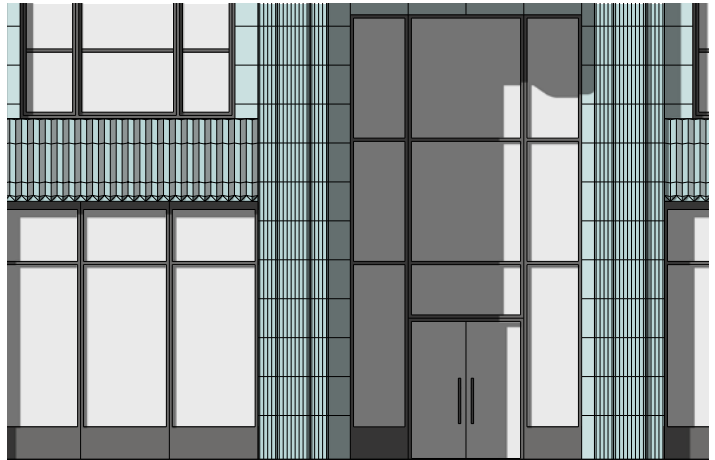
To provide structures with a connection to nature and local history through use of wood. The organic patterns and warm natural colors of exposed wood provide observers with a connection to nature. Used as an exterior building material in some of Los Angeles most treasured historic buildings, wood products connect observers to local history.

DIMENSIONAL STANDARDS

Not applicable

f. Glazed Tile

Ceramic tile having porcelain or natural clay body, glazed for surfacing walls, typically attached to an exterior wall with mortar and finished by filling joints between tiles with a cement- or resin-based grout product. Examples include small or large format tile and structural facing tile. Other products required for installation that are visually subordinate to the tile product are also allowed. Glazed tile excludes terracotta and other non-ceramic tile products.



INTENT

To provide structures with a human scale, durability, and a connection to local history. The profile of glazed tile assemblies provides a regular pattern of channels along grout joints, creating shadow line effects and texture reflecting the scale of the individual tile units. Glazed tile assemblies provide lasting durability against weather and wear, reducing maintenance demands. Used as an exterior building material in some of Los Angeles most treasured historic buildings, glazed tile assemblies connect observers to local history with their familiar luster and sheen.

DIMENSIONAL STANDARDS

Not applicable

g. Horizontal Plank Siding

Courses of long, thin horizontal boards, often overlapping or interlocking horizontally but also including open joint systems. Horizontal plank siding includes clapboard, bevel, lap, weatherboard, shiplap, and rain screen siding and may be composed of a wide range of materials including wood, fiber cement products, and vinyl. Horizontal plank cladding excludes textured panel products with unit sizes exceeding 10 inches in height regardless of the pattern or texture.



INTENT

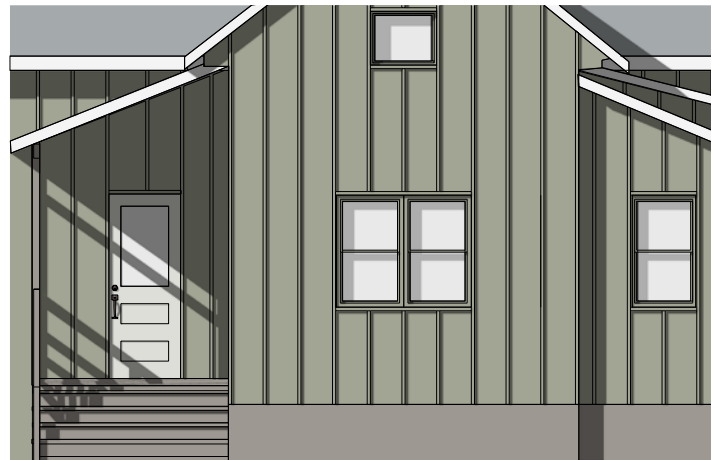
To provide a human scale to buildings. The profile of the siding assembly creates a pattern of horizontal channels providing deep shadow line effects and texture reflecting the scale of the individual board units. The scale of the board units are of a commonly recognized scale related to its manual assembly which naturally helps observers to understand and relate to the overall scale of the structure and recognize the building as a result of tangible human activities rather than machined or synthetic installations.

DIMENSIONAL STANDARDS

- i. Individual board units shall have a height of between 2 and 10 inches.
- ii. Overlapping or interlocking board units may have a height greater than 10 inches provided no board unit is exposed for a continuous height of more than 10 inches.
- iii. Open joint systems shall not provide a gap greater than 3/4" between board units.

h. Vertical Plank Siding

Courses of long, thin vertical boards, often overlapping or interlocking vertically but also including open joint systems. Vertical plank siding includes, board and batten, tongue and groove, shiplap, and rain screen siding and may be composed of a wide range of materials including wood, fiber cement products, and vinyl. Vertical plank cladding excludes textured panel products with continuous reveal dimensions greater than 16 inches in width regardless of the pattern or texture.



INTENT

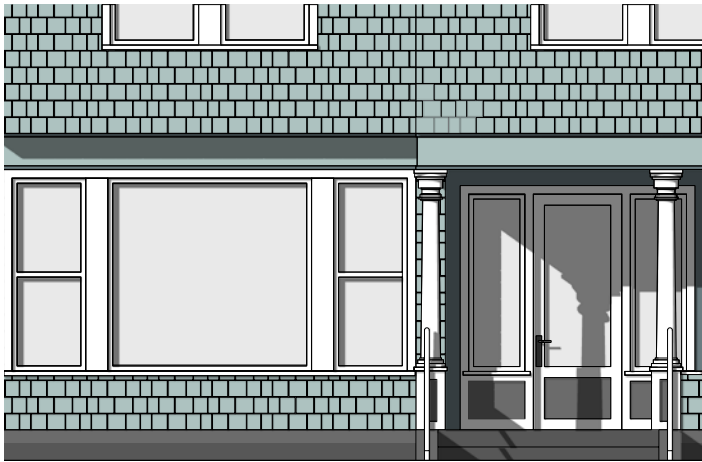
To provide a human scale to buildings. The profile of the siding assembly creates a pattern of vertical channels providing deep shadow line effects and texture reflecting the scale of the individual board units. The scale of the board units are of a commonly recognized scale related to its manual assembly which naturally helps observers to understand and relate to the overall scale of the structure and recognize the building as a result of tangible human activities rather than machined or synthetic installations.

DIMENSIONAL STANDARDS

- i. Individual board units shall have a width of between 1 and 16 inches.
- ii. Overlapping or interlocking board units may have a width greater than 16 inches provided no board unit is exposed for a continuous width of more than 16 inches.
- iii. Open joint systems shall not provide a gap greater than 3/4" between board units.

i. Shingle Siding

Courses of short, thin building materials, overlapping horizontally. Shingle siding includes square, round, half-cove, and hexagon, shaped shingles and be composed of a wide range of materials including cedar, cementitious fiberboard, and vinyl. Shingle siding excludes asphalt roofing shingles and textured panel products with continuous reveal dimensions greater than 24 inches in width or 12 inches in height regardless of the pattern or texture.



INTENT

To provide a human scale to buildings. The profile of the shingle assembly creates a pattern of vertical and horizontal channels providing deep shadow line effects and texture reflecting the scale of the individual shingle units. The scale of the shingle units are of a commonly recognized scale related to its manual assembly which naturally helps observers to understand and relate to the overall scale of the structure and recognize the building as a result of tangible human activities rather than machined or synthetic installations.

DIMENSIONAL STANDARDS

- i. Individual shingle units shall have a width of between 2 and 24 inches.
- ii. Individual shingle units shall have a height of between 2 and 12 inches.
- iii. *Shingle units may have a width greater than 24 inches or a height greater than 12 inches provided no individual shingle is exposed for a continuous width of more than 24 inches or a continuous height of more than 12 inches.*

j. Stucco

A building material composed primarily of Portland cement, finely ground limestone, sand and water, applied directly onto a building over a reinforcing base mesh. Stucco excludes textured panel products and synthetic stucco such as EIFS, elastomeric stucco, and acrylic stucco.



INTENT

To provide structures with durability and a connection local history. Stucco provides lasting durability against weather and wear, reducing maintenance demands. Used as an exterior building material in some of Los Angeles most treasured historic buildings, stucco connects observers to local history.

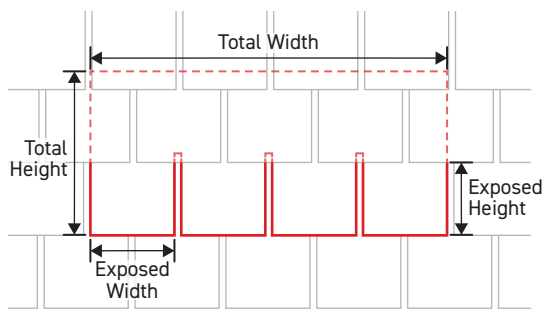
DIMENSIONAL STANDARDS

Not applicable

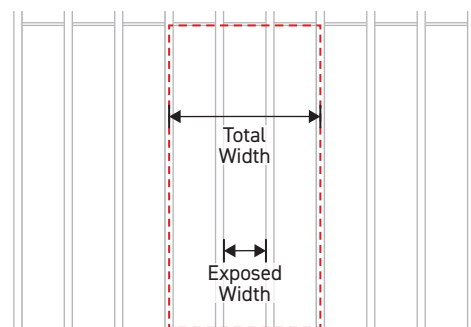
D. Measurement

1. The height of individual board, brick, or shingle unit is measured as the greatest dimension from one end of the unit to the opposite end of the unit, measured vertically and based on the proposed installation pattern.
2. The width of individual board, brick, or shingle unit is measured as the greatest dimension from one end of the unit to the opposite end of the unit, measured horizontally and based on the proposed installation pattern.
3. Exposed width is measured as the largest horizontal dimension of a board or shingle unit that is uninterrupted by either, another board or shingle covering the first unit, or a gap or break in the board or shingle unit, for the full height of the unit.
4. Exposed height is measured as the largest vertical dimension of a board or shingle unit that is uninterrupted by either, another board or shingle covering the first unit, or a gap or break in the board or shingle unit, for the full height of the unit.

SHINGLE SIDING (SQUARE)



VERTICAL PLANK (BOARD & BATTEN)



5. Gap between board units is measured as the distance between board units at the widest point.

E. Relief

1. Deviation from exterior material option standards may be granted in accordance with Sec. 13B.5.1. (*Alternative Compliance*).
2. Up to a 10 percent modification to any exterior material option dimensional standard may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
3. Deviation from any exterior material option standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

DIV. 3D.11. **ROOF DESIGN**

SEC. 3D.11.1. **ROOF FORM**

Roof form is defined as the shape of the external upper covering of a building, including the frame for supporting the roofing.

A. **Intent**

The intent of the standards of this *Section (Roof Design)* is to ensure that building forms contribute to the established architectural character of surrounding neighborhoods or districts.

B. **Applicability**

1. Roof form standards apply to new construction, a major remodel, or an exterior modification when the applied *Character Frontage District (Div. 3B.9.)* requires a primary roof form on any frontage lot line-facing buildings.
2. A minimum of 70 percent of the total roof area of each applicable building or structure shall meet roof form standards, measured horizontally.

C. **Standards**

1. **General**

All building and structures shall have a roof form listed as a roof form option in the applied *Frontage District (Part 3B.)*.

2. **Roof Form Options**

a. **Flat**

A roof with a maximum pitch of 2:12 (two inch of vertical rise for every 12 inches of horizontal span) or less. Flat roof forms include roofs with parapets up to six feet in height.

D. **Measurement**

1. Roof pitch is measured by calculating a roof's vertical rise in inches divided by a foot of its horizontal span and is represented as a ratio.
2. Roof form is measured as compliant or non-compliant based on whether it meets the standards and definition of one of the roof form options allowed by the applied *Frontage District (Part 3B.)*.

E. **Relief**

1. Up to a 10 percent reduction in the total required roof area having an allowed roof form may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.

2. A deviation from roof form dimensional standard up to 10 percent may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. Deviation from any roof form standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 3D.11.2. **ROOF MATERIALS**

A. **Intent**

The intent of the standards of this *Section (Roof Materials)* is to ensure that a building's roof finishing materials contribute to the established architectural character of surrounding neighborhoods or districts.

B. **Applicability**

This *Section (Roof Materials)* applies to new construction, a major remodel, or an exterior modification. When roof materials standards apply, the standards apply to all portions of a required primary roof form pursuant to *Sec. 3D.11.1. (Roof Form)* on any frontage lot line-facing buildings on a lot.

C. **Standards**

Only roof materials specified by the applied *Frontage District (Part 3B.)* shall be used to finish an applicable roof.

D. **Measurement**

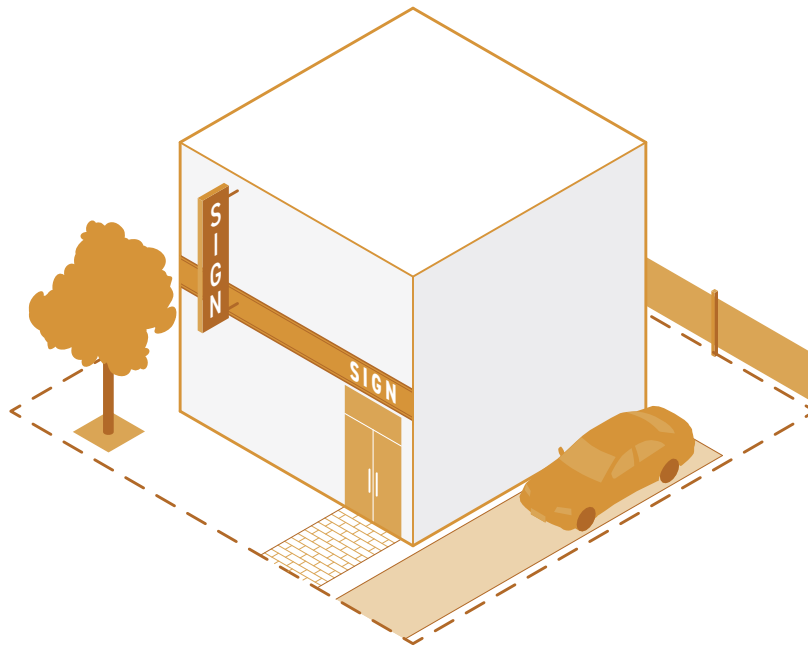
Roof materials are measured as compliant or non-compliant based on whether all applicable roofs meet the roof materials standards.

E. **Exceptions**

Roof material standards do not apply to accessory roof forms.

F. **Relief**

1. Up to a 10 percent reduction in the total required roof area finished of an allowed roof material may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. Deviation from roof materials standards may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.



ARTICLE 4. **DEVELOPMENT STANDARDS**

[FORM - FRONTAGE - **STANDARDS**] [USE - DENSITY]

Part 4A. **Introduction**

Part 4B. **Development Standards Districts**

Part 4C. **Development Standards Rules**

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DIV. 4A.1. **ORIENTATION**

SEC. 4A.1.1. **RELATIONSHIP TO ZONE STRING**

A zone string is composed of the following districts:



The Development Standards District is a separate and independent component of each zone.

SEC. 4A.1.2. **HOW TO USE ARTICLE 4. (DEVELOPMENT STANDARDS)**

A. **Identify the Applicable Development Standards District**

The third component in a zone string is the Development Standards District applied to a property.

B. **Development Standards District Regulations**

1. Development Standards District regulations are located in *Part 4B. (Development Standards Districts)*. Each Development Standards District page identifies the requirements specific to that Development Standards District.
2. Each standard or standards package on a Development Standards District page in *Part 4B. (Development Standards Districts)* provides a reference to *Part 4C. (Development Standards Rules)* where the standard or standards package is explained in detail. Additionally, *Part 4C. (Development Standards Rules)* includes general standards that apply across all Development Standards Districts. Text in italics below a heading provides a definition of that heading

Development Standards District Example:

Zone String

[LM2-MU2-**5**] [RG1-FA]

Find Rules that Apply
in all Districts

Find Your Development
Standards District

Part 4B. (Development Standards Districts)

For Illustrative Purposes Only

DIV. 4B.5. **DEVELOPMENT STANDARDS DISTRICT 5**

SEC. 4B.5.1. **INTENT**

Development Standards District 5 prioritizes the pedestrian experience. Pedestrian access standards facilitate pedestrian circulation by improving pedestrian access from the public realm to the interior of buildings through frequent, direct and convenient access to building entrances. Parking for automobiles is not mandated, contributing to a dynamic and walkable environment. When parking is provided, it must meet high design standards to ensure pedestrian mobility, safety, and comfort are not hindered. On-site signs are sized and located to support a pedestrian-oriented public realm.

SEC.	Name of Standard	STANDARDS	Specification for Standard
	PEDESTRIAN ACCESS		Div. 4C.1
	Pedestrian access package		Package 1
	AUTOMOBILE ACCESS		Div. 4C.2
	Automobile access package		Package 1
	AUTOMOBILE PARKING		Div. 4C.4
	Automobile parking stalls		Package A
	Parking structure design		
		Primary St.	Side St.
	Parking Garage		
	Ground Story	Wrapped	Wrapped
	Upper Stories	Adaptable	Adaptable
	Integrated Parking		
	Ground Story	Wrapped	Wrapped
	Upper Stories	Wrapped	Adaptable
	SIGNS		Div. 4C.11
	Sign package		Package 2
	DEVELOPMENT REVIEW		Div. 4C.14
	Development review threshold		Package 2

Link to
Rules

Frontage
Lot Line

See also Part 4C. (Development Standards Rules) for general development standards that apply to all Development Standards Districts.

Find Your
Rules

Part 4C. (Development Standards Rules)

For Illustrative Purposes Only

DIV. 4C.4. **AUTOMOBILE PARKING**

SEC. 4C.4.1. **AUTOMOBILE PARKING STALLS**

An automobile parking stall is defined as a space within a building, or a private or public parking area, exclusive of ramps, columns, office, and work areas, for the parking of one automobile. Automobile parking stalls do not include bicycle parking.

A. Intent

The intent of the standards of this Section (Automobile Parking Stalls) is to accommodate the arrival to a lot by automobile at a level appropriate to the demand generated by a particular use, within different mobility contexts without creating detrimental effects on surrounding properties or public right-of-way.

B. Applicability

Automobile parking stall standards apply to new construction, major remodel, site modification, or use modification in buildings, structures, lots, or signs on a lot, and as determined by the automobile parking package assigned by the applicable Development Standards District (Part 4B).

C. Standards

1. General

- Project shall provide the minimum number of automobile parking stalls specified in the Required Automobile Parking Table, Table 1 below, based on the project's use and the parking package assigned by the applicable Development Standards District (Part 4B).
- When a lot is used for a combination of uses, the parking requirements are the sum of the requirements for each use, and no parking stall for one use may be included in the calculation of parking requirements for any other use, with the following exceptions:
 - As allowed in Sec. 4C.4.3.C.2. (Shared Parking).
- When parking requirements for a single use on a lot, with a combination of uses results in a fraction, then the total parking required for all uses on a lot shall be calculated based on the sum prior to the rounding of parking requirements for each use, followed by rounding the total amount of parking required for a lot based on the combination of uses.
- In addition to the above, projects shall comply with the electric vehicle charging space requirements in Chapter 12 (Building Regulations), Article 9 (Green Building Code) of this Code.

2. Required Automobile Parking Table

- When the Required Automobile Parking Table below lists multiple parking use requirement options, the option that results in the greater number of required parking stalls applies.
- For the purposes of using the Required Automobile Parking Table, uses are defined in Part 5D.

Except for standards specified by the Development Standards District, standards in Part 4C. apply to all lots according to the corresponding applicability statement.

SEC. 4A.1.3. **DEVELOPMENT STANDARDS DISTRICT NAMING CONVENTION**

All Development Standards District names are identified as a number. All Development Standards Districts are numbered in the order they fall within this *Article (Development Standards)*.

DIV. 4A.2. **GENERAL RULES**

SEC. 4A.2.1. **DEVELOPMENT STANDARDS**

This *Article (Development Standards)* regulates site design including location and site characteristics, such as access, parking, landscape, environmental features and other site features. Development Standards Districts consist of a combination of regulations that are appropriate to a variety of contexts ranging from auto-oriented to pedestrian-oriented.

SEC. 4A.2.2. **DEVELOPMENT STANDARDS APPLICABILITY**

A. **General**

All projects filed after the effective date of this Zoning Code (Chapter 1A) shall comply with the Development Standards Districts and rules in this *Article (Development Standards)*, as further specified in the applicability statement of each Section in *Part 4C. (Development Standards Rules)*. For vested rights, see *Sec. 1.4.5. (Vested Rights)*, and for continuance of existing development, see *Sec. 1.4.6. (Continuance of Existing Development)*.

B. **Applicable Components of Lots and Structures**

Unless otherwise provided, *Development Standards Districts (Part 4B.)* apply to all portions of a lot and all buildings and structures on a lot.

C. **Nonconformities**

Article 12. (Nonconformities) may provide relief from the requirements of this *Article (Development Standards)* for existing lots, site improvements, buildings, structures, and uses that conformed to the zoning regulations at the time they were established, but do not conform to current district standards or use permissions. All project activities shall conform with Development Standards District regulations unless otherwise specified by *Div. 12.4. (Development Standards Exceptions)*.

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DIV. 4B.1. **DEVELOPMENT STANDARDS DISTRICT 1**

[Reserved]

DIV. 4B.2. **DEVELOPMENT STANDARDS DISTRICT 2**

[Reserved]

DIV. 4B.3. **DEVELOPMENT STANDARDS DISTRICT 3**

[Reserved]

DIV. 4B.4. **DEVELOPMENT STANDARDS DISTRICT 4**

[Reserved]

DIV. 4B.5. DEVELOPMENT STANDARDS DISTRICT 5

SEC. 4B.5.1. INTENT

Development Standards District 5 prioritizes the pedestrian experience. Pedestrian access standards facilitate pedestrian circulation by improving pedestrian access from the public realm to the interior of buildings through frequent, direct and convenient access to building entrances. Parking for automobiles is not mandated, contributing to a dynamic and walkable environment. When parking is provided, it must meet high design standards to ensure pedestrian mobility, safety, and comfort are not hindered. On-site signs are sized and located to support a pedestrian-oriented public realm.

SEC. 4B.5.2. STANDARDS

PEDESTRIAN ACCESS		<i>Div. 4C.1.</i>	
Pedestrian access package		Package 1	
AUTOMOBILE ACCESS		<i>Div. 4C.2.</i>	
Automobile access package		Package 1	
AUTOMOBILE PARKING		<i>Div. 4C.4.</i>	
Automobile parking stalls		Package A	
Parking structure design			
		Primary St.	Side St.
Parking Garage			
Ground Story		Wrapped	Wrapped
Upper Stories		Adaptable	Adaptable
Integrated Parking			
Ground Story		Wrapped	Wrapped
Upper Stories		Wrapped	Adaptable
SIGNS		<i>Div. 4C.11.</i>	
Sign package		Package 2	
DEVELOPMENT REVIEW		<i>Div. 4C.14.</i>	
Development review threshold		Package 2	

See also *Part 4C. (Development Standards Rules)* for general development standards that apply to all Development Standards Districts.

DIV. 4B.6. **DEVELOPMENT STANDARDS DISTRICT 6**

SEC. 4B.6.1. **INTENT**

Development Standards District 6 enables the flexibility needed for a diversity of industries with changing demands. Standards for automobile access are permissive and parking minimums are not mandated.

SEC. 4B.6.2. **STANDARDS**

PEDESTRIAN ACCESS	<i>Div. 4C.1.</i>	
Pedestrian access package	Package 4	
AUTOMOBILE ACCESS	<i>Div. 4C.2.</i>	
Automobile access package	Package 3	
AUTOMOBILE PARKING	<i>Div. 4C.4.</i>	
Automobile parking stalls	Package A	
Parking structure design		
	Primary St.	Side St.
Parking Garage		
Ground Story	Concealed	Concealed
Upper Stories	Concealed	Concealed
Integrated Parking		
Ground Story	Concealed	Concealed
Upper Stories	Concealed	Concealed
SIGNS	<i>Div. 4C.11</i>	
Sign package	Package 1	
DEVELOPMENT REVIEW	<i>Div. 4C.14.</i>	
Development review threshold	Package 1	

See also *Part 4C. (Development Standards Rules)* for general development standards that apply to all Development Standards Districts.

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DIV. 4C.1. **PEDESTRIAN ACCESS**

SEC. 4C.1.1. **PEDESTRIAN ACCESS PACKAGES**

A. **Intent**

The intent of the standards of this *Section (Pedestrian Access Packages)* is to promote walkability, improve pedestrian access from the public realm to the interior of buildings, ensure that required entrances are conveniently and effectively accessible to pedestrians, and activate the public realm with building access points and improve convenient pedestrian circulation through large sites to an extent and frequency appropriate to the context.

B. **Applicability**

1. Pedestrian access package standards apply to new construction, a major remodel, a site modification, or an exterior modification, and are applied to a project as determined by the pedestrian access package assigned by the *Development Standards District (Part 4B)* as provided below:
 - a. 'Site access' standards only apply to street-facing entrances required by the applicable *Frontage District (Part 3B.)* and all frontage yards.
 - b. 'Through Access' standards only apply when the lot area is greater than 30,000 feet, or the lot width is equal to or greater than the pedestrian passageway spacing minimum of the pedestrian access package assigned by the applicable *Development Standards District (Part 4B.)*, or the lot is a through lot or abuts either a public right-of-way, public access easement, or a lot zoned with an *Open Space Use District (Div. 5B.1.)* on at least two opposing lot lines, or any of the above lot characteristics combined.

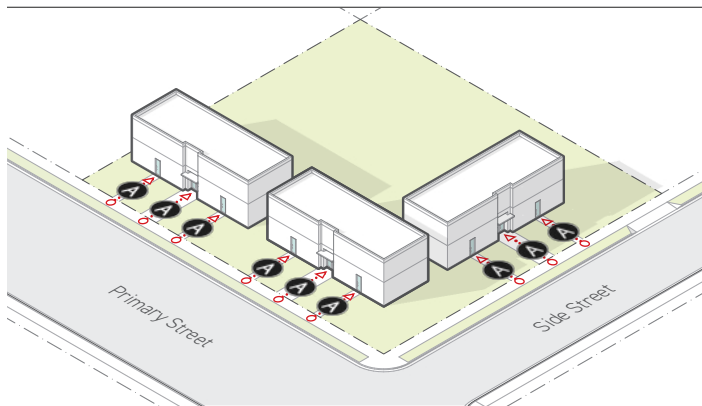
C. **Standards**

1. Pedestrian Access Packages

A pedestrian access package is a combination of standards regulating pedestrian access from the public sidewalk into and through a site.

a. Pedestrian Access Package 1

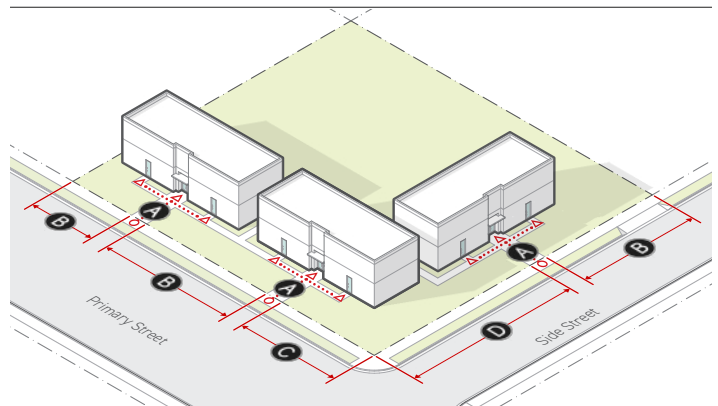
The intent of Pedestrian Access Package 1 is to ensure buildings are highly integrated with the surrounding public realm and promote walking as a safe and convenient mobility option through frequent physical connections between the public realm and the interior of a building and improved porosity through large sites.



SITE ACCESS		Sec. 4C.1.1.C.2.
A Pedestrian accessway type	Direct	
Pedestrian accessway spacing (max)	n/a	
Distance from street intersection (max)	n/a	
THROUGH ACCESS		Sec. 4C.1.1.C.3.
Pedestrian passageway	Required	
Pedestrian passageway spacing (max)	350'	

b. Pedestrian Access Package 2

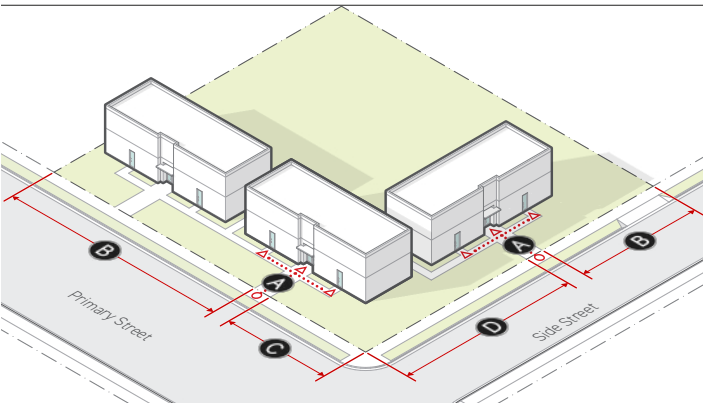
The intent of Pedestrian Access Package 2 is to ensure buildings are conveniently accessible from the public realm and promote walking as a safe and convenient mobility option through regular physical connections between the public realm and the interior of a building and improved porosity through very large sites.



SITE ACCESS		Sec. 4C.1.1.C.2.
A Pedestrian accessway type	Linked	
B Pedestrian accessway spacing (max)	100'	
Distance from street intersection (max)		
C Primary street	50'	
D Side street	100'	
THROUGH ACCESS		Sec. 4C.1.1.C.3.
Pedestrian passageway	Required	
Pedestrian passageway spacing (max)	600'	

c. Pedestrian Access Package 3

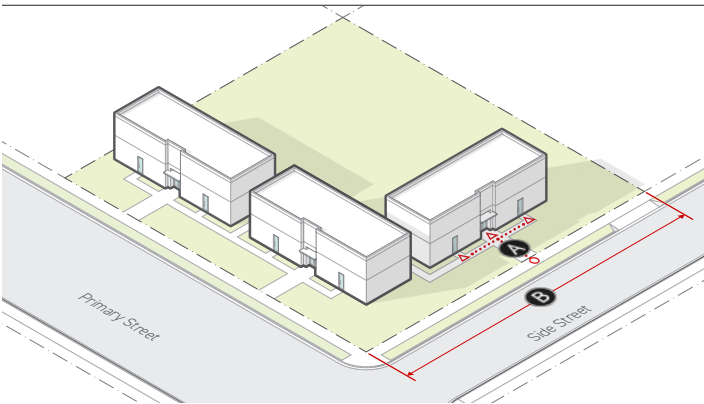
The intent of Pedestrian Access Package 3 is to ensure buildings are accessible from the public realm and promote walking as a safe mobility option through intermittent physical connections between the public realm and the interior of a building.



SITE ACCESS		Sec. 4C.1.1.C.2.
A	Pedestrian accessway type	Linked
B	Pedestrian accessway spacing (max)	300'
	Distance from street intersection (max)	
C	Primary street	100'
D	Side street	300'
THROUGH ACCESS		Sec. 4C.1.1.C.3.
	Pedestrian passageway	Not required
	Pedestrian passageway spacing (max)	n/a

d. Pedestrian Access Package 4

The intent of Pedestrian Access Package 4 is to ensure buildings are accessible from the public realm by requiring a physical connection between the public realm and the interior of a building.



SITE ACCESS		Sec. 4C.1.1.C.2.
A	Pedestrian accessway type	Linked
B	Pedestrian accessway spacing (min)	1 per lot
	Distance from street intersection (max)	n/a
THROUGH ACCESS		Sec. 4C.1.1.C.3.
	Pedestrian passageway	Not required
	Pedestrian passageway spacing (max)	n/a

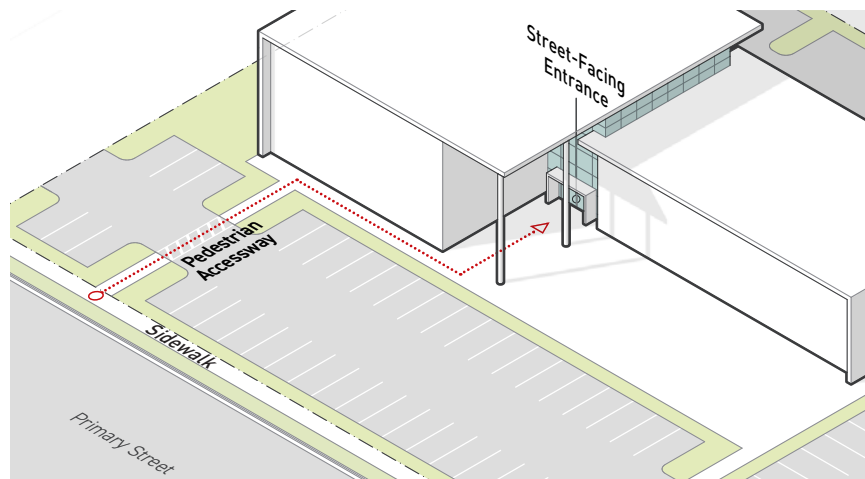
2. Site Access

a. Pedestrian Accessway Type

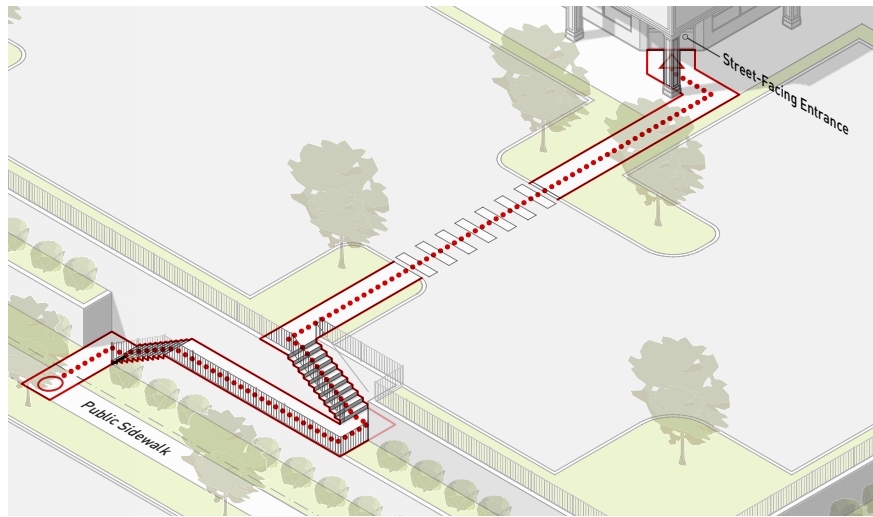
i. Linked

Where the applicable pedestrian access package specifies "linked" as the pedestrian accessway type, all required pedestrian accessways shall meet the following standards:

- a) Be a minimum width of four feet.
- b) Connect from the sidewalk, or other publicly accessible pedestrian facility located along the applicable frontage lot line, to a street-facing entrance required by the applicable *Frontage District (Part 3B.)* within the frontage yard.
- c) Be physically separated from and uninterrupted by motor vehicle use areas except where required to cross a drive aisle. Drive aisle crossings shall be no wider than the minimum drive aisle width specified in Sec. 4C.4.3.C.13. (*Parking Bay Dimensions*). Physical separation methods may include, curbs of no less than four inches in height or bollards, walls, raised planters or similar containment methods, no less than 30 inches in height and separated by no more than five feet.



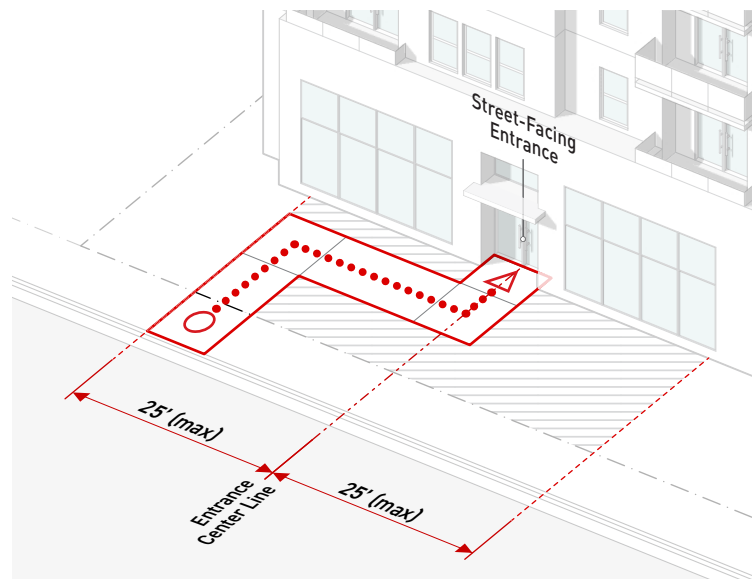
- d) Where a retaining wall, open drainage, or similar obstacle interrupts a required pedestrian accessway, the pedestrian accessway is designed to facilitate passage through or over the obstacle.



ii. **Direct**

Where the applicable pedestrian package specifies "direct" as the pedestrian accessway type, all required pedestrian accessways shall meet the following standards:

- a) Comply with *Sub-subparagraph i. (Linked)* above.
- b) A minimum of one pedestrian accessway is provided to each street-facing entrance required by the applied *Frontage District (Part 3B.)*.
- c) All portions of the pedestrian accessway including the connection to the public sidewalk is within 25 feet of the center of the street-facing entrance, measured parallel to the frontage lot line.



b. Pedestrian Accessway Spacing

A required pedestrian accessway shall not be separated from another pedestrian accessway or the end of a frontage lot line by a distance greater than the maximum allowed pedestrian accessway spacing standard in the applicable pedestrian access package.

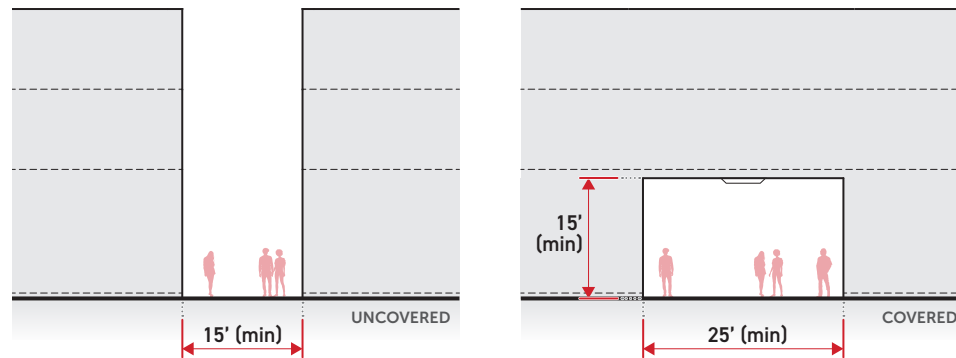
c. Distance from Street Intersection

A pedestrian accessway shall not be separated from a street intersection by a distance greater than the maximum allowed distance from intersection standard in the applicable pedestrian access package.

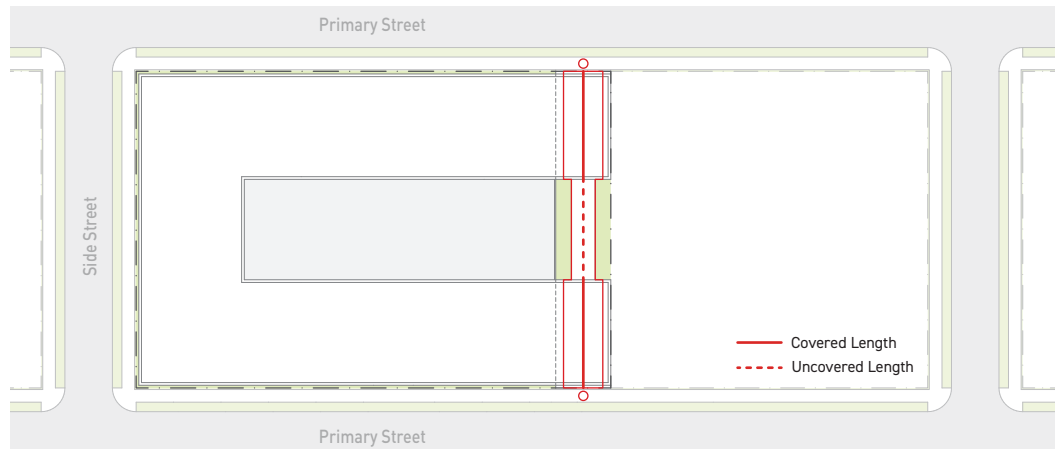
3. Through Access**a. Pedestrian Passageway**

When the applicable pedestrian access package indicates a pedestrian passageway is required, a pedestrian passageway meeting the following requirements shall be provided:

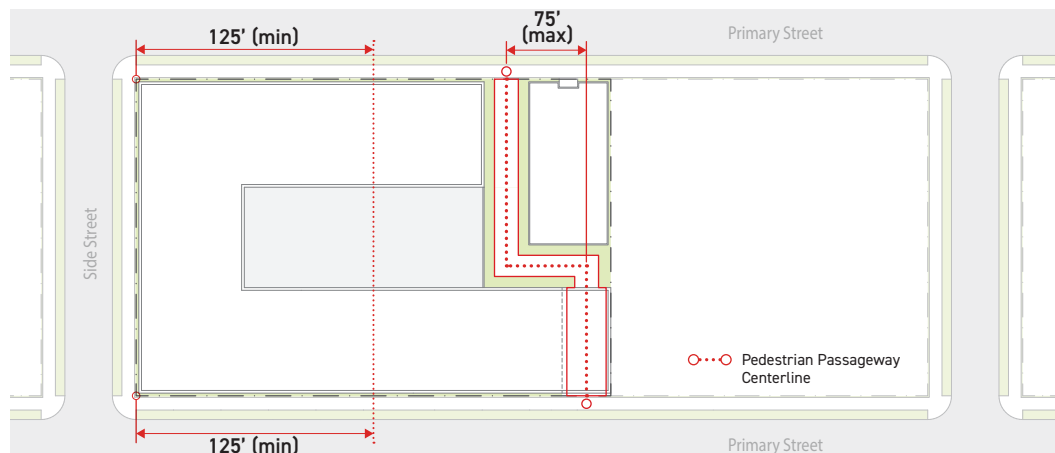
- i. Uncovered portions having a minimum width of 15 feet and covered portions having a minimum width of 25 feet.
- ii. A minimum clear height for covered portions be 15 feet, with the exception of required luminaires.



- iii. For pedestrian passageways having a clear height of less than 30 feet for any portion of its required minimum width, a maximum of 125 linear feet of the total passageway may be covered for any portion of the required minimum width, measured cumulatively.



- iv. For pedestrian passageways having a clear height of 30 to 45 feet for all portions of its required width, a maximum of 350 linear feet of the total passageway may be covered for any portion of the required minimum width, measured cumulatively.
- v. For pedestrian passageways having a clear height greater than 45 feet for all portions of its required minimum width, up to 100 percent of the pedestrian passageway may be covered.
- vi. Shall connect from the public sidewalk on the primary street through the lot to either the public sidewalk, alley, other public way or easement abutting the opposing lot line, or a lot zoned with an *Open Space Use District (Div. 5B.1.)*
- vii. The centerline of any portion of the pedestrian passageway shall be located within 75 feet of centerline of the sidewalk access point on the primary street, measured perpendicular to the primary street lot line.
- viii. Shall take access from the sidewalk along the primary street lot line at least 125 feet from a street intersection.



- ix. Shall be physically separated from and uninterrupted by motor vehicle use areas except where required to cross a drive aisle. Drive aisle crossings shall be no wider than the minimum drive aisle width specified in Sec. 4C.4.3.C.13. (*Parking Bay Dimensions*). Physical separation methods may include curbs of no less than four inches in height, bollards, walls, raised planters, or similar containment methods, no less than 30 inches in height and separated by no more than five feet.
- x. The surface of the passageway shall be illuminated in accordance with Sec. 4C.10.1.C.3. (*Pedestrian-Oriented Lighting*).
- xi. No gates or other barriers may block any portion of a pedestrian passageway from pedestrian access from sunset to sunrise or during operational hours, whichever is longer, and a sign shall be posted at every public entrance to the pedestrian passageway in accordance with the standards in Sec. 2C.3.4.C.10.b. (*Publicly Accessible*).
- xii. Each facade facing the pedestrian passageway shall meet the side street transparency and entrance standards of the applied *Frontage District (Part 3B.)*. For the purposes of determining which facades shall be considered as facing the pedestrian passageway, the pedestrian passageway shall be considered a pedestrian amenity space and measured in accordance with Sec. 14.2.6.C. (*Pedestrian Amenity Space & Public Amenity Space-Facing Facades*).
- xiii. A pedestrian passageway may count toward the amenity requirements, pursuant to Div. 2C.3. (*Amenity*), of the applied *Form District (Part 2B.)* where the pedestrian passageway meets the specifications of an eligible amenity space type specified within Div. 2C.3. (*Amenity*).

4. Pedestrian Passageway Spacing

- a. A required pedestrian passageway shall not be separated from another pedestrian passageway or the end of a primary street lot line by a distance greater than the maximum allowed pedestrian passageway spacing specified by the applied *Development Standards District (Part 4B.)*.
- b. The maximum pedestrian passageway spacing requirement shall be met for each lot individually and is not applicable to adjacent or abutting lots.

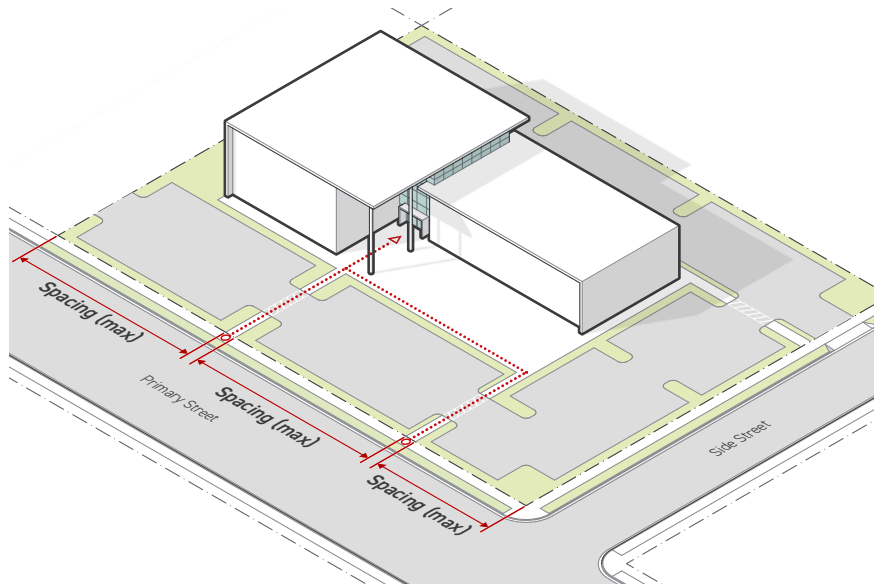
D. Measurement

1. General

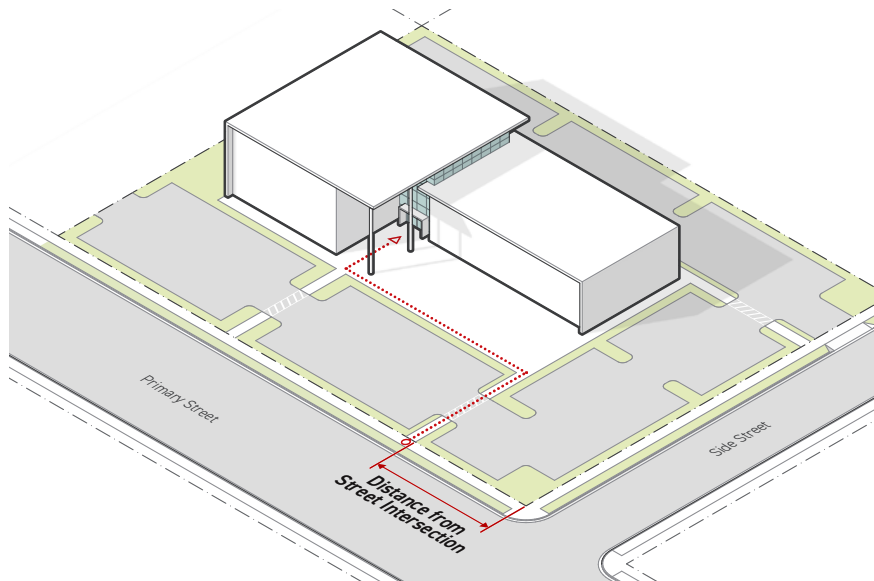
For measurement of the frontage lot line, see *Sec. 14.2.12. (Lot Line Determination)*.

2. Pedestrian Accessways

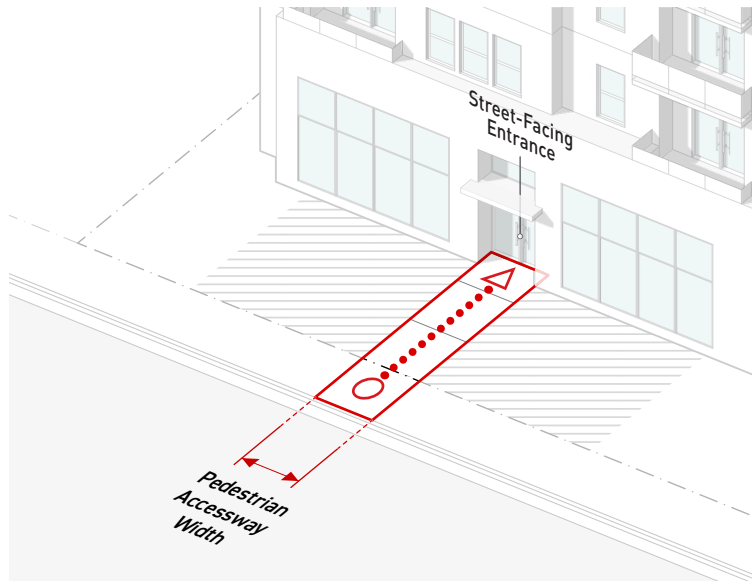
- a. Pedestrian accessway spacing is measured as the distance between two pedestrian accessways, following the geometry of the frontage lot line. Measurement shall be taken from the edge of one accessway where the accessway meets the public sidewalk, to the nearest edge of the nearest accessway located on the same frontage lot line.



- b. Pedestrian accessway distance from a street intersection is measured from the intersection of two street lot lines to the nearest edge of a pedestrian accessway measured along the applicable frontage lot line.

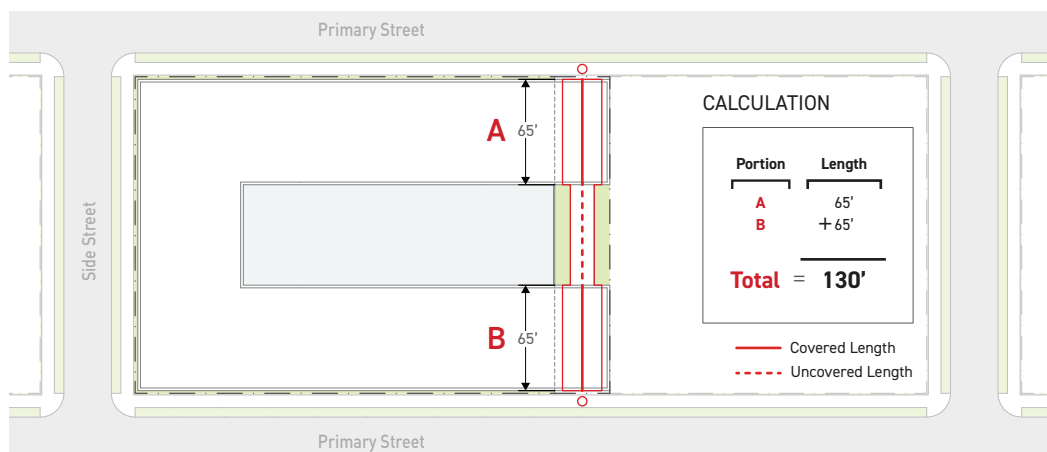


- c. Pedestrian accessway width is measured from one edge of the accessway perpendicularly to the opposite edge.

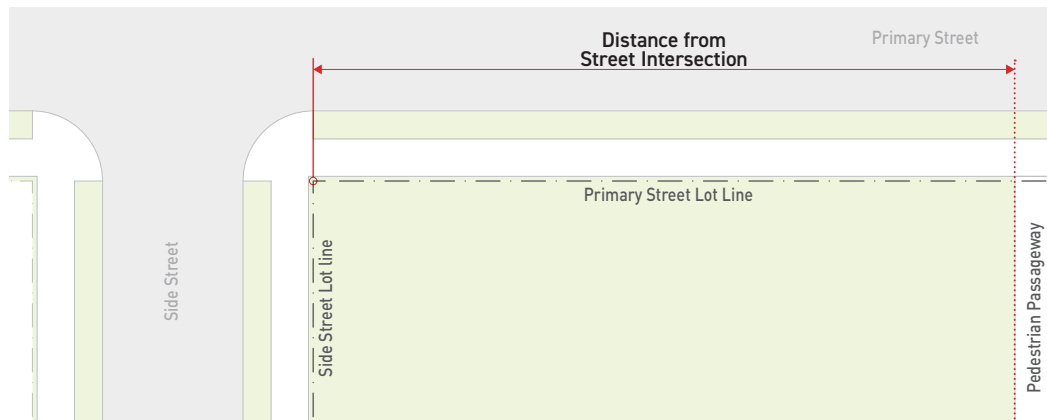


3. Pedestrian Passageways

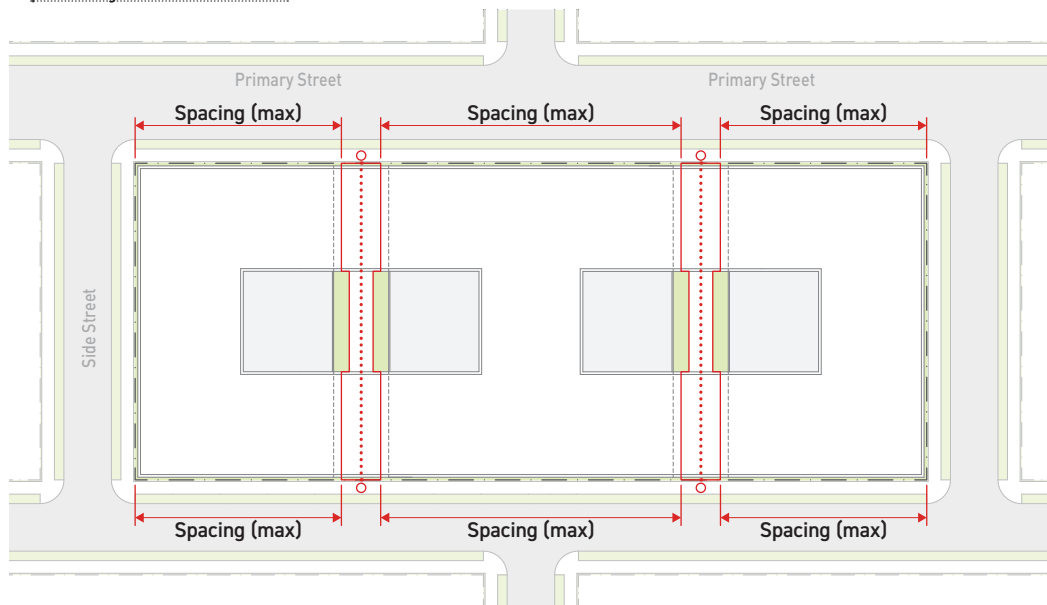
- a. The cumulative linear feet of covered pedestrian passageway is measured along the centerline of the minimum pedestrian passageway width. Where any portion of the minimum width of the pedestrian passageway is not open to the sky, the length of the centerline having covered area perpendicular to it counts as covered length. The total covered length is calculated as the sum of all portions of the centerline considered covered.



- b. Pedestrian passageway distance from street intersection is measured from the point where two street lot lines intersect adjacent to a street corner to the nearest edge of a required pedestrian passageway, measured along the primary street lot line.



- c. Pedestrian passageway spacing is measured as the horizontal distance between designated pedestrian passageways, measured along the applicable frontage lot line pursuant to Sec. 4C.1.1.C.3.a.vi. (Pedestrian Passageway) above from the edge of one pedestrian passageway to the nearest edge of the next pedestrian passageway, the end of a primary street lot line, or street intersection, whichever is closest.



E. Exceptions

Site access standards do not apply to non-required entrances.

F. Relief

1. Alternative Compliance from any pedestrian access standard may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A deviation from any pedestrian access dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A deviation from any pedestrian access standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.1.2. PEDESTRIAN BRIDGES & TUNNELS**A. Intent**

The intent of the standards of this *Section (Pedestrian Bridges & Tunnels)* is to limit the creation of new pedestrian bridges and tunnels that create an inhospitable environment for pedestrians at the street level, and to ensure that, in the event pedestrian bridges and tunnels are deemed necessary to the feasibility of a project, that they positively contribute to the public realm and general pedestrian safety.

B. Applicability

Pedestrian bridges and tunnels standards are applicable to the new construction of pedestrian bridges and pedestrian tunnels.

C. Standards**1. General**

The construction and operation of a pedestrian bridge or tunnel shall be authorized in accordance with *Sec. 13B.2.5. (Director Determination)*. In addition to the findings otherwise required by *Sec. 13B.2.5. (Director Determination)*, before granting approval, the Director shall find that the proposed pedestrian bridge or tunnel meets the requirements in *Paragraph 2. (Performance Criteria)* and *Paragraph 3. (Justification Criteria)* below. Conditions of approval may be applied by the Director pursuant to *Paragraph 4. (Additional Conditions of Approval)* below.

2. Performance Criteria

A pedestrian bridge or tunnel shall meet all of the following performance criteria:

- a. The design of the pedestrian bridge or tunnel is visually compatible with the buildings involved and the surrounding environment.
- b. The pedestrian bridge or tunnel does not have a detrimental effect on surrounding properties, public right-of-way, or the movement of wildlife.

- c. The pedestrian bridge or tunnel includes features that enhance the streetscape and pedestrian safety.
- d. The pedestrian bridge shall not include exterior signage.
- e. Existing sidewalk widths shall not be reduced.
- f. The pedestrian bridge or tunnel shall not detract from the intended use and activation of the public sidewalk.
- g. The pedestrian bridge or tunnel is not located above any lot zoned with an *Open Space Use District (Div. 5B.1.)*.

3. Justification Criteria

The proposed pedestrian bridge or tunnel is justified by one or more of the following criteria:

- a. The pedestrian bridge or tunnel is essential to the viability to, and only allowed for, one of the following uses:
 - i. Civic facility
 - ii. School
 - iii. Hospital
 - iv. Convention Center
- b. The pedestrian bridge or tunnel is essential to the health and safety of occupants of the buildings it serves or the general public.
- c. The pedestrian bridge or tunnel is essential to overcome physical constraints, such as grade changes or public infrastructure.

4. Additional Conditions of Approval

Conditions of approval may be imposed by the Director to ensure the proposed pedestrian bridge or tunnel does not detract from the pedestrian experience or have detrimental effects on surrounding properties or the public right-of-way, or to meet any other performance criteria.

DIV. 4C.2. **AUTOMOBILE ACCESS**

SEC. 4C.2.1. **AUTOMOBILE ACCESS PACKAGES**

A. **Intent**

The intent of the standards of this *Section (Automobile Access Packages)* is to ensure automobile access to sites is designed to support the safety of all users by minimizing conflicts with pedestrians, cyclists, transit vehicles, micro-mobility devices, and automobile traffic on the abutting public right-of-way, and to avoid detrimental effects on the surrounding public realm, while providing sufficient access to automobile parking and motor vehicle use areas.

B. **Applicability**

1. Automobile access package standards apply to new construction, a major remodel, a site modification, or a lot modification, wherever a project provides a driveway from a public right-of-way to a lot, and are applied to a project as determined by the automobile access package assigned by the *Development Standards District (Part 4B.)* and subject to the following:
 - a. Where automobile access package standards are specified for 'Boulevard or Avenue', the standards apply to driveways that take access from a street designated as a boulevard or avenue, as designated by the applicable community plan circulation map.
 - b. Where the automobile access package standards are specified for 'Collector or Local', the standards apply to driveways that take access from a street designated as a collector street or local street, as designated by the applicable community plan circulation map.

C. **Standards**

1. Automobile Access Packages

Automobile access packages are a combination of standards regulating automobile access between the public roadway and a lot.

a. Automobile Access Package 1

Automobile Access Package 1 is intended for areas where walking, bicycling and transit are the prioritized modes of transportation.

	Access Lanes
ACCESS LOCATION	<i>Sec. 4C.2.1.C.3.</i>
Boulevard or Avenue	Limited
Collector or Local	Limited
NUMBER OF ACCESS LANES	<i>Sec. 4C.2.1.C.4.</i>
Boulevard or Avenue	
0'-400' lot width	2
> 400' lot width	4
Collector or Local	
0'-120' lot width	1
120'-400' lot width	2
> 400' lot width	4
Alley	Unlimited
ACCESS LANE WIDTH	<i>Sec. 4C.2.1.C.5.</i>
Boulevard or Avenue (min/max)	9'/12'
Collector or Local (min/max)	8'/12'
DRIVE AISLE SEPARATION	<i>Sec. 4C.2.1.C.6.</i>
Boulevard or Avenue	
From intersection (min)	150'
From other drive aisles (min)	60'
Collector or Local	
From intersection (min)	75'
From other drive aisles (min)	60'
DRIVE-THROUGHS	<i>Sec. 4C.2.1.C.7.</i>
Drive-through facilities	Not Allowed

See Sec. 4C.2.2. (Motor Vehicle Use Area) for additional standards that apply.

b. Automobile Access Package 2

Automobile Access Package 2 is intended for areas where walking, bicycling and transit are balanced with automobiles as the prioritized modes of transportation.

	Access Lanes
ACCESS LOCATION	<i>Sec. 4C.2.1.C.3.</i>
Boulevard or Avenue	Limited
Collector or Local	Limited
NUMBER OF ACCESS LANES	<i>Sec. 4C.2.1.C.4.</i>
Boulevard or Avenue	
0'-200' lot width	2
> 200' lot width	4
Collector or Local	
0'-80' lot width	1
80'-200' lot width	2
> 200' lot width	4
Alley	Unlimited
ACCESS LANE WIDTH	<i>Sec. 4C.2.1.C.5.</i>
Boulevard or Avenue (min/max)	9'/12'
Collector or Local (min/max)	8'/12'
DRIVE AISLE SEPARATION	<i>Sec. 4C.2.1.C.6.</i>
Boulevard or Avenue	
From intersection (min)	150'
From other drive aisles (min)	40'
Collector or Local	
From intersection (min)	75'
From other drive aisles (min)	40'
DRIVE-THROUGHS	<i>Sec. 4C.2.1.C.7.</i>
Drive-through facilities	Not Allowed

See Sec. 4C.2.2. (Motor Vehicle Use Area) for additional standards that apply.

c. Automobile Access Package 3

Automobile Access Package 3 is intended for areas where automobiles are the prioritized mode of transportation.

	Access Lanes
ACCESS LOCATION	<i>Sec. 4C.2.1.C.3.</i>
Boulevard or Avenue	Limited
Collector or Local	Limited
NUMBER OF ACCESS LANES	<i>Sec. 4C.2.1.C.4.</i>
Boulevard or Avenue	
0'-200' lot width	2
> 200' lot width	4
Collector or Local	
0'-200' lot width	2
> 200' lot width	4
Alley	Unlimited
ACCESS LANE WIDTH	<i>Sec. 4C.2.1.C.5.</i>
Boulevard or Avenue (min/max)	9'/16'
Collector or Local (min/max)	8'/16'
DRIVE AISLE SEPARATION	<i>Sec. 4C.2.1.C.6.</i>
Boulevard or Avenue	
From intersection (min)	150'
From other drive aisles (min)	20'
Collector or Local	
From intersection (min)	75'
From other drive aisles (min)	20'
DRIVE-THROUGHS	<i>Sec. 4C.2.1.C.7.</i>
Drive-through facilities	Allowed

See Sec. 4C.2.2. (Motor Vehicle Use Area) for additional standards that apply.

2. General

a. Design

All vehicle drive aisles shall conform to Sec. 4C.2.2. (*Motor Vehicle Use Area*).

b. Queuing Depth

Access lanes designated for ingress traffic shall have a depth no less than the minimum specified in the table below, based on the total number of parking stalls included within the parking facilities that the access lane serves.

QUEUING DEPTH		
Total Parking Stalls	Queuing Depth	
	Boulevard or Avenue	Collector or Local
1-10	20' min	0' min
11-100	20' min	20' min
101-300	40' min	40' min
> 300	60' min	60' min

- i. Vehicle entry restriction devices, such as mechanical gates or ticket dispensers, are prohibited within the driveway and drive aisle for the minimum queuing depth.
- ii. Automobile parking stalls shall not be accessed from the drive aisle for the minimum queuing depth.
- iii. Drive aisles providing internal circulation within a parking facility shall not intersect a drive aisle that is providing access to a lot from the street for its minimum queuing depth.

3. Access Location

a. Limited

Where an automobile access package specifies "Limited" for any street designation, the following standards apply:

- i. Access lanes shall not take access through primary street lot lines unless the lot does not include a side street lot line or alley lot line through which access can be taken.
- ii. Access lanes shall not take access through side street lot lines unless the lot does not include an alley lot line through which access can be taken.
- iii. For an alley lot line to be considered eligible for automobile access, the abutting alley shall have a minimum width of 12 feet.

b. Permitted

Where an automobile access package specifies "Permitted" for a street designation, access lanes are permitted along the specified street lot line.

4. Number of Access Lanes

The total number of access lanes taking access to a lot shall be no greater than the number specified by the applicable automobile access package based on the lot width. Lot width shall be measured along the street lot line from which access is limited pursuant to *Paragraph 3. (Access Location)* above.

5. Access Lane Width

Access lanes shall be no wider than the maximum and no narrower than the minimum width specified by the applicable automobile access package. When more than one access lane is permitted on a lot, two access lanes may be conjoined to create a dual-lane drive aisle, the maximum width of which is the sum of two allowable single access lane widths. A drive aisle may be no wider than the sum of all included access lane widths, excluding gutters of no more than 18 inches wide, curbs, and pedestrian accessways.

6. Drive Aisle Separation**a. From Intersection**

- i. Drive aisles shall be separated from all street intersections by a distance no less than the minimum distance specified by the applicable automobile access package, measured parallel to the applicable street lot line.
- ii. Where the intersecting street only interrupts the opposite edge of the subject street right-of-way (ex: three-way intersection), the following standards apply:
 - a) Where at least one of the intersecting street rights-of-way is not designated as a local street, the drive aisle shall be located no less than half of the minimum distance specified by the applicable automobile access package.
 - b) Where both intersecting streets are designated as local streets, no drive aisle separation from the intersection is required.
- iii. Drive aisles may only be placed within the minimum street separation from intersection when the lot width is less than 170 feet on a boulevard or avenue and 85 feet on a Collector or Local, and drive aisles are placed along the side lot line located furthest from the street intersection. When there are multiple intersections from which separation is required, drive aisles shall be placed at the midpoint between the street intersections.

b. From Other Drive Aisles

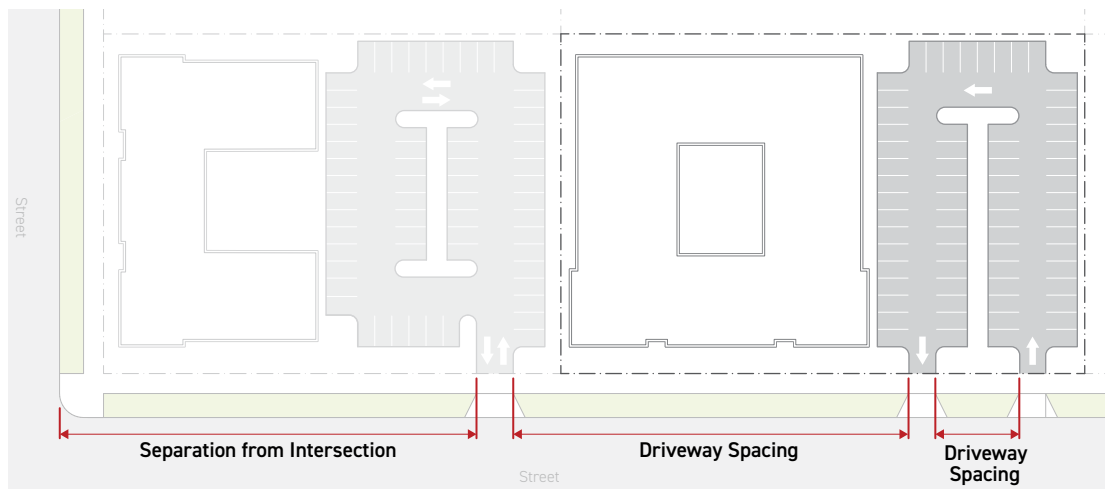
Drive aisles shall be separated from all other drive aisles located on the same street lot line by a distance no less than the minimum distance specified by the applicable automobile access package, measured parallel to the applicable street lot line.

7. Drive-Throughs

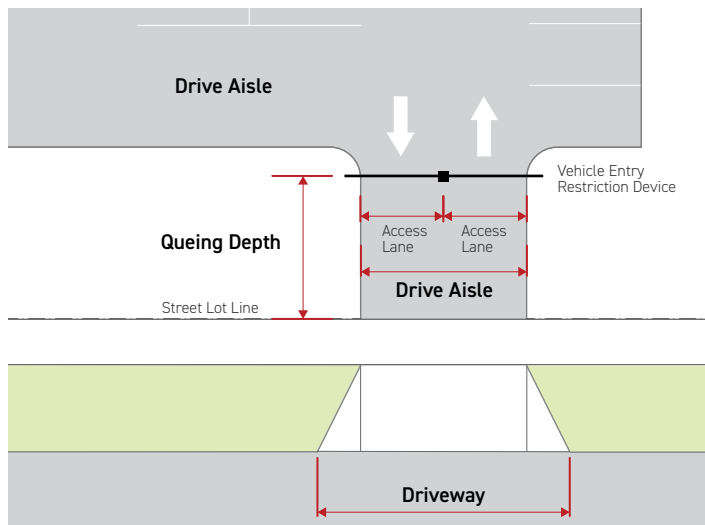
- a. Where the applicable automobile access package specifies that drive-through facilities are "Not Allowed", no drive-through facility may be provided on the lot.
- b. Where the assigned automobile access package specifies that drive-through facilities are "Allowed", a drive-through facility may be provided on-site provided they meet the standards for drive-through lanes provided in Sec. 4C.2.2.C.3. (*Motor Vehicle Use Area*).

8. Measurement

- a. For determining primary street lot line and side street lot line measurements see Sec. 14.2.12. (*Lot Line Determination*).
- b. Street designation is determined by the applicable community plan circulation map.
- c. Number of access lanes is calculated as the total number of access lanes providing access to a lot along an individual street lot line.
- d. Drive aisle separation from intersections is measured parallel to the street lot line that the drive aisle takes access through, from the extension of the curb along the intersecting street to the edge of the nearest access lane.
- e. Drive aisle separation from other drive aisles located on the same street lot line is measured following the geometry of the street lot line that the drive aisle takes access through, from edge of drive aisle to edge of drive aisle. Drive aisle separation from other drive aisles only includes drive aisles providing access to the subject lot and does not include drive aisles providing access to surrounding lots.



9. Access lane width is measured as the narrowest horizontal dimension from edge of access lane to edge of access lane for the full length of the access lane.
10. Queuing depth is measured from the applicable street lot line, into the lot and perpendicular to the drive aisle width, to the abutting drive aisle or vehicle entry restriction device.



D. Relief

1. Alternative Compliance from any automobile access standard may be granted in accordance with Sec. 13B.5.1. (Alternative Compliance).
2. A deviation from any drive aisle separation, width or depth dimensional standard, or drive aisle separation of 20 percent or less may be granted in accordance with Sec. 13B.5.2. (Adjustment).
3. One additional access lane in excess of the maximum number of access lanes permitted may be granted in accordance with Sec. 13B.5.2. (Adjustment).
4. A deviation from any automobile access standard may be granted as a variance in accordance with Sec. 13B.5.3. (Variance).

SEC. 4C.2.2. MOTOR VEHICLE USE AREA

A motor vehicle use area is defined as portions of a lot designed and intended for use by motor vehicles, including areas to be used by motor vehicles for circulation, maneuvering, loading, staging, queuing, service areas and areas to be used for the sale or storage of motor vehicles

A. Intent

The intent of the standards of this Section (Motor Vehicle Use Area) is to ensure motor vehicle use areas are designed in a manner that does not detract from the safety, comfort, or enjoyment of users of neighboring lots or the public realm.

B. Applicability

Motor vehicle use area design standards apply to new construction or a site modification. When motor vehicle use area design standards apply, the standards apply to the lot, including areas to be used by motor vehicles for circulation, maneuvering, staging, queuing, service areas and areas to be used for the sale or storage of motor vehicles.

C. Standards

1. General

a. Location

- i. Motor vehicle use areas shall not be located in a frontage yard.
- ii. Motor vehicle use areas shall not be located in the area between a frontage lot line and the minimum parking setback specified by the applicable *Frontage District (Part 3B.)*.

b. Screening

- i. Where a motor vehicle use area faces a frontage lot line, common lot line or an alley lot line the entire length of the motor vehicle use area shall be screened as follows:
 - a) An *F-Screen 2 (Sec. 4C.8.1.C.2.b.)* or an *F-Screen 3 (Sec. 4C.8.1.C.2.c.)* is required between the motor vehicle use area and frontage lot lines for any portion of the length of the motor vehicle use area that faces a frontage lot line.
 - b) A *T-Screen 1 (Sec. 4C.8.2.C.3.a.)* is required between the motor vehicle use area and common lot lines for any portion of the length of the motor vehicle use area that faces a common lot line.
 - c) A *T-Screen 1 (Sec. 4C.8.2.C.3.a.)* is required between the motor vehicle use area and alley lot lines for any portion of the length of the motor vehicle use area that faces an alley lot line.
- ii. Screens located in a frontage yard shall comply with frontage yard fence & wall standards in the applied *Frontage District (Part 3B.)*.

c. Containment Perimeter

Motor vehicle use areas shall include a containment perimeter that obstructs motor vehicles from leaving the designated motor vehicle use area. The containment perimeter shall be provided using one or more of the following containment methods around the entire perimeter except for crossings and access points required for driveways, drive aisles, pedestrian accessways, pedestrian passageways:

- i. Continuous curbs of no less than four inches in height.
- ii. Permanent bollards, walls, raised planters, or a similar containment method having a height no less than 30 inches and having a clear width of no more than 66 inches.

- iii. A planting area meeting Sec. 4C.6.4.C.2. (*Planting Areas*) with no horizontal dimension less than five feet.

d. **Surfacing**

- i. All automobile parking areas shall be graded and drained to collect, retain and infiltrate surface water on-site by applying Low Impact Development practices and standards in accordance with *Chapter VI. (Public Works and Property), Sec. 64.72. (Stormwater Pollution Control Measures for Development Planning and Construction Activities)* of this Code.
- ii. Motor vehicle use areas shall be surfaced with hard, durable asphaltic paving which has been mixed at a plant and is at least two inches thick after compaction, with portland cement paving at least three inches thick or with an alternative paving material described in *sub-subparagraph iii.* below.
- iii. Alternative paving materials include the following: porous asphalt, porous concrete, permeable interlocking concrete pavers, permeable pavers, decomposed granite, crushed rock, gravel, and restrained systems (a plastic or concrete grid system confined on all sides to restrict lateral movement, and filled with gravel or grass in the voids).
- iv. Alternative paving materials are permitted for use in every motor vehicle use area, subject to the following standards:
 - a) Any product installed within areas designated by the Fire Department as a fire lane must be approved by the Fire Department.
 - b) Permeable interlocking concrete pavers and permeable pavers shall have a minimum thickness of 80 millimeters (3.14 inches).
 - c) If plants are an element of the alternative paving material, the irrigation system shall not utilize potable water except for plant establishment.
 - d) Products and underlying drainage material shall be installed per manufacturers' specifications. Sub-grade soils shall be compacted as required per the product installation specifications.
 - e) Decomposed granite, crushed rock and gravel shall only be allowed for drive aisles and parking areas serving a maximum of two dwelling units.

2. **Freight Loading Areas**

Freight loading areas are areas designated for the on-site loading and unloading of freight vehicles.

a. General

All freight loading areas on-site shall meet the following standards:

- i. Shall meet Sec. 4C.2.2.C.1. (Motor Vehicle Use Area).
- ii. Shall meet the following dimensional standards:

FREIGHT LOADING AREA DIMENSIONAL STANDARDS

Area (min)	400 SF
Width (min)	10'
Depth (min)	20'
Clear height (min)	14'

- iii. Be located and designed so that vehicles do not occupy any portion of the public right-of-way when stationary during loading and unloading.
- iv. Loading and unloading activities will not occur in public streets, with the exception of loading areas designated by the City.
- v. Loading and unloading activities will not encroach on or interfere with the use of sidewalks, driveways, drive aisles, automobile queuing spaces, or parking areas.
- vi. Include one permanent "NO IDLING" sign for every 400 square feet of freight loading area. Signs shall be at least 18 inches by 24 inches in dimension and installed to be facing and located within 10 feet of each freight loading area provided. When multiple signs are required to be facing the same freight loading area, signs shall be spaced a minimum of 10 feet apart.

b. Required Freight Loading Areas

Lots that include a tenant space of 10,000 square feet or greater designated for public & institutional uses, general commercial uses, heavy commercial uses, light industrial uses, or heavy industrial uses, that abut an alley having a width of 15 feet or greater, and have an alley lot line 50 feet or wider, shall meet the following additional standards.

- i. The freight loading area for each tenant space shall meet the following minimum dimensional standards:

FREIGHT LOADING AREA TOTAL AREA

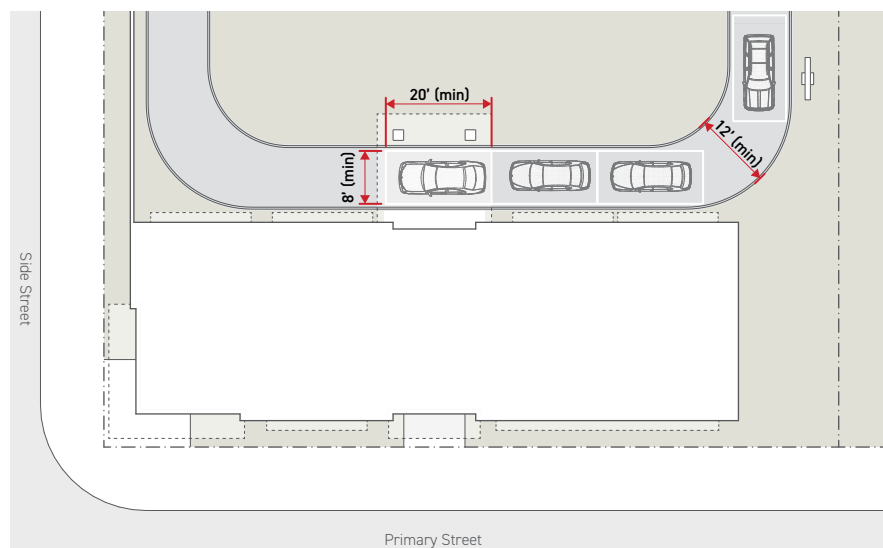
Non-Residential Tenant Size	Area (Min)
< 10,000 SF	None required
10,000 - < 50,000 SF	400 SF
50,000 - < 100,000 SF	600 SF
100,000 - < 200,000 SF	800 SF
> 200,000 SF	+200 SF / each additional 200,000 SF over 200,000 SF

- ii. The total required freight loading area may be provided as a single consolidated loading area equal in size to the sum of the required minimum dimension for each tenant space, or as separated loading spaces that each meet the required minimum dimensions.
- iii. Each required freight loading area shall have direct access to an alley for a minimum width of 12 feet, measured along the alley lot line. Alley access for a freight loading area may be shared among multiple motor vehicle use areas and parking lots.

3. Drive-Through Facilities

A drive-through facility is a facility that provides goods or services to drivers in vehicles. Drive-through facilities include drive-through lanes consisting of queuing spaces.

- a. Where the applicable automobile access package specifies that drive-through facilities are "Not Allowed", no drive-through facility may be provided on-site.
- b. Where the applicable automobile access package specifies that drive-through facilities are "Allowed", a drive-through facility may be provided on-site and shall meet all of the following standards:
 - i. Comply with Subsection C. (Standards) above.
 - ii. Provide a number of automobile queuing spaces sufficient to accommodate the number of automobiles anticipated during peak demand, to the satisfaction of LADOT.
 - iii. Shall not encroach on or interfere with the use of sidewalks, drive aisles providing access to parking stalls, loading areas, or parking areas.
 - iv. Each queuing space in a drive-through lane is a minimum of 20 feet in length and eight feet in width along straight segments of the drive-through lane. Drive-through lanes are a minimum of 12 feet in width along curved segments.



- v. Any drive-through lane that take access directly from the public right-of-way shall be regulated as a drive aisle and subject to the drive aisle standards specified by the applicable automobile access package for the minimum required depth of the queuing depth.
- vi. Reviewed and approved by LADOT to ensure the site design does not create detrimental impacts on pedestrians bicyclists, transit vehicles or riders, micro mobility device users, and automobile traffic and circulation on the abutting right-of-way.

D. Measurement

1. For lot line measurements see Sec. 14.2.12. (*Lot Line Determination*).
2. For frontage yard measurements see Sec. 14.2.16.C.1. (*Frontage yard*).
3. For parking setback measurements see Sec. 3C.2.1. (*Parking Setback*).
4. Freight loading area width is measured as the narrowest horizontal distance between opposite edges of a designated freight loading area.
5. Freight loading area depth is measured as the narrowest horizontal distance measured perpendicular to the freight loading area width from one edge of a designated freight loading area to the opposite edge. A minimum freight loading area depth shall be met for all portions of the freight loading area width.
6. Freight loading area provided is measured as the total area of all areas designated as freight loading area that meet all applicable requirements of Sec. 4C.2.2.C.2. (*Freight Loading Areas*).
7. Drive-through queuing space depth is measured parallel to the drive-through lane from one end to the opposite end of the queuing space.
8. Drive-through queuing space width is measured perpendicular to the queuing space length from one end to the opposite end of the queuing space.

E. Exceptions

Parking lots and parking structures are excluded from motor vehicle use area design standards. For parking lots and parking structure design standards see Sec. 4C.4.3. (*Parking Area Design*).

F. Relief

1. A deviation from any motor vehicle use area design dimensional standard of 10 percent or less may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
2. A deviation from any motor vehicle use area design standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

DIV. 4C.3. BICYCLE PARKING

SEC. 4C.3.1. BICYCLE PARKING SPACES

A. Intent

The intent of the standards of this *Section (Bicycle Parking Spaces)* is to promote bicycling as an alternative to automobile transportation, and to ensure safe, secure, accessible, and convenient storage of bicycles for all users.

B. Applicability

This *Section (Bicycle Parking Spaces)* applies to new construction, a major remodel, a site modification, or a use modification.

C. Standards

The required number of short-term and long-term bicycle parking spaces are determined by use according to the following provisions:

1. Residential

For all residential uses containing more than three dwelling units, long-term and short-term bicycle parking shall be provided according to the ratios specified for each marginal increment of dwelling units as indicated in the table below.

	REQUIRED BICYCLE PARKING	
	SHORT-TERM (Sec. 4C.3.2.)	LONG-TERM (Sec. 4C.3.3.)
RESIDENTIAL		
1st 25 <u>dwelling units</u>	1/10 <u>du</u> , (2 min)	1/ <u>du</u>
26th-100th <u>dwelling unit</u>	1/15 <u>du</u> , (2 min)	1/1.5 <u>du</u>
101st-200th <u>dwelling unit</u>	1/20 <u>du</u> , (2 min)	1/2 <u>du</u>
201st + <u>dwelling units</u>	1/40 <u>du</u> , (2 min)	1/4 <u>du</u>

- a. Developments that include individually accessed private garages for each dwelling unit shall not be required to provide long-term bicycle parking.
- b. Notwithstanding the above, for all supportive housing uses, short-term bicycle parking shall be provided at a rate of one space per 10,000 square feet of floor area and long-term bicycle parking shall be provided at a rate of 1 space per 5,000 square feet of floor area. A minimum of two short-term and two long-term bicycle parking spaces shall be provided.

2. Public & Institutional, Open Space & Recreation, Transportation, General Commercial, Heavy Commercial, and Industrial Uses

Short-term and long-term bicycle parking shall be provided for all public & institutional uses, transportation uses, commercial uses, and industrial uses at the ratio and minimum indicated in the table below.

REQUIRED BICYCLE PARKING		
	SHORT-TERM (Sec. 4C.3.2.)	LONG-TERM (Sec. 4C.3.3.)
PUBLIC & INSTITUTIONAL USES		
Public & Institutional Uses, except as listed below:	1/10,000 SF, (2 min)	1/5,000 SF, (2 min)
Civic Facility: All	1/10 provided automobile parking stalls, (5 min)	1/10 required automobile parking stalls, (5 min)
School: K-12	4/classroom, (2 min)	1/10 classrooms, (2 min)
School: Post-secondary	1/500 SF or 1/50 fixed seats whichever is greater, (2 min)	1/1,000 SF or 1/100 fixed seats whichever is greater, (2 min)
Utilities: All	--	--
OPEN SPACE & RECREATION USES		
Open Space & Recreation Uses, except as listed below:	1/10,000 SF, (2 min)	1/10,000 SF, (2 min)
Nature Reserve	--	--
Open Space, Public	1/10 provided automobile parking stalls, (5 min)	1/10 provided automobile parking stalls, (5 min)
Open Space, Public (< 2 acres and no automobile parking provided)	--	--
Indoor Recreation: Public	1/10 provided automobile parking stalls, (5 min)	1/10 provided automobile parking stalls, (5 min)
Outdoor Recreation: Public	1/10 provided automobile parking stalls, (5 min)	1/10 provided automobile parking stalls, (5 min)
TRANSPORTATION USES		
All	--	--
GENERAL COMMERCIAL USES		
All General Commercial Uses, except as listed below:	1/10,000 SF, (2 min)	1/10,000 SF, (2 min)
Eating & Drinking: All	1/2,000 SF, (2 min)	1/2,000 SF, (2 min)
Entertainment Venue, Indoor: All	1/350 SF or 1/50 fixed seats whichever is greater, (2 min)	1/700 SF or 1/100 fixed seats whichever is greater, (2 min)
Lodging (containing more than 5 lodging units)	1/10 lodging units, (2 min)	1/10 lodging units, (2 min)
Office	1/10,000 SF, (2 min)	1/5,000 SF, (2 min)
Retail: All	1/2,000 SF, (2 min)	1/2,000 SF, (2 min)

"--" = no parking required

REQUIRED BICYCLE PARKING

	SHORT-TERM (Sec. 4C.3.2.)	LONG-TERM (Sec. 4C.3.3.)
HEAVY COMMERCIAL USES		
All Heavy Commercial Uses, except as listed below:	1/10,000 SF, (2 min)	1/10,000 SF, (2 min)
Storage, Indoor: All	--	--
Storage, Outdoor: All	--	--
LIGHT INDUSTRIAL USES		
All	1/10,000 SF, (2 min)	1/10,000 SF, (2 min)
HEAVY INDUSTRIAL USES		
All	1/10,000 SF, (2 min)	1/10,000 SF, (2 min)
AGRICULTURAL USES		
All	--	--

"--" = no parking required

3. City Operated Uses

In all buildings or parking lots used by the City for government purposes, including government office buildings, both short-term and long-term bicycle parking shall be provided at a rate of 10 percent of the required parking. However, no less than five short-term bicycle spaces and no less than five long-term bicycle parking shall be provided for the lot or building.

D. Measurement**1. Multiple Uses**

Where there is a combination of uses on a lot, the number of bicycle parking spaces required is the sum of the requirements of the various uses. The exceptions provided in Sec. 4C.4.1.E. (*Exceptions*) for automobile parking also apply to bicycle parking.

2. Fractions

When the application of these regulations results in the requirement of a fractional bicycle space, any fraction up to and including one-half may be disregarded, and any fraction over one-half is construed as requiring one bicycle parking space. Rounding shall occur after taking the sum of bicycle parking required across all proposed uses, and shall be calculated separately for long-term and short-term spaces.

E. Exceptions

Adaptive reuse projects in accordance with Sec. 9.4.5. (*Downtown Adaptive Reuse Program*) and Sec. 9.4.6. (*Citywide Adaptive Reuse Program*) are not required to provide additional bicycle parking.

F. Relief

1. A deviation from any required bicycle parking dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. A deviation from any required bicycle parking standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.3.2. SHORT-TERM BICYCLE PARKING DESIGN**A. Intent**

The intent of the standards of this *Section (Short-Term Bicycle Parking Design)* is to promote bicycling as an alternative to automobile transportation, ensure safe, secure, accessible, and convenient storage of bicycles for visitors and other short-term users, improve bicyclist access from the public realm to the interior of buildings, and ensure entrances are conveniently and effectively accessible to bicyclists.

B. Applicability

This *Section (Short-Term Bicycle Parking Design)* applies to all short-term bicycle parking spaces required by *Sec. 4C.3.1. (Bicycle Parking Spaces)*.

C. Standards**1. General**

- a. Adequate lighting shall be provided to ensure safe access to bicycle parking facilities in accordance with *Sec. 4C.10.1. (Outdoor Lighting)*.
- b. Owners and operators shall not unreasonably interfere with the ability of bicyclists to safely and conveniently access bicycle parking, including the adoption of unreasonable property management rules. Unreasonable interference includes shorter operating hours for short-term bicycle parking than for the building or automobile parking, prohibitions on walking of bicycles in pedestrian areas that provide access to bicycle parking, and prohibitions on bicycles in elevators where elevators are used to provide access to bicycle parking. The provisions of this *Subparagraph* do not prohibit property owners from requiring bicycles to be walked in pedestrian-only areas.

2. Bicycle Parking Space Design**a. General**

Required short-term bicycle parking shall consist of bicycle racks that do all of the following:

- i. Support the bicycle frame at two points, and support only the wheel of the bicycle are not permissible.

- Bicycle Parking -

- ii. Allow for the bicycle frame and at least one wheel to be locked to the racks.
- iii. Allow for the use of a cable as well as a U-shaped lock.
- iv. If bicycles can be locked to each side of the rack, each side can be counted toward a required space.
- v. Be securely anchored to a permanent surface.
- vi. If more than 20 short-term bicycle parking spaces are provided, at least 50 percent of the bicycle parking spaces shall be 100 percent covered by a roof or overhang.
- vii. Bicycle share station docks counted toward the requirements for short-term bicycle parking spaces as permitted in Sec. 4C.3.2.C.3. (Siting Requirements) shall conform to Sec. 4C.3.2.C.6. (Bicycle Share Station).

b. Horizontal Storage

- i. Short-term bicycle parking spaces shall be a minimum of two feet wide and six feet long.
- ii. Individual racks installed beside each other that allow bicycles to be locked to either side of the rack shall be spaced a minimum of 30 inches on center.
- iii. Racks installed parallel to walls shall be a minimum of 30 inches from the wall, except that bicycle parking spaces providing a tray or channel for insertion of bicycle wheels shall be placed a minimum of 20 inches from the wall.
- iv. Bicycle parking spaces arranged in a vertically staggered layout that permits bicycles to be placed in and removed from each individual space without interference from bicycles in adjoining spaces shall be spaced a minimum of 16 inches on center.

c. Stacked Storage

- i. Alternatively to *Subparagraph b. (Horizontal Storage)* above, short-term bicycle parking may be mounted so that bicycles are stored in a stacked, two-tier layout, provided such parking is an attended bicycle facility where facility staff parks the bicycles, or such racks provide mechanical assistance for lifting the bicycle. If stacked bicycle storage is provided as an attended bicycle parking service, the service must meet the standards outlined in *Paragraph 7. (Attended Bicycle Parking Service)* below.
- ii. Racks installed parallel to walls shall be a minimum of 14 inches from the wall if such spaces are on the upper level of a stacked, two-tier rack.

3. Siting Requirements

- a. Required short-term bicycle parking shall be provided in one of the following location, or a combination of the following:
 - i. On the same lot as the use for which it is intended to serve.

- ii. In a parking facility serving the use for which the bicycle parking is intended to serve.
 - iii. Immediately in front of a lot within the public right-of-way in accordance with *Paragraph 4. (Bicycle Parking in the Public Right-of-Way)* below.
 - iv. In a City-funded bicycle corral in accordance with *Paragraph 5. (Bicycle Corrals)* below.
 - v. In a bicycle share station in accordance with *Paragraph 6. (Bicycle Share Stations)* below.
- b. Bicycle parking shall be located so as to allow bicyclists safe and convenient access to and from the lot.
- c. Bicyclists shall not be required to rely on stairways or escalators for access or to share access with automobiles or other motor vehicles.
- d. Elevators providing access for bicyclists shall be sized to accommodate standard adult bicycle dimensions with both wheels on the floor (at least six feet by two feet).
- e. Short-term bicycle parking shall be located so as to provide safe and convenient access to visitors.
- f. For new construction, at least 50 percent of short-term bicycle parking shall be located outside buildings or parking structures; however, no more than eight short-term bicycle parking spaces per 100 linear feet of street frontage are required to be outside.
- g. All short-term bicycle parking spaces located inside the building or parking structure shall be located on the ground story with a direct pedestrian accessway in accordance with *Sec. 4C.1.1.C.2.a.ii. (Direct)* to a public street.
- h. For new construction, short-term bicycle parking shall be located to maximize visibility from a pedestrian entrance.
- i. All short-term bicycle parking areas located within buildings or parking garages require signs meeting the following standards:
 - i. Permanently posted at the street entrance to each lot.
 - ii. Legible and reflectorized.
 - iii. Indicate the availability and location of bicycle parking within the lot.
 - iv. All signs shall comply with *Div. 4C.11. (Signs)*.
- j. Short-term bicycle parking spaces may be located no farther than 100 feet of walking distance from a pedestrian entrance that provides access to uses that require the bicycle parking spaces.

- k. For buildings with more than one pedestrian entrance, short-term bicycle parking, with the exception of bicycle share stations, shall be distributed in approximately equal proportions among all pedestrian entrances. In buildings with three or more pedestrian entrances, no more than 50 percent of all short-term bicycle parking spaces shall be assigned to a single pedestrian entrance.

4. **Bicycle Parking in the Public Right-of-Way**

Business operators or property owners may install their own racks within the public right-of-way unless a City owned rack already exists, subject to compliance with all LAMC requirements, including but not limited obtaining any necessary permit from the Bureau of Engineering and approval by LADOT.

5. **Bicycle Corrals**

a. **City-Funded Bicycle Corrals**

Any lot located within 500 feet of a City-funded bicycle corral may count up to four bicycle parking spaces within the bicycle corral towards their required short-term bicycle parking spaces.

b. **Bicycle Corral Parking Incentive Program**

- i. Businesses or property owners who have obtained approval from Bureau of Engineering and LADOT to install and maintain a bicycle corral in the right-of-way in front of their property may count all the bicycle parking within the bicycle corral toward their required number of short-term bicycle parking spaces. In such cases, short-term bicycle parking installed in such a manner cannot be counted towards the bicycle parking requirements of surrounding businesses.
- ii. Business operators or property owners shall pay the construction and maintenance costs of building said bicycle corrals.
- iii. Multiple businesses or property owners may submit an application to LADOT as a group and split the costs to construct and maintain the corral.
 - a) In such cases, a single property owner is responsible for assuming the maintenance responsibilities detailed in a recorded covenant maintenance agreement as outlined below in a form approved by LADOT.
 - b) The property owner named in the covenant who is responsible for maintaining the bicycle corral may count the full amount of bicycle parking in the corral towards its short-term bicycle parking requirements.
 - c) All other businesses may count up to half of the bicycle parking spaces in the corral towards their required short-term bicycle parking spaces.

- iv. Business operators or property owners who choose to install bicycle corrals within the public right-of-way shall be responsible for maintaining the racks according to the standards set forth in a covenant maintenance agreement approved by LADOT.
- v. If, for any reason, the responsibility for maintaining a bicycle corral is returned to the City of Los Angeles, it shall be considered a City-funded bicycle corral.
- vi. If, for any reason, the City determines that a bicycle corral has been removed regardless of the reason, business owners shall no longer be able to count the spaces removed toward their required bicycle parking and the said businesses shall be required to provide any bicycle parking spaces lost in the removal of the bicycle corral. Failure to comply may result in the revocation of a business's Certificate of Occupancy and a fine for code violation.

6. Bicycle Share Stations

- a. Bicycle share stations shall conform to *Paragraph 3. (Siting Requirements)* above.
- b. Business operators or property owners may allow a bicycle share service provider to install one or more bicycle share stations on their property, provided that such bicycle share station is part of a bicycle share system approved by LADOT and complies with all location criteria established by LADOT for bicycle share stations.
- c. Any site within 500 feet of a bicycle share station may count up to four bicycle share docks toward the required number of short-term bicycle parking spaces for a building or use on the same lot. In all cases, the number of bicycle share docks counted toward the required number of short-term bicycle parking spaces cannot exceed 10 percent of the total number of short-term bicycle parking spaces required for the subject lot.
- d. Where bicycle share docks are counted toward the required number of short-term bicycle parking spaces, residential and non-residential uses may replace a percentage of the required automobile parking spaces with bicycle share docks in a manner consistent with the limitations and replacement ratio established in *Sec. 4C.4.1.E.10. (Substituting Required Automobile Parking with Bicycle Parking)*.
- e. If, for any reason, bicycle share docks are removed, the associated land uses may no longer count the docks removed toward required bicycle parking and shall be required to replace the number of docks formerly counted toward required bicycle parking with an equivalent number of bicycle parking spaces.

7. Attended Bicycle Parking Service

- a. A pick-up and drop-off location for short-term bicycle parking shall either comply with *Paragraph 3. (Siting Requirements)* above or be co-located with a valet automobile parking pick-up or drop-off location provided on the same lot for the subject use.

- Bicycle Parking -

- b. Once stored, a bicycle left in the care of an attendant(s) shall be accessible only to the attendant(s), with the storage location not necessarily in the same location as the pick-up and drop-off point.
- c. If some or all required short-term bicycle parking spaces are provided by means of an attended bicycle parking service, the service shall be available to building occupants at all times during the hours the building is in operation.
- d. If, for any reason, an attended bicycle parking service is discontinued, the associated land uses may no longer count the attended bicycle parking service toward their required number of bicycle parking spaces and shall be required to provide a number of bicycle parking spaces equivalent to the number formerly provided by the attended bicycle parking service.

D. Measurement

[Reserved]

E. Relief

- 1. An alternative to any short-term bicycle parking design standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
- 2. A deviation from any short-term bicycle parking design dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
- 3. A deviation from any short-term bicycle parking design standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.3.3. LONG-TERM BICYCLE PARKING DESIGN**A. Intent**

The intent of the standards of this *Section (Long-Term Bicycle Parking Design)* is to promote bicycling as an alternative to automobile transportation, ensure safe, secure, accessible, and convenient storage of bicycles for tenants and other long-term users, improve bicyclist access from the public realm to the interior of buildings, and ensure entrances are conveniently and effectively accessible to bicyclists.

B. Applicability

This *Section (Long-Term Bicycle Parking Design)* applies to all long-term bicycle parking spaces required by *Sec. 4C.3.1. (Bicycle Parking Spaces)*.

C. Standards

1. General

- a. Adequate lighting shall be provided to ensure safe access to bicycle parking facilities in accordance with *Sec. 4C.10.1. (Outdoor Lighting)*.
- b. Owners and operators shall not unreasonably interfere with the ability of bicyclists to safely and conveniently access bicycle parking, including through the adoption of unreasonable property management rules. Unreasonable interference includes shorter operating hours for long-term bicycle parking than for any building or automobile parking, prohibitions on walking of bicycles in pedestrian areas that provide access to bicycle parking, and prohibitions on bicycles in elevators where elevators are used to provide access to bicycle parking. The provisions of this *Subparagraph*. do not prohibit property owners from requiring bicycles to be walked in pedestrian-only areas.

2. Bicycle Parking Space Design

a. General

- i. Long-term bicycle parking shall be secured from the general public and protected from inclement weather. All long-term bicycle parking shall be fully enclosed and covered.
- ii. Acceptable examples of long-term bicycle parking include bicycle lockers, bicycle rooms, bicycle cages, or commercially operated attended bicycle facilities.
- iii. Except in the case of lockers and commercially operated attended bicycle parking, all long-term bicycle parking shall provide a means of securing the bicycle frame at two points to a securely anchored rack.

b. Horizontal Storage

Long-term bicycle parking spaces shall be sized to permit safe, efficient, and convenient access to each individual bicycle parking space without interference from bicycles in adjoining spaces, as described below:

- i. Individual racks installed beside each other within bicycle rooms or bicycle cages that allow bicycles to be locked to either side of the rack shall be spaced a minimum of 30 inches on center.
- ii. Racks installed parallel to walls shall be a minimum of 30 inches from the wall, with the exception that bicycle parking spaces that provide a tray into which the bicycle wheels may be inserted may be placed a minimum of 20 inches from the wall, or 14 inches from the wall if such spaces are on the upper level of a stacked, two-tier rack.
- iii. Triangular lockers with varying widths may be used so long as the opening is at least two feet wide.

- iv. Bicycle parking spaces arranged in a vertically staggered layout that permits bicycles to be placed in and removed from each individual space without interference from bicycles in adjoining spaces may be spaced a minimum of 16 inches on center.
- v. If more than 20 long-term bicycle parking spaces are provided, a workspace of 100 square feet shall be provided adjacent to the long-term bicycle parking to allow bicyclists to maintain their bicycles. However, where long-term bicycle parking is provided in more than one location, a single workspace may be provided adjacent to the location with the greatest number of long-term bicycle parking spaces.

c. Vertical Storage

Alternative to *Subparagraph b. (Horizontal Storage)* above, long-term bicycle parking may be mounted so that the bicycle is stored vertically. Such devices that hold the bicycle by the wheel shall be designed to support the bicycle without damaging the wheels. Vertically installed bicycle parking shall be a minimum of four feet deep and six feet in height.

d. Stacked Storage

Alternative to *Subparagraph b. (Horizontal Storage)* and *Subparagraph c. (Vertical Storage)* above, long-term bicycle parking may be mounted so that bicycles are stored in a stacked, two-tier layout, provided such parking is an attended bicycle facility where facility staff parks the bicycles, or such racks provide mechanical assistance for lifting the bicycle.

3. Siting Requirements

- a. Long-term bicycle parking spaces shall be provided in one of the following locations, or in a combination of the following locations:
 - i. On the ground story within 100 feet of the major entrance to the lobby. There shall be safe and convenient access between the public right-of-way, the bicycle parking space, and the lobby area.
 - ii. In the off-street automobile parking area, subject to the following limitations:
 - a) Long-term bicycle parking inside a parking garage may be no more than 200 feet from a pedestrian entrance to the main building, and located so as to provide reasonably convenient access from the bicycle parking to the nearest walkway, ramp, or elevator providing access to the building.
 - b) Long-term bicycle parking inside a parking garage shall be located within the space available on the building's pedestrian entry level, after required handicapped-accessible parking stalls and other elements required by federal, state and local laws have been provided.
 - iii. One level above or below the ground story, within 100 feet of the elevator, ramp, walkway, or other building entrance on that story. In such cases, elevator or ramp access to the building shall be provided.

- iv. Residential long-term bicycle parking may be provided in common storage facilities on residential floors in accordance with Sec. 4C.3.3.C.2. (*Bicycle Parking Space Design*). If residential long-term bicycle parking is provided on residential floors, the amount of bicycle parking on each floor shall be equal to or greater than 50 percent of the number of dwelling units on the same floor.
- b. For lots with multiple uses, long-term bicycle parking may be provided in one or more bicycle parking facilities within 200 feet of each use.
- c. For lots with multiple buildings, required bicycle parking may be sited in one or more bicycle parking facilities within 200 feet of each building.
- d. Bicycle parking shall be located so as to allow bicyclists safe and convenient access to and from the lot.
- e. Bicyclists shall not be required to rely on stairways or escalators for access or to share access with automobiles or other motor vehicles.
- f. Elevators providing access for bicyclists shall be sized to accommodate standard adult bicycle dimensions with both wheels on the floor (at least six feet by two feet).

4. Showers and Personal Lockers

Showers and personal lockers are required for long-term bicycle parking in non-residential uses in accordance with Chapter IX. (*Building Regulations*), Sec. 91.6307. (*Shower and Locker Facilities*) of this Code and shall remain available for the use of building occupants arriving by bicycle.

5. Attended Bicycle Parking Service

- a. A pick-up and drop-off location for long-term bicycle facilities shall either comply with Paragraph 3. (*Siting Requirements*) above or be co-located with a valet automobile parking pick-up or drop-off location provided on the same lot for the subject use.
- b. Once stored, a bicycle left in the care of an attendant(s) shall be accessible only to the attendant(s), with the storage location not necessarily in the same location as the pick-up and drop-off point.
- c. If some or all required bicycle parking spaces are provided by means of an attended bicycle parking service, the service shall be available to building occupants at all times during the hours the building is in operation.
- d. If, for any reason, an attended bicycle parking service is discontinued, the associated land uses may no longer count the attended bicycle parking service toward the required number of bicycle parking spaces and shall provide a number of bicycle parking spaces equivalent to the number formerly provided by the attended bicycle parking service and required to meet the minimum parking requirement.

D. **Measurement**

[Reserved]

E. **Relief**

1. An alternative compliance to any long-term bicycle parking design standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A deviation from any long-term bicycle parking design dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A deviation from any long-term bicycle parking design standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*

DIV. 4C.4. **AUTOMOBILE PARKING**

SEC. 4C.4.1. **AUTOMOBILE PARKING STALLS**

An automobile parking stall is defined as a space within a building, or a private or public parking area, exclusive of driveways, ramps, columns, office, and work areas, for the parking of one automobile. Automobile parking stalls do not include bicycle parking.

A. Intent

The intent of the standards of this *Section (Automobile Parking Stalls)* is to accommodate the arrival to a lot by automobile at a level appropriate to the demand generated by a particular use within different mobility contexts without creating detrimental effects on surrounding properties or public right-of-way.

B. Applicability

Automobile parking stall standards apply to new construction, a major remodel, a site modification, or a use modification to buildings, structures, a lot, or uses on a lot, and as determined by the automobile parking package assigned by the applicable *Development Standards District (Part 4B.)*.

C. Standards

1. General

- a. Projects shall provide the minimum number of automobile parking stalls specified in the Required Automobile Parking Table, Table 1 below, based on the project's use(s) and the parking package assigned by the applied *Development Standards District (Part 4B.)*.
- b. When a lot is used for a combination of uses, the parking requirements are the sum of the requirements for each use, and no parking stall for one use may be included in the calculation of parking requirements for any other use, with the following exceptions:
 - i. As allowed in *Sec. 4C.4.3.C.2. (Shared Parking)*.
 - ii. When parking requirements for a single use on a lot with a combination of uses results in a fraction, then the total parking required for all uses on a lot shall be calculated based on the sum prior to the rounding of parking requirements for each use followed by rounding the total amount of parking required for a lot based on the combination of uses.
- c. In addition to the above, projects shall comply with the electric vehicle charging space requirements in *Chapter IX. (Building Regulations), Article 9. (Green Building Code)* of this Code.

2. Required Automobile Parking Table

- a. When the Required Automobile Parking Table below lists multiple parking stall requirement options, the option that results in the greater number of required parking stalls applies.
- b. For the purposes of using the Required Automobile Parking Table, uses are defined in *Part 5D. (Use Definitions)*.

- Automobile Parking -

-TABLE 1- REQUIRED AUTOMOBILE PARKING

	PARKING PACKAGE				
	A	B	C	D	E
RESIDENTIAL USES					
Dwelling:					
Dwelling units:					
1-4 habitable rooms	--	0.25/du	0.5/du	0.75/du	1/du
5+ habitable rooms	--	0.75/du	1/du	1.5/du	2/du
Accessory dwelling units	See Div. 9.5. (Accessory Dwelling Unit Incentive Program)				
Household Business:					
Family Child Care	See Dwelling (No additional parking required beyond Dwelling)				
Home Occupation	See Dwelling (No additional parking required beyond Dwelling)				
Home Sharing	See Dwelling (No additional parking required beyond Dwelling)				
Joint Living & Work Quarters	Entire Unit including workspace treated as dwelling unit				
Live/Work	Entire Unit including workspace treated as dwelling unit				
Mobile Home Park	See California Code of Regulations, Title 25. (Housing and Community Development), Div. 1. (Housing and Community Development).				
Supportive Housing:					
General	--	0.05/du	0.1/du	0.15/du	0.2/du
Medical Care	--	0.05/bed	0.1/bed	0.15/bed	0.2/bed
Temporary	--	--	--	--	--
PUBLIC & INSTITUTIONAL USES					
Cemetery	--	--	--	--	--
Civic Facility: All	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Civic Fleet Services	--	--	--	--	--
Detention Facility	--	--	--	--	--
Hospital					
Local	--	0.1/bed	0.1/bed	0.2/bed	0.2/bed
Regional	--	0.5/bed	1/bed	1.5/bed	2/bed
Parking	--	--	--	--	--
Public Safety Facility	--	--	--	--	--
Community Assembly: All (excluding all non assembly area)	--	10/1,000 SF	15/1,000 SF	20/1,000 SF	25/1,000 SF
School:					
Preschool/Daycare	--	0.25/1,000 SF	0.5/1,000 SF	0.75/1,000 SF	1/1,000 SF
K-12	--	0.25/1,000 SF	0.5/1,000 SF	0.75/1,000 SF	1/1,000 SF
Post-secondary	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Social Services	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Utilities: All	--	--	--	--	--

"--" = no parking required, "du" = dwelling unit, "SF" = square feet, "ac" = acre.

-TABLE 1- REQUIRED AUTOMOBILE PARKING

	PARKING PACKAGE				
	A	B	C	D	E
OPEN SPACE & RECREATION USES					
Amphitheater or Stadium: All	--	10/1,000 SF	15/1,000 SF	20/1,000 SF	25/1,000 SF
Indoor Recreation:					
Public	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Commercial	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Nature Reserve	--	--	--	--	--
Open Space, Public	--	--	--	--	--
Outdoor Recreation: All	--	--	--	--	--
TRANSPORTATION USES					
All	--	--	--	--	--
GENERAL COMMERCIAL USES					
Animal Sales and Services: All	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Commissary Kitchen	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Eating and Drinking: All					
The service floor area	--	1/1,000 SF	2/1,000 SF	4/1,000 SF	5/1,000 SF
The food & drink preparation area	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Entertainment Venue, Indoor: All (excluding all non assembly area)	--	10/1,000 SF	15/1,000 SF	20/1,000 SF	25/1,000 SF
Financial Services: All	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Instructional Services	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Lodging:	--				
First 30 lodging units	--	0.5/lodging unit	0.5/lodging unit	1/lodging unit	1/lodging unit
Next 30 lodging units	--	0.25/lodging unit	0.25/lodging unit	0.5/lodging unit	0.5/lodging unit
Remaining lodging units	--	--	--	0.25/lodging unit	0.25/lodging unit
Medical Clinic	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Office	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Personal Services	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Postmortem Services	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Retail: All					
The sales floor area	--	1/1,000 SF	2/1,000 SF	3/1,000 SF	4/1,000 SF
The showroom area	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Sexually Oriented Business: All	--	1/1,000 SF	2/1,000 SF	3/1,000 SF	4/1,000 SF

--" = no parking required, "du" = dwelling unit, "SF" = square feet, "ac" = acre.

- Automobile Parking -

-TABLE 1- REQUIRED AUTOMOBILE PARKING

	PARKING PACKAGE				
	A	B	C	D	E
HEAVY COMMERCIAL USES					
All Motor Vehicle Services, except as listed below	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Car Wash	--	--	--	--	--
Motor Vehicle Sales & Rental: All	--	0.5/1,000 SF	1/1,000 SF	1.5/1,000 SF	2/1,000 SF
Storage, Indoor: All		0.5/1,000 SF (1st 10,000 SF) + 0.1/1,000 SF after	1/1,000 SF (1st 10,000 SF) + 0.1/1,000 SF after	1.5/1,000 SF (1st 10,000 SF) + 0.2/1,000 SF after	2/1,000 SF (1st 10,000 SF) + 0.2/1,000 SF after
Storage, Outdoor: All					
0-1 acre of outdoor storage area	--	2	3	5	6
>1-2 acres of outdoor storage area	--	1/ac	1.5/ac	2.5/ac	3.5/ac
>2 acres of outdoor storage area	--	0.25/ac	0.5/ac	0.75/ac	1/ac
LIGHT INDUSTRIAL USES					
All	--	0.5/1,000 SF (1st 10,000 SF) + 0.1/1,000 SF after	1/1,000 SF (1st 10,000 SF) + 0.1/1,000 SF after	1.5/1,000 SF (1st 10,000 SF) + 0.2/1,000 SF after	2/1,000 SF (1st 10,000 SF) + 0.2/1,000 SF after
HEAVY INDUSTRIAL USES					
All Heavy Industrial, except as listed below	--	0.5/1,000 SF (1st 10,000 SF) + 0.1/1,000 SF after	1/1,000 SF (1st 10,000 SF) + 0.1/1,000 SF after	1.5/1,000 SF (1st 10,000 SF) + 0.2/1,000 SF after	2/1,000 SF (1st 10,000 SF) + 0.2/1,000 SF after
Salvage Yard:					
0-1 acre of outdoor storage area	--	2	3	5	6
>1-2 acres of outdoor storage area	--	1/ac	1.5/ac	2.5/ac	3.5/ac
>2 acres of outdoor storage area	--	0.25/ac	0.5/ac	0.75/ac	1/ac
AGRICULTURAL USES					
All	--	--	--	--	--

"--" = no parking required, "du" = dwelling unit, "SF" = square feet, "ac" = acre.

D. Measurement**1. Parking Stalls Per 1,000 Square Feet**

When determining parking stall requirements specified as a ratio having a denominator of "1,000 SF" the method for determining the total number of required parking stalls shall be executed as follows:

- a. Divide the total floor area of the subject use by 1,000. For determining floor area of the specified use, see *Paragraph 3. (Square Feet)* of this *Subsection (Measurement)*.
- b. Multiply the result by the numerator in the specified parking ratio. If the result is a fraction, round in accordance with *Paragraph 5. (Fractional Spaces)* of this *Subsection (Measurement)*.
- c. The result shall be the total number of required automobile parking stalls.

2. Parking Stalls Per Acre

When determining automobile parking stall requirements specified as a ratio having a denominator of "acre" the method for determining the total number of required automobile parking stalls shall be executed as follows:

- a. Divide the total floor area of the subject use by 43,560. For determining floor area of the specified use, see *Paragraph 3. (Square Feet)* below.
- b. Multiply the result by the numerator in the specified parking ratio. If the result is a fraction, round in accordance with *Paragraph 5. (Fractional Spaces)* below.
- c. The result shall be the total number of required automobile parking stalls.

3. Square Feet

For the purpose of calculating required automobile parking stalls in this *Section (Automobile Parking Stalls)*, square feet refers to the total on-site floor area dedicated to a subject use, measured in square feet. The total floor area includes the floor area of accessory buildings. For the calculation of floor area, see *Sec. 14.2.7. (Floor Area)*.

4. Habitable Rooms

For the purpose of applying the automobile parking stall requirements of this *Section (Automobile Parking Stalls)*, any kitchen shall not be considered a habitable room.

5. Fractional Space

When the application of these regulations results in the requirement of a fractional automobile parking stall, any fraction up to and including 1/2 may be disregarded, and any fraction over 1/2 is construed as requiring one automobile parking space. Rounding shall occur after taking the sum of automobile parking required across all proposed uses.

E. Exceptions

1. Accessible Parking

The number of required automobile parking stalls may be reduced by the number of stalls deemed necessary in order to provide accessible parking stalls as required by state, federal and local laws.

2. Amenity Space

Floor area provided as lot amenity space or residential amenity space shall be exempt from parking requirements.

3. Use Modification

No additional parking stalls shall be required for use modification project activities that only modify the following uses:

- a. Indoor recreation: public,
- b. Indoor recreation: commercial, or
- c. All general commercial uses.

4. Electric Vehicle Charging Stations

- a. Each electric vehicle charging station provided above the minimum required by *Chapter IX. (Building Regulations), Article 9. (Green Building Code)* of this Code may be substituted for two required automobile parking stalls for the purpose of complying with any applicable minimum automobile parking stall requirements of this *Section (Automobile Parking Stalls)*.
 - i. Measurement. Where a multiport electric vehicle charger can simultaneously charge more than one vehicle, the number of electric vehicle charging stations shall be considered equivalent to the number of electric vehicles that can be simultaneously charged.
- b. An accessible parking stall with a drive aisle served by electric vehicle supply equipment or an accessible parking stall with an aisle designated as a future electric vehicle charging space shall count as two required automobile parking stalls for the purpose of complying with any applicable minimum parking stall requirements of this *Section (Automobile Parking Stalls)*.

5. Fire Pump Rooms

The number of required automobile parking stalls may be reduced by the number of stalls deemed necessary in order to install a water storage tank to enlarge an existing fire pump room, or to install a new fire pump room.

6. Historic Buildings and Buildings That Are At Least 25 Years Old

No additional parking is required for uses occupying a building that meets one of the following criteria:

- a. The building is a designated historic resource.
- b. The building is a surveyed historic resource.
- c. The building was constructed conforming to building and zoning codes in effect at the time it was built and is at least 25 years old. A Certificate of Occupancy, building permit, or other suitable documentation may be submitted as evidence to verify the date of construction.

7. Office Mixed-Use

- a. Any indoor recreation uses, eating & drinking use, personal services use or retail use sharing a lot with an office use may provide parking at the same rate required for office uses subject to the following requirements:
 - i. The lot includes a total floor area of 50,000 square feet or greater.
 - ii. The office uses shall occupy a minimum of 75 percent of the floor area on the lot.
 - iii. The cumulative floor area dedicated to any combination of indoor recreation uses, eating & drinking uses, personal services uses or retail uses that may provide parking at the same rate required for office uses shall not exceed five percent of the total floor area dedicated for office uses.
 - iv. Any floor area dedicated to any combination of indoor recreation uses, eating & drinking uses, personal services uses or retail uses that exceeds five percent of the total floor area dedicated for office uses shall provide parking at the rate specified for the subject use in the applicable parking package assigned by the applied *Development Standards District (Part 4B.)*.
- b. Any office uses sharing a lot with a wholesale trade & warehousing use may provide parking at the same rate required for wholesale trade & warehousing uses when the following criteria are met:
 - i. The cumulative floor area dedicated to office uses that may provide parking at the same rate required for wholesale trade & warehousing uses shall not exceed 10 percent of the total floor area dedicated for wholesale trade & warehousing uses.
 - ii. Any floor area dedicated to office uses that exceeds 10 percent of the total floor area dedicated for wholesale trade & warehousing uses shall provide parking at the rate specified for office use in the applicable parking package assigned by the applied *Development Standards District (Part 4B.)*.

8. Public Benefit Projects

Projects participating in an Affordable Housing Incentive Program, Community Benefits Program, or a General Incentive Program included in *Article 9. (Public Benefit Systems)*, may qualify for reduced required automobile parking as deemed eligible.

9. Small Business Tenant Space

Non-residential tenant spaces designated for commercial uses having a floor area of 1,500 square feet or less shall be exempt from requirements to provide automobile parking stalls. This exemption is limited to two tenant spaces per lot.

10. Substituting Required Automobile Parking with Bicycle Parking

- a. Required automobile parking stalls may be substituted with bicycle parking at a ratio of one automobile parking stall for every four bicycle parking spaces provided the bicycle parking spaces meet the applicable requirements of *Sec. 4C.3.1. (Bicycle Parking Spaces)*.
- b. Non-residential uses may substitute up to 20 percent of the required automobile parking with bicycle parking. When a non-residential use is located within 1,500 feet of a passenger transit facility, up to 30 percent of the required automobile parking stalls may be substituted with bicycle parking.
- c. Residential uses may substitute up to 10 percent of the required automobile parking with bicycle parking. When a residential use is located within 1,500 feet of a major transit stop, up to 15 percent of the required automobile parking stalls may be substituted with bicycle parking.
- d. Projects participating in an Affordable Housing Incentive Program, Community Benefits Program, or a General Incentive Program included in *Article 9. (Public Benefit Systems)*, may substitute up to 30 percent of the required automobile parking with bicycle parking, as deemed eligible.

11. Conversion of Existing One-Unit Dwellings

Only one automobile parking stall is required for each dwelling unit that results from the conversion of an existing building on a lot that contains only one dwelling unit, provided that the conversion meets the following requirements:

- a. The lot is not in a 1L *Density District (Part 6B.)*;
- b. The conversion is limited to the structural alteration of the existing building or the addition of not more than 250 square feet of floor area thereto;
- c. The conversion results in a total of two or more dwelling units; and
- d. All newly created dwelling units are rental units.

12. Outdoor Dining Area Parking Exception

- a. Outdoor dining areas may replace otherwise required automobile parking stalls, provided that at least one automobile parking stall is provided for the associated eating & drinking use, subject to the following exceptions where no automobile parking is required:
 - i. On a lot where no parking is required for the associated eating & drinking use.
 - ii. Where the associated eating & drinking use has a total floor area of 3,000 square feet or less.
 - iii. Where the outdoor dining area has a total area of 1,000 square feet or less.
- b. Establishments that have been the subject of a wage claim under *Chapter XVIII. (Employee Wages and Protections), Article 8. (Los Angeles Office of Wage Standards Ordinance)* of this Code, on or after January 1, 2024, are not eligible for the outdoor dining area parking exception.

F. Relief

- 1. Alternative Compliance to automobile parking requirements may be granted in accordance with *Sec. 4C.4.3. (Alternative Parking Strategies)*.
- 2. A reduction in required automobile parking requirements of 20 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustments)*.
- 3. A deviation in required automobile parking requirements may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.4.2. ALTERNATIVE PARKING STRATEGIES

A. Intent

The intent of the standards of this *Section (Alternative Parking Strategies)* is to provide opportunities for projects to reduce the number of required automobile parking stalls through alternative methods of accommodating arrival to a lot and reduce demand for automobile parking.

B. Applicability

Alternative parking strategy standards apply to new construction, a major remodel, a site modification, or a use modification.

C. Standards

1. General

- a. A reduction in required automobile parking stalls through the provision of one or more alternative parking strategy may be authorized in accordance with Sec. 13B.2.5. (*Director Determination*). Applicants that wish to provide an alternative parking strategy as a means of reducing the total number of required parking stalls shall submit a report which provides the following:
 - i. Detailed description of all uses involved in the alternative parking strategy, including location, floor area, seating capacity if applicable, and hours of operations.
 - ii. Anticipated parking demand generated by employees, tenants, residents, and visitors on an hourly basis, 24 hours per day, for seven consecutive days.
 - iii. Description of how an alternative parking strategy will alleviate the demand for a specified number of the total required parking stalls.
 - iv. Supplemental maps and plot plans deemed necessary for depicting all relevant components of an alternative parking strategy.
 - v. Supplemental market study detailing the complementary relationship between a mix of uses as deemed necessary for understanding the parking strategy.
- b. Additional documents, covenants, deed restrictions, or other agreements shall be executed and recorded as deemed necessary, in order to assure the continued maintenance, operation and viability of an approved alternative parking strategy, under the conditions set forth in the Director's Determination. Revisions to the parking strategy shall be submitted to the Director in a report documenting the revised manner in which the new parking strategy achieves the same intention and level of service as the originally approved parking strategy.

2. Mixed Use

When a lot combines dwelling uses or office uses with on-site general commercial uses that may serve the lot's residents or employees, the total number of required automobile parking stalls may be reduced when an applicant demonstrates that the lot's commercial uses will cater to the lot's residents or employees. The total number of required automobile parking stalls may be reduced provided the mixed-use site meets all of the following criteria:

- a. Contains 50 or more dwelling units or 50,000 square feet or more dedicated to office use.
- b. General commercial uses are limited to indoor recreation, eating & drinking uses, personal services or retail use.
- c. The general commercial uses shall be limited to 25 percent of total floor area.

- d. The mix of uses sufficiently alleviates the demand for the specified number of required automobile parking stalls.

3. Shared Parking

In order to take advantage of different peak periods of parking demand among nearby uses the total number of required automobile parking stalls may be reduced when an applicant demonstrates that automobile parking stalls can be shared among multiple uses. A parking facility may be shared among multiple uses within the same building or site, as well as uses located on separate sites. The alternative parking strategy shall meet all of the following criteria:

- a. A shared parking facility shall be located within a 750-foot walking distance of each participating use.
- b. Participating uses shall have mutually exclusive periods of peak parking demand.
- c. The shared parking strategy sufficiently alleviates the demand for the specified number of required automobile parking stalls.

4. Proximity to Public Transportation

Uses within walking distance of a public transit facility may take advantage of increased transit ridership among employees, tenants and visitors and a decreased demand for automobile parking. The total number of required automobile parking stalls may be reduced provided the parking strategy meets all of the following criteria:

- a. A use shall be located within a 1,500-foot walking distance of public transit. For this purpose, public transit means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public. A public transit stop or station that is in development may also apply if the anticipated operating date is within three years.
- b. The nearby public transit facility sufficiently alleviates the demand for the specified number of required parking stalls.

5. Shuttle Service

Uses generating travel patterns whereby a majority of employees or visitors arrive and depart within the same time periods may operate a viable shuttle service that decreases the demand for automobile parking and may decrease the total number of required automobile parking stalls, based on the decreased demand, provided the following criteria are met:

- a. A shuttle shall provide scheduled service between the use and a location that can accommodate the arrival of shuttle users, such as a park and ride facility or public passenger transit facility or stop.

- b. A majority of shuttle users arrive and depart roughly within the same three hour period.
- c. The planned shuttle service sufficiently alleviates the demand for the specified number of required parking stalls.

6. Designated Passenger Loading Areas

Uses that can accommodate a high share of arrivals and departures through dynamic ridesharing or taxi services when providing a safe and efficient passenger loading area may have a decreased demand for automobile parking and may decrease the total number of required automobile parking stalls, based on the decreased demand, provided the following criteria are met:

- a. A designated passenger loading area shall be located within a 300-foot walking distance of a street-facing entrance to the use it serves. Travel between a designated passenger loading area and the use being served shall not require pedestrians to cross streets.
- b. The passenger loading area shall not be placed within 75 feet of an intersection.
- c. The passenger loading area shall provide sufficient space for a vehicle to pull out of roadway traffic and safely load and unload passengers without interfering with traffic flow.
- d. The passenger loading area shall not decrease sidewalk space for pedestrians or impede pedestrian movement.
- e. Passenger loading areas shall be clearly indicated with signage.
- f. The designated passenger loading area sufficiently alleviates the demand for the specified number of required parking stalls.

D. Measurement

1. For measurement of walking distance see *Sec. 14.2.3.A.2. (Walking Distance)*.
2. Peak period demand is determined based on the following:
 - a. For projects that have obtained a Certificate of Occupancy, this analysis shall be conducted on an hourly basis, 24 hours per day, for seven consecutive days to identify the maximum average number of automobiles on the lot per hour.
 - b. For projects that have not yet obtained a Certificate of Occupancy, this analysis shall be conducted on an hourly basis, 24 hours per day, for seven consecutive days to identify the maximum average number of automobiles per hour on a lot serving a similar use in the vicinity.

E. Relief

A deviation from any alternative parking strategy dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.

SEC. 4C.4.3. **PARKING AREA DESIGN**

A. **Intent**

The intent of the standards of this *Section (Parking Area Design)* is to ensure parking areas provide sufficient accommodation for automobile parking.

B. **Applicability**

Parking area design standards apply to new construction, a major remodel, a site modification, or a use modification, affecting any parking area containing automobile parking stalls.

C. **Standards**

1. **Automobile Circulation**

All portions of a parking area, including public parking structures, shall be accessible by automobile to all other portions of a parking area without requiring the use of any public street, unless LADOT determines that access will not be detrimental to the flow of traffic. Alleys may be used for circulation between parking areas.

2. **Location of Parking Stalls**

- a. All required automobile parking stalls shall be located in an off-street parking area.
- b. The required automobile parking stalls shall be provided either on the same lot as the use they are intended to serve or on another lot not more than a 750-foot walking distance of a street-facing entrance to the use intended to be served by the required parking. An alternative parking strategy may be approved to exceed this distance.
- c. Automobile parking is not permitted within the primary street parking setbacks, side street parking setbacks and any special lot line parking setbacks established by the applied *Frontage District (Part 3B.)* in accordance with *Sec. 3C.2.1. (Parking Setback)*.
- d. Automobile parking is not permitted within any portion of a lot designated to be used as lot amenity space or residential amenity space in accordance with *Div. 2C.3. (Amenity)*.

3. **Automobile Maneuvering**

- a. Each automobile parking stall shall be so located that no automobile is required to reverse onto any public street or sidewalk to leave the parking stall, parking bay or driveway, except where the automobile parking facility serves four parking stalls or less and where the driveway access is to a street other than a boulevard or avenue. An alley may be used for maneuvering in reverse.
- b. Each automobile parking stall shall be so located that parking maneuvers can be accomplished without driving into a parking setback.

4. Parking Stall Striping

Each parking stall shall be clearly marked with striping for the entire required parking stall depth with the exception of parking areas on lots that contain less than five parking stalls, which are not required to mark parking stalls with striping.

5. Paving

All parking areas shall be paved with a material treatment meeting either the basic or alternative paving material standards below.

a. Basic Paving Material

Automobile parking areas shall be paved with either hard, durable asphaltic paving which has been mixed at a plant and is at least two inches thick after compaction or with portland cement paving at least three inches thick.

b. Alternate Paving Materials

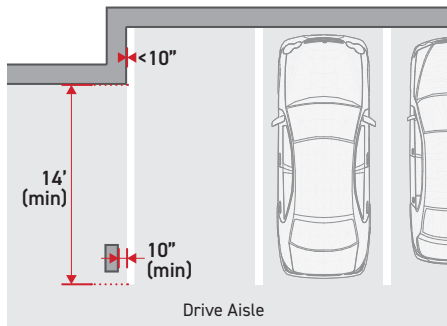
- i. Alternative to the basic paving material in *Subparagraph a. (Basic Paving Material)* above, automobile parking areas may be paved with the following alternative paving materials: porous asphalt, porous concrete, permeable interlocking concrete pavers, permeable pavers, decomposed granite, crushed rock, gravel, or restrained systems (a plastic or concrete grid system confined on all sides to restrict lateral movement, and filled with gravel or grass in the voids).
- ii. Alternate paving materials are subject to the following standards:
 - a) Paving materials located in a designated fire lane must be approved by the Los Angeles Fire Department.
 - b) Permeable interlocking concrete pavers and permeable pavers shall have a minimum thickness of 80 millimeters (3.14 inches).
 - c) If plants are an element of the alternate paving material, the irrigation system shall not utilize potable water except for during plant establishment.
 - d) Products and underlying drainage material shall be installed per manufacturers' specifications. Sub-grade soils shall be compacted as required per the product installation specifications.
 - e) Decomposed granite, crushed rock and gravel shall only be allowed for parking areas serving one or two dwelling units.

6. Lighting

Parking areas shall be illuminated in accordance with *Sec. 4C.10.1. (Outdoor Lighting)*.

7. Parking Stall Obstructions

A fence, wall, partition, column, post or similar obstruction shall not be located within 10 inches of a parking stall along its longest dimension unless the obstruction is located a minimum of 14 feet from the drive aisle measured parallel to the parking stall. Parking stalls provided in 1L or 2L *Density Districts (Part 6B.)* are exempt from this standard.



8. Parking Lots

For additional parking lot standards, see Sec. 4C.4.4. (*Parking Lot Design*).

9. Structured Parking

For additional parking structure standards, see Sec. 4C.4.5. (*Parking Structure Design*).

10. Parking Stall Dimensions

All automobile parking stalls shall meet the minimum dimension standards in the table below:

PARKING STALL DIMENSIONS					
Parking Stall		Dimension	Parking Stall Type		
STALL TYPE	STALL ANGLE		STANDARD	COMPACT	TANDEM
Perpendicular and Angled	>0°-90°	Width (min)	8'-4"	7'-6"	8'-4"
		Depth (min)	18'-0"	15'-0"	33'-0"
Parallel (Typical)	0°	Width (min)	8'-0"	7'-6"	n/a
		Depth (min)	26'-0"	23'-0"	n/a
Parallel (End Stall)	0°	Width (min)	8'-0"	7'-6"	n/a
		Depth (min)	30'-0"	27'-0"	n/a

11. Compact Parking

- a. The following parking stalls may be compact:
 - i. Any parking stalls in excess of the required number of parking stalls in Sec. 4C.4.1. (*Automobile Parking Stalls*),
 - ii. Parking stalls in excess of one parking stall per dwelling unit may be compact parking stalls, and
 - iii. In a parking area containing 10 or more parking stalls, a maximum of 40 percent of the required parking stalls.
- b. All compact parking stalls shall be clearly and visibly striped and labeled for compact car use only.

12. Tandem Parking

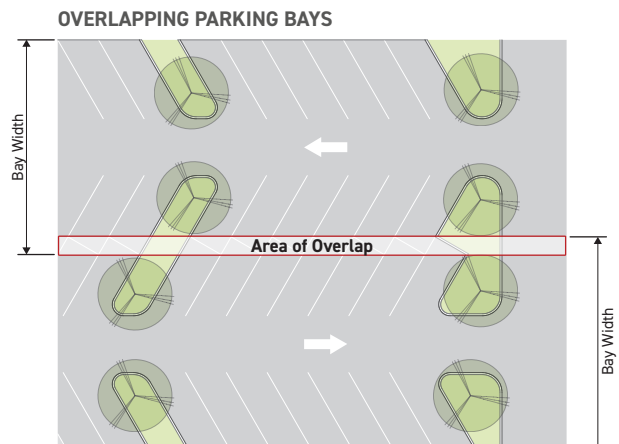
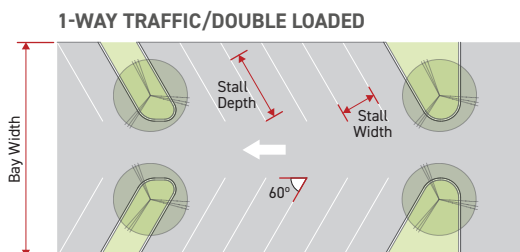
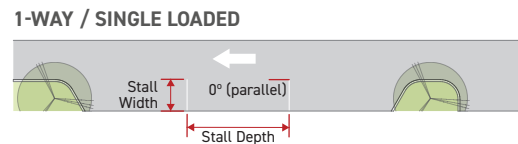
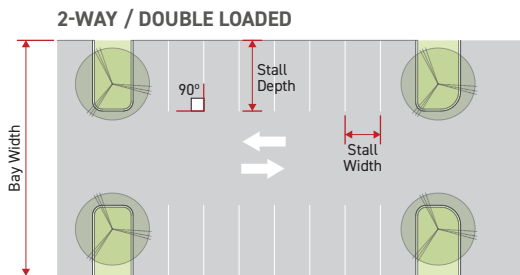
Automobiles may be parked in tandem in a private parking area serving a residential use, where the tandem parking is not more than two cars in depth. Tandem parking is not allowed for recreational vehicles or guest parking provided as part of a private parking area serving a residential use.

13. Parking Bay Dimensions

- a. The minimum width of each parking bay is determined by the stall width and angle of the parking stalls provided in accordance with the table below:

PARKING BAY WIDTH					
Parking Stall		One-Way Drive Aisle		Two-Way Drive Aisle	
ANGLE	WIDTH	DOUBLE LOADED	SINGLE LOADED	DOUBLE LOADED	SINGLE LOADED
0° (Parallel)	8'-0"	28'-0"	18'-0"	36'-0"	28'-0"
30°	7'-6"	40'-0"	26'-0"	48'-2"	34'-0"
	8'-4"	43'-0"	27'-6"	51'-2"	35'-6"
	8'-6"	43'-0"	27'-6"	51'-2"	35'-6"
	9'-0"	43'-0"	27'-6"	51'-2"	35'-6"
45°	7'-6"	44'-4"	28'-2"	52'-1"	36'-3"
	8'-4"	50'-3"	31'-11"	56'-4"	38'-6"
	8'-6"	49'-10"	31'-6"	56'-4"	38'-6"
	9'-0"	48'-7"	30'-3"	56'-4"	38'-4"
60°	7'-6"	49'-4"	32'-8"	54'-1"	37'-11"
	8'-4"	56'-5"	37'-3"	59'-11"	41'-1"
	8'-6"	55'-11"	36'-9"	59'-9"	40'-11"
	9'-0"	54'-8"	35'-3"	59'-3"	40'-7"
90°	7'-6"	55'-4"	40'-4"	55'-4"	40'-4"
	8'-4"	64'-0"	46'-0"	64'-0"	46'-0"
	8'-6"	63'-4"	45'-4"	63'-4"	45'-4"
	9'-0"	61'-4"	43'-4"	61'-4"	43'-4"

EXAMPLE FIGURES



- b. Where parking stalls of two bays interlock the parking bays may overlap.
- c. Any tandem stalls provided shall increase the minimum parking bay width by 15 feet where tandem stalls are provided on only one side of a drive aisle and by 30 feet where tandem stalls are provided on two sides of a drive aisle.
- d. Parking bay dimensions other than those specified may be approved by the Superintendent of Building, or their authorized representative, based on vehicle maneuvering requirements on the lot.

14. Mechanical Automobile Lifts & Robotic Parking Structures

- a. The stacking of two or more automobiles using a mechanical car lift or computerized parking structure is permitted.
- b. Mechanical and robotic automobile parking lifts must maintain the following dimensions between vertical supports or any obstructions:

PARKING LIFT DIMENSIONS		
Dimension	Parking Stall Type	
	STANDARD	COMPACT
Clear Width (min)	8'-0"	7'-0"
Clear Height (min)	7'-0"	6'-0"

- d. The platform of the mechanical lift on which the automobile is first placed shall be individually accessed and shall be placed so that the location of the platform and access to the platform meet all applicable requirements of *Div. 4C.4. (Automobile Parking)*.
- e. The lift equipment or computerized parking structure shall meet any applicable building code requirements in *Chapter IX. (Building Regulations)*, *Article 9. (Green Building Code)* of this Code.
- f. All mechanical automobile lifts and robotic parking structures shall be subject to *Sec. 4C.4.3.C.2. (Location of Parking Stalls)*.

D. Measurement

1. Parking Stall Width

The parking stall width shall be measured as the narrowest horizontal distance between opposite edges of a parking stall.

2. Parking Stall Depth

The parking stall depth shall be measured as the horizontal distance measured perpendicular to the parking stall width from one edge of a parking stall to the opposite edge. A minimum parking stall depth shall be met for all portions of the parking stall width.

3. **Parking Bay Width**

The parking bay width shall be measured by the horizontal distance between opposite edges of a parking bay measured perpendicular to the drive aisle.

4. **Parking Angle**

The parking angle shall be measured from the long edge of a parking stall to the drive aisle.

5. **Clear Height**

Minimum clear height is measured as the vertical dimension of a parking stall at the lowest point, from finished grade or floor elevation to the ceiling or other fixed obstruction, whichever is lower, for the full width and depth of the parking stall.

6. **Clear Width**

Minimum clear width is measured as the horizontal dimension of a parking stall at the narrowest point between walls or other fixed obstructions for the full depth of the parking stall.

E. **Exceptions**

A parking area providing attendants to park the vehicles at all times when the parking area is open for use does not have to meet the requirements of *Sec. 4C.4.3.C.10. (Parking Stall Dimensions)* and *Sec. 4C.4.3.C.13. (Parking Bay Dimensions)*.

F. **Relief**

1. Alternative Compliance from parking area design standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. Compact parking stalls provided in lieu of 10 percent of the required standard parking stalls may be granted in accordance with *Sec. 13B.5.2. (Adjustments)*
3. A deviation in required parking stall dimensions or parking bay dimensions may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.4.4. **PARKING LOT DESIGN**

A. **Intent**

The intent of the standards of this *Section (Parking Lot Design)* is to ensure parking lots are designed to create safe, comfortable and attractive environments for users and pedestrians along the adjacent public right-of-way, while also mitigating heat island effects, absorbing noise pollution, managing stormwater runoff, sequestering carbon emissions and supporting urban biodiversity through landscaping and surface design.

B. Applicability

1. Parking lot design standards apply to new construction, a major remodel, a site modification, or a use modification, subject to the following:
 - a. Parking lot design standards apply to all parking areas not contained within a parking structure.
 - b. Parking lot landscaping standards apply to all parking areas containing five or more automobile parking stalls.

C. Standards

1. Surfacing

- a. All automobile parking areas shall be graded and drained to collect, retain and infiltrate surface water on-site by applying Low Impact Development practices and standards.
- b. Parking lots shall be surfaced with hard, durable asphaltic paving which has been mixed at a plant and is at least two inches thick after compaction, with portland cement paving at least three inches thick or with an alternative paving material described below.
 - i. Alternative paving materials include the following: porous asphalt, porous concrete, permeable interlocking concrete pavers, permeable pavers, decomposed granite, crushed rock, gravel, and restrained systems (a plastic or concrete grid system confined on all sides to restrict lateral movement, and filled with gravel or plants in the voids.)
 - ii. Alternative paving materials are permitted for use in every parking lot, subject to the following standards:
 - a) Any product installed within areas designated by the Fire Department as a fire lane must be approved by the Fire Department.
 - b) Permeable interlocking concrete pavers and permeable pavers shall have a minimum thickness of 80 millimeters (3.14 inches).
 - c) If plants are an element of the alternative paving material, the irrigation system shall not utilize potable water except for plant establishment.
 - d) Products and underlying drainage material shall be installed per manufacturers' specifications. Sub-grade soils shall be compacted as required per the product installation specifications.
 - e) Decomposed granite, crushed rock and gravel shall only be allowed for driveways and parking areas serving a maximum of two dwelling units.

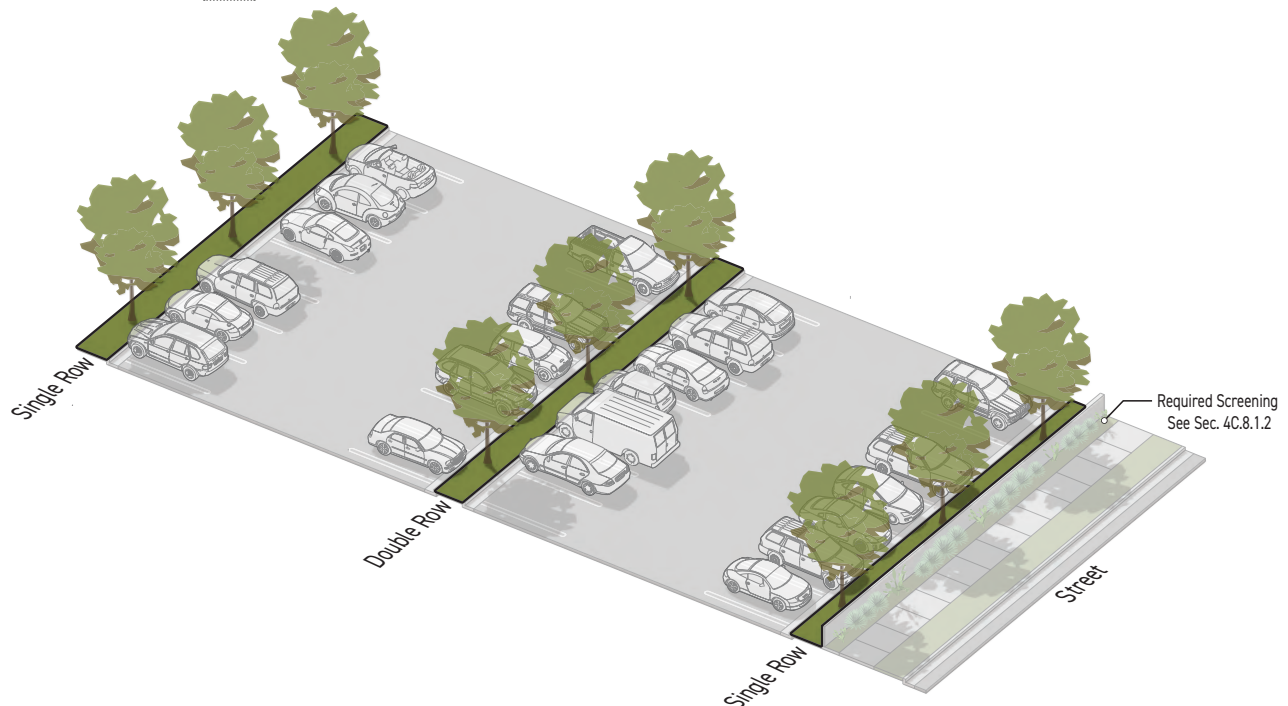
2. **Parking Lot Landscaping**

a. **General**

- i. Projects shall comply with either *Subparagraph b. (Option 1: Prescriptive Standard)* or *Subparagraph c. (Option 2: Performance-Based Standard)* below to meet the requirements of this *Section (Parking Lot Design)*.
- ii. The required stall length of parking stalls may overhang the planting areas required by the parking lot landscaping standards by two feet or less.
- iii. All planting areas shall comply with *Sec. 4C.6.4. (Plant Design & Installation)* in addition to any planting area requirements of the chosen parking lot landscaping option.

b. Option 1: Prescriptive Standard

- i. Trees planted within a planting area located along a single row of parking stalls shall be provided at a rate of one large species tree or two small species trees for every four parking stalls.
- ii. Trees planted between two rows of parking stalls shall be provided at a rate of one large species tree or two small species trees for every eight parking stalls.
- iii. Required trees shall be spaced evenly along the entire length of the required planting area.



- iv. When calculating the total number of trees results in a fraction of a tree, any fraction less than 1/2 may be disregarded and any fraction of 1/2 or more will require one additional tree.

c. Option 2: Performance-Based Standard

Trees shall be planted so that at least 50 percent of all parking stalls within the parking lot will be shaded by tree canopy after 10 years of planting.

3. Screening

- a. Where a parking lot faces a frontage lot line, common lot line or an alley lot line the entire length of the parking lot shall be screened as follows:
 - i. An *F-Screen 2* (Sec. 4C.8.1.C.2.b.) or an *F-Screen 3* (Sec. 4C.8.1.C.2.c.) is required between the parking lot and frontage lot lines for any portion of the length of the parking lot that faces a frontage lot line.
 - ii. A *T-Screen 1* (Sec. 4C.8.2.C.2.a.) is required between the parking lot and common lot lines shared with lots zoned with a 1L, 2L, 3L or 4L *Density District (Part 6B.)* for any portion of the length of the parking lot that faces a common lot line.
 - iii. A *T-Screen 1* (Sec. 4C.8.2.C.2.a.) is required between the parking lot and alley lot lines for any portion of the length of the parking lot that faces an alley lot line where lots zoned with a 1L, 2L, 3L or 4L *Density District (Part 6B.)* abut the opposite side of the alley right-of-way.
- b. The required stall length of parking stalls may overhang the planting area of a required frontage screen or transition screen by two feet or less.
- c. Screens may only be located in a frontage yard where they comply with frontage yard fence & wall standards in the applied *Frontage District (Part 3B.)*.

4. Containment Perimeter

Parking lots shall include a containment perimeter that obstructs motor vehicles from leaving the designated parking lot. The containment perimeter shall be providing using one or more of the following containment methods around the entire perimeter except for crossings and access points required for driveways, drive aisles, pedestrian accessways, or pedestrian passageways:

- a. Continuous curbs of no less than four inches in height.
- b. Permanent bollards, walls, raised planters, or a similar containment method having a height no less than 30 inches and having a clear width of no more than 66 inches.
- c. A planting area meeting Sec. 4C.6.4.C.2. (*Planting Areas*) with no horizontal dimension less than five feet.

5. Lighting

Parking areas shall be illuminated in accordance with Sec. 4C.10.1. (*Outdoor Lighting*).

D. Measurement

- 1. For a lot line measurement determination see Sec. 14.2.12. (*Lot Line Determination*).
- 2. For frontage yard designation measurements see Sec. 14.2.16.C.1. (*Frontage yard*).

3. For parking setback measurements see *Sec. 3C.2.1. (Parking Setback)*.
4. For the length that a parking lot is facing a lot line see *Sec. 14.2.6. (Facing)*.
5. To measure planting area width see *Sec. 4C.6.4.D.1. (Planting Area Width)*.

E. Relief

1. A deviation from any parking lot design dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. A deviation from any parking lot design standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.4.5. **PARKING STRUCTURE DESIGN**

A. Intent

The intent of the standards of this *Section (Parking Structure Design)* is to limit the visual and environmental impact of motor vehicle use areas on the public realm to the extent appropriate to the mobility context.

B. Applicability

1. Parking structure design standards apply to new construction, a major remodel, a site modification, an exterior modification, or a use modification subject to the following:
 - a. Parking structure design standards apply to parking structures possessing a primary street lot line, side street lot line, or special lot line designation.
 - b. Parking structure design standards apply to both standalone and integrated parking structures as a part of a broader development, and to all levels of parking structures.

C. Standards

1. General

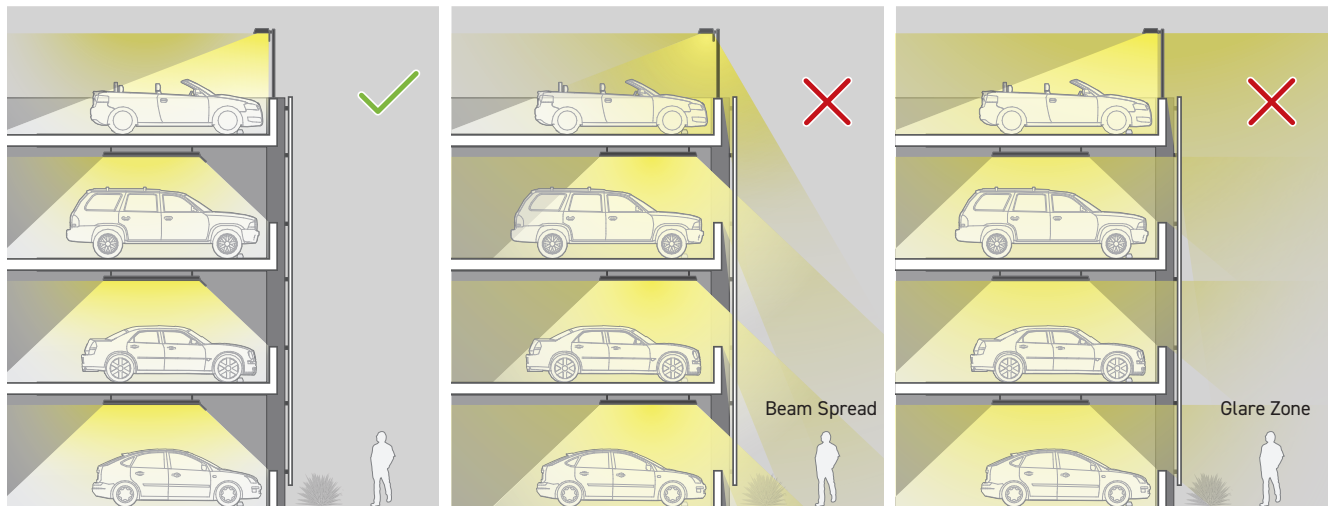
- a. Parking structure design treatments are hierarchical according to the following order listed lowest to highest:
 - i. Screened Parking
 - ii. Concealed Parking
 - iii. Adaptable Parking
 - iv. Wrapped Parking
- b. If a treatment listed lower in the hierarchy in *Subparagraph a.* above is specified by the applied *Development Standards District (Part 4B.)*, the applicant may choose to meet the standards of a treatment with any a higher listed treatment.

- c. Ground story motor vehicle use areas located in a parking structure shall also meet any parking setback standards specified by the applied *Frontage District (Part 3B.)*.

2. Lighting

All luminaires located in parking structures shall meet the following standards:

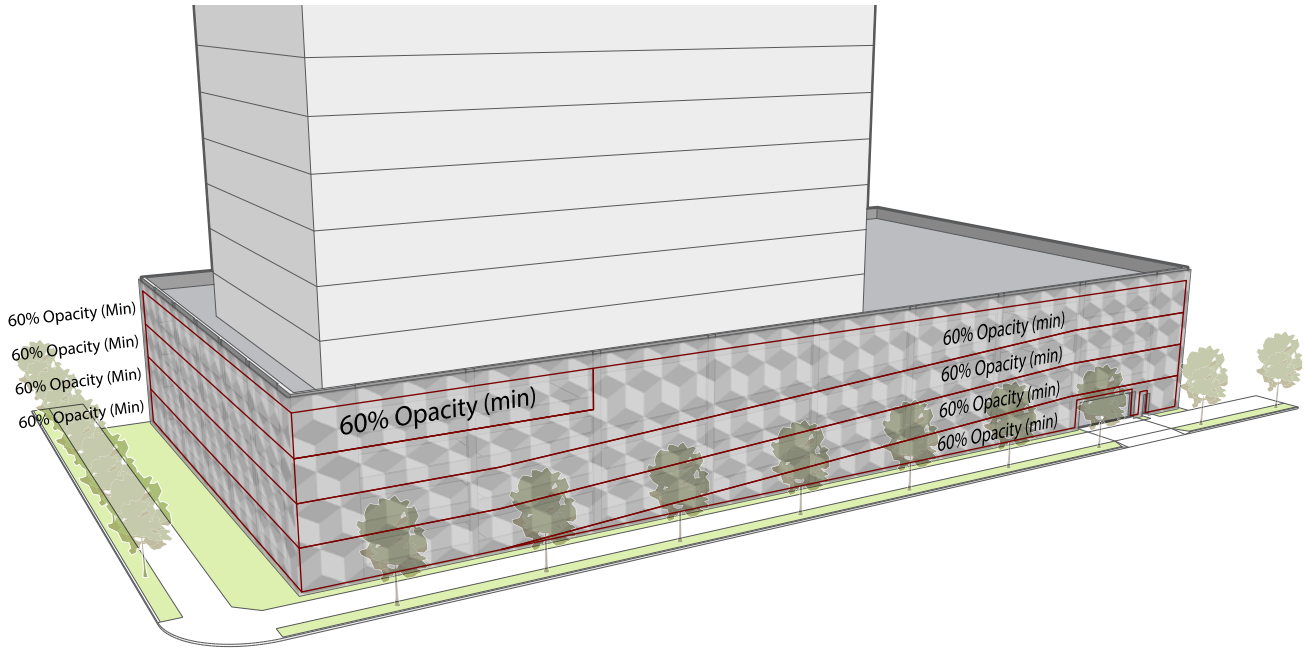
- a. Luminaires shall meet the standards of *Sec. 4C.10.1. (Outdoor Lighting)*.
- b. Beam spread and glare zone from luminaires shall be contained within the parking structure.



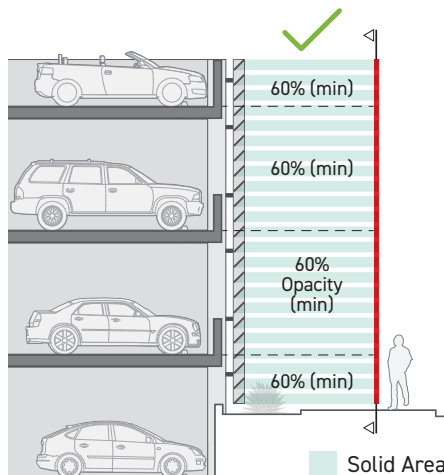
3. Parking Structure Design Treatments

a. Screened Parking

Screened parking is intended to limit the visual and environmental impact of motor vehicle use areas on the public realm.

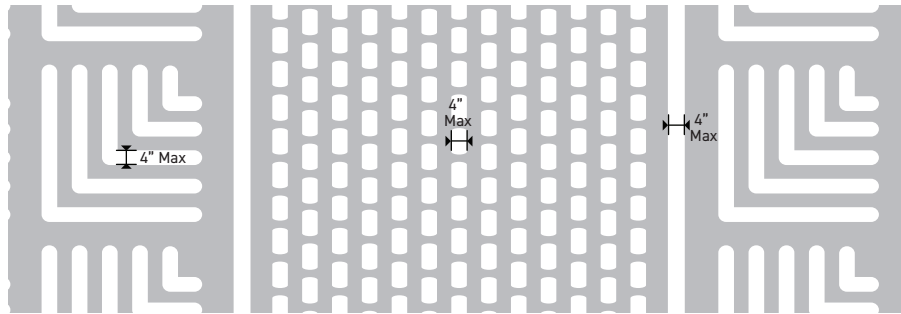


- i. Parking structure facades required to be screened shall meet any frontage standards required by the applied *Frontage District (Part 3B.)*.
- ii. All above-grade parking structure facades required to be "screened" shall be screened with a permanent structure that meets the following standards:
 - a) Any individual level of parking measured in elevation projection shall have at least 60 percent opacity.



- Automobile Parking -

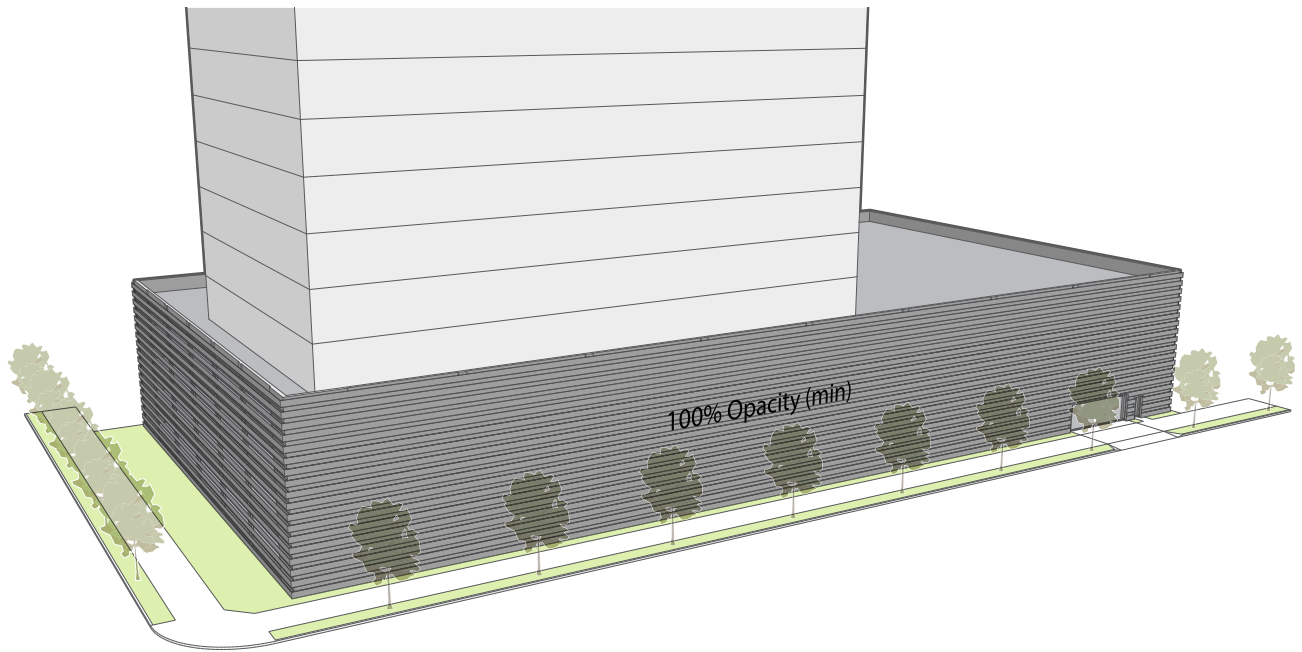
- b) Openings in screens shall be four inches or less in at least one dimension except for openings provided for pedestrian or vehicle access.



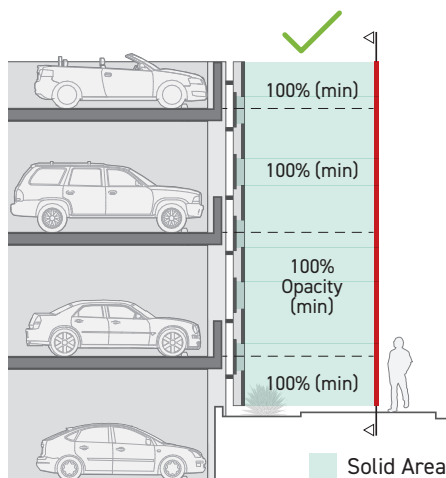
- c) Parking structure screen openings accommodating automobile access are allowed for a width no greater than the maximum allowed driveway width allowed by the applied *Development Standards District (Part 4B.)*.
- d) Parking structure screen openings accommodating pedestrian accessways are allowed for a width no greater than eight feet in width for each individual pedestrian accessway. Where an opening in the parking garage screening accommodates both pedestrian and automobile access, the maximum allowable opening width is eight feet greater than the maximum allowed driveway width.
- e) Parking structure screen openings shall have a height no greater than one story.
- iii. In addition to the screening above, an F-Screen 1 or F-Screen 2 pursuant to *Frontage Screen Types (Sec. 4C.8.1.C.2.)* is required between ground story parking and all frontage lot lines.

b. Concealed Parking

Concealed parking is intended to entirely block views of cars, people and direct light from inside parking structures to the public realm.



- i. Parking structure facades required to be concealed shall meet any frontage standards required by the applied *Frontage District (Part 3B.)*.
- ii. All above-grade parking structure facades required to be "concealed" shall be screened with a permanent structure meeting the following standards:
 - a) The screening material shall have an opacity of 100 percent.



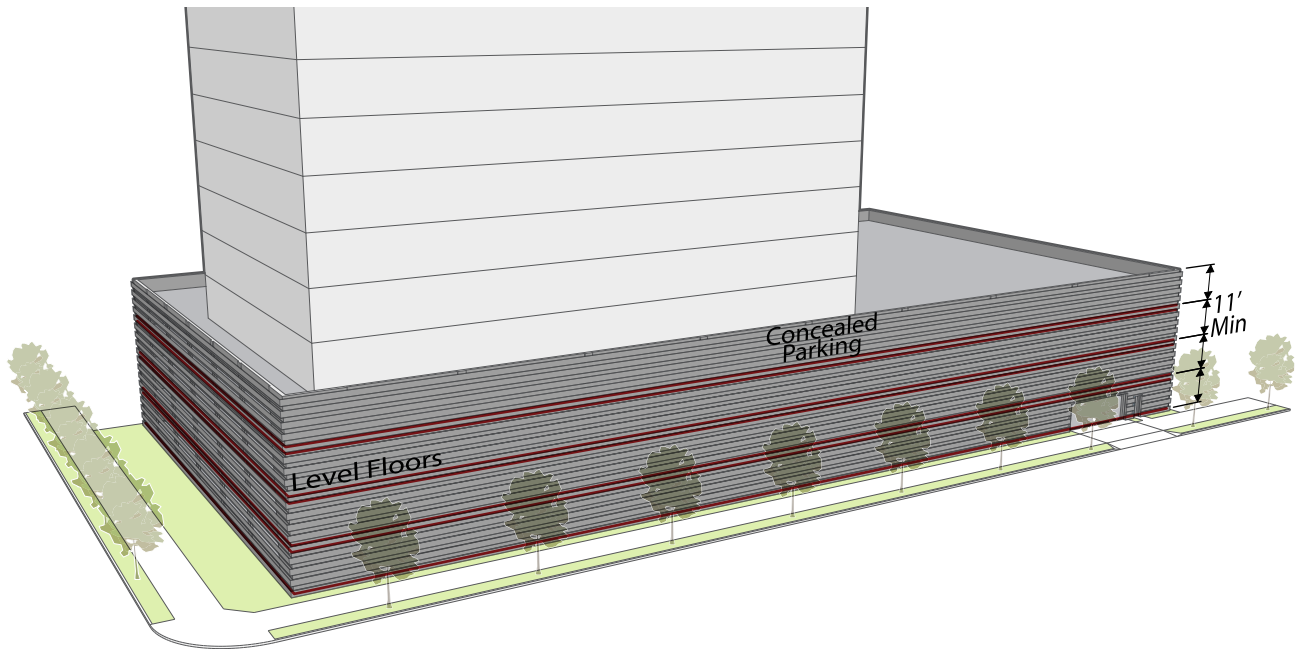
- b) Parking structure screening shall not include perforated metal screening products.

- Automobile Parking -

- c) Parking structure screen openings accommodating automobile access are allowed for a width no greater than the maximum allowed driveway width allowed by the applied *Development Standards District (Part 4B.)*.
 - d) Parking structure screen openings accommodating pedestrian accessways are allowed for a width no greater than eight feet in width for each individual pedestrian accessway. Where an opening in the parking structure screening accommodates both pedestrian and automobile access, the maximum allowable opening width is eight feet greater than the maximum allowed driveway width.
 - e) Parking structure screen openings shall have a height no greater than one story.
- iii. In addition to the screening above, an F-Screen 1 or F-Screen 2 pursuant to *Frontage Screen Types (Sec. 4C.8.1.C.2.)* is required between ground story parking and all frontage lot lines.

c. Adaptable Parking

Adaptable parking is intended to ensure floors used for parking are built in a way that allows motor vehicle use areas to change to active uses in the future without significant structural renovation.



- i. Parking structure facades required to be adaptable shall meet any frontage standards required by the applied *Frontage District (Part 3B.)*.
- ii. Where required to be adaptable by the applied *Development Standards District (Part 4B.)*, parking structures shall meet the following standards for a minimum depth of 30 feet from the applicable street-facing facade:
 - a) Floor plates shall be level except to the minimum extent required for drainage.
 - b) The structure shall be constructed to accommodate loads associated with office building corridors above the first floor under *Chapter IX. (Building Regulations)* of this Code.
 - c) Floor to floor heights shall be a minimum of 11 feet.
- iii. All parking required to be adaptable shall also meet the standards for concealed parking pursuant to *Subparagraph b. (Concealed Parking)* above.

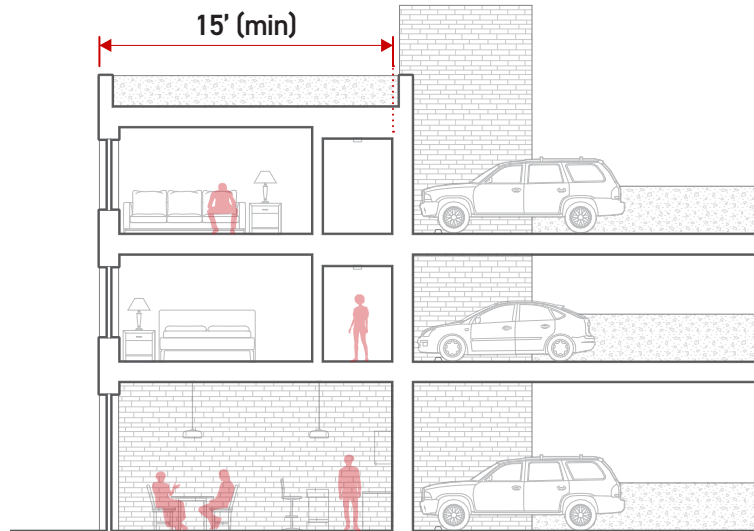
d. Wrapped Parking

Wrapped parking is intended to ensure active uses along the public right-of-way in order to provide a human-scale and visual interest to buildings along streets and sidewalks, contributing to public safety, walkability and social engagement.

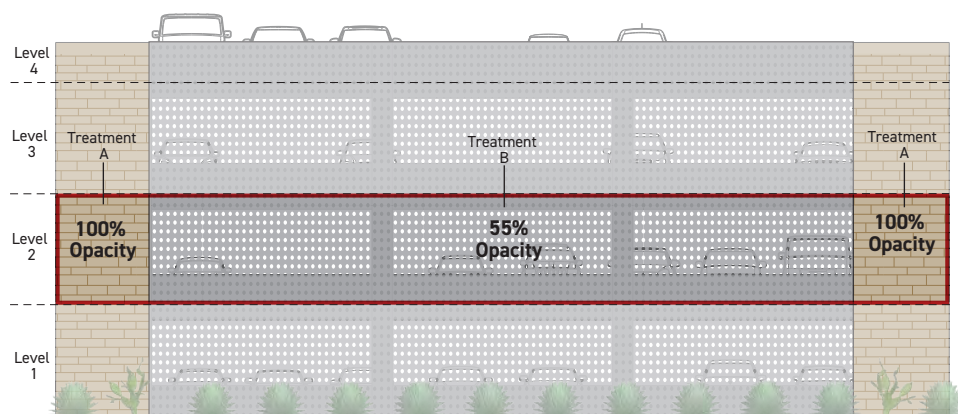


- i. Parking structure facades required to be wrapped shall meet any frontage standards required by the applied *Frontage District (Part 3B.)*.
- ii. Where parking structures are required to be wrapped by the applied *Development Standards District (Part 4B.)*; parking structures shall meet the following standards for the portion of the building width required to meet the minimum build-to width specified in the applied *Frontage District (Part 3B.)*.
 - a) Parking and other motor vehicle use areas shall be separated from the frontage lot line by indoor active uses, as defined below, for a minimum depth of 15 feet measured from the applicable street-facing building face.

- b) For the purpose of wrapped parking, indoor active uses shall mean indoor occupiable spaces designed and intended for tenants, residents or guests. Areas for circulation, storage, mechanical equipment, utilities, and waste collection shall not account for more than 15 percent of an area designated as an active use on any story.

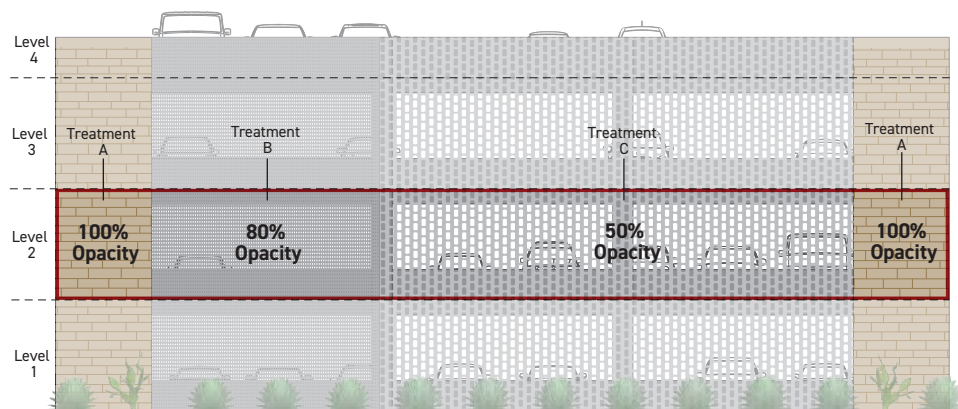


- iii. The portion of the building width not required to meet the minimum build-to width required by the applied *Frontage District (Part 3B.)* may meet either the standards for wrapped parking or concealed parking pursuant to *Subparagraph b. (Concealed Parking)* above.

D. Measurement

LEVEL 2 OPACITY CALCULATION

	% OPACITY	PORTION OF TOTAL FACADE AREA	= WEIGHTED VALUE
TREATMENT A	100%	0.2	20%
TREATMENT B	55%	0.8	42%
LEVEL 2 TOTAL OPACITY			62%



LEVEL 2 OPACITY CALCULATION

	% OPACITY	PORTION OF TOTAL FACADE AREA	= WEIGHTED VALUE
TREATMENT A	100%	0.2	20%
TREATMENT B	80%	0.3	24%
TREATMENT C	50%	0.5	25%
LEVEL 2 TOTAL OPACITY			69%

1. Opacity

The following rules apply to measuring opacity:

- a. Opacity of screening is calculated separately for each level of parking on each building facade.
- b. Minimum opacity is a percentage calculated as the sum of all solid areas on a parking facade area level divided by the total parking facade area projected horizontally and perpendicular to the facade area. Also see *Sec. 14.2.13. (Opacity (%))*.
- c. When a parking structure level uses more than one screening treatment with varying opacities, the opacity for the entire level is calculated as a weighted average of the opacities of all the treatments used on the level. The opacity of each screening treatment is weighted by the percent of the total parking screen facade area covered by that screening treatment.

- d. Above-grade portions of underground and ground story parking structure facade area using a green wall meeting the standards of *Sec. 3C.4.2.E.3.c. (Living Wall)* are considered to have an opacity of 60 percent.

2. Parking Structure Screen Openings

- a. Parking structure screen opening width is measured as the maximum horizontal dimension of the area not including the parking structure treatment required by the applied *Development Standards District (Part 4B.)*. Parking structure screen opening width is measured parallel to the parking structure facade.
- b. Parking structure screen opening height is measured as the maximum vertical dimension of the area on a parking structure facade that does not include the parking structure treatment required by the applied *Development Standards District (Part 4B.)*.

E. Exceptions

1. Lots that have a total lot area of less than 30,000 square feet and contain parking structures where upper stories are required to comply with *Sec. 4C.4.5.C.3.d. (Wrapped Parking)* above, may design upper story portions of parking structures to comply with the following standards rather than with *Sec. 4C.4.5.C.3.d. (Wrapped Parking)* above:
 - a. Upper story motor vehicle use areas shall comply with *Sec. 4C.4.5.C.3.c. (Adaptable Parking)*; and
 - b. The parking structure facades shall meet all standards specified by the applied *Frontage District (Part 3B.)*.
2. Lots that are required to comply with *Sec. 4C.4.5.C.3.c. (Adaptable Parking)* above, are exempted from all Adaptable Parking standards when the standalone or integrated parking structure is existing.
3. When a project is adding floor area to an existing parking structure but does not add additional parking area, the existing parking structure is not required to comply with the standards of *Sec. 4C.4.5.C.3.c. (Adaptable Parking)* or *Sec. 4C.4.5.C.3.d. (Wrapped Parking)* regardless of the applied *Development Standards District (Part 4B.)*, and shall follow the standards of *Sec. 4C.4.5.C.3.a. (Screened Parking)*.
4. Projects adding additional floor area above an existing parking structure located on a lot where adaptable parking is required for applicable parking structures shall be exempt from the standards of *Sec. 4C.4.5.C.3.c. (Adaptable Parking)* for all portions of the existing parking structure and shall comply with all of the following:
 - a. Existing parking structures shall be improved to comply with the standards of *Sec. 4C.4.5.C.3.d. (Wrapped Parking)* along the ground floor of the existing street-facing parking structure facades and the standards of *Sec. 4C.4.5.C.3.a. (Screened Parking)* shall apply to the upper stories of the existing parking structure.

- b. Any interior portions of the existing parking structure dedicated to existing ramps are exempt from the standards of *Sec. 4C.4.5.C.3.d. (Wrapped Parking)* up until there is sufficient space to accommodate a minimum floor-to-ceiling height of nine feet beneath the ramp.

F. Relief

1. An Alternative Compliance to any parking structure design standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A deviation from any parking structure design dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A deviation from any parking structure design standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

DIV. 4C.5. **TRANSPORTATION DEMAND MANAGEMENT**

SEC. 4C.5.1. **SMALL PROJECTS**

A. **Intent**

The intent of the standards of this *Section (Small Projects)* is to alter travel behavior through programs of incentives, services, and policies appropriate for small projects, including encouraging the use of alternatives to single-occupancy motor vehicles such as public transit, cycling, walking, carpooling/vanpooling and changes in work-schedule that move single occupancy motor vehicle trips out of the peak period or eliminates them altogether.

B. **Applicability**

Small Projects transportation demand management standards apply to new construction adding more than 25,000 square feet and less than 50,000 square feet of non-residential floor area.

C. **Standards**

Applicants shall provide and continually maintain in a state of good repair a bulletin board, display case, or kiosk meeting the following standards listed below and shall execute and record a covenant to the satisfaction of LADOT to ensure compliance.

1. The bulletin board, display case or kiosk display shall be located where the greatest number of employees are likely to see it.
2. The required bulletin board, display case or kiosk display shall include, but is not limited to, the following:
 - a. Current routes and schedules for public transit serving the lot;
 - b. Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency and local transit operations;
 - c. Ridesharing promotion material supplied by commuter-oriented organizations, if any;
 - d. Regional/local bicycle route and facility information; and
 - e. A listing of on-site services or facilities which are available for carpool, vanpool, bicycle, and transit riders.

D. **Measurement**

[None]

E. Relief

1. Alternative Compliance to Small Project transportation demand management standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*. In addition to the findings otherwise required by *Sec. 13B.2.5. (Director Determination)*, the Director shall find that the applicant has committed to provide equivalent alternative measures to reduce motor vehicle trips.
2. A deviation from any Small Project transportation demand management dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A deviation from any Small Project transportation demand management standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.5.2. MEDIUM PROJECTS**A. Intent**

The intent of the standards of this *Section (Medium Projects)* is to alter travel behavior through programs of incentives, services, and policies appropriate for medium projects, including encouraging the use of alternatives to single-occupancy motor vehicles such as public transit, cycling, walking, carpooling/vanpooling and changes in work-schedule that move single-occupancy motor vehicle trips out of the peak period or eliminates them altogether.

B. Applicability

Medium Projects transportation demand management standards apply to new construction adding more than 50,000 square feet and less than 100,000 square feet of non-residential floor area.

C. Standards

Applicants shall provide and continually maintain in a state of good repair the trip reduction features listed below, and execute and record a covenant to the satisfaction of LADOT to ensure compliance:

1. All trip reduction features required for *Small Projects (Sec. 4C.5.1.)*;
2. A designated parking area for employee carpools and vanpools as close as practical to the main pedestrian entrance(s) of the building(s). This area shall include at least ten percent of the parking stalls required for the lot. The spaces shall be signed and striped sufficient to meet the employee demand for such spaces. The carpool/vanpool parking area shall be identified on the driveway and circulation plan upon application for a building permit;
3. One permanent, clearly identified (signed and striped) carpool/vanpool parking stall for the first 50,000 to 100,000 square feet of floor area and one additional permanent, clearly identified (signed and striped) carpool/vanpool parking stall for any development over 100,000 square feet of floor area;

4. Parking stalls clearly identified (signed and striped) shall be provided in the designated carpool/vanpool parking area at any time during the building's occupancy sufficient to meet employee demand for such spaces. Absent such demand, parking stalls within the designated carpool/vanpool parking area may be used by other vehicles;
5. No signed and striped parking stalls for carpool/vanpool parking shall displace any handicapped parking;
6. A statement that preferential carpool/vanpool spaces are available on-site and a description of the method for obtaining permission to use such spaces shall be included on the required transportation information board;
7. Additional carpool/vanpool spaces within the designated preferential area shall be signed and striped for the use of ridesharing employees based on demand for such spaces;
8. A minimum vertical clearance of seven feet two inches shall be provided for all parking stalls and accessways used by vanpool vehicles when located within a parking structure;
9. Bicycle parking shall be provided in conformance with *Div. 4C.3. (Bicycle Parking)*.

D. **Measurement**

[None]

E. **Relief**

1. Alternative Compliance to Medium Project transportation demand management standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*. In addition to the findings otherwise required by *Sec. 13B.2.5. (Director Determination)*, the Director shall find that the applicant has committed to provide equivalent alternative measures to reduce motor vehicle trips.
2. A deviation from any Medium Project transportation demand management dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A deviation from any Medium Project transportation demand management standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.5.3. **LARGE PROJECTS**

A. **Intent**

The intent of the standards of this *Section (Large Projects)* is to alter travel behavior through programs of incentives, services, and policies appropriate for large projects, including encouraging the use of alternatives to single-occupancy motor vehicles such as public transit, cycling, walking, carpooling/vanpooling and changes in work-schedule that move single-occupancy motor vehicle trips out of the peak period or eliminates them altogether.

B. Applicability

Large Projects transportation demand management standards apply to new construction adding more than 100,000 square feet of non-residential floor area.

C. Standards

Applicants shall provide and continually maintain in a state of good repair the following trip reduction features list below, and shall execute and record a covenant to the satisfaction of LADOT to ensure compliance:

1. All trip reduction features required for *Small Projects (Sec. 4C.5.1.)*;
2. All trip reduction features required for *Medium Projects (Sec. 4C.5.2.)*;
3. A safe and convenient area in which carpool/vanpool vehicles may load and unload passengers other than in their assigned parking area;
4. Sidewalks or other designated passageways following direct and safe routes from the external pedestrian circulation system to each building in the development;
5. If determined necessary by the LADOT to mitigate the project impact, bus stop improvements shall be provided. LADOT shall consult with the local bus service providers in determining appropriate improvements. When locating bus stops or planning building entrances, entrances shall be designed to provide safe and efficient access to nearby passenger transit facility/stops; and
6. Safe and convenient access from the external circulation system to bicycle parking facilities on-site.

D. Measurement

[Reserved]

E. Relief

1. Alternative Compliance to Large Project transportation demand management standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*. In addition to the findings otherwise required by *Sec. 13B.2.5. (Director Determination)*, the Director shall find that the applicant has committed to provide equivalent alternative measures to reduce motor vehicle trips.
2. A deviation from any Large Project transportation demand management dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A deviation from any Large Project transportation demand management standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

4. In cases of extreme hardship, duly established to its satisfaction, the City Council, acting in its legislative capacity, and by resolution, may grant an exemption from any/or all the provisions of this *Section (Large Projects)*. In granting such an exemption, the City Council shall make the following findings:
 - a. Specific features of the development make it infeasible to satisfy all of the provisions of this *Section (Large Projects)*; and
 - b. The applicant has committed to provide equivalent alternative measures to reduce motor vehicle trips.

SEC. 4C.5.4. **MONITORING**

LADOT shall be responsible for monitoring the owner/applicant's continual implementation and maintenance of the project trip reduction features required by this *Division (Transportation Demand Management)*.

DIV. 4C.6. **PLANTS**

SEC. 4C.6.1. **PROTECTED VEGETATION**

Provisions for protected vegetation are outlined in *Chapter IV. (Public Welfare), Sec. 46.02. (Requirements for Public Works Permits to Relocate or Remove Protected Trees and Shrubs)* of this Code and in *Sec. 11.1.3.P. (Protected Vegetation Regulations)* of this Chapter 1A.

SEC. 4C.6.2. **REQUIRED TREES**

A. **Intent**

The intent of the standards of this *Section (Required Trees)* is to maintain and increase the City's tree canopy, reduce consumption of electricity, improve air quality, promote infiltration of stormwater runoff, offset urban heat island effect, mitigate noise pollution, sequester carbon and support urban biodiversity.

B. **Applicability**

This *Section (Required Trees)* applies to new construction or a site modification, which involves the removal and replacement of trees, or requires trees per the scope of the project.

C. **Standards**

1. **Trees Required Based on Floor Area**

- a. One large species tree or two small species trees per *Sec. 4C.6.4.C.3. (Plant Type)* shall be planted for every 4,000 square feet of total floor area constructed on a lot.
- b. In meeting the requirements of this *Paragraph (Trees Required Based on Floor Area)*, one small species tree planted in a pedestrian amenity space or public amenity space is permitted in lieu of two small trees. One large tree planted in a pedestrian amenity space or public amenity space is permitted in lieu of two large trees.

2. **Trees Required Based on Planting Area**

- a. In addition to the requirements of the Paragraph above, one large species tree or two small species trees shall be planted for each 500 square feet of total required on-site planting area.
- b. If less than 500 square feet of on-site planting area is required, at least one large species tree or two small species trees per *Sec. 4C.6.4.C.3. (Plant Type)* shall be planted on every lot.

3. **Allowable locations for Required Trees**

- a. Required trees shall be planted either on-site, in a common area accessible to multiple lots from a shared pedestrian accessway, or in the abutting parkway.

- b. Trees planted in the parkway require approval from the Board of Public Works or its designee per *Chapter VI. (Public Works and Property), Sec. 62.169 (Permit Required to Plant in Streets)* of this Code.

4. Relationship to Other Zoning Code Standards

- a. Trees provided to comply with other standards, including *Sec. 4C.4.3. (Parking Area Design), Div. 4C.8. (Screening), Sec. 3C.4.2.E.2. (Ground Story Inactive Wall Treatment Options), Sec. 3C.4.2.E.3. (Foundation Inactive Wall Treatment Options), and Sec. 8.3.2.B.3. (Freeway Screening)*, may be counted toward compliance with the required trees standards in this *Section (Required Trees)*. Additional trees beyond the minimum number required to comply with this *Section (Required Trees)*, may be required to comply with other standards.
- b. All required trees shall be planted in accordance with the plant design and installation standards outlined in *Sec. 4C.6.4. (Plant Design & Installation)*.

D. Measurements

1. When calculating the total number of required trees results in the requirement of a fraction of a tree, any fraction up to one-half may be disregarded and any fraction including and over one-half shall require one additional large species tree or two additional small species trees.
2. For measuring floor area see *Sec. 14.2.7. (Floor Area)*.
3. For large tree measurements see *Sec. 4C.6.4.C.3.a.ii. (Tree Types)*.
4. For small tree measurements see *Sec. 4C.6.4.C.3.a.ii. (Tree Types)*.
5. For measurement of caliper see *Sec. 4C.6.4.D.10. (Caliper)*.
6. For measurement of container size see *Sec. 4C.6.4.D.9. (Container Size)*.

E. Relief

1. Alternative Compliance to tree planting standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A Director's Determination may be granted to plant a required tree off-site on private property (with prior approval of the property owner) or along public streets (with the prior approval of the Board of Public Works or its designee) within one mile of the lot of the project, or pay an in-lieu fee in accordance with *Chapter VI. (Public Works and Property), Sec. 62.177. (Establishment of Tree Replacement and Planting In-Lieu Fee)* of this Code instead of planting a required tree. In order to approve the Director's Determination, the Director shall make the supplemental finding that required trees cannot feasibly be planted on-site or in the abutting parkway.
3. A deviation from any tree requirement standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.6.3. STREETSCAPE

[Reserved]

SEC. 4C.6.4. PLANT DESIGN & INSTALLATION**A. Intent**

The intent of the standards of this *Section (Plant Design & Installation)* is to provide the necessary elements to support a healthy urban ecological system.

B. Applicability

This *Section (Plant Design & Installation)* applies to new construction, a site modification, or an exterior modification.

C. Standards**1. General**

- a. No invasive species may be planted in the City. Any plant listed by the *California Invasive Plant Inventory* maintained by the California Invasive Plant Council (Cal-IPC) as an invasive or watch plant (including the ratings of "limited", "moderate", "high" or "watch") is considered an invasive species.
- b. Plants shall not interfere with visibility at intersections and driveways per *Chapter VI. (Public Works and Property)*, *Sec. 62.200. (Street Intersections - Obstructions to Visibility)* of this Code.
- c. No plant identified by the Los Angeles Fire Department as a prohibited flammable plant species is allowed in a Very High Fire Hazard Severity Zone.
- d. No artificial plants, trees, or other plants may be installed as required planting.
- e. Required planting located on a lot identified as being within a "Targeted Planting Area" established by the *Targeted Planting Map (Sec. 1.5.5.)* shall meet the requirements outlined in the targeted planting list for the applicable planting area designation.
- f. Projects with planting areas may be subject to water efficiency standards according to *Chapter IX. (Building Regulations)*, *Sec. 99.04.304. (Outdoor Water Use)* or *Sec. 99.05.304. (Outdoor Water Use)* of this Code.
- g. Projects with planting areas may be subject to *Chapter VI. (Public Works and Property)*, *Sec. 64.72. (Stormwater and Urban Runoff Pollution Control Measures for Development Planning and Construction Activities)* of this Code.

2. Planting Areas

A planting area is defined as an area on a lot designated and designed for plants.

a. General

- i. Areas that includes structures, foundation walls, footings or flatwork shall not count toward any planting area requirement with the following exceptions:
 - a) Planters located within 10 feet of a building that are used to meet *Chapter VI. (Public Works and Property), Sec. 64.72. (Stormwater and Urban Runoff Pollution Control Measures for Development Planning and Construction Activities)* of this Code may count toward required planting area.
 - b) Planters located on or above a structure (examples include: roofs, terraces, bridges, balconies, and above or below ground parking structures) may count toward required planting area.
- ii. Where planters are allowed to count toward planting area per this *Subparagraph. (General)*, planters shall not be more than four feet in height, measured from finished grade.
- iii. Where planters are allowed to count toward planting area per this *Subparagraph. (General)*, planters located within five feet of the public right-of-way, and located entirely below the top of the ground story, shall not have drainage or weep holes facing the public right-of-way.
- iv. Planting areas shall include an automatic irrigation system in compliance with *Chapter IX. (Building Regulations), Sec. 99.04.304. (Outdoor Water Use)* of this Code.
- v. Planting areas shall have no horizontal dimension less than three feet.
- vi. Planting areas shall have a minimum plant coverage of 75 percent measured pursuant to *Sec. 4C.6.4.D.2. (Plant Coverage)* below.
- vii. All plants used to meet the minimum plant coverage standard, measured pursuant to *Sec. 4C.6.4.D.2. (Plant Coverage)* below, shall meet the applicable plant type planting specification standards in *Paragraph 3. (Plant Type)* below. When rooftop planting area standards apply and conflict with the plant type planting specifications, rooftop planting area standards supersede.
- viii. Planting areas shall cumulatively include at least the minimum number of trees as specified in *Sec. 4C.6.2.C.2. (Trees Required Based on Planting Area)*.

b. Rooftop Planting Areas

Rooftop planting areas are areas where plants are provided on or over a built structure, including but not limited to, a roof, a bridge, a balcony or a parking structure. Rooftop planting areas shall comply with the following standards:

- Plants -

- i. Where rooftop planting area standards conflict with planting specifications within *Paragraph 3. (Plant Type)* below, rooftop planting area standards supersede.
- ii. Minimum soil depth or soil volume for required plants, is as follows:

TREES			OTHER PLANTS	
Height at Maturity	Soil Volume (min)	Soil Depth (min)	Height at Maturity	Soil Depth (min)
15' to 19'	220 ft ³	36"	<5.9"	12"
20' to 24'	400 ft ³	36"	6" to 11"	18"
25' to 29'	620 ft ³	42"	1' to 7'	24"
30' to 34'	900 ft ³	42"	8' to 14'	30"
35' to 39'	1,200 ft ³	42"	15' to 24'	36"
40' or more	1,600 ft ³	48"	25' or more	42"

- iii. All large species trees shall be setback from the edge of the roof a minimum of 2/3 the mature height of the tree measured perpendicularly from the edge of the roof to the center of the tree trunk. The required setback may be reduced by an amount equivalent to the height of a guard rail or wall that is provided along the perimeter of the roof edge. The guard rail or wall height is measured vertically from the top of the root flare to the topmost point of the wall or guardrail.
- iv. All rooftop gardens and landscapes shall comply with *Chapter V. (Public Safety and Protection), Sec. 57.317. (Rooftop Gardens and Landscaped Roofs)* of this Code.

3. Plant Type

a. Trees

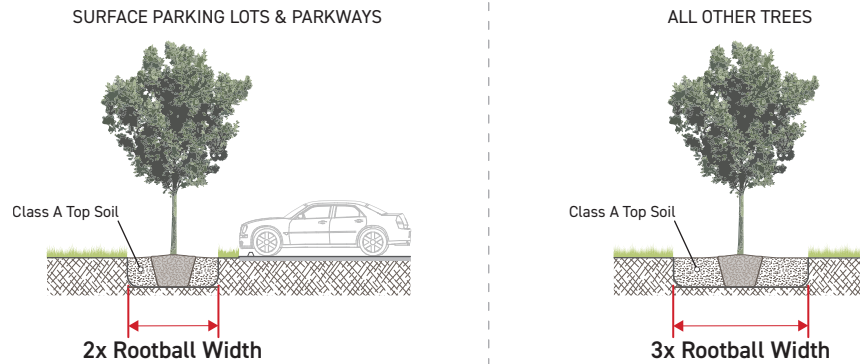
i. General

- a) Palms and bamboo do not count as required trees, with the exception of existing palm trees located on a lot identified as being within a "Targeted Planting Area" established by the *Targeted Planting Map (Sec. 1.5.5.)*. In these "Targeted Planting Areas", existing palms may count as a required tree provided that the specific palm tree species meets the requirements outlined in the targeted planting list for the applicable "Targeted Planting Area".
- b) Existing trees count toward the minimum tree requirement based on tree type pursuant to *Sub-subparagraph ii. (Tree Types)* below (large species or small species), provided each tree is healthy and has a minimum one inch caliper, and meets all other applicable standards. An existing significant tree is permitted in lieu of two large species trees or four small species trees.

ii. Tree Types

- a) Large species trees shall have a minimum height of 30 feet at maturity.
- b) Small species trees shall have a height at maturity between 15 and 30 feet.

iii. Planting Specifications



All trees that are provided in order to comply with a standard in this Zoning Code (Chapter 1A) and their planting holes shall meet the following standards:

- a) Located within a planting area meeting *Paragraph 2. (Planting Areas)* above.
- b) For trees located in surface parking lots and parkways, planting holes shall be a minimum width of two times the width of the root ball.
- c) For all other trees, planting holes shall be a minimum width of three times the width of the root ball.
- d) Planting holes shall be no deeper than the height of the root ball.
- e) Planting holes shall be backfilled with Class A top soil or native variety.
- f) Backfill soil shall be compacted to no more than 70 percent.
- g) Soil beneath the root ball shall be compacted to at least 90 percent.
- h) No other plants may be planted within two feet of a tree, measured from the center of the tree trunk.
- i) All required trees, shall have a minimum 15 gallon container size and a minimum caliper of one inch at the time of planting or as specified by the *American Standard for Nursery Stock*.
- j) Required trees planted in a parkway, per *Sec. 4C.6.2.C.3. (Allowable Locations for Required Trees)*, in which the sidewalk is eight feet in width or greater shall have a minimum 36-inch box.

b. Screening Plants

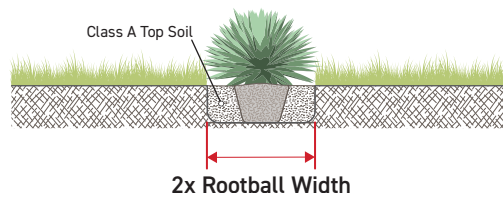
i. General

- a) Required screening plants shall be perennial including, shrubs, vines, succulents, grasses and ferns.
- b) Required screening plants shall have a minimum height at maturity of three feet.

ii. **Planting Specifications**

All screening plants and their planting holes provided to meet a screening requirement shall meet the following standards:

- a) Located within a planting area meeting *Paragraph 2. (Planting Areas)* above.
- b) Planting holes shall have a minimum width of two times the width of the root ball.
- c) Planting holes shall be no deeper than the height of the root ball.
- d) Planting holes shall be backfilled with Class A top soil or native variety.

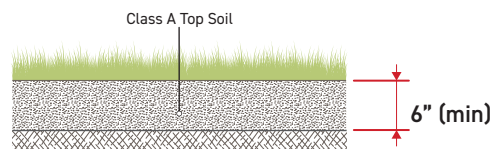


- e) Required screening plants shall have a minimum height of 18 inches at time of planting.

c. **Groundcover & Turf Plants**

Turf plants such as sodded or seeded grass areas provided to meet a planting requirement shall meet the following standards:

- i. Located within a planting area meeting *Paragraph 2. (Planting Areas)* above.
- ii. Minimum top soil depth of six inches.
- iii. Top soil shall be Class A top soil or native variety.



d. **Hedges**

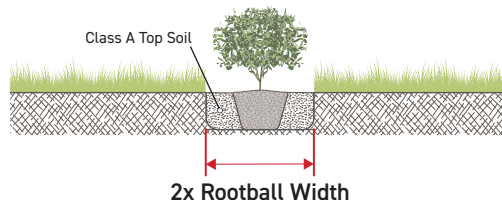
i. **General**

- a) Hedges include all shrubs planted closer than half of their height at maturity from another shrub or tree and all trees planted closer than half of their canopy diameter at maturity from another tree.
- b) Trees planted at least three feet apart having no branches a minimum of six feet from surrounding grade are not considered a hedge and are not regulated by maximum hedge standards.

ii. Planting Specifications

Shrubs and their planting holes provided as part of a hedge shall meet the following standards:

- a) Located within a planting area meeting *Paragraph 2. (Planting Areas)* above.
- b) Planting holes shall have a minimum width of two times the width of the root ball.
- c) Planting holes shall be no deeper than the height of the root ball.
- d) Planting holes shall be backfilled with Class A top soil or native variety.



e. Living Walls

Living walls provided to meet a requirement shall meet the following standards:

- i. Permanently attached to the exterior of a building or structure.
- ii. Automatic irrigation system permanently integrated into the assembly in compliance with *Chapter IX. (Building Regulations), Sec 99.04.304. (Outdoor Water Use)* of this Code.
- iii. Growing medium shall be permanently integrated into the assembly while retaining the ability to remove, replace and maintain the plants and growing medium.
- iv. Minimum soil depth of four inches of Class A top soil or native variety
- v. Minimum 75 percent plant coverage at maturity, measured vertically.
- vi. For living walls adjacent to the public right-of-way, plants shall be maintained so as not to obstruct the public right-of-way.

f. All Other Plants

All plants, other than living walls, hedges, groundcover and turf plants, screening plants and trees provided to meet a planting requirement shall meet the following standards:

- i. Located within a planting area meeting *Paragraph 2. (Planting Areas)* above.
- ii. Planting holes shall have a minimum width of two times the width of the root ball.
- iii. Planting holes shall be no deeper than the height of the root ball.
- iv. Planting holes shall be backfilled with Class A top soil or native variety.

4. Maintenance

- a. All required plants shall be maintained in good and healthy condition.
- b. All required plants shall be allowed to reach and be maintained at no less than the anticipated spread at maturity or canopy diameter and the anticipated height at maturity.
- c. Landscape and screening areas shall be kept free of weeds and trash.
- d. "Topping," defined as removal of more than 1/3 of the leaves and branches of a tree as measured from the lowest branch on the trunk of the tree to the top of the tree, is prohibited, except as required by a City department, utility, or other government agency.

D. Measurement

1. Planting Area Width

Planting area width is measured as the narrowest horizontal dimension from one edge of an area complying with Sec. 4C.6.4.C.2. (*Planting Areas*) above to the opposite edge.

2. Plant Coverage

Plant coverage is measured as the cumulative area of a planting area covered by plants divided by the total planting area.

- a. Trees count as plant coverage only for the portion of a planting area within two feet of a tree, measured as a circle, centered on the trunk of the tree, with a radius of two feet.
- b. All other plants count as plant coverage for 70 percent of the plant's anticipated canopy diameter or spread at maturity pursuant to *Paragraph 3. (Canopy Diameter, Spread, & Height at Maturity)* below.

3. Canopy Diameter, Spread, & Height at Maturity

Canopy diameter at maturity, spread at maturity and height at maturity shall be specified in "*Landscape Plants for California Gardens*", or other locally calibrated and professionally recognized source.

4. Soil Depth

Soil depth is measured as the shortest vertical dimension of growing medium provided, for all portions of a planting area.

5. Soil Volume

Soil volume is measured as the total volume of growing medium provided. Drainage layers and other elements located within a container or planter that are not growing medium are not included in the calculation of soil volume.

6. Root ball Depth

Depth of the root ball is measured from the root flare to the bottom of the root mass or bottom of the container.

7. Root ball Width

Width of the root ball is measured as the shortest horizontal dimension of the root mass or container from one end to the opposite end.

8. Height at Planting

- a. Height at planting is measured from the root flare.
- b. For evergreens, height at planting is measured vertically to the midpoint of the leader between the uppermost whorl (branch) and the top of the leader.
- c. For deciduous shrubs, height at planting is measured vertically to the top of the shortest of all canes.
- d. For all other plants, height at planting is measured vertically to the highest point of the plant.

9. Container Size

- a. Container size is measured in accordance with the American Standard for Nursery Stock.
- b. When a minimum container size is indicated by a standard, all equivalent or greater container sizes are also requested in accordance with American Standard for Nursery Stock container class volume ranges.

10. Caliper

- a. For fruit trees, small fruits, understock and seedling trees and shrubs, caliper measurement shall be taken at the root collar or at the other points expressly described in the applicable sections of the American Standard for Nursery Stock.
- b. Caliper for trees with multiple stems is measured as one-half the sum of the calipers of the three largest trunks.
- c. For all other plants, caliper measurement shall be taken six inches above the root collar.

11. Height at Maturity

- a. Height at maturity is measured from the root flare.
- b. For evergreens, height at maturity is measured vertically to the midpoint of the leader between the uppermost whorl (branch) and the top of the leader.
- c. For deciduous shrubs, height at maturity is measured vertically to the top of the shortest of all canes.

- d. For all other plants, height at maturity is measured vertically to the highest point of the plant.

E. **Exceptions**

Plant design and installation standards do not apply to plants which are not required by this Zoning Code (Chapter 1A).

F. **Relief**

1. Alternative Compliance to plant design and installation standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A deviation from any plant design and installation dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A deviation from any plant design and installation standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

DIV. 4C.7. **FENCES & WALLS**

SEC. 4C.7.1. **FRONTAGE YARD FENCES & WALLS**

For fences, walls, and hedges allowed in a frontage yard, see Sec. 3C.3.2. (*Frontage Yard Fences & Walls*).

SEC. 4C.7.2. **SIDE/REAR YARD FENCES & WALLS**

A. **Intent**

The intent of the standards of this Section (*Side/Rear Yard Fences & Walls*) is to provide security and privacy for private ground story uses facing side yards and rear yards in a manner appropriate to context.

B. **Applicability**

This Section (*Side/Rear Yard Fences & Walls*) applies to new construction or a site modification involving fences and walls within the side yard or rear yard.

C. **Standards**

1. Side yard and rear yard fences, walls, and hedges shall be no taller than specified for the applied Use District (Part 5B.) in the following table:

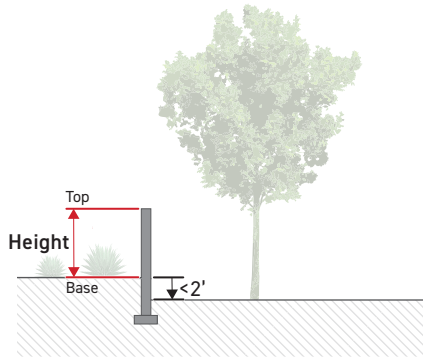
SIDE/REAR YARD FENCE, WALL HEIGHT	
Use Districts	Height (Max)
Open Space (OS)	8'
Agricultural (A)	8'
Residential (RG)	8'
Residential-Mixed (RX)	8'
Commercial-Mixed (CX)	8'
Industrial-Mixed (IX)	8'
Industrial (I)	None*
Public (P)	None*

* A Class 1 Conditional Use Permit (Sec. 13B.2.1.) is required for fences and walls exceeding eight feet in height or the maximum height established by Sec. 4C.7.2.E.1. (*Exceptions*) below where they are adjacent to a lot zoned with a Use District (Part 5B.) other than a Industrial Use District (Div. 5B.7.), or Public Use District (Div. 5B.8.).

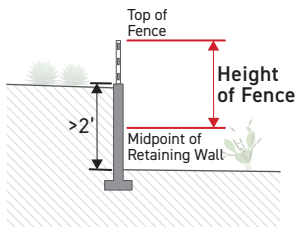
2. All fences and walls provided shall comply with Sec. 4C.7.3. (*Fence/Wall Design & Installation*).
3. All hedges provided shall comply with Sec. 4C.6.4. (*Plant Design & Installation*).

D. Measurement

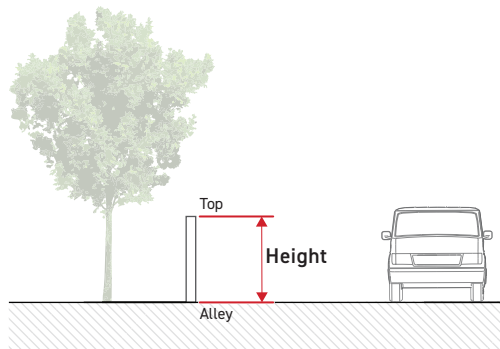
1. Where the difference in finished grade on either side of a fence or wall is less than two feet, height is measured from finished grade at the base of the wall or fence on the side with the highest finished grade. Finished grade on either side of a fence or wall is measured as the highest and lowest finished grade within three feet of the fence or wall.



2. Where the difference in finished grade on either side of a fence or wall is two feet or greater, height is measured from the top of the wall or fence to the average of the finished grades on either side of the fence or wall, (referred to as the midpoint of the retaining wall in the image below). Finished grade on either side of a fence or wall is measured as the highest and lowest finished grade within three feet of the fence or wall.



3. Fences and walls located in a rear yard or side yard adjacent to an alley are measured vertically from the nearest surface of the adjacent alley, to the topmost point of the wall or fence.



E. Exceptions

1. Where a required frontage screen or transition screen includes a wall or fence minimum height requirement that exceeds the maximum height allowed in *Subsection C. (Standards)* above, the maximum fence and wall height allowed shall instead be two feet greater than the minimum fence and wall height specified by the required applicable screening standards.
2. This Section (Side/Rear Fences & Walls) does not apply to retaining walls.

F. Relief

1. Alternative Compliance to Side/Rear Yard Fences & Walls standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A deviation from any Side/Rear Yard Fences & Walls dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A deviation from any Side/Rear Yard Fences & Walls standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.7.3. FENCE/WALL DESIGN & INSTALLATION**A. Intent**

The intent of the standards of this *Section (Fence/Wall Design & Installation)* is to allow for needed security and privacy while preventing looming, and ensuring adequate access to light and air for abutting properties.

B. Applicability

This *Section (Fence/Wall Design & Installation)* applies to new construction or a site modification. When the Fence/Wall Design & Installation standards apply, they apply to the fences, walls, or hedges on any portion of a lot.

C. Standards**1. General**

- a. No wall or fence may be constructed of tires, junk, leaves or other discarded materials.
- b. Fences and walls shall not interfere with visibility at intersections and driveways pursuant to *Chapter VI. (Public Works and Property), Sec. 62.200. (Street Intersections - Obstructions to Visibility)* of this Code.

2. Maintenance

Walls and fences shall be maintained in good repair and shall be kept vertical, structurally sound and protected from deterioration.

D. **Measurement**

[Reserved]

E. **Relief**

1. Alternative Compliance to Fence/Wall Design & Installation standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A deviation from any Fence/Wall Design & Installation dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A deviation from any Fence/Wall Design & Installation standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

DIV. 4C.8. **SCREENING**

SEC. 4C.8.1. **FRONTAGE SCREENS**

A frontage screen is a device or combination of elements, including fences, walls, trees and other plants, along a frontage lot line that conceals, obstructs or protects the public realm from adjacent uses, activities, or site elements.

A. **Intent**

The intent of the standards of this *Section (Frontage Screens)* is to mitigate negative impacts from subject uses, activities, or site elements with significant impacts on the public realm, promoting visual interest and increasing comfort for users of the public realm.

B. **Applicability**

Frontage screen standards apply to specified project activities when required by this Zoning Code (Chapter 1A), including, but not limited to, the applied *Use District (Part 5B.)*, *Sec. 4C.2.2. (Motor Vehicle Use Area)*, *Sec. 4C.2.2.C.3. (Drive-Through Facilities)*, *Sec. 4C.2.2.C.2. (Freight Loading Areas)*, *Sec. 4C.4.4. (Parking Lot Design)* or *Sec. 4C.4.5. (Parking Structure Design)*.

C. **Standards**

1. **General**

- a. Required frontage screens shall be located between the use, area, or site element subject to screening requirements and all frontage lot lines. Any wall and planting area required by the frontage screen type shall be continuous with the following exceptions:
 - i. Openings in a required frontage screen accommodating pedestrian accessways are allowed for a width no greater than eight feet in width for each individual pedestrian accessway. Where an opening in the frontage screen accommodates both pedestrian and automobile access, the maximum allowable opening width is eight feet greater than the maximum allowed driveway width.
 - ii. Openings in a required frontage screen accommodating automobile access are allowed for a width no greater than the maximum allowed driveway width allowed by the applied *Development Standards District (Part 4B.)*.
 - iii. For portions of frontage lot lines where a building of at least 10 feet in height is located between the frontage lot line and the use, area, or site element subject to frontage screening requirements, no wall is required as part of the frontage screen, provided that the building is contiguous with the required wall.
- b. Required frontage screens including their sub-grade elements, such as footings or foundations, shall be located entirely on-site.

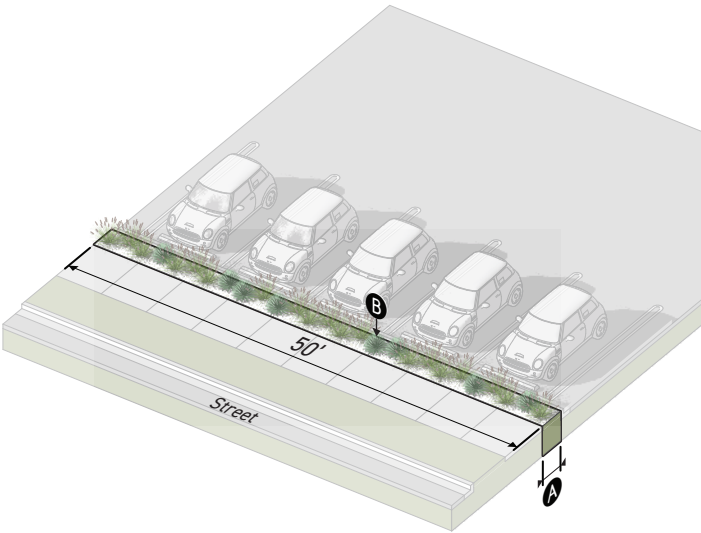
- c. Where there are overlapping frontage screen requirements, the screen type with the highest minimum height of fence or wall shall apply. Where none of the required screen types have a fence or wall requirement, the screen type with the widest required planting area shall apply.
- d. Where a required frontage screen includes a wall, the wall may only be located in the frontage yard if the wall complies with the allowed frontage yard fence & wall standards specified by the applied *Frontage District (Part 3B.)*. Uses, activities, or site elements subject to frontage screening requirements shall not be located in a frontage yard if the required minimum wall height specified by the frontage screen exceeds the maximum height of allowed frontage yard fence & walls as specified by the applied *Frontage District (Part 3B.)*.
- e. Where a required frontage screen includes a wall with a minimum height that exceeds the maximum height allowed in the rear yard or side yard per *Sec. 4C.7.2.C.2. (Side/Rear Yard Fences & Walls)* pursuant to *Sec. 4C.7.2.E. (Exceptions)*, the maximum wall height standard for side yard and rear yard fences and walls shall be two feet greater than the minimum wall height required for the frontage screen.
- f. All walls provided in a frontage screen shall comply with *Sec. 4C.7.3. (Fence/Wall Design & Installation)*.
- g. All plants provided in a frontage screen shall comply with *Sec. 4C.6.4. (Plant Design & Installation)*.
- h. Maximum wall and fence height is regulated by *Sec. 4C.7.1. (Frontage Yard Fences & Walls)* and *Sec. 4C.7.2. (Side/Rear Yard Fences & Walls)*.
- i. Walls provided to meet the standards of any required frontage screen shall not include barbed wire or concertina.
- j. For a lot affected by a public access easement, see *Sec. 14.2.17.B.8. (Frontage Screens & Transition Screens)*

2. Frontage Screen Types

Frontage screen types are packages of standards for required frontage screens.

a. F-Screen 1

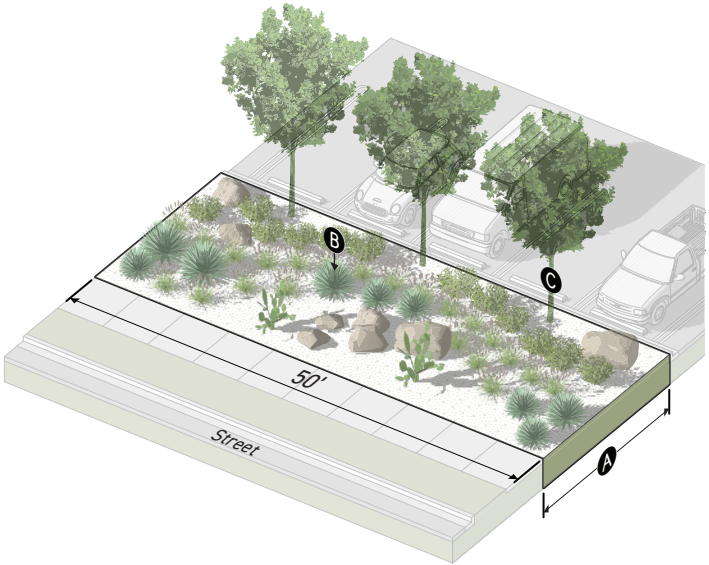
This screen type is intended for screening motor vehicle use areas facing a frontage lot line, including vehicle display areas.



PLANTING AREA		Sec. 4C.8.1.D.
A	Width (min)	3'
B	Screening Plants (min per 50')	20
WALLS		Sec. 4C.8.1.D.
	Height	No Restriction
	Opacity	No Restriction

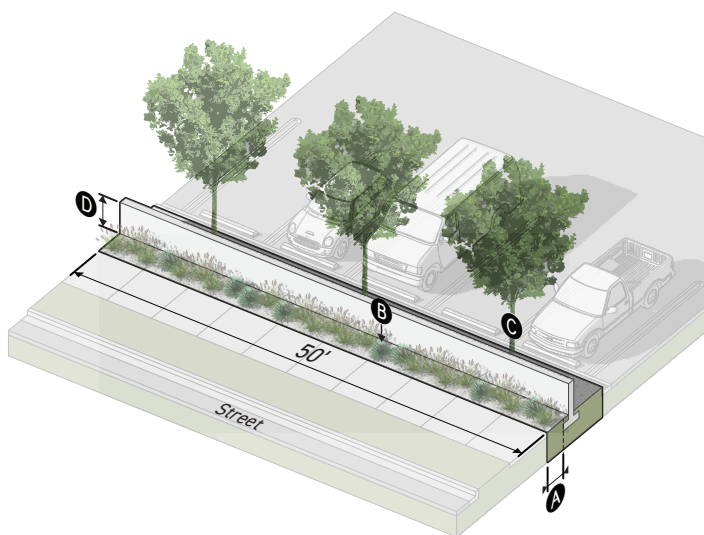
b. F-Screen 2

This screen type is intended for screening motor vehicle use areas including drive-through lanes, drive aisles, maneuvering areas and fire lanes facing a frontage lot line.



PLANTING AREA		Sec. 4C.8.1.D.
A	Width (min)	15'
B	Screening Plants (min per 50')	45
C	Large Species Trees (min per 50')	3
WALLS		Sec. 4C.8.1.D.
	Height	No Restriction
	Opacity	No Restriction

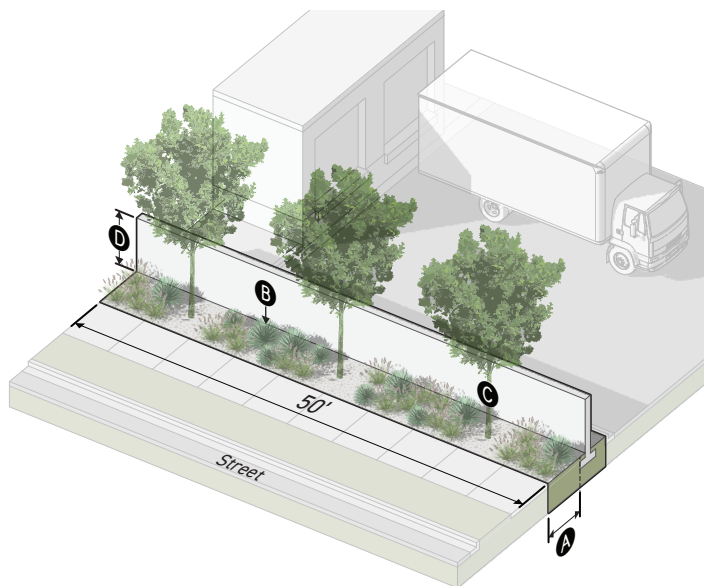
This screen type is intended for screening motor vehicle use areas including drive-through lanes, drive aisles, maneuvering areas and fire lanes facing a frontage lot line.



PLANTING AREA		Sec. 4C.8.1.D.
A	Width (min)*	3'
B	Screening Plants (min per 50')	20
C	Large Species Trees (min per 50')*	3
WALLS		Sec. 4C.8.1.D.
D	Height (min)	3.5'
	Opacity	
	Below 3.5' (min)	90 percent
	3.5' and above (max)	50 percent

* Additional planting area may be required to accommodate large species trees.

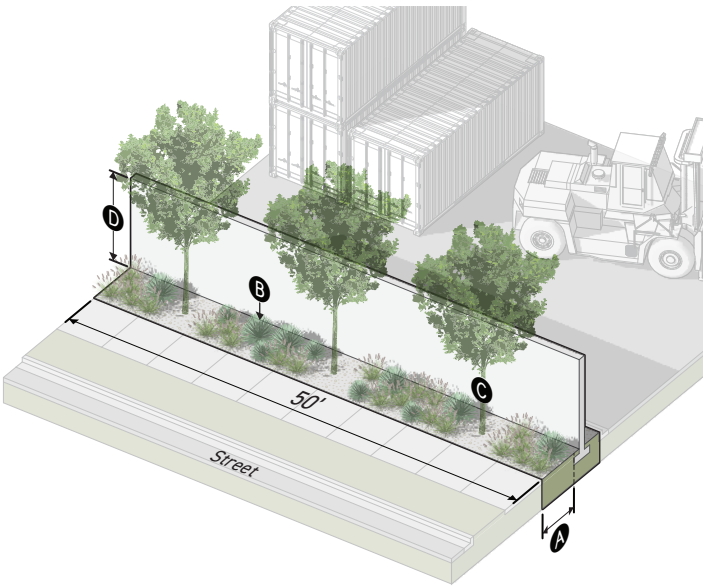
This screen type is intended for screening outdoor areas associated with moderate-impact uses facing a frontage lot line.



PLANTING AREA		<i>Sec. 4C.8.1.D.</i>
A	Width (min)	5'
B	Screening Plants (min per 50')	30
C	Large Species Trees (min per 50')	3
WALLS		<i>Sec. 4C.8.1.D.</i>
D	Height (min)	6'
	Opacity	
	Below 6' (min)	100 percent
	6' and above (max)	50 percent

e. F-Screen 5

This screen type is intended for screening outdoor areas associated with high-impact uses facing a frontage lot line.



PLANTING AREA		Sec. 4C.8.1.D.
A	Width (min)	5'
B	Screening Plants (min per 50')	30
C	Large Species Trees (min per 50')	3
WALLS		Sec. 4C.8.1.D.
D	Height (min)	10'
Opacity		
Below 10' (min)		100 percent
10' and above (max)		100 percent

D. Measurement

1. Planting Area

a. Width

For measuring planting area width see Sec. 4C.6.4.D.1. (*Planting Area Width*).

b. Frequency

For measuring planting frequency, for example 5 per 50', see Sec. 14.2.8. (*Frequency*).

c. Screening Plants

For measuring compliance with screening plant standards see Sec. 4C.6.4.C.3.b. (*Screening Plants*).

d. Large Species Trees

For measuring compliance with large species tree standards see Sec. 4C.6.4.C.3.a. (*Trees*).

2. Walls

a. Height

Frontage screen wall height is measured for the portion of the wall constructed of concrete or masonry that has a minimum thickness of eight inches and meets the minimum opacity specified by the frontage screen type. For measuring wall height in a rear yard or side yard, see Sec. 4C.7.2.D. (*Measurement*). For measuring wall height in a frontage yard see Sec. 3C.3.2.D.2. (*Fence & Wall Height*).

b. Opacity

For measuring opacity see Sec. 14.2.13. (*Opacity (%)*).

E. Relief

1. Alternative Compliance to frontage screen standards may be granted in accordance with Sec. 13B.5.1. (*Alternative Compliance*).
2. A deviation from any frontage screen dimensional standard of 10 percent or less may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
3. A deviation from any frontage screen standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

SEC. 4C.8.2. **TRANSITION SCREENS**

A transition screen is defined as a device or combination of elements along a common lot line that conceals, obstructs or protects abutting lots from impactful uses, activities, or site elements.

A. **Intent**

The intent of the standards of this Section (*Transition Screens*) is to mitigate negative impacts from subject uses, activities, or site elements on adjacent uses, promoting visual interest and increasing comfort for users of the subject lot, the public realm and adjacent lots.

B. **Applicability**

Transition screen standards apply to specified project activities when required by this Zoning Code (Chapter 1A), including, but not limited to, the applied *Use District (Part 5B.)*, *Sec. 4C.2.2. (Motor Vehicle Use Area)*, *Sec. 4C.2.2.C.3. (Drive-Through Facilities)*, *Sec. 4C.2.2.C.2. (Freight Loading Areas)*, *Sec. 4C.4.4. (Parking Lot Design)*, *Sec. 4C.4.5. (Parking Structure Design)*, *Sec. 4C.8.2.C.2.a. (Freeway Screening)*, or *Sec. 8.3.2.B.3. (Freeway Screening)*.

C. **Standards**

1. **General**

- a. Required transition screens shall be located between the use, area, or site element subject to screening requirements and all common lot lines. Any walls and planting areas required by the transition screen shall be continuous with the following exceptions:
 - i. Openings in a required transition screen accommodating pedestrian accessways are allowed for a width no greater than six feet in width for each individual pedestrian accessway.
 - ii. For portions of common lot lines where a building of no less than 10 feet in height is located between the common lot line and the use, area, or site element subject to transition screen requirements, no wall is required as part of the transition screen, provided that the building is contiguous with the required wall.
- b. Required transition screens including their sub-grade elements, such as footings or foundations, shall be located entirely on-site.
- c. Where there are overlapping transition screen requirements, the screen with the highest minimum height wall shall apply. Where none of the required transition screens have a fence or wall requirement, the transition screen with the widest required planting area shall apply.
- d. Where a required transition screen includes a wall, the wall may only be located in the frontage yard if the wall complies with the allowed frontage yard fence & wall standards specified by the applied *Frontage District (Part 3B.)*. Uses, activities, or site elements subject

to screening requirements shall not be located in a frontage yard if the required minimum wall height specified by the transition screen exceeds the maximum height of allowed frontage yard fence & walls as specified by the applied *Frontage District (Part 3B)*.

- e. Where a required transition screen includes a wall with a minimum height requirement that exceeds the maximum height allowed in the rear yard or side yard per *Sec. 4C.7.2. (Side/Rear Yard Fences & Walls)*, pursuant to *Sec. 4C.7.2.E. (Exception)* the maximum wall height standard for Side/Rear Yard Fences & Walls shall be two feet greater than the minimum wall height required for the transition screen.
- f. All walls provided in a transition screen shall comply with *Sec. 4C.7.3. (Fence/Wall Design & Installation)*.
- g. All plants provided in a transition screen shall comply with *Sec. 4C.6.4. (Plant Design & Installation)*.
- h. Maximum wall and fence height is regulated by *Sec. 4C.7.1. (Frontage Yard Fences & Walls)* and *Sec. 4C.7.2. (Side/Rear Yard Fences & Walls)*.
- i. Walls provided to meet the standards of any required transition screen shall not include barbed wire or concertina.
- j. For a lot affected by a public access easement, see *Sec. 14.2.17.B.8. (Frontage Screens & Transition Screens)*.

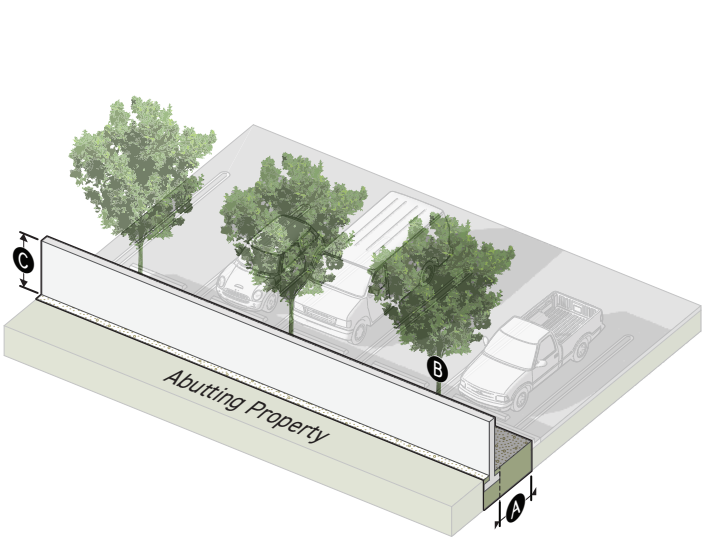
2. **Freeway Screening**

- a. Lots abutting a Freeway (FWY) Special Zone (*Sec. 8.3.2.*) shall provide a T-Screen 3 (*4C.8.2.C.3.c.*) for the entire length of any lot line abutting a Freeway (FWY) Special Zone.
- b. On lots with an applied Freeway (FWY) Special Zones (*Sec. 8.3.2.*), transition screens shall be provided as according to *Sec. 8.3.2.B.3. (Freeway Screening)*.

3. Transition Screen Types

a. T-Screen 1

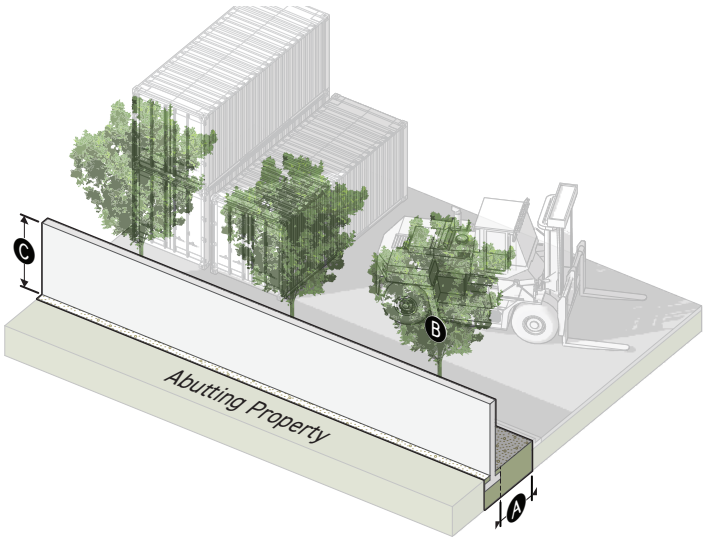
This transition screen type is intended for screening moderate-impact uses from abutting lower-intensity uses.



PLANTING AREA		Sec. 4C.8.2.D.
A	Width (min)	5'
B	Large Species Trees (min per 50')	3
WALLS		Sec. 4C.8.2.D.
C	Height (min)	6'
Opacity		
Below 6' (min)		100 percent
6' and above (max)		50 percent

b. T-Screen 2

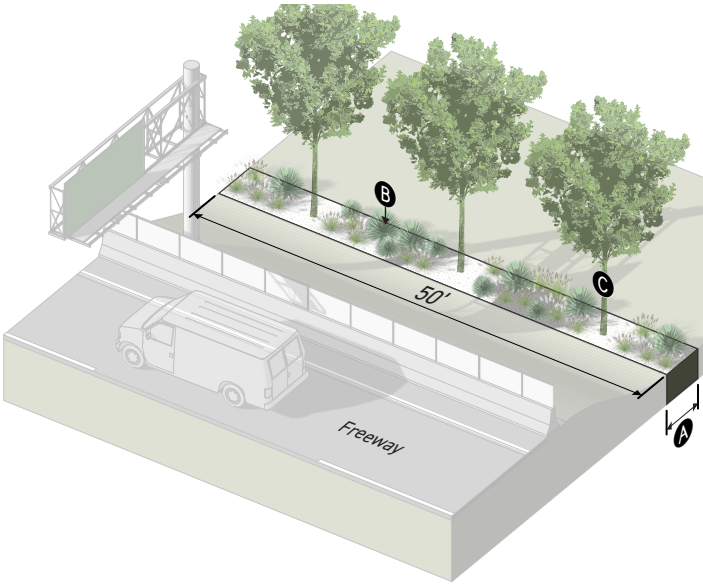
This transition screen type is intended for screening high-impact uses from lower-intensity abutting uses.



PLANTING AREA		Sec. 4C.8.2.D.
A	Width (min)	5'
B	Large Species Trees (min per 50')	3
WALLS		Sec. 4C.8.2.D.
C	Height (min)	10'
Opacity		
Below 10' (min)		100 percent
10' and above (max)		100 percent

c. T-Screen 3

This transition screen type is intended for screening uses from adjacent sources of noise pollution and particulate air pollution such as freeways.



PLANTING AREA		Sec. 4C.8.2.D.
A	Width (min)	5'
B	Screening Plants (min per 50')	30
C	Large Species Trees (min per 50')	3
WALLS		Sec. 4C.8.2.D.
	Height (min)	No Restriction

D. Measurement**1. Planting Area****a. Width**

For measuring planting area width see Sec. 4C.6.4.D.1. (*Planting Area Width*).

b. Frequency

For measuring planting frequency, for example 5 per 50', see Sec. 14.2.8. (*Frequency*).

c. Screening Plants

For measuring compliance with screening plant standards see Sec. 4C.6.4.C.3.b. (*Screening Plants*).

d. Large Species Trees

For measuring compliance with large species tree standards see Sec. 4C.6.4.C.3.a. (*Trees*).

2. Walls**a. Height**

Transition screen wall height is measured for the portion of the wall constructed of concrete or masonry that has a minimum thickness of eight inches and meets the minimum opacity specified by the transition screen type pursuant to Sec. 4C.8.2.C.3. (*Transition Screen Types*) above. For measuring wall height in a rear yard or side yard, see Sec. 4C.7.2.D. (*Measurement*). For measuring wall height in a frontage yard see Sec. 3C.3.2.D.2. (*Fence & Wall Height*).

b. Opacity

For measuring opacity, see Sec. 14.2.13. (*Opacity (%)*).

E. Relief

1. Alternative Compliance to transition screen standards may be granted in accordance with Sec. 13B.5.1. (*Alternative Compliance*).
2. A deviation from any transition screen dimensional standard of 10 percent or less may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
3. A deviation from any transition screen standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

SEC. 4C.8.3. **OUTDOOR STORAGE SCREENING**

Outdoor storage screening is defined as fences or walls surrounding outdoor storage areas in which goods, material, and equipment, new or used, are held outside of a building for future use

A. Intent

The intent of the standards of this *Section (Outdoor Storage Screening)* is to ensure storage, outdoor areas are designed in a manner that conceals, obstructs or protects abutting lots from impactful activities associated with storage, outdoor.

B. Applicability

Outdoor storage screening standards apply to new construction or a site modification when required by an applied *Use District (Part 5B.)*.

C. Standards

1. Location

Storage, outdoor and its screening enclosure shall not be located in any of the following locations:

- a. In a frontage yard.
- b. Closer to any frontage lot line than the frontage lot line setback listed in the applicable outdoor storage screening type pursuant to *Paragraph 3. (Outdoor Storage Screening Types)* below.

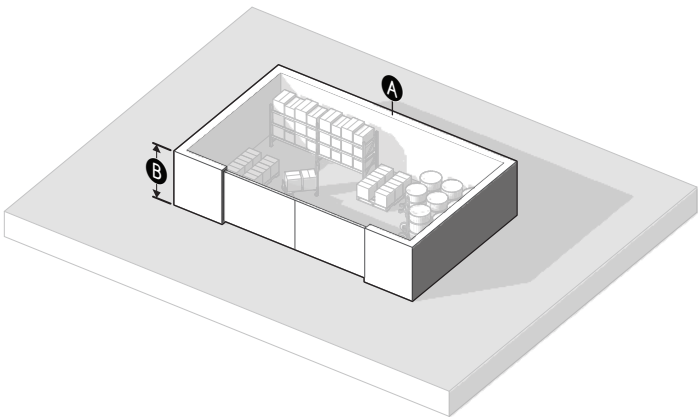
2. Screening Enclosure

- a. Storage, outdoor areas shall be screened with the outdoor storage screening type specified by the applied *Use District (Part 5B.)*.
- b. Gates provided in the screening structure shall meet the standards of the applicable outdoor storage screening type pursuant to *Paragraph 3. (Outdoor Storage Screening Types)* below in addition to the following standards:
 - i. Shall have a height of no less than the minimum required fence or wall height.
 - ii. Where a screening structure is taller than the minimum height, gates shall be no more than one foot shorter than the height of the wall or fence provided.
 - iii. In no case shall gates exceed the height of the screening structure by more than one foot.
- c. No material or equipment shall be stored to a height greater than the height of the enclosing wall or fence.
- d. All provided fences and walls shall comply with *Sec 4C.7.3. (Fence/Wall Design and Installation)*.

3. Outdoor Storage Screening Types

a. S-Screen 1

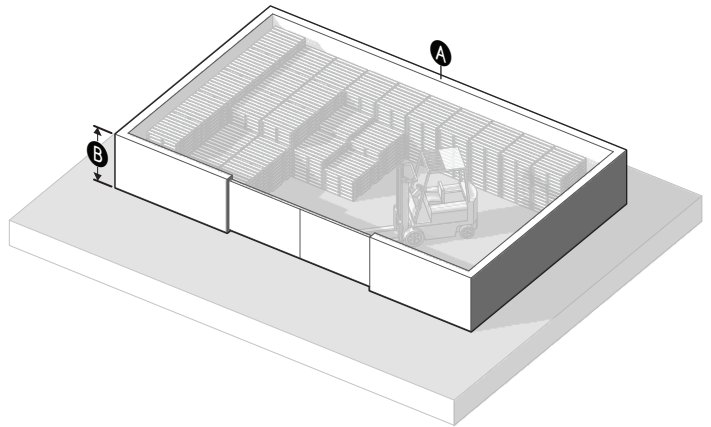
Applicable as required by *Article 5. (Use).*



SITING		Sec. 4C.8.3.D.
Frontage lot line setback (min)	60'	
Area (max)	3000 SF	
FENCES & WALLS		Sec. 4C.8.3.D.
A Enclosure (min)	100 percent	
B Height (min)	6'	
Opacity (min)	90 percent	

b. S-Screen 2

Applicable as required by *Article 5. (Use).*



SITING		Sec. 4C.8.3.D.
Frontage lot line setback (min)	No Restriction	
Area (max)	No Restriction	
FENCES & WALLS		Sec. 4C.8.3.D.
A Enclosure (min)	100 percent	
B Height (min)	6'	
Opacity (min)	90 percent	

D. Measurement

1. Siting

- a. For frontage yard designation, see Sec. 14.2.16.C.1. (*Frontage Yard*).
- b. Frontage lot line setbacks are measured perpendicular from all frontage lot lines toward the interior of the lot
- c. For lot line designation, see Sec. 14.2.12. (*Lot Line Determination*).
- d. For measurement of storage, outdoor space area, the area of storage, outdoor space is measured as all portions of a lot used for storage, outdoor uses and enclosed by a screening structure. The area does not include the screening structure.

2. Fences & Walls

- a. For measurement of an enclosure, see Sec. 14.2.4. (*Enclosure*).
- b. For measurement of fence or wall height in a rear yard or side yard, see Sec. 4C.7.2.D. (*Measurement*).
- c. For measurement of fence or wall height in a frontage yard, see Sec. 3C.3.2.D.2. (*Fence & Wall Height*)
- d. For measurement of opacity, see Sec. 14.2.13. (*Opacity (%)*).

E. Relief

1. Alternative Compliance to outdoor storage screening standards may be granted in accordance with Sec. 13B.5.1. (*Alternative Compliance*).
2. A deviation from any outdoor storage screening type dimensional standard of 15 percent or less may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
3. Deviation from any outdoor storage standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

DIV. 4C.9. GRADING & RETAINING WALLS

SEC. 4C.9.1. GRADING & HAULING

[Reserved]

SEC. 4C.9.2. RETAINING WALLS

A retaining wall is defined as a freestanding continuous structure, as viewed from the top, intended to support earth, which is not attached to a building.

A. Intent

The intent of the standards of this Section (*Retaining Walls*) is to prevent retaining walls which loom over neighboring properties and public right-of-ways in Hillside Areas and improve the aesthetic quality of large retaining walls.

B. Applicability

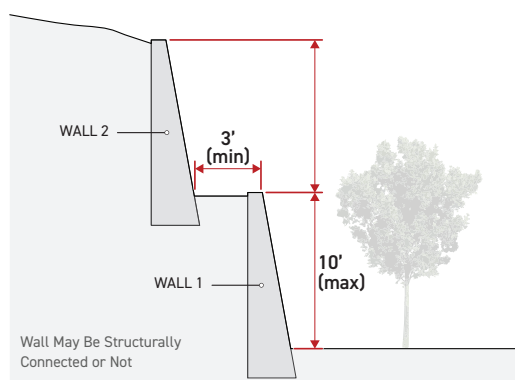
Retaining wall standards apply to new construction, a major remodel, a site modification, or a use modification, on a lot that is designated with an Agricultural or Residential Use District, is also located within a Hillside Area, and is developed or to be developed with dwelling units.

C. Standards

1. General

A maximum of one free-standing vertical or approximately vertical retaining wall may be built on any lot with a maximum height of 12 feet. However, as shown in the diagram below, a maximum of two vertical or approximately vertical retaining walls or portions of a retaining wall can be built if they comply with all of the following standards:

- a. The minimum horizontal distance between the two retaining walls is three feet,
- b. Neither of the two retaining walls exceed a height of 10 feet, and
- c. In no case shall the height of a retaining wall located in a yard exceed the maximum height specified by the frontage yard fence & wall type allowed in the applied Frontage District (Part 3B.), except as allowed in Sec. 4C.7.2. (*Side/Rear Yard Fences & Walls*).



2. Landscaping

All retaining walls of eight feet or greater in height shall be landscaped so as to be completely hidden from view and in accordance with any plant standards in *Div. 4C.6. (Plants)*, and fences and wall standards in *Div. 4C.7. (Fences & Walls)*.

D. Measurement

The height of retaining walls is measured from the top of the wall to the lower side of the adjacent ground elevation.

E. Exceptions

1. Exception for Public Agency Projects

This *Section (Retaining Walls)* does not apply to projects undertaken by a public agency.

2. Exception for Retaining Walls Required by Building and Safety

The provisions of this *Section (Retaining Walls)* do not apply to any retaining wall built to comply with an order issued by the Department of Building and Safety to repair an unsafe or substandard condition.

3. Exception for Retaining Walls Approved Prior to March 9th, 2005

See *Sec. 12.4.1. (Retaining Walls Exceptions)* for exceptions to the standards in this *Section (Retaining Walls)* for retaining walls approved prior to March 9th, 2005.

F. Relief

1. The Zoning Administrator may approve retaining walls that exceed the heights or the maximum number allowed in this *Section (Retaining Walls)* pursuant to *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*.
2. A deviation from any retaining walls standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

DIV. 4C.10. **OUTDOOR LIGHTING & GLARE**

SEC. 4C.10.1. **OUTDOOR LIGHTING**

A. **Intent**

The intent of the standards of this *Section (Outdoor Lighting)* is to minimize light trespass and provide lighting standards to support a variety of environments.

B. **Applicability**

This *Section (Outdoor Lighting)* applies to new construction, a major remodel, a site modification, an exterior modification, or a use modification. When the outdoor lighting standards apply, they apply to the installation or alteration of new and existing outdoor lighting, including exterior luminaires, new and existing luminaires located within parking structures, and new and existing illuminated signs.

C. **Standards**

1. **Light Trespass**

- a. Outdoor luminaires that have the ability to be redirected, shall be directed away from adjoining lots to minimize light trespass.
- b. No person shall construct, establish, create, or maintain any stationary exterior light source that may cause light trespass onto adjoining lots exceeding the following amounts:
 - i. From any lot onto a lot with an applied *Residential Use District (Div. 5B.3.)* or *Residential-Mixed Use District (Div. 5B.4.)*, the maximum allowable light trespass shall be 0.5 footcandles (5.38 lux).
 - ii. From any lot onto a lot with an applied *Use District (Part 5B.)* other than a *Residential Use District (Div. 5B.3.)* or *Residential-Mixed Use District (Div. 5B.4.)*, the maximum allowable light trespass shall be one footcandle (10.76 lux).
- c. The owner of a lot with any existing light source shall bring such light source into compliance with this *Section (Outdoor Lighting)* upon receipt of written notice from the Department of Building and Safety.

2. **Lighting Quantity**

- a. All parking areas and garages provided for three or more dwelling units shall have an average horizontal illuminance of at least 0.2 footcandles (2.15 lux), measured from the finished surface of the parking area.
- b. Any lot abutting a special river lot line according to *Sec. 14.2.12.C.3. (Special Lot Line)* must meet the additional standards below:

- i. All site and building mounted lighting shall be designed such that it produces a maximum initial luminance value no greater than 0.20 horizontal and vertical footcandles (2.15 lux) at the lot boundary and no greater than 0.01 horizontal footcandles (0.11 lux) 15 feet beyond the lot.
- ii. All low pressure sodium, high pressure sodium, metal halide, fluorescent, quartz, incandescent greater than 60 watts, mercury vapor, and halogen lighting shall be in a fully shielded luminaire.

3. Pedestrian-Oriented Lighting

The walking surface of spaces required to install pedestrian-oriented lighting shall be illuminated to the following standards:

- a. A minimum average horizontal illuminance of 0.75 footcandles.
- b. A uniformity ratio of 3:1.
- c. Luminaires shall be mounted no more than 15 feet above the walking surface.

D. Measurement

A footcandle is a unit of illuminance. One footcandle is equivalent to one lumen per square foot and shall be measured using a light meter.

E. Relief

A deviation from any lighting standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

SEC. 4C.10.2. GLARE

A. Intent

The intent of the standards of this *Section (Glare)* is to prevent the generation of high levels of glare and reflected heat resulting in detrimental effects on surrounding properties and the public realm.

B. Applicability

This *Section (Glare)* applies to new construction, a major remodel, a site modification, or a use modification involving the installation or alteration of building materials on a building facade.

C. Standards

Buildings shall not use materials with an external reflectance rating of 30 percent or greater.

D. **Measurement**

External reflectance values are based on spectrophotometric measurements and energy distribution of solar radiation, and shall be measured according to the listed specifications for each glass product.

E. **Relief**

1. Alternative Compliance to any glare standards may be granted in accordance with Sec. 13B.5.1. (*Alternative Compliance*).
2. A deviation from any glare standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

DIV. 4C.11. **SIGNS**

SEC. 4C.11.1. **GENERAL SIGN RULES**

A. **Intent**

The intent of the standards of this *Division (Signs)* is to promote public safety and welfare by regulating signs in keeping with the following objectives:

1. That the design, construction, installation, repair and maintenance of signs will not interfere with traffic safety or otherwise endanger public safety.
2. That the regulations will provide reasonable protection to the visual environment by controlling the size, height, spacing and location of signs.
3. That both the public and sign users will benefit from signs having improved legibility, readability and visibility.
4. That consideration will be given to equalizing the opportunity for messages to be displayed.
5. That adequacy of message opportunity will be available to sign users without dominating the visual appearance of the area.
6. That the regulations will conform to judicial decisions, thereby limiting costly litigation and facilitating enforcement of these regulations.

B. **Applicability**

General sign rules standards apply to new construction, a major remodel, a site modification, an exterior modification, or a use modification. When general sign rules standards apply, the standards apply to exterior signs, window signs or sign support structures, which are not located entirely in the public right-of-way.

C. **Standards**

1. **Ideological, Political, and Non-Commercial Messages**

No provision of this *Division (Signs)* prohibits an ideological, political or other non-commercial message on a sign otherwise permitted by this *Division (Signs)*.

2. **Sign Height**

A sign shall not be located at a height that exceeds the building height limit specified by the applied *Form District (Part 2B.)*.

3. **Sign Illumination Limitations**

No sign shall be arranged and illuminated in a manner that will produce a light intensity of greater than 3.0 footcandles above ambient lighting, as measured at the property line. Sign illumination shall also comply with any applicable provisions from *Sec. 4C.10.1. (Outdoor Lighting)*.

4. Maintenance

a. Appearance

Every sign shall be maintained in a clean, safe and good working condition, including the replacement of defective parts, defaced or broken faces, lighting and other acts required for the maintenance of the sign. Display surfaces shall be kept neatly painted or posted at all times.

b. Debris Removal

The base of any sign erected on the ground shall be kept clear of weeds, rubbish or other combustible material at all times.

c. Abandoned Signs

Ninety days after the cessation of a business activity, service or product, the related signs shall be removed, or the face of the signs removed and replaced with blank panels, or be painted out.

5. Hazard To Traffic

a. Prohibition

No sign or sign support structure shall be erected, constructed, painted or maintained, and no permit shall be issued, if the sign or sign support structure, because of its location, size, nature or type, constitutes a hazard to the safe and efficient operation of vehicles upon a street or a freeway, or creates a condition that endangers the safety of persons or property.

b. Hazard Referral

The Department of Building and Safety will refer the following to LADOT for hazard evaluation and determination prior to the issuance of a building permit:

- i. All permit applications for signs that will be visible from and are located within 500 feet of the main traveled roadway of a freeway; and
- ii. All other permit applications and any signs that are determined by the Department of Building and Safety to have a potential for hazard.

c. Hazard Determination

LADOT will return to the Department of Building and Safety, each application given to it together with a statement of its determination. If LADOT determines that the sign or sign support structure will constitute a hazard, the Department of Building and Safety shall deny the application for permit.

6. Freeway Exposure

- a. No person shall erect, construct, install, paint or maintain, and no building or electrical permit can be issued for, any sign or sign support structure within 2,000 feet of a freeway unless the Department of Building and Safety has determined that the sign will not be viewed primarily from a main traveled roadway of a freeway or an on-ramp/off-ramp.
- b. The phrase "viewed primarily from" means that the message may be seen with reasonable clarity for a greater distance by a person traveling on the main traveled roadway of a freeway or on-ramp/off-ramp than by a person traveling on the street adjacent to the sign.

7. Sign Permit Priority Status

- a. To maintain location, area, frontage, or spacing status, signs shall be installed within six months of issuance of a building permit and prior to expiration of any permit extension granted by the Department of Building and Safety.
- b. When more than one permit is issued for a sign or signs on a lot and the more recently issued permit or permits cause such sign or signs to violate this *Division (Signs)*, the more recently issued permit or permits are invalid and are subject to revocation. Any prior issued permits remain valid provided that such permits were issued in compliance with this *Division (Signs)*.

8. Prohibited Signs

Signs are prohibited if they:

- a. Contain obscene matters, as defined in *California Penal Code, Part 1. (of Crimes and Punishments), Sec. 311. (Obscene Matter)*.
- b. Contain or consist of posters, pennants, banners, ribbons, streamers or spinners, except as permitted in *Sec. 4C.11.2. (Temporary Signs)*.
- c. Contain flashing, mechanical and strobe lights in conflict with the provisions of *Chapter VIII. (Traffic), Sec. 80.08.4. (Flashing Lights – Interference With Traffic Signals)* or *Chapter IX. (Building Regulations), Sec. 93.0107. (Distracting, Confusing or Nuisance Lighting Viewed From Public Streets, Highways or Other Public Thoroughfares Used by Vehicular Traffic)* of this Code.
- d. Are revolving and where all or any portion rotate at greater than six revolutions per minute.
- e. Are tacked, pasted or otherwise temporarily affixed on the walls of buildings, barns, sheds, trees, poles, posts or fences, except as permitted in *Sec. 4C.11.2. (Temporary Signs)*.
- f. Are affixed to any vehicle or trailer on private property if the vehicle or trailer is not intended to be otherwise used in the business and the sole purpose of attaching the sign to the vehicle or trailer is to attract people to a place of business.
- g. Emit audible sounds, odor or visible matter.

- h. Use human beings, live animals, animated figures, motion pictures or projectors or any other means that causes continuous motion in connection with any sign.
- i. Are supergraphic signs, except where supergraphic signs are specifically permitted pursuant to a legally-adopted Specific Plan, a Supplemental District, an approved development agreement or a Sign District (Sec. 8.2.3.). In addition, despite the provisions of Sec. 13B.10.1.B.2. (Vesting of Development Plan), this prohibition does not apply to any building permit issued prior to August 14, 2009 if the Department of Building and Safety determines that both substantial liabilities have been incurred, and substantial work has been performed on-site, in accordance with the terms of that permit pursuant to Chapter IX. (Building Regulations), Sec. 91.106.4.3.1. (Limit of Authorization) of this Code.
- j. Are off-site signs, including off-site digital displays, except when off-site signs are specifically permitted pursuant to a relocation agreement entered into pursuant to California Business and Professions Code, Div. 3. (Professions and Vocations Generally), Sec. 5412. (Regulations). This prohibition also applies to alterations, enlargements or conversions to digital displays of legally existing off-site signs, except for alterations that conform to the provisions of LAMC Chapter IX. (Building Regulations), Sec. 91.6216. (Existing Signs) and all other requirements of this Code. This prohibition does not apply to off-site signs, including off-site digital displays, that are specifically permitted pursuant to a legally-adopted Specific Plan, a Supplemental District, an approved development agreement or a Sign District. In addition, despite the provisions of Sec. 13B.10.1.B.2. (Vesting of Development Plan), this prohibition does not apply to any building permit issued prior to August 14, 2009 if the Department of Building and Safety determines that both substantial liabilities have been incurred, and substantial work has been performed on-site, in accordance with the terms of that permit pursuant to Chapter IX. (Building Regulations), Sec. 91.106.4.3.1. (Limit of Authorization) of this Code.
- k. Are inflatable devices, except where inflatable devices are specifically permitted pursuant to a legally-adopted Specific Plan (Div. 8.1.), a Supplemental District (Div. 8.2.), or an approved development agreement.

9. Prohibited Locations

- a. No sign or sign support structure shall project into any public alley, except that a sign or sign support structure above a height of 14 feet may project no more than six inches into a public alley.
- b. No sign or sign support structure shall be located less than six feet horizontally or 12 feet vertically from overhead electrical conductors energized in excess of 750 volts. As used here, the term overhead electrical conductors means any electrical conductor, either bare or insulated, installed above-ground, except electrical conductors that are surrounded in iron pipe or other material covering of equal strength. Arcs of six-foot radius may be used to define corners of the prohibition area.

- c. No sign or sign support structure shall be erected in a visibility triangle as defined by *Chapter VI. (Public Works and Property), Sec. 62.200. (Street Intersections - Obstructions to Visibility)* of this Code.
- d. No sign or sign support structure shall be located within two feet of the curb or edge of any roadway.

10. Temporary Signs

For additional standards applicable to temporary signs, see *Sec. 4C.11.2. (Temporary Signs)*.

11. Off-site Signs

For additional standards applicable to off-site signs, see *Sec. 4C.11.3. (Off-Site Signs)*.

12. On-Site Signs

For additional standards applicable to on-site signs, see *Sec. 4C.11.4. (On-Site Signs)*.

D. Measurement

For the measurement of footcandle, see *Sec. 4C.10.1.D. (Measurement)*.

E. Exceptions

1. General

A sign, having no sign face visible from any public or private right-of-way, that is fully surrounded on all sides by permanent, opaque architectural features on the project lot, including building walls, freestanding walls, roofs, or overhangs, is not subject to the requirements of this *Division (Signs)* except for the general brightness limitation set forth in *Sec. 4C.11.1.C.3. (Sign Illumination Limitations)*.

2. Wall Signs

Wall signs in compliance with all of the standards below are exempt from the limitations in *Sec. 4C.11.1.C.6. (Freeway Exposure)*.

- a. The total area of all wall signs on a building shall not exceed 100 square feet.
- b. An individual wall sign shall not exceed 50 square feet in area.
- c. Wall signs that can be viewed primarily from an off ramp and not from the main traveled roadway of a freeway.
- d. Wall signs shall not have moving parts or any arrangement of lights that create the illusion of movement.

3. Original Art Murals, Vintage Original Art Murals & Public Art Installations

a. General

- i. A building permit from the Department of Building and Safety is required for the necessary physical alterations to a building or other structures due to a new hand-tiled or digitally printed original art mural or any public art installation that may require a building permit.

b. Original Art Mural

An original art mural is a one-of-a-kind, hand-painted, hand-tiled, or digitally printed image on the exterior wall of a building that does not contain any commercial message.

- i. An original art mural that conforms to the requirements of Sec. 22.119. (Original Art Murals on Private Property) of the LAAC is not considered a sign and is not subject to the provisions of this Division (Signs) or any other ordinance that regulates signs.
- ii. Any supposed "mural" that does not conform to the requirements of Sec. 22.119. (Original Art Murals on Private Property) of the LAAC is considered a sign and is subject to the provisions of this Division (Signs) or any other ordinance that regulates signs and digital displays.

c. Vintage Original Art Mural

A vintage original art mural is an original art mural that existed prior to October 12, 2013 (the operative date of Ord. No. 182,706).

- i. A vintage original art mural that conforms to the requirements of Sec. 22.119.(c) (Grandfathering of Vintage Original Art Murals) of the LAAC is not considered a sign and is not subject to the provisions of this Division (Signs) or any other ordinance that regulates signs.

d. Public Art Installation

A public art installation is a facility, amenity or project that does not contain any commercial message and which is either an "approved public arts project" as defined by Sec. 19.85.4. (Direct Expenditure on Approved Public Arts Projects) of the LAAC or approved pursuant to Chapter IX. (Building Regulations), Sec. 91.107.4.6. (Arts Development Fee) of this Code.

- i. A public art installation registered pursuant to the requirements of Sec. 19.85.4. (Direct Expenditure on Approved Public Arts Projects) of the LAAC or the requirements of Chapter IX. (Building Regulations), Sec. 91.107.4.6 (Arts Development Fee) of this Code is not considered a sign, but is subject to Sec. 4C.11.1.C.3. (Sign Illumination Limitations) and any other applicable zoning and land use regulations set forth in the LAMC.

4. Existing Nonconforming Signs

See Sec. 12.4.2. (*Signs Exceptions*).

F. Relief

1. A deviation from any sign dimensional standard of 15 percent or less may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
2. Deviation from any sign standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

SEC. 4C.11.2. TEMPORARY SIGNS

A temporary sign is any sign that is to be maintained for a limited duration, including paper signs, posters, pennants, banners, ribbons, streamers, spinners, and other signs that are not permanently affixed to the ground or building.

A. Intent

See Sec. 4C.11.1.A. (*Intent*).

B. Applicability

Temporary sign standards apply to new construction, a major remodel, a site modification, an exterior modification, or a use modification. All temporary signs and sign support structures not located entirely in the public right-of-way shall conform to the requirements of this *Division (Signs)* and all other applicable provisions of this Zoning Code (Chapter 1A).

C. Standards

1. Permit Required

- a. A building permit is required for a temporary sign, pennant, banner, ribbon, streamer or spinner. The permit application shall specify the dates being requested for authorized installation and the proposed location.
- b. Notwithstanding any other provision of this Zoning Code (Chapter 1A), a building permit shall be required for a temporary sign, other than one that contains a political, ideological or other non-commercial message. The permit application shall specify the dates being requested for authorized installation and the proposed location.

2. General

Temporary signs may display only on-site or non-commercial messages.

3. Temporary Signs

a. Location

Temporary signs may, including those that do not require a building permit, be tacked, pasted or otherwise temporarily affixed to windows or on the walls of buildings, barns, sheds or fences.

b. Area

- i. The combined sign area of temporary signs shall not exceed 10 square feet in an *Agricultural Use District (Div. 5B.2.)* or *Residential Use District (5B.3.)*, or two square feet for each foot of street frontage in all other *Use Districts (Part 5B.)*. Square footage for temporary signs shall not be counted toward the total sign area allocation from the *Sign Packages (Sec. 4C.11.5.)*.
- ii. The combined sign area of temporary signs, when placed upon a window and any other window signs shall not exceed a maximum of 10 percent of the window area.

c. Construction

Temporary signs may be made of paper or any other material. If the temporary sign is made of cloth, it shall be flame-proofed when the aggregate area exceeds 100 square feet. Every temporary cloth sign shall be supported and attached with stranded cable of 1/16-inch minimum diameter or by other methods as approved by the Department of Building and Safety.

d. Time Limit

- i. Temporary signs that require a permit shall be removed within 30 days of installation and shall not be reinstalled for a period of 30 days of the date of removal of the previous sign. The installation of temporary signs shall not exceed a total of 90 days in any calendar year.
- ii. Temporary signs that do not require a permit shall be removed within 30 days of the date of installation of the sign.

D. Measurement

[Reserved]

E. Relief

1. A deviation from any temporary sign dimensional standard of 15 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. Deviation from any temporary sign standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.11.3. OFF-SITE SIGNS

An off-site sign is defined as a sign that displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution, or any other commercial message, which is generally conducted, sold, manufactured, produced, offered or occurs elsewhere than on the premises where the sign is located.

A. Intent

See Sec. 4C.11.1.A. (Intent).

B. Applicability

Off-site signs standards apply to new construction, a major remodel, a site modification, or a use modification. All exterior off-site signs, including window signs, and sign support structures not located entirely in the public right-of-way shall conform to the requirements of this Section (Off-Site Signs) and all other applicable provisions of this Zoning Code (Chapter 1A).

C. Standards

1. Location

- a. No portion of an off-site sign with a sign area greater than 80 square feet shall be placed within 200 feet of a lot or a property with an applied *Residential Use District (Div. 5B.3.)*, which is located on the same side of the same street as the lot on which the sign is placed. However, where a lot has two or more street frontages, a sign may be located on that street frontage, which is not on the same street as the lot or property zoned with a *Residential Use District (Div. 5B.3.)*; provided the sign and sign support structure are placed in that half of the lot that is the farthest from the street frontage on which the lot is located.
- b. No portion of an off-site sign or sign support structure can be located in that half of a lot located farthest from the street frontage when a lot or a property zoned with a *Residential Use District (Div. 5B.3.)* is located to the rear of that street frontage.
- c. Off-site signs are not permitted along that portion of a lot having a street frontage of less than 50 feet.
- d. No more than four off-site signs can be located at the intersection of two or more streets when the off-site signs are located within 150 feet of the intersection of two street frontages.
- e. An off-site sign face shall not be located within one foot of a side lot line.

2. Area

The sign area of a single sign face shall not exceed 800 square feet.

3. Height

- a. The height to the top of the off-site sign is limited to a maximum of 42 feet above the sidewalk grade or edge of roadway grade nearest the sign, except that a sign that is more than 80 percent above a roof of a building may extend to the top of the sign a maximum of 30 feet above the surface of the roof under the sign.
- b. In no event can the height to the top of the off-site sign exceed a height greater than that height specified in the applied *Form District (Part 2B.)* in which the sign is located, or a height of 60 feet above the sidewalk grade or edge of roadway grade nearest the sign, whichever is more restrictive.
- c. The bottom of the off-site sign shall be at least eight feet above the sidewalk grade or edge of roadway grade nearest the sign.

4. Spacing

An off-site sign, which is either single-faced or parallel double-faced, shall be spaced as specified below from any other existing or previously permitted off-site sign, which is single-faced or parallel double-faced.

SPACING REQUIREMENTS BETWEEN OFF-SITE SIGNS			
Existing or Permitted Sign by Sign Area	Proposed Sign by Sign Area		
	<80 SF	80 - 300 SF	>300 SF
<80 SF	100'	100'	200'
80 - 300 SF	100'	300'	300'
>300 SF	200'	300'	600'

5. Double-Faced Off-site Signs

- a. Off-site signs may be either single or double-faced.
- b. For double-faced off-site signs whose faces are parallel, the distance between sign faces cannot exceed six feet.
- c. For double-faced off-site signs whose faces are not parallel, the distance between sign faces at their widest point cannot exceed 35 feet. The separation of sign faces at their closest point cannot exceed six feet. In no event can the angle between sign faces exceed 37 degrees.

6. Projection

Off-site signs shall not project over the public right-of-way.

7. Covering

The backs of off-site signs exposed to public view shall be covered with a finished surface or material and shall be properly maintained.

8. Other Requirements

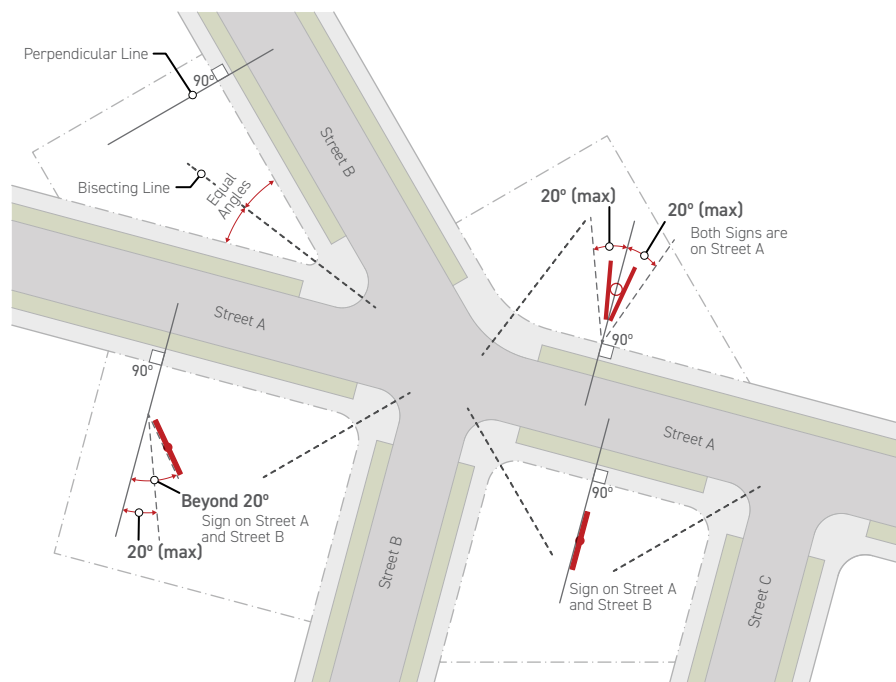
- a. A maximum of two poles are permitted for any off-site sign. The maximum cross-sectional dimension of a pole cannot exceed 10 percent of the overall height of the sign.
- b. Off-site sign supports shall be structurally independent of a building.
- c. Sign support structures shall be located directly under the sign face as viewed from the front of the sign. The maximum horizontal distance between the center of the sign support structure and the sign face shall not exceed 10 feet.

D. Measurement

1. Lots with Multiple Street Frontages

If a lot is a corner lot or any other lot with two or more street lot lines, the following rules for the determination of which street an off-site sign is located on shall apply:

- a. For the purposes of this Subsection D. (Measurement) and Sec. 4C.11.3.C.2. (Area), an off-site sign shall be considered to be on a single street, if the sign and its support structure are located entirely on the side of the bisecting line closest to that street and the sign face is placed at the same angle as the perpendicular line or at an angle not to exceed 20 degrees from either side of the perpendicular line.



- b. An off-site sign located on a through lot shall be located on a single street if the sign and its support structure are located entirely on that half of the lot closest to the lot line adjoining that street.

- c. Any off-site sign not in conformance with either *Subparagraph a.* or *Subparagraph b.* of this *Paragraph (Lots with Multiple Street Frontages)* is considered to be located on more than one street frontage.

2. Spacing

- a. For any double-faced off-site sign, the spacing requirements are based on the area of the largest sign face.
- b. For double-faced off-site signs whose faces are not parallel, the spacing between any proposed, permitted or existing off-site sign is determined by the following formula:

$$D = S \left[1 + \frac{(B - 5)}{90} \right]$$

Where:

D = required spacing between signs, in feet.

S = sign spacing determined by the table in *Sec. 4C.11.3.C.4. (Spacing)*.

B = widest edge separation of sign faces in feet.

- c. Spacing is measured between off-site signs that are located on the same side of the same street. Spacing is measured from a line that is perpendicular to the street lot line and that passes through a point on the street lot line that is closest to the nearest sign face edge. Spacing is measured along the center line of the street.

E. Relief

1. A deviation from any off-site sign dimensional standard of 15 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. Deviation from any off-site sign standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.11.4. ON-SITE SIGNS

An on-site sign is a sign that is other than an off-site sign.

A. Intent

See *Sec. 4C.11.1.A. (Intent)*.

B. Applicability

On-site signs standards apply to new construction, a major remodel, a site modification, an exterior modification, or a use modification. All exterior signs, including window signs, and sign support structures not located entirely in the public right-of-way shall conform to the requirements of this *Section (On-Site Signs)* and all other applicable provisions of this Zoning Code (Chapter 1A).

C. Standards

1. Sign Packages

On-site signs shall comply with the applicable sign package pursuant to *Sec. 4C.11.5. (Sign Packages)*.

2. Sign Types

On-site signs shall comply with all applicable sign type standards pursuant to *Sec. 4C.11.6. (Sign Types)*.

3. Street Address Requirement

No sign shall be maintained on any property unless a street address for the property has been obtained, and is maintained in accordance with the provisions of *Chapter VI. (Public Works and Property), Sec. 63.113. (Street Address Numbers - Responsibility Therefor, Designation, Location, Size, Maintenance, Change and Removal)* of this Code.

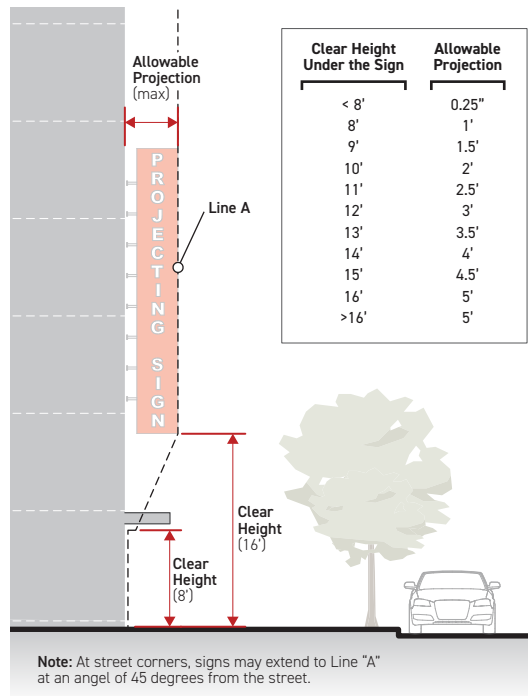
4. Projection Over the Public Right-Of-Way

Where on-site signs are allowed to project over the public right-of-way, they shall comply with the following standards:

- a. An on-site sign with a clear height less than eight feet has a maximum projection allowance of 1/4 inch.
- b. An on-site sign with a clear height equal to eight feet has a maximum projection allowance of one foot.
- c. For every extra foot of clear height over eight feet, the projection maximum for on-site signs increases by 1/2 inch.

- Signs -

- d. The maximum allowed projection for any on-site sign is five feet, which applies to on-site signs with a clear height of 16 feet or greater.

**D. Measurement**

See Sec. 4C.11.6.D. (Measurement).

E. Relief

1. A deviation from any on-site sign dimensional standard of 15 percent or less may be granted in accordance with Sec. 13B.5.2. (Adjustment).
2. Deviation from any on-site sign standard may be granted as a variance in accordance with Sec. 13B.5.3. (Variance).

SEC. 4C.11.5. SIGN PACKAGES**A. Intent**

The intent of the standards of this Section (Sign Packages) is to provide variety in the sign allocation based on the extent of reliance on specific modes of travel.

1. Sign Package 1 is intended for areas with a variety of transportation modes.
2. Sign Package 2 is intended for areas with a focus on pedestrian experience and alternative transportation modes besides automobiles.

B. Applicability

Sign package standards apply to new construction, a major remodel, a lot modification, a site modification, an exterior modification, or a use modification. Sign package standards apply to all on-site signs determined by the sign package assigned by the applied *Development Standards District (Part 4B.)*.

C. Standards

1. Digital Display

Digital displays are prohibited in Sign Package 2.

2. Total Sign Area Allowed

- a. The maximum total area of on-site signs allowed on a lot is specified by a Sign Package according to the category of the applied *Use District (Part 5B.)* as indicated below:

	Sign Package 1	Sign Package 2
AGRICULTURAL, RESIDENTIAL & OPEN SPACE USE DISTRICTS		
Total sign area allocation for all sign types allowed (max)	30 SF	30 SF
ALL OTHER USE DISTRICTS		
Total sign area allocation for all sign types allowed (max)	4 SF per foot of street frontage	4 SF per foot of building frontage
Combined sign area of illuminated canopy signs, roof signs, roof sign: open panels, & wall signs facing the same direction (max)	2 SF per foot of street frontage, + 1 SF for each foot of building frontage	n/a

- b. In Sign Package 1, awning signs, high-rise signs and marquee signs do not count towards the total sign area allocation of four square feet per foot of street frontage.
- c. In Sign Package 2, awning signs and high-rise signs do not count towards the total sign area allocation of four square feet per foot of building frontage.

3. Sign Types Allowed

		Sign Package 1	Sign Package 2
AGRICULTURAL, RESIDENTIAL & OPEN SPACE USE DISTRICTS			
Awning Sign	(Sec. 4C.11.6.C.1.)	●	●
High Rise Sign 1	(Sec. 4C.11.6.C.2.)	○	○
High-Rise Sign 2	(Sec. 4C.11.6.C.3.)	○	○
Illuminated Canopy Sign	(Sec. 4C.11.6.C.4.)	○	○
Marquee Sign	(Sec. 4C.11.6.C.5.)	○	○
Monument Sign	(Sec. 4C.11.6.C.6.)	●	●
Pedestrian Sign	(Sec. 4C.11.6.C.7.)	○	○
Pole Sign	(Sec. 4C.11.6.C.8.)	●	○
Projecting Sign	(Sec. 4C.11.6.C.9.)	○	○
Roof Sign	(Sec. 4C.11.6.C.10.)	○	○
Roof Sign: Open Panel	(Sec. 4C.11.6.C.11.)	○	○
Wall Sign	(Sec. 4C.11.6.C.12.)	●	●
Window Sign	(Sec. 4C.11.6.C.13.)	○	○
Yard Sign	(Sec. 4C.11.6.C.14.)	●	●
ALL OTHER USE DISTRICTS			
Awning Sign	(Sec. 4C.11.6.C.1.)	●	●
High Rise Sign 1	(Sec. 4C.11.6.C.2.)	●	○
High-Rise Sign 2	(Sec. 4C.11.6.C.3.)	○	●
Illuminated Canopy Sign	(Sec. 4C.11.6.C.4.)	●	○
Marquee Sign	(Sec. 4C.11.6.C.5.)	●	●
Monument Sign	(Sec. 4C.11.6.C.6.)	●	●
Pedestrian Sign	(Sec. 4C.11.6.C.7.)	●	●
Pole Sign	(Sec. 4C.11.6.C.8.)	●	○
Projecting Sign	(Sec. 4C.11.6.C.9.)	●	●
Roof Sign	(Sec. 4C.11.6.C.10.)	●	○
Roof Sign: Open Panel	(Sec. 4C.11.6.C.11.)	○	●
Wall Sign	(Sec. 4C.11.6.C.12.)	●	●
Window Sign	(Sec. 4C.11.6.C.13.)	●	●
Yard Sign	(Sec. 4C.11.6.C.14.)	○	○

● = Sign type allowed

○ = Sign type not allowed

- a. Where a sign meets the standards and definition of both an allowed sign type and a sign type that is not allowed per the table in this *Paragraph 3. (Sign Types Allowed)*, the sign is considered to be the allowed sign type.

D. Measurement

1. Sign Area

- a. Maximum sign area is measured independently for each sign face.
- b. Sign area is measured as the area circumscribed by the smallest geometric shape created with a maximum of eight straight lines that will enclose all words, letters, figures, symbols, designs and pictures, together with all framing, background material, colored or illuminated areas and attention-attracting devices, forming an integral part of an individual message except that:
 - i. For wall signs having no discernible boundary, each of the following shall be included in any computation of surface area:
 - a) The areas between letters;
 - b) Words intended to be read together; and
 - c) Any device intended to draw attention to the sign message.
 - ii. For spherical, cylindrical or other three-dimensional signs, the area of the sign shall be computed from the smallest two-dimensional geometrical shape or shapes, which will best approximate the greatest actual surface area visible from any one direction. Sign support structures are excluded if neutral in color.

2. Sign Area Allocation

- a. Sign area allocation, either total or by sign type pursuant to *Sec. 4C.11.6. (Sign Types)*, when specified per foot of street frontage is calculated by multiplying the specified area by the length of the street frontage.
- b. Sign area allocation, either total or by sign type pursuant to *Sec. 4C.11.6. (Sign Types)*, when specified per foot of building frontage is calculated by multiplying the specified area by the length of the building frontage.
- c. The sign area for all signs, including required signs and signs displaying addresses, is counted toward the total sign area allocation as specified in this *Section (Sign Packages)*.

E. Exceptions

Flag lots containing less than 50 feet of street frontage are allotted 50 feet of street frontage for the purpose of determining the type of sign permitted and for the allowable sign area.

F. Relief

- 1. In Sign Package 2, deviations from the dimensional standards for projecting signs shall be authorized in accordance with *Sec. 13B.2.5. (Director Determination)*. In addition to the findings otherwise required by *Sec. 13B.2.5. (Director Determination)*, the Director of Planning shall find that the proposed projecting sign meets the following criteria:

- Signs -

- a. The total sign area of all projecting signs, including existing projecting signs and existing pole signs, does not exceed 25 SF plus 1.5 SF per foot of street frontage, with no individual projecting sign exceeding 300 SF per sign face; and
 - b. The proposed projecting sign contributes to the existing pattern and character of signs of the area within a 500 foot radius of the site.
- 2. A deviation from any Sign Package dimensional standard 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
 - 3. Deviation from any Sign Package standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.11.6. SIGN TYPES**A. Intent**

That the regulations will provide reasonable protection to the visual environment by controlling the size, height, spacing and location of signs.

B. Applicability**1. General**

- a. Sign type standards apply to new construction, a major remodel, a site modification, an exterior modification, or a use modification, involving any construction or modification of an on-site sign pursuant to *Sec. 4C.11.5. (Sign Packages)* specified by the applied *Development Standards District (Part 4B.)*.
- b. Sign type standards apply to each lot according the *Sign Package (Sec. 4C.11.5.)* specified by the applied *Development Standards District (Part 4B.)*.

2. Combination Signs

A sign subject to more than one type of classification, shall meet the requirements for the type to which each portion is subject.

C. Standards

The standards for each sign type are specified in the tables below:

1. Awning Sign



A. DEFINITION

An awning sign is a sign painted, sewn, or otherwise adhered to the material of an awning as an integrated part of the awning itself.

B. GENERAL STANDARDS

- i. Signs are only allowed on awnings that comply with all applicable provisions of LAMC Sec. 91.3202. (General), and LAMC Sec. 91.3202.3.1 (Awnings, Canopies, Marquees and Signs).
- ii. No sign can be placed on any portion of an awning except the valance that is parallel to the building face. No sign can extend outside the awning.
- iii. Signs are not allowed on awnings with a valance above 14 feet in height measured from the nearest sidewalk or edge of roadway grade to the top of the valance.

Sign Package 1 Sign Package 2

C. SIGN TYPE PERMISSIONS

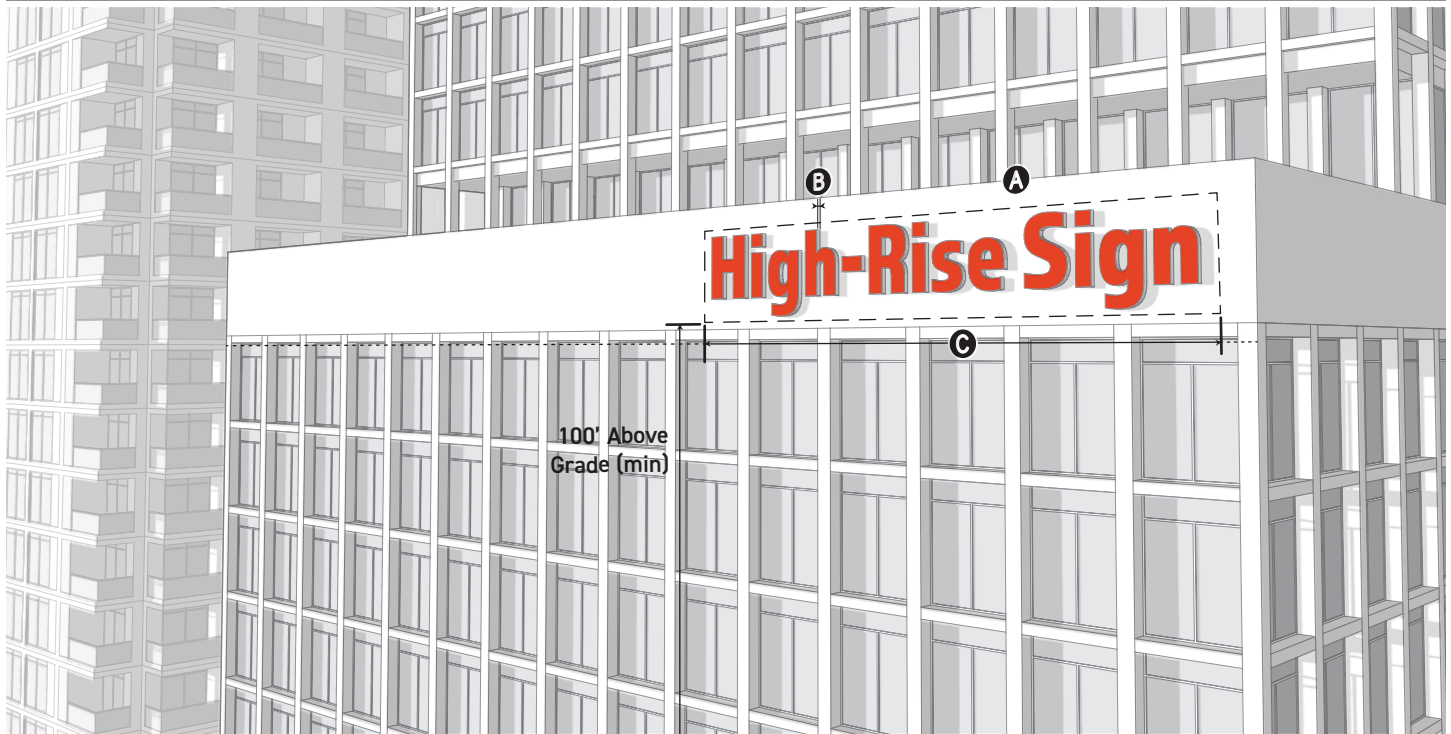
All OS, A, & RG Use Districts	●	●
All other Use Districts	●	●
● = Sign type allowed ○ = Sign type not allowed		

Sign Package 1 Sign Package 2

D. DIMENSIONAL STANDARDS

Combined sign area for all awning signs (max)		
All OS, A, & RG Use Districts	n/a	n/a
All other Use Districts	2 SF per foot of street frontage	2 SF per foot of street frontage
A Area of individual awning sign (max)		
All OS, A, & RG Use Districts	20 SF	20 SF
All other Use Districts	n/a	12 SF
B Sign display height (max)	1'	1'

2. High-Rise Sign 1



A. DEFINITION

A high-rise sign 1 is a sign located at least 100 feet above grade and attached to the wall of a building.

B. GENERAL STANDARDS

- i. The plane of the sign face of a high-rise sign 1 shall be approximately parallel to the building face.
- ii. A high-rise sign 1 shall not extend above the top of the wall of the building, except where there is less than three feet between the top of the wall and the top of a window, the high-rise sign 1 may extend above the top of the wall by a maximum of three feet.

Sign Package 1 Sign Package 2

C. SIGN TYPE PERMISSIONS

All OS, A, & RG Use Districts	<input type="radio"/>	<input type="radio"/>
All other Use Districts	<input checked="" type="radio"/>	<input type="radio"/>

● = Sign type allowed ○ = Sign type not allowed

D. DIMENSIONAL STANDARDS

Combined sign area for all high-rise sign 1 signs (max)	n/a
A Area of individual high-rise sign 1 (max)	5% of the area of the building wall to which the sign is attached
B Projection from building face (max)	2'
C Width (max % of facade length)	80%

3. High-Rise Sign 2



- Signs -**A. DEFINITION**

A high-rise sign 2 is a sign located at least 100 feet above grade and attached to the wall of a building within close proximity to the top of the building.

B. GENERAL STANDARDS

- i. A building shall not have more than two high-rise sign 2 signs and no more than one on any side of the building. In the case of a cylindrical or elliptical building, the building should be considered to have four quadrants, which will in no case exceed 25 percent of the perimeter of the building. Both high-rise sign 2 signs on a building must be identical in design.
- ii. The plane of the sign face of a high-rise sign 2 shall be approximately parallel to the building face.
- iii. On a flat-topped building, high-rise sign 2 signs must be located between the top of the windows on the topmost floor and the top of the roof parapet or within an area 16 feet below the top of the roof parapet.
- iv. On buildings with stepped, non-flat, or otherwise articulated tops, high-rise sign 2 signs may be located within an area 16 feet below the top of the building or within an area 16 feet below the top of the parapet of the main portion of the building below the stepped or articulated top.
- v. High-rise sign 2 signs shall be located on a wall and shall not be located on a roof, including a sloping roof, and shall not block any windows.
- vi. The sign shall consist of open channel lettering or graphic segments. Box and cabinet signs are not allowed.
- vii. High-rise sign 2 signs are limited to one line of text.

Sign Package 1 Sign Package 2

C. SIGN TYPE PERMISSIONS

All OS, A, & RG Use Districts	○	○
All other Use Districts	○	●
● = Sign type allowed ○ = Sign type not allowed		

D. DIMENSIONAL STANDARDS

Combined sign area for all high-rise sign 2 signs (max)	n/a
A Area of individual high-rise sign 2 (max)	50% of the area of the building wall to which the sign is attached or 800 SF, whichever is less

4. Illuminated Canopy Sign



A. DEFINITION

An illuminated canopy sign is a sign integrated into an enclosed internally illuminated canopy that is attached to the wall of a building.

B. GENERAL STANDARDS

- An illuminated canopy sign shall not extend above the top of the wall of a building.
- For emergency personnel access, illuminated canopy signs shall not occupy a 4-foot distance along the exterior wall at one corner of the building's street frontage and an additional 4-foot distance along every 50 feet of the building frontage.
- An illuminated canopy sign shall bear the electric sign label of an approved testing agency with a re-inspection service.
- Only canopies at grade level may contain illuminated canopy signs over a door or window.
- An illuminated canopy sign shall be internally illuminated so as to illuminate the canopy and the exterior wall below.
- Illuminated canopy signs may project over a public right-of-way.

Sign Package 1 Sign Package 2

C. SIGN TYPE PERMISSIONS

All OS, A, & RG Use Districts	<input type="radio"/>	<input type="radio"/>
All other Use Districts	<input checked="" type="radio"/>	<input type="radio"/>
● = Sign type allowed ○ = Sign type not allowed		

D. DIMENSIONAL STANDARDS

Combined sign area for all illuminated canopy signs (max)	2 SF per foot of street frontage
A Area of individual illuminated canopy sign (max)	n/a
B Sign display height (max)	3'
Depth (max)	8"
C Clear depth (min)	8'-2"
D Projection from building face (max)	3'

5. Marquee Sign



A. DEFINITION

A marquee sign is a sign attached to the periphery of a marquee.

B. GENERAL STANDARDS

- i. Signs shall not extend above or below the marquee.
- ii. Signs shall not be attached to any portion of the marquee except on the periphery.
- iii. Cloth or banner signs or drop-roll curtains may be suspended below the exterior periphery and extend within seven feet of the grade.

Sign Package 1 Sign Package 2

C. SIGN TYPE PERMISSIONS

All OS, A, & RG
Use Districts



All other Use Districts



● = Sign type allowed ○ = Sign type not allowed

D. DIMENSIONAL STANDARDS

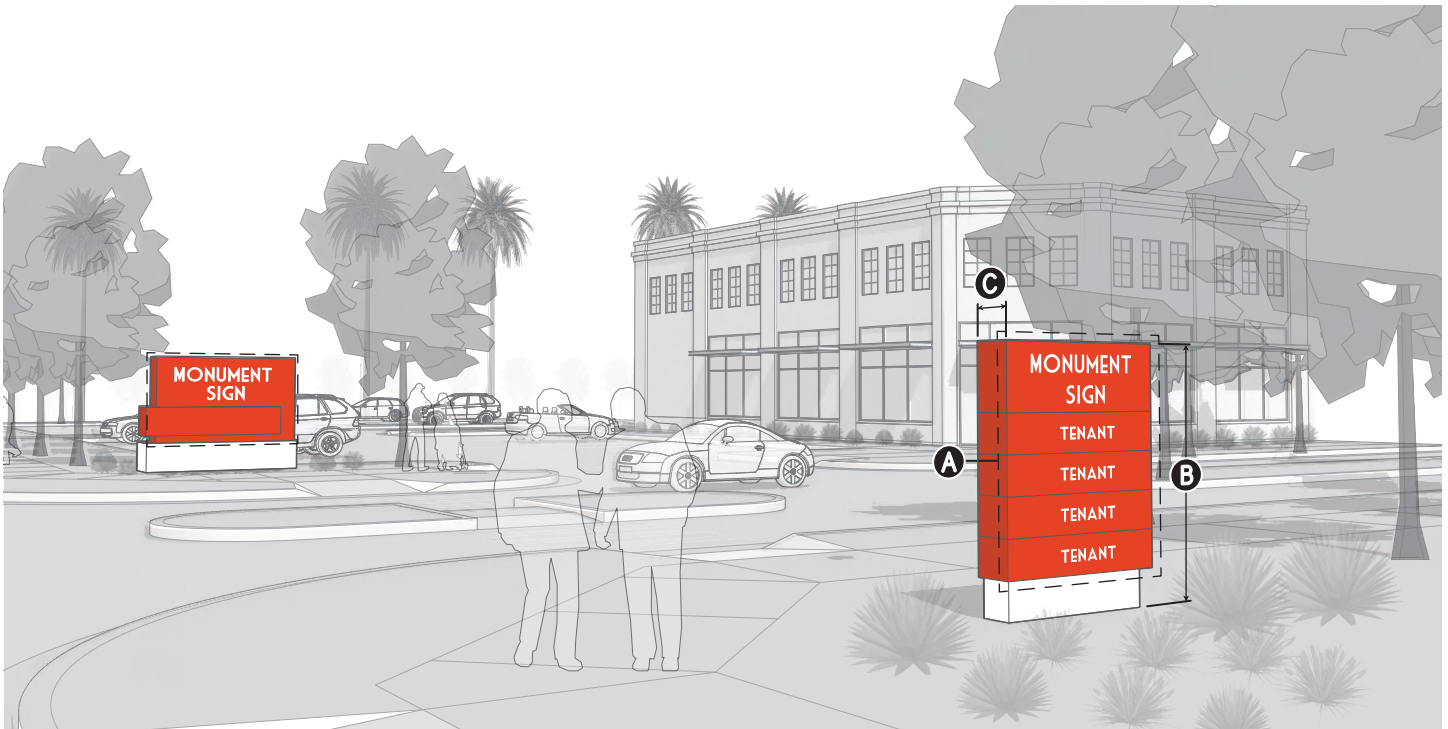
Combined sign area
for all marquee signs
(max)

n/a

A Area of individual
marquee sign (max)

Limited by marquee size

6. Monument Sign



- Signs -

A. DEFINITION

A monument sign is a freestanding sign which is wholly independent of a building for support, erected directly upon the original grade or finished grade, or that is raised no more than 12 inches from the grade to the bottom of the sign.

B. GENERAL STANDARDS

- i. A monument sign shall be set back at least 7.5 feet from a side lot line.
- ii. A monument sign shall be located at least 15 feet from any other monument sign, projecting sign or pole sign in any direction.
- iii. A monument sign shall be located so as not to present a physical visibility obstruction that could interfere with or present a hazard to pedestrian or vehicular traffic.
- iv. A monument sign shall not project over a public right-of-way.

	Sign Package 1	Sign Package 2
--	----------------	----------------

C. SIGN TYPE PERMISSIONS

All OS, A, & RG Use Districts	●	●
All other Use Districts	●	●

● = Sign type allowed ○ = Sign type not allowed

D. DIMENSIONAL STANDARDS

	Sign Package 1	Sign Package 2
Combined sign area for all monument signs (max)		
All OS, A, & RG Use Districts	n/a	n/a
All other Use Districts	1.5 SF per foot of street frontage	1.5 SF per foot of building frontage
A Area of individual monument sign (max)		
All OS, A, & RG Use Districts	9 SF per sign face	9 SF per sign face
All other Use Districts	75 SF per sign face	32 SF per sign face
Total number of pole signs & monument signs allowed (max)		
All OS, A, & RG Use Districts	1	1
All other Use Districts		
0' to < 50' of street frontage	0	0
50' to ≤ 200' of street frontage	1	1
>200' to ≤ 400' of street frontage	2	2
>400' to ≤ 600' of street frontage	3	3
>600' of street frontage	+1 / 200' of street frontage	+1 / 200' of street frontage
B Height (max)		
All A & RG Use Districts	6'	6'
All other Use Districts	8'	8'
C Depth (max)	2'	2'

7. Pedestrian Sign



A. DEFINITION

A pedestrian sign is a small sign attached perpendicular to the building facade that hangs from a bracket or support.

B. GENERAL STANDARDS

- A hanging bracket shall be an integral part of the sign design.
- Pedestrian signs shall be located below the window sills of the 2nd story on a multi-story building or below the top of the exterior wall on a single-story building.
- Pedestrian signs shall be located within five feet horizontally of a ground story tenant entrance.
- Pedestrian signs shall be located at least 15 feet from any other pedestrian sign or projecting sign.
- Pedestrian signs shall be attached to a building to withstand the loads as required by LAMC Sec. 91.6212. (Projecting Signs).
- Pedestrian signs shall comply with Sec. 4C.11.4.C.4. (Projection Over the Public Right-Of-Way).

Sign Package 1 Sign Package 2

C. SIGN TYPE PERMISSIONS

All OS, A, & RG
Use Districts



All other Use Districts

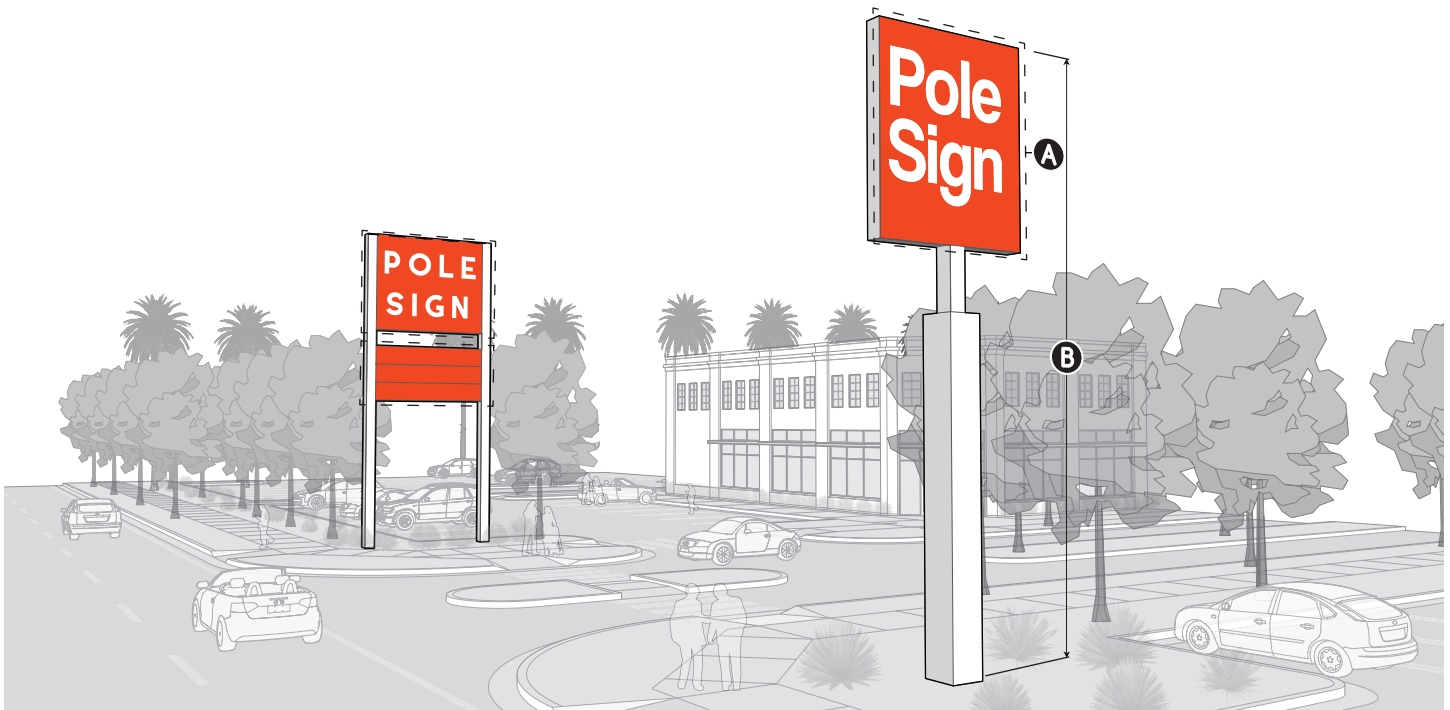


● = Sign type allowed ○ = Sign type not allowed

D. DIMENSIONAL STANDARDS

Combined sign area for all pedestrian signs (max)	n/a
A Area of individual pedestrian sign (max)	9 SF per sign face
B Sign display height (max)	3'
C Projection from building face (min/ max)	1'/3'
D Depth (max)	6"
E Clear height (min)	8'

8. Pole Sign



- Signs -**A. DEFINITION**

A pole sign is a freestanding sign that is wholly independent of a building for support, permanently affixed to the ground using one or more poles or posts.

B. GENERAL STANDARDS

- i. A pole sign shall be located at least 10 feet from a side lot line; however, on a corner lot, a pole sign may be at least five feet from side lot lines.
- ii. A pole sign shall be located at least 15 feet from any other pole sign, projecting sign or monument sign.
- iii. The maximum width of a pole or post shall not exceed 10 percent of the overall sign height.
- iv. A pole sign shall be located so as not to interfere or present a hazard to pedestrian or automobile traffic.
- v. Where the lower part of a pole sign is less than eight feet above sidewalk grade or the edge of roadway grade nearest the sign, the sign shall extend to 18 inches from grade or be installed in a planter that extends beyond the edges of the sign and any support structure that is 18 inches minimum in height.
- vi. A pole sign may project over a public right-of-way, but shall comply with Sec. 4C.11.4.C.4. (*Projection Over the Public Right-Of-Way*). Sign projections shall fall within an area that is perpendicular to the public right-of-way and has a width of three feet as measured parallel to the public right-of-way.

Sign Package 1 Sign Package 2

C. SIGN TYPE PERMISSIONS

All OS, A, & RG Use Districts	●	○
All other Use Districts	●	○

● = Sign type allowed ○ = Sign type not allowed

D. DIMENSIONAL STANDARDS

Combined sign area for all pole signs (max)	
All OS, A, & RG Use Districts	n/a
All other Use Districts	2 SF per foot of street frontage + 1 SF per foot of building frontage
Total number of pole signs & monument signs (max)	
All OS, A, & RG Use Districts	1
All other Use Districts	
0' to < 50' of street frontage	0
50' to ≤ 200' of street frontage	1
>200' to ≤ 400' of street frontage	2
>400' to ≤ 600' of street frontage	3
>600' of street frontage	+1 / 200' of street frontage
A Area of individual pole sign (max)	
All OS, A, & RG Use Districts	9 SF per sign face
All other Use Districts	400 SF per sign face
B Height⁽¹⁾ including pole (max)	
All A & RG Use Districts	6'
All other Use Districts	
0' to < 50' of street frontage	none
50' of street frontage	25'
>50' to ≤ 100' of street frontage	35'
>100' of street frontage	42'

(1) Any pole sign located at the street corner of a corner lot may use the greater street frontage for determining height limitations. In no event may a pole sign, including the pole, exceed the maximum building height specified by the applied Form District (Part 2B.).

9. Projecting Sign



- Signs -**A. DEFINITION**

A projecting sign is a sign attached approximately perpendicular to the building facade that does not meet the standards for a pedestrian sign.

B. GENERAL STANDARDS

- i. The plane of the sign face shall be within 15 degrees of a line perpendicular to the building face, except at the corner of the building.
- ii. A projecting sign shall not extend above the top of the building wall.
- iii. A projecting sign shall be located at least 7.5 feet from any side lot line and be located at least 15 feet from any other projecting sign, monument sign or pole sign, measured in any direction.
- iv. Projecting signs shall be attached to a building to withstand the loads as required by LAMC Sec. 91.6212. (*Projecting Signs*).
- v. A projecting sign may project over the public right-of-way, but shall comply with Sec. 4C.11.4.C.4. (*Projection Over the Public Right-Of-Way*). Sign projections shall fall within an area that is perpendicular to the public right-of-way and has a maximum width of three feet as measured parallel with the public right-of-way.
- vi. For projecting signs located above 16 feet and on a lot having a street frontage greater than 50 feet, projections over the public right-of-way may vary linearly from five feet at 50 feet to eight feet at 100 feet of street frontage. This is an exception to Sub-subparagraph v. above, and does not require compliance with Sec. 4C.11.4.C.4. (*Projection Over the Public Right-Of-Way*).

Sign Package 1 Sign Package 2

C. SIGN TYPE PERMISSIONS

All OS, A, & RG Use Districts	○	○
All other Use Districts	●	●

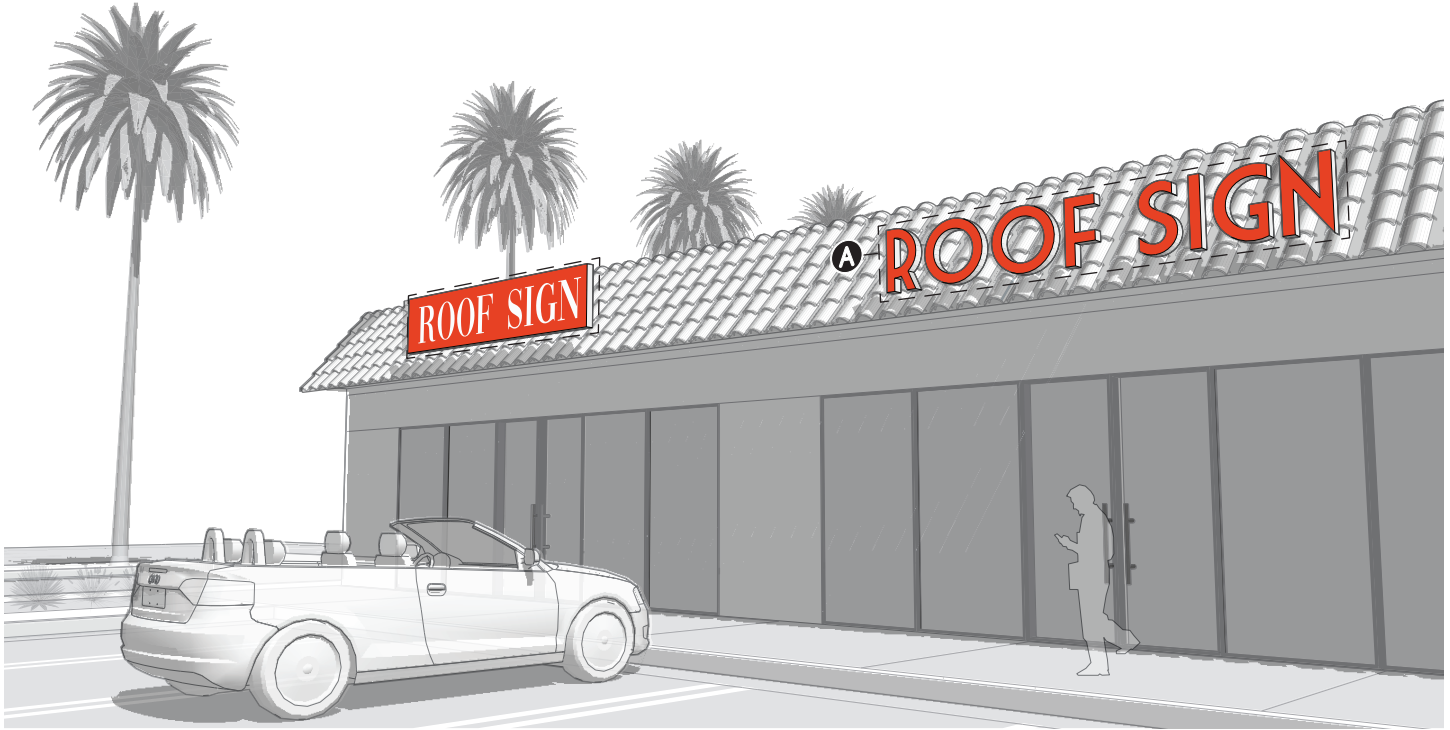
● = Sign type allowed ○ = Sign type not allowed

Sign Package 1 Sign Package 2

D. DIMENSIONAL STANDARDS

Combined sign area for all projecting signs (max)	25 SF + 1.5 SF per foot of street frontage	25 SF + 1.5 SF per foot of building frontage
Number of projecting signs (max)		
0' to < 50' of street frontage	0	0
50' to ≤ 200' of street frontage	1	1
>200' to ≤ 400' of street frontage	2	2
>400' to ≤ 600' of street frontage	3	3
>600' of street frontage	+1 / 200' of street frontage	+1 / 200' of street frontage
A Area of individual projecting sign (max)	300 SF per sign face	48 SF per sign face
B Projection from building face (max)	8'	5'
C Clear height (min)	8'	8'

10. Roof Sign



A. DEFINITION

A *roof sign* is a sign erected on a roof of a building.

B. GENERAL STANDARDS

- i. Roof signs are allowed only when placed directly upon a roof that slopes downward toward and extends to or over the top of an exterior wall.
- ii. The top of the roof sign shall be located at least two feet below the highest point of the roof where the sign is located.
- iii. Roof signs shall be located at least two feet from the edge of the roof.
- iv. Roof signs shall be located at least 10 feet from side lot lines.
- v. The plane of the sign face of a roof sign shall be approximately parallel to the building face.

Sign Package 1 Sign Package 2

C. SIGN TYPE PERMISSIONS

All OS, A, & RG
Use Districts



All other Use Districts

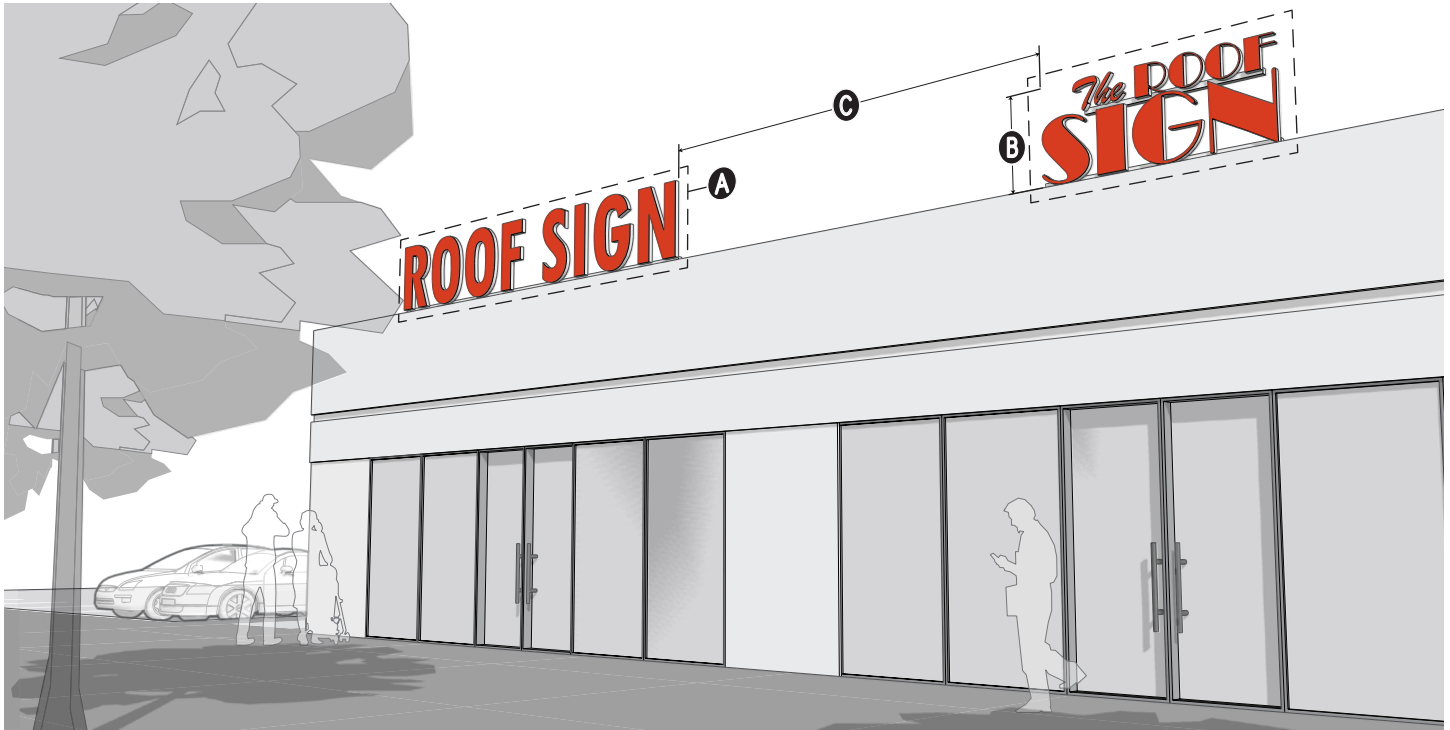


● = Sign type allowed ○ = Sign type not allowed

D. DIMENSIONAL STANDARDS

Combined sign area for all roof signs (max)	2 SF per foot of street frontage, + 1 SF for each foot of building frontage
A Area of individual roof sign (max)	300 SF

11. Roof Sign: Open Panel



A. DEFINITION

A roof sign: open panel is a sign erected on a roof of a building consisting of channel letters, graphic segments, open lighting elements, or other open forms affixed to a non-solid panel sign support structure.

B. GENERAL STANDARDS

- The sign shall be located on the roof of a building.
- The plane of the sign face shall be approximately parallel to the building face.
- The sign shall consist of open channel lettering or graphic segments. Box and cabinet signs are not allowed.

C. APPROVAL

- Roof sign: open panel is only allowed in accordance with Sec. 13B.2.5. (Director Determination).
- In addition to the findings set forth in Sec. 13B.2.5. (Director Determination), the Director shall not grant approval unless the Director also finds that the proposed sign contributes to the existing pattern and character of signs of the area within a 500 foot radius of the lot.

Sign Package 1 Sign Package 2

D. SIGN TYPE PERMISSIONS

All OS, A, & RG
Use Districts



All other Use Districts



● = Sign type allowed ○ = Sign type not allowed

E. DIMENSIONAL STANDARDS

	Combined sign area for all roof sign: open panels (max)	2 SF per foot of building frontage
A	Area of individual roof sign: open panel (max)	80 SF
B	Sign display height (max height above roof-line or parapet)	3'
C	Distance from another roof sign (min)	15'

12. Wall Sign



- Signs -**A. DEFINITION**

A wall sign is a sign on the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall, that has been attached to, painted on, or erected against the wall, projected onto the wall, or printed on any material which is supported and attached to the wall by an adhesive or other materials or methods.

B. GENERAL STANDARDS

- i. For wall signs made up of individual letters that use the wall of the building as background, sign area allocated in Sec. 4C.11.5.C.2. (Total Sign Area Allowed) and Sec. 4C.11.5.C.3. (Sign Types Allowed) may be increased by 20 percent, provided there is no change in color between the background and the surrounding wall area.
- ii. If any message is placed on the edge of a wall sign, then that portion of the wall sign is regulated as a pedestrian sign or a projecting sign.
- iii. A wall sign cannot extend above the top of the wall of the building, except where there is less than three feet between the top of the wall and the top of a window, the wall sign may extend above the top of the wall by a maximum of three feet.
- iv. The plane of the sign face of a wall sign shall be approximately parallel to the face of the building.
- v. Wall signs cannot be illuminated when installed on a wall that faces the rear lot line or side lot line that is located within 30 feet of properties zoned with an Agricultural or Residential Use District (Part 5B.) and a Density District (Part 6B.) of 8 to 60 or 1L to 4L.
- vi. No wall sign shall project over any public property or any public right-of-way greater than that permitted in Sec. 4C.11.4.C.4. (Projection Over the Public Right-Of-Way).
- vii. Where a parking lot exists between a wall sign and the street, and there is a freestanding wall or fence between the parking lot and the street, a sign may be placed on the wall or fence provided the sign does not project beyond the lot line. The sign is limited to that portion of the wall or fence between 2.5 feet and 3.5 feet in height above the finished grade at the base of the wall generally facing the street.
- viii. In Sign Package 1, wall signs located 100 feet above-grade are not allowed with the exception of those meeting the standards of a high-rise sign 1.
- ix. In Sign Package 2, wall signs located 100 feet above-grade are not allowed with the exception of those meeting the standards of a high-rise sign 2.

Sign Package 1 Sign Package 2

C. SIGN TYPE PERMISSIONS

All OS, A, & RG Use Districts	●	●
All other Use Districts	●	●
● = Sign type allowed ○ = Sign type not allowed		

Sign Package 1 Sign Package 2

D. DIMENSIONAL STANDARDS

Combined sign area for all wall signs (max)			
All OS, A, & RG Use Districts		n/a	n/a
All other Use Districts			
Single story buildings	2 SF per foot of street frontage, + 1 SF for each foot of building frontage.		3 SF per foot of building frontage
Multistory buildings	2 SF per foot of street frontage, + 1 SF for each foot of building frontage, + 10% for each additional story (not to exceed 150% of single story max).		2 SF per foot of building frontage
A Area of individual wall sign (max)			
All OS, A, & RG Use Districts		20 SF	20 SF
All other Use Districts		n/a	80 SF
B Projection from building face (max)		2'	1'

An architectural rendering of a modern building facade. The building features large glass windows and doors. Several window signs are displayed: a solid red sign with white text, a white sign with red dashed borders, and a red sign with white dashed borders. A person is standing near the entrance, and outdoor seating is visible on the left.

A window sign is a sign, except for a supergraphic sign, that is attached to, affixed to, leaning against, or otherwise placed within six feet of a window or door in a manner so that the sign is visible from outside the building.

The total area of all window signs shall not exceed 10 percent of the area of a single window pane or 10 percent of the aggregate area of all immediately adjacent window panes separated at most by a mullion, muntin or grid no thicker than six inches in width.

C. SIGN TYPE PERMISSIONS

D. DIMENSIONAL STANDARDS

14. Yard Sign



A. DEFINITION

A yard sign is a small sign placed in a yard or other amenity space.

B. GENERAL STANDARDS

Yard signs shall not have mechanical or moving parts and no electricity or other source of illumination or power may be attached or made a part of the sign.

	Sign Package 1	Sign Package 2
C. SIGN TYPE PERMISSIONS		
All OS, A, & RG Use Districts	●	●
All other Use Districts	○	○
● = Sign type allowed ○ = Sign type not allowed		
D. DIMENSIONAL STANDARDS		
Combined sign area for all yard signs (max)	n/a	
A Area of individual yard sign (max)		
Agricultural Use Districts	20 SF	
All OS & RG Use Districts	12 SF	
B Height (max)	6'	

D. Measurement

1. Sign Height

- a. The height of all signs permitted by this *Article (Development Standards)*, except for yard signs, shall be measured as the distance in a straight vertical line from the top of the sign to the sidewalk grade, or to the edge of roadway grade nearest the sign if there is no sidewalk. Yard sign height is measured from finished grade at the base of the sign.
- b. Any pole sign located at the street corner on a corner lot may use the greater of the two intersecting street frontages for determining maximum sign height. A sign shall not exceed the maximum height specified in the applied *Form District (Part 2B.)* in which the sign is located.

E. Relief

1. A deviation from any dimensional standard pursuant to *Sec. 4C.11.6. (Sign Types)* 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. Deviation from any standard pursuant to *Sec. 4C.11.6. (Sign Types)* may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

DIV. 4C.12. **SITE ELEMENTS**

SEC. 4C.12.1. **ROOF-MOUNTED EQUIPMENT**

A. **Intent**

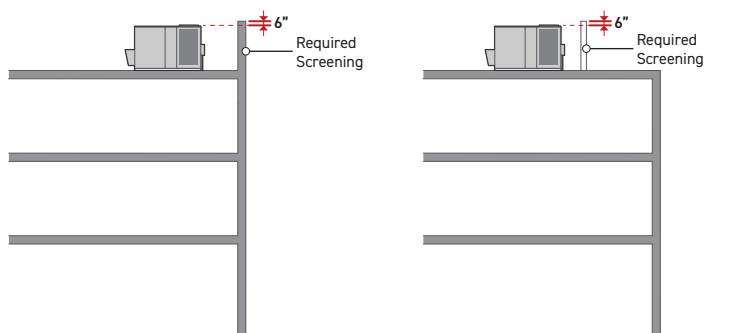
The intent of the standards of this *Section (Roof-Mounted Equipment)* is to ensure roof-mounted equipment is designed to minimize effects on surrounding properties and the public realm and to ensure roof-mounted equipment is obscured from view on the City skyline.

B. **Applicability**

Roof-mounted equipment standards apply to new construction, a major remodel, a site modification, an exterior modification, or a use modification. When roof-mounted equipment standards apply, the standards apply to all mechanical equipment or utility equipment located on a roof. In addition to the screening standards in this *Section (Roof-Mounted Equipment)*, utilities: wireless facility, rooftop uses shall be designed according to *Sec. 4C.12.4. (Wireless Telecommunication Facilities)*.

C. **Standards**

1. Roof-mounted equipment (including but not limited to, compressors, condensers, conduits, pipes, vents, and ducts) shall be screened on all sides by a parapet or screening structure that:
 - a. Has an opacity of at least 75 percent;
 - b. Has a minimum height six inches greater in height than the topmost point of the equipment; and
 - c. Encloses the equipment 100 percent up to the minimum height of the screening structure.
2. The screening structure shall meet *Sec. 4C.7.3. (Fence/Wall Design & Installation)*.



D. **Measurement**

1. For measurement of opacity see *Sec. 14.2.13. (Opacity (%))*.
2. For measurement of enclosure see *Sec. 14.2.4. (Enclosure)*.

3. Height from topmost point of the equipment is measured to the top of the screening structure at its lowest height.

E. Exceptions

The following are exempt from the standards in this *Section (Roof-Mounted Equipment)*:

1. Sustainable energy systems;
2. Los Angeles Fire Department equipment;
3. Helipads;
4. Window cleaning systems; and
5. Solar panels and their required appurtenances.

F. Relief

1. Alternative Compliance to roof-mounted equipment screening standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A deviation from any roof-mounted equipment screening dimensional standard of 15 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. Deviation from any roof-mounted equipment screening standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.12.2. **GROUND-MOUNTED EQUIPMENT**

A. Intent

The intent of the standards of this *Section (Ground-Mounted Equipment)* is to minimize visibility of ground-mounted equipment from the public realm and support the intent of the applied *Frontage District (Part 3B.)*.

B. Applicability

1. Ground-mounted equipment standards apply to new construction, a major remodel, a site modification, an exterior modification, or a use modification. When ground-mounted equipment standards apply, the standards apply to mechanical equipment or utility equipment, either publicly or privately owned, subject to the following:
 - a. Ground-mounted equipment standards apply when located at an elevation within six feet of the surrounding grade, serving five or more dwelling units or at least 5,000 square feet of floor area.

C. Standards

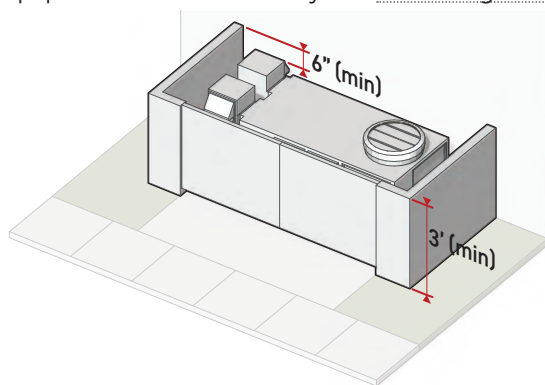
1. Location

- a. Ground-mounted equipment located in a frontage yard shall be installed entirely below finished grade in a vault.
- b. Ground-mounted equipment may be located within a building or structure, such as a utility room or parking garage, provided no portion of the equipment faces a frontage yard unobstructed.
- c. Ground-mounted equipment may be located outdoors and above-grade provided that it meets the following standards:
 - i. No portion of the equipment is located in a frontage yard.
 - ii. When located on a corner lot, the equipment shall not be located in the parking setback specified by the applied *Frontage District (Part 3B.)*.
 - iii. Equipment is screened with a fence or wall screen that meets the requirements of *Paragraph 2. (Fence/Wall Screen)* below, or a landscape screen that meets the requirements of *Paragraph 3. (Landscape Screen)* below. Fence, wall, or landscape screens may be combined to achieve full screening of the subject equipment.

2. Fence/Wall Screen

Fences or walls used to meet ground-mounted equipment screening requirements shall meet the following standards:

- a. Form a screening structure that creates a contiguous perimeter around 100 percent of the subject equipment for a height no less than six inches taller than the topmost point of the equipment. In no case may the screening structure be less than three feet in height.



- b. Have a minimum opacity of 90 percent.
- c. Access gates provided in the structure shall meet the following standards:
 - i. Shall have a height no less than six inches taller than the topmost point of the equipment.

- ii. Where a screening structure is taller than the minimum height, gates may be no more than one foot shorter than the height of the wall or fence provided.
- iii. In no case shall gates exceed the height of the screening structure by more than one foot.
- iv. Have a minimum opacity of 90 percent.
- d. A building wall of an existing or proposed building may serve as a partial element of the screening structure, provided that the building wall meets the height and opacity requirements outlined in this *Paragraph (Fence/Wall Screen)*.
- e. Areas within the screening structure shall be maintained free of trash and debris.
- f. Screening structure shall comply with *Sec. 4C.7.3. (Fence/Wall Design & Installation)*.
- g. Screening shall comply with any access and clearance standards required by LADWP.

3. **Landscape Screen**

Landscaping may be used to meet ground-mounted equipment screening requirements provided it meets the following standards:

a. **General**

- i. Landscape screens shall be composed of hedges meeting the requirements of *Subparagraph b. (Hedges)* below, or screening plants meeting the requirements of *Subparagraph c. (Screening Plants)* below. Landscape screens may be composed of a combination of screening plants and hedges.
- ii. All required screening plants and hedges shall have a minimum height at maturity no lower than the height of the topmost point of the equipment subject to screening.
- iii. All required screening plants and hedges shall comply with *Sec. 4C.6.4. (Plant Design & Installation)*.
- iv. Areas within the landscape screen shall be maintained free of trash and debris.
- v. All plants provided in a landscape screen shall be planted and maintained so as to ensure a minimum three-foot clearance between all portions of the equipment and the plants, based on spread at maturity.
- vi. Screening may need to comply with additional access and clearance standards as may be required by LADWP.

b. **Hedges**

- i. A continuous perimeter of hedge shall surround 100 percent of the subject equipment. A maximum gap of three feet breaking the continuous perimeter is permitted to allow for equipment access, provided that the access gap does not face a frontage lot line.

- ii. Hedges shall meet the requirements of *Sec. 4C.6.4.C.3.d. (Hedges)*.

c. Screening Plants

- i. Screening plants shall be planted in a planting area no less than three feet in depth that creates a contiguous perimeter surrounding 100 percent of the subject equipment. A maximum gap of three feet breaking the contiguous perimeter is permitted to allow for equipment access, provided that the access gap is not facing a frontage lot line.
- ii. A minimum of 20 screening plants shall be planted for every 50 linear feet of planting area, measured at the outside perimeter of the planting area.
- iii. Screening plants shall meet the requirements of *Sec. 4C.6.4.C.3.b. (Screening Plants)*.

D. Measurement

- 1. For measurement of opacity see *Sec. 14.2.13. (Opacity (%))*.
- 2. Height from topmost point of the equipment is measured to the top of the screen and gate at their lowest point.
- 3. For measurement of plant and hedge height at maturity, see *Sec. 4C.6.4.D.11. (Height at Maturity)*.
- 4. For measurement of plant and hedge spread at maturity, see *Sec. 4C.6.4.D.3. (Canopy Diameter, Spread, & Height at Maturity)*.
- 5. For measurement of planting area width, see *Sec. 4C.6.4.D.1. (Planting Area Width)*.
- 6. For measurement of parking setback see *Sec. 3C.2.1.D. (Measurement)*.
- 7. For measurement of building width see *Sec. 2C.5.1.D. (Measurement)*.

E. Exceptions

- 1. Ground-mounted equipment standards do not apply to Water and Power assets, as defined in *Sec. 672. (Possession, Management and Control of Water and Power Assets)* of the LAAC on lots owned or leased by the Los Angeles Department of Water and Power.
- 2. Ground-mounted equipment standards do not apply to fire hydrants.

F. Relief

- 1. Where Los Angeles Department of Water and Power determines that mechanical equipment or utility equipment must be located in the frontage yard and that locating the equipment in a below grade vault is infeasible for reasons not related to cost, the City may grant an Alternative Compliance to the ground-mounted equipment location standards in accordance with *Sec. 13B.5.1. (Alternative Compliance)* allowing for the equipment to be located above-grade and in a frontage yard.

2. A deviation from any ground-mounted equipment screening dimensional standard of 15 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. Deviation from any ground-mounted equipment screening standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.12.3. **WALL-MOUNTED EQUIPMENT**

A. **Intent**

The intent of the standards of this *Section (Wall-Mounted Equipment)* is to ensure wall-mounted equipment is concealed to minimize effects on the public realm.

B. **Applicability**

1. Wall-mounted equipment standards apply to new construction, a major remodel, a site modification, a use modification, or an exterior modification. When the wall-mounted equipment standards apply, the standards apply to mechanical equipment or utility equipment attached or being attached to the exterior wall of a building or structure.

C. **Standards**

1. **Location**

Wall-mounted electrical meters, gas meters, cable boxes and other utility equipment shall not be attached to a building facade facing a frontage yard and shall not be located in a frontage yard unless it is fully screened with a screening structure meeting the standards in *Paragraph 2. (Screening Enclosure)* below, and that screening structure complies with the frontage yard fence & wall type standards allowed in the applied *Frontage District (Part 3B.)*.

2. **Screening Enclosure**

Wall-mounted equipment located on a building or structure facade abutting a frontage yard shall be screened with a screening structure that meets the following requirements:

- a. Has a minimum of 75 percent enclosure for a height of at least six inches taller than the topmost point of the equipment. For wall-mounted equipment located more than three feet above the base of the wall, the screening structure shall have a minimum of 75 percent enclosure for no less than six inches below the bottommost point of the equipment.
- b. Has a minimum opacity of 75 percent.
- c. Any access gates provided in the screening structure shall meet the following standards:
 - i. Shall have a height no less than six inches taller than the topmost point of the equipment and, where located more than three feet above the base of the wall, shall continue no less than six inches below the bottommost point of the equipment.

- ii. Where a screening structure is taller than the minimum height, gates may differ no more than one foot from the height of the wall or fence provided.
 - iii. Gates shall not exceed the height of the screening structure by more than one foot.
 - iv. Shall have a minimum opacity of 90 percent.
- d. The screening structure shall comply with *Sec. 4C.7.3. (Fence/Wall Design & Installation)*.

D. **Measurement**

- 1. For measurement of opacity see *Sec. 14.2.13. (Opacity (%))*.
- 2. For measurement of enclosure see *Sec. 14.2.4. (Enclosure)*.
- 3. Height from topmost point of the equipment is measured to the top of the screen and gate at their lowest height.

E. **Exceptions**

- 1. Wall-mounted equipment standards do not apply to fire alarms.

F. **Relief**

- 1. An alternative to wall-mounted equipment screening standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
- 2. A deviation from any wall-mounted equipment screening dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
- 3. Deviation from any wall-mounted equipment screening standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.12.4. **WIRELESS TELECOMMUNICATION FACILITIES**

A. **Intent**

The intent of the standards of this *Section (Wireless Telecommunication Facilities)* is to minimize visual impacts, make the installation, operation, and appearance of wireless telecommunication facilities as inconspicuous as possible, to prevent the facility from visually dominating the surrounding area, and to hide the facility from predominant views visible from surrounding properties.

B. **Applicability**

This *Section (Wireless Telecommunication Facilities)*, applies to new construction, a major remodel, or an exterior modification, involving all wireless telecommunications uses.

C. **Standards**

Wireless telecommunications facilities shall meet the following standards.

1. General

- a. All wireless telecommunications facilities shall meet the minimum siting distances to habitable structures required for compliance with Federal Communications Commission (FCC) regulations and standards governing the environmental effects of radio frequency emissions.
- b. New wireless telecommunication equipment shall be installed at an approved existing facility, when co-location is feasible.
- c. For modifications involving the removal or replacement of transmission equipment or the collocation of new transmission equipment on existing wireless telecommunication facilities subject to 47 U.S.C § 1455(a) (Section 6409(a) of the Spectrum Act), see Sec. 4C.12.5. (*Existing Wireless Telecommunications Facilities Spectrum Act Compliance Handbook*).
- d. Existing utilities: wireless facility, rooftop, in which new wireless telecommunication equipment is installed that exceeds the scope of the Spectrum Act, shall be subject to the standards included in Paragraph 2. (*Rooftop Wireless Telecommunications Facilities*) below.
- e. Existing utilities: wireless facility, freestanding, in which new wireless telecommunication equipment is installed that exceeds the scope of the Spectrum Act, shall be subject to the standards included in Paragraph 3. (*Freestanding Wireless Facilities*) below.
- f. All wireless telecommunication facilities shall be removed within 90 days of discontinuance of use.

2. Rooftop Wireless Telecommunications Facilities

Utilities: wireless facility, rooftop, including antennas and any associated equipment shall meet the following standards:

- a. Utilities: wireless facility, rooftop are only allowed where they are a permitted use in the applied Use District (Part 5B.).
- b. Where located on the rooftop of a designated historic resource or a surveyed historic resource, utilities: wireless facility, rooftop require review and approval pursuant to Sec. 13B.2.2. (*Class 2 Conditional Use Permit*).
- c. Shall be located on rooftops no less than 40 feet above grade.
- d. Shall be screened on all sides by a parapet or screening structure that meet the standards provided in Sec. 4C.12.1. (*Roof-Mounted Equipment*) or Sec. 4C.12.3. (*Wall-Mounted Equipment*).
- e. The structure covering the antenna and any equipment cabinet shall be painted and textured to match the exterior walls of the building.

- f. Any wireless antenna structures and associated equipment shall have a height no greater than 10 feet, measured from rooftop surface at the base of the structures or equipment.
- g. Where mounted on the walls of a rooftop enclosure for mechanical equipment or vertical circulation, wireless antenna structures and associated equipment cabinets shall not exceed the height of the rooftop enclosure.
- h. The cumulative area occupied by all utilities: wireless facility, rooftop and associated equipment shall not exceed 10 percent of the total area of the rooftop.

3. **Freestanding Wireless Facilities**

Utilities: wireless facility, freestanding, including antennas and any associated equipment shall meet the following standards:

- a. The footing of an antenna shall be structurally designed to support a freestanding wireless facility which is at least 15 feet higher than the freestanding wireless facility under review in order to allow a future wireless network to replace an existing freestanding wireless facility with a new freestanding wireless facility capable of supporting equipment co-location.
- b. Freestanding wireless facilities shall not exceed the maximum height specified in the applied *Form District (Part 2B.)*.
- c. Freestanding wireless facilities shall be set back a minimum distance equal to 20 percent of the freestanding wireless facility height or 35 feet, whichever is greater, from the following lot lines:
 - i. Primary street lot lines and side street lot lines;
 - ii. Lot lines shared with a lot that includes a sensitive use; and
 - iii. Lot lines shared with a lot with an applied *Residential Use District (Div. 5B.3.)* or *Agricultural Use District (Div. 5B.2.)*.
- d. Freestanding wireless facilities shall be screened on all sides with a planting area meeting the following standards:
 - i. Has a minimum width of five feet;
 - ii. Provides screening plants at a frequency of 30 per 50 feet of planting area; and
 - iii. Provides large species trees at a frequency of three per 50 feet of planting area.
- e. All utilities: wireless facility, freestanding uses shall use surfacing and camouflaging techniques that satisfy the following criteria:
 - i. Exterior colors, textures, and shapes are visually compatible with the surrounding built or natural environment;

- ii. Exterior finish is non-reflective, unless otherwise required by the Federal Aviation Administration; and
 - iii. Situated so as to utilize existing natural or man-made features including topography, vegetation, buildings, or other structures to provide the greatest amount of visual screening.
- f. The approving authority may require additional measures designed to camouflage a utilities: wireless facility, freestanding, including placing the facility entirely within a vertical screening structure. Suitable architectural features include, but are not limited to, clock towers, bell towers, church steeples, icon signs, lighthouses, flagpoles, utility poles, or faux trees. All facility components, including the antennas, shall be mounted inside said structure.
- g. Freestanding wireless facilities that are not designed according to *Subparagraph f.* above shall be of tapered design (three-foot diameter at the base up to 1.5-foot diameter at the top).

4. Existing Wireless Facilities

For the modification of existing wireless telecommunication facilities pursuant to the Spectrum Act, see *Sec. 4C.12.5. (Existing Wireless Telecommunications Facilities Spectrum Act Compliance Handbook)*.

D. Measurement

1. Setbacks from lot lines are measured according to *Sec. 2C.2.2.D. (Measurement)*.
2. Planting area width is measured according to *Sec. 4C.6.4.D.1. (Planting Area Width)*.
3. Planting frequency is measured according to *Sec. 14.2.8. (Frequency)*.
4. Screening plants are measured as provided or not provided, based on the presence of screening plants that comply with *Sec. 4C.6.4.C.3.b. (Screening Plants)* and all other applicable provisions of *Sec. 4C.6.4. (Plant Design & Installation)*.
5. Large species trees are measured as provided or not provided, based on the presence of large species trees that comply with *Sec. 4C.6.4.C.3.a. (Trees)* and all other applicable provisions of *Sec. 4C.6.4. (Plant Design & Installation)*.

E. Exceptions

Wireless telecommunication facilities standards do not apply to satellite dish antennae, radio and television transmitters, and antennae incidental to residential uses.

F. Relief

1. Alternative Compliance to wireless telecommunication facilities standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.

2. A deviation from any wireless telecommunication facilities dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. Deviation from any wireless telecommunication facilities standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.12.5. **EXISTING WIRELESS TELECOMMUNICATIONS FACILITIES SPECTRUM ACT COMPLIANCE HANDBOOK**

A. **Intent**

The intent of the standards of this *Section (Existing Wireless Telecommunications Facilities Spectrum Act Compliance Handbook)* is to ensure the City's wireless standards, procedures, and timelines are consistent with *Sec. 6409(a) of Title VI. of the Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act)*.

B. **Applicability**

The *Existing Wireless Telecommunication Facilities Spectrum Act Compliance Handbook* (Handbook) applies to existing wireless facilities that are applying for Spectrum Act approval.

C. **Adoption and Maintenance of the Existing Wireless Telecommunications Facilities Spectrum Act Compliance Handbook**

The Director of Planning, as they deem necessary and appropriate, shall have the authority to prepare, maintain, amend, and adopt the Handbook. This Handbook explains the standards, procedures, and timelines of the review of existing wireless telecommunication facilities. The Director may, as they deem appropriate, use technical consultants or a consultant advisory panel to update the Handbook in order to comply with changes in federal and state laws.

D. **Noncompliance**

Failure to comply with the Handbook or any condition or commitments made in compliance with it is a violation of the Code, subject to all available administrative, criminal and civil remedies.

SEC. 4C.12.6. **WASTE RECEPTACLES**

A. **Intent**

The intent of the standards of this *Section (Waste Receptacles)* is to ensure waste receptacle service areas are designed in a manner that does not detract from the safety, comfort, or enjoyment of users of the lot, neighboring lots or the public realm.

B. **Applicability**

This *Section (Waste Receptacles)* applies to new construction, a major remodel, a site modification, or an exterior modification. When waste receptacles standards apply, the standards apply to any solid waste, recycling, or organic waste receptacle 96 gallons in size or greater stored on a lot.

C. Standards

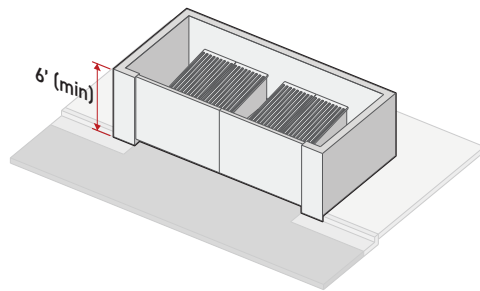
1. Location

- a. Waste receptacles and their screening enclosures shall not be located in a frontage yard.
- b. Waste receptacles may be located within a building or structure provided they are located in a room with 100 percent enclosure.
- c. Waste receptacles may be located in the same area, room, or enclosure as required recycling areas as long as the area, room, or enclosure meets both the standards of this Section (*Waste Receptacles*) in addition to the recycling areas standards outlined in Sec. 4C.12.7. (*Recycling Areas*).
- d. Waste receptacle storage areas shall be made accessible to the public right-of-way, a driveway, or a motor vehicle use area through a pedestrian accessway with a minimum width of 4 feet in order to accommodate waste hauling services.

2. Screening Enclosure

The outdoor waste receptacle shall be screened with a screening structure that meets the following requirements:

- a. Has 100 percent enclosure for a minimum height of six feet , but no less than one foot taller than the height of the waste receptacles the facility is designed to enclose.
- b. Has a minimum opacity of 90 percent.



- c. Outdoor waste receptacle enclosures located on a lot in a Residential or Agricultural Use District (*Part 5B.*) or located on a lot abutting a Residential or Agricultural Use District (*Part 5B.*) shall be sheltered. The sheltering structure shall meet the following standards:
 - i. Have a slope of no less than five degrees;
 - ii. Be made of non-pervious material to ensure runoff; and
 - iii. Provide a minimum clear height of eight feet under the structure.
- d. Wheel stops with a minimum height of eight inches shall be installed a minimum of six inches from interior walls of waste receptacle screening structures to prevent damage to walls.

- e. Access gates provided in the screening structure shall meet the following standards:
 - i. Have a height of no less than six feet;
 - ii. Where a screening structure is seven feet or greater in height, gates may be no more than one foot shorter than the height of the screening enclosure provided;
 - iii. In no case shall gates exceed the height of the screening structure by more than one foot; and
 - iv. Have a minimum opacity of 90 percent.
- f. All provided screening enclosures shall comply with Sec. 4C.7.3. (*Fence/Wall Design & Installation*).

D. Measurement

- 1. For frontage yard designation, see Sec. 14.2.16.C.1. (*Frontage Yard*).
- 2. For measurement of height, see Sec. 4C.7.1.D. (*Measurement*).
- 3. For measurement of enclosure, see Sec. 14.2.4. (*Enclosure*).
- 4. For measurement of opacity, see Sec. 14.2.13. (*Opacity (%)*).

E. Exceptions

- 1. Waste receptacles standards do not apply to lots containing only residential uses and four or fewer dwelling units.
- 2. Use modification project activities on a site having less than 2,500 square feet of lot area shall be exempt from waste receptacle screening and enclosure standards in this Section (*Waste Receptacles*).

F. Relief

- 1. Alternative Compliance to waste receptacle standards may be granted in accordance with Sec. 13B.5.1. (*Alternative Compliance*).
- 2. A deviation from any waste receptacle dimensional standard of 15 percent or less may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).
- 3. Deviation from any waste receptacle standard may be granted as a variance in accordance with Sec. 13B.5.3. (*Variance*).

SEC. 4C.12.7. **RECYCLING AREAS**

A recycling area is an outdoor enclosure or a room within a building which is designated for the collection of recyclable materials generated by the use(s) on a lot.

A. Intent

The intent of the standards of this *Section (Recycling Areas)* is to ensure that adequate facilities for collecting and loading recyclable materials are provided in order to divert solid waste, address source reduction, and facilitate recycling and composting activities by users, tenants, and residents.

B. Applicability

1. Recycling area standards apply to new construction or a site modification which introduces or modifies a recycling area on a lot and results in any of the following:
 - a. A 25 percent increase in floor area for residential projects with four or more dwelling units, or a 30 percent increase of floor area for non-residential projects;
 - b. Marinas where the floor area includes the space dedicated to the docking or mooring of marine vessels; or
 - c. Any site where multiple building permits are issued within a 12-month period that result in the addition of floor area beyond the above thresholds.

C. Standards

1. General

- a. Recycling areas shall be equipped with recycling receptacle containers that are sheltered, durable, waterproof, rustproof, and of incombustible construction, and that either provide protection against the environment or are located in a building or structure that is sheltered and enclosed. Containers must be clearly labeled to indicate the type of material to be deposited, and all recyclable materials must be placed or stored in such containers.
- b. When a project provides a trash chute, including adding a trash chute to an existing development, a recycling chute shall also be provided. Recycling chutes shall be clearly marked "recycling only" at every point of entry.
- c. Outdoor recycling areas shall be constructed with a concrete floor sloped to drain, and a water faucet for hose attachment shall be located adjacent to or within the enclosure.
- d. The recycling area shall be clearly identified by one or more signs with a minimum dimension of 16 inches by 20 inches that designate the area for recycling collection and loading.
- e. The recycling area shall be available for use by persons residing or employed on the property.

- f. No payment shall be made to persons depositing recycling materials in the recycling area and no processing of recycling materials shall be permitted within the recycling area. For recyclable materials deposited or redeemed for monetary value, see *Sec. 5D.9.4.A. (Collection)*. For sorting or processing of recyclable materials from off-site sources, see *Sec. 5D.9.4.B. (Sorting & Processing)*.
- g. Each property owner or lessee shall contract with a recycler or hauler for the pick-up of recyclable materials, separate from trash collection, when receptacles are full or every week, whichever occurs first.
- h. To encourage active participation in recycling to the maximum extent possible, each property owner, manager, or lessee shall inform all tenants and/or employees living or working on the property of the availability and location of the recycling area(s), the types of materials that are collected for recycling, and that the recycling collection facilities are located on the property pursuant to state law requiring the diversion of a substantial portion of solid waste.
- i. No toxic or hazardous material shall be stored in recycling areas or receptacles.
- j. Recycling areas shall be kept free of litter, debris, spillage, bugs, rodents, odors, and other similar undesirable hazards.
- k. Recycling receptacle containers shall be covered, durable, waterproof, rustproof, and of incombustible construction, and shall provide protection against the environment or be in completely enclosed indoor recycling areas. Containers shall be clearly labeled to indicate the type of material to be deposited.

2. Location

- a. Outdoor recycling areas and their screening enclosures shall not be located in a frontage yard.
- b. Recycling areas may be located within a building or structure provided they have 100 percent enclosure.
- c. Recycling areas shall be placed within 10 feet of waste receptacles or waste receptacle service areas or rooms wherever feasible. Where multiple recycling areas are provided, at least one recycling area must be placed within 10 feet of at least one waste receptacle or waste receptacle service area or room.
- d. Recycling areas may be located in the same area, room, or enclosure as waste receptacles as long as the area, room, or enclosure meets both the recycling area standards in this Section and the waste receptacle standards outlined in *Sec. 4C.12.6. (Waste Receptacles)*.
- e. Recycling areas shall not diminish the required number of automobile parking stalls or bicycle parking spaces or impair traffic flow.

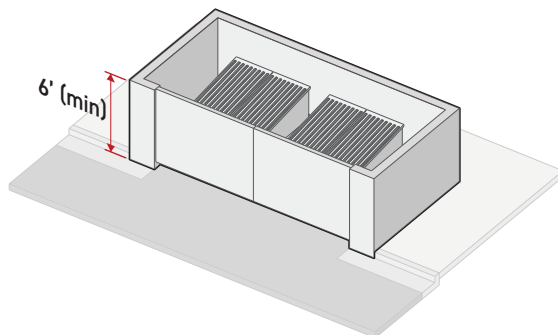
3. Size

- a. For residential uses with 20 or fewer dwelling units or any other uses with a total floor area of less than 3,000 square feet, the minimum area of the required recycling area shall be 30 square feet.
- b. For residential uses of 21 to 50 dwelling units or any other uses having a total floor area of 3,001 to 7,500 square feet, the minimum area of the required recycling area shall be 60 square feet.
- c. For residential uses of 51 or more dwelling units, or any other uses having a total floor area of greater than 7,500 square feet, the minimum area of the required recycling area shall be 100 square feet.
- d. No individual recycling area shall exceed an area of 300 square feet.
- e. Multiple recycling areas on the same lot may be combined to meet the applicable required minimum area, as long as no individual recycling area has an area of less than 30 feet and the total combined area of the provided recycling areas does not exceed 300 square feet.
- f. Every recycling area shall contain a minimum clear height of at least eight feet.
- g. The recycling area shall be of adequate size for the collection of all recyclable materials generated by the use(s) occupying the lot, without such materials overflowing the area or forcing significant amounts of recycling to be discarded as general refuse, or the Department of Building and Safety may require a larger space for the recycling area in excess of the minimum requirements listed in Subparagraph a. through Subparagraph c. above to meet the intent of this Subparagraph.

4. Screening Enclosure

Outdoor recycling areas shall be screened with a screening structure that meets the following requirements:

- a. Has 100 percent enclosure for a minimum height of six feet; and
- b. Has a minimum opacity of 90 percent.



- c. Access gates provided in the screening structure shall meet the following standards:

- i. Have a height of no less than six feet;
 - ii. Where a screening structure is seven feet or greater in height, any gate is no more than one foot shorter than the height of the screening structure provided;
 - iii. Does not exceed the height of the screening structure by more than one foot; and
 - iv. Have a minimum opacity of 90 percent.
- d. All provided screening structures shall comply with *Sec. 4C.7.3. (Fence/Wall Design & Installation)*.

D. **Measurement**

- 1. For frontage yard designation, see *Sec. 14.2.16.C.1. (Frontage Yard)*.
- 2. For measurement of height, see *Sec. 4C.7.1.D. (Measurement)*.
- 3. For measurement of enclosure, see *Sec. 14.2.4. (Enclosure)*.
- 4. For measurement of opacity, see *Sec. 14.2.13. (Opacity (%))*.

E. **Relief**

- 1. Alternative compliance to recycling receptacle standards may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
- 2. A deviation from any recycling receptacle dimensional standard of 15 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
- 3. Deviation from any recycling receptacle standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 4C.12.8. **SHOPPING CART CONTAINMENT**

A. **Intent**

The intent of the standards of this *Section (Shopping Cart Containment)* is to prevent or reduce the accumulation of abandoned shopping carts in the City, which may obstruct pedestrian and vehicular traffic, and constitute a hazard to the health, safety, and general welfare of the public.

B. **Applicability**

Shopping cart containment requirements apply to projects involving new construction, site modification, use modification, and renovation for commercial uses established in *Div. 5D.1.5. (General Commercial Uses)* that provide six or more shopping carts.

C. Standards

1. General

a. Shopping Cart Noticing

Every shopping cart owned or provided by any business establishment in the City shall have a notice permanently affixed to it that:

- i. Identifies the owner of the shopping cart or the name of the business establishment, or both;
- ii. Notifies the public of the procedure to be utilized for authorized removal of the shopping cart from the business premises;
- iii. Notifies the public that the unauthorized removal of the shopping cart from the premises or parking area of the business establishment is a violation of state and City law;
- iv. Lists a telephone number to contact to report the location of the abandoned shopping cart; and
- v. Lists an address for returning the shopping cart to the owner or business establishment.

b. Shopping Cart Collection Areas

Shopping cart corrals and/or storage areas shall be provided with a minimum width of five feet and minimum depth of 15 feet, but shall not be located within a required frontage yard.

c. Signs

Signs that warn customers that shopping cart removal is prohibited and constitutes a violation of *California Business and Professions Code, Sec. 22435.1. (Identification of Shopping and Laundry Carts)* and *Chapter IV. (Public Welfare), Sec. 41.45. (Unauthorized Removal, Use Or Possession of Shopping Carts)* of this Code shall be installed and maintained at exits, shopping cart collection areas, and any vehicular or pedestrian accessways. Signs shall be no less than 16 inches by 20 inches, and placed at a minimum height of three feet and a maximum height of six feet.

2. Containment Methods

A project shall include a practical containment approach with one or more of the following containment methods to ensure that shopping carts remain on the premises.

a. Wheel Locking or Stopping Mechanisms

Shopping carts shall be equipped with a wheel locking or stopping mechanism that is used in conjunction with an electronic magnetic barrier along the perimeter of the commercial

use or lot, including customer entrances, loading areas, basements, landscaped areas, along crossings and access points required for driveways, drive aisles, pedestrian accessways, and pedestrian passageways, or any other perimeter identified on a shopping cart containment plan. The wheel locking or stopping mechanism must activate when the shopping cart crosses the electronic or magnetic barrier.

b. Screening Plants

An *F-Screen 1* (Sec. 4C.8.1.C.2.a.) shall be provided along the perimeter of the commercial use or lot, or any other perimeter identified on a shopping cart containment plan.

c. Bollards

Bollards shall be installed at customer entrances, or within 10 feet of the entrances, and shall be spaced at a maximum distance of 17 inches from each other or nearby enclosed space.

d. Other Methods

Other methods for shopping cart containment may be used, so long as the Department of Public Works, Bureau of Sanitation has approved the system or method as effectively containing or controlling shopping carts on the premises.

3. Performance Standards

Owners shall do all of the following and execute and record a covenant to the satisfaction of the Department of Public Works, Bureau of Sanitation to ensure compliance by the owner and any leasee:

a. Daily After Hours Cart Containment

Prepare and maintain a plan for securing shopping carts whenever the store is not open for business.

b. Shopping Cart Retrieval

Retrieve their carts or provide evidence of a contract with a shopping cart retrieval service with terms requiring collection of abandoned shopping carts within 24 hours of notification of an abandoned shopping cart.

c. Employee Training

Implement and maintain a periodic training program for its new and existing employees designed to educate employees about the abandonment and retrieval of shopping carts of the retail.

d. Shopping Cart Containment Plan

A shopping cart containment plan shall be prepared that identifies areas on a lot where shopping carts can be removed from the lot and identifies the proposed containment method for each area.

D. Measurement

[Reserved].

E. Relief

1. Alternative Compliance to the shopping cart containment standards established in this *Section (Shopping Cart Containment)* may be granted in accordance with *Sec. 13B.5.1. (Alternative Compliance)*.
2. A deviation from any shopping cart containment dimensional standard of 10 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. A deviation from any shopping cart containment standard may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

F. Enforcement

Regardless of *Div. 13B.10. (Department of Building and Safety)*, the Department of Public Works, Bureau of Sanitation shall have the authority and responsibility to enforce the provisions of this *Section (Shopping Cart Containment)*.

DIV. 4C.13. **ENVIRONMENTAL PROTECTION**

SEC. 4C.13.1. **ENVIRONMENTAL PROTECTION MEASURES**

A. **Intent**

1. The intent of the standards of this *Section (Environmental Protection Measures)* is the following:
 - a. Ensure that development in the City does not result in detrimental impacts to those residing or working in and around construction activities, and to abutting properties, and the public right-of-way, including the habitat, cultural resources, and historic or fragile buildings;
 - b. Provide a mechanism for mitigation measures adopted pursuant to CEQA for City plans, policies, or regulations to be made enforceable on future development projects consistent with CEQA Guidelines, California Code of Regulations, Sec. 15162.4. (Subsequent EIRs and Negative Declarations); and
 - c. Provide a flexible mechanism to adopt and amend uniformly applicable development standards to allow streamlined environmental review, including pursuant to CEQA Guidelines California Code of Regulations, Sec. 15183.3. (Streamlining for Infill Projects).

B. **Applicability**

No permit shall be issued by the Department of Building and Safety without the applicant demonstrating compliance with any regulations adopted by the Director under this *Division (Environmental Protection)* to implement any adopted environmental protection measures.

C. **Adoption and Maintenance of the Environmental Protection Measures**

The Director is authorized to, and shall, as they deem necessary and appropriate, prepare, maintain, amend, and adopt environmental protection measures to meet the intent of this *Division (Environmental Protection)* and to adopt regulations to implement environmental protection measures. The Director may, as the Director deems appropriate, use technical consultants or a consultant advisory panel to make recommendations on new environmental protection measures or updates to existing environmental protection measures.

D. **Noncompliance**

Failure to comply with the environmental protection measures or any condition or commitments made in compliance with the environmental protection measures, or regulations adopted to implement environmental protection measures, is a violation of the Code, subject to all available administrative, criminal and civil remedies. Additionally, upon verification of non-compliance, the City may require the applicant or property owner to retain at its own expense an independent consultant, subject to the City's approval, to ensure compliance with the environmental protection measures and any conditions or commitments made in compliance with the environmental protection measures and regulations.

DIV. 4C.14. **DEVELOPMENT REVIEW**

SEC. 4C.14.1. **DEVELOPMENT REVIEW THRESHOLD PACKAGES**

A. **Intent**

The intent of the standards of this *Section (Development Review Threshold Packages)* is to require the discretionary review of development projects when certain thresholds are met, and to allow for variation in these thresholds appropriate to the context of development.

B. **Applicability**

This *Section (Development Review Threshold Packages)* applies to projects involving new construction, a major remodel, or a site modification of a building or lot which meets the thresholds of the assigned development review threshold package as applied by the *Development Standards District (Part 4B.)*.

C. **Standards**

1. **Development Review Threshold Package 1**

a. **Project Review Thresholds**

When the applicable *Development Standards District (Part 4B.)* specifies Development Review Threshold Package 1, the following development projects are subject to Sec. 13B.2.4. (*Project Review*):

- i. Any development project which creates, or results in an increase of, 50,000 square feet or more of non-residential floor area.
- ii. Any development project which creates, or results in an increase of, 50 or more dwelling units.
- iii. Any development project that includes drive-through lanes which results in a net increase of 500 or more average daily trips.
- iv. Any change of use which results in a net increase of 1,000 or more average daily trips.
- v. Any one unit development with a floor area of 17,500 square feet or larger located in the Hillside Area.

b. **Major Development Project Review Thresholds**

When the applied *Development Standards District (Part 4B.)* specifies Development Review Threshold Package 1, development projects having one or more of the characteristics listed below are subject to Sec. 4C.14.1.C.3. (*Supplemental Procedure*) of this *Subsection (Standards)*:

- i. Any development project that creates or results in an increase of 250,000 square feet or more of warehouse floor area.

- ii. Any development project that creates or results in an increase of 100,000 square feet or more of floor area in other non-residential or non-warehouse uses.

2. Development Review Threshold Package 2

a. Project Review Thresholds

When the applied *Development Standards District (Part 4B.)* specifies Development Review Threshold Package 2, development projects having one or more of the characteristics listed below are subject to *Sec. 13B.2.4. (Project Review)*:

- i. Any development project including a building or structure having a height of 500 feet or taller.
- ii. Any development project which adds at least 500,000 square feet of non-residential floor area.
- iii. Any development project which adds at least 500 dwelling units.
- iv. Any development project that includes drive-through lanes which results in a net increase of 500 or more average daily trips.
- v. Any change of use which results in a net increase of 1,000 or more average daily trips.
- vi. Any one unit development with a floor area of 17,500 square feet or larger located in the hillside area.

b. Major Development Project Review Thresholds

When the applied *Development Standards District (Part 4B.)* specifies Development Review Threshold Package 2, development projects that create or result in an increase of 250,000 square feet or more of warehouse area are subject to *Sec. 4C.14.1.C.3. (Supplemental Procedure)* of this Subsection (Standards).

Exception: Development projects which obtain any development rights under *Div. 9.3 (Community Benefits Program)* are not subject to this Subparagraph (Major Development Project Review Thresholds).

3. Supplemental Procedure

Development projects subject to Development Review Package 1 or Development Review Package 2 meeting the thresholds outlined in *Sec. 4C.14.C.1.b. (Major Development Project Review Thresholds)*, shall use the project review approval process in *Sec. 13B.2.4. (Project Review)*; except initial decisions shall be appealed to the City Planning Commission, rather than the Area Planning Commission. Additionally, if the Director fails to make a decision on an application within the time limit specified in *Sec. 13B.2.4. (Project Review)*, the applicant may file a request for transfer of jurisdiction to the City Planning Commission pursuant to *Sec. 13A.2.6. (Transfer of Jurisdiction)*, rather than a transfer of jurisdiction to the Area Planning Commission.

D. Measurement

1. For calculating floor area see *Sec. 14.2.7. (Floor Area)*.
2. Average daily trips are determined by, and using the trip generation factors promulgated by, the Los Angeles Department of Transportation.
3. For building height in feet see *Sec. 2C.4.2.D. (Measurement)*.
4. For the purposes of calculating dwelling units for this *Section (Development Review Threshold Packages)*, restricted affordable units are exempted from the total number of dwelling units in a project.

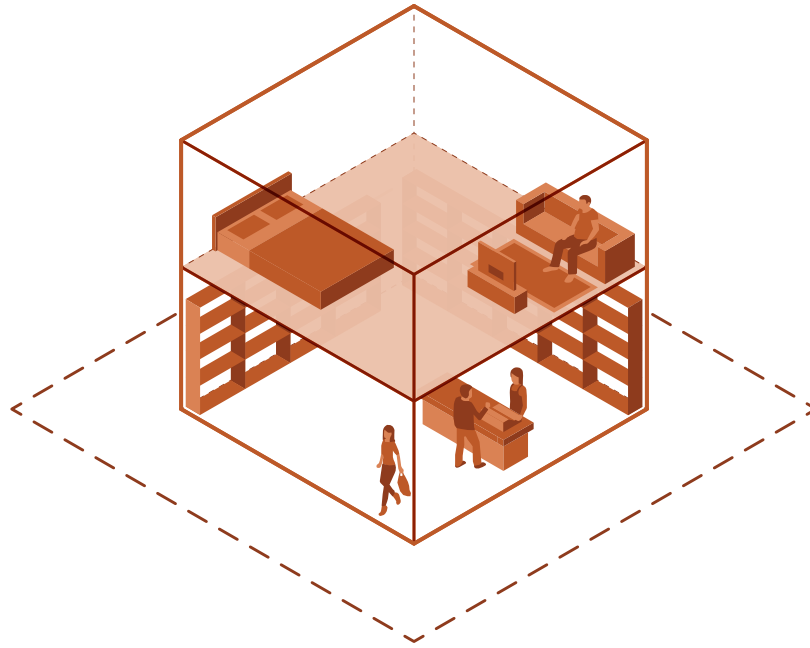
E. Exceptions

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.

F. Relief

None.



ARTICLE 5. **USE**

[FORM - FRONTAGE - STANDARDS] [**USE** - DENSITY]

Part 5A. **Introduction**

Part 5B. **Use Districts**

Part 5C. **Use Rules**

Part 5D. **Use Definitions**

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DIV. 5A.1. **ORIENTATION**

SEC. 5A.1.1. **RELATIONSHIP TO ZONE STRING**

A zone string is composed of the following Districts:



The Use District is a separate and independent component of each zone.

SEC. 5A.1.2. **HOW TO USE ARTICLE 5. (USE)**

A. **Identify the Applicable Use District**

The fourth component in a zone string identifies the Use District applied to a property.

B. **Determine What Uses are Permitted**

1. **Reference the Use District Table**

The Use District table in *Part 5B. (Use Districts)* identifies the uses permitted in a district, as well as their standards and limitations. The Use District table is organized into four columns. The first column, titled "Use", lists the use, to which a permission level and applicable standards, if any, are assigned in the subsequent table columns to the right. The second column, titled "Permission", lists the permission level applied to the use. The third column, titled "Use Standard" includes any applicable standards regulating the use, and the fourth column, titled "Specification", includes additional specifications establishing the parameters or details for the applicable standards.

2. **Reference the Use Permissions**

Permission levels are outlined in *Div. 5A.3. (Use Permissions)*, and a key is also included in the footer of each page of the Use District table for each Use District.

3. **Reference the Use Definitions**

Refer to *Part 5D. (Use Definitions)* to confirm the definition of any use listed in each Use District. Text in italics below a heading provides a definition of that heading.

C. **Identify Use District Rules**

1. Use District rules are outlined in *Part. 5C. (Use Rules)*. The use standard column in each Use District page identifies the applicable rules, if any, specific to each use within that Use District. The specification column identifies the details or parameters for the applicable general use standard, supplemental use standard, supplemental use finding, or special use program, if any. Any supplemental use standard or findings or standards applicable to the use can be found in

the code Section referenced in the Specification column. General use standards are provided in *Sec. 5C.1. (General Use Standards)*, Supplemental use standards and findings are provided in *Sec. 5C.2. (Supplemental Use Standards & Findings)*, and special use programs are provided in *Sec. 5C.3. (Special Use Programs)*.

2. Some general use standards apply to an entire use category. When this is the case, the general standard is listed in the row below the use category heading (see, e.g., Light Industrial use category in the Industrial Use Districts.). If the general use standard reads "Use standard applicability" that standard only applies if the specification criteria listed below "Use standard applicability" is met (e.g., "Adjoining lot" in the use standard column and "Sensitive use, Residential, Residential-Mix, or Agricultural Use District" listed in the specification column, means the standards listed below only apply when the lot adjoins a lot within a residential, residential-mix, or agricultural use district).

3. **Identify General Use Standards**

Every general use standard on a Use District page in *Part 5B. (Use Districts)* corresponds with a Section in *Div. 5C.1. (General Use Standards)*, where the use standard is explained in detail.

4. **Identify Supplemental Standards**

The Use District table identifies required supplemental standards, if any. The required supplemental standards for a use are established in *Div. 5C.2. (Supplemental Use Standards & Findings)*.

5. **Identify Supplemental Findings**

The Use District table identifies required supplemental findings, if any. The required supplemental findings for a use are established in *Div. 5C.2. (Supplemental Use Standards & Findings)*.

6. **Relief From Use Standard**

When "relief" is provided within the standard column in the Use District table, the specified relief option is from the standard(s) shown indented directly above the word "relief." Where multiple standards are shown indented, relief is available for each of those standards. Relief from a general use standard in *Division 5C.1. (General Use Standards)* may also be allowed if a relief process is indicated in the relief subsection of the standard.

Use District Example:

Zone String

[LLM2-MU2-5] [**RG1** -FA]

Part 5B. (Use Districts)

Find Your Use District

For Illustrative Purposes Only
SEC. 5B.3.1 **RESIDENTIAL 1 (RG1)**

A. Intent
The RG1 housing municipality... to accommodate a wide variety of housing types for a variety of residential setting and facilitate the efficient management of

Find Your Subject Use

B. Allowed Uses & Use Limitations

Use Category	Use	Permission	Use Standard	Specification
RESIDENTIAL				
	Dwelling	S	Special use program: Inclusionary Housing Program	Sec. 5C.3.1
	Household Business: Family Child Care	P		
	Home Occupation	P*	Hours of operation (open/close) Supplemental standards:	8AM / 8PM Sec. 5C.2.1.A.1
	Home-Sharing	P*	Special use program Home-Sharing Program	Sec. 5C.3.2
	Joint Living & Work Quarters Live/Work	--		
	Mobile Home Park	P*		T-Screen 1
	Supportive Housing: General	P		
	Medical Care	P*	In conjunction with:	Supportive housing... general
	Transitional	P		
PUBLIC & INSTITUTIONAL				
	Cemetery	--		
	Civic Facility: Local			
	Regional			
	Civic Fleet Services			
	Detention Facility	CU3		
	Hospital: Local	CU2		
	Regional	CU3		

Find the Use Permissions

Find the Use Definitions

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

Use Groups Organize Similar Uses

Use Category → Use Group → Uses → Use Group → Uses

Part 5D. (Use Definitions)

For Illustrative Purposes Only
DIV. 5D.2. **RESIDENTIAL USES**
Residential uses are defined as uses that provide housing accommodations, residential support services, and home-based enterprise.

SEC. 5D.2.1 DWELLING
A dwelling is defined as a housing accommodation serving as a primary residency or having an occupancy of greater than 30 consecutive days. A dwelling includes household dwelling unit, efficiency dwelling unit, and group dwelling.

SEC. 5D.2.2 HOUSEHOLD BUSINESS
A household business is a use that combines a dwelling with productive uses and entrepreneurial activities within a unit or building.

A. Family Child Care
Household business: family child care is defined as the provision of non-medical care and supervision for children in the provider's primary residence for periods of less than 24 hours per day. No more than 14 children shall be in care, unless Use District standards specify otherwise. Any children under the age of 10 years who reside within the dwelling unit and are in care count toward the maximum number of children in care. This use shall comply with all regulations set forth in California Health and Safety Code Sec. 1597465 (Family Day Care Home).

B. Home Occupation
Household business: home occupation is defined as the limited use of a dwelling unit for the intent of conducting a business enterprise by a primary resident of the dwelling unit.

C. Home-Sharing
Household business: home-sharing is defined as the use of a primary residence for lodging for periods of 30 days consecutively or less, and no more than 120 days annually. The use of a dwelling unit for home-sharing shall be in conjunction with a dwelling use. The use of a dwelling unit for home-sharing shall be licensed and meet the standards in Sec. 5C.3.2 (Home-Sharing Program).

D. Joint Living & Work Quarters
Household business: joint living & work quarters is defined as the adaptive reuse of a building or portion of a building, which is part of an adaptive reuse project, from commercial or industrial uses to household business: live/work use.

Part 5A. (Introduction)

For Illustrative Purposes Only
DIV. 5A.3. **USE PERMISSIONS**

SEC. 5A.3.1 GENERAL
Use permission levels set out in each Use District table indicate how a use is permitted within the district. Permission levels range from permitted without requiring conformance to any additional standards or conditions of approval, permitted only when specific standards are met, or permitted only through a process requiring approval by a decision maker or decision-making body. Permission levels may be assigned to individual uses, use groups, or entire use categories. Permission levels are represented within each Use District table using symbols that indicate which permission level is assigned to a particular use, or use category. The following Sections summarize the meaning of each permission level.

SEC. 5A.3.2 PERMITTED (P)
A use that is permitted without requiring conformance to specific standards is indicated in the Use District table by the letter P.

SEC. 5A.3.3 USE STANDARD APPLIES (*)
A use that is permitted only when conforming to a specific set of standards is indicated in the Use District table by the asterisk (*) symbol in combination with the underlying permission level. Any permission level may be combined with an "*" in order to cross-reference a specific set of general use standards, supplemental standards, or supplemental findings, that shall be applied. General use standards, supplemental standards, or supplemental findings indicated by the presence of an "*" are important for ensuring that a use exists and operates in a manner that is consistent with the intent of the Use District.

SEC. 5A.3.4 CONDITIONAL USES (CU1, CU2 & CU3)
A use that requires approval by an authority or decision-making body with input from the members of the public who are most likely to be affected by the existence of that use. The use may be approved under certain conditions that address potential issues the use may introduce to its surroundings. Uses that may require specific conditions of approval applied through a discretionary process are indicated within the Use District tables by the following permission levels: CU1, CU2, and CU3, as described below.

A. Class 1 Conditional Use (CU1)
A CU1 permission level indicates that a Class 1 Conditional Use Permit shall be obtained through approval granted by the Zoning Administrator in accordance with the processes and procedures described in Sec. 15B.2.1 (Class 1 Conditional Use Permit).

Use District Example:

Part 5C. (Use Rules)

For Illustrative Purposes Only

SEC. 5C.1.1 IN CONJUNCTION WITH

A. Intent

The intent of the standards in this Section (in conjunction with) is to ensure that a **specified use** is consistently combined with other specified **uses** to help sustain the mix of **uses** that a **Use District** is intended to accommodate, and to achieve the benefits of multi-use facilities.

B. Applicability

This Section (in conjunction with) applies to **uses** constructed, a **major remodel**, a **substantial modification**, or a **modification** when the approved Use District (Part 5B) includes "in conjunction with" in the Use Standard column of the **Use District table** for the permission of a subject **use**.

C. Standards

The **specified use** shall be provided in conjunction with the **use** or **uses** specified in the Specification column in the **Use District table** and comply with all of the following:

- Uses** that are required to be in conjunction with another specified **use** are only allowed when provided on the same **lot** or within the same **zoned development** as the specified **use**.
- The **specified use** may exceed the size of the specified **use**.
- When a **Use District table** includes a "Minimum area" requirement in the Use Standard column, the **specified use** shall only be allowed when the specified **use** is provided with dedicated **space** that meets or exceeds the minimum area as indicated in the Use Standard column.
- Where there are conflicts between the **specified use** standards and the **specified use** standards shall prevail.

D. Measurement

- A **use** shall be measured as in conformity with the **specified use** standards.

For Illustrative Purposes Only

D. Motor Vehicle Sales & Rental: All

An annual site inspection shall be conducted by **LADES**, pursuant to Sec. 13B.10.4 (Annual Inspection Monitoring (Type 2)).

1. Supplemental Standards

In addition to the findings set forth in Sec. 13B.2.2 (Class 2 Conditional Use Permit), the **zoning administrator**, or the **zoning administrator** on appeal, shall make findings on each of the following:

- That the granting of the **application** will not significantly detract from the intent of the **Use District**, including supporting quality employment and productive industries; and
- That the granting of the **application** will not significantly detract from any applicable community plan policies intended to generate active pedestrian-oriented development and higher employment densities in the surrounding area.

F. Storage, Outdoor: Standard Vehicle, & Large Vehicle

1. Supplemental Standards

An annual site inspection shall be conducted by **LADES**, pursuant to Sec. 13B.10.4 (Annual Inspection Monitoring (Type 2)).

G. Storage, Outdoor: Donation Bin

1. Supplemental Standards

- The **collection bin** shall not be located within a **setback area** or within 10 feet of any property line.
- No more than one **collection bin** shall be located on any **lot**.
- Collection bin** that be emptied in accordance with their posted pick-up schedule, and the area surrounding the **collection bin** shall be maintained free of overflow goods and materials, litter, debris, posted bills, and graffiti at all times.
- In order to prevent unauthorized access to the **collection bin**, a tamper-resistant locking mechanism shall secure the opening of the **collection bin**.
- The collection bin shall be fabricated of durable, noncombustible, and waterproof.

Part 5B. (Use Districts)

For Illustrative Purposes Only

Use	Permission	Use Standard	Specification
HEAVY COMMERCIAL			
Storage, Indoor:			
General	P*	Accessory to:	Other allowed use
		In conjunction with:	Retail: General Food & Beverage
		Minimum area	0.1 FAR
		Separation (min)	
Self-Service Facility	P*	Residential, Residential-Mixed Use District	200
		Other self-service facility	500
		Relief	CU2
		Supplemental Findings	Sec. 5C.2.5 E.1
Storage, Outdoor:			
General	P*	Accessory to:	Other allowed use
		Screening	
		Outdoor storage screening	5'-Screen 1
Small	--		
Large	--		
Donation	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.5 G.1
Cargo Container	--		
Official Motor Vehicle Impound	--		
LIGHT INDUSTRIAL			
Machine Shop	--		
Manufacturing, Light:			
General	P*	Incidental to:	Retail: General Merchant Market

Find the Use Standards

Subject Use

Find Relief from a Use Standard

Relief applies only to standards shown indented directly above

Find the Supplemental Findings

Part 5B. (Use Districts)

For Illustrative Purposes Only

Use	Permission	Use Standard	Specification
GENERAL COMMERCIAL			
General Commercial Use Category Standards		Size, tenant space (max):	50,000 SF
		Relief	CU2
Eating & Drinking:			
	P*	General Commercial Use Category Standards apply, as listed above	
		Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B
Alcohol Service	S*	General Commercial Use Category Standards apply, as listed above	
		Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B
		Special use program:	Alcohol Sales Program
			Sec. 5C.3.3
Entertainment Venue, Indoor:			
regional	P*	General Commercial Use Category Standards apply, as listed above	
Financial Services:			
General	P*	General Commercial Use Category Standards apply, as listed above	
Alternative	CU2*	General Commercial Use Category Standards apply, as listed above	
Instructional Services	P*	General Commercial Use Category Standards apply, as listed above	
Lodging	CU3*	Supplemental findings:	Sec. 5C.2.4.C.1
Medical Clinic	P*	General Commercial Use Category Standards apply, as listed above	
Office	P*	General Commercial Use Category Standards apply, as listed above	

Find the General Use Standards

Subject Use

Find the Supplemental Standards

Find the Special Use Program

Part 5C. (Use Rules)

For Illustrative Purposes Only

SEC. 5C.2.4 GENERAL COMMERCIAL USES

A. Adult Services: General

1. Supplemental Standards

- The maximum number of adult dogs or cats is limited to no more than 20, or one for every 60 square feet of **gross area** of the facility, rounded up to the nearest whole number, whichever results in the greater number of animals.
- No more than 30 percent of the **gross area** of the facility shall be used for overnight boarding.
- Animal boarding areas shall not occupy the area within the first 20 feet, as measured from the driveway of the facility, and shall be separated from **gross area**, parking, or food storage areas.

B. Eating & Drinking: All

Any portion of any **gating & drinking** **use** or private property designed and intended for the service and consumption of food and drink, that has less than 75 percent **gross area** (percentage of **gross area** percentage), or less than 25 percent **gross area** (percentage of **gross area** percentage) shall be considered an **outdoor dining area** and subject to the following:

- Supplemental Standards**

 - The **outdoor dining area** must be provided in conjunction with an **gating & drinking** **use** that has 75 percent or more **gross area**, or 25 percent or more **gross area** pursuant to Sec. 5C.2.3 (in conjunction with).
 - The **outdoor dining area** supplemental standards may, at the applicant's request, supersede conditions associated with the **outdoor dining area** which were previously proposed as part of a discretionary approval.
 - Hours of operation in the **outdoor dining area** shall end at 10:30 p.m. Sunday through Thursday and 11:00 p.m. on Friday and Saturday if the **outdoor dining area** is **gating & drinking** **use**.

For Illustrative Purposes Only

L. Administration and Regulations

No **gating & drinking** shall fail to comply with the administrative guidelines.

H. Effective Date

This effective date of this Section (Shore-Planning Program) is July 1, 2019.

SEC. 5C.3.3 ALCOHOL SALES PROGRAM

A. Intent

To enable regulations regarding the sale or dispensing of alcoholic beverages to be tailored to local neighborhoods and districts in accordance with the needs of the surrounding economic and social context.

B. Applicability

- For **gating & drinking** identified as being within an Alcohol Permission Area, as established in Sec. 1.5.9 (Alcohol Permission Area Map), all **gating & drinking** involving the sale or dispensing of alcoholic beverages (including **gating & drinking**, **alcohol service**, and **alcohol sales**) shall be subject to the **gating & drinking** **use** and performance standards as established in Subsection C. (Standards) below that correspond to the specified Alcohol Permission Area designation.
- Lot** not designated as being within a specific Alcohol Permission Area as established in Sec. 1.5.9 (Alcohol Permission Area Map) shall require review and approval by the **zoning administrator** for the permission to sell or dispense of alcoholic beverages in accordance with Paragraph 5. (Supplemental Standards) of Subsection C. (Standards) below.
- If the establishment or property has been the subject of Nuisance Abatement/Revocation pursuant to Sec. 13B.2.2 (Nuisance Abatement/Revocation) resulting in the revocation of any permit or inspection of any corrective conditions, all **gating & drinking** involving the sale or dispensing of alcoholic beverages shall require review and approval by the **zoning administrator** in accordance with Paragraph 5. (Supplemental Standards) of Subsection C. (Standards) below.
- If the establishment is proposing to modify or expand existing **alcohol service** to an **outdoor dining area**, the operator may be permitted pursuant to the Outdoor Dining Area Administrative Alcohol Authorization Process in Paragraph 6. (Outdoor Dining Area Administrative Alcohol Authorization) of Subsection C. (Standards) below.

C. Alcohol Permission Area Standards

The allowance of **gating & drinking**, **alcohol service**, and **alcohol sales** shall be subject to the **gating & drinking** **use** performance standards, security standards, and supplemental procedures, which

SEC. 5A.1.3. **USE DISTRICT NAMING CONVENTION**

All Use District names are comprised of two components: a use category and a variation number.

A. **Use District Category**

The first component of each Use District name is a use category. A use category groups all districts with similar characteristics. The use categories are organized as follows:

1. Open Space (OS)
2. Agricultural (A)
3. Residential (RG)
4. Residential-Mixed (RX)
5. Commercial-Mixed (CX)
6. Industrial-Mixed (IX)
7. Industrial (I)
8. Public (P)

B. **Variation Number**

The last component of each Use District name is a variation number. All Use Districts are numbered in the order they fall within this *Article (Use)*.



DIV. 5A.2. **GENERAL RULES**

SEC. 5A.2.1. **USE INTENT**

The intent of this *Article (Use)* is to establish the Use Districts, use standards, and use definitions in order to regulate the activities on a lot, and to mitigate any potential impacts within a lot and on surrounding property as a result of those activities, to protect public health, safety, and welfare.

SEC. 5A.2.2. **USE APPLICABILITY**

A. **General**

1. Most lots, operations, and facilities will contain more than one use. Where more than one use occurs on the same lot or in the same operation or facility:
 - a. Allowed uses are specified by the applicable Use District in accordance with *Div. 5A.3. (Use Permissions)*, and combinations of allowed uses are also permitted. Certain uses are allowed only as accessory to (pursuant to *Sec. 5C.1.1.*), incidental to (pursuant to *Sec. 5C.1.2.*), or in conjunction with (pursuant to *Sec. 5C.1.3.*) another use.
 - b. If all proposed uses are permitted by the applied Use District, but there are conflicts between the required use standards, the most restrictive of the use standards shall prevail, including where multiple uses overlap on the same portion of a lot or portion of a building.
2. All projects filed after the effective date of this Zoning Code (Chapter 1A) shall comply with the Use District standards and all other provisions in this *Article (Use)*, as further specified below. For vested rights, see *Sec. 1.4.5. (Vested Rights)*, and for continuance of existing development, see *Sec. 1.4.6. (Continuance of Existing Development)*.

B. **Applicable Components of Lots, Buildings, & Structures**

1. Unless otherwise provided, use regulations apply to all portions of a lot.
2. Unless otherwise provided, use regulations apply to all portions of buildings and structures on a lot.
3. Specific use regulations may further limit which components of buildings and lots are required to comply with *Part 5C. (Use Rules)*.

C. **Nonconformity**

Article 12. (Nonconformities) provides relief from the requirements of this *Article (Use)* for existing lots, site improvements, buildings, structures, and uses that conformed to the zoning regulations at the time they were established, but do not conform to current Use District standards or permission levels. For lots with nonconforming uses as to the provisions of *Div. 5A.3. (Use Permissions)*, *Div. 5C.1. (General Use Standards)*, or *Part 5D. (Use Definitions)* specified by the applied Use District (Part 5B.), no project activity may decrease the conformance with any regulations specified in this *Article (Use)*, unless otherwise specified by *Div. 12.5. (Use Exceptions)*.

SEC. 5A.2.3. **RELATIONSHIP TO FORM, FRONTAGE, & DEVELOPMENT STANDARDS**

Regardless of allowed uses, the form of a building, its architectural elements, and site improvements are regulated by, and shall comply with the standards in *Form Districts (Part 2B.)*, *Frontage Districts (Part 3B.)*, and *Development Standards Districts (Part 4B.)*. For example, an eating & drinking use might be allowed, but the Development Standard District regulations may prohibit drive-through facilities.

SEC. 5A.2.4. **RELATIONSHIP TO DENSITY DISTRICTS**

Use Districts that contain provisions for residential uses do not include regulations regarding the number of dwelling units that are permitted. The *Density District (Part 6B.)* component of the zone string, as described in *Article 6. (Density)*, is the mechanism that regulates the number of dwelling units permitted on any lot.

DIV. 5A.3. **USE PERMISSIONS**

SEC. 5A.3.1. **GENERAL**

Use permission levels set out in each Use District table indicate how a use is permitted within the district. Permission levels range from permitted without requiring conformance to any additional standards or conditions of approval, permitted only when specific standards are met, or permitted only through a process requiring approval by a decision maker or decision-making body. Permission levels may be assigned to individual uses, use groups, or entire use categories. Permission levels are represented within each Use District table using symbols that indicate which permission level is assigned to a particular use, or use category. The following Sections summarize the meaning of each permission level.

SEC. 5A.3.2. **PERMITTED (P)**

A use that is permitted without requiring conformance to specific standards is indicated in the Use District table by the letter P.

SEC. 5A.3.3. **USE STANDARD APPLIES (*)**

A use that is permitted only when conforming to a specific set of standards is indicated in the Use District table by the asterisk (*) symbol in combination with the underlying permission level. Any permission level may be combined with an * to cross-reference a specific set of general use standards, supplemental standards, or supplemental findings, that shall be applied. General use standards, supplemental standards, or supplemental findings indicated by the presence of an * are important for ensuring that a use exists and operates in a manner that is consistent with the intent of the Use District.

SEC. 5A.3.4. **CONDITIONAL USES (CU1, CU2 & CU3)**

A use that requires approval by an authority or decision-making body with input from the members of the public who may be affected by the existence of that use. The use may be approved under certain conditions that address potential issues the use may introduce to its surroundings. Uses that may require specific conditions of approval applied through a discretionary process are indicated within the Use District tables by the following permission levels: CU1, CU2, and CU3, as described below.

A. **Class 1 Conditional Use (CU1)**

A CU1 permission level indicates that a Class 1 Conditional Use Permit shall be obtained through approval granted by the Zoning Administrator in accordance with the processes and procedures described in Sec. 13B.2.1. (*Class 1 Conditional Use Permit*).

B. **Class 2 Conditional Use (CU2)**

A CU2 permission level indicates that a Class 2 Conditional Use Permit shall be obtained through approval granted by the Zoning Administrator in accordance with the processes and procedures described in Sec. 13B.2.2. (*Class 2 Conditional Use Permit*).

C. Class 3 Conditional Use (CU3)

A CU3 permission level indicates that a Class 3 Conditional Use Permit shall be obtained through approval granted by the City Planning Commission in accordance with the processes and procedures described in Sec. 13B.2.3. (*Class 3 Conditional Use Permit*).

SEC. 5A.3.5. SPECIAL USE PROGRAM (S)

A use that is permitted as established by, and in conformance with an applied Special Use Program is indicated in the Use District table by the letter S. Special Use Program uses are subject to the use permission levels and are considered generally appropriate within a Use District when in compliance with the applied Special Use Program to achieve a certain performance outcome or to moderate potential effects a use may have on its surroundings.

SEC. 5A.3.6. DEPENDENT ON ADJOINING ZONING (A- & A+)

When an A- or A+ permission level is indicated the use shall assume the same use permissions, use standards, supplemental standards, and any supplemental procedures required by a Use District applied to the zoning of an adjoining lot.

A. Dependent on Most Restrictive Adjoining Zone (A-)

1. Uses assigned an A- permission level are regulated as follows:
 - a. The subject use shall be permitted, restricted, or disallowed according to the most restrictive set of use permissions, use standards, supplemental standards, and supplemental procedures applied to the same use by the Use District of any adjoining lot.
 - b. Only joint public and private developments that are approved in accordance with the processes and procedures described in Sec. 13B.2.5. (*Director Determination*) and satisfying the finding requirements in Div. 5C.2. (*Supplemental Use Standards & Findings*) shall be permitted when a use is assigned an A- permission level. No solely private developments are permitted when a use is assigned an A- permission level.

B. Dependent on Most Permissive Adjoining Zone (A+)

1. The subject use shall be permitted, restricted, or disallowed according to the most permissive set of use permissions, use standards, supplemental standards, and supplemental procedures applied to the same use by the Use District of any adjoining lot.
 - a. Only joint public and private developments that are approved in accordance with the processes and procedures described in Sec. 13B.2.5. (*Director Determination*) shall be permitted when a use is assigned an A+ permission level. No solely private developments are permitted when a use is assigned an A+ permission level.

C. Special Findings for Adjoining Zoning (A- & A+)

1. Regardless of *Subsection A (Dependent on Most Restrictive Adjoining Zoning (A-))*, when an A- permission level is indicated, any use that is not permitted by the most restrictive use permission applied to the same use by the Use District of any adjoining lot may be permitted by a Class 3 Conditional Use Permit. In addition to the other findings required by *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*, the City Planning Commission shall also find:
 - a. The use provides a public benefit as a result of increased tax revenue or the provision of public facilities; and
 - b. The benefit of the project providing the use is sufficient to outweigh any potential detriment to the public interest created by the proposed use of the land.
2. Regardless of *Subsection B (Dependent on Most Permissive Adjoining Zoning (A+))*, when an A+ permission level is indicated, any use that is not permitted in the most permissive use permission applied to the same use by the Use District of any adjoining lot may be permitted by a Class 3 Conditional Use Permit. In addition to the other findings required by *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*, the City Planning Commission shall also find:
 - a. The use provides a public benefit as a result of increased tax revenue or the provision of public facilities; and
 - b. The benefit of the project providing the use is sufficient to outweigh any potential detriment to the public interest created by the proposed use of the land.

SEC. 5A.3.7. NOT PERMITTED (--)

When a double-dash line (--) is indicated as the permission level for a use, the use is not permitted. A -- permission level signifies that under no circumstances shall the use be allowed to be established in the Use District.

PART 5B. USE DISTRICTS

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DIV. 5B.1. OPEN SPACE USE DISTRICTS

Open Space Use Districts regulate open spaces to be preserved as natural resources or used for outdoor recreation opportunities.

SEC. 5B.1.1. OPEN SPACE 1 (OS1)

A. Intent

The OS1 Use District is intended to protect and preserve natural resources, provide outdoor recreation opportunities, and facilitate the efficient management of municipal resources.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Dwelling	--		
Household Business:			
Family Child Care	--		
Home Occupation	--		
Home-Sharing	--		
Joint Living & Work Quarters	--		
Live/Work	--		
Mobile Home Park	--		
Supportive Housing:			
General	--		
Medical Care	--		
Transitional	--		
PUBLIC & INSTITUTIONAL			
Cemetery	P*	Screening	
		Frontage screen	F-Screen 2
		Transition screen	T-Screen 1
Civic Facility:			
Local	P		
Regional	--		
Civic Fleet Services	--		
Detention Facility	CU3		
Hospital:			
Local	--		
Regional	--		
Parking	P*	In conjunction with:	Other allowed use
Public Safety Facility	P		
Community Assembly:			
Local	--		
Regional	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Open Space Use Districts -

Use	Permission	Use Standard	Specification
School:			
Preschool/Daycare	--		
K-12	--		
Post-secondary	--		
Social Services	--		
Utilities:			
		Screening	
Minor	P*	Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
		In conjunction with:	Other allowed use
Solar Energy Facility	CU2*	Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	CU2*	Supplemental standards	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium			
Local	CU2		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	--		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	CU2		
Golf Course	CU3		
TRANSPORTATION			
Airport	--		
Freight Railway Facility	--		
Freight Transfer Facility	--		
Heliport	--		
Passenger Transit Facility	--		
GENERAL COMMERCIAL			
Animal Services:			
General	--		
Kennel	--		
Veterinary Care	--		
Commissary Kitchen	--		

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- Open Space Use Districts -

Use	Permission	Use Standard	Specification
Eating & Drinking:			
General	CU1*	Amplified Sound Restrictions Relief	Applicable CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
Alcohol Service	S*	Amplified Sound Restrictions Relief	Applicable CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
		Special Use Program: Alcohol Sales Program	Sec. 5C.3.3.
Entertainment Venue, Indoor:			
Local	CU2		
Regional	CU3		
Financial Services:			
General	--		
Alternative	--		
Instructional Services	--		
Lodging	--		
Medical Clinic	--		
Office	--		
Personal Services	--		
Postmortem Services	--		
Retail:			
General	CU1		
Alcohol	CU1		
Farmers' Market, Certified	P*	Hours of operation (open/close) Special use program: Certified Farmers' Market Program	7AM / 9PM Sec 5C.3.4.
Firearms	--		
Food & Beverage	CU1		
Large Format	--		
Merchant Market	--		
Pet Shop	--		
Seasonal Market	P*	Special use program: Seasonal Market Program	Sec 5C.3.5.
Smoke & Vape Shop	--		
Sexually Oriented Business			
General	--		
Sexual Encounter	--		

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- Open Space Use Districts -

Use	Permission	Use Standard	Specification
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	--		
Heavy	--		
Large Vehicle	--		
Car Wash	--		
Fueling Station:			
Standard Vehicle	--		
Large Vehicle	--		
Motor Vehicle Sales & Rental:			
Standard Vehicle	--		
Large Vehicle	--		
Household Moving Truck Rental	--		
Storage, Indoor:			
General	--		
Self-Service Facility	--		
Storage, Outdoor:			
General	P*	Accessory to: Screening	Other allowed use
		Outdoor storage screening	S-Screen 2
Standard Vehicle	--		
Large Vehicle	--		
Donation Bin	--		
Cargo Container	--		
Official Motor Vehicle Impound	--		
LIGHT INDUSTRIAL			
Machine Shop	--		
Manufacturing, Light:			
General	--		
Alcoholic Beverage	--		
Artistic & Artisanal	--		
Cosmetic & Pharmaceutical	--		
Electronics	--		
Food & Drink	--		
Garment & Accessory	--		
Textile	--		
Research & Development	CU3		
Soundstages & Backlots	--		
Wholesale Trade & Warehousing	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Open Space Use Districts -

Use	Permission	Use Standard	Specification
HEAVY INDUSTRIAL			
Animal Products Processing	--		
Manufacturing, Heavy:	--		
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	--		
Recycling Facility:	--		
Collection	--		
Sorting & Processing	--		
Waste Facility:			
Organic Waste	--		
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	<i>Sec. 5C.2.7.H.1.</i>
Oil, Gas, or Hydrocarbon Well	--		
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to: Supplemental Standards:	Other allowed use <i>Sec. 5C.2.8.A.1.</i>
Dairy	--		
Equine, Commercial	--		
Equine, Non-commercial	--		
Livestock	--		
Pets	--		
Small Animals	--		
Wild Animals	--		
Plant Cultivation:			
Community Garden	P		
Farming	--	Supplemental Standards:	<i>Sec. 5C.2.8.G.1.</i>

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

DIV. 5B.2. **AGRICULTURAL USE DISTRICTS**

Agricultural Use Districts emphasize agriculture-related uses while also allowing for residential uses.

SEC. 5B.2.1. **AGRICULTURAL 1 (A1)**

A. **Intent**

The A1 Use District is intended to protect and preserve agricultural resources and facilitate the efficient management of municipal resources.

B. **Allowed Uses & Use Limitations**

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Dwelling	S	Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Household Business:			
Family Child Care	P		
Home Occupation	P*	Hours of operation (open/close) Supplemental standards:	8AM / 8PM Sec. 5C.2.1.A.1.
Home-Sharing	P*	Special use program Home-Sharing Program	Sec. 5C.3.2.
Joint Living & Work Quarters	--		
Live/Work	--		
Mobile Home Park	P*	Screening Transition screen	T-Screen 1
Supportive Housing:			
General	P		
Medical Care	P*	In conjunction with:	Supportive housing: general
Transitional	P		
PUBLIC & INSTITUTIONAL			
Cemetery	P*	Screening Frontage screen Transition screen	F-Screen 2 T-Screen 1
Civic Facility:			
Local	P		
Regional	--		
Civic Fleet Services	--		
Detention Facility	CU3		
Hospital:			
Local	CU2		
Regional	CU3		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Agricultural Use Districts -

Use	Permission	Use Standard	Specification
Parking	P*	In conjunction with:	Other allowed use
Public Safety Facility	P		
Community Assembly:			
Local	P		
Regional	P		
School:			
Preschool/Daycare	CU2		
K-12	CU2		
Post-secondary	--		
Social Services	--		
Utilities:			
		Screening	
Minor	P*	Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
		In conjunction with:	Other allowed use
Solar Energy Facility	CU2*	Minimum area:	0.1 FAR
		Relief:	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium			
Local	CU2		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	--		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	CU2		
Golf Course	P		
TRANSPORTATION			
Airport	--		
Freight Railway Facility	--		
Freight Transfer Facility	--		
Heliport	CU2*	Accessory to:	Other allowed use
Passenger Transit Facility	--		

KEY: "P"= Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Agricultural Use Districts -

Use	Permission	Use Standard	Specification
GENERAL COMMERCIAL			
Animal Services:			
General	--		
Kennel	--		
Veterinary Care	--		
Commissary Kitchen	--		
Eating & Drinking:			
General	--		
Alcohol Service	--		
Entertainment Venue, Indoor:			
Local	--		
Regional	--		
Financial Services:			
General	--		
Alternative	--		
Instructional Services	--		
Lodging	--		
Medical Clinic	--		
Office	--		
Personal Services	--		
Postmortem Services	CU2		
Retail:			
General	--		
Alcohol	--		
Farmers' Market, Certified	p*	Hours of operation (open/close)	7AM / 9PM
		Special use program: Certified Farmers' Market Program	Sec 5C.3.4.
Firearms	--		
Food & Beverage	--		
Large Format	--		
Merchant Market	--		
Pet Shop	--		
Seasonal Market	--	Special use program:	
		Seasonal Market Program	Sec 5C.3.5.
Smoke & Vape Shop	--		
Sexually Oriented Business			
General	--		
Sexual Encounter	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Agricultural Use Districts -

Use	Permission	Use Standard	Specification
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	--		
Heavy	--		
Large Vehicle	--		
Car Wash	--		
Fueling Station:			
Standard Vehicle	--		
Large Vehicle	--		
Motor Vehicle Sales & Rental:			
Standard Vehicle	--		
Large Vehicle	--		
Household Moving Truck Rental	--		
Storage, Indoor:			
General	--		
Self-Service Facility	--		
Storage, Outdoor:			
General	P*	Accessory to: Screening	Other allowed use
		Outdoor storage screening	S-Screen 2
Standard Vehicle	--		
Large Vehicle	--		
Donation Bin	--		
Cargo Container	--		
Official Motor Vehicle Impound	--		
LIGHT INDUSTRIAL			
Machine Shop	--		
Manufacturing, Light:			
General	--		
Alcoholic Beverage	--		
Artistic & Artisanal	--		
Cosmetic & Pharmaceutical	--		
Electronics	--		
Food & Drink	--		
Garment & Accessory	--		
Textile	--		
Research & Development	CU2		
Soundstages & Backlots	CU2		
Wholesale Trade & Warehousing	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Agricultural Use Districts -

Use	Permission	Use Standard	Specification
HEAVY INDUSTRIAL			
Animal Products Processing	--		
Manufacturing, Heavy:			
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	--		
Recycling Facility:			
Collection	CU2*	In conjunction with:	Public & institutional use
		Minimum area:	200 SF
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.
Sorting & Processing	--		
Waste Facility:			
Organic Waste	CU3		
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	Sec. 5C.2.7.H.1.
Oil, Gas, or Hydrocarbon Well	--		
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.8.A.1.
Dairy	P*	Supplemental standards:	Sec. 5C.2.8.B.1.
Equine, Commercial	CU2*	Supplemental standards:	Sec. 5C.2.8.C.1.
Equine, Non-commercial	P*	Supplemental standards:	Sec. 5C.2.8.D.1.
Livestock	P*	Supplemental standards:	Sec. 5C.2.8.E.1.
Pets	P*	In conjunction with:	Other allowed use
Small Animals	P*	Supplemental standards:	Sec. 5C.2.8.F.1.
Wild Animals	CU2		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	Sec. 5C.2.8.G.1.

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

DIV. 5B.3. RESIDENTIAL USE DISTRICTS

Residential Use Districts emphasize residential uses and only allow a minimal amount of compatible services and amenities.

SEC. 5B.3.1. RESIDENTIAL 1 (RG1)

A. Intent

The RG1 Use District is intended to: accommodate a wide variety of housing types for a variety of housing needs, in a predominately residential setting and facilitate the efficient management of municipal resources.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Dwelling	S	Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Household Business:			
Family Child Care	P		
Home Occupation	P*	Hours of operation (open/close) Supplemental standards:	8AM / 8PM Sec. 5C.2.1.A.1.
Home-Sharing	P*	Special use program Home-Sharing Program	Sec. 5C.3.2.
Joint Living & Work Quarters	--		
Live/Work	--		
Mobile Home Park	P*	Screening Transition screen	T-Screen 1
Supportive Housing:			
General	P		
Medical Care	P*	In conjunction with:	Supportive housing: general
Transitional	P		
PUBLIC & INSTITUTIONAL			
Cemetery	--		
Civic Facility:			
Local	P		
Regional	--		
Civic Fleet Services	--		
Detention Facility	CU3		
Hospital:			
Local	CU2		
Regional	CU3		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Residential Use Districts -

Use	Permission	Use Standard	Specification
Parking	P*	In conjunction with:	Other allowed use
Public Safety Facility	P		
Community Assembly:			
Local	P		
Regional	CU2		
School:			
Preschool/Daycare	P		
K-12	P		
Post-secondary	P		
Social Services	P		
Utilities:			
		Screening	
Minor	P*	Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
		In conjunction with:	Other allowed use
Solar Energy Facility	CU2*	Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	CU2		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	--		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	--		
Golf Course	--		
TRANSPORTATION			
Airport	--		
Freight Railway Facility	--		
Freight Transfer Facility	--	Accessory to:	Other allowed use
Heliport	CU2*		
Passenger Transit Facility	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Residential Use Districts -

Use	Permission	Use Standard	Specification
GENERAL COMMERCIAL			
Animal Services:			
General	--		
Kennel	--		
Veterinary Care	--		
Commissary Kitchen	--		
Eating & Drinking:			
General	--		
Alcohol Service	--		
Entertainment Venue, Indoor:			
Local	--		
Regional	--		
Financial Services:			
General	--		
Alternative	--		
Instructional Services	--		
Lodging	--		
Medical Clinic	--		
Office	--		
Personal Services	--		
Postmortem Services	--		
Retail:			
General	--		
Alcohol	--		
		Hours of operation (open/close)	7AM / 7PM
Farmers' Market, Certified	CU1*	Special use program:	
		Certified Farmers' Market Program	Sec. 5C.3.4.
Firearms	--		
Food & Beverage	--		
Large Format	--		
Merchant Market	--		
Pet Shop	--		
Seasonal Market	--		
Smoke & Vape Shop	--		
Sexually Oriented Business			
General	--		
Sexual Encounter	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Residential Use Districts -

Use	Permission	Use Standard	Specification
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	--		
Heavy	--		
Large Vehicle	--		
Car Wash	--		
Fueling Station:			
Standard Vehicle	--		
Large Vehicle	--		
Motor Vehicle Sales & Rental:			
Standard Vehicle	--		
Large Vehicle	--		
Household Moving Truck Rental	--		
Storage, Indoor:			
General	--		
Self-Service Facility	--		
Storage, Outdoor:			
General	--		
Standard Vehicle	--		
Large Vehicle	--		
Donation Bin	--		
Cargo Container	--		
Official Motor Vehicle Impound	--		
LIGHT INDUSTRIAL			
Machine Shop	--		
Manufacturing, Light:	--		
General	--		
Alcoholic Beverage	--		
Artistic & Artisanal	--		
Cosmetic & Pharmaceutical	--		
Electronics	--		
Food & Drink	--		
Garment & Accessory	--		
Textile	--		
Research & Development	--		
Soundstages & Backlots	CU3		
Wholesale Trade & Warehousing	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Residential Use Districts -

Use	Permission	Use Standard	Specification
HEAVY INDUSTRIAL			
Animal Products Processing	--		
Manufacturing, Heavy:			
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	--		
Recycling Facility:			
Collection	CU2*	In conjunction with:	Public & institutional use
		Minimum area:	200 SF
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.
Sorting & Processing	--		
Waste Facility:			
Organic Waste	--		
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	Sec. 5C.2.7.H.1.
Oil, Gas, or Hydrocarbon Well	--		
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.8.A.1.
Dairy	--		
Equine, Commercial	--		
Equine, Non-commercial	P*	Supplemental standards:	Sec. 5C.2.8.D.1.
Livestock	--		
Pets	P*	In conjunction with:	Other allowed use
Small Animals	--		
Wild Animals	--		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	Sec. 5C.2.8.G.1.

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

DIV. 5B.4. RESIDENTIAL-MIXED USE DISTRICTS

Residential-Mixed Use Districts emphasize residential uses and only allow a minimal amount of compatible services and amenities and limited commercial uses.

SEC. 5B.4.1. RESIDENTIAL-MIXED 1 (RX1)

A. Intent

The RX1 Use District is intended to accommodate a wide variety of housing types for a variety of housing needs, in a primarily residential setting supported by neighborhood-serving commercial uses and facilitate the efficient management of municipal resources.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Dwelling	S	Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Household Business:			
Family Child Care	P		
Home Occupation	P*	Hours of operation (open/close) Supplemental standards:	8AM / 8PM Sec. 5C.2.1.A.1.
Home-Sharing	P*	Special use program Home-Sharing Program	Sec. 5C.3.2.
Joint Living & Work Quarters	--		
Live/Work	--		
Mobile Home Park	P*	Screening Transition screen	T-Screen 1
Supportive Housing:			
General	P		
Medical Care	P		
Transitional	P		
PUBLIC & INSTITUTIONAL			
Cemetery	--		
Civic Facility:			
Local	P		
Regional	--		
Civic Fleet Services	--		
Detention Facility	CU3		
Hospital:			
Local	CU2		
Regional	CU3		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Residential-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Parking	P*	In conjunction with:	Other allowed use
Public Safety Facility	P		
Community Assembly:			
Local	P		
Regional	CU2		
School:			
Preschool/Daycare	P		
K-12	P		
Post-secondary	P		
Social Services	P		
Utilities:			
		Screening	
Minor	P*	Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
		In conjunction with:	Other allowed use
Solar Energy Facility	CU2*	Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	CU2		
Regional	CU3		
Indoor Recreation:			
Public	P		
		Size, tenant space (max)	1,500 SF
Commercial	P*	Relief	CU2
		Location	Ground story
		Hours of operation (open/close)	6AM / 10PM
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	--		
Golf Course	--		
TRANSPORTATION			
Airport	--		
Freight Railway Facility	--		
Freight Transfer Facility	--	Accessory to:	Other allowed use
Heliport	CU2*		
Passenger Transit Facility	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Residential-Mixed Use Districts -

Use	Permission	Use Standard	Specification
GENERAL COMMERCIAL			
General Commercial Use Category Standards		Size, tenant space (max):	1,500 SF
		Relief	CU2
		Location	Ground story
		Hours of operation (open/close)	6AM / 10PM
Animal Services:			
General	P*	General Commercial Use Category Standards apply, as listed above	
Kennel	--		
Veterinary Care	--		
Commissary Kitchen	--		
Eating & Drinking:			
General	P*	General Commercial Use Category Standards apply, as listed above	
		Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
Alcohol Service	S*	General Commercial Use Category Standards apply, as listed above	
		Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
		Special use program:	
		Alcohol Sales Program	Sec. 5C.3.3.
Entertainment Venue, Indoor:			
Local	--		
Regional	--		
Financial Services:			
General	--		
Alternative	--		
Instructional Services	P*	General Commercial Use Category Standards apply, as listed above	
Lodging	--		
Medical Clinic	--		
Office	P*	General Commercial Use Category Standards apply, as listed above	
Personal Services	P*	General Commercial Use Category Standards apply, as listed above	
Postmortem Services	--		
Retail:			
General	P*	General Commercial Use Category Standards apply, as listed above	
Alcohol	S*	General Commercial Use Category Standards apply, as listed above	
		Special use program:	
		Alcohol Sales Program	Sec. 5C.3.3.

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Residential-Mixed Use Districts -

Use	Permission	Use Standard	Specification
		Hours of operation (open/close)	7AM / 7PM
Farmers' Market, Certified	CU1*	Special use program: Certified Farmers' Market Program	Sec 5C.3.4.
Firearms	--		
Food & Beverage	P*	General Commercial Use Category Standards apply, as listed above	
Large Format	--		
Merchant Market	--		
Pet Shop	--		
Seasonal Market	--		
Smoke & Vape Shop	--		
Sexually Oriented Business			
General	--		
Sexual Encounter	--		
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	--		
Heavy	--		
Large Vehicle	--		
Car Wash	--		
Fueling Station:			
Standard Vehicle	--		
Large Vehicle	--		
Motor Vehicle Sales & Rental:			
Standard Vehicle	--		
Large Vehicle	--		
Household Moving Truck Rental	--		
Storage, Indoor:			
General	--		
Self-Service Facility	--		
Storage, Outdoor:			
General	--		
Standard Vehicle	--		
Large Vehicle	--		
Donation Bin	--		
Cargo Container	--		
Official Motor Vehicle Impound	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Residential-Mixed Use Districts -

Use	Permission	Use Standard	Specification
LIGHT INDUSTRIAL			
Machine Shop	--		
Manufacturing, Light:			
General	--		
Alcoholic Beverage	--		
Artistic & Artisanal	--		
Cosmetic & Pharmaceutical	--		
Electronics	--		
Food & Drink	--		
Garment & Accessory	--		
Textile	--		
Research & Development	--		
Soundstages & Backlots	CU3		
Wholesale Trade & Warehousing	--		
HEAVY INDUSTRIAL			
Animal Products Processing	--		
Manufacturing, Heavy:			
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	--		
Recycling Facility:			
Collection	CU2*	In conjunction with:	Public & institutional use
		Minimum area:	200 SF
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.
Sorting & Processing	--		
Waste Facility:			
Organic Waste	--		
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	Sec. 5C.2.7.H.1.
Oil, Gas, or Hydrocarbon Well	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Residential-Mixed Use Districts -

Use	Permission	Use Standard	Specification
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to: Supplemental standards:	Other allowed use <i>Sec. 5C.2.8.A.</i>
Dairy	--		
Equine, Commercial	--		
Equine, Non-commercial	P*	Supplemental standards:	<i>Sec. 5C.2.8.D.1.</i>
Livestock	--		
Pets	P*	In conjunction with:	Other allowed use
Small Animals	--		
Wild Animals	--		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	<i>Sec. 5C.2.8.H.1.</i>

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

DIV. 5B.5. COMMERCIAL-MIXED USE DISTRICTS

Commercial-Mixed Use Districts promote neighborhoods with a mixture of uses including commercial and residential.

SEC. 5B.5.1. COMMERCIAL-MIXED 1 (CX1)

A. Intent

The CX1 Use District allows for commercial uses generally within a 10,000 square foot establishment size on the ground story, as well as a wide range of housing types. This District is intended to support the clustering of commercial, cultural, entertainment, and institutional uses that cater to immediately surrounding neighborhoods.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Dwelling	S	Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Household Business:			
Family Child Care	P		
Home Occupation	P*	Hours of operation (open/close) Supplemental standards:	8AM / 8PM Sec. 5C.2.1.A.1.
Home-Sharing	P*	Special use program Home-Sharing Program	Sec. 5C.3.2.
Joint Living & Work Quarters	P*	Designated Work Space	Required
Live/Work	S*	Size, dwelling unit average (min)	750 SF
		Designated Work Space	Required
		Special Use Program: Inclusionary Housing Program	Sec. 5C.3.1.
Mobile Home Park	--		
Supportive Housing:			
General	P		
Medical Care	P		
Transitional	P		
PUBLIC & INSTITUTIONAL			
Cemetery	P*	Screening	
		Frontage screen	F-Screen 2
		Transition screen	T-Screen 1
Civic Facility:			
Local	P		
Regional	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Civic Fleet Services	--		
Detention Facility	CU3		
Hospital:			
Local	CU2		
Regional	CU3		
Parking	P*	In conjunction with:	Other allowed use
Public Safety Facility	P		
Community Assembly:			
Local	P		
Regional	P		
School:			
Preschool/Daycare	P		
K-12	P		
Post-secondary	P		
Social Services	P		
Utilities:			
		Screening	
Minor	P*	Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
		In conjunction with:	Other allowed use
Solar Energy Facility	P*	Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	P*	Supplemental standards:	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	CU2		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	P*	Size, tenant space (max)	15,000 SF
		Relief	CU2
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	P		
Golf Course	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
TRANSPORTATION			
Airport	--		
Freight Railway Facility	--		
Freight Transfer Facility	--	Accessory to:	Other allowed use
Heliport	CU2*		
Passenger Transit Facility	P		
GENERAL COMMERCIAL			
General Commercial Use Category Standards		Size, tenant space (max):	15,000 SF
		Relief	CU2
Animal Services:			
General	P*	General Commercial Use Category Standards apply, as listed above	
		Enclosure	Indoors
Kennel	--		
Veterinary Care	P*	General Commercial Use Category Standards apply, as listed above	
		Enclosure	Indoors
Commissary Kitchen	P*	General Commercial Use Category Standards apply, as listed above	
Eating & Drinking:			
General	P*	General Commercial Use Category Standards apply, as listed above	
		Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
Alcohol Service	S*	General Commercial Use Category Standards apply, as listed above	
		Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
		Special use program:	
		Alcohol Sales Program	Sec. 5C.3.3.
Entertainment Venue, Indoor:			
Local	P*	General Commercial Use Category Standards apply, as listed above	
Regional	CU3		
Financial Services:		General Commercial Use Category Standards apply, as listed above	
General	P*		
Alternative	--		
Instructional Services	P*	General Commercial Use Category Standards apply, as listed above	

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Lodging	CU3*	Supplemental findings:	Sec. 5C.2.4.B.1.
		Project exceptions:	
		Intensification of use	Exempt
		Intensification threshold	
		Lodging units	25% max
Medical Clinic	P*	General Commercial Use Category Standards apply, as listed above	
Office	P*	General Commercial Use Category Standards apply, as listed above	
Personal Services	P*	General Commercial Use Category Standards apply, as listed above	
Postmortem Services	CU2*	General Commercial Use Category Standards apply, as listed above	
Retail:			
General	P*	General Commercial Use Category Standards apply, as listed above	
Alcohol	S*	General Commercial Use Category Standards apply, as listed above	
		Special use program:	
		Alcohol Sales Program	Sec. 5C.3.3.
Farmers' Market, Certified	S*	Hours of operation (open/close)	7AM / 9PM
		Special use program:	
		Certified Farmers' Market Program	Sec. 5C.3.4.
Firearms	--		
Food & Beverage	P*	General Commercial Use Category Standards apply, as listed above	
Large Format	--		
Merchant Market	P	Enclosure	Covered and enclosed
		Relief	CU2
Pet Shop	P*	General Commercial Use Category Standards apply, as listed above	
Seasonal Market	P*	Special use program:	
		Seasonal Market Program	Sec. 5C.3.5.
Smoke & Vape Shop	--		
Sexually Oriented Business			
General	--		
Sexual Encounter	--		
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	--		
Heavy	--		
Large Vehicle	--		
Car Wash	--		

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Fueling Station:			
Standard Vehicle	--		
Large Vehicle	--		
Motor Vehicle Sales & Rental:			
Standard Vehicle	--		
Large Vehicle	--		
Household Moving Truck Rental	--		
Storage, Indoor:			
General	--		
Self-Service Facility	--		
Storage, Outdoor:			
General	--		
Standard Vehicle	--		
Large Vehicle	--		
Donation Bin	P*	Accessory to: Supplemental standards:	Other allowed use Sec. 5C.2.5.G.1.
Cargo Container	--		
Official Motor Vehicle Impound	--		
LIGHT INDUSTRIAL			
Machine Shop	--		
Manufacturing, Light:			
General	--		
Alcoholic Beverage	--		
Artistic & Artisanal	--		
Cosmetic & Pharmaceutical	--		
Electronics	--		
Food & Drink	--		
Garment & Accessory	--		
Textile	--		
Research & Development	CU2		
Soundstages & Backlots	CU3		
Wholesale Trade & Warehousing	--		
HEAVY INDUSTRIAL			
Animal Products Processing	--		
Manufacturing, Heavy:			
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	--		

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Recycling Facility:			
Collection	CU2*	In conjunction with:	Other allowed use
		Minimum area:	200 SF
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.
Sorting & Processing	--		
Waste Facility:			
Organic Waste	--		
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	Sec. 5C.2.7.H.1.
Oil, Gas, or Hydrocarbon Well	--		
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.8.A.1.
Dairy	--		
Equine, Commercial	--		
Equine, Non-commercial	--		
Livestock	--		
Pets	P*	In conjunction with:	Other allowed use
Small Animals	--		
Wild Animals	--		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	Sec. 5C.2.8.G.1.

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SEC. 5B.5.2. COMMERCIAL-MIXED 2 (CX2)

A. Intent

The CX2 Use District allows for commercial uses generally within a 50,000 square foot establishment size on the ground story, as well as a wide range of housing types. This District is intended to support a broad range of residential, commercial, and civic facility uses to serve surrounding neighborhoods as well as visitors to the area. Public & institutional use services and amenities are also allowed.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Dwelling	S	Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Household Business:			
Family Child Care	P		
Home Occupation	P*	Hours of operation (open/close) Supplemental standards:	8AM / 8PM Sec. 5C.2.1A.1.
Home-Sharing	P*	Special use program Home-Sharing Program	Sec. 5C.3.3.
Joint Living & Work Quarters	P*	Designated Work Space	Required
Live/Work	P*	Size, dwelling unit average (min)	750 SF
		Designated Work Space	Required
		Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Mobile Home Park	--		
Supportive Housing:			
General	P		
Medical Care	P		
Transitional	P		
PUBLIC & INSTITUTIONAL			
Cemetery	P*	Screening	
		Frontage screen	F-Screen 2
		Transition screen	T-Screen 1
Civic Facility:			
Local	P		
Regional	P		
Civic Fleet Services	--		
Detention Facility	CU3		
Hospital:			
Local	P		
Regional	P		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Parking	P*	In conjunction with:	Other allowed use
Public Safety Facility	P		
Community Assembly:			
Local	P		
Regional	P		
School:			
Preschool/Daycare	P		
K-12	P		
Post-secondary	P		
Social Services	P		
Utilities:			
		Screening	
Minor	P*	Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
		In conjunction with:	Other allowed use
Solar Energy Facility	P*	Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	P*	Supplemental standards:	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	P		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	P*	Size, tenant space (max)	50,000 SF
		Relief	CU2
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	P		
Golf Course	--		
TRANSPORTATION			
Airport	--		
Freight Railway Facility	--		
Freight Transfer Facility	--	Accessory to:	Other allowed use
Heliport	CU2*		
Passenger Transit Facility	P		

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
GENERAL COMMERCIAL			
General Commercial Use Category Standards		Size, tenant space (max):	50,000 SF
		Relief	CU2
Animal Services:			
General	P*	General Commercial Use Category Standards apply, as listed above	
		Enclosure	Indoors
Kennel	--		
Veterinary Care	P*	General Commercial Use Category Standards apply, as listed above	
		Enclosure	Indoors
Commissary Kitchen	P*	General Commercial Use Category Standards apply, as listed above	
Eating & Drinking:			
General	P*	General Commercial Use Category Standards apply, as listed above	
		Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
Alcohol Service	S*	General Commercial Use Category Standards apply, as listed above	
		Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
		Special use program:	
		Alcohol Sales Program	Sec. 5C.3.3.
Entertainment Venue, Indoor:			
Local	P*	General Commercial Use Category Standards apply, as listed above	
Regional	P*	General Commercial Use Category Standards apply, as listed above	
Financial Services:			
General	P*	General Commercial Use Category Standards apply, as listed above	
Alternative	CU2*	General Commercial Use Category Standards apply, as listed above	
Instructional Services			
Lodging	CU3*	Supplemental findings:	Sec. 5C.2.4.B.1.
		Project exceptions:	
		Intensification of use	Exempt
		Intensification threshold	
		Lodging units	25% max
Medical Clinic	P*	General Commercial Use Category Standards apply, as listed above	
Office	P*	General Commercial Use Category Standards apply, as listed above	

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Personal Services	P*	General Commercial Use Category Standards apply, as listed above	
Postmortem Services	CU2*	General Commercial Use Category Standards apply, as listed above	
Retail:			
General	P*	General Commercial Use Category Standards apply, as listed above	
Alcohol	S*	General Commercial Use Category Standards apply, as listed above Special use program: Alcohol Sales Program	
		Hours of operation (open/close)	7AM / 9PM
Farmers' Market, Certified	P*	Special use program: Certified Farmers' Market Program	
			Sec. 5C.3.4.
Firearms	--		
Food & Beverage	P*	General Commercial Use Category Standards apply, as listed above	
Large Format	--		
Merchant Market	P*	Enclosure	Covered and enclosed
		Relief	CU2
Pet Shop	P*	General Commercial Use Category Standards apply, as listed above	
Seasonal Market	P*	Special use program: Seasonal Market Program	
			Sec. 5C.3.5.
Smoke & Vape Shop	P*	General Commercial Use Category Standards apply, as listed above Separation:	
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
Sexually Oriented Business		General Commercial Use Category Standards apply, as listed above Separation (min)	
General	P*	Other sexually oriented business	1,000'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Sensitive uses	500'
		Relief	CU2
		Supplemental Procedure:	Sec. 5C.2.4.G.
Sexual Encounter	--		

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	--		
Heavy	--		
Large Vehicle	--		
Car Wash	--		
Fueling Station:			
Standard Vehicle	--		
Large Vehicle	--		
Motor Vehicle Sales & Rental:			
Standard Vehicle	--		
Large Vehicle	--		
Household Moving Truck Rental	--		
Storage, Indoor:			
General	P*	Accessory to:	Other allowed use
Self-Service Facility	--		
Storage, Outdoor:			
General	--		
Standard Vehicle	--		
Large Vehicle	--		
Donation Bin	P*	Accessory to: Supplemental standards:	Other allowed use Sec. 5C.2.5.G.1.
Cargo Container	--		
Official Motor Vehicle Impound	--		
LIGHT INDUSTRIAL			
Machine Shop	--		
Manufacturing, Light:			
General	P*	Incidental to:	Retail: General Merchant Market
Alcoholic Beverage	P*	Incidental to:	Eating & Drinking: Alcohol Service
Artistic & Artisanal	P		
Cosmetic & Pharmaceutical	--		
Electronics	--		
Food & Drink	P*	Incidental to:	Commissary Kitchen Eating & Drinking: General
Garment & Accessory	P		
Textile	--		
Research & Development	CU2		
Soundstages & Backlots	CU3		
Wholesale Trade & Warehousing	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
HEAVY INDUSTRIAL			
Animal Products Processing	--		
Manufacturing, Heavy:			
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	--		
Recycling Facility:			
Collection	CU2*	In conjunction with:	Other allowed use
		Minimum area:	600 SF
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.
Sorting & Processing	--		
Waste Facility:			
Organic Waste	--		
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	Sec. 5C.2.7.H.1.
Oil, Gas, or Hydrocarbon Well	--		
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.8.A.1.
Dairy	--		
Equine, Commercial	--		
Equine, Non-commercial	--		
Livestock	--		
Pets	P*	In conjunction with:	Other allowed use
Small Animals	--		
Wild Animals	--		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	Sec. 5C.2.8.G.1.

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SEC. 5B.5.3. COMMERCIAL-MIXED 3 (CX3)

A. Intent

The CX3 Use District allows for primarily commercial uses. This District is intended to accommodate a variety of uses, mixing housing with small and large-scale commercial amenities and services.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Dwelling	S	Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Household Business:			
Family Child Care	P		
Home Occupation	P*	Hours of operation (open/close) Supplemental standards:	8AM / 8PM Sec. 5C.2.1.A.1.
Home-Sharing	P*	Special use program Home-Sharing Program	Sec. 5C.3.3.
Joint Living & Work Quarters	P*	Designated Work Space	Required
Live/Work	S*	Size, dwelling unit average (min)	750 SF
		Designated Work Space	Required
		Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Mobile Home Park	--		
Supportive Housing:			
General	P		
Medical Care	P		
Transitional	P		
PUBLIC & INSTITUTIONAL			
Cemetery	P*	Screening	
		Frontage screen	F-Screen 2
		Transition screen	T-Screen 1
Civic Facility:			
Local	P		
Regional	P		
Civic Fleet Services	--		
Detention Facility	CU3		
Hospital:			
Local	P		
Regional	P		
Parking	P*	In conjunction with:	Other allowed <u>use</u>

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Public Safety Facility	P		
Community Assembly:			
Local	P		
Regional	P		
School:			
Preschool/Daycare	P		
K-12	P		
Post-secondary	P		
Social Services	P		
Utilities:			
		Screening	
Minor	P*	Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
		In conjunction with:	Other allowed use
Solar Energy Facility	P*	Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1
Wireless Facility, Rooftop	P*	Supplemental standards:	Sec. 5C.2.2.A.1
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	P		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	P		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	P		
Golf Course	--		
TRANSPORTATION			
Airport	--		
Freight Railway Facility	--		
Freight Transfer Facility	--		
Heliport	CU2*	Accessory to:	Other allowed use
Passenger Transit Facility	P		

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
GENERAL COMMERCIAL			
Animal Services:			
General	P*	Enclosure	Indoors
Kennel	--		
Veterinary Care	P*	Enclosure	Indoors
Commissary Kitchen	P		
Eating & Drinking:			
General	P*	Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
Alcohol Service	S*	Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
		Special use program:	
		Alcohol Sales Program	Sec. 5C.3.3.
Entertainment Venue, Indoor:			
Local	P		
Regional	P		
Financial Services:			
General	P		
Alternative	CU2		
Instructional Services	P		
Lodging	CU3*	Supplemental findings:	Sec. 5C.2.4.B.1.
		Project exceptions:	
		Intensification of use	Exempt
		Intensification threshold	
		Lodging units	25% max
Medical Clinic	P		
Office	P		
Personal Services	P		
Postmortem Services	CU2		
Retail:			
General	P		
Alcohol	S	Special use program:	
		Alcohol Sales Program	Sec. 5C.3.3.
Farmers' Market, Certified	P*	Hours of operation (open/close)	7AM / 9PM
		Special use program:	
		Certified Farmers' Market Program	Sec. 5C.3.4.
Firearms	CU2*	Supplemental findings:	Sec. 5C.2.4.D.1.
Food & Beverage	P		
Large Format	CU3*	Supplemental findings:	Sec. 5C.2.4.E.1.

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Merchant Market	P*	Enclosure	Covered and enclosed
		Relief	CU2
Pet Shop	P		
Seasonal Market	P*	Special use program: Seasonal Market Program	Sec. 5C.3.5.
Smoke & Vape Shop	P*	Separation: Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
Sexually Oriented Business			
General	P*	Separation (min) Other sexually oriented business	1,000'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Sensitive uses	500'
		Relief	CU2
		Supplemental Procedure:	Sec. 5C.2.4.G.
Sexual Encounter	--		
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	P*	Incidental to: Separation (min) Sensitive use	Motor vehicle sales & rental 200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.A.1.
Heavy	--		
Large Vehicle	--		

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Car Wash	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Enclosure	Covered
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.B.1.
Fueling Station:			
Standard Vehicle	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.C.1.
Large Vehicle	--		
Motor Vehicle Sales & Rental:			
Standard Vehicle	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.D.1.
Large Vehicle	--		

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Household Moving Truck Rental	P*	Incidental to:	Storage, Indoor: Self-Service Facility
		Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Screening	
		Frontage Screen	F-Screen 3
		Transition Screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.D.1.
Storage, Indoor:			
General	P*	Accessory to:	Other allowed use
Self-Service Facility	P*	In conjunction with:	Retail: General Food & Beverage
		Minimum area	0.1 FAR
		Separation (min)	
		Other self-service facility	500'
		Relief	CU2
		Supplemental Findings	Sec. 5C.2.5.E.1.
Storage, Outdoor:			
General	--		
Standard Vehicle	--		
Large Vehicle	--		
Donation Bin	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.5.G.1.
Cargo Container	--		
Official Motor Vehicle Impound	--		
LIGHT INDUSTRIAL			
Machine Shop	--		
Manufacturing, Light:			
General	P*	Incidental to:	Retail: General Merchant Market
			Eating & Drinking: Alcohol Service
Alcoholic Beverage	P*	Incidental to:	
Artistic & Artisanal	P		
Cosmetic & Pharmaceutical	--		
Electronics	--		

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Food & Drink	P*	Incidental to:	Commissary Kitchen Eating & Drinking: General
Garment & Accessory	P		
Textile	--		
Research & Development	CU2		
Soundstages & Backlots	CU2		
Wholesale Trade & Warehousing	--		
HEAVY INDUSTRIAL			
Animal Products Processing	--		
Manufacturing, Heavy:			
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	--		
Recycling Facility:			
Collection	CU2*	In conjunction with:	Other allowed use
		Minimum area:	600 SF
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.
Sorting & Processing	--		
Waste Facility:			
Organic Waste	--		
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	Sec. 5C.2.7.H.1.
Oil, Gas, or Hydrocarbon Well	--		
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.8.A.1.
Dairy	--		
Equine, Commercial	--		
Equine, Non-commercial	--		
Livestock	--		
Pets	P*	In conjunction with:	Other allowed use
Small Animals	--		

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Wild Animals	--		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	Sec. 5C.2.8.G.1.

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SEC. 5B.5.4. COMMERCIAL-MIXED 4 (CX4)

A. Intent

The CX4 District allows for primarily commercial uses. This District is intended to accommodate a variety of uses, mixing housing with small and large-scale commercial amenities and services.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Dwelling	S	Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Household Business:			
Family Child Care	P		
Home Occupation	P*	Hours of operation (open/close) Supplemental standards:	8AM / 8PM Sec. 5C.2.1.A.1.
Home-Sharing	P*	Special use program Home-Sharing Program	Sec. 5C.3.2.
Joint Living & Work Quarters	P*	Designated Work Space	Required
Live/Work	S	Size, dwelling unit average (min)	750 SF
		Designated Work Space	Required
		Special Use Program: Inclusionary Housing Program	Sec. 5C.3.1.
Mobile Home Park	--		
Supportive Housing:			
General	P		
Medical Care	P		
Transitional	P		
PUBLIC & INSTITUTIONAL			
Cemetery	P*	Screening	
		Frontage screen	F-Screen 2
		Transition screen	T-Screen 1
Civic Facility:			
Local	P		
Regional	P		
Civic Fleet Services	--		
Detention Facility	CU3		
Hospital:			
Local	CU2		
Regional	CU3		
Parking	P*	In conjunction with:	Other allowed <u>use</u>
Public Safety Facility	P		
Community Assembly:			

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Local	P		
Regional	P		
School:			
Preschool/Daycare	P		
K-12	P		
Post-secondary	P		
Social Services	P		
Utilities:			
		Screening	
Minor	P*	Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
Solar Energy Facility	P*	In conjunction with:	Other allowed use
		Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	P*	Supplemental standards:	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	P		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	P		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	P		
Golf Course	--		
TRANSPORTATION			
Airport	--		
Freight Railway Facility	--		
Freight Transfer Facility	--	Accessory to:	Other allowed use
Heliport	CU2*		
Passenger Transit Facility	P		
GENERAL COMMERCIAL			
Animal Services:			
General	P*	Enclosure	Indoors
Kennel	--		
Veterinary Care	P*	Enclosure	Indoors

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Commissary Kitchen	P		
Eating & Drinking:			
General	P*	Amplified Sound Restrictions Relief	Applicable CU2
Alcohol Service	S*	Supplemental Standards: Amplified Sound Restrictions Relief Special use program: Alcohol Sales Program	Sec. 5C.2.4.B. Applicable CU2 Sec. 5C.2.4.B. Sec. 5C.3.3.
Entertainment Venue, Indoor:			
Local	P		
Regional	P		
Financial Services:			
General	P		
Alternative	CU2		
Instructional Services	P		
Lodging	CU3*	Supplemental findings: Project exceptions: Intensification of use Intensification threshold Lodging units	Sec. 5C.2.4.B.1. Exempt 25% max
Medical Clinic	P		
Office	P		
Personal Services	P		
Postmortem Services	CU2		
Retail:			
General	P		
Alcohol	S	Special use program: Alcohol Sales Program	Sec. 5C.3.3.
Farmers' Market, Certified	P*	Hours of operation (open/close) Special use program: Certified Farmers' Market Program	7AM / 9PM Sec. 5C.3.4.
Firearms	--		
Food & Beverage	P		
Large Format	CU3*	Supplemental findings:	Sec. 5C.2.4.E.1.
Merchant Market	P*	Enclosure Relief	Covered and enclosed CU2
Pet Shop	P		
Seasonal Market	P*	Special use program: Seasonal Market Program	Sec. 5C.3.5.

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Smoke & Vape Shop	P*	Separation: Residential, Residential-Mixed, or Agricultural Use District Relief	500' CU2
Sexually Oriented Business			
General	P*	Separation (min) Other sexually oriented business Residential, Residential-Mixed, or Agricultural Use District Sensitive uses Relief Supplemental Procedure:	1,000' 500' 500' CU2 Sec. 5C.2.4.G.
Sexual Encounter	--		
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	P*	Incidental to: Enclosure Screening Frontage screen Transition screen Hours of operation (open/close) Supplemental standards:	Motor vehicle sales & rental Indoors F-Screen 3 T-Screen 1 7AM / 7PM Sec. 5C.2.5.A.1.
Heavy	--		
Large Vehicle	--		
Car Wash	P*	Incidental to: Enclosure Screening Frontage screen Transition screen Hours of operation (open/close) Supplemental standards:	Motor vehicle sales & rental Covered F-Screen 3 T-Screen 1 7AM / 7PM Sec. 5C.2.5.B.1.
Fueling Station:			
Standard Vehicle	P*	Incidental to: Screening Frontage screen Transition screen Hours of operation (open/close) Supplemental standards:	Motor vehicle sales & rental F-Screen 3 T-Screen 1 7AM / 7PM Sec. 5C.2.5.C.1.
Large Vehicle	--		

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Motor Vehicle Sales & Rental:			
Standard Vehicle	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.D.1.
Large Vehicle	--		
Household Moving Truck Rental	--		
Storage, Indoor:			
General	P*	Accessory to:	Other allowed use
Self-Service Facility	--		
Storage, Outdoor:			
General	--		
Standard Vehicle	--		
Large Vehicle	--		
Donation Bin	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.5.G.1.
Cargo Container	--		
Official Motor Vehicle Impound	--		
LIGHT INDUSTRIAL			
Machine Shop	--		
Manufacturing, Light:			
General	P*	Incidental to:	Retail:
			General
			Merchant Market
Alcoholic Beverage	P*	Incidental to:	Eating & Drinking:
			Alcohol Service
Artistic & Artisanal	P		
Cosmetic & Pharmaceutical	--		
Electronics	--		
Food & Drink	P*	Incidental to:	Commissary Kitchen
			Eating & Drinking:
			General
Garment & Accessory	P		
Textile	--		
Research & Development	CU2		
Soundstages & Backlots	CU2		
Wholesale Trade & Warehousing	--		

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- Commercial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
HEAVY INDUSTRIAL			
Animal Products Processing	--		
Manufacturing, Heavy:			
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	--		
Recycling Facility:			
Collection	CU2*	In conjunction with:	Other allowed use
		Minimum area:	600 SF
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.
Sorting & Processing	--		
Waste Facility:			
Organic Waste	--		
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	Sec. 5C.2.7.H.1.
Oil, Gas, or Hydrocarbon Well	--		
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.8.A.1.
Dairy	--		
Equine, Commercial	--		
Equine, Non-commercial	--		
Livestock	--		
Pets	P*	In conjunction with:	Other allowed use
Small Animals	--		
Wild Animals	--		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	Sec. 5C.2.8.G.1.

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DIV. 5B.6. INDUSTRIAL-MIXED USE DISTRICTS

Industrial-Mixed Use Districts accommodate a mixture of light industrial use, office, and research & development activity, with limited residential uses and other compatible uses.

SEC. 5B.6.1. INDUSTRIAL-MIXED 1 (IX1)

A. Intent

The IX1 District is intended to accommodate a wide variety of employment, cultural, and recreational opportunities while supporting vulnerable residents with affordable housing and social services, and facilitate the efficient management of municipal resources.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Residential Use Category Standards		Separation (min)	
		Heavy industrial uses	50'
		Relief	C1
Dwelling	S*	Residential Use Category Standards apply, as listed above	
		Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Household Business:			
Family Child Care	P		
Home Occupation	P*	Hours of operation (open/close)	8AM / 8PM
		Supplemental standards:	Sec. 5C.2.1.A.1.
Home-Sharing	P*	Special use program	
		Home-Sharing Program	Sec. 5C.3.2.
Joint Living & Work Quarters	S*	Residential Use Category Standards apply, as listed above	
		Designated Work Space	Required
		Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Live/Work	S*	Residential Use Category Standards apply, as listed above	
		Size, dwelling unit average (min)	750 SF
		Designated Work Space	Required
		Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Mobile Home Park	--		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Supportive Housing:			
General	P*	Residential Use Category Standards apply, as listed above	
Medical Care	P*	Residential Use Category Standards apply, as listed above	
Transitional	P*	Residential Use Category Standards apply, as listed above	
PUBLIC & INSTITUTIONAL			
Cemetery	P*	Screening	
		Frontage screen	F-Screen 2
		Transition screen	T-Screen 1
Civic Facility:			
Local	P		
Regional	P		
Civic Fleet Services	P*	Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 1
Detention Facility	CU3		
Hospital:			
Local	CU2		
Regional	CU3		
Parking	P*	In conjunction with:	Other allowed use
Public Safety Facility	P		
Community Assembly:			
Local	P		
Regional	CU2		
School:			
Preschool/Daycare	P		
K-12	P		
Post-secondary	P		
Social Services	P		
Utilities:			
Minor	P*	Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
Solar Energy Facility	P*	In conjunction with:	Other allowed use
		Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	P*	Supplemental standards:	Sec. 5C.2.2.A.1.

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	P		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	P		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	P		
Golf Course	--		
TRANSPORTATION			
Airport	--		
Freight Railway Facility	--		
Freight Transfer Facility	--	Accessory to:	Other allowed use
Heliport	CU2*		
Passenger Transit Facility	P		
GENERAL COMMERCIAL			
Animal Services:			
General	P*	Enclosure	Indoors
		Supplemental standards:	Sec. 5C.2.4.A.1.
		Separation (min)	
Kennel	P*	Residential or Residential-Mixed Use District	200'
		Relief	CU2
		Enclosure	Indoors
Veterinary Care	P*	Enclosure	Indoors
Commissary Kitchen	P		
Eating & Drinking:			
General	P*	Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
		Amplified Sound Restrictions	Applicable
		Relief	CU2
Alcohol Service	S*	Supplemental Standards:	Sec. 5C.2.4.B.
		Special use program:	
		Alcohol Sales Program	Sec. 5C.3.3.
Entertainment Venue, Indoor:			
Local	P		
Regional	P		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Financial Services:			
General	P		
Alternative	--		
Instructional Services	P		
Lodging	--		
Medical Clinic	P		
Office	P		
Personal Services	P		
Postmortem Services	CU2		
Retail:			
General	P		
Alcohol	S	Special use program: Alcohol Sales Program	Sec. 5C.3.3.
		Hours of operation (open/close)	7AM / 9PM
Farmers' Market, Certified	P*	Special use program: Certified Farmers' Market Program	Sec. 5C.3.4.
Firearms	--		
Food & Beverage	P		
Large Format	CU3*	Supplemental findings:	Sec. 5C.2.4.C.1.
Merchant Market	P*	Enclosure	Covered and enclosed
		Relief	CU2
Pet Shop	P		
Seasonal Market	P*	Special use program: Seasonal Market Program	Sec. 5C.3.5.
Smoke & Vape Shop	--		
Sexually Oriented Business			
General	--		
Sexual Encounter	--		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.A.1.
Heavy	--		
Large Vehicle	--		
Car Wash	--		
Fueling Station:			
Standard Vehicle	--		
Large Vehicle	--		
Motor Vehicle Sales & Rental:			
Standard Vehicle	--		
Large Vehicle	--		
Household Moving Truck Rental	--		
Storage, Indoor:			
General	P		
Self-Service Facility	P		
Storage, Outdoor:			
General	P*	Accessory to:	Other allowed use
		Screening	
		Outdoor storage screening	S-Screen 2
Standard Vehicle	--		
Large Vehicle	--		
Donation Bin	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.5.G.1.
Cargo Container	--		
Official Motor Vehicle Impound	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.5.I.1.

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
LIGHT INDUSTRIAL			
Light Industrial Use Category Standards		Use standard applicability	
		Adjoining lot	Sensitive use
			Residential, Residential-Mixed, or Agricultural Use District
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 4
Transition screen	T-Screen 2		
Machine Shop	P*	Light Industrial Use Category Standards apply, as listed above	
Manufacturing, Light:			
General	P*	Light Industrial Use Category Standards apply, as listed above	
Alcoholic Beverage	P*	Light Industrial Use Category Standards apply, as listed above	
Artistic & Artisanal	P*	Light Industrial Use Category Standards apply, as listed above	
Cosmetic & Pharmaceutical	P*	Light Industrial Use Category Standards apply, as listed above	
Electronics	P*	Light Industrial Use Category Standards apply, as listed above	
Food & Drink	P*	Light Industrial Use Category Standards apply, as listed above	
Garment & Accessory	P*	Light Industrial Use Category Standards apply, as listed above	
Textile	--	Light Industrial Use Category Standards apply, as listed above	
Research & Development	P*	Light Industrial Use Category Standards apply, as listed above	
Soundstages & Backlots	P*	Light Industrial Use Category Standards apply, as listed above	
Wholesale Trade & Warehousing	P*	Light Industrial Use Category Standards apply, as listed above	
		Size, tenant space (max):	50,000 SF
		Relief	CU2
HEAVY INDUSTRIAL			
Animal Products Processing	--		
Manufacturing, Heavy:			
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	--		
Recycling Facility:			

KEY: "P"= Permitted Use; "*" = Use Standard Applies; "CU1"= Approval by Zoning Administrator; "CU2"= Public Hearing by Zoning Administrator; "CU3"= Review by City Planning Commission; "S"= Special Use Program; "A-"= Dependent on Most Restrictive Adjoining Zone; "A+"= Dependent on Most Permissive Adjoining Zone; "--"= Use Not Permitted

- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Collection	CU2*	In conjunction with:	Other allowed use
		Minimum area:	600 SF
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.
Sorting & Processing	--		
Waste Facility:			
Organic Waste	--		
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	Sec. 5C.2.7.H.1.
Oil, Gas, or Hydrocarbon Well	--		
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.8.A.1.
Dairy	--		
Equine, Commercial	--		
Equine, Non-commercial	--		
Livestock	--		
Pets	P*	In conjunction with:	Other allowed use
Small Animals	--		
Wild Animals	--		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	Sec. 5C.2.8.G.1.

KEY: "P" = Permitted Use; "*" = Use Standard Applies; "CU1" = Approval by Zoning Administrator; "CU2" = Public Hearing by Zoning Administrator; "CU3" = Review by City Planning Commission; "S" = Special Use Program; "A-" = Dependent on Most Restrictive Adjoining Zone; "A+" = Dependent on Most Permissive Adjoining Zone; "--" = Use Not Permitted

SEC. 5B.6.2. INDUSTRIAL-MIXED 2 (IX2)**A. Intent**

The IX2 District is intended to accommodate light industrial uses, office space, and research & development activity. This District also allows a wide range of commercial uses as well as Joint Living & Work Quarters.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Residential Use Category Standards		Separation (min)	
		Heavy industrial uses	50'
		Relief	C1
Dwelling	P*	Residential Use Category Standards apply, as listed above	
Household Business:			
Family Child Care	--		
Home Occupation	P*	Hours of operation (open/close)	8AM / 8PM
Home-Sharing	--	Supplemental standards:	Sec. 5C.2.1.A.1.
Joint Living & Work Quarters	CU1*	Residential Use Category Standards apply, as listed above	
		Designated Work Space	Required
		Supplemental findings:	Sec. 5C.2.1.B.1.
Live/Work	--		
Mobile Home Park	--		
Supportive Housing:			
General	--		
Medical Care	--		
Transitional	P*	Residential Use Category Standards apply, as listed above	
PUBLIC & INSTITUTIONAL			
Cemetery	P*	Screening	
		Frontage screen	F-Screen 2
		Transition screen	T-Screen 1
Civic Facility:			
Local	P		
Regional	P		
Civic Fleet Services	P*	Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 1
Detention Facility	CU3		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Hospital:			
Local	CU2		
Regional	CU3		
Parking	P*	In conjunction with:	Other allowed use
Public Safety Facility	P		
Community Assembly:			
Local	P		
Regional	CU2		
School:			
Preschool/Daycare	P		
K-12	P		
Post-secondary	P		
Social Services	P		
Utilities:			
		Screening	
Minor	P*	Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
		In conjunction with:	Other allowed use
Solar Energy Facility	P*	Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	P*	Supplemental standards:	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	P		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	P		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	P		
Golf Course	--		
TRANSPORTATION			
Airport	--		
Freight Railway Facility	--		
Freight Transfer Facility	--	Accessory to:	Other allowed use
Heliport	CU2*		
Passenger Transit Facility	P		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
GENERAL COMMERCIAL			
Animal Services:			
General	P*	Enclosure	Indoors
		Supplemental standards:	Sec. 5C.2.4.A.1.
Kennel	P*	Separation (min)	
		Residential or Residential-Mixed Use District	200'
		Relief	CU2
		Enclosure	Indoors
Veterinary Care	P*	Enclosure	Indoors
Commissary Kitchen	P		
Eating & Drinking:			
General	P*	Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
Alcohol Service	S*	Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
		Special use program:	
		Alcohol Sales Program	Sec. 5C.3.3.
Entertainment Venue, Indoor:			
Local	P		
Regional	P		
Financial Services:			
General	P		
Alternative	--		
Instructional Services	P		
Lodging	--		
Medical Clinic	P		
Office	P		
Personal Services	P		
Postmortem Services	CU2		
Retail:			
General	P		
Alcohol	S	Special Use Program:	
		Alcohol Sales Program	Sec. 5C.3.3.
		Hours of operation (open/close)	7AM / 9PM
Farmers' Market, Certified	P*	Special use program:	
		Certified Farmers' Market Program	Sec. 5C.3.4.
Firearms	CU2*	Supplemental findings:	Sec. 5C.2.4.D.1.
Food & Beverage	P		
Large Format	CU3*	Supplemental findings:	Sec. 5C.2.4.E.1.

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Merchant Market	P*	Enclosure	Covered and enclosed
		Relief	CU2
Pet Shop	P		
Seasonal Market	P*	Special use program: Seasonal Market Program	Sec. 5C.3.5.
Smoke & Vape Shop	P*	Separation: Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
Sexually Oriented Business			
		Separation (min)	
		Other sexually oriented business	1,000'
General	P*	Residential, Residential-Mixed, or Agricultural Use District	500'
		Sensitive uses	500'
		Relief	CU2
		Supplemental Procedure:	Sec. 5C.2.4.G.
Sexual Encounter	--		
HEAVY COMMERCIAL			
Motor Vehicle Services:			
		Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
Light	P*	Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.A.1.
		Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
Heavy	P*	Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.A.1.
Large Vehicle	--		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Car Wash	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.B.1.
Fueling Station:			
Standard Vehicle	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.C.1.
Large Vehicle	--		
Motor Vehicle Sales & Rental:			
Standard Vehicle	P*	Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.D.1.
Large Vehicle	--		
Household Moving Truck Rental	P*	Incidental to:	Storage, Indoor:
			Self-Service Facility
		Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage Screen	F-Screen 3
		Transition Screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.D.1.
Storage, Indoor:			
General	P		
Self-Service Facility	P		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Storage, Outdoor:			
General	P*	Accessory to:	Other allowed use
		Screening	
		Outdoor storage screening	S-Screen 2
Standard Vehicle	P*	In Conjunction with:	Motor vehicle sales & rental
		Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.F.1.
Large Vehicle	--		
Donation Bin	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.5.G.1.
Cargo Container	--		
Official Motor Vehicle Impound	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District "	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.5.I.1.
LIGHT INDUSTRIAL			
Light Industrial Use Category Standards		Use standard applicability	
			Sensitive use
		Adjoining lot	Residential, Residential-Mixed, or Agricultural Use District
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
Machine Shop	P*	Light Industrial Use Category Standards apply, as listed above	

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Manufacturing, Light:			
General	P*	Light Industrial Use Category Standards apply, as listed above	
Alcoholic Beverage	P*	Light Industrial Use Category Standards apply, as listed above	
Artistic & Artisanal	P*	Light Industrial Use Category Standards apply, as listed above	
Cosmetic & Pharmaceutical	P*	Light Industrial Use Category Standards apply, as listed above	
Electronics	P*	Light Industrial Use Category Standards apply, as listed above	
Food & Drink	P*	Light Industrial Use Category Standards apply, as listed above	
Garment & Accessory	P*	Light Industrial Use Category Standards apply, as listed above	
Textile	P*	Light Industrial Use Category Standards apply, as listed above	
Research & Development	P*	Light Industrial Use Category Standards apply, as listed above	
Soundstages & Backlots	P*	Light Industrial Use Category Standards apply, as listed above	
Wholesale Trade & Warehousing	P*	Light Industrial Use Category Standards apply, as listed above	
HEAVY INDUSTRIAL			
Animal Products Processing	--		
Manufacturing, Heavy:			
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	--		
Recycling Facility:			
Collection	CU2*	In conjunction with:	Other allowed use
		Minimum area:	600 SF
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.
Sorting & Processing	--		
Waste Facility:			
Organic Waste	--		
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	Sec. 5C.2.7.H.1.
Oil, Gas, or Hydrocarbon Well	--		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to: Supplemental standards:	Other allowed use <i>Sec. 5C.2.8.A.1.</i>
Dairy	--		
Equine, Commercial	--		
Equine, Non-commercial	--		
Livestock	--		
Pets	P*	In conjunction with:	Other allowed use
Small Animals	--		
Wild Animals	--		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	<i>Sec. 5C.2.8.G.1.</i>

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SEC. 5B.6.3. INDUSTRIAL-MIXED 3 (IX3)**A. Intent**

The IX3 District is intended to promote a mixing of uses that support creative production industries, accommodate a wide variety of employment, cultural and recreational opportunities, while supporting vulnerable residents with affordable housing and social services, and facilitate the efficient management of municipal resources.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Residential Use Category Standards		Separation (min)	
		Heavy industrial uses	50'
		Relief	C1
Dwelling	S*	Residential Use Category Standards apply, as listed above	
		In conjunction with:	Manufacturing, Light: General
			Artistic & Artisanal
			Garment & Accessory
		Minimum area:	1.0 FAR
		Project category exceptions:	
		Campus Unified Development	Exempt
		Special Use Program:	
		Inclusionary Housing Program	Sec. 5C.3.1.
		Project category exceptions:	
		Affordable Housing	Exempt
Dwelling unit threshold (min)	100%		
Change of use	Prohibited		
Household Business:			
Family Child Care	P		
Home Occupation	P*	Hours of operation (open/close)	8AM / 8PM
		Supplemental standards:	Sec. 5C.2.1.A.1.
Home-Sharing	P*	Special use program	
		Home-Sharing Program	Sec. 5C.3.2.
Joint Living & Work Quarters	--		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Live/Work	S*	Residential Use Category Standards apply, as listed above	
		Size, dwelling unit average (min)	750 SF
		Designated Work Space	Required
		In conjunction with:	Manufacturing, Light: General
			Artistic & Artisanal
			Garment & Accessory
		Minimum area:	1.0 FAR
		Special use program:	
		Inclusionary Housing Program	Sec. 5C.3.1.
Project category exceptions:			
Change of use	Prohibited		
Mobile Home Park	--		
Supportive Housing:			
General	P*	Residential Use Category Standards apply, as listed above	
Medical Care	--		
Transitional	P*	Residential Use Category Standards apply, as listed above	
PUBLIC & INSTITUTIONAL			
Cemetery	P*	Screening	
		Frontage screen	F-Screen 2
		Transition screen	T-Screen 1
Civic Facility:			
Local	P		
Regional	P		
Civic Fleet Services	P*	Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 1
Detention Facility	CU3		
Hospital:			
Local	CU2		
Regional	CU3		
Parking	P*	In conjunction with:	Other allowed use
Public Safety Facility	P		
Community Assembly:			
Local	P		
Regional	CU2		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
School:			
Preschool/Daycare	P		
K-12	P		
Post-secondary	P		
Social Services	P		
Utilities:			
		Screening	
Minor	P*	Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
		In conjunction with:	Other allowed use
Solar Energy Facility	P*	Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	P*	Supplemental standards:	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	P		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	P		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	P		
Golf Course	--		
TRANSPORTATION			
Airport	--		
Freight Railway Facility	--		
Freight Transfer Facility	--	Accessory to:	Other allowed use
Heliport	CU2*		
Passenger Transit Facility	P		
GENERAL COMMERCIAL			
Animal Services:			
		Enclosure	Indoors
General	P*	Supplemental standards:	Sec. 5C.2.4.A.1.
Kennel	--		
Veterinary Care	P*	Enclosure	Indoors

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Commissary Kitchen	P		
Eating & Drinking:			
General	P*	Amplified Sound Restrictions Relief	Applicable CU2
Alcohol Service	S*	Supplemental Standards: Amplified Sound Restrictions Relief Special use program: Alcohol Sales Program	Sec. 5C.2.4.B. Applicable CU2 Sec. 5C.2.4.B. Sec. 5C.3.3.
Entertainment Venue, Indoor:			
Local	P		
Regional	P		
Financial Services:			
General	P		
Alternative	--		
Instructional Services	P		
Lodging	--		
Medical Clinic	P		
Office	P*	Incidental to: Relief Project category exceptions: New construction	Other allowed use CU2 Exempt
Personal Services	P		
Postmortem Services	CU2		
Retail:			
General	P		
Alcohol	S*	Special use program: Alcohol Sales Program	Sec. 5C.3.3.
Farmers' Market, Certified	P*	Hours of operation (open/close) Special use program: Certified Farmers' Market Program	7AM / 9PM Sec. 5C.3.4.
Firearms	CU2*	Supplemental findings:	Sec. 5C.2.4.D.1.
Food & Beverage	P		
Large Format	CU3*	Supplemental findings:	Sec. 5C.2.4.E.1.
Merchant Market	P*	Enclosure Relief	Covered and enclosed CU2
Pet Shop	P		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Seasonal Market	P*	Special use program: Seasonal Market Program	Sec. 5C.3.5.
Smoke & Vape Shop	P*	Separation: Residential, Residential-Mixed, or Agricultural Use District Relief	500' CU2
Sexually Oriented Business			
General	P*	Separation (min) Other sexually oriented business Residential, Residential-Mixed, or Agricultural Use District Sensitive uses Relief Supplemental Procedure:	1,000' 500' 500' CU2 Sec. 5C.2.4.G.
Sexual Encounter	--		
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	P*	Separation (min) Sensitive use Residential, Residential-Mixed, or Agricultural Use District Relief Enclosure Screening Frontage screen Transition screen Hours of operation (open/close) Supplemental standards:	200' 200' CU2 Indoors F-Screen 3 T-Screen 1 7AM / 7PM Sec. 5C.2.5.A.1.
Heavy	--		
Large Vehicle	--		
Car Wash	--		
Fueling Station:			
Standard Vehicle	--		
Large Vehicle	--		
Motor Vehicle Sales & Rental:			
Standard Vehicle	P*	Screening Frontage screen Transition screen Supplemental standards:	F-Screen 3 T-Screen 1 Sec. 5C.2.5.D.1.
Large Vehicle	--		
Household Moving Truck Rental	--		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Storage, Indoor:			
General	P		
Self-Service Facility	--		
Storage, Outdoor:			
General	P*	Accessory to: Screening	Other allowed use
		Outdoor storage screening	S-Screen 2
		In Conjunction with:	Motor vehicle sales & rental
		Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.F.1
Large Vehicle	--		
Donation Bin	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.5.G.1
Cargo Container	--		
		Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.5.I.1
LIGHT INDUSTRIAL			
Light Industrial Use Category Standards		Use standard applicability	
		Adjoining lot	Sensitive use Residential, Residential-Mixed, or Agricultural Use District
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
Machine Shop	P*	Light Industrial Use Category Standards apply, as listed above	

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Manufacturing, Light:			
General	P*	Light Industrial Use Category Standards apply, as listed above	
Alcoholic Beverage	P*	Light Industrial Use Category Standards apply, as listed above	
Artistic & Artisanal	P*	Light Industrial Use Category Standards apply, as listed above	
Cosmetic & Pharmaceutical	P*	Light Industrial Use Category Standards apply, as listed above	
Electronics	P*	Light Industrial Use Category Standards apply, as listed above	
Food & Drink	P*	Light Industrial Use Category Standards apply, as listed above	
Garment & Accessory	P*	Light Industrial Use Category Standards apply, as listed above	
Textile	P*	Light Industrial Use Category Standards apply, as listed above	
Research & Development	P*	Light Industrial Use Category Standards apply, as listed above	
Soundstages & Backlots	P*	Light Industrial Use Category Standards apply, as listed above	
Wholesale Trade & Warehousing	P*	Light Industrial Use Category Standards apply, as listed above	
		Size, tenant space (max):	50,000 SF
		Relief	CU2
HEAVY INDUSTRIAL			
Animal Products Processing	--		
Manufacturing, Heavy:			
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	--		
Recycling Facility:			
Collection	CU2*	In conjunction with:	Other allowed use
		Minimum area:	600 SF
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.
Sorting & Processing	--		
Waste Facility:			
Organic Waste	--		
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	Sec. 5C.2.7.H.1.
Oil, Gas, or Hydrocarbon Well	--		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to: Supplemental standards:	Other allowed use <i>Sec. 5C.2.8.A.1.</i>
Dairy	--		
Equine, Commercial	--		
Equine, Non-commercial	--		
Livestock	--		
Pets	P*	In conjunction with:	Other allowed use
Small Animals	--		
Wild Animals	--		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	<i>Sec. 5C.2.8.G.1.</i>

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SEC. 5B.6.4. INDUSTRIAL-MIXED 4 (IX4)

A. Intent

The IX4 District supports office and commercial uses, as well as research & development, wholesale, and light industrial uses. This District allows for a limited amount of live/work units. This District is intended to promote productive industries and entrepreneurial activities.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Residential Use Category Standards		Separation (min)	
		Heavy industrial uses	50'
		Relief	C1
Dwelling	P*	Residential Use Category Standards apply, as listed above	
		Affordable Housing	100%
		Project category exceptions:	
		Adaptive reuse project	Exempt
Household Business:			
Family Child Care	P		
Home Occupation	P*	Hours of operation (open/close)	8AM / 8PM
		Supplemental standards:	Sec. 5C.2.1.A.1.
Home-Sharing	P*	Special use program	
		Home-Sharing Program	Sec. 5C.3.2.
Joint Living & Work Quarters	P*	Residential Use Category Standards apply, as listed above	
		Designated Work Space	Required
Live/Work	S*	Residential Use Category Standards apply, as listed above	
		Size, dwelling unit average	1,000 SF
		Designated Work Space	Required
		In conjunction with:	Office
			Manufacturing, Light:
			General
			Artistic & Artisanal
			Garment & Accessory
		Minimum area:	1.5 FAR
		Special Use Program:	
Mobile Home Park	--	Inclusionary Housing Program	Sec. 5C.3.1.

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Supportive Housing:			
General	P*	Residential Use Category Standards apply, as listed above	
Medical Care	--		
Transitional	P*	Residential Use Category Standards apply, as listed above	
PUBLIC & INSTITUTIONAL			
Cemetery	P*	Screening	
		Frontage screen	F-Screen 2
		Transition screen	T-Screen 1
Civic Facility:			
Local	P		
Regional	P		
Civic Fleet Services	P*	Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 1
Detention Facility	CU3		
Hospital:			
Local	CU2		
Regional	CU3		
Parking	P*	In conjunction with:	Other allowed use
Public Safety Facility	P		
Community Assembly:			
Local	P		
Regional	CU2		
School:			
Preschool/Daycare	P		
K-12	P		
Post-secondary	P		
Social Services	P		
Utilities:			
Minor	P*	Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
Solar Energy Facility	P*	In conjunction with:	Other allowed use
		Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	P*	Supplemental standards:	Sec. 5C.2.2.A.1.

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	P		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	P		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	P		
Golf Course	--		
TRANSPORTATION			
Airport	--		
Freight Railway Facility	--		
Freight Transfer Facility	--	Accessory to:	Other allowed use
Heliport	CU2*		
Passenger Transit Facility	P		
GENERAL COMMERCIAL			
Animal Services:			
General	P*	Enclosure	Indoors
		Supplemental standards:	Sec. 5C.2.4.A.1.
Kennel	--		
Veterinary Care	P*	Enclosure	Indoors
Commissary Kitchen	P		
Eating & Drinking:			
General	P*	Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
Alcohol Service	S*	Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
		Special Use Program:	
		Alcohol Sales Program	Sec. 5C.3.3.

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Entertainment Venue, Indoor:			
Local	P		
Regional	P		
Financial Services:			
General	P		
Alternative	--		
Instructional Services	P		
Lodging	CU3*	Supplemental findings:	<i>Sec. 5C.2.4.B.1.</i>
		Project exceptions:	
		Intensification of use	Exempt
		Intensification threshold	
		Lodging units	25% max
Medical Clinic	P		
Office	P		
Personal Services	P		
Postmortem Services	CU2		
Retail:			
General	P		
Alcohol	S*	Special use program:	
		Alcohol Sales Program	<i>Sec. 5C.3.3.</i>
Farmers' Market, Certified	P*	Hours of operation (open/close)	7AM / 9PM
		Special use program:	
		Certified Farmers' Market Program	<i>Sec. 5C.3.4.</i>
Firearms	CU2*	Supplemental findings:	<i>Sec. 5C.2.4.D.1.</i>
Food & Beverage	P		
Large Format	CU3*	Supplemental findings:	<i>Sec. 5C.2.4.E.1.</i>
Merchant Market	P*	Enclosure	Covered and enclosed
		Relief	CU2
Pet Shop	P		
Seasonal Market	P*	Special use program:	
		Seasonal Market Program	<i>Sec. 5C.3.5.</i>
Smoke & Vape Shop	P*	Separation:	
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Sexually Oriented Business			
General	P*	Separation (min)	
		Other sexually oriented business	1,000'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Sensitive uses	500'
		Relief	CU2
		Supplemental Procedure:	Sec. 5C.2.4.G.
Sexual Encounter	--		
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.A.1.
Heavy	--		
Large Vehicle	--		
Car Wash	--		
Fueling Station:			
Standard Vehicle	--		
Large Vehicle	--		
Motor Vehicle Sales & Rental:			
Standard Vehicle	P*	Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.D.1.
Large Vehicle	--		
Household Moving Truck Rental	--		
Storage, Indoor:			
General	P		
Self-Service Facility	--		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Storage, Outdoor:			
General	P*	Accessory to:	Other allowed use
		Screening	
		Outdoor storage screening	S-Screen 2
Standard Vehicle	P*	In Conjunction with:	Motor vehicle sales & rental
		Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.F.1.
Large Vehicle	--		
Donation Bin	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.5.G.1.
Cargo Container	--		
Official Motor Vehicle Impound	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.5.I.1.
LIGHT INDUSTRIAL			
Light Industrial Use Category Standards		Use standard applicability	
			Sensitive use
		Adjoining lot	Residential, Residential-Mixed, or Agricultural Use District
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
Machine Shop	P*	Light Industrial Use Category Standards apply, as listed above	

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
Manufacturing, Light:			
General	P*	Light Industrial Use Category Standards apply, as listed above	
Alcoholic Beverage	P*	Light Industrial Use Category Standards apply, as listed above	
Artistic & Artisanal	P*	Light Industrial Use Category Standards apply, as listed above	
Cosmetic & Pharmaceutical	P*	Light Industrial Use Category Standards apply, as listed above	
Electronics	P*	Light Industrial Use Category Standards apply, as listed above	
Food & Drink	P*	Light Industrial Use Category Standards apply, as listed above	
Garment & Accessory	P*	Light Industrial Use Category Standards apply, as listed above	
Textile	P*	Light Industrial Use Category Standards apply, as listed above	
Research & Development	P*	Light Industrial Use Category Standards apply, as listed above	
Soundstages & Backlots	P*	Light Industrial Use Category Standards apply, as listed above	
Wholesale Trade & Warehousing	P*	Light Industrial Use Category Standards apply, as listed above	
		Size, tenant space (max):	50,000 SF
		Relief	CU2
HEAVY INDUSTRIAL			
Animal Products Processing	--		
Manufacturing, Heavy:			
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	--		
Recycling Facility:			
Collection	CU2*	In conjunction with:	Other allowed use
		Minimum area:	600 SF
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.
Sorting & Processing	--		
Waste Facility:			
Organic Waste	--		
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	Sec. 5C.2.7.H.1.
Oil, Gas, or Hydrocarbon Well	--		

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- Industrial-Mixed Use Districts -

Use	Permission	Use Standard	Specification
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to: Supplemental standards:	Other allowed use <i>Sec. 5C.2.8.A.1.</i>
Dairy	--		
Equine, Commercial	--		
Equine, Non-commercial	--		
Livestock	--		
Pets	P*	In conjunction with:	Other allowed use
Small Animals	--		
Wild Animals	--		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	<i>Sec. 5C.2.8.G.1.</i>

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DIV. 5B.7. INDUSTRIAL USE DISTRICTS

SEC. 5B.7.1. INDUSTRIAL 1 (I1)

A. Intent

The I1 District allows heavy commercial uses and light industrial uses as well as a limited amount of commercial activity. This District intends to support employment, goods movement, and warehousing.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Dwelling	--		
Household Business:			
Family Child Care	--		
Home Occupation	--		
Home-Sharing	--		
Joint Living & Work Quarters	--		
Live/Work	--		
Mobile Home Park	--		
Supportive Housing:			
General	--		
Medical Care	--		
Transitional	--		
PUBLIC & INSTITUTIONAL			
Cemetery	P*	Screening	
		Frontage screen	F-Screen 2
		Transition screen	T-Screen 1
Civic Facility:			
Local	P		
Regional	P		
Civic Fleet Services	P*	Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 1
Detention Facility	CU3		
Hospital:			
Local	CU2		
Regional	CU3		
Parking	P*	In conjunction with:	Other allowed use
Public Safety Facility	P		

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Community Assembly:			
Local	P		
Regional	CU2		
School:			
Preschool/Daycare	--		
K-12	--		
Post-secondary	CU2		
Social Services	P		
Utilities:			
Minor	P*	Screening Frontage screen Transition screen	F-Screen 3 T-Screen 1
Major	CU3		
Solar Energy Facility	P*	In conjunction with: Minimum area: Relief	Other allowed use 0.1 FAR CU3
Wireless Facility, Freestanding	P*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	P*	Supplemental standards:	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	CU2		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	P		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	--		
Golf Course	--		
TRANSPORTATION			
Airport	--		
Freight Railway Facility	CU3		
Freight Transfer Facility	CU3		
Heliport	CU2*	Accessory to:	Other allowed use
Passenger Transit Facility	P		

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
GENERAL COMMERCIAL			
Animal Services:			
General	P*	Enclosure Supplemental standards:	Indoors Sec. 5C.2.4.A.1.
Kennel	P*	Separation (min)	
		Residential or Residential-Mixed Use District	200'
		Relief	CU2
Veterinary Care	P*	Enclosure	Indoors
Commissary Kitchen	P		
Eating & Drinking:			
General	P*	Accessory to:	Manufacturing, Light: Alcoholic Beverage Food & Drink
		Relief	CU2
		Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
		Alcohol Service	S*
Relief	CU2		
Amplified Sound Restrictions	Applicable		
Relief	CU2		
Supplemental Standards:	Sec. 5C.2.4.B.		
Special Use Program:			
		Alcohol Sales Program	Sec. 5C.3.3.
Entertainment Venue, Indoor:			
Local	--		
Regional	--		
Financial Services:			
General	--		
Alternative	--		
Instructional Services	P*	Accessory to:	Other allowed use
Lodging	--		
Medical Clinic	--		
Office	P*	Accessory to:	Other allowed use
Personal Services	--		
Postmortem Services	P		

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Retail:			
General	P*	Accessory to:	Manufacturing, Light: General Artistic & Artisanal Wholesale Trade & Warehousing Fueling Station
		Relief	CU1
Alcohol	S*	Accessory to:	Manufacturing, Light: Alcoholic Beverage Food & Drink
		Relief	CU2
		Special use program:	
Farmers' Market, Certified	P*	Alcohol Sales Program	Sec. 5C.3.3.
		Hours of operation (open/close)	7AM / 9PM
		Special use program:	
Firearms	CU2*	Certified Farmers' Market Program	Sec. 5C.3.4.
		Supplemental findings:	Sec. 5C.2.4.D.1.
Food & Beverage	P*	Accessory to:	Manufacturing, Light: Food & Drink Wholesale Trade & Warehousing Fueling Station
		Relief	CU1
Large Format	CU3*	Supplemental findings:	Sec. 5C.2.4.E.1.
Merchant Market	P*	Enclosure	Covered and enclosed
		Relief	CU2
Pet Shop	P*	Accessory to:	Wholesale Trade & Warehousing
		Relief	CU1
Seasonal Market	P*	Special use program:	
		Seasonal Market Program	Sec. 5C.3.5.
Smoke & Vape Shop	P*		Manufacturing, Light: General Artistic & Artisanal Wholesale Trade & Warehousing
		Relief	CU1
		Separation:	
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Sexually Oriented Business			
General	P*	Separation (min)	
		Other sexually oriented business	1,000'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Sensitive uses	500'
		Relief	CU2
		Supplemental Procedure:	Sec. 5C.2.4.G.
Sexual Encounter	CU2*	Separation (min)	
		Other sexually oriented business	1,000'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Sensitive uses	500'
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.A.1.
Heavy	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.A.1.

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Large Vehicle	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	<i>Sec. 5C.2.5.A.1.</i>
Car Wash	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	<i>Sec. 5C.2.5.B.1.</i>
Fueling Station:			
Standard Vehicle	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	<i>Sec. 5C.2.5.C.1.</i>
Large Vehicle	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	<i>Sec. 5C.2.5.C.1.</i>

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Motor Vehicle Sales & Rental:			
Standard Vehicle	P*	Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.D.1.
Large Vehicle	P*	Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.D.1.
Household Moving Truck Rental	P*	Screening	
		Frontage Screen	F-Screen 3
		Transition Screen	T-Screen 1
Storage, Indoor:			
General	P		
Self-Service Facility	P		
Storage, Outdoor:			
General	P*	Accessory to:	Other allowed use
		Screening	
		Outdoor storage screening	S-Screen 2
Standard Vehicle	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.F.1.
Large Vehicle	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.F.1.
Donation Bin	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.5.G.1.

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Cargo Container	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 5
		Transition screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.5.H.1.
Official Motor Vehicle Impound	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.5.I.1.
LIGHT INDUSTRIAL			
Light Industrial Use Category Standards		Use standard applicability	
		Adjoining lot	Sensitive use Residential, Residential-Mixed, or Agricultural Use District
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
Machine Shop	P*	Light Industrial Use Category Standards apply, as listed above	
Manufacturing, Light:			
General	P*	Light Industrial Use Category Standards apply, as listed above	
Alcoholic Beverage	P*	Light Industrial Use Category Standards apply, as listed above	
Artistic & Artisanal	P*	Light Industrial Use Category Standards apply, as listed above	
Cosmetic & Pharmaceutical	P*	Light Industrial Use Category Standards apply, as listed above	
Electronics	P*	Light Industrial Use Category Standards apply, as listed above	
Food & Drink	P*	Light Industrial Use Category Standards apply, as listed above	
Garment & Accessory	P*	Light Industrial Use Category Standards apply, as listed above	
Textile	P*	Light Industrial Use Category Standards apply, as listed above	

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Research & Development	P*	Light Industrial Use Category Standards apply, as listed above	
Soundstages & Backlots	P*	Light Industrial Use Category Standards apply, as listed above	
Wholesale Trade & Warehousing	P*	Light Industrial Use Category Standards apply, as listed above	
HEAVY INDUSTRIAL			
Animal Products Processing	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.7A.1.
Manufacturing, Heavy:			
General	--		
Chemical Products	--		
Petroleum & Coal Products	--		
Salvage Yard	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Screening	
		Frontage Screen	F-Screen 5
		Transition Screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.7C.1.
Recycling Facility:			
Collection	P*	Separation (min)	
		Sensitive use	1,000'
		Residential, Residential-Mixed, or Agricultural Use District	1,000'
		Relief	CU3
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 5
		Transition screen	T-Screen 2
Supplemental standards:	Sec. 5C.2.7D.1.		

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Sorting & Processing	P*	Separation (min)	
		Sensitive use	1,000'
		Residential, Residential-Mixed, or Agricultural Use District	1,000'
		Relief	CU3
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 5
		Transition screen	T-Screen 2
Waste Facility:		Supplemental standards:	Sec. 5C.2.7.E.1.
Organic Waste	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 5
		Transition screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.7.F.1.
Hazardous Waste	--		
Solid Waste	--		
Mineral & Ore Extraction	CU3*	Supplemental findings:	Sec. 5C.2.7.H.1.
Oil, Gas, or Hydrocarbon Well	--		
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.8.A.1.
Dairy	P*	Supplemental standards:	Sec. 5C.2.8.B.1.
Equine, Commercial	P*	Supplemental standards:	Sec. 5C.2.8.C.1.
Equine, Non-commercial	--		
Livestock	P*	Supplemental standards:	Sec. 5C.2.8.E.1.
Pets	P*	In conjunction with:	Other allowed use
Small Animals	P*	Supplemental standards:	Sec. 5C.2.8.F.1.
Wild Animals	CU2		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	Sec. 5C.2.8.G.1.

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SEC. 5B.7.2. INDUSTRIAL 2 (I2)**A. Intent**

The I2 District allows heavy commercial uses, light industrial uses, and heavy industrial uses as well as a limited amount of commercial activity. This District is intended to support employment and accommodate the most intense industrial activities while minimizing potential disruptions to surrounding uses.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Dwelling	--		
Household Business:			
Family Child Care	--		
Home Occupation	--		
Home-Sharing	--		
Joint Living & Work Quarters	--		
Live/Work	--		
Mobile Home Park	--		
Supportive Housing:			
General	--		
Medical Care	--		
Transitional	--		
PUBLIC & INSTITUTIONAL			
Cemetery	P*	Screening	
		Frontage screen	F-Screen 2
		Transition screen	T-Screen 1
Civic Facility:			
Local	P		
Regional	P		
Civic Fleet Services	P*	Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 1
Detention Facility	CU3		
Hospital:			
Local	CU2		
Regional	CU3		
Parking	P*	In conjunction with:	Other allowed use
Public Safety Facility	P		
Community Assembly:			
Local	P		
Regional	CU2		

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
School:			
Preschool/Daycare	--		
K-12	--		
Post-secondary	CU3		
Social Services	P		
Utilities:			
		Screening	
Minor	P*	Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
		In conjunction with:	Other allowed use
Solar Energy Facility	P*	Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	P*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	P*	Supplemental standards:	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	CU2		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	P		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	--		
Golf Course	--		
TRANSPORTATION			
Airport	CU3		
Freight Railway Facility	CU3		
Freight Transfer Facility	CU3	Accessory to:	Other allowed use
Heliport	CU2*		
Passenger Transit Facility	P		

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
GENERAL COMMERCIAL			
Animal Services:			
General	P*	Enclosure Supplemental standards:	Indoors Sec. 5C.2.4.A.1.
Kennel	P*	Separation (min)	
		Residential or Residential-Mixed Use District	200'
		Relief	CU2
Veterinary Care	P*	Enclosure	Indoors
Commissary Kitchen	P		
Eating & Drinking:			
General	P*	Accessory to:	Manufacturing, Light: Alcoholic Beverage Food & Drink
		Relief	CU2
		Amplified Sound Restrictions	Applicable
		Relief	CU2
		Supplemental Standards:	Sec. 5C.2.4.B.
		Alcohol Service	S*
Relief	CU2		
Amplified Sound Restrictions	Applicable		
Relief	CU2		
Supplemental Standards:	Sec. 5C.2.4.B.		
Special Use Program:			
		Alcohol Sales Program	Sec. 5C.3.3.
Entertainment Venue, Indoor:			
Local	--		
Regional	--		
Financial Services:			
General	--		
Alternative	--		
Instructional Services	P*	Accessory to:	Other allowed use
Lodging	--		
Medical Clinic	--		
Office	P*	Accessory to:	Other allowed use
Personal Services	--		
Postmortem Services	P		

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Retail:			
General	P*	Accessory to:	Manufacturing, Light: General Artistic & Artisanal Wholesale Trade & Warehousing Fueling Station
		Relief	CU1
Alcohol	S*	Accessory to:	Manufacturing, Light: Alcoholic Beverage Food & Drink
		Relief	CU2
		Special Use Program: Alcohol Sales Program	Sec. 5C.3.3.
Farmers' Market, Certified	P*	Hours of operation (open/close)	7AM / 9PM
		Special use program: Certified Farmers' Market Program	Sec. 5C.3.4.
Firearms	CU2*	Supplemental findings:	Sec. 5C.2.4.D.1.
Food & Beverage	P*	Accessory to:	Manufacturing, Light: Food & Drink Wholesale Trade & Warehousing Fueling Station
		Relief	CU1
Large Format	CU3*	Supplemental findings:	Sec. 5C.2.4.E.1.
Merchant Market	P*	Enclosure	Covered and enclosed
		Relief	CU2
Pet Shop	P*	Accessory to:	Wholesale Trade & Warehousing
		Relief	CU1
Seasonal Market	P*	Special use program: Seasonal Market Program	Sec. 5C.3.5.
Smoke & Vape Shop	P*		Manufacturing, Light: General Artistic & Artisanal Wholesale Trade & Warehousing
		Relief	CU1
		Separation:	
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Sexually Oriented Business			
General	P*	Separation (min)	
		Other sexually oriented business	1,000'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Sensitive uses	500'
		Relief	CU2
		Supplemental Procedure:	Sec. 5C.2.4.G.
Sexual Encounter	CU2*	Separation (min)	
		Other sexually oriented business	1,000'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Sensitive uses	500'
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.A.1.
Heavy	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.5.A.1.

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Large Vehicle	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	<i>Sec. 5C.2.5.A.1.</i>
Car Wash	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	<i>Sec. 5C.2.5.B.1.</i>
Fueling Station:			
Standard Vehicle	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	<i>Sec. 5C.2.5.C.1.</i>
Large Vehicle	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	<i>Sec. 5C.2.5.C.1.</i>

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Motor Vehicle Sales & Rental:			
Standard Vehicle	P*	Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.D.1.
Large Vehicle	P*	Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Supplemental standards:	Sec. 5C.2.5.D.1.
Household Moving Truck Rental	P*	Screening	
		Frontage Screen	F-Screen 3
		Transition Screen	T-Screen 1
Storage, Indoor:			
General	P		
Self-Service Facility	P		
Storage, Outdoor:			
General	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Outdoor storage screening	S-Screen 2
Standard Vehicle	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 1
Supplemental standards:	Sec. 5C.2.5.F.1.		
Large Vehicle	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 4
Transition screen	T-Screen 1		
Supplemental standards:	Sec. 5C.2.5.F.1.		
Donation Bin	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.5.G.1.

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Cargo Container	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 5
		Transition screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.5.H.1.
Official Motor Vehicle Impound	P*	Separation (min)	
		Sensitive use	200'
		Residential, Residential-Mixed, or Agricultural Use District	200'
		Relief	CU2
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
Supplemental standards:	Sec. 5C.2.5.I.1.		
LIGHT INDUSTRIAL			
Light Industrial Use Category Standards		Use standard applicability	
		Adjoining lot	Sensitive use Residential, Residential-Mixed, or Agricultural Use District
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
Machine Shop	P*	Light Industrial Use Category Standards apply, as listed above	
Manufacturing, Light:			
General	P*	Light Industrial Use Category Standards apply, as listed above	
Alcoholic Beverage	P*	Light Industrial Use Category Standards apply, as listed above	
Artistic & Artisanal	P*	Light Industrial Use Category Standards apply, as listed above	
Cosmetic & Pharmaceutical	P*	Light Industrial Use Category Standards apply, as listed above	
Electronics	P*	Light Industrial Use Category Standards apply, as listed above	
Food & Drink	P*	Light Industrial Use Category Standards apply, as listed above	
Garment & Accessory	P*	Light Industrial Use Category Standards apply, as listed above	
Textile	P*	Light Industrial Use Category Standards apply, as listed above	

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Research & Development	P*	Light Industrial Use Category Standards apply, as listed above	
Soundstages & Backlots	P*	Light Industrial Use Category Standards apply, as listed above	
Wholesale Trade & Warehousing	P*	Light Industrial Use Category Standards apply, as listed above	
HEAVY INDUSTRIAL			
Heavy Industrial Use Category Standards		Use standard applicability	
		Adjoining lot	Sensitive use
			Residential, Residential-Mixed, or Agricultural Use District
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
Animal Products Processing	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 2
Supplemental standards:		Sec. 5C.2.7.A.1.	
Manufacturing, Heavy:			
General	P*	Heavy Industrial Use Category Standards apply, as listed above	
		Separation (min)	
		Sensitive use	1,000'
		Residential, Residential-Mixed, or Agricultural Use District "	1,000'
		Relief	CU3
		Enclosure	Indoors
Chemical Products	P*	Heavy Industrial Use Category Standards apply, as listed above	
		Separation (min)	
		Sensitive use	1,000'
		Residential, Residential-Mixed, or Agricultural Use District	1,000'
		Relief	CU3
		Enclosure	Indoors

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Petroleum & Coal Products	P*	Heavy Industrial Use Category Standards apply, as listed above	
		Separation (min)	
		Sensitive use	1,500'
		Residential, Residential-Mixed, or Agricultural Use District	1,500'
		Relief	CU3
		Enclosure	Indoors
		Supplemental standards:	Sec. 5C.2.7.B.1.
Salvage Yard	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Screening	
		Frontage Screen	F-Screen 5
		Transition Screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.7.C.1.
Recycling Facility:			
Collection	P*	Separation (min)	
		Sensitive use	1,000'
		Residential, Residential-Mixed, or Agricultural Use District	1,000'
		Relief	CU3
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 5
		Transition screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.7.D.1.
Sorting & Processing	P*	Separation (min)	
		Sensitive use	1,000'
		Residential, Residential-Mixed, or Agricultural Use District	1,000'
		Relief	CU3
		Enclosure	Indoors
		Screening	
		Frontage Screen	F-Screen 5
		Transition Screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.7.E.1.

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- Industrial Use Districts -

Use	Permission	Use Standard	Specification
Waste Facility:			
Organic Waste	P*	Separation (min)	
		Sensitive use	500'
		Residential, Residential-Mixed, or Agricultural Use District	500'
		Relief	CU2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 5
		Transition screen	T-Screen 2
Hazardous Waste	CU3*	Supplemental standards:	Sec. 5C.2.7.F.1.
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 5
		Transition screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.7.G.1.
Solid Waste	CU3*	Supplemental findings:	Sec. 5C.2.7.G.2
		Enclosure	Indoors
		Screening	
		Frontage screen	F-Screen 5
		Transition screen	T-Screen 2
		Supplemental standards:	Sec. 5C.2.7.G.1.
Mineral & Ore Extraction	CU3*	Supplemental standards:	Sec. 5C.2.7.F.1.
Oil, Gas, or Hydrocarbon Well	--		
AGRICULTURAL			
Animal Keeping:			
Bees	P*	Accessory to:	Other allowed use
		Supplemental standards:	Sec. 5C.2.8.A.1.
Dairy	P*	Supplemental standards:	Sec. 5C.2.8.B.1.
Equine, Commercial	P*	Supplemental standards:	Sec. 5C.2.8.C.1.
Equine, Non-commercial	--		
Livestock	P*	Supplemental standards:	Sec. 5C.2.8.E.1.
Pets	P*	In conjunction with:	Other allowed use
Small Animals	P*	Supplemental standards:	Sec. 5C.2.8.F.1.
Wild Animals	CU2		
Plant Cultivation:			
Community Garden	P		
Farming	P*	Supplemental standards:	Sec. 5C.2.8.G.1.

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DIV. 5B.8. PUBLIC USE DISTRICTS

Public Use Districts promote public & institutional uses and allow a limited amount of compatible uses.

SEC. 5B.8.1. PUBLIC 1 (P1)

A. Intent

The P1 Use District allows for government buildings, structures, offices, and services facilities. This District is intended to provide regulations for the use and development of land owned by a government agency. For most uses, district permissions assume those of the most restrictive adjoining Use District.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Dwelling	A-		
Household Business:			
Family Child Care	A-		
Home Occupation	A-		
Home-Sharing	A-		
Joint Living & Work Quarters	A-		
Live/Work	A-		
Mobile Home Park	A-		
Supportive Housing:			
General	A-		
Medical Care	A-		
Transitional	P		
PUBLIC & INSTITUTIONAL			
Cemetery	A-		
Civic Facility:			
Local	P		
Regional	CU3		
Civic Fleet Services	P*	Screening	
		Frontage screen	F-Screen 4
		Transition screen	T-Screen 1
Detention Facility	CU3		
Hospital:			
Local	P		
Regional	P		
Parking	A-		
Public Safety Facility	P		

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- Public Use Districts -

Use	Permission	Use Standard	Specification
Community Assembly:			
Local	A-		
Regional	A-		
School:			
Preschool/Daycare	P		
K-12	P		
Post-secondary	CU3		
Social Services	P		
Utilities:			
Minor	P*	Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
Solar Energy Facility	P*	In conjunction with:	Other allowed use
		Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	P*	Supplemental standards:	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	CU2		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	A-		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	A-		
Golf Course	A-		
TRANSPORTATION			
Airport	A-		
Freight Railway Facility	A-		
Freight Transfer Facility	A-		
Heliport	A-		
Passenger Transit Facility	A-		

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- Public Use Districts -

Use	Permission	Use Standard	Specification
GENERAL COMMERCIAL			
Animal Services:			
General	A-		
Kennel	A-		
Veterinary Care	A-		
Commissary Kitchen	A-		
Eating & Drinking:			
General	A-		
Alcohol Service	A-		
Entertainment Venue, Indoor:			
Local	A-		
Regional	CU3		
Financial Services:			
General	A-		
Alternative	A-		
Instructional Services	A-		
Lodging	A-		
Medical Clinic	A-		
Office	A-		
Personal Services	A-		
Postmortem Services	A-		
Retail:			
General	A-		
Alcohol	A-		
Farmers' Market, Certified	A-		
Firearms	A-		
Food & Beverage	A-		
Large Format	A-		
Merchant Market	A-		
Pet Shop	A-		
Seasonal Market	A-		
Smoke & Vape Shop	A-		
Sexually Oriented Business	A-		
General	A-		
Sexual Encounter	A-		

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- Public Use Districts -

Use	Permission	Use Standard	Specification
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	A-		
Heavy	A-		
Large Vehicle	A-		
Car Wash	A-		
Fueling Station:			
Standard Vehicle	A-		
Large Vehicle	A-		
Motor Vehicle Sales & Rental:			
Standard Vehicle	A-		
Large Vehicle	A-		
Household Moving Truck Rental	A-		
Storage, Indoor:			
General	A-		
Self-Service Facility	A-		
Storage, Outdoor:			
General	A-		
Standard Vehicle	A-		
Large Vehicle	A-		
Donation Bin	A-		
Cargo Container	A-		
Official Motor Vehicle Impound	A-		
LIGHT INDUSTRIAL			
Machine Shop	A-		
Manufacturing, Light:			
General	A-		
Alcoholic Beverage	A-		
Artistic & Artisanal	A-		
Cosmetic & Pharmaceutical	A-		
Electronics	A-		
Food & Drink	A-		
Garment & Accessory	A-		
Textile	A-		
Research & Development	CU3		
Soundstages & Backlots	A-		
Wholesale Trade & Warehousing	A-		

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- Public Use Districts -

Use	Permission	Use Standard	Specification
HEAVY INDUSTRIAL			
Animal Products Processing	A-		
Manufacturing, Heavy:			
General	A-		
Chemical Products	A-		
Petroleum & Coal Products	A-		
Salvage Yard	A-		
Recycling Facility:			
Collection	A-		
Sorting & Processing	A-		
Waste Facility:			
Organic Waste	A-		
Hazardous Waste	A-		
Solid Waste	A-		
Mineral & Ore Extraction	A-		
Oil, Gas, or Hydrocarbon Well	A-		
AGRICULTURAL			
Animal Keeping:			
Bees	A-		
Dairy	A-		
Equine, Commercial	A-		
Equine, Non-commercial	A-		
Livestock	A-		
Pets	A-		
Small Animals	A-		
Wild Animals	A-		
Plant Cultivation:			
Community Garden	A-		
Farming	A-		

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SEC. 5B.8.2. PUBLIC 2 (P2)**A. Intent**

The P2 Use District allows for government buildings, structures, offices, and services facilities. This District is intended to provide regulations for the use and development of land owned by a government agency. For most uses, district permissions assume those of the most permissive adjoining Use District.

B. Allowed Uses & Use Limitations

Use	Permission	Use Standard	Specification
RESIDENTIAL			
Dwelling	S	Special use program: Inclusionary Housing Program	Sec. 5C.3.1.
Household Business:			
Family Child Care	A+		
Home Occupation	A+		
Home-Sharing	A+		
Joint Living & Work Quarters	A+		
Live/Work	A+		
Mobile Home Park	A+		
Supportive Housing:			
General	A+		
Medical Care	A+		
Transitional	P		
PUBLIC & INSTITUTIONAL			
Cemetery	A+		
Civic Facility:			
Local	P		
Regional	CU3		
Civic Fleet Services	P*	Screening Frontage screen Transition screen	F-Screen 4 T-Screen 1
Detention Facility	CU3		
Hospital:			
Local	P		
Regional	P		
Parking	A+		
Public Safety Facility	P		
Community Assembly:			
Local	A+		
Regional	A+		

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- Public Use Districts -

Use	Permission	Use Standard	Specification
School:			
Preschool/Daycare	P		
K-12	P		
Post-secondary	CU3		
Social Services	P		
Utilities:			
		Screening	
Minor	P*	Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
Major	CU3		
		In conjunction with:	Other allowed use
Solar Energy Facility	P*	Minimum area:	0.1 FAR
		Relief	CU3
Wireless Facility, Freestanding	CU2*	Supplemental standards:	Sec. 5C.2.2.A.1.
Wireless Facility, Rooftop	P*	Supplemental standards:	Sec. 5C.2.2.A.1.
OPEN SPACE & RECREATION			
Amphitheater or Stadium:			
Local	CU2		
Regional	CU3		
Indoor Recreation:			
Public	P		
Commercial	A+		
Nature Reserve	P		
Open Space, Public	P		
Outdoor Recreation:			
Public	P		
Commercial	A+		
Golf Course	A+		
TRANSPORTATION			
Airport	A+		
Freight Railway Facility	A+		
Freight Transfer Facility	A+		
Heliport	A+		
Passenger Transit Facility	A+		
GENERAL COMMERCIAL			
Animal Services:			
General	A+		
Kennel	A+		
Veterinary Care	A+		
Commissary Kitchen	A+		

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- Public Use Districts -

Use	Permission	Use Standard	Specification
Eating & Drinking:			
General	A+		
Alcohol Service	A+		
Entertainment Venue, Indoor:			
Local	A+		
Regional	CU3		
Financial Services:			
General	A+		
Alternative	A+		
Instructional Services	A+		
Lodging	A+		
Medical Clinic	A+		
Office	A+		
Personal Services	A+		
Postmortem Services	A+		
Retail:	A+		
General	A+		
Alcohol	A+		
Farmers' Market, Certified	A+		
Firearms	A+		
Food & Beverage	A+		
Large Format	A+		
Merchant Market	A+		
Pet Shop	A+		
Seasonal Market	A+		
Smoke & Vape Shop	A+		
Sexually Oriented Business			
General	A+		
Sexual Encounter	A+		
HEAVY COMMERCIAL			
Motor Vehicle Services:			
Light	A+		
Heavy	A+		
Large Vehicle	A+		
Car Wash	A+		

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- Public Use Districts -

Use	Permission	Use Standard	Specification
Fueling Station:			
Standard Vehicle	A+		
Large Vehicle	A+		
Motor Vehicle Sales & Rental:			
Standard Vehicle	A+		
Large Vehicle	A+		
Household Moving Truck Rental	A+		
Storage, Indoor:			
General	A+		
Self-Service Facility	A+		
Storage, Outdoor:			
General	A+		
Standard Vehicle	A+		
Large Vehicle	A+		
Donation Bin	A+		
Cargo Container	A+		
Official Motor Vehicle Impound	A+		
LIGHT INDUSTRIAL			
Machine Shop	A+		
Manufacturing, Light:			
General	A+		
Alcoholic Beverage	A+		
Artistic & Artisanal	A+		
Cosmetic & Pharmaceutical	A+		
Electronics	A+		
Food & Drink	A+		
Garment & Accessory	A+		
Textile	A+		
Research & Development	CU3		
Soundstages & Backlots	A+		
Wholesale Trade & Warehousing	A+		
HEAVY INDUSTRIAL			
Animal Products Processing	A+		
Manufacturing, Heavy:			
General	A+		
Chemical Products	A+		
Petroleum & Coal Products	A+		
Salvage Yard	A+		

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- Public Use Districts -

Use	Permission	Use Standard	Specification
Recycling Facility:			
Collection	A+		
Sorting & Processing	A+		
Waste Facility:			
Organic Waste	A+		
Hazardous Waste	A+		
Solid Waste	A+		
Mineral & Ore Extraction	A+		
Oil, Gas, or Hydrocarbon Well	A+		
AGRICULTURAL			
Animal Keeping:			
Bees	A+		
Dairy	A+		
Equine, Commercial	A+		
Equine, Non-commercial	A+		
Livestock	A+		
Pets	A+		
Small Animals	A+		
Wild Animals	A+		
Plant Cultivation:			
Community Garden	A+		
Farming	A+		

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PART 5C. USE RULES

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DIV. 5C.1. **GENERAL USE STANDARDS**

SEC. 5C.1.1. **ACCESSORY TO**

A. Intent

The intent of the standards of this *Section (Accessory To)* is to allow an accessory use to complement a primary use by limiting its scale in proportion to the primary use, thereby ensuring that the accessory use does not undermine the mix of primary uses that the Use District is intended to accommodate.

B. Applicability

This *Section (Accessory To)* applies to new construction, a major remodel, a lot modification, a use modification, or a renovation when the applied *Use District (Part 5B.)* includes "Accessory to" in the Use Standard column of the Use District table.

C. Standards

The proposed use shall be accessory to the use identified in the Specification column in the Use District table and comply with all of the following:

1. Accessory uses are only allowed when provided on the same lot or within the same building as the primary use.
2. The floor area of the accessory use shall not exceed 25 percent of the floor area designated for the primary use.
3. For outdoor uses located at-grade, the total lot coverage occupied by the accessory use shall not exceed 25 percent of the lot coverage occupied by the primary use. In instances where the accessory use is located outdoors and the primary use is within a building, the lot coverage of the accessory use shall not exceed 25 percent of the building coverage area occupied by the primary use.
4. Where there are conflicts between the use standards required for the accessory use and the primary use, the most restrictive of the use standards shall prevail.

D. Measurement

1. For measuring floor area, see *Sec. 14.2.7. (Floor Area)*.
2. The maximum floor area allowed for an accessory use is calculated by multiplying the total floor area occupied by the primary use by 25 percent.
3. Lot coverage is measured by dividing the total at-grade surface area occupied by a use by the total lot area.
4. The maximum lot coverage allowed for an accessory use is calculated by multiplying the total lot coverage occupied by the primary use by 25 percent

- Where the accessory use is located outdoors and the primary use is within a building, the maximum lot coverage allowed for an accessory use is calculated by multiplying the total building footprint occupied by the primary use by 25 percent.

E. **Relief**

- A 20 percent or less square footage increase for the allowable accessory use may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
- See the Use Standard column in the Use District table for relief options pursuant to *Sec. 5A.1.2.C.6. (Relief from Use Standard)*.

SEC. 5C.1.2. **INCIDENTAL TO**

A. **Intent**

The intent of the standards of this *Section (Incidental To)* is to allow an incidental use to complement a primary use in limited scale, to ensure that the incidental use does not undermine the mix of primary uses that the Use District is intended to accommodate.

B. **Applicability**

This *Section (Incidental To)* applies to new construction, a major remodel, a lot modification, a use modification, or a renovation when the applied *Use District (Part 5B.)* includes "Incidental to" in the Use Standard column of the Use District table.

C. **Standards**

The proposed use shall be incidental to the use identified in the Specification column in the Use District table and comply with all of the following:

- Uses that are required to be incidental to a primary use are only allowed when provided on the same lot or within the same building as the primary use.
- The floor area of the incidental use shall not exceed the floor area designated for the primary use.
- For outdoor uses located at-grade, the total lot coverage occupied by incidental use shall not exceed the lot coverage occupied by the primary use. In instances where the incidental use is located outdoors and the primary use is within a building, the lot coverage of the incidental use shall not exceed the building coverage area occupied by the specified primary use.
- Where there are conflicts between the use standards required for the incidental use and primary use, the most restrictive of the use standards shall prevail.

D. **Measurement**

- For measuring floor area, see *Sec. 14.2.7. (Floor Area)*.

2. The maximum floor area allowed for an incidental use is calculated by determining the total floor area designated for the primary use.
3. Lot coverage is measured by dividing the total at-grade surface area occupied by a use by the total lot area.
4. The maximum lot coverage allowed for an incidental use is calculated by determining the total lot coverage occupied by the primary use.
5. Where the incidental use is located outdoors and the primary use is within a building, the maximum lot coverage allowed for an incidental use is calculated by determining the total building footprint occupied by the primary use.

E. Relief

See the Use Standard column in the Use District table for relief options pursuant to Sec. 5A.1.2.C.6. (*Relief from Use Standard*).

SEC. 5C.1.3. IN CONJUNCTION WITH

A. Intent

The intent of the standards of this *Section (In Conjunction With)* is to ensure that a proposed use is consistently combined with other specified uses to help sustain the mix of uses that a Use District is intended to accommodate, and to achieve the benefits of multi-use facilities.

B. Applicability

This *Section (In Conjunction With)* applies to new construction, a major remodel, a lot modification, a use modification, or a renovation when the applied *Use District (Part 5B.)* includes "In conjunction with" in the Use Standard column of the Use District table.

C. Standards

The proposed use shall be provided in conjunction with the use or uses specified in the Specification column in the Use District table and comply with all of the following:

1. Uses that are required to be in conjunction with another specified use are only allowed when provided on the same lot or within the same unified development as the specified use.
2. The proposed use may exceed the size of the specified use.
3. When a Use District table includes a "Minimum area" requirement in the Use Standard column, the proposed use shall only be allowed when the specified use is provided with dedicated floor area that meets or exceeds the minimum floor area ratio cited in the Use District table's Specification column.
4. Where there are conflicts between the use standards of the specified use and the proposed use, the most restrictive of the use standards shall prevail.

D. Measurement

1. A use shall be measured as in conjunction with another use when both uses are present concurrently on the same lot, within the same building, or within the same unified development.
2. The minimum area that is required to be dedicated for a use is calculated by multiplying the total lot area or cumulative site area by the floor area ratio specified in the Use District table's Specification column.
 - a. For measuring floor area, see *Sec. 14.2.7. (Floor Area)*.
 - b. For calculating the total lot area, see *Sec. 2C.1.1. (Lot Area)*.
 - c. Cumulative site area shall be calculated by determining the total square footage of all land area within a unified development.

E. Relief

1. A 20 percent or less reduction in the minimum floor area requirement for the specified use may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. See the Use Standard column in the Use District table for relief options pursuant to *Sec. 5A.1.2.C.6. (Relief from Use Standard)*.

SEC. 5C.1.4. SIZE**A. Intent**

The intent of the standards of this *Section (Size)* is to allow a proposed use while ensuring the scale of the use is compatible with the overall mix of uses that the Use District is intended to accommodate.

B. Applicability

This *Section (Size)* applies to new construction, a major remodel, a use modification, or a renovation when the applied *Use District (Part 5B.)* includes "Size" in the Use Standard column of the Use District table.

C. Standards**1. Size, Entire Use**

Where the Use District Table specifies "Size, entire use", uses limited to a specified size for the entire use are allowed only when the total area dedicated to the proposed use on a lot is less than or equal to the size maximum specified in the Use District table.

2. **Size, Tenant Space**

Where the Use District Table specifies "Size, tenant space", uses limited to a specified size per tenant space are allowed only when the ground floor area of an individual tenant space dedicated to the proposed use is less than or equal to the size maximum specified in the Use District table.

- a. Multiple tenant spaces dedicated to the same subject use may be allowed on the same lot or within the same building, provided that each tenant space is less than or equal to the size maximum specified in the Use District table.
- b. Upper story floor area is exempt from tenant space size limits.

3. **Size, Dwelling Unit Average**

Where the Use District Table specifies "Size, dwelling unit average", dwelling uses required to conform to an average unit size are allowed only when the average floor area provided to dwelling units within the same building is equal to or greater than the average size specified in the Use District table.

D. **Measurement**

1. **Size, Entire Use**

The size of an entire use shall be measured by calculating the cumulative area dedicated to the proposed use on a single lot.

- a. For uses located within a building, the total floor area shall be used to determine cumulative area.
- b. For uses not located within a building, the total square footage shall be used to determine cumulative area.

2. **Size, Tenant Space**

The size of a tenant space shall be measured by calculating the floor area dedicated to the proposed use that meets the following criteria:

- a. Is located on the ground story of a building;
- b. Has a dedicated entrance, not shared with any other tenant space;
- c. Has no direct connections to another tenant space sharing a wall with the tenant space dedicated to the proposed use;
- d. Is not inclusive of common corridors and shared restrooms intended for all tenants of a building.

3. **Size, Dwelling Unit Average**

The average dwelling unit size shall be measured by determining the total floor area dedicated to dwelling units within a building; then dividing the total floor area allocated to dwelling units by the total number of dwelling units within the building. The result will be the average dwelling unit size.

4. For measuring floor area, see *Sec. 14.2.7. (Floor Area)*.

E. **Relief**

1. A 20 percent or less increase in the maximum size specified by the Use District may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. See the Use Standard column in the Use District table for relief options pursuant to *Sec. 5A.1.2.C.6. (Relief from Use Standard)*.

SEC. 5C.1.5. **LOCATION**

A. **Intent**

The intent of the standards of this *Section (Location)* is to limit proposed uses to lots having specific qualities in order to ensure the use is compatible with its surroundings and complies with the intent of the Use District.

B. **Applicability**

This *Section (Location)* applies to new construction, a lot modification, or a use modification when the applied Use District (*Part 5B.*) includes "Location" in the Use Standard column of the Use District table.

C. **Standards**

1. **Alley Abutting**

Where the Use District table specifies "Alley Abutting" for the location requirement, the proposed use may be permitted when the use is located on a lot that abuts an alley having a width of 15 feet or greater.

2. **Boulevard or Avenue Fronting**

Where the Use District table specifies "Boulevard or Avenue Fronting" for the location requirement, the proposed use may be permitted when the use is located on a lot sharing a lot line with a street designated as a boulevard or avenue. On through lots sharing a lot line with a street designated as a Collector or Local, the proposed use may only be permitted on the 1/2 portion of the lot that is fronting a street designated as a boulevard or avenue.

3. **Ground Story**

Where the Use District table specifies "Ground Story" as the location requirement, the proposed use shall be located at the ground story of a building and no portion of the use shall be located on any upper story of a building.

4. **Upper Story**

Where the applied Use District table specifies "Upper Story" as the location requirement, the proposed use shall be located in the upper stories of a building and no portion of the use shall be located on the ground story of a building.

5. **Corner Lot**

Where the Use District table specifies "Corner Lot" for the location requirement standard, the proposed use may be permitted when the use is located on a lot located at the intersection of two streets.

D. **Measurement**

1. Alley width is measured as the narrowest horizontal distance between opposite edges of a designated alley.
2. For lot line determination see *Sec. 14.2.12. (Lot Line Determination)*.
3. For lot area measurement see *Sec. 2C.1.1.D. (Lot Area, Measurement)*.

E. **Relief**

See the Use Standard column in the Use District table for relief options pursuant to *Sec. 5A.1.2.C.6. (Relief from Use Standard)*.

SEC. 5C.1.6. **HOURS OF OPERATION**

A. **Intent**

The intent of the standards of this *Section (Hours of Operation)* is to limit the negative impacts of the proposed use on neighboring lots containing residential or other sensitive uses by limiting the duration of activity for a subject use.

B. **Applicability**

This *Section (Hours of Operation)* applies to a use when the applied *Use District (Part 5B.)* includes "Hours of operation" in the Use Standard column of the Use District table.

C. **Standards**

1. The proposed use shall not open to the public or perform services for clients or customers earlier than the time of earliest open specified by the Use District table.

- General Use Standards -

2. The proposed use shall not be open to the public or performing services for clients or customers later than the time of latest close specified by the Use District table.
3. An additional hour prior to the earliest allowed opening time and after the latest allowed closing time is permitted for the following activities:
 - a. Opening preparations and closeout tasks associated with the use;
 - b. Clearing of all temporary installations, debris, trash and any other material associated with the use;
 - c. Trash service; and
 - d. Loading and unloading activities, including deliveries and shipments.

D. Measurement

Subject to *Subsection C. (Standards)*, hours of operation are measured as the hours during which the proposed use is open to the public or performing services for clients or customers.

E. Relief

See the Use Standard column in the Use District table for relief options pursuant to *Sec. 5A.1.2.C.6. (Relief from Use Standard)*.

SEC. 5C.1.7. SCREENING**A. Intent**

The intent of the standards of this *Section (Screening)* is to mitigate negative external impacts from a proposed use on the surrounding area through filtering pollutants, reducing noise, and promoting visual interest in order to maintain comfort for users of the subject lot, adjacent lots, and the public realm.

B. Applicability

Screening standards apply to new construction, a major remodel, a lot modification, or a use modification when the applied *Use District (Part 5B.)* includes "Screening" in the Use Standard column of the Use District table.

C. Standards

Proposed uses shall be screened using the screen type specified by the Use District tables as described in *Div. 4C.8. (Screening)* subject to the following:

1. Frontage screens shall meet the standards provided in *Sec. 4C.8.1.C. (Frontage Screens)*.
2. Transition screens shall meet the standards provided in *Sec. 4C.8.2.C. (Transition Screens)*.

3. Outdoor storage screening shall meet the standards provided in *Sec. 4C.8.3. (Outdoor Storage Screening)*.

D. Measurement

1. Frontage screens shall be measured according to the provisions of *Sec. 4C.8.1.D. (Frontage Screens)*.
2. Transition screens shall be measured according to the provisions of *Sec. 4C.8.2.D. (Transition Screens)*.
3. Outdoor storage screening shall be measured according to the provisions of *Sec. 4C.8.3.D. (Outdoor Storage Screening)*.

E. Relief

See the Use Standard column in the Use District table for relief options pursuant to *Sec. 5A. 1.2.C.4. (Relief from Use Standard)*.

SEC. 5C.1.8. ENCLOSURE

A. Intent

The intent of the standards of this *Section (Enclosure)* is to mitigate potential external impacts from activities generated by a proposed use such as pollutants, debris or noise on surrounding areas.

B. Applicability

1. Enclosure standards apply to new construction, a major remodel, or a use modification when the applied *Use District (Part 5B.)* includes "Enclosure" in the Use Standard column of the Use District table.
2. Enclosure requirements shall not apply to motor vehicle parking and use areas, such as parking stalls, drive aisles, and maneuvering, loading, and staging areas, that serve the subject use.

C. Standards

1. Indoors

Where the Use District table specifies "Indoors" for the enclosure standard, the proposed use shall be located entirely within a building that meets the following criteria:

- a. Has an enclosure of 100 percent, with the exception of building entrances and bay doors, which shall remain closed except during the allowed hours of operation.
- b. Is sheltered by a solid roof, including mechanical ventilation to prevent fugitive emissions, unless another regulatory agency requires natural ventilation. A stack, vent and flare is exempt from this requirement.

2. Covered

Where the Use District table specifies "Covered" for the enclosure standard, any area containing the proposed use shall meet the standards of a covered area specified in Sec. 14.2.2. (Covered Area (%)).

3. Enclosed

Where the Use District table specifies "Enclosed" for the enclosure standard, any area containing the proposed use shall meet the standards of enclosed specified in Sec. 14.2.4. (Enclosure).

4. Covered & Enclosed

Where the Use District specifies "Covered & enclosed" for the enclosure standard, any area containing the proposed use shall meet the standards of both covered area specified in Sec. 14.2.2. (Covered Area (%)) and enclosed specified in Sec. 14.2.4. (Enclosure).

D. Measurement

1. For the measurement of indoors, see Sec. 14.2.2.A.3. (Sheltered), Sec. 14.2.2. (Covered Area (%)) and Sec. 14.2.4.B. (Measurement).
2. For the measurement of covered, see Sec. 14.2.2.A.1. (Covered Area (%)).
3. For the measurement of enclosed, see Sec. 14.2.4.B. (Measurement).

E. Exceptions

Motor vehicle use areas allowed in connection with the subject use are exempt from enclosure requirements.

F. Relief

See the Use Standard column in the Use District table for relief options pursuant to Sec. 5A.1.2.C.6. (Relief from Use Standard).

SEC. 5C.1.9. SEPARATION**A. Intent**

The intent of the standards of this Section (Separation) is to ensure appropriate distancing between a proposed use, that may be disruptive or hazardous, and residents and sensitive uses within its vicinity.

B. Applicability

This Section (Separation) applies to new construction, a lot modification, or a use modification when the applied Use District (Part 5B.) includes "Separation" in the Use Standard column of the Use District table.

C. Standards

The proposed use shall be located at least the minimum distance away from any specified use, Use District, or lot line as provided in the Use District table.

D. Measurement

Use separation shall be measured as the horizontal distance to any portion of a lot or building designated with the proposed use from one of the following:

1. When measured from a specified use, the nearest lot line of all lots containing that specified use.
2. When measured from a Use District, the nearest lot line of all lots zoned as that Use District.

E. Relief

1. A 20 percent or less reduction in required distance away from any specified use, Use District, or lot line may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
2. See the Use Standard column in the Use District table for relief options pursuant to *Sec. 5A.1.2.C.6. (Relief from Use Standard)*.

SEC. 5C.1.10. AMPLIFIED SOUND RESTRICTIONS**A. Intent**

The intent of the standards of this *Section (Amplified Sound Restrictions)* is intended to reduce potential negative external sound impacts from activities generated from a subject use on the surrounding area by regulating amplified sound for said subject use.

B. Applicability

This *Section (Amplified Sound Restrictions)* standard applies to new construction, a major remodel, a site modification, an exterior modification, or a use modification when the applied Use District (Part 5B.) includes "Amplified sound restrictions" in the Use Standard column of the Use District table.

C. Standards

Where the applied Use District table specifies "Amplified Sound Restrictions" are "Applicable", no amplified sound is permitted and all background music and permanently installed speakers are prohibited in areas dedicated to the subject use which meet one or more of the following criteria:

1. Are uncovered,
2. Are unenclosed, or
3. Meet the definition of an outdoor dining area.

D. Measurement

A subject use shall be measured as having no amplified sound if there is an absence of any permanently installed speakers in all areas on the lot that meet the criteria outlined in *Subsection C. (Standards)*, above.

E. Relief

See the Use Standard column in the Use District table for relief options pursuant to Sec. 5A.1.2.C.6. (*Relief from Use Standard*).

SEC. 5C.1.11. DESIGNATED WORK SPACE**A. Intent**

The intent of the standards of this *Section (Designated Work Space)* is to ensure that a specified amount of floor area as part of a dwelling unit is dedicated to uses that generate productive activity, creative enterprises, and employment.

B. Applicability

This *Section (Designated Work Space)* applies to new construction, a major remodel, a use modification, or a renovation when the applied *Use District (Part 5B.)* includes "Designated work space" in the Use Standard column of the Use District table.

C. Standards

1. Where the applied Use District table specifies a "Designated Work Space" is "Required", the proposed use shall be combined with a space that meets all the following standards:
 - a. Contained within each dwelling unit provided;
 - b. Occupy a minimum of 48 percent of the total floor area of each live/work unit;
 - c. Designed and intended for general commercial uses and/or light industrial uses;
 - d. Have a minimum width of 10 feet;
 - e. Have a minimum depth of 15 feet;
 - f. Have a minimum floor to ceiling height of 16 feet when occupying the ground story of a building;
 - g. Have a minimum floor to ceiling height of 10 feet when occupying the upper stories of a building; and
 - h. Provide an open plan area, with no fixed interior separation walls for 70 percent of the total designated work space area.

2. Where the Use District table stipulates that live/work uses shall be provided in conjunction with a minimum area reserved for specified uses, the designated work space incorporated within each live/work unit can be included in the calculation of the minimum floor area required to be reserved for specified uses.

D. Measurement

1. Designated work space area as a percentage of each live/work unit shall be calculated as the total floor area of the designated work space area divided by the total floor area of the live/work unit.
2. For determining the ground story, see Sec. 14.2.10.A. (*Ground Story*).
3. Designated work space width is measured as the shortest horizontal distance along the boundaries of the Designated Work Space.
4. Designated work space depth is measured from the primary entrance to the Designated Work Space inward to the closest edge of the Designated Work Space.
5. Floor to ceiling height is measured vertically from the top of the finished floor to the top of the ceiling above.
6. Only portions of the interior space that meet that minimum depth, width, and floor to ceiling height dimensions shall be counted towards meeting the designated work space standard.

E. Exceptions

1. Adaptive Reuse

Designated work space provided as part of an adaptive reuse project shall be exempt from all design and dimension standards listed in Subsection C. (*Standards*) above. Instead, the following standards shall apply to designated work space provided as part of an adaptive reuse project:

- a. Shall be contained within each live/work unit provided.
- b. Shall occupy a minimum of 10 percent of the total floor area of each live/work unit.

2. Industrial-Mixed 4

Standard provisions described in Subsection C. (*Standards*) above allowing the Designated Work Space incorporated within each live/work unit to be included in the calculation of the minimum floor area required to be reserved for specified uses shall not apply to projects in the Industrial-Mixed 4 Use District.

F. Relief

1. A reduction in any dimensional standard of 20 percent or less may be granted in accordance with Sec. 13B.5.2. (*Adjustment*).

2. A reduction in the minimum floor area required to be Designated Work Space of 20 percent or less may be granted in accordance with *Sec. 13B.5.2. (Adjustment)*.
3. See the Use Standard column in the Use District table for relief options pursuant to *Sec. 5A.1.2.C.6. (Relief from Use Standard)*.

SEC. 5C.1.12. **PROJECT CATEGORY EXCEPTIONS**

A. **Intent**

The intent of the standards of this *Section (Project Category Exceptions)* is to allow or prohibit specific project types as an exception to permissions or standards applied to a proposed use.

B. **Applicability**

This *Section (Project Category Exceptions)* applies to new construction, a major remodel, a lot modification, a use modification, or a renovation when the applied *Use District (Part 5B.)* includes "Project category exceptions" in the Use Standard column of the Use District table.

C. **Standards**

1. **Project Category Exceptions**

- a. Where the Use District table specifies a "Project category exceptions", the use standard will cite one of the following project category listed below:
 - i. New construction
 - ii. Change of use
 - iii. Intensification of use
 - iv. Adaptive reuse project
 - v. Affordable Housing
 - vi. Campus Unified Development
- b. The Use District table will specify that the project category (or categories) cited are either "exempt" or "prohibited".

2. **Exempt**

When the Use District table specifies that one of the project categories listed in *Paragraph 1. (Project Category Exceptions)* above is "Exempt", the project shall be exempted from otherwise complying with any general use standards and restrictive permission levels that applies to the proposed use.

3. Prohibited

When the Use District table specifies that the one of the project types listed in *Paragraph 1. (Project Category Exceptions)* above is "Prohibited", the proposed use shall not be permitted in accordance with *Sec. 5A.3.2. (Permitted (P))* when the use is provided as part of the project type cited.

4. New Construction

Where the use standard cites "new construction" as the project category exception, any project involving new construction in order to accommodate the proposed use shall be either "exempt" in accordance with *Paragraph 2*, or "prohibited" in accordance with *Paragraph 3*, based on the exception cited in Use District table's specification column.

5. Change of Use

Where the use standard cites "new construction" as the project category exception, any project involving a change of use in order to accommodate the proposed use shall be either "exempt" in accordance with *Paragraph 2*, or "prohibited" in accordance with *Paragraph 3*, based on the exception cited in Use District table's specification column.

6. Intensification of Use

Where the use standard cites "intensification of use" as the project category exception, any project involving an intensification of use in order to accommodate the proposed use shall be either "exempt" in accordance with *Paragraph 2*, or "prohibited" in accordance with *Paragraph 3*, based on the exception cited in Use District table's specification column.

a. Intensification Threshold

When the Use District table includes an intensification threshold represented as a percentage (%), the use exception applies only to intensification of use projects that are less than or equal to the threshold cited.

i. Floor Area

The increase in the total floor area dedicated to the proposed use shall be limited to a percentage increase from the previously approved floor area dedicated to the use, based on the percentage cited in the Use District table's Specification column.

ii. Dwelling Units

The increase in the total number of dwelling units shall be limited to a percentage increase from the number of previously approved dwelling units, based on the percentage cited in the Use District table's Specification column.

iii. Lodging Units

The increase in the total number of lodging units shall be limited to a percentage increase from the number of previously approved lodging units, based on the percentage cited in the Use District table's Specification column.

7. Adaptive Reuse

Where the use standard cites "adaptive reuse" as the project category exception, any project involving an adaptive reuse project in accordance with *Sec. 9.4.5. (Downtown Adaptive Reuse Program)* or *Sec. 9.4.6. (Citywide Adaptive Reuse Program)* carried out order to accommodate the proposed use shall be either "exempt" in accordance with *Paragraph 2. (Exempt)*, or "prohibited" in accordance with *Paragraph 3. (Prohibited)*, based on the exception cited in Use District table's specification column.

8. Affordable Housing

Where the use standard cites "affordable housing" as the project category exception, any project reserving a specified percentage of dwelling units as restricted affordable units, in accordance with the definition of restricted affordable unit in *Div. 14.3. (Glossary)*, shall be "exempt" in accordance with *Paragraph 2. (Exempt)* when the exception is cited in the Use District table's specification column.

a. Dwelling Unit Threshold

When the Use District table includes a dwelling unit threshold, the exception applies to projects that reserve the minimum percentage of the total number of dwelling units as restricted affordable units, based on the percentage cited in the Use District table's Specification column.

9. Campus Unified Development

Where the use standard cites "campus unified development" as the project category exception, any project involving proposed use provided within a unified development shall be "exempt" in accordance with *Paragraph 2. (Exempt)*, when the exception is cited in the Use District table's specification column and the unified development meets the following criteria:

- a. The site comprises a total area of 15 acres or more.
- b. A total floor area equivalent to a floor area ratio of 0.5, or greater is designated to one or more of the following uses:
 - i. Hospital: regional
 - ii. School: post-secondary
 - iii. Office
 - iv. Manufacturing light: all

v. Research & development

vi. Soundstages & backlots

D. Measurement

1. New Construction

Measured as any project involving new construction, as defined in *Sec. 14.2.15.B.1. (New Construction)*.

2. Change of Use

Measured as any project involving a change of use, as defined in *Sec. 14.2.15.B.6.a. (Change of Use)*, in order to accommodate the proposed use.

3. Intensification of Use

Measured as any project involving an intensification of use, as defined in *Sec. 14.2.15.B.6.b. (Intensification of Use)*, in order to accommodate the proposed use.

4. Adaptive Reuse

Measured as any project involving the conversion of all or any portion of an eligible building from a commercial or industrial use to dwelling uses in accordance with *Sec. 9.4.5. (Downtown Adaptive Reuse Program)* or *Sec. 9.4.6. (Citywide Adaptive Reuse Program)*.

5. Affordable Housing

Measured as a project reserving a specified percentage of dwelling units as restricted affordable units, in accordance with the definition of restricted affordable unit in *Div. 14.3. (Glossary)*.

a. Dwelling Unit Threshold

Measured by dividing the total number of dwelling units a project sets aside as restricted affordable units by the total number of all dwelling units provided by the project.

E. Relief

1. Relief from a project category exception that prohibits a specified project type may be granted in accordance with *Sec. 13B.5.3. (Variance)*.
2. See the Use Standard column in the Use District table for relief options pursuant to *Sec. 5A.1.2.C.6. (Relief from Use Standard)*.

SEC. 5C.1.13. **AFFORDABLE HOUSING**

A. Intent

The intent of the standards of this *Section (Affordable Housing)* is to limit housing development within a Use District to projects that include affordable housing.

B. Applicability

This *Section (Affordable Housing)* applies to projects involving new construction or a use modification when the applied *Use District (Part 5B.)* includes "Affordable housing" in the Use Standard column of the Use District table.

C. Standards

Projects including dwelling units shall provide, at minimum, the percentage of dwelling units specified by the Use District table as restricted affordable units.

D. Measurement

1. The percentage of dwelling units on a lot that are restricted affordable units is calculated by dividing the number of affordable units by the total number of dwelling units on the lot, exclusive of a manager unit or units.
2. Dwelling units are measured as restricted affordable units when provided in accordance with the definition of restricted affordable unit in *Div. 14.3. (Glossary)*.

E. Relief

See the Use Standard column in the Use District table for relief options pursuant to *Sec. 5A.1.2.C.6. (Relief from Use Standard)*.

DIV. 5C.2. **SUPPLEMENTAL USE STANDARDS & FINDINGS**

SEC. 5C.2.1. **RESIDENTIAL USES**

A. **Household Business: Home Occupation**

1. **Supplemental Standards**

- a. Client visits related to the commercial use in a household business: home occupation shall be limited to one client visit per hour within the specified hours of operation.
- b. No more than one person not residing on the premises may be employed to work on the premises as part of the household business: home occupation.
- c. On-site deliveries and shipments related to the commercial use in a household business: home occupation shall not be performed by vehicles having a gross vehicular weight rating designation greater than Class 4 or greater than 16,000 pounds. Deliveries from larger trucks shall occur no more frequently than once every two months.

B. **Household Business: Joint Living & Work Quarters**

1. **Supplemental Findings**

- a. In addition to the findings otherwise required by *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*, the Zoning Administrator shall also consider all of the following:
 - i. That the uses of property surrounding the proposed location of the household business: joint living & work quarters and the use of the proposed location will not be detrimental to the health, safety and welfare of prospective residents of the quarters;
 - ii. That the proposed household business: joint living & work quarters will not displace viable industrial uses and will not substantially lessen the likelihood that the property will be available in the future for industrial uses; and
 - iii. That an applicant for the proposed household business: joint living & work quarters involving the conversion of an existing building or portion of a building that was originally designed for non-residential occupancy has made good faith efforts to prevent the displacement of non-residential occupancy, and has submitted:
 - a) Documentation showing proof of at least five years of non-residential vacancy and efforts to replace non-residential tenants, such as rental listings or other forms of advertisements, etc.
 - b) Contact information of prior non-residential tenant(s) to allow the Zoning Administrator to confirm that the tenant wasn't offered money to break their lease, unjustly evicted or locked out, not offered lease renewal, subject to threats or intimidation, repeated interruptions of essential services such as heat, water, and electricity, or subject to other disruptions which caused them to leave their

commercial space including failure on behalf of the landlord to repair damages or deliberate construction-related disruptions like blocked entrances, excessive dust or debris.

SEC. 5C.2.2. **PUBLIC & INSTITUTIONAL USES**

A. **Utilities: Wireless Facility: All**

1. **Supplemental Standards**

The wireless facility shall meet all applicable standards required by Sec. 4C.12.4. (*Wireless Telecommunication Facilities*).

SEC. 5C.2.3. **TRANSPORTATION USES**

[Reserved]

SEC. 5C.2.4. **GENERAL COMMERCIAL USES**

A. **Animal Services: General**

1. **Supplemental Standards**

- a. The maximum number of adult dogs or cats is limited to no more than 20, or one for every 60 square feet of floor area of the facility, rounded up to the nearest whole number, whichever results in the greater number of animals.
- b. No more than 30 percent of the floor area of the facility shall be used for overnight boarding.
- c. Animal boarding areas shall not occupy the area within the first 20 feet, as measured from the storefront of the facility, and shall be separated from retail, grooming, or food storage areas.

B. **Eating & Drinking: All**

Any portion of any eating & drinking use on private property designed and intended for the service and consumption of food and drinks, that has less than 75 percent enclosure (regardless of covered area percentage), or less than 25 percent covered area (regardless of enclosure percentage) shall be considered an outdoor dining area and subject to the following:

1. **Supplemental Standards**

- a. The outdoor dining area must be provided in conjunction with an eating & drinking use that has 75 percent or more enclosure or 25 percent or more covered area pursuant to Sec. 5C.1.3. (*In Conjunction With*).

- b. The outdoor dining area supplemental standards may, at the applicant's request, supersede conditions associated with the outdoor dining area which were previously imposed as part of a discretionary approval.
- c. Hours of operation in the outdoor dining area shall end at 10:30 p.m. Sunday through Thursday and 11:00 p.m. on Friday and Saturday if the outdoor dining area is abutting or across an alley from a *Residential Use District (Div. 5B.3.)*. If the outdoor dining area is not abutting or across an alley from a *Residential Use District (Div. 5B.3.)*, then the outdoor dining area is subject to applicable hours limitation imposed by law, discretionary action, or other previously issued permit.
- d. Despite any provisions to the contrary, the noise levels of the area dedicated to the outdoor dining area shall not exceed the standards set forth in the *Noise Ordinance*.
- e. Live music, live entertainment including but not limited to disc jockeys, karaoke, dancing, and sexually oriented business uses are prohibited in outdoor dining areas.
- f. Pool tables and billiard tables are prohibited in outdoor dining areas.
- g. Television monitors and other similar audiovisual devices are prohibited in outdoor dining areas.
- h. Outdoor dining areas shall be cleaned nightly and adjoining sidewalk areas shall be kept free of debris, litter, and graffiti.
- i. A City-issued identification shall be posted in outdoor dining areas and made clearly visible to the public, indicating that the area is subject to the standards of the Al Fresco Ordinance. The identification shall include the City's MyLA311 portal as the contact information for complaints or concerns regarding the operation of the outdoor dining area during regular business hours. A hotline phone number and contact information for LADBS shall be provided for complaints or concerns regarding the operation of the outdoor dining area that occur after business hours. A telephone number of the restaurant operator or manager shall be provided for complaints or concerns regarding the operation of the outdoor dining area.
- j. A sign reminding guests to be respectful of surrounding neighbors shall be posted in outdoor dining areas.

2. **Relief**

Relief from the supplemental standards in *Paragraph 1. (Supplemental Standards)*, above may be granted through a variance, pursuant to *Sec. 13B.5.3. (Variance)*.

3. **Noncompliance/Revocation**

a. **Failure to Comply**

Failure to comply with any of the regulations and standards set forth in this *Subsection (Eating & Drinking: All)* shall constitute a violation of the Zoning Code (Chapter 1A) and may result in a citation, Administrative Citation, Orders to Comply and/or other available enforcement mechanisms identified herein or in the LAMC.

b. **Inspections**

The City shall have the authority to conduct inspections, consistent with *Chapter IX. (Building Regulations), Sec. 98.0105. (Inspections)* of this Code, to verify compliance with all of the requirements prescribed in this *Subsection (Eating & Drinking: All)*. The owner and restaurant operator shall be notified of the deficiency or violation and shall be required to timely correct and eliminate the deficiency or violation.

c. **Enforcement**

Enforcement of the requirements pursuant to this *Subsection (Eating & Drinking: All)* is not exhaustive and the City may pursue other remedies.

d. **Citations and/or Orders to Comply**

A citation for violating this *Subsection (Eating & Drinking: All)* shall include, but is not limited to, Administrative Citations and/or Notice to Appear Citations issued by the Los Angeles Police Department, and Orders to Comply and/or Notices of Violation issued by the Department of Building and Safety.

e. **Administrative Process Applicable to Administrative Citations**

Unless otherwise specified herein, all Administrative Citations issued for violations of this *Subsection (Eating & Drinking: All)* shall be subject to the provisions set forth in *Chapter I. (General Provisions and Zoning), Article 1.2. (Administrative Citations)* of this Code, including, but not limited to, an administrative hearing and appeal process as set forth in *Chapter I. (General Provisions and Zoning), Article 1.2. (Administrative Citations)* of this Code and the City's authority to use any civil remedy available to collect any unpaid administrative fine.

f. **Revocation**

Violations of the standards in *Paragraph 1. (Supplemental Standards)* above may result in revocation of the building permits for the outdoor dining area pursuant to *Sec. 13B.6.3. (Building Permit Revocation)*.

g. **Criminal and Other Remedies Available**

Any violation of *Paragraph 1. (Supplemental Standards)* above may be prosecuted as a misdemeanor. In cases where the City Attorney elects to criminally prosecute a violation,

the defendant shall be subject to all applicable penalties authorized by *Chapter I. (General Provisions and Zoning), Sec. 11.00. (m) (Provisions Applicable to Code)* of this Code and not the administrative fines authorized by this *Subsection (Eating & Drinking: All)*.

C. Lodging

1. Supplemental Findings

In addition to the findings set forth in *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*, the City Planning Commission, or the City Council on appeal, shall make findings on each of the following:

- a. Whether there is sufficient market demand for the proposed lodging use;
- b. That the granting of the application will not significantly impact the demand for housing, public transit, childcare and other social services in the surrounding area, taking into consideration the impact of the additional employees of the lodging use, the part-time or seasonal nature of work at the lodging use, and of the lodging use's employees' expected compensation;
- c. Whether applicant will take measures to employ residents of neighborhoods surrounding the lodging use in order to minimize increased demand for regional transportation and to reduce demand for motor vehicle trips and motor vehicle miles of travel;
- d. Whether the applicant will take measures to encourage lodging use employees and guests to use public transportation, cycling and other non-automotive means of transportation;
- e. Whether the lodging use will take measures to support small businesses in the immediate vicinity and whether the applicant will adopt any measures to increase demand for local goods and services;
- f. That the lodging use will negatively impact the availability of existing affordable and rent stabilized housing. That the applicant will take measures to replace any rent stabilized or restricted affordable units existing on the site within the past 10 years with affordable housing and any non-restricted or rent stabilized housing with moderate income housing.

D. Retail: Firearms

1. Supplemental Findings

In addition to the findings set forth in *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, the Zoning Administrator, or the Area Planning Commission on appeal, shall make findings on each of the following:

- a. That the proposed use will not result in an over-concentration of this use in the area; and
- b. That the number of firearms available for sale at the lot does not pose the potential to contribute to violent crimes involving firearms in the surrounding area.

E. Retail: Large Format

1. Supplemental Findings

- a.** In addition to a Conditional Use Permit with approval by the City Planning Commission, pursuant to *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*, new retail: large format uses are required to prepare an economic impact analysis report for submission to the Department of City Planning and the Economic & Workforce Development Department for review in conjunction with its application to the Department of City Planning. The Economic & Workforce Development Department shall complete its review of the report within 60 days after receipt of the report from the applicant. The report shall identify the following:
 - i.** The economic impact on retail businesses within a three-mile radius, based on the potential to divert or expand the local or regional customer base. Data portraying the existing customer volume of the study area, as well as the anticipated customer volume of the study area, shall be included in the report.
 - ii.** The destruction or demolition of any buildings, structures, facilities, or site area containing any of the following uses: any residential use, civic facility, school, nature reserve, open space, public, or public recreation.
 - iii.** Contribution to the local retail market in terms of providing lower in cost or higher in quality goods and services than currently available to residents within a three-mile radius. A survey of goods and services offered by retail uses within a three-mile radius shall be included within the report.
 - iv.** The number of permanent jobs displaced or created as a direct result of the project. Permanent jobs shall be categorized by the employment sector within the report.
 - v.** Fiscal impact on City tax revenue, either positive or negative.
 - vi.** Viability of future reuse of the project site in the event the business vacates the premises based on factors such as building design, site layout, and lease terms requiring the lot to remain vacant for a significant amount of time.
 - vii.** Reasonable expectation that employment solicitation by day laborers will occur at or around the lot.
 - viii.** Measures to mitigate any materially adverse impacts identified within the report.
- b.** If determined by the City Planning Commission, or the City Council on appeal, that based on the findings of the report, or any other information received before or at a public hearing, that there is a reasonable expectation that employment solicitation by day laborers will occur at or around the lot, then the following measures may be required to the satisfaction of the City Planning Commission, or the City Council on appeal:
 - i.** The project shall accommodate employment solicitation by day laborers with dedicated congregation space that meets the following criteria:

- a) Is sufficient in size based on reasonably expected users;
 - b) Located along, but clear of a pedestrian accessway leading to a primary entrance;
and
 - c) Is covered to provide adequate shelter from the weather.
- ii. Amenities including publicly accessible sources of drinking water, toilet and trash facilities, tables, and seating areas shall also be made available during business hours of operation.
 - iii. A signage plan, indicating the location of signs at appropriate locations throughout the lot, directing users to dedicated congregation areas and amenities.

F. Retail: Pet Shop

1. Supplemental Standards

The total number of adult dogs and cats in a pet shop shall not exceed one for every 45 square feet of floor area of the facility, rounded up to the nearest whole number, up to a maximum of 40 adult dogs and cats.

G. Sexually Oriented Business: General

1. Supplemental Findings

Pursuant to *Paragraph 2. (Supplemental Procedure)* below, the Zoning Administrator shall allow a sexually oriented business: general to be established and maintained if a site does not meet distancing standards in the applied Use District table, and a site is not reasonably available elsewhere in the City for the establishment or relocation of the subject sexually oriented business: general use. A lot is reasonably available elsewhere in the City if it meets all of the following criteria:

- a. Its use as the proposed sexually oriented business: general is consistent with all applicable zoning regulations, including the Use District standards in the applied Use District table.
- b. It is available for use, purchase, or rental as a sexually oriented business: general.
- c. It has adequate street access, street lighting, and sidewalks.
- d. It is at least 500 feet away from any uses which are or may become obnoxious or offensive by reason or emission of odor, dust, smoke, noise, gas, fumes, cinders, refuse matter or water-carried waste.

2. Supplemental Procedure

- a. To apply for an exception to the distancing standards in the applied Use District table, an applicant shall file an application pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)* with the Department of City Planning, on a form provided by the Department, identifying the present or proposed location of the sexually oriented business: general, and

accompanied by data supporting the supplemental findings in *Paragraph 1. (Supplemental Findings)* above. The procedures described in *Sec. 13B.2.2. (Class 2 Conditional Use Permit)* shall be replaced with the procedure listed in *Subparagraph b.* below.

- b. No additional findings other than those listed in *Paragraph 1. (Supplemental Findings)* above shall be required. If the Zoning Administrator disapproves an application for an exception, then it shall make findings of fact showing how a lot consistent with the Use District standards in the applied Use District tables is reasonably available elsewhere in the City for the establishment or relocation of the subject sexually oriented business: general.

SEC. 5C.2.5. **HEAVY COMMERCIAL USES**

A. **Motor Vehicle Services: Light, Heavy, & Large Vehicle**

1. **Supplemental Standards**

- a. Bay doors and other building entrances and exits designed and intended for motor vehicle access shall meet the following standards:
 - i. Shall remain closed except during the allowed hours of operation, and
 - ii. Shall not face any frontage lot line.
- b. An off-street freight loading area, in compliance with development standard requirements for freight loading areas pursuant to *Sec. 4C.2.2.C.2. (Freight Loading Areas)*, shall be provided to adequately accommodate all loading, unloading, and any other activities requiring the use of commercial vehicles for transportation.
- c. All client vehicles being serviced by motor vehicle services use shall be stored on-site.
- d. An annual site inspection shall be conducted by LADBS, pursuant to *Sec. 13B.10.4. (Annual Inspection Monitoring (Type 2))*.

B. **Motor Vehicle Services: Car Wash**

1. **Supplemental Standards**

Bay doors and other building entrances and exits designed and intended for motor vehicles shall not face any residential use or school unless the residential use or school is located more than 100 feet from the car wash facility.

C. **Fueling Station: All**

1. **Supplemental Standards**

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

D. Motor Vehicle Sales & Rental: All**1. Supplemental Standards**

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

E. Storage, Indoor: Self-Service Facility**1. Supplemental Findings**

In addition to the findings set forth in *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, the Zoning Administrator, or the Area Planning Commission on appeal, shall make findings on each of the following:

- a. That the granting of the application will not significantly detract from the intent of the Use District, including supporting quality employment and productive industries; and
- b. That the granting of the application will not significantly detract from any applicable community plan policies intended to generate active pedestrian oriented development and higher employment densities in the surrounding area.

F. Storage, Outdoor: Standard Vehicle, & Large Vehicle**1. Supplemental Standards**

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

G. Storage, Outdoor: Donation Bin**1. Supplemental Standards**

- a. The collection bin shall not be located within a frontage yard or within 10-feet of any property line.
- b. No more than one collection bin shall be located on any lot.
- c. Collection bins shall be emptied in accordance with their posted pick-up schedule, and the area surrounding the collection bins shall be maintained free of overflow goods and materials, litter, debris, posted bills, and graffiti at all times.
- d. In order to prevent unauthorized access to the collection bin, a tamper-resistant locking mechanism shall secure the opening of the collection bin.
- e. The collection bin shall be fabricated of durable, noncombustible, and waterproof materials.
- f. Collection bins shall be illuminated between sunset and sunrise by a light source providing at least one footcandle of light.

- g. The collection bin shall be clearly identified with the operator's name, address, and telephone number, the lot owner's name, address of the lot, the types of items or materials that may be deposited, the pick-up schedule, a notice that no material shall be left outside the enclosure, and instructions to call 311 to register any complaint regarding the collection bin with the Department of Building and Safety.

H. Storage, Outdoor: Cargo Container

1. Supplemental Standards

- a. The entire lot shall be graded pursuant to *Chapter IX. (Building Regulations), Div. 70. (Grading, Excavation and Fills)* of this Code.
- b. All driveways, accessways, and parking areas shall be covered with a decomposed granite, crushed gravel, or similar material and be treated with dust control methods.
- c. All containers shall be empty and cleaned of any residue which may pose any kind of physical or health risk.
- d. The stacking of cargo containers more than 20 feet high shall only be permitted if a structural analysis done by a licensed engineer or architect in the State of California is submitted to and approved by the Department of Building and Safety.
- e. An annual site inspection shall be conducted by LADBS, pursuant to *Sec. 13B.10.3. (Annual Inspection Monitoring (Type 1))*.

I. Storage, Outdoor: Official Motor Vehicle Impound

1. Supplemental Standards

An annual site inspection shall be conducted by LADBS, pursuant to *Sec. 13B.10.3. (Annual Inspection Monitoring (Type 1))*.

SEC. 5C.2.6. LIGHT INDUSTRIAL USES

[Reserved]

SEC. 5C.2.7. HEAVY INDUSTRIAL USES

A. Animal Products Processing

1. Supplemental Standards

The curing, tanning, or storage of raw animal hides is not permitted within 500 feet of a sensitive use, or a *Residential Use District (Div. 5B.3.)*, *Residential-Mixed Use District (Div. 5B.4.)*, or *Agricultural Use District (Div. 5B.2.)*.

B. Manufacturing, Heavy: Petroleum & Coal Products

1. Supplemental Standards

In addition to a Conditional Use Permit with approval by the City Planning Commission, or the City Council, pursuant to *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*, new manufacturing, heavy: petroleum & coal products facilities and existing facilities expanding operations beyond the current property lines are required to:

- a. That any new or expanding manufacturing, heavy: petroleum & coal products facility comply with all of the required Unified Programs (Unified Hazardous Waste and Hazardous Materials Management Regulatory Program). California Environmental Reporting System (CERS) database submittals may serve as proof of compliance;
- b. Submit to the Department of City Planning and the City Planning Commission a health assessment of the project for the surrounding vicinity identifying pollution and population indicators, such as, but not limited to, those analyzed in the California Communities Environmental Health Screening Tool; the number of people affected by the project; short term or permanent impacts caused by the project; likelihood that impacts will occur; and recommended mitigation measures; and
- c. Submit to the Department of City Planning and the City Planning Commission a truck routing plan that minimizes the incidence of a commercial truck traveling past sensitive uses.

C. Salvage Yard

1. Supplemental Standards

An annual site inspection shall be conducted by LADBS, pursuant to *Sec. 13B.10.3. (Annual Inspection Monitoring (Type 1))*.

D. Recycling Facility: Collection

1. Supplemental Standards

- a. The recycling facility: collection shall not be located within a frontage yard or within 10-feet of any property line or any other building located on the same site.
- b. All deposited goods and materials, temporary installations, debris, trash, and any other material associated with the use shall be placed or stored in a fully covered and enclosed recycling facility, and not be left or stored outdoors beyond the hours of operation.
- c. Collection facilities shall be emptied in accordance with their posted pick-up schedule, and the area surrounding the collection bins shall be maintained free of overflow goods and materials, litter, debris, posted bills, and graffiti at all times.
- d. In order to prevent unauthorized access to the collection facility, a tamper-resistant locking mechanism shall secure the opening of the collection facility.

- e. The receptacle, container, or bin in which goods and materials are stored shall be fabricated of durable, noncombustible, and waterproof materials.
- f. The recycling collection facility enclosure shall be clearly identified with the operator's name, address, and telephone number, the lot owner's name, address of the lot, the types of items or materials that may be deposited, the pick-up schedule, a notice that no material shall be left outside the enclosure, and instructions to call 311 to register any complaint regarding the facility with the Department of Building and Safety.
- g. An annual site inspection shall be conducted by LADBS, pursuant to *Sec. 13B.10.3. (Annual Inspection Monitoring (Type 1))*.

E. Recycling Facility: Sorting & Processing

1. Supplemental Standards

- a. All leachates shall be collected, controlled, disposed of, and shall not be allowed to remain at the lot at any time.
- b. An annual site inspection shall be conducted by LADBS, pursuant to *Sec. 13B.10.3. (Annual Inspection Monitoring (Type 1))*.

F. Waste Facility: Organic Waste

1. Supplemental Standards

All leachates shall be collected, controlled, disposed of, and shall not be allowed to remain at the lot at any time.

G. Waste Facility: Hazardous Waste, & Solid Waste

1. Supplemental Standards

All leachates shall be collected, controlled, disposed of, and shall not be allowed to remain at the lot at any time.

2. Supplemental Findings

In addition to the other findings required by *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*, the City Planning Commission shall make all of the following findings:

- a. That the proposed location of the facility will not result in an undue concentration of waste processing facilities in the immediate area, will not create a cumulative impact with special consideration given to the location of waste facilities already permitted, and will support the equitable distribution of these facilities citywide.
- b. That the facility will not detrimentally affect nearby residential uses and other sensitive land uses, taking into consideration the number and proximity of residential buildings, churches, schools, hospitals, public playgrounds, nursing homes, daycare centers, and other similar uses within a 1,500-foot radius of the proposed lot.

- c. That the facility operator will provide community benefits as determined appropriate to businesses and residents likely to be impacted by this facility, taking into consideration the location of the proposed lot and nearby uses.

H. Mineral & Ore Extraction

1. Supplemental Standards

In addition to a Conditional Use Permit with approval by the City Planning Commission, pursuant to *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*, new mineral & ore extraction facilities and existing facilities expanding operations beyond the current property lines are required to:

- a. Comply with all of the required Unified Programs (Unified Hazardous Waste and Hazardous Materials Management Regulatory Program). California Environmental Reporting System (CERS) database submittals may serve as proof of compliance;
- b. Submit a health assessment of the project for the surrounding vicinity identifying pollution and population indicators, such as, but not limited to, those analyzed in the California Communities Environmental Health Screening Tool; the number of people affected by the project; short term or permanent impacts caused by the project; likelihood that impacts will occur; and recommended mitigation measures;
- c. Submit a health assessment of the project for the surrounding vicinity identifying pollution and population indicators, such as, but not limited to, those analyzed in the California Communities Environmental Health Screening Tool; the number of people affected by the project; short term or permanent impacts caused by the project; likelihood that impacts will occur; and recommended mitigation measures; and
- d. Submit a truck routing plan that minimizes the incidence of a commercial truck traveling past residences, churches, schools, hospitals, public playgrounds, nursing homes, child care centers, and other similar uses.

SEC. 5C.2.8. AGRICULTURAL USES

A. Animal Keeping: Bees

1. Supplemental Standards

- a. Beekeeping operators shall be registered as a beekeeper with the Los Angeles County Agricultural Commission.
- b. A water source for bees shall be provided at all times on the lot where the bees are kept.
- c. The total number of beehives shall be limited to one for each 2,500 square feet of lot area.
- d. Beehives shall not be located within a frontage yard or within five feet of any property line.

B. Animal Keeping: Dairy

1. Supplemental Standards

- a. The lot area for an animal keeping: dairy shall not be less than 20 acres.
- b. Where bovines are being kept, the number kept shall not exceed one bovine for each 4,000 square feet of lot area.

C. Animal Keeping: Equine, Commercial

1. Supplemental Standards

- a. The lot area for an equine keeping use shall not be less than 17,500 square feet.
- b. The number of equines kept shall not exceed one equine for each 4,000 square feet of lot area.
- c. An animal which is under 12 months of age, and is the offspring of or is unweaned and being nursed by a female equine lawfully kept on the property where said animal is kept, shall not be considered an equine and shall be allowed by right on said property.

D. Animal Keeping: Equine, Non-commercial

1. Supplemental Standards

- a. The lot area for an equine keeping use shall not be less than 17,500 square feet.
- b. The number of equines kept shall not exceed one equine for each 4,000 square feet of lot area.
- c. An animal which is under 12 months of age, and is the offspring of or is unweaned and being nursed by a female equine lawfully kept on the property where said animal is kept, shall not be considered an equine and shall be allowed by right on said property.

E. Animal Keeping: Livestock

1. Supplemental Standards

- a. The lot area for an animal keeping: livestock use shall not be less than 17,500 square feet.
- b. The number of livestock kept shall not exceed one animal for each 4,000 square feet of lot area.

F. Animal Keeping: Small Animals

1. Supplemental Standards

- a. When used for commercial purposes, the lot area for an animal keeping: small animals use shall not be less than five acres. There is no lot size minimum required for non-commercial animal keeping: small animals.

G. Plant Cultivation: Farming

1. Supplemental Standards

One farm stand having a floor area no larger than 200 square feet is allowed accessory to plant cultivation: farming provided it meets the following standards:

- a.** Only agricultural products produced on the lot may be sold at the farm stand.
- b.** The farm stand shall be set back a minimum of 10 feet from all frontage lot lines.

DIV. 5C.3. **SPECIAL USE PROGRAMS**

Special use programs are established for uses that require a detailed and prescriptive set of performance standards for safe, orderly, and efficient operation, in addition to any general use standards and supplemental standards or findings that may be included in the Use District table.

SEC. 5C.3.1. **INCLUSIONARY HOUSING PROGRAM**

A. Intent

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

B. Applicability

1. The requirements of this *Section (Inclusionary Housing Program)* apply to a project involving new construction, a major remodel, a use modification, or a renovation, that will result in new dwelling units on a lot included on the Inclusionary Housing Map, as established in *Sec. 1.5.10. (Inclusionary Housing Map)*, and as outlined in the Subsections below.
2. Lots that have not been designated on the Inclusionary Housing Map shall not be subject to the requirements of this *Section (Inclusionary Housing Program)*.
3. An adaptive reuse project in accordance with *Sec. 9.4.5. (Downtown Adaptive Reuse Program)* or *Sec. 9.4.6. (Citywide Adaptive Reuse Program)* shall not be subject to the requirements of this *Section (Inclusionary Housing Program)*.
4. A project subject to this *Section (Inclusionary Housing Program)* shall be referred to as an inclusionary housing project.

C. Inclusionary Standards

An inclusionary housing project shall comply with the following requirements in this *Subsection (Inclusionary Standards)*, or the requirements of an applicable Community Plan Implementation Overlay, unless a project otherwise complies with the alternatives established in *Subsection D. (Inclusionary Alternatives)* below.

1. Inclusionary Rental (IR)

An inclusionary housing project providing dwelling units which are for rent shall set aside the minimum required restricted affordable units for rent provided in the applicable Inclusionary Program Set Designation. Dwelling units within the project which are for sale shall not be subject to the minimum required restricted affordable units.

2. Inclusionary Rental & For-Sale (IRF)

An inclusionary housing project providing dwelling units which are either rental, for-sale, or a combination of both, shall set aside the minimum required restricted affordable units as required by the designated Affordability Requirement Set. The designated Affordability Requirement Set shall be determined for a lot by referring to the Inclusionary Housing Map.

3. Inclusionary Program Set Designations

An inclusionary housing project shall provide, at minimum, the percentage of restricted affordable units specified in at least one of the income ranges listed in the applicable Affordability Requirement Set, as established below. The applicable Affordability Requirement Set for an inclusionary housing project shall be based on the Inclusionary Housing Set the project is located within on the Inclusionary Housing Map.

AFFORDABILITY REQUIREMENT SETS					
Inclusionary Housing Set	Affordability Requirements				
	Acutely Low Income	Extremely Low Income	Very Low Income	Low Income	Moderate Income
A	8%	8%	10%	12%	16%
B	12%	13%	15%	17%	28%
C	80%	80%	80%	80%	80%

a. Calculating Required Units

The minimum percentage of required restricted affordable units shall be calculated based on the total number of dwelling units in the inclusionary housing project. Any number resulting in a fraction shall be rounded up to the next whole number, and not calculated as specified in Sec. 6C.1.2. (*Lot Area Per Household Dwelling Unit*) or Sec. 6C.1.3. (*Lot Area Per Efficiency Dwelling Unit*). Restricted affordable units provided pursuant to this program may also count towards the affordable housing incentive programs established in Sec. 9.2.1. (*Density Bonus*) or Sec. 9.3.2. (*Local Affordable Housing Incentive Program*), provided they comply with the requirements in those Sections.

b. For-Sale Units

Restricted affordable units which are offered on a for-sale bases shall be subject to an applicant agreement with the Los Angeles Housing Department that ensures that a for-sale unit that qualified the applicant for the Inclusionary Housing Program meets either of the following conditions:

- i. The unit is initially occupied by a moderate income household, low income household, very low income household, or extremely low income household, as required, and it is offered at an affordable housing cost, as that cost is defined in *California Health and Safety Code, Sec. 50052.5. (Definitions)* and is subject to an equity sharing agreement; or

- ii. The unit is purchased by a qualified nonprofit housing corporation pursuant to a recorded contract that satisfies all of the requirements specified in the *California Revenue and Taxation Code, Sec. 402.1. (General Requirements), Paragraph (10).* and that includes all of the following:
 - a) A repurchase option that requires a subsequent purchaser of the property that desires to resell or convey the property to offer the qualified nonprofit housing corporation the right to repurchase the property prior to selling or conveying that property to any other purchaser;
 - b) An equity sharing agreement, as specified in *Paragraph 4. (Equity Sharing Agreement) of Subsection E. (Records & Agreements)* below; and
 - c) Affordability restrictions on the sale and conveyance of the property that ensure that the property will be preserved for lower income housing for at least 45 years for owner-occupied housing units and will be sold or resold only to moderate income households, low income households, very low income households, or extremely low income households, as defined in *California Health and Safety Code, Sec. 50052.5. (Definitions).*

c. Restricted Affordable Unit Size & Distribution

The size, construction finishes, and distribution of all required restricted affordable units shall be provided in accordance with any guidelines established by the Los Angeles Housing Department.

4. Non Designated Lots

Lots that have not been designated on the Inclusionary Housing Map are not be subject to the requirements of this *Section (Inclusionary Housing Program)*. Residential uses on non-designated lots with an applied Use District assigning an S (Special Use Program) permission level shall be permitted in accordance with *Sec. 5A.3.2. (Permitted (P))*, in addition to any applicable general or supplemental use standards as indicated by an asterisk (*) in accordance with *Sec. 5A.3.3. (Use Standard Applies)*.

D. Inclusionary Alternatives

In lieu of compliance with the requirements in *Subsection C. (Inclusionary Standards)* above, the requirements of this *Section (Inclusionary Housing Program)* may be satisfied by implementing one of the following alternatives if approved pursuant to the applicable process in *Subsection F. (Procedures)* below.

1. In-Lieu Fee

The affordability provisions of this program may be satisfied by the payment of an in lieu fee to the City in lieu of constructing the restricted affordable units within the inclusionary housing project. The fee is due and payable to the Affordable Housing Trust Fund, established in *Chapter 122. (Affordable Housing Trust Fund), Div. 5. (Finance)* of the LAAC at the time of and

in no event later than issuance of the first building permit, concurrent with and proportional to project phases. The developer may defer payment of all or a portion of the in lieu fee until, but no later than issuance of the Certificate of Occupancy, by payment of a deferral surcharge, as established in *Paragraph d. (Deferral Surcharge)*, below, with the in lieu fee. The in lieu fee shall be determined by the City based on the following:

a. Fee

The amount of the in lieu fee shall be determined by the number of dwelling units equivalent to 1.1 times the required number of on-site restricted affordable units for the inclusionary housing project, in the same proportion of affordability, multiplied by the applicable affordability gap, as established in *Paragraph b. (Affordability Gap)* below.

b. Affordability Gap

The City shall identify the affordability gap for rental and ownership units of each bedroom size (studio, one bedroom, two bedroom and three bedroom) for each required affordability level supported by a study (affordability gap study) that considers the following:

i. Rental Units

For rental dwelling units, the study shall collect and determine, by unit type and affordability level, the following information from recently completed affordable housing projects funded by the City's Affordable Housing Trust Fund: total development costs and operating expenses. The study shall also determine the amount of permanent financing available based on restricted rents and prevailing interest rates. The difference between the total development cost and permanent financing amount shall be the affordability gaps per unit by unit type and affordability level.

ii. For-Sale Units

For for-sale dwelling units, the study shall identify the market median sales prices by unit type in the 34 Community Plan areas. It shall determine the restricted sales prices of for-sale units by unit type and affordability level. The difference between the market median sales price and the restricted sales price shall be the affordability gaps per unit by unit type and affordability level.

c. Bi-Annual Fee Adjustment

The City shall adjust the in lieu fee every two years, based on the results of a new affordability gap study. An affordability gap study, the proposed adjusted affordability gaps, and the adjusted fees shall be published within two years of the date that the original affordability gaps study is released, and consecutively thereafter by the date that is two years after the release of the previous affordability gaps study. If the City does not meet

the deadline in this paragraph, the in lieu fee will remain set at the existing level until the provisions of this paragraph are met.

d. Deferral Surcharge

The deferral surcharge will be assessed at the Wall Street Journal Prime Rate plus 200 basis points at the time such fee is due, (at the issuance of the building permit). The deferral surcharge fee shall be deposited into the Affordable Housing Trust Fund established in *Chapter 122. (Affordable Housing Trust Fund), Div. 5. (Finance)* of the LAAC.

E. Records & Agreements

Prior to the issuance of a building permit, the following requirements shall be met.

1. Restricted Affordable Unit Covenants

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

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

2. Conflicts of Duration of Affordability Covenants

If the duration of affordability covenants established in *Paragraph 1. (Restricted Affordable Unit Covenants)* above conflicts with the duration for any other government requirement, the longest duration controls.

3. Right of Enforcement

Any covenant described in this *Section (Inclusionary Housing Program)* must provide for a right of enforcement by the City, any tenant, and the owner of any building to which a covenant and agreement applies.

4. Equity Sharing Agreement

An inclusionary housing project that has opted to an equity sharing agreement for for-sale restricted affordable units shall be required to enter into an agreement with the Los Angeles Housing Department as outlined below, unless it is in conflict with the requirements of another public funding source or law.

- a. Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation.
- b. Except as provided in *Subparagraph e.* below, the local government shall recapture any initial subsidy, as defined in *Subparagraph c.* below, and its proportionate share of appreciation, as defined in *Subparagraph d.* below, which amount shall be used within five years for any of the purposes described in the *California Health and Safety Code Sec. 33334.2., Subdivision (e).* that promote home ownership.
- c. For purposes of the equity sharing agreement, the Los Angeles Housing Department's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate income household, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.
- d. For purposes of the equity sharing agreement, the Los Angeles Housing Department's proportionate share of appreciation shall be equal to the ratio of the Los Angeles Housing Department's initial subsidy to the fair market value of the home at the time of initial sale.
- e. If the unit is purchased or developed by a qualified nonprofit housing corporation the Los Angeles Housing Department may enter into a contract with the qualified nonprofit housing corporation under which the qualified nonprofit housing corporation would recapture any initial subsidy and its proportionate share of appreciation if the qualified nonprofit housing corporation is required to use 100 percent of the proceeds to promote homeownership for lower income households as defined by *California Health and Safety Code, Sec. 50079.5.* within the jurisdiction of the Los Angeles Housing Department.

F. Procedures

The Department of Building and Safety shall issue a building permit for any inclusionary housing project that meets the requirements of this *Section (Inclusionary Housing Program)*.

1. Administrative Guidelines

An inclusionary housing project utilizing an alternative in *Subsection D. (Inclusionary Alternatives)* above, shall also require approval from the Department of City Planning pursuant to *Sec. 13B.3.1. (Administrative Review)*.

SEC. 5C.3.2. HOME-SHARING PROGRAM

A. Intent

To allow for the efficient use and sharing of a residential structure which is a host's primary residence, without detracting from the surrounding residential character or the City's available housing stock.

B. Definitions

The following definitions shall apply to this *Section (Home-Sharing Program)*:

1. Administrative Guidelines

The Department of City Planning or Office of Finance may promulgate regulations, which may include, but are not limited to, application requirements, interpretations, conditions, reporting requirements, enforcement procedures, and disclosure requirements, to implement the provisions, and consistent with the intent, of this Section (Home-Sharing Program).

2. Booking Service

A booking service is defined as any reservation or payment service provided by a person that facilitates a short-term rental transaction between a person and a prospective guest or transient user, and for which the person collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation or payment of services provided for the transaction.

3. Citation

Citation includes any enforcement citation, order, ticket or similar notice of violation, relating to the condition of or activities at a person's primary residence or property, issued by the Department of Building and Safety, Los Angeles Housing Department, Los Angeles Police Department, or Los Angeles Fire Department, including an Administrative Citation issued pursuant to Chapter I. (General Provisions and Zoning), Article 1.2. (Administrative Citations) of this Code.

4. Extended Home-Sharing

Extended home-sharing is defined as home-sharing that is permitted for an unlimited number of days in a calendar year.

5. Host

Host is defined as an individual who is registered for home-sharing pursuant to this Section (Home-Sharing Program).

6. Hosting Platform

Hosting platform is defined as a person that participates in short-term rental business by collecting or receiving a fee, directly or indirectly through an agent or intermediary, for conducting a booking service transaction using any medium of facilitation.

7. Person

Person shall have the same meaning as that term is defined in Chapter II. (Licenses, Permits, Business Regulations), Sec. 21.7.2. (Definitions) of this Code.

8. Platform Agreement

Platform agreement is defined as a signed agreement between a hosting platform and the City, which, among other things, provides that the platform will collect and submit the Transient Occupancy Tax to the City on behalf of hosts and persons listed for short-term rentals.

9. Primary Residence

Primary residence is defined as the sole residence from which the host conducts home-sharing and in which the host resides for more than six months of the calendar year.

10. Rental Unit

Rental unit is defined as a dwelling unit or residential structure, or portion thereof.

11. Short-Term Rental

Short-term rental is defined as a rental unit, rented in whole or in part, to any person(s) for use of 30 consecutive days or less. Rental units within City-approved lodging uses shall not be considered a short-term rental.

12. Transient

Transient shall have the same meaning as that term is defined in Chapter II. (Licenses, Permits, Business Regulations), Sec. 21.7.2. (Definitions) of this Code.

C. Home-Sharing Registration

To register a home-sharing, home-based business, the applicant shall provide the material below to the satisfaction of the Director of Planning within 45 days of when the application is first submitted:

1. Information verifying the host's identification and primary residence;
2. Identification of a local responsible contact person;

3. A list of all hosting platforms to be used;
4. Whether home-sharing is for an entire rental unit or a portion thereof;
5. Any other information required by the instructions on the application or by the guidelines promulgated by the Director of Planning; and
6. Payment of any filing fee required under *Article 15. (Fees)*.

D. Eligibility Requirements

The following requirements shall be met at the time of submitting an application for home-sharing registration:

1. The applicant has obtained a Transient Occupancy Registration Certificate from the Office of Finance pursuant to *Chapter II. (Licenses, Permits, Business Regulations), Sec. 21.7.6. (Registration)* of this Code, unless the applicant exclusively lists their primary residence on hosting platforms that have a platform agreement with the City of Los Angeles.
2. The proposed home-sharing is consistent with the provisions of this *Subsection (Eligibility Requirements)* and is limited to the host's primary residence.
 - a. A renter or lessee shall not engage in home-sharing without prior written approval of the landlord. A renter or lessee shall provide copies of the landlord's written approval to the City at the time of filing the application for registration. A landlord may proactively prohibit home-sharing by tenants at any or all of the owner's properties by submitting a notification in writing to the Department of City Planning.
 - b. A primary residence that is subject to affordable housing covenants, or *Chapter XV. (Rent Stabilization Ordinance)* of this Code, or are income-restricted under city, state, or federal law, is not eligible for home-sharing.
 - c. No primary residence which is the subject of any pending citation may be registered for home-sharing.
 - d. No person may apply for or obtain more than one home-sharing registration or otherwise operate more than one home-sharing rental unit at a time in the City of Los Angeles.

E. Expiration & Renewal

1. A home-sharing registration is valid for one year from the date of issuance. It may not be transferred or assigned and is valid only at the host's primary residence. A home-sharing registration may be renewed annually if the host:
 - a. Pays the renewal fee;
 - b. Has complied with the provisions of this *Section (Home-Sharing Program)* for the past year;

- c. Provides information concerning any changes to the previous application for, or renewal of, the home-sharing registration; and
 - d. Submits home-sharing records described in *Sec. 5C.3.2.H. (Host Requirements)* below for the last year to demonstrate compliance with this *Section (Home-Sharing Program)*, unless the host lists exclusively on a hosting platform with a platform agreement that includes a provision for pass-through registration for applicants for a home-sharing registration.
2. The records described in *Sec. 5C.3.2.H. (Host Requirements)* below shall be made public to the extent required by law.

F. Suspensions & Revocations

Notwithstanding any other provision to the contrary, the Director of Planning may require the suspension, modification, discontinuance or revocation of any home-sharing registration if it is found that the host has violated this *Section (Home-Sharing Program)* or any other city, state, or federal regulation, ordinance or statute.

1. Suspension

If a host receives two citations, the host's home-sharing registration shall be suspended for 30 days, or as long as at least one citation is open, whichever is longer. The suspension shall become effective 15 days after the mailing of a Notice of Intent to Suspend the host. If a host initiates an appeal of either citation, the suspension will take effect only if the appeal is not resolved entirely in the host's favor.

- a. A host may challenge a citation by submitting an appeal to the City department that issued the citation and providing notice to the Department of City Planning as described in the Administrative Guidelines.
- b. Where no process is described in the citation, a host may challenge a citation by submitting an appeal to the Director of Planning in accordance with the process in *Sec. 13B.6.1. (Evaluation of Non-Compliance)*, with no further appeal to a commission or City Council.

2. Revocation

If three citations have been issued to the host and have been sustained (after exhaustion of any related remedies, including appeals) within a registration year, the host's home-sharing registration shall be revoked. The revocation of a host's home-sharing registration shall become effective 15 days after the mailing of a Notice of Intent to Revoke to the host.

- a. A host may challenge a Notice of Intent to Revoke by submitting an appeal to the Director of Planning in accordance with the process in *Sec. 13B.6.1. (Evaluation of Non-Compliance)*, with no further appeal to a commission or City Council.
- b. Pursuant to the revocation, the host shall be prohibited from participating in home-sharing for one year from the effective date of the Notice of Intent to Revoke.

3. Modification

The Zoning Administrator may modify, discontinue or revoke any home-sharing registration based upon an order to show cause, pursuant to *Sec. 13B.6.2.A.1. (Zoning Administrator Authority)*, why any proposed modifications, discontinuances or revocations of any home-sharing registration should not be issued. The Zoning Administrator shall provide notice to the host or recorded owner and lessees of the host's primary residence to appear at a public hearing at a time and place fixed by the Zoning Administrator to respond to the Zoning Administrator's order to show cause.

G. Prohibitions

1. No person shall offer, advertise, book, facilitate or engage in home-sharing or short-term rental activity in a manner that does not comply with this *Section (Home-Sharing Program)*.
2. No person or host may advertise a rental unit for short term rental or home sharing unless all advertisements clearly list a City-issued home sharing registration number for that rental unit.
3. No host shall engage in home-sharing for more than 120 days in any calendar year unless the City has issued the host an extended home-sharing registration pursuant to *Subsection K. (Extended Home-Sharing)* below.
4. Accessory dwelling units for which a complete building permit application was submitted on or after January 1, 2017, to the Department of Building and Safety pursuant to *Sec. 13B.10.1.B.2(a) (General Provisions; Permits and Vesting of Development Plan)* may not be used for home-sharing, unless an applicant demonstrates the accessory dwelling unit is the applicant's primary residence.
5. No host shall offer, advertise, or engage in home-sharing in a non-residential building, including but not limited to, a vehicle parked on the property, a storage shed, trailer or any temporary structure, including, but not limited to, a tent.
6. If a host lists a primary residence on multiple listings on multiple hosting platforms, only one listing shall be booked at any given time.
7. A host shall not rent all or a portion of their primary residence for the purposes of home-sharing to more than one group of guests or under more than one booking, at any given time.
8. Home-sharing is not permitted in buildings that have been converted from units subject to *Chapter XV. (Rent Stabilization Ordinance)* of this Code to single-unit dwellings until five years after the date of conversion.
9. Except for allowable household business: home occupation uses, non-residential uses including, but not limited to, sales or exchange of products, events that charge a fee, or the promotion, display or servicing of any product shall not be permitted during home-sharing activity.

10. A host shall only advertise on a hosting platform that was listed on the host's home-sharing application form, unless the host has submitted a written request and received written approval from the Department of City Planning to use another hosting platform.
11. No more than two overnight guests (not including children) are allowed per habitable room, not including kitchens, during home-sharing activities.
12. There shall be no use of sound amplifying equipment, as that term is defined in *Chapter XI. (Noise Regulation), Sec. 111.01. (j). (Definitions)* of this Code after 10:00 pm and no evening outdoor congregations of more than eight people (excluding children) during home-sharing activities. Home-sharing activities are subject to the noise regulations in *Chapter XI. (Noise Regulation)* of this Code.
13. A host whose home-sharing registration has been suspended is prohibited from participating in home-sharing for the duration of the suspension.
14. A host whose home-sharing registration has been revoked may not participate in home-sharing unless and until a new registration is authorized.

H. Host Requirements

1. A host, or owner of the host's primary residence if the host does not own it, may be responsible for any nuisance violations, as described in *Sec. 13B.6.2. (Nuisance Abatement/Revocation)*, arising at the host's primary residence during home-sharing activities. Either the host, or owner of the host's primary residence if the host does not own it, may be assessed a minimum inspection fee, as specified in *Chapter IX. (Building Regulations), Sec. 98.0412. (Inspection Fees)* of this Code for each site inspection.
2. The host shall keep and preserve, for a minimum period of three years, all records regarding each home-sharing stay, including the length of stay and the price paid for each stay, and any other records required by Administrative Guidelines promulgated by the Director of Planning.
3. On the home-sharing registration application, a host shall acknowledge and consent to Office of Finance and other City agencies' inspection of records at all reasonable times and places for purposes of enforcement of this *Section (Home-Sharing Program)*.
4. The host shall fully comply with all the requirements of *Chapter II. (Licenses, Permits, Business Regulations), Article 1.7. (Transient Occupancy Tax)* of this Code.
5. The host shall pay a per-night fee for each night of home-sharing, which will be deposited into the Short Term Rental Enforcement Fund per the requirements in *Sec. 5.576. (Creation and Administration of the Short-Term Rental Enforcement Trust Fund)* of the LAAC. The City Council shall adopt, by resolution, a per-night fee based on an analysis of the cost of implementing, maintaining, and enforcing this *Section (Home-Sharing Program)*.
6. Every host shall provide and maintain working fire extinguishers, smoke detectors, and carbon monoxide detectors, in compliance with fire, life and safety codes; information related to emergency exit routes on the property and contact information, including the contact information of the host or a designated responsible agent of the host.

7. Every host that lists a primary residence located in a Very High Fire Hazard Severity Zone designated pursuant to *California Government Code Sec. 51178. (Moderate, High, and Very High Fire Hazard Severity Zones)* shall include in all host listings and post written notices on any patio or deck that smoking is not permitted in any exterior of the property.
8. Every host shall provide a code of conduct to guests that includes the relevant provisions of this *Section (Home-Sharing Program)* and other information to address behavioral, safety, security, and other matters, as required in the Department of City Planning Administrative Guidelines.
9. Every host shall authorize any hosting platform on which their primary residence is listed to provide to the City the host listing and other information described in *Paragraph 4. of Subsection I. (Hosting Platform Responsibilities)* below.
10. Every host shall consent to receive all City notices and citations regarding their home-sharing registration by U.S. mail.

I. Hosting Platform Responsibilities

1. Hosting platforms shall not process or complete any booking service transaction for any person, unless the person has a valid home-sharing registration number issued by the City.
2. Hosting platforms shall not process or complete any booking service transaction for any host listing that has exceeded the authorized 120-day limit in one calendar year, unless the host has obtained an extended home-sharing approval.
3. Within 45 days of the effective date of this *Section (Home-Sharing Program)*, hosting platforms with listings located in the City shall provide to the Department of City Planning the contact information for an employee or representative responsible for responding to requests for information, including requests related to possible violations of this *Section (Home-Sharing Program)*. Hosting platforms that commence listings in the City after the effective date shall provide this information prior to facilitating home-sharing activity or providing booking services within the City.
4. Subject to applicable laws, a hosting platform with listings in the City shall provide to the Department of City Planning, on at least a monthly basis, in a format as specified by the City, the home-sharing registration number of each listing, the name of the person responsible for each listing, the street address of each listing and, for each booking that occurs within the reporting period, the number of days booked.
5. In the event a hosting platform has entered into an agreement with the Office of Finance to collect and remit transient Occupancy Tax pursuant to *Chapter II. (Licenses, Permits, Business Regulations), Article 1.7. (Transient Occupancy Tax)* of this Code, and a host has assigned the responsibilities for the collection and remittance of the transient Occupancy Tax to the hosting platform, then the hosting platform and the host shall have the same duties and liabilities, including but not limited to the collection and remittance of the tax to the City on a monthly basis.

6. Exception

The provisions of this *Subsection I. (Hosting Platform Responsibilities)* shall not apply to a hosting platform whenever it,

- a. Complies with the Administrative Guidelines, issued by the Department of City Planning and approved by resolution of the City Council, that describe how the hosting platform shall satisfy the hosting platform responsibilities in this *Subsection I. (Hosting Platform Responsibilities)*, or
- b. Enters into a platform agreement, the terms of which shall be set forth in a master platform agreement approved by the City Council, that establishes the manner in which the hosting platform supports the City's enforcement of this *Section (Home-Sharing Program)* and meets the purposes of the hosting platform responsibilities in this *Subsection I. (Hosting Platform Responsibilities)*. Each individual platform agreement shall be approved by the City Council.

J. Enforcement of Violations

1. The provisions in this *Subsection (Enforcement of Violations)* shall be in addition to any criminal, civil, or other legal remedy established by law that may be pursued to address violations of this *Section (Home-Sharing Program)*.
2. Any person who has failed to comply with the provisions of this *Section (Home-Sharing Program)* may be subject to the provisions of *Chapter I. (General Provisions and Zoning), Sec. 11.00. (Provisions Applicable to Code)* of this Code. The owner or operator of any property used for home-sharing, including the host or owner of any host's primary residence, may be assessed a minimum inspection fee, as specified in *Chapter IX. (Building Regulations), Sec. 98.0412. (Inspection Fees)* of this Code for each site inspection.
3. The Director of Planning may, at any time, require the modification, discontinuance, or revocation of any home-sharing registration in the manner prescribed in *Subsection F. (Suspensions & Revocations)* above.
4. The Administrative Citation Enforcement (ACE) program in *Chapter I. (General Provisions and Zoning), Article 1.2. (Administrative Citations)* of this Code may be utilized to issue Administrative Citations and impose fines pursuant to this *Section (Home-Sharing Program)*. The citation shall be served by personal service or by depositing in the mail for delivery by the United States Postal Service, in a sealed envelope, postage prepaid, addressed to the operator of the short-term rental, the host, or the property owner, if different than the operator or host, shown on the County's last equalized property tax assessment roll. Fines for violations of this *Section (Home-Sharing Program)* shall be as follows:
 - a. Hosting platform: a \$1,000 fine per day shall be imposed for any of the following violations:

- i. Completing a booking service transaction for each listing without a valid City home-sharing registration number or pending registration status number.
 - ii. Completing a booking service transaction for each listing where more than one property is affiliated with a single host, or each listing where the host's home address does not match the listing location.
 - iii. Completing a booking service transaction for any listing for a rental unit where the host's home-sharing or extended home-sharing registration has been revoked or suspended by the City.
 - iv. Completing a booking service transaction for any rental unit lacking extended home-sharing approval that has exceeded the authorized 120-day limit for hosting short-term rentals in one calendar year.
- b. Owner of primary residence or host or person:
- i. A daily fine of \$500, or two times the nightly rate charged, whichever is greater, for advertising a rental unit for the purposes of short-term rental in violation of this *Section (Home-Sharing Program)*.
 - ii. A daily fine of \$2,000, or two times the nightly rent charged, whichever is greater, for each day of home-sharing activity beyond the 120 day limit in a calendar year, unless the host has a valid extended home-sharing registration.
 - iii. For all other violations of this *Section (Home-Sharing Program)*, the administrative fine shall be levied according to the amounts described in *Chapter I. (General Provisions and Zoning), Sec. 11.2.04. (a)(2) (Administrative Fines)* of this Code. The square footage for the use in calculating the fine shall be the amount of indoor space to which the transient guest has access. If the square footage is unable to be ascertained, it shall be deemed to be between 500 and 2,499 square feet.
- c. The fine amounts listed above shall be updated annually, from the date of effective date of this ordinance, according to the Consumer Price Index for All Urban Consumers (CPI-U).

K. Extended Home-Sharing

For hosts who participate in extended home-sharing, the following shall apply:

1. Application & Eligibility Requirements

a. Ministerial Approval

Extended home-sharing may be approved by the Director of Planning if, in addition to the eligibility requirements for home-sharing, all of the following requirements are met:

- i. The host maintains a current home-sharing registration and has maintained a home-sharing registration for at least six months or has hosted for at least 60 days based on substantial evidence provided by the host or hosting platform.

- ii. No more than one citation was issued within the prior three years.
- iii. The host provides proof of mailing of a notification concerning commencement of extended home-sharing, which includes a Director of Planning-issued publication outlining the complaint process, to abutting owners and occupants on a form provided by the Department of City Planning.

b. Discretionary Approval

A discretionary review of an extended home-sharing application is required if the host complies with *Sub-subparagraph i. of Subparagraph a. (Ministerial Approval)* above, but two citations have been issued within the prior three years.

- c. If the Director of Planning finds that the matter may have a significant effect on neighboring properties, the Director may set the matter for public hearing. Written notice of the hearing shall be sent by First Class Mail at least 21 days prior to the hearing to the applicant, owners, and tenants of the property involved, owners and tenants of all properties abutting the proposed extended home-sharing activity, the City Councilmember representing the area in which the property is located, and the applicable Neighborhood Council. If the Director determines that the matter will not have a significant effect on neighboring properties, no hearing shall be held.
- d. The extended home-sharing application may only be approved if, in addition to the eligibility requirements for home-sharing, all of the following requirements are met, to the satisfaction of the Director:
 - i. The host provides proof of mailing of a notification, which includes a Director of Planning-issued publication outlining the complaint process, to abutting owners and occupants on a form provided by the Department of City Planning.
 - ii. In consideration of any comments received by the public on the application, the Director finds the use is in substantial conformance with the following findings:
 - a) That the extended home-sharing will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, City, or region;
 - b) That the extended home-sharing operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, the availability of housing, or the public health, welfare, and safety;
 - c) That the extended home-sharing substantially conforms with the purpose, intent, and provisions of the General Plan, the applicable community plan, and any applicable Specific Plan; and
 - d) That there is no substantial evidence of continued nuisance behavior from the location.

- e. If no appeal is filed within 15 days from the date of the Director's determination approving or denying an extended home-sharing application, the Director's decision is final. An appeal to the Area Planning Commission may be filed by the applicant or any abutting owner and occupant. An appeal shall be filed at the public counter of the Department of City Planning within 15 days of the date of the Director's decision. The appeal shall set forth specifically how the appellant believes the Director's findings and decision are in error. The Area Planning Commission may grant, conditionally grant, or deny the appeal. The failure of the Area Planning Commission to act upon an appeal within 75 days after the expiration of the appeal period, or within an additional period as may be agreed upon by the applicant and the Director, shall be deemed a denial of the appeal and the original action on the matter shall become final.

- i. **Ineligibility**

If the host's home-sharing registration has been suspended or revoked, the host is not eligible to apply for extended home-sharing for two years from the effective date of the revocation or suspension or as long as a citation remains open or unresolved, whichever is later.

- ii. **Expiration & Renewal**

An extended home-sharing registration is valid for one year from the date of issuance. An extended home-sharing registration is subject to the same expiration and renewal terms described in Subsection E. (*Expiration & Renewal*) above and may be renewed annually if the host meets the same renewal requirements in that Subsection.

- iii. **Revocations**

An extended home-sharing approval shall be revoked if there are two citations within a registration year in accordance with the process set forth in Subsection F. (*Suspensions & Revocations*) above. Pursuant to the revocation, the host shall be prohibited from participating in home-sharing for two years from the effective date of the Notice of Revocation or as long as a citation remains open or unresolved, whichever is later.

L. Administration & Regulations

No person shall fail to comply with the Administrative Guidelines.

M. Effective Date

This effective date of this Section (*Home-Sharing Program*) is July 1, 2019.

SEC. 5C.3.3. **ALCOHOL SALES PROGRAM**

A. Intent

To enable regulations for alcohol sales to be applied through an opt-in program that serves as an alternative to traditional conditional use permit in compliance with the California Constitution. Alternative permission areas allow for the sale or dispensing of alcoholic beverages to be tailored to local neighborhoods and districts in accordance with the needs of the surrounding economic and social context, while protecting public health, safety, and welfare.

B. Applicability

1. For establishments on lots identified as being within an Alcohol Permission Area, as established in *Sec. 1.5.9. (Alcohol Permission Area Map)*, all uses involving the sale or dispensing of alcoholic beverages (eating & drinking: alcohol service, and retail: alcohol uses) shall be subject to the use permission levels and performance standards as established in *Subsection C. (Alcohol Permission Area Standards)* below that correspond to the specified Alcohol Permission Area designation.
2. Establishments on lots not designated as being within a specific Alcohol Permission Area as established in *Sec. 1.5.9. (Alcohol Permission Area Map)* shall require review and approval by the Zoning Administrator for the permission to sell or dispense of alcoholic beverages in accordance with *Paragraph 5. (Unmapped/Noncompliant Establishments)* of *Subsection G. (Process)* below.
3. If the establishment or property has been the subject of Nuisance Abatement/Revocation pursuant to *Sec. 13B.6.2. (Nuisance Abatement/Revocation)* resulting in the revocation of any permit or imposition of any corrective conditions, all uses involving the sale or dispensing of alcoholic beverages shall require review and approval by the Zoning Administrator in accordance with *Paragraph 5. (Unmapped/Noncompliant Establishments)* of *Subsection G. (Process)* below.
4. If the establishment is proposing to modify or expand existing alcohol service to an outdoor dining area, the operator may be permitted pursuant to the Outdoor Dining Area Administrative Alcohol Authorization Process in *Paragraph 6. (Outdoor Dining Area Administrative Alcohol Authorization)* of *Subsection G. (Process)*, below.

C. Alcohol Permission Area Standards

The allowance of eating & drinking: alcohol service and retail: alcohol uses shall be subject to the permission levels, performance standards, security standards, and supplemental procedures, which are applicable based on the designated Alcohol Permission Area as established in the table below. The standards are described fully in *Subsection D. (Performance Standards)*, *Subsection E. (Security Standards)*, and *Subsection F. (Supplemental Procedures)* below. Proposed uses shall be reviewed and permitted by their corresponding procedures as established in *Subsection G. (Process)* below.

- Special Use Programs -

Alcohol Permission Areas	ALCOHOL SALES STANDARD APPLICABILITY			
	Alcohol Sensitive Sales Area	Limited Restaurant Beverage Area	Restaurant Beverage Area	Restaurant & Bar Nightlife Area
Use Permission				
Eating & Drinking:				
Alcohol Service	Requires Class 2 CUP	Permitted	Permitted	Permitted
Retail:				
Alcohol	Not Permitted	Requires Class 2 CUP	Requires Class 2 CUP	Requires Class 2 CUP
Performance Standards (see Subsection D.)				
1. In Conjunction with Restaurant	Applicable	Applicable	Applicable	Not Applicable
2. Lodging Establishments	Applicable	Applicable	Applicable	Not Applicable
3. Food Halls/Courts	Applicable	Applicable	Applicable	Not Applicable
4. Amount of Patron Seating	Not Applicable	Applicable	Applicable	Not Applicable
5. Booth/Group Seating	Not Applicable	Applicable	Applicable	Not Applicable
6. Private Dining & Banquet Rooms	Not Applicable	Applicable	Applicable	Not Applicable
7. Hours of Operation	Applicable	Applicable	Applicable	Not Applicable
8. Alcohol License Type	Applicable	Applicable	Applicable	Applicable
9. Gross Sales Limit	Applicable	Applicable	Not Applicable	Not Applicable
10. Serving of Alcohol	Applicable	Applicable	Applicable	Applicable
11. Fixed Bar Areas	Applicable	Applicable	Applicable	Not Applicable
12. Live Entertainment	Applicable	Applicable	Applicable	Not Applicable
13. Dance Floors	Applicable	Applicable	Applicable	Not Applicable
14. Pool/Billiard Tables	Applicable	Applicable	Applicable	Not Applicable
15. Patron Access Requirements	Applicable	Applicable	Applicable	Not Applicable
16. Adult-Oriented Activities	Applicable	Applicable	Applicable	Not Applicable
17. Alcohol-Oriented Events	Applicable	Applicable	Applicable	Not Applicable
18. Proximity to Agricultural or Residential Use Districts	Applicable	Applicable	Applicable	Applicable
19. "Good Neighbor" Standards	Applicable	Applicable	Applicable	Applicable
20. On-Site Notices & Information	Applicable	Applicable	Applicable	Applicable
Security Standards (see Subsection E.)				
1. Interior Illumination	Applicable	Applicable	Applicable	Not Applicable
2. Exterior Illumination	Applicable	Applicable	Applicable	Applicable
3. Surveillance System	Applicable	Applicable	Applicable	Applicable
4. Loitering	Applicable	Applicable	Applicable	Applicable
5. Electronic Age Verification	Applicable	Applicable	Applicable	Applicable
6. Patron & Employee Conduct	Applicable	Applicable	Applicable	Applicable
7. On-Duty Authority	Applicable	Applicable	Applicable	Applicable
8. "Responsible Beverage Service" (RBS) Training	Applicable	Applicable	Applicable	Applicable

Alcohol Permission Areas	ALCOHOL SALES STANDARD APPLICABILITY			
	Alcohol Sensitive Sales Area	Limited Restaurant Beverage Area	Restaurant Beverage Area	Restaurant & Bar Nightlife Area
Supplemental Procedures (see <i>Subsection F.</i>)				
1. Notice of Application	Applicable	Applicable	Applicable	Applicable
2. Preliminary Outreach	Applicable	Applicable	Not Applicable	Not Applicable
3. Provisional Approval	Not Applicable	Applicable	Not Applicable	Not Applicable

D. Performance Standards

The following standards apply if "Applicable" is provided for the Alcohol Permission Area for that performance standard type.

1. In Conjunction With Restaurant

Eating & drinking: alcohol service uses shall only be permitted in conjunction with a restaurant which complies with all of the following provisions:

- a. The establishment is a restaurant, which shall include an operational kitchen where food is prepared on-site and with a full menu containing an assortment of foods. Food service is available at all times during operating hours.
- b. The restaurant shall not include drive-through facilities.
- c. All food and beverages, except for takeout or delivery orders, shall be delivered to tables by an employee.
- d. The restaurant has a business tax registration certificate issued by the City of Los Angeles.
- e. Outdoor food and beverage service shall be limited to seated patrons.

2. Lodging Establishments

The restaurant providing alcohol service shall not be located in a lodging establishment.

3. Food Halls/Courts

There shall be no shared seating between the restaurant providing alcohol service uses and other restaurants.

4. Amount of Patron Seating

The restaurant providing alcohol service shall have between a minimum of 10 patron seats and a maximum of 150 patron seats. Any patron seating provided in an outdoor dining area that has less than 75 percent enclosure (regardless of covered area percentage), or less than 25 percent covered area (regardless of enclosure percentage), shall not be counted toward the maximum number of patron seats allowed.

5. Booth/Group Seating

Where booth or group seating is provided, no walls or partitions separating the booth or seating area from the main dining room shall be installed which exceed 48 inches in height above the surface on which occupants' feet are intended to rest. This requirement shall not apply to any booth or group seating provided in an outdoor dining area that has less than 75 percent enclosure (regardless of covered area percentage), or less than 25 percent covered area (regardless of enclosure percentage).

6. Private Dining & Banquet Rooms

Where a private dining or banquet room is provided, a minimum of 50 percent of the vertical surface area of that portion, extending up to six feet above the floor, of any wall or partition separating the private dining or banquet room from the main dining room shall be composed of a transparent surface and ensure the occupants are visible to persons looking into the private dining or banquet room. Hours of operation may be further limited by a use standard listed in the Use District table for the applied Use District (Part 5B.).

7. Hours of Operation

Daily hours of operation shall be limited to the hours between 7:00 am and 11:00 pm for both indoor and outdoor areas. There shall be no after-hours use of the restaurant, other than for routine clean-up and maintenance.

8. Alcohol License Type

The restaurant shall operate under a valid Type 41 or Type 47 license as issued by the California Department of Alcoholic Beverage Control.

9. Gross Sales Limit

The establishment shall operate with gross annual sales of alcohol not in excess of 45 percent of the establishment's total sales.

10. Serving of Alcohol

The serving of alcoholic beverages shall be subject to the following requirements:

- a. All service of alcoholic beverages shall be conducted by an employee.
- b. The establishment shall not sell distilled spirits by the bottle, or wine or champagne bottles that exceed 750 milliliters.

11. Fixed Bar Areas

The establishment shall only use fixed bars that are depicted on floor plans submitted to the Department of City Planning. Portable bars are prohibited.

12. Live Entertainment

Live entertainment, karaoke, or disc jockeys on the premises are prohibited.

13. Dance Floors

Dance floors or other designated dance areas on the premises are prohibited.

14. Pool/Billiard Tables

Pool tables and billiard tables are prohibited.

15. Patron Access Requirements

The establishment shall not impose any of the following patron restrictions or requirements:

- a. Minimum drink purchase required of patrons.
- b. Charge for admission.
- c. Age limitation restricting access to any portion of the restaurant.
- d. No more than 50 percent of the entire restaurant may be closed to the public for private events at a given time. Any portion of the restaurant used for private events shall be subject to all the same applicable standards.

16. Adult-Oriented Activities

The establishment shall not engage in any of the following adult-oriented activities:

- a. Activities established in *Sec. 5D.6.13. (Sexually Oriented Business)*.
- b. Solicitation or acceptance of any alcoholic or non-alcoholic beverage from any customer by any employee while working.
- c. Engage any employee for the specific purpose of sitting with or otherwise spending time with customers while on the premises.

17. Alcohol-Oriented Events

The establishment shall not organize or participate in organized events where participants or customers pre-purchase tickets or tokens to be exchanged for alcoholic beverages at the restaurant.

18. Proximity to Agricultural or Residential Use Districts

For establishments on lots abutting or across an alley from a lot with an applied *Agricultural Use District (Div. 5B.2.)* or *Residential Use District (Div. 5B.3.)*:

- a. Outdoor seating shall be limited to the ground story and surrounding grade only; and

- b. A wholly enclosed building, at least eight feet in height above-grade and extending the full length of the outdoor dining area, shall be located between the outdoor dining area and a lot with an applied *Agricultural Use District (Div. 5B.2.)* or *Residential Use District (Div. 5B.3.)* that may or may not be separated by an alley. The wholly enclosed building shall extend at minimum along the full length of the outdoor dining area. This requirement shall not apply to outdoor dining areas that comply with *Sec. 5C.2.4.B. (Eating & Drinking: All)* or outdoor dining permitted on a public sidewalk by a revocable permit issued by the Department of Public Works, Bureau of Engineering.

19. "Good Neighbor" Standards

All participating establishments shall be responsible for maintaining conformance with the following "good neighbor" standards:

a. Debris & Litter

The establishment shall maintain the premises and adjoining rights-of-way free of debris and litter.

b. Graffiti Abatement

Within 24 hours of its occurrence, all graffiti on the property under the restaurant's control shall be removed or painted over to match the color of the surface to which it is applied.

c. Waste Receptacles

All trash and recycling bins under control of the restaurant shall be kept closed and locked at all times when they are not in use, and shall be maintained such that they do not overflow.

d. Entertainment Equipment

Entertainment equipment, including televisions monitors/screens, music/speakers shall be prohibited outdoors, and shall be limited to indoor ambient sound at a low volume that is not audible outside of the building.

20. On-Site Notices & Information

All participating establishments shall provide the following on-site notices and information on the premises:

a. City-Issued Placard

A placard pursuant to this *Section (Alcohol Sales Program)* issued by the Department of City Planning shall be posted by the establishment in an area clearly visible to the public, indicating that it is subject to the requirements and restrictions applicable to the designated Alcohol Permission Area.

b. Copy of Alcohol Sales Program

A copy of this *Section (Alcohol Sales Program)* shall be retained on the premises at all times and produced upon request by the Los Angeles Police Department, the Department of Building and Safety, the Department of City Planning, or the California Department of Alcoholic Beverage Control.

c. Complaint Number

A telephone number and email address shall be maintained for complaints or concerns regarding the operation of the establishment. The phone number and email address shall be provided on the establishment's website or, if there is no website, on its social media pages. The phone number and email address also shall be posted on a sign at least 8.5 × 11 inches in size, which shall be updated to reflect any changes, at the following locations:

- i. Entry, visible to pedestrians; and
- ii. Customer service desk, front desk or near the reception area, and visible to patrons.

d. Complaint Response Time

The establishment shall respond to complaints within 24 hours. The establishment shall maintain a log of all calls and emails, detailing the date the complaint was received, the nature of the complaint, and the manner in which the complaint was resolved. This log shall be made available to the Department of Building and Safety upon request.

E. Security Standards

The following standards apply if "Applicable" is provided for the Alcohol Permission Area for that security standard type.

1. Interior Illumination

Within the establishment, the interior shall be adequately illuminated so as to make discernible all objects and persons, or have a minimum average surface illumination of 2.0 footcandles (21.5 lx).

2. Exterior Illumination

In addition to the requirements in *Sec. 4C.10.1.C.2. (Lighting Quantity)*, all exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space, or have a minimum average surface illumination of 0.2 footcandles (2.15 lx). Lighting shall be installed in conformance with *Sec. 4C.10.1.C.1. (Light Trespass)*.

3. Surveillance System

A camera surveillance system shall be installed and in operation at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days.

4. Loitering

Loitering is prohibited in all areas under the control of the establishment. A "No Loitering or Public Drinking" sign that is a minimum of 4 x 6 inches shall be posted outside next to every exit.

5. Electronic Age Verification

An electronic age verification device shall be retained on the premises available for use during operational hours. This device shall be maintained in operational condition and all employees shall be instructed in its use.

6. Patron & Employee Conduct

The establishment shall monitor both patron and employee conduct on the premises, and take all reasonable steps to ensure that the conditions and activities on the premises and within the parking areas under its control do not adversely affect or detract from the quality of life for the adjoining residents, property owners, and businesses. Reasonable steps include, but are not limited to:

- a. Requesting that those persons engaging in conduct that constitutes a nuisance cease such conduct, unless the owner or operator has reasonable cause to believe such request may jeopardize personal safety;
- b. Contacting the Los Angeles Police Department or other law enforcement agency if the owner or operator's attempts to abate the nuisance conduct have been unsuccessful, or if the owner or operator has reasonable cause to believe such attempts may jeopardize personal safety; and
- c. Taking timely preventive actions to address conditions that facilitate loitering and other nuisance activity on the premises, such as removing furniture from areas adjacent to the entry of the restaurant, or prohibiting persons from using any portion of the premises for the installation or operation of a temporary business or other use.

7. On-Duty Authority

A minimum of one on-duty manager with authority over the activities within the establishment shall be on the premises at all times that the establishment is open for business. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable state laws, LAMC requirements and the conditions imposed by the California Department of Alcoholic Beverage Control. The establishment shall be responsible for

discouraging illegal and criminal activity on the subject premises and any exterior area under its control.

8. "Responsible Beverage Service" (RBS) Training

Within the first six months of the date of approval in accordance with the applicable process established in *Subsection G. (Process)* below, all employees involved with the sale of alcohol shall enroll in a training program as required by the California Department of Alcoholic Beverage Control and/or the Los Angeles Police Department, such as the California Department of Alcoholic Beverage Control "Responsible Beverage Service" (RBS) training program. Upon completion of such training, the establishment shall request the California Department of Alcoholic Beverage Control or Los Angeles Police Department to issue a letter identifying which employees completed the training. Said letter shall be maintained on the premises and shall be made available to the City upon request. All required training shall be conducted for each new hire within three months of the start of employment.

F. Supplemental Procedures

In addition to the procedures established in *Sec. 13B.3.1. (Administrative Review)* or pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, whichever is applicable, the following supplemental procedures shall be carried out when "Applicable" to is provided for the Alcohol Permission Area:

1. Notice of Application

The City Council District office, the Los Angeles Police Department, and the Certified Neighborhood Council within which the establishment is located shall be notified by the Department of City Planning at the time an application is filed. If the establishment is not within the boundaries of a Neighborhood Council, then notification to only the applicable City Council District office shall be sufficient.

2. Preliminary Outreach

Prior to filing the application, the applicant shall conduct outreach by presenting information about the establishment at one or more Certified Neighborhood Council meetings, Business Improvement District meetings, or other meetings of such established community organization if the establishment is not within either a Certified Neighborhood Council or Business Improvement District boundary. Presentations shall include a flyer or other summary including the establishment name, contact information, projected opening date, menu and alcohol to be sold (beer, wine, and/or distilled spirits).

3. Provisional Approval

The sale of beer and wine within the establishment shall be limited to a one year provisional period that begins the day following the date of approval by the Department of City Planning and ends after 365 days. Upon completion of the one year provisional period, the Department shall conduct a review of the establishment's compliance with this section and any validated complaint received by the City and take actions consistent with the following:

a. Validated Complaints

Validated complaints are complaints that were either submitted by the public through a City complaint portal or initiated as a result of City-initiated inspections regarding violations of the provisions applicable to the designated alcohol permission area, and which result in an Order to Comply issued by the Department of Building and Safety, or citations issued by the Los Angeles Police Department, or any other City enforcement-related action.

b. Four or Fewer Validated Complaints

If an establishment receives four or fewer validated complaints upon completion of the one year provisional period, the establishment shall be allowed to continue participating in the Alcohol Sales Program pursuant to this *Section (Alcohol Sales Program)*. The restaurant shall continue to be subject to the provisions applicable to the designated Alcohol Permission Area.

c. Five or More Validated Complaints

If an establishment receives five or more validated complaints upon the completion of the one year provisional period, the provisional approval by the Department of City Planning shall be terminated. If the establishment wishes to continue the sale or dispensing of alcoholic beverages, it shall only be permitted with approval by the Zoning Administrator, pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*.

G. Process**1. Alcohol Sensitive Sales Area**

- a.** For establishments on lots identified as being within an Alcohol Sensitive Sales Area, retail: alcohol uses are not permitted.
- b.** Eating & drinking: alcohol service uses shall be provided in conjunction with a restaurant which complies with all of the performance standards provided in *Subsection D. (Performance Standards)* and shall require review and approval by the Zoning Administrator, pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)* for permission to sell or dispense alcoholic beverages in accordance with *Paragraph 5. (Unmapped/ Noncompliant Establishments)* below.

2. Limited Restaurant Beverage Area

- a.** For establishments on lots identified as being within a Limited Restaurant Beverage Area, eating & drinking: alcohol service uses shall be permitted by the Department of City Planning, pursuant to *Sec. 13B.3.1. (Administrative Review)*, when in compliance with the applicable provisions established for the Limited Restaurant Beverage Area in *Sec. 5C.3.3.C. (Alcohol Permission Area Standards)*.

- b. For establishments that do not seek administrative review pursuant to *Sec. 13B.3.1. (Administrative Review)*, permission to sell or dispense alcoholic beverages shall require review and approval by the Zoning Administrator, pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)* in accordance with *Paragraph 5. (Unmapped/Noncompliant Establishments)* below.

3. Restaurant Beverage Area

- a. For establishments on lots identified as being within a Restaurant Beverage Area, eating & drinking; alcohol service uses may be permitted by the Department of City Planning, pursuant to *Sec. 13B.3.1. (Administrative Review)*, when in compliance with the applicable provisions established for the Restaurant Beverage Area in *Sec. 5C.3.3.C. (Alcohol Permission Area Standards)*.
- b. For establishments that do not seek administrative review pursuant to *Sec. 13B.3.1. (Administrative Review)*, permission to sell or dispense alcoholic beverages shall require review and approval by the Zoning Administrator, pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)* in accordance with *Paragraph 5. (Unmapped/Noncompliant Establishments)* below.

4. Restaurant & Bar Nightlife Area

- a. For establishments on lots identified as being within a Restaurant & Bar Nightlife Area, alcohol service may be permitted to sell or dispense alcoholic beverages by the Department of City Planning, pursuant to *Sec. 13B.3.1. (Administrative Review)*, when in compliance with the applicable provisions established for the Restaurant & Bar Nightlife Area in *Sec. 5C.3.3.C. (Alcohol Permission Area Standards)*.
- b. For establishments that do not seek administrative review pursuant to *Sec. 13B.3.1. (Administrative Review)*, permission to sell or dispense alcoholic beverages shall require review and approval by the Zoning Administrator, pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)* in accordance with *Paragraph 5. (Unmapped/Noncompliant Establishments)* below.

5. Unmapped/Noncompliant Establishments

For establishments on lots that do not have an Alcohol Use Permission Area designation, or establishments on lots identified as being within Alcohol Sales Area but do not seek compliance with the provisions applicable to the designated Alcohol Permission Area, or that have had a permit revoked or had corrective conditions applied as a result of Nuisance Abatement/Revocation pursuant to *Sec. 13B.6.2. (Nuisance Abatement/Revocation)*, eating & drinking; alcohol service and retail; alcohol uses shall require review and approval by the Zoning Administrator, pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)* for the sale or dispensing of alcoholic beverages and be subject to the following:

a. Supplemental Findings

In addition to the findings otherwise required by *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, the Zoning Administrator shall also consider:

- i. Whether the granting of the application will result in an undue concentration of uses that dispense alcoholic beverages within a 1,000-foot radius of the lot according to the California Department of Alcoholic Beverage Control's guidelines for undue concentration.
- ii. The existing crime rate nearby, especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace, and disorderly conduct, and whether revocation or nuisance proceedings have been initiated for any similar use in the area.
- iii. Whether the proposed use will not detrimentally affect nearby *Residential Use Districts (Div. 5B.3.)* or sensitive uses.

b. Multiple Approvals

With the exception of retail: alcohol, permission for multiple approvals to allow alcohol service for three or more tenant spaces may be applied for under a single conditional use permit entitlement, subject to the following:

- i. Tenant spaces are maintained under a single ownership within a unified complex comprising a combined floor area of 10,000 square feet or greater on the same site.
- ii. The entitlement application for multiple conditional use permits shall be subject to processes and procedures required by *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*.
- iii. Project review, as established in *Sec. 13B.2.2.H. (Modification of Entitlement)*, shall be completed for each individual tenant space resulting in approval for each individual tenant space prior to the establishment of the proposed use within the subject tenant space.
- iv. Applications shall detail the square footage of each tenant space, suite or unit number, hours of operation, and specific nature of proposed use for each tenant-operator space.
- v. Each individual tenant space shall be separately addressed with applicable site-specific conditions. Any change in tenant-operator shall be required to apply for approval of plans as established in *Sec. 13B.2.2.H. (Modification of Entitlement)*, in order to evaluate the applicability of existing conditions and review any potential changes in site operations and conditions.

c. Process Exemption

Establishments that have outdoor dining areas that comply with *Sec. 5C.2.4.B. (Eating & Drinking: All)* shall be exempt from conditional use approval or a plan approval for the purposes of providing an outdoor dining area.

6. Outdoor Dining Area Administrative Alcohol Authorization**a. Eligibility Criteria & Standards**

Alcohol service provided in conjunction with a restaurant may be provided in an outdoor dining area on private property and/or in the public right-of-way through an administrative alcohol authorization, *pursuant to Sec. 13B.3.1. (Administrative Review)*, provided the establishment meets all of the following eligibility criteria and standards:

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

b. Performance Standards

- i. Any fixed or portable bars located in an outdoor dining area shall not used as a point of sale;
- ii. All alcohol shall be delivered to and served at tables by employees;
- iii. All patrons shall be seated.

c. Deemed Approved with LA Al Fresco Authorization

- i. Establishments that have a valid LA Al Fresco Authorization issued or renewed as of January 31, 2024 and have not been previously revoked for violations shall be considered deemed approved and authorized to continue alcohol service operations of the outdoor dining area in compliance with the eligibility criteria and standards set forth in *Subparagraph a. (Eligibility Criteria & Standards)*, above.
- ii. No fee shall be charged for administrative verification of Al Fresco deemed approved status. Deemed approved status must be obtained within six months of the expiration of the previously-issued temporary authorization (LA Al Fresco Temporary Authorization).

d. Expanded Outdoor Dining Area Clearance

- i. Establishments that did not receive deemed approved status through the LA Al Fresco Temporary Authorization shall be authorized to serve in outdoor dining areas pursuant to an Expanded Outdoor Dining Area Clearance issued in compliance with the eligibility criteria and standards set forth in *Subparagraph a. (Eligibility Criteria & Standards)*, above.
- ii. The "Building Permit Clearance - Minor" fee pursuant to *Sec. 15.3.2. (Ministerial Action Fees)* of this Code shall be charged for an Expanded Outdoor Dining Area Clearance.

H. Records & Agreements**1. Case File Material**

Upon submission of an application for the Alcohol Sales Program, the applicant shall submit the following with the application, which shall be kept as part of the case file:

- a. A floor plan and site plan to the Department of City Planning demonstrating compliance with the requirements and standards as established for the Alcohol Use Permission Area designation;
- b. When the establishment is in a Limited Restaurant Beverage Area, a flyer or other summary including the establishment name, contact information, projected opening date, menu and alcohol to be sold (beer, wine, and/or distilled spirits) prepared and presented for outreach purposes;
- c. When the establishment is in a Limited Restaurant Beverage Area, proof of outreach conducted pursuant to *Paragraph 2. (Preliminary Outreach) of Subsection F. (Supplemental Procedures)* above which shall include an official agenda listing the establishment as intending to apply for the Alcohol Sales Program or a letter on organization letterhead attesting to the appearance or presence of the applicant before the Board of the local Certified Neighborhood Council, Business Improvement District, or established community organization pursuant to *Paragraph 2. (Preliminary Outreach) of Subsection F. (Supplemental Procedures)* above; and

- d. A revocable permit from the Department of Public Works, Bureau of Engineering, is required for any outdoor dining area located in the public right-of-way. A copy of the approved revocable permit, including a plan and any conditions thereto, shall be provided to the Department of City Planning prior to placing any seating in the public right-of-way.
- e. Establishments seeking to expand an existing alcohol approval to an outdoor dining area and that are eligible for approval through an Outdoor Dining Area Administrative Alcohol Authorization shall submit materials required pursuant to *Paragraph 6. (Outdoor Dining Area Administrative Alcohol Authorization)* of *Subsection G. (Process)* above.

2. **Covenant & Agreement**

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

3. **Mandated Inspections**

The City shall have the authority to conduct inspections to verify compliance with any and all of the requirements and standards as established in this *Section (Alcohol Sales Program)*. Upon payment of fees pursuant to *Chapter I. (General Provisions and Zoning), Sec. 19.04. (Fees for Sign Off or Clearance Requests)* of this Code, the applicant is subject to the following:

- a. Within the first 24 months of the approval by the Department of City Planning, pursuant to *Sec. 13B.3.1. (Administrative Review)*, or by the Zoning Administrator, pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, an inspector shall conduct a site visit to assess compliance with, or violations of, any of the applicable provisions of this *Section (Alcohol Sales Program)*. A second inspection shall take place within 36 months of the first inspection.
- b. The owner and operator shall be notified in writing of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed may result in additional corrective actions taken by the City.

4. **Violations**

If an establishment is issued three citations for violating the provisions applicable to the designated Alcohol Permission Area in any two-year period, the approval by the Department of City Planning shall be terminated and the establishment shall be made ineligible to participate in the Alcohol Service Program for a period of five years commencing on the date of the third citation. If the establishment wishes to continue the sale or dispensing of alcoholic beverages,

it shall only be permitted with approval by the Zoning Administrator, pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*.

- a. A citation shall include citations issued by the Los Angeles Police Department or Orders to Comply issued by the Department of Building and Safety.
- b. The California Department of Alcoholic Beverage Control shall be notified by the Los Angeles Police Department or other enforcement agency of the issued citations.

5. **Modification of Establishment**

The owner or the operator of the establishment shall reapply for approval by the Department of City Planning, pursuant to *Sec. 13B.3.1. (Administrative Review)*, if there is:

- a. A change in State alcohol license type;
- b. A change in the ownership or the operator of the establishment; or,
- c. A modification to the floor plan, including, but not limited to, floor area or number of seats, or a modification to outdoor seating. However, establishments that are eligible for an Outdoor Dining Area Administrative Alcohol Authorization pursuant to *Paragraph 6. (Outdoor Dining Area Administrative Alcohol Authorization) of Subsection G. (Process)* above shall not be required to reapply for approval pursuant to *Sec. 13B.3.1. (Administrative Review)* and may request approval through Outdoor Dining Area Administrative Alcohol Authorization instead.

SEC. 5C.3.4. **CERTIFIED FARMERS' MARKET**

A. **Intent**

To increase access to healthy food in neighborhoods and expand opportunities for small-scale entrepreneurs through a set of performance standards that ensure the safe, orderly, and efficient operation of farmer's markets.

B. **Performance Standards**

1. Retail: farmers' market, certified activities are limited to two days per week, and limited to the hours of operation specified by the applied *Use District (Part 5B.)*.
2. Operator shall be limited to certified producers, non-profit organizations, and local government agencies.
3. If selling fruits, nuts, or vegetables, the producer is authorized by the County Agricultural Commissioner to sell directly to consumers these products that are produced upon the land which the certified producer farms and owns, rents, leases or sharecrops.

- Special Use Programs -

4. If selling eggs, honey, fish and other seafood and freshwater products, live plants, and other agricultural products, the market operator and producer secure all necessary licenses, certificates and health permits which are required to sell these products directly to consumers, provided these products are raised, grown, caught, and processed, if necessary, in California.
5. Safety barricades shall be provided to separate and protect vendors and their customers from moving vehicles wherever active motor vehicle use areas and farmer's market activities are not separated by a permanent curb.
6. Trash containers shall be provided during the hours of operation.
7. Any portion of the lot used for market activities shall be cleaned at the close of hours of operation. For purposes of this *Section (Certified Farmers' Market)* only, "cleaned" shall include, but not be limited to, the removal of stalls, materials, debris and trash, etc., used in conjunction with market activities.
8. (EBT) card payments shall be accepted by all vendors for all hours of operation. A Food and Nutrition Service (FNS) Number issued by the United States Department of Agriculture shall be available at the public's request as proof of Electronic Benefit Transfer (EBT) card acceptance.
9. Certification of the Certified Farmers' Market and contact information for the operator shall be posted at the main entry, and otherwise available at the public's request. The contact person shall be available during the hours of operation and shall respond to any complaints. The operator shall keep a log of complaints received, the date and time received, and their disposition.

SEC. 5C.3.5. SEASONAL MARKET PROGRAM**A. Intent**

To accommodate the seasonal retail sale of ornamental pumpkins and Christmas trees through a set of performance standards that ensure the safe, orderly, and efficient operation of temporary market activities on a lot.

B. Performance Standards

1. The operator of such sale of pumpkins and/or Christmas trees shall pay a business tax and post a \$200 clean-up deposit with the City's Office of Finance prior to any lot preparation or sales.

2. Pumpkin Sales

This use, including construction or preparation of the lot, fencing, trailers, tents, storage, equipment, installations, and sales is permitted between October 15th and October 31st inclusive. The lot must be cleaned and restored to its original condition by November 14th. Failure to do so will result in forfeiture of the clean-up deposit.

3. Christmas Tree Sales

This use, including construction or preparation of the lot, fencing, trailers, tents with aggregate area up to 600 sq. ft., storage, equipment, installations, and sales is permitted between December 1st and December 25th inclusive. The lot must be cleaned and restored to its original condition by January 8th. Failure to do so will result in forfeiture of the clean-up deposit.

4. Pumpkin & Christmas Tree Sales

This use, including construction or preparation of the lot, fencing, trailers, tents, storage, equipment, installations, and sales of pumpkins is permitted between October 15th and October 31st inclusive. The lot must be cleaned of pumpkins and accessory materials by November 7th. Thereafter, the lot must be maintained secure, clean, and not utilized. Existing fencing, trailers, and equipment may be maintained on the lot until the sale of Christmas trees commencing on December 1st through December 25th inclusive. The lot must be cleaned and restored to its original condition by January 8th. Failure to do so will result in forfeiture of the clean-up deposit.

5. Any lights to illuminate the site shall be arranged to reflect the light away from any lots zoned with a *Residential Use District (Div. 5B.3.)* or *Residential-Mixed Use District (Div. 5B.4.)*, except that this restriction does not apply to frosted light bulbs of 100 watts or less.
6. There shall be no use of any sound equipment in any *Residential Use District (Div. 5B.3.)* or *Residential-Mixed Use District (Div. 5B.4.)* in conjunction with the retail sale of pumpkins and Christmas trees.
7. A Los Angeles County Health Department approved chemical toilet shall be provided on the premises.

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DIV. 5D.1. **USE DEFINITIONS**

SEC. 5D.1.1. **INTENT**

Use definitions are intended to describe and classify land uses that share a common set of key attributes, such as general function, activity, intensity, and impact for the purposes of prescribing a common permission level and a set of use standards within a Use District. The Zoning Administrator may maintain a more comprehensive list of specific uses according to their use definition classification.

SEC. 5D.1.2. **QUALITATIVE DESCRIPTIONS**

Use definitions are often broad in nature and typically capture a wide variety of specific uses that share common attributes. Each definition provides a qualitative description of these attributes that is intended to guide the user toward the defined use that most closely describes the nature of the specific use in question.

SEC. 5D.1.3. **NUMERIC THRESHOLDS**

Use definitions may include a numerical threshold, such as size or capacity. Numeric thresholds are established based on the scale at which a particular use may require separate consideration of potential impacts, or may be inappropriate within the particular use mix that a Use District is intended to accommodate. Uses that contain a numeric threshold may be assigned a naming modifier, such as 'minor' or 'major', 'local' or 'regional', and 'light' or 'heavy'.

SEC. 5D.1.4. **SPECIFIED USES**

Use definitions may include a list of specific uses that share common attributes to support a definition's broader qualitative description. These specific uses are provided as illustrative examples to guide users in interpretation and implementation, but are not intended to represent an exhaustive list. The Zoning Administrator has the authority to establish and maintain a Specific Use List administratively as deemed necessary and appropriate for the purposes of ensuring consistent application and alignment of specific uses with the use definitions in this code.

DIV. 5D.2. **RESIDENTIAL USES**

Residential uses are defined as uses that provide housing accommodations, residential support services, and home-based enterprise.

SEC. 5D.2.1. **DWELLING**

A dwelling is defined as a housing accommodation serving as a primary residency or having an occupancy of greater than 30 consecutive days. A dwelling includes household dwelling unit, efficiency dwelling unit, and group dwelling.

SEC. 5D.2.2. **HOUSEHOLD BUSINESS**

A household business is a use that combines a dwelling with productive uses and entrepreneurial activities within a unit or building.

A. **Family Child Care**

Household business: family child care is defined as the provision of non-medical care and supervision for children in the provider's primary residence for periods of less than 24 hours per day. No more than 14 children shall be in care, unless Use District standards specify otherwise. Any children under the age of 10 years who reside within the dwelling unit and are in care count toward the maximum number of children in care. This use shall comply with all regulations set forth in California Health and Safety Code Sec. 1597.465 (Family Day Care Homes).

B. **Home Occupation**

Household business: home occupation is defined as the incidental use of a dwelling unit for the intent of conducting a business enterprise by a primary resident of the dwelling unit. Home occupation business enterprises are limited to instructional services, personal services, office uses, and industrial homework.

C. **Home-Sharing**

Household business: home-sharing is defined as the use of a primary residence for lodging for periods of 30 days consecutively or less, and no more than 120 days annually. The use of a dwelling unit for home-sharing shall be in conjunction with a dwelling use. The use of a dwelling unit for home-sharing shall meet the registration and eligibility requirements pursuant to Sec. 5C.3.2. (Home-Sharing Program).

D. **Joint Living & Work Quarters**

Household business: joint living & work quarters is defined as the adaptive reuse of a building or portion of a building, which is part of an adaptive reuse project, from commercial or industrial uses to household business: live/work use.

E. Live/Work

Household business: live/work is defined as the combination of a dwelling unit with a work space designated for productive uses and entrepreneurial activities within a single dwelling unit.

SEC. 5D.2.3. MOBILE HOME PARK

Mobile home park is defined as any lot or portion of a lot used to provide rental or lease sites for two or more individual manufactured homes, mobile homes, or park trailer used to provide housing accommodations.

SEC. 5D.2.4. SUPPORTIVE HOUSING

Supportive housing is defined as a residential use that provides housing accommodations and support services on a voluntary basis to residents on an ongoing basis.

A. General

Supportive housing: general is defined as a residential use with no limit on length of stay for persons with low incomes and/or who have one or more disabilities who may require support from on-site or off-site supportive services for daily living. Eligible populations may include seniors, children within the foster care system, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, individuals receiving rehabilitation or mental health support, veterans, and persons or families experiencing homelessness. The housing accommodations are linked to on-site or off-site supportive services, including, but not limited to: subsidized, permanent housing; intensive case management; medical or mental health care; substance abuse treatment; employment services; benefits advocacy; or other services or service referrals necessary to obtain and maintain housing. Any floor area used for office workspace accommodating the administration of supportive services shall be incidental to the residential use. Medical services shall not be provided on the premises, unless otherwise permitted by the applied Use District. Supportive housing: general includes a residential community care facility, residential care facility for elderly, and permanent supportive housing. Residential uses with six or fewer beds shall be classified as a dwelling rather than supportive housing: general. This use does not include non-residential community care facilities, for such uses see Sec. 5D.3.10. (Social Services).

B. Medical Care

Supportive housing: medical care is defined as a residential use of long, and short-term occupation, which may be licensed by the California Department of Health, to provide 24-hour non-acute medical services and supportive care on the premises. Supportive housing: medical care includes congregate living health facilities, skilled nursing homes, residential mental health facilities, and hospice care. Any floor area used for office workspace accommodating the administration of medical services and supportive care shall be incidental to the residential use. Supportive housing: medical care facilities may include dwelling units, common dining areas, or other community rooms.

C. Temporary

Supportive housing: temporary is defined as a facility providing temporary housing accommodations or services, including low barrier navigation, to persons or families experiencing homelessness. Supportive housing: temporary may provide housing for persons or families experiencing homelessness for a time period not to exceed six months within a calendar year. Supportive housing: temporary shall be provided by a government agency or private non-profit organization which provides, or contracts with recognized community organizations to provide, emergency or temporary shelter or services for persons or families experiencing homelessness.

DIV. 5D.3. PUBLIC & INSTITUTIONAL USES

Public & institutional uses are defined as uses dedicated to serving the public through the provision of government services, utilities, healthcare, education, and culture.

SEC. 5D.3.1. CEMETERY

A cemetery is defined by California Health and Safety Code, Sec. 7003. (Definitions). A cemetery includes columbarium, crypt, and mausoleum facilities integrated within a burial ground. This use does not include crematoriums, for such uses see Sec. 5D.6.11. (Postmortem Services).

SEC. 5D.3.2. CIVIC FACILITY

Civic facility is defined as any publicly accessible facility that provides governmental or cultural services to the general public and is operated by or in partnership with a governmental institution. A civic facility includes a post office, civic center, community center, public museum, courthouse, government office, or library.

A. Local

A civic facility: local is defined as a civic facility that occupies no more than 50,000 square feet of total floor area. This use does not include similar uses that occupy more than 50,000 square feet of total floor area, for such uses see Sec. 5D.3.2.B. (Civic Facility: Regional).

B. Regional

A civic facility: regional is defined as a civic facility that occupies more than 50,000 square feet of total floor area. This use does not include similar uses that occupy 50,000 square feet or less of total floor area, for such uses see Sec. 5D.3.2.A. (Civic Facility: Local).

SEC. 5D.3.3. CIVIC FLEET SERVICES

Civic fleet services include maintenance, storage, and management of government or publicly operated motor vehicles, such as school buses, municipal transit vehicles, emergency response vehicles, public utility vehicles, or waste hauling vehicles, in service of any civic facility use. Where uses, such as dispatch, do not include motor vehicle maintenance or storage, they are allowed pursuant to Sec. 5D.3.2. (Civic Facility).

SEC. 5D.3.4. DETENTION FACILITY

Detention facility is defined as any facility where persons are incarcerated, or otherwise involuntarily confined under the jurisdiction and custody of a governmental entity. Detention facilities include correctional facilities and penal institutions.

SEC. 5D.3.5. HOSPITAL

Hospital is defined as an inpatient or outpatient healthcare facility that provides direct medical treatment to patients.

A. Local

Hospital: local is defined as an inpatient or outpatient acute or subacute care facility with a capacity of 100 or fewer beds that provides direct medical treatment to patients. This use does not include outpatient facilities not providing acute or sub-acute care, for such uses see Sec. 5D.6.8. (Medical Clinic).

B. Regional

Hospital: regional is defined as an inpatient acute care and sub-acute care facility with a capacity of more than 100 beds that provides direct medical treatment to patients. This use does not include inpatient facilities providing sub-acute care with a capacity of fewer than 100 beds, for such uses see Sec. 5D.3.5.A. (Hospital: Local).

SEC. 5D.3.6. PARKING

Parking is defined as a facility intended for the temporary storage of operable vehicles belonging to a site's occupants, employees, or visitors and is designed to meet the standards of Sec. 4C.4.4. (Parking Area Design). Includes parking structures and surface parking lots. This use does not include long term vehicle storage, for such uses see Sec. 5D.7.5. (Storage, Outdoor).

SEC. 5D.3.7. PUBLIC SAFETY FACILITY

A public safety facility is defined as any government facility that provides public safety services. Public safety facility includes fire stations and police stations.

SEC. 5D.3.8. COMMUNITY ASSEMBLY

Community assembly is defined as any non-residential and not-for-profit facility that is oriented around an assembly space used primarily for the temporary gathering of people for a shared social purpose. Access to the general public may be limited based on association. Community assembly includes any place of worship, community meeting room, private club, event space, assembly hall, social club, or union hall.

A. Local

Community assembly: local is defined as any community assembly use that includes an assembly space 2,000 square feet or less. This use does not include similar uses that occupy more than 2,000 square feet of total assembly space floor area, for such uses see Sec. 5D.3.8.B. (Community Assembly: Regional).

B. Regional

Community assembly: regional is defined as any community assembly use that includes an assembly space larger than 2,000 square feet. This use does not include similar uses that occupy 2,000 square feet or less of total assembly space floor area, for such uses see Sec. 5D.3.8.A. (Community Assembly: Local).

SEC. 5D.3.9. SCHOOL

School is defined as an institution of academic learning and social development that provides facilities for teaching and instruction to accommodate a student body. A school use is inclusive of preschool, K-12, post-secondary education, and associated athletic and recreational facilities. This use does not include avocational, recreational, or other educational or instruction-based uses, for such uses see Sec. 5D.6.6. (Instructional Services). This use does not include a campus auditorium or stadium facilities with a seating capacity greater than 3,000 seats, for such uses see Sec. 5D.4.1. (Amphitheater or Stadium).

A. Preschool/Daycare

School: preschool/daycare is defined as a facility providing care, supervision, and educational services to children during the day. A school: preschool/daycare includes all forms of early childhood education, daycare, and after school supervision. This use does not include in-home child care, for such uses see Sec. 5D.2.2.A. (Household Business: Family Child Care).

B. K-12

School: K-12 is defined as an institution of learning which offers instruction in grades Kindergarten through 12th grade, and associated recreation and athletic facilities serving its students.

C. Post-Secondary

School: post-secondary is defined as an institution offering a formal educational program beyond K-12, including programs whose intent is academic, vocational, or continuing professional education. School: post-secondary includes college, technical school, trade school, and university.

SEC. 5D.3.10. SOCIAL SERVICES

Social services are defined as publicly accessible administrative services and governmental services that support public welfare through social programs. Social services may be operated by a government entity, a non-profit or a non-governmental organization, and includes welfare service, foster family services, day treatment, adult day care, special needs care, and all other non-residential community care facilities.

SEC. 5D.3.11. UTILITIES

Utilities use is defined as utility infrastructure as a primary use of land, necessary for the public provision of services such as water, sewer, power, or communications. For the purposes of this

definition, utilities uses exclude the following off-site systems: transmission lines, pipes, or other systems for conveying and transmitting services within utility easements, as those systems are not regulated as a use of land by this Article (Use).

A. Minor

Utilities: minor is defined as utility infrastructure that does not require significant health, safety, and environmental precautions, and do not require on-site personnel. Utilities: minor includes renewable energy generation, including wind turbines, geothermal systems, and solar photovoltaic systems serving no more than 10 different lots with supporting on-site storage, control and transmission equipment, storm water retention or detention ponds, aeration and septic systems, reservoirs, lift stations, water supply wells and water tanks or towers, telecommunications switching facilities, and electrical substations.

B. Major

Utilities: major is defined as utility infrastructure that requires significant health, safety, and environmental precautions due to potential adverse impacts immediate surroundings, and requires on-site personnel. Utilities: major include non-solar power generation facilities, wastewater treatment, and water supply treatment.

C. Solar Energy Facility

Utilities: solar energy facility is defined as utility infrastructure that generates energy for the general public using a solar photovoltaic system primarily for off-site use or sale serving 11 or more lots.

D. Wireless Facility, Freestanding

Utilities: wireless facility, freestanding is defined as a freestanding device or system including a monopole, tower, or antenna for the transmitting or receiving of electromagnetic signals, including, but not limited to, radio waves and microwaves, for cellular technology, personal communications services, mobile services, paging systems and related technologies. Facilities include antennas, microwave dishes, parabolic antennas and all other types of equipment used in the transmission and reception of such signals; structures for the support of such facilities, associated buildings or cabinets to house support equipment, and other accessory structures or development. A utilities: wireless facility, freestanding is a type of telecommunications facility.

E. Wireless Facility, Rooftop

Utilities: wireless facility, rooftop is defined as a device or system that is mounted on a building or structure rooftop for the transmitting or receiving of electromagnetic signals, including, but not limited to, radio waves and microwaves, for cellular technology, personal communications services, mobile services, private antennas, paging systems and related technologies. Facilities include antennas, microwave dishes, parabolic antennas and all other types of equipment used in the transmission and reception of such signals; structures for the support of such facilities, associated buildings or cabinets to house support equipment, and other accessory structures or development. A utilities: wireless facility, rooftop is a type of telecommunications facility.

DIV. 5D.4. **OPEN SPACE & RECREATION USES**

Open space & recreational uses are defined as uses that provide opportunities for recreation, sport, and the enjoyment of open space and nature.

SEC. 5D.4.1. **AMPHITHEATER OR STADIUM**

A. **Local**

Amphitheater or stadium: local is defined as any outdoor or semi-outdoor assembly facility intended to accommodate a large number of spectators for performances or sporting events and having an associated seating capacity of less than 3,000 seats. This use does not include facilities with seating capacity of 3,000 seats or more, for such uses see Sec. 5D.4.1.B. (Amphitheater or Stadium: Regional). This use does not include an amphitheater or stadium associated with a school, for such uses see Sec. 5D.3.9. (School). This use does not include a fully indoor assembly facility intended to accommodate a large number of spectators for performances or sporting events, for such uses see Sec. 5D.6.4. (Entertainment Venue, Indoor).

B. **Regional**

Amphitheater or stadium: regional is defined as any outdoor or semi-outdoor assembly facility intended to accommodate a large number of spectators for performances or sporting events and having an associated seating capacity of 3,000 seats or more. This use includes an amphitheater or stadium associated with a school. This use does not include facilities with seating capacity of less than 3,000 seats, for such uses see Sec. 5D.4.1.A. (Amphitheater or Stadium: Local). This use does not include fully indoor assembly facilities intended to accommodate a large number of spectators for performances or sporting events, for such uses see Sec. 5D.6.4. (Entertainment Venue, Indoor).

SEC. 5D.4.2. **INDOOR RECREATION**

Indoor recreation is defined as any indoor use providing sports, fitness, leisure, amusement, or recreational facilities. Indoor recreation includes the following uses when fully indoors: sports courts, health clubs, spas, fitness, martial arts, and dance studios, gymnasiums, aquatics centers, bowling alleys, billiard halls, gaming arcades, ice skating and roller rinks, skate parks, play facilities, and amusement rides.

A. **Public**

Indoor recreation: public is defined as any indoor recreational use owned or operated by or in partnership with a public institution.

B. **Commercial**

Indoor recreation: commercial is defined as any indoor recreational use owned or operated by a private or commercial entity. This use does not include associated spectator facilities with seating capacity greater than 500 seats, for such uses see Sec. 5D.4.1. (Amphitheater or Stadium).

SEC. 5D.4.3. NATURE RESERVE

A nature reserve is defined as an area managed so as to protect its flora, fauna, and physical features. Nature reserve includes ecological preserve, marine preserve, natural resource preserve, and water conservation area.

SEC. 5D.4.4. OPEN SPACE, PUBLIC

Open space, public is defined as publicly accessible, outdoor areas for passive recreation, which include spaces such as parks, plazas, walking trails, lawns, and picnic benches.

SEC. 5D.4.5. OUTDOOR RECREATION

Outdoor recreation is defined as any outdoor use providing sports, fitness, leisure, amusement, or recreation facilities. Outdoor recreation includes the following uses when outdoors: sports courts and fields, aquatic centers, skate parks, play facilities, and amusement rides.

A. Public

Outdoor recreation: public is defined as any outdoor recreational use owned or operated by or in partnership with a public institution.

B. Commercial

Outdoor recreation: commercial is defined as any outdoor recreational use owned or operated by a private or commercial entity. This use does not include associated spectator facilities with seating capacity greater than 500 seats, for such uses see Sec. 5D.4.1. (Amphitheater or Stadium).

C. Golf Course

Outdoor recreation: golf course is defined as an area of land designed and intended for the game of golf with a series of holes each including tee, fairway, and putting green, and often one or more natural or artificial hazards. A outdoor recreation: golf course use includes any course having a total par of 65, or greater. This use also includes a clubhouse incidental to a standard-sized golf course. This use does not include miniature golf, pitch & putt, driving range, or 3-par courses, for such uses see Sec. 5D.4.5.A. (Outdoor Recreation: Public) or Sec. 5D.4.5.B. (Outdoor Recreation: Commercial).

DIV. 5D.5. **TRANSPORTATION USES**

Transportation uses are defined as uses that facilitate major modes of transportation for the loading or unloading of passengers and freight.

SEC. 5D.5.1. **AIRPORT**

An airport is defined as a runway landing area or other facility used for the landing and taking off of aircraft including all the necessary taxiways, aircraft storage and tie-down areas, hangars, passenger terminals, and warehousing facilities.

SEC. 5D.5.2. **FREIGHT RAILWAY FACILITY**

A freight railway facility is defined as any railway facility accommodating the transportation of cargo by train on a railway network. Freight railway facilities includes freight railway track networks and accompanying railway yards, stations, and maintenance facilities. This use does not include cargo transfer between vehicles; for such uses see Sec. 5D.5.3. (Freight Transfer Facility).

SEC. 5D.5.3. **FREIGHT TRANSFER FACILITY**

Freight transfer facility is defined as a facility intended for the transshipment of freight between different modes of transport, including ship transport, rail transport, and road transport, and accompanying warehousing used in connection with such activities. This use does not include the storage of empty cargo containers; for such uses; see Sec. 5D.7.5.E. (Storage, Outdoor: Cargo Container).

SEC. 5D.5.4. **HELIPORT**

Heliport is defined as any public-use, special-use, or personal-use airport, as defined by the California Code of Regulations, Title 21. Sec. 3527. (Definitions), suitable only for use by helicopters.

SEC. 5D.5.5. **PASSENGER TRANSIT FACILITY**

A passenger transit facility is defined as any facility that includes a structure accommodating publicly accessible passenger transport vehicles which regularly load and unload passengers along a fixed route. A passenger transit facility include bus terminals, light rail stations and right-of-ways, subway stations and right-of-ways, and passenger train stations and right-of-ways.

DIV. 5D.6. **GENERAL COMMERCIAL USES**

General commercial uses are defined as uses that involve business activity serving the general public, including retail, professional and personal services, hospitality, and entertainment.

SEC. 5D.6.1. **ANIMAL SERVICES**

Animal services is defined as a use involving the provision of services related primarily to domestic animal care and keeping.

A. **General**

Animal services: general is defined as animal services in which domestic dogs or cats are provided non-medical care, such as, grooming, training, supervision, or boarding. This does not include uses where the overnight boarding of dogs or cats exceeds 30 percent of the floor area of a facility, for such uses see Sec. 5D.6.1.B. (Animal Services: Kennel). This use does not include medical care of animals, for such uses see Sec. 5D.6.1.C. (Animal Services: Veterinary Care).

B. **Kennel**

Animal services: kennel is defined as animal services in which four or more dogs or cats, at least four months of age, are sheltered for periods beyond 24 hours per day. This definition does not include retail establishments dedicated to the commercial sale of animals, for such uses see Sec. 5D.6.12.H. (Retail: Pet Shop). This use does not include the breeding and raising of animals, for such uses see Sec. 5D. 10.1.G. (Animal Keeping: Small Animals).

C. **Veterinary Care**

Animal services: veterinary care is defined as animal services in which animals or pets are given medical or surgical treatment and care. This use does not include the non-medical treatment and care of dogs and cats, for such uses see Sec. 5D.6.1.A. (Animal Services: General).

SEC. 5D.6.2. **COMMISSARY KITCHEN**

A commissary kitchen is defined as a kitchen facility used for cooking and preparing food to be primarily served and consumed off-site. This definition includes multi-tenant shared kitchen facilities, order fulfillment kitchens, and catering kitchen facilities. The following uses are allowed when incidental to the kitchen facility: research and teaching facilities, commercial food processing, and order fulfillment pick-up lobbies.

SEC. 5D.6.3. **EATING & DRINKING**

Eating & drinking is defined as the sale of prepared, ready-to-consume meals or drinks for consumption by the public.

A. General

Eating & drinking: general is defined as an eating & drinking use that involves serving and sale of prepared food and drinks for on or off-site consumption. Eating & drinking: general uses includes table service at a restaurant, counter service for off-site consumption, and self-service cafeteria dining. This use does not include the dispensing of alcoholic beverages for consumption on-site, for such uses, see Sec. 5D.6.3.B. (Eating & Drinking: Alcohol Service). This use does not include the sale of alcoholic beverages for off-site consumption, without prepared food orders, for such uses see Sec. 5D.6.12.B. (Retail: Alcohol).

B. Alcohol Service

Eating & drinking: alcohol service is defined as an eating & drinking use that involves the serving and dispensing of alcoholic beverages primarily for consumption on-site. Eating & drinking: alcohol service includes the provision of alcoholic beverages to customers in a dining setting, while gathered at a bar or tasting room, or in conjunction with another use, such as an entertainment venue, stadium, hotel, indoor recreation, brewery or distillery. This use does not include the sale of alcoholic beverages for off-site consumption, without prepared food orders, for such uses see Sec. 5D.6.12.B. (Retail: Alcohol).

SEC. 5D.6.4. ENTERTAINMENT VENUE, INDOOR

Entertainment venue, indoor is defined as any indoor assembly use designed or intended for entertainment, includes live music venues, performing arts theaters, movie theaters, dance clubs, comedy clubs, karaoke lounges, and banquet halls.

A. Local

Entertainment venue, indoor: local is defined as an entertainment venue, indoor use designed for an assembly capacity of less than 3,000 persons. For entertainment venue, indoors designed for an assembly capacity of 3,000 or greater, see Sec. 5D.6.4.B. (Entertainment Venue, Indoor: Regional). This use does not include activities established in Sec. 5D.6.13. (Sexually Oriented Business). For the inclusion of alcoholic beverages for on-site consumption, see Sec. 5D.6.3.B. (Eating & Drinking: Alcohol Service).

B. Regional

Entertainment venue, indoor: regional is defined as any entertainment venue, indoor use designed for an assembly capacity of 3,000 persons or greater. For entertainment venue, indoors designed for an assembly capacity of less than 3,000 persons, see Sec. 5D.6.4.A. (Entertainment Venue, Indoor: Local). This use does not include activities established in Sec. 5D.6.13. (Sexually Oriented Business). For the inclusion of alcoholic beverages for on-site consumption, see Sec. 5D.6.3.B. (Eating & Drinking: Alcohol Service).

SEC. 5D.6.5. FINANCIAL SERVICES

Financial services are defined as professional services involving the investment, lending, or management of money and assets in a publicly accessible setting rather than a private office setting. This use does not include private workspace settings, for such uses see Sec. 5D.6.9. (Office).

A. General

Financial services: general is defined as financial services uses that provide retail banking services. Financial services: general include only those institutions engaged in the transfer and circulation of money, such as banks and credit unions. This use does not include check-cashing businesses and payday lenders, for such uses see Sec. 5D.6.5.B. (Financial Services: Alternative).

B. Alternative

Financial services: alternative is defined as financial services uses involving for-profit lending facility offering small, unsecured, short-term loans, such as bail bonds, or a use that primarily consists of check cashing services for a fee, or any business where articles of personal property may be left as security in exchange for a loan of money. Financial services: alternative include pawnshops, precious metal buyback centers, short-term credit lenders, and title loan centers. This use does not include remittance services, for such uses see Sec. 5D.6.5.A. (Financial Services: General).

SEC. 5D.6.6. INSTRUCTIONAL SERVICES

Instructional services are defined as any establishment primarily engaged in offering avocational or recreational educational courses to adults or children for the purposes of play, amusement, or relaxation, including education offered for the intent of teaching the fundamentals, skills, or techniques of a hobby or activity. This use includes establishments offering programs in art, cooking, drama, driving, language, music, sewing, tutoring, or other similar forms of self-improvement. This use does not include vocational and other educational uses, for such uses see Sec. 5D.3.9. (School).

SEC. 5D.6.7. LODGING

Lodging is defined as commercial overnight accommodations for transient occupancy, often for periods of 30 consecutive days, or less. Lodging uses shall not serve as a primary residence. Lodging uses include, hotels, motels, and hostels. This use does not include uses defined in Sec. 5D.2.2.C. (Home-Sharing). This use does not include residential housing accommodations, for such uses see Div. 5D.2. (Residential Uses).

SEC. 5D.6.8. MEDICAL CLINIC

Medical clinic is defined as an outpatient healthcare facility that provides direct medical, dental, or therapeutic services to patients. This use does not include healthcare facilities providing acute, sub-acute or inpatient healthcare; for such uses see Sec. 5D.3.8.A. (Hospital: Local) and Sec. 5D.3.8.B. (Hospital: Regional).

SEC. 5D.6.9. OFFICE

Office is defined as any workspace accommodating administrative, creative and business services. Office uses may be operated independently or combined with other uses, provided each of the other uses is permitted and meets the applicable standards. An office use includes workspace accommodating the following activities: administrative, clerical, legal, accounting, design, consulting, graphics and sound editing, and dry lab research.

SEC. 5D.6.10. PERSONAL SERVICES

Personal services are defined as any commercial use providing an in-person service directly to individuals seeking cosmetic services, counseling services, document services, or servicing of consumer goods. Personal services include: cosmetic services such as hair cutting and styling, nail salon, day spas, licensed massage therapy, tattooing and piercing; counseling services, such as non-medical counseling, legal counseling, financial counseling, and psychic counseling; document services, such as printing, form and application assistance, notary services, photo developing, visa and passport services; garment services, such as garment tailoring and alterations, laundromat, dry-cleaning; and consumer goods repair services when occupying less than 3,000 square feet in area, such as electronics repair, jewelry repair, shoe repair, appliance repair, furniture restoration, and bicycle repair. This use does not include consumer goods repair services when occupying 3,000 square feet in area, or greater, for such uses see Sec. 5D.8.1. (Machine Shop). This use does not include maintenance and repair of motor vehicles, for such uses see Sec. 5D.7.1. (Motor Vehicle Services).

SEC. 5D.6.11. POSTMORTEM SERVICES

Postmortem services are defined as any establishment engaged in the provision of services involving the care, preparation, or arrangement of human or animal remains, and conducting memorial services. Postmortem service establishments include crematoriums, funeral homes, mortuaries, and pet crematoriums. This use does not include a cemetery, for such uses see Sec. 5D.3.1. (Cemetery).

SEC. 5D.6.12. RETAIL

Retail is defined as a commercial use involved in the sale or dispensing of consumer goods to the general public, including any associated indoor or outdoor display and point of sales.

A. General

Retail: general is defined as any retail use primarily involved in the sale or rental of new or used consumer goods to the general public. Retail: general includes but is not limited to, the sale or rental of household goods, clothing, books, toys, art supplies, pet supplies, house plants, medicine, consumer electronics, appliances, hardware, building supplies, mattresses, and furniture. This use does not include the sale or rental of motor vehicles, for such uses see Sec. 5D.7.3. (Motor Vehicle Sales & Rental).

B. Alcohol

Retail: alcohol is defined as a retail use involving the sale or dispensing of alcoholic beverages for off-site consumption and are licensed or seeking a license to sell or otherwise dispense alcoholic beverages for off-site consumption, as defined by the California State Alcoholic Beverage Control Act (ABC). This use does not include the on-site consumption of alcoholic beverages, for such uses see Sec. 5D.6.3.B. (Eating & Drinking: Alcohol Service).

C. Farmers' Market, Certified

Retail: farmers' market, certified is defined as a retail use involved in the sale or dispensing of agricultural products by producers or certified producers directly to consumers or to individuals, organizations, or entities that subsequently sell or distribute the products directly to end users and is certified by the Los Angeles County Agricultural Commissioner.

D. Firearms

Retail: firearms is defined as a retail use where firearms, ammunition, or related accessories are sold.

E. Food & Beverage

Retail: food & beverage is defined as a retail use primarily involved in the retail sale of food and beverages for off-site consumption. Retail: food & beverage includes grocery stores, produce markets, seafood and meat markets, bakeries, delis, and on-site seating areas for dining accessory to the primary retail use. This use does not include alcoholic beverage sales; for such uses see Sec. 5D.6.12.B. (Retail: Alcohol).

F. Large Format

Retail: large format is defined as any retail use with a non-residential tenant size of 100,000 square feet or greater. This use may include but is not limited to any of the following types of retail when occupying a non-residential tenant size of 100,000 square feet or greater: superstore, department store, wholesale club, furniture store, and home improvement store. This use does not include any retail use with a non-residential tenant size of less than 100,000 square feet, for such uses see Sec. 5D.6.12.A. (Retail: General).

G. Merchant Market

Retail: merchant market is defined as a retail use that includes ten or more tenants or vendors within a shared facility with common entrances and walkways, where goods, products, groceries, and prepared food are offered or displayed for sale or exchange, and may include on-site seating areas for dining as incidental to the market use.

H. Pet Shop

Retail: pet shop is defined as a retail use possessing a pet shop permit issued by the Department of Animal Services where domestic animals such as dogs, cats, rabbits, rodents, birds, fish,

amphibians, and small reptiles are kept and offered for commercial sale, for hire, or adoption. This use does not include uses where the overnight keeping of dogs or cats exceeds 30 percent of the floor area of a facility, for such uses see Sec. 5D.6.1.B. (Animal Services: Kennel). This use does not include the breeding and raising of animals, for such uses see Sec. 5D.10.1.G. (Animal Keeping: Small Animals).

I. Seasonal Market

Retail: seasonal market is defined as a retail use involving the seasonal outdoor retail sale of ornamental holiday decor, primarily ornamental pumpkins and Christmas trees.

J. Smoke & Vape Shop

Retail: smoke & vape shop is defined as a retail use primarily involving the sale of tobacco products, substances intended for smoking, or smoking accessories, including but not limited to cigars, pipes, vaporizing devices, or other smoking paraphernalia. The use may include an enclosed smokers' lounge that is solely dedicated to smoking tobacco products. This use does not include medicinal or recreational cannabis establishments, for such uses see the Department of Cannabis Regulation.

SEC. 5D.6.13. SEXUALLY ORIENTED BUSINESS

A sexually oriented business is defined as any commercial use involving the retail sale, rental or exhibition, of any goods or services that are characterized by an emphasis on the exposure or display of specified sexual activities or specified anatomical parts. Each sexually oriented business use shall constitute a separate sexually oriented business, even if operated in conjunction with another sexually oriented business at the same establishment, for the intent of meeting applicable use standards. For the purposes of regulating the distance between each specific sexually oriented business, (such as adult arcade, adult bookstore, adult theaters, striptease venue, or sexual encounter accommodations) each specific use shall constitute a separate sexually oriented business.

A. General

Sexually oriented business: general is defined as any sexually oriented business use, other than a sexually oriented business: sexual encounter establishment. This use includes but is not limited to adult arcades, adult bookstores, adult cabaret theaters, adult motion picture theaters, or striptease venues.

B. Sexual Encounter

Sexually oriented business: sexual encounter is defined as any sexually oriented business use, other than lodging offering public accommodations, which, for any form of consideration, provides a place where two or more persons may congregate, associate or consort in connection with specified sexual activities or the exposure of specified anatomical parts. This use does not include a use where a medical practitioner, psychologist, psychiatrist, or similar professional licensed by the State of California engages in sexual therapy, for such uses see Sec. 5D.6.8. (Medical Clinic).

DIV. 5D.7. **HEAVY COMMERCIAL USES**

Heavy commercial uses are defined as uses that involve the servicing and sale of motor vehicles, and businesses dedicated primarily to storage.

SEC. 5D.7.1. **MOTOR VEHICLE SERVICES**

Motor vehicle services are defined as a use involving the diagnosing of malfunctions, repair, or maintenance of motor vehicles.

A. **Light**

Motor vehicle services: light is defined as any motor vehicle services use involving the mechanical or electrical repair, diagnosis, maintenance or servicing of standard motor vehicles. This use includes automotive emissions testing; electrical diagnostic, battery testing, and charging; tire removal, replacement, and repair; mechanical adjustment; oil change; lubrication; sound system or alarm service and installation; and window repair. This use does not include uses defined in the following Sections: Sec. 5D.7.1.B. (Motor Vehicle Services: Heavy), Sec. 5D.7.1.C. (Motor Vehicle Services: Large Vehicle), or Sec. 5D.7.1.D. (Motor Vehicle Services: Car Wash).

B. **Heavy**

Motor vehicle services: heavy is defined as any motor vehicle services use involving auto body repair or rebuilding, painting, or servicing of standard motor vehicles. This use includes the repair or rebuilding of a vehicle's frame, roof, doors, fenders, bumpers, hood, trunk, automobile painting, and electric vehicle battery reconditioning and replacement.

C. **Large Vehicle**

Motor vehicle services: large vehicle is defined as any motor vehicle services use performed for large vehicles, classified for this purpose as a vehicle having three or more axles, such as trailer trucks, construction vehicles, motor homes, and recreational vehicles.

D. **Car Wash**

Motor vehicle services: car wash is defined as any motor vehicle services use engaged in cleaning, washing, or waxing of motor vehicles, such as passenger cars, trucks, vans, and trailers. This use does not include wash facilities for large vehicles, for such uses see Sec. 5D.7.1.C. (Motor Vehicle Services: Large Vehicle).

SEC. 5D.7.2. **FUELING STATION**

A fueling station is defined as any use dedicated to the sale and dispensing of vehicle fuel.

A. **Standard Vehicle**

Fueling station: standard vehicle is defined as any fueling station dedicated to dispensing fuel for standard vehicles. Standard vehicles include vehicles possessing two or fewer axles, such as cars, motorcycles, sport utility vehicles, pickup trucks, and vans.

B. Large Vehicle

Fueling station: large vehicle is defined as any fueling station dedicated to dispensing fuel for large vehicles. Large vehicles include vehicles possessing three or more axles, such as trailer trucks, construction vehicles, motor homes, and recreational vehicles.

SEC. 5D.7.3. MOTOR VEHICLE SALES & RENTAL

Motor vehicle sales & rental is defined as any heavy commercial use that sells, rents, or leases motor vehicles.

A. Standard Vehicle

Motor vehicle sales & rental: standard vehicle is defined as any motor vehicle sales & rental use involving indoor or outdoor display of three or more new or used standard vehicles for sale, rental, or lease. Standard vehicles include vehicles possessing two or fewer axles, such as cars, motorcycles, sport utility vehicles, pickup trucks, and vans. This use does not include the outdoor storage of vehicles that do not comprise an establishment's sale or rental inventory, for such uses see, Sec. 5D.7.5.B. (Storage, Outdoor: Standard Vehicle).

B. Large Vehicle

Motor vehicle sales & rental: large vehicle is defined as any motor vehicle sales & rental use involving indoor or outdoor display of three or more new or used large vehicles for sale, rental, or lease. Large vehicles include vehicles possessing three or more axles, such as trailer trucks, construction vehicles, motor homes, and recreational vehicles, in addition to recreational boats and watercraft. This use does not include the outdoor storage of vehicles that do not comprise an establishment's sale or rental inventory, for such uses see, Sec. 5D.7.5.C. (Storage, Outdoor: Large Vehicle).

C. Household Moving Truck Rental

Motor vehicle sales & rental: household moving truck rental is defined as any motor vehicle sales & rental use involving the rental of household moving rental trucks or utility trailers. This use does not include the outdoor storage of vehicles that do not comprise an establishment's rental inventory, for such uses see, Sec. 5D.7.5.C. (Storage, Outdoor: Large Vehicle).

SEC. 5D.7.4. STORAGE, INDOOR

Storage, indoor is defined as the indoor holding of goods, merchandise, supplies, material, machinery, equipment, or other items for future use.

A. General

Storage, indoor: general is defined as any storage, indoor use that is incidental to another use. This use does not include storage, indoor: self-service for such uses see Sec. 5D.7.4.B. (Storage, Indoor: Self-Service). This use does not include indoor storage that functions as the primary use on a lot and is not incidental to another use, for such uses see Sec. 5D.8.6. (Wholesale Trade & Warehousing).

B. Self-Service

Storage, indoor: self-service is defined as any storage, indoor use that offers secure self-storage for household goods in individual rooms, compartments, lockers, or containers, to which clients bring goods for storage and retrieve them at any time during normal business hours.

SEC. 5D.7.5. STORAGE, OUTDOOR

Storage, outdoor is defined as the outdoor holding of goods, merchandise, supplies, material, machinery, equipment, vehicles, or other items for future use. Includes contractors' equipment storage yards and lumber yards.

A. General

Storage, outdoor: general is defined as any storage, outdoor use that is in conjunction with another use. This use does not include the keeping of empty cargo containers, for such uses see Sec. 5D.7.5.E. (Storage, Outdoor: Cargo Container). This use does not include inactive large vehicles, for such uses see Sec. 5D.7.5.C. (Storage, Outdoor: Large Vehicle). This use does not include towing and storage for official motor vehicle impound, for such uses see Sec. 5D.7.5.F. (Storage, Outdoor: Official Motor Vehicle Impound). This use does not include inactive standard vehicles, for such uses see Sec. 5D.7.5.B. (Storage, Outdoor: Standard Vehicle).

B. Standard Vehicle

Storage, outdoor: standard vehicle is defined as the outdoor storage of standard vehicles that are not actively used by the site's occupants, employees, or visitors. Standard vehicles include vehicles possessing two or fewer axles, such as cars, motorcycles, sport utility vehicles, pickup trucks, and vans. Includes storage of inoperable vehicles. This use does not include uses where vehicles are actively used by the site's occupants, employees, or visitors; for such uses see Sec. 5D.3.6. (Parking).

C. Large Vehicle

Storage, outdoor: large vehicle is defined as the outdoor storage of large vehicles that are not actively used by the site's occupants, employees, or visitors. Large vehicles include vehicles possessing three or more axles, such as trailer trucks, construction vehicles, motor homes, and recreational vehicles as well as recreational boats and watercraft. This use includes storage of inoperable vehicles. This use does not include uses where vehicles are actively used by the site's occupants, employees, or visitors; for such uses see Sec. 5D.3.6. (Parking).

D. Donation Bin

Storage, outdoor: donation bin is defined as any storage, outdoor use involving a box, canister, receptacle, or other container that can be opened and closed, and is used for collecting salvageable personal property, including, but not limited to, clothing, shoes, books, and household items for periodic off-site processing or redistribution. For purposes of this definition, salvageable personal property shall not include recyclable materials not intended for re-use, including, but not limited to, newspapers, plastic, glass, aluminum, electronics, toxic or hazardous materials, and solid waste. For purposes of this definition, donation bins are limited dimensionally to 82-inches in height, 50-inches in depth, and 60-inches in width. For bins that are larger in size, see Sec. 5D.9.4.A. (Recycling Facility: Collection).

E. Cargo Container

Storage, outdoor: cargo container is defined as any storage, outdoor use involving the keeping of empty cargo containers. Storage, outdoor: cargo container may include storage of container chassis and commercial truck cabs, repair facilities, warehouses, and offices, incidental to the movement or storage of cargo containers. This use does not include the storage of cargo containers that are not empty, or uses which are part of any freight transfer, for such uses see Sec. 5D.5.3. (Freight Transfer Facility).

F. Official Motor Vehicle Impound

Storage, outdoor: official motor vehicle impound is defined as any vehicle towing and storage service that involves City-approved vendors that support the public safety mission of the Los Angeles Police Department and Department of Transportation.

DIV. 5D.8. **LIGHT INDUSTRIAL USES**

Light industrial uses are defined as uses involving the production, warehousing, or manufacturing of goods, materials, and products in an intensive manner that require a significant separation from residential and commercial districts.

SEC. 5D.8.1. **MACHINE SHOP**

A machine shop is defined as any facility engaged in the maintenance, repair, custom fabrication and finishing of products, parts, props, equipment, or machinery primarily using metal and woodworking machinery and tools. This use does not include the servicing of consumer goods when occupying less than 3,000 square feet in area; for such uses see Sec. 5D.6.10. (Personal Services). This use does not include motor vehicle repair and maintenance; for such uses see Sec. 5D.7.1. (Motor Vehicle Services). This use does not include the fabrication of heavy machinery used for manufacturing, motor vehicles, aircraft or watercraft; for such uses see Sec. 5D.9.2.A (Manufacturing, Heavy: General).

SEC. 5D.8.2. **MANUFACTURING, LIGHT**

Manufacturing, light is defined as any light industrial use involving the making or processing of materials or components into new products.

A. **General**

Manufacturing, light: general is defined as the manufacturing of finished goods intended to be sold as consumer goods to the general public, including devices and instruments used in a workplace. This use includes, but is not limited to, the manufacturing and assembly of the following: medical equipment and supplies; semiconductors and electronic instruments; signs and printed material; musical instruments; jewelry; toys; furniture; crates; boxes; and barrels. This use does not include those uses defined in Sec. 5D.9.2.A. (Manufacturing, Heavy: General).

B. **Alcoholic Beverage**

Manufacturing, light: alcoholic beverage is defined as any manufacturing, light use where beer, wine, or other alcoholic beverages are fermented, distilled, and/or processed for distribution and sale on a wholesale basis. For retail sale of any alcoholic beverage, see Sec. 5D.6.12.B. (Retail: Alcohol).

C. **Artistic & Artisanal**

Manufacturing, light: artistic & artisanal is defined as a small-scale manufacturing, light use where skilled craftspersons are integral to the creation of each product, materials, substances, or components, and may include, but are not limited to the use of hand tools or light mechanical equipment such as commercial mixers, sewing machines, wax melters, bottle sealers, paste filling machines, and button press machines. Manufacturing, light: artistic & artisanal uses are less than 5,000 square feet in area, for such uses larger than 5,000 square feet in area see Sec. 5D.8.2. (Manufacturing, Light: General).

D. Cosmetic & Pharmaceutical

Manufacturing, light: cosmetic & pharmaceutical is defined as any manufacturing, light use where cosmetics, soaps, or pharmaceutical drugs are produced. This use includes, but is not limited to, manufacturing of makeup products, deodorants, shampoos, hair dyes, perfumes, skin moisturizers, medications, or supplements.

E. Electronics

Manufacturing, light: electronics is defined as any manufacturing, light use involved in the manufacturing or assembly of computer or electronic products, electrical equipment, appliances, fixtures, or electronic product components. This use includes testing and repair incidental to the product or component assembly.

F. Food & Drink

Manufacturing, light: food & drink is defined as any manufacturing, light use where food or drink products are processed or manufactured. The food and beverage products manufactured in these facilities are typically sold to wholesalers or retailers for distribution to consumers. This use includes, but is not limited to, the processing and packaging of the following: sodas & juices, coffee & tea, ice, dairy products, fruit, nut, & vegetable products, grain & oilseeds, baked or fried goods, sugar and confectionery products, animal food, and tobacco products. This use includes food & drink products composed of previously rendered animal products. This use does not include meat processing, the rendering of animal products, or animal slaughtering, for such uses see Sec. 5D.9.1. (Animal Products Processing). This use does not include breweries, distilleries, and wineries, for such uses see Sec. 5D.8.2.B. (Manufacturing, Light: Alcoholic Beverage).

G. Garment & Accessory

Manufacturing, light: garment & accessory is defined as any manufacturing, light use involving the cutting, stitching or assembly of materials to produce finished clothing, footwear, and accessories. Specific activities include, but are not limited to, sewing of finished textiles, printing or stenciling of designs on garments, assembly of accessories or footwear, or the knitting of finished garments. This use does not include those uses defined in Sec. 5D.8.2.H. (Manufacturing, Light: Textile).

H. Textile

Manufacturing, light: textile is defined as any manufacturing, light use involving mechanized production of fibers and fabrics used to create materials for the production of garments and accessories. Specific activities include, but are not limited to, textile spinning, weaving, dying, printing, or finishing. This use does not include those uses defined in Sec. 5D.8.2.G. (Manufacturing, light: Garment & Accessory).

SEC. 5D.8.3. **RESEARCH & DEVELOPMENT**

Research & development is defined as any light industrial use requiring a wet laboratory where chemicals, drugs, or other material or biological matter are handled in liquid solutions or volatile phases, requiring direct ventilation, or specialized piped utilities. Research & development does not include uses requiring a dry laboratory, for such uses see Sec. 5D.6.9. (Office).

SEC. 5D.8.4. **SOUNDSTAGES & BACKLOTS**

Soundstages & backlots are defined as any light industrial use providing facilities for the construction and use of indoor or outdoor filming sets and adjoining backlot facilities, including supporting office workspace, machine shops, and warehousing related to filming or film production.

SEC. 5D.8.5. **WHOLESALE & WAREHOUSING**

Wholesale & warehousing is defined as any light industrial use facility primarily used for the high volume storage of goods for sale in large quantities primarily to businesses, or the storage of products intended for consolidation and distribution to manufacturers, wholesalers, retailers, or end users. This use includes seasonal inventory storage, distribution centers, fulfillment centers, cold storage facilities, and facilities housing goods for sale in bulk to businesses or institutions. This use does not include the sale of goods directly to consumers; for such uses see Sec. 5D.6.12. (Retail). This use does not include the transshipment of freight between different modes of transport, such as rail to trucking transport; for such uses see Sec. 5D.5.3. (Freight Transfer Facility).

DIV. 5D.9. **HEAVY INDUSTRIAL USES**

Heavy industrial uses are defined as uses involving manufacturing, processing of animal products, waste, or extraction activities, which requires siting away from the general public due to potentially adverse impacts on the immediate surroundings.

SEC. 5D.9.1. **ANIMAL PRODUCTS PROCESSING**

Animal products processing is defined as a heavy industrial use involving one or more of the following: preparing and processing of meat, poultry, or seafood and their byproducts; refining or rendering animal fat, bones, and meat scraps; preparing, tanning, and finishing hides and skins; dressing or dyeing furs; and animal slaughtering.

SEC. 5D.9.2. **MANUFACTURING, HEAVY**

Manufacturing, heavy is defined as any heavy industrial use involving the making or processing of materials or components into finished products.

A. General

Manufacturing, heavy: general is defined as manufacturing that requires significant health, safety, or environmental precautions due to potential adverse impacts from the manufacturing process on immediate surroundings. This use includes, but is not limited to, the manufacturing of heavy machinery, motor vehicles, aircraft and watercraft, primary metal products, wood or paper products, metal fabrication, or manufacturing involving the processing, mixing, or refinement of inorganic raw materials. This use does not include those uses defined in Sec. 5D.9.2.B. (Manufacturing, Heavy: Chemical Products). This use does not include those uses defined in Sec. 5D.9.2.C. (Manufacturing, Heavy: Petroleum & Coal Products).

B. Chemical Products

Manufacturing, heavy: chemical products is defined as any manufacturing, heavy use producing basic chemicals or manufacturing products by predominantly chemical processes. Includes, but is not limited to, production of acid, alkali, organic chemical, salt, dry color, pigment, synthetic fiber, fertilizer, explosives, or paint. This use does not include those uses defined in Sec. 5D.9.2.C. (Manufacturing, Heavy: Petroleum & Coal Products).

C. Petroleum & Coal Products

Manufacturing, heavy: petroleum & coal products is defined as any manufacturing, heavy use that processes petroleum, coal, plastic, or rubber materials into products, including the refining of petroleum, gas, or other hydrocarbons.

SEC. 5D.9.3. SALVAGE YARD

Salvage yard is defined as any heavy industrial use having any portion of the use located outdoors where a junk dealer or automobile dismantler operates, or where partially dismantled, obsolete, or wrecked automobiles are stored. This use does not include motor vehicle storage, for such uses see Sec. 5D.7.5. (Storage, Outdoor).

SEC. 5D.9.4. RECYCLING FACILITY

Recycling facility is defined as any use that includes the recovery and processing of recyclable or reusable materials.

A. Collection

Recycling facility: collection is defined as any recycling facility use where recyclable materials including, but not limited to, paper, plastic, glass, metal, newspaper, or cardboard, are deposited or redeemed for monetary value. This use includes baling or crushing operations for the purposes of efficient storage and transfer, but shall not include sorting or processing activities other than for temporary storage purposes. This use includes reverse vending machines and buyback centers.

B. Sorting & Processing

Recycling facility: sorting & processing is defined as any recycling facility use that accepts recyclable materials for on-site sorting or processing. For the purpose of this definition, processing shall mean the process of changing the physical characteristics of a recyclable material, including the shredding, smelting, grinding and crushing of cans, bottles, and other materials, other than for temporary storage purposes. This use includes the transfer and processing of scrap metals.

SEC. 5D.9.5. WASTE FACILITY

Waste facility is defined as any heavy industrial use involving the receipt, storage, separation, conversion, combustion, processing of solid waste, transfer of waste directly from small to larger vehicles for transport, or operation as a landfill. This use includes facilities involved in the transfer, processing, and transformation of organic waste, construction and demolition debris, inert material, solid waste.

A. Organic Waste

Waste facility: organic waste is defined as any waste facility use that receives any material that comes from a plant or animal and is biodegradable, for chipping and grinding, composting, curing, mulching or similar processing methods. This use does not include any chipping and grinding, composting, curing, or mulching conducted as part of the maintenance of landscaped areas associated with any public & institutional uses or open space & recreation uses.

B. Hazardous Waste

Waste facility: hazardous waste is defined as any waste facility use involving the storage, treatment, and disposal of hazardous waste, as defined in the California Health and Safety Code, Sec. 25117.1. (Definitions).

C. Solid Waste

Waste facility: solid waste is defined as any waste facility use that does not involve any storage, treatment, and disposal of hazardous waste, or that does not exclusively receive organic waste. For such uses, see Sec. 5D.9.5.B. (Waste Facility: Hazardous Waste) and Sec. 5D.9.5.A. (Waste Facility: Organic Waste).

SEC. 5D.9.6. MINERAL & ORE EXTRACTION

Mineral & ore extraction is defined as any use engaged in the extraction of metallic minerals, non-metallic minerals, or other natural compounds. This use includes the exploration or development of any lot for such purposes, and any preparation of those resources until the point of shipment from the producing property. This use includes metal ore mining, nonmetallic mineral mining, and quarrying. This use does not include extraction, recovery, or production of oil, natural gas, or any other hydrocarbon materials, for these activities see Sec. 5D.9.7. (Oil, Gas, or Hydrocarbon Well).

SEC. 5D.9.7. OIL, GAS, OR HYDROCARBON WELL

Any well or hole already drilled, being drilled or to be drilled into the surface of the earth which is used or intended to be used in connection with coring or the drilling for prospecting for or producing petroleum, natural gas or other hydrocarbon substances, or is used or intended to be used for the subsurface injection into the earth of oil field waste, gases, water or liquid substances, including any such existing hole, well or casing which has not been abandoned in accordance with the requirements of Chapter V. (Public Safety and Protection), Sec. 57.5706.3.16. (Abandonment of Oil Wells) and the mitigation monitoring program and well plugging and abandonment mitigation measures adopted with Ordinance No. 187,709 (Oil and Gas Drilling Ordinance). This use does not include any well operated by a public utility regulated by the California Public Utilities Commission.

DIV. 5D.10. **AGRICULTURAL USES**

Agricultural uses are defined as uses dedicated to the cultivation of plants or the keeping of animals.

SEC. 5D.10.1. **ANIMAL KEEPING**

Animal keeping is defined as any agricultural use that includes the breeding, boarding, training, or raising of animals.

A. **Bees**

Animal keeping: bees is defined as any animal keeping use that includes the keeping of bees.

B. **Dairy**

Animal keeping: dairy is defined as an animal keeping use that includes the storage, processing, or distribution of milk or milk products.

C. **Equine, Commercial**

Animal keeping: equine, commercial is defined as the keeping, breeding, raising, training, or boarding of more than two equines not owned by and registered to residents on the same lot as the equine use. Equine includes mules and donkeys.

D. **Equine, Non-Commercial**

Animal keeping: equine, non-commercial is defined as the keeping, breeding, raising, training, or boarding of equines owned by and registered to residents on the same lot as the equine use. No more than two equines owned by or registered to persons not residing on the same lot shall be allowed. Equine includes mules and donkeys.

E. **Livestock**

Animal keeping: livestock is defined as any animal keeping use that includes the breeding, raising, training, boarding, or keeping of animals such as alpacas, cattle, donkeys, goats, mules, sheep, swine, or similar livestock, typically for fiber, meat, milk, or other products. This use includes day-to-day care, selective breeding, raising, and selling of livestock.

F. **Pets**

Animal keeping: pets is defined as any animal keeping use that includes the keeping of domestic pets that are readily classifiable as being incidental to another use such as dogs, cats, rabbits, rodents, birds, poultry, fish, amphibians, and small reptiles. This use does not include those uses defined in Sec. 5D.10.1.G. (Animal Keeping: Small Animals), Sec. 5D.10.1.G. (Animal Keeping: Wild Animals) or Sec. 5D.6.1.B. (Animal Services: Kennel).

G. Small Animals

Animal keeping: small animals is defined as any animal keeping use licensed by the Department of Animal Services for the breeding, raising, training, or boarding of small domestic animals such as dogs, cats, rabbits, rodents, birds, poultry fish, amphibians, and reptiles. This use does not include the uses defined in Sec. 5D.10.1.G. (Animal Keeping: Wild Animals).

H. Wild Animals

Animal keeping: wild animals is defined as any animal keeping use licensed by the Department of Animal Services pursuant to Chapter V. (Public Safety and Protection), Sec. 53.38. (Wild Animals - Keeping - Permit) for the keeping of wild, exotic, dangerous, or non-domestic animals.

SEC. 5D.10.2. PLANT CULTIVATION

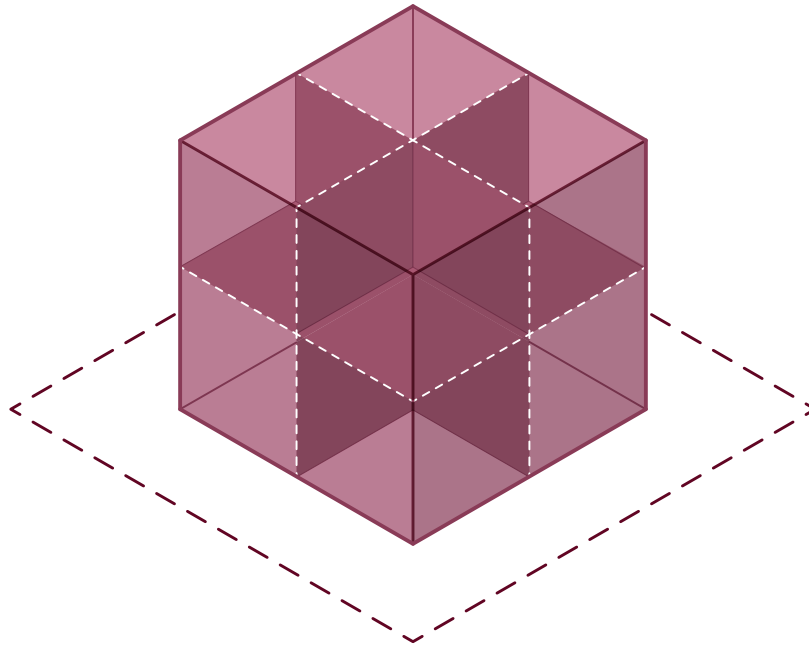
Plant cultivation is defined as any agricultural use that includes the growing of plants.

A. Community Garden

Plant cultivation: community garden is defined as a plant cultivation use designed and intended for multiple households or organizations to cultivate plants for domestic use. This use may include shared facilities for storage and maintenance or services incidental to the agricultural use such as an educational space.

B. Farming

Plant cultivation: farming is defined as the cultivation of produce, ornamental plants, herbs, seeds, or fungi, for off-site sale or distribution. This use includes, but is not limited to, truck gardening, indoor farming, or vertical farming. For the sale of produce on-site beyond a farm stand pursuant to Sec. 5C.2.8.G.1. (Supplemental Standards), see Sec. 5D.6.12.E. (Retail: Food & Beverage).



ARTICLE 6. **DENSITY**

[FORM - FRONTAGE - STANDARDS] [USE - **DENSITY**]

Part 6A. **Introduction**

Part 6B. **Density Districts**

Part 6C. **Density Rules**

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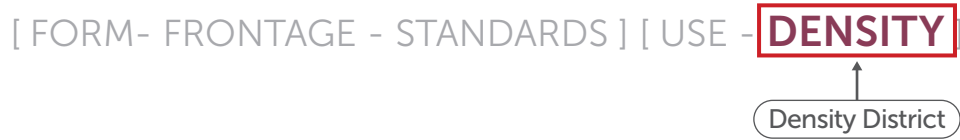
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DIV. 6A.1. **ORIENTATION**

SEC. 6A.1.1. **RELATIONSHIP TO ZONE STRING**

A zone string is composed of the following districts, as established in *Sec. 1.5.2. (Zoning Map)*:



The Density District is a separate and independent component of each zone.

SEC. 6A.1.2. **HOW TO USE ARTICLE 6. (DENSITY)**

A. **Identify the Applicable Density District**

The fifth component in a zone string is the Density District for a property.

B. **Determine Applicable Density District Standards**

1. Density Districts standards are located in *Part 6B. (Density Districts)*. Each Density District identifies the standards specific to that Density District.
2. Each standard in a Density District in *Part 6B. (Density Districts)* provides a reference to *Part 6C. (Density Rules)* where the standard is explained in detail. Text in italics below a heading provides a definition of that heading.

Density District Example:

Zone String

[LM2-MU2-5] [RG1-4]

Part 6B. (Density Districts)

Find Your Applied
Density District

For Illustrative Purposes Only

DIV. 6B.2. LOT AREA-BASED DENSITY DISTRICTS

In FA 2, 3, 4, 6, 8, 10, the maximum density of household dwelling units on a lot is limited according to the table below. A lot may also be used for efficiency dwelling units and efficiency dwelling units.

Density District	Lot Area per Household Dwelling Unit (min SF) Sec. 6C.1.2	Lot Area per Efficiency Dwelling Unit (min SF) Sec. 6C.1.3
FA	Limited by floor area	Limited by floor area
2	200	100
3	300	150
4	400	200
6	600	300
8	800	400
10	1000	500
12	1200	600
15	1500	750
20	2000	1000
25	2500	1250
30	3000	1500
40	4000	2000
50	5000	2500
60	6000	3000
N	Not Permitted	Not Permitted

Link to Rules

Specification for Standard

Part 6C. (Density Rules)

Find Your
Rules

For Illustrative Purposes Only

SEC. 6C.1.3. LOT AREA PER EFFICIENCY DWELLING UNIT

The maximum number of efficiency dwelling units allowed on a lot based on lot area.

A. Intent

The intent of regulating the number of efficiency dwelling units based on lot area is to provide a method that ensures there is a specified maximum ratio of efficiency dwelling units in relation to the size of a lot.

B. Applicability

Lot area per efficiency dwelling unit applies to any project that includes efficiency dwelling units in a Lot Area-Based Density District.

C. Standards

The number of efficiency dwelling units on a lot shall not exceed the maximum established by the applied Density District in Div. 6B.2. (Lot Area-Based Density Districts).

D. Measurement

1. The maximum number of efficiency dwelling units is calculated by dividing the lot area by the lot area per efficiency dwelling unit value outlined in Div. 6B.2. (Lot Area-Based Density Districts), and can be provided in conjunction with household dwelling units where permitted, as calculated in Sec. 6C.1.2. (Lot Area per Household Dwelling Unit).

a. Lot area that has been committed to the minimum lot area required per efficiency dwelling unit cannot be counted toward the minimum lot area required for a household dwelling unit.

b. Example:

i. A 5,000 square-foot lot with a 10 Density District could have five household dwelling units, or three household dwelling units plus four efficiency dwelling units, or any combination that does not exceed the maximum number of dwelling units permitted by the ratios.

ii. If this same lot had five household dwelling units, it would not be able to add any efficiency dwelling units, as the 5,000 square feet of the lot would have been

SEC. 6A.1.3. **DENSITY DISTRICT NAMING CONVENTION**

There are two categories of Density Districts, lot-limited and lot area-based.

A. Lot-Limited Density Districts

Lot-Limited Density District names include a number, which represents the maximum quantity of household dwelling units allowed on a lot, followed by the letter "L."

B. Lot Area-Based Density Districts

With the exception of the "FA" and "N" Density Districts, Lot Area-Based Density District names are a number that represents how many hundreds of square feet of lot area are required per household dwelling unit or efficiency dwelling unit. The FA Density District is an abbreviation for "Floor Area," indicating that floor area is the only practical limit to density in this district and that the effective minimum lot area per household dwelling unit or efficiency dwelling unit is zero square feet. The N Density District is an abbreviation for "Not Permitted," indicating that no household dwelling units or efficiency dwelling units are allowed in this Density District.

DIV. 6A.2. **GENERAL RULES**

SEC. 6A.2.1. **DENSITY**

This *Article (Density)* establishes *Density Districts (Part 6B.)*, a mechanism that regulates the number of household dwelling units or efficiency dwelling units permitted on any lot, otherwise known as density. Density Districts allow for a wide variety of zoning approaches to housing.

SEC. 6A.2.2. **DENSITY APPLICABILITY**

A. **General**

All projects filed after the effective date of this Zoning Code (Chapter 1A) shall comply with the density standards in this *Article (Density)*, as further specified in the applicability statement of each Section in *Part 6C. (Density Rules)*. For vested rights, see *Sec. 1.4.5. (Vested Rights)*, and for continuance of existing development, see *Sec. 1.4.6. (Continuance of Existing Development)*.

B. **Nonconformities**

Article 12. (Nonconformities) may provide relief from the requirements of this *Article (Density)* for existing lots, site improvements, buildings and structures, and uses that conformed to the zoning regulations, at the time they were established, but do not conform to current district standards or use permissions. All project activities shall conform with *Density District (Part 6B.)* standards unless otherwise specified by *Div. 12.7. (Nonconforming Density)*.

SEC. 6A.2.3. **RELATIONSHIP TO USE DISTRICTS**

- A. When household dwelling units or efficiency dwelling units are permitted by a Use District in *Part 5B. (Use Districts)*, the Density Districts in this *Article (Density)* establish limits on the number of allowed household dwelling units or efficiency dwelling units.
- B. Some Use Districts in *Part 5B. (Use Districts)* establish additional requirements for household dwelling units and efficiency dwelling units in addition to those in this *Article (Density)*.

SEC. 6A.2.4. **RELATIONSHIP TO PUBLIC BENEFIT SYSTEMS**

Affordable housing incentive programs, outlined in *Article 9. (Public Benefit Systems)*, offer a variety of methods to obtain additional density in excess of the limits established in this *Article (Density)* and the applied *Density District (Part 6B.)* in exchange for different affordability levels and types of affordable housing.

SEC. 6A.2.5. **RELATIONSHIP TO FORM DISTRICTS**

Form Districts (Part 2B.) do not directly limit density, but do establish requirements that may result in physical constraints that could impact the number of household dwelling units or efficiency dwelling units that can be accommodated on a lot.

PART 6B. DENSITY DISTRICTS

Div. 6B.1. Lot-Limited Density Districts 6-9

Div. 6B.2. Lot Area-Based Density Districts 6-10

DIV. 6B.1. LOT-LIMITED DENSITY DISTRICTS

In 1L, 2L, 3L and 4L Density Districts, the maximum number of dwelling units permitted on a lot is limited according to the table below.

LOT-LIMITED DENSITY DISTRICTS	
Density District	Dwelling Units Per Lot (max) <i>Sec. 6C.1.1.</i>
1L	1
2L	2
3L	3
4L	4

DIV. 6B.2. LOT AREA-BASED DENSITY DISTRICTS

In FA, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, and N Density Districts, the maximum density of household dwelling units and efficiency dwelling units permitted on a lot is limited according to the table below. A lot may contain any combination of household dwelling units and efficiency dwelling units.

LOT AREA-BASED DENSITY DISTRICTS		
Density District	Lot Area per Household Dwelling Unit (min SF) <i>Sec. 6C.1.2.</i>	Lot Area per Efficiency Dwelling Unit (min SF) <i>Sec. 6C.1.3.</i>
FA	Limited by floor area	Limited by floor area
2	200	100
3	300	150
4	400	200
6	600	300
8	800	400
10	1000	500
12	1200	600
15	1500	750
20	2000	1000
25	2500	1250
30	3000	1500
40	4000	2000
50	5000	2500
60	6000	3000
N	Not Permitted	Not Permitted

PART 6C.DENSITY RULES

Div. 6C.1. Maximum Density 6-12

Sec. 6C.1.1. Dwelling Units Per Lot. 6-12

Sec. 6C.1.2. Lot Area Per Household Dwelling Unit. 6-13

Sec. 6C.1.3. Lot Area Per Efficiency Dwelling Unit 6-16

DIV. 6C.1. **MAXIMUM DENSITY**

SEC. 6C.1.1. **DWELLING UNITS PER LOT**

The maximum number of dwelling units allowed on a lot.

A. Intent

The intent of regulating the number of dwelling units based on a fixed number per lot is to provide a method to establish a specific maximum number of dwelling units, regardless of lot area.

B. Applicability

Dwelling units per lot applies to any project that includes dwelling units and is constructed in a Lot-Limited Density District .

C. Standards

1. Regardless of lot area, the number of dwelling units is limited to the maximum dwelling units per lot outlined in *Div. 6B.1 (Lot-Limited Density Districts)* above.
2. Where a lot is large enough to be subdivided following the applied *Form District (Part 2B.)* lot area standards and the subdivision requirements in *Article 11. (Division of Land)*, each new lot is entitled to the dwelling units per lot established by the applied Density District.

D. Measurement

1. Dwelling units per lot is measured as the cumulative number of dwelling units on a lot.

E. Exceptions

Accessory dwelling units and junior accessory dwelling units, compliant with *Div. 9.5. (Accessory Dwelling Unit Incentive Programs)*, are exempt from the density limit for lots having one or more dwelling units.

F. Relief

1. An increase in the dwelling units per lot may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.

SEC. 6C.1.2. LOT AREA PER HOUSEHOLD DWELLING UNIT

The maximum number of household dwelling units allowed on a lot based on lot area.

A. Intent

The intent of regulating the lot area per household dwelling unit is to provide a method that ensures there is a specified maximum ratio of household dwelling units in relation to the size of a lot.

B. Applicability

Lot area per household dwelling unit applies to any project that includes household dwelling units in a Lot Area-Based Density District (Div. 6B.2.).

C. Standards

The number of household dwelling units on a lot shall not exceed the maximum established by the applied Density District in Div. 6B.2. (Lot Area-Based Density Districts).

D. Measurement

1. The maximum number of household dwelling units is calculated by dividing the lot area by the lot area per household dwelling unit value outlined in Div. 6B.2. (Lot Area-Based Density Districts), and can be provided in combination with efficiency dwelling units where permitted, as calculated in Sec. 6C.1.3. (Lot Area Per Efficiency Dwelling Unit).

- a. Lot area that has been committed to the minimum lot area required per household dwelling unit cannot be counted toward the minimum lot area required for an efficiency dwelling unit.

b. Example:

- i. A 5,000 square-foot lot with a 10 Density District could have five household dwelling units, or three household dwelling units plus four efficiency dwelling units, or any combination that does not exceed the maximum number of dwelling units permitted by the ratios.
 - ii. If this same lot had five household dwelling units, it would not be able to add any efficiency dwelling units, as the 5,000 square feet of the lot would have been committed to the minimum lot area required for the allowance of the five household dwelling units.
2. For lots that are adjacent to one or more alley, the maximum number of household dwelling units may be calculated using the lot area plus the area between the exterior lot lines and the centerline of the alley.
 3. Fractions of units do not count towards an additional household dwelling unit, except as permitted in Article 9. (Public Benefit Systems).

- Maximum Density -

4. When density is designated as "Limited by floor area", there is no maximum density. Household dwelling units are limited only by the physical constraints of the applied *Form District (Part 2B.)*.
5. When density is designated as "Not Permitted", household dwelling units are not permitted.

E. Exceptions

Accessory dwelling units and junior accessory dwelling units, that comply with *Div. 9.5. (Accessory Dwelling Unit Incentive Programs)* are exempt from the density limit for lots having one or more dwelling units.

F. Relief

1. A decrease in the minimum lot area per household dwelling unit may be granted as a variance pursuant to *Sec. 13B.5.3. (Variance)*.
2. For projects that include multiple parcels with different applied *Density Districts (Part 6B.)*, the transfer of density across the development site may be granted, in accordance with *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*.

a. Supplemental Findings

In addition to the findings in *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, the Zoning Administrator shall also find that the project meets the following conditions:

- i. The project meets the definition of unified development.
- ii. All lots included in the project have *Commercial-Mixed Use Districts (Div. 5B.5.)*, *Industrial-Mixed Use Districts (Div. 5B.6.)*, or *Industrial Use Districts (Div. 5B.7.)* applied, or the project is located entirely in the Downtown Community Plan Area and all lots included in the project have *Residential-Mixed Use Districts (Div. 5B.4.)*, *Commercial-Mixed Use Districts (Div. 5B.5.)*, *Industrial-Mixed Use Districts (Div. 5B.6.)*, or *Industrial Use Districts (Div. 5B.7.)* applied.
- iii. Where any individual lot exceeds the maximum density specified by the applied *Density District (Part 6B.)*, the total number of dwelling units across all lots included in the unified development shall not exceed the sum of the maximum number of dwelling units allowed across all lots as calculated based on the maximum density specified by each applied *Density District (Part 6B.)*.

b. Supplemental Procedures

If the Zoning Administrator approves the density transfer, then prior to the issuance of any building permit, the property owner shall file with the Department of Building and Safety a covenant running with the land that specifies the following obligations:

- i. The operation and maintenance of the development as a unified development is continued in perpetuity;

- Maximum Density -

- ii. The density used and the remaining unbuilt density, if any, is allocated to each lot;
- iii. The unifying design elements are maintained and continued in perpetuity; and
- iv. The individual or entity responsible and accountable for compliance and the fee for the annual inspection of compliance by the Department of Building and Safety, as required pursuant to *Sec. 15.3.12. (Annual Inspection of FAR Averaging & Density Transfer Covenants)*

SEC. 6C.1.3. LOT AREA PER EFFICIENCY DWELLING UNIT

The maximum number of efficiency dwelling units allowed on a lot based on lot area.

A. Intent

The intent of regulating the number of efficiency dwelling units based on lot area is to provide a method that ensures there is a specified maximum ratio of efficiency dwelling units in relation to the size of a lot.

B. Applicability

Lot area per efficiency dwelling unit applies to any project that includes efficiency dwelling units in a Lot Area-Based Density District.

C. Standards

The number of efficiency dwelling units on a lot shall not exceed the maximum established by the applied Density District in *Div. 6B.2. (Lot Area-Based Density Districts)*.

D. Measurement

1. The maximum number of efficiency dwelling units is calculated by dividing the lot area by the lot area per efficiency dwelling unit value outlined in *Div. 6B.2. (Lot Area-Based Density Districts)*, and can be provided in conjunction with household dwelling units where permitted, as calculated in *Sec. 6C.1.2. (Lot Area per Household Dwelling Unit)*.
 - a. Lot area that has been committed to the minimum lot area required per efficiency dwelling unit cannot be counted toward the minimum lot area required for a household dwelling unit.
 - b. **Example:**
 - i. A 5,000 square-foot lot with a 10 Density District could have five household dwelling units, or three household dwelling units plus four efficiency dwelling units, or any combination that does not exceed the maximum number of dwelling units permitted by the ratios.
 - ii. If this same lot had five household dwelling units, it would not be able to add any efficiency dwelling units, as the 5,000 square feet of the lot would have been committed to the minimum lot area required for the allowance of the five household dwelling units.
2. For lots that are adjacent to one or more alley, the maximum number of efficiency dwelling units may be calculated using the lot area plus the area between the exterior lot lines and the centerline of the alley.
3. Fractions of units do not count towards an additional household dwelling unit or efficiency dwelling unit, except as permitted in *Article 9. (Public Benefit Programs)*.

- Maximum Density -

4. When density is designated as "Limited by floor area", there is no maximum density. Efficiency dwelling units are limited only by the physical constraints of the applied *Form District (Part 2B.)*.
5. When density is designated as "Not Permitted", efficiency dwelling units are not permitted.

E. Exceptions

Accessory dwelling units and junior accessory dwelling units, compliant with *Div. 9.5. (Accessory Dwelling Unit Incentive Program)*, are exempt from the density limit for lots having one or more dwelling units.

F. Relief

1. A decrease in the minimum lot area per efficiency dwelling unit may be granted as a variance in accordance with *Sec. 13B.5.3. (Variance)*.
2. For projects that include multiple parcels having different applied *Density Districts (Part 6B.)*, the transfer of density across the development site may be granted, in accordance with *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*.

a. Supplemental Findings

In addition to the findings in *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, the Zoning Administrator shall also find that the project meets the following conditions:

- i. The project meets the definition of unified development.
- ii. All lots included in the project have *Commercial-Mixed Use Districts (Div. 5B.5.)*, *Industrial-Mixed Use Districts (Div. 5B.6.)*, or *Industrial Use Districts (Div. 5B.7.)* applied, or the project is located entirely in the Downtown Community Plan Area and all lots included in the project have *Residential-Mixed Use Districts (Div. 5B.4.)*, *Commercial-Mixed Use Districts (Div. 5B.5.)*, *Industrial-Mixed Use Districts (Div. 5B.6.)*, or *Industrial Use Districts (Div. 5B.7.)* applied.
- iii. Where any individual lot exceeds the maximum density specified by the applied *Density District (Part 6B.)*, the total number of dwelling units across all lots included in the unified development shall not exceed the sum of the maximum number of dwelling units allowed across all lots as calculated based on the maximum density specified by each applied *Density District (Part 6B.)*.

b. Supplemental Procedures

If the Zoning Administrator approves a density transfer then, prior to the issuance of any building permit, the property owner shall file with the Department of Building and Safety a covenant running with the land that specifies the following obligations:

- i. The operation and maintenance of the development as a unified development is continued in perpetuity;

- Maximum Density -

- ii. The density used and the remaining unbuilt density, if any, is allocated to each lot;
- iii. The unifying design elements are maintained and continued in perpetuity; and
- iv. The individual or entity responsible and accountable for compliance and the fee for the annual inspection of compliance by the Department of Building and Safety, as required pursuant to *Sec. 15.3.12. (Annual Inspection of FAR Averaging & Density Transfer Covenants)*.

ARTICLE 7. **ALTERNATE TYPOLOGIES**

Part 7A. **Introduction**

Part 7B. **Alternate Typologies**

Part 7C. **Alternate Typology Rules**

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PART 7A. INTRODUCTION

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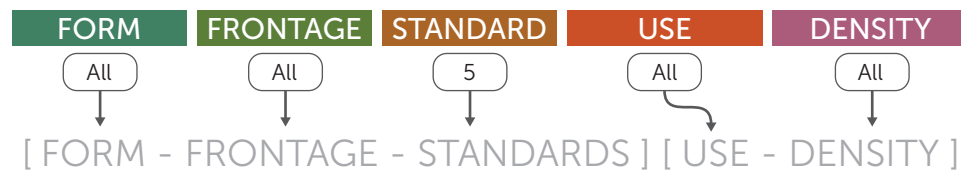
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DIV. 7A.1. ORIENTATION

SEC. 7A.1.1. RELATIONSHIP TO ZONE STRING

Alternate Typologies may be used on lots where all districts in the applied zone string are listed as eligible districts in the eligibility table of an Alternate Typology. An Alternate Typology either supersedes or defers to the standards of the underlying applied zoning districts as specified by the Alternate Typology.



SEC. 7A.1.2. HOW TO USE ARTICLE 7. (ALTERNATE TYPOLOGIES)

A. Determine Eligibility

Review each component in a zone string against the eligible districts for an Alternate Typology.

B. Identify Standards

1. Form Standards

Outlined in Subsection D. (Form Standards) of each Alternate Typology (Part 7B.).

2. Frontage Standards

Outlined in Subsection E. (Frontage Standards) of each Alternate Typology (Part 7B.).

3. Development Standards

Outlined in Subsection F. (Development Standards) of each Alternate Typology (Part 7B.).

4. Use Standards

Outlined in Subsection G. (Use Standards) of each Alternate Typology (Part 7B.).

5. Density Standards

Outlined in Subsection H. (Density Standards) of each Alternate Typology (Part 7B.).

C. Interpret Standards

Each standard in an Alternate Typology in Part 7B. (Alternate Typologies) provides a reference to Part 7C. (Alternate Typology Rules) where each standard is explained in detail.

Zone String Example:

Zone String

[LM2-MU2-5-IRG1-FA]

See if Your Zoning is Eligible

Part 7B. (Alternate Typologies)

Illustrative Purposes Only
DIV. 7B.1 **INSTITUTIONAL**
SEC. 7B.1.1 **CIVIC INSTITUTIONAL**

A. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	5	All	All

Find Your Rules

Illustrative Purposes Only
F. Development Standards
Set by the applied Development Standard District (Part 4B).
G. Use Standards
1. For a minimum of 20 years after the issuance of a Certificate of Occupancy, no less than 75 percent of the total floor area on the lot shall be designated for one or more of the following uses:
a. Civic facility, local.
b. Civic facility, regional.
c. Public safety facility.
d. Community assembly, regional.
e. School, K-12.
f. School, post-secondary.
g. Social services, and
h. Passenger transit station.
2. Once 20 years have elapsed, any use allowed in the applicable Use District.
3. For additional Use District standards, see the applied Use District.
H. Density Standards
Set by the applied Density District (Part 6C).

Illustrative Purposes Only
E. Frontage Standards
1. Site
2. Facade

Illustrative Purposes Only
D. Form Standards
1. Lot Parameters
2. Bulk and Mass

Unregulated Standard

Defaults to Underlying Zoning

Part 7C. (Alternate Typology Rules)

Illustrative Purposes Only
DIV. 7C.1 **ALTERNATE TYPOLOGY RULES**
SEC. 7C.1.1 **FORM RULES**
A. For Form District standards, see the applicable standard Sections in Part 2C. (Form Rules).
B. For standards that apply when a district table specifies "Set by Form District", see the applied Form District in Part 2B. (Form Districts) for the applicable standard specification.

SEC. 7C.1.2 FRONTAGE RULES
A. For Frontage District standards, see the applicable standard Sections in Part 3C. (General Frontage Rule) or Part 3D. (Character Frontage Rules).
B. For standards that apply when a district table specifies "Set by Frontage District", see the applied Frontage District in Part 3B. (Frontage Districts) for the applicable standard specification.

SEC. 7C.1.3 DEVELOPMENT RULES
A. For Development Standards District standards, see the applicable standard Sections in Part 4C. (Development Standards Rules).
B. For standards that apply when a district table specifies "Set by Development Standards District", see the applied Development Standards District in Part 4B. (Development Standards Districts) for the applicable standard specification.

SEC. 7C.1.4 USE RULES
A. For Use District standards, see the applicable standard Sections in Part 5C. (Use Rules).
B. For use definitions, see Part 5D. (Use Definitions).
C. For standards that apply when a district table specifies "Set by Use District", see the applied Use District in Part 5B. (Use Districts) for the applicable standard specification.

SEC. 7C.1.5 DENSITY RULES
A. For Density District standards, see the applicable standard Sections in Part 6C. (Density Rules).
B. For standards that apply when a district table specifies "Set by Density District", see the applied Density District in Part 6B. (Density Districts) for the applicable standard specification.

Illustrative Purposes Only
PART 2C. FORM RULES

Illustrative Purposes Only
PART 6B. DENSITY DISTRICTS

SEC. 7A.1.3. ALTERNATE TYPOLOGY GRAPHICS

A. General

1. Illustrations and graphics are included in *Article 7. (Alternate Typologies)* only to assist users in understanding the intent and requirements of the text. In the event a conflict occurs between the text of *Article 7. (Alternate Typologies)* and any illustration or graphic, the text prevails.
2. To interpret the Form standard graphics in *Article 7. (Alternate Typologies)* see *Sec. 2A.1.3. (Form District Diagrams)*.
3. To interpret the Frontage standard graphics in *Article 7. (Alternate Typologies)* see *Sec. 3A.1.3. (Frontage District Diagrams)*.

SEC. 7A.1.4. ALTERNATE TYPOLOGY NAMING CONVENTION

Alternate Typology names are composed of two components: a typology category and a variation number.

A. Typology Category

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

1. Civic Institution
2. Corner Store
3. Small Lot Subdivision
4. Drive-Through
5. Fueling Station

B. Variation Number

The last component of each Alternate Typology name is a variation number. Alternate Typologies are numbered based on the order in which they were incorporated into this Zoning Code (Chapter 1A).

DIV. 7A.2. GENERAL RULES

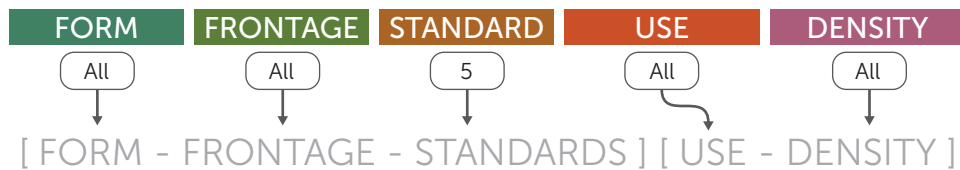
SEC. 7A.2.1. ALTERNATE TYPOLOGIES INTENT

There are certain cases where the desired physical form for a specific type of development is prohibited by the zoning applied to a lot. In those cases, Alternate Typologies provide an option to override specific standards in the underlying zoning that may otherwise prohibit the desired form. In exchange for providing greater flexibility on particular standards, Alternate Typologies require adherence to other standards that promote the desired form and ensure that projects are contextually appropriate.

SEC. 7A.2.2. ALTERNATE TYPOLOGIES APPLICABILITY

A. Eligibility

Alternate Typologies are only allowed in eligible districts. Each Alternate Typology provides an eligibility table that lists all zoning districts where the Alternate Typology is allowed. Any lot within one of the eligible zoning districts may use the Alternate Typology. When an eligible district is listed with "-", all variations of the district are eligible (for example, RN_ includes RN1, RN2 and any other RN variation).



B. Project Activities

1. Alternate Typology standards apply to project activities as shown in the applicability statements of each Section in Part 2C. (Form Rules), Part 3C. (General Frontage Rules), Part 3D. (Character Frontage Rules), Part 4C. (Development Standards Rules), Part 5C. (Use Rules), and Part 6C. (Density Rules). More than one project activity may apply to a project (for example, an exterior modification may also include a use modification).
2. Project applicability may also be modified by Article 12. (Nonconformities).
3. Project activities are defined in Sec. 14.2.15. (Project Activities).

C. Applicable Components of Buildings & Lots

1. Alternate Typology regulations apply to all portions of a lot.
2. Alternate Typology regulations apply to all portions of buildings and structures on a lot.
3. Specific Alternate Typology regulations may further limit which components of buildings and lots are required to comply with the rules in Part 7C. (Alternate Typology Rules).

D. Nonconformities

1. *Article 12. (Nonconformities)* provides relief from the requirements of *Article 7. (Alternate Typologies)* for existing lots, site improvements, buildings, structures, and uses that conformed to the zoning regulations at the time they were established, but do not conform to current district standards or use permissions. No proposed project activity using an Alternate Typology may decrease the conformance with any Form, Frontage, Development, Use, or Density standard in *Article 7. (Alternate Typologies)*, unless otherwise specified in *Div. 12.2. (Form Exceptions)*, *Div. 12.3. (Frontage Exceptions)*, *Div. 12.4. (Development Standards Exceptions)*, *Div. 12.5. (Use Exceptions)*, or *Div. 12.6. (Density Exceptions)*.

SEC. 7A.2.3. RELATIONSHIP TO ZONING DISTRICTS

- A. Where a standard is listed in an Alternate Typology, the specification listed for each standard in the Alternate Typology supersedes the specification listed in the underlying zoning districts for the same standard.
- B. The underlying zoning district standard applies where an Alternate Typology:
 1. Expressly defers to the underlying districts (for example, "Set by Form District");
 2. Provides no specification for a standard listed by the underlying zoning districts; or
 3. Does not list a standard that is listed by the underlying zoning districts.

SEC. 7A.2.4. RELATIONSHIP TO SPECIFIC PLANS & SUPPLEMENTAL DISTRICTS

- A. Alternate Typologies do not supersede the requirements of Specific Plans or Supplemental Districts.
- B. Special Zones are not eligible to use Alternate Typologies.

PART 7B. ALTERNATE TYPOLOGIES

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 Sec. 7B.1.1. Civic Institution 1. 7-10

Div. 7B.2. Corner Store 7-14

Div. 7B.3. Small Lot Subdivision 7-14

Div. 7B.4. Drive-Through 7-14

Div. 7B.5. Fueling Station 7-14

DIV. 7B.1. INSTITUTIONAL

SEC. 7B.1.1. CIVIC INSTITUTION 1

A. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	5	All	All



B. Intent

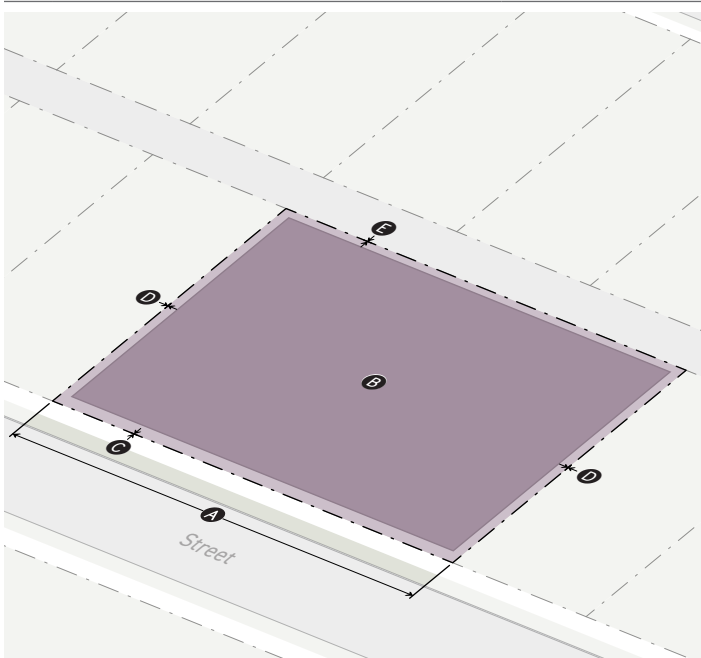
The Civic Institution 1 Alternate Typology is intended to promote placemaking through architectural monuments and publicly accessible spaces. This Alternate Typology allows greater design flexibility for civic institutions to differentiate civic assets from the surrounding urban fabric, while maintaining standards essential for ensuring all projects actively contribute to a highly walkable urban environment.

C. Review

Administrative review is required, see *Sec. 13B.3.1. (Administrative Review)*.

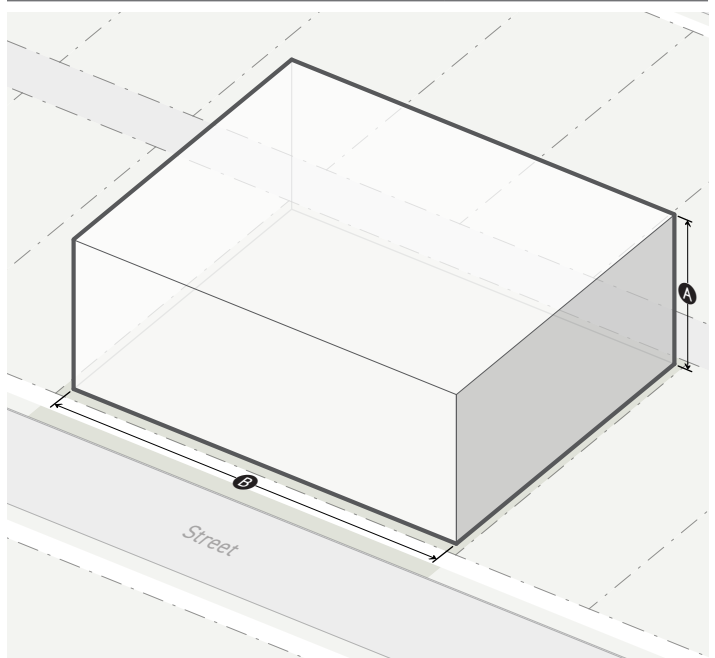
D. Form Standards

1. Lot Parameters



LOT SIZE		Sec. 7C.1.1.
Lot area (min)		n/a
A	Lot width (min)	25'
COVERAGE		Sec. 7C.1.1.
B	Building coverage (max)	95%
Building setbacks		
C	Primary street (min)	0'
	Side street (min)	0'
D	Side (min)	0'
	Rear (min)	0'
E	Alley (min)	0'
	Special lot line (min)	0'
AMENITY		Sec. 7C.1.1.
Lot amenity space (min)		n/a
Residential amenity space (min)		n/a

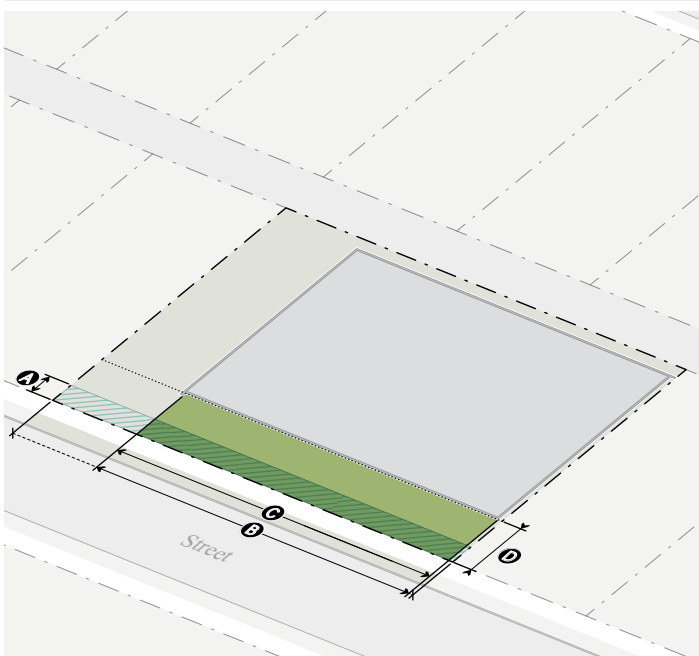
2. Bulk and Mass



HEIGHT & FAR		Sec. 7C.1.1.
FAR (max)		Set by Form District
A	Height (max)	n/a
UPPER STORY BULK		Sec. 7C.1.1.
Set by Form District		
BUILDING MASS		Sec. 7C.1.1.
Set by Form District		

E. Frontage Standards

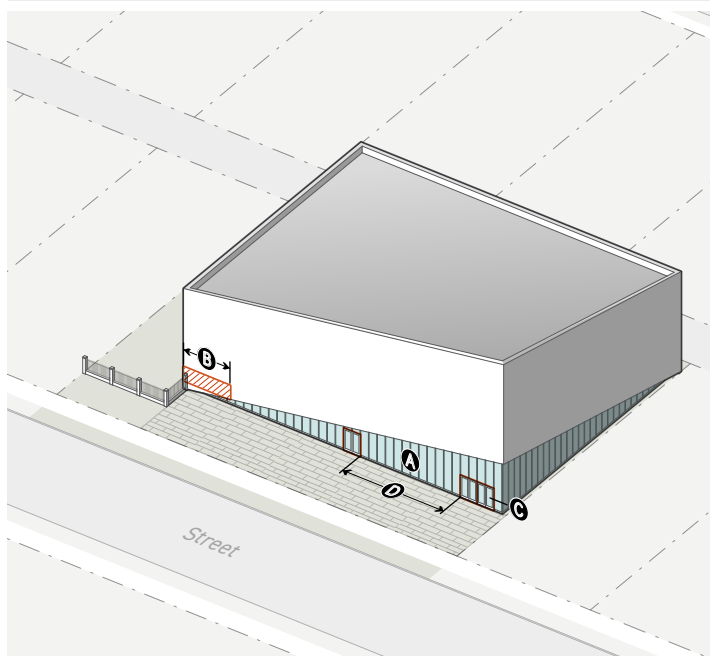
1. Site



	Primary St.	Side St.
BUILD-TO	Sec. 7C.1.2.	
Applicable stories (min)	1	1
A Build-to depth (max)	0'/10'	0'/10'
B Build-to width (min)	80%	60%
C Pedestrian amenity allowance (max)	100%	100%
PARKING	Sec. 7C.1.2.	
D Parking setback (min)	25'	0'
Parking between building & street (allowed)	No	No
LANDSCAPE	Sec. 7C.1.2.	
Frontage planting area (min)	n/a	n/a
Frontage yard fence & wall type allowed:	A3*	A3*

*Fences and walls may not be located between the building face meeting the required build-to width and the street.

2. Facade



	Primary St.	Side St.
TRANSPARENCY	Sec. 7C.1.2.	
A Ground story (min)	10%*	10%*
Upper stories (min)	n/a	n/a
B Active wall spacing (max)	70'	90'
ENTRANCES	Sec. 7C.1.2.	
C Street-facing entrance	Required	n/a
D Entrance spacing (max)	100'	150'
Entry feature	n/a	n/a
GROUND STORY	Sec. 7C.1.2.	
Ground story height (min)		
Residential (min)	n/a	n/a
Non-residential (min)	16'	16'
Ground floor elevation (min/max)	n/a	n/a

*Ground story window and door glazing may be screened for up to 50 percent of the glazed area.

F. Development Standards

Set by the applied *Development Standard District (Part 4B.)*.

G. Use Standards

1. For a minimum of 20 years after the issuance of a Certificate of Occupancy, no less than 75 percent of the total floor area on the lot shall be designated for one or more of the following uses:
 - a. Civic facility: local;
 - b. Civic facility: regional;
 - c. Public safety facility;
 - d. Community assembly: regional;
 - e. School: K-12;
 - f. School: post-secondary;
 - g. Social services; and
 - h. Passenger transit facility.
2. Once 20 years have elapsed, any use allowed in the applied *Use District (Part 5B.)* is permitted.
3. For additional Use District standards, see the applied *Use District (Part 5B.)*.

H. Density Standards

Set by the applied *Density District (Part 6B.)*.

DIV. 7B.2. **CORNER STORE**

[Reserved].

DIV. 7B.3. **SMALL LOT SUBDIVISION**

[Reserved].

DIV. 7B.4. **DRIVE-THROUGH**

[Reserved].

DIV. 7B.5. **FUELING STATION**

[Reserved].

PART 7C. ALTERNATE TYPOLOGY RULES

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Sec. 7C.1.4. Use Rules 7-16

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DIV. 7C.1. **ALTERNATE TYPOLOGY RULES**

SEC. 7C.1.1. **FORM RULES**

- A. For Form District standards, see the applicable standard Sections in *Part 2C. (Form Rules)*.
- B. For standards that apply when a district table specifies 'Set by Form District', see the applied Form District in *Part 2B. (Form Districts)* for the applicable standard specification.

SEC. 7C.1.2. **FRONTAGE RULES**

- A. For Frontage District standards, see the applicable standard Sections in *Part 3C. (General Frontage Rules)* or *Part 3D. (Character Frontage Rules)*.
- B. For standards that apply when a district table specifies 'Set by Frontage District', see the applied Frontage District in *Part 3B. (Frontage Districts)* for the applicable standard specification.

SEC. 7C.1.3. **DEVELOPMENT RULES**

- A. For Development Standards District standards, see the applicable standard Sections in *Part 4C. (Development Standards Rules)*.
- B. For standards that apply when a district table specifies 'Set by Development Standards District', see the applied Development Standards District in *Part 4B. (Development Standards Districts)* for the applicable standard specification.

SEC. 7C.1.4. **USE RULES**

- A. For Use District standards, see the applicable standard Sections in *Part 5C. (Use Rules)*.
- B. For use definitions, see *Part 5D. (Use Definitions)*.
- C. For standards that apply when a district table specifies 'Set by Use District', see the applied Use District in *Part 5B. (Use Districts)* for the applicable standard specification.

SEC. 7C.1.5. **DENSITY RULES**

- A. For Density District standards, see the applicable standard Sections in *Part 6C. (Density Rules)*.
- B. For standards that apply when a district table specifies 'Set by Density District', see the applied Density District in *Part 6B. (Density Districts)* for the applicable standard specification.

ARTICLE 8.
**SUPPLEMENTAL &
SPECIAL ZONING**

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DIV. 8.1. **SPECIFIC PLANS (SP)**

SEC. 8.1.1. **GENERAL**

A. **Intent**

The intent of a Specific Plan is to provide additional regulatory controls or incentives beyond, or in-lieu of, those provided in this Zoning Code (Chapter 1A) for the systematic implementation of the General Plan. This *Division (Specific Plans (SP))* is intended to supplement any rules on the adoption or amendment of Specific Plans in *Sec. 13B.1.2. (Specific Plan Adoption/Amendment)* and implementation of Specific Plans in *Div. 13B.4. (Specific Plan Implementation)*.

B. **Applicability**

1. **Definition of Project**

The definition of a project and the applicability of Specific Plan regulations are established in each Specific Plan.

2. **Specific Plan Guidelines**

A Specific Plan may establish, or authorize the adoption of, guidelines in order to provide guidance for the implementation of the plan or for the review of projects seeking relief from the standards outlined in each Specific Plan.

3. **Reconciling Provisions**

In the event that a Specific Plan conflicts with any provisions of this Zoning Code (Chapter 1A) or Supplemental Districts, the Specific Plan shall prevail. In the event that a Specific Plan is silent regarding any provisions of this Zoning Code (Chapter 1A) or Supplemental Districts, the provisions of the Zoning Code shall apply.

4. **Violations**

The violation of any provision of an adopted Specific Plan or condition imposed by a decision-making body in approving the site requirements, methods of operation, development plans or other actions taken in accordance with the authority contained in each Specific Plan and this *Division (Specific Plans (SP))* shall constitute a violation of this Zoning Code (Chapter 1A), in accordance with *Sec. 13B.4.E. (Violations of Specific Plans)*.

SEC. 8.1.2. **SPECIFIC PLAN STANDARDS**

A. **Specific Plan Regulations**

Regulations are established in each Specific Plan as a regulatory document outside of this Zoning Code (Chapter 1A).

SEC. 8.1.3. PROCEDURES

A. Establishing & Amending Specific Plans

Specific Plans are established and amended by the City Council in accordance with Sec. 13B.1.2. (Specific Plan Adoption/Amendment), and are represented as part of the zone for any lot subject to a Specific Plan as provided in Sec. 1.5.2.A.3. (Specific Plans & Supplemental Districts).

B. Issuance of Building Permits

For any project subject to review under a Specific Plan, the Department of Building and Safety shall not issue a building permit for a project unless approved by the Department of City Planning in accordance with the applicable procedures below:

1. Administrative Review

If administrative review is permitted by the applicable Specific Plan, the project that complies with the applicable regulations in a Specific Plan shall be approved in accordance with Sec. 13B.3.1. (Administrative Review).

2. Project Compliance

If review and consideration by the Director for compliance with the applicable regulations and guidelines in a Specific Plan is required by the applicable Specific Plan, the project shall be approved in accordance with Sec. 13B.4.2. (Project Compliance).

3. Project Compliance (Design Review Board)

If review and consideration by the Director, with recommendation from a Design Review Board, for compliance with the applicable regulations and guidelines in a Specific Plan is required by the applicable Specific Plan, the project shall be approved in accordance with Sec. 13B.4.3. (Project Compliance (Design Review Board)).

4. Project Adjustment

An applicant for a project that cannot comply with the requirements of a Specific Plan may be granted relief, in accordance with Sec. 13B.4.4. (Project Adjustment), subject to any limitations in the Specific Plan.

5. Project Exception

An applicant for a project that cannot comply with the requirements of a Specific Plan may be granted relief, in accordance with Sec. 13B.4.5. (Project Exception), subject to any limitations in the Specific Plan.

6. Specific Plan Interpretation

The Director shall interpret Specific Plans in accordance with Sec. 13B.4.6. (Specific Plan Interpretation).

DIV. 8.2. SUPPLEMENTAL DISTRICTS

SEC. 8.2.1. GENERAL

A. Intent

The zoning system established in this Zoning Code (Chapter 1A) provides responsive zoning solutions to a wide variety of policy objectives. However, some policies are difficult to express through the zoning districts alone and are better addressed through topic-specific or geographic-specific regulations. The Supplemental Districts established in this *Division (Supplemental Districts)* are intended to provide additional regulations that build upon and enhance the regulations applied through zoning districts.

B. Applicability

The adoption, amendment, and implementation of Supplemental Districts in this *Division (Supplemental Districts)* shall be subject to the following unless provided otherwise in the particular Supplemental District provisions:

1. Establishing Supplemental Districts

New Supplemental Districts are established, and the enabling provisions are amended by, the City Council in accordance with *Sec. 13B.1.3. (Zoning Code Amendment)*. Supplemental Districts are applied to lots as outlined in each district, and are represented as part of the third bracket set of the lot's zone string, as outlined in *Sec. 1.5.2.A.3. (Specific Plans & Supplemental Districts)*, with the acronym established for each district.

2. Limitations on Supplemental Districts

The Supplemental Districts established in this *Division (Supplemental Districts)* shall not supersede any provisions of this Zoning Code (Chapter 1A), unless otherwise specified by the Zoning Code, with the following the following exceptions:

- a. Supplemental Districts may establish defined terms and definitions that supersede the defined terms and definitions established in *Div. 14.3. (Glossary)*. Where the definitions within a Supplemental District conflict with those of *Div. 14.3. (Glossary)*, the definitions within the Supplemental District shall prevail.
- b. When a provision of a Sign District or the Transportation Communication Network (TCN) District conflicts with the sign regulations established by the applied *Development Standards District (Part 4B.)*, the provisions in the Sign District or the TCN District supersedes the *Development Standards District (Part 4B.)* regulation.

3. Definition of Project

The definition of a project and the applicability of Supplemental District regulations are established in each Supplemental District based on the applicable project activities.

4. Supplemental District Guidelines

A Supplemental District may establish, or authorize its adoption of, guidelines in order to provide guidance for the implementation of a Supplemental District, or for the review of projects seeking relief from the standards outlined in each Supplemental District.

5. Reconciling Provisions

The enabling language of each Supplemental District shall establish direction regarding potential conflicts with any provisions of this Zoning Code (Chapter 1A), other Supplemental Districts, and Specific Plans.

6. Issuance of Building Permits

The Department of Building and Safety shall not issue a building permit for a project in a Supplemental District unless approved by the Department of City Planning in accordance with the applicable procedures identified in each Supplemental District, unless otherwise stated in the Supplemental District.

7. Violations

The violation of any provision of a Supplemental District or condition imposed by a decision-making body in approving the site requirements, methods of operation, development plans or other actions taken in accordance with the authority contained in this Division (Supplemental Districts) shall constitute a violation of this Zoning Code (Chapter 1A).

SEC. 8.2.2. COMMUNITY PLAN IMPLEMENTATION OVERLAY (CPIO)

A. Intent

A Community Plan Implementation Overlay (CPIO) is a Supplemental District intended to provide supplemental regulations tailored to a community plan area. A CPIO is intended to:

1. Ensure that development enhances the unique architectural, environmental, and cultural qualities of the community plan area.
2. Integrate improvements and enhancements to the public right-of-way.
3. Maintain compatible land uses, scale, intensity, and density.

B. Applicability

1. Definition of Project

The definition of a project and the applicability of a CPIO is established in the CPIO. The CPIO may define the term project differently for each subarea within the CPIO, but the definition shall utilize and be consistent with the project activities established in Sec. 14.2.15. (Project Activities).

2. Reconciling Provisions

a. Zoning Code Provisions

In the event that the provisions of a CPIO conflict with provisions of this Zoning Code (Chapter 1A), the provisions of the Zoning Code shall prevail, unless otherwise specified by this Zoning Code (Chapter 1A), with the exception of defined terms and definitions in *Div. 14.3. (Glossary)*. If the defined terms or definitions within a CPIO conflict with those of *Div. 14.3. (Glossary)*, those of the CPIO shall prevail, except when defining a project in a CPIO, project activities shall be consistent with, and defined by, the list and definitions of project activities pursuant to *Paragraph 1. (Definition of Project)* above.

b. Other Supplemental Districts

In the event that the provisions of a CPIO conflict with provisions of another Supplemental District, the more restrictive provision shall prevail, except that where the provisions of a CPIO conflict with those of a Historic Preservation Overlay Zone or the Transportation Communication Network District, then the provisions of the Historic Preservation Overlay Zone or the Transportation Communication Network District shall prevail.

c. Specific Plans

Where the provisions of a CPIO conflict with those of a Specific Plan, then the provisions of the Specific Plan shall prevail.

C. District Standards

Each CPIO shall contain the following:

1. Subarea Boundaries

A map showing all lots within the CPIO's subarea(s).

2. District Regulations

CPIO regulations and definitions that for some or all lots, and/or the public right-of-way, within the CPIO's subarea(s).

D. Procedures

1. Establishing a CPIO

CPIO regulations and boundaries are established and amended in accordance with *Sec. 13.B.1.2. (Specific Plan Adoption/Amendment)*, and are represented as part of the third bracket set of the lot's zone with the acronym "CPIO."

a. Boundaries

A CPIO shall share the boundaries of the Community Plan. Subarea boundaries shall be defined at the time the CPIO is established.

b. CPIO Subareas

A CPIO shall include one or more defined subareas within which community plan programs and policies are implemented through additional regulations. Subareas may be contiguous or non-contiguous lots characterized by common community plan goals, themes, and policies, grouped by a common boundary.

c. Minimum Area

Each CPIO shall have a minimum of one mapped subarea.

2. Issuance of Permits

For all projects within a CPIO subarea, the Department of Building and Safety shall not issue a grading, building or structure, use of land, demolition, or sign permit unless approved by the Department of City Planning in accordance with the applicable procedures below. Work that is not considered a project, or is otherwise exempt, by the applied CPIO is not subject to the procedures below. The rules below apply to the review and approval of projects in the CPIO.

a. Administrative Review

A project that complies with the applicable provisions of an adopted CPIO may be approved in accordance with Sec. 13B.3.1. (*Administrative Review*). Project applicants which do not comply with the applicable CPIO regulations may request relief through the procedures in Subparagraph b. (*Project Adjustment*) and Subparagraph c. (*Project Exception*) below.

b. Project Adjustment

Applicants may request relief of 20 percent or less from the quantitative district regulations or minor adjustments from the qualitative district regulations in an adopted CPIO subarea, unless otherwise limited by a CPIO or CPIO subarea, in accordance with Sec. 13B.4.4. (*Project Adjustment*), subject to the following limitations and supplemental finding:

i. Limitations

- a) A CPIO shall indicate district regulations which are not eligible for a project adjustment. If an application request includes more than one project adjustment, the Director may require that the applicant, prior to the application being deemed complete, file the requests as a project exception, in accordance with Sec. 13B.4.5. (*Project Exception*).
- b) To the extent that a CPIO contains sign regulations, signs shall not qualify for relief through a project adjustment.
- c) All other projects seeking relief from any district regulation that contains prohibition language, or district regulations otherwise designated in the CPIO as not eligible for a project adjustment, shall be processed through the project exception procedure below.

ii. **Supplemental Finding**

In addition to the findings set forth in *Sec. 13B.4.4. (Project Adjustment)*, the Director, or the Area Planning Commission on appeal, shall also find that the project is compatible with the neighborhood character of the CPIO or CPIO subarea.

c. **Project Exception**

Unless stated otherwise in the applicable CPIO, if a project cannot comply with the requirements of a CPIO, the City may grant an exception in accordance with *Sec. 13B.4.5. (Project Exception)*, subject to the following limitations and supplemental findings:

i. **Limitations**

An exception from a CPIO regulation shall not be used to grant a special privilege, nor to grant relief from self-imposed hardships.

ii. **Supplemental Findings**

In addition to the findings set forth in *Sec. 13B.4.5. (Project Exception)*, the Area Planning Commission, or the City Council on appeal, may grant a project exception from a CPIO regulation concerning signs if the Area Planning Commission also makes all the following findings:

- a) Strict compliance would result in practical difficulty or unnecessary hardship inconsistent with the intent of the zoning restrictions due to unique existing physical circumstances on the subject property;
- b) An exception from the district regulation is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other properties within the same CPIO district or subarea, the same zone, and the vicinity, but which because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question;
- c) The exception would not constitute a special grant of privilege.

SEC. 8.2.3. **SIGN DISTRICTS (SN)**

A. **Intent**

A Sign District is a Supplemental District intended to identify areas of the City with unique characteristics for enhancement through the imposition of special sign regulations designed to reinforce the theme or unique qualities of that district, or which eliminate blight through a sign reduction program.

B. Applicability

1. Definition of Project

A Sign District project involves the erection, construction, addition to, or exterior structural modification of any sign located within a Sign District, and is subject to the regulations outlined in the Sign District in which it is located, in accordance with the adopted Sign District standards.

2. Reconciling Provisions

In the event that the provisions of a Sign District conflict with any sign regulations of this Zoning Code (Chapter 1A) or Supplemental District, the Sign District shall prevail, except that where the provisions of a Sign District conflict with those of the Transportation Communication Network (TCN) District, then the provisions of the Transportation Communication Network (TCN) District shall prevail. However, the standards for a Sign District do not supersede the regulations of a Supplemental District, any zoning regulation implementing or relied on in an approved Development Agreement, or any standard not regulating signs. In the event that the provisions of a Sign District conflict with any provisions of an applicable Specific Plan the provisions of the Specific Plan shall prevail.

C. District Standards

The Sign District standards shall be determined at the time the district is established. The sign regulations shall enhance the character of the district by addressing the location, number, square footage, height, light illumination, hours of illumination, sign reduction program, duration of signs, design and types of signs permitted, as well as other characteristics, and may include murals, supergraphic signs, and other on-site signs and off-site signs.

1. Definitions

Definitions shall be consistent with *Div. 4C.11. (Signs)*. Terms that are not defined in *Div. 4C.11. (Signs)* may be defined in a Sign District.

D. Procedures

1. Establishing a Sign District

Sign District standards and boundaries are established and amended in accordance with *Sec. 13B.1.2. (Specific Plan Adoption/Amendment)*, and are represented as part of the third bracket set of the lot's zone string with the acronym "SN."

a. Applicable Zones

Each Sign District shall include only properties in the *Commercial-Mixed Use Districts (Div. 5B.5.)*, *Industrial-Mixed Use Districts (Div. 5B.6.)*, or *Industrial Use Districts (Div. 5B.7.)*, except that properties in *Residential Use Districts (Div. 5B.3.)* or *Residential-Mixed Use Districts (Div. 5B.4.)* with a *Density District (Part 6B.)* of 2 or FA may be included in a Sign

District, provided the lots are designated as part of a Regional Center in the General Plan Land Use Map.

b. Minimum Area

No Sign District shall contain less than one block or three acres in area, whichever is the smaller. The total acreage in the Sign District shall include contiguous lots of land which shall only be separated by public streets, ways or alleys, or other physical features, or as set forth in Sign District rules approved by the Director. Precise boundaries are required at the time of application for initiation of an individual Sign District.

2. Issuance of Permits

The Department of Building and Safety shall approve and issue sign permits for any project within a Sign District that conforms to the applicable Sign District standards.

3. Review of Projects

A project shall be reviewed in conformance with the procedures established in each Sign District.

SEC. 8.2.4. OIL DRILLING DISTRICTS (O)

A. Intent

Oil Drilling (O) Districts establish standards and procedures for oil, gas, or hydrocarbon wells in areas in the City where oil drilling and related operations were permitted, conditionally or otherwise, prior to January 18, 2023, the effective date of *Ord. No. 187, 709*, which deems all oil, gas, or hydrocarbon wells to be nonconforming uses.

B. Applicability

1. General Applicability

The provisions of this *Section (Oil Drilling Districts(O))* shall apply to the Supplemental Districts established by ordinance and to remain until said district is terminated in accordance with *Sec. 13B.1.3. (Zoning Code Amendment)*. The provisions of this *Section (Oil Drilling Districts(O))* do not apply to the location of subterranean gas holding areas or oil, gas, or hydrocarbon wells that are operated as a public utility regulated by the California Public Utilities Commission.

2. Oil Drilling Area Types

Each district shall be determined to be in one of the following oil drilling area types using the corresponding criteria: The standards and requirements of each Oil Drilling District (O) depend on the oil drilling area type in which the district is located.

a. Non-Urbanized Area

All those portions of the City which the City Planning Commission or City Council has determined will not be detrimentally affected by the drilling, maintenance, or operation of

oil, gas, or hydrocarbon wells. In making its determination, the City Planning Commission, or the City Council on appeal, shall give due consideration to the amount of land subdivided, the physical improvements, the density of population, and the zoning of the district.

b. Urbanized Area

All land in the City, except land in the Heavy Industrial 1 Use District, and land which has been determined to be non-urbanized area by the City Planning Commission or City Council, or land located in the Los Angeles City Oil Field Area (as identified below).

c. Los Angeles City Oil Field Area

All land in the City within the areas identified on the maps in Ord. No. 156,166 located in Council File No. 80-3951, and shall include all oil producing zones beneath those areas, but no deeper than the third zone beneath the surface of the earth.

C. District Standards

The following standard conditions apply to Oil Drilling District (O)s to the extent that they are incorporated by ordinance through the establishment of an Oil Drilling District (O) prior to January 18, 2023, the effective date of Ord. No. 187, 709.

1. Standard Conditions

a. Non-Urbanized Areas

Each Oil Drilling District (O) established in a non-urbanized area shall be subject to the following conditions:

- i.** Each district shall contain a net area of one acre or more which shall be composed of contiguous lots that may be separated by an alley or walk, except that a district may contain an area of less than one acre where it is surrounded on all sides by streets.
- ii.** Each drilling site in any district shall contain a net area of one acre or more, and shall be composed of contiguous lots which may be separated only by an alley or walk. A drilling site may contain less than one acre of area where it is surrounded on all sides by public or approved private streets.
- iii.** Only one oil well Class I or A may be established or maintained on each acre of land, except that there may be one oil well Class I or A on any land surrounded on all sides by public or approved private streets. Provided, however, in determining conditions for drilling, the Zoning Administrator may permit surface operations for more than one oil well Class I or A in a semi-controlled drilling site where the additional wells are to be bottomed under adjacent land in a drilling district in lieu of surface operations. There shall be no less than one net acre of land in the combined drill site and production site for each well in a semi-controlled drilling.

site. The Zoning Administrator shall require a site of more than one acre for each well associated with an oil, gas, or hydrocarbon well where a larger area is required in the particular Oil Drilling District (O). The Zoning Administrator may require larger minimum drilling sites or production areas when reasonably necessary in the public interest for a particular oil producing section.

- iv. Where drilling sites greater than one acre are required, and two or more lessees or oil drilling developers in a block or area have at least 1 net acre each, but all lessees or developers do not have the greater area required for drilling under these regulations, the Zoning Administrator shall equitably allocate permitted wells among the competing lessees or developers. Where necessary, the lessee or developer having control of the larger portion of the property shall be given preference. In those situations outlined above, in addition to the proration required by Sub-subparagraph iv., below, the Zoning Administrator shall require that the lessee or developer who is authorized to drill the well shall offer an equitable consolidation agreement to the lessee or developer who has not been permitted to drill. This consolidation agreement shall contain an offer in writing, open for acceptance for 30 days, giving the other lessees or developers a choice of either:
 - a) A lease on terms and conditions agreed upon, or on substantially the same terms and conditions contained in leases owned by the applicant; or
 - b) A consolidation agreement agreed upon providing that each lessee or developer shall contribute to the cost of drilling and operation of the well and share in the production from the well in the proportion that the area of their property bears to the total area in the drilling unit.
- v. No public street, alley, walk, or way shall be included in determining the net area within any district or drilling site.
- vi. Where the drilling site is so located as to isolate any lot in the Oil Drilling District (O) in such a manner that it could not be joined with any other land so as to create another drilling site of the area required in the particular district in which it is located, the Zoning Administrator shall require, as a condition to the drilling and production on the drilling site, that the owner, lessee or permittee, or their successor, shall pay to the owners of the oil and gas mineral rights in each isolated lot, a pro-rata share of the landowners' royalty in all of the oil and gas produced from the drilling site, the share to be in that proportion as the net area of the isolated lot is to the total net area of the drilling site, plus the area of all the isolated lots; provided that the landowners' royalty shall be determined in accordance with any existing contracts for payments to the landowners of the drilling site, but, in no event, as to the owner of the isolated lot or lots, shall it be less than a 1/6th part of the oil and gas produced and saved from the drilling site.

b. Urbanized Areas

Each Oil Drilling District (O) established in an urbanized area shall be subject to the following conditions:

- i. Each district shall be not less than 40 acres in area, including all streets, ways, and alleys within the boundaries thereof.
- ii. No more than one controlled drill site shall be permitted for each 40 acres in any district, and that site shall not be larger than two acres when used to develop a district approximating the minimum size; provided, however, that where the site is to be used for the development of larger Oil Drilling District (O)s or where the Zoning Administrator requires that more than one Oil Drilling District (O) be developed from one controlled drilling site, the site may be increased, at the discretion of the Zoning Administrator when concurred in by the Board of Fire Commissioners, by no more than two acres for each 40 acres included in the district or districts.
- iii. The number of oil wells Class I or A which may be drilled and operated from any controlled drilling site may not exceed one well to each five acres in the district or districts to be explored from said site.
- iv. Notwithstanding the above, should the City Council determine that an Urbanized Oil Drilling District (O) contains more than one producing zone, the City Council may then authorize, by ordinance, the drilling of additional oil wells Class I or A, not to exceed one well per five acres for each identified producing zone, and specify the maximum number of wells to be drilled as the result of such authorization.
- v. Each applicant, requesting a determination by the Zoning Administrator prescribing the conditions controlling drilling and production operations, shall have proprietary or contractual authority to drill for oil under the surface of at least 75 percent of the property in the district to be explored.
- vi. Each applicant, or the applicant's successor in interest, shall, within one year from the date the written determination is made by the Zoning Administrator prescribing the conditions controlling drilling and production operations as provided in, execute an offer in writing giving to each record owner of property located in the Oil Drilling District (O) who has not joined in the lease or other authorization to drill, the right to share in the proceeds of production from wells bottomed in the district, upon the same basis as those property owners who have, by lease or other legal consent, agreed to the drilling for and production of oil, gas, or other hydrocarbon substances from the subsurface of the district. The offer hereby required shall remain open for acceptance for a period of five years after the date the written determination is made by the Zoning Administrator. During the period the offer is in effect, the applicant, or the applicant's successor in interest, shall

impound all royalties to which the owners or any of them may become entitled in a bank or trust company in the State of California, with proper provisions for payment to the record owners of property in the district who had not signed the lease at the time the written provisions were made by the Zoning Administrator, but who accepts the offer in writing within the 5-year period. Any such royalties remaining in any bank or trust company at the time the offer expires, which are not due or payable as provided above, shall be paid pro-rata to those owners who, at the time of the expiration, are otherwise entitled to share in the proceeds of the production.

- vii. The entire controlled drilling site shall be adequately landscaped, except for those portions occupied by any required structure, appurtenance or driveway, and all landscaping shall be maintained in good condition at all times. Plans showing the type and extent of the landscaping shall be first submitted to and approved by the Zoning Administrator.
- viii. Each applicant requesting a determination by the Zoning Administrator prescribing the conditions controlling drilling and production operations, shall post in the Office of Zoning Administration a satisfactory corporate surety bond (to be approved by the City Attorney and duplicates to be furnished to the City Attorney) in the sum of \$5,000 in favor of the City of Los Angeles, conditioned upon the performance by the applicant of all of the conditions, provisions, restrictions, and requirements of this Section, and all additional conditions, restrictions or requirements determined and prescribed by the Zoning Administrator. No extension of time that may be granted by the Zoning Administrator or any change of specifications or requirements that may be approved or required by the Zoning Administrator, or by any other officer or department of the City, or any other alteration, modification or waiver affecting any of the obligations of the grantee made by any City authority or by any other power or authority whatsoever, shall be deemed to exonerate either the grantee or the surety on any bond posted in accordance with this Section.
- ix. If the Zoning Administrator determines, after first receiving a report and recommendation from the Board of Public Works or its designee, that oil drilling and production activities within the district have caused or may cause subsidence in the elevation of the ground within the district or in the immediate vicinity, then after consulting with recognized experts in connection with that problem and with those producing hydrocarbons from the affected area, the Zoning Administrator shall have the authority to require the involved oil producer or producers to take corrective action, including re-pressurizing the oil producing structure or cessation of oil drilling and production.

- x. The Zoning Administrator may impose additional conditions or require corrective measures to be taken if the Zoning Administrator finds, after actual observation or experience with drilling one or more of the wells in the district, that additional conditions are necessary to afford greater protection to surrounding property.

c. **Los Angeles City Oil Field Area**

Each Oil Drilling District (O) established in the Los Angeles City Oil Field Area shall be subject to the following conditions:

- i. The boundary of each district shall follow the center line of City streets as far as practicable;
- ii. Each district shall include the streets, ways, and alleys within the boundaries thereof and shall be substantially compact in area;
- iii. The drilling, pumping, redrilling, repairing, maintenance or other servicing of any new oil well Class I or A in said district shall be conducted only on a Drilling and Production Site in the Los Angeles City Oil Field Area upon which site at least one oil well Class I or A:
 - a) Was in existence on January 24, 1982; and
 - b) Had not been abandoned in accordance with State Division of Oil and Gas regulations prior to January 24, 1982; and
 - c) Has a Los Angeles Fire Department Serial Number, which number was in existence on January 24, 1982.
- iv. The number of new oil wells Class I or A permitted on such a Drilling and Production Site in the Los Angeles City Oil Field Area shall not exceed one well to each acre in the District;
- v. Each applicant, requesting a determination by the Zoning Administrator prescribing the conditions controlling new drilling and production operations, shall have proprietary or contractual authority to drill for oil under the surface of at least 75 percent of the total land area of the property in the district to be explored.
- vi. Within one year from the date the written determination is made by the Zoning Administrator prescribing the conditions controlling drilling and production operations, each applicant or the applicant's or her successor in interest shall offer in writing to each record owner of property located in the Oil Drilling District (O) who has not joined in the lease or other authorization to drill, the right to share in proceeds of production from new wells bottomed in the district upon the same basis as those property owners who have, by lease or other legal consent, agreed to the drilling for and production of oil, gas or other hydrocarbon substances from the sub-surface of the district. The offer hereby required shall remain open for acceptance for a period of five years after the date the written determination

is made by the Zoning Administrator. During the period the offer is in effect, the applicant, or his or her successor in interest, shall impound all royalties to which the owners or any of them may become entitled in a bank or trust company in the State of California, with proper provisions for payment to the record owners of property in the district who had not signed the lease at the time the written determination was made by the Zoning Administrator, but who accepts the offer in writing within the five-year period. Any royalties remaining in any bank or trust company at the time the offer expires which are not due or payable as provided above shall be paid pro-rata to those owners who, at the time of the expiration, are otherwise entitled to share in the proceeds of the production.

- vii. The entire site upon which new oil, gas, or hydrocarbon wells are to be drilled shall be adequately fenced and landscaped; plans showing the type and extent of the landscaping shall be first submitted to and approved by the Zoning Administrator.
- viii. Each applicant requesting a determination by the Zoning Administrator prescribing the conditions controlling drilling and production operations, as provided in, shall post in the Office of Zoning Administration a satisfactory corporate surety bond (to be approved by the City Attorney, and duplicates to be furnished by the City Attorney) in the sum of \$5,000 in favor of the City of Los Angeles, conditioned upon the performance by the applicant of all of the conditions, provisions, restrictions, and requirements of this section, and all additional conditions, restrictions, or requirements determined and prescribed by the Zoning Administrator. No extension of time that may be granted by the Zoning Administrator or any change of specifications or requirements that may be approved or required by the Zoning Administrator or by any other officer or department of the City or any other alteration, modification or waiver affecting any of the obligations of the grantee made by any City authority or by any other power or authority whatsoever shall be deemed to exonerate either the grantee or the surety of any bond posted in accordance with this section.
- ix. If the Zoning Administrator determined, after first receiving a report and recommendation from the Board of Public Works or its designee, that oil drilling and production activities within the district have caused or may cause subsidence in the elevation of the ground within the district or in the immediate vicinity, the Zoning Administrator shall have the authority, after consulting with recognized experts in connection with the problem and with those persons producing hydrocarbons from the affected area, to require the involved oil producer or producers to take corrective action, including re-pressurizing the oil producing structure or cessation of oil drilling and production.
- x. The Zoning Administrator may impose additional conditions or require corrective measures to be taken if the Zoning Administrator finds, after actual observation or experience with drilling one or more of the wells in the district, that additional conditions are necessary to afford greater protection to surrounding property.

2. Additional Conditions

- a. In addition to the standard conditions applying to Oil Drilling District (O)s, the City Council, by ordinance, or the Zoning Administrator may have imposed other conditions in each district as deemed necessary and proper. These Additional Conditions remain to the extent that they were incorporated by reference in an ordinance or into approvals issued by the Zoning Administrator or other decision maker prior to January 18, 2023, the effective date of *Ord. No. 187, 709*. Some of these additional conditions, which may have been imposed in the ordinance establishing the districts or by the Zoning Administrator in determining the drilling site requirements, and which may have been applied by reference, are as follows:
- i. That all pumping units established in the subject district(s) shall be installed in pits so that no parts thereof shall be above the surface of the ground. [Editor's note: Formerly Chapter 1, Section 13.01.F.1.]
 - ii. That all oil produced in the subject district shall be carried away by pipe lines or, if stored in said district, shall be stored in underground tanks so constructed that no portion thereof shall be above the surface of the ground. [Editor's note: Formerly Chapter 1, Section 13.01.F.2.]
 - iii. That the operator of any well or wells in the subject district(s) shall post in the Office of Zoning Administration a \$5,000 corporate surety bond conditioned upon the faithful performance of all provisions of this *Article (Supplemental & Special Zoning)* and any conditions prescribed by the Zoning Administrator. No extension of time that may be granted by the Zoning Administrator, or change of specifications or requirements that may be approved or required by the Zoning Administrator or by any other officer or department of the City, or other alteration, modification or waiver affecting any of the obligations of the grantee made by any City authority shall be deemed to exonerate either the grantee or the surety on any bond posted as required in this Zoning Code (Chapter 1A). [Editor's note: Formerly Chapter 1, Section 13.01.F.3.]
 - iv. That the operators shall remove the drilling rig from each well within 30 days after the drilling of said well has been completed, and thereafter, when necessary, such completed wells shall be serviced by portable drilling rigs. [Editor's note: Formerly Chapter 1, Section 13.01.F.4.]
 - v. That the drilling site shall be fenced or landscaped as prescribed by the Zoning Administrator. [Editor's note: Formerly Chapter 1, Section 13.01.F.5.]
 - vi. That, except in case of emergency, no materials, equipment, tools or pipe used for either drilling or production operations shall be delivered to or removed from the drilling site, except between the hours of 8:00 A.M. and 8:00 P.M. of any day. [Editor's note: Formerly Chapter 1, Section 13.01.F.7.]

- vii. That adequate fire fighting apparatus and supplies, approved by the Fire Department, shall be maintained on the drilling site at all times during drilling and production operations. [Editor's note: Formerly Chapter 1, Section 13.01.F.8.]
- viii. That no refining process or any process for the extraction of products from natural gas shall be carried on at a drilling site. [Editor's note: Formerly Chapter 1, Section 13.01.F.9.]
- ix. That no more than one well shall be bottomed in each five acres of the Oil Drilling District (O). [Editor's note: Formerly Chapter 1, Section 13.01.F.13.]
- x. That no new wells associated with oil, gas, or hydrocarbon wells shall be spudded in after the President of the United States, or other proper authority, has declared that a state of war no longer exists. [Editor's note: Formerly Chapter 1, Section 13.01.F.14.]
- xi. That any person requesting a determination by the Zoning Administrator prescribing the conditions under which oil drilling and production operations shall be conducted, shall agree in writing on their own behalf and their successors or assigns, to be bound by all of the terms and conditions of this *Article (Supplemental & Special Zoning)* and any conditions prescribed by written determination by the Zoning Administrator; provided, however, that the agreement in writing shall not be construed to prevent the applicant or their successors or assigns from applying at any time for amendments in accordance with this Zoning Code (Chapter 1A) or to the conditions prescribed by the Zoning Administrator, or from applying for the creation of a new district or an extension of time for drilling or production operations. [Editor's note: Formerly Chapter 1, Section 13.01.F.17.]
- xii. That all production equipment used shall be so constructed and operated that no noise, vibration, dust, odor, or other harmful or annoying substances or effect which can be eliminated or diminished by the use of greater care shall ever be permitted to result from production operations carried on at any drilling site or from anything incident thereto to the injury or annoyance of persons living in the vicinity; nor shall the site or structures thereon be permitted to become dilapidated, unsightly, or unsafe. Proven technological improvements in methods of production shall be adopted as they, from time to time, become available if capable of reducing factors of nuisance or annoyance. [Editor's note: Formerly Chapter 1, Section 13.01.F.18.]
- xiii. Wells which are placed upon the pump shall be pumped by electricity with the most modern and latest type of pumping units of a height of no more than 16 feet. All permanent equipment shall be painted and kept in neat condition. All production operations shall be as free from noise as possible with modern oil operations. [Editor's note: Formerly Chapter 1, Section 13.01.F.19.]

- xiv. All drilling equipment shall be removed from the premises immediately after drilling is completed, sump holes filled, and drilling or service rigs removed within 60 days after the completion of the well. [Editor's note: Formerly Chapter 1, Section 13.01.F.20.]
- xv. That, subject to the approval of the Board of Fire Commissioners, the operators shall properly screen from view all equipment used in connection with the flowing or pumping of wells. [Editor's note: Formerly Chapter 1, Section 13.01.F.21.]
- xvi. Upon the completion of the drilling of a well, the premises shall be placed in a clean condition and shall be landscaped with planting of shrubbery so as to screen from public view as far as possible, the tanks and other permanent equipment, such landscaping and shrubbery to be kept in good condition. [Editor's note: Formerly Chapter 1, Section 13.01.F.22.]
- xvii. That no more than two wells may be drilled in each City block of the Oil Drilling District (O) and bottomed under that block. However, at the discretion of the Zoning Administrator, surface operations for additional wells may be permitted in each of the blocks where each additional well is to be directionally drilled and bottomed under an adjacent block now or hereafter established in an Oil Drilling District (O) in lieu of a well drilled on the adjacent block and under a spacing program shall result in not exceeding two wells bottomed under each block. [Editor's note: Formerly Chapter 1, Section 13.01.F.23.]
- xviii. That no more than one well shall be drilled in each City block of the Oil Drilling District (O); provided, however, that a second well may be drilled in that block bounded by "L", Gulf Avenue, Denni Street, and Wilmington Boulevard, only in the event said second well be directionally drilled or whipstocked so that the bottom of the hole will be bottomed under the (Gulf Avenue School property located in the block bounded by "L" Street, Roman Avenue, Denni Street, and Gulf Avenue, and in lieu of a well which might otherwise be permitted to be drilled in said last mentioned block. [Editor's note: Formerly Chapter 1, Section 13.01.F.24.]
- xix. That no more than one well may be drilled in each City block of the Oil Drilling District (O). [Editor's note: Formerly Chapter 1, Section 13.01.F.25.]
- xx. That all power operations, other than drilling in said district shall at all times, be carried on only by means of electrical power, which power shall not be generated on the drilling site. [Editor's note: Formerly Chapter 1, Section 13.01.F.26.]
- xxi. That no more than 2 wells may be drilled in each City block of the Oil Drilling District (O); provided, however, that two additional wells may be drilled in each of the following described blocks, (a) the block bounded by Q Street, Lakme Avenue, Sandison Street, and Broad Avenue and (b) the block bounded by Sandison Street, Lakme Avenue, Broad Avenue, and the southerly boundary of Tract No. 1934, but only if such additional wells are directionally drilled or whipstocked so that they

will be bottomed under the Hancock-Banning High school property, located in the block bounded by Delores Street, Broad Avenue, Pacific Coast Highway, and Avalon Boulevard, in lieu of the four wells which might otherwise be permitted to be drilled in the last mentioned block. [Editor's note: Formerly Chapter 1, Section 13.01.F.29.]

- xxii.** No more than four controlled drilling sites shall be permitted in this subject district(s), and such sites shall not be larger than two acres. [Editor's note: Formerly Chapter 1, Section 13.01.F.31.]
- xxiii.** The number of wells which may be drilled to any oil sand from the controlled drilling site shall not exceed one well to each five acres in the district, but in no event shall there be more than one well to each 2.5 acres. [Editor's note: Formerly Chapter 1, Section 13.01.F.32]
- xxiv.** That drilling operations shall be commenced within 90 days from the effective date the written determination is made by the Zoning Administrator or Area Planning Commission, or within any additional period as the Zoning Administrator may, for good cause, allow and thereafter shall be prosecuted diligently to completion or else abandoned strictly as required by law and the premises restored to their original condition as nearly as practicable as can be done. If a producing well is not secured within eight months, the well shall be abandoned and the premises restored to its original condition, as nearly as practicable as can be done. The Zoning Administrator, for good cause, shall allow additional time for the completion of the well. [Editor's note: Formerly Chapter 1, Section 13.01.F.33.]
- xxv.** That an internal combustion engine or electrical equipment may be used in the drilling or pumping operations of the well, and if an internal combustion engine is used, that mufflers be installed on the mud pumps and engine so as to reduce noise to a minimum, all of said installations to be done in a manner satisfactory to the Fire Department and to the Zoning Administrator. [Editor's note: Formerly Chapter 1, Section 13.01.F.34.]
- xxvi.** That no more than two production tanks shall be installed for each producing well, neither one of which shall have a rated capacity in excess of 1,000 barrels; provided, however, that if in the opinion of the Zoning Administrator it is necessary in order to provide for the maximum safety of operations or to decrease the number of individual production tank settings on any property, the Zoning Administrator may increase the number of such production tanks to no more than three, having a greater capacity not to exceed 2,000 barrels each. The Zoning Administrator shall permit such wash tanks or heating facilities as may appear necessary to ship or remove production from the premises. The plans for said tank or tanks, including the plot plan showing the location thereof on the property, shall be submitted to and approved in writing by the Zoning Administrator before said

tank or tanks and appurtenances are located on the premises; and that said tank or tanks and appurtenances shall be kept painted and maintained in good condition. [Editor's note: Formerly Chapter 1, Section 13.01.F.36.]

- xxvii.** All waste substances such as drilling muds, oil, brine or acids produced or used in connection with oil drilling operations or oil production shall be retained in water-tight receptors from which they may be piped or hauled for terminal disposal in a dumping area specifically approved for such disposal by the Los Angeles Regional Water Pollution Control Board No. 4. [Editor's note: Formerly Chapter 1, Section 13.01.F.37.]
- xxviii.** Any wells drilled shall be cased tight to bedrock or effective means satisfactory to the State Oil and Gas Supervisor used to prevent vertical movement of ground water. [Editor's note: Formerly Chapter 1, Section 13.01.F.38.]
- xxix.** The applicant shall provide the Department of Water and Power State Oil and Gas Supervisor with a precise plot plan of the drilling plant and roads leading thereto, and to make such safeguards as the Department deems necessary to assure the safety of the existing 50-inch water main which crosses the district involved. [Editor's note: Formerly Chapter 1, Section 13.01.F.39.]
- xxx.** The Department of Water and Power of the City of Los Angeles shall be permitted to review and inspect methods used in the drilling and producing operations and in the disposal of waste, and shall have the right to require changes necessary for the full protection of the public water supply. [Editor's note: Formerly Chapter 1, Section 13.01.F.40.]
- xxxi.** That the number of wells which may be drilled to any oil sand shall not exceed one well to each five acres in the district, but in no event shall there be more than one well to each 2.5 acres. [Editor's note: Formerly Chapter 1, Section 13.01.F.42.]
- xxxii.** That drilling, pumping, and other power operations shall at all times be carried on only by electrical power and that such power shall not be generated on the controlled drilling site or in the district. [Editor's note: Formerly Chapter 1, Section 13.01.F.43.]
- xxxiii.** That an internal combustion engine or steam-driven equipment may be used in the drilling or pumping operations of the well , and, if an internal combustion engine or steam-driven equipment is used, that mufflers be installed on the mud-pumps and engine; and that the exhaust from the steam-driven machinery be expelled into one of the production tanks, if such tanks are permitted, so as to reduce noise to a minimum, all of said installations to be found in a manner satisfactory to the Fire Department and Zoning Administrator. [Editor's note: Formerly Chapter 1, Section 13.01.F.44.]

- xxxiv. That drilling operations shall be carried on or conducted in connection with only one well at a time in any one such district, and such well shall be brought in or abandoned before operations for the drilling of another well are commenced; provided, however, that the Zoning Administrator may permit the drilling of more than one well at a time after the discovery well has been brought in. [Editor's note: Formerly Chapter 1, Section 13.01.F.45.]
- xxxv. That all oil drilling and production operations shall be conducted in such a manner as to eliminate, as far as practicable, dust, noise, vibration or noxious odors, and shall be in accordance with the best accepted practices incident to drilling for and production of oil, gas, and other hydrocarbon substances. Proven technological improvements in drilling and production methods shall be adopted as approved by the Zoning Administrator, they may become, from time to time, available, if capable of reducing factors of nuisance and annoyance. [Editor's note: Formerly Chapter 1, Section 13.01.F.46.]
- xxxvi. That all parts of the drilling or service rig above the drilling or service rig floor, not reasonably necessary for ingress and egress, including the elevated portion thereof used as a hoist, shall be enclosed with fire-resistive soundproofing material approved by the Fire Department and the Zoning Administrator, and the same shall be painted or stained so as to render the appearance of said drilling or service rig as unobtrusive as practicable. [Editor's note: Formerly Chapter 1, Section 13.01.F.47.]
- xxxvii. That all tools, pipe and other equipment used in connection with any drilling or production operations shall be screened from view, and all drilling operations shall be conducted or carried on behind a solid fence, which shall be maintained in good condition at all times and be painted or stained so as to render such fence as unobtrusive as practicable. [Editor's note: Formerly Chapter 1, Section 13.01.F.48.]
- xxxviii. That no materials, equipment, tools or pipe used for either drilling or production operations shall be delivered to or removed from the controlled drilling site except between the hours of 8:00 am and 6:00 pm, on any day, except in case of emergency incident to unforeseen drilling or production operations, and then only when permission in writing has been previously obtained from the Zoning Administrator. [Editor's note: Formerly Chapter 1, Section 13.01.F.49.]
- xxxix. That no earthen sumps shall be used. [Editor's note: Formerly Chapter 1, Section 13.01.F.50.]
- xl. That within 60 days after the drilling of each well has been completed, and said well placed on production, or abandoned, the drilling or service rig, all boilers, and all other drilling equipment shall be entirely removed from the premises unless such drilling or service rig and appurtenant equipment is to be used within

a reasonable time limit determined by the Zoning Administrator for the drilling of another well on the same controlled drilling site. [Editor's note: Formerly Chapter 1, Section 13.01.F.51.]

- xli.** That no oil, gas or other hydrocarbon substances may be produced from any well hereby permitted unless all equipment necessarily incident to such production is completely enclosed within a building, the plans for said building to be approved by the Department of Building and Safety and the Fire Department. This building shall be of a permanent type, of attractive design, and constructed in a manner that will eliminate as far as practicable, dust, noise, noxious odors, and vibrations or other conditions which are offensive to the senses, and shall be equipped with such devices as are necessary to eliminate the objectionable features mentioned above. The architectural treatment of the exterior of such a building shall also be subject to the approval of the Zoning Administrator. [Editor's note: Formerly Chapter 1, Section 13.01.F.52.]
- xlii.** That no oil, gas or other hydrocarbon substances may be produced from any well hereby permitted where same is located within or immediately adjoining subdivided areas where 10 percent of the lots, within 0.5-mile radius thereof, are improved with Residential structures, unless all equipment necessarily incidental to such production is countersunk below the natural surface of the ground, and such installation and equipment shall be made in accordance with Fire Department requirements. [Editor's note: Formerly Chapter 1, Section 13.01.F.53.]
- xliii.** That there shall be no tanks or other facilities for the storage of oil erected or maintained on the premises and that all oil products shall be transported from the drilling site by means of an underground pipe line connected directly with the production pump without venting products to the atmospheric pressure at the production site. [Editor's note: Formerly Chapter 1, Section 13.01.F.54.]
- xliv.** That no more than two production tanks shall be installed on said drilling site, neither one of which shall have a rated capacity in excess of 1,000 barrels; that the plans for said tank or tanks, including the plot plans showing the location thereof on the property, shall be submitted to and approved in writing by the Zoning Administrator before said tank or tanks and appurtenances are located on the premises, and that said tank or tanks and appurtenances shall be kept painted and maintained in good condition at all times. [Editor's note: Formerly Chapter 1, Section 13.01.F.55.]
- xlvi.** That any production tanks shall be countersunk below the natural surface of the ground and the installation thereof shall be made in accordance with safety requirements of the Fire Department. [Editor's note: Formerly Chapter 1, Section 13.01.F.56.]

- xlvi. That no refinery, dehydrating or absorption plant of any kind shall be constructed, established or maintained on the premises at any time. [Editor's note: Formerly Chapter 1, Section 13.01.F.57.]
- xlvii. That no sign shall be constructed, erected, maintained or placed on the premises or any part thereof, except those required by law or ordinance to be displayed in connection with the drilling or maintenance of the well. [Editor's note: Formerly Chapter 1, Section 13.01.F.58.]
- xlviii. That suitable and adequate sanitary toilet and washing facilities shall be installed and maintained in a clean and sanitary condition at all times. [Editor's note: Formerly Chapter 1, Section 13.01.F.59.]
- xliv. That any owner, lessee or permittee and their successors and assigns, shall at all times be insured to the extent of \$100,000 against liability in tort arising from drilling or production, or activities or operations incident thereto, conducted or carried on under or by virtue of the conditions prescribed by written determination by the Zoning Administrator. The policy of insurance issued pursuant hereto shall be subject to the approval of the City Attorney, and duplicates shall be furnished to the Zoning Administrator. Each such policy shall be conditioned or endorsed to cover such agents, lessees or representatives of the owner, lessee or permittee as may actually conduct drilling, production or incidental operations permitted by such written determination by the Zoning Administrator. [Editor's note: Formerly Chapter 1, Section 13.01.F.60.]
- l. All onshore drilling and production installations or facilities shall be removed and the premises restored to their original conditions after all oil and gas wells have been abandoned, unless the City Planning Commission determines otherwise. [Editor's note: Formerly Chapter 1, Section 13.01.F.62.]

3. Maintenance of Drilling and Production Sites

- a. The following regulations shall apply to existing nonconforming oil, gas, or hydrocarbon wells within the City of Los Angeles, including oil, gas or hydrocarbon wells operating in accordance with any zone variance, whether by ordinance or approval of the Zoning Administrator, and all oil, gas, or hydrocarbon wells within an M3 zone, as established in LAMC Chapter I. (General Provisions and Zoning), and within 500 feet of a more restrictive zone at the time of their approval, until such uses are required to cease operations pursuant to Sec 12.5.5. (Nonconforming Oil, Gas, or Hydrocarbon Well Use Exceptions): [Editor's note: Formerly Chapter 1, Section 13.01 K]
- i. All stationary drilling and service rigs, including their floors and foundations, shall be removed within 30 days after completion or abandonment of the well (notwithstanding any other provisions of this Zoning Code (Chapter 1A) to the contrary) [Editor's note: Formerly Chapter 1, Section 13.01 K.1.]

- ii. The motors, engines, pumps, and tanks of all such oil, gas, or hydrocarbon wells shall be sealed so that no offensive or obnoxious odor or fumes can be readily detected from any point on adjacent property.
- iii. The well pumping equipment for such wells shall be muffled or soundproofed so that the noise emanating therefrom, measured from any point on adjacent property, is no more audible than surrounding street traffic, commercial or industrial noises measured at the same point.
- iv. The maximum height of the pumping units for such wells shall not exceed 15 feet above existing grade level.
- v. The site of such wells shall be so landscaped, fenced or concealed that the well and all of its appurtenant apparatus is reasonably protected against public entry, observation or attraction.

SEC. 8.2.5. **COMMUNITY DESIGN OVERLAY (CDO)**

A. Intent

This *Section (Community Design Overlay (CDO))* provides a method for maintaining guidelines and standards in existing Community Design Overlays (CDOs) that were established prior to January 1, 2020. The intent of the CDO is a Supplemental District, to:

- 1. Ensure that development within communities is in accordance with community design policies adopted in the community plans, and with the community design guidelines and standards;
- 2. Promote the distinctive character, stability, and visual quality of existing neighborhoods and communities by considering the unique architectural character and environmental setting of the district to ensure development visually provides a sense of place;
- 3. Assist in improving the visual attractiveness of multi-unit housing available to meet the needs of all social and economic groups within the community;
- 4. Protect areas of natural scenic beauty, cultural or environmental interest;
- 5. Prevent the development of structures or uses which are not of acceptable exterior design or appearance;
- 6. Protect the integrity of previously attained entitlements; and
- 7. Provide for on-going community involvement in project design and evolution of guidelines.

B. Applicability

The following definitions and regulations shall apply to the implementation of CDOs:

1. Definition of Project

Project is defined as the erection, construction, addition to, or exterior structural modification of any building or structure, including, but not limited to, pole signs or monument signs located in a CDO. A project does not include construction that consists solely of:

- a. Interior remodeling, interior rehabilitation or repair work;
- b. Modifications of, including structural repairs, or additions to any existing building or structure in which the aggregate value of the work, in any one 24-month period, is less than 50 percent of the building or structure's replacement value before the modifications or additions, as determined by the Department of Building and Safety, unless the modifications or additions are to any building facade facing a public street; or
- c. A residential building on a lot which is developed entirely as a residential use and consists of four or fewer dwelling units, unless expressly provided for in a CDO established in accordance with this *Section (Community Design Overlay (CDO))*.

2. Reconciling Provisions

a. Zoning Code Provisions

In the event that the provisions of a CDO conflict with any other provisions of this Zoning Code (Chapter 1A), the provisions of the Zoning Code shall prevail, unless otherwise specified by this Zoning Code (Chapter 1A), with the exception of defined terms and definitions in *Div. 14.3. (Glossary)*. If the defined terms or definitions within a CDO conflict with those of *Div. 14.3. (Glossary)*, those of the CDO shall prevail.

b. Other Supplemental Districts

In the event that the provisions of a CDO conflict with provisions of another Supplemental District, the more restrictive provision shall prevail, except that where the provisions of a CDO conflict with those of a Historic Preservation Overlay Zone or the Transportation Communication Network District, then the provisions of the Historic Preservation Overlay Zone or the Transportation Communication Network District shall prevail.

c. Specific Plans

Where the provisions of a CDO conflict with those of a Specific Plan, then the provisions of the Specific Plan shall prevail.

d. Previously Granted Entitlements

Nothing in the guidelines and standards established in a CDO shall interfere with any previously granted entitlements, nor shall they restrict any right authorized in this Zoning Code (Chapter 1A).

C. District Standards

CDO guidelines and standards shall be based on the design policies contained in the applicable community plan. The guidelines and standards shall be organized into those which are anticipated to be superseded by future citywide guidelines and standards, and those that are necessary to protect the unique architectural and environmental features of the CDO.

D. Procedures

1. Maintaining an Existing CDO

The City Planning Commission may amend an existing CDO in accordance with Sec. 13B.1.5. (*Guidelines or Standards Adoption/Amendment*), and as represented by the acronym "CDO" as part of the third bracket set of the zone of a lot. However, the CDO shall not be amended to expand the existing boundaries or establish new guidelines and standards.

2. Boundaries

The CDO shall not be amended in a way that expands its existing boundaries. A CDO shall not encompass an area designated as an Historic Preservation Overlay Zone in accordance with Sec. 8.2.6. (*Historic Preservation Overlay Zone (HPOZ)*).

3. Issuance of Permits

No building or demolition permit shall be issued for a project subject to a CDO, and no person shall perform any construction work on a project, until the project has been submitted and approved in accordance with Paragraph 4. (*Director Determination*) below. No person shall do any construction work on a project except in conformance with the approved Director Determination.

4. Director Determination

The Director shall approve a project with conditions if necessary if the plans comply with the provisions of approved CDO guidelines and standards in accordance with Sec. 13B.2.5. (*Director Determination*).

a. Supplemental Findings

In addition to the findings established in Sec. 13B.2.5. (*Director Determination*), the Director, or the Area Planning Commission on appeal, shall approve a project as requested or in modified form if, based on the application and the evidence submitted, the Director or Area Planning Commission finds the following:

- i. That the project substantially complies with the adopted CDO guidelines and standards.

- ii. The structures, site plan and landscaping are harmonious in scale and design with existing development and any cultural, scenic or environmental resources adjacent to the lot and in the vicinity.

b. Notice of Director's Determination

Instead of the transmittal requirements in *Sec. 13B.2.5. (Director Determination)*, a notice of the Director's determination, and copies of the approved plans, shall be mailed to the applicant, the Department of Building and Safety, the Councilmember in whose City Council District the project is located, the Citizen Advisory Committee, and any persons or organizations commenting on the application or requesting a notice.

SEC. 8.2.6. HISTORIC PRESERVATION OVERLAY ZONE (HPOZ)

A. Intent

1. As a matter of public policy, the recognition, preservation, enhancement, and use of buildings, structures, landscaping, natural features, and areas within the City having historic, architectural, cultural or aesthetic significance are required in the interest of the health, economic prosperity, cultural enrichment, and general welfare of the people. The intent of the Historic Preservation Overlay Zone Supplemental District is to establish a local historic district tool that:
 - a. Protects and enhances the use of buildings, structures, natural features, and areas, which are reminders of the City's history, or which are unique and irreplaceable assets to the City and its neighborhoods, or which are worthy examples of past architectural styles;
 - b. Develops and maintains the appropriate settings and environment to preserve these buildings, structures, landscaping, natural features, and areas;
 - c. Enhances property values, stabilizes neighborhoods or communities, renders property eligible for financial benefits, and promotes tourist trade and interest;
 - d. Fosters public appreciation of the beauty of the City, of the accomplishments of its past as reflected through its buildings, structures, landscaping, natural features, and areas;
 - e. Promotes education by preserving and encouraging interest in cultural, social, economic, political, and architectural phases of its history;
 - f. Promotes the involvement of all aspects of the City's diverse neighborhoods in the historic preservation process; and
 - g. Ensures that all procedures comply with the CEQA.

B. Applicability

1. Definition of Project

For the purposes of this Section and regardless of the definition in Article 14 (General Rules), project is the addition, alteration, construction, demolition, reconstruction, rehabilitation,

relocation, removal or restoration of the exterior of any building, structure, landscaping, natural feature, or lot, within a Historic Preservation Overlay Zone, except as provided under Paragraph 2. (Exemptions) below. A project may or may not require a building permit, and may include but not be limited to changing exterior paint color, removal of significant trees or landscaping, installation or removal of fencing, replacement of windows or doors which are character-defining features of architectural styles, removal of features, or changes to public spaces and similar activities.

2. Exemptions

This Section (Historic Preservation Overlay Zone (HPOZ)) does not apply to the following:

a. Emergency or Hazardous Conditions

The correction of emergency or hazardous conditions where the Department of Building and Safety, Los Angeles Housing Department, or other enforcement agency has determined that emergency or hazardous conditions currently exist and the emergency or hazardous conditions must be corrected in the interest of the public health, safety, and welfare. When feasible, the Department of Building and Safety, Los Angeles Housing Department, or other enforcement agency should consult with the Director on how to correct the hazardous condition, consistent with the goals of the Historic Preservation Overlay Zone. However, any other work shall comply with the provisions of this Section (Historic Preservation Overlay Zone (HPOZ)).

b. Department of Public Works Improvements

Department of Public Works improvements located, in whole or in part, within a Historic Preservation Overlay Zone:

- i. Where the Director finds:
 - a) That the certified historic resources survey for the Historic Preservation Overlay Zone does not identify any contributing elements located within the public right-of-way or where the public right-of-way is not specifically addressed in the approved Preservation Plan for the Historic Preservation Overlay Zone; and
 - b) Where the Department of Public Works has completed the CEQA review of the proposed improvement, and the review has determined that the improvement is exempt from CEQA, or will have no potentially significant environmental impacts on the HPOZ.
- ii. The relevant Historic Preservation Board shall be notified of the project, given a description of the project, and an opportunity to comment.

c. Historical Property Contracts

Where work is authorized by an approved historical property contract by the City Council, or where a building, structure, landscaping, natural features, or lot has been designated as a City Historic-Cultural Monument by the City Council, unless proposed for demolition. However, those properties with federal or state historic designation which are not designated as City Historic-Cultural Monuments or do not have a City historical property contract are not exempt from review under this Section (*Historic Preservation Overlay Zone (HPOZ)*).

d. Structural Repairs

Where work consists of repairs to existing structural elements and foundations with no physical change to the exterior of a building.

e. Interior Modifications

Where work consists of interior modifications that do not result in a change to an exterior feature.

f. Preservation Plan Exemptions

Where the type of work has been specifically deemed exempt from review as set forth in the approved Preservation Plan for a specific Historic Preservation Overlay Zone.

3. Authority of Cultural Heritage Commission not Affected

Nothing in this Section (*Historic Preservation Overlay Zone (HPOZ)*) supersedes or overrides the Cultural Heritage Commission's authority as provided in Sec. 22.171, et seq. of the LAAC.

4. Publicly Owned Property

The provisions of this Section (*Historic Preservation Overlay Zone (HPOZ)*) shall apply to any building, structure, landscaping, natural features, or lot within a Historic Preservation Overlay Zone which is owned or leased by a public entity to the extent permitted by law.

C. District Standards

1. Preservation Plans

District Standards are established in each specific Historic Preservation Overlay Zones as a Preservation Plan adopted in accordance with Sec. 13B.8.3. (*Preservation Plan Adoption/Amendment*).

D. Procedures

1. Establishing an HPOZ

Historic Preservation Overlay Zone regulations, Preservation Plans, and boundaries are established and amended in accordance with *Div. 13B.8. (Historic Preservation)*, and are represented as part of the third bracket set of the lot's zone string with the acronym "HPOZ."

2. Review of Projects

Projects in Historic Preservation Overlay Zones shall be reviewed in accordance with *Div. 13B.8. (Historic Preservation)*.

SEC. 8.2.7. CONSERVATION DISTRICTS (CD)

A. Intent

The Conservation District is a Supplemental District intended to maintain areas of the City that are listed in an historic resources survey as eligible to be designated historic resources, and assure that individual surveyed historic resources retain sufficient integrity to help ensure their eligibility for future designation. A Conservation District is not an historic designation, but rather a series of standards and additional review that provide protection beyond that afforded by zoning districts alone. Conservation Districts are an additional tool to complement existing historic designations, thus filling a void left by other existing tools.

B. Applicability

1. Definition of Project

For the purposes of this Section (Conservation Districts), and regardless of the definition in Article 14 (General Rules), a project is any demolition, new construction, addition, facade modification, or maintenance & repair of the exterior of any surveyed historic resource that is located within a Conservation District, regardless of whether a building permit is required or not.

2. Scope of District Standards

A project shall be subject to standards in *Subsection C. (District Standards)* below for facade modifications to primary and secondary facades of surveyed historic resources, to the peak of the highest roof ridge or 15-foot depth, whichever is greater. Conservation District standards do not apply to accessory buildings.

3. Reconciling Provisions

a. Zoning Code Provisions

In the event that the provisions of a Conservation District conflict with any other provision of this Zoning Code (Chapter 1A), the provisions of the Zoning Code shall prevail, unless otherwise specified by this Zoning Code (Chapter 1A), with the exception of defined

terms and definitions in *Div. 14.3. (Glossary)*. If the defined terms or definitions within a Conservation District conflict with those of *Div. 14.3. (Glossary)*, those of the Conservation District shall prevail.

b. Other Supplemental Districts

In the event that the provisions of a Conservation District conflict with provisions of another Supplemental District, the more restrictive provision shall prevail.

c. Specific Plans

Where the provisions of a Conservation District conflict with those of a Specific Plan, the provisions of the Specific Plan shall prevail.

C. District Standards

1. Modification and Replacement of Architectural Elements

- a.** Deteriorated historic architectural elements shall be repaired rather than replaced. If deteriorated historic architectural elements cannot be repaired, replacements shall match the original in size, shape, scale, materials, finish, texture, detail, arrangement of panes, hardware, method of construction, and profile.
- b.** When original architectural elements have been lost and are being replaced, replacement designs shall be based on available historic evidence. If a similar architectural element exists on the existing structure, the replacement architectural element shall match the original in material, texture, size, or scale. If no such evidence or architectural element exists, the replacement shall comply with the applied Character Frontage District, as established in *Div. 3B.9. (Character Frontage Districts)*.
- c.** Original building materials and architectural elements shall not be covered or replaced with stucco, vinyl siding or other materials.
- d.** Additional architectural elements shall not be added if they did not exist historically. For example, the addition of decorative “gingerbread” brackets to a Craftsman-style porch would be prohibited. Awnings and railings are exempt from this requirement.
- e.** Enclosure of part or all of a historic architectural element on street-facing facades shall be prohibited. See *Sec. 14.2.6.D. (Street-Facing Facade)*.
- f.** Additions or related new construction shall have a different principal exterior material than the existing structure, as established in *Sec. 3D.10.1. (Principal Material Coverage)*, or the addition shall be recessed or project from the existing facade at least six inches. The principal exterior materials are regulated by the applied Character Frontage District, as established in *Div. 3B.9. (Character Frontage Districts)*.

2. Demolition of Surveyed Historic Resources

For any project that involves demolition of surveyed historic resources, approval shall not be issued, in accordance with *Sec. 8.2.7.D.3. (Director Determination)*, until one of the following occurs:

- a. The Director of Planning, in consultation with the Office of Historic Resources, determines, based upon a Phase 1 Historic Resources Assessment and substantial evidence, that the surveyed historic resources are not historical resources.
- b. A replacement project has been approved in accordance with *Sec. 8.2.7.D.3. (Director Determination)*. A surface parking lot shall not qualify as a replacement project.

D. Procedures

1. Establishing a Conservation District

Conservation District boundaries are established and amended in accordance with *Sec. 13B.1.2. (Specific Plan Adoption/Amendment)*, and are represented as part of the third bracket set of the lot's zone with the acronym "CD." Conservation Districts shall:

- a. Be within the boundaries of an area identified in *Survey LA*, or another historic resources survey accepted by the City, as potentially eligible for historic designation.
- b. Encompass at least one block face.
- c. Be applied in conjunction with a Character Frontage District, as established in *Div. 3B.9. (Character Frontage Districts)*, appropriate for the buildings or improvements listed in an historic resources survey as potentially eligible to become a designated historic resource or contributors to a historic district.

2. Issuance of Permits

For all projects within a Conservation District, the Department of Building and Safety shall not issue a grading, building, or demolition permit unless approved by the Department of City Planning in accordance with *Paragraph 3. (Director Determination)* below.

3. Director Determination

The Director shall approve, with conditions if necessary, a project if the plans comply with the standards established in *Subsection C. (District Standards)* above in accordance with *Sec. 13B.2.5. (Director Determination)*.

a. Supplemental Notification

In addition to the notification requirements in *Sec. 13B.2.5. (Director Determination)*, no demolition permit for surveyed historic resources shall be issued until the applicant has complied with *Chapter IX. (Building Regulations)*, *Sec. 91.106.4.5.1. (Notification of Demolition)* of this Code.

SEC. 8.2.8. **TRANSPORTATION COMMUNICATION NETWORK DISTRICT (TCN)**

A. **Intent**

The Transportation Communication Network District (TCN) is intended to impose special sign regulations designed to facilitate the implementation of the Los Angeles County Metropolitan Transportation Authority's (Metro) TCN program citywide, which will provide intelligent transportation technology, public messaging, service alerts, emergency and public safety alerts, revenue generation, and visual blight reduction through a citywide off-site sign reduction program.

B. **Applicability**

1. **Definition of Project**

The Transportation Communication Network (TCN) District project includes site modification or exterior modification that involves the erection, construction, addition to, or structural modification of an on-site sign or off-site sign located within the TCN District, and is subject to the regulations outlined in the TCN District in which it is located, in accordance with the adopted TCN District standards established pursuant to this Section (Transportation Communication Network Districts (TCN)).

2. **Reconciling Provisions**

In the event that any provision of the TCN District is different from, more restrictive than, or more permissive than any provision of this Zoning Code (Chapter 1A), or other Supplemental District (except Historic Preservation Overlay Zones (HPOZ) and Conservation Districts (CD)), the TCN District provisions shall prevail. In the event that any provision of the TCN District conflicts with any provision of a HPOZ or Conservation District (CD), the more restrictive provision shall prevail. However, the provisions of the TCN District do not supersede Supplemental District regulation or zoning regulation implementing or relied on in an approved Development Agreement.

C. **District Standards**

The TCN District standards shall be determined at the time the TCN District is established. TCN District standards shall consist of sign regulations that enhance the character of the district by addressing the location, number, square footage, height, light illumination, hours of illumination, sign reduction program, duration of signs, design and types of signs permitted, as well as other characteristics; and may include murals, supergraphic signs, and other on-site signs and off-site signs.

1. Cumulative Number & Area of Signs

At no time shall the cumulative number of TCN support structures with digital displays permitted within all TCN Districts exceed 41 support structures, and such digital displays shall be limited to a maximum of 44,000 square feet of cumulative sign area.

2. Net Reduction in Off-Site Signs

The TCN District shall include requirements for off-site sign reduction that, at minimum, result in a net reduction in off-site signs citywide.

D. Procedures

1. Establishing a TCN District

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

a. Applicable Lots

The TCN District shall only include parcels with an applied *Commercial-Mixed Use District (Div. 5B.5.)*, *Industrial-Mixed Use District (Div. 5B.6.)*, or *Public Use District (Div. 5B.8.)*, or an equivalent Specific Plan zone and that are owned by Metro. For the purposes of this *Section (Transportation Communication Network Districts (TCN))*, any parcel with an applied *Public Use District (Part 5B.8.)* in a portion of the TCN District shall be considered equivalent to a *Commercial-Mixed Use District (Part 5B.5.)*.

b. Boundaries

The TCN District may include contiguous and non-contiguous parcels. Precise parcel and/or district boundaries are required at the time of application to create or expand the TCN District.

2. Issuance of Building Permits

The Department of Building and Safety may approve and issue sign permits for any project within the TCN District that conforms to the applicable TCN District standards.

3. Review of Projects

A project shall be reviewed in conformance with the procedures established in the TCN District.

DIV. 8.3. SPECIAL ZONES

SEC. 8.3.1. GENERAL

A. Intent

In order to achieve specific planning objectives in designated areas having unique characteristics, Special Zones may replace the zoning districts and Supplemental Districts as established in Sec. 1.5.2.A.4. (Special Zones). Special Zones respond to unique conditions and set land use and development requirements and incentives tailored to distinctive qualities that may not lend themselves to the regulations established elsewhere in this Zoning Code (Chapter 1A), except as outlined within each Special Zone.

B. Applicability

1. Establishing Special Zones

New Special Zones are established, and the enabling provisions are amended by the City Council in accordance with Sec. 13B.1.3. (Zoning Code Amendment). Special Zones are applied to lots as outlined in each district, and are the zone of a lot, as outlined in Sec. 1.5.2.A.4. (Special Zones), with the acronym established for each district. Special Zones may utilize the provisions of this Zoning Code (Chapter 1A) or a Specific Plan as the vehicle for regulatory measures necessary to achieve the planning objectives that necessitate their creation.

2. Limitations on Special Zones

The Special Zones established in this *Division (Special Zones)* supersede all conflicting provisions in this Zoning Code (Chapter 1A), and shall only be limited by state, local, and federal law.

3. Reconciling Provisions

Special Zones shall contain self-contained zoning regulations, within this *Division (Special Zones)* or through a Specific Plan, which may include references to apply other provisions of this Zoning Code (Chapter 1A). Special Zones shall utilize the defined terms and regulations within this Zoning Code (Chapter 1A), but may replace them as needed. In the event that the provisions of a Special Zone or its corresponding Specific Plan conflict with any other provision of this Zoning Code (Chapter 1A), the provisions of the Special Zone or its corresponding Specific Plan shall prevail.

4. Issuance of Building Permits

Unless otherwise stated in this *Division (Special Zones)*, for any project within a Special Zone, the Department of Building and Safety shall not issue a building permit unless the project complies with the provisions of the Special Zone or its corresponding Specific Plan.

5. Violations

The violation of any provision of a Special Zone or condition imposed by a decision-making body in approving the site requirements, methods of operation, development plans or other actions taken in accordance with the authority contained in this Division shall constitute a violation of this Zoning Code (Chapter 1A).

SEC. 8.3.2. FREEWAY (FWY)

A. Intent

The Freeway Special Zone (FWY) is intended to regulate property owned by the California Department of Transportation (Caltrans). To the extent that Caltrans is using or building on State-owned property for highway purposes, it will be immune from the regulations established in this Zoning Code (Chapter 1A). However, when Caltrans property is being used wholly or in part for other purposes, the following limitations on development and use shall apply.

B. Development of Caltrans Land

1. Floor Area

Development of land is limited to a maximum floor area of 50 percent of the lot area.

2. Use

The use of Caltrans land for non-highway purposes shall be limited to those uses listed below, defined in *Article 5. (Use)*, and only permitted by approval of a conditional use permit as outlined below.

Uses	Conditional Use Permission Level
Civic Facility: All	C3
Civic Fleet Services	C3
Parking	C3
Public Safety Facility	C3
Utilities:	
Minor	C3
Major	C3
Solar Energy Facility	C3
Wireless Facility, Freestanding	C2
Wireless Facility, Rooftop	C2
Nature Reserve	C3
Open Space, Public	C3
Indoor Recreation:	
Public	C3
Outdoor Recreation:	
Public	C3

Uses	Conditional Use Permission Level
Freight Railway Facility	C3
Passenger Transit Facility	C3
Motor Vehicle Services: All	C3
Fueling Station: All	C3
Motor Vehicle Sales & Rental: All	C3
Storage, Indoor: All	C3
Storage, Outdoor	
General	C3
Standard Vehicle	C3
Large Vehicle	C3
Official Motor Vehicle Impound	C3

a. C2 Permission Level

A permission level of C2 indicates that the use may be permitted only after approval by the Zoning Administrator, in accordance with *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*.

b. C3 Permission Level

A permission level of C3 indicates that the use may be permitted only after approval by the City Planning Commission, in accordance with *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*. In addition to the findings outlined in *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*, the City Planning Commission shall also determine that in approving the proposed use, the project shall not expose the general public to prolonged or sustained health and safety impacts.

3. Freeway Screening

Projects approved for one of the permissible non-highway uses must provide a Type T-3 transition screen as established in *Sec. 4C.8.2.C.3.c. (T-Screen 3)* for the entire length of any lot line abutting a highway. On lots where tree planting is infeasible, such as lots located beneath above-grade highways, or on lots with no highway adjacency, such as lots on capped highways, applicants may apply for relief as outlined in *Sec. 4C.8.2.E. (Relief)*.

C. Sale of Caltrans Land

In the event Caltrans property is sold to another party, the limitations established in *Subsection B. (Development of Caltrans Land)* above shall continue to apply unless the Freeway Special Zone designation has been changed to a different zone in accordance with *Sec. 13.B.1.4. (Zone Change)*.

SEC. 8.3.3. OCEAN — SUBMERGED LAND (SL)

A. Intent

1. The Ocean — Submerged Land (SL) Special Zone is intended to regulate the City of Los Angeles seacoast and off-shore water and underwater areas. These areas constitute a unique

and important geographical and scenic resource, utilized for shipping, industry, commerce, residence, and recreation.

2. Off-shore zoning is a related and appropriate extension of planning and zoning principles and practices on land. Its basic intent is to protect all users of affected land from the recognized problems and depreciation brought about by unregulated development. Particular intent in the City of Los Angeles includes:
 - a. Protection of the recreational, residential, and scenic uses of coast areas, now much in demand for these uses and with greater demand forecast for the future;
 - b. Preservation of the near seaward prospect of residential zones along the coast, where this outlook constitutes part of the environment and value of overlooking on-shore properties; and
 - c. Provision for such other uses as benefit the public and City without significant impairment of these recreational and residential uses.
3. This *Section (Ocean — Submerged Land (SL))* also intends to regulate new coastline or off-shore developments with proper consideration of existing recreational and residential uses, public necessity and interest, convenience, general welfare, and good zoning practice.

B. General Provisions

To realize the purposes enumerated in *Subsection A. (Intent)* above, in accordance with established planning principles, practice, and supportive zoning, the following requirements shall be met for the constructive control of off-shore activities, regardless of whether a project involves a zone change, variance, Supplemental District, or otherwise:

1. There shall be no chemical and biological contamination, visual clouding or soiling of urban coastline, beaches or off-shore waters by industrial or commercial uses.
2. Installations on-shore, temporary or relatively permanent, shall be of such size, nature, location, and spacing that they do not significantly interfere with or adversely affect the residential and recreational use, operation, environment or enjoyment of coastline and off-shore areas.
3. The preservation of urban coastline and off-shore areas, above and below water level, in the natural state or for recreation and residence, should take precedence if their function and enjoyment are threatened by additional potentially conflicting off-shore uses which are not clearly of greater public necessity and interest.
4. Any shoreline industrial or commercial uses should be of limited and designated duration, with provision for complete removal of installations and restoration of the prior or natural state after expiration of the permissible time period, unless such removal and restoration are unnecessary to maintain desirable recreational and residential environment.

5. No industrial or commercial operations should be undertaken where or when they may significantly alter the underlying geologic stability of other areas, off-shore and on-shore, or otherwise bring about undesirable changes of basic topographical condition.
6. Piers, jetties, causeways, human-made islands, bridges or other connective structures should be prohibited, except when they enhance the recreational and residential environment.
7. Emission of smoke, steam, chemical, odor, sound, artificial light or other form of atmospheric pollutant or environmental impairment from any seaside industrial or commercial installation or facility should be controlled to fulfill the purposes of this zoning.
8. No provision of off-shore urban zoning in this *Section (Ocean — Submerged Land (SL))* is intended, or should be interpreted to, conflict with state, federal or international rights or control established by law within the same geographical areas. To the extent there is a conflict, the conflicting provision in this *Section (Ocean — Submerged Land (SL))* shall be found by the City to have no force or effect.

C. Development of Ocean — Submerged Land (SL)

For all projects within an Ocean — Submerged Land (SL) Special Zone, the Department of Building and Safety shall not issue any permit unless approved as established below:

1. Any development on property of any kind within an Ocean — Submerged Land (SL) Special Zone shall be permitted only by approval of the City Planning Commission, in accordance with *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*.
2. No piers, jetties, man-made islands, floating installations or the like are permitted in connection with any permitted uses unless authorized under the provisions of *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*.

D. Use of Ocean — Submerged Land (SL)

No property of any kind within the Ocean — Submerged Land (SL) Special Zone shall be used except for the following uses, or when a Supplemental District is created in accordance with the provisions of this *Article (Supplemental & Special Zoning)*, provided, however, that in no event shall any property be used for surface-type operations (either above or below water level) relating to oil drilling and production of oil, gas, or hydrocarbons.

1. Navigation.
2. Commercial Shipping.
3. Fishing.
4. Recreation.
5. Any use required by any trust or legislative grant to the City of Los Angeles.

ARTICLE 9.
**PUBLIC BENEFIT
SYSTEMS**

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DIV. 9.1. GENERAL RULES

SEC. 9.1.1. PURPOSE

The purpose of this *Article (Public Benefit Systems)* is to establish procedures for implementing State Density Bonus provisions, as set forth in *California Government Code, Sec. 65915-65918*, local incentives to increase the production of affordable housing, as well as other programs to facilitate the provision of public benefits to communities in the vicinity of new development in the City consistent with the General Plan and other housing-related City policies. Incentives include, but are not limited to, relief from a variety of regulations and requirements, or the granting of additional allowances beyond what would normally be allowed. In addition, it is also the purpose of this *Article (Public Benefit Systems)* to provide mechanisms to use the maximum bonus FAR and bonus height as allowed in the applied *Form District (Part 2B.)*.

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 Housing Incentive Programs)*, the community benefits program established in *Div. 9.3. (Community Benefits Program)*, a variety of other incentive programs established in *Div. 9.4. (General Incentive Programs)*, and accessory dwelling unit incentive programs established in *Div. 9.5. (Accessory Dwelling Unit Incentive Program)*.

B. Eligibility

Any project containing five or more dwelling units, including projects with subdivisions of land, may use an affordable housing program as outlined in *Div. 9.2. (Affordable 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)*.

C. Incentives

This *Article (Public Benefit Systems)* may grant relief from a variety of regulations and requirements, or the granting of additional allowances beyond what is normally allowed by this Zoning Code (Chapter 1A) in order to incentivize and facilitate the provision of public benefits as part of the development or use of property in the City.

DIV. 9.2. **AFFORDABLE HOUSING INCENTIVE PROGRAMS**

SEC. 9.2.1. **DENSITY BONUS**

A. **Purpose**

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

B. **Eligibility**

1. **Base Incentives**

A housing development project will be granted a density bonus, including incentives, concessions, and waivers of development standards, in exchange for the required percentage of restricted affordable units established in *Subsection C. (Base Incentives – Density and Parking)* below, only where the project has not used any other affordable housing incentive program.

2. **Additional Incentives**

a. **General Eligibility**

To be eligible for any incentives in *Subsection D. (Additional Incentives)* below, a housing development project (other than an adaptive reuse project) shall comply with all of the following:

- i. The housing development project shall not be a contributing element in a designated Historic Preservation District and shall not be on the City of Los Angeles list of Historic-Cultural Monuments.
- ii. The housing development project shall not be located on a substandard hillside limited street in a Hillside Area or in a Very High Fire Hazard Severity Zone as established in *Chapter V. (Public Safety and Protection), Article 7 (Fire Code)* of this Code.

b. **Number of Additional Incentives**

- i. A housing development project that is in compliance with the eligibility criteria in *Subparagraph a. (General Eligibility)* above, shall be granted the number of additional incentives set forth in the table below.

NUMBER OF ADDITIONAL INCENTIVES			
Level of Affordability	Required Percentage of Restricted Units (excluding density bonus units)		
	1 INCENTIVE	2 INCENTIVES	3 INCENTIVES
Very Low Income	5%	10%	15%
Low Income	10%	20%	30%
Moderate Income	10%	20%	30%

- ii. A housing development project that consists of 100 percent on-site restricted affordable units, exclusive of a manager unit or units, that is in compliance with the eligibility criteria in *Subparagraph a. (General Eligibility)* above, shall be granted four additional incentives.

3. General Standards

a. Calculating Density

The bonus dwelling units are not counted when calculating the total number of units.

b. Fractional Units

For the purposes of this Section (*Density Bonus*), regardless of Sec. 6C.1.2. (*Lot Area Per Household Dwelling Unit*) or Sec. 6C.1.3. (*Lot Area Per Efficiency Dwelling Unit*), in calculating base density and restricted affordable units, any number resulting in a fraction is rounded up to the next whole number.

c. Other Discretionary Approvals

Approval of density bonus units does not, in and of itself, trigger other discretionary review actions required by this Zoning Code (Chapter 1A) that are applicable based on the number of dwelling units.

C. Base Incentives — Density & Parking

Any housing development project that meets the criteria established in *Paragraph 1. (Base Incentives)* above, will receive the base incentives outlined below.

1. Density

a. Very Low Income Restricted Affordable Units — For-Sale or Rental

- i. A housing development project that includes five percent of the total units for very low income households, either in rental units or for-sale units, will be granted a minimum density bonus of 20 percent that may be applied to any part of the housing development project.
- ii. The density bonus may be increased according to the table below, up to a maximum of 35 percent

VERY LOW INCOME UNITS	
% of Total Units	% Density Bonus
5%	20.0%
6%	22.5%
7%	25.0%
8%	27.5%
9%	30.0%
10%	32.5%
11%	35.0%

- iii. Projects seeking a density bonus of greater than 35 percent may do so pursuant to Subsection E. (*Housing Development Project Exceeding 35% Density Bonus*) below, or Subsection G. (*Projects Exceeding 35% Density Bonus That Do Not Comply With Subsection F.4.*) below.

b. Low Income Restricted Affordable Units — For-Sale or Rental

- i. A housing development project that includes 10 percent of the total units for low income households, either in rental units or for-sale units, will be granted a minimum density bonus of 20 percent that may be applied to any part of the housing development project.
- ii. The density bonus may be increased according to the table below, up to a maximum of 35 percent.

LOW INCOME UNITS	
% of Total Units	% Density Bonus
10%	20.0%
11%	21.5%
12%	23.0%
13%	24.5%
14%	26.0%
15%	27.5%
16%	29.0%
17%	30.5%
18%	32.0%
19%	33.5%
20%	35.0%

- iii. Projects seeking a Density Bonus of greater than 35 percent may do so pursuant to Subsection E. (*Housing Development Project Exceeding 35% Density Bonus*) below, or Subsection G. (*Projects Exceeding 35% Density Bonus That Do Not Comply With Subsection F.4.*)

c. Common Interest Development With Low Income or Very Low Income Restricted Affordable Units

In a common interest development (such as a condominium), as defined in *California Civil Code, Sec. 4100*, with low income or very low income restricted affordable units, restricted affordable units may be for sale or for rent.

d. Common Interest Development With Moderate Income Restricted Affordable Units

- i. A common interest development (such as a condominium), as defined in *California Civil Code, Sec. 4100*, that includes at least 10 percent of its units for moderate income households will be granted a minimum density bonus of five percent. The density bonus may be increased according to the table below, up to a maximum of 35 percent.

MODERATE INCOME UNITS	
% of Total Units	% Density Bonus
10%	5%
11%	6%
12%	7%
13%	8%
14%	9%
15%	10%
16%	11%
17%	12%
18%	13%
19%	14%
20%	15%
21%	16%
22%	17%
23%	18%
24%	19%
25%	20%
26%	21%
27%	22%
28%	23%
29%	24%
30%	25%
31%	26%
32%	27%
33%	28%
34%	29%

MODERATE INCOME UNITS	
% of Total Units	% Density Bonus
35%	30%
36%	31%
37%	32%
38%	33%
39%	34%
40%	35%

- ii. Projects seeking a density bonus of greater than 35 percent may do so pursuant to Subsection E. (*Housing Development Project Exceeding 35% Density Bonus*) below, or Subsection G. (*Projects Exceeding 35% Density Bonus That Do Not Comply With Subsection F.4.*) below.

e. **Senior Citizen Housing — For-Sale or Rental at Market-Rate**

A senior citizen housing development or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to *California Civil Code, Sec. 798.76.* or *California Civil Code, Sec. 799.5.* shall be granted a density bonus of 20 percent.

f. **Childcare Facility**

A housing development project that conforms to one of the sets of requirements of Subparagraph a. (*Very Low Income Restricted Affordable Units — For-Sale or Rental*) through Subparagraph d. (*Common Interest Development with Moderate Income Restricted Affordable Units*) above and includes a childcare facility as defined by *California Government Code, Sec. 65915(h).* (*Density Bonuses and Other Incentives*) located on the premises of, as part of, or adjacent to the project, will be granted either of the following:

- i. An additional density bonus that is, for purposes of calculating residential density, an increase in the floor area of the project equal to the floor area of the childcare facility included in the project.
- ii. One additional incentive, as provided in Subsection D. (*Additional Incentives*) below.

g. **Land Donation**

An applicant for a subdivision, or other residential development approval, that donates land for housing to the City of Los Angeles satisfying the criteria of *California Government Code, Sec. 65915(h)(2)*, as verified by the Department of City Planning, will be granted a density bonus of 15 percent.

h. **Restricted Affordable Units Located Near Transit Stop/Major Employment Center**

In a housing development project located in or within 1,500 feet of a transit stop/major employment center, an applicant may opt to provide a greater number of smaller

restricted affordable units in lieu of providing the requisite number of restricted affordable units that would otherwise be required under this *Section (Density Bonus)*, provided that:

- i. The smaller restricted affordable units meet the minimum unit size requirements established by the Low Income Housing Tax Credit Program as administered by the California Tax Credit Allocation Committee (TCAC);
- ii. The total number of dwelling units in the housing development project, including density bonus units, does not exceed the maximum permitted by this *Section (Density Bonus)*;
- iii. The smaller restricted affordable units are distributed throughout the building and have proportionally the same number of bedrooms as the market rate units; and
- iv. The area of the aggregate smaller restricted affordable units is equal to or greater than the square footage of the aggregate restricted affordable units that would otherwise be required under this *Section (Density Bonus)*.

i. **Condominium Conversion**

A housing development project that involves the conversion of apartments into condominiums and that includes 33 percent of its units restricted to low income households or moderate income households, or 15 percent of its dwelling units restricted to very low income households, will be granted a density bonus of 25 percent or up to three additional incentives as provided in *Subsection D. (Additional Incentives)* below.

2. **Automobile Parking**

A housing development project that qualifies for a density bonus and complies with this *Section (Density Bonus)* may provide parking in compliance with the applicable parking provisions of *Div. 4C.4. (Automobile Parking)*, or with one of the applicable parking options below.

a. **Parking Option 1**

Required parking for all dwelling units in the housing development project (not just the restricted affordable units), inclusive of accessible parking and guest parking, shall be reduced to the following requirements:

- i. For each dwelling unit of zero to one bedroom: one on-site parking space.
- ii. For each dwelling unit of two to three bedrooms: 1 1/2 on-site parking spaces.
- iii. For each dwelling unit of four or more bedrooms: 2 1/2 on-site parking spaces.

b. Parking Option 2

Required parking for all other non-restricted units must comply with the applicable provisions of *Div. 4C.4. (Automobile Parking)*. Required parking for any restricted affordable units may be reduced as set forth below.

- i. One parking space per restricted affordable unit, except that restricted affordable units for low income or very low income senior citizens or disabled persons require 1/2 parking spaces for each unit; and/or
- ii. Up to 40 percent of the required parking for restricted affordable units may be provided in compact parking stalls.

D. Additional Incentives

Any housing development project that meets the criteria established in *Paragraph 2. (Additional Incentives)* of *Subsection B. (Eligibility)* above, will receive the base incentives outlined below.

1. Yard Incentive

Up to 20 percent decrease in the required width or depth of any individual yard, except along any property line that abuts a property zoned with a Residential Limited, Agriculture, or Open Space Use District.

2. Building Coverage Incentive

Up to 20 percent increase in building coverage limits.

3. Lot Width Incentive

Up to 20 percent decrease in the required lot width.

4. Floor Area Ratio Incentive

A housing development project shall be granted one of the following incentives:

- a. An allotment of additional floor area equal to the percentage of density bonus for which the housing development project is eligible, not to exceed 35 percent. This additional floor area shall be calculated based on the maximum floor area of the base FAR of the applied *Form District (Part 2B.)*.
- b. Regardless of the applied *Form District (Part 2B.)*, a housing development project shall receive a floor area ratio not to exceed 2.5:1, provided:
 - i. The housing development project contains the requisite number of restricted affordable units to qualify for a 35 percent Density Bonus;
 - ii. The project site is zoned with a Commercial-Mixed Use District;

- iii. The project site fronts on a street designated as a boulevard or avenue in the General Plan *Circulation Element*; and
 - iv. 50 percent or more of the project site is located within 1,500 feet of a transit stop/major employment center.
- c. Regardless of the applied *Form District (Part 2B.)*, a housing development project shall receive a floor area ratio not to exceed 2.5:1, provided:
- i. At least 80 percent of the units in a rental project are restricted affordable units or 45 percent of units in a for-sale project are restricted affordable units;
 - ii. The project site is zoned with a Commercial-Mixed Use District; and
 - iii. 50 percent or more of the project site is located within 1,500 feet of a transit stop/major employment center.

5. Height Incentive

A percentage increase in the height in feet limit equal to the percentage of density bonus for which the housing development project is eligible, except:

- a. In any zone in which the height or number of stories is limited, this incentive permits a maximum of 11 additional feet or one additional story, whichever is lower.
 - i. No additional height is permitted for that portion of a building in a housing development project that is located within 15 feet of a lot zoned with a 2L *Density District (Part 6B.)*.
 - ii. For each foot of additional height, the building must be set back one horizontal foot.
- b. No additional height is permitted for any portion of a building in a housing development project located on a lot sharing a common lot line with or across an alley from a lot with a 1L *Density District (Part 6B.)*.
- c. No additional height shall be permitted for any portion of a building in a housing development project located on a lot sharing a common lot line with or across an alley from a lot with a 1L *Density District (Part 6B.)*. This prohibition shall not apply if the lot on which the housing development project is located is within 1,500 feet of a transit stop but no additional height shall be permitted for that portion of a building in the housing development project that is located within 50 feet of a lot with a 1L *Density District (Part 6B.)*.

6. Lot & Residential Amenity Space Incentive

Up to 20 percent decrease from lot amenity space and residential amenity space requirements.

7. Density Calculation Incentive

The 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.)* in which the housing development project is located.

8. Averaging of Floor Area Ratio, Density, Parking or Lot Amenity Space

A housing development project that is located on two or more contiguous lots may average the floor area, density, lot amenity space, and parking over the project site, provided that:

- a. The housing development project includes 11 percent or more of the dwelling units as restricted affordable units for very low income households, or 20 percent or more of the units for low income households, or 30 percent or more of the units for moderate income households;
- b. The proposed use is permitted by the applied Use District of each parcel; and
- c. No further lot line adjustment or any other action that may cause the housing development project site to be subdivided subsequent to this grant is permitted.

E. Housing Development Project Exceeding 35% Density Bonus

1. A housing development project may be granted additional density increases beyond 35 percent by providing additional restricted affordable units in the following manner:
 - a. For every additional one percent of the total dwelling units set aside for very low income units for sale or rental, the project is granted an additional 2.5 percent density increase;
 - b. For every additional one percent of the total dwelling units set aside for low income units for sale or rental, the project is granted an additional 1.5 percent density increase; and
 - c. For every additional one percent set aside of the total dwelling units for moderate income units in for-sale projects, the project is granted an additional one percent density increase.
2. A housing development project receiving additional density increases beyond 35 percent is eligible to request the incentives in *Subsection C. (Base Incentives – Density & Parking)* and *Subsection D. (Additional Incentives)* above, in this *Section (Density Bonus)*.

F. Procedures

1. Projects With No Additional Incentives

Housing development projects requesting only the incentives outlined in *Subsection C. (Base Incentives – Density & Parking)* above, without any incentives outlined in *Subsection D. (Additional Incentives)* above, are ministerial.

2. Projects Requesting Additional Incentives

- a. Housing development projects that qualify for base incentives, request up to three additional incentives, and require no other discretionary actions, must file an application pursuant to Sec. 13B.2.5. (Director Determination). Regardless of the findings established in Sec. 13B.2.5. (Director Determination), the Director of Planning must approve a density bonus and requested additional incentives unless the Director finds that:
 - i. The incentive is not required in order to provide for affordable housing costs as defined in *California Health and Safety Code, Sec. 50052.5.*, or affordable housing rents as defined in *California Health and Safety Code, Sec. 50053.*; 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 very low income households, low income households, and moderate income households. Inconsistency with the zoning or General Plan designation of a lot does not constitute a specific adverse impact upon the public health or safety.
- b. For housing development projects that request up to three additional incentives and that require other discretionary actions, the applicable procedures set forth in Sec. 13A.2.10. (Multiple Approvals) apply.
 - i. The decision must include a separate section clearly labeled "Density Bonus/Affordable Housing Incentives Determination."
 - ii. Regardless of any other findings that may be applicable, the decision maker must approve base incentives and requested additional incentives unless the decision maker, based upon substantial evidence, makes either of the findings in Subparagraph a. (Projects Requesting Additional Incentives) above.

3. Projects With Requests for Waiver or Modification

a. Application

Housing development projects that qualify for incentives by meeting the minimum required percentage of restricted affordable units, as outlined in Paragraph 1. (Density) of Subsection C. (Base Incentives — Density & Parking) above, and for which the applicant requests a waiver or modification of any Form District (Part 2B.) standard or Development Standards District (Part 4B.) standard that is not included in the incentives outlined in Subsection D. (Additional Incentives) above, must file an application pursuant to Sec. 13B.2.3. (Class 3 Conditional Use Permit).

b. Decision

- i. The decision of the City Planning Commission on a Conditional Use Permit under this Section (Density Bonus) is final.

- ii. Regardless of any other findings that may be applicable, the decision maker shall approve base incentives and requested waiver or modification of any *Form District (Part 2B.)* standard or *Development Standards District (Part 4B.)* standard unless the decision maker, based upon substantial evidence, makes either of the findings in *Subparagraph a. of Paragraph 2. (Projects Requesting Additional Incentives)* above.
- iii. For housing development projects requesting waiver or modification of any *Form District (Part 2B.)* standard or *Development Standards District (Part 4B.)* standard not included in the incentives outlined in *Subsection D. (Additional Incentives)* above, that include other discretionary applications, the procedures of *Sec. 13A.2.10. (Multiple Approvals)* apply. The decision must include a separate section clearly labeled "Density Bonus/ Affordable Housing Incentives Determination."

4. Projects Exceeding 35% Density Bonus

a. Application

The City Planning Commission may grant additional density increases beyond 35 percent, pursuant to *Subsection E. (Housing Development Project Exceeding 35% Density Bonus)* above. Applicants must file an application pursuant to *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*.

b. Supplemental Findings

In addition to the findings of *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*, the City Planning Commission must also find that:

- i. The project is consistent with and implements the affordable housing provisions of the General Plan;
- ii. The project contains the requisite number of restricted affordable units to qualify for a full 35 percent density incentive based on the maximum allowable density of the project site;
- iii. The housing development project meets any applicable dwelling unit replacement requirements of *California Government Code, Sec. 65915(c)(3)*. Consistent with *California Government Code, Sec. 65915(c)(3)*, dwelling units that are subject to *Chapter XV. (Rent Stabilization)* of the LAMC and *California Government Code, Sec. 65915(c)(3)(C)* and that are also deemed or presumed to be occupied by persons or families above the lower income category shall be replaced with low income units pursuant to *California Government Code, Sec. 65915(c)(3)(C)(i)*, as determined by the Los Angeles Housing Department;
- iv. 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, and subject to fees as set forth in *Sec. 15.4.2. (Fees for Enforcement of Housing Covenants)*; except for:

- a) A housing development project in which one hundred percent of all dwelling units, exclusive of a manager's unit or units, are restricted affordable units, which are subject to a recorded affordability restriction of at least 55 years or utilize public subsidies that are tied to a specified covenant period. At minimum, all restricted affordable units in the 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.
- v. The project addresses the policies and standards contained in the City Planning Commission's Affordable Housing Incentives Guidelines.

G. Projects Exceeding 35% Density Bonus That Do Not Comply With Subsection F.4.

An applicant may request additional density increases beyond 35 percent when the project does not comply with the requirements of *Paragraph 4. (Projects Exceeding 35% Density Bonus)* of *Subsection F. (Procedures)* above, pursuant to *Sec. 13B.3.1. (Administrative Review)*.

1. Performance Standards

a. Purpose

The purpose of these performance standards is to provide for landscaping, lot amenity space, scale, bulk, height, and yards, particularly with regard to the main buildings, which are similar to those in the adjacent properties in the neighborhood, and to reduce the impacts to neighboring properties of projects utilizing this *Section (Density Bonus)*. In addition, it is the purpose of these performance standards to encourage the availability of affordable housing.

b. Standards

- i. The project shall contain the requisite number of restricted affordable units to qualify for a full 35 percent density bonus based on the maximum allowable density of the project site.
- ii. The housing development project shall comply with the standards contained in the Affordable Housing Incentives Guidelines approved by the City Planning Commission pursuant to *Sec. 13B.1.5. (Guidelines or Standards Adoption/Amendment)*.
- iii. No buildings are higher than any main building on adjoining property.
- iv. The development meets the lot amenity space requirements of the zone.
- v. Yards, at a minimum, shall meet the requirements for the zone or those which apply on adjoining or abutting properties, whichever is the most restrictive.

2. Housing Development Projects Not Meeting Performance Standards

a. Application

If a proposed housing development project does not comply with the performance standards delineated in *Subparagraph b. (Standards) of Paragraph 1. (Performance Standards)* above, the applicant may apply for approval pursuant to *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*.

b. Supplemental Finding

In addition to the findings of *Sec. 13B.2.3. (Class 3 Conditional Use Permit)*, the City Planning Commission must also find that the proposed project substantially meets the purpose of the performance standards established in *Subparagraph a. (Purpose) of Paragraph 1. (Performance Standards)* above.

H. Records & Agreements

Prior to the issuance of a building permit, the following requirements shall be met.

1. Housing Development Projects With Senior Citizen Households

For any housing development project qualifying for a Density Bonus and that contains housing for senior citizens, a covenant acceptable to the Los Angeles Housing Department, shall be recorded with the Los Angeles County Recorder, guaranteeing that the occupancy restriction to senior citizens will be observed for at least 99 years from the issuance of the certificate of occupancy or a longer period of time if required by the construction or mortgage financing assistance program, mortgage assistance program, or rental subsidy program; except for:

- a. A housing development project in which 100 percent of all dwelling units, exclusive of a manager unit or units, are restricted affordable units, which are subject to a recorded affordability restriction of at least 55 years or utilize public subsidies that are tied to a specified covenant period. At minimum, all restricted affordable units in the 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.

A copy of the covenant shall be filed with the Department of City Planning and the Department of Building and Safety.

2. Housing Development Projects With Low or Very Low, or Extremely Low Income Households

For any housing development project qualifying for a density bonus and that contains housing for low income, very low income, or extremely low income households, a covenant acceptable to the Los Angeles Housing Department must be recorded with the Los Angeles

County Recorder, guaranteeing that the affordability criteria will be observed for at least 99 years from the issuance of the Certificate of Occupancy or a longer period of time if required by the construction or mortgage financing assistance program, mortgage assistance program, or rental subsidy program; except for:

- a. A housing development project in which 100 percent of all dwelling units, exclusive of a manager unit or units, are restricted affordable units, which are subject to a recorded affordability restriction of at least 55 years or utilize public subsidies that are tied to a specified covenant period. At minimum, all restricted affordable units in the 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.

A copy of the covenant shall be filed with the Department of City Planning and the Department of Building and Safety.

3. **Housing Development Projects With Moderate Income Households — For Sale**

For any housing development project qualifying for a density bonus and that contains housing for moderate income households for sale, a covenant acceptable to the Los Angeles Housing Department and consistent with the for sale requirements of *California Government Code*, Sec. 65915(c)(2) must be recorded with the Los Angeles County Recorder guaranteeing that the affordability criteria will be observed for at least 10 years from the issuance of the Certificate of Occupancy. A copy of the covenant shall be filed with the Department of City Planning and the Department of Building and Safety.

4. **Conflicts of Duration of Affordability Covenants**

If the duration of affordability covenants provided in this *Section (Density Bonus)* conflicts with the duration for any other government requirement, the longest duration controls.

5. **Private Right of Enforcement**

Any covenant described in this *Section (Density Bonus)* must provide for a private right of enforcement by the City, any tenant, and the owner of any building to which a covenant and agreement applies.

SEC. 9.2.2. **TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM**

Pursuant to *Chapter I. (General Provisions and Zoning)*, Sec. 12.22.A.31 (d) (*Process for Changing TOC Incentives and Eligibility*) of this Code, projects may follow the requirements of Sec. 9.3.2. (*Local Affordable Housing Incentive Program*) of this Zoning Code (Chapter 1A). For all other projects, see *Chapter I. (General Provisions and Zoning)*, Sec. 12.22.A.31 (*Transit Oriented Communities Affordable Housing Overlay*) of this Code.

DIV. 9.3. COMMUNITY BENEFITS PROGRAM

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 bonus FAR or 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 Local Affordable Housing Incentive 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)*.
- b. If there is any unused floor area or height based on the bonus FAR or 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.)*.

2. Non-Residential Projects

Projects which do not involve the construction of dwelling units, including City-approved lodging uses, may use any of the programs established in this *Division (Community Benefits Program)*. Bonus FAR or bonus height may be awarded up to the maximum allowed by the applied *Form District (Part 2B.)*, as established in this *Section (Community Benefits Program Structure)* and in the 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 the minimum amount of on-site restricted affordable units using the Local Affordable Housing Incentive Program may access the remaining bonus FAR or 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 Local Affordable Housing Incentive Program. The amount of additional bonus FAR or bonus height provided for additional percentages of restricted affordable units is based on the 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. 9.3.2. LOCAL AFFORDABLE HOUSING INCENTIVE PROGRAM

A. Purpose

The purpose of the Local Affordable Housing Incentive Program is to encourage the creation and development of restricted affordable units citywide beyond the levels encouraged by the State density bonus program, and to increase the production of affordable housing units in specific areas identified in the applicable Community Plan or other plan or ordinance.

B. Eligibility

A housing development project that includes the minimum percentage of on-site restricted affordable units required by *Paragraph 1. (Local Incentive Program Sets)* below, provides the required housing replacement units in *Paragraph 2. (Housing Replacement)* below, or pursuant to *Chapter XV., Article 1. (Rent Stabilization Ordinance)* of this Code, and meets the additional eligibility requirements for the lot in the applicable CPIO or Specific Plan, if any, is entitled to receive all of the incentives in *Subsection C. (Base Incentives)* below, and additional incentives as outlined in *Subsection D. (Additional Incentives)* below.

1. Local Incentive Program Sets

a. Established

Local Incentive Program Sets A through G are established below, and define the minimum percentage of on-site restricted affordable units required.

LOCAL INCENTIVE PROGRAM SETS					
Set	Affordability Requirements				
	ACUTELY LOW INCOME	EXTREMELY LOW INCOME	VERY LOW INCOME	LOWER INCOME	MODERATE
A	n/a	11%	15%	25%	n/a
B	n/a	11%	15%	25%	n/a
C	n/a	10%	14%	23%	n/a
D	n/a	10%	14%	23%	n/a
E	n/a	9%	12%	21%	n/a
F	n/a	8%	11%	20%	n/a
G	7%	8%	11%	20%	40%

b. Local Incentive Program Set Designation

The applicable Local Incentive Program Set shall be determined based on the designation shown on the Local Affordable Housing Incentive Map established in *Sec. 1.5.4. (Local Affordable Housing Incentive Map)*, or in the applicable CPIO or Specific Plan.

c. 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 final project dwelling unit count. 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)*.

d. Ownership Requirement

Moderate income household restricted affordable units shall be for sale only. Restricted affordable units of all other affordability levels may be rental or for sale units.

e. Linkage Fee Calculation

For the purpose of the fee established in *Sec. 15.4.3. (Affordable Housing Linkage Fee)*, a minimum of seven percent acutely low income households dwelling units shall be calculated in the same manner as a minimum of eight percent extremely low income household dwelling units.

2. Housing Replacement

A housing development project must meet any applicable housing replacement requirements of *California Government Code, Sec. 65915(c)(3)*. Consistent with *California Government Code, Sec. 65915(c)(3)*, dwelling units that are subject to *Chapter XV. (Rent Stabilization) of the LAMC* and *California Government Code Sec. 65915(c)(3)(C)* and that are also deemed or presumed to be occupied by persons or families above the lower income category shall be replaced with low income units pursuant to *California Government Code, Sec. 65915(c)(3)(C)(i)*, as determined by the Los Angeles Housing Department.

C. Base Incentives

A housing development project that includes the minimum amount of on-site restricted affordable units in *Paragraph 1. (Local Incentive Program Sets) of Subsection B. (Eligibility)* above, shall be entitled to the following base incentives.

1. Residential Density

- a. Housing development projects shall be granted an increase in the maximum allowable residential density as follows:

RESIDENTIAL DENSITY INCENTIVE							
Density District	Allowable Density Increase						
	SET A	SET B	SET C	SET D	SET E	SET F	SET G
2, 3, 4	80%	80%	70%	70%	60%	50%	40%
6, 8	80%	70%	70%	60%	60%	50%	40%
10, 12	60%	60%	50%	50%	45%	45%	35%
15, 20, 25, 30, 40, 50, 60	45%	40%	40%	40%	35%	35%	35%
1L, 2L, 3L, 4L, FA	n/a	n/a	n/a	n/a	n/a	n/a	n/a

- b. Housing development projects that consist of 100 percent on-site restricted affordable units, exclusive of a building manager unit or units, shall be permitted an additional increase in density of 10 percentage points more than listed in *Subparagraph a.* above. For example, a 50 percent density increase will become a 60 percent density increase.

2. Floor Area Ratio

- a. Housing development projects shall be entitled to the portion of bonus FAR granted in the applicable CPIO or Specific Plan, up to the maximum bonus FAR allowed by the applied Form District (Part 2B.).
- b. Housing development projects that consist of 100 percent on-site restricted affordable units, exclusive of a building manager unit or units, shall be permitted an additional 10 percent more of maximum floor area than listed *Subparagraph a.* above or in the applied Form District (Part 2B.). However, in no instance shall the housing development project exceed an FAR of 13:1.

3. Height

Housing development projects shall be entitled to use the entire bonus height (if any) allowed by the applied Form District.

4. Automobile Parking Incentives

- a. Housing development projects shall qualify for reduced residential parking according to the table below. The applicable Automobile Parking Incentive shall be determined based on the designation shown on the Local Affordable Housing Incentive Map established in *Sec. 1.5.4. (Local Affordable Housing Incentive Map)*, or in the applicable CPIO or Specific Plan.

AUTOMOBILE PARKING INCENTIVE	
Parking Reduction	
	75% Decrease in required minimum
	50% Decrease in required minimum

- b. For a housing development project that consists of 100 percent on-site restricted affordable units, exclusive of a manager unit or units, no parking is required for the project.
- c. For a housing development project located 750 feet or less from a transit stop, as measured from the closest point on the lot to an entrance of the station or stop, no parking is required for the project.
- d. A housing development project with non-residential uses in any Local Incentive Program Set may reduce the minimum automobile parking requirement in *Div. 4C.4. (Automobile Parking)* for any non-residential use by 20 percent.
- e. Where parking reductions greater than those in this *Section (Local Affordable Housing Incentive Program)* are included in *California Government Code, Sec. 65915(p)*, the greater reductions shall apply.

D. Additional Incentives

In addition to the applicable incentives established in *Subsection C. (Base Incentives)* above, a housing development project that includes the minimum amount of on-site restricted affordable units in *Paragraph 1. (Local Program Incentive Sets)* of *Subsection B. (Eligibility)* above, shall be entitled to up to three of the following additional incentives. However, the number a housing development project is entitled to, and the type of additional incentives may be superseded by a CPIO or Specific Plan.

1. 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.)*.

2. Building Coverage

Up to a 25 percent increase in building coverage limits.

3. Lot Width

Up to 25 percent decrease in the required lot width.

4. Averaging of Floor Area, Lot Amenity Space, Parking, & Density

A housing development project that is located on two or more contiguous parcels may average the maximum floor area, minimum lot amenity space, minimum parking, and maximum density over the housing development project site, provided that:

- a. The proposed uses are permitted by the applied Use District of each parcel; 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 housing development project site to be subdivided subsequent to this grant, is permitted for the life of the housing development project.

5. CPIO Additional Incentives

Additional incentives (if any), and eligibility requirements for additional incentives, shall be outlined in the applicable CPIO or Specific Plan.

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 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.H. (Records & 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.F.2. (Projects Requesting Additional Incentives).

3. "Off-Menu" Incentives

Housing development projects that qualify for incentives by meeting the minimum required percentage of restricted affordable units, as outlined in *Paragraph 1. (Local Incentive Program Sets)* of *Subsection B. (Eligibility)* above, and for which the applicant requests 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.F.3. (Projects with Requests for Waiver or Modification)*.

SEC. 9.3.3. PRIVATELY OWNED PUBLIC SPACE INCENTIVE PROGRAM

A. Purpose

The purpose of this *Section (Privately Owned Public Space Incentive Program)* is to encourage the development of privately owned public spaces such as outdoor plazas, parks, seating areas, and other similar types of outdoor amenity spaces on private land.

B. Eligibility

If the option to provide privately owned public space is available in the incentive program of the applicable CPIO or Specific Plan, the project shall be awarded additional floor area, up to the maximum bonus FAR allowed by the applied Form District, by providing privately owned public space in conformance with the requirements in this *Section (Privately Owned Public Space Incentive Program)*.

C. Standards

A project is considered to be providing privately owned public space if it complies with the following or any alternative or additional requirement in the applicable CPIO or Specific Plan.

1. General

- a. The entire privately owned public space is made permanently available to the general public in accordance with the requirements in *Sec. 2C.3.3.C.3. (Public Amenity Space)*.
- b. The privately owned public 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 (Part 2B.)*, including any pedestrian amenity exemption. This provision may not be used in conjunction with the 25 percent reduction for making outdoor amenity space publicly accessible in accordance with *Sec. 2C.3.1.D.3. (Measurement)*.
- c. All portions of the privately owned public space shall be contiguous.

2. Planting

In addition to the requirements in *Div. 4C.6. (Plants)*, plant species with toxic fruit, thorns, noxious smells, dropping branches, or weakwood, or plant species which are prone to root encroachment which damages building foundations are prohibited.

3. Seating

Regardless of the seating requirements in *Sec. 2C.3.3.C.3. (Public Amenity Space)*, the privately owned public space shall provide the following.

- a. A minimum of four fixed seats, eight linear feet of seating, or five percent of the total required seating, whichever is greater, must be located within 15 linear feet of a public sidewalk or public right-of-way. Of this seating, at least 50 percent should be oriented to the adjacent public sidewalk or public right-of-way.
- b. If a privately owned public space is located along multiple public sidewalks or public right-of-way, it only needs to provide this seating along one public sidewalk or public right-of-way.
- c. At least 25 percent, or a minimum of four of the required seating elements shall meet the following standards.
 - i. Outdoor bench seats shall be a minimum of 17-inches in height and a maximum 19-inches above ground, and shall have full back support and armrests to assist in sitting and standing.
 - ii. For picnic table seating, benches shall have one seat removed or one side of the bench made shorter to provide proper space for a person using a wheelchair or other assistive device to approach and comfortably sit at the table. There must be 36-inch clearance on all usable sides of the table, this measurement is taken from the back edge of the bench. There must also be knee and toe clearance beneath the table, measuring 27-inch in height, 30-inch in width, and 19-inch in depth to provide ample space in regards to maneuverability and comfort.

4. Access

- a. At least 20 percent of the total perimeter of the publicly accessible outdoor amenity space shall be adjacent to a public sidewalk or public right-of-way.
- b. Access walkways to the privately owned public space from the public sidewalk or public right-of-way shall be a minimum of seven feet wide.
- c. When a CPIO or Specific Plan requires additional public facilities in conjunction with a privately owned public space, and such facilities are not provided within the open space, access to those facilities shall be provided from the adjacent building facades.
- d. If a privately owned public space is located along multiple public sidewalks 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.

5. Visibility

The privately owned public space shall be unenclosed, as established in *Sec. 14.2.4. (Enclosure)*, along a public sidewalk or public right-of-way.

6. Way-Finding

When a CPIO requires additional public facilities in conjunction with a privately owned public space, way-finding signs shall be provided at each of the access points to guide people to the public facilities.

D. Incentives

A project may obtain additional floor area, up to the maximum bonus FAR for the applied Form District (Part 2B.). The amount of additional floor area shall be awarded in accordance with the applicable CPIO or Specific Plan.

E. Process

The Department of City Planning shall approve the additional floor area incentive authorized under this Section (*Privately Owned Public Space Incentive Program*) in accordance with Sec. 13B.3.1. (*Administrative Review*), unless provided otherwise in the applicable CPIO or Specific Plan.

1. Relief

The Director of Planning may approve additional floor area as outlined in the applicable CPIO or Specific Plan, up to the maximum bonus FAR for the applied Form District (Part 2B.), for providing privately owned public space which does not meet the requirements established in Subsection C. (Standards) above, in accordance with Sec. 13B.5.1. (*Alternative Compliance*).

F. Records & Agreements

A covenant acceptable to the Department of City Planning shall be recorded with the Los Angeles County Recorder, guaranteeing that the privately owned public space will be maintained and remain open to the public during all required hours.

SEC. 9.3.4. COMMUNITY FACILITIES

A. Purpose

The purpose of this Section (*Community Facilities*) 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.

B. Eligibility

If the option to provide community facilities is available in the incentive program of the applicable CPIO or Specific Plan, the project may be awarded additional floor area up to the maximum bonus FAR allowed by the applied Form District (Part 2B.) by providing one or more of the community facilities established in Subsection C. (*Community Facility Options*) below, or by providing an alternative community facility pursuant to Paragraph 2. (*Alternative Community Facilities*) of Subsection E. (*Process*) below.

C. Community Facility Options

1. Daycare Facility

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:

- a. The daycare facility shall be in compliance with all requirements of *California Code of Regulations, Title 22 (Social Security), Div. 12 (Child Care Facility Licensing Regulations), Chapter 1. (Child Care Center General Licensing Requirements)*.
- b. The daycare facility shall be appropriately licensed by the State.
- c. Floor area used as a daycare 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 facility space is vacant does not count towards the required minimum.
- d. A minimum 10-year lease with a licensed daycare provider, with five year renewal option, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the licensed daycare 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 provider to complete the 10-year term. For the purposes of this provision, the time in which the daycare facility space is vacant does not count towards the required minimum except during fiscal emergencies as declared by the Mayor.
- e. The floor area devoted to a daycare facility shall be located on-site.
- f. For a project which is obtaining additional floor area for providing a daycare facility, no other Certificate of Occupancy for the project shall be issued prior to a Certificate of Occupancy for the daycare facility required pursuant to this Section (Community Facilities).

2. Full-Service Grocery Store

A project in a CPIO subarea or Specific Plan that provides incentives for a full-service grocery store pursuant to this Section (Community Facilities) may obtain additional floor area for providing a full-service grocery store subject to the following standards:

- a. The full-service grocery store shall have at least 10,000 square feet of floor area.
- b. At least 25 percent of the floor area of the full-service grocery store shall dedicate to perishable food items.
- c. The full-service grocery store shall accept EBT or other forms of government assistance.

- d. 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.
- e. A minimum 10-year lease with a full-service grocery store, with five year renewal option, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the full-service grocery store is required to complete the term of the lease. If the lease is not completed prior to the 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 except during fiscal emergencies as declared by the Mayor.
- f. The floor area devoted to a full-service grocery store shall be located on-site.
- g. 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 (Community Facilities).

3. Health Center

A project in a CPIO subarea or Specific Plan that provides incentives for a health center may obtain additional floor area for providing a health center, subject to the following standards:

- a. 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.
- b. 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.
- c. A minimum 10-year lease with a health service provider, with five year renewal option, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the health service provider is required to complete the term of the lease. If the lease is not completed prior to the 10-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 except during fiscal emergencies as declared by the Mayor.
- d. The floor area used as a health center shall be located on-site.

- e. 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 (*Community Facilities*).

4. Employment

A project in a CPIO subarea or Specific Plan that provides incentives for employment may obtain additional floor area, subject to the following standards:

- a. A minimum of 50 percent of the floor area permitted by the base FAR must be used for non-residential uses, which are not otherwise prohibited in the CPIO or Specific Plan.
- b. 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 except during fiscal emergencies as declared by the Mayor.
- c. A minimum 10-year lease(s) with a tenant with an eligible use, with five year renewal option, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the tenant with an eligible use is required to complete the term of the lease. If the lease is not completed prior to the 10-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.
- d. The floor area devoted to eligible uses shall be located on-site.

5. School & Library

A project in a CPIO subarea or Specific Plan that provides incentives for a public school or public library may obtain additional floor area by providing a public school or public library, subject to the following standards:

- a. 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.
- b. 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 except during fiscal emergencies as declared by the Mayor.
- c. 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 55-year term, the property owner or their representatives shall find a new school run by or approved by LAUSD to complete the 55-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.

- d. The floor area devoted to a school or library shall be located on-site.
- e. 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 (Community Facilities)*.

6. Social Service

A project in a CPIO subarea or Specific Plan that provides incentives for social services may obtain additional floor area, subject to the following standards:

- a. The project provides floor area for a social services center for services described in *Subparagraph c. below*.
- b. The social service center must be operated by a government agency or a 501(c)(3) non-profit organization.
- c. 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 pursuant to *Sec. 13B.2.5. (Director Determination)*.
- d. 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 except during fiscal emergencies as declared by the Mayor.
- e. A minimum 10-year lease(s) with a social service center, with five year renewal option, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the social service center is required to complete the term of the lease. If the lease is not completed prior to the 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.
- f. The floor area devoted to a social service center shall be located on-site.

- g. 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 (*Community Facilities*).

7. Civic Facility

A project in a CPIO subarea or Specific Plan that provides incentives for a civic facility may obtain additional floor area by providing a civic facility, subject to the following standards:

- a. The project provides floor area for a civic facility with eligible uses, as described in Subparagraph b. below.
- b. Eligible facilities include: cultural centers, museums, police stations, fire stations, community centers, indoor recreation, or other public facilities deemed appropriate by the Director pursuant to Sec. 13B.2.5. (*Director Determination*).
- c. 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.
- d. A minimum 55-year lease with the City, or an organization approved by the Director, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the City, or the organization designated by the City, is required to complete the term of the lease. If the lease is not completed by the City, or an organization approved by the City, prior to the 55-year term, the property owner or their representatives shall find a new organization approved by the City to complete the 55-year term. For the purposes of this provision, the time in which the civic facility is vacant does not count towards the required minimum except during fiscal emergencies as declared by the Mayor.
- e. The floor area devoted to a civic facility shall be located on-site.
- f. 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 (*Community Facilities*).

8. 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.

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 (Part 2B.)* by providing one or more of the community facilities established in *Subsection C. (Community Facility Options)* above. The amount of floor area shall be awarded as established in the applicable CPIO or Specific Plan.

2. Tenant Size Limitations

Community facilities are exempt from tenant size limitations in the applied Use Districts.

E. Process

1. Administrative Review

The Department 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 (Part 2B.)* for providing community facilities or contributions which meet the requirements established in *Subsection C. (Community Facility Options)* above pursuant to *Sec. 13B.3.1. (Administrative Review)*.

2. Alternative Community Facilities

The Director may approve additional floor area, as outlined in the applicable CPIO or Specific Plan, up to the maximum bonus FAR for the applied *Form District (Part 2B.)* for providing community facilities that are not listed in *Subsection C. (Community Facility Options)* pursuant to *Sec. 13B.2.5. (Director Determination)*.

a. Supplemental Findings

In addition to the findings required by *Sec. 13B.2.5. (Director Determination)*, the Director must also find:

- i. That the alternative community facility 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;
- ii. That the floor area provided for the alternative community facility shall be used for such purpose for a minimum of 55 years after the Certificate of Occupancy is issued;
- iii. That a minimum 10 year lease with the alternative community facility be provided with a five year renewal option prior to the issuance of a Certificate of Occupancy, as well as a recognition of renewal for non-compliance pursuant to *Paragraph 4.b. below*.
- iv. That the other requirements of this *Subsection (Process)* are met.

3. Change in Operator or Provider

The property owner shall notify the Department in the event a change in operator or provider for community facilities occurs. The Department shall approve any change in tenant pursuant to *Sec. 13B.3.1. (Administrative Review)*.

a. Exceptions

- i. 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.
- ii. 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 for the duration of the emergency.

4. Annual Reporting

Projects that provide community facilities shall demonstrate compliance with the terms required under *Subsection C. (Community Facility Options)* above by the property owner submitting an annual report to the Department of City Planning.

a. Annual Community Facilities Report

The annual community facilities report required in this *Paragraph (Annual Reporting)* shall include the following information for the prior year:

- i. Occupancy status of the development;
- ii. Occupancy status of the community facilities;
- iii. Type of community facilities provided; and
- iv. Evidence as to compliance with the requirements of *Subsection C. (Community Facility Options)* above.

b. Non-Compliance

Violation of any applicable standards for the community facilities in *Subsection C. (Community Facility Options)* above, shall be a violation of LAMC, subject to all criminal, civil, and administrative remedies and result in renewal of the full term of the lease. Additionally, the Director may require the term of the initial 10 year lease or 55 year requirement to provide community facilities to be extended for any period the owner was found to be out of compliance. This Subparagraph is subject to any state or federal law limitations.

c. Review

The Department of City Planning shall review the annual community facilities report pursuant to *Sec. 13B.3.1. (Administrative Review)*.

d. Exceptions

- i. 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.
- ii. 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.

5. Fine

In addition to the remedies in *Subparagraph d. (Exceptions) of Paragraph 4. (Annual Reporting)* above, if a property owner is found in violation of any of the applicable standards for the community facilities in *Subsection C. (Community Facility Options)* above, they shall be subject to an administrative fine pursuant to *Chapter I. (General Provisions and Zoning), Sec. 11.2.04. (Administrative Fines)* of this Code.

a. Exceptions

- i. 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.
- ii. This fine shall not be imposed in the event that the Mayor declares a fiscal emergency for the duration of the emergency.

b. 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.

c. 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.

F. Records & Agreements

For any project getting additional floor area under this *Section (Community Facilities)*, a covenant acceptable to the Department must be recorded with the Los Angeles County Recorder, guaranteeing that the property owner will comply with all applicable requirements of this *Section (Community Facilities)* including but not limited to, dedicating required floor area for community facilities and providing annual reports.

SEC. 9.3.5. TRANSFER OF DEVELOPMENT RIGHTS PROGRAMS

A. Purpose

The purpose of this *Section (Transfer of Development Rights Programs)* is to allow for a CPIO or Specific Plan to establish a transfer of development rights program to facilitate the preservation of

historically or culturally significant buildings and resources or to encourage the accumulation of land for use as public parks, while enabling development rights to be used on more appropriate sites.

B. Applicability

If the transfer of development rights is listed as an available incentive program in the applicable CPIO or Specific Plan, the project can obtain additional floor area up to the maximum bonus FAR for the applied Form District (Part 2B.) through a transfer of development rights, subject to the eligibility requirements and other regulations established in the CPIO or Specific Plan. However, projects on a lot with an applied Public Use District can obtain additional floor area beyond the maximum bonus FAR when the transfer is from a donor site with an applied Public Use District up to a maximum of 13:1 FAR, but may not exceed any applied height restrictions.

C. Eligibility

A project is eligible to use the transfer of development rights program if the CPIO or Specific Plan establishes donor sites (if any) that are eligible to transfer unused floor area, up to the maximum bonus FAR for the applied Form District (Part 2B.), and receiver sites that may receive some or all available unused floor area from the donor sites. As part of the transfer of development rights program, the applicable CPIO or Specific Plan shall establish the applicable rules of transfer needed to implement the program.

D. Process

To use a transfer of development rights, an application must be filed pursuant to Sec. 13B.2.5. (Director Determination). The CPIO or Specific Plan shall establish additional supplemental procedures in order to facilitate the transfers and their successful implementation.

E. Records & Agreements

A CPIO or Specific Plan shall establish any requirements for required records, such as covenants or easements, and any other agreements necessary to implement the transfers.

DIV. 9.4. GENERAL INCENTIVE PROGRAMS

SEC. 9.4.1. PERMANENT SUPPORTIVE HOUSING INCENTIVE PROGRAM

A. Purpose

1. The purpose of this *Section (Permanent Supportive Housing Incentive Program)* is to facilitate the expedient production of supportive housing: general units meeting the established definitions and regulations, or qualified permanent supportive housing projects, in order to provide high-quality, well-serviced and affordable housing units which are responsive to the needs of the target population.
2. This *Section (Permanent Supportive Housing Incentive Program)* is intended to facilitate construction or maintenance of supportive housing: general units pursuant to a ministerial approval process in conformance with the State density bonus provisions in *California Government Code, Sec. 65915*. Qualified permanent supportive housing projects are those that meet the following objectives:
 - a. Projects should be located at sites that are accessible by public transit, including paratransit.
 - b. Individual dwelling units should be provided with basic amenities that are sufficient to support independent living.
 - c. Sufficient non-residential floor area, as determined in *Paragraph 3. (Supportive Services)* below, should be made available on the subject property to provide the appropriate level of supportive services to the resident target population.
3. The purpose of this *Section (Permanent Supportive Housing Incentive Program)* is also intended to maintain the standards in Ordinance numbers *185,489* and *185,492* for purposes of the exemption from CEQA in *California Public Resources Code, Sec. 21080.2*.

B. Eligibility

In order for a qualified permanent supportive housing project to be eligible for this Permanent Supportive Housing Incentive Program, it must comply with the following requirements:

1. Use of Other Residential Incentive Programs

A qualified permanent supportive housing project applying for another incentive program established in *Div. 9.2. (Affordable Housing Incentive Programs), Sec. 9.3.2. (Local Affordable Housing Incentive Program)*, or affordable housing incentive provisions in any other Specific Plan or Supplemental District at the same location, shall not be eligible for approval.

2. Affordable Housing Requirements

Rents or housing costs to the occupying residents do not exceed 30 percent of the maximum gross income of extremely low income households, very low income households, or low

income households, as those income ranges are defined by the US Department of Housing and Urban Development (HUD), or any successor agency, as verified by the LAHD. A minimum of 50 percent of the total combined dwelling units is occupied by the target population.

3. Supportive Services

Applicants shall provide documentation describing the supportive services that will be provided on-site and off-site. Prior to any approval of a qualified permanent supportive housing project, the applicant shall submit information demonstrating that supportive services will be provided to residents of the project. The applicant shall indicate the name of the entity or entities that will provide the supportive services, the local public agency funding source(s) for those services, and proposed staffing levels. If a preliminary funding commitment is needed, the applicant shall also submit a signed letter of intent from the local public agency verifying that it is providing a preliminary funding commitment for the supportive services. If no funding commitment is needed, the applicant shall demonstrate that the entity or entities that will provide the supportive services are service providers pre-qualified by the relevant a local public agency. Any floor area used for the delivery of supportive services shall be considered incidental to the residential use.

4. Housing Replacement

Projects shall meet any applicable dwelling unit replacement requirements of *California Government Code, Sec. 65915(c)(3)*. Consistent with *California Government Code, Sec. 65915(c)(3)*, dwelling units that are subject to *Chapter XV. (Rent Stabilization)* of this Code and *California Government Code, Sec. 65915(c)(3)(C)* and that are also deemed or presumed to be occupied by persons or families above the lower income category shall be replaced with low income units pursuant to *California Government Code Sec. 65915(c)(3)(C)(i)*, as determined by the Los Angeles Housing Department, and all applicable monitoring fees in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* of this Code shall be paid by the applicant prior to the issuance of any building permit.

5. Performance Standards

a. Location Requirement

The qualified permanent supportive housing project shall be located within a High Quality Transit Area for the horizon year in the current Regional Transportation Plan/Sustainable Communities Strategy for the Southern California Association of Governments region.

b. Supportive Services

Non-residential floor area shall be provided for on-site supportive services in the following amounts:

- i. For qualified permanent supportive housing projects with 20 or fewer total combined dwelling units, no less than 90 square feet of dedicated office space shall be provided; or

- ii. For qualified permanent supportive housing projects with greater than 20 dwelling units, a minimum of three percent of the total residential floor area shall be dedicated for on-site supportive services provided solely to on-site residents, including but not limited to community rooms, case management offices, computer rooms, or a community kitchen.

c. Dwelling Unit Requirements

Each dwelling unit shall have a private bathroom and cooking facilities containing, at minimum, a sink, refrigerator, counter space, and a hotplate or microwave.

d. Historical Resources

The qualified permanent supportive housing project shall not involve a historical resource.

C. Incentives

The grant of any incentives under this Section (*Permanent Supportive Housing Incentive Program*) shall not be considered an increase in density or other change which requires any corresponding zone change, General Plan amendment, project exception, or other discretionary action.

1. Base Incentives

A qualified permanent supportive housing project meeting the requirements in Subsection B. (*Eligibility*) above is eligible for the following base incentives:

a. Minimum Lot Area per Dwelling Unit

In all *Density Districts (Part 6B.)*, except for 1L and 15, the number of allowable dwelling units shall not be subject to the otherwise maximum density under any applicable ordinance or Specific Plan. On any lot in Density District 15, the minimum lot area per dwelling unit shall be 500 square feet.

b. Parking

The following requirements shall apply to all qualified permanent supportive housing projects:

- i. Up to 40 percent of the total required parking spaces may be provided by compact stalls.
- ii. No parking spaces shall be required for dwelling units restricted to the target population.
- iii. For projects located within 1/2-mile of a transit stop, no more than 1/2 parking spaces shall be required for each income-restricted dwelling unit not occupied by the target population. Otherwise, no more than one parking space shall be required for each restricted affordable unit or efficiency dwelling unit not occupied by the target population.

- iv. For projects located within a 1/2-mile of a major transit stop, no parking shall be required.
- v. One parking space for every 20 dwelling units shall be required for the purpose of accommodating guests, supportive services, and case management.
- vi. Parking reductions offered for qualified permanent supportive housing projects shall always be consistent or greater than those in *California Government Code, Sec. 65915(p)*.
- vii. If the parking requirements applicable to the project site pursuant to *Div. 4C.4. (Automobile Parking)* are less than the parking required in this *Subparagraph (Parking)*, an applicant may use the parking requirements of *Div. 4C.4. (Automobile Parking)*.

c. Floor Area

Areas designated exclusively for supportive services use or public areas accessible to all residents, including those for residential or supportive services uses, shall not be considered as floor area of the building for the purposes of calculating the total allowable floor area. The floor area shall be measured to the center line of wall partitions between public and non-public areas.

d. Conversion or Replacement of Existing Residential Hotel Use

Despite the provisions of the applied Use District, a qualified permanent supportive housing project developed pursuant to this *Section (Permanent Supportive Housing Incentive Program)* shall be permitted when the project is converted from, or is a replacement of a Residential Hotel as defined in *Chapter IV. (Public Welfare), Sec. 47.73.S. (Definitions)* of this Code, and is a continuation of an existing residential use. The replacement shall comply with the provisions of *Chapter IV. (Public Welfare), Article 7.1. (Residential Hotel Unit Conversion and Demolition)* of this Code, as approved by the Los Angeles Housing Department. The total number of dwelling units may be increased as part of the conversion or replacement. This *Subparagraph (Conversion or Replacement of Existing Residential Hotel Use)* shall not apply to a Residential Hotel located on a lot in Density District 20 or more restrictive.

2. Additional Incentives

A qualified permanent supportive housing project meeting the requirements in *Sec. 9.4.1.B. (Eligibility)* is eligible for any combination of up to five additional incentives described below, as applicable.

a. Yard

A qualified permanent supportive housing project may obtain up to a 20 percent decrease in any required yard, and all adjustments to individual yards may be combined to count as one incentive, except that:

- i. The project must still provide landscaping sufficient in compliance with the landscape requirements of the applied *Frontage District (Part 3B.)* per *Sec. 3C.3.1. (Frontage Planting Area)* and any applicable standards from *Div. 4C.6. (Plants)*.
- ii. No reduction is permitted along a property line abutting a property in Density District 1L or any Open Space Use District.
- iii. In Residential Use Districts, the resulting primary street setback may not be less than the average of the primary street setbacks, as measured to the main building, of adjoining lots along the same street face. If located on a corner lot or adjacent to a vacant lot, the primary street setback may align with the facade of the adjacent building along the same primary street lot line, and may result in more or less than a 20 percent decrease in the required yard. If there are no adjacent buildings, no reduction is permitted.

b. Building Coverage

Up to a 20 percent increase in building coverage limits, provided that the landscaping for the qualified permanent supportive housing project is sufficient to provide 10 percent more landscaping than otherwise required by the applied *Frontage District (Part 3B.)* per *Sec. 3C.3.1. (Frontage Planting Area)* and any applicable standards from *Div. 4C.6. (Plants)*.

c. Floor Area Ratio

- i. Up to a 35 percent increase in the base FAR.
- ii. On lots in Density District 15, up to a 20 percent increase in the base FAR.
- iii. Regardless of the FAR established by the applied *Form District (Part 2B.)*, FAR not to exceed 3:1, provided the lot is in a Commercial-Mixed Use District.

d. Height

Up to a 35 percent increase in the maximum allowable height in feet, applicable over the entire lot regardless of any of the lower underlying height limits. In any *Form District (Part 2B.)* in which the height in stories is limited, this provision shall permit a maximum height increase of one additional story of up to eleven feet. For the purposes of this height incentive, other transitional height requirements in this Zoning Code (Chapter 1A) shall not apply. In their place, the following transitional height requirements shall be applied:

- i. When adjacent to or across an alley from lots within Density District 1L or 2L, the building's height shall be stepped back within a 45-degree angle as measured from a point 25 feet above-grade at the property line.



- ii. On lots in Density District 15, when adjacent to or across an alley from lots in Density District 1L or 2L, the building's height shall be stepped back within a 45-degree angle as measured from a point 20 feet above-grade at the property line.



e. Lot Amenity Space & Residential Amenity Space

Up to a 20 percent decrease in the required lot amenity space and residential amenity space, provided that the landscaping for the qualified permanent supportive housing project is sufficient to provide 10 percent more landscaping than otherwise required by the applied *Frontage District (Part 3B.)* per *Sec. 3C.3.1. (Frontage Planting Area)* and any applicable standards from *Div. 4C.6. (Plants)*.

f. Averaging of Floor Area Ratio, Parking

A qualified permanent supportive housing project that is located on two or more contiguous parcels may average the floor area, lot amenity space, residential amenity space, and parking over the project site, provided that:

- i. The proposed use is permitted by the applied zone for each lot; and
- ii. No further lot line adjustment or any other action that may cause the qualified permanent supportive housing project site to be subdivided subsequent to this grant shall be permitted.

g. Ground Floor Use

Where non-residential floor area is required by this Code, Specific Plan, community plan, or other set of standards, that requirement may be satisfied by any active ground floor use such as community rooms, resident amenities, supportive services areas, or lot amenity space.

h. Other Development Standard

Up to 20 percent relief may be granted from one other "development standard" not described in this *Section (Permanent Supportive Housing Incentive Program)*, as that term is defined in *California Government Code, Sec. 65915*.

D. Process

1. Qualified Permanent Supportive Housing Projects Meeting All Applicability Requirements

To use an incentive, as outlined in *Subsection C. (Incentives)* above, an applicant must file pursuant to *Sec. 13B.3.1. (Administrative Review)*.

a. Application Material

All applications shall be reviewed for compliance with the provisions in this *Section (Permanent Supportive Housing Incentive Program)*, eligibility requirements in *Subsection B. (Eligibility)* above, and compliance with the applicable incentive standards in *Subsection C. (Incentives)* above. The application shall be approved by the Department if the standards of this *Section (Permanent Supportive Housing Incentive Program)* are met.

b. Notification of Application

Despite the provisions of *Sec. 13B.3.1. (Administrative Review)*, the following requirements shall be completed at least 30 days prior to the Department approval of the qualified permanent supportive housing project:

- i. The Department shall send written notices of the qualified permanent supportive housing project application by U.S. mail to the abutting property owners, applicable Neighborhood Council and the Council District Office of the site; and
- ii. The applicant shall post, in a conspicuous place near the entrance of the property, a public notice of the qualified permanent supportive housing project application. The applicant shall submit proof of posting to the Department, which includes submission of a completed public notice form provided by the Department and photographs of the posted notice.

c. Additional Incentives

The City may not apply a development standard that will physically preclude the construction of the qualified permanent supportive housing project. Applicants may request additional incentives pursuant to the procedures described in *Sec. 9.2.1.F.3. (Projects with Requests for Waiver or Modification)*.

2. Deviations from Performance Standards

The Zoning Administrator may modify the requirements of *Sec. 9.4.1.B.5. (Performance Standards)* for qualified permanent supportive housing projects, pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, when the applicant can demonstrate that the project remains consistent with the purpose of those standards.

E. Records & Agreements

Prior to the issuance of any building permit for a qualified permanent supportive housing project, the applicant shall record a covenant acceptable to the Los Angeles Housing Department that reserves and maintains the total combined number of dwelling units designated as restricted affordable for at least 55 years from the issuance of the Certificate of Occupancy.

SEC. 9.4.2. INTERIM CONVERSIONS OF LODGING UNIT PROGRAM

A. Purpose

The purpose of this Section (*Interim Conversions of Lodging Unit Program*) is to facilitate the interim use of existing lodging uses as supportive housing or transitional housing for persons experiencing homelessness or those at risk of homelessness. Under this Section (*Interim Conversions of Lodging Unit Program*), the structure may return to its previous use, or any use consistent with the zoning of the lot, upon termination of the interim supportive housing or transitional housing use.

B. Eligibility

An interim lodging unit housing project is eligible for conversion to supportive housing or transitional housing for persons experiencing homelessness or those at risk of homelessness, as determined by the local public agency, if they meet the following requirements:

1. Certificate of Occupancy

The structure has a Certificate of Occupancy as a lodging structure.

2. Use of Dwelling Units

All household dwelling units and efficiency dwelling units, or a combination of both, in the structure must be used for supportive housing or transitional housing.

3. No Additions

The interim lodging unit housing project does not increase or add floor area or expand the building footprint or height.

4. No Expansion of Use

The interim lodging unit housing project does not increase the total combined number of household dwelling units or efficiency dwelling units shall not exceed the existing number of lodging units.

5. Permitted Use

Any floor area used for on-site supportive services shall be considered accessory to the residential use.

6. Supportive Service Area

For every 20 dwelling units, a minimum of one dedicated office space shall be provided for the provision of on-site supportive services, including case management. A minimum of one dedicated office space shall be provided for interim lodging unit housing projects with fewer than 20 total dwelling units. Any floor area dedicated to supportive services may be provided on-site within an existing building, but shall not exceed 10 percent of the total floor area of the building.

7. Supportive Services Contract

- a. The applicant shall provide a copy of an executed contract agreement between the local public agency, the provider of the supportive housing, or transitional housing, and the interim lodging unit housing project applicant for the provision of on-site supportive housing, or transitional housing, or a combination of both.
- b. The applicant shall provide proof that the applicant has received funding from a local public agency.
- c. The applicant shall provide proof that the supportive housing, or transitional housing contract is in effect.

8. Residential Hotel Ordinance

If structures or units are subject to the provisions of *Chapter IV., Article 7.1. (Residential Hotel Unit Conversion and Demolition)* of this Code on the date of the interim lodging unit housing project application, they shall remain subject to all requirements and restrictions of that Article during the supportive housing, or transitional housing contract.

9. Historic Resource

An interim lodging unit housing project shall not involve alteration of a historic-character-defining feature of a designated historic resource or surveyed historic resource, unless the Director, in consultation with the Office of Historic Resources, determines the proposed alteration will not adversely impact the property's historic eligibility.

C. Incentives

Interim lodging unit housing projects shall not be subject to any otherwise applicable zoning, Specific Plan, or Supplemental District regulations, including, but not limited to, the following:

1. Minimum Area per Household Dwelling Unit or Efficiency Dwelling Unit

Interim lodging unit housing projects shall not be considered an increase in density or other change which requires any corresponding discretionary action. A structure, regardless of any nonconforming status as to the regulations of the applied *Form District (Part 2B.)* and *Density District (Part 6B.)*, may be used for an interim lodging unit housing project.

2. Off-Street Automobile Parking

Interim lodging unit housing projects shall be exempt from the provisions of *Div. 4C.4. (Automobile Parking)* during the supportive housing or transitional housing contract, however, the interim lodging unit housing project shall maintain and not reduce the number of on-site parking spaces existing on the date of the interim lodging unit housing project application.

3. Use Permission

Despite the provisions of the applied Use District or any nonconforming use provision to the contrary, an interim lodging unit housing project shall be permitted and not considered a change of use.

4. Minor Interior Alterations for Cooking Facilities

Approved interim lodging unit housing project applicants may make minor interior alterations adding cooking facilities, including a sink, a refrigerator not exceeding 10 cubic feet, counter space not exceeding 10 square feet, and a hotplate or microwave. In the event a structure is returned to the motel or hotel use in accordance with *Sec. 9.4.2.D.3. (Termination of Supportive Housing or Transitional Housing Contract)*, the lodging may maintain any added cooking facilities.

5. Preservation of Nonconforming Rights

Upon termination of the supportive housing or transitional housing use, in accordance with *Sec. 9.4.2.D.3. (Termination of Supportive Housing or Transitional Housing Contract)*, any structure that is nonconforming as to area or use regulations or any other requirements in this Zoning Code (Chapter 1A) may return to the use and condition authorized by a Certificate of Occupancy existing on the date of the interim lodging unit housing project application, despite any physical alterations to the subject property. Any floor area used for supportive services may be returned to use as lodging units, or may be converted to accessory amenity spaces, so long as the total number of lodging units do not exceed the number approved on the Certificate of Occupancy existing at the time of the application for interim lodging unit housing project.

D. Process

1. Department of Building and Safety Review

Interim lodging unit housing projects shall be approved and the incentives described above in *Subsection C. (Incentives)* shall be granted by the Department of Building and Safety if the eligibility requirements of *Subsection B. (Eligibility)* above and the applicable standards described above in *Subsection C. (Incentives)* are met.

2. Residential Hotel Ordinance

Interim lodging unit housing project applicants seeking to convert structures subject to the Residential Hotel Ordinance pursuant to *Chapter IV. (Public Welfare), Article 7.1. (Residential*

Hotel Unit Conversion and Demolition) of this Code must also submit an application using the process described in *Chapter IV. (Public Welfare), Sec. 47.78. (Application for Clearance)* of this Code.

3. Termination of Supportive Housing or Transitional Housing Contract

Upon any termination of the supportive housing or transitional housing contract, the following shall apply:

- a. The interim lodging unit housing project applicant shall be required, within 90 days, to notify the Department of Building and Safety and to complete one of the following:
 - i. Submit an application to the Department of Building and Safety to return to the use, authorized by a Certificate of Occupancy, existing on the date of the interim lodging unit housing project application, or to any use permitted by the current zoning regulations; or
 - ii. Provide a copy of a new executed contract agreement to the Department of Building and Safety in accordance with the requirements in *Sec. 9.4.2.B.7. (Supportive Services Contract)* to begin a new contract term for provision of supportive housing or transitional housing.
- b. The number of dwelling units, as defined in *Chapter IV. (Public Welfare), Sec. 47.73.T. (Definitions)* of this Code, at each participating structure of an interim lodging unit housing project which has been converted to structures subject to *Chapter IV. (Public Welfare), Article 7.1. (Residential Hotel Unit Conversion and Demolition)* of this Code shall be identical to the number of units originally determined by the Los Angeles Housing Department to be dwelling units pursuant to *Chapter IV. (Public Welfare), Sec. 47.76. (Residential Unit Status Determination)* of this Code or any subsequent number approved as part of an application using the process described in *Chapter IV. (Public Welfare), Sec. 47.78. (Application for Clearance)* of this Code.

4. Modifications to Interim Lodging Unit Housing Project Applicability Requirements

The Zoning Administrator may modify or exempt the applicability requirements for interim lodging unit housing projects in *Sec. 9.4.2.B.6. (Supportive Service Area)* and *Sec. 9.4.2.B.9. (Historic Resource)*, pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, when the applicant can demonstrate that the project remains consistent with the purpose of those standards.

SEC. 9.4.3. SENIOR CARE FACILITIES INCENTIVE PROGRAM

A. Purpose

The purpose of this Section (*Senior Care Facilities Incentive Program*) is to provide development standards for senior care facility or supportive housing for senior citizens, including for the provisions of medical care, and create a single process for approvals and facilitate the processing

of applications for an senior care facility. These facilities provide much needed services and housing for the growing senior population of the City of Los Angeles.

B. Applicability

This Section applies to a senior care facility project located on a lot or lots in any Agricultural, Residential, Residential-Mixed, or Commercial-Mixed Use District.

C. Incentives

1. Zoning District Requirements

The Zoning Administrator may permit a senior care facility project under this Section (*Senior Care Facilities Incentive Program*) that does not meet the requirements of the applied Use District or Density District (Part 6B.), or height provisions of the applied Form District (Part 2B.), or the requirements of any Specific Plan, Supplemental District, or Chapter 1A regulation adopted or imposed by City action pursuant to Subsection D. (Procedures) below.

2. Development of Site

New buildings or structures may be erected, enlargements may be made to existing buildings, and the existing housing types within the senior care facility project may be extended on the approved site, provided that development plans are submitted to and approved by the Zoning Administrator. The Zoning Administrator may disapprove the plans where it is found that the use does not conform to the purpose and intent of the findings required for senior care facility under this Section (*Senior Care Facilities Incentive Program*), and may specify the conditions under which the plans may be approved.

D. Procedures

1. Review

The Zoning Administrator may permit a senior care facility project under this Section (*Senior Care Facilities Incentive Program*) pursuant to Sec. 13B.2.2. (*Class 2 Conditional Use Permit*).

a. Supplemental Findings

In addition to the findings set forth in Sec. 13B.2.2. (*Class 2 Conditional Use Permit*), the Zoning Administrator shall not grant the approval unless it is also found that:

- i. The senior care facility project shall provide services to senior citizens to meet citywide demand;
- ii. The senior care facility project shall not create an adverse impact on street access or circulation in the surrounding neighborhood; and
- iii. The senior care facility project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.

2. Subsequent Change of Use

Residential uses, as established in *Div. 5D.2. (Residential Uses)*, within a senior care facility project may not be changed to a different residential use unless it has been subsequently approved. The Zoning Administrator may approve changes to the number of household dwelling units, efficiency dwelling units, beds, or floor area provided that a minimum of 75 percent of the floor area, exclusive of common areas, shall consist of supportive housing: medical care or supportive housing for senior citizens.

SEC. 9.4.4. UNPERMITTED DWELLING UNITS PROGRAM

A. Purpose

The purpose of this *Section (Unpermitted Dwelling Units Program)* is to further health and safety standards in multi-unit buildings and preserve and create affordable housing units by establishing procedures to legalize certain pre-existing unpermitted dwelling units in conformance with the State Density Bonus provisions in *California Government Code, Sec. 65915*.

B. Eligibility

A structure with a unpermitted dwelling unit located in any *Density District (Part 6B.)*, except for *Density District 1L*, is eligible for the provisions of this *Section (Unpermitted Dwelling Units Program)* when the following criteria are met:

1. Pre-Existing Units

The units to be legalized have been occupied as a dwelling unit at any time between December 11, 2010 and December 10, 2015. Examples of the types of evidence to establish occupancy include, but are not limited to:

- a. Apartment lease;
- b. Utility bill;
- c. Rent Stabilization Ordinance (RSO) Rent Registration Certificate;
- d. Code enforcement case documentation (e.g., Orders to Comply); or
- e. Other evidence identified on the application form and made available for public inspection in the case file.

2. Restricted Affordable Units

At least one additional restricted affordable unit is being provided on the project site. A restricted affordable unit. Affordable means that rents or housing expenses cannot exceed 30 percent of the maximum gross income of each respective household income group. Moderate income units may be used, provided the project is not located in a Low-Moderate Census Tract pursuant to the Community Reinvestment Act.

3. Performance Standards

The property shall meet the following performance standards:

a. Front Yard Landscaping

All portions of the required front yard not used for necessary driveways and walkways, including decorative walkways, are landscaped and maintained, and not otherwise paved.

b. Lighting

Security night lighting is shielded so that the light source cannot be seen from adjacent residential properties.

c. Parking Area

Any surface parking areas are landscaped pursuant to the requirements of *Div. 4C.4.4.C.2. (Parking Lot Landscaping)*.

d. Signs

Any illegal signs shall have been removed.

e. Code Violations

The project site must not have any outstanding code violations other than those being addressed by the application under this *Section (Unpermitted Dwelling Units Program)*.

f. Unpermitted Building Footprint Expansion

The dwelling units to be legalized shall not result or have resulted in an unpermitted expansion of the building footprint or height, except that additions of less than 250 square feet, not resulting in any additional height, may be permitted, provided it is not located on the building frontage adjoining the front yard. The purpose of this standard is to limit exterior alterations to those that are minor and do not have a significant impact on the visual character of the building or neighborhood.

C. Incentives

A property meeting the eligibility criteria above must comply with all applicable zoning regulations, except:

1. The grant of permitted status to pre-existing unpermitted units under this *Section (Unpermitted Dwelling Units Program)* shall not be considered an increase in density or other change which requires any corresponding *Zone Change (Sec. 13B.1.4.)*, *General Plan Adoption/Amendment (Sec. 13B.1.1.)*, *Project Exception (Sec. 13.B.4.5.)*, or other discretionary action pursuant to *Article 13. (Administration)*.

2. The number of allowable dwelling units can be increased up to 35 percent over the otherwise maximum allowable density of the applied *Density District (Part 6B.)* or applicable Specific Plan, depending on the percentage of restricted affordable units provided in the building, pursuant to the density bonus charts in *California Government Code, Sec. 65915(f)*. These charts can be extended proportionally to permit both a density increase and an affordable set-aside less than what is shown on the charts.
3. For properties which have more permitted dwelling units than are allowed under current maximum allowable density, an increase in current maximum allowable density beyond 35 percent may be authorized as long as the project offers sufficient restricted affordable units to achieve at least a 35 percent density bonus pursuant to the density bonus charts in *California Government Code, Sec. 65915(f)* and the increase in number of dwelling units does not exceed 35 percent of the number of permitted dwelling units on the property. Regardless of the actual number of permitted dwelling units on the property, the base number of dwelling units for calculating the percentage of restricted affordable units shall be the dwelling units allowed by the current maximum residential density.
4. A property containing one structure with two permitted dwelling units in any *Density District (Part 6B.)* except for Density District 1L may legalize a third unit as long as one of the dwelling units is a restricted affordable unit, even if the third dwelling unit increases the density by more than 35 percent.
5. An applicant may choose any one of the following methods of calculating required parking, if applicable, in conjunction with the bicycle parking provisions in *Div. 4C.3. (Bicycle Parking)*. If the net new number of required parking spaces is other than a whole number, it shall be rounded up to the next whole number.
 - a. Parking may be recalculated for all units in the project (not just the restricted units) using Parking Option 1 in *Sec. 9.2.1.C.2. (Automobile Parking)*.
 - b. Parking may be calculated by maintaining all existing parking and providing additional parking just for the newly legalized units in accordance with Parking Option 2 in *Sec. 9.2.1.C.2. (Automobile Parking)*, as long as one restricted affordable unit or dwelling unit for low income individuals who are senior citizens, or who have a physical or mental impairment that limits one or more major life activities, is provided for each legalized unit.
 - c. Parking may be calculated by maintaining all existing parking and providing additional parking at a ratio of 0.5 parking spaces per bedroom for the newly legalized dwelling units for a project located within 1/2 mile of a major transit stop.
6. The applicant shall be eligible for up to three concessions or incentives in accordance with *California Government Code, Sec. 65915(d)(2)*, depending on the percentage of restricted affordable units provided. For the purposes of this Section (*Unpermitted Dwelling Units Program*), a concession or incentive means a reduction in a site development standard or a modification of zoning code requirements or architectural design requirements that exceed

the minimum building standards approved by the California Building Standards Commission, including, but not limited to, a reduction in lot amenity space requirements and in the ratio of vehicular parking spaces that would otherwise be required.

7. The City may not apply a development standard that will physically preclude the legalization of a project which meets the eligibility criteria of *Sec. 9.4.4.B. (Eligibility)* at the densities or with the concessions or incentives permitted by this *Section (Unpermitted Dwelling Units Program)*. Development standards include, but are not limited to: a site condition; a height limitation; a yard requirement; a floor area ratio; an lot amenity space requirement; or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, Specific Plan, charter, or other local condition, law, policy, resolution, or regulation. Development standards do not include conditions imposed through discretionary approvals. Incentives shall not be used to exempt compliance with performance standards.
8. The street dedication provisions of *Article 10. (Streets & Parks)* shall not apply when dwelling units are legalized under this *Section (Unpermitted Dwelling Units Program)*.
9. The City's Affordable Housing Incentives Guidelines shall not apply to projects under this *Section (Unpermitted Dwelling Units Program)*.

D. Process

1. Administrative Review

The applicant shall submit an application on a form developed by the Department that contains basic information about the project, the owner or applicant, and conformance with this *Section (Unpermitted Dwelling Units Program)*. The Director shall review all applications for compliance with the eligibility criteria in *Subsection B. (Eligibility)*, above. The application shall be approved by the Director of Planning if the eligibility criteria and performance standards of this Section are met pursuant to *Sec. 13B.3.1. (Administrative Review)*.

2. Relief

The Zoning Administrator may modify or exempt the performance standards in *Paragraph 3. (Performance Standards)* of *Subsection B (Eligibility)*, above, pursuant to *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, when the applicant can demonstrate that the project remains consistent with the purpose of those standards.

E. Records & Agreements

Prior to the issuance of any building permit, a covenant acceptable to the Los Angeles Housing Department shall be recorded with the Los Angeles County Recorder, guaranteeing that each required restricted affordable unit shall be reserved and maintained for at least 99 years from the issuance of the Certificate of Occupancy; except for:

- a. A housing development project in which 100 percent of all dwelling units, exclusive of a manager unit or units, are restricted affordable units, which are subject to a recorded affordability restriction of at least 55 years or utilize public subsidies that are tied to a specified covenant period. At minimum, all restricted affordable units in the 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.

SEC. 9.4.5. DOWNTOWN ADAPTIVE REUSE PROGRAM

A. Purpose

The purpose of this Section (*Downtown Adaptive Reuse Program*) is to facilitate the preservation and reuse of existing buildings in the Downtown Community Plan Area, and implement the General Plan by facilitating the conversion of older, economically distressed, or historically significant buildings to apartments, live/work units, offices, or visitor-serving facilities. This will help to reduce vacant space as well as preserve Downtown's architectural and cultural past and encourage the development of a live/work and residential community Downtown, thus creating a more balanced ratio between housing and jobs in the region's primary employment center. This revitalization will also facilitate the development of a "24-hour city" and encourage mixed commercial and residential uses in order to improve air quality and reduce motor vehicle trips and motor vehicle miles traveled by locating residents, jobs, hotels and transit services near each other.

B. Eligibility

The provisions of this Section (*Downtown Adaptive Reuse Program*) shall apply to an adaptive reuse project in the Downtown Community Plan area in all or any portion of a building or structures meeting the criteria below (as evidenced by a Certificate of Occupancy, building permit or other suitable document).

1. Buildings That Are At Least 15 Years Old

Buildings constructed in accordance with building and zoning codes in effect at the time they were built and for which at least 15 years have elapsed since the date of permitted and completed construction.

2. Buildings That Are At Least 10 Years Old

Buildings constructed in accordance with building and zoning codes in effect at the time they were built and for which at least 10 years have elapsed since the date of permitted and completed construction.

3. Historic Buildings

Designated historic resources and surveyed historic resources are also eligible buildings.

4. Parking Structures

Any parking structure, or parking area, within an existing building constructed in accordance with building and zoning codes in effect at the time they were built, for which at least 10 years have elapsed since the date of permitted and completed construction.

C. Standards

1. Affordable Housing Linkage Fee

The linkage fee, as established in *Sec. 15.4.3. (Affordable Housing Linkage Fee)*, shall continue to apply, as applicable, to any new floor area in the project devoted to the uses described in the linkage fee schedule, regardless of the exemptions in *Subsection D. (Incentives)* below.

D. Incentives

Despite any other provisions of this Zoning Code (Chapter 1A) to the contrary, adaptive reuse projects eligible under *Subsection B. (Eligibility)* above shall be entitled to the incentives set forth below. These incentives shall not apply to any new construction or additions located on the same lot as an adaptive reuse project unless otherwise stated below.

1. Floor Area

a. Existing Floor Area

Existing floor area which exceeds the maximum floor area ratio of the applied *Form District (Part 2B.)* shall be allowed.

b. New Floor Area Within Existing Building Envelope

Any additional floor area, including mezzanines, as defined by *Chapter IX. (Building Regulations)* of this Code, created within an existing building shall not be counted towards the maximum floor area limit for the lot.

c. Use Modification in Previously Exempted Floor Area

The following actions shall not be considered as adding new floor area that enlarges an existing building or structure:

- i. The use modification of any area of an existing building that is exempt from floor area limitations to any use permitted in the applied Use District, including the renovation of any interior portion of an existing building for a permitted use. However, this shall not include new construction, and must be located within the building's existing exterior walls and below the existing roof.
- ii. The use modification of any area of an existing building which is exempt from floor area to lot amenity spaces or residential amenity spaces.
- iii. The use modification of any area of an existing basement or portions of an eligible building that are below grade.

- iv. The conversion of existing parking areas or structures as long as the conversion remains within the exterior walls of the existing building.

d. **New Rooftop Structures**

The construction of new structures on the existing roof shall not be considered new floor area, as long as the new rooftop structures:

- i. Do not exceed one story; and
- ii. Comply with the height requirements of the applied *Form District (Part 2B.)*.

e. **Unified Development**

- i. For buildings listed as designated historic resources or surveyed historic resources that are incorporated as part of a unified development composed of two or more buildings, the existing floor area, up to a maximum of 50,000 square feet, shall be exempted from the maximum floor area limit for the lot. This incentive shall not be utilized if the unified development involves the demolition or facade modification of any portion of a designated historic resource or surveyed historic resource which has not been approved by the Office of Historic Resources.
- ii. The averaging of floor area ratios may be permitted even if buildings on each individual lot would exceed the permitted floor area ratio. However, the total floor area for the unified development, when calculated as a whole, may not exceed the maximum permitted floor area by the applied *Form Districts (Part 2B.)*.

2. **Height**

a. **Existing Height**

An existing building which is a part of an adaptive reuse project shall be allowed to maintain its existing height, regardless of whether it complies with the height requirements of the applied *Form District (Part 2B.)*, including but not limited to height in stories or height in feet.

b. **New Stories Within Existing Building Envelope**

Any additional story created within an existing building which is a part of an adaptive reuse project shall not be counted as an additional story towards any height in stories limit.

3. **Yards**

Existing observed yards which do not meet the building setback requirements of the applied *Form District (Part 2B)* shall be allowed.

4. **Lot Amenity Space & Residential Amenity Space Requirements**

An adaptive reuse project shall not be required to provide any additional lot amenity space or residential amenity space as a result of a use modification.

5. Upper-Story Bulk

An existing building which is a part of an adaptive reuse project shall not be required to comply with any applicable upper story provisions in *Div. 2C.6. (Upper-Story Bulk)*.

6. Building Mass

An existing building which is a part of an adaptive reuse project shall not be required to comply with any applicable building mass provisions in *Div. 2C.5. (Building Mass)*.

7. Frontage District Standards

Adaptive reuse projects shall not be required to bring eligible buildings or structures into conformance with the applied *Frontage District (Part 3B.)*. Where an eligible building or structure is nonconforming as to the applied *Frontage District (Part 3B.)* an adaptive reuse project shall not further reduce compliance.

8. Project Review

Adaptive reuse projects shall be exempt from any requirements to go through the Project Review process in the applied *Development Standards District (Part 4B.)* and set forth in *Div. 4C.14. (Development Review)*.

9. Loading Space

- i. Where an existing loading space is provided, it shall be allowed to maintain its current, existing dimensions, regardless of whether it complies with the provisions of *Sec. 4C.2.2.C.2. (Freight Loading Areas)*.
- ii. If no loading spaces exist, then a loading space shall not be required in conjunction with the development of an adaptive reuse project.

10. Density

Dwelling units and household business: joint living & work quarters shall not be subject to the lot area per dwelling unit or dwelling units per lot requirements of the applied *Density District (Part 6B.)*.

11. Inclusionary Housing Program

Adaptive reuse projects shall not be required to provide restricted affordable units pursuant to *Sec. 5C.3.1. (Inclusionary Housing Program)*.

E. Process

1. Department of Building and Safety Review

The following types of adaptive reuse projects shall be approved (including all incentives in *Subsection D. (Incentives)* above) by the Department of Building and Safety if the requirements

of *Subsection B. (Eligibility)* above and the criteria described above in *Subsection C. (Standards)* and *Subsection D. (Incentives)* are met:

- a. Adaptive reuse projects involving buildings constructed in accordance with building and zoning codes in effect at the time they were built for which at least 15 years have elapsed since the date of permitted and completed construction, and
- b. Adaptive reuse projects involving parking structures or parking areas within an existing building for which at least 10 years have elapsed since the date of permitted and completed construction.

2. Zoning Administrator Review

- a. Adaptive reuse projects involving buildings constructed in accordance with building and zoning codes in effect at the time they were built for which at least 10 but less than 15 years have elapsed since the date of permitted and completed construction, may be approved by the Zoning Administrator, pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit), if the adaptive reuse project complies with the requirements of Subsection B. (Eligibility) above and any criteria and requirement described in Subsection C. (Standards) above and Subsection D. (Incentives), above are met. The incentives described in Subsection D. (Incentives) for which the project qualifies shall be granted for any approved adaptive reuse project.
- b. Furthermore, pursuant to the processes and procedures of Sec. 13B.2.1. (Class 1 Conditional Use Permit), the Zoning Administrator shall have the authority to grant any other zoning incentives or exceptions from this Zoning Code (Chapter 1A) required to permit adaptive reuse projects proposed pursuant to this Section (Downtown Adaptive Reuse Program), including but not limited to the authority to permit dwelling units and household business: joint living & work quarters in adaptive reuse projects.

SEC. 9.4.6. CITYWIDE ADAPTIVE REUSE PROGRAM

A. Purpose

The purpose of this *Section (Citywide Adaptive Reuse Program)* is to encourage and facilitate the conversion and retention of existing, or historically significant buildings, and conversion between uses permitted or conditionally permitted by the designated Use District of the property. The goal is to reduce vacant space, as well as preserve the City's architectural and cultural past, and encourage the sustainable practice of retaining the inherent energy that goes into the construction of existing buildings. This practice has demonstrated its effectiveness as a revitalization tool that encourages the use of underutilized buildings and the creation of new dwelling units.

B. Eligibility

The provisions of this *Section (Citywide Adaptive Reuse Program)* shall apply to adaptive reuse projects outside the Downtown Community Plan Area, in any Commercial-Mixed Use District, or on any lot in Density District 2 or FA, regardless of Use District, in the buildings and structures.

Meeting the following criteria (evidenced by a Certificate of Occupancy, building permit, or suitable document):

1. Buildings That Are At Least 25 Years Old

Buildings constructed in accordance with building and zoning codes in effect at the time they were built and for which at least 25 years have elapsed since the date of permitted and completed construction.

2. Buildings That Are At Least 10 Years Old

Buildings constructed in accordance with building and zoning codes in effect at the time they were built and for which at least 10 years have elapsed since the date of permitted and completed construction.

3. Historic Buildings

Designated historic resources and surveyed historic resources.

4. Parking Structures

Any parking structure, or parking area, provided in excess of the minimum parking required by this Zoning Code (Chapter 1A), within an existing building constructed in accordance with building and zoning codes in effect at the time they were built, for which at least 10 years have elapsed since the date of permitted and completed construction.

C. Standards

1. Affordable Housing Linkage Fee

The linkage fee, as established in *Sec. 15.4.3. (Affordable Housing Linkage Fee)*, shall continue to apply, as applicable, to any new floor area in the project devoted to the uses described in the linkage fee schedule, regardless of the exemptions in *Subsection D. (Incentives)* below.

D. Incentives

Despite any other provisions of this Zoning Code (Chapter 1A) to the contrary, adaptive reuse projects shall be entitled to the incentives set forth below. These incentives shall not apply to any new construction or additions located on the same lot as an adaptive reuse project unless otherwise stated below.

1. Floor Area

a. Existing Floor Area

Existing floor area which exceeds the maximum floor area ratio of the applied *Form District (Part 2B.)* shall be considered allowed.

b. New Floor Area Within Existing Building Envelope

Any additional floor area, including mezzanines, as defined by *Chapter IX. (Building Regulations)* of this Code, created within an existing building shall not be counted towards the maximum floor area limit for the lot.

c. Use Modification in Previously Exempted Floor Area

The following actions shall not be considered as adding new floor area that enlarges an existing building or structure:

- i. The use modification of any area of an existing building that is exempt from floor area limitations, to any use permitted in the applied Use District, including the renovation of any interior portion of an existing building for a permitted use. However, this shall not include new construction, and must be located within the building's existing exterior walls and below the existing roof.
- ii. The use modification of any area of an existing building which is exempt from floor area limitations to lot amenity spaces or residential amenity spaces.
- iii. The use modification of any area of an existing basement or portions of an eligible building that are below grade.
- iv. The conversion of existing parking areas or structures as long as the conversion remains within the exterior walls of the existing building.

d. New Rooftop Structures

The construction of new structures on the existing roof shall not be considered new floor area, as long as the new rooftop structures:

- i. Do not exceed one story; and
- ii. Comply with the height requirements of the applied *Form District (Part 2B.)*.

e. Unified Development

- i. For buildings listed as designated historic resources or surveyed historic resources that are incorporated as part of a unified development composed of two or more buildings, the existing floor area, up to a maximum of 50,000 square feet, shall be exempted from the maximum floor area limit for the lot. This incentive shall not be utilized if the unified development involves the demolition or facade modification of any portion of a designated historic resource or surveyed historic resource which has not been approved by the Office of Historic Resources.
- ii. The averaging of floor area ratios may be permitted even if buildings on each individual lot would exceed the permitted floor area ratio. However, the total floor area for the unified development, when calculated as a whole, may not exceed the maximum permitted floor area by the applied *Form Districts (Part 2B.)*.

2. Height

a. Existing Height

An existing building which is a part of an adaptive reuse project shall be allowed to maintain its existing height, regardless of whether it complies with the height requirements of the applied *Form District (Part 2B.)*, including but not limited to height in stories or height in feet.

b. New Stories Within Existing Building Envelope

Any additional story created within an existing building which is a part of an adaptive reuse project shall not be counted as an additional story towards any height in stories limit.

3. Yards

Existing observed yards which do not meet the building setback requirements of the applied *Form District (Part 2B.)* shall be allowed.

4. Lot Amenity Space & Residential Amenity Space Requirements

An adaptive reuse project shall not be required to provide any additional lot amenity space or residential amenity space as a result of a use modification.

5. Upper-Story Bulk

An existing building which is a part of an adaptive reuse project shall not be required to comply with any applicable upper story provisions in *Div. 2C.6. (Upper-Story Bulk)*.

6. Building Mass

An existing building which is a part of an adaptive reuse project shall not be required to comply with any applicable building mass provisions in *Div. 2C.5. (Building Mass)*.

7. Frontage District Standards

Adaptive reuse projects shall not be required to bring eligible buildings or structures into conformance with the applied *Frontage District (Part 3B.)*. Where an eligible building or structure is nonconforming as to the applied *Frontage District (Part 3B.)* an adaptive reuse project shall not further reduce compliance.

8. Off-Street Automobile Parking

The required number of parking spaces shall be the same as the number of spaces that exist on the lot, and shall be maintained and not reduced. However, if the total parking required by *Div. 4C.4. (Automobile Parking)* for the new use is less than the number of parking spaces that exist on the lot, then the number of parking spaces may be reduced to the number of required parking spaces.

9. Loading Space

- i. Where an existing loading space is provided, it shall be allowed to maintain its current, existing dimensions, regardless of whether it complies with the provisions of Sec. 4C.2.2.C.2. (*Freight Loading Areas*).
- ii. If no loading spaces exist, then a loading space shall not be required in conjunction with the development of an adaptive reuse project.

10. Project Review

Adaptive reuse projects shall be exempt from any requirements to go through the Project Review process in by the applied *Development Standards District (Part 4B.)* and set forth in Div. 4C.14. (*Development Review*).

11. Density

Dwelling units and household business: joint living & work quarters shall not be subject to the lot area per dwelling unit or dwelling unit per lot requirements of the applied *Density District (Part 6B.)*.

12. Inclusionary Housing Program

Adaptive reuse projects shall not be required to provide restricted affordable units pursuant to Sec. 5C.3.1. (*Inclusionary Housing Program*).

E. Process

1. Department of Building and Safety Review

The following types of adaptive reuse projects that meet the requirements of *Subsection B. (Eligibility)*, and meet the criteria described above in *Subsection C. (Standards)* and *Subsection D. (Incentives)* shall be approved by the Department of Building and Safety:

- a. Adaptive reuse projects involving buildings constructed in accordance with building and zoning codes in effect at the time they were built for which at least 25 years have elapsed since the date of permitted and completed construction, and
- b. Adaptive reuse projects involving parking structures or parking areas within an existing building for which at least 10 years have elapsed since the date of permitted and completed construction.

2. Zoning Administrator Review

- a. Adaptive reuse projects involving buildings constructed in accordance with building and zoning codes in effect at the time they were built for which at least 10 years have elapsed since the date of permitted and completed construction may be approved by the Zoning Administrator, pursuant to Sec. 13B.2.1. (*Class 1 Conditional Use Permit*), if the adaptive reuse project complies with the requirements of *Subsection B. (Eligibility)*, and the

criteria described in *Subsection C. (Standards)* and *Subsection D. (Incentives)*, above, are met. If the adaptive reuse project is approved, the incentives described in *Subsection D. (Incentives)* above for which the project qualifies may be granted.

- b. Furthermore, pursuant to the processes and procedures of *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*, the Zoning Administrator shall have the authority to grant any other zoning incentives or exceptions from this Zoning Code (Chapter 1A) required to permit adaptive reuse projects proposed pursuant to this *Section (Citywide Adaptive Reuse Program)*, including but not limited to the authority to permit dwelling units and household business: joint living & work quarters in adaptive reuse projects.

c. Supplemental Findings.

In addition to the findings in *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*, the Zoning Administrator shall also find that:

- i. The eligible building is no longer economically viable in its current use or uses. In making this finding, the Zoning Administrator shall consider the building's past and current vacancy rate, existing and previous uses, and real estate market information. The Zoning Administrator may require the applicant to submit independently verified documentation.
- ii. In approving a reduced parking incentive pursuant to *Sec. 9.4.6.D.8. (Off-Street Automobile Parking)*, the Zoning Administrator shall find that the surrounding area will not be adversely affected by overflow parking or traffic congestion originating or terminating at the site of the adaptive reuse project.

SEC. 9.4.7. PUBLIC NUISANCE ABATEMENT PROGRAM

A. Purpose

The purpose of this *Section (Public Nuisance Abatement Program)* is to facilitate the removal of graffiti, posters/handbills and any other illegal postings, as well as trash, debris, rubbish, and weeds on public property in exchange for the temporary placement of signs at construction sites and vacant lots.

B. Eligibility

Construction sites and vacant lots are eligible for the placement of temporary signs, including off-site signs, on temporary construction walls, and/or solid wood fences, if the lot has an applied Residential-Mixed, Commercial-Mixed, Industrial-Mixed, or Industrial Use District and the project complies with the requirements of the public nuisance abatement program as outlined in this *Section (Public Nuisance Abatement Program)*.

C. Program Requirements

Upon issuance of a building permit for a sign and installation of any signs on temporary construction walls, and/or solid wood or similar material fences surrounding vacant lots it

shall be the sign company and property owner's responsibility to comply with the provisions of this *Subsection (Program Requirements)*, and as established in *Sec. 9.4.7.F.4. (Authorized Representative)* it shall be the responsibility of the Department of Public Works — Office of Community Beautification (Office of Community Beautification) to enforce them.

1. Notification

- a. Within 10 days after the issuance of the building permit for a sign, provide written notification to the Office of Community Beautification and the Council District Office of the council district in which the construction site or vacant lot is located.
- b. The notification shall contain the name and address of the sign company or property owner and the property address where the signs will be placed.
- c. The notification to the Office of Community Beautification shall include a copy of the sign company's contract with the property owner to post signs at the specified location.

2. Reporting

- a. Report the amount, type, and location of clean-ups within the abatement radius to the Office of Community Beautification every 30 days for the duration of the building permit for the sign.
- b. Reporting shall be thorough and include before and after photo documentation, City of Los Angeles MyLA311 App request confirmation and/or other documentation stating date and time of clean up, as well as receipts for where materials were disposed.

3. Public Nuisance Abatement

- a. Clean and maintain free from graffiti, posters/handbills and any other illegal postings, as well as trash, debris, rubbish, and weeds from public property and public ways within the abatement radius. The removal of graffiti shall include, but not be limited to, spray paint on walls, poles, and fences on public property.
- b. Remove any posters/handbills on light poles, utility poles, bus stops, and any other illegal postings on public property.
- c. Patrol the abatement radius every 24 hours to search for and remove any graffiti within 24 hours of its discovery.
- d. Report, through the City of Los Angeles MyLA311 program, bulky items within the abatement radius around the permitted lot.
- e. Comply with the administrative policies and procedures set by the Office of Community Beautification.

4. Abatement Radius Calculation

The abatement radius will be measured as a horizontal extension of the perimeter of the entire lot at a distance determined by the Office of Community Beautification.

- a. Initially, a 750-foot radius around the permitted lot, or
- b. A radius around the permitted lot expanded in 250-foot increments, up to a maximum of 1,500 feet per *Sec. 9.4.7.E.3.d. (Review)*.

D. Incentives

Regardless of the provisions of *Sec. 4C.11.2. (Temporary Signs)*, signs placed on temporary construction walls, and/or solid wood fences surrounding vacant lots shall comply with the following:

1. Placard

Install an 18 inch x 24 inch placard in a conspicuous location on the wall or fence. The placard shall be made of a durable laminated paper, vinyl or other weather resistant material with contrasting black letters on white background at least one inch in height and display the following information:

- a. "This is an Official Notice of the City of Los Angeles and shall not be defaced."
- b. Signs have been placed on this wall or fence pursuant to Chapter 1A of the Los Angeles Municipal Code Sec. 9.4.7. (Public Nuisance Abatement Program).
- c. Building permit number:_____ and expiration date:_____
- d. Phone number of the Department of Public Works' Office of Community Beautification:_____
- e. Name and phone number of the sign operator's representative for public reporting of graffiti, posters/handbills and any other illegal postings, as well as trash, debris, rubbish, and weeds for removal within the required abatement radius:_____

2. Individual Sign Area

Individual signs shall not exceed a sign area of 250 square feet.

3. Grouped Sign Area

Signs shall not be grouped to form a maximum sign area that exceeds 250 square feet.

4. Separation of Signs

Individual signs or groups of signs having an area of 250 square feet shall be separated from any other sign on temporary construction walls and/or solid wood fences surrounding vacant lots by at least 10 feet measured horizontally.

5. Combined Area

The combined sign area of temporary signs shall not exceed eight square feet for each linear foot of street frontage.

6. Maximum Height

Signs may only be placed to a maximum height of eight feet and shall not extend above the top of the wall or fence.

7. Time Limits

A building permit for a temporary sign is time limited by the following:

a. Temporary Construction Wall

- i. A building permit for a temporary sign placed on a temporary construction wall shall remain valid for two years, or during the duration of the construction work, under a separate valid building permit, requiring a barrier, pursuant to *Chapter IX. (Building Regulations), Sec. 91.3306. (Protection of Pedestrians)* of this Code, whichever is less.
- ii. The building permit for the temporary sign permitted pursuant to *Subsection E. (Process)* below shall be expired if: the construction work authorized by the separate building permit has not commenced by the 180th day following the permit issuance date, or by the 90th day when an operating business exists on a lot; or work has been suspended, discontinued or abandoned for a continuous period of 180 days, or for a continuous period of 90 days when an operating business exists on the lot.
- iii. If the separate building permit is revoked or expired, the building permit for the temporary sign permitted pursuant to *Subsection E. (Process)* below, shall be expired.
- iv. Subsequent building permits for a temporary sign at the same lot, issued in conjunction with the original separate construction permit, shall not be authorized.

b. Fence Around a Vacant Lot

- i. A building permit for a temporary sign placed on a fence of solid wood or similar material surrounding a vacant lot shall remain valid for one year, or for as long as the lot remains vacant, whichever is less.
- ii. Any subsequent building permits for temporary signs on a fence of solid wood or similar material surrounding a vacant lot shall be issued pursuant to *Subsection E. (Process)* below, not to exceed two additional permits, for a total of three years.

8. Sign Materials

Regardless of the provisions of *Sec. 4C.11.2.C.3.c. (Construction)*, temporary signs authorized by this *Section (Public Nuisance Abatement Program)* shall be made of paper, vinyl, or other similar material.

9. Operating Business

When a business is operating on a construction site, temporary signs must also comply with the following:

a. Display Location

Temporary signs are limited to the portion of the temporary construction wall that is required pursuant to *Chapter IX (Building Regulations), Sec. 91.3306. (Protection of Pedestrians)* of this Code; and

b. Wall Minimum

A minimum 40 linear feet of required temporary construction wall, not exceeding the boundaries of the lot, may be installed and used for temporary signs; and

c. Sign Maximum

The total area of temporary signs on a lot authorized by this *Section (Public Nuisance Abatement Program)* shall not exceed a maximum of 250 square feet.

E. Process

The Department of Building and Safety shall issue a building permit for a temporary sign, pursuant to this *Section (Public Nuisance Abatement Program)*, after verifying that the plans comply with all applicable LAMC provisions, all permit clearances have been approved and the following requirements have been met.

1. Initial Permit Application — Temporary Construction Wall

a. Valid Building Permit

There is a separate valid building permit issued by the Department of Building and Safety authorizing construction work on the lot(s).

b. Required Wall

At least a portion of the temporary construction wall is required pursuant to *Chapter IX (Building Regulations), Sec. 91.3306. (Protection of Pedestrians)* of this Code.

c. Previous Permit

A previous building permit for a temporary sign was not issued in conjunction with the same building permit referenced in *Subparagraph a. (Valid Building Permit)* above.

d. Expiration and Revocation

A previous building permit for a temporary sign on the lot was not expired or revoked within the preceding 12 months pursuant to *Sec. 9.4.7.D.7.a. (Temporary Construction Wall)* or *Sec. 9.4.7.F.2. (Revocation)*.

e. Operating Business

When a business is operating on the lot, temporary signs must comply with Sec. 9.4.7.D.9. (*Operating Business*).

2. Initial Permit Application — Fence Surrounding a Vacant Lot

a. Existing Use

There are no buildings or uses of land on the lot.

b. Expiration & Revocation

A previous building permit for a temporary sign on the lot was not expired or revoked within the preceding 12 months pursuant to Sec. 9.4.7.D.7.a. (*Temporary Construction Wall*) or Sec. 9.4.7.F.2. (*Revocation*).

3. Subsequent Permit Application - Fence Surrounding a Vacant Lot

If Department of Building and Safety records indicate that a building permit for a temporary sign on a fence of solid wood or similar material surrounding a vacant lot was previously issued on the lot, the following must be met.

a. Use

The sign complies with Sec. 9.4.7.E.2. (*Initial Permit Application — Fence Surrounding a Vacant Lot*) as applicable.

b. Expiration & Revocation

A previous building permit for a temporary sign on the lot was not expired or revoked within the preceding 12 months pursuant to Sec. 9.4.7.F.2. (*Revocation*).

c. Previous Permit

No more than one initial building permit for a temporary sign and one subsequent building permit for a temporary sign, for a total of two years, have been issued at the same lot.

d. Review

The Director of the Office of Community Beautification reviews and consents to the subsequent building permit in a written statement and determines an abatement radius pursuant to the following:

- i. Response for consent shall be provided within 10 days of written request and based solely on the assessment as to whether a public nuisance exists within the abatement radius.

- ii. Investigation and determination of the existence of a public nuisance within the abatement radius may occur for the purpose of determining whether to consent to a subsequent permit or at any time after the issuance of a building permit for a sign under *Sec. 9.4.7.E. (Process)*.
- iii. Expansion of the abatement radius for the purpose of a subsequent building permit for a sign when a public nuisance cannot be found to exist within the initial abatement radius per *Sec. 9.4.7.D.7.b. (Fence Around a Vacant Lot)* and requiring the sign company or property owner to abate the public nuisance in the expanded abatement radius in accordance with *Sec. 9.4.7.C.4. (Abatement Radius Calculation)*.

F. Permit Termination

Permits that become invalid or are terminated by the Department of Building and Safety are subject to the following provisions.

1. Expiration

For all building permits for a sign which expired due to failure to meet the notification and reporting requirements pursuant to *Sec. 9.4.7.C. (Program Requirements)*, above, the Department of Building and Safety shall issue a notification to the permit holder upon expiration of the permit, including information about the appeals process.

2. Revocation

Any building permit for a sign issued pursuant to this Section may be revoked by the Department of Building and Safety for any of the following reasons. However, for all building permits for a sign revoked for the reasons stated specifically in *Subparagraphs (c), (d), (e), (f) or (g)* of this *Paragraph (Revocation)* a written and signed notification of the sign company or property owner's failure shall be sent to the Department of Building and Safety by the Director of the Office of Community Beautification prior to the revocation.

- a. Failure by the sign company or property owner to comply with the terms of the permit.
- b. Failure by the sign company or property owner to maintain the bond required in *Chapter IX. (Building Regulations), Sec. 91.6201.2.2. (General Provisions)* of this Code.
- c. Failure by the sign company or property owner to maintain the temporary construction wall and/or solid wood fences surrounding vacant lots free from graffiti.
- d. Failure by the sign company or property owner to eliminate graffiti within an abatement radius within 24 hours of receiving notification of the presence of graffiti from the Office of Community Beautification or the City Council district office of the district in which the construction site or vacant lot is located.

- e. Failure by the sign company or property owner to remove posters/handbills placed on light poles, utility poles, bus stops and any other illegal postings on public property within an abatement radius within 24 hours of receiving notification from the Office of Community Beautification or the City Council district office of the district in which the construction site or vacant lot is located.
- f. Failure by the sign company or property owner, at the time of graffiti removal, to report bulky items and/or remove trash, debris, rubbish and weeds from public property within the abatement radius established pursuant to *Sec. 9.4.7.C.4. (Abatement Radius Calculation)*.
- g. The Office of Community Beautification sends three or more notifications of failure to comply with Subparagraphs (c), (d), (e), or (f) of this Subdivision to the sign company or property owner within a three-month period.

3. Removal of Signs

- a. The sign company or property owner must remove the temporary signs authorized by this *Section (Public Nuisance Abatement Program)* by the date the sign permit becomes invalid due to its time limit or no later than the permit expiration or revocation date.
- b. Any signs remaining on temporary construction walls, and/or solid wood or similar material fences surrounding vacant lots after the building permit has expired or is revoked are deemed to be a public nuisance that can be abated by utilizing the procedure contained in *Chapter IX. (Building Regulations), Sec. 91.8904., et seq., (Special Provisions for Vacant Property Graffiti Removal)* of this Code.

4. Authorized Representative

The Office of Community Beautification is hereby designated the authorized representative of the City for the purpose of enforcing and implementing the provisions of *Chapter IX. (Building Regulations), Sec. 91.8904.1.2., et seq., (Special Provisions for Vacant Property Graffiti Removal)* of this Code for compelling the removal of a sign which is a public nuisance under *Sec. 9.4.7.F.3.b. (Removal of Signs)*.

DIV. 9.5. **ACCESSORY DWELLING UNIT INCENTIVE PROGRAM**

See Chapter I. (General Provisions and Zoning), Sec. 12.22. A.33. (Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU)) of this Code for applicable accessory dwelling unit regulations.

ARTICLE 10.
STREETS & PARKS

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DIV. 10.1. STREET DEDICATION & IMPROVEMENT

SEC. 10.1.1. STREET STANDARDS

A. Street Standards Committee

This Section creates a Street Standards Committee comprised of the Director (as Chair), the City Engineer, and the General Manager of the Department of Transportation, or their designees. This Street Standards Committee shall:

1. Recommend to the City Planning Commission minimum width and improvement standards for all classes of public and private streets and alleys. The City Planning Commission shall adopt such minimum width and improvement standards as it determines necessary for the safe and adequate movement of pedestrians, bicyclists, equestrians, transit service, and vehicular traffic, the increased retention and detention of stormwater, the installation of necessary utilities, and for reasonable and proper access to abutting properties. Such standards shall not be applicable to any street or alley for which the City Council, by ordinance, adopts specific standards.
2. Modify the Complete Street Design Guide (CSDG) on an as-needed basis to align the CSDG with current and innovative street design practice.
3. Develop guidelines consistent with the goals and intent of the *Circulation Element* of the General Plan, as determined by the City Planning Commission. These guidelines shall also establish a procedure for providing notice to interested persons, including the Councilmember of the district where the property is located.

B. Adoption of Standards

A public hearing shall be conducted by the City Planning Commission, pursuant to *Sec. 13B.1.5. (Guidelines or Standards Adoption/Amendment)*, prior to the approval of any change in the standards.

SEC. 10.1.2. REQUIREMENTS

- A. No building or structure shall be erected or enlarged, and no building permit shall be issued, on a lot in a *Residential Use District (Div. 5B.3.)* with an applied *Density District (Part 6B.)* of 2 through 8, or in a *Commercial-Mixed Use District (Div. 5B.5.)*, *Industrial-Mixed Use District (Div. 5B.6.)*, *Industrial Use District (Div. 5B.7.)*, or *Public Use District (Div. 5B.8.)* where such lot abuts a boulevard, avenue, or collector street, unless the one-half of the boulevard, avenue, or collector street that is located on the same side of the center of the boulevard, avenue, or collector street as such lot has been dedicated and improved for the full width of the lot, so as to meet the standards for such boulevard, avenue, or collector street provided in *Sec. 10.1.9. (Improvement Standards)*; or such dedication and improvement has been assured to the satisfaction of the City Engineer.
- B. In the case of either a corner lot or an L-shaped interior lot abutting a boulevard, avenue, or collector street and a local standard street or local limited street that intersect, that one-half of the

local standard street or local limited street, on the same side of the center of the local standard street or local limited street as such lot, has been dedicated and improved for that portion of said lot or lots within 300 feet of the ultimate property line of said boulevard, avenue, or collector street so as to meet the standards for local standard street or local limited street provided in Sec. 10.1.9. (*Improvement Standards*) and provide adequate right-turn ingress to, and egress from, the boulevard, avenue, or collector street; or such dedication and improvement has been assured to the satisfaction of the City Engineer.

- C. As used in this *Division (Street Dedication & Improvement)*, the center/control line of the boulevard, avenue, or collector street, shall mean the center of those boulevards, avenues, or collector streets shown on the Citywide General Plan Circulation System map of the *Circulation Element* of the General Plan or, with respect to collector streets, on the adopted Community Plans of the *Land Use Element* of the General Plan on file in the offices of the Department of City Planning.
- D. The maximum area of land required to be so dedicated shall not exceed 25 percent of the area of any such lot which was of record on March 1, 1962 in the Los Angeles County Recorder's Office. In no event shall such dedication reduce the lot below a width of 50 feet or an area of 5,000 square feet.
- E. No such dedication for any boulevard, avenue, or collector street; or any other street shall be required with respect to those portions of such a lot occupied by a legally existing main building that is to remain.
- F. No additional improvements shall be required on a lot where complete roadway, curb, gutter, and sidewalk improvements exist within the present dedication contiguous to the lot.
- G. No building or structure shall be erected on any such lot within the dedication required by Sec. 10.1.9. (*Improvement Standards*).
- H. No dedication shall be required where the existing public right-of-way is equal to or greater than the street standard, even where the improved sidewalk does not meet the standard dimension.
- I. Where the existing improved roadway meets or exceeds the street standard, no dedication shall be required, except as necessary to bring the abutting sidewalk dimension into compliance with the street standard as depicted in the most recent version of the Bureau of Engineering's standard plan number S-470-1. (*Standard Street Dimensions*).
- J. Nothing in this *Section (Street Standards)* shall preclude the decision-maker on a discretionary entitlement from requiring a dedication or improvement greater than what is set forth in this *Division (Street Dedication & Improvement)*, where the decision-maker determines that a greater dedication or improvement bears an essential nexus and rough proportionality to the project's impact.
- K. For streets accompanied by a parallel frontage or service road, and for streets designated as divided streets, existing roadway dimensions are deemed to be in compliance with the street standards, and no additional dedication or improvement is required. A dedication for sidewalk

improvement shall be required, however, as necessary to bring the abutting sidewalk dimension into compliance with the street standard.

- L. Additional dedication and improvement requirements may be imposed in order to ensure compliance with the *Americans with Disabilities Act*.
- M. Notwithstanding the above, in order to achieve consistent public right-of-way dimensions, the Bureau of Engineering on a by-right project, or the decision-maker on a discretionary entitlement, may modify this *Division (Street Dedication & Improvement)*'s dedication and improvement requirements for meandering streets or portions of streets that lack uniform roadway widths, including for divided streets, and streets accompanied by a parallel frontage or service road.
- N. The guidelines developed by Street Standards Committee shall be consistent with the goals and intent of the *Circulation Element* of the General Plan as determined by the City Planning Commission. These guidelines shall also establish a procedure for notice to interested persons, including the Councilmember of the district where the property is located.

SEC. 10.1.3. EXCEPTIONS

The provisions of *Sec. 10.1.2. (Requirements)* shall not apply to the following construction projects:

- A. A single-dwelling unit with customary accessory buildings when erected on a vacant lot.
- B. Additions and accessory buildings incidental to a legally existing residential building, provided no additional dwelling units are created.
- C. Additions and accessory buildings incidental to a legally existing non-residential building, provided that the total cumulative floor area of all such additions and accessory buildings shall not exceed 500 square feet.

SEC. 10.1.4. DEDICATION PROCEDURE

Any person required to dedicate land pursuant to the provisions of this *Division (Street Dedication & Improvement)* shall make an offer to dedicate, properly executed by all parties of interest including beneficiaries in deeds of trust as shown by a current preliminary title report prepared by a title company approved by the City Engineer for that intent. The trustee under a deed of trust shall not be required to execute the dedicatory instrument, unless, in the view of the City Engineer, such execution is necessary to satisfactorily dedicate the land. Such report shall be furnished by the applicant. Such offer shall: be on a form approved by the City Attorney and the City Engineer; be in such terms as to be binding on the owner, heirs, assignees or successors in interest; and shall continue until the City Council accepts or rejects such offer or until one year from the date such offer is filed with the City Engineer for processing, whichever occurs first. The offer shall provide that the dedication will be complete upon acceptance by the City Council. The offer shall be recorded by the City Engineer with the Office of the Los Angeles County Recorder upon its acceptance by the City Engineer. The City Engineer shall accept or reject the offer for recordation within 10 days after it is filed with the City Engineer. The offer shall be promptly processed by the City Departments concerned and submitted to the City Council, in order to complete the dedication within one year. If the offer is rejected by the City

Council or not processed within one year, the City Engineer shall issue a release from such offer which shall be recorded with the Office of the Los Angeles County Recorder unless the parties making the offer wish to have the time extended.

SEC. 10.1.5. IMPROVEMENT PROCEDURE

- A. Any person required to make improvements by the provisions of this *Division (Street Dedication & Improvement)* shall either make and complete the improvements to the satisfaction of the City Engineer or shall file with the City Engineer a bond in an amount as the City Engineer shall estimate and determine to be necessary to complete all of the improvements required.
- B. Such bond may be either a cash bond or a bond executed by a company authorized to act as a surety in the State of California. The bond shall be payable to the City and be conditioned upon the faithful performance of any and all work required to be done, and that should the work not be done or completed within the time specified, the City may, at its option, cause the work to be done or completed, and the parties executing the bond shall be firmly bound under a continuing obligation for the payment of all necessary costs and expenses incurred in the construction. The bond shall be executed by the owner of the lot as principal, and if a surety bond, shall also be executed by a corporation authorized to act as a surety under the laws of the State of California.
- C. Whenever the owner elects to deposit a cash bond, the City is authorized, in the event of any default on the owner's part, to use any or all of the deposit money to cause all of the required work to be done or completed, and for payment of all costs and expenses. Any money remaining shall be refunded to the owner.
- D. When a substantial portion of the required improvement has been completed to the satisfaction of the City Engineer and the completion of the remaining improvements is delayed due to conditions beyond the owner's control, the City Engineer may accept the completed portion and consent to a proportionate reduction of the surety bond in an amount estimated and determined by the City Engineer to be adequate to assure the completion of the required improvements remaining to be made.
- E. Whenever a surety bond has been filed in compliance with this *Division (Street Dedication & Improvement)*, the City is authorized, in the event of any default on the part of the principal, to enforce collection under such bond, for any and all damages sustained by the City by reason of any failure on the part of the principal faithfully and properly to do or complete the required improvements, and in addition may cause all of the required work to be done or completed, and the surety upon the bond shall be firmly bound for the payment of all necessary costs for completing the work.
- F. The term of the bond shall begin on the date of the deposit of cash or the filing of the surety bond, and shall end upon the date of the completion to the satisfaction of the City Engineer of all improvements required to be made. The fact of such completion shall be endorsed by a statement of completion signed by the City Engineer, and the deposit shall be returned to the owner, or the surety bond may be exonerated at any time thereafter.

- G. For purposes of this *Division (Street Dedication & Improvement)*, improvements shall be considered satisfactorily assured when the City Engineer accepts the cash or surety bond provided for in this *Division (Street Dedication & Improvement)*, or the improvements required to be made have been completed to the City Engineer's satisfaction. When the City Engineer accepts the bond or the work has been completed to the City Engineer's satisfaction, the City Engineer shall notify the Department of Building and Safety of the completion.

SEC. 10.1.6. ISSUANCE OF BUILDING PERMITS

When all dedication and improvements required by this *Division (Street Dedication & Improvement)* have been completed or satisfactorily assured, a building permit may be issued.

SEC. 10.1.7. BUREAU OF ENGINEERING FEES

In addition to all other required fees, the fees pursuant to *Sec. 15.3.14. (Streets Fees)* shall be charged for services provided for processing applications under the provisions of this *Division (Street Dedication & Improvement)*.

SEC. 10.1.8. LOTS AFFECTED BY STREET WIDENING

On lots affected by street widening required by the provisions of this *Division (Street Dedication & Improvement)*, lot area, lot width, floor area ratio, and density shall be calculated based on the lot lines that existed immediately prior to such required street widening. All other provisions of this Zoning Code (Chapter 1A) shall be measured and calculated from the new lot lines being created by any widening, including when street widening is required by or included as part of the subdivision process.

SEC. 10.1.9. IMPROVEMENT STANDARDS

- A. All boulevards, avenues, and collector streets shall be constructed and improved in accordance with the standards adopted by the City Planning Commission pursuant to *Sec. 10.1.1. (Street Standards)*.
- B. All streets not designated as boulevards, avenues, or collector streets, but that intersect a boulevard, avenue, or collector street, shall be dedicated to a maximum width of 60 feet. Roadway and parkway widths shall conform to those standards adopted by the City Planning Commission in accordance with *Sec. 10.1.1. (Street Standards)*, depending upon street classification type. Whenever uncertainty exists as to the application of the provisions of this *Division (Street Dedication & Improvement)*, or in instances of streets so classified as requiring less than 60 feet of dedication in order to conform to the minimum width standards as adopted in accordance with *Sec. 10.1.1. (Street Standards)*, the City Engineer shall make any necessary determinations.
- C. All improvements required to be made by the provisions of this *Division (Street Dedication & Improvement)* shall be made in accordance with the current applicable provisions of the Standard Specifications for Public Works Construction adopted by the City Council.

- D. The City Engineer may approve and allow variations from the Standard Specifications for Public Works Construction as determined necessary based on conditions of terrain and the existing improvements contiguous to the property involved.

SEC. 10.1.10. **WAIVER & APPEALS**

This Section shall constitute the exclusive mechanism for waivers and appeals of dedication and improvement requirements under this *Division (Street Dedication & Improvement)*. Waivers of dedication or improvement requirements may not be granted by City Council motion.

A. **Waivers for By-Right Projects**

Any person seeking a waiver of this *Division (Street Dedication & Improvement)*'s dedication or improvement requirements for a project that does not require a discretionary entitlement shall file an application for a waiver with the Director.

1. **Notice**

Within 10 calendar days of the receipt of an application for a waiver, the Director shall mail notice of the requested waiver to the following individuals and entities with a notice that all comments shall be submitted to the Director no later than 14 calendar days following mailing of the notice:

- a. Owners of property across the street or alley from the subject property;
- b. Owners of property with frontage along the same street that has a common corner with or abuts the subject property;
- c. Owners of property with frontage along the same street that has a common corner with or abuts any properties listed in *Subparagraph a.* or *Subparagraph b.* above;
- d. The Councilmember of the district where the subject property is located; and
- e. The Department of Transportation and Bureau of Engineering.
- f. Notification pursuant to this *Division (Street Dedication & Improvement)* shall also be provided to Advisory Agency members for waivers that require the modification of a map.
 - i. Any person seeking a waiver that requires a modification of a map shall submit a map modification request and payment of map modification fees to the Bureau of Engineering as required by *Div. 13B.7. (Division of Land)*.

2. **Findings**

The Director may waive, reduce, or modify the required dedication or improvement as appropriate after making any of the following findings, in writing, based on substantial evidence in the record:

- a. The dedication or improvement requirement does not bear a reasonable relationship to any project impact.
- b. The dedication or improvement is not necessary to meet the City's mobility needs for the next 20 years, based on guidelines established by the Street Standards Committee.
- c. The dedication or improvement requirement is physically impractical.

3. Written Determination

The Director shall issue a determination regarding the request no sooner than 15 calendar days following mailing of the notice described above, and no later than 75 days from receipt of the waiver application, or within any additional period mutually agreed upon by the applicant and the Director. The Director shall mail the determination letter to all individuals to whom notice of the application was provided.

4. Appeal

Any person required to dedicate land or make improvements pursuant to this Division (*Street Dedication & Improvement*) may appeal the Director's decision to the Area Planning Commission. The appeal shall be filed within 15 calendar days of the date of mailing of the Director's determination letter. Such appeal shall be made in writing, shall be filed at the Department of City Planning's public counter, shall state in clear and concise language the grounds for the appeal, and shall be accompanied by a filing fee pursuant to Sec. 15.3.14.A.4. (*Street Dedication & Improvement Fees*).

- a. Before acting on any appeal, the Area Planning Commission shall set the matter for a hearing, giving at least 15 calendar days notice to the individuals identified in Sec. 10.1.10.A.1. (*Notice*).
- b. On appeal, the Area Planning Commission shall consider the waiver request de novo based on the findings set forth in Sec. 10.1.10.A.2. (*Findings*). The Area Planning Commission shall act to approve or deny the appeal within 75 calendar days after the expiration of the appeal period or within any additional period mutually agreed upon by the applicant and the Area Planning Commission.

B. Waivers for Discretionary Projects

1. For projects that require a discretionary entitlement, an applicant shall file a waiver request as part of the City Planning application or subdivider's statement for the project. In such case, the decision-maker for the discretionary entitlement shall process the waiver request pursuant to the procedures established for the discretionary entitlement, but may only grant a waiver after making one of the required findings set forth in Sec. 10.1.10.A.2. (*Findings*). The waiver request shall be set forth in the application filed with the Department of City Planning, and may not be raised for the first time at the hearing on the entitlement or at any entitlement appeal hearing. The applicant may appeal the waiver determination pursuant to the same procedures that govern the entitlement. Except in the case of projects that include a tentative tract map, the

waiver determination is subject to only one level of appeal. On appeal, the decision maker shall consider the waiver request de novo based on the findings set forth in Sec. 10.1.10.A.2. (*Findings*).

2. If the discretionary entitlement for a project has already been approved prior to March 4, 2017, an applicant may apply for a waiver following the procedures in Sec. 10.1.10.A. (*Waivers for By-Right Projects*).

C. Waivers for a Map Modification

Notwithstanding the parcel map, tentative tract map, or final tract map modification procedures set forth in Article 13. (*Administration*), projects that have an approved or recorded map, and where the street standards for which the original dedication or improvements were revised after the map was either approved or recorded, may apply for a waiver from a street dedication or improvement using the procedures in Sec. 10.1.10.A. (*Waivers for By-Right Projects*), with the Director acting for the Advisory Agency.

D. Exceptions

Projects located in a Hillside Area that seek to obtain a waiver from a required street dedication or improvement shall use the procedures described in Sec. 13B.2.1. (*Class 1 Conditional Use Permit*), as applicable.

E. Authority of the City Engineer

Notwithstanding any other requirement of this Zoning Code (Chapter 1A), the City Engineer may waive or modify any condition of approval or other obligation related to public right-of-way improvement or dedication consistent with the Circulation Element of the General Plan without requiring any discretionary entitlement, including, but not limited to, a modification under Sec. 10.1.10.C. (*Waivers for a Map Modification*) and Article 13. (*Administration*). Nothing in this Division (*Street Dedication & Improvement*) is intended to relieve applicants and the City of compliance with the Subdivision Map Act and state law.

SEC. 10.1.11. COST-SHARING FOR UNUSUAL IMPROVEMENTS

Upon proper application to the City Council and upon recommendation of the City Engineer, the City may accept and provide for contribution toward the cost of making any improvement required by the provisions of this Division (*Street Dedication & Improvement*) which the City Engineer determines will cost an amount greatly in excess of the cost to other property owners who are required to make improvements under the provisions of this Division (*Street Dedication & Improvement*) in the immediate vicinity of the improvement.

SEC. 10.1.12. USE OF FUTURE STREETS & ALLEYS

No building or structure, except a fence, shall be erected or maintained on any portion of a lot which has been designated as a future street or future alley, as provided by this Article (*Streets & Parks*), nor

shall any portion of said future street or future alley be used in providing minimum automobile parking required by the applied *Development Standards District (Part 4B.)*.

SEC. 10.1.13. CITY ENGINEER TO DETERMINE STREET ALIGNMENT

Whenever uncertainty exists as to the proper application of the provisions of this *Division (Street Dedication & Improvement)* in the matter of street alignment, the City Engineer shall determine their application in conformity with the spirit and intent of this *Division (Street Dedication & Improvement)*.

SEC. 10.1.14. WRITTEN NOTIFICATION REQUIRED

When the City Engineer determines that the provisions of this *Division (Street Dedication & Improvement)* are applicable to any building permit application, the City Engineer shall inform the applicant of that determination, of the specific requirements of this *Division (Street Dedication & Improvement)* determined to be applicable, and of the availability and procedure for appeal of this determination to the City Council.

DIV. 10.2. DEDICATION BY LEASE

SEC. 10.2.1. ELIGIBILITY

A lessee holding a parcel of real property under a long-term lease may offer to dedicate or convey a street easement for the term of the lease only in satisfaction of the requirements of *Div. 10.1. (Street Dedication & Improvement)*, providing all the following conditions are met.

- A. Such lease is of record in the Office of the Los Angeles County Recorder, and the lessee certifies under penalty of perjury that, except for the rental provided for by such lease, the owners will receive no financial benefit or other income from the proposed development during the term of the lease.
- B. The area of real property to be dedicated will be used for sidewalk only, and not for vehicular traffic or the installation of any subsurface or above surface lines, pipes or other public or private utility facilities, except for facilities that connect from the fully dedicated streets into the buildings to be constructed.
- C. That notwithstanding that the adjacent public street is fully improved with all improvements as specified in *Sec. 10.1.2.C. (Requirement)*, the sidewalk will be fully constructed and all other necessary or desirable public improvements in the adjacent street will be fully constructed by the lessee as a part of its development on the leasehold estate, and the lessee shall post the requisite bonds to guarantee such construction.
- D. The total value of the improvements to be constructed for which the dedication is required is \$3,000,000.00 or more, as determined by the Department of Building and Safety.

SEC. 10.2.2. DEDICATION DOCUMENT PROCEDURES

The dedication of the leasehold estate for street purposes pursuant to this *Division (Dedication by Lease)* shall be a form of deed making specific reference to the document creating the leasehold estate and the deed shall convey only the leasehold rights. The City Engineer is authorized to accept such deeds and place same of record with the Los Angeles County Recorder without further authority of the City Council, upon the approval of such deed as to form by the City Attorney. Dedication of a leasehold estate for street purposes shall not be approved and no building permit shall be issued if the City Attorney determines that the granting of such public right will cause a forfeiture or termination of the leasehold rights in the area to be dedicated.

DIV. 10.3. PRIVATE STREET REGULATIONS

SEC. 10.3.1. INTENT

The intent of this *Division (Private Street Regulations)* is: to prescribe rules and regulations governing the platting and division of land as lots or building sites which are contiguous or adjacent to private road easements; to provide for the filing and approval of private street maps; to provide for the approval of private road easements as private streets; to provide for the naming of private streets; and to require that lots or building sites which are contiguous or adjacent to private streets conform to the minimum requirements of this Zoning Code (Chapter 1A) before permits may be issued.

SEC. 10.3.2. APPLICABILITY

- A. No person shall plat or divide land as lots or building sites which are contiguous or adjacent to a private road easement, and no person shall be granted a building permit for such a lot or building site unless a private street map has been first filed with and approved by the Director in accordance with the provisions of this *Division (Private Street Regulations)*.
- B. When private streets have been laid out and designated as such to a recorded subdivision map or on a filed record of survey map, the provisions of this *Division (Private Street Regulations)* shall not apply thereto.
- C. When a developed residential lot or building site has its access driveway located within a private road easement that existed and was recorded prior to September 6, 1961, the private road easement is deemed to have been approved in accordance with the provisions of this *Division (Private Street Regulations)* and may be continued. Further, on such lot or building site, additions and modifications may be made to such dwelling unit, and accessory buildings may be erected on said lot if no additional dwelling units are created.

SEC. 10.3.3. SUBDIVISIONS

The provisions of this *Division (Private Street Regulations)* shall not be construed as authorizing the subdivision of land without fully complying with the provisions contained and set forth in *Article 11. (Division of Land)*. However, the provisions of this *Division (Private Street Regulations)* may be met by complying with the provisions of *Article 11. (Division of Land)* relating to subdivisions, without the necessity for filing a private street map in addition to the subdivision maps required by *Article 11. (Division of Land)*.

SEC. 10.3.4. PROCEDURE

See *Sec. 13B.7.7. (Private Street Map)*.

SEC. 10.3.5. PRIVATE STREET STANDARDS

All private streets, lots, or building sites shall conform to the following regulations:

A. **Boulevards, Avenues & Collector Streets**

The location, widths, and alignment of all private streets shall conform: to the location, widths, and alignment of all boulevards, avenues, and collector streets designated on the Citywide General Plan Circulation System maps of the *Circulation Element* of the General Plan; to any proceedings for any public improvement; and to any subdivision map that has been tentatively approved.

B. **Local Street Alignment**

All private streets, as far as practical, shall be in alignment with existing public streets or private streets and their proper projections or prolongations, provided however that where the property being divided into lots or building sites is large enough, a modified curve street layout may be permitted.

C. **Private Street Width**

All private streets shall be designed to conform with private street standards adopted by the City Planning Commission as provided in Sec. 10.1.1. (*Street Standards*).

D. **Street Grades**

On hillside or mountain streets comprising a through route, a grade in excess of six percent shall not be permitted unless a grade not to exceed eight percent will obviate an excessive curvature or eliminate excessive cuts. Grades of all streets shall be as low as possible, consistent with the advantageous development of the proposed platting and division of land. The grade of any street of more than local traffic needs shall not exceed 10 percent. No local street grade shall exceed 15 percent.

E. **Curves & Tangents**

A minimum centerline radius of at least 75 feet shall be used on winding mountain streets, a minimum centerline radius of at least 500 feet shall be used on all through traffic streets. In flat areas, curves on local streets shall have radii as long as possible, consistent with local conditions. The tangent distance between reversed curves shall not be less than 50 feet.

F. **Intersections**

Private street intersections shall be as nearly at right angles as practicable.

G. **Effect on Adjoining Property**

Private street layouts shall be designed to provide access to and not impose undue hardship upon property adjoining the proposed division of lands.

H. **Cul-De-Sacs (Dead-End Streets)**

Cul-de-sacs shall be permitted only where through streets are not practical, or where good neighborhood design suggests their use. Adequate provisions for turning shall be made at the end of each cul-de-sac by providing a circle or other area with a minimum overall radius of 42

feet. In the case of unusual topographic conditions, a "T" or "Y" turn may be permitted. The legs of the "T" or "Y" turn shall have a minimum paved surface 12 feet in width and 20 feet in length, the minimum radius between each leg and the street shall be 20 feet.

I. Rounding Block Corners

At all block corners, the property line shall be rounded or cut back. Intersection corners on the private street prolongation of boulevards, avenues, and collector streets shall be rounded with 20-foot radius curves and all other corners shall be rounded with 15-foot radius curves, provided that where business development is indicated, a diagonal cut-off substantially equivalent to rounding may be used in order to aid building construction, in which case at right-angle intersections a substantial equivalent shall be a 10-foot by 10-foot cutoff.

J. Improvements, Drainage & Sewage

1. All private streets and all lots and building sites laid out contiguous or adjacent to private streets shall have approved drainage facilities and the method for sewage disposal shall be approved by the Bureau of Engineering, Bureau of Sanitation, and the Los Angeles County Health Department.
2. All such private streets shall be graded and improved to an approved width and grade. The street grading and improvement shall include surface improvements, fire hydrants and water mains, catch basins, pipe culverts, sanitary sewers, where reasonably available, and storm drains, where required. Drainage easements shall be improved to an approved manner.
3. Boulevards, avenues, and collector streets shall be graded to an approved width and improved to an approved width and grade necessary for the general use of lot owners adjoining said private street and local neighborhood traffic and drainage needs.
4. Where street improvements, drainage or sewers are required to be constructed on a private street, plans and profiles showing the grades and the nature and extent of the required improvements shall be filed with the City Engineer for approval, the checking of plans, inspections, supervision, and other services rendered in connection with the construction of required improvements shall be accomplished under permits in accordance with the provisions of Chapter VI. (Public Works and Property), Sec. 62.105. (Streets, Sidewalks and Other Improvements - Permits Required) of this Code.
5. Where improvements have been previously constructed in a private street, plans and profiles showing the grades, nature and extent of the existing improvements shall be filed with the City Engineer for their approval and the plans shall be checked and where additional construction is required, the additional construction shall be inspected and supervised, and all services rendered in connection with the existing or required improvements shall be accomplished under permit in accordance with the provisions of Chapter VI. (Public Works and Property), Sec. 62.105. (Streets, Sidewalks and Other Improvements - Permits Required) of this Code.

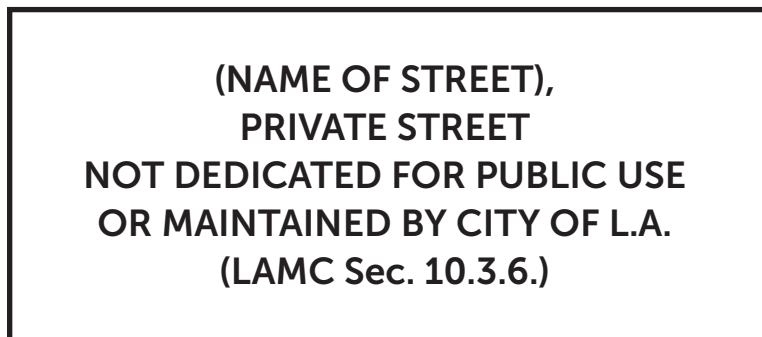
6. A private street map or a portion of a map that includes land within a local drainage district established pursuant to Sec. 11.3.7. (*Maps, Local Drainage Districts, Exemption from Fees*), shall comply with the provisions and requirements of the ordinance establishing such district.

K. Conformance To General Plan

1. Each private street map shall be designed in compliance with the property's zoning or may be approved or amended by the City Council.
2. Each private street map shall substantially conform to all other elements of the General Plan as adopted by the City Council.

SEC. 10.3.6. PRIVATE STREET SIGNS

At or near the entrance of each intersection of a private street with a dedicated public street or with another private street, the applicant shall erect and maintain a sign post to which is attached a sign, having an area of at least 15 inches by 21 inches, upon which is printed and clearly legible in at least two-inch letters the name of the private street and the words "PRIVATE STREET," in at least one-inch letters the words "NOT DEDICATED FOR PUBLIC USE OR MAINTAINED BY THE CITY OF L.A. (LAMC Sec. 10.3.6.)". The words, letters and figures of the sign shall be substantially arranged in the following manner:



SEC. 10.3.7. DIRECTOR APPROVAL & APPEALS

See Sec. 13B.7.7. (*Private Street Map*).

SEC. 10.3.8. PRIVATE STREET NAMES

- A. Private street names shall be established or changed pursuant to the procedures set forth in this Division (*Private Street Regulations*) in the event no private street map is required under Sec. 10.3.2. (*Applicability*) or Sec. 13B.7.7. (*Private Street Map*).
- B. Applications to establish or change the name of a private street shall be filed with the City Engineer. Applications shall be signed by a majority of the owners of properties abutting the private street or that portion of the street to be named or renamed, and be accompanied by:
 1. Payment of the required application processing fees;

2. A map, drawn to scale, delineating the location, extent, width, and alignment of the private street, the approximate location and frontage dimensions of said lots on said street, and the location of existing public streets which it may ingress or egress; and
 3. Identity of the maker of the map, and the names and addresses of owners of record of property abutting the private street or that portion of the street to be named or renamed.
- C. The City Council may initiate proceedings to name or rename a private street. In such event, the City Council action shall be referred to the City Engineer. That office shall process the action in the manner set forth in *Subsection E. (Private Street Names)* below, and, if necessary or appropriate under the circumstances, shall prepare a map in the manner which satisfies the requirements set forth in *Paragraph 2. of Subsection B. (Private Street Names)* above.
- D. Where there is an application filed to name or rename a private street and no new private street map is required pursuant to *Sec. 13B.7.7. (Private Street Map)*, or there is a City Council-initiated request, a private street may be named or renamed to a requested new name and the necessary documents recorded by the City Engineer with respect to the new name, pursuant to the following procedure:
1. The City Engineer shall determine whether the proposed new name or change of name of a street is in the public interest and will not create confusion, be misleading, be unduly long, or carry connotations offensive to good taste and decency.
 2. The City Engineer shall give notice of the proposed new street name or name change to the record owners and occupants of all real property abutting such private street. The notice shall designate the location of the private street or portion of the street to which the proposed new name is to apply. The street, or the affected portion of the street, shall be described in the notice with reference to other streets, and by the name or names, if any, which it bears or by which it, or any portion of it, may be or may have been known, and the notice shall also state the proposed new street name. The notice shall further set forth whether or not the City Engineer's determination recommends disapproval of the proposed name for reasons provided in *Paragraph 1. of this Subsection*, and shall state that any written objections with respect to the proposed new name or name change or the City Engineer's recommendation, shall be filed with the City Engineer within 30 days after a date designated on the notice as applicable for said purpose, and that the objections shall be signed by each person so objecting.
 3. In the event any objections are filed within the 30-day time limit, or any objections are filed with respect to a City Engineer's recommendation of disapproval within the 30-day time limit, the City Engineer shall forward these, together with the City Engineer's determination and recommendations and the applicable file to the City Council. The City Council shall set the matter for hearing and the City Clerk shall thereupon notify by mail each person objecting to the proposed street name or to the City Engineer's recommendation of disapproval and inform that person of the time and place for hearing. At the time specified, the City Council shall hear all objections and shall thereafter approve or disapprove the proposed street name. The City Council's decision shall be final and conclusive.

4. In the event no objections are filed with the City Engineer within 30 days of the date prescribed on the notice, and the City Engineer has not recommended disapproval of the proposed new name, the application for that name shall be deemed approved. In the event the City Engineer has recommended disapproval of the proposed name, and no objections to that recommendation have been filed, the application shall be deemed denied.
 5. If the new name is either approved by the City Council, or in the event no City Council hearing was required and the application is deemed approved, the new private street name shall be effective, and the City Engineer shall cause any necessary indexing or recordation of documents to be accomplished and shall provide a copy of the determination to all City Departments rendering emergency service to the affected properties and to the United States Postal Service.
- E. The approval or deemed approval of a private street name as provided for in this *Division (Private Street Regulations)* is not, and shall not be construed to be, an acceptance of a private street as a public street, nor shall it create any public warranty or liability or legal status as a public street, nor should it be so construed.

DIV. 10.4. PARKS FEES & DEDICATIONS

SEC. 10.4.1. INTENT

New dwelling units increase demand on existing park and recreational facilities and create the need for additional facilities. The intent of this *Division (Parks Fees & Dedications)* is to enable the acquisition of land and the collection of fees to be used for the purpose of developing new or rehabilitating existing recreational facilities in order to create a healthy and sustainable City.

SEC. 10.4.2. TYPES OF FEES

The type and amount of park and recreation impact fees associated with a project depends on the type of project being developed. Subdivision projects consisting of more than 50 dwelling units are subject to a Quimby in-lieu fee. All other residential projects are subject to a park mitigation fee. Collectively, these fees are referred to in this Zoning Code (Chapter 1A) as park fees.

SEC. 10.4.3. APPLICABILITY

All new dwelling units and joint living and work quarters shall be required to dedicate land, pay a fee or provide a combination of dedication of land and fee payment for the purpose of acquiring, expanding, and improving park and recreational facilities for new residents. For the purposes of this *Division (Parks Fees & Dedications)*, dwelling units, accessory dwelling units, junior accessory dwelling units, and household business: joint living & work quarters shall be referred to as dwelling units.

A. Residential Subdivision Projects That Contain More Than 50 Dwelling Units

A subdivision containing more than 50 dwelling units shall be required to participate in early consultation with the Department of Recreation and Parks and Department of City Planning pursuant to *Sec. 10.4.4. (Residential Subdivision Projects with More than 50 Dwelling Units)*, and may be required to dedicate land, make park improvements, pay park fees, or provide a combination of dedication of land and park fee payment.

B. All Other Residential Projects

For residential subdivision projects containing 50 or fewer dwelling units or for non-subdivision residential projects that are seeking a building permit for a project application that contains any number of net new dwelling units, the project shall pay a park fee pursuant to *Sec. 10.4.5. (All Other Residential Projects)*. Applicants may choose to dedicate land or new park and recreational facilities, or improve existing park and recreational facilities in lieu of payment of a park fee.

C. Exemptions

The following types of development shall not be required to pay a park fee:

1. Modifications, renovations, or additions to an existing residential building or structure where no additional dwelling units are created.

2. Replacement of existing dwelling units on the same lot resulting in no net increase of dwelling units.
3. The replacement of a destroyed or partially destroyed or damaged building or structure where no additional dwelling units are created.
4. Affordable housing pursuant to Sec. 10.4.7. (*Affordable Housing Exemption*).
5. Accessory dwelling units and junior accessory dwelling units.
6. Non-residential development.

SEC. 10.4.4. **RESIDENTIAL SUBDIVISION PROJECTS WITH MORE THAN 50 DWELLING UNITS**

A. **Early Consultation**

Applicants shall meet with the Department of Recreation and Parks and Department of City Planning staff in advance of submitting a subdivision application for a project of more than 50 dwelling units. The intent of this early consultation is to discuss the potential dedication of land requirements of the project and to discuss credits available to the applicant, if any. The Department of Recreation and Parks shall provide written verification of the consultation to the project applicant within 10 business days of the meeting. Written verification of this consultation shall be required before the Department of City Planning accepts a subdivision application.

B. **Formula for Park Land Dedication**

1. The Department of Recreation and Parks shall calculate the amount of land to be dedicated by determining the number of net new, non-exempt, pursuant to Sec. 10.4.3.C. (*Exemptions*), dwelling units in the proposed project and multiply that number by the average number of people per occupied dwelling unit and multiplying that by the park service factor:

$$LD = (HU \times P) \times F$$

LD: Land to be dedicated in acres.

HU: Total number of new market-rate dwelling units.

P: Average number of people per occupied dwelling unit as determined by the most recent version of the U.S. Census for the City of Los Angeles.

F: Park service factor, as indicated by the Department of Recreation and Parks rate and fee schedule.

2. Any land dedication for park and recreation purposes shall not be deducted from a site's lot area when calculating project density.
3. If after recording the final tract map there is an increase in the number of dwelling units to be built or a change in the number or type of dwelling units designated, which increases

the number of persons served by the subdivision, the project applicant shall be required to dedicate additional land or pay additional fees, as determined by the Department of Recreation and Parks and the Department of City Planning.

C. Park Land Dedication Radius

Any dedication of land for park and recreation purposes shall be located within a certain radius from the project site, as specified below:

1. Neighborhood Park: within a two-mile distance
2. Community Park: within a five-mile distance
3. Regional Park: within a 10-mile distance

D. Review of Land Dedication

1. Upon receiving the project application for a subdivision, the Department of City Planning shall transmit the project application that involves a proposed dedication of land to the Department of Recreation and Parks.
2. After receipt of the project application, the Department of Recreation and Parks shall determine whether the dedication of land proposal complies with the Department of Recreation and Park's existing park and recreation standards and requirements.
3. If the Department of Recreation and Parks determines that the dedication of land proposal meets the standards and requirements of the department, the General Manager of the Department of Recreation and Parks shall prepare a report to the Board of Recreation and Parks Commissioners regarding the proposed dedication. The Board of Recreation and Parks Commissioners may accept or decline the dedication of land.

E. Payment of Park Fee

If the project is not required to dedicate land for park and recreational purposes, the project applicant shall pay a park fee pursuant to Sec. 10.4.5. (*All Other Residential Projects*).

SEC. 10.4.5. ALL OTHER RESIDENTIAL PROJECTS

A. Fees & Fee Schedule

The park fee amount depends on the type of project. The Department of Recreation and Parks shall collect these fees pursuant to Sec. 15.9.3. (*Park Fees*) and the Department of Recreation and Parks rate and fee schedule.

B. Fee Calculation

The Department of Recreation and Parks shall calculate the amount of the park fee due for each residential project by determining the number of new non-exempt dwelling units, pursuant to Sec.

10.4.3.C. (*Exemptions*), in the proposed project and multiplying the number of dwelling units by the park fee amount per dwelling unit according to the following formula:

Project Park Fee = HU x PRF

HU: Total number of new, non-exempt dwelling units, pursuant to Sec. 10.4.3.C. (*Exemptions*)

PRF: Park Fee per dwelling unit

C. Fee Expenditure Radius

Recreational sites and facilities shall be located within a certain radius from the project site, as specified below:

1. Neighborhood park: within a two-mile distance.
2. Community park: within a five-mile distance.
3. Regional park: within a 10-mile distance.

D. Indexing

Any fee imposed by this *Division (Parks Fees & Dedications)* shall be adjusted on July 1st of each year by a percentage equal to a weighted average of the annual percentage change in:

1. The Construction Cost Index for Los Angeles, as published by Engineering News Record, or its successor publication, for the 12-month period between March in the year in which the adjustment is made and the month of March in the immediately preceding year; and
2. The annual percentage change in the Median Home Sales Price for the City of Los Angeles, as published by CoreLogic, or its successor publication, for the 12-month period between March in the year in which the adjustment is made and the month of March in the immediately preceding year.

E. Fee Payment Timing

1. Residential Subdivision Projects

The park fee for residential subdivisions shall be calculated and collected prior to final subdivision map approval. Subdivision maps that are phased or unitized may be calculated and paid in phases permitting that the phased map and the number of dwelling units on each phased map has been confirmed by the Advisory Agency.

2. Residential Non-Subdivision Projects

For other residential projects, the park fee shall be calculated and collected prior to the issuance of the Certificate of Occupancy.

SEC. 10.4.6. **PARK FEE AS ADDITIONAL REQUIREMENT**

The park fee enacted by this *Division (Park Fees & Dedications)* is a fee imposed on residential projects reflecting each project's proportionate share of the cost of providing park land and improvements necessary to meet the needs created by each respective development. As such, the park fee is additional and supplemental to, and not in substitution of, lot amenity space or residential amenity space required by this Zoning Code (Chapter 1A), a Specific Plan, or any other planning document.

SEC. 10.4.7. **AFFORDABLE HOUSING EXEMPTION**

- A. Notwithstanding any other provision contained in this *Division (Park Fees & Dedications)*, new dwelling units which are rented or sold to very low income households, low income households, or moderate income households shall receive an affordable housing exemption from the park fee and land dedication requirement, subject to the following:
 - 1. A restricted affordable unit shall receive an exemption from the requirement for dedication of land for park and recreational purposes or payment of the park fee if the restricted affordable unit is affordable to a household at or below 120 percent of AMI.
 - 2. In projects with a mix of market-rate and restricted affordable units, only the restricted affordable units shall receive this exemption.
- B. For any restricted affordable unit qualifying for an exemption, a covenant acceptable to the Los Angeles Housing Department shall be recorded with the Los Angeles County Recorder, guaranteeing that the affordability criteria will be observed for at least 55 years from the issuance of the Certificate of Occupancy, or a longer period of time if required by any applicable construction or mortgage financing assistance program, mortgage assistance program, or rental subsidy program.
- C. The Los Angeles Housing Department shall evaluate the project to ensure it meets the above requirements and shall advise the Department of Recreation and Parks and the Department of City Planning about whether the project meets those requirements.
- D. Should any qualifying restricted affordable unit cease to operate as a qualifying restricted affordable unit before the 55-year period has expired, LAHD shall notify the Department of Recreation and Parks, and the parks fee for each said dwelling unit shall be paid to the City at the then-current rate.

SEC. 10.4.8. **CREDITS**

A. **Public Land Dedication or Improvement to Dedicated Land**

1. **Public Land Dedication**

In lieu of paying the park fee or any portion of the park fee, land may be dedicated to the City of Los Angeles for public park and recreational purposes, at the City's option. This may be with or without recreational facility improvements. The amount of land to be dedicated shall be

determined pursuant to one of the following formulas, and credit shall be granted, square foot for square foot, for any land dedicated to the City:

a. Subdivision Projects:

$$LD = (HU \times P) \times F1$$

LD: Land to be dedicated in acres.

HU: Total number of net new, non-exempt, pursuant to *Sec. 10.4.3.C. (Exemptions)*, dwelling units.

P: Average number of people per occupied dwelling unit as determined by the most recent version of the U.S. Census for the City of Los Angeles.

F1: Park service factor for subdivision projects, as indicated by the Department of Recreation and Parks rate and fee schedule.

b. Non-Subdivision Projects:

$$LD = (HU \times P) \times F2$$

LD: Land to be dedicated in acres.

HU: Total number of net new, non-exempt, pursuant to *Sec. 10.4.3.C. (Exemptions)*, dwelling units.

P: Average number of people per occupied dwelling unit as determined by the most recent version of the U.S. Census for the City of Los Angeles.

F2: Park service factor for non-subdivision projects, as indicated by the Department of Recreation and Parks rate and fee schedule.

2. Improvement to Dedicated Land

In lieu of paying the park fee or dedication of land, or any portion thereof, the City may permit improvements to be made to dedicated City parkland, or land being dedicated as a City park or recreational facility.

3. General

- a.** The total amount of credits shall not exceed 100 percent of the calculated requirement for the park fee or land dedication.
- b.** Credit shall be granted for the property dedicated pursuant to this *Division (Park Fees & Dedications)*, dollar for dollar, in satisfaction of any park fee required to be paid. The cost and subsequent credit should bear a reasonable relationship to an independent assessment of the construction cost for the facility, such as the estimates provided by RSMeans Building Construction Cost Data or similar measure. Credits may be awarded for on-site or off-site land dedication or park improvements.

- c. The Department of Recreation and Parks shall determine whether the proposal complies with the Department's park and recreational standards and requirements. If the Department determines the proposal meets the Department's standards and requirements, the General Manager of the Department of Recreation and Parks shall prepare a report to the Board of Recreation and Parks Commissioners regarding the proposed dedication or improvement. The Board of Recreation and Parks Commissioners may accept or decline the dedication of land, new park and recreational facility, or improvement to existing park and facilities.
- d. If the dedication or improvement is accepted by the Board of Recreation and Parks Commissioners in lieu of the park fee or dedication of land, or any portion thereof, the City shall reduce or waive the fee, or dedication of land, or any portion thereof, upon dedication of the property or guarantee of the improvement. The guarantee of the improvement shall be to the satisfaction of the Department of Recreation and Parks and shall be by a deposit with the Department of Recreation and Parks of an irrevocable deposit instrument issued by a bank, savings and loan association or other depository whose deposits are insured by an instrumentality of the federal government. The deposit shall be fully insured by such instrumentality. The deposit instrument shall be in a form that permits collection by the City of Los Angeles at maturity without further consent of any other party.

B. Privately Owned Park & Recreational Facilities

1. Where facilities for park and recreational purposes are provided in a proposed residential development and such facilities will be privately owned and maintained by the future owners of the development, the areas occupied by such facilities shall be partially credited against the requirement of dedication of land for park and recreational purposes or the payment of a park fee thereof, provided that all the following standards are met to the satisfaction of the Department of Recreation and Parks:
 - a. That each facility is available for use by all the residents of the residential development;
 - b. That the area and the facilities satisfy the recreation and park needs of the residential development so as to reduce the need for public recreation and park facilities to serve the project residents.
2. The amount of credits for non-publicly accessible park and recreational facilities shall not exceed 35 percent of the calculated requirement for the park and recreation impact fee or dedication of land. Credits may be awarded for on-site or off-site private facilities.
3. The amount of credits for publicly accessible, privately owned and maintained park and recreational facilities shall not exceed 100 percent of the calculated requirement for the park and recreation impact fee or dedication of land. Credits may be awarded for on-site or off-site private facilities.

4. Private park and recreational facilities shall include a variety of active and passive amenities, as determined by the Department of Recreation and Parks.
5. Credit shall be granted, dollar for dollar, for any recreational and park impact fees required to be paid for the property pursuant to this *Division (Park Fees & Dedications)*, as determined by the Department of Recreation and Parks. The cost and subsequent credit should bear a reasonable relationship to an independent assessment of the construction cost for the facility, such as the estimates provided by RSMeans Building Construction Cost Data or similar.
6. Credits shall not be given for any lot amenity space or residential amenity space required to be maintained by this Zoning Code (Chapter 1A), Specific Plan, or any other planning document, with the exception of public amenity spaces provided in accordance with Sec. 2C.3.3.C.3. (*Public Amenity Space*).
7. The granting of credits shall also be subject to all the following:
 - a. The private ownership and maintenance of the facilities shall be adequately provided for by written agreements;
 - b. The use of the private facilities, whether publicly accessible or non-publicly accessible, is restricted for park and recreational purposes by recorded covenants acceptable to the Department of Recreation and Parks that run with the land and that cannot be defeated or eliminated without the consent of the City Council;
 - c. The proposed facilities are reasonably adaptable for use for park and recreational purposes, taking into consideration such factors as size, shape, topography, geology, access, and location of the private open space land;
 - d. The proposed non-public facilities are available for use by all the residents of the proposed residential development;
 - e. Any proposed publicly accessible, privately owned and maintained park and recreational facilities are accessible for use by the general public with no discrimination between residents and non-residents, are open at hours comparable to those of City parks and facilities, and have appropriate signage indicating that the space is public; and
 - f. The facilities are in substantial accordance with, and meet the policies and standards for, the development of park and recreational facilities.

C. Dwelling Unit Construction Tax Credit

A credit shall be allowed whenever a dwelling unit construction tax previously has been paid pursuant to *Chapter II. (Licenses, Permits, Business Regulations), Sec. 21.10.3. (Dwelling Unit Construction Tax)* of this Code for dwelling units constructed on land for which a fee is required to be paid in accordance with the provisions of this *Division (Park Fees & Dedications)*. Said credit shall be equal to the amount of the tax previously paid, but shall not exceed the amount of any fee required to be paid under the provisions of this *Division (Park Fees & Dedications)*.

D. Credit Request Timing

The project applicant shall submit any requests for credit, and the Department of Recreation and Parks may only approve such requests, prior to the approval of the final tract map or prior to the date of final inspection, or the date of the Certificate of Occupancy, whichever is earliest and applicable, and prior to any dedication of land or payment of any park fee.

SEC. 10.4.9. PARK FEE ACCOUNT & ACCOUNTING

A. Park Fee Account

The City of Los Angeles establishes a separate park and recreation fee trust fund account ("account") to which any park fee collected by the City shall be posted. The funds of the account shall not be commingled with any other funds or revenues of the City. Any interest accrued by the account shall be used solely for the purposes of park and recreational facility acquisition, addition, and improvement.

B. Park Fee Accounting

Within 180 days after the last day of each fiscal year, the Department of Recreation and Parks shall report to the Board of Commissioners of Recreation and Parks on the amount of the fee income (including interest income), expenditures, status of the trust fund account, and interfund transfers. The Department of Recreation and Parks shall also report on each of the park and recreational facilities on which fees were committed in the last fiscal year and the approximate date by which the construction of the park and recreational facilities will commence. The City shall maintain accounts and prepare reports in accordance with *California Government Code, Title 7. (Planning and Land Use), Sec. 66001*.

C. Refund of Fees Under the California Government Code

1. Park fees collected pursuant to this *Division (Park Fees & Dedications)* shall be committed by the City within five years of receipt of payment for a residential project to serve or benefit residents of the project for which the fees were collected.
2. If the fees are not committed as specified in this *Division (Park Fees & Dedications)*, Quimby fees shall be refunded in accordance with *California Government Code, Title 7. (Planning and Land Use), Sec. 66477*. All other park fees shall be refunded in accordance with *California Government Code, Title 7. (Planning and Land Use), Sec. 66001*.

D. Other Refunds

In the event that an applicant requests a refund for reasons not set forth in *California Government Code, Title 7. (Planning and Land Use), Sec. 66001*. or *California Government Code, Title 7. (Planning and Land Use), Sec. 66477*, the applicant shall submit a claim for a refund with the Department of Recreation and Parks. Upon the Department of Recreation and Park's determination, the fee payer may receive a refund, without interest, of the fees paid pursuant to this *Division (Park Fees & Dedications)*; however, the portion of any fee revenue received by the

City as reimbursement of its costs in administering the provisions of this *Division (Park Fees & Dedications)* shall not be refunded. The fee payer shall submit an application for a refund to the City within one year of payment. Failure to timely submit the required application for refund shall constitute an absolute waiver of any right to the refund.

SEC. 10.4.10. **USE OF PARK FEES OR LANDS DEDICATED**

- A. The dedicated lands or park fees collected pursuant to this *Division (Park Fees & Dedications)* shall be used for the acquisition, improvement, and expansion of public parks and recreational facilities. The fees shall be committed and expended in accordance with the provisions and procedures established in this *Division (Park Fees & Dedications)*. The park fee may be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by, or on behalf of, the City to finance such park and recreational facility improvements; and any administrative costs incurred by the City in accordance with this *Division (Park Fees & Dedications)*.
- B. Interest accrued on Quimby in-lieu fees collected pursuant to this *Division (Park Fees & Dedications)* may be applied outside the project development for which the original fees were collected, provided that the Department of Recreation and Parks holds a public hearing prior to committing the interest, and uses the interest to develop new or rehabilitate existing neighborhood or community parks or recreational facilities within the City. All such public parks and recreational facilities shall comply with the principles and standards set forth in the General Plan.
- C. The park or recreational facilities acquired, improved or expanded shall be publicly accessible and serve or benefit the project that dedicated the land or paid the fees.

ARTICLE 11.
DIVISION OF LAND

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DIV. 11.1. GENERAL RULES

SEC. 11.1.1. GENERAL

A. Scope

1. No person may subdivide land in the City of Los Angeles unless a final tract map (for subdivisions of five or more parcels) or parcel map (for subdivisions of four or less parcels) has been recorded as provided in this *Article (Division of Land)* and in accordance with *Div. 13B.7. (Division of Land)*.
2. No building or structure shall be constructed or enlarged on any land which has been subdivided in violation of the provisions of this *Article (Division of Land)* and *Div. 13B.7. (Division of Land)*, nor shall any permit be issued for such land.
3. The provisions of this *Article (Division of Land)* shall not be construed as preventing the recording of a final tract map containing less than five lots or creating fewer than five condominium units in accordance with the procedures outlined in *Div. 13B.7. (Division of Land)* and the Subdivision Map Act.

B. Applicability

The provisions of this *Article (Division of Land)* are applicable to a commercial/industrial conversion project, commercial/industrial to residential conversion project, residential conversion project, or residential to commercial/industrial conversion project, as defined in *Div. 14.3. (Glossary)*, except as follows:

1. Stock Cooperative Conversions

The provisions of this *Article (Division of Land)* do not apply to any conversion for stock cooperative purposes that satisfies either of the following criteria:

- a. The application for stock cooperative (DRE Form 658 or its equivalent) was filed with the *California Department of Real Estate* prior to July 1, 1979; or
- b. A subdivision public report for stock cooperative was issued in accordance with *California Business and Professions Code, Sec. 11018*. prior to November 10, 1979.

2. New Stock Cooperatives

The provisions of this *Article (Division of Land)* do not apply to any stock cooperative project for which the application for stock cooperative (DRE Form 658 or its equivalent) was filed with the *California Department of Real Estate* prior to March 21, 1980, with the exception of commercial/industrial conversion projects, commercial/industrial to residential conversion projects, residential conversion projects, or residential to commercial/industrial conversion projects, which must meet the criteria outlined in *Paragraph 1. (Stock Cooperative Conversions)* above in order to qualify for exemption.

3. Subdivision of Air Space

The provisions of this *Article (Division of Land)* apply to any division of the space above or below a lot with a definite width, length, and upper and lower elevation occupied or to be occupied by a use, group of buildings or portions of buildings, and accessory buildings or portions of accessory buildings, or accessory uses. (Air space lot, as defined in *Div. 14.3. (Glossary)*).

C. Intent

1. The intent of this *Article (Division of Land)* is to regulate and control the division of land within the City of Los Angeles, to provide for the dedication of land, the payment of fees in lieu of dedication of land, or a combination of both, for the acquisition and development of park and recreation sites and facilities to serve the future inhabitants of the subdivision, to supplement the provisions of the Subdivision Map Act concerning the subdivision design, subdivision improvement and survey data of subdivisions, the form and content of preliminary parcel maps, tentative tract maps, final tract map, and parcel maps. The procedure to be followed in securing the official approval of the City of Los Angeles on such maps shall be completed in accordance with *Div. 13B.7. (Division of Land)*, in a manner that is consistent with the applicable general and specific plans as well as the public health, safety, and welfare.
2. It is also the intention of this *Article (Division of Land)* that the subdividing of land in the City of Los Angeles be done in accordance with the grading regulations of the City contained and set forth in *Chapter IX. (Building Regulations)*, *Article 1. (Building Code)* of this Code and to establish, when possible, beauty and attractiveness in the hills consistent with watershed drainage, erosion, and fire control requirements, and good engineering practices.

D. Interpretation

1. Private Streets

This *Article (Division of Land)* and *Div. 13B.7. (Division of Land)* is not to be interpreted or construed to invalidate any previous act on the part of the City approving or authorizing private streets, or authorizing the issuance of building permits for structures on lots served by private streets.

2. Planning Commission

Unless otherwise specified, further references in this *Article (Division of Land)* to "Planning Commission" mean either the Area Planning Commission or the City Planning Commission, whichever has authority.

SEC. 11.1.2. **ADVISORY AGENCY**

A. **Additional Authority**

1. The Advisory Agency has the authority to grant deviations of no more than 20 percent from the applicable floor area, yard, and height requirements. The subdivider shall ask for adjustments at the time of filing for a subdivision.
2. In permitting adjustments, the Advisory Agency shall make the findings contained in Sec. 13B.5.2. (Adjustment). The reductions or deviations shall be included in the written decision of the Advisory Agency.
3. Notification and appeal rights to such reductions or deviations shall conform to Sec. 13B.7.2. (Parcel Map Exemption/Lot Line Adjustment).

SEC. 11.1.3. **SUBDIVISION DESIGN STANDARDS**

A. **Conformance to the General Plan**

1. Each preliminary parcel map or tentative tract map shall be designed in compliance with the zoning applicable to the property or approved by the City Council for change, or will be subject to a condition requiring compliance with such zoning prior to the recordation of the final map.
2. Where a preliminary parcel map or tentative tract map involves land for which a General Plan including dwelling unit densities has been adopted by the City Council, and the land is also in a Hillside Area, the number of lots on the map shall be limited so that the number of dwelling units permitted by the applicable zoning regulations does not substantially exceed the dwelling unit densities shown on the plan.
3. Each preliminary parcel map or tentative tract map shall substantially conform to all other elements of the General Plan. In computing the number of dwelling units, only the area being designated for residential uses and land that is being dedicated for public & institutional uses shall be considered, excepting, however, land set aside for street purposes, or dedication of land required for park and recreation purposes in accordance with *Article 10. (Streets & Parks)*.
4. **Dwelling Unit Density in the Hillside Area**
 - a. In the Hillside Area, which is designated in the "Minimum Residential" General Plan land use designation, the dwelling unit density shall not exceed that allowed by the following formula:

$$D = \frac{50 - S}{35}$$

Where :

D = the maximum number of dwelling units per gross acre allowable; and

S = the average natural slope of the land in percent.

- b. Where the total allowable number of dwelling units per preliminary parcel map or tentative tract map calculated under the above formula results in a number other than a whole number, it shall be rounded to the nearest whole number as follows:
 - i. Where the fractional portion of the total allowable number of dwelling units equals 0.5 or more, the total number of allowable dwelling units shall be rounded to the next larger whole number;
 - ii. Where the fractional portion of the total allowable number of dwelling units equals less than 0.5, the total number of allowable dwelling units shall be rounded to the next smaller whole number.
- c. In no case may the permitted density be less than 0.05 dwelling units per gross acre. Where the total allowable number of dwelling units per tentative tract map calculated under the above formula results in a number less than one, it shall be rounded up to allow one dwelling unit per tentative tract map. Where previous grading on a lot makes it difficult to determine average natural slope using the above formula, the Director shall determine the average natural slope in a manner to carry out the purpose and intent of this *Section (Subdivision Design Standards)*.

B. Streets

1. Public Right-of-Way & Roadway Widths

All streets and alleys shall be designed to conform with the Planning Commission's adopted standards. The requirements and exceptions set forth in *Article 10. (Streets & Parks)*, however, do apply.

2. Street Grades

- a. Grades of all streets shall be as flat as consistent with adequate surface drainage requirements and the approved development of the proposed subdivision. The minimum grade permitted is 0.4 percent, except in extremely flat areas where a grade of 0.2 percent may be used. The maximum grade permitted for streets designated as boulevard or avenue is 6 percent, except where a grade not to exceed 10 percent will eliminate excessive curvature, fill, or excavation. The maximum grade permitted for collector streets is 10 percent and for local streets is 15 percent. Variations from these requirements may be granted by the Advisory Agency upon recommendation by the City Engineer in individual cases in accordance with the provisions of *Sec. 13B.7.7. (Private Street Map)*.

- b. Changes in grade greater than 0.4 percent shall be connected by vertical curves. The length of vertical curves shall conform to standards for sight distance and riding qualities established by the City Engineer.

3. Future Streets

In the event certain streets or alleys in a subdivision are to be reserved for future public use and they have been approved as to location and width, they shall be indicated on the final map and offered for dedication as future streets or future alleys. Certificates providing that the City may accept the offer to dedicate such easement at any time shall be shown on the final map.

4. Corner Cut-Off

At all block corners, the property line shall be rounded. On all boulevards and avenues, the corner shall have a 20-foot radius curve and on all other streets, a 15-foot radius curve; provided, however, that where commercial development is permitted, a diagonal cutoff of 15 feet x 15 feet in lieu of a 20-foot radius curve and a ten-foot x ten-foot cutoff in lieu of a 15-foot radius curve may be used. In industrial districts, the curves shall have a minimum radius of at least 40 feet.

5. Horizontal Curves

The centerline radii of curves shall be as large as possible, consistent with conditions. All curves shall have sufficient length to avoid the appearance of an angle point. Reversing curves shall be connected by tangents of length approved by the City Engineer as sufficient to safely reverse the unbalanced centrifugal force. In any case, horizontal curves shall have the following minimum centerline radii:

- a. Boulevards and avenues: 1,000 feet
- b. Collector streets: 500 feet
- c. Local streets: 300 feet
- d. Local streets in a Hillside Area: 125 feet

6. Intersections

Street intersections shall be as near to a right angle as possible. No jogs are allowed in the continuity of an arterial street. Jogs in a non-arterial street where crossing an arterial street shall be held to a minimum. Multiple intersections of more than four approaches should be avoided. In Hillside Areas, special conditions may be required.

7. Cul-de-Sac Streets

Cul-de-sac streets should be avoided, except in locations where physical constraints prohibit the continuation of the street (such as where a river or railroad infrastructure is present) or where made necessary by historical development patterns. Where cul-de-sac streets are approved, they shall be terminated by a turning area conforming to the latest standards

approved by the Planning Commission. Where feasible, existing cul-de-sacs should be modified and new cul-de-sacs should be designed to include a passageway for bicycles and pedestrians to access the surrounding area.

8. General

- a. All streets within or immediately adjacent to the subdivision shall be improved with curbs and gutters, unless not required by the Advisory Agency upon recommendation of the City Engineer.
- b. Streets within or immediately adjacent to the subdivision shall be improved with sidewalks, except that in mountainous, hillside or rural areas, sidewalks may be omitted or may be provided on only one side of the street with the approval of the Advisory Agency.

C. Alleys

1. Alleys shall be not less than 20 feet in width. Alleys serving lots in an *Industrial Use District (Div. 5B.7.)* shall be not less than 30 feet wide, unless otherwise approved by the Advisory Agency.
2. All dead-end alleys shall be constructed with adequate turning areas.
3. Whenever practicable, alleys are required at the rear of all lots that are in *Residential Use Districts (Div. 5B.3.)* and that front an arterial street. Alleys may also be required at the rear of lots in *Commercial-Mixed Use Districts (Div. 5B.5.)* or *Industrial Use Districts (Div. 5B.7.)*.
4. Where two alleys intersect, a triangular corner cut-off of not less than 10 feet along each alley line shall be provided.
5. Residential waste collectors shall not be required to collect from an unpaved alley at the rear of a property or from:
 - a. A blind alley;
 - b. An alley less than 15 feet wide;
 - c. An alley which is "L" or "T" shaped and not wide enough to be safe for the waste collection truck to turn without damage to the truck or to adjacent improvements on private property; or
 - d. An alley the surface of which could endanger the safety or the convenient operation of the trucks at all seasons of the year.

D. Pedestrian Walkways

If the Advisory Agency determines that inner-block pedestrian walkways are necessary for the public health, safety or welfare, they shall be dedicated to a width of not less than 12 feet. The Advisory Agency, however, shall only impose such a dedication requirement after finding that the dedication bears an essential nexus and rough proportionality to a project's impact.

E. Blocks

Blocks in Residential Use Districts (Div. 5B.3.), Residential-Mixed Use Districts (Div.5B.4.), and Industrial Use Districts (Div. 5B.7.) areas shall not exceed 1,700 feet in length, except in a Hillside Area. Blocks in Commercial-Mixed Use Districts (Div. 5B.5.) shall not exceed 800 feet in length except in locations where the prevailing block length (within 1/2-mile) is less than 800 feet. In such instance, the new block shall not exceed the average prevailing block length.

F. Lot Size

1. Every lot shall have a minimum width and area to comply with the requirements specified in the applied *Form District (Part 2B.)*.
2. When the Advisory Agency determines that traffic access, topography, and drainage conditions will safely allow lot averaging, and when the subdivider has demonstrated to the satisfaction of the Advisory Agency in a written report that such averaging is consistent with proper subdivision design, and in addition will produce one or more of the following benefits: require less grading than a conventional subdivision design not using lot averaging, result in improved lot design, or produce other environmental benefits, the Advisory Agency may permit the width and area of not more than 20 percent of the lots in a subdivision located in a Hillside Area, to be reduced as specified below, provided that the average area of all lots in the subdivision is not less than the required minimum for the applied *Form District (Part 2B.)*.

LOT AREA IN SQUARE FEET			
Form District	Lot Width (min)	Lot Area (min)	Lot Average (min)
Rural-Limited	63 feet	14,000	17,500
Estate-Limited 5	No Reduction	32,00	40,000
Estate-Limited 4	72 feet	16,000	20,000
Estate-Limited 3	72 feet	12,000	15,000
Estate-Limited 2	63 feet	8,800	11,000
Estate-Limited 1	60 feet	7,200	9,000

3. In computing such average, that portion of any lot exceeding 150 percent of the average requirement shall not be included, provided however, that in Rural-Limited Form Districts, the maximum area of any lot that may be used in computing the average shall be 24,500 square feet.
4. In a tract where one or more lots have less than the average requirement for the applicable *Form District (Part 2B.)*, no lot may be rearranged or divided unless:
 - a. The average requirement for the original final tract map or parcel map is maintained; and
 - b. Such rearrangement or division is accomplished by recording a new final tract map or parcel map, or by securing determination that the proposed rearrangement or division is exempt from the parcel map procedure in *Sec. 11.4.1.B.3.c. (Scope)*.

5. Where it finds it necessary in order to promote the general welfare, the Advisory Agency may require that lots that are contiguous or nearby to existing lots on the same street be increased in size to be compatible with the size of the existing lots. However, in no case may the Advisory Agency require such lots to contain an area of over 50 percent more than that required by the applied *Form District (Part 2B.)* or *Alternate Typology (Article 7.)*.
6. Property in a *Commercial-Mixed Use District (Div. 5B.5.)* or *Industrial Use District (Div. 5B.7.)* need not be divided into more than one lot where such property is to be operated as a unit.
7. Each portion of a lot which is platted to be divided by a City or County boundary line shall be given a separate letter or number on the recorded tract map.
8. Side lot lines shall be approximately at right angles to the streets, or radial to the street on curved streets, except where topography or other conditions make this impracticable.
9. Where it finds that there will be no material increase in the dwelling unit density permitted by the applied zone, and that the public health, safety or welfare, and good subdivision design would be promoted by the dedication of public streets to a width in excess of the approved standards provided for in this *Article (Division of Land)*, or the dedication of service roads, or the dedication or reservation of land for public parks, public uses or other open areas, the Advisory Agency may permit the required area of one or more of the lots in a subdivision in an Rural-Limited or Estate-Limited Form Districts to be reduced to the extent of such dedication or reservation. Provided, however, that in no event may such a reduction exceed 15 percent, and no lot in the Rural-Limited or Estate-Limited Form Districts in a Hillside Area shall be reduced below the minimum lot area specified in the table in *Paragraph 2. (Lot Size)* above.
10. Where the Advisory Agency finds the project is consistent with the dwelling unit density permitted by the General Plan, and that the public health, safety or welfare, and good subdivision design will be promoted by the preservation of protected vegetation, the Advisory Agency may permit the required area of one or more of the lots in a subdivision in Rural-Limited, Estate-Limited, or House-Limited Form Districts to be reduced by an amount sufficient to provide for protected vegetation preservation in accordance with *Sec. 11.1.3.P. (Protected Vegetation Regulations)*. In no event may the reduction exceed 50 percent of the required lot area; lots in Rural-Limited or Estate-Limited Form Districts may not be reduced below 50 feet in width; lots in House-Limited Form Districts may not be reduced below 40 feet in width.

G. Easements

1. Easements for public utilities, water systems, sewers, street lights, storm drains or flood control channels, and slope rights, shall be provided wherever determined necessary by the Advisory Agency upon recommendation of the City Engineer.
2. Wherever it is determined that future easements are necessary, a certificate shall be placed on the final map indicating that the City will accept such easements at any time.

H. Grading in Hillside Areas

Subdivision design requirements in a Hillside Area shall meet the grading standards established by the Board of Public Works and the grading regulations established in *Chapter IX. (Building Regulations), Article 1. (Building Code)* of this Code. Such requirements may also include providing soil reports prepared by a registered civil engineer specializing in soil mechanics or reports on geological investigations.

I. Problem Areas

Areas designated by resolution of the Board of Public Works as problem areas shall not be subdivided except when approved by the Advisory Agency upon recommendation of the Superintendent of Building and the City Engineer.

J. Grading Plans

1. The Advisory Agency may require a proposed grading plan with the preliminary parcel map or tentative tract map of any subdivision. Upon recommendation of the Superintendent of Building or the City Engineer, or where it appears that cuts and fills will occur in the grading of the property that may be contrary to the objectives of this Article (*Division of Land*), the Advisory Agency may require the subdivider to submit grading plans for all or part of the tract before action on the preliminary parcel map or tentative tract map will be taken. Any grading plan submitted shall contain a statement of the quantities (in cubic yards) of cut and fill and quantities of export or import material involved. If the amount of earth material to be imported to or exported from a subdivision site is 1,000 cubic yards or more, statements of the following shall also be included:
 - a. The proposed borrow or disposal site;
 - b. The proposed haul route;
 - c. The total gross weight with load of the proposed haul vehicles; and
 - d. Any other pertinent data which the Advisory Agency may require.
2. Failure to furnish a grading plan (where necessary to complete the investigation of the preliminary parcel map or tentative tract map within the time specified in the written notice requesting its submission) will be cause for the disapproval of the preliminary parcel map or tentative tract map, unless an extension of the time for acting on the map is mutually agreed upon between the subdivider and the Advisory Agency.
3. If changes in the design of the lots or street system can be made to correct the conditions set forth in Subsection H. (*Grading in Hillside Areas*) above, either by increased lot sizes or changes in grades, such modifications shall be made.

K. Storm Drains

Storm drains shall be designed in conformance with standards approved by the City Engineer. Storm drain facilities to intercept and convey all runoff to a suitable point of disposal are required when runoff from the entire area tributary to and including the subdivision exceeds the limiting depth of street flow as determined by the City Engineer. These storm drain requirements shall also include the following:

1. In areas without sumps, storm drains shall be designed to remove all runoff from a storm of 10-year frequency.
2. In sump areas, storm drains shall be designed to remove all runoff from a storm of 50-year frequency.
3. Storm drains shall be of sufficient capacity in all cases to prevent flooding of building sites from a storm of 50-year frequency.
4. On hillside limited streets, the maximum depth of water as determined by the City Engineer shall be based on a storm of 50-year frequency.

L. Installation of Utilities

1. Utility lines, including but not limited to those required for electricity, communication, street lighting, and cable services necessary for the general use of the lot owners in the subdivision, shall be installed or guaranteed to be installed in the same manner as other required subdivision improvements.
2. Except in *Industrial-Mixed Use Districts (Div. 5B.6.)*, *Industrial Use Districts (Div. 5B.7.)*, *Public Use Districts (Div. 5B.8.)*, and *Open Space Use Districts (Div. 5B.1.)*, in all portions of a tract map area, all such utility lines shall be installed underground, provided, however, that incidental, appurtenant equipment such as transformers, terminal boxes, and meter cabinets may be placed above ground, but shall conform with regard to placement and height with those standards adopted by the City Planning Commission as it determines are necessary to safeguard the public against hazards created by the equipment and to further the intent of this Article (Division of Land). The Subdivision Committee, as established in Sec. 13A.1.10. (Subdivision Committee), shall make its report and recommendation of the Planning Commission prior to the adoption of the standards.
3. The subdivider shall make the necessary cost and other arrangements for such underground installation and for relocation of existing facilities with each of the persons, firms or corporations furnishing utility services involved.

M. Model

Regardless of any other provision of this Zoning Code (Chapter 1A), a model or models may be erected and maintained on any lot or site designated by the Advisory Agency as a lot for a model or models on an approved or conditionally approved preliminary parcel map or tentative tract map for lots in *Agricultural Use Districts (Div. 5B.2.)* or *Residential Use Districts (Div. 5B.3.)* and the "1L"

Density District (Part 6B.) with respect to one-unit dwellings, and in *Residential Use Districts (Div. 5B.3.)* allowing multiple-unit structures, for example, buildings containing more than one dwelling unit, for a period of time as determined by the Advisory Agency, provided that:

1. Not more than 15 percent of the lots and in no case more than 20 lots at any one time in a subdivision may be designated as lots for the construction of models, and, with respect to multiple-unit structures, not more than 15 percent of the units and in no case more than 20 units at any one time in a proposed building designated as a model lot, may be designated as models. Each of the lots shall be located in a manner as to not adversely affect existing developed residential properties. Further, each of the lots shall be easily accessible and provision for the accessibility shall be assured at the time that the preliminary parcel map or tentative tract map is conditionally approved.
2. In a Hillside Area, a grading plan for the entire approved or conditionally approved subdivision or any final map unit thereof has been approved by the Grading Division of the Department of Building and Safety and a Grading Certificate has been issued for the property involved or that the grading is being carried on under the authorization of a valid grading permit.
3. Necessary easements for the installation of water system facilities and underground utilities have been dedicated and the developer has guaranteed the cost of relocation or future adjustment of these facilities to the satisfaction of the Department of Water and Power.
4. The owner assumes liability for any damage caused to water system facilities and underground utilities prior to final street improvements in a manner satisfactory to the Department of Water and Power.
5. Adequate fire protection facilities are provided to the satisfaction of the Fire Department.
6. Adequate sewer facilities are provided to the satisfaction of the Bureau of Engineering, Bureau of Sanitation, and the Los Angeles County Health Department.
7. A paved access roadway at least 20 feet in width is provided which is satisfactory to the Department of Building and Safety.
8. Automobile parking stalls be provided as follows:
 - a. For multiple-unit structures, the numbers and location of the automobile parking facilities will be determined by the Advisory Agency;
 - b. For one-unit detached structures, one lot for each six model dwellings shall be located contiguous to the model dwelling lots. All automobile parking facilities and driveways shall be dust-proofed with asphaltic surfacing or with decomposed granite which is sprinkled at sufficient intervals to prevent dust, or by an alternate method of dust control satisfactory to the Department of Building and Safety.
9. The model dwelling lots are attractively maintained and, with respect to one-unit detached structures, attractively landscaped.

10. Any furnishings placed in the model dwelling are maintained solely for purposes accessory to the display of the model dwelling and in no way are used to sell or promote the sale of such furnishings.
11. Prior to the issuance of any building permit for a model dwelling, the property owner shall first execute and file with the Superintendent of Building a notarized agreement assuming all risks and agreeing to all of the conditions set forth in this *Article (Division of Land)*. With respect to one-unit detached structures, the agreement shall further provide that in the event that a final map that includes the property where the model dwelling is located is not recorded, all buildings or structures authorized by the permit will be removed, within 90 days from the expiration of the tentative tract map, and that if all buildings and structures are not completely removed as required above, they may be confiscated and removed or demolished by the City without further notice. Prior to the erection of any model dwelling that is a one-unit detached structure, authorized in accordance with the approval of any subdivision and contingent on the approval of the subdivision, the property owner shall post in the Department of Building and Safety a bond in favor of the City of Los Angeles (to be approved by the City Attorney and duplicates to be furnished) in an amount satisfactory to the Department of Building and Safety sufficient to defray any expense incurred by the City in the removal or demolition of the model dwelling or model dwellings. The bond will be released to the property owner or person legally entitled to it either upon recordation of the final map or upon removal of the concerned structures or buildings, as the case may be, to the satisfaction of the Superintendent of Building.
12. This *Subsection M. (Model)* applies to approved or conditionally approved tentative tract maps that include model dwellings and that have not been recorded as of the effective date of this ordinance.
13. A real estate tract sales office may be established and maintained in one model dwelling approved in accordance with the provisions of this *Subsection M. (Model)* or in a dwelling constructed on a recorded lot previously designated as a model dwelling lot by the Advisory Agency and temporarily serving as an example of houses or units built or to be built in the same subdivision, provided that:
 - a. No general real estate brokerage business is conducted on the premises, and any business transacted there is limited to the original sale of vacant or improved land shown on the preliminary parcel map or tentative tract map or units of airspace shown on the condominium plan.
 - b. All signs conform to the applicable provisions of *Div. 4C.11. (Signs)*.
 - c. The tract sales office is attractively maintained and, where located in a one-unit detached structure, is attractively landscaped.
 - d. The property owner has first executed and filed with the Superintendent of Building a notarized agreement agreeing to comply with all other provisions of this *Paragraph 13. (Model)* and, further, agreeing that after all dwelling units in the development are initially

sold or rented, all tract sales being conducted within the structure will cease, all signs will be entirely removed from the premises, any residential type of sliding glass door in a private garage doorway will be replaced with a conventional private garage door, and any sales office activity located in a private garage will be discontinued and this area reconverted for the storage of private vehicles.

14. The unit is constructed on a proposed lot or in a proposed building previously designated as a model dwelling site by the Advisory Agency in a subdivision or a multiple unit development for which the Advisory Agency has approved or conditionally approved a tentative tract map, but for which a final tract map has not yet been recorded.
15. The proposed lot upon which the model dwelling is constructed is recognized as a legal building site for the duration of the model dwelling permit.
16. No Certificate of Occupancy for such unit has been issued by the Superintendent of Building.
17. Where applicable, temporary access to the lot is permitted over future streets previously restricted to public access.

N. Park & Recreation Sites

Park and recreation sites to serve the future inhabitants of each new subdivision shall be provided and located in conformance with the standards contained in the *Open Space Element* of the General Plan.

O. Where Subdivision Includes Land Within Drainage District

Whenever a subdivision or a portion of a subdivision includes land which is within a local drainage district, the provisions and requirements of the ordinance establishing such district shall be met.

P. Protected Vegetation Regulations

No protected vegetation may be relocated or removed except as provided in this Article (*Division of Land*) or Chapter IV, Article 6. (*Preservation of Protected Trees and Shrubs*) of this Code.

The term "removed" or "removal" includes any act that will cause protected vegetation to die, including, but not limited to, acts that inflict damage upon the root system or other parts of the protected vegetation by fire, application of toxic substances, operation of equipment or machinery, or by changing the natural grade of land by excavation or filling the drip line area around the trunk.

1. Required Determinations

Subject to historical preservation requirements set forth in Sec. 11.1.3.P.3. (*Historical Monuments*), when protected vegetation exists within a proposed subdivision, the protected vegetation may be relocated or removed if the Advisory Agency, in consultation with the City's Chief Forester, determines the existence of either Subparagraph a. or Subparagraph b. below:

- a. There has been prior applicable government action in which:

- i. The removal of the protected vegetation was approved by the Advisory Agency; or
 - ii. The property on which the protected vegetation is located was the subject of a determination by the City Planning Commission, the City Council, a Zoning Administrator, or an Area Planning Commission, the appeal period established by *Div. 13B.7. (Division of Land)* with respect to the determination has expired, the determination is still in effect, and in accordance with the determination, the protected vegetation's removal would be permissible; or
 - iii. A building permit has been issued for the property on which the protected vegetation is located, the permit is still in effect, and the removal or relocation is not prohibited by the permit.
- b. The removal of the protected vegetation would not result in undesirable, irreversible soil erosion through diversion or increased flow of surface waters that cannot be mitigated to the satisfaction of the City's Chief Forester, and the physical condition or location of the protected vegetation is such that:
 - i. Its continued presence in its existing location prevents the reasonable development of the property; or
 - ii. According to a report required in accordance with *Sec. 11.2.1.C. (Protected Vegetation Reports for Tentative Tract Maps)* or *Sec. 11.4.2.H. (Protected Vegetation)* acceptable to the Advisory Agency and prepared by a tree expert, there is a substantial decline from a condition of normal health and vigor of the protected vegetation, and its restoration through appropriate and economically reasonable preservation procedures and practices is not advisable; or
 - iii. It is in danger of falling due to an existing and irreversible condition; or
 - iv. Its continued presence at its existing location interferes with proposed utility services or roadways within or without the subject property, and the only reasonable alternative to the interference is the removal of the protected vegetation; or
 - v. It has no apparent aesthetic value, which will contribute to the appearance and subdivision design of the proposed subdivision; or it is not located with reference to other vegetation or monuments in such a way as to acquire a distinctive significance at the location.

2. Supplemental Authority

In the event the Advisory Agency, in consultation with the City's Chief Forester, determines in accordance with *Sec. 11.1.3.P.1.b. (Required Determinations)* that a protected vegetation may be removed or relocated, the Advisory Agency may:

- a. Require relocation elsewhere on the same property where protected vegetation has been approved for removal, and where the relocation is economically reasonable and favorable to the survival of the protected vegetation. Relocation to a site other than upon the same

property may be permitted where there is no available or appropriate location on the property and the owner of the proposed off-site relocation site consents to the placement of the protected vegetation. In the event of relocation, the Advisory Agency may designate measures to be taken to mitigate adverse effects on the protected vegetation.

- b. Permit protected vegetation of a lesser size, or vegetation of a different species, to be planted as replacement vegetation for protected vegetation permitted by this Zoning Code (Chapter 1A) to be removed or relocated, if replacement vegetation required in accordance with this Zoning Code (Chapter 1A) are not available. In that event, the Advisory Agency may require a greater number of replacement vegetation.

3. Historical Monuments

The Advisory Agency, except as to *Sec. 11.1.3.P.1.b.iii. (Required Determinations)*, shall require retention of protected vegetation at its existing location, if the protected vegetation is officially designated as a historical monument or as part of a Historic Preservation Overlay Zone.

4. Requirements

In the event the Advisory Agency, in consultation with the City's Chief Forester, determines in accordance with *Sec. 11.1.3.P.1.b. (Required Determinations)* that protected vegetation may be removed or relocated, the Advisory Agency shall require that:

- a. The protected vegetation is replaced within the property by at least four specimens of a protected variety, except where the protected vegetation is relocated in accordance with *Sec. 11.1.3.P.2.a. (Supplemental Authority)* Protected vegetation shall only be replaced by other protected vegetation varieties. A protected shrub shall only be replaced by other protected shrub varieties, to the extent feasible as determined by the Advisory Agency, Board of Public Works, or a licensed or certified arborist. When replacement concerns more than two types of protected vegetation, the permit at issue shall be considered at a full public hearing at the Board of Public Works. For protected trees, the size of each replacement tree shall be a 15-gallon, or larger, specimen, measuring one inch or more in diameter at a point one-foot above the base, and not less than seven feet in height, measured from the base. The size and number of replacement trees shall approximate the value of the tree to be replaced.
- b. The subdivider record those covenants and agreements approved by the Advisory Agency necessary to assure compliance with conditions imposed by the Advisory Agency and to assure preservation of the protected vegetation.
- c. The subdivider provide protected vegetation maintenance information to purchasers of lots within the proposed subdivision.
- d. The subdivider post a bond or other assurance acceptable to the City Engineer to guarantee the survival of protected vegetation required to be replaced or permitted or required to be relocated, in a manner to assure the existence of continuously living protected vegetation at the approved replacement or relocation site for three years from

the date that the protected vegetation is replaced or relocated. The City Engineer shall use the provisions of *Sec. 11.3.3.E. (Guarantees)* as its procedural guide in satisfaction of the bond requirements and processing. Any bond required shall be in a sum estimated by the City Engineer to be equal to the dollar value of the replacement vegetation or of the vegetation that is to be relocated. In determining value for these purposes, the City Engineer shall consult with the Advisory Agency, the City's Chief Forester, the evaluation of trees guidelines approved and adopted for professional horticulturists by the International Society of Arboriculture, the American Society of Consulting Arborists, the National Arborists Association and the American Association of Nurserymen, and other available local information or guidelines.

5. Grading

The Advisory Agency is authorized to prohibit grading or other construction activity within the drip line of the protected vegetation.

Q. Preliminary Soils Report

1. A preliminary soils report, prepared by a registered civil engineer, and based upon adequate test borings, is required with the preliminary parcel map or tentative tract map of any subdivision. The Advisory Agency may waive the preliminary soils report upon its determination that no preliminary analysis is necessary due to its knowledge of the qualities of the soils of the subdivision.
2. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, a soils investigation of each lot in the subdivision may be required. Such soils investigation shall be done by a registered civil engineer, who shall recommend the corrective action which is likely to prevent structural damage to each structure proposed to be constructed in the area where such soils problem exists. The Advisory Agency may approve the subdivision or a portion of the subdivision where such soils problems exist if it determines that the recommended corrective action is likely to prevent structural damage to each structure to be constructed, and as a condition to the issuance of any building permit may require that the approved recommended action be incorporated in the construction of each structure.

R. Mulholland Scenic Parkway

1. Notwithstanding the street standards adopted by the City Planning Commission in accordance with *Sec. 10.1.1. (Street Standards)*, the width and improvement standards for the Mulholland Scenic Parkway shall be substantially as follows:
 - a. Two travel lanes, one in each direction, each 15 feet wide;
 - b. Passing lane segments and turn pockets where necessary to facilitate movement of traffic;
 - c. Substantial conformance to existing roadway alignment;
 - d. No median strip except to facilitate turning movements;

- e. Hard surfaced shoulders but with a natural look, separated from the roadway by a painted line where the shoulder is utilized for bikeway purposes;
 - f. Minimum street and driveway access to the Parkway;
 - g. Reasonable protection of a scenic corridor 500 feet more or less, depending on topography, from each side of the existing public right-of-way, to preserve the scenic quality and for the development of parks, vista points, automobile parking facilities, and continuous bicycle, equestrian and hiking trails;
 - h. All utilities to be underground;
 - i. All necessary signs and road related fixtures to be of a special design to blend with the scenic character of the Parkway;
 - j. Grading to be kept to an absolute minimum; and
 - k. All necessary grading to be gently contoured and fully landscaped with fire-resistant plants to present a natural appearance.
2. It is the duty of the Advisory Agency to interpret and apply these standards in conformance with the spirit and intent of the Report of the Citizens' Advisory Committee on the Mulholland Scenic Parkway as adopted as City policy by the City Council on March 26, 1973, under Council File No. 70-5000, or with such Parkway plans as may subsequently be adopted.
3. These standards are applicable to any subdivision map within 500 feet of the public right-of-way of Mulholland Drive between the Hollywood Freeway on the west and Mulholland Highway on the west and along Mulholland Highway to the southerly City boundary, as shown on the City Engineer's official cadastral or district maps.

S. Valley Circle Boulevard, Plummer Street Scenic Corridor

1. Notwithstanding the street standards adopted by the City Planning Commission in accordance with *Sec. 10.1.1. (Street Standards)*, the width and improvement standards for Valley Circle Boulevard from Roscoe Boulevard to Plummer Street and for Plummer Street from Valley Circle Boulevard to Topanga Canyon Boulevard shall be substantially as follows:
- a. Two travel lanes, one in each direction;
 - b. Left turn pockets as needed;
 - c. Forty-eight feet of paved roadway, including two-foot wide concrete gutters and curbs;
 - d. No continuous raised median strip;
 - e. Wide shoulders to accommodate recreation trails;
 - f. Minimum street and driveway access to the roadway;
 - g. All utilities to be underground;

- h. Lighting only at intersections and automobile parking areas, and kept to a minimum useful Intensity;
- i. Fire hydrants and light standards located away from the roadway for increased safety;
- j. Picnic areas, drinking fountains, restroom facilities, watering troughs, hitching rails, and simple shade structures provided at suitable locations;
- k. The general design and development of the roadway, trails, turnouts, and all appurtenant fixtures, facilities, and amenities to be rustic, natural, and in keeping with the scenic character of the corridor;
- l. Reasonable protection of a scenic corridor, 1,500 feet more or less depending on topography, from each side of the existing rights-of-way, to preserve the scenic quality, protect long-distance views, and for the development of parks, vista points, automobile parking facilities, and continuous trails;
- m. Specific dimension standards for a 100-foot-wide public right-of-way, the preferred width, shall be a 14-foot-wide two-way bicycle path, a hiking trail meandering in a 10-foot-wide landscaped parkway, a 16-foot-wide equestrian trail bordered by bolted wood fences and a 12-foot-wide parkway on the opposite side of the roadway;
- n. The dimension standards for an 86-foot-wide public right-of-way shall be a 12-foot-wide, two-way bicycle path, hiking trail meandering in an eight-foot-wide landscaped parkway, a 12-foot-wide equestrian trail bordered by bolted wood fences, and a six-foot-wide parkway on the opposite side of the roadway;
- o. Trails to be built prior to or concurrently with the roadway, and to have suitable crossings and access to areas of interest;
- p. Attractively designed masonry walls or screening landscaping along the edges of private developments adjacent to the scenic corridor;
- q. Maximum preservation of natural terrain and vegetation;
- r. Grading to be kept to an absolute minimum; all necessary grading to be gently contoured and fully landscaped with native, low-water-need, fire-resistant plants to present a natural appearance;
- s. All buildings in the corridor to be placed so as to preserve a clear line of sight from the roadway to the visible mountain crest;
- t. Off-site advertising signs to be prohibited within the corridor;
- u. On-site advertising, traffic, informational and regulatory signs to be kept to a minimum number and size, and to be of special rustic design.

2. It is the duty of the Advisory Agency to interpret and apply these standards in conformance with the spirit and intent of the Valley Circle Boulevard Plummer Street Scenic Corridor Study adopted as City policy by the City Council on March 28, 1977, under *Council File No. 77-82*, or with such parkway plans as may subsequently be adopted.
3. The standards stated here are applicable to any subdivision map within 1,500 feet of the public right-of-way of Valley Circle Boulevard from Roscoe Boulevard to Plummer Street and of Plummer Street from Valley Circle Boulevard to Topanga Canyon Boulevard as shown on the City Engineer's official cadastral or district maps.

DIV. 11.2. TENTATIVE TRACT MAPS

SEC. 11.2.1. TENTATIVE TRACT MAP STANDARDS

A. Tentative Tract Map Requirements

1. Filing & Reports

- a. The subdivider shall pay the necessary fees for, and file with the Department of City Planning at least five copies of the tentative tract map; two copies of an area map showing the location of ownerships which are located within the area covered by the tentative tract map and within a 500-foot radius of the proposed subdivision; and two copies of a certified list showing the names and addresses of owners and the addresses of all residential, commercial, and industrial occupants of all property located within 500 feet of the proposed subdivision.
- b. The Department shall furnish a copy of the certified list of names and addresses and a copy of the area map to the Bureau of Engineering, and copies of the tentative tract map to each member of the Subdivision Committee and to any other departments or public agencies which the Advisory Agency had determined may have an interest in the proposed subdivision. The Subdivision Committee shall make such examination of the tentative tract map and property, and make such reports and recommendations to the Advisory Agency as they find are necessary. All such reports shall be submitted in writing. Such reports shall be made within 39 calendar days after the filing of the tentative tract map or within such additional time as the Advisory Agency may approve.

2. Action of Advisory Agency

The Advisory Agency shall approve, conditionally approve or disapprove the tentative tract map in accordance with *Sec. 13B.7.3. (Tentative Tract Map)*,

- a. Whenever two or more lots are to be created on a common slope and the City Engineer or Superintendent of Building determines that conditions so dictate, the Advisory Agency may require as a condition of approval of the tentative tract map that appropriate deed covenants, on a form approved by the City Attorney, be recorded which provide to each owner of the common slope a joint right of entry for necessary access of people and equipment, and a joint easement over the slope area to maintain and repair any portions of the common slope.
- b. All streets on the tentative tract map shall be identified by their proposed names. All proposed street names shall be approved by the City Engineer. The Advisory Agency may withhold approval of the map if the City Engineer has determined that a proposed street name would create confusion, be misleading, be unduly long or carry connotations offensive to good taste and decency.

B. Map Requirement

Tentative tract maps filed with the Department of City Planning shall be prepared by or under the direction of a licensed surveyor or registered civil engineer. Such maps shall clearly show all information required by this *Article (Division of Land)*, and shall be drawn to an engineer's scale of not less than one inch equals 200 feet. The tentative tract map shall contain all the following:

1. The tract number;
2. Sufficient legal description of the property to define its boundaries;
3. Names, addresses, and telephone numbers of the record owner, subdivider, and person preparing the map;
4. North point, engineering scale, date, and area;
5. The widths and approximate locations of all existing and proposed public easements or rights of way, or private streets or private road easements, within and adjacent to the property involved;
6. Locations, widths, and approximate grades of existing and proposed highways, streets, alleys or ways, whether public or private within and adjacent to the property involved;
7. Existing street names, and names or designations for all proposed streets and highways;
8. Approximate radii of all centerline curves for streets, highways, alleys or ways;
9. Lot layout, approximate dimensions of each lot, and number of each lot;
10. The locations of potentially dangerous areas, including geologically hazardous areas and areas subject to inundation or flood hazard; the location, width and direction of flow of all watercourses, flood control channels, and mud or debris paths where ravines or swales will exist within and adjacent to the property involved; building setbacks from such hazards; the proposed method of providing flood, erosion, and mud or debris control; and areas where access and emergency paths will be located in the event flood design capacity is exceeded. Lot lines shall be located so that the flow of watercourses, mud and debris paths, access and emergency paths, and setbacks shall be adjacent to lot lines or in areas or restrictions against construction;
11. The existing contour of the land at intervals of not more than five feet, and of not more than two-foot intervals if the slope of the land is less than five percent;
12. The approximate location of all buildings or structures on the property involved which are to be retained, notations concerning all buildings which are to be removed, and approximate locations of all existing wells;
13. The approximate location and general description of any large or historically significant trees, and of any protected vegetation, and an indication as to the proposed retention or destruction of the protected vegetation;

14. If any streets shown on the tentative tract map are proposed to be private streets, they shall be clearly indicated. Such streets shall conform to the requirements of *Div. 10.3. (Private Street Regulations)* or shall have been previously approved in accordance with the then applicable private street provisions;
15. The proposed method of providing sewage disposal and drainage for the property; and
16. A statement regarding existing and proposed zoning.

C. Protected Vegetation Reports for Tentative Tract Maps

1. No application for a tentative tract map approval for a subdivision where protected vegetation is located is considered complete unless it includes a report, in a form acceptable to the Advisory Agency and the City's Chief Forester, which pertains to preserving the protected vegetation and evaluates the subdivider's proposals for the preservation, removal, replacement or relocation of the protected vegetation. The report shall be prepared by a tree expert and shall include all protected vegetation identified in accordance with *Sec. 11.1.3.P. (Protected Vegetation Regulations)* and *Sec. 11.2.1.B.13. (Map Requirement)*.
2. In the event the subdivider proposes any grading, land movement, or other activity within the drip line of protected vegetation referred to in the report, or proposes to relocate or remove any protected vegetation, the report shall also evaluate any mitigation measures proposed by the subdivider and their anticipated effectiveness in preserving the protected vegetation.

SEC. 11.2.2. VESTING TENTATIVE TRACT MAPS

A. Process

See *Sec. 13B.7.3.I.2. (Filing an Application)*.

B. Requirements

See *Sec. 11.2.1. (Tentative Tract Map Standards)* and *Sec. 13B.7.3.I. (Vesting Tentative Map)*.

C. Development Rights

See *Sec. 13B.7.3.I.4. (Development Rights)*.

D. Development Inconsistent With Zoning — Conditional Approval

See *Sec. 13B.7.3.I.5. (Development Inconsistent With Zoning — Conditional Approval)*.

DIV. 11.3. FINAL TRACT MAPS

SEC. 11.3.1. FINAL TRACT MAP STANDARDS

A. Process

See Sec. 13B.7.4. (*Final Tract Map*).

B. Filing Requirements

The following information shall be submitted with the final tract map: names, addresses, and telephone numbers of the record owners, subdivider, and person preparing the final tract map. The general form and layout of the map, including size and type of lettering, drafting, and location of acknowledgments, shall be determined by the City Engineer. The map shall be prepared on high-quality tracing cloth or other material approved by the City Engineer.

1. Each sheet of the final tract map shall be 18 x 26 inches. A marginal line shall be drawn completely around each sheet, leaving a blank margin of one inch. The scale of the map shall be such as to show all details clearly. Each sheet shall be numbered, and its relation to other sheets clearly shown. The tract number, scale, and north point shall be shown on each sheet. If more than three sheets are necessary to show the entire subdivision, an index map shall be included on one of the sheets. The boundary line of a subdivision shall be indicated by distinctive symbols and clearly so designated.
2. Where any land to be subdivided is separated or divided into two or more parcels or portions by any parcel of land other than a street, highway, or other public way, or a railroad, public utility or flood control right-of-way, each separate parcel or portion of a parcel shall be subdivided as a separate parcel and shown on a separate subdivision map.

C. Boundary Evidence

Such stakes, monuments or other evidence determining the boundaries of the subdivision as are found on the ground, together with sufficient designations of adjoining subdivisions by lot and tract number and page of record, or by section, township and range, or other proper legal description as may be necessary to locate precisely the limits of the subdivision, shall be clearly and fully shown on the final tract map.

D. Monuments

1. Boundary

- a. Each final tract map shall show durable monuments of not less than two-inch steel pipe at least 24 inches long found or set at or near each boundary corner and at intermediate points approximately 1,000 feet apart or at such lesser distance as may be necessary by topography or culture to assure accuracy in reestablishment of any point or line without unreasonable difficulty. The precise position and character of each monument shall be

shown on the final tract map. Where the elevation of the top of each such monument is not approximately level with the surface of the ground, its relative position shall be indicated.

- b. The establishment of boundary monuments may be required by the Advisory Agency, the Appeal Board or the City Council upon appeal, prior to the recordation of the final tract map, however, such requirement may be modified to accept the submission of complete field notes as evidence of a thorough survey, or the setting of only a portion of the boundary monuments, or the referencing of monuments to adjacent reference points. The City Engineer shall submit a recommendation concerning this matter. The reference points shall be indicated in a set of field notes showing clearly the ties between such monuments and sufficient number to set accurately each boundary monument after recordation of the final tract map. The boundary monuments shall be properly located by coordinates in the California Coordinate System or in such manner as determined by the City Engineer to be suitable and sufficient.

2. Centerline

Complete centerline data, including lengths of tangents and semi-tangents, shall be shown on the map for all streets within or adjoining the tract where no official centerline has been previously established. In locations where the point of intersection falls on private property, chords shall be shown instead of semi-tangents. The subdivider shall have approved monuments placed with permanent references to the monuments and furnish a set of field notes to the City Engineer.

3. Deferment

- a. In the event any or all of the monuments required to be set are subsequent to the recordation of the final tract map, the map shall clearly show and describe such monuments. All such monuments or the furnishing of notes for deferred monuments shall be agreed to be set and furnished by the subdivider.
- b. When the placement of monuments is to be deferred, the Bureau of Engineering shall charge and collect a fee as established in *Sec. 15.3.6.P. (Deferred Placement of Monuments)* for the service of receiving and processing a bond to guarantee placement of the monuments.

4. Geodetic Controls

Ties to the Geodetic Triangulation System shall be provided where stations have been established within reasonable distance from the subdivision boundary, and such ties are deemed necessary by the City Engineer.

E. Surveys

1. Requirements

- a. The procedure and practice of all survey work, done on any subdivision, shall conform to the accepted standards of engineering and surveying professions. The final tract map shall close in all its parts.
- b. In the event the City Engineer has established the centerline of any street or alley in or adjoining a subdivision, the final tract map shall show such centerline together with the reference to a field book or map showing such centerline and the monuments that determine its position. If determined by ties, that fact shall be stated on the final tract map.

2. Notes to be Furnished

- a. For such centerline monument set, the registered civil engineer or surveyor shall furnish to the City Engineer a set of notes showing clearly the ties such monument and a sufficient number (normally four) of durable distinctive reference points or monuments. Such reference points may be lead and tacks in sidewalks, or curbs, or two-inch x two-inch stakes set back of the curb line and below the surface of the ground or such substitute as appears to be not more likely to be disturbed.
- b. The set of notes shall be of such quality, form and completeness, and shall be on paper of such quality and size as may be necessary to conform to the standardized office records of the City Engineer. All such notes shall be indexed by the City Engineer as part of the permanent public records.

3. Identification Marks

All monuments set as required in this *Article (Division of Land)* shall be permanently and visibly marked or tagged with the registration or license number of the registered civil engineer or surveyor.

F. Bearings

1. Basis

- a. The final tract map shall indicate the basis of bearings, making reference to some recorded subdivision map, or other record acceptable to the City Engineer.
- b. The final tract map shall have as the basis of bearings a line based on the Geodetic Triangulation System where ties to the system are deemed feasible by the City Engineer.

2. Distances

The bearing and length of each lot line, block line, and boundary line shall be shown on the final tract map, and each required bearing and distance shall be indicated.

G. Lot Numbers

The lots shall be numbered consecutively commencing with the number one, except as otherwise provided in this *Article (Division of Land)*, with no omissions or duplications. Each numbered lot shall be shown entirely on one sheet.

H. Curve Data

The length, radius, and total central angle and bearings of terminal radii of each curve and the bearing of each radial line to each lot corner on each curve, and the central angle of each segment within each lot shall be shown on the final tract map.

I. Easement

1. Lines

The final tract map shall show all the necessary data including width and side lines of all public easements to which the lots in the subdivision are subject. If the easement is not located on record, a statement as to the easement shall appear on the title sheet.

2. Designation

Easements shall be denoted by broken lines.

3. Identification

Each easement shall be clearly labeled and identified and, if already of record, proper reference to the records given. Easements being dedicated shall be so indicated in the Certificate of Dedication.

J. City Boundary Lines

City boundary lines crossing or abutting the subdivision shall be clearly designated and tied in.

K. Natural Water Course Designation

In the event that a dedication of public right-of-way for flood control or storm drainage is not required, the location of any natural water course shall be shown on the final tract map, unless such natural water course, channel, stream or creek is shown on the grading plans to be filled or otherwise eliminated by the grading of the tract.

L. Title Sheet

The title sheet for each final tract map of a subdivision shall contain all the certificates and acknowledgment required by the Subdivision Map Act. The wording of such certificates and acknowledgments shall be approved by the City Attorney. Forms of certificates and acknowledgment may be obtained from the City Engineer.

SEC. 11.3.2. NOTIFICATIONS

A. Notification Regarding Street Lighting Maintenance Assessments

The City Engineer shall cause to be filed, at the time of filing of any subdivision map with the Los Angeles County Recorder, a notice or notices which shall provide information with respect to each parcel in the subdivision regarding the obligation of any purchaser of such property to pay street lighting maintenance assessments in accordance with the provisions of *Div. 6. (Special Assessment District Procedures), Chapter 3. (Street Lighting and Improvements)* of the LAAC.

B. Notification Regarding Sewer Pumping or Drainage Facilities & Maintenance Districts

The subdivider shall execute and record with the Los Angeles County Recorder a notice identifying all sewer pumping or drainage facilities within the subdivision, either in existence or to be constructed, which could be maintained under maintenance district procedures authorized by *Div. 6. (Special Assessment District Procedures), Chapter 3. (Street Lighting and Improvements)* of the LAAC. Such notice shall provide information regarding the possible obligation of each lot owner for assessments and shall be recorded at the time the final map is filed with the Los Angeles County Recorder. Notifications for sewer pumping connection to City sewer shall also be sent to City of Los Angeles Bureau of Sanitation to verify if a Sewer Capacity Availability Request (SCAR) is required.

SEC. 11.3.3. SUBDIVISION IMPROVEMENTS

A. Requirements

The streets, alleys, lots, and easements in all subdivisions subject to the provisions of this *Article (Division of Land)* shall be laid out to provide for sewer and drainage facilities. All streets and alleys and other public ways and easements within and immediately adjoining the subdivision, together with any drainage and sanitary sewer easements, shall be graded and improved to a width and grade in accordance with plans approved by the City Engineer. Other subdivision improvements as authorized by the Subdivision Map Act may be required.

1. In addition to permanent subdivision improvements, temporary subdivision improvements may be required to be made prior to or concurrent with permanent subdivision improvements. In a Hillside Area, temporary erosion control devices shall be designed and installed in a manner approved by the Board of Public Works and the Department of Building and Safety.
2. If the subdivision has been submitted only for the purpose of clarifying records by consolidating existing lots or metes and bounds parcels, or for the purpose of absorbing vacated streets or alleys or for the purpose of reversion to acreage, the Advisory Agency upon the recommendation of the City Engineer may waive all or a portion of the subdivision improvements which otherwise would be required.

B. Improvement Plans

1. Final plans, profiles, and specifications for subdivision improvements shall be furnished to the City Engineer for approval and processing concurrently with the checking of the final map. Such plans, profiles, and specifications shall show full details for such subdivision improvements, and shall be in accordance with the standards adopted by the City of Los Angeles.
2. In lieu of final plans, profiles and specifications, the subdivider may furnish preliminary plans for subdivision improvements in a form satisfactory to the City Engineer, provided the subdivider agrees to furnish final plans, profiles, and specifications to the City Engineer not later than six months from the date the final map is filed for recording with the Los Angeles County Recorder. Preliminary plans shall be of sufficient detail and extent so as to permit the City Engineer to determine the type, extent, quantity, and estimated cost of the required subdivision improvements.

C. Street Lighting

Plans for a street lighting system shall be submitted to and be approved by the Bureau of Street Lighting. The time requirement for submittal shall be as prescribed in *Sec. 11.3.3.B. (Improvement Plans)*.

D. Street Trees

1. Arrangements between the subdivider and the City to ensure the subdivider either places street trees in subdivisions to the satisfaction of the Bureau of Street Maintenance of the Department of Public Works, or makes a cash payment to the City. The amount of cash payment shall be in accordance with rates established by the Board of Public Works. When planted by the City, street trees may be planted under contract or by City forces.
2. Any street tree planted by a subdivider, or for which a payment is made to the City of Los Angeles to provide such tree, is subject to the street tree maintenance fee set forth in *Chapter VI. (Public Works and Property), Sec. 62.176 (Street Maintenance Fee)* of this Code.

E. Guarantees

1. No final tract map or parcel map may be presented to the City Council for approval until the subdivider/owner has completed the subdivision improvements, or has guaranteed that all subdivision improvements will be constructed and installed within a specified time. The requirement of guaranteeing the construction and installation of subdivision improvements will not be waived under any condition except as provided in this *Subsection E. (Guarantees)*. Parcel maps, the preliminary maps for which have been approved by the Advisory Agency specifying that subdivision improvements are not required until such time as a building permit or other grant of approval for development is issued, are exempt from this provision. California non-profit corporations are exempt from these requirements to the extent provided in the Subdivision Map Act.

2. The guarantee shall be furnished in accordance with the provisions of this *Subparagraph 2*:
 - a. The subdivider/owner shall execute an Improvement Agreement. Under the terms of this agreement, the subdivider/owner shall, among other things: agree to construct and install the subdivision improvements at the subdivider/owner's expense; shall warrant all work performed against any defective work or labor done, or defective materials furnished for a period of one year following acceptance by the City Engineer of all subdivision improvements; and shall agree to reimburse the City for all costs and reasonable expenses and fees incurred by the City in enforcing the terms of the agreement including reasonable attorney's fees.
 - b. Performance of the Improvement Agreement shall be guaranteed by one of the following, at the option of and subject to the approval of the City:
 - i. A surety bond or bonds payable to the City, executed by the subdivider/owner as principal and one or more corporate sureties authorized to act as surety under the laws of the State of California and having a certificate of authority as acceptable surety on Federal bonds; or
 - ii. A deposit of cash; or
 - iii. A deposit of negotiable United States Treasury bonds or notes, for which the faith and credit of the United States are pledged for the payment of principal and interest, payable to the bearer; or
 - iv. A deposit of fully-insured certificates of deposit issued by a financial institution whose deposits are insured by an instrumentality of the Federal Government, together with a non-revocable assignment to the City that pledges that the funds are on deposit and guaranteed for the performance of the Improvement Agreement. Such certificates of deposit may provide that interest shall be paid to the depositor. The assignment shall allow the City to withdraw the principal amount, or any portion of the principal amount, on declaration of default by the Board of Public Works without the necessity of any further consent by the depositor. The Improvement Security shall be on a form prepared by the City Engineer, shall be a joint and several obligation, and shall be in an amount estimated by the City Engineer to be reasonably necessary to complete the construction and installation of all of the subdivision improvements required to be done in accordance with the Improvement Agreement and to warrant the work against defective work or labor done, or defective materials furnished in the performance of the work.
 - c. The term of the Improvement Security shall begin on the day it is approved by the City Council and shall continue until the work is accepted by the City Engineer.
 - d. The Improvement Security shall contain the further conditions that: in addition to the face amount, all parties executing the security shall be firmly bound under a continuing obligation for payment of all reasonable costs, expenses and fees, including reasonable

attorney's fees incurred by the City in enforcing the obligation secured; that all parties agree to any extensions of time within which to construct and install the subdivision improvements; and that all parties further agree to such modifications of or additions to the work as may be deemed necessary by the City Engineer provided the cost increase does not exceed 10 percent of the value of the Improvement Security.

3. Improvement Warranty Guarantee

As a part of the Improvement Security there shall be included an amount to be determined by the City Engineer sufficient for the guarantee and warranty of the work for a period of one year following the date of acceptance of the work by the City Engineer against any defective work or labor done, or defective materials furnished in the performance of the work.

4. Labor & Material Payment Security

Security shall be furnished for payment of labor and materials furnished in the construction and installation of the subdivision improvements. The security shall be furnished in one of the forms described in *Sec. 11.3.3.E.2. (Guarantees)*, and shall be in an amount equal to not less than 50 percent of the Improvement Security as estimated by the City Engineer. The security shall inure to the benefit of all persons, and entities furnishing services, supplies or equipment for the subdivision improvements as referenced in *California Civil Code, Div. 4. (General Provisions), Sec. 8400, 8402 and 8404*. All claims under this labor and materials payment security shall be filed with the City Clerk on or before the expiration of 90 days after the completion of the subdivision improvements.

5. Existing Security

If the subdivider/owner already has on file with the City Engineer an Improvement Security in one of the forms described in *Sec. 11.3.3.E.2. (Guarantees)*, posted in accordance with *Chapter VI (Public Works and Property), Sec. 62.111. (Class "B" Permits-Plans-Bonds-Insurance)* of this Code which guarantees completion of all of the subdivision improvements designated in the Improvement Agreement and in an amount at least equal to the amount determined by the City Engineer to be necessary to complete all of the subdivision improvements, no additional Improvement Security is required; however, improvement warranty guarantee and labor and material security may be required.

F. Extension of Time

If it appears that the subdivision improvements cannot be completed by the date specified in the Improvement Agreement, written application may be made to the City Engineer for an extension of the completion date. One extension of time shall be granted to a time at which the City Engineer determines the work of subdivision improvement should reasonably be completed. Further extensions of time may be granted at the discretion of the City Engineer. If the subdivider disagrees with the determination of the City Engineer such decision may be appealed to the Board of Public Works. Any extension may be considered upon agreement by the surety and principal to:

1. Begin or resume construction of the subdivision improvements on a schedule to be specified by the City Engineer; or
2. Update the estimated cost of construction and installation of the subdivision improvements with an adjustment in the Improvement Security commensurate with the updated estimates; or
3. To the extent possible, construct and install the required subdivision improvements in accordance with the standards and specifications of the Board of Public Works in effect at the time such extension of time is granted; or
4. Comply with other conditions as may be deemed necessary by the City Engineer to ensure diligent prosecution of the work.

G. Reduction of Improvement Security

When a portion of the subdivision improvements have been completed to the satisfaction of the City Engineer, the City Engineer may consent to a reduction in the amount of the Improvement Security upon written request from the subdivider/owner. The City Engineer may consent to two reductions provided the original security for the subdivision improvements exceeds \$200,000 and the work completed is identifiable, capable of being maintained by the City, and accepted by the City Engineer. In extreme hardship circumstances, the City Engineer may consent to one reduction without regard to the preceding provisions. The remaining security shall be adequate to cover the estimated cost of completing the remaining subdivision improvements, the improvement warranty guarantee, and reasonable expenses and fees for enforcement of the terms of the Improvement Agreement. If a cash deposit or negotiable security is on deposit, that portion of the cash or negotiable security not required as a guarantee for the remaining subdivision improvements, improvement warranty guarantee and reasonable expenses and fees for enforcement of the terms of the Improvement Agreement, shall be returned to the depositor. If a certificate of deposit is on file, reduction in the Improvement Security will be accomplished by the City Engineer issuing a notice of reduction to the depositor and financial institution. If a surety bond is on file, reduction in the Improvement Security will be accomplished by the execution of a rider to the improvement surety bond by the principal and surety and is effective upon approval by the City Engineer and the City Attorney.

H. Release of Improvement Security

When all of the requirements of the Improvement Agreement and the Improvement Security have been completed to the satisfaction of the City Engineer and the improvement warranty guarantee has expired, the City Engineer shall issue a Certificate of Acceptance and Termination of Improvement Warranty Bond to the subdivider/owner and a copy thereof shall be sent to the surety company if a surety bond is on file. However, if the improvement warranty guarantee has not expired, the City Engineer may issue a Certificate of Acceptance, which exonerates the portion of the Improvement Security guaranteeing completion of the construction and installation of the subdivision improvements, but not the improvement warranty guarantee. The warranty guarantee shall thereafter be released in total by the City Engineer on or after one year from the date of the

completion notice from the Bureau of Engineering, provided no claims against the guarantee have been made by the City.

I. Release of Labor & Material Payment Security

On or after 90 days from the date of completion notices from both the Bureau of Contract Administration and the Bureau of Engineering, security posted under *Sec. 11.3.3.E.4. (Labor & Material Payment Security)* to secure payment for labor and materials may be released by the City Engineer in whole if no claims are filed or reduced to an amount equal to 150 percent of those claims filed with the City Clerk. If a cash, negotiable security, or certificate of deposit payment security is on file, the City Engineer shall:

1. Release the cash, negotiable security or certificate of deposit payment bond in total, if no claims have been filed; or
2. Reduce the cash or negotiable security or certificate of deposit payment bond to an amount equal to 150 percent total amount of the claims filed with the City Clerk.

J. Enforcement

If the subdivider/owner neglects, refuses or fails to construct the subdivision improvements with such diligence as to insure completion within the time specified, or within such extensions of the time as may have been granted by the City Engineer or the Board of Public Works or if the subdivider/owner neglects, refuses or fails to perform satisfactorily any act required under the Improvement Agreement, the Board of Public Works may declare the Improvement Agreement in default, and shall take whatever actions are necessary to enforce the terms and conditions of the Improvement Security. The Board of Public Works is hereby empowered to order all or any part of the work to be done either by City forces or by separate contract, and the City is entitled to reimbursement for all costs and expenses as a result of such construction. If the Improvement Security is a cash deposit, negotiable security or certificate of deposit the Board of Public Works is empowered to deduct therefrom, on behalf of the City, an amount sufficient to reimburse and to indemnify the City for any and all damages, costs and expenses sustained or incurred by the City in enforcing the terms and conditions of the Improvement Agreement.

SEC. 11.3.4. PRIVATE STREETS

- A. Whenever a private street is proposed to be used or included in a subdivision, the private street shall conform in all respects with all the requirements contained and set forth in *Div. 10.3. (Private Street Regulations)*. A private street map need not be filed with the Advisory Agency in addition to the maps required by the provisions of this *Article (Division of Land)*, provided that the maps filed in conformance with the provisions of this *Article (Division of Land)* show the private street and contain the information pertaining to the street that is required to be provided in a private street map.

- B. If a private street located within a newly proposed tentative tract map was approved according to the regulations at the time of the private street approval, then the private street is deemed to comply with the requirements of this *Section (Private Streets)* and *Div. 10.3. (Private Street Regulations)* and no further approval is required.

SEC. 11.3.5. REVERSION TO ACREAGE

- A. Proceedings for reversion to acreage of subdivided real property may be initiated by the City Council on its own motion or by petition of all of the owners of record of the real property within the subdivision in accordance with *Sec. 13B.7.3. (Tentative Tract Map)*.
- B. Upon the title sheet of each map filed for the purpose of reverting subdivided land to acreage, the subtitle shall consist of the words "A reversion to acreage of . . ." Any map so submitted shall be accompanied by evidence of title and non-use or lack of necessity of any streets or easements which are to be vacated or abandoned. Any streets or easements to be left in effect after the reversion shall be adequately delineated on the map.
- C. When a reversion is effective, all fees and deposits shall be returned and all improvement security released, except those retained in accordance with *Sec. 13B.7.3. (Tentative Tract Map)*.
- D. After approval of the reversion by the City Council, the final map shall be delivered to the Los Angeles County Recorder. The filing of the final map constitutes legal reversion to acreage of the land affected and also constitutes abandonment of all streets and easements not shown on the Map.

SEC. 11.3.6. MERGER & RESUBDIVISION

Subdivided lands may be merged and resubdivided without reverting to acreage by complying with all the applicable requirements for the subdivision of land as provided in this *Article (Division of Land)*. The filing of the final map, in accordance with *Div. 13B.7. (Division of Land)*, constitutes legal merging of the separate parcels into one parcel and the resubdivision of the parcel. Any unused fees or deposits previously made in accordance with this *Article (Division of Land)* pertaining to the property shall be credited pro rata towards any requirements that are applicable at the time of resubdivision. Any streets or easements to be left in effect after the resubdivision shall be adequately delineated on the map. After approval of the merger and resubdivision by the City Council, the map shall be delivered to the Los Angeles County Recorder. The filing of the map constitutes legal merger and resubdivision of the land affected and also constitutes abandonment of all streets and easements not shown on the map.

SEC. 11.3.7. MAPS, LOCAL DRAINAGE DISTRICTS, EXEMPTION FROM FEES

- A. Payment of fees is required in the sums fixed by ordinance for local drainage districts involved and as a condition to approval of final subdivision maps and private street maps, except as provided in *Subsection B. below*, whenever the City Council determines such need and finds:
 - 1. That subdivision and development of property requires or will require construction of facilities described in the local drainage plan; and

2. That the fees are fairly apportioned within the area on the basis of benefits conferred on the property proposed for subdivision or on the need for facilities created by the proposed subdivision and development of other property within such area.
- B. In the event the owner filing the map petitions the City Council for an exemption from payment of fees required by ordinances to be paid to defray actual or estimated costs of constructing planned drainage facilities for removal of surface and storm waters from local or neighborhood drainage areas, and the City Council finds and determines that the final subdivision map or the private street map filed for approval is not filed for subdivision or development purposes, the City Council may thereupon exempt that map from payment of the fees or other consideration notwithstanding provisions of *Sec. 11.1.3.O. (Where Subdivision Includes Land Within Drainage District)*, *Sec. 11.4.4.B.9. (Where Parcel Map Includes Land Within Drainage District)*, or *Sec. 10.3.5.J.4. (Improvements, Drainage & Sewage)* or requirements of *Sec. 11.3.7.A. (Maps, Local Drainage Districts, Exemption from Fees)* or of the ordinance for such payment.
- C. For purposes of this *Subsection C.* the term "subdivision" and the term "development" neither includes nor applies to final subdivision maps or private street maps that are filed within the City:
1. In connection with a sale of land which is to be further divided by the filing of either a subdivision map or private street map prior to development occurring.
 2. Solely for the purposes of reversion to acreage, or to combine portions of vacated streets with adjoining lots or parcels, or to make boundary line adjustments without creating any new lots or parcels, or to effect technical corrections on existing recorded maps in order to cause those maps to conform to actual fact, clarify the record, and cause them to read correctly, provided however that approval or recordation of such new maps does not or will not otherwise change or amend any existing recorded map or any legend.

SEC. 11.3.8. MODIFICATIONS

See *Sec. 13B.7.3.H. (Modification of Entitlement)*.

SEC. 11.3.9. SUBDIVISION REQUIRING IMPORT OR EXPORT OF EARTH

- A. Upon the filing of a tentative tract map that, for its implementation, requires the import or export of more than 1,000 cubic yards of earth materials, the Advisory Agency shall request that the Superintendent of Building and the General Manager of the Department of Transportation investigate the circumstances of the proposed import or export of earth materials and the effect upon the public health, safety, and welfare. The Advisory Agency shall request the City Engineer to determine the effect of any import and export on the structural integrity of the public streets and to determine the effect on public safety relative to street alignment, width and grade.
- B. In taking action on the tentative tract map, the Advisory Agency shall impose conditions of approval to mitigate any detrimental effects of the hauling operations necessary to import or export earth, including but not limited to:

1. Designating routes to be followed by trucks hauling earth materials;
2. Limiting truck weight, length or speed; and
3. Any other conditions of approval necessary to ensure repair of damages to public streets along the hauling route that may reasonably be expected to be caused by hauling operations. Such additional conditions may include a condition that the developer shall file a bond for the benefit of the City. Any such bond shall be in a form approved by the City Attorney, executed by the developer and a corporate surety authorized to do business in the State in an amount sufficient to cover the repair of any damage to the public streets reasonably expected to be caused by the hauling operations. The conditions of the bond shall guarantee to indemnify the City for all costs and expense in repairing the damaged streets or other public facilities. In lieu of a surety bond, the developer may file a cash bond with the Department upon the same terms and conditions and in an amount equal to that which would be required in the surety bond. The deposit submitted may be in the form of cash or negotiable United States securities. The term of such bond shall begin on the date of filing and shall remain in effect until the completion of the hauling operations and subsequent inspection of the affected public streets by the Department of Public Works.

- C. The Advisory Agency may disapprove the tentative tract map as provided in *Sec. 13B.7.3.E. (Standards for Review & Required Findings)*.

SEC. 11.3.10. MODIFICATION OF RECORDED FINAL TRACT MAPS

In addition to amendments to final tract maps authorized by *California Government Code, Title 7. (Planning and Land Use), Sec. 66469.*, after a final tract map is filed with the Los Angeles County Recorder, the recorded map, including the conditions of approval, may be modified in accordance with the provisions of *Sec. 13B.7.4.H. (Modification of Recorded Final Tract Map)*. Modifications and amending maps shall be governed by the following limitations.

- A. No modifications involving increases in density are allowed if the increase would change the density of a subdivision as approved on appeal by the City Planning Commission or the City Council, where such density was the subject of the appeal to the City Planning Commission or the City Council.
- B. No condition may be modified if it was imposed as a mitigating measure identified in a mitigated or conditional negative declaration or in an Environmental Impact Report.
- C. Modifications involving increases in density over that originally approved by the Advisory Agency in approving the tentative tract map shall be limited to the following:
 1. For subdivision of fewer than 10 lots or dwelling units, any density increase shall be limited to one lot or dwelling unit; and
 2. For subdivisions containing 10 or more lot or dwelling units, any increase shall be limited to not more than 10 percent of that originally approved.

- D. Modifications involving either an increase in the height of structures, or in the elevation of building pads where the elevation of such pads has been specified by the Advisory Agency, shall be limited as follows:
1. An increase in the height of structures of not more than 10 percent above the approved height of such structures; or
 2. An increase in the elevation of building pads of not more than five feet above the approved elevation of such pads; or
 3. Any such increase in height or elevation shall not obstruct the view from surrounding properties; or
 4. A greater increase in the elevation of building pads may be approved if such increase has been determined to be necessary for health and safety reasons by the Department of Building and Safety.
- E. No modifications are permitted that violate the intent of any of the original conditions of the tract map approval as that intent is expressed in the findings or otherwise by the decision-maker.

DIV. 11.4. PARCEL MAPS

SEC. 11.4.1. GENERAL

A. Intent

The following parcel map regulations are intended to: ensure compliance with the Subdivision Map Act, this Zoning Code (Chapter 1A), and the City's General Plan; to assure lots of acceptable subdivision design and of a size compatible with the size of existing lots in the immediate neighborhood; to preserve property values; to assure compliance with the design standards for streets and alleys in this Article (*Division of Land*) where street or alley dedication or subdivision improvements are required; to prevent interference with the opening or extension of streets necessary for emergency vehicle access, proper traffic circulation, and the future development of adjacent properties; and to provide that the dividing of land in the Hillside Areas be done in a manner that ensures that the separate parcels can be safely graded and developed as building sites.

B. Scope

1. No land shall be separated in ownership or otherwise divided into two, three, or four parcels or condominiums, and no such divided parcel or condominium shall be separately maintained unless the division conforms to that shown on a parcel map that has been approved by the Advisory Agency and recorded with the Los Angeles County Recorder.
2. No building permit shall be issued, and no building or structure shall be constructed, altered or maintained on any land which has been separated in ownership or otherwise divided into two, three, or four parcels in violation of the provisions of this Article (*Division of Land*), and until and unless a parcel map has been recorded with the Los Angeles County Recorder. All conditions of approval shall be completed prior to filing the parcel map.
3. These regulations do not apply to the leasing of apartments, offices, stores or similar space within an apartment building, industrial building, commercial building or mobile home park, nor to mineral, oil or gas leases, nor do they apply to the following divisions of land, except as may be required by Subsection C. (*Parcel Maps — Divisions of Land of Five or More Parcels Not Subdivisions*):
 - a. Those divisions of land made in compliance with the Subdivision Map Act and the subdivision regulations contained in this Article (*Division of Land*).
 - b. Those divisions of land made solely because of the sale, acquisition, lease or combining of lands by governmental agencies, including the City of Los Angeles and any of its departments, or any further division of such lands by a lessee of such governmental agency.
 - c. Those where the Advisory Agency or the Appeal Board determines that all the following conditions exist:

- i. A lot line adjustment is made between four or fewer existing adjoining lots or parcels and the land taken from one lot or parcel is added to an adjoining lot or parcel;
 - ii. The resulting number of lots or parcels remains the same or is decreased; and
 - iii. The parcels or lots resulting from the lot line adjustment conform to the General Plan, any applicable Coastal Plan, this Zoning Code (Chapter 1A), and the City's building ordinances.
4. Those involving land dedicated for cemetery purposes under the applicable provisions contained in the *California Health and Safety Code*.

C. Divisions of Land of Five or More Parcels Not Subdivisions

1. No parcel of land may be separated in ownership or otherwise divided into five or more parcels, where such a division is not a subdivision by reason of the exceptions contained in *California Government Code, Title 7. (Planning and Land Use), Sec. 66426.(a), (b), (c), and (d)*, and no such divided parcel shall be separately maintained unless a tentative tract map of such division has been approved by the Advisory Agency and a parcel map prepared in conformity has been recorded with the Los Angeles County Recorder.
2. Where the Advisory Agency determines that a tentative tract map filed for the division of land described in *California Government Code, Title 7. (Planning and Land Use), Sec. 66426.(b) and (c)* complies with all the requirements of this Article (*Division of Land*), but that dedication for street opening or widening or easements is necessary, it shall require that an offer to dedicate such additional land as is necessary to be made in a manner provided by *Sec. 11.4.4.B.1. (Conditional Approval)*.
3. Where the Advisory Agency determines that a tentative tract map filed for the division of land described in *California Government Code, Title 7. (Planning and Land Use), Sec. 66426.(c)* complies with all of the requirements of this Article (*Division of Land*), but that improvement of public or private streets, highways, ways or easements is necessary for local traffic, drainage or sanitary needs, such improvements shall be constructed, or their construction and completion guaranteed in the manner provided by *Sec. 11.3.3. (Subdivision Improvements)*, as a condition of approval of the tentative tract map.
4. No building permit may be issued, and no building or structure may be constructed, altered or maintained on any land which has been separated in ownership or otherwise divided into five or more parcels, where a parcel map is not required for such a division by reason of the exceptions contained in *California Government Code, Title 7. (Planning and Land Use), Sec. 66426.(a), (b), (c), and (d)*, in violation of the provisions of this Article (*Division of Land*). All conditions of approval shall be completed prior to submitting the parcel map to the City Engineer.

D. Slope Density

1. In Hillside Areas, which are designated in the "Minimum Residential" General Plan land use designation, the dwelling unit density shall not exceed that allowed by the following formula:

$$D = \frac{50 - S}{35}$$

Where:

D = the maximum number of dwelling units per gross acre allowable; and

S = the average natural slope of the land in percent.

2. Where the total allowable number of dwelling units per parcel map or tentative tract map calculated under the above formulas results in a number other than a whole number, it shall be rounded to the nearest whole number as follows:
 - a. Where the fractional portion of the total allowable number of dwelling units equals 0.5 or more, the total number of allowable dwelling units shall be rounded to the next larger whole number;
 - b. Where the fractional portion of the total allowable number of dwelling units equals less than 0.5, the total number of allowable dwelling units shall be rounded to the next smaller whole number.
3. In no case may the permitted density be less than 0.05 dwelling units per gross acre. Where the total allowable number of dwelling units per parcel map calculated under the above formula results in a number less than one, it shall be rounded up to allow one dwelling unit per parcel map.
4. Where previous grading on a lot makes it difficult to determine average natural slope using the above formula, the Director shall determine the average natural slope in a manner to carry out the intent of this Subsection D.

E. Forms & Map Requirements

Each person applying for approval of a parcel map required by Sec. 11.4.1.B. (Scope) shall submit a reproducible preliminary parcel map to the Department of City Planning showing the land to be divided and its proposed division. The map may be prepared by the applicant, except that the Advisory Agency may require the map to be prepared by a licensed land surveyor or registered civil engineer and that it be based upon a field survey when it determines that such is necessary to provide the information required by this Subsection E. or Subsection F. (Incomplete Map), Subsection G. (Additional Reports), or Subsection H. (Protected Vegetation Reports) below. The map shall be made on one or more sheets of tracing paper or polyester based film at least 8 1/2 inches x 11 inches but shall not exceed 18 x 26 inches. It shall be legibly drawn using a decimal or an engineer's scale and shall clearly show the following information:

1. The dimensions and record boundaries of the total parcel together with a legal description of the total parcel attached to the map.
2. The dimensions and boundaries of each proposed parcel.
3. The names, addresses, and telephone numbers of the property owners, the person filing the map, and the registered civil engineer or licensed land surveyor, if any, who prepared the map.
4. The abutting streets and alleys and existing surface improvements and proposed dedications and subdivision improvements.
5. The location of other existing public easements, private streets, or private road easements.
6. In Hillside Areas, the existing contours of the land at intervals of not more than five feet.
7. The accurate location of any structures on the property.
8. Names or designations for all proposed streets.
9. Such other information as the Advisory Agency determines is necessary to properly consider the proposed division.

F. **Incomplete Map**

If at any time during the processing of the map it is discovered that the map has been improperly prepared or required pertinent information has not been submitted, the applicant shall be promptly notified in writing by mail of the defect and of further information or correction required. The time limits specified shall not begin until the omitted or inaccurate information is furnished in a proper manner.

G. **Additional Reports**

In addition to the preliminary parcel map, and when determined by the Superintendent of Building or the City Engineer to be necessary, the following reports shall be submitted to the Department of City Planning by the applicant when the property is located in a Hillside Areas:

1. A geologic report prepared by an engineering geologist, as defined in *Chapter IX. (Building Regulations), Article 1. (Building Code)* of this Code, setting forth all relevant geologic data pertaining to the proposed separate parcels and including separately stated conclusions listing any potential hazards to public health, safety or welfare which may exist on the proposed parcels or which could result from grading or building upon the proposed separate parcels.
2. A report prepared by a soils engineer, as defined in *Chapter IX. (Building Regulations), Div. 70. (Grading, Excavations, and Fills)* of this Code, setting forth sufficient engineering data to explain the proposed solutions to:
 - a. Any potential geologic hazards disclosed by the geologic report; and
 - b. Any potential geologic hazards that could be created by the proposed grading.

H. Protected Vegetation Reports

No application for a preliminary parcel map approval for a parcel where protected vegetation is located will be considered complete unless it includes a report pertaining to preserving the protected vegetation in accordance with Sec. 11.1.3.P. (*Protected Vegetation Regulations*). The report shall be prepared by a tree expert and shall evaluate the subdivider's proposals for protected vegetation preservation, removal, replacement or relocation. In the event the subdivider proposes any grading, land movement, or other activity within the drip line of any protected vegetation referred to in the report, or proposes to relocate or remove any protected vegetation, the report shall also evaluate any mitigation measures proposed by the subdivider and the anticipated effectiveness in preserving the protected vegetation.

SEC. 11.4.2. PRELIMINARY PARCEL MAP STANDARDS

A. Disapproval of Maps

1. Where a parcel map involves land for which a General Plan, including dwelling unit densities, has been adopted by the City Council, and the land is also in a Hillside Area, the number of lots or parcels on the map shall be limited so that the number of dwelling units permitted by the applicable zoning regulations does not substantially exceed the dwelling unit densities shown on the plan.
2. The Advisory Agency shall disapprove a preliminary parcel map when the property is situated in a Hillside Area and the Department of Building and Safety or the Bureau of Engineering has submitted a report in writing to the Advisory Agency recommending disapproval of the preliminary parcel map because of any existing or potential geologic hazards lacking satisfactory engineering solutions.
3. The Advisory Agency may disapprove a preliminary parcel map unless the proposed name of each street has been approved by the City Engineer. Advisory Agency approval shall be withheld if the City Engineer has determined that a proposed street name would create confusion, be misleading, be unduly long or carry connotations offensive to good taste and decency.

B. Lots May Be Increased in Size

1. Where the Advisory Agency finds it necessary in order to promote the general welfare, to provide for a more consistent development for the area, and to preserve property values, it may require that lots or parcels described in a parcel map and located in a *Residential Use District* (Div. 5B.3.) be increased in size from that proposed so as to more closely conform to the size of existing contiguous lots or nearby parcels on the same street. However, in no case may the Advisory Agency require such parcels in the aforementioned Use District, other than when a zone includes a Rural-Limited, Estate-Limited 4, or Estate-Limited 5 Form District, to contain an area of more than 20,000 square feet.

2. Where the Advisory Agency finds that a future public easement will be needed on a portion of the lots or parcels for street or other public uses, it may require that the lots or parcels be increased in size from the proposed to provide space for such easement. In addition, the Advisory Agency may impose conditions prohibiting or restricting the erection for buildings or structures on that portion needed for the easement.

C. Maps Involving Private Road Easements

Whenever a proposed division of land involves one or more parcels that are contiguous or adjacent to a private road easement with the remaining parcel contiguous or adjacent to a dedicated street, only the parcel map need be filed, without requiring the payment of additional fees or the filing of a private street map. The Advisory Agency may approve, conditionally approve, or disapprove the map subject to the applicable provisions of this *Article (Division of Land)* or *Div. 10.3. (Private Street Regulations)*.

D. Lots in the Very High Fire Hazard Severity Zone

1. The Advisory Agency may disapprove a preliminary parcel map for land located in the Very High Fire Hazard Severity Zone because of inadequate fire protection facilities unless:
 - a. The designated area in which buildings are to be erected on each proposed parcel or lot, as shown on the map, is located not more than 1,000 feet from a fire hydrant, the distance to be measured along a route providing reasonable access, as determined by the Fire Chief, for the laying of fire hoses in an emergency; or
 - b. The Fire Chief reports that adequate fire protection exists, or is in the process of being provided, for the parcels or lots.
2. Upon proper application to the City Council, and upon recommendation of the Chief Engineer of Waterworks of the Department of Water and Power, the City may provide for contribution toward the cost of installation of water mains and hydrants necessary to comply with this *Subsection (Lots in the Very High Fire Hazard Severity Zone)* where the Chief Engineer determines that the cost of such installation is greatly in excess of normal charges for providing like facilities.

E. Maps Involving Future Streets

In the event that the Advisory Agency determines that certain streets or alleys in a proposed division of land shall be reserved for future public use, they shall be indicated on the preliminary parcel map and offered for dedication as future streets or future alleys prior to recording the parcel map. The applicant shall furnish the Bureau of Right-of-Way and Land an offer of dedication therefor in accordance with the provisions of *Sec. 11.4.4.B.1. (Conditional Approval)*.

F. Maintenance of Accessory Structures

Where the Advisory Agency determines that a proposed parcel map complies with all provisions of these parcel map regulations, but otherwise finds that the proposed division of land will result in a parcel where an accessory building or accessory structure is separated from the main building,

or, a parcel where a residential building is without the required automobile parking stalls, then, in order to afford the applicant time to remedy these problems (by providing a main building on the same parcel as the accessory structure or accessory building, removing the accessory structure or accessory building, or providing the required automobile parking stalls), the Advisory Agency may: approve the proposed parcel map and the continued use and maintenance of the accessory structures or accessory buildings separated from the main building, for a period of time not to exceed one year; or, approve the proposed parcel map and the continued use and maintenance of the residential building without the required automobile parking stalls, for a period of time not to exceed 90 days. However, in either situation, the Advisory Agency's approval is subject to the following conditions:

1. That as a prerequisite to the filing of the final parcel map with the City Engineer, the owner or owners of record of the subject property shall record with the Los Angeles County Recorder a covenant running with the land in which such owner or owners agree to comply with the conditions imposed by the Advisory Agency in approving the parcel map.
2. That upon approval of the proposed parcel map, in addition to the permanent copy placed on file in the Department of City Planning, the Advisory Agency shall furnish a copy of the action to the applicant and to the Department of Building and Safety.

G. Lots Involving a Common Slope

Whenever two or more lots are to be created on a common slope and the City Engineer or Superintendent of Building determines that condition so dictate, the Advisory Agency may require as a condition of approval of the preliminary parcel map that appropriate deed covenants on a form approved by the City Attorney be recorded which provide to each owner of the common slope a joint right on entry for access of persons and equipment, and a joint easement over the slope area to maintain and repair the common slope.

H. Protected Vegetation

When protected vegetation exists on a proposed parcel, the preservation of the protected vegetation at its existing location, its relocation for preservation purposes, or the removal of the protected vegetation shall be regulated in the same manner as that provided under subdivision regulations set forth in this Article (*Division of Land*).

SEC. 11.4.3. VESTING PARCEL MAP

A. Process

See Sec. 13B.7.3.I.2. (*Filing an Application*).

B. Requirements

See Div. 11.4. (*Parcel Maps*) and Sec. 13B.7.3.I. (*Vesting Tentative Map*).

C. Development Rights

See Sec. 13B.7.3.1.4. (*Development Rights*).

D. Development Inconsistent With Zoning — Conditional Approval

See Sec. 13B.7.3.1.5. (*Development Inconsistent with Zoning — Conditional Approval*).

SEC. 11.4.4. PRELIMINARY PARCEL MAP REVIEW CONSIDERATIONS

A. Approval

When the Advisory Agency determines that the proposed parcel map complies with all the provisions of these parcel map regulations, and no dedication or subdivision improvement is required, it shall approve the preliminary parcel map.

B. Conditional Approval

When the Advisory Agency determines that the preliminary parcel map complies with all of the provisions of these parcel map regulations, but that street or alley dedications or subdivision improvements, storm drain easements, sanitary sewer easements or slope easements are necessary, or that grading or construction of an engineered retaining structure as specified in this *Section (Preliminary Parcel Map Review Considerations)* is necessary, it may approve the proposed preliminary parcel map subject to the following conditions being complied with to the satisfaction of the City Engineer:

1. That an offer be made to dedicate such land as is necessary for street or alley purposes in compliance with the applicable street and alley design standards established in Sec. 11.1.3. (*Subdivision Design Standards*) and such storm drain easements, sanitary sewer easements, and slope easements as are deemed necessary. The offer shall be properly executed by all parties having a record interest, including beneficiaries under deeds of trust as shown by a current preliminary title report prepared by a title company approved by the City Engineer for that intent. The trustee under the deed of trust shall not be required to execute the dedicatory instrument, unless, in the view of the City Engineer, such execution is necessary to satisfactorily dedicate the land. This report shall: be on a form approved by the City Attorney and the City Engineer; be in such terms as to be binding on the owner, heirs, assigns or successors in interest; and shall continue until the City Council accepts or rejects it. The offer shall provide that the dedication will be complete upon acceptance by the City Council. The City Engineer shall approve or disapprove the offer for recordation within ten days after it is filed. The offer shall be recorded by the City Engineer with the Los Angeles County Recorder upon its approval. If the streets, alleys, and easements being offered for dedication are required for immediate public use as streets, alleys, and easements, a resolution of acceptance shall thereafter be submitted to the City Council concurrently with the final parcel map in order to complete the dedication. Offers to dedicate that are not required for immediate public use

will be retained by the City until such time as acceptance for public use occurs. If an offer is rejected by the City Council, the City Engineer shall issue a release from such offer, which shall be recorded with the Los Angeles County Recorder.

2. When it is determined that additional street dedication for widening will be required from property adjoining that depicted in the preliminary parcel map in order to comply with the applicable street standards provided for in Sec. 11.1.3. (*Subdivision Design Standards*), the offer of dedication provided for above shall include an agreement as a covenant running with the land that upon completion of the dedication, a one-foot wide portion of the property included within the dedication and abutting such adjoining property shall not be used for access. This agreement shall be in the form of a covenant running with the land and shall be recorded, but shall by its own terms become null and void upon the completion of the dedication of the additional land needed for street purposes from the adjoining property. The City Engineer shall show that portion of the dedication which is subject to the recorded covenant on the District Maps of the City of Los Angeles. As long as the agreement remains in effect, the one-foot strip shall not be used as a means of access to the adjoining property, nor shall any permits be issued by any City department permitting its use for access purposes.
3. That such subdivision improvements as are required be constructed and installed to the satisfaction of the City Engineer or that construction and installation of such subdivision improvements be guaranteed in accordance with the provisions of Sec. 11.3.3.E. (*Guarantees*). The subdivision improvements shall be limited to grading and the installation of local drainage and sewer facilities, curbs, gutters, sidewalks, street lights, street trees, and roadway surfacing. In addition, the City Engineer may also require such other incidental subdivision improvements as are essential to the proper installation of the required public street or alley improvements. All such subdivision improvements shall be graded and improved in accordance with plans approved by the City Engineer. When the conditions of approval of the preliminary parcel map specify that subdivision improvements are required to be constructed prior to the grant of any development right, no building permit shall be issued until the subdivision improvements have been constructed or suitably guaranteed in accordance with Sec. 11.3.3.E. (*Guarantees*).
4. That if grading or construction of an engineered retaining structure is required by the Advisory Agency to remove potential geologic hazards, such grading or construction shall be completed or guaranteed to the satisfaction of the City Engineer or the Superintendent of Building.
5. When recommended by the Fire Department, the Advisory Agency may as a condition of approval of the preliminary parcel map, require the installation of fire hydrants to the satisfaction of the Fire Department.
6. Upon proper application to the City Council, and upon recommendation of the City Engineer of Waterworks of the Department of Water and Power, the City may provide for contribution toward the costs of installation of water mains and hydrants necessary to comply with this subsection where the Chief Engineer determines that the cost of such installation is greatly in excess of normal charges for providing like facilities.

7. Failure to fulfill all conditions of a conditional approval within one year after the date of such approval will automatically terminate and void the proceedings. Upon application, prior to the expiration of the original one-year period, an extension of time for a period not exceeding one year may be granted by the Advisory Agency. The Advisory Agency's determination on an application for a time extension shall be subject to the appeal provision of *Sec. 13B.7.8. (Subdivision Appeal)*.

8. **Modification of Requirements**

The Advisory Agency may modify or waive any dedication or subdivision improvement requirements in accordance with *Sec. 13B.7.5.D.6. (Modification of Requirements)*.

9. **Where Parcel Map Includes Land Within Drainage District**

Whenever a parcel map, or a portion thereof includes land which is within a Local Drainage District, the provisions and requirements of the ordinance establishing such District shall be met.

10. **Modifications of Approved Preliminary Parcel Maps**

The Advisory Agency may grant slight modifications to a preliminary parcel map upon its own initiative or upon a request from a subdivider in accordance with *Sec. 13B.7.5.H. (Modification of Entitlement)*.

11. **Map Identification & Reproduction**

Each preliminary parcel map shall be identified with a number assigned by the Department of City Planning and the date of filing. The number shall be shown on the recorded parcel map.

SEC. 11.4.5. **FINAL PARCEL MAP**

A. **Final Parcel Map Requirements**

A final parcel map shall be prepared and filed with the City Engineer in compliance with the provisions of this *Article (Division of Land)*. The map shall conform substantially to the approved preliminary parcel map, or the approved tentative tract map which was filed in accordance with the requirements contained in *Sec. 11.4.1.C. (Parcel Maps — Divisions of Land of Five or More Parcels Not Subdivisions)*. The final parcel map shall be accepted by the City Council provided that:

1. The necessary subdivision improvements and grading or retaining structure construction, as set forth in the approval of the preliminary parcel map, have been installed and approved by the City, or provided the subdivider executes an Improvement Agreement and submits or agrees to submit:
 - a. Improvement plans; and

- b. Satisfactory grading or construction plans, where grading or construction of an engineered retaining structure is required in Hillside Areas; and
 - c. Improvement Securities, warranty guarantees, and labor and material payment securities in accordance with provisions of *Sec. 11.3.3.E. (Guarantees)*.
 2. All approvals have been obtained from City departments and other public agencies; and
 3. Any special assessment or bond required to be paid or guaranteed in accordance with *California Government Code, Title 7. (Planning and Land Use), Sec. 66493.(c)* has been paid in full, or such payment has been guaranteed.

B. Final Parcel Map Drafting Requirements

1. The following information shall be submitted with the parcel map: names, address, and telephone numbers of the record owners, and the person preparing the parcel map. The general form and layout of the map, including size and type of lettering, drafting and location of acknowledgment, and other required information shall be determined by the City Engineer. The map shall be prepared on high quality tracing cloth, polyester based film, or other material approved by the City Engineer.
2. The map shall show the location of each parcel and its relation to surrounding surveys. The location of any remainder of the original parcel shall be shown, but need not be shown as a matter of survey but only by reference to the existing record boundaries of such remainder if such remainder has a gross area of five acres or more.
3. Each sheet of the parcel map shall be 18 x 26 inches. A marginal line shall be drawn around each sheet, leaving a blank margin of one inch. The scale of the map shall be such as to show all details clearly. Each sheet shall be numbered, and its relation to other sheets clearly shown. The parcel map number, scale, and north point shall be shown on each sheet. If more than three sheets are necessary to show the entire division of land, an index map shall be included on one of the sheets.
4. The exterior boundary of the land included within the subdivision shall be indicated by distinctive symbols and clearly so designated. Each parcel shall be identified by a letter.
5. The parcel map may be compiled from recorded or filed data when sufficient survey information exists on filed maps to locate and retrace the exterior boundary lines of the parcel map if the location of at least one of these boundary lines can be established from an existing monumented line.
6. All other parcel maps not utilizing *Paragraph 5.* above shall be based upon a field survey made in conformance with the Land Surveyor's Act.
7. The parcel map shall be prepared by a registered civil engineer or licensed land surveyor. A signed Surveyor's Certificate as required by the Subdivision Map Act shall appear on the parcel map.

8. Where there are no dedications being made by the parcel map, a certificate signed and acknowledged by the fee owners only, of the real property being subdivided, consenting to the preparation and recordation of the parcel map, is required.
9. Each approved parcel map recorded with the Los Angeles County Recorder shall contain the following statement:
"The approval of this Parcel Map shall not be construed as having been based upon geological investigation such as will authorize the issuance of building permits on the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits."

SEC. 11.4.6. **APPROVAL OF MAP DOES NOT AUTHORIZE VIOLATION OF OTHER LAWS**

See Sec. 13B.7.5.F. (*Scope of Decision*) of this Zoning Code (Chapter 1A).

SEC. 11.4.7. **MODIFICATION OF RECORDED PARCEL MAPS, REVIEW CONSIDERATIONS**

See Sec. 13B.7.6.H. (*Modification of Recorded Final Parcel Map*) of this Zoning Code (Chapter 1A).

SEC. 11.4.8. **SALES CONTRARY TO PARCEL MAP REGULATIONS ARE VOIDABLE**

Any deed of conveyance, sale or contract to sell made contrary to the provisions of these parcel map regulations is voidable to the extent and in the same manner as is provided for violations of *California Government Code, Title 7. (Planning and Land Use), Sec. 66499.32*.

DIV. 11.5. CONDOMINIUMS, COMMUNITY APARTMENTS, & STOCK COOPERATIVES

SEC. 11.5.1. CONVERSION: RESIDENTIAL; RESIDENTIAL TO COMMERCIAL/INDUSTRIAL

A. Intent

The intent of these provisions is: to promote greater individual choice in the type, quality, price, and location of housing; to provide for the housing needs of all segments of the population; to provide increased homeownership opportunities for all segments of the population; to mitigate the hardship caused by displacement of tenants, particularly those in low to moderate cost housing and those who are elderly, families with minor dependent children, the handicapped and the disabled; to promote the safety of conversion projects and correct any violations of *Chapter IX. (Building Regulations)* of this Code which may occur in conversion projects; to provide adequate automobile parking stalls; to encourage construction of new rental units to replace units lost due to conversions; to protect the existing rental housing stock by reducing conversions; to provide increased opportunities for the ownership of commercial or industrial real property in the form of condominiums or stock cooperatives; to assure that the continued use of buildings for commercial or industrial purposes is substantially consistent with the General Plan and applicable Specific Plans; and to generally regulate projects in accordance with the General Plan and applicable Specific Plans and with the public health, safety and welfare.

B. Applicability

The provisions of this Section shall apply to all tentative tract maps and preliminary parcel maps, except as otherwise expressly stated in this Section.

C. Application Requirements

1. Residential Conversion Projects

- a. A residential conversion project shall comply with the Division of Land regulations in this Article (*Division of Land*), the provisions of this Section (*Conversion: Residential; Residential to Commercial/Industrial*), and other applicable State laws and local ordinances.
- b. In addition to the information required by other applicable provisions of this Zoning Code (Chapter 1A), the following information shall be submitted at the time of filing:
 - i. Building plans or other documents containing the following information pertaining to the project as proposed, certified as to accuracy by a licensed engineer:
 - a) Description of the features of the type of building and project, including age, type of construction, number of dwelling units, and number of habitable rooms per dwelling unit;

- b) Site plan, including buildings, structures, yards, open spaces, and accessory storage areas and accessory buildings including trash storage areas; and
 - c) Parking plan, including: the total number of spaces actually provided on-site or off-site and the total number required if different from that actually provided; dimensions of stalls, aisles, and driveways; locations of columns, walls and other obstructions; total number of covered and uncovered automobile parking stalls and location and number of guest automobile parking stalls.
 - ii. Tenant Information: Name and address of each tenant; total number of project occupants; length of tenancy; rent schedule for 18 months preceding the application; relocation assistance plan.
 - iii. Sales Information: Anticipated range of sales prices of individual dwelling units or shares based on information known at the time of application; anticipated terms of sale to existing tenants; statement as to whether sales will be permitted to families with minor children; incentives to tenants for the purchase of the dwelling units; written notice to the tenants of an exclusive right to purchase the dwelling unit occupied by the tenant; and the number of tenants that have expressed interest in purchasing their dwelling unit.
 - iv. Floor plans and building elevations, including indications of lot amenity spaces and residential amenity spaces, and required exits.
- c. The following additional information may be required by the Advisory Agency as a condition of approval:
 - i. Certificate of Housing Compliance Inspection Report as provided by *Chapter IX. (Building Regulations), Sec. 91.8205. (Certificate of Building Compliance)* of this Code, or equivalent report satisfactory to the Advisory Agency, which report shall detail any violations of provisions of *Chapter IX. (Building Regulations)* of this Code enacted after such permit was issued and which are explicitly made applicable to existing structures.
 - ii. Building inspection reports (if any such report has already been submitted to the *California Department of Real Estate*, a copy of such report shall be furnished to the City):
 - a) Building component reports indicating conditions and estimated remaining useful life of the roof, foundation, plumbing, electrical, heating, air conditioning, other mechanical and structural systems, prepared by a registered civil or structural engineer, licensed general building contractor, licensed general engineering contractor or architect;
 - b) Structural pest control report, prepared by a licensed pest control contractor;

- c) Acoustical report, indicating: (1) the type of construction between dwelling units and the general sound attenuation characteristics of such construction, or indicating the level of sound attenuation between dwelling units, and (2) the feasibility of various levels of improvement, prepared by a licensed acoustical engineer; and
 - d) Utility metering reports, if the units of the building are not individually metered, indicating the feasibility of individual or submetering, prepared by qualified engineers.
- iii. Any other information, including conditions, covenants and restrictions, articles of incorporation, and by-laws, which the Advisory Agency deems necessary to determine if the proposed project is consistent with this Zoning Code (Chapter 1A).

2. Residential to Commercial/Industrial Conversion Projects

- a. A residential to commercial/industrial conversion project shall comply with the Division of Land regulations in this Article (*Division of Land*), the provisions of this Section (*Conversion: Residential; Residential to Commercial/Industrial*), and other applicable State laws and local ordinances.
- b. In addition to the information required by other applicable sections of this Zoning Code (Chapter 1A), the following information shall be submitted at the time of filing:
 - i. Tenant Information: Name and address of each tenant in the existing residential building; rent schedule for 18 months preceding the application and relocation assistance plan if any;
 - ii. Building plans or other documents containing the following information pertaining to the project as proposed, certified as to accuracy by a licensed engineer:
 - a) Description of the features of the type of building and project, including age, type of construction, the number of separate units proposed, the square footage of each such unit and of the entire building.
 - b) Parking plan, including the total number of automobile parking stalls actually provided on-site or off-site, and the total number required if different from that actually provided, dimensions of automobile parking stalls, aisles, and driveways, locations of columns, walls, and other obstructions, and location and number of guest automobile parking stalls.
 - iii. The following additional information may be required by the Advisory Agency as a condition of approval:

- a) Building component reports prepared by a registered civil or structural engineer, licensed general building contractor, licensed general engineering contractor or architect, describing the condition and estimated remaining useful life of the roof, foundation, plumbing, electrical, heating, air conditioning, and other mechanical and structural systems.
- b) Site plan, including, buildings, structures, yards, open spaces, accessory storage areas, and accessory buildings including trash storage areas.
- c) Floor plans and building elevations, including indication of lot amenity spaces and residential amenity spaces, and required exits.
- d) Building inspection reports, (if any such report has already been submitted to the California Department of Real Estate, a copy of such report shall be furnished to the City).
- e) Any other information, including conditions, covenants and restrictions, articles of incorporation, and by-laws, which the Advisory Agency deems necessary to determine if the proposed project is consistent with this Zoning Code (Chapter 1A).

3. All Projects

No application for tentative tract map or preliminary parcel map approval of a residential conversion project or a residential to commercial/industrial conversion project shall be accepted without adequate evidence from the applicant that each tenant of the project has received: written notice of intention to file a tentative tract map or preliminary parcel map application at least 60 days prior to the filing of the application and a written copy of the relocation assistance provisions of Chapter IV. (Public Welfare), Sec. 47.06. (Tenant Relocation Assistance Where Apartments Are To Be Converted) and Chapter IV. (Public Welfare), Sec. 47.07. (Tenant Relocation Assistance Where Apartments Are To Be Demolished) of this Code. Any person who becomes a tenant of a residential rental unit proposed for conversion to a residential or commercial/industrial condominium, stock cooperative or community apartment project after the date of the filing of the application shall be given written notice of the pending application prior to entering into any written or oral rental agreement.

D. Tenant Notification

1. Notification of Hearing on Tentative Tract Map or Preliminary Parcel Map

In addition to other notification requirements of this Zoning Code (Chapter 1A), the Department of City Planning shall give notice of any public hearing on a tentative tract map or preliminary parcel map to each tenant in each dwelling unit of the building or buildings proposed for conversion.

This notice shall be in writing and mailed no less than 10 days prior to the public hearing on the tentative tract map or preliminary parcel map.

The notice may include a questionnaire, to be completed at the option of each tenant, regarding the approximate ages and disabilities or handicaps, if any, of the household members, comments concerning the physical condition of the building and its various components and characteristics as outlined in *Sec. 11.5.1.C.1.c.ii. (Residential Conversion Projects)*, and any other information as may be pertinent to the pending proceedings.

2. Notification of Proposed Conversion Prior to Termination of Tenancy Due to Conversion

Each tenant of a conversion project subject to this *Section (Conversion: Residential; Residential to Commercial/Industrial)* shall be given 180 days written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion. Each person who becomes a tenant of the conversion project after the date of the 180 days written notice shall be given a copy of the notice of intention to convert before entering into any written or oral rental agreement, but shall not be entitled to 180 days written notice prior to termination of tenancy due to the conversion or proposed conversion.

3. Residential Conversion Project – Notification of Exclusive Right to Purchase

The applicant shall give each tenant of any proposed residential conversion project written notice of an exclusive right to contract for the purchase of the dwelling unit occupied by the tenant or purchase of a share in the corporation entitling the shareholder to enjoy exclusive occupancy of the unit upon the same or more favorable terms and conditions than those on which such unit or share will be initially offered to the general public. The right shall run for a period of not less than 90 days from the issuance of the subdivision public report in accordance with *California Business and Professions Code, Div. 4. (Real Estate), Sec. 11018.2.*, unless the applicant receives prior written notice of the tenant's intention not to exercise the right.

Where two or more units are combined in accordance with conditions of tentative tract map or preliminary parcel map approval, the notice required by this *Subsection (Tenant Notification)* shall be given to the tenants of the combined dwelling units and priority among tenants shall be determined in an equitable manner. A tenant who is prevented from purchasing their unit due to combination of units shall be given a right of first refusal with respect to the comparable unit in the same residential conversion project, to the extent possible.

E. Tentative Tract Map & Preliminary Parcel Map Approval:

1. All tentative tract maps and preliminary parcel maps filed in connection with residential conversion projects or residential to commercial/industrial conversion projects shall be subject to this *Article (Division of Land)*, except as otherwise provided in this *Section (Conversion: Residential; Residential to Commercial/Industrial)*. All such maps shall be subject to the General Plan and any applicable Specific Plan only to the extent that such plan contains a definite statement of policies and objectives explicitly applicable to conversion projects, except as otherwise provided in this *Section (Conversion: Residential; Residential to Commercial/Industrial)*.

2. The Advisory Agency shall disapprove a tentative tract map or preliminary parcel map for a residential conversion project or residential to commercial/industrial conversion project, if it finds: (a) that the map is not substantially consistent with the applicable density provisions of the General Plan or Specific Plans in effect at the time the original building permit was issued, and (b) the application for map approval is filed less than five years from the date the original Certificate of Occupancy for the building was issued. The Advisory Agency shall disapprove a tentative tract map or preliminary parcel map for a residential to commercial/industrial conversion project where the conversion would be inconsistent with either the existing zoning pattern, General Plan, or applicable Specific Plan, unless it finds that there are special circumstances which justify approval of the map. Such circumstances may exist only with respect to the following facts: (1) the prevailing pattern of residential and commercial/industrial land use in the vicinity of the project site; and (2) the existing and anticipated need for commercial/industrial development in the planning area in which the project is located. This provision shall not apply to any residential conversion project or residential to commercial/industrial conversion project involving buildings for which a building permit was applied for prior to July 1, 1978.
3. The Advisory Agency shall disapprove a tentative tract map or preliminary parcel map for a residential conversion project or residential to commercial/industrial conversion project if it finds that any applicable General Plan or Specific Plan provision contains a definite statement of policies and objectives explicitly applicable to conversion projects and the proposed map is not substantially consistent with such provision.
4. The Advisory Agency shall disapprove a tentative tract map or preliminary parcel map for a residential conversion project or a residential to commercial/industrial conversion project if it finds that there are uncorrected violations of Chapter IX. (Building Regulations) of this Code, and that an adequate plan to correct such violations has not been developed or accomplished. For purposes of this provision, Chapter IX. (Building Regulations) of this Code means the Code in effect when the building permit was issued and other subsequently enacted regulations explicitly made applicable to existing structures.
5. The Advisory Agency shall disapprove a tentative tract map or preliminary parcel map for a residential conversion project or a residential to commercial/industrial conversion project, if it finds that: (a) the building permit for the building was issued prior to October 1, 1933, and the building is of unreinforced masonry construction, or (b) the building is more than three stories in height without an elevator. This provision may be waived where the Advisory Agency finds that any such condition has been corrected in conformity with LAMC standards.
6. After considering the following criteria, the Advisory Agency may approve a tentative tract map or preliminary parcel map for a residential conversion project or a residential to commercial/industrial conversion project, unless it makes both of the following findings: (1) the vacancy rate of the planning area in which the property is located is five percent or less, and (2) the cumulative effect of the rental housing market in the planning area of successive residential conversion projects or residential to commercial/industrial conversion projects (past, present and future) is significant. A finding of significant cumulative effect shall be

based on the following factors: (a) in the case of residential conversion projects only, the number of tenants who are willing and able to purchase a unit in the building; (b) the number of units in the existing residential building prior to conversion; (c) the number of units which would be eliminated in case conversion occurred in order to satisfy automobile parking stall requirements; (d) the adequacy of the relocation assistance plan proposed by the subdivider; and (e) any other factors pertinent to the determination. "Vacancy rate" shall refer to the most current vacancy rate for rental units as published by the Department of City Planning in its Semi-Annual Population Estimate and Housing Inventory, or other estimate or survey satisfactory to the Advisory Agency. "Planning area" shall refer to those areas established by the Director for purposes of community planning in accordance with *Sec. 13B.1.1. (General Plan Adoption/Amendment)*.

F. Relocation Assistance

1. Requirement

The Advisory Agency shall require, as a condition of map approval, that the applicant execute and record a covenant and agreement, in a form satisfactory to the Advisory Agency, binding the applicant and any successor-in-interest to provide relocation assistance in a manner consistent with *Chapter IV. (Public Welfare), Sec. 47.06. (Tenant Relocation Assistance Where Apartments Are To Be Converted)* of this Code. The covenant and agreement shall be executed and recorded within 10 days after the expiration of the appeal period, or final approval, whichever is later, for tentative tract map or preliminary parcel map approval and a copy provided to each tenant within five days of recordation. The covenant and agreement shall run to the benefit of any eligible tenant, as defined in *Paragraph 2. (Eligible Tenant)* below and shall be enforceable by any eligible tenant or by the City.

2. Eligible Tenant

As used in this Subsection F. (Relocation Assistance), the term eligible tenant means any tenant who was resident of the property both on the date of tentative tract map or preliminary parcel map application and the date of approval of such map, or at any time after that, and who does not intend to purchase a unit in the conversion project.

3. Special Protection

An eligible tenant is entitled to special protection, as defined in this *Subsection F. (Relocation Assistance)*, if the tenant meets the definition of qualified tenant in *Chapter IV. (Public Welfare), Sec. 47.06. (Tenant Relocation Assistance Where Apartments Are To Be Converted)* of this Code.

4. Dispute Resolution

The covenant and agreement specified in *Paragraph 1. (Requirement)* above shall establish an expeditious mechanism to resolve any disputes among tenants, the applicant and the City concerning the interpretation or application of the covenant and agreement.

5. Continued Tenancy Pending Relocation; Eviction; Review Procedure

- a. Until each eligible tenant is successfully relocated in accordance with the provisions of this *Subsection F. (Relocation Assistance)*, the tenant shall be permitted to reside in the unit presently occupied in the conversion project. There shall be no time limit for such continued tenancy for each tenant qualified for "special protection," as defined in *Paragraph 3. (Special Protection)* above. In all other cases, the subdivider is not required to consent to continued tenancy beyond 12 months from the date of tentative tract map or preliminary parcel map approval or the date on which the 120-day notice of intent to convert is given to all tenants, whichever is the latter.
- b. An eligible tenant may be evicted, notwithstanding *Subparagraph a. (Continued Tenancy Pending Relocation; Eviction; Review Procedure)* above, for the following reasons only:
 - i. The tenant has failed to pay the rent to which the landlord is entitled.
 - ii. The tenant has violated an obligation or covenant of the tenancy, other than the obligation to surrender possession upon proper notice and has failed to cure such violation after having received written notice thereof from the landlord.
 - iii. The tenant is committing or permitting to exist a nuisance in or is causing damage to, the rental unit or to the appurtenances thereof, or to the common areas of the property containing the rental unit, or is creating an unreasonable interference with the comfort, safety, or enjoyment of any of the other residents of the same or adjacent building.
 - iv. The tenant is using or permitting a rental unit to be used for any illegal intent.
 - v. The tenant who had a written lease or rental agreement which terminated on or after November 10, 1979, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term or like duration with similar provisions and in such terms as are not inconsistent with or violative of any provision of this *Section (Conversion: Residential; Residential to Commercial/ Industrial)*.
 - vi. The tenant has refused the landlord reasonable access to the unit for the intent of making repairs or improvements, or for the intent of inspection as permitted or required by the lease or by law, or for the intent of showing the rental unit to any prospective purchaser or mortgagee.
 - vii. The person in possession of the rental unit at the end of the lease term is a subtenant not approved by the landlord.
- c. Any dispute regarding an eligible tenant's right to continue tenancy in accordance with this Subdivision may be heard by the Advisory Agency when application for such review is made by the subdivider or an eligible tenant. The Advisory Agency may release the applicant from further compliance with a relocation assistance plan with respect to

any eligible tenant where it finds that the tenant is not entitled to continued tenancy in accordance with the provisions of *Paragraph 5. (Continued Tenancy Pending Relocation; Eviction; Review Procedure)*.

G. Parking

1. Residential Conversion Projects

- a. The minimum number of resident automobile parking stalls per dwelling unit shall be provided in accordance with the applicable parking package in *Sec. 4C.4.1.C.2. (Required Automobile Parking Table)*.
- b. The design and improvement of automobile parking facilities and areas shall substantially conform to the provisions of *Sec. 4C.4.3. (Parking Area Design)*, *Sec. 4C.4.4. (Parking Lot Design)*, and *Sec. 4C.4.5. (Parking Structure Design)*, as applicable.

H. Building Reports – Residential Conversion Projects

The Advisory Agency may require, as a condition of approval, that the applicant notify such person who communicates an interest in purchasing a unit or share that the following reports are available for inspection during normal business hours, and shall take all reasonable steps to assure that such reports fully, fairly and accurately describe the conditions reported:

1. Any report submitted in accordance with *Sec. 11.5.1.C. (Application Requirements)*.
2. A report concerning compliance with the sound transmission control standards established by *Chapter IX. (Building Regulations)*, *Sec. 91.1206. (Sound Transmission)* of this Code.
3. Report concerning compliance with the residential energy conservation standards established by *California Code of Regulations, Title 24. (Building Standards Code)*, *Part 6. (California Energy Code)*.
4. A report concerning compliance with the elevator safety standards established by *California Code of Regulations, Title 8. (Industrial Relations)*.
5. A report concerning compliance with any provision of *Chapter IX. (Building Regulations)* of this Code which the Advisory Agency and the Superintendent of Building find appropriate for such reporting purposes.

I. Rental Housing Production

1. As a condition of tentative tract map or preliminary parcel map approval, the Advisory Agency shall require that the applicant or their successor-in-interest pay to the City a fee of \$1,492 for each unit in a residential conversion project or residential to commercial/industrial conversion project, based on the number of dwelling units in the project prior to conversion. For the year beginning July 1, 2008, and all subsequent years, the fee amount shall be adjusted on an annual basis in accordance with the formula set forth in *Chapter XV. (Rent Stabilization*

Ordinance), *Sec. 151.06. (Automatic Adjustments)* of this Code. The adjusted amount shall be rounded to the nearest \$50 increment. This fee shall be paid prior to approval of the final map by the City Engineer.

2. All fees collected in accordance with this *Subsection (Rental Housing Production)* shall be deposited and held in the Rental Housing Production Account of the Los Angeles Housing Department, which account is hereby established to be administered by the Los Angeles Housing Department separately from all other money expended by the Department. Money in this account shall be used exclusively for the development of low and moderate income rental housing in the City, in accordance with guidelines carrying out this purpose prepared by the Department and approved by resolution of the City Council.

SEC. 11.5.2. **CONVERSION: COMMERCIAL/INDUSTRIAL; COMMERCIAL/INDUSTRIAL TO RESIDENTIAL**

A. **Intent**

The intent of these provisions is: to promote greater individual choice in type, quality, price, and location of housing; to provide for the housing needs of all segments of the population; to provide increased homeownership opportunities for all segments of the population; to promote the safety of conversion projects and correct any violations of *Chapter IX. (Building Regulations)* of this Code which may occur in conversion projects; to provide adequate automobile parking stalls; to provide increased opportunities for the ownership of commercial or industrial real property in the form of condominiums or stock cooperatives; to assure that the continued use of buildings for commercial or industrial purpose is substantially consistent with the General Plan and applicable Specific Plans; and to generally regulate projects in accordance with the General Plan and applicable Specific Plans and with the public health, safety, and welfare.

B. **Applicability**

The provisions of this Section shall apply to all tentative tract maps and preliminary parcel maps, except as otherwise expressly stated in this Section.

C. **Application Requirements**

1. **Commercial/Industrial to Residential Conversion Projects**

- a. A commercial/industrial to residential conversion project shall comply with the Division of Land regulations in this *Article (Division of Land)*, the provisions of this *Section (Conversion: Commercial/Industrial; Commercial/Industrial to Residential)* and other applicable State laws and local ordinances.
- b. In addition to the information required by other applicable provisions of this Zoning Code (Chapter 1A), the following information shall be submitted at the time of filing:
 - i. Building plans or other documents containing the following information pertaining to the project as proposed, certified as to accuracy by a licensed engineer:

- a) Description of the features of the type of building and project, including age, type of construction, number of dwelling units, number of habitable rooms per dwelling unit; and
 - b) Site plan, including buildings, structures, yards, open spaces, accessory storage areas and accessory buildings, including location of and access to trash storage areas; and
 - c) Parking plan, including: the total number of spaces actually provided on-site or off-site, and the total number required if different from that actually provided; dimensions of stalls, aisles, and driveways; location of columns, walls, and other obstructions; and total number of covered and uncovered automobile parking stalls, and location and number of guest automobile parking stalls.
- ii. Sales Information: Anticipated range of sales prices of individual dwelling units or shares based on information known at the time of application; and statement as to whether sales will be permitted to families with minor children.
- iii. Floor plans and building elevations, including indication of lot amenity spaces and residential amenity spaces and required exits.
- c. The following additional information may be required by the Advisory Agency as a condition of approval:
 - i. Certificate of Housing Compliance Inspection Report as provided by *Chapter IX. (Building Regulations), Sec. 91.8205. (Certificate of Building Compliance)* of this Code, or equivalent report satisfactory to the Advisory Agency, which report shall detail any violations of *Chapter IX. (Building Regulations)* of this Code in effect at the time the building permit was issued and any violations of provisions of *Chapter IX. (Building Regulations)* of this Code enacted after such permit was issued and which are explicitly made applicable to existing structures.
 - ii. Building inspection reports (if any such report has already been submitted to the *California Department of Real Estate*, a copy of such report shall be furnished to the City):
 - a) Building component reports prepared by a registered civil or structural engineer, licensed general building contractor, licensed general engineering contractor or architect, describing the condition and estimated remaining useful life of the roof, foundation, plumbing, electrical, heating, air conditioning, and other mechanical and structural systems;
 - b) Structural pest control report, prepared by a licensed pest control contractor;

- c) Acoustical report indicating: (a) the type of construction between dwelling units and the general sound attenuation characteristics of such construction, or indicating the level of sound attenuation between dwelling units, and (b) the feasibility of various levels of improvement, prepared by a licensed acoustical engineer; and
 - d) Utility metering reports, if the units of the building are not individually metered, indicating the feasibility of individual or submetering, prepared by qualified engineers.
- iii. Any other information, including conditions, covenants and restrictions, articles of incorporation, and by-laws, which the Advisory Agency deems necessary to determine if the proposed project is consistent with the intent of this Zoning Code (Chapter 1A).

2. Commercial/Industrial Conversion Projects

- a. A commercial/industrial conversion project shall comply with the Division of Land Regulations in this Article (*Division of Land*), the provisions of this Section (*Conversion: Commercial/Industrial; Commercial/Industrial to Residential*) and other applicable State laws and local ordinances.
- b. In addition to the information required by other applicable sections of this Zoning Code (Chapter 1A), building plans or other documents containing the following information pertaining to the project as proposed, certified as to accuracy by a licensed engineer, shall be submitted at the time of filing:
 - i. Description of the features of the type of building and project, including age, type of construction, number of separate units proposed, the square footage of each such unit and of the entire building.
 - ii. Parking plan, including: the total number of automobile parking stalls actually provided on-site or off-site, and the total number required if different from that actually provided; dimensions of automobile parking stalls, aisles, and driveways; location of columns, walls, and other obstructions; and total number of automobile parking stalls and guest automobile parking stalls.
- c. The following additional information may be required by the Advisory Agency as a condition of approval:
 - i. Building component reports prepared by a registered civil or structural engineer, licensed general building contractor, licensed general engineering contractor or architect, describing the condition and estimated remaining useful life of the roof, foundation, plumbing, electrical, heating, air conditioning, and other mechanical and structural systems;
 - ii. Site plan, including buildings, structures, yards, open spaces, and accessory storage areas and accessory buildings including location of and access to trash storage areas;

- iii. Floor plans and building elevations, including indication of lot amenity spaces and residential amenity spaces and required exits;
- iv. Building inspection reports (if any such report has already been submitted to the *California Department of Real Estate*, a copy of such report shall be furnished to the City); and
- v. Any other information including, conditions, covenants and restrictions, articles of incorporation, and by-laws, which the Advisory Agency deems necessary to determine if the proposed project is consistent with the intent of this Zoning Code (Chapter 1A).

D. Tentative Tract Map & Preliminary Parcel Map Approval

1. All tentative tract maps and preliminary parcel maps filed in connection with commercial/industrial to residential conversion projects or commercial/industrial conversion projects shall be subject to the Division of Land regulations contained in this *Article (Division of Land)*, except as herein otherwise provided. All such maps shall be subject to the General Plan and any applicable Specific Plan only to the extent that such plan contains a definite statement of policies and objectives explicitly applicable to such conversion projects, except as otherwise provided in this *Section (Conversion: Commercial/Industrial; Commercial/Industrial to Residential)*.
2. The Advisory Agency shall disapprove a tentative tract map or preliminary parcel map for a commercial/industrial conversion project or commercial/industrial to residential conversion project if it finds that the map is not substantially consistent with the applicable density provisions of the General Plan or Specific Plans in effect at the time the original building permit was issued. This provision shall not apply to any commercial/industrial conversion project or commercial/industrial to residential conversion project for which a building permit was applied for prior to July 1, 1978.
3. The Advisory Agency shall disapprove a tentative tract map or preliminary parcel map for a commercial/industrial conversion project or commercial/industrial to residential conversion project where such conversion would be inconsistent with either the existing zoning pattern, the General Plan, or applicable Specific Plan, unless it finds that there are special circumstances which justify approval of the map. Such circumstances may exist only with respect to the following facts: (1) the prevailing pattern of commercial/industrial and residential land use in the vicinity of the project site; and (2) the existing and anticipated need for residential development and continued commercial/industrial development in the planning area in which the project is located.
4. The Advisory Agency shall disapprove a tentative tract map or preliminary parcel map for a commercial/industrial conversion project or commercial/industrial to residential conversion project if it finds that any applicable General Plan or Specific Plan provision contains a definite statement of policies and objectives explicitly applicable to such conversion projects and the proposed map is not substantially consistent with such provision.

5. The Advisory Agency shall disapprove a tentative tract map or preliminary parcel map for a commercial/industrial conversion project or commercial/industrial to residential conversion project if it finds that there are uncorrected violations of *Chapter IX. (Building Regulations)* of this Code, and that an adequate plan to correct such violations has not been developed or accomplished. For purposes of this provision, *Chapter IX. (Building Regulations)* of this Code means the Code in effect when the building permit was issued and other subsequently enacted regulations explicitly made applicable to existing structures.
6. The Advisory Agency shall disapprove a tentative tract map or preliminary parcel map for a commercial/industrial conversion project or commercial/industrial to residential conversion project if it finds that: (a) the building permit for the building was issued prior to October 1, 1933, and the building is of unreinforced masonry construction, or (b) the building is more than three stories in height without an elevator. This provision may be waived where the Advisory Agency finds that any such condition has been corrected in conformity with current LAMC standards.

E. Parking

1. Commercial/Industrial to Residential Conversion Projects

- a. The design and improvement of automobile parking facilities and areas shall substantially conform to the provisions of *Sec. 4C.4.3. (Parking Area Design)*, *Sec. 4C.4.4. (Parking Lot Design)*, and *Sec. 4C.4.5. (Parking Structure Design)*, as applicable.
- b. Regardless of any other provisions of this Zoning Code (Chapter 1A) to the contrary, the required number of automobile parking stalls in *Sec. 9.4.6. (Citywide Adaptive Reuse Program)* shall be the same as the number of spaces that existed on the lot as of as of June 3rd, 1999, and shall be maintained and not reduced.

2. Commercial/Industrial Conversion Projects

- a. The design and improvement of automobile parking facilities and areas shall substantially conform to the provisions of *Sec. 4C.4.3. (Parking Area Design)*, *Sec. 4C.4.4. (Parking Lot Design)*, and *Sec. 4C.4.5. (Parking Structure Design)*, as applicable.

F. Building Reports – Commercial/Industrial To Residential Conversion Projects

The Advisory Agency may require, as a condition of approval, that the applicant notify any person who communicates an interest in purchasing a residential condominium or share in a residential stock cooperative that the following reports are available for inspection during normal business hours, and shall take reasonable steps to assure that such reports fully, fairly and accurately describe the conditions reported:

1. Any report submitted in accordance with *Sec. 11.5.2.C. (Application Requirements)*.
2. A report concerning compliance with the sound transmission control standards established by *Chapter IX. (Building Regulations)*, *Sec. 91.1206. (Sound Transmission)* of this Code.

3. A report concerning compliance with the residential energy conservation standards established by *California Code of Regulations, Title 24. (Building Standards Code), Part 6. (California Energy Code)*.
4. A report concerning compliance with the elevator safety standards established by *California Code of Regulations, Title 8. (Industrial Relations)*.
5. A report concerning compliance with any provisions of *Chapter IX. (Building Regulations)* of this Code which the Advisory Agency and the Superintendent of Building find appropriate for such reporting purposes.

ARTICLE 12.
NONCONFORMITIES

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DIV. 12.1. GENERAL RULES

SEC. 12.1.1. INTENT

The provisions of this *Article (Nonconformities)* provide relief from the requirements of this Zoning Code (Chapter 1A) for any existing nonconformity, defined as any lot, building or structure, or use that conformed to the zoning regulations at the time they were established, but do not conform to current requirements of this Zoning Code (Chapter 1A).

SEC. 12.1.2. GENERAL NONCONFORMING RULES

The following general rules apply to all nonconformities. Specific rules in the following Divisions of this *Article (Nonconformities)* may provide additional standards or exceptions to these general rules.

- A. Any portion of a lot, site improvement, building, structure, or use that meets the definition of nonconforming may be continued, provided it is not expanded, changed or modified. Maintenance & repair, as well as renovation, of the nonconformity are allowed.
- B. Current project activities may be conducted, provided they meet the standards of this Zoning Code (Chapter 1A) and do not increase the degree of nonconformity with any individual standard in this Zoning Code (Chapter 1A), except as expressly allowed in this *Article (Nonconformities)*.
- C. Each increment of new construction, site modification, exterior modification, or use modification must meet the standards of this Zoning Code (Chapter 1A), except as expressly allowed in this *Article (Nonconformities)*.
- D. A nonconforming building or nonconforming structure may have additional rights when it is located on a lot affected by a public acquisition. See *Div. 12.8. (Lots Affected by Acquisition for Public Use)*.

SEC. 12.1.3. APPLICABILITY

A. Relationship to Article-Level Applicability Standards

- 1. The provisions of this *Article (Nonconformities)* apply in addition to the applicability provisions of any zoning district article (Article 2. (Form) through Article 6. (Density)) of this Zoning Code (Chapter 1A).
- 2. *Sec. 12.7.1. (Restoration of Damaged Nonconforming Buildings)* and *Sec. 12.7.2. (Replacement of Earthquake Hazardous Buildings)* supersede any other provisions of this Zoning Code (Chapter 1A).

B. Relationship to Specific Plans, Supplemental Districts, & Special Zones

The provisions of this *Article (Nonconformities)* apply to Specific Plans, Supplemental Districts, and Special Zones only to the extent that those provisions apply the standards of a zoning district article (Article 2. (Form) through Article 6. (Density)) of this Zoning Code (Chapter 1A).

SEC. 12.1.4. DISCONTINUANCE OF NONCONFORMING USE

- A. A building or structure, portion of a building or structure, or any land that contained a nonconforming use that has been discontinued for a continuous period of one year or more shall only be occupied by a use that conforms to the current use regulations of the applied zone.
- B. Discontinued uses that haven't lapsed within the limited time frame may be allowed to maintain nonconforming rights with change of ownership or tenancy.
- C. A nonconforming use of land that is accessory or incidental to the nonconforming use of a building shall be discontinued on the same date the nonconforming use of the building is discontinued.
- D. In *Agricultural Use Districts (Div. 5B.2.)*, *Residential Use Districts (Div.5B.3.)*, and *Residential-Mixed Use Districts (Div. 5B.4.)*, any nonconforming use first permitted in a *Commercial-Mixed Use District (Div. 5B.5.)* shall be discontinued within five years from the date the use becomes nonconforming, except that the Zoning Administrator may permit its continuation pursuant to Sec. 13B.2.1. (*Class 1 Conditional Use Permit*).
- E. In *Agricultural Use Districts (Div. 5B.2.)*, *Residential Use Districts (Div.5B.3.)*, and *Residential-Mixed Use Districts (Div. 5B.4.)*, any nonconforming use first permitted in an *Industrial Use District (Div. 5B.7.)* or *Industrial-Mixed Use District (Div. 5B.6.)* shall be discontinued within five years from the date the use becomes nonconforming. No continuation is permitted.
- F. Nonconforming animal keeping, animal keeping: livestock for commercial intent, or other uses listed in the animal keeping use group in any *Residential Use District (Div.5B.3.)*, or *Residential-Mixed Use District (Div. 5B.4.)* shall be discontinued within 15 years from the date such use became nonconforming.
- G. In *Agricultural Use Districts (Div. 5B.2.)*, *Residential Use Districts (Div.5B.3.)*, *Residential-Mixed Use Districts (Div. 5B.4.)*, *Commercial-Mixed Use Districts (Div. 5B.5.)*, a nonconforming use of land where no buildings are occupied in connection with the use, or where the only buildings occupied are accessory or incidental to the use, shall be discontinued within five years from the date the use becomes nonconforming.
- H. Nonconforming residential uses in *Industrial Use Districts (Div. 5B.7.)* shall be discontinued five years from the date the use became nonconforming.

SEC. 12.1.5. CALCULATION OF TIME

Whenever a period of time related to a nonconformity is specified in this Zoning Code (Chapter 1A), the period of time is computed from the effective date of the ordinance that created the nonconformity.

SEC. 12.1.6. RELIEF

- A. In circumstances where Alternative Compliance is specified as a form of relief in the standards of the zoning district, it is available as a way to achieve a standard in an acceptable alternate way, which may be used to bring a project into conformity pursuant to *Sec. 13B.5.1. (Alternative Compliance)*.
- B. The City's adaptive reuse project standards may allow some relief and provide incentives for the reuse of existing buildings pursuant to *Sec. 9.4.5. (Downtown Adaptive Reuse Program)* and *Sec. 9.4.6. (Citywide Adaptive Reuse Program)*.
- C. When relief is granted through any discretionary action taken consistent with this Zoning Code (Chapter 1A), the element that is the subject of the discretionary action is no longer considered nonconforming.

SEC. 12.1.7. ORDERS TO COMPLY

- A. The Department of Building and Safety shall have the authority to issue an order to comply to an owner who is in violation of this *Article (Nonconformities)* and advise the owner of the required discontinuance of the nonconforming use.
- B. Included in any order shall be a provision advising the owner of the right to apply to the Department of City Planning within 90 days for permission to continue the nonconforming use as provided in this *Article (Nonconformities)*, but the failure to include that provision shall not nullify the order or provide a basis for the continuation of the use.
- C. The Department of Building and Safety shall record a notice of any order issued pursuant to this *Article (Nonconformities)* with the Los Angeles County Recorder, but the failure to so record shall not nullify the order or provide a basis for the continuation of the use by any owner, purchaser or lessee who was not aware of the order.

SEC. 12.1.8. COMPLIANCE WITH OTHER LAWS

Nothing in this *Article (Nonconformities)* relieves any person from the obligation to comply with the requirements of any federal, state, or county law.

DIV. 12.2. FORM EXCEPTIONS

SEC. 12.2.1. COVERAGE EXCEPTIONS

A. Building Setbacks

Where a building is nonconforming as to building setbacks, an addition to the existing building is allowed as new construction, provided that:

1. Additions located in the nonconforming setback do not encroach to a greater extent than the existing encroachment or reduce the nonconforming setback to less than 50 percent of that required by the dimensional requirements of the applied zone.
2. The total of all additions made since the building became nonconforming do not exceed, in height or length, the height or length of that portion of the adjoining nonconforming building that extends into the same setback.

SEC. 12.2.2. FLOOR AREA RATIO & HEIGHT EXCEPTIONS

A. Rural, Estate, & House Form Districts

In the *Rural Form Districts* (Div. 2B.1.), *Estate Form Districts* (Div. 2B.2.), and *House Form Districts* (Div. 2B.3.), an addition to a building or structure that is nonconforming as to floor area is allowed, provided that the addition conforms to all individual standards in this Zoning Code (Chapter 1A), except as may be approved or permitted pursuant to a discretionary approval. This exception is not available for lots in the Coastal Zone, that are not located in a hillside area.

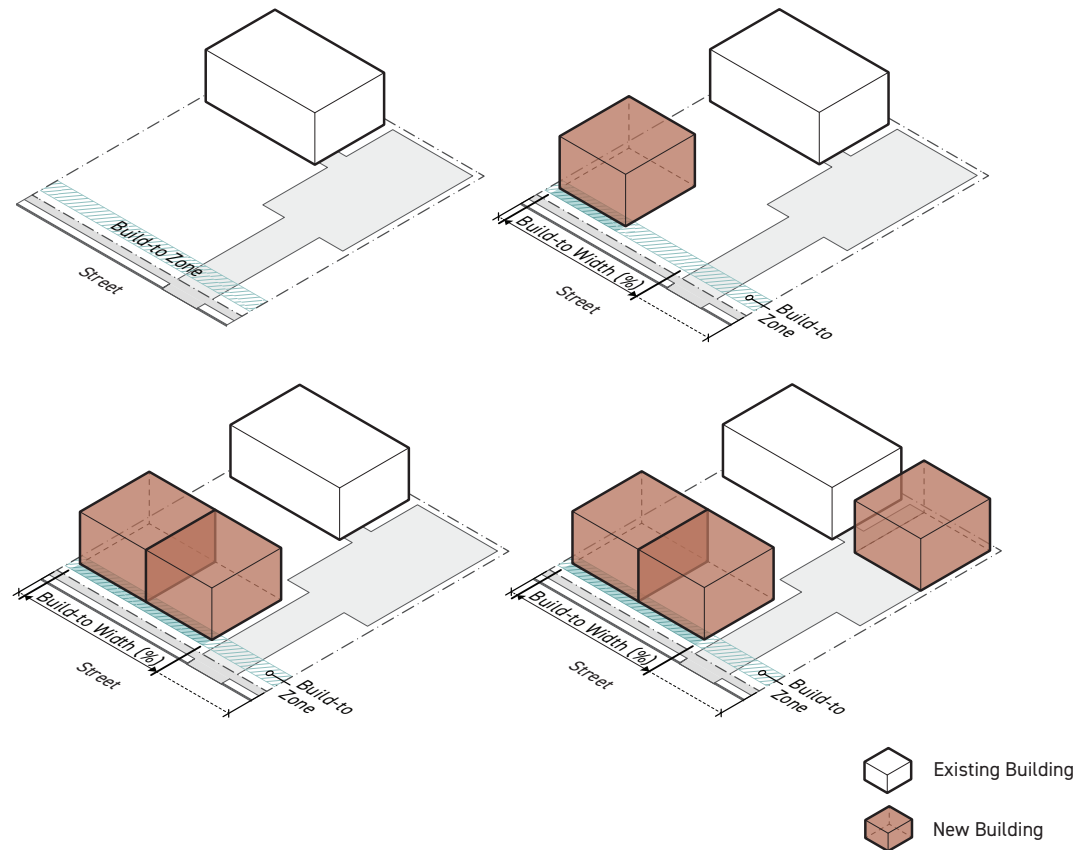
DIV. 12.3. FRONTAGE EXCEPTIONS

SEC. 12.3.1. BUILD-TO EXCEPTIONS

- A. On a lot with an existing building where the lot is nonconforming as to the maximum build-to depth or minimum build-to width requirements, any new construction shall meet the minimum build-to width between the minimum and maximum build-to depth in one or more of the ways described below.

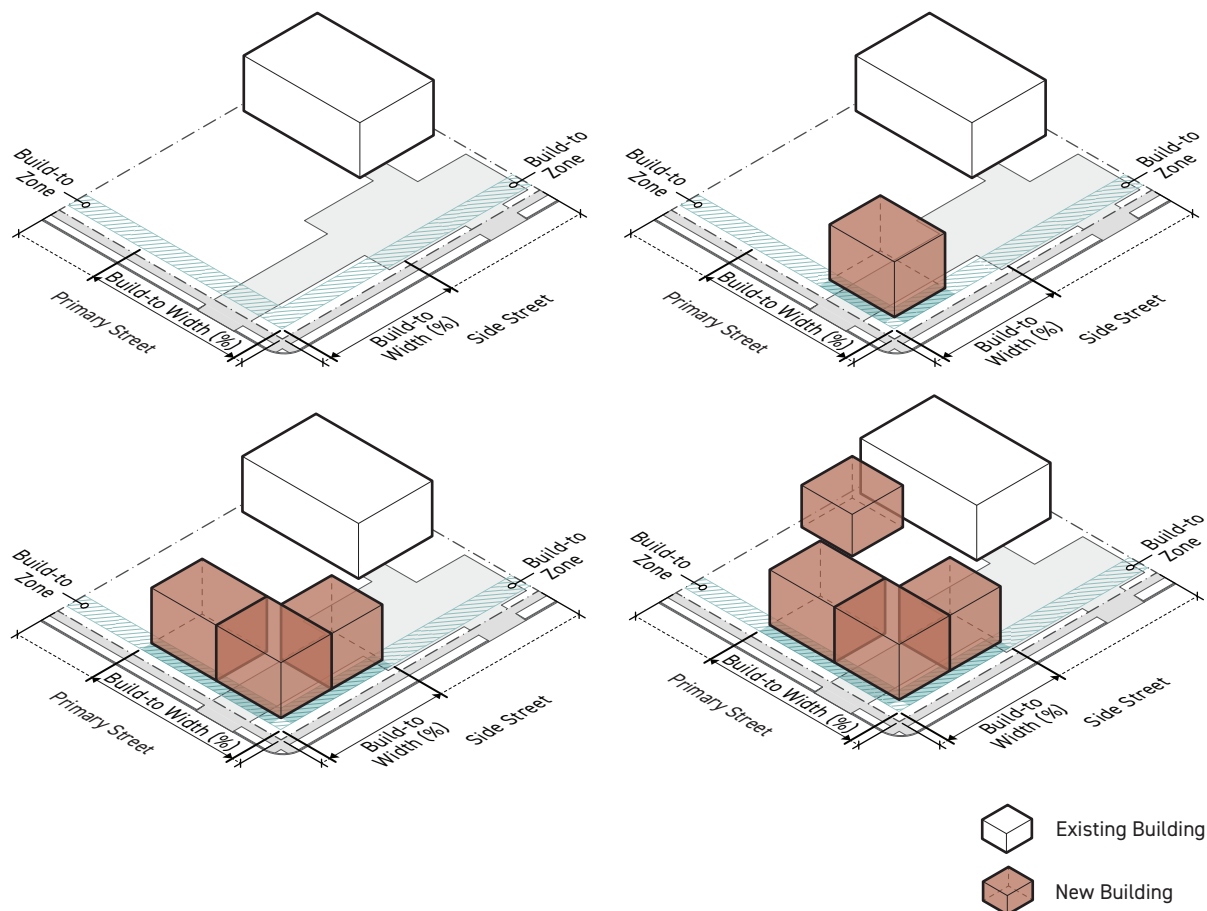
1. New Construction on an Interior Lot

All new construction shall occupy the build-to zone until the build-to width has been met, except that buildings may be developed in phases - each new building is not required to meet the entire required build-to width for the lot. Until all build-to width standards have been met, new buildings shall occupy the build-to width for 100 percent of their building width and may not be deeper than they are wide.



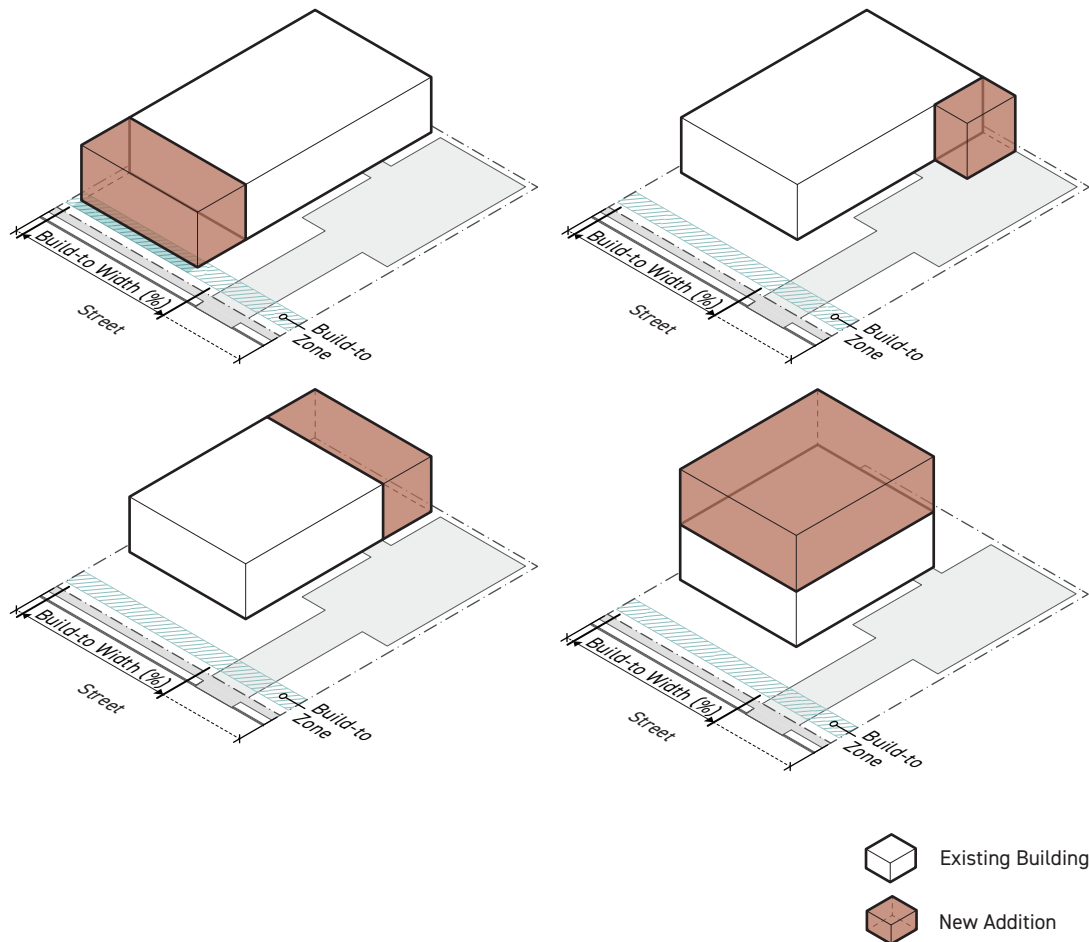
2. New Construction on a Corner Lot

All new construction shall occupy the build-to depth until the build-to width for both streets has been met, except that buildings may be developed in phases - each new building is not required to meet the entire required build-to width for the lot. The initial new building shall begin at the corner and be located within the build-to depth on both streets. Additional new buildings may be placed anywhere within the build-to zone.



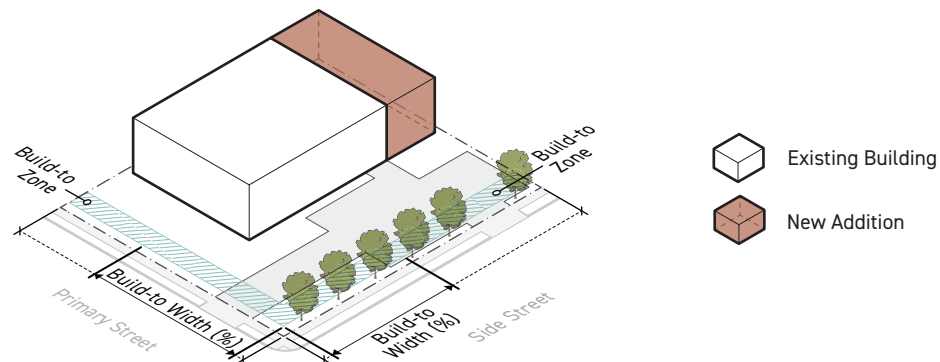
3. Additions on an Interior Lot

- a. Any addition to the street-facing facade of a building that is nonconforming as to build-to depth or build-to width shall occupy the build-to depth, except that the addition does not have to meet the entire required build-to width for the lot.
- b. Additions of any size that extend a building that is nonconforming as to build-to depth or build-to width between the existing building and the rear lot line are allowed.
- c. Additions that extend a building that is nonconforming as to build-to depth or build-to width between the existing building and the side lot line are allowed, except that they shall have a floor area less than 20 percent of the existing ground story.
- d. Additions on top of a building that is nonconforming as to build-to depth or build-to width are allowed, except that they shall not increase the existing building footprint by more than 50 square feet and shall not exceed the height limit for the applied zone.

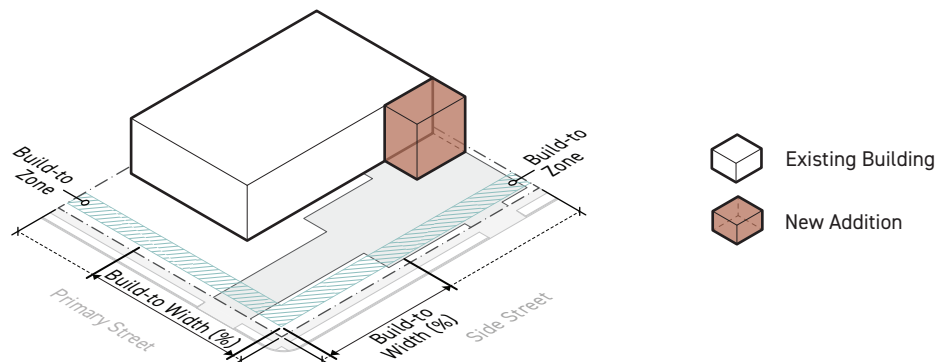


4. Additions on a Corner Lot

- a. Any addition to the primary street-facing facade of a building that is nonconforming as to build-to depth or build-to width shall be located within the build-to depth on the primary street, except that the addition does not have to meet the minimum build-to width for the entire lot.
- b. Additions of any size that extend a building that is nonconforming as to build-to depth or build-to width between the existing building and the rear lot line (but not any wider than the existing building) and are located behind the build-to depth, are allowed, except that:
 - i. A planting area shall be provided as required in Sec. 4C.6.4.C.2. (*Planting Areas*), at least six feet wide, abutting the side street lot line, and installed across the entire length of the side street frontage where no building occupies the build-to zone. Breaks for pedestrian, bicycle and vehicular access are allowed.
 - ii. The planting area with large species trees, shall be provided as required in Sec. 4C.6.4.C.3.a. (*Trees*), planted at a rate of one tree per 30 feet along the entire length of the planting area. Trees should be planted offset from street trees to maximize space for canopy growth.



- c. Additions that extend a building that is nonconforming as to build-to depth or build-to width between the existing building and the side lot line are allowed, except that the floor area shall be no greater than 20 percent of the existing ground story.



- d. Additions on top of a building that is nonconforming as to build-to depth or build-to width are allowed, except that they shall not increase the existing building footprint by more than 50 square feet.
- B. Additions to any street-facing facade of a building that is nonconforming as to build-to depth or build-to width are allowed behind the build-to depth, except that they shall not exceed 10 percent of the ground story area of the existing building.
- C. On lots with an existing building that is nonconforming as to build-to depth or build-to width, except where the existing building is a residential building where new construction of additional dwelling units that are detached from the existing building are located in a rear yard, the build-to depth and build-to width requirements do not apply.

SEC. 12.3.2. CHARACTER FRONTAGE EXCEPTIONS

[Reserved]

DIV. 12.4. DEVELOPMENT STANDARDS EXCEPTIONS

SEC. 12.4.1. RETAINING WALLS EXCEPTIONS

The retaining wall standards in *Sec. 4C.9.2. (Retaining Walls)* do not apply to a retaining wall that received a final discretionary approval from the City under another provision of this Zoning Code (Chapter 1A) prior to March 9, 2005, the effective date of *Ord. No. 176,445*, pursuant to *Sec. 13B.3.1. (Administrative Review)*.

SEC. 12.4.2. SIGNS EXCEPTIONS

Any existing nonconforming sign, as defined in *Chapter IX. (Building Regulations), Sec. 91.6216. (Existing Signs)* of this Code, may be continued. Structural, electrical, or mechanical modifications may be made to a sign only as permitted in *Chapter IX. (Building Regulations), Sec. 91.6216.4. (Alterations, Repairs or Rehabilitation)* of this Code.

DIV. 12.5. USE EXCEPTIONS

SEC. 12.5.1. USE PERMISSION EXCEPTIONS

- A. Where a building in any *Open Space Use District (Div. 5B.1.)*, *Agricultural Use District (Div. 5B.2.)*, *Residential Use District (Div. 5B.3.)*, *Residential-Mixed Use District (Div. 5B.4.)*, *Commercial-Mixed Use District (Div. 5B.5.)* or *Public Use District (Div. 5B.8.)* includes an existing nonconforming use, any residential portion of the building may be enlarged, provided that the addition does not create any additional dwelling units or lodging units, and the addition or expansion meets all other requirements for the applied zone.
- B. An establishment dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, for on-site or off-site consumption shall not be continued or re-established after September 13, 1997 without conditional use approval granted in accordance with the provisions of *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, where there is a substantial change in the mode or character of operation of the establishment, including any addition by more than 20 percent of the floor area, seating or occupancy, whichever applies. Construction for which a building permit is required in order to comply with an order issued by the Department of Building and Safety to repair or remedy an unsafe or substandard condition is exempt from this provision. Any addition of less than 20 percent of the floor area, seating or occupancy, whichever applies, requires the approval of plans pursuant to *Sec. 13B.5.4. (Modification of Entitlement)*.
- C. Any lot or portion of a lot in a *Commercial-Mixed Use District (Div. 5B.5.)*, *Industrial-Mixed Use District (Div. 5B.6.)*, or *Industrial 1 (I1) (Sec. 5B.7.1.) Use District* that was being used on June 1, 1951, for the temporary storage of abandoned, dismantled, partially dismantled, obsolete or wrecked automobiles, but not for the dismantling or wrecking of automobiles nor for the storage or sale of used parts, may continue.
- D. Any *Light Industrial Uses (Div. 5D.8.)* lawfully existing prior to March 22, 1981, in any portion of any building in a *Commercial-Mixed Use District (Div. 5B.5.)* shall not be extended beyond that portion of the building except in accordance with *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*.
- E. Joint living & work quarters are considered nonconforming to household business, and may be continued. Additional flexibility and incentives may be granted for existing buildings that are eligible for adaptive reuse projects pursuant to *Sec. 9.4.5. (Downtown Adaptive Reuse Program)* and *Sec. 12.4.6. (Citywide Adaptive Reuse Program)*.
- F. In the *Industrial Use Districts (Div. 5B.7.)*, the nonconforming use of land where no buildings are occupied in connection with the use or where the only buildings occupied are accessory to or incidental to the use, may be continued, subject to the following limitations:
 - a. The nonconforming use shall not be enlarged in any way beyond the limits of what was originally permitted.

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

G. In the *Industrial Use Districts (Div. 5B.7.)*:

1. A building that is nonconforming as to use with no dwelling units shall not be redesigned or rearranged to contain dwelling units.
2. A building that is nonconforming as to use with dwelling units shall not be redesigned or rearranged so as to increase the number of dwelling units in the building.
3. Caretaker Units in *Industrial Use Districts (Div. 5B.7.)* are permitted to continue.

SEC. 12.5.2. USE STANDARDS EXCEPTIONS

Where a temporary use is nonconforming as to *Use District (Part 5B.)* standards it may be continued until the expiration of the temporary use permit. When a nonconforming temporary use is subject to a new temporary use permit, it shall meet all of the *Use District (Part 5B.)* standards.

SEC. 12.5.3. EQUINE KEEPING EXCEPTIONS

A. Lot Area Exception

In a *Residential Use District (Div. 5B.3.)* where animal keeping: equine, non-commercial is permitted, equines may be kept and a stable may be erected or maintained on any lot, provided the lot had the area required for the keeping of equines at the time the lot was established.

B. Equine Use Exceptions

1. Animal keeping: equine, non-commercial uses shall be allowed to be continued if, after the legal establishment of the animal keeping: equine, non-commercial use, an adjacent property is granted a building permit to construct a dwelling unit within the 75 foot required distance between an animal keeping: equine, non-commercial use and the adjacent property's dwelling unit. The nonconforming animal keeping: equine, non-commercial use shall be subject to the following limitations:
 - a. The subject lot shall have been designated by an Equine License to stable at least one licensed equine during the 12 months prior to the issuance of the building permit for the adjacent property's dwelling unit.
 - b. The equine enclosure shall not be closer than 35 feet to the habitable rooms of any dwelling unit.
 - c. The equine enclosure shall not be expanded, extended or relocated in such a manner as to reduce the nonconforming distance between the enclosure and the habitable rooms of the neighbor's dwelling unit.

- d. The nonconforming animal keeping: equine, non-commercial use shall be discontinued if, during a successive three year period, no equine is licensed by the Department of Animal Services to be stabled on the subject lot.
- 2. If, pursuant to *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*, the Zoning Administrator grants permission for a dwelling unit on an adjacent property to be constructed closer than 35 feet from a legally existing equine enclosure, the equine enclosure may be considered relocated not closer than 35 feet from the habitable rooms attached to any dwelling unit, and retain its nonconforming status. The nonconforming animal keeping: equine, non-commercial use shall be subject to the following limitations:
 - a. The subject lot shall have been designated by an Equine License to stable at least one licensed equine during the 12 months prior to the issuance of the building permit for the adjacent property's dwelling unit.
 - b. The equine enclosure shall not be closer than 35 feet to the habitable rooms of any dwelling unit.
 - c. The equine enclosure shall not be expanded, extended or relocated in such a manner as to reduce the nonconforming distance between the enclosure and the habitable rooms of the residential building on an adjacent lot.
 - d. The nonconforming animal keeping: equine, non-commercial use shall be discontinued if, during a successive three year period, no equine is licensed by the Department of Animal Services to be stabled on the subject lot.
- 3. If an animal keeping: equine, non-commercial use was legally established prior to November 22, 1982, that use shall be allowed to continue, even though the City issued a building permit between November 22, 1982 and July 1, 1986, to construct a residential building on an adjacent lot within the 35 foot required distance between an animal keeping: equine, non-commercial use and the habitable rooms of a residential building on the adjacent lot. This provision shall not apply to building permits authorized by the Zoning Administrator, pursuant to *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*. This nonconforming equine use shall be subject to the following limitations:
 - a. The subject lot shall have been designated by an Equine License to stable at least one licensed equine during the 12 months prior to the issuance of the building permit for the residential building on an adjacent lot.
 - b. The equine enclosure shall not be expanded, extended, or relocated in such a manner as to reduce the nonconforming distance between the enclosure and the habitable rooms of the residential building on an adjacent lot.
 - c. The nonconforming animal keeping: equine, non-commercial use shall be discontinued if, during a successive three year period, no equine is licensed by the Department of Animal Services to be stabled on the subject lot.

SEC. 12.5.4. **NONCONFORMING OIL, GAS, OR HYDROCARBON WELL USE EXCEPTIONS**

- A. All oil, gas, or hydrocarbon wells including those operating pursuant to any discretionary permit in all zones, whether by ordinance or approval of a Zoning Administrator, and all oil wells in an M3 Zone as established in *Chapter I. (General Provisions and Zoning)* of this Code, are nonconforming uses as of January 18, 2023, the effective date of *Ord. No. 187,709*. No new oil, gas, or hydrocarbon well for the production of oil, gas or other hydrocarbon substances, which is a nonconforming use, shall be maintained, drilled, re-drilled, or deepened, except to prevent or respond to a threat to public health, safety, or the environment, as determined by the Zoning Administrator.
- B. The operation of all nonconforming oil, gas, or hydrocarbon wells shall cease within 20 years from January 18, 2023, the effective date of *Ord. No. 187,709*, which deemed such uses nonconforming.
- C. After the time period set forth in *Subsection B.*, above, all nonconforming oil, gas, or hydrocarbon wells shall be abandoned in a manner consistent with and in strict accordance with all applicable local, state, and federal laws, regulations, rules, and standards.
- D. If an oil, gas, or hydrocarbon well is abandoned, or its operation is discontinued or idled for a continuous period of one year, such use shall be deemed terminated.
- E. A well operator as defined by *California Public Resources Code, Div. 3. (Oil and Gas), Sec. 3237*, shall comply with the mitigation measures and mitigation monitoring program adopted with *Ord. No. 187,709 (effective 1/18/23)* in the plugging and abandoning of all wells.

DIV. 12.6. DENSITY EXCEPTIONS

The expansion of floor area does not increase the degree of nonconformity as to any density standard. Only a change in the number of dwelling units impact the degree of nonconformity as to a density standard.

DIV. 12.7. DAMAGED OR EARTHQUAKE HAZARDOUS BUILDINGS

SEC. 12.7.1. RESTORATION OF DAMAGED NONCONFORMING BUILDINGS

- A.** A nonconforming building or nonconforming structure that is damaged or partially destroyed by any fire, flood, wind, earthquake or other calamity, or the public enemy may be restored and the occupancy or use of the building or structure, or part of the building or structure, which existed at the time of the damage or destruction, may be continued or resumed, provided that the total cost of restoration does not exceed 75 percent of the replacement value of the building or structure at the time of the damage or destruction. A permit for restoration shall be obtained within a period of two years from the date of the damage or destruction. Except as set forth in *Sec. 12.1.6.B. (Relief)*, if the damage or destruction exceeds 75 percent of the replacement value of the nonconforming building or nonconforming structure at the time of the damage or destruction, no repairs or restoration shall be made unless every portion of the building or structure is made to conform to all regulations for new construction in the zone in which it is located, and other applicable current use regulations.
- B.** If the damage or destruction of a nonconforming building, exclusively for dwellings in any zone exceeds 75 percent of its replacement value at the time of the damage or destruction, the building or structure may be reconstructed provided the following requirements are met:
- 1.** The restored or reconstructed building may encroach into any side yard setbacks no more than half the width of the required setback in the zone in which it is located, or in other applicable current regulations of this Zoning Code (Chapter 1A), but in no event more than three feet.
 - 2.** The restored or reconstructed building may encroach in the frontage yard, and rear yard setbacks no more than half the width of the required setback in the applied *Form District (Part 2B.)*, or in other applicable current regulations of this Zoning Code (Chapter 1A).
 - 3.** Neither the footing, nor the building or structure, projects into any area planned for widening or extension of existing or future streets as determined by the Advisory Agency upon the recommendation of the City Engineer.
 - 4.** The height shall not exceed the allowable height for new buildings or structures in the applied *Form District (Part 2B.)*, or in other applicable current regulations of this Zoning Code (Chapter 1A).
 - 5.** A building permit for the reconstruction shall be obtained within two years of the damage or destruction from fire, flood, wind, earthquake, or other calamity, or the public enemy.

SEC. 12.7.2. REPLACEMENT OF EARTHQUAKE HAZARDOUS BUILDINGS

A. General

1. Except as otherwise provided in this Zoning Code (Chapter 1A), a building nonconforming as to height, number of stories, lot area, loading space or parking, which is demolished as a result of enforcement of the Earthquake Hazard Reduction Ordinance provisions in *Chapter IX. (Building Regulations), Article 1. (Building Code)* of this Code may be reconstructed with the same nonconforming height, number of stories, lot area, loading space or parking as the original building, provided, however, that reconstruction shall be commenced within two years of obtaining a permit for demolition and completed within two years of obtaining a permit for reconstruction. Provided further, that neither the footing, nor any portion of the replacement building may encroach into any area planned for widening or extension of existing or future streets as determined by the Advisory Agency upon the recommendation of the City Engineer.
2. Additionally, a building nonconforming as to use or yards, which is demolished as a result of enforcement of the Earthquake Hazard Reduction Ordinance, may be reconstructed with the same nonconforming use or yards provided that the approval of a Zoning Administrator is obtained as outlined below.

B. Nonconforming Rights Related to Earthquake Safety Ordinance

A Zoning Administrator may, in accordance with *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*, permit a building, nonconforming as to use or yards, which is demolished as a result of enforcement of the *Chapter IX. (Building Regulations), Div. 88. (Earthquake Hazard Reduction in Existing Buildings)* of this Code, to be reconstructed with the same nonconforming use or nonconforming yards as the original building.

1. Procedures

a. Notification

- i. Regardless of the provisions of *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*, an application pursuant to this *Section (Replacement of Earthquake Hazardous Buildings)* involving a nonconforming use shall instead notify the owners and occupants of all property within and outside the City within 500 feet of the exterior boundaries of the area subject to the application.
- ii. An application pursuant to this *Section (Replacement of Earthquake Hazardous Buildings)* involving only structures that have a nonconforming yard, when a public hearing is held, the notice shall be given in the same manner as required in *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*.

b. Waiver of Public Hearing

- i. Regardless of the provisions of *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*, the Zoning Administrator may waive the public hearing if the applicant has secured the approval for the reconstruction from the owners of all properties abutting, across the street or alley from, or having a common corner with the subject property. If that approval is obtained from the surrounding property owners, the Zoning Administrator may waive the public hearing if the Zoning Administrator makes the following written findings:
 - a) That the nonconforming use will not have a significant adverse effect on adjoining property or on the immediate neighborhood; and
 - b) That the nonconforming use is not likely to evoke public controversy.
- ii. An application pursuant to this *Section (Replacement of Earthquake Hazardous Buildings)* involving only a nonconforming yard may be set for a public hearing in accordance with the same procedures as above, if the Zoning Administrator determines that the public interest requires a hearing.

2. Supplemental Findings

In addition to the findings otherwise required by *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*, a Zoning Administrator shall also require and find the following:

- a. That reconstruction be commenced within two years of obtaining a permit for demolition and completed within two years of obtaining a permit for reconstruction;
- b. That neither the footing nor any portion of the replacement building encroaches into any area planned for widening or extension of existing or future streets; and
- c. That the continued nonconforming use of the property or the continued maintenance of nonconforming yards will not be materially detrimental to the public welfare and will not have a substantial adverse impact on or be injurious to the properties or improvements in the vicinity.

DIV. 12.8. LOTS AFFECTED BY ACQUISITION FOR PUBLIC USE

SEC. 12.8.1. MAINTENANCE & REPAIR OF EXISTING BUILDINGS ACQUIRED FOR PUBLIC USE

- A. Where a building or structure is located upon a lot where a portion is acquired for any public use (by condemnation, purchase, dedication, or otherwise) by any governmental entity, or if all or a part of a separate off-street automobile parking area serving such building or structure is acquired for public use, such building or structure may be maintained, and may continue to be used, maintained or repaired without relocating or altering the same to comply with the area regulations or automobile parking stall requirements of this Zoning Code (Chapter 1A). Further, if such building or structure is partially located upon the area being acquired for public use, it may be relocated upon the same lot or premises or remodeled or reconstructed without observing the required yard adjacent to the new lot line created by such acquisition, and without reducing the number of dwellings to conform to the regulations of the applied *Form District (Part 2B.)* and without observing the automobile parking stall requirements of this Zoning Code (Chapter 1A). The exemptions provided in this Section permit compliance only to the extent that such non-compliance is caused by an acquisition for public use.
- B. If only a portion of an existing building or structure is acquired for public use, any new construction, exterior modification, site modification, or major remodel of the remainder of said building or structure which was made necessary by said acquisition, shall conform to the provisions of *Chapter IX. (Building Regulations)* of this Code. Any portion of the building or structure which does not require any new construction, exterior modification, site modification, or major remodel by reason of said acquisition shall not be required to be made to conform to the provisions of *Chapter IX. (Building Regulations)* of this Code, unless it would otherwise be required to conform independently of and in the absence of the acquisition of only a portion of the building or structure.

SEC. 12.8.2. LOT AREA

If a lot resulting from the acquisition of all or a portion of a lot for public use does not comply with the requirements of the applied *Form District (Part 2B.)*, or if a legally existing nonconforming lot is further reduced in size because of such acquisition, the lot may be used, and a building permit shall be issued for any intent permitted in the applied *Form District (Part 2B.)*, so long as the lot is not smaller in size or width than 50 percent of the minimum lot area or lot width required by the applied *Form District (Part 2B.)*.

ARTICLE 13. ADMINISTRATION

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DIV. 13A.1. AUTHORITIES

This *Division (Authorities)* recognizes or identifies the agencies involved in administering the Zoning Code, this Chapter and *Chapter I. (General Provisions and Zoning)* of this Code. This *Division (Authorities)* also describes how the agencies are composed, and their powers and duties. If the agency is established by another body of law, such as the *City Charter*, cross-references to those laws are provided. All *City Charter* provisions still apply.

SEC. 13A.1.1. MAYOR

A. Establishment

See *Sec. 200 (City Officers)* of the *City Charter*.

B. Composition

See *Sec. 201 (City Offices)* of the *City Charter*.

C. General Authority

See *Sec. 230 (Mayor)* and *231 (Powers and Duties)* of the *City Charter*.

D. Specific Authority

Consistent with the duties set forth in the *City Charter*, the Mayor exercises the following specific authority:

1. Review and submit recommendations pertaining to an amendment, in whole or in part, of the General Plan.
2. Approve or veto pursuant to the *City Charter*:
 - a. A Specific Plan;
 - b. A Zoning Code Amendment; and
 - c. A Zone Change (including Supplemental Use Districts).
3. Exercise any other authority delegated by this Code or the *City Charter*.

SEC. 13A.1.2. CITY COUNCIL

A. Establishment

See *Sec. 200 (City officers)* of the *City Charter*.

B. Composition

See *Sec. 204 (Election and City Council Members; Redistricting)*, *205 (Term of office)*, *206 (Term Limits)*, and *241 (Council Size)* of the *City Charter*.

C. General Authority

See Sec. 240 – 254 (*Legislative Branch*) of the *City Charter*.

D. Specific Authority

Consistent with the duties set forth in the *City Charter*, the City Council exercises the following specific authority:

1. Adopt or amend the General Plan;
2. Adopt or amend a Specific Plan;
3. Adopt or amend the Zoning Code, this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code;
4. Adopt or amend a Zone Change (including Supplemental Use Districts);
5. Approve, conditionally approve, or deny a Class 3 Conditional Use Permit on appeal from the City Planning Commission;
6. Approve, conditionally approve, or deny a project exception on appeal from an Area Planning Commission;
7. Approve, conditionally approve, or deny a Nuisance Abatement/Revocation on appeal from the Zoning Administrator;
8. Accept final maps and dedications pursuant to a final map;
9. Accept final parcel maps and dedications pursuant to a final parcel map;
10. Adopt or amend a Historic Preservation Overlay Zone ("HPOZ") designation or boundary change;
11. Approve, conditionally approve, or deny a Certificate of Appropriateness (Demolition, Removal, or Relocation) on appeal from an Area Planning Commission; and
12. Exercise any other authority delegated by the Zoning Code, this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code, or the *City Charter*.

SEC. 13A.1.3. CITY PLANNING COMMISSION

A. Establishment

See Sec. 551 (*City Planning Commission*) of the *City Charter*.

B. Composition

See Sec. 551 (*City Planning Commission*) of the *City Charter*.

C. General Authority

See Sec. 551 (*City Planning Commission*) and 559 (*Delegation of Authority*) of the *City Charter*.

D. Specific Authority

Consistent with the duties set forth in the *City Charter*, the City Planning Commission exercises the following specific authority:

1. Review and submit recommendations to the City Council on:
 - a. The adoption or amendment of the General Plan;
 - b. The adoption or amendment of a Specific Plan;
 - c. The adoption or amendment of the Zoning Code, this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code;
 - d. Any Zone Change (including Supplemental Use Districts); and
 - e. Any Historic Preservation Overlay Zone ("HPOZ") designation or boundary change.
2. To render a final decision on any:
 - a. Class 3 Conditional Use Permit;
 - b. Preservation Plan Adoption / Amendment; and
 - c. Guidelines or Standards Adoption / Amendment.
3. To approve or deny, on appeal, any:
 - a. Project Review relating to a Density Bonus;
 - b. Specific Plan interpretation (which affects an entire Specific Plan area or any of its subareas);
 - c. Appeals of Department of City Planning action on LADBS Appeal (which have a Citywide impact);
 - d. Subdivision Approval, as provided in *Div. 13B.7. (Division of Land)*; and
 - e. Zoning Administrator interpretation.
4. Make decisions on any matter that would otherwise be heard by an Area Planning Commission if the matter involves a project, which crosses the boundaries of the area served by more than one Area Planning Commission.
5. Adopt guidelines for the administration of the provisions of this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code if it determines that guidelines are necessary and appropriate. Authority to adopt guidelines for the administration of the provisions of these

Chapters may be delegated to others by adoption of a resolution by City Council. Existing provisions of these Chapters that delegate authority for the adoption of guidelines to others shall continue to apply with respect to those provisions.

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

SEC. 13A.1.4. AREA PLANNING COMMISSION

A. Establishment

1. Creation of Area Planning Commissions

In accordance with *Sec. 552 (Area Planning Commissions)* of the *City Charter*, there are established seven Area Planning Commissions as set out in *Subsection A.2 (Boundaries)* below.

2. Boundaries

The Area Planning Commissions and their boundaries are as follows:

Area Planning Commission	Boundaries (as set out in the designated community plans)
North Valley Area Planning Commission	<ul style="list-style-type: none"> • Arleta. Pacoima Community Plan, as adopted on November 6, 1996, the boundaries of which are shown on a map in Council File No. 95-1396. • Chatsworth. Porter ranch Community Plan, as adopted on July 14, 1993, the boundaries of which are shown on a map in Council File No. 91-1045- 43. • Granada Hills. Knollwood Community Plan, as adopted on July 10, 1996, the boundaries of which are shown on a map in Council File No. 95-0994. • Mission Hills. Panorama City - North Hills Community Plan, as adopted on June 9, 1999, the boundaries of which are shown on a map in Council File No. 97-0706. • Northridge Community Plan, as adopted on February 24, 1998, the boundaries of which are shown on a map in Council File No. 98-0027. • Sun Valley - La tuna Canyon Community Plan, as adopted on August 13, 1999, the boundaries of which are shown on a map in Council File No. 98- 2025. • Sunland - Tujunga - Lakeview terrace - Shadow Hills - East La Tuna Canyon Community Plan, as adopted on November 18, 1997, the boundaries of which are shown on a map in Council File No. 97-0703. • Sylmar Community Plan, as adopted on August 6, 1997, the boundaries of which are shown on a map in Council File No. 96-0429.
South Valley Area Planning Commission	<ul style="list-style-type: none"> • Canoga Park - Winnetka - Woodland Hills - West Hills Community Plan, as adopted on August 17, 1999, the boundaries of which are shown on a map in Council File No. 98-1957. • Encino - Tarzana Community Plan, as adopted on December 16, 1998, the boundaries of which are shown on a map in Council File No. 98-1823. • North Hollywood - Valley Village Community Plan, as adopted on May 14, 1996, the boundaries of which are shown on a map in Council File No. 95-0830. • Reseda - West Van Nuys Community Plan, as adopted on November 17, 1999, the boundaries of which are shown on a map in Council File No. 96- 1597. • Sherman Oaks - Studio City - Toluca Lake - Cahuenga Pass Community Plan, as adopted on May 13, 1998, the boundaries of which are shown on a map in Council File No. 97-0704. • Van Nuys - North Sherman Oaks Community Plan, as adopted on September 9, 1998, the boundaries of which are shown on a map in Council File No. 98-0572. • Mulholland Scenic Parkway Specific Plan, as adopted by ordinance No. 167,943 on June 29, 1992, the boundaries of which are shown in the map attached to that ordinance. To the extent any area included within the boundaries of the Mulholland Scenic Parkway Specific Plan is also included within a community plan, that area shall be served by the South Valley Commission, and not by any other Area Planning Commission that would otherwise be authorized to serve that area under this <i>Subsection</i>.

Area Planning Commission	Boundaries (as set out in the designated community plans)
West Los Angeles Area Planning Commission	<ul style="list-style-type: none"> • Bel Air - Beverly Crest Community Plan, as adopted on November 6, 1996, the boundaries of which are shown on a map in Council File No. 95-1386; except for that area within the boundaries of the Mulholland Scenic Parkway <u>Specific Plan</u>, which area shall be served by the South Valley Area Planning Commission as provided in <i>Paragraph 2.</i> of this <i>Subsection</i>. • Brentwood - Pacific Palisades Community Plan, as adopted on June 17, 1998, the boundaries of which are shown on a map in Council File No. 98- 0771; except for that area within the boundaries of the Mulholland Scenic Parkway <u>Specific Plan</u>, which area shall be served by the South Valley Area Planning Commission as provided in <i>Paragraph 2.</i> of this <i>Subsection</i>. • Palms - Mar Vista - Del Rey Community Plan, as adopted on September 17, 1998, the boundaries of which are shown on a map in Council File No. 97-0705. • Venice Community Plan, as adopted on October 14, 1970, the boundaries of which are shown on a map in Council File No. 76-1403. • West Los Angeles Community Plan, as adopted on July 27, 1999, the boundaries of which are shown on a map in Council File No. 98-2024. • Westchester - Playa Del Rey Community Plan, as adopted on June 13, 1974, the boundaries of which are shown on a map in Council File No. 72- 2670. • Westwood Community Plan, as adopted on July 27, 1999, the boundaries of which are shown on a map in Council File No. 98-1534. • Interim Plan for the Los Angeles international Airport, as adopted by the City Council on January 12, 1981, the boundaries of which are shown on the map in Council File No. 82-4283-S1.
Central Area Planning Commission	<ul style="list-style-type: none"> • Central City Community Plan, as adopted on May 2, 1974, the boundaries of which are shown on a map in Council File No. 72-1723. • Central City North Community Plan, as adopted on February 5, 1985, the boundaries of which are shown on a map in Council File No. 84-1717. • Hollywood Community Plan, as adopted on December 13, 1988 the boundaries of which are shown on a map in Council File No. 86-0695- S1; except for that area within the boundaries of the Mulholland Scenic Parkway <u>Specific Plan</u>, which area shall be served by the South Valley Area Planning Commission as provided in <i>Paragraph 2.</i> of this <i>Subsection</i>. • Westlake Community Plan, as adopted on September 16, 1997, the boundaries of which are shown on a map in Council File No. 95-1234. • Wilshire Community Plan, as adopted on May 17, 1976, the boundaries of which are shown on a map in Council File No. 75-2828-S1.
East Area Planning Commission	<ul style="list-style-type: none"> • Boyle Heights Community Plan, as adopted on November 10, 1998, the boundaries of which are shown on a map in Council File No. 95-1302. • Northeast Los Angeles Community Plan, as adopted on June 15, 1999, the boundaries of which are shown on a map in Council File No. 99-0711. • Silver Lake - echo Park Community Plan, as adopted on February 17, 1984, the boundaries of which are shown on a map in Council File No. 83-0071.

Area Planning Commission	Boundaries (as set out in the designated community plans)
South Los Angeles Area Planning Commission	<ul style="list-style-type: none"> • South Central Los Angeles Community Plan, as adopted on March 22, 2000, the boundaries of which are shown on a map in Council File No. 98-1192. • Southeast Los Angeles Community Plan, as adopted on March 22, 2000, the boundaries of which are shown on a map in Council File No. 99-0496. • West Adams - Baldwin Hills - Leimert Community Plan, as adopted on May 6, 1998, the boundaries of which are shown on a map in Council File No. 97-0534.
Harbor Area Planning Commission	<ul style="list-style-type: none"> • Harbor Gateway Community Plan, as adopted on December 6, 1995, the boundaries of which are shown on a map in Council File No. 95-1394. • San Pedro Community Plan, as adopted on March 24, 1999, the boundaries of which are shown on a map in Council File No. 98-1771. • Wilmington - Harbor City Community Plan, as adopted on July 14, 1999, the boundaries of which are shown on a map in Council File No. 98-1619. • Port of Los Angeles Plan, as adopted by the City Council on September 28, 1982, the boundaries of which are shown on the map in Council File No. 82-0400.

3. Change in Boundaries

If the boundaries of any community plan or Specific Plan mentioned in *Subsection A.2 (Boundaries)* above are changed, that change will not affect the boundaries of the areas to be served by each Area Planning Commission as prescribed by this *Section*. A change in the boundaries of the area to be served by any Area Planning Commission are affected only by a specific amendment or repeal of this *Section*.

B. Composition

See *Sec. 552 (Area Planning Commissions) of the City Charter*.

C. General Authority

See *Sec. 552 (Area Planning Commissions) of the City Charter*.

D. Specific Authority

Consistent with the duties set forth in the *City Charter*, an Area Planning Commission exercises the following specific authority:

1. Review and submit recommendations to the City Council on a Zone Change (including Supplemental Use Districts).
2. To render a final decision on any:
 - a. Project exception; and
 - b. Certificate of Appropriateness (Demolition, Removal, or Relocation).

3. To approve or deny, on appeal, any:
 - a. Class 2 Conditional Use Permit;
 - b. Project Review;
 - c. Project compliance;
 - d. Project compliance (Design Review Board);
 - e. Project adjustment;
 - f. Specific Plan interpretation (which is applicable only on a site specific basis);
 - g. Alternative Compliance;
 - h. Adjustment;
 - i. Variance;
 - j. Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction);
 - k. Certificate of Compatibility for non-contributing elements;
 - l. Appeals of Department of City Planning action on LADBS Appeal (which do not have a Citywide impact);
 - m. Subdivision Approval, as provided in *Div. 13B.7. (Division of Land)*;
 - n. Coastal Development Permit; and
 - o. Zoning Administrator interpretation on a site specific issue.
4. Despite the above provisions, the City Planning Commission shall make decisions on any matter that would otherwise be heard by an Area Planning Commission if the matter involves a project which crosses the boundaries of the area served by more than one Area Planning Commission.
5. Exercise any other authority delegated by the Zoning Code, this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code, or the City Charter.

SEC. 13A.1.5. CULTURAL HERITAGE COMMISSION

See Sec. 22.171 (*Purpose of the Commission*) of the LAAC.

SEC. 13A.1.6. DIRECTOR OF PLANNING

A. Establishment

See Sec. 553 (*Director of Planning*) of the City Charter.

B. Composition

See Sec. 508 (*Appointment and Removal of Chief Administrative officers*) of the *City Charter*.

C. General Authority

See Sec. 553 (*Director of Planning*) of the *City Charter*.

D. Specific Authority

Consistent with the duties set forth in the *City Charter*, the Director exercises the following specific authority:

1. Review and submit recommendations on:
 - a. The adoption or amendment of the General Plan;
 - b. The adoption or amendment of a Specific Plan;
 - c. A Zoning Code Amendment;
 - d. A Zone Change (including Supplemental Use Districts);
 - e. The adoption or amendment of a Preservation Plan; and
 - f. Any other decision within the original jurisdiction of the City Planning Commission or an Area Planning Commission.
2. To render a decision on any:
 - a. Project Review;
 - b. Director Determination;
 - c. Administrative Review;
 - d. Project compliance;
 - e. Project compliance (Design Review Board);
 - f. Project adjustment;
 - g. Specific Plan interpretation;
 - h. Alternative Compliance;
 - i. Adjustment;
 - j. Reasonable Accommodation - Fair Housing Protections for individuals with Disabilities;
 - k. Private street map;

- l. Review of Conforming Work in an Historic Preservation Overlay Zone, where delegated by a Preservation Plan;
 - m. Certificate of Appropriateness (Construction, Addition, Alteration, Reconstruction) in an Historic Preservation Overlay Zone;
 - n. Certificate of Compatibility for Non-Contributing Elements in an Historic Preservation Overlay Zone;
 - o. Appeals from LADBS Determinations; and
 - p. Coastal Development Permit.
- 3. Interpret the meaning of the General Plan and Specific Plans in instances when there is a lack of clarity in the meaning of those regulations, subject to appellate review.
 - 4. Appoint a designee to act on his or her behalf, in which case references in this Code and other land use ordinances to Director shall include this designee, unless otherwise stated.
 - 5. Require the modification, discontinuance, or revocation of any conditional use or other similar quasi-judicial approval granted in accordance with the procedures in *Sec. 13B.2.1. (Class 1 Conditional Use Permit)*, *Sec. 13B.2.2. (Class 2 Conditional Use Permit)*, or *Sec. 13B.2.3. (Class 3 Conditional Use Permit)* in the manner prescribed in *Sec. 13B.6.2. (Nuisance Abatement/Revocation)*. In the event of a revocation, the property affected by the revocation shall be subject to all the regulations of the zone in which the property is located.
 - 6. Exercise any other authority delegated by the Zoning Code, this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code, or the *City Charter*.

SEC. 13A.1.7. ZONING ADMINISTRATOR

A. Establishment

See *Sec. 561 (Office of Zoning Administration)* of the *City Charter*.

B. Composition

See *Sec. 561 (Office of Zoning Administration)* of the *City Charter*.

C. General Authority

See *Sec. 561 (Office of Zoning Administration)* of the *City Charter*.

D. Specific Authority

Consistent with the duties set forth in the *City Charter*, the Zoning Administrator exercises the following specific authority:

- 1. To render a decision on any:

- a. Variance;
- b. Class 1 Conditional Use Permit;
- c. Class 2 Conditional Use Permit;
- d. Evaluation of Non-Compliance; and
- e. Nuisance Abatement/Revocation.

2. Zoning Administrator Interpretation

- a. The Zoning Administrator has the authority to determine the appropriate use definition and interpret specific uses for each lot subject to this Chapter, in accordance with this Paragraph (*Zoning Administrator Interpretation*).
 - b. The Zoning Administrator shall also have authority to interpret zoning regulations when the meaning of the regulation is not clear, either in general or as it applies to a specific property or situation.
 - c. The Zoning Administrator shall also have authority to adopt general interpretations determining the proper application of the yard regulations to groups of lots located in hillside districts or affected by common problems. The Zoning Administrator shall also have authority to interpret zoning regulations when the meaning of the regulation is not clear, either in general or as it applies to a specific property or situation.
 - d. Anyone aggrieved by the Zoning Administrator's determination may file an appeal within 15 days of the issuance of the written decision.
 - e. The City Planning Commission shall hear appeals on Zoning Administrator interpretations where there is no site specific issue. The Area Planning Commission shall hear appeals on site specific Zoning Administrator interpretations.
 - f. For lots subject to *Chapter I. (General Provisions and Zoning)*, the Zoning Administrator shall have authority to determine other uses, in addition to those listed in *Chapter I. (General Provisions and Zoning)*, which may be permitted in each of the various zones, when in the Zoning Administrator's judgment, the other uses are similar to and no more objectionable to the public welfare than those listed.
 - g. For lots subject to *Chapter I. (General Provisions and Zoning)*, in no instance shall the Zoning Administrator determine, nor shall these regulations be so interpreted, that a use may be permitted in a zone when that use is specifically listed as first permissible in a less restrictive zone.
3. Exercise any other authority delegated by the Zoning Code, this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code, or the *City Charter*.

SEC. 13A.1.8. DEPARTMENT OF BUILDING AND SAFETY

A. Establishment

See Sec. 22.12 (*Creation of the Department*) of the LAAC.

B. Specific Authority

Consistent with the powers established in *Chapter II. (Department of Building and Safety) of Div. 22 (Departments, Bureaus and Agencies Under the Control of the Mayor and Council)* of the LAAC, and *Chapter IX. (Building Regulations)* of this Code, the Department of Building and Safety has the powers listed below of its authority and jurisdiction for purposes of the Zoning Code, this Chapter and *Chapter I. (General Provisions and Zoning)* of this Code.

1. Enforcement

The Department of Building and Safety is granted the power to enforce the zoning ordinances of the City.

2. Zoning information

The Department of Building and Safety shall maintain a public information bureau relative to zoning matters.

3. Nonconforming Use

The Department of Building and Safety has the authority to issue an order to comply to an owner of any building or structure who is in violation of *Chapter I. (General Provisions and Zoning), Sec. 12.23. (Nonconforming Building and Uses)* of this Code or *Article 12. (Nonconformities)* of this Chapter and advise the owner of the required discontinuance of the nonconforming use of the building or structure.

- a. A provision advising the owner of the right to apply to the Department of City Planning within 90 days for permission to continue the nonconforming use of the building or structure as provided in this *Subdivision* shall be included in the order, but the failure to include that provision does not nullify the order or provide a basis for the continued use of the building or structure.
- b. The Department of Building and Safety shall record a notice of any order issued pursuant to this *Subsection* with the office of the Los Angeles County Recorder, but the failure to so record does not nullify the order or provide a basis for the continued use of the building or structure by any owner, purchaser, or lessee who was not aware of the order.

4. Issuance of Citations by Designated Employees

Employees of the Department of Building and Safety specified in *Chapter IX. (Building Regulations), Sec. 98.0408. (Issuance of Citations by Designated Employees)* of this Code shall have the powers, duties, and immunities as set forth in said Section.

SEC. 13A.1.9. **ADVISORY AGENCY**

See Div. 13B.7. (Division of Land).

SEC. 13A.1.10. **SUBDIVISION COMMITTEE**

See Div. 13B.7. (Division of Land).

SEC. 13A.1.11. **DESIGN REVIEW BOARD**

A. **Establishment**

1. **Formation**

Certain Specific Plans call for design review boards. A design review board shall only be established for Specific Plans that expressly provide for one.

2. **Name of Board**

Each design review board shall have, as part of its name, words linking it to its area of administration and distinguishing it from other similar associations and boards.

B. **Composition**

1. **Number of Members**

Design review boards shall consist of a minimum of five and maximum of seven voting members.

2. **Appointment of Members**

With the exception of the Mulholland Specific Plan, the members of design review boards shall be appointed by the Councilmember(s) of the Council District(s) in which the Specific Plan area is located.

3. **Qualifications of Membership**

- a. Unless otherwise specifically required by a Specific Plan, to the maximum extent practicable, each design review board shall be composed of two architects and two professionals from the following or related fields: planning, urban design, and landscape architecture. The remaining member or members need not be design professionals. All members shall reside, operate a business, or be employed within the Specific Plan area. If no eligible person is known to be available for appointment in the designated disciplines who resides, operates a business, or is employed within the Specific Plan area, then the Councilmember(s) may make the appointment from the community plan area(s) in which the Specific Plan area is located. If a Specific Plan is located in more than one community plan area, then the members may be chosen from any of those community plan areas.

- b. If the design review board area is represented by more than one Councilmember, then the President of the City Council shall determine the number of members appointed by the Councilmember of each Council District, based on the percentage of design review board area located in each Council District.

4. Terms of Membership

- a. A term of office of a member of a design review board is four years.
- b. The members of design review boards shall be appointed to staggered terms so that at least one term becomes vacant on each successive year.
- c. The chairperson and vice-chairperson shall be elected annually by a majority of the design review board members.
- d. Upon expiration of the term of any member of the design review board, the appointment for the next succeeding term shall be made by the appointing authority. Appointments are limited to two consecutive four-year terms. Members of the board whose terms have expired shall remain members until their replacements have been appointed.

5. Vacancies

In the event of a vacancy occurring during the term of a design review board member, the Councilmember(s) who appointed the member, or the Councilmember(s)' successor, shall make an appointment to serve the unexpired term of that member. Where the member is required to have specific qualifications, the vacancy shall be filled by a person having similar qualifications.

6. Organization

- a. Design review boards shall schedule regular meetings at fixed times within the month with a minimum of two meetings a month.
- b. Meetings may be canceled if no applications which have been deemed complete are received at least 14 calendar days prior to the next scheduled meeting.

7. Quorum

The presence of a simple majority of the appointed members shall constitute a quorum. If a design review board cannot obtain a quorum for action within the stated time limits, the application shall be transferred to the Director for action with no recommendation from the design review board. An action by the board requires a majority vote of the members of the board. An action by the board cannot be made by a simple majority of those members present.

C. Specific Authority

Design review boards shall review applications and accompanying materials in relation to compliance with the design components and criteria set forth in *Sec. 13B.4.3. (Project Compliance*

(*Design Review Board*)), any applicable Specific Plan, and adopted design guidelines, and provide their recommendations to the Director.

D. Conflict of interest

No design review board member shall discuss with anyone the merits of any matter either pending or likely to be pending before the board other than during a duly called meeting of the board or subcommittee of the board. No member shall accept professional employment on a case that has been acted upon by the board in the previous 12 months or is reasonably expected to be acted upon by the board in the next 12 months.

SEC. 13A.1.12. HISTORIC PRESERVATION OVERLAY ZONE (HPOZ) BOARD

See *Div. 13B.8. (Historic Preservation)*.

DIV. 13A.2. GENERAL PROCEDURAL ELEMENTS

SEC. 13A.2.1. APPLICABILITY

A. General

This *Article (Administration)* applies to any application for:

1. An amendment to any part of the Zoning Code (Chapters I. and 1A of the LAMC), including the text or Zoning Map;
2. Any other activity that is subject to the provisions of this *Article (Administration)*.
3. Projects shall not be subject to the provisions of this ordinance if a complete application for an entitlement was filed and fees were paid prior to the date on which this ordinance becomes operative. Any such project shall be subject to the administrative regulations in *Chapter I. (General Provisions and Zoning)* of this Code that were in effect on the date on which the application was filed. Projects for which a complete application for an entitlement has been filed and for which fees were paid prior to this ordinance's operative date may opt to proceed under the provisions of this ordinance if a required public hearing has not yet been held for the project. Notwithstanding the forgoing, any appeal filed on or after the operative date of this ordinance shall be subject to the appellate procedures established in this ordinance.

B. Procedural Categories

This *Article (Administration)* establishes procedures for land development decisions made under this *Article (Administration)*. These include:

1. Legislative Decisions

Examples of legislative decisions include Zone Changes, and amendments to the General Plan, a Specific Plan, and other ordinances. These may involve a new policy or rule, or a change in land use regulation and development regulation.

2. Quasi-Judicial Decisions

Examples of quasi-judicial decisions include Director Determinations, Conditional Use Permits and variances. These proceedings involve the exercise of discretion by the decision making body, which requires a weighing of evidence, an application of rules, regulations and ordinances to facts and a resolution of specific issues. These may involve a public hearing (unless the hearing is waived).

3. Ministerial Decisions

Examples of ministerial decisions include clearances or reviews of projects for compliance with provisions of the Code or any applicable conditions of approval. Because these involve the application of non-discretionary rules to projects, these applications are reviewed by City staff without a public hearing.

SEC. 13A.2.2. PROCESS ELEMENTS

A. Overview

This *Article* establishes rules for procedures, such as applications, notices, appeals, and public hearings. It then describes the processes for specific land use decisions. The procedures all have a common workflow and description, as follows:

Table 1 - Procedure Workflows

Element	Description
Applicability	The type of development or situation that is subject to the process.
Initiation	This is how the <u>application</u> process begins, where the <u>application</u> is filed and the department or official who conducts initial processing (such as completeness review).
Notice	This describes the type of notice, and how it is provided.
Decision	This states who approves the <u>application</u> and the type of proceeding that leads to the decision.
Review Criteria	These are any particular standards or findings that determine whether the <u>application</u> is approved. All <u>applications</u> are subject to this Chapter or <i>Chapter I. (General Provisions and Zoning)</i> and the applicable zoning regulations.
Appeals	This provides a way to review an <u>application</u> that is approved, denied, or that has conditions disputed by the applicant or a party with standing to appeal.
Scope of Decision	This refers to the activities that the <u>application</u> authorizes. For example, some approvals send the applicant to the next step in the overall process or only require compliance review, while others authorize construction or use.
Modification	This describes how the decision can be revised, changed, amended, or modified after final approval or conditional approval.
<i>Note: Flowcharts illustrating the general steps for each procedure are included in this Article. In the case of a conflict between the text of the Article and any illustration or flowchart, the text controls.</i>	

The processes established in this Chapter are summarized below.

Table 2 - Process Summary

Entitlement Review	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
Legislative Action													
General Plan Adoption / Amendment		R †						[R] †	[D] †	R/SV †			
Specific Plan Adoption / Amendment		R						[R] †	[D] †	SV †			
Zoning Code Amendment		R						[R] †	D †	SV †			
Zone Change		R					[R]	[R]* †	[D] †	SV †			
Guidelines or Standards Adoption / Amendment		R						[D]					
Land for Public Use								R	D				
Quasi-Judicial Review													
Class 1 Conditional Use Permit			<D>				[A]						
Class 2 Conditional Use Permit			[D] †				[A] †						
Class 3 Conditional Use Permit		[R] †						[D] †	[A]				
Project Review		<D>					[A]						
Director Determination		D					[A]	[A]					
Ministerial Action													
Administrative Review		D											
Specific Plan Implementation													
Project Compliance		<D>					[A]						
Project Compliance (Design Review Board)		D					[A]				[R]		
Project Adjustment		<D>					[A]						
Project Exception							[D]		[A]				
Specific Plan Interpretation		<D>					[A]	[A]					
Quasi-Judicial Relief													

Entitlement Review	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
Alternative Compliance		D					[A]						
Adjustment		<D>					[A]						
Variance			[D] †				[A] †		[A]				
Modification of Entitlement			↔				↔				↔		
Reasonable Accommodation		D							[A]				
Non-Compliance													
Evaluation of Non-Compliance			[D]				[A]	[D]	[A]				
Nuisance Abatement/Revocation			[D]						[A] †				
Division of Land													
Parcel Map Exemption/ Lot Line Adjustment		D					[A]	[A]					
Tentative Tract Map		[D]		R			[A]	[A]					
Final Tract Map					C				D				
Preliminary Parcel Map		[D]		R			[A]	[A]					
Final Parcel Map					C				D				
Private Street Map		<D>		R			[A]	[A]					
Subdivision Appeal							[D]	[D]					
Historic Preservation													
Historic Preservation Overlay Zone Designation								[R]	[D]				C
Preservation Plan Adoption / Amendment		R				[R] †		[D]					[R]
Review of Conforming Work	D											D	
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)		D					[A]					[R]	
Certificate of Appropriateness (Demolition, Removal, or Relocation)							D		[A]			[R]	
Certificate of Compatibility for Non-Contributing Elements		D					[A]					[R]	

Entitlement Review	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
Coastal Development													
Coastal Development Permit (Pre-Certification)			↔				↔				↔		
Coastal Development Permit (Post-Certification)		<D>			<D>		[A]						
Department of Building and Safety													
Appeals from LADBS Determination		<D>					[A]	[A]					
California Environmental Quality Act (CEQA) Provisions													
CEQA Appeal									D				

Key

C Certification	‡ Optional or where directed by decision maker
R Review & Recommendation	Blank Cell Not required
D Decision or Acceptance	† Required by City Charter
SV Signature / Veto	Italics Action only under certain conditions (such as project size, type, or transfer from another agency, etc.)
A Appeal	↔ Varies with underlying process
[] Public Hearing	* If filed by application and CPC recommends disapproval, its decision is appealable to CC.
< > Public Hearing optional or waivable	

Note: This table is a general summary. Refer to *Div. 13B.1.* through *Div. 13B.11.* for the specific procedure. If there is any conflict between this table and the text in *Div. 13B.1.* through *Div. 13B.11.* relating to the procedure, the text in the applicable Division prevails.

B. Time Limits

1. This *Article* establishes a number of time limits for action by the City, agencies, the applicant or appellant.
2. Unless otherwise designated, all time limits prescribed in this *Article* run from the date that the application is deemed complete by the City.
3. Unless otherwise stated, time limits may be extended where mutually agreed upon in writing by the applicant and the decision-making official or agency.

SEC. 13A.2.3. APPLICATIONS

A. General Requirements

1. Applications filed under this Article must include all of the information required by the Department, including any information required by the instructions on an application form and any applicable adopted guidelines. All applications shall be made on forms prepared by and available from the Department.
2. The Council may establish fees for all applications required in this Article by ordinance. Applications shall include all fees required by Chapter I. (General Provisions and Zoning), Article 9 (Fees) or Article 15. (Fees) of this Zoning Code (Chapter 1A).
3. Whenever the provisions of this Chapter or Chapter I. (General Provisions and Zoning) provide that applications, requests, or appeals be filed with the City Planning Commission, in the public office of the Department of City Planning, those applications, requests or appeals may be filed in any of the branch offices of the Department when designated for this purpose by the City Planning Commission; that decision to be based upon considerations of need and available facilities.

B. Application Completeness

1. An application or appeal shall be considered as filed whenever it has been completed in accordance with the applicable rules and regulations, has been submitted to the Department of City Planning together with the required filing fees, and a receipt for the filing fees has been issued.
2. If at any time during the processing of an application it is discovered that an application has been improperly prepared, or required pertinent information has not been submitted in accordance with the previously established rules and regulations, upon notification to the applicant by the appropriate officer or employee the time limits specified within this Article shall be suspended and not continue to run until the application has been rectified or the omitted information furnished in a proper manner.
3. The City will not process incomplete applications. Applications are reviewed for completeness in accordance with the Permit Streamlining Act, California Government Code, Chapter 4.5 (Review and Approval of Development Projects) Sec 65940-65945.7.

C. Multiple Entitlement Requests

In order to facilitate the development process, applications for multiple entitlements for the same project shall be submitted and processed concurrently as provided in Sec. 13A.2.10. (Multiple Approvals).

D. Withdrawal of Application

1. At any time before the initial decision maker or appellate body on appeal makes a final decision on an application, the applicant may withdraw the application.

2. The withdrawal of the application must be in writing and does not require the decision maker to concur. The withdrawal of the application shall be permanent and any associated authorization shall be void.

SEC. 13A.2.4. NOTICE OF PUBLIC HEARING

A. Public Hearing Purpose

A public hearing gives interested parties an opportunity to be heard. The specific procedures for providing testimony and conducting the public hearing are established by the agency that conducts the public hearing.

B. General Procedures for Notice of Public Hearing

1. Unless otherwise provided by a specific process, the notice established in this *Article* is as provided in Table 3 (Notice of Public Hearing) below. Where notice is not specified, notice shall be given pursuant to *California Government Code Sections 54950 et seq., 65090, and 65091*, as applicable.
2. The time period required for a notice of public hearing is the minimum number of days preceding commencement of the applicable public hearing.
3. If a Hearing Officer conducts a public hearing on behalf of the Area or City Planning Commission, the notice requirements apply to only the Hearing Officer hearing.
4. Unless otherwise provided for a specific procedure, notice of a public hearing shall be given in writing to the owner, applicant, interested parties, and appellant, as appropriate.
5. At the noticed hearing, the agency may continue the hearing to another date if the matter is publicly continued to a date certain, no additional notice of the continued hearing is required.
6. Whenever the provisions of this Chapter provide that an applicant shall post notice of a public hearing or meeting, the applicant shall file a declaration in the appropriate public office prior to the date of the noticed public hearing or meeting. In this declaration, the applicant shall declare, under penalty of perjury, that notice has been posted in accordance with the applicable provisions of this Chapter.
7. The Director shall have the authority to adopt guidelines consistent with this *Article* for the posting of notices if the Director determines that guidelines are necessary and appropriate.

Table 3 - Notice of Public Hearing

Type of Notice	Description
Publication	This requirement is satisfied when the public hearing notice is published in a newspaper of general circulation in the City designated for this purpose by the City Clerk.
Mail	This requirement is satisfied when the public hearing notice is placed in the mail, directed to the applicant or person receiving notice at their designated address, and bearing the proper postage. Notice is mailed to any person requesting notice of the hearing, unless a specific notification area is designated for the individual process. If a notification distance is prescribed, the distance is measured from the boundaries of the area subject to the application as shown upon the records of the City Engineer or the County Assessor. A mailed notice requirement can be met by mailing the notice to property owner and current resident. Notice by delivery satisfies the requirement for notice by mail.
Posting	This requirement is satisfied when public hearing notice is posted in a conspicuous place on the property. The Department may prescribe requirements for the size, materials, font, font size, or similar requirements for the notice, and may distribute a standard notice.
Email	The reviewing agency may (at its option) transmit the public hearing notice via an email to: <ul style="list-style-type: none"> • The Applicant; and, • Parties who request email notification.
Online	The City may provide information about the permit or proceeding available on its website.

C. Information included in Notice

Unless the specific process includes a different requirement, notice shall include the following information: time, place, and purpose of the public hearing.

D. Calculating Required Time Period for Notice

Required time periods refer to calendar days as provided in *Sec. 106 (Definitions) of the City Charter*, unless otherwise provided.

E. Additional Notice Beyond Legal Requirements

The City may provide additional notice not required by this *Article* at its discretion.

F. Notice Requirements of Each Process

Table 4 (Summary of Notice Requirements) below summarizes the notice type and requirements for each process described in this *Article*:

Table 4 - Summary of Notice Requirements

Action	Reference	Publication	Mail	Posting
Legislative Action	<i>Div. 13B.1.</i>			
General Plan Adoption / Amendment	Sec. 13B.1.1.	■	■	●
Specific Plan Adoption / Amendment	Sec. 13B.1.2.	■	●	●
Zoning Code Amendment	Sec. 13B.1.3.	■		
Zone Change	Sec. 13B.1.4.	■	●	●
Guidelines or Standards Adoption / Amendment	Sec. 13B.1.5.	■		
Land for Public Use	Sec. 13B.1.6.			
Quasi-Judicial Review	<i>Div. 13B.2.</i>			
Class 1 Conditional Use Permit	Sec. 13B.2.1.		■	■
Class 2 Conditional Use Permit	Sec. 13B.2.2.	■	■	■
Class 3 Conditional Use Permit	Sec. 13B.2.3.	■	■	■
Project Review	Sec. 13B.2.4.		■	■
Director Determination	Sec. 13B.2.5.		○	○
Ministerial Action	<i>Div. 13B.3.</i>			
Administrative Review	Sec. 13B.3.1.			
Specific Plan Implementation	<i>Div. 13B.4.</i>			
Project Compliance	Sec. 13B.4.2.		○	
Project Compliance (Design Review Board)	Sec. 13B.4.3.		■	■
Project Adjustment	Sec. 13B.4.4.		○	
Project Exception	Sec. 13B.4.5.	■	■	■
Specific Plan Interpretation	Sec. 13B.4.6.		○	
Quasi-Judicial Relief	<i>Div. 13B.5.</i>			
Alternative Compliance	Sec. 13B.5.1.		○	
Adjustment	Sec. 13B.5.2.		■	■
Variance	Sec. 13B.5.3.		■	■
Modification of Entitlement	Sec. 13B.5.4.		❖	❖
Reasonable Accommodation	Sec. 13B.5.5.	○	○	○
Non-Compliance	<i>Div. 13B.6.</i>			
Evaluation of Non-Compliance	Sec. 13B.6.1.		■	■
Nuisance Abatement/Revocation	Sec. 13B.6.2.		■	■
Division of Land	<i>Div. 13B.7.</i>			

Action	Reference	Publication	Mail	Posting
Parcel Map Exemption/ Lot Line Adjustment	Div. 13B.7.2.			
Tentative Tract Map	Div. 13B.7.3.	■	■	■
Final Tract Map	Div. 13B.7.4.			
Preliminary Parcel Map	Div. 13B.7.5.	■	■	■
Final Parcel Map	Div. 13B.7.6.			
Private Street Map	Div. 13B.7.7.	■	■	■
Subdivision Appeal	Div. 13B.7.8.		■	
Historic Preservation	Div. 13B.8.			
Historic Preservation Overlay Zone Designation	Sec. 13B.8.2.	■	■	●
Preservation Plan Adoption / Amendment	Sec. 13B.8.3.		■	
Review of Conforming Work	Sec. 13B.8.4.			
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)	Sec. 13B.8.5.		■	■
Certificate of Appropriateness (Demolition, Removal, or Relocation)	Sec. 13B.8.6.		■	■
Certificate of Compatibility for Non-Contributing Elements	Sec. 13B.8.7.		■	■
Coastal Development	Div. 13B.9.			
Coastal Development Permit (Pre-Certification)	Div. 13B.9.1.		■	❖
Coastal Development Permit (Post-Certification)	Div. 13B.9.2.		■	❖
Department of Building and Safety	Div. 13B.10.			
Appeals from LADBS Determination	Div. 13B.10.2.		■	
California Environmental Quality Act (CEQA) Provisions	Div. 13B.11.			
CEQA Appeal	Div. 13B.11.1.		■	

Key: ■ = initial decision ● site specific only (not City-initiated) ○ = appeal only
❖ = varies with underlying application

SEC. 13A.2.5. DECISIONS

A. Decision Time Period

- Decisions must be made within the time period specified in this *Article*, or as otherwise required by law. Unless otherwise provided in the regulations governing the particular application, this time limit may be extended by mutual consent of the decision maker and the applicant. The extension of time to act also applies to applications or initiations under the multiple approval provisions in Sec. 13A.2.10. (*Multiple Approvals*).

2. Where extensions on the City Council's time to act on a matter may be granted by mutual consent of an application and the City Council, the Council President or the Council President's councilmember designee may consent to a time extension on behalf of the City Council.

B. Criteria or Findings for Decision

1. Each decision is subject to all applicable standards of this Code, including the applicable zone.
2. Each process described in *Part 13B. (Processes & Procedures)* of this Article includes standards and/or findings for approval. In approving an application, the decision maker must find that the project substantially conforms to the standards and/or findings for approval.
3. For a Quasi-judicial action, the decision maker shall adopt written findings of fact supporting the decision based upon evidence in the record. This evidence may include, but is not limited to, written or oral statements and documents presented to the agency, such as photographs, maps, and plans, and any results of the decision maker's investigations.

C. Decision and Conditions

1. Unless otherwise provided, an application may be approved or disapproved in whole or in part.
2. Unless otherwise provided, the decision maker may impose conditions that it determines are needed to ensure substantial compliance with the applicable standards or findings for approval.

D. Transmittal

1. The decision maker transmits a letter of determination that notifies the applicant, owner, and interested parties, as applicable, of the decision. The notification will indicate whether the application is approved, approved with conditions, or denied.
2. The date of transmittal is the date the decision is mailed (as shown by the date stamp), unless otherwise provided.

E. Effective Date

1. Initial Decision or Commission Decisions That Are Appealable to City Council

The decision is final and effective upon the close of the appeal period if no appeal is filed.

2. Appellate Decision or Commission Decisions That Are Not Appealable to City Council

The decision is final and effective as provided in *Charter Section 245*.

3. Legislative Actions

A legislative action is final pursuant to *Charter Section 252*.

SEC. 13A.2.6. TRANSFER OF JURISDICTION

A. Applicability

When specifically authorized by this *Article*, the applicant may request a transfer of jurisdiction.

B. Failure to Act

1. If the initial decision maker fails to act on an application within 75 days from the date a filed application has been deemed complete, or within a mutually agreed upon extension of time, the applicant may file a request for a transfer of jurisdiction to the designated appellate body for decision. The designated appellate body is the body to whom the matter would normally be appealable, pursuant to *Div. 13B.2. (Quasi-Judicial Review)*. The Director shall prescribe the form and manner of filing requests for transfers of jurisdiction.
2. When the designated appellate body receives the applicant's request for a transfer of jurisdiction, the initial decision maker shall lose jurisdiction. However, the body to whom the matter is transferred may remand the matter to the initial decision maker who shall regain jurisdiction for the time and purpose specified in the remand action. In addition, upon receipt of a written request by the applicant for withdrawal of the transfer of jurisdiction prior to the matter being heard by the appellate body, the matter shall be remanded to the initial decision maker.
3. If the matter is not remanded, the decision maker to whom the matter has been transferred shall consider the application following the same procedures and subject to the same limitations as are applicable to the initial decision maker, except that the body to which the matter has been transferred shall act within 45 days of the transfer of jurisdiction once the request is properly filed with the Department of City Planning. The Department of City Planning, including the office of Zoning Administration, shall make investigations and furnish any reports requested by the body to which the matter has been transferred.

SEC. 13A.2.7. SCOPE OF DECISION

A. Discretionary Project Approvals Time Limits

1. Unless otherwise provided in this Chapter, *Chapter I. (General Provisions and Zoning)*, or in a project's conditions of approval, any approval by the Zoning Administrator, Director, an Area Planning Commission, or the City Planning Commission as initial decision makers that is not effectuated within three years of its effective date becomes null and void.
2. When approvals are granted as part of a project requiring multiple approvals pursuant to *Sec. 13A.2.10. (Multiple Approvals)* the following time limits apply unless a different time period is provided in a signed and effectuated development agreement:

Approvals	Granted in Conjunction With	Expiration
Quasi-judicial Approvals	Legislative Approvals	Expires with the Legislative Approval, not to exceed six years unless the initial decision maker extends the time period (see <i>Subsection C.1.</i> of this <i>Section</i>).
Quasi-judicial Approvals	Subdivision Approval	Expires with the Subdivision Approval pursuant to Div. 13B.7 (Division of Land) of this <i>Article</i> . If the expiration date on a Subdivision Approval is extended pursuant to Div. 13B.7 (Division of Land) or by amendment to the Subdivision Map Act, the Quasi-judicial Approval is automatically extended for the same time period.
Legislative Approvals	Subdivision Approval	Extended for the full time limit of the Subdivision Approval, including time extensions pursuant to Div. 13B.7 (Division of Land), as needed to record an approved map.

B. Effectuation of Approvals

A discretionary project approval is considered effectuated by the Department of City Planning when the conditions of approval of the grant are satisfied. This must be done before the privileges of the grant may be utilized. Effectuation is accomplished upon procedural steps being followed and completed by the applicant to demonstrate compliance with all conditions of approval. The Department of City Planning shall verify such compliance and assess appropriate fees. Effectuation is achieved when fees are paid, plans are verified and stamped as approved, and authorization is obtained to utilize grant. Authorization is typically demonstrated by a clearance on a building permit. However, if a project site includes a use that is existing, and there is no physical work and/or change of use involved and the description of work in any previously issued permits do not specifically exclude or prohibit the entitled operation, then a permit from Department of Building and Safety may not be necessary. Thus, a project not requiring permits for construction or alteration from the Department of Building and Safety achieves effectuation when the Department of City Planning verifies compliance with all conditions of the grant, including payment of all fees, and stamping of plans.

C. Utilizing the Grant

1. A discretionary project approval is considered utilized after it has been effectuated by the Department of City Planning and a building permit has been issued by the Department of Building and Safety. Utilization of a grant must occur no later than three years from the last date an action can be effectuated. An approval not requiring building permits from the Department of Building and Safety is considered utilized when compliance with all conditions of approval have been demonstrated, appropriate fees paid, plans stamped and authorization has been obtained from the Department of City Planning.

2. Exceptions

a. Religious and Institutional Uses

Where a lot or lots have been approved for use as a governmental enterprise, religious use, hospital, educational institution or private school, including elementary and high schools, no time limit to utilize the privileges shall apply provided that all of the following conditions are met:

- i. The property involved is acquired or legal proceedings for its acquisition are commenced within one year of the effective date of the decision approving the conditional use.
- ii. A sign is immediately placed on the property indicating its ownership and the purpose to which it is to be developed, as soon as legally possible after the effective date of the decision approving the conditional use. This sign shall have a surface area of at least 20 square feet.
- iii. The sign is maintained on the property and in good condition until the conditional use privileges are utilized.

b. Affordable Housing Projects

A six-year time limit to utilize the privileges shall apply where a lot or lots have been approved for housing that includes 100 percent restricted affordable units, exclusive of a manager's unit or units, as defined in *Chapter I. (General Provisions and Zoning), Sec. 12.22 A.25(b) (Exceptions; Affordable Housing incentives – Density Bonus; Definitions)* for lots subject to Chapter 1, or *Div 14.3. (Glossary)* of this Zoning Code (Chapter 1A) for lots subject to this chapter.

D. Abandonment of Approval

1. Unless otherwise stated in a specific process in this Code, for a Quasi-judicial approval, the owner (and applicant if different) shall file the appropriate form with the Department requesting the abandonment of their approval. If it is determined by the Department that the abandonment is in conformity with public necessity, convenience, general welfare, and good zoning practice, the request to abandon an approval shall be approved. A written response shall be issued by the Department.
2. Unless otherwise stated in a specific process in this Code, for a legislative approval, any change shall be processed pursuant to the same legislative process that was used for the original approval.

E. Planning and Zoning Matters in Litigation

The time limits set forth in *Subsection A. (Discretionary Project Approvals Time Limits)* and *Subsection B. (Effectuation of Approvals)* of this Section shall not include any time period during which the approval or the environmental clearance for the approval is challenged in court.

Notwithstanding any contrary language in the Zoning Code, this Chapter and *Chapter I. (General Provisions and Zoning)* of this Code, the time limits in *Subsection A. (Discretionary Project Approvals Time Limits)* and *Subsection B. (Effectuation of Approvals)* of this Section shall be tolled until litigation is concluded.

F. California Coastal Commission Approvals

The time limits set forth in *Subsection A. (Discretionary Project Approvals Time Limits)*, *Subsection B. (Effectuation of Approvals)*, and *Subsection C. (Utilizing the Grant)* of this Section shall not include any time period during which the subdivider or applicant is awaiting a California Coastal Commission decision on a Coastal Development Permit appeal or application, including the California Coastal Commission's final action on an appeal of a Coastal Development Permit issued by the Department of City Planning. The subdivider or applicant shall submit a written request for a suspension of time and a copy of the submitted California Coastal Commission application for such approval to the Department of City Planning within 10 days of filing the application with the California Coastal Commission. Suspensions of time shall be automatically granted until the California Coastal Commission has rendered a final decision on the application, including any appeal period. The subdivider or applicant shall submit a copy of the California Coastal Commission's final action to the Department of City Planning within 10 days of the final decision. In cases where the California Coastal Commission's final action on an appeal of a Coastal Development Permit issued by the Department of City Planning is a finding of "no substantial issue", the initial decision stands.

G. Violation of Conditions – Penalty

A Quasi-judicial action or any conditional approval granted by the Director, pursuant to the authority of this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its conditions. The violation of any condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission, or City Council in connection with the granting of any action taken pursuant to the authority of this Chapter or *Chapter I. (General Provisions and Zoning)*, shall constitute a violation of this Chapter or *Chapter I. (General Provisions and Zoning)* and shall be subject to the same penalties as any other violation of this Code.

SEC. 13A.2.8. APPEALS

A. Filing of Appeals

1. Appeals shall be in writing and filed on forms maintained by the Department.
2. An appeal shall specifically state the points at issue and the reasons why the decision should be overturned.
3. An appeal not properly or timely filed shall not be accepted, and will not be considered by the appellate body.

B. Time Limits for Appeal

1. Unless otherwise required by a specific process, appeals must be filed within 15 days after the date on the letter of determination to the applicant.
2. Despite any provisions of this Chapter, whenever the final day for filing an appeal from any action, decision or determination of the Director, Zoning Administrator, Area Planning Commission, or City Planning Commission falls on a Saturday, Sunday or legal holiday, the time for filing an appeal shall be extended to the close of business on the next succeeding working day, and the effective or final date of any action, decision, or determination shall be extended to the close of that appeal period.
3. If in any individual case involving a 15-day appeal period, that appeal period fails to include at least 10 working days, then the appeal period shall be extended as many days as the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council determines are necessary to include 10 working days.

C. Appeal Procedures

1. An appeal stays the processing of the application and entitlement, and any development of the project at issue until the appellate body makes a decision.
2. After an appeal is filed, the initial decision maker shall transmit the appeal and the file to the appellate body, together with any report if one was prepared by staff responding to the points raised made in the appeal. The Department of City Planning shall make investigations and furnish any reports requested by the body to which the matter is transferred.
3. When the appellate body receives the appeal, the initial decision maker loses jurisdiction.
4. Upon the date set for the hearing, the appellate body shall either hear the appeal, or continue the matter by mutual agreement with the applicant to another date. No additional notice of continuance need be given if the continuance to a date certain is announced at the time of the original hearing. If no date for the continued hearing is provided publicly at the original hearing, then notice of the continued hearing shall be provided in the same manner as the original notice for the appellate hearing.
5. The appellate body shall conduct a public hearing. After the public hearing, the appellate body shall render a decision:
 - a. Affirming the initial decision in whole or in part; or
 - b. Reversing the initial decision in whole or in part, after which it may render its own decision or remand the decision to the initial decision maker for further proceedings.
6. The appellate body may impose conditions that it determines are needed to ensure substantial compliance with the standards or findings for approval.

D. Withdrawal of Appeals

1. Procedures

Appellant(s) may withdraw an appeal of an initial determination if the withdrawal is filed with the Department at least 15 days prior to the public hearing by the appellate body on the appeal.

2. Requirements

a. Filing

Withdrawal of an appeal shall be in writing and does not require the decision maker to concur. The withdrawal shall be filed with the Department.

b. Withdrawal Before Close of Appeal Period

- i. If the withdrawal of the appeal is received by the Department after the close of the original appeal period, the Department shall notify the same persons who received notice of the decision that was appealed, that an appeal had been filed and was now withdrawn. The notice shall state that the appeal period is being reopened.
- ii. The reopened appeal period shall run for 10 days from the date the notice of withdrawal of the appeal is mailed.
- iii. If more than one appeal was filed, the appeal period is only reopened if the withdrawal of the appeal would result in no other appeal going forward.
- iv. The appeal period shall only be reopened once.

c. Withdrawal Before Public Notice

If the withdrawal is received by the Department before any required public hearing notice is mailed, then the time for the appellate body to act is extended for 10 days.

d. Withdrawal After Public Notice

If the withdrawal is received by the Department after the public hearing notice is mailed, then any appeal filed during the reopened appeal period shall be heard on the same date and time as set forth in the previously mailed public hearing notice. No further notice of the appeal hearing is required.

e. Withdrawal Resulting in No Appeal

If the withdrawal of the appeal, and the subsequent reopening of the appeal period, results in no appeal going forward:

- i. The withdrawal of the appeal is permanent; and

- ii. The decision from which the appeal was taken automatically becomes final at the end of the appeal period or reopened appeal period.
- f. Appeals challenging Variance decisions cannot be withdrawn.

E. Standards for Review and Required Findings

1. Standard of Review

Unless otherwise required by a specific process, the appellate body shall hear the matter de novo, considering the whole of the project with no deference given to the decision of the initial decision maker. The appellate body shall make its decision based on the record before the initial decision maker and any other evidence or testimony presented at or before the appellate body's hearing.

2. Findings for Appeals

Unless otherwise required by this Chapter or *Chapter I. (General Provisions and Zoning)*, in making a decision to grant a project approval, the appellate body shall make the same findings as required to be made by the initial decision maker, supported by substantial evidence.

F. Lack of Timely Decision on Appeal

1. Unless otherwise required by a specific process, the appellate body shall act within 75 days after the expiration of the appeal period or within any additional period mutually agreed upon by the applicant and the appellate body.
2. Failure of the appellate body to render a timely decision shall result in the denial of the appeal.

SEC. 13A.2.9. PERMITS ISSUED IN ERROR

A. Void Permits

Notwithstanding any other provisions of this Code or any other ordinance of the City, no permit or license shall be issued in violation of any provisions of this Code or any other ordinance of the City. Any permit or license issued in violation of any provision of this Code or any other ordinance of the City is void. Any permit or license that purports to authorize any act prohibited by any other provision of this Code or any other ordinance of the City is void.

B. Building Permits for a Zone Change

Upon publication of a Zone Change, height district, or building line ordinance, the Department of Building and Safety may issue a permit for a building or structure which will comply with all of the requirements of the new zone, height district, or building line. No such permit shall be issued unless the applicant has first executed and filed with the Superintendent of Building a notarized agreement assuming all risk and agreeing to remove all buildings or structures authorized by the permit if the Zone Change, height district, or building line ordinance becomes effective.

SEC. 13A.2.10. MULTIPLE APPROVALS

A. Applicability

1. General

This *Section* applies to applications for projects that require multiple Legislative and/or Quasi-judicial Approvals.

2. Terms

The following terms apply to this *Article*. Table 5 (Classification of Actions for Multiple Approvals) below classifies actions for the purposes of qualification for the multiple approvals process:

a. Legislative Approval

Any action that formulates a rule of general applicability that applies to all future cases. These typically require an action by the City Council, such as those as set forth in *Div. 13B.1 (Legislative Action)* of this *Article*.

b. Quasi-Judicial Approval

These actions apply rules to specific facts and are subject to procedural due process principles. These include the processes described in *Div. 13B.2. (Quasi-Judicial Review)*, *13B.4. (Specific Plan Implementation)*, and *13B.5. (Quasi-Judicial Relief)* of this *Article*.

c. Subdivision Approval

Any approval under the Division of Land regulations set forth in *Div. 13B.7. (Division of Land)* of this *Article*.

d. Ministerial Action

Any action involving only the nondiscretionary application of objective standards, including the processes described in *Div. 13B.3 (Ministerial Action)* of this *Article*. Ministerial actions are not subject to the multiple approvals processes established below.

Table 5 - Classification of Actions for Multiple Approvals

Action	Reference	Legislative	Quasi-judicial	Subdivision	Ministerial
Legislative Action	<i>Div. 13B.1.</i>				
General Plan Adoption / Amendment	<i>Sec. 13B.1.1.</i>	■			
Specific Plan Adoption / Amendment	<i>Sec. 13B.1.2.</i>	■			
Zoning Code Amendment	<i>Sec. 13B.1.3.</i>	■			

Action	Reference	Legislative	Quasi-judicial	Subdivision	Ministerial
Zone Change	Sec. 13B.1.4.	■			
Guidelines or Standards Adoption/Amendment	Sec. 13B.1.5.	■			
Land for Public Use	Sec. 13B.1.6.	■			
Quasi-Judicial Review					
Class 1 Conditional Use Permit	Sec. 13B.2.1.		■		
Class 2 Conditional Use Permit	Sec. 13B.2.2.		■		
Class 3 Conditional Use Permit	Sec. 13B.2.3.		■		
Project Review	Sec. 13B.2.4.		■		
Director Determination	Sec. 13B.2.5.		■		
Ministerial Action					
Administrative Review	Sec. 13B.3.1.				—
Specific Plan Implementation					
Project Compliance	Sec. 13B.4.2.		■		
Project Compliance (Design Review Board)	Sec. 13B.4.3.		■		
Project Adjustment	Sec. 13B.4.4.		■		
Project Exception	Sec. 13B.4.5.		■		
Specific Plan Interpretation	Sec. 13B.4.6.		—		
Quasi-Judicial Relief					
Alternative Compliance	Sec. 13B.5.1.		■		
Adjustment	Sec. 13B.5.2.		■		
Variance	Sec. 13B.5.3.		■		
Modification of Entitlement	Sec. 13B.5.4.		■		
Reasonable Accommodation	Sec. 13B.5.5.		—		
Non-Compliance					
Evaluation of Non-Compliance	Sec. 13B.6.1.		—		
Nuisance Abatement/Revocation	Sec. 13B.6.2.		—		
Division of Land					
Parcel Map Exemption/ Lot Line Adjustment	Sec. 13B.7.2.			—	
Tentative Tract Map	Sec. 13B.7.3.			■	
Final Tract Map	Sec. 13B.7.4.			—	
Preliminary Parcel Map	Sec. 13B.7.5.			■	
Final Parcel Map	Sec. 13B.7.6.			—	
Private Street Map	Sec. 13B.7.7.			■	
Subdivision Appeal	Sec. 13B.7.8.			—	
Historic Preservation					
Historic Preservation Overlay Zone Designation	Sec. 13B.8.2.	—			
Preservation Plan Adoption / Amendment	Sec. 13B.8.3.	■			

Action	Reference	Legislative	Quasi-judicial	Subdivision	Ministerial
Review of Conforming Work	Sec. 13B.8.4.				—
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)	Sec. 13B.8.5.		■		
Certificate of Appropriateness (Demolition, Removal, or Relocation)	Sec. 13B.8.6.		■		
Certificate of Compatibility for Non-Contributing Elements	Sec. 13B.8.7.		■		
Coastal Development	Div. 13B.9.				
Coastal Development Permit (Pre-Certification)	Sec. 13B.9.1.		■		
Coastal Development Permit (Post-Certification)	Sec. 13B.9.2.		■		
Department of Building and Safety	Div. 13B.10.				
Appeals from LADBS Determination	Sec. 13B.10.2.		—		
Annual inspection Monitoring (Recycling)	Sec. 13B.10.3.		—		
Annual inspection Monitoring (Automotive)	Sec. 13B.10.4.		—		
California Environmental Quality Act (CEQA) Provisions	Div. 13B.11.				
CEQA Appeal	Sec. 13B.11.1.		—		

Key: ■ = qualifies for multiple approval — = varies with underlying application

B. Initiation

1. Applicants shall file applications at the same time for all approvals reasonably related and necessary to complete the project.
2. The procedures and time limits set forth in this *Section* only apply to multiple applications filed concurrently. Prior to a public hearing, the Director may require an applicant to amend an application for a project requiring multiple approvals to ensure that all relevant approvals are reviewed concurrently.

C. Decision Makers and Procedures

Despite any provision of this Code to the contrary, the following procedures apply to projects requiring multiple approvals.

1. Legislative Decisions

- a. The City Planning Commission or Area Planning Commission has initial authority to submit a recommendation, and the City Council has final decision-making authority for approvals of legislative decisions.

b. Procedures

- i. To the extent permitted by California law and the *City Charter*, the procedures for consideration of all decision are those set forth in:
 - a) *Sec. 13B.1.1. (General Plan Adoption/Amendment)* if a General Plan Amendment is involved;
 - b) *Sec. 13B.1.2. (Specific Plan Adoption/Amendment)* if a Specific Plan Amendment, but no General Plan Amendment, is involved; or
 - c) *Sec. 13B.1.4. (Zone Change)* if a Zone Change is combined with a Zoning Code Amendment.
- ii. If a development agreement is combined with a General Plan Amendment, Specific Plan, Zoning Code Amendment, or Zone Change, the City Planning Commission shall submit a Planning Commission recommendation, and all required notices and hearings required by this Chapter and the California Government Code shall be combined to the extent permitted by law.

2. City Planning Commission

- a. The City Planning Commission has initial decision-making authority for all approvals and/or recommendations if a project requires:
 - i. A separate approval or recommendation by an Area Planning Commission, the Zoning Administrator, and/or the Director, as the initial decision maker; and
 - ii. An approval or recommendation by the City Planning Commission as the initial decision maker.

b. Procedures

- i. If all of the applications are for quasi-judicial approvals, the procedures for consideration and appeal of all the applications are those set forth in *Sec. 13B.2.3. (Class 3 Conditional Use Permit)* of this Code.
- ii. If any Legislative Approval is included, the procedures for consideration and appeal of all the applications are those set forth in *Sec. 13B.1.4. (Zone Change)* of this Code.
- iii. If there is a request for a Modification of Entitlement, the Director may act on behalf of the City Planning Commission unless the City Planning Commission is specified to be the decision maker for any such modifications.

c. Appellate Body

The City Council shall decide all appeals of the City Planning Commission's decisions or recommendations under this *Subdivision*.

3. Area Planning Commission

If a project requires an approval separately decided by the Zoning Administrator and/or the Director as the initial decision maker, and also requires any approval or recommendation by an Area Planning Commission as the initial decision maker, then the Area Planning Commission where the project is located has initial decision-making authority for all of the approvals and recommendations.

a. Procedures

- i. If all of the applications are for Quasi-judicial Approvals, the procedures for consideration and appeal of all the applications are those set forth in Sec. 13B.2.3. (*Class 3 Conditional Use Permit*) of this Code.
- ii. If a Legislative Approval is included, then the procedures for consideration and appeal of all the approvals shall be those set forth in Sec. 13B.1.4. (*Zone Change*) of this Code.

b. Appellate Body

The City Council shall decide all appeals of the Area Planning Commission's decisions or recommendations under this *Subdivision*.

4. Zoning Administrator

If a project requires approvals separately decided by the Zoning Administrator and the Director, as the initial decision maker, the Zoning Administrator has decision-making authority for all of the approvals (except as provided in *Paragraph (b)* below).

a. Procedures

The procedures for consideration and appeal of all related applications for Quasi-judicial Approvals of the Zoning Administrator as initial decision maker are those set forth in Sec. 13B.2.2. (*Class 2 Conditional Use Permit*) of this Code.

b. Appellate Body

The Area Planning Commission where the project is located decides all appeals of decisions of the Zoning Administrator as initial decision maker on projects requiring multiple approvals. However, if this *Article* requires any of the approvals to be heard by the City Planning Commission on appeal, the City Planning Commission decides all appeals of decisions of the Zoning Administrator.

5. Director of Planning

If a project requires multiple approvals decided by the Director as the initial decision maker, the following procedures apply:

a. **Procedures**

The procedures for consideration and appeal of all related applications for Quasi-judicial Approvals of the Director as initial decision maker are those set forth in Sec. 13B.2.4. (Project Review) of this Code.

b. **Appellate Body**

The Area Planning Commission where the project is located shall decide all appeals of decisions of the Director as initial decision maker on projects requiring multiple approvals. However, if this Article requires any of the approvals to be heard by the City Planning Commission on appeal, the City Planning Commission shall decide all appeals of decisions of the Director as initial decision maker.

c. **Ministerial Action**

An application for a Ministerial Action may only be reviewed after the final decision on a Director Determination is rendered, including all appeals.

6. **Advisory Agency**

a. **Procedures**

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

b. **Appeals**

- i. When a Subdivision Approval is appealed, it shall follow the procedures set forth in Div. 13B.8. (Division of Land), except when other approvals are also appealed.
- ii. Hearings for and consideration of appeals of Subdivision Approvals by the Advisory Agency shall be scheduled for the same time as any hearing and decision by the Area Planning Commission or City Planning Commission, whichever has jurisdiction over the other approvals. In the event that the Appeal Board as determined by Div. 13B.8. (Division of Land) is the City Planning Commission, the hearing for and consideration of the appeals shall be heard by the City Planning Commission.
- c. Any time limit within which the Area Planning Commission or City Planning Commission must act on the applications are automatically extended as necessary to allow the Area Planning Commission or City Planning Commission to hear and decide appeals of Subdivision Approvals at the same time as it serves as the initial decision maker for the other approvals.

D. **Findings**

When acting on multiple applications for a project, the initial decision maker or appellate body shall separately make all required findings for each application. When appropriate, the initial

decision maker or appellate body may make findings by reference to findings made for another application involving the same project.

E. **No New Appeal Rights**

This *Section* does not create any additional appeal or level of appeal in connection with any land use approval. This *Section* also does not limit or expand who may file an appeal as identified in each discretionary land use application process.

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DIV. 13B.1. LEGISLATIVE ACTION

SEC. 13B.1.1. GENERAL PLAN ADOPTION/AMENDMENT

A. Applicability

1. This Section applies to the adoption or an amendment to the City's comprehensive General Plan.
2. Amendments to the General Plan of the City shall be initiated, prepared and acted upon in accordance with the procedures set forth in Sec. 555 (General Plan – Procedures for Adoption) of the City Charter and this Section.
3. Nothing in this Section shall restrict the adoption of a General Plan Amendment which permits the development of a project if the General Plan Amendment meets the criteria described in Sec. 11.5.6 A. (Initiation of Plan Amendment) of Chapter I. (General Provisions and Zoning) of this Code.

B. Initiation

1. As provided in Sec. 555 (General Plan – Procedures for Adoption) of the City Charter, only the City Council, the City Planning Commission or the Director may initiate a General Plan Amendment.
2. Initiations by the City Council or City Planning Commission require a majority vote.
3. Upon initiation, the Director shall prepare and transmit a report and recommendation to the City Planning Commission. The report shall contain an explanation of the reasons for the action recommended.

4. Batching

- a. In order to comprehensively consider applications for amendments to any community plan, the intake of applications by private parties to request amendments to any of the community plan areas may be batched into geographically based groups.
- b. The Director shall establish the boundaries of the groups and a schedule for review, and may modify them as necessary in order to more effectively carry out the purpose and intent of this Section.

Sec. 13B.1.1. General Plan Adoption / Amendment

1 Initiation

COUNCIL, CITY
PLANNING COMMISSION,
OR PLANNING DIRECTOR

NOTICE

2 Review

CITY PLANNING
COMMISSION HEARING

CITY PLANNING
COMMISSION REPORT
& RECOMMENDATION

MAYOR'S REPORT &
RECOMMENDATION

NOTICE

3 Decision

CITY COUNCIL
HEARING

APPROVE
OR
DENY

C. Notice

1. Notice of Public Hearing

The following notice is required for the public hearing held prior to a recommendation:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the City, designated for that purpose by the City Clerk
Mail	24 days	<ul style="list-style-type: none"> The Certified Neighborhood Council representing the area in which the property is located; and Interested parties who have requested in writing to be notified
Posting (site specific amendments only)	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property
Publication (City-initiated only)	10 days	<ul style="list-style-type: none"> Where the City initiates changes to one or more specific plans to 1,000 lots or more, publication in two newspapers of general circulations in the area involved, designated for that purpose by the City Clerk, is required. Mailing of individual notices shall not be required.

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Public Hearing

- a. The City Planning Commission shall set the matter for a public hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this Section.
- b. The City Planning Commission may hold the hearing itself, or may direct the Director to hold the hearing. At the time of the hearing, the City Planning Commission or the Director shall hear public testimony from anyone wishing to be heard on the matter. The City Planning Commission or the Director may continue the hearing to another date announced publicly at the hearing being continued; no additional notice of the continued hearing need be given.
- c. If the hearing is conducted by the Director:
 - i. After the close of the hearing, the Director shall submit a report to the City Planning Commission summarizing the information received.
 - ii. The report may also contain a recommendation to the City Planning Commission regarding its action on the proposed amendment.

3. Action of the City Planning Commission

- a. After receiving the Director's report, or after the close of a public hearing conducted by the City Planning Commission, the City Planning Commission shall recommend to the Mayor and the City Council that the proposed amendment be approved or disapproved in whole or in part.
 - i. If the City Planning Commission recommends approval of any proposed General Plan Amendment or disapproval of either a General Plan Amendment initiated by the Director or the City Council, the City Planning Commission shall transmit as soon as possible those actions to the Mayor for consideration and report to the Council.
 - ii. If the City Planning Commission recommends disapproval of a General Plan Amendment initiated by it, the City Planning Commission shall report its decision to the Council and Mayor.
- b. The City Planning Commission's report to the Mayor and the City Council shall set forth the City Planning Commission's findings for its recommendation.
- c. **Time to Act**
 - i. The City Planning Commission shall act within 90 days after receiving the report of the Director.
 - ii. If the City Planning Commission fails to do so, the City Planning Commission's failure to act is deemed a recommendation for approval of the Director's recommendation regarding the General Plan Amendment.

4. Action of the Mayor

- a. Within 30 days after receipt of the City Planning Commission's recommendation, the Mayor shall make a recommendation to the City Council on the proposed General Plan Amendment. If the Mayor does not act within the 30-day period, the Mayor's inaction is deemed a recommendation for approval of City Planning Commission's recommendation regarding the General Plan Amendment.
- b. The Mayor's report to the City Council shall set forth the Mayor's reasons for his or her recommendation.

5. Action of the City Council

- a. After receiving the recommendations of the City Planning Commission and the Mayor, or at the expiration of the 30-day period for the Mayor to act, the City Council shall hold a public hearing on the proposed General Plan Amendment.
- b. After the close of the public hearing, the City Council may do either of the following:
 - i. Approve or disapprove the General Plan Amendment in accordance with Sec. 555(e) (*General Plan – Procedures for Adoption*) of the City Charter; or

- ii. Propose changes to the General Plan Amendment.
- c. The City Council shall take either of these actions within 75 days after receiving the recommendation of the Mayor, or within 75 days after the expiration of the Mayor's time to act if the Mayor has not made a timely recommendation. If the City Council fails to do so, the City Council's failure to act is deemed a disapproval of the General Plan Amendment.
- d. **Required Vote**

In accordance with Sec. 555 (*General Plan – Procedures for Adoption*) of the City Charter, the votes necessary for adoption of a General Plan Amendment are as follows:

Recommendation	Required Council Vote
Both the CPC and the Mayor recommend approval	Majority
Either the CPC or the Mayor recommends disapproval	2/3 Vote
Both the CPC and the Mayor recommend disapproval	3/4 Vote

6. Proposed Changes by the City Council

- a. If the City Council proposes changes to the General Plan Amendment that differ from the amendment as initiated or as recommended by the City Planning Commission, the matter shall be returned simultaneously to the City Planning Commission and the Mayor for their recommendations on the proposed changes.
- b. In acting on those changes, the City Planning Commission and the Mayor shall follow the procedures set forth above for their initial action.
- c. The City Planning Commission shall act within 60 days of receipt of the City Council's proposed change.
- d. The Mayor shall act within 30 days of the receipt of the City Planning Commission's recommendation on the proposed change, or the expiration of the time for the City Planning Commission to act if the City Planning Commission fails to make a timely recommendation.
- e. If either the City Planning Commission or the Mayor do not act within the time period, that inaction is a recommendation of approval of the proposed changes.
- f. The City Planning Commission and the Mayor shall consider only those changes made by the City Council.
- g. The City Council shall act to approve or disapprove, in whole or in part, the General Plan Amendment, including the City Council's changes, within 120 days after receiving both the City Planning Commission's and the Mayor's recommendations on the City Council's proposed changes, or the expiration of its time to act on those changes.

E. Standards for Review and Required Findings

The following provisions are effective pursuant to the time periods stated in “the Build Better LA initiative.”

1. General Plan Review

See Chapter I. (General Provisions and Zoning), Sec. 11.5.8 (General Plan Review).

2. Affordable Housing

See Chapter I. (General Provisions and Zoning), Sec. 11.5.11 (a).

3. Alternative Compliance Options

See Chapter I. (General Provisions and Zoning), Sec. 11.5.11 (b).

4. Use of Funds

See Chapter I. (General Provisions and Zoning), Sec. 11.5.11 (c).

5. Continuing Affordability / Standards for Affordable Units

See Chapter I. (General Provisions and Zoning), Sec. 11.5.11 (d).

6. Developer Incentives

See Chapter I. (General Provisions and Zoning), Sec. 11.5.11 (e).

7. Processing

See Chapter I. (General Provisions and Zoning), Sec. 11.5.11 (f).

8. City Council Approved Adjustments to Affordable Housing Set-Asides Contained Herein

See Chapter I. (General Provisions and Zoning), Sec. 11.5.11 (g).

9. Waiver/Adjustment

See Chapter I. (General Provisions and Zoning), Sec. 11.5.11 (h).

10. Job Standards

See Chapter I. (General Provisions and Zoning), Sec. 11.5.11 (i).

11. Definitions

See Chapter I. (General Provisions and Zoning), Sec. 11.5.11 (j).

F. Scope of Decision

See Sec. 13A.2.7. (Scope of Decision).

G. Appeals

There is no appeal.

H. Modification of General Plan Action

A General Plan Adoption or Amendment may be modified by following the same procedures established above for the original action.

SEC. 13B.1.2. SPECIFIC PLAN ADOPTION/AMENDMENT

A. Applicability

1. General

This *Section* applies to the adoption of, or any amendment to the map or text of, a Specific Plan.

2. When a Specific Plan Amendment is Required

A Specific Plan Amendment is required whenever the policies or standards of plan need to be changed or updated, including but not limited to the following:

- a. To permit a new principal use or a change of use that the Specific Plan specifically prohibits, except where an applicant seeks to alter or enlarge an existing legal nonconforming, in which case a project exception is required;
- b. To permit a use which exceeds the maximum number of permitted establishments or the maximum permitted occupant load for that use within a Specific Plan area or subarea;
- c. To permit a sign specifically prohibited by the Specific Plan;
- d. To deviate from a Specific Plan map footnote;
- e. To make significant changes to environmental mitigation measures that were adopted as part of the environmental clearance for the Specific Plan if required by CEQA;
- f. To make changes to impact fees which affect implementation of the Specific Plan or planned improvements;
- g. To make boundary changes to a Specific Plan area or subarea;
- h. To change highway/street designations, which are identified in a Specific Plan;
- i. To reconcile an inconsistency with the applicable community plan(s) where the project requires a community plan amendment; or
- j. To establish significant policy changes or modifications to Specific Plan regulations which affect the entire Specific Plan area or a subarea, as determined by the Director.

Sec. 13B.1.2. Specific Plan Adoption / Amendment

1 Initiation

COUNCIL, CITY PLANNING COMMISSION, OR PLANNING DIRECTOR

NOTICE

2 Review

OPTIONAL

HEARING OFFICER HEARING

PLANNING DIRECTOR'S REPORT & RECOMMENDATION

NOTICE

CITY PLANNING COMMISSION HEARING

CITY PLANNING COMMISSION REPORT & RECOMMENDATION

3 Decision

CITY COUNCIL MEETING

APPROVE OR DENY

B. Initiation

Only the City Council, the City Planning Commission, or the Director may initiate a Specific Plan Adoption or Amendment. An action to initiate a Specific Plan Adoption or Amendment by the City Council or the City Planning Commission requires a majority vote.

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing held prior to a recommendation:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the City, designated for that purpose by the City Clerk
Mail (if the amendment affects the permitted uses or intensity of uses of real property)	24 days	<ul style="list-style-type: none"> The applicant; The owner(s) of the property involved; The owners and occupants of all property within and outside the City within 500 feet of the area to be changed (or the expanded area described below); Residential, commercial, and industrial occupants of all properties within 500 feet of the exterior boundaries of the property involved (or the expanded area described below); and The Certified Neighborhood Council representing the area in which the property is located.
Posting (site specific amendments only)	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property If a Hearing Officer is designated to conduct the public hearing, then the applicant, in addition to posting notice of the public hearing, will also post notice of the initial meeting of the decision making body on the matter

- b. If the mailed notice does not include at least 20 different owners of at least 20 different lots other than the subject property, then the notification radius will increase in increments of 50 feet until that number of owners and lots are within the expanded area.
- c. Where a public hearing before a Hearing Officer was held pursuant to Sec. 13B.1.2.D.2.c. (Public Hearing) below, then notice for the Planning Commission hearing shall be given in the manner specified in Sec. 13B.1.3.C. (Zoning Code Amendment; Notice) of this Chapter.
- d. Where the City initiates changes to one or more Specific Plans pursuant to Sec. 65455 (Zoning, tentative map, parcel map, and public works project consistency with specific plan) of the California Government Code to 1,000 lots or more, publication in two newspapers of general circulation designated by the City Clerk for official advertising in the

area involved, not less than 10 days prior to the date of the public hearing, giving notice of its time, place and purpose shall be sufficient notice of the hearing, and the mailing of individual notices shall not be required.

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Public Hearing

- a. The Council or the City Planning Commission shall forward the proposed ordinance to the Director for a report and recommendation.
- b. The Director shall make a recommendation for action on the matter; that recommendation shall then be heard by the City Planning Commission.
- c. Before making a recommendation, the Director may direct a Hearing Officer to hold a public hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this Section, and make a report and recommendation.

3. City Planning Commission Action

- a. After receipt of the Director's recommendation, the City Planning Commission shall hold a public hearing.
- b. The hearing proceedings shall be recorded or summarized as directed by the Commission. When proceedings are recorded and not summarized, they shall be transcribed at the request of any party or interested person upon payment of the fee, as required by ordinance. One copy of the transcript shall be furnished to the Commission to be filed.
- c. The City Planning Commission shall consider the matter and make a report and recommendation to the City Council.
- d. If the matter was initiated by either the City Planning Commission or the Director, and the City Planning Commission recommends denial of the proposed ordinance, the decision is final.

e. Time to Act

- i. The City Planning Commission shall act within 75 days of receipt of the Director's report and recommendation.
- ii. If the City Planning Commission does not act by that deadline, or any extension, the City Council may then, by resolution, request the City Planning Commission to forward the matter to it for the City Council's action.

- iii. If the City Council does not do so, the time for the City Planning Commission to act shall automatically be extended for an additional 75 days. The City Council may request the City Planning Commission to forward the matter at any time within the 75-day continuance period.
- iv. If the Planning Commission fails to act on an initiation within the time allowed by this *Subdivision*, the Planning Commission shall be deemed to have approved the ordinance.

4. City Council Action

- a. After the City Planning Commission has made its report and recommendation, or after the time for it to act has expired, the City Council shall consider the matter.
- b. The City Council may approve or disapprove the proposed Specific Plan Adoption or Amendment.
- c. If the City Planning Commission recommends approval of an application, then the City Council shall act within 90 days of receipt of the City Planning Commission recommendation. This time limit may be extended by mutual consent of the initiating body and the City Council.

d. Required Vote

The votes necessary for adoption of a Specific Plan Adoption or Amendment are as follows:

Recommendation	Required Council Vote
The CPC recommends approval	Majority
The CPC recommends disapproval (on a Specific Plan Adoption/Amendment initiated by the City Council)	2/3 Vote
Failure of the CPC to act	Majority

E. Standards for Review and Required Findings

- 1. In approving a Specific Plan Adoption or Amendment, the City Planning Commission and City Council shall find that:
 - a. The action substantially conforms to the purposes, intent and provisions of the General Plan; and
 - b. The proposed ordinance is in conformity with public necessity, convenience, general welfare and good zoning practice.
- 2. If the City Council does not adopt the City Planning Commission's findings and recommendations, the City Council shall make its own findings.

F. Scope of Decision

See *Sec. 13A.2.7. (Scope of Decision)*.

G. Appeals

There is no appeal.

H. Modification of Specific Plan Action

A Specific Plan Adoption or Amendment may be modified by following the same procedures established above for the original action.

SEC. 13B.1.3. ZONING CODE AMENDMENT

A. Applicability

This *Section* applies to the adoption, amendment, or repeal of any text in this Chapter or *Chapter I. (General Provisions and Zoning)*, including but not limited to:

1. The creation or change of any zones or districts for the purpose of regulating the use of land (including area-wide or comprehensive zone changes that the City initiates to implement a land use policy);
2. Zoning or other land use regulations concerning permissible uses, height, density, bulk, location or use of buildings or structures, size of yards, open space, setbacks, building line requirements, and other similar requirements, including Specific Plan ordinances;
3. Private street regulations;
4. Public projects; and
5. The acquisition of, change of area or alignment to, abandonment of, or vacation of any public right-of-way, park, playground, airport, public building site or other public way, ground or open space, but not including easements for sewers, storm drains or slopes, nor the temporary transfer of jurisdiction over any portion of a street to another local agency.

B. Initiation

Only the City Council, the City Planning Commission, or the Director may initiate a Zoning Code Amendment. An action to initiate a Zoning Code Amendment by the City Council or City Planning Commission requires a majority vote.

C. Notice

1. Notice of Public Hearing

The following notice is required for the public hearing held prior to a recommendation:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the City, designated for that purpose by the City Clerk

Sec. 13B.1.3. Zoning Code Amendment

1 Initiation

COUNCIL, CITY
PLANNING COMMISSION,
OR PLANNING DIRECTOR

NOTICE

2 Review

OPTIONAL

PLANNING
DIRECTOR HEARING

PLANNING
DIRECTOR'S REPORT
& RECOMMENDATION

NOTICE

CITY PLANNING
COMMISSION HEARING

CITY PLANNING
COMMISSION REPORT
& RECOMMENDATION

3 Decision

CITY COUNCIL
MEETING

APPROVE
OR
DENY

D. Decision

1. General Procedures

See Sec. 13A.2.5. (*Decisions*).

2. Public Hearing

- a. The City Council or the City Planning Commission shall forward the proposed Zoning Code Amendment to the Director for a report and recommendation.
- b. The Director shall make a recommendation for action on the matter, which recommendation shall then be heard by the City Planning Commission.
- c. Before making a recommendation, the Director may direct a Hearing Officer to hold a public hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this Section, and make a report and recommendation.

3. City Planning Commission Action

- a. After receipt of the Director's recommendation, the City Planning Commission shall consider the matter and make a report and recommendation to the City Council.
- b. If the matter was initiated by either the City Planning Commission or the Director, and the City Planning Commission recommends denial of the proposed ordinance, the decision is final.

c. Time to Act

- i. The City Planning Commission shall act within 75 days of receipt of the Director's report and recommendation.
- ii. If the City Planning Commission does not act by that deadline, or any extension, the City Council may then, by resolution, request the Planning Commission to forward the matter to it for the City Council's action.
- iii. If the City Council does not do so, the time for the Planning Commission to act shall automatically be extended for an additional 75 days. The City Council may request the Planning Commission forward the matter at any time within any 75-day continuance period.
- iv. If the Planning Commission fails to act on an initiation within the time allowed by this *Subdivision*, the Planning Commission shall be deemed to have approved the ordinance.

4. City Council Action

- a. After the City Planning Commission has made its report and recommendation, or after the time for it to act has expired, the City Council may consider the matter.

- b. The City Council may approve or disapprove the proposed Zoning Code Amendment.
- c. If the City Planning Commission recommends approval of the proposed Zoning Code Amendment, the City Council shall act within 90 days of receipt of the City Planning Commission recommendation.

d. **Required Vote**

The votes necessary for adoption of a Zoning Code Amendment are as follows:

Recommendation	Required Council Vote
The CPC recommends approval	Majority
The CPC recommends disapproval (on a Zoning Code Amendment initiated by the City Council)	2/3 Vote
Failure of the CPC to act	Majority

E. **Standards for Review and Required Findings**

1. In approving a Zoning Code Amendment, the City Planning Commission and City Council shall find that:
 - a. The action substantially conforms to the purposes, intent and provisions of the General Plan; and
 - b. Proposed ordinance is in conformity with public necessity, convenience, general welfare and good zoning practice; and
 - c. Other findings required by law.
2. If the City Council does not adopt the City Planning Commission's findings and recommendations, the City Council shall make its own findings.

F. **Scope of Decision**

See Sec. 13A.2.7. (Scope of Decision).

G. **Appeals**

There is no appeal.

H. **Modification of Zoning Code Amendment**

A Zoning Code Amendment may be modified by following the same procedures established above for the original action.

SEC. 13B.1.4. ZONE CHANGE

A. Applicability

1. This *Section* applies to any amendment to the zoning map through a legislative land use ordinance.
2. The City Planning Commission may recommend approval or disapproval in whole or in part of an application or initiation of a proposed land use ordinance. The Area Planning Commission may recommend approval or disapproval in whole or in part of an application for a land use ordinance where permitted in this *Section*. These recommendations shall be made to the City Council for its action pursuant to the procedures set forth in this *Section*.
3. Pursuant to *Sec. 565. (Delegation of Legislative Authority to Area Planning Commissions) of the City Charter*, the City Planning Commission may delegate classes or categories of Zone Changes for consideration by an Area Planning Commission.
4. The City Planning Commission has delegated the following categories of Zone or height district changes to Area Planning Commissions:
 - a. Any development project which creates or results in fewer than 50,000 gross square feet of non-residential floor area;
 - b. Any development project which creates or results in fewer than 50 dwelling units, guest rooms or combination of dwelling units or guest rooms; or
 - c. Any application involving a lot with fewer than 65,000 square feet of lot area.
5. Notwithstanding the foregoing, the City Planning Commission, rather than the Area Planning Commission, shall have the authority to make recommendations on any application for or initiation of a proposed Zone Change when it is being considered in conjunction with an initiated General Plan Amendment.
6. Unless otherwise specified, further references in this *Section* to "Planning Commission" mean either the Area Planning Commission or the City Planning Commission, whichever has authority.

Sec. 13B.1.4. Zone Change

1 Initiation

COUNCIL, CITY
PLANNING COMMISSION,
PLANNING DIRECTOR
OR APPLICANT

2 Submittal

COMPLETENESS
REVIEW

NOTICE

2 Review

HEARING
OFFICER HEARING

OPTIONAL

PLANNING
DIRECTOR'S REPORT
& RECOMMENDATION

NOTICE

CITY PLANNING
COMMISSION HEARING

CITY PLANNING
COMMISSION REPORT
& RECOMMENDATION

APPEAL AVAILABLE IF DENIED

3 Decision

CITY COUNCIL
MEETING

APPROVE
OR
DENY

7. To be eligible for any Zone Change or height district change that results in increased allowable residential floor area, density or height, or allows a residential use where previously not allowed, projects with 10 or more residential dwelling units must comply with the provisions in Sec. 13B.1.1.E. (*General Plan Adoption/Amendment; Standards for Review and Required Findings*).

B. Initiation

1. City initiated

The City Council, the City Planning Commission, or the Director may initiate a Zone Change. Any initiation by the City Council or the City Planning Commission shall be by majority vote.

2. Applicant initiated

An applicant may apply for a Zone Change. An application for a Zone Change shall be filed with the Department.

3. Establishment of Supplemental Use Districts or Overlays

The following provisions apply to the establishment of Supplemental Use Districts pursuant to Chapter I. (*General Provisions and Zoning*), Article 3 (*Specific Plan – Zoning Supplemental Use Districts*) or Overlays pursuant to Article 8. (*Supplemental & Special Zoning*) of this Chapter:

- a. One or more of the owners or lessees of property within the boundaries of the proposed district may submit a verified application for the establishment of a supplemental use district or overlay. The application shall contain the signatures of at least 75 percent of the owners or lessees of property within the proposed boundaries.
- b. An application for the establishment of a Fence Height District shall contain the signatures of at least 50 percent of the owners or lessees of property within the proposed district.
- c. A Community Plan Implementation Ordinance (CPIO) District may not be established through the application procedure.
- d. Only the City Planning Commission is authorized to make recommendations regarding approval or disapproval in whole or in part on an application for or the initiation of the establishment of a supplemental use district to the City Council.

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing held prior to a recommendation:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the City, designated for that purpose by the City Clerk

Type of Notice	When	Where / To Whom / Additional Requirements
Mail (if the amendment affects the permitted uses or intensity of uses of real property)	24 days	<ul style="list-style-type: none"> The applicant; The owner(s) of the property involved; The owners and occupants of all property within and outside the City within 500 feet of the area to be changed (or the expanded area described below); Residential, commercial, and industrial occupants of all properties within 500 feet of the exterior boundaries of the property involved (or the expanded area described below); and The Certified Neighborhood Council representing the area in which the property is located.
Posting (applicant initiated Zone Changes only)	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property If a <u>Hearing Officer</u> is designated to conduct the public hearing, then the applicant, in addition to posting notice of the public hearing, will also post notice of the initial meeting of the decision making body on the matter
Publication (City-initiated only)	10 days	<ul style="list-style-type: none"> Where the <u>City</u> initiates changes of zone or height districts to 1,000 lots or more, publication in two newspapers of general circulations in the area involved, designated for that purpose by the City Clerk, is required. Mailing of individual notices shall not be required.

- b. If the mailed notice within the required radius does not result in notice to at least 20 different owners of at least 20 different lots other than the subject property, then the notification radius will increase in increments of 50 feet until that number of owners and lots are within the expanded area.
- c. Where a public hearing before a Hearing Officer was held for a City-initiated matter pursuant to *Sec. 13B.1.4.D.2.a.ii. (Public Hearing)* below, then notice for the Planning Commission hearing shall be given in the manner specified in *Sec. 13B.1.3.C. (Zoning Code Amendment; Notice)* of this Chapter.
- d. Where the City initiates changes of zone or height districts pursuant to *California Government Code Sec. 65860(d) (Adoption of Regulations)* to 1,000 lots or more, publication in two newspapers of general circulation designated by the City Clerk for official advertising in the area involved, not less than 10 days prior to the date of the public hearing, giving notice of its time, place and purpose shall be sufficient notice of the hearing, and the mailing of individual notices shall not be required.
- e. Notice of the public hearing shall also be given to the Bureau of Engineering and Department of Transportation for an application or initiation to establish a supplemental use district.

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail (if the amendment affects the permitted uses or intensity of uses of real property)	24 days	<ul style="list-style-type: none">• The applicant;• The owner(s) of the property involved;• The Certified Neighborhood Council representing the area in which the property is located.• Any interested party who has requested in writing to be so notified

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. City initiated

a. Public Hearing

- i. The Director shall make a recommendation for action on the matter, which recommendation shall then be heard by the Planning Commission.
- ii. Before making a recommendation, the Director may direct a Hearing Officer to hold a public hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this Section, and make a report and recommendation.

b. Planning Commission Action

- i. After receipt of the Director's recommendation, the Planning Commission shall hold a public hearing.
- ii. The hearing proceedings shall be recorded or summarized as directed by the Commission. When proceedings are recorded and not summarized, they shall be transcribed at the request of any party or interested person upon payment of the fee, as required by ordinance. One copy of the transcript shall be furnished to the Commission to be filed.
- iii. The Planning Commission shall consider the matter, and make a report and recommendation to the City Council.
- iv. If the matter was initiated by either the City Planning Commission or the Director, and the City Planning Commission recommends denial of the proposed ordinance, the decision is final.

c. Time to Act

- i. The Planning Commission shall act within 75 days of receipt of the Director's report and recommendation.
- ii. If the Planning Commission does not act by that deadline, or any extension, the City Council may then, by resolution, request the Planning Commission to forward the matter to it for the City Council's action.
- iii. If the City Council does not do so, the time for the Planning Commission to act shall automatically be extended for an additional 75 days. The City Council may request that the Planning Commission forward the matter at any time within the 75-day continuance period.
- iv. If the Planning Commission fails to act on an initiation within the time allowed by this *Subdivision*, the Planning Commission shall be deemed to have approved the ordinance.

3. Applicant Initiated

a. Public Hearing

- i. Once a complete application is received, as determined by the Director, the Commission shall hold a public hearing or direct a Hearing Officer to hold the hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this *Section*.
- ii. If a Hearing Officer holds the public hearing, he or she shall make a recommendation for action on the application.

b. Planning Commission Action

- i. The Hearing Officer's recommendation shall be heard by the Planning Commission, which may hold a public hearing, and shall make a report and recommendation to the City Council.
- ii. The hearing proceedings shall be recorded or summarized as directed by the Commission. When proceedings are recorded and not summarized, they shall be transcribed at the request of any party or interested person upon payment of the fee, as required by ordinance. One copy of the transcript shall be furnished to the Commission to be filed.
- iii. If the Planning Commission recommends disapproval, that action is final unless the applicant timely files an appeal pursuant to *Subsection G. (Appeals)* of this *Section*.

c. Time to Act

- i. The Planning Commission shall act within 75 days of the filing of a complete, verified application for a proposed Zone Change, except as otherwise provided in this *Subsection*. This time limit may be extended by mutual consent of the applicant and the Planning Commission.
- ii. The Planning Commission may withhold action on an application relating to land located within an area in which the City Planning Commission is conducting a general survey or study, for a period of up to 180 days from the date the application was filed. The Planning Commission shall provide written notice of this decision to the applicant, advising of the study and the postponement.
- iii. If the Director determines that the application is inconsistent with the General Plan, the Planning Commission may withhold action on the application for a period of up to 180 days with the applicant's consent. This time limit may be extended for two additional 3-month periods by mutual consent of the applicant and the Planning Commission.
- iv. If the Planning Commission fails to act on an initiation within the time allowed by this *Subdivision*, the Planning Commission shall be deemed to have approved the ordinance.

4. City Council Action (On Both City and Applicant initiated Zone Changes)

- a. After the Planning Commission has made its report and recommendation, or after the time for it to act has expired, the Council may consider the matter.
- b. If the Planning Commission recommends approval of the proposed Zone Change, the Council shall act within 90 days of receipt of the Planning Commission recommendation. This time limit may be extended by mutual consent of the applicant and the Council.
- c. The Council may approve or disapprove the proposed Zone Change.
- d. As part of any proposed Zone Change, the City Council may:
 - i. Impose a Special Zoning Classification pursuant to *Chapter I. (General Provisions and Zoning) Sec. 12.32 G. (Special Zoning Classifications)* if the parcel is zoned with a *Chapter I. zone per Sec. 12.04. (Zones-Districts-Symbols)*, or
 - ii. Approve changes to the parking requirements not to exceed 20 percent of the requirements otherwise required by this Code.

e. Required Vote

The votes necessary for adoption of a proposed Zone Change are as follows:

Recommendation	Required Council Vote
The CPC recommends approval	Majority
The CPC recommends disapproval (on a Zone Change initiated by the City Council)	2/3 Vote
The CPC recommends disapproval (on a Zone Change initiated by an applicant, and an appeal was filed)	2/3 Vote
Failure of the CPC to act	Majority

5. Area Affected by Zone Change

- a. In the consideration of an application for a proposed Zone Change, the Planning Commission may approve or disapprove a change upon all or only a part of the subject area.
- b. The Planning Commission may recommend, without additional notice or hearing:
 - i. A change to any zone between that existing on the property and that requested in the application;
 - ii. That all or a portion of the property be changed to a P or PB Zone;
 - iii. That an M Zone be changed to an MR Zone; or
 - iv. Minor additions to the area proposed for a Zone Change or slight adjustments of proposed zone boundaries within that area that it determines are required by the public necessity, convenience, general welfare, or good zoning practice.

6. Changes incident to Division of Land

- a. In the subdivision of an area, it may be determined by the Planning Commission that the zones or height districts, as shown on the zoning map, do not conform to the best subdivision and use of the land. In such cases, the following shall apply:
 - i. For lots subject to *Chapter I. (General Provisions and Zoning)*, the City Council may, upon the recommendation of the Planning Commission, approve within the boundaries of the area being subdivided the appropriate adjustment of zone or height district boundaries or the reclassification of the area into a more restrictive zone or height district where the zone or height district is consistent with the General Plan. The City Council shall have the authority to make changes without the Planning Commission holding a public hearing on the adjustment.
 - ii. For lots subject to Chapter 1A (City of Los Angeles Zoning Code), the City Council may, upon the recommendation of the Planning Commission, approve within the boundaries of the area being subdivided the appropriate adjustment of zone boundaries or the reclassification of the area into a zone, consistent with the General Plan, with 1) a Form District that reduced allowable floor area, based on its maximum

bonus floor area ratio or the maximum base floor area ratio if the Form District does not establish a bonus floor area ratio, or 2) a Density District which results in a reduced number of household dwelling units. The City Council shall have the authority to make changes without the Planning Commission holding a public hearing on the adjustment.

- b. The Planning Commission shall make no recommendation to the City Council, except upon written application made by the owner of the land being subdivided.
- c. Notice of a public hearing on any Zone Change incident to division of land to a less restrictive zone for lots subject to *Chapter I. (General Provisions and Zoning)*, or to a Form District or Density District that allow additional floor area or density, respectively, for lots subject to Chapter 1A (Los Angeles Zoning Code) per *Sec. 13B.14.D.6.a. (Changes incident to Division of Land)* above shall be included in the notice for the division. The notice shall conform to the procedures for Zone Change notification, and the subdivision and Zone Change hearings shall be held concurrently. Appeal procedures shall conform to those required for Zone Changes as set forth in this *Section*.

E. Standards for Review and Required Findings

- 1. In approving a Zone Change, the Planning Commission and City Council shall find that:
 - a. The action substantially conforms to the purposes, intent and provisions of the General Plan; and
 - b. The proposed ordinance is in conformity with public necessity, convenience, general welfare, and good zoning practice.
- 2. If the City Council does not adopt the Commission's findings and recommendations, the City Council shall make its own findings.

F. Scope of Decision

- 1. See *Sec. 13A.2.7. (Scope of Decision)*.
- 2. An applicant-initiated Zone Change that is not effectuated within six years of its effective date becomes null and void.

G. Appeals

1. General Procedures

- a. See *Sec. 13A.2.8. (Appeals)*.
- b. Only applicant-initiated zone changes are appealable.

2. Decision Maker

The City Council is the appellate decision maker.

3. Filing

- a. If the Planning Commission recommends disapproval of an application, in whole or in part, the applicant may appeal that decision to the City Council.
- b. If the Planning Commission recommends disapproval of an application to establish a supplemental use district, in whole or in part, any owner or lessee of property included in a proposed district may appeal that decision to the City Council.
- c. At any time prior to the action of the City Council on the appeal, the Department shall submit any supplemental, pertinent information as the City Council or its Committee may request.

4. Appellate Decision

- a. Before acting on any appeal, the City Council shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* above, of this *Section*.
- b. The City Council shall act within 75 days after the expiration of the appeal period. The 75-day time limit to act on an appeal may be extended by mutual written consent of the applicant and the City Council.
- c. If the City Council fails to act within this time limit, the failure shall constitute a denial of the application or disapproval of the initiated land use ordinance.

H. Modification of the Zone Change

1. A Zone Change may be modified by following the same procedures established above for the original action.
2. **Special Zoning Classifications**

A request for an amendment of any Special Zoning Classification may be filed and processed pursuant to *Chapter I. (General Provisions and Zoning) Sec. 12.32.H. (Amendments of the T Classification and Clarifications of the Q Classification or D Limitation)* where applicable.

I. Vesting Zone Change

1. Applicability

An applicant may elect to file an application for a Vesting Zone Change. If an applicant does not seek the rights conferred by this *Subsection*, the filing of a vesting application shall not be required by the City for the approval of any proposed Zone Change.

2. Development Rights

- a. The approval of a vesting application confers a vested right to proceed with a development in substantial compliance with the rules, regulations, ordinances, zones, and officially adopted policies of the City in force on the date the application is deemed complete, and with the conditions of approval imposed and specifically enumerated by the decision maker in its action on the vesting application case.
- b. These rights do not include exemption from:
 - i. Other applications or approvals necessary to entitle a project to proceed (i.e., subdivision, parcel map, zone variance, design review, etc.);
 - ii. Subsequent changes in the Building and Safety and Fire regulations contained in *Chapters V. (Public Safety and Protection)* and *IX. (Building Regulations)* of this Code that the City Council finds to protect the public health and safety and which apply on a citywide basis, or policies and standards relating to those regulations; or
 - iii. Citywide programs enacted after the application is deemed complete to implement State or Federal mandates.
- c. If the ordinances, policies, or standards described in *Paragraph b. (Development Rights)* above are changed subsequent to the approval or conditional approval of a vesting application, the applicant, at any time prior to the expiration of the vesting application case, may apply for an amendment to the vesting application case to secure a vested right to proceed with the changed ordinances, policies, or standards. The application shall clearly specify the changed ordinances, policies, or standards for which the amendment is sought.
- d. Prior to final sign off on a building permit filed pursuant to a vesting application, the Department of City Planning shall submit a copy of the final site plan to the office of the affected council district for informational purposes only.

3. Filing and Processing an Application

- a. A Vesting Zone Change shall be filed on the same form and have the same contents, accompanying data and reports and shall be processed in the same manner as procedures for applications for a Zone Change, except as provided here. The application shall specify that the case is for a Vesting Zone Change. If any rules, regulations, or ordinances in force at the time of filing require any additional approvals (such as a Variance or Coastal Development Permit), the complete application for these additional approvals shall be filed prior to or simultaneously with the Vesting Zone Change in order for the City Planning Department to be able to schedule a concurrent hearing.
- b. In all Vesting Zone Change cases, a site plan and a rendering of the architectural plan of the building envelope shall be submitted. The plans and renderings shall show the proposed project's height, design, size and square footage, number of units, the use and

location of buildings, driveways, internal vehicular circulation patterns, loading areas and docks, location of landscaped areas, walls and fences, pedestrian and vehicular entrances, location of public right-of-ways and any other information deemed necessary by the Director.

4. Conditional Approval or Denial

Notwithstanding the provisions of *Subparagraph a. of Paragraph 2. (Development Rights)* above, of this Section, a Vesting Zone Change may be:

- a. Conditioned if the City Planning Commission or the City Council determines that:
 - i. The condition is necessary to protect the best interest of and assure a development more compatible with the surrounding property or neighborhood;
 - ii. The condition is necessary to secure an appropriate development in harmony with the objectives of the General Plan;
 - iii. The condition is necessary to prevent or mitigate potential adverse environmental effects of the Zone Change; or
 - iv. That public necessity, convenience, or general welfare require that provisions be made for the orderly arrangement of the property concerned into lots and/or that provisions be made for adequate streets, drainage facilities, grading, sewers, utilities, and other public dedications and improvements.
- b. Denied if the City Planning Commission or the City Council determines the Zone Change is not in substantial conformance with the purposes, intent, or provisions of the General Plan or is not in conformance with public necessity, convenience, general welfare, and good zoning practice.
- c. If the City Council does not adopt the Planning Commission's findings and recommendations, the City Council shall make its own findings.

5. Expiration

- a. The approval or conditional approval of a Vesting Zone Change expires six years after the effective date of the ordinance.
- b. Where a project to be developed under a Vesting Zone Change contains multiple phases, the vested zoning terminates if less than 25 percent the total project allowed by the Vesting Zone Change and as described in the vesting application has not received a Certificate of Occupancy before the end of the period of time specified.

6. Amendment of Vested Project Plans or Amendment of Vested City Regulations to Comply with Subsequent Regulation Changes

- a. Any owner or lessee of the subject property subject to an approved Vesting Zone Change may file a verified application requesting an amendment of the City regulations described in *Subparagraph a. of Paragraph 2. (Development Rights)* above, of this Section vested by a Zone Change issued pursuant to this Section.
- b. The City Council, after receiving a report and recommendation on the amendment from the Director within 40 days of the date of the request or within any additional time mutually agreed upon by the Director and the applicant, may amend the vested building or site plans or add to the set of City regulations to which the applicant's project has vested. If the Director fails to submit a timely report, City Council may consider the amendment without the Director's recommendation.
- c. The City Council, prior to making a decision pursuant to this Subdivision, shall hold a public hearing, giving notice pursuant to Subsection C. (Notice) above, of this Section.

SEC. 13B.1.5. GUIDELINES OR STANDARDS ADOPTION/AMENDMENT

A. Applicability

This Section only applies where any provision of this Code specifically authorizes or requires a policy action the City Planning Commission to adopt or amend certain guidelines or standards.

B. Initiation

The enactment of an ordinance authorizing the City Planning Commission to adopt or amend guidelines or standards initiates this process.

C. Notice

1. Notice of Public Hearing

The following notice is required for the public hearing on the initial decision:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the City, designated for that purpose by the City Clerk

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

Sec. 13B.1.5. Guidelines or Standards Adoption/Amendment

1 Initiation

COUNCIL, CITY PLANNING COMMISSION, OR PLANNING DIRECTOR

NOTICE

2 Decision

CITY PLANNING COMMISSION HEARING

APPROVE OR DENY

2. Decision Maker

The City Planning Commission is the initial decision maker.

3. Public Hearing

Prior to any action on the Guidelines or Standards Adoption/Amendment, the City Planning Commission shall conduct a public hearing, giving notice in the manner specified in Subsection C. (Notice) above, of this Section.

4. Recommending Body

If a recommendation by another body is required, the City Planning Commission may consider the matter after receipt of the recommendation.

5. City Planning Commission Action

The City Planning Commission may approve or disapprove the proposed Guidelines or Standards Adoption/Amendment.

E. Standards for Review and Required Findings

In approving a Guidelines or Standards Adoption/Amendment, the City Planning Commission shall find that the action substantially conforms to the purposes, intent, and provisions of the General Plan and any other applicable adopted plans.

F. Scope of Decision

See Sec. 13A.2.7. (Scope of Decision).

G. Appeals

There is no appeal.

H. Modification of Guidelines or Standards Adoption/Amendment

A Guidelines or Standards Adoption/Amendment may be modified by following the same procedures established above for the original action. However, any subsequent amendment to guidelines or standards already adopted by the City Planning Commission pursuant to this Section may be presented to the City Planning Commission for approval by the Director.

SEC. 13B.1.6. LAND FOR PUBLIC USE

A. Applicability

This *Section* applies to any ordinance, order, or resolution ordering or involving the acquisition, establishing, opening, widening, narrowing, straightening, abandoning, or vacating of any public street, road, highway, alley, square, park, playground, airport, public building site or any other public way, ground or open space, or the location, appearance, and width of any bridge, viaduct, subway, tunnel, or elevated roadway for the use of pedestrians or vehicular traffic, or the location and appearance of any public building.

B. Initiation

A petition may be received by the City Clerk and presented to the City Council or a resolution may be introduced in the City Council for the purpose of adoption of an ordinance, order, or resolution involving land for public use.

C. Notice

1. Notice of Public Hearing

There is no public hearing required for a consideration of Land for Public Use, and therefore no notice of a public hearing is required.

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Referral

- a. A petition or resolution regarding land for public use shall be referred to such City Department or Bureau as is determined by the City Council to have jurisdiction over the matter involved in such petition or proposed ordinance, order or resolution, for report and recommendation thereon to the City Council or to a Committee of the Council designated by the City Council, before the City Council shall grant such petition or adopt or enact any such ordinance, order or resolution.
- b. The said Department or Bureau to which any such petition or resolution is referred by the City Council shall, before reporting to the City Council upon the particular subject matter, refer the matter to the Department of City Planning for report and recommendation thereon by the Commission concerning the relation of the matter to and its effect upon the General Plan, any applicable Specific Plans and any plans being prepared by the Department of City Planning.
- c. However, easements for local sanitary sewers, storm drains or slopes need not be referred to the Department of City Planning.

- d. Such Bureau or Department shall transmit its report to the City Council on the subject matter of the petition or resolution or accompanying ordinance or order, together with an original copy of said report of the City Planning Commission relating thereto.

3. Report and Recommendation

- a. Before any ordinance, order, or resolution relating to any of the matters referred to in *Subsection A. (Applicability)* above, of this *Section*, except easements for local sanitary sewers, storm drains or slopes is presented to the Council by the City Attorney for consideration, said ordinance, order or resolution shall be first submitted by the City Attorney to the City Planning Department for report and recommendation thereon by the City Planning Commission.
- b. Such ordinance, order, or resolution shall be returned by the Director to the City Attorney for transmittal to the City Council or its Committee, together with the report and recommendation relating thereto.

4. City Planning Commission Action

- a. The City Planning Commission shall make and file its report and recommendations on any petition, ordinance, order, or resolution within 30 days of receipt of same.
- b. If the same be disapproved, the Director shall advise the Bureau or Department submitting the matter of its disapproval and reasons therefor within such 30-day period.

5. Council Action

- a. If the City Planning Commission recommends against the approval of an ordinance, order or resolution, the Council may adopt the same only upon a 2/3 vote of the whole Council.
- b. If the City Planning Commission recommends approval, or fails to make any recommendation within the specified time limit, the Council may adopt such ordinance, order, or resolution by a majority vote of the whole Council.

E. Standards for Review and Required Findings

1. In acting upon a consideration of Land for Public Use, the City Planning Commission and City Council shall find that the action substantially conforms to the purposes, intent, and provisions of the General Plan and any other applicable adopted plans, or state the reasons that no such finding can be made.
2. If the Council does not adopt the City Planning Commission's findings and recommendations, the Council shall make its own findings.

F. Scope of Decision

See *Sec. 13A.2.7. (Scope of Decision).*

G. Appeals

There is no appeal.

H. Modification of the Action

An ordinance, order, or resolution regarding land for public use may be amended by following the same procedures established above for the original action.

DIV. 13B.2. QUASI-JUDICIAL REVIEW

SEC. 13B.2.1. CLASS 1 CONDITIONAL USE PERMIT

Sec. 13B.2.1. Conditional Use Permit, Class 1

A. Applicability

1. This Section applies where any provision of this Code requires a Class 1 Conditional Use Permit.
2. This Section also applies to conditional uses and deviations designated in Chapter I. (General Provisions and Zoning) Sec. 12.24 X. (Further Authority of the Zoning Administrator for Other Similar Quasi-Judicial Approvals).

3. Existing Uses

Any lot or portion of a lot which is being lawfully used for any of the purposes enumerated in this Code at the time the property is first classified in a zone in which the use is permitted only by conditional use or at the time the use in that zone first becomes subject to the requirements of this Section, shall be deemed to be approved for the conditional use and may be continued on the lot. Further, the conditions included in any Special Zone, exception or Variance which authorized the use shall also continue in effect.

B. Initiation

An application for a Class 1 Conditional Use Permit is filed with the Department.

C. Notice

1. Notice of Public Hearing

The following notice is required for the public hearing on the initial decision, if held:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • The applicant; • The owner(s) of the property involved; • Owners and occupants of all properties abutting, across the street or alley from, or having a common corner with the subject property; and • The Certified Neighborhood Council representing the area in which the property is located

1 Initiation



2 Submittal



NOTICE

3 Review



4 Decision



APPROVE
OR
DENY

APPEAL AVAILABLE

Type of Notice	When	Where / To Whom / Additional Requirements
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property If a Hearing officer is designated to conduct the public hearing, then the applicant, in addition to posting notice of the public hearing, will also post notice of the initial meeting of the decision making body on the matter

2. Notice of Public Hearing on Appeal

The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> The applicant; The owner(s) of the property involved; Owners and occupants of all properties abutting, across the street or alley from, or having a common corner with the subject property; and The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*

2. Decision Maker

The Zoning Administrator is the initial decision maker.

3. Public Hearing

- a. The Zoning Administrator shall set the matter for public hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this *Section*.
- b. The Zoning Administrator may conduct the hearing or designate a Hearing Officer to conduct the hearing.

4. Decision

- a. The Zoning Administrator shall render the initial decision within 75 days of the date the application is deemed complete.
- b. If the Zoning Administrator fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the Area Planning Commission pursuant to *Sec. 13A.2.6. (Transfer of Jurisdiction)*.

5. Conditions of Approval and inspections

- a. In approving a project, the decision maker may impose conditions related to the interests addressed in the findings set forth in *Subsection E. (Standards for Review and Required Findings)* of this Section.
- b. For lots subject to *Chapter I. (General Provisions and Zoning)*, the decision may state that the height and area regulations required by other provisions of *Chapter I. (General Provisions and Zoning)* shall not apply to the conditional use approved. If the Density Bonus is increased beyond the maximum allowed as defined in *Chapter I. (General Provisions and Zoning), Sec. 12.22 A.25 (Affordable Housing Incentives – Density Bonus)*, the development project must also contain the requisite number of restricted affordable units as set forth in *Chapter I. (General Provisions and Zoning), Sec. 12.24 U.26(a)(1)-(5) (Density Bonus for a Housing Development Project in Which the Density Increase is Greater than the Maximum Permitted in Sec. 12.22 A.25)*.
- c. For lots subject to this Zoning Code (Chapter 1A) the decision may state that the height and area regulations required by other provisions of Chapter 1A shall not apply to the conditional use approved. If the Density Bonus is increased beyond the maximum allowed as defined in *Sec. 9.2.1. (Density Bonus)* the project must also contain the requisite number of restricted affordable units as set forth in *Sec. 9.2.1.F.4. (Projects Exceeding a 35% Density Bonus)*.
- d. The Department shall have the authority to conduct inspections to verify compliance with any and all conditions imposed on any conditional use or other similar Quasi-judicial approval granted pursuant to this Section. Clearance, monitoring and inspection fees shall be paid by the business operator or property owner to the Department in accordance with the fee schedule in *Chapter I. (General Provisions and Zoning), Article 9. (Fees)* for lots subject to Chapter I. or, for lots subject to this Chapter, in accordance with *Article 15. (Fees)* of this Zoning Code (Chapter 1A).
- e. If, upon inspection, the Department finds that the applicant has failed to comply with conditions of any conditional use or other similar Quasi-judicial approval granted pursuant to this Section, the Department shall give notice to the business operator or property owner to correct the specific deficiencies and the time in which to complete the correction. Evidence of compliance shall be submitted to the Department within the specified correction period. If the deficiencies are not corrected within the time prescribed by the Department, revocation proceedings pursuant to *Sec. 13B.6.1. (Evaluation of Non-Compliance)* or *Sec. 13B.6.2. (Nuisance Abatement/Revocation)* may commence.

6. Transmittal

The Zoning Administrator shall transmit a copy of the written findings and decision to the applicant, to all owners of properties abutting, across the street or alley from, or having a common corner with, the subject property and all persons who filed a written request for the notice with the Zoning Administrator.

E. Standards for Review and Required Findings

1. In approving a Class 1 Conditional Use Permit, the Zoning Administrator or Area Planning Commission (on appeal) shall find that:
 - a. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;
 - b. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and
 - c. The project substantially conforms to the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable Specific Plan.
2. The decision maker shall also make any additional findings required by this Chapter or *Chapter I. (General Provisions and Zoning)*, and shall determine that the project satisfies all applicable requirements in these Chapters.

F. Scope of Decision

See *Sec. 13A.2.7. (Scope of Decision)*.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The Area Planning Commission is the appellate decision maker. The City Council is the appellate body in the case of a transfer of jurisdiction, and its decision shall be subject to *Charter Section 563(b)(2)*.

3. Filing

An applicant or any other person aggrieved by the Zoning Administrator's decision may appeal the decision to the Area Planning Commission.

4. Appellate Decision

- a. Before acting on any appeal, the Area Planning Commission shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this Section.
- b. The Area Planning Commission shall act within 75 days after the expiration of the appeal period.

- c. When a conditional use decision of the Zoning Administrator is appealed to an Area Planning Commission, the appellate decision of the Area Planning Commission shall be final and effective as provided in *Sec. 245 (City Council Veto of Board Actions)*.

H. Modification of Entitlement

1. Development of Site

- a. On any lot or portion of a lot on which an approved or deemed-approved conditional use is permitted pursuant to the provisions of this *Section*, new buildings or structures may be erected, enlargements may be made to existing buildings, and existing uses may be extended on an approved site, provided that plans are submitted to and approved by the Zoning Administrator, and, where applicable, the use is consistent with the provisions of *Chapter I. (General Provisions and Zoning)*, *Sec. 12.24 C (Existing Uses)* for lots subject to *Chapter I.*, or, for lots subject to this Chapter, consistent with the provisions of *Sec. 12.5.1.E. (Use Not allowed Exceptions)* or *Sec. 12.5.1.F. (Use Not allowed Exceptions)*.
- b. The Zoning Administrator may deny the plans if the Zoning Administrator finds that the use does not conform to the purpose and intent of the findings required for a conditional use under this *Section*, and may specify the conditions under which the plans may be approved.
- c. An applicant submitting development plans or any other person aggrieved by the decision of the Zoning Administrator made relative to the approval or disapproval of a development plan may appeal the decision to the Area Planning Commission pursuant to this *Section*.

d. Exceptions

For lots subject to *Chapter I.*, plan approval shall not be required in the instances listed as exceptions in *Chapter I. (General Provisions and Zoning)*, *Sec. 12.24 D. (Development of Uses)*.

2. Reduction of Site

So long as the conditional use is continued, the entire approved site shall be retained for the conditional use. No portion shall be severed from the site or utilized for other purposes unless the plans for the reduced site are first submitted to and approved by the Zoning Administrator. The initial decision of the Zoning Administrator on a proposed reduction of the area of an approved site shall be subject to the same appeal procedures as is provided for an application to establish the conditional use.

3. Findings and Conditions of Approval

In approving any conditional use plans, the Zoning Administrator must find that the use conforms to the purpose and intent of the findings required for a conditional use under this *Section* and may impose conditions on the same basis as provided for in this *Section* for the establishment of new conditional uses. The Zoning Administrator shall adopt written

findings of fact supporting the decision based upon evidence in the record, including any investigations.

4. **Change of Use**

No conditional use may be changed to a different type of conditional use unless the new use is authorized in accordance with the procedure prescribed in this *Section* for the establishment of a conditional use.

5. **Discontinuance of Use**

If a conditional use is abandoned, or is discontinued for a continuous period of one year, it may not be re-established unless authorized in accordance with the procedure prescribed in this *Section* for the establishment of a conditional use.

SEC. 13B.2.2. CLASS 2 CONDITIONAL USE PERMIT

A. Applicability

1. This *Section* applies where any provision of this Code requires a Class 2 Conditional Use Permit.
2. This *Section* also applies to the conditional uses designated in *Chapter I. (General Provisions and Zoning), Sec. 12.24 W. (Authority of the Zoning Administrator for Conditional Uses/ Initial Decision)*.

3. Existing Uses

Any lot or portion of a lot which is being lawfully used for any of the purposes enumerated in this Code at the time the property is first classified in a zone in which the use is permitted only by conditional use or at the time the use in that zone first becomes subject to the requirements of this *Section*, shall be deemed to be approved for the conditional use and may be continued on the lot. Further, the conditions included in any Special Zone, exception or Variance which authorized the use shall also continue in effect.

B. Initiation

An application for a Class 2 Conditional Use Permit is filed with the Department.

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing on the initial decision:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the City, designated for that purpose by the City Clerk
Mail	24 days	<ul style="list-style-type: none"> The applicant; The owner(s) of the property involved; The owners and occupants of all property within and outside the City within 300 feet of the exterior boundaries of the area subject to the <u>application</u> (or the expanded area described below); and The Certified Neighborhood Council representing the area in which the property is located

Sec. 13B.2.2. Conditional Use Permit, Class 2

1 Initiation

APPLICANT

2 Submittal

COMPLETENESS REVIEW

NOTICE

3 Review

ZONING ADMINISTRATOR HEARING

4 Decision

ZONING ADMINISTRATOR

APPROVE OR DENY

APPEAL AVAILABLE

Type of Notice	When	Where / To Whom / Additional Requirements
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property If a <u>Hearing Officer</u> is designated to conduct the public hearing, then the applicant, in addition to posting notice of the public hearing, will also post notice of the initial meeting of the decision making body on the matter

- b. Where all property within the 300 foot radius is under the same ownership as the property involved in the application, the owners of all property that adjoins that ownership, or is separated from it only by a street, alley, public right-of way or other easement, will also be notified.
- c. If the mailed notice within the required radius does not result in notice to at least 20 different owners of at least 20 different lots other than the subject property, the notification radius will increase in increments of 50 feet until that number of owners and lots are encompassed within the expanded area.

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the City, designated for that purpose by the City Clerk
Mail	24 days	<ul style="list-style-type: none"> The applicant; The owner(s) of the property involved; The owners and occupants of all property within and outside the City within 300 feet of the exterior boundaries of the area subject to the <u>application</u> (or the expanded area described below); and The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

- b. Where all property within the 300 foot radius is under the same ownership as the property involved in the application, the owners of all property that adjoins that ownership, or is separated from it only by a street, alley, public right-of way or other easement, will also be notified.
- c. If the mailed notice within the required radius does not result in notice to at least 20 different owners of at least 20 different lots other than the subject property, the notification radius will increase in increments of 50 feet until that number of owners and lots are encompassed within the expanded area.

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Decision Maker

The Zoning Administrator is the initial decision maker.

3. Public Hearing

- a. Upon receipt of a complete application, the Zoning Administrator shall set the matter for public hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this Section.
- b. The Zoning Administrator may conduct the hearing or designate a Hearing Officer to conduct the hearing.

4. Decision

- a. The Zoning Administrator shall render the initial decision within 75 days of the date the application is deemed complete.
- b. If the Zoning Administrator fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the Area Planning Commission pursuant to *Sec. 13A.2.6. (Transfer of Jurisdiction)*.

5. Conditions of Approval and inspections

- a. In approving a project, the decision maker may impose conditions related to the interests addressed in the findings set forth in *Subsection E. (Standards for Review and Required Findings)* below, of this Section.
- b. For lots subject to *Chapter I. (General Provisions and Zoning)*, the decision may state that the height and area regulations required by other provisions of *Chapter I. (General Provisions and Zoning)* shall not apply to the conditional use approved. If the Density Bonus is increased beyond the maximum allowed as defined in *Chapter I. (General Provisions and Zoning), Sec. 12.22 A.25 (Affordable Housing Incentives – Density Bonus)*, the development project must also contain the requisite number of restricted affordable units as set forth in *Chapter I. (General Provisions and Zoning), Sec. 12.24 U.26(a)(1)-(5) (Density Bonus for a Housing Development Project in Which the Density Increase is Greater than the Maximum Permitted in Sec. 12.22 A.25)*.
- c. For lots subject to this Zoning Code (Chapter 1A) the decision may state that the height and area regulations required by other provisions of Chapter 1A shall not apply to the conditional use approved. If the Density Bonus is increased beyond the maximum allowed

as defined in *Sec. 9.2.1. (Density Bonus)* the project must also contain the requisite number of restricted affordable units as set forth in *Sec. 9.2.1.F.4. (Projects Exceeding a 35% Density Bonus)*.

- d. The Department shall have the authority to conduct inspections to verify compliance with any and all conditions imposed on any conditional use or other similar Quasi-judicial approval granted pursuant to this Section. Clearance, monitoring and inspection fees shall be paid by the business operator or property owner to the Department in accordance with the fee schedule in Chapter I. (General Provisions and Zoning), Article 9 (Fees) for lots subject to Chapter I. or Article 15. (Fees) of this Zoning Code (Chapter 1A) for lots subject to this Chapter.
- e. If, upon inspection, the Department finds that the applicant has failed to comply with conditions of any conditional use or other similar Quasi-judicial approval granted pursuant to this Section, the Department shall give notice to the business operator or property owner to correct the specific deficiencies and the time in which to complete the correction. Evidence of compliance shall be submitted to the Department within the specified correction period. If the deficiencies are not corrected within the time prescribed by the Department, revocation proceedings pursuant to *Sec. 13B.6.1. (Evaluation of Non-Compliance)* or *Sec. 13B.6.2. (Nuisance Abatement/Revocation)* may commence.

6. Transmittal

The Zoning Administrator shall transmit a copy of the written findings and decision to the applicant, to all owners of properties abutting, across the street or alley from, or having a common corner with, the subject property and all persons who filed a written request for the notice with the Zoning Administrator.

E. Standards for Review and Required Findings

1. In approving a Class 2 Conditional Use Permit, the Zoning Administrator or Area Planning Commission (on appeal) shall find that:
 - a. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;
 - b. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and
 - c. The project substantially conforms to the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable Specific Plan.
2. The decision maker shall also make any additional findings required by this Chapter or Chapter I. (General Provisions and Zoning), and shall determine that the project satisfies all applicable requirements in these Chapters.

F. Scope of Decision

1. See *Sec. 13A.2.7. (Scope of Decision)*.
2. As part of any conditional use approval, the initial decision maker or the appellate body may approve changes to the parking requirements not to exceed 20 percent of the requirements otherwise required by this Chapter or Chapter I.(General Provisions and Zoning).

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The Area Planning Commission is the appellate decision maker. The City Council is the appellate body in the case of a transfer of jurisdiction, and its decision shall be subject to *Charter Section 563(b)(2)*.

3. Filing

An applicant or any other person aggrieved by the Zoning Administrator's decision may appeal the decision to the Area Planning Commission.

4. Appellate Decision

- a. Before acting on any appeal, the Area Planning Commission shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this *Section*.
- b. The Area Planning Commission shall act within 75 days after the expiration of the appeal period.
- c. When a conditional use decision of the Zoning Administrator is appealed to an Area Planning Commission, the appellate decision of the Area Planning Commission shall be final and effective as provided in *Sec. 245 (City Council Veto of Board Actions) of the City Charter*.

H. Modification of Entitlement

1. Development of Site

- a. On any lot or portion of a lot on which an approved or deemed-approved conditional use is permitted pursuant to the provisions of this *Section*, new buildings or structures may be erected, enlargements may be made to existing buildings, and existing uses may be extended on an approved site, provided that plans are submitted to and approved by the Zoning Administrator, and, where applicable, the use is consistent with the provisions of *Chapter I. (General Provisions and Zoning)*, *Sec. 12.24 C (Existing Uses)* for lots subject to Chapter 1, or *Sec. 12.5.1.E. (Use Not allowed Exceptions)* or *Sec. 12.5.1.F. (Use Not allowed Exceptions)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

- b. The Zoning Administrator may deny the plans if the Zoning Administrator finds that the use does not conform to the purpose and intent of the findings required for a conditional use under this *Section*, and may specify the conditions under which the plans may be approved.
- c. An applicant submitting development plans or any other person aggrieved by the decision of the Zoning Administrator made relative to the approval or disapproval of a development plan may appeal the decision to the Area Planning Commission pursuant to this *Section*.

d. **Exceptions**

A plan approval shall not be required in the instances listed as exceptions in *Chapter I. (General Provisions and Zoning) Sec. 12.24 D. (Development of Uses)* for lots subject to Chapter 1.

2. **Reduction of Site**

So long as the conditional use is continued, the entire approved site shall be retained for the conditional use. No portion shall be severed from the site or utilized for other purposes unless the plans for the reduced site are first submitted to and approved by the Zoning Administrator. The initial decision of the Zoning Administrator on a proposed reduction of the area of an approved site shall be subject to the same appeal procedures as is provided for an application to establish the conditional use.

3. **Findings and Conditions of Approval**

In approving any conditional use plans, the Zoning Administrator must find that the use conforms to the purpose and intent of the findings required for a conditional use under this *Section* and may impose conditions on the same basis as provided for in this *Section* for the establishment of new conditional uses. The Zoning Administrator shall adopt written findings of fact supporting the decision based upon evidence in the record, including any investigations.

4. **Change of Use**

No conditional use may be changed to a different type of conditional use unless the new use is authorized in accordance with the procedure prescribed in this *Section* for the establishment of a conditional use.

5. **Discontinuance of Use**

If a conditional use is abandoned, or is discontinued for a continuous period of one year, it may not be re-established unless authorized in accordance with the procedure prescribed in this *Section* for the establishment of a conditional use.

I. Vesting Conditional Use Permit

1. Applicability

- a. Whenever a provision of this Code requires the filing of an application for a Conditional Use Permit, a Vesting Conditional Use Permit may be filed instead, in accordance with and subject to the limitations of these provisions. If an applicant does not seek the rights conferred by this *Subsection*, the filing of a vesting application shall not be required by the City for the approval of any proposed Zone Change, Conditional Use Permit, permit for construction or work preparatory to construction.
- b. Vesting Conditional Use Permits may only be filed for the conditional uses listed in *Chapter I. (General Provisions and Zoning), Sec. 12.24 T. (Vesting Conditional Use Applications)* of this Code.

2. Filing an Application

- a. A Vesting Conditional Use Permit application shall be filed on the same form and have the same contents, accompanying data, and reports and shall be processed in the same manner as set forth in this *Section* for a conditional use permit except as provided below. The application shall specify that the case is for a Vesting Conditional Use Permit. If any rules, regulations, or ordinances in force at the time of filing require any additional approvals, the complete application for these additional approvals shall be filed prior to or simultaneously with the Vesting Conditional Use Permit to be processed pursuant to *Sec. 13A.2.10. (Multiple Approvals)*.
- b. In all Vesting Conditional Use Permit cases, a site plan and a rendering of the architectural plan of the building envelope shall be submitted with the application. The plans and renderings shall show the proposed project's height, design, size and square footage, number of units, the location of buildings, driveways, internal vehicular circulation patterns, loading areas and docks, location of landscaped areas, walls and fences, pedestrian and vehicular entrances, location of public rights-of-way and any other information deemed necessary by the Director.

3. Transmittal

Prior to final approval or sign off on a building permit filed pursuant to a vesting application, the Planning Department shall submit a copy of the final site plan to the office of the affected council district for informational purposes only.

4. Development Rights

- a. The approval of a vesting application confers a vested right to proceed with a development in substantial compliance with the rules, regulations, ordinances, zones, and officially adopted policies of the City in force on the date the application is deemed complete, and with the conditions of approval imposed and specifically enumerated in the final decision on the vesting application case.

- b. These rights do not include exemption from:
 - i. Other applications or approvals necessary to entitle a project to proceed (i.e., subdivision, parcel map, zone variance, design review, etc.);
 - ii. Subsequent changes in the Building and Safety and Fire regulations contained in *Chapters V. (Public Safety and Protection)* and *IX. (Building Regulations)* of this Code that apply on a citywide basis, and that the City Council finds are necessary to protect the public health and safety; or
 - iii. Policies and standards relating to those regulations or from citywide programs to implement State or Federal mandates.
- c. If the ordinances, policies, or standards described in the preceding Paragraphs are changed subsequent to the approval or conditional approval of a vesting application case, the applicant, or his or her successor or assignee, at any time prior to the expiration of the vesting application case, may apply, pursuant to *Subdivision 5. (Amendment of Vested Project Plans or Amendment of Vested City Regulations to Comply With Subsequent Regulation Changes)* below, for an amendment to the vesting application case to secure a vested right to proceed with the changed ordinances, policies, or standards. An application shall clearly specify the changed ordinances, policies, or standards for which the amendment is sought.
- d. A Vesting Conditional Use Permit may be conditioned or denied if the decision maker determines:
 - i. That the condition is necessary in order to make all of the findings in *Subsection E. (Standards for Review and Required Findings)* of this Section; or
 - ii. That one or more of the findings in *Subsection E. (Standards for Review and Required Findings)* above, of this Section; cannot be made.

5. **Amendment of Vested Project Plans or Amendment of Vested City Regulations to Comply With Subsequent Regulation Changes**

- a. One or more of the owners or lessees of the subject property may file a verified application requesting an amendment of the City regulations as described in *Subdivision 4. (Development Rights)* above vested by a Conditional Use Permit issued pursuant to this *Subsection*.
- b. The Area Planning Commission, the City Planning Commission, the Zoning Administrator or the Area Planning Commission or City Council on Conditional Use Permit appeals may approve any changes to the set of City regulations to which the applicant's project has vested for a Conditional Use Permit issued pursuant to this *Subsection*. The Department's report shall be made within 40 calendar days of the date of the request or within any additional time as may be mutually agreed upon by the Department of City Planning and the applicant.

- c. The City Council, the Area Planning Commission, the City Planning Commission, or the office of Zoning Administration, prior to making a decision pursuant to this *Subdivision*, shall hold a public hearing. Notice shall be given in the manner specified in *Subsection C. (Notice)* of this *Section*.

SEC. 13B.2.3. CLASS 3 CONDITIONAL USE PERMIT

Sec. 13B.2.3. Conditional Use Permit, Class 3

A. Applicability

1. This Section applies where any provision of this Code requires a Class 3 Conditional Permit.
2. This Section also applies to conditional uses designated in Sec. 12.24 U. (Conditional Use Permits - City Planning Commission With Appeals to City Council) of Chapter I. (General Provisions and Zoning).

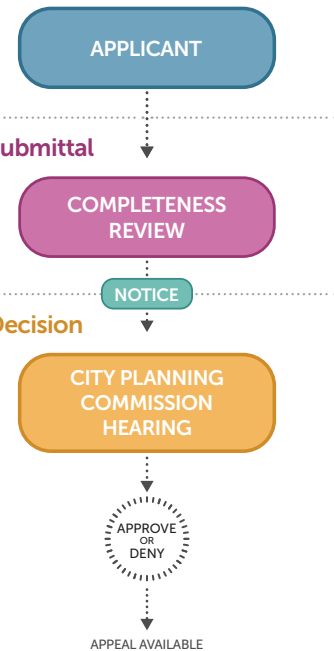
3. Existing Uses

Any lot or portion of a lot which is being lawfully used for any of the purposes enumerated in this Code at the time the property is first classified in a zone in which the use is permitted only by conditional use or at the time the use in that zone first becomes subject to the requirements of this Section, shall be deemed to be approved for the conditional use and may be continued on the lot. Further, the conditions included in any Special Zone, exception or Variance which authorized the use shall also continue in effect.

1 Initiation

2 Submittal

3 Decision



B. Initiation

An application for a Class 3 Conditional Use Permit is filed with the Department.

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing on the initial decision:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the City, designated for that purpose by the City Clerk
Mail	24 days	<ul style="list-style-type: none"> The applicant; The owner(s) of the property involved; The owners and occupants of all property within and outside the City within 300 feet of the exterior boundaries of the area subject to the application (or the expanded area described below); and The Certified Neighborhood Council representing the area in which the property is located

Type of Notice	When	Where / To Whom / Additional Requirements
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property If a <u>Hearing Officer</u> is designated to conduct the public hearing, then the applicant, in addition to posting notice of the public hearing, will also post notice of the initial meeting of the decision making body on the matter

- b. Where all property within the 300 foot radius is under the same ownership as the property involved in the application, the owners of all property that adjoins that ownership, or is separated from it only by a street, alley, public right-of way or other easement, will also be notified.
- c. If the mailed notice within the required radius does not result in notice to at least 20 different owners of at least 20 different lots other than the subject property, the notification radius will increase in increments of 50 feet until that number of owners and lots are encompassed within the expanded area.

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the City, designated for that purpose by the City Clerk
Mail	24 days	<ul style="list-style-type: none"> The applicant; The owner(s) of the property involved; The owners and occupants of all property within and outside the City within 300 feet of the exterior boundaries of the area subject to the <u>application</u> (or the expanded area described below); and The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

- b. Where all property within the 300 foot radius is under the same ownership as the property involved in the application, the owners of all property that adjoins that ownership, or is separated from it only by a street, alley, public right-of way or other easement, will also be notified.
- c. If the mailed notice within the required radius does not result in notice to at least 20 different owners of at least 20 different lots other than the subject property, the notification radius will increase in increments of 50 feet until that number of owners and lots are encompassed within the expanded area.

D. Decision

1. General Procedures

See Sec. 13A.2.5. (*Decisions*).

2. Decision Maker

The City Planning Commission is the initial decision maker.

3. Public Hearing

- a. Upon receipt of a complete application, the City Planning Commission shall set the matter for public hearing, giving notice in the manner specified in Subsection C. (*Notice*) of this Section.
- b. The City Planning Commission may conduct the hearing itself or designate the Director to conduct the hearing.

4. Decision

- a. If the Director conducts the public hearing, the Director shall transmit its findings and recommendation to the City Planning Commission.
- b. After the Director or City Planning Commission's hearing is closed, the City Planning Commission shall render the initial decision at a public meeting.
- c. The City Planning Commission shall render the initial decision within 75 days of the date the application is deemed complete.
- d. If the City Planning Commission fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the City Council pursuant to Sec. 13A.2.6. (*Transfer of Jurisdiction*).

5. Conditions of Approval and inspections

- a. In approving a project, the decision maker may impose conditions related to the interests addressed in the findings set forth in Subsection E. (*Standards for Review and Required Findings*) of this Section.
- b. For lots subject to Chapter I. (*General Provisions and Zoning*), the decision may state that the height and area regulations required by other provisions of Chapter I. (*General Provisions and Zoning*) shall not apply to the conditional use approved. If the Density Bonus is increased beyond the maximum allowed as defined in Chapter I. (*General Provisions and Zoning*), Sec. 12.22 A.25 (*Affordable Housing Incentives – Density Bonus*), the development project must also contain the requisite number of restricted affordable units as set forth in Chapter I. (*General Provisions and Zoning*), Sec. 12.24 U.26(a)(1)-(5) (*Density Bonus for a Housing Development Project in Which the Density Increase is Greater than the Maximum Permitted in Sec. 12.22 A.25*).

- c. For lots subject to this Zoning Code (Chapter 1A) the decision may state that the height and area regulations required by other provisions of Chapter 1A shall not apply to the conditional use approved. If the Density Bonus is increased beyond the maximum allowed as defined in *Sec. 9.2.1. (Density Bonus)* the project must also contain the requisite number of restricted affordable units as set forth in *Sec. 9.2.1.F.4. (Projects Exceeding a 35% Density Bonus)*.
- d. The Department shall have the authority to conduct inspections to verify compliance with any and all conditions imposed on any conditional use or other similar Quasi-judicial approval granted pursuant to this *Section*. Clearance, monitoring, and inspection fees shall be paid by the business operator or property owner to the Department in accordance with the fee schedule in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I. or, for lots subject to this Chapter, *Article 15. (Fees)* of this Zoning Code (Chapter 1A).
- e. If, upon inspection, the Department finds that the applicant has failed to comply with conditions of any conditional use or other similar Quasi-judicial approval granted pursuant to this *Section*, the Department shall give notice to the business operator or property owner to correct the specific deficiencies and the time in which to complete the correction. Evidence of compliance shall be submitted to the Department within the specified correction period. If the deficiencies are not corrected within the time prescribed by the Department, revocation proceedings pursuant to *Sec. 13B.6.1. (Evaluation of Non-Compliance)* or *Sec. 13B.6.2. (Nuisance Abatement/Revocation)* may commence.

6. Transmittal

The City Planning Commission shall transmit a copy of the written findings and decision to the applicant, to all owners of properties abutting, across the street or alley from, or having a common corner with the subject property and all persons who filed a written request for the notice.

E. Standards for Review and Required Findings

1. In approving a Class 3 Conditional Use Permit, the City Planning Commission or City Council (on appeal) shall find that:
 - a. The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region;
 - b. The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety;
 - c. The project substantially conforms to the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable Specific Plan;

2. The decision maker shall also make any additional findings required by this Chapter or *Chapter I. (General Provisions and Zoning)*, and shall determine that the project satisfies all applicable requirements in these Chapters.

F. Scope of Decision

1. See *Sec. 13A.2.7. (Scope of Decision)*.
2. As part of any conditional use approval, the initial decision maker or the appellate body may approve changes to the parking requirements not to exceed 20 percent of the requirements otherwise required by this Chapter or *Chapter I. (General Provisions and Zoning)*.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The City Council is the appellate decision maker.

3. Filing

An applicant or any other person aggrieved by the City Planning Commission's decision may appeal the decision to the City Council.

4. Appellate Decision

- a. Before acting on any appeal, the City Council shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* above, of this *Section*.
- b. The City Council shall hear the matter within 75 days after the expiration of the appeal period. Time can be extended by mutual agreement with the applicant. If there is no extension by mutual agreement, the City Council shall set the matter for hearing at the next regular meeting of the Council, giving the same notice as provided for the original hearing.
- c. The City Council will render its decision by resolution. A decision to reverse or modify the City Planning Commission's decision, in whole or in part, shall only be adopted by at least a two-thirds (2/3) vote of the whole City Council.
- d. When a conditional use decision is appealed to the City Council and the Council either approves the conditional use or denies an appeal from an earlier approval, the matter together with the files and reports shall forthwith be transmitted to the Mayor.
- e. The Mayor may approve or disapprove the conditional use within 10 days of its presentation to him or her. This action shall be based solely upon the administrative record and whether the Mayor believes the conditional use conforms to the requirements for

approval set forth in this *Section*. If the Mayor disapproves the conditional use, he or she shall return the matter to the City Clerk for presentation to the Council, together with the objections in writing.

- f. The Council within 60 days after the matter has been returned to it may override the disapproval:
 - i. By a 2/3 vote if the Council had not modified the conditional use as approved by the initial decision maker, or if the Council had made the initial approval of the conditional use by reason of the failure of the initial decision maker to act; or
 - ii. By a 3/4 vote if the Council had modified and approved the conditional use or reversed the action of the initial decision maker and had approved the conditional use.
- g. If the Council fails to override the Mayor's disapproval within the 60 days, the Mayor's disapproval shall constitute a denial of the conditional use. If the Mayor fails to return the matter to the City Clerk within 10 days of its presentation to him or her, the approval of the conditional use shall become final.

H. Modification of Entitlement

1. Development of Site

- a. On any lot or portion of a lot on which an approved or deemed-approved conditional use is permitted pursuant to the provisions of this *Section*, new buildings or structures may be erected, enlargements may be made to existing buildings, and existing uses may be extended on an approved site, provided that plans are submitted to and approved by the City Planning Commission, and, where applicable, the use is consistent with the provisions of *Chapter I. (General Provisions and Zoning), Sec. 12.24 C (Existing Uses)* for lots subject to Chapter I, or, for lots subject to this Chapter, consistent with the provisions of *Sec. 12.5.1.E. (Use Not allowed Exceptions)* or *Sec. 12.5.1.F. (Use Not allowed Exceptions)* of this Zoning Code (Chapter 1A)..
- b. The City Planning Commission may deny the plans if the City Planning Commission finds that the use does not conform to the purpose and intent of the findings required for a conditional use under this *Section*, and may specify the conditions under which the plans may be approved.
- c. The City Planning Commission may delegate to the Director the authority to approve or disapprove, on their behalf, plans for the development of an approved or deemed-approved conditional use site. The City Planning Commission shall establish reasonable guidelines and policies to be followed in the exercise of the delegated authority.
- d. An applicant submitting development plans or any other person aggrieved by the decision of the City Planning Commission made relative to the approval or disapproval of a development plan may appeal the decision to the City Council pursuant to this *Section*.

e. Exceptions

For lots subject to *Chapter I.*, plan approval shall not be required in the instances listed as exceptions in *Chapter I. (General Provisions and Zoning), Sec. 12.24 D. (Development of Uses).*

2. Reduction of Site

So long as the conditional use is continued, the entire approved site shall be retained for the conditional use. No portion shall be severed from the site or utilized for other purposes unless the plans for the reduced site are first submitted to and approved by the City Planning Commission. The initial decision of the Zoning Administrator on a proposed reduction of the area of an approved site shall be subject to the same appeal procedures as is provided for an application to establish the conditional use.

3. Findings and Conditions of Approval

In approving any conditional use plans, the City Planning Commission must find that the use conforms to the purpose and intent of the findings required for a conditional use under this *Section* and may impose conditions on the same basis as provided for in this *Section* for the establishment of new conditional uses. The City Planning Commission shall adopt written findings of fact supporting the decision based upon evidence in the record, including any investigations.

4. Change of Use

No conditional use may be changed to a different type of conditional use unless the new use is authorized in accordance with the procedure prescribed in this *Section* for the establishment of a conditional use.

5. Discontinuance of Use

If a conditional use is abandoned, or is discontinued for a continuous period of one year, it may not be re-established unless authorized in accordance with the procedure prescribed in this *Section* for the establishment of a conditional use.

I. Vesting Conditional Use Permit

1. Applicability

- a.** Whenever a provision of this Code requires the filing of an application for a Conditional Use Permit, a Vesting Conditional Use Permit may be filed instead, in accordance with and subject to the limitations of these provisions. If an applicant does not seek the rights conferred by this *Subsection*, the filing of a vesting application shall not be required by the City for the approval of any proposed Zone Change, Conditional Use Permit, permit for construction or work preparatory to construction.

- b. Vesting Conditional Use Permits may only be filed for the conditional uses listed in *Chapter I. (General Provisions and Zoning), Sec. 12.24 T. (Vesting Conditional Use Applications)*.

2. Filing an Application

- a. A Vesting Conditional Use Permit application shall be filed on the same form and have the same contents, accompanying data and reports and shall be processed in the same manner as set forth in this *Section* for a conditional use permit except as provided below. The application shall specify that the case is for a Vesting Conditional Use Permit. If any rules, regulations or ordinances in force at the time of filing require any additional approvals, the complete application for these additional approvals shall be filed prior to or simultaneously with the Vesting Conditional Use Permit to be processed pursuant to *Sec. 13.2.10. (Multiple Approvals)*.
- b. In all Vesting Conditional Use Permit cases, a site plan and a rendering of the architectural plan of the building envelope shall be submitted with the application. The plans and renderings shall show the proposed project's height, design, size and square footage, number of units, the location of buildings, driveways, internal vehicular circulation patterns, loading areas and docks, location of landscaped areas, walls and fences, pedestrian and vehicular entrances, location of public rights-of-way and any other information deemed necessary by the Director.

3. Transmittal

Prior to final approval or sign off on a building permit filed pursuant to a vesting application, the Planning Department shall submit a copy of the final site plan to the office of the affected council district for informational purposes only.

4. Development Rights

- a. The approval of a vesting application confers a vested right to proceed with a development in substantial compliance with the rules, regulations, ordinances, zones, and officially adopted policies of the City in force on the date the application is deemed complete, and with the conditions of approval imposed and specifically enumerated in the final decision on the vesting application case.
- b. These rights do not include exemption from:
 - i. Other applications or approvals necessary to entitle a project to proceed (i.e., subdivision, parcel map, zone variance, design review, etc.);
 - ii. Subsequent changes in the Building and Safety and Fire Regulations contained in *Chapters V. (Public Safety and Protection)* and *IX. (Building Regulations)* of this Code that apply on a citywide basis, and that the City Council finds are necessary to protect the public health and safety; or
 - iii. Policies and standards relating to those regulations or from citywide programs to implement State or Federal mandates.

- c. If the ordinances, policies, or standards described in the preceding Paragraphs are changed subsequent to the approval or conditional approval of a vesting application case, the applicant, or his or her successor or assignee, at any time prior to the expiration of the vesting application case, may apply, pursuant to *Subdivision 5* of this *Subsection*, for an amendment to the vesting application case to secure a vested right to proceed with the changed ordinances, policies, or standards. An application shall clearly specify the changed ordinances, policies, or standards for which the amendment is sought.
- d. A Vesting Conditional Use Permit may be conditioned or denied if the decision maker determines:
 - i. That the condition is necessary in order to make all of the findings in *Subsection E. (Standards for Review and Required Findings)* above of this *Section*; or
 - ii. That one or more of the findings in *Subsection E. (Standards for Review and Required Findings)* above, of this *Section*; cannot be made.

5. Amendment of Vested Project Plans or Amendment of Vested City Regulations to Comply With Subsequent Regulation Changes

- a. One or more of the owners or lessees of the subject property may file a verified application requesting an amendment of the City regulations as described in *Subdivision 4. (Development Rights)* above vested by a Conditional Use Permit issued pursuant to this *Subsection*.
- b. The Area Planning Commission, the City Planning Commission, the Zoning Administrator or the Area Planning Commission or City Council on Conditional Use Permit appeals may approve any changes to the set of City regulations to which the applicant's project has vested for a Conditional Use Permit issued pursuant to this *Subsection*. The Department's report shall be made within 40 calendar days of the date of the request or within any additional time as may be mutually agreed upon by the Department of City Planning and the applicant.
- c. The City Council, the Area Planning Commission, the City Planning Commission, or the office of Zoning Administration, prior to making a decision pursuant to this *Subdivision*, shall hold a public hearing. Notice shall be given in the manner specified in *Subsection C. (Notice)* above, of this *Section*.

SEC. 13B.2.4. PROJECT REVIEW

Purpose. The Project Review process promotes orderly development, evaluates and mitigates significant environmental impacts, and promotes public safety and the general welfare by ensuring that development projects are properly related to their sites, surrounding properties, transportation network, sewers, other infrastructure and environmental settings; and controls or mitigates the development of projects which are likely to have a significant adverse effect on the environment as identified in the City's environmental review process or on surrounding properties by reason of inadequate site planning or improvements.

A. Applicability

1. The Project Review process applies where any provision of this Code requires a Project Review, including but not limited to those described in *Chapter I. (General Provisions and Zoning)*, *Sec. 16.05 C. (Project Review Requirements)* for lots subject to Chapter I., or *Div. 4C.14. (Development Review Threshold)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter. Additionally, the exemptions listed in *Chapter I. (General Provisions and Zoning)*, *Sec. 16.05 D. (Exemptions)*, or the exemptions listed in *Sec. 4C.14.1.E. (Exceptions)*, shall also apply as appropriate.
2. The Director shall establish administrative methods, guidelines, procedures, and forms as may be necessary to conduct the review and render a decision expeditiously, prior to processing any Project Review application.

B. Initiation

1. Application

- a. An application for a Project Review is filed with the Department.
- b. The application shall be filed in any public office of the Department of City Planning, upon such forms and accompanied by applicable fees, a site plan drawn to scale, and other information prescribed by the Director for that purpose. The application shall be verified by either the property owner, lessee, owner in escrow, or a legally authorized agent.

2. Environmental Review

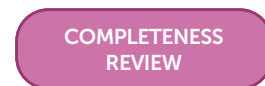
- a. As part of the application for a Project Review, the applicant shall file necessary forms and information for environmental review as prescribed by the Director.

Sec. 13B.2.4. Project Review

1 Initiation



2 Submittal



NOTICE

3 Review



4 Decision



APPEAL AVAILABLE

- b. The Director shall cause the required environmental studies and notices for the project to be prepared concurrent with the Project Review.

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing on the initial decision, if held:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> The applicant; The owner(s) and tenant(s) of the property involved; The owners and tenants of all property within 300 feet of the boundary of the subject site; City Councilmember(s) representing the area in which the property is located; The Certified Neighborhood Council representing the area in which the property is located; and Any organization representing property owners or the community in the project vicinity if they request in writing to be notified
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> The applicant; The owner(s) and tenant(s) of the property involved; The owners and tenants of all property within 300 feet of the boundary of the subject site; City Councilmember(s) representing the area in which the property is located; The Certified Neighborhood Council representing the area in which the property is located; and Any organization representing property owners or the community in the project vicinity if they request in writing to be notified
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. Decision Maker

The Director is the initial decision maker.

3. Referral

- a. If applicable, the Director shall refer all completed applications for the Project Review to the appropriate City departments for their review and report.
- b. If applicable, responses shall be returned within 15 days after receipt, or another period agreed to by the Director and the appropriate agency or department.

4. Public Hearing

If the Director finds that the matter may have a significant effect on neighboring properties, the Director shall set the matter for public hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.

5. Decision

- a. The Director shall approve, conditionally approve or deny the Project Review within 75 days after the date an application is deemed complete, or where any necessary environmental review is approved or completed.
- b. This time limit may be extended up to 45 days by mutual consent of the applicant and the Director. The time limit shall also be extended if necessary to prepare and process an EIR.
- c. If the Director fails to make a decision on an application within the time limit specified in this *Subsection*, the applicant may file a request for transfer of jurisdiction to the Area Planning Commission pursuant to *Sec. 13.2.6. (Transfer of Jurisdiction)*.

6. Conditions

- a. The Director may condition and/or modify the project, or select an alternative project, as necessary to:
 - i. Implement the General Plan or a Specific Plan; and
 - ii. Address potential effects of the development project on the environment and surrounding areas, including the mitigation of significant adverse impacts when identified.
- b. The Director shall not approve or conditionally approve a Project Review without appropriate environmental review prepared in accordance with the requirements of CEQA.

7. Transmittal

- a. The Director shall send notice of the determination to the applicant and all other parties listed in *Subsection C. (Notice)* above.

- b. Failure to receive notice does not invalidate any action taken pursuant to this *Section*.
- c. The Director shall notify the Department of Building and Safety of the final approval of the Project Review.

E. Standards for Review and Required Findings

In approving a Project Review, the Director or the Area Planning Commission (on appeal) shall find that:

- 1. The project substantially conforms to the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable Specific Plan;
- 2. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties; and
- 3. Any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

F. Scope of Decision

- 1. See *Sec. 13A.2.7. (Scope of Decision)*.
- 2. **Enforcement**
 - a. No grading permit foundation permit, building permit, or Certificate of Occupancy shall be issued for any development project approved under this *Section* unless the project meets all requirements and conditions of the Project Review. Permits issued in error shall be treated as specified in *Chapter I. (General Provisions and Zoning), Sec. 11.02 (Inconsistent Permits and Licenses)*.
 - b. If the development project approval authorized by this *Section* is utilized, the conditions of that approval become effective immediately. The violation of any such condition shall constitute a violation of this Chapter and shall be subject to the same penalties as any other violation of this Code.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The Area Planning Commission of the area in which the property is located is the appellate decision maker.

3. Filing

The applicant, any officer, board, department, or bureau of the City, or any interested person aggrieved by the decision of the Director may file an appeal to the Area Planning Commission.

4. Appellate Decision

- a. Before acting on any appeal, the Area Planning Commission shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.
- b. The Area Planning Commission shall hold the public hearing within 75 days of the filing of the appeal.
- c. The Area Planning Commission shall render its decision in writing within 15 days after the hearing is completed.
- d. The Area Planning Commission may sustain or reverse any decision of the Director, and may establish additional conditions to conform to the findings required in *Subsection E. (Standards for Review and Required Findings)* above.
- e. The decision shall be in writing and based upon evidence in the record, including but not limited to testimony and documents produced at the hearing before the Area Planning Commission, and supported by any additional findings required by *Subsection E. (Standards for Review and Required Findings)* above.

H. Modification of Entitlement

See *Sec. 13B.5.4. (Modification of Entitlement)*.

SEC. 13B.2.5. DIRECTOR DETERMINATION

A. Applicability

This *Section* applies where any provision of this Code, including any other ordinances, requires a Director Determination.

B. Initiation

An application for a Director Determination is filed with the Department.

C. Notice

1. Notice of Public Hearing

There is no public hearing required for the initial decision on a Director Determination, and therefore no notice of a public hearing is required.

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> The applicant; Owner(s) of the subject property involved; The Certified Neighborhood Council representing the area in which the property is located; and Interested parties who have requested in writing to be notified
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Decision Maker

The Director is the initial decision maker.

3. Decision

The Director shall render the initial decision within 75 days of the date the application is deemed complete.

Sec. 13B.2.5. Director Determination

1 Initiation



2 Submittal



3 Decision



APPEAL AVAILABLE

4. Transmittal

The Director shall transmit a copy of the written findings and decision to the applicant, to all owners of properties abutting, across the street or alley from, or having a common corner with, the subject property, and to the local Certified Neighborhood Council.

E. Standards for Review and Required Findings

In approving a Director Determination, the Director and Area Planning Commission or City Planning Commission (on appeal) shall find that the project substantially complies with any applicable regulations, guidelines, findings, standards and provisions of this Chapter and *Chapter I. (General Provisions and Zoning)*, including any other ordinances.

F. Scope of Decision

1. See *Sec. 13A.2.7. (Scope of Decision)*.

2. Limitations

The granting of a Director Determination shall not imply compliance with any other applicable provisions of this Code.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

a. The Area Planning Commission is the appellate decision maker.

b. On-Menu Density Bonus

The City Planning Commission is the appellate decision maker for projects seeking approval pursuant to *Chapter I. (General Provisions and Zoning) Sec. 12.22 A.25. (Affordable Housing incentives – Density Bonus)* for lots subject to Chapter I., or *Sec. 9.2.1. (Density Bonus)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

3. Filing

a. An applicant or any other person aggrieved by the Director's decision may file an appeal.

b. On-Menu Density Bonus

An applicant or any owner or tenant of a property abutting, across the street or alley from, or having a common corner with the subject property aggrieved by the Director's decision may file an appeal on projects seeking approval pursuant to *Chapter I. (General Provisions and Zoning), Sec. 12.22 A.25. (Affordable Housing incentives – Density Bonus)* for lots

subject to Chapter I., or Sec. 9.2.1. (*Density Bonus*) of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

Appellate Decision

- c. Before acting on any appeal, the Area Planning Commission shall set the matter for hearing, giving notice in the manner specified in Subsection C. (*Notice*) above.
- d. The Area Planning Commission shall act within 75 days after the expiration of the appeal period.

4. Exception

- a. When the application is filed as part of a project requiring multiple approvals, the appeals procedures set forth in Sec. 13A.2.10. (*Multiple Approvals*) of this Code shall govern.
- b. When the application is filed in conjunction with a Parcel Map and no other approval, the appeals procedures set forth in Sec. 13B.7.8. (*Subdivision Appeal*) of this Code shall govern.
- c. When the application is filed in conjunction with a tentative tract map and no other approval, the appeals procedures set forth in Sec. 13B.7.3.G. (*Tentative Tract Map; Appeals*) of this Code shall govern, provided that such applications shall only be appealable to the Appeal Board, as defined in Div. 14.3. (*Glossary*) of this Code, and shall not be subject to further appeal to the City's legislative body.

H. Modification of Entitlement

See Sec. 13B.5.4. (*Modification of Entitlement*).

DIV. 13B.3. MINISTERIAL ACTION

SEC. 13B.3.1. ADMINISTRATIVE REVIEW

A. Applicability

1. An Administrative Review is a ministerial approval for applications that comply with all applicable regulations and standards of this Code.
2. This *Section* applies where any provision of this Code requires an Administrative Review.

B. Initiation

1. An application for an Administrative Review is filed with the Department.
2. An Administrative Review is initiated as required in order to obtain a building permit.

C. Notice

1. Notice of Public Hearing

There is no public hearing required for an Administrative Review, and therefore no notice of a public hearing is required.

D. Review

1. Review

The Department shall determine compliance with the applicable regulations and standards for projects requiring an Administrative Review.

2. Clearance

Clearance shall be issued as required pursuant to the applicable ordinance or building permit requirement.

E. Criteria for Compliance Review

The Department shall review the application for compliance with the applicable regulations and standards of this Code or the applicable Specific Plan, including the zone standards, established development standards, and any supplemental use regulations.

F. Scope of Action

After the Administrative Review determines that the application is in compliance with the applicable regulations and standards, the following actions must comply with the approved plans:

1. The erection, enlargement or maintenance of buildings;
2. Any development or construction work; or
3. Issuance of a grading, building, demolition, or change of use permit.

G. **Appeals**

There is no appeal.

H. **Modification of Action**

No modification is available.

DIV. 13B.4. **SPECIFIC PLAN IMPLEMENTATION**

SEC. 13B.4.1. **GENERAL PROVISIONS**

A. **Purpose**

1. A Specific Plan is a regulatory land use ordinance specifically designated in the ordinance as a Specific Plan. A Specific Plan shall provide by ordinance regulatory controls or incentives for the systematic execution of the General Plan and shall provide for public needs, convenience and general welfare.
2. This Division:
 - a. Establishes uniform citywide procedures to review applications for projects within Specific Plan areas in accordance with applicable Specific Plan requirements and the *City Charter*; and
 - b. Establishes uniform citywide standards and criteria for processing applications for exceptions from and interpretations of Specific Plans.

B. **Relationship to Provisions of Specific Plans**

1. If any procedure established in a Specific Plan conflicts with any procedure set forth in this Division, the provisions of the Specific Plan shall prevail.
2. If a Specific Plan establishes a ministerial process and specifically references the Administrative Review process described in *Sec. 13B.3.1. (Administrative Review)* of this Chapter, the provisions of *Sec. 13B.3.1. (Administrative Review)* apply.
3. If a Specific Plan refers to a "Project Permit Compliance," it shall mean project compliance.
4. If a Specific Plan refers to a "Project Permit Adjustment," it shall mean project adjustment.
5. If a Specific Plan refers to a "Specific Plan Exception," it shall mean project exception.

C. **Decision Makers and Appellate Bodies for Other Specific Plan Provisions**

1. The individual Sections in this *Division* assign initial decision-making authority for a project compliance, project adjustment, project exception, and Specific Plan interpretation. For Specific Plan provisions that are not addressed in this Division, the initial decision maker and appellate bodies responsible for implementing those provisions are the Area Planning Commission and City Council, respectively, unless otherwise stated in a Specific Plan.
2. Despite any Specific Plan provision to the contrary and notwithstanding the language in *Sec. 13B.4.1.B. (Relationship to Provisions of Specific Plans)* above, there is only one level of appeal from any initial decision.

D. Public information Meetings

1. When provided for in individual Specific Plans, the Director may hold public information meetings in connection with the Planning Department's review of a proposed project pursuant to this *Division* or a Project Permit if the Director decides that:
 - a. The proposed project may have a potentially significant effect on adjoining properties or on the immediate neighborhood;
 - b. It is likely to evoke public controversy; or
 - c. It would be in the public interest to conduct the meeting.
2. Written notice of a public information meeting shall be sent at least 24 days prior to the meeting date to: the applicant; owners and occupants of all properties abutting, across the street or alley from, or having a common corner with the subject property; the Councilmember(s) having jurisdiction over the Specific Plan area in which the property is located; to the Department of Neighborhood Empowerment; the chair of any design review or plan review board having jurisdiction over the Specific Plan area in which the property is located; the Certified Neighborhood Council having jurisdiction over the Specific Plan area in which the property is located; and interested parties who have requested notice in writing.

E. Violations of Specific Plans

It shall be unlawful for any person to violate any provision of any Specific Plan and every violation shall be punishable as a misdemeanor.

SEC. 13B.4.2. PROJECT COMPLIANCE

A. Applicability

1. This *Section (Project Compliance)* applies to the review of applications for projects within Specific Plan areas in accordance with applicable Specific Plan requirements and the *City Charter*.
2. The *Director* may determine the type of projects are exempt from this *Section* based on exemption provisions and other regulations contained in individual Specific Plans.

B. Initiation

An application for a project compliance is filed with the Department.

C. Notice

1. Notice of Public Hearing

- a. There is no public hearing required for the initial decision on a project compliance, and therefore no notice of a public hearing is required.
- b. However, a public information meeting may be held and notice given pursuant to Sec. 13B.4.1.D. (*General Provisions; Public Information Meetings*).

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> The applicant; The owner(s) of the property involved; The owners of all properties abutting, across the street or alley from, or having a common corner with the subject property; The Councilmember(s) having jurisdiction over the Specific Plan area in which the property is located; The Department of Neighborhood Empowerment; The chairperson of any design review or plan review board having jurisdiction over the Specific Plan area in which the property is located; The Certified Neighborhood Council representing the area in which the property is located; and Interested parties who have requested in writing to be notified

Sec. 13B.4.2. Project Compliance

1 Initiation



2 Submittal



3 Decision



APPEAL AVAILABLE

D. Decision

1. General Procedures

See Sec. 13A.2.5. (*Decisions*).

2. Decision Maker

The Director is the initial decision maker.

3. Decision

- a. The Director shall render the initial decision within 75 days of the date the application is deemed complete or when an environmental impact report (EIR) is required, the date preparation of the EIR is complete consistent with State law.
- b. If the Director fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the Area Planning Commission pursuant to Sec. 13A.2.6. (*Transfer of Jurisdiction*).

4. Transmittal

The Director shall transmit a copy of the decision to: the applicant, the Department of Building and Safety, the Councilmember(s) having jurisdiction over the Specific Plan area in which the property is located, the Department of Transportation (where appropriate), owners of all properties abutting, across the street or alley from, or having a common corner with the subject property; the chairperson of any design review or plan review board having jurisdiction over the Specific Plan area in which the property is located; and interested parties who have filed written requests with the City Planning Department.

E. Standards for Review and Required Findings

In approving a project compliance, the Director or Area Planning Commission (on appeal) shall find that the project:

1. Substantially complies with the applicable regulations, findings, standards, and provisions of the Specific Plan; and
2. Complies with CEQA.

F. Scope of Decision

1. See Sec. 13A.2.7. (*Scope of Decision*).
2. Limitations

The granting of a project compliance shall not imply compliance with any other applicable provisions of this Code. Any corrections and/or modifications to project plans made

subsequent to a project compliance that are deemed necessary by the Department of Building and Safety for Building Code compliance, and which involve a change in floor area, parking, building height, yards or setbacks, building separation or lot coverage, shall require a referral of the revised plans back to the Department of City Planning (and the Department of Transportation in cases where there are corrections and/or modifications that may affect the ingress, egress, circulation, project floor area or parking) for additional review and sign-off prior to the issuance of any permit in connection with those plans.

3. Applicant's Compliance With Project Compliance Terms and Conditions

Once a project compliance is utilized, the applicant shall comply with the terms and conditions of the project compliance that affect the construction and/or operational phases of the project. For purposes of this *Subsection*, utilization of a project compliance shall mean that a building permit has been issued and construction work has begun and been carried on diligently.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The Area Planning Commission is the appellate decision maker.

3. Filing

An applicant or any other person aggrieved by the Director's decision may file an appeal.

4. Appellate Decision

- a. Before acting on any appeal, the Area Planning Commission shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.
- b. The Area Planning Commission shall act within 75 days after the expiration of the appeal period.

H. Modification of Entitlement

See *Sec. 13B.5.4. (Modification of Entitlement)*.

SEC. 13B.4.3. PROJECT COMPLIANCE (DESIGN REVIEW BOARD)

Purpose and Objectives. The role of a design review board is to evaluate the placement of mass, form, spatial elements and overall quality of the design of proposed projects based on defined objectives established in Specific Plans. Design review boards should assist the City decision makers, the community, private developers, property owners, and design professionals in implementing the design goals of communities contained within Specific Plan boundaries.

The objectives of this Section are:

- To establish uniform citywide procedures for design review within Specific Plan areas;
- To establish uniform citywide authority for design review boards to advise the Director, and/or the Area Planning Commission on aspects of exterior design, site layout and landscape, signs, and other design elements governed by a Specific Plan;
- To promote the general welfare of the community;
- To protect the community from the adverse effects of poor design; and
- To encourage good professional design practices and quality exterior design and appearance to improve the community and surrounding area.

A. Applicability

1. General

- a. This Section applies when design review is required by a Specific Plan.
- b. The design review process may occur in two steps:
 - i. An optional preliminary review; and
 - ii. Mandatory final review.
- c. An applicant may request a technical review by the Land Development Counseling Center (LDCC) or its equivalent, for clarification of requirements of this Code or applicable Specific Plan.

Sec. 13B.4.3. Project Compliance (Design Review Board)

1 Initiation

APPLICANT

2 Submittal

COMPLETENESS REVIEW

3 Review

DESIGN REVIEW BOARD PRELIMINARY REVIEW

OPTIONAL

NOTICE

DESIGN REVIEW BOARD HEARING

DESIGN REVIEW BOARD REPORT & RECOMMENDATION

4 Decision

PLANNING DIRECTOR

APPROVE OR DENY

APPEAL AVAILABLE

2. Building Permits

The procedures established in this *Section* must be completed before a building permit is issued for any building or structure regulated by a Specific Plan that requires design review.

3. Relationship to Specific Plans

- a. This *Section* does not convey any rights not otherwise granted under a Specific Plan, except as specifically provided. If any procedure established in a Specific Plan governing a design review board created by or authorized to act pursuant to the Specific Plan differs from any procedures set forth in this *Section*, the provisions of this *Section* shall prevail.
- b. Despite any provisions of a Specific Plan to the contrary and notwithstanding the language in 13B.4.1.B. above, no design review required by a Specific Plan shall be recommended for approval by a design review board or approved by the Director except as provided in this *Section*.

B. Initiation

1. All applications for project compliance (Design Review Board) are submitted to the Department of City Planning on a form supplied by the Department. Additional information and materials may be required for optional preliminary design review and mandatory final review, as described in *Chapter I. (General Provisions and Zoning), Sec. 16.50 C. (Design Review Procedure)* for lots subject to Chapter I.
2. Before the acceptance of the completed application for a mandatory final review, the Department of City Planning shall review the proposal for compliance with the applicable Specific Plan or ordinances under which the design review board is established. An application shall not be deemed incomplete for failure of the proposed project to meet the requirements of the applicable Specific Plan. Note, however, if the project does not comply with these requirements, the project will be denied unless it is redesigned or appropriate relief is secured, or if it is conditioned for approval.
3. In addition, prior to submitting a complete application, the applicant may request a technical review by the LDCC. If this review is requested, the LDCC may require further materials and plans to be submitted to facilitate that review.

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing held prior to a recommendation:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	10 days	<ul style="list-style-type: none"> The applicant; Owners and occupants of all properties abutting, across the street or alley from, or having a common corner with the subject property; and The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

2. Notice of Public Hearing on Appeal

a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	10 days	<ul style="list-style-type: none"> The appellant; The design review board; Owners and occupants of all properties abutting, across the street or alley from, or having a common corner with the subject property; and The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. Decision Maker

The Director is the initial decision maker.

- a. Design review boards review applications and provide their recommendations to the Director.
- b. If no design review board is appointed, the Department of City Planning staff reviews the application and makes a recommendation to the Director.

3. Optional Preliminary Design Review

a. Option

- i. An applicant may request a preliminary design review to consult with the design review board for advice on the design of a proposed project.

- ii. The design review board shall review all projects for which applications for preliminary design review are accepted. The board shall provide comments to the applicant concerning the overall design of the project, materials and colors to be used, and landscaping for conformance to the applicable Specific Plan.

b. Transmittal of Applications for Preliminary Review

i. Agenda

Optional preliminary applications are referred to the design review board for placement on its agenda within five calendar days after they are deemed complete.

ii. Review and Recommendation of Design Review Board

The design review board shall preliminarily review the project within 21 calendar days after the request for the optional preliminary review has been referred to the board along with all of the required materials.

iii. Transmittal to the Director

Results of the optional preliminary review shall be transmitted by the board to the Director within 10 days after the design review board meeting. This is for the Director's information only.

4. Design Review of Final Applications

a. Design Review Board Authority

The design review board shall review all projects for which applications for final design review have been accepted.

b. Transmittal of Applications for Final Review

Applications for final design review are referred to the design review board for its recommendation within five calendar days after they are deemed complete.

c. Final Review and Recommendation of the Design Review Board

- i. The design review board shall hold a public hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this *Section*.
- ii. The design review board shall review and make its recommendation on the project within 21 calendar days after the application is referred to the board.
- iii. The design review board shall submit its recommendation to the Director within five calendar days after it acts on the application or within any additional time as is mutually agreed upon in writing between the applicant and the Department of City Planning.

- iv. The design review board's recommendation shall include approval, disapproval, or approval with conditions to the project. The design review board shall make its recommendation based upon design criteria in the Specific Plan. If the recommendation is for denial, the board shall specify how the project fails to comply with the design criteria in the Specific Plan. Recommendations and summaries of discussions shall be transmitted to the Director.
- v. The design review board's recommendation does not affect any entitlement or discretionary approvals by applicable agencies and departments. This *Subsection* does not affect the Mulholland Scenic Parkway design review board's authority to advise under *Chapter I. (General Provisions and Zoning), Sec. 11 (Design Review Process) of the Mulholland Scenic Parkway Specific Plan*.
- vi. If the design review board does not act and an extension of time is not agreed upon as specified above in order for the applicant to provide a revised application with modifications for the project, the revised project shall be submitted to the design review board for a second meeting to be held within 30 calendar days of the first meeting. If the design review board fails to act at that meeting, the application shall be referred to the Director as provided in *Paragraph d. below*.

d. Design Review Board Failure to Act

If a design review board fails to act on an application within the time limits specified in this *Section*, the application is immediately referred without recommendation to the Director for determination.

5. Action of the Director

- a. Within 10 calendar days following the receipt of the design review board's recommendation or of the design review board's failure to act, the Director shall approve a project as presented to the board if it is in compliance with the specific regulations of the applicable Specific Plan.
- b. If the project does not comply with specific regulations in the Specific Plan and cannot be made to be so by imposition of conditions, the Director shall disapprove the project.
- c. For sign approvals, the Director may grant minor adjustments to permitted signs in accordance with the adjustment criteria and findings set forth in *Sec. 13B.4.4. (Project Adjustment)*. Any requests for minor adjustments to permitted signs shall be filed in accordance with the application procedures set forth in *Chapter I. (General Provisions and Zoning) Sec. 16.50 C. (Design Review Procedure)*.
- d. In addition, if the Director requests changes or additional information, copies of all materials submitted in connection with the request shall be transmitted to the design review board for its information.

6. Transmittal

A copy of all decisions shall be forwarded to the applicant, the design review board, the Councilmember(s) in whose district(s) the Specific Plan area is located, the Department of Building and Safety, and any interested parties who make a written request for notice.

E. Standards for Review and Required Findings

In making a determination on a project compliance (Design Review Board), the Director or Area Planning Commission (on appeal) shall make findings consistent with the Specific Plan criteria for any approval or disapproval.

F. Scope of Decision

1. See *Sec. 13A.2.7. (Scope of Decision)*.
2. A design review board's advice on an optional preliminary application is valid for 24 months.
3. No building permit shall be issued until a copy of the plans for the proposed project, stamped by the Department of City Planning as approved by the Director, is made available to the Department of Building and Safety to be included with the field set of approved plans.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The Area Planning Commission is the appellate decision maker.

3. Filing

- a. An applicant or any other person aggrieved by the Director's decision may file an appeal.
- b. A board member may not appeal any design review determination of the Director unless they are the applicant.

4. Appellate Decision

- a. Before acting on any appeal, the Area Planning Commission shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice) of this Section*.
- b. The Area Planning Commission shall act on the appeal within 75 days after the expiration of the appeal period.

H. Modification of Approved Plans or Materials Before Issuance of Building Permit or Certificate of Occupancy

1. The Director or Area Planning Commission on appeal may, prior to the issuance of a building permit or Certificate of Occupancy, approve exterior changes to a proposed project from that which was approved in the design review board only if these changes were required by a public agency.
2. Unless otherwise specifically required in a Specific Plan, at the discretion of the Director or Area Planning Commission on appeal, these modifications may be transmitted to the design review board for its review at the next available meeting provided that the appropriate materials were received 14 days prior to that meeting.
3. An applicant requesting approval of a proposed modification to a project shall do so in writing. The request shall include an illustrated description of the proposed modification and a narrative justification. Written proof that a modification is required by a public agency shall be submitted with the request. Copies of all materials submitted in connection with the request shall be transmitted to the design review board for its information at the time the request is submitted to the Planning Department. There shall be no fee for a review of a modification required by a public agency. An applicant may also request a minor modification which is not required by a public agency. In that case, a fee shall be paid pursuant to *Chapter I. (General Provisions and Zoning), Sec. 16.50 C. (Design Review Procedures)*.
4. In reviewing any modification, the Director (or Area Planning Commission on appeal) shall limit its review and reconsideration to those areas identified as changed or influenced by the changes.

SEC. 13B.4.4. PROJECT ADJUSTMENT

A. Applicability

1. This *Section* applies to requests for minor adjustments from certain *Specific Plan* regulations.
2. Project adjustments are limited to the list described in *Chapter I. (General Provisions and Zoning), Sec. 11.5.7 E. (Specific Plan Procedures; Project Adjustments)*.
3. If an application requests more than one project adjustment, the *Director* may determine that the request be filed and processed as a *project exception* (see *Sec. 13B.4.5.*). The *Director* shall advise the applicant of this determination before the application is deemed complete.

B. Initiation

An application for a project adjustment is filed with the *Department*.

C. Notice

1. Notice of Public Hearing

- a. There is no public hearing required for the initial decision on a project adjustment, and therefore no notice of a public hearing is required.
- b. However, a public information meeting may be held and notice given pursuant to *Sec. 13B.4.1.D. (General Provisions; Public information Meeting)*.

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Sec. 13B.4.4. Project Adjustment

1 Initiation



2 Submittal



3 Decision



APPEAL AVAILABLE

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • The applicant; • The owner(s) of the property involved; • The owners of all properties abutting, across the street or alley from, or having a common corner with the subject property; • The Councilmember(s) having jurisdiction over the <u>Specific Plan</u> area in which the property is located; • The Department of Neighborhood Empowerment; • The chairperson of any design review or plan review board having jurisdiction over the <u>Specific Plan</u> area in which the property is located; • The Certified Neighborhood Council representing the area in which the property is located; and • Interested parties who have requested in writing to be notified

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Decision Maker

The Director is the initial decision maker.

3. Decision

- a. The Director shall render the initial decision within 75 days of the date the application is deemed complete.
- b. In granting a project adjustment, the Director may impose project conditions as the Director deems necessary in order to achieve substantial conformance with the Specific Plan regulations.
- c. The remainder of the Specific Plan provisions for which the project does not need a project adjustment shall be reviewed concurrently with a project compliance.
- d. If the Director fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the Area Planning Commission pursuant to *Sec. 13A.2.6. (Transfer of Jurisdiction)*.

4. Transmittal

The Director shall transmit a copy of the decision by email, electronic transmission, or mail to the applicant, the Department of Building and Safety, the Councilmember(s) having jurisdiction over the Specific Plan area in which the property is located, the Department of Transportation (where appropriate), owners of all properties abutting, across the street or alley from, or having

a common corner with the subject property; and interested parties who have filed written requests with the City Planning Department.

E. Standards for Review and Required Findings

1. In approving a project adjustment, the Director or Area Planning Commission (on appeal) shall find that:
 - a. There are special circumstances applicable to the project or project site which make the strict application of the Specific Plan regulation(s) impractical;
 - b. That in granting the project adjustment, the Director has imposed project requirements and/or determined that the proposed project will substantially comply with all applicable Specific Plan regulations;
 - c. The project adjustment, if granted, will not have detrimental effects on surrounding properties and public right-of-ways;
 - d. The project complies with CEQA; and
2. The decision maker shall also find that the project adjustment complies with any other required Specific Plan findings that may pertain to the project compliance.

F. Scope of Decision

1. See *Sec. 13A.2.7. (Scope of Decision)*.
2. **Limitations**

The granting of a project adjustment shall not imply compliance with any other applicable provisions of this Code. Any corrections and/or modifications to project plans made subsequent to a project adjustment that are deemed necessary by the Department of Building and Safety for Building Code compliance, and which involve a change in floor area, parking, building height, yards or setbacks, building separation or lot coverage, shall require a referral of the revised plans back to the Department of City Planning (and the Department of Transportation in cases where there are corrections and/or modifications that may affect the ingress, egress, circulation, project floor area or parking) for additional review and sign-off prior to the issuance of any permit in connection with those plans.

G. Appeals

1. **General Procedures**

See *Sec. 13A.2.8. (Appeals)*.

2. **Decision Maker**

The Area Planning Commission is the appellate decision maker.

3. Filing

An applicant or any other person aggrieved by the Director's decision may file an appeal.

4. Appellate Decision

- a. Before acting on any appeal, the Area Planning Commission shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.
- b. The Area Planning Commission shall act within 75 days after the expiration of the appeal period.

H. Modification of Entitlement

No modification is available.

SEC. 13B.4.5. PROJECT EXCEPTION

A. Applicability

This *Section* applies to exceptions from *Specific Plan* regulations, as follows:

1. Description

A *project exception* grants relief from a *Specific Plan*'s regulations on the basis of particular standards or criteria established in this *Section*, or in a particular section of a *Specific Plan*. Like a *variance*, a *project exception application* must show a hardship. However, a *project exception* typically includes relief from additional standards that relate to the purposes of the *Specific Plan*.

2. Project Exception Relationship to Other Entitlements

a. Exception for Relief from a Specific Plan Regulation and the Same Type of Regulation With the Same Standard in Chapter I. of this Code

If a *Specific Plan* contains a regulation that is the same type of regulation with the same standard as one contained in an applicable provision of *Chapter I. (General Provisions and Zoning)* of this Code, an applicant seeking relief from those regulations need only apply for and receive a *project exception*. In this situation, the *Specific Plan* regulation is considered to supersede the Code provision and thus a *variance* is not required.

b. Exception for Relief from Specific Plan Regulation and the Same Type of Regulation With a Different Standard in Chapter I. of this Code Where Specific Plan Supersedes the Code

If a *Specific Plan* contains a regulation that conflicts with the same type of regulation but with a different standard contained in an applicable provision of *Chapter I. (General Provisions and Zoning)* of this Code and the *Specific Plan* supersedes the Code by its terms, then an applicant seeking relief from that *Specific Plan* regulation need only apply for and receive a *project exception*. In this situation, a *variance* is not also required.

Sec. 13B.4.5. Project Exception

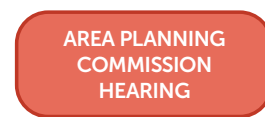
1 Initiation



2 Submittal



3 Review



4 Decision



APPEAL AVAILABLE

c. Exception for Relief from Specific Plan Regulation and the Same Type of Regulation With a Different Standard in Chapter I. of this Code Where Specific Plan Does Not Supersede the Code

If a Specific Plan contains a regulation that conflicts with the same type of regulation but with a different standard contained in an applicable provision of *Chapter I. (General Provisions and Zoning)* of this Code and the Specific Plan does not supersede the Code by its terms, then an applicant seeking relief from those regulations must apply for and receive both a project exception and a variance for relief from those Code provisions.

d. Additional Exceptions

The exceptions described in *Chapter I. (General Provisions and Zoning), Sec. 11.5.7 F (1) (Exception for Wireless Telecommunications Facilities)* and *Sec. 11.5.7 F(2) (Eldercare Facilities)* of this Code apply as appropriate.

B. Initiation

1. An application for a project exception is filed with the Department.
2. If an application for a project exception potentially impacts a Specific Plan policy or a regulation affecting the entire Specific Plan area or any of its subareas, the Director shall advise the applicant to request the City to initiate a Specific Plan Amendment in lieu of processing the application for a project exception. This shall occur before the application is deemed complete.

C. Notice of Public Hearing

1. Notice of Public Hearing

- a. The following notice is required for the public hearing on the initial decision:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the City, designated for that purpose by the City Clerk
Mail	24 days	<ul style="list-style-type: none"> The applicant; The owner(s) of the property involved; The owners and occupants of all property within and outside the City within 500 feet of the exterior boundaries of the area subject to the <u>application</u> (or the expanded area described below); and The Certified Neighborhood Council representing the area in which the property is located

Type of Notice	When	Where / To Whom / Additional Requirements
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property If a <u>Hearing Officer</u> is designated to conduct the public hearing, then the applicant, in addition to posting notice of the public hearing, will also post notice of the initial meeting of the decision making body on the matter

- b. Where all property within the 500 foot radius is under the same ownership as the property involved in the application, the owners of all property that adjoins that ownership, or is separated from it only by a street, alley, public right-of-way or other easement, will also be notified.
- c. If the mailed notice within the required radius does not result in notice to at least 20 different owners of at least 20 different lots other than the subject property, then the notification radius will increase in increments of 50 feet until that number of owners and lots are within the expanded area.

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the City, designated for that purpose by the City Clerk
Mail	24 days	<ul style="list-style-type: none"> The applicant; The owner(s) of the property involved; The owners and occupants of all property within and outside the City within 500 feet of the exterior boundaries of the area subject to the <u>application</u> (or the expanded area described below); and The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

- b. Where all property within the 500 foot radius is under the same ownership as the property involved in the application, the owners of all property that adjoins that ownership, or is separated from it only by a street, alley, public right-of-way or other easement, will also be notified.
- c. If the mailed notice within the required radius does not result in notice to at least 20 different owners of at least 20 different lots other than the subject property, then the notification radius will increase in increments of 50 feet until that number of owners and lots are within the expanded area.

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Decision Maker

The Area Planning Commission is the initial decision maker.

3. Public Hearing

- a. Upon receipt of a complete application, the Area Planning Commission shall set the matter for public hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.
- b. The Area Planning Commission may conduct the hearing itself or designate the Director to conduct the hearing.

4. Decision

- a. If the Director conducts the public hearing, the Director shall transmit their findings and recommendation to the Area Planning Commission.
- b. After the Director or Area Planning Commission's hearing is closed, the Area Planning Commission shall render the initial decision at a public meeting.
- c. The Area Planning Commission shall render the initial decision within 75 days of the date the application is deemed complete.
- d. If the City Planning Commission fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the City Council pursuant to *Sec. 13A.2.6. (Transfer of Jurisdiction)*.

5. Conditions

In granting a project exception, the Area Planning Commission shall impose conditions to remedy any resulting disparity of privilege and that are necessary to protect the public health, safety, welfare and assure compliance with the objectives of the General Plan and the purpose and intent of the Specific Plan. A project exception shall not be used to grant a special privilege, nor to grant relief from self-imposed hardships.

6. Transmittal

- a. Where required, the Area Planning Commission shall transmit a copy of the decision to: the Department of Building and Safety; the Councilmember(s) having jurisdiction over the Specific Plan area in which the property is located; and the Department of Transportation, where appropriate.

- b. Copies of the decision shall also be provided to: the applicant; the Department of Neighborhood Empowerment; the chairperson of any design review or plan review board having jurisdiction over the Specific Plan area in which the property is located; and interested parties who have filed written requests with the City Planning Department.

E. Standards for Review and Required Findings

In approving a project exception, the Area Planning Commission or City Council (on appeal) shall find that:

1. The strict application of the regulations of the Specific Plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Specific Plan;
2. There are exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject property that do not apply generally to other property in the Specific Plan area;
3. An exception from the Specific Plan is necessary to preserve and enjoy a substantial property right or use generally possessed by other property within the Specific Plan area or zoning district in the same vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question;
4. The granting of the exception is not detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the subject property; and
5. The granting of an exception is consistent with the principles, intent and goals of the Specific Plan, zoning district, and any applicable element of the General Plan.

F. Scope of Decision

See *Sec. 13A.2.7. (Scope of Decision)*.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The City Council is the appellate decision maker.

3. Filing

- a. Any person aggrieved by an initial decision of the Area Planning Commission concerning a project exception may appeal the decision to the City Council.
- b. After an appeal is filed, the Area Planning Commission shall transmit the appeal and the file to the City Council, together with any report responding to the points made in the appeal.

4. Appellate Decision

- a. Before acting on any appeal, the City Council shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice of Public Hearing)* above.
- b. A decision to reverse or modify the Area Planning Commission's decision, in whole or in part, shall only be adopted by at least a two-thirds vote of the whole City Council. The decision must contain a finding of fact showing why the proposed exception to a Specific Plan complies or fails to comply with the requirements of this *Section*. Any vote of the City Council in which less than two-thirds of the whole City Council vote to reverse or modify the decision of the Area Planning Commission shall be deemed to be an action denying the appeal.
- c. The failure of the City Council to vote upon an appeal within 90 days after the expiration of the appeal period, or within any additional period agreed upon by the applicant and the City Council, shall be deemed a denial of the appeal.

H. Modification of Entitlement

No modification is available.

SEC. 13B.4.6. SPECIFIC PLAN INTERPRETATION

A. Applicability

The Director shall have authority to interpret Specific Plans when there is a lack of clarity in the meaning of their regulations.

B. Initiation

1. The Director may consider an interpretation on his or her own initiative, or in response to an application (see *Subdivision 2.* below).
2. To request a Specific Plan interpretation, an applicant shall file an application with the Department. The application shall include a reference to the Specific Plan regulation(s) for which clarification is requested and a narrative description of why a clarification is necessary for the project or subject property involved.

C. Notice

1. Notice of Public Hearing

- a. There is no public hearing required for the initial decision on a Specific Plan interpretation, and therefore no notice of a public hearing is required.
- b. The Director may hold a public information meeting, if the Director decides that the proposed project may have a potentially significant effect on adjoining properties or on the immediate neighborhood, or that it is likely to evoke public controversy, or that it would be in the public interest to conduct the meeting. Notice for the public information meeting shall be given pursuant to *Sec. 13B.4.1.D. (General Provisions; Public information Meetings)*.

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Sec. 13B.4.6. Specific Plan Interpretation

1 Initiation



2 Submittal



3 Decision



APPEAL AVAILABLE

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • The applicant (when initiated by applicant); • The owner(s) of the property involved (when initiated by applicant); • The owners of all properties abutting, across the street or alley from, or having a common corner with the subject property (when initiated by applicant); • The Councilmember(s) having jurisdiction over the <u>Specific Plan</u> area in which the property is located; • The Department of Neighborhood Empowerment; • The chairperson of any design review or plan review board having jurisdiction over the <u>Specific Plan</u> area in which the property is located; • The Certified Neighborhood Council representing the area in which the property is located; and • Interested parties who have requested in writing to be notified

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. Decision Maker

The Director is the initial decision maker.

3. Decision

- a. The Director shall make a determination within 75 days after the application is deemed complete.
- b. If the Director fails to render a timely decision, the interpretation is deemed denied.

4. Transmittal

The Director shall transmit a copy of the decision to the applicant, the Department of Building and Safety, the Councilmember(s) having jurisdiction over the Specific Plan area in which the property is located, the Department of Transportation (where appropriate), owners of all properties abutting, across the street or alley from, or having a common corner with the subject property; the chairperson of any design review or plan review board having jurisdiction over the Specific Plan area in which the property is located; and interested parties who have filed written requests with the Department of City Planning.

E. Standards for Review

In rendering a Specific Plan interpretation, the Director or City or Area Planning Commission (on appeal) shall consider:

1. Any General Plan, community plan, or Specific Plan policies that relate to the regulation subject to interpretation;
2. The purpose statements or other official city policies relating to the regulation; and
3. The context of the regulation and its relationship to similar regulations.

F. Appeals

1. General Procedures

See Sec. 13A.2.8. (*Appeals*).

2. Decision Maker

- a. The City Planning Commission is the appellate decision maker for interpretations which affect an entire Specific Plan area or any of its subareas.
- b. The Area Planning Commission is the appellate decision maker for interpretations that apply only to a specific site.

3. Filing

An applicant or any other interested person aggrieved by the decision may file an appeal.

4. Appellate Decision

- a. Before acting on any appeal, the City or Area Planning Commission shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.
- b. The City or Area Planning Commission shall render its decision within 75 days from the last day of the appeal period.
- c. The City or Area Planning Commission may reverse or modify, in whole or in part, a decision of the Director, and may issue its own interpretation of the Specific Plan.
- d. Failure to timely act is deemed a denial of the appeal, and the initial decision becomes final.

DIV. 13B.5. QUASI-JUDICIAL RELIEF

SEC. 13B.5.1. ALTERNATIVE COMPLIANCE

A. Applicability

1. General

This Section applies to the following situations where this Code expressly allows Alternative Compliance:

- a. The proposed development does not comply with a design, development, or performance standard required by this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code, and the applicant proposes an alternative standard or condition consistent with *Paragraph b.* below.
- b. The applicant proposed deviations from regulations which do not substantially alter the execution or intent of the regulations that apply to a proposed development.
- c. For purposes of Chapter 1A, alternative compliance must be expressly allowed in the relief allowances of this Chapter.

2. Specific Plan Excluded

This Section does not apply to Specific Plans.

B. Initiation

An application for an Alternative Compliance is filed with the Department.

C. Notice

1. Notice of Public Hearing

- a. There is no public hearing required for the initial decision on an Alternative Compliance, and therefore no notice of a public hearing is required.

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on an appeal:

Sec. 13B.5.1. Alternative Compliance

1 Initiation



2 Submittal



3 Decision



APPEAL AVAILABLE

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • The applicant; • Property owner(s) of the subject property; • Owners and occupants of properties within 300 feet of the exterior boundaries of the property involved; • The Certified Neighborhood Council representing the area in which the property is located; and • Interested parties who have requested in writing to be notified

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. Decision Maker

The Director is the initial decision maker.

3. Decision

The Director shall render an initial decision within 75 days after the date the application is deemed complete.

4. Conditions

The Director shall impose conditions binding on the applicant to secure substantial compliance with the goals and purposes of the design, development, or performance standards from which alternative compliance is requested.

5. Transmittal

The Director shall transmit a copy of the decision by mail to the applicant, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property, and persons who have filed a written request for notice with the Department of City Planning.

E. Standards for Review and Required Findings

In approving an Alternative Compliance, the Director or Area Planning Commission (on appeal) shall find that:

1. The proposed alternative is consistent with the purpose and intent of the applicable standards;
2. The proposed alternative is equivalent to or exceeds the effectiveness of meeting the intent of the applicable standards;

3. The proposed alternative will result in a project that is compatible with and does not adversely affect or further degrade the adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and
4. The project substantially conforms to the purpose, intent, and provisions of the General Plan and the applicable community plan.

F. Scope of Decision

See Sec. 13A.2.7. (*Scope of Decision*).

G. Appeals

1. General Procedures

See Sec. 13A.2.8. (*Appeals*).

2. Decision Maker

The Area Planning Commission is the appellate decision maker.

3. Filing

- a. An appeal may be filed to the Area Planning Commission by an applicant or any other person aggrieved by the Director's decision.
- b. After an appeal is filed, the Director shall transmit the appeal and the file to the applicable Area Planning Commission, together with a report responding to the points raised in the appeal.

4. Appellate Decision

- a. The Area Planning Commission shall conduct a public hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.
- b. The Area Planning Commission shall make its decision within 75 days after the expiration of the appeal period.

H. Modification of Entitlement

No modification is available.

SEC. 13B.5.2. ADJUSTMENT

A. Applicability

1. This Section applies to the following situations where this Code expressly allows an Adjustment:
 - a. Adjustments and modifications from zoning regulations if expressly allowed in the relief allowances of this Chapter;
 - b. Adjustments and modifications from zoning regulations as described in *Chapter I. (General Provisions and Zoning) Sec. 12.28 A. and B.* or in any subsection of this Zoning Code (Chapter 1A) that provides Relief from the Section standards;
 - c. Any zone boundary or height district adjustments as described in *Chapter I. (General Provisions and Zoning) Sec. 12.30 H., J., or K.* or in any subsection of this Zoning Code (Chapter 1A) that provides Relief from the Section standards.
2. An Adjustment cannot be requested for increases in Floor Area Ratio.

B. Initiation

An application for an Adjustment is filed with the Department.

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing on the initial decision, if held:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> The applicant; Owners of all properties abutting, across the street or alley from or having a common corner with the subject property; The Certified Neighborhood Council representing the area in which the property is located; and Interested parties who have requested notice in writing
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Sec. 13B.5.2. Adjustment

1 Initiation



2 Submittal



NOTICE

3 Review



3 Decision



APPROVE
OR
DENY

APPEAL AVAILABLE

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • The applicant; • The appellant(s); • The owner(s) of the property involved; • Owners of all properties abutting, across the street or alley from or having a common corner with the subject property; and • The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> • The applicant will post notice in a conspicuous place on the property

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Decision Maker

The Director is the initial decision maker.

3. Public Hearing and Decision

- a. An application for an Adjustment shall be set for public hearing unless the Director makes written findings in the record that the requested Adjustment:
 - i. Will not have a significant effect on adjoining properties or on the immediate neighborhood; or
 - ii. Is not likely to evoke public controversy.
- b. If a public hearing is held, notice shall be given in the manner specified in *Subsection C. (Notice)* of this Section.
- c. The Director shall render an initial decision within 75 days after the application is deemed complete.

4. Conditions for Approval

In granting an Adjustment, the Director may impose conditions to remedy any resulting disparity of privilege, to protect the public health, safety, welfare, and to assure compliance with the objectives of the General Plan and the purpose and intent of the zoning.

5. Transmittal

The Director shall transmit a copy of the decision by mail to the applicant, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property, and persons who have filed a written request for the notice with the Department of City Planning.

E. Standards for Review and Required Findings

In approving an Adjustment, the Director or Area Planning Commission (on appeal) shall find:

1. That while site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms to the intent of those regulations;
2. That in light of the project as a whole, including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety; and
3. That the project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable Specific Plan.

F. Scope of Decision

See *Sec. 13A.2.7. (Scope of Decision)*.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The Area Planning Commission is the appellate decision maker.

3. Filing

An applicant or any other person aggrieved by the Director's decision may appeal the decision to the Area Planning Commission.

4. Appellate Decision

- a. Before acting on any appeal, the Area Planning Commission shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.
- b. The Area Planning Commission shall act within 75 days after the expiration of the appeal period.

H. Modification of Entitlement

The plan approval procedures that apply to Variances in *Sec. 13B.5.3.H. (Variance; Modification of Entitlement)* shall also apply to Adjustments.

I. Discontinuance of Adjustment – Revocation

The revocation procedures that apply to Variances in Sec. 13B.5.3.I. (*Variance; Revocation and Repeal*) shall also apply to Adjustments.

SEC. 13B.5.3. VARIANCE

A. Applicability

1. This Section applies to Variances that grant relief from a standard or regulation in this Chapter or Chapter I. (General Provisions and Zoning) on the basis of hardship or difficulties.
2. Continuation of Variance or Exception
 - a. Except as provided in Subsection I. (Revocation and Repeal) of this Section, with respect to Variances or exceptions which have never been or are not being utilized, no provision of this Article shall be interpreted or construed as limiting or interfering with the rights established by any Variance or exception granted prior to the effective date of this Article by:
 - i. Ordinance pursuant to the provisions of ordinances Nos. 42,666 (N.S.), 66,750, 74,140 or Chapter I. (General Provisions and Zoning), or this Zoning Code (Chapter 1A);
 - ii. Decision of the Zoning Administrator or the former Board of Zoning Appeals pursuant to the provisions of Chapter I. (General Provisions and Zoning), or this Zoning Code (Chapter 1A); or
 - iii. Former decision of the Board of City Planning Commissioners pursuant to the provisions of ordinance No. 74,145, Chapter I. (General Provisions and Zoning) or this Zoning Code (Chapter 1A).
 - b. Notwithstanding any of the provisions of the ordinance granting a Variance or exception, the Zoning Administrator shall have jurisdiction to perform all administrative acts with which the Board of City Planning Commissioners, City Council or its Planning Committee were formerly charged with under the ordinance, such as approving plans, signs, types of use, and the like. The use of any building, structure or land existing at the time this Article became effective, by virtue of any exception from the provisions of former ordinance No. 33,761 (N.S.), may be continued provided no new building or structure is erected, no existing building or structure is enlarged, and no existing uses of land is extended.

B. Initiation

An application for a Variance is filed with the Department.

Sec. 13B.5.3. Variance

1 Initiation



2 Submittal



NOTICE

3 Review



4 Decision



APPROVE
OR
DENY

APPEAL AVAILABLE

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing on the initial decision, if held:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none">• The applicant;• The owner(s) of the property involved;• The owners of all property within and outside of the City that is within 500 feet of the exterior boundaries of the property involved (or the expanded area described below);• The residential, commercial, and industrial occupants of all property within 500 feet of the exterior boundaries of the property involved (or the expanded area described below);• The Certified Neighborhood Council representing the area in which the property is located; and• Interested parties who have requested in writing to be notified
Posting	10 days	<ul style="list-style-type: none">• Applicant must post in a conspicuous place on the property involved

- b. If the mailed notice within the required radius does not result in notice to at least 20 different owners of at least 20 different lots other than the subject property, then the notification radius will increase in increments of 50 feet until that number of owners and lots are within the expanded area.
- c. An application requesting relief from density or height requirements shall follow the procedures for public hearing and notice as set forth in *Sec. 13B.5.2. (Adjustment)*.

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal to the Area Planning Commission or the City Council:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • The applicant; • The appellant; • The owner(s) of the property involved; • The owners of all property within and outside of the City that is within 500 feet of the exterior boundaries of the property involved (or the expanded area described below); • The residential, commercial, and industrial occupants of all property within 500 feet of the exterior boundaries of the property involved (or the expanded area described below); • The Certified Neighborhood Council representing the area in which the property is located; and • Interested parties who have requested in writing to be notified
Posting	10 days	<ul style="list-style-type: none"> • Applicant must post in a conspicuous place on the property involved

- b. If the mailed notice within the required radius does not result in notice to at least 20 different owners of at least 20 different lots other than the subject property, then the notification radius will increase in increments of 50 feet until that number of owners and lots are within the expanded area.
- c. An application requesting relief from density or height requirements shall follow the procedures for public hearing and notice as set forth in *Sec. 13B.5.2. (Adjustment)*.

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Decision Maker

The Zoning Administrator is the initial decision maker.

3. Public Hearing

- a. The Zoning Administrator shall set the matter for public hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.
- b. An application for a Variance shall be set for public hearing unless the Chief Zoning Administrator or, in their absence, an Associate Zoning Administrator performing their functions, makes written findings, a copy of which shall be attached to the file, that the requested Variance:
 - i. Will not have a significant effect on adjoining properties or on the immediate neighborhood; or

- ii. Is not likely to evoke public controversy.

4. Decision

The Zoning Administrator shall render the initial decision within 75 days of the submission of a complete application. If the Zoning Administrator fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the Area Planning Commission pursuant to Sec. 13A.2.6. (*Transfer of Jurisdiction*).

5. Conditions of Approval

In granting a Variance, the Zoning Administrator may impose conditions to remedy a disparity of privileges and that are necessary to protect the public health, safety, welfare, and to assure compliance with the objectives of the General Plan and the purpose and intent of the zoning ordinance.

6. Transmittal

Upon making a decision, the Zoning Administrator shall transmit a copy of the written findings and decision to the applicant, the Director, the Department of Building and Safety, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property and to all persons who have filed written requests for this notice with the office of Zoning Administration. The Zoning Administrator shall also place a copy of the findings and decision in the file.

E. Standards for Review and Required Findings

1. The standards in *City Charter, Sec. 562 (Variances)* apply to Variances. In granting a Variance, the Zoning Administrator or Area Planning Commission (on appeal) or City Council (on appeal) shall find:
 - a. That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations;
 - b. That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity;
 - c. That the Variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question;
 - d. That the granting of the Variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located; and

- e. That the granting of the Variance will not adversely affect any element of the General Plan.
2. A Variance shall not be used to grant a special privilege or to permit a use substantially inconsistent with the limitations upon other properties in the same zone and vicinity. The Zoning Administrator may deny a Variance if the conditions creating the need for the Variance were self-imposed.

F. Scope of Decision

See Sec. 13A.2.7. (*Scope of Decision*).

G. Appeals

1. General Procedures

See Sec. 13A.2.8. (*Appeals*).

2. Decision Maker

The Area Planning Commission and the City Council are the appellate decision makers.

3. Filing

Any person aggrieved by an initial decision of the Zoning Administrator concerning a Variance may appeal the decision to the Area Planning Commission.

4. Appellate Decision

- a. The Area Planning Commission will set the matter for a public hearing, giving notice in the manner specified in Subsection C. (*Notice*) above.
- b. The Area Planning Commission shall act within 75 days after the expiration of the appeal period. If the Area Planning Commission fails to render a timely decision, the action of the Zoning Administrator on the matter shall be final, unless the appellant files a request for a transfer of jurisdiction to the City Council for decision pursuant to Sec. 13A.2.6. (*Transfer of Jurisdiction*).
- c. The Area Planning Commission may affirm, reverse, or modify the Zoning Administrator's decision.
- d. In considering appeals, the Area Planning Commission shall be subject to the same limitations regarding findings and conditions as are applicable to the Zoning Administrator on the initial decision.
- e. Upon making a decision, a copy of the findings and decision shall forthwith be placed on file in the City Planning Department, and copies of the decision shall be sent to the applicant, the appellant, the Department of Building and Safety, the Director, and the office of Zoning Administration.

f. Date of Final Decision

A denial of a Variance by an Area Planning Commission on appeal shall become final upon the date it was mailed to the applicant. However, a decision by the Area Planning Commission granting or confirming the grant of a Variance shall become final after 15 days from the date it was mailed to the applicant, unless an appeal is filed with the City Council within that period. The filing of an appeal stays proceedings in the matter until the Council makes a decision on the matter. The Council shall not consider any appeal not filed within the 15-day period.

5. Appeal to City Council

- a.** An appeal from a decision of the Area Planning Commission granting or affirming the grant of a Variance may be filed by the applicant or any person aggrieved by the decision. There shall be no further appeal from the decision of the Area Planning Commission to deny a Variance.

b. Action by City Council and Mayor

- i.** The City Council will set the matter for a public hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.
- ii.** When considering an appeal from an Area Planning Commission decision granting or affirming the grant of a Variance, the City Council shall be subject to the same limitations regarding findings and conditions as are placed on the Area Planning Commission by this *Section*.
- iii.** The City Council, by resolution, may affirm, reverse or modify, in whole or in part, the decision of the Area Planning Commission by a majority vote. Failure of the City Council to act within 90 days from the expiration of the appeal period, or within any additional period as may be agreed upon by the applicant and the City Council shall be deemed to be a denial of the appeal.
- iv.** When a Variance decision is appealed to the City Council and the City Council either approves the Variance or denies an appeal from an earlier approval, the matter together with the files and reports shall forthwith be transmitted to the Mayor. The Mayor may approve or disapprove the Variance within 10 days of its presentation to him or her. This action shall be based solely upon the administrative record and whether the Mayor believes the variance conforms to the requirements for approval set forth in this *Section*.
- v.** If the Mayor disapproves the Variance, he or she shall return the matter to the City Clerk for presentation to the City Council, together with the objections in writing. The Council within 60 days after the matter has been returned to it may override the disapproval by a two-thirds vote.

- vi. If the Council fails to override the Mayor's disapproval within the 60 days, the Mayor's disapproval shall constitute a denial of the Variance. If the Mayor fails to return the matter to the City Clerk within 10 days of its presentation to him or her, the approval of the Variance shall become final.

H. Modification of Entitlement

1. Development of Site

- a. On any lot or portion of a lot on which a use is permitted pursuant to a variance, new buildings or structures may be erected, enlargements may be made to existing buildings, and existing uses may be extended if plans for those changes are submitted and approved by a Zoning Administrator. A Zoning Administrator shall not approve any use, single deviation, or combination or series of deviations from the zoning regulations which was not approved as part of the original variance, or which would result in an increase in size or bulk of buildings exceeding 20 percent.
- b. Any person submitting development plans or any other aggrieved person by the decision of a Zoning Administrator made relative to the approval or disapproval of a development plan may appeal the decision to the Area Planning Commission. No fee shall be required for the filing of appeals by other aggrieved persons.

2. Reduction of Site

So long as the use approved by variance is continued, the entire approved site shall be retained for the approved use, and no portion of the site shall be severed or utilized for other purposes unless the plans for the reduced site are first submitted to and approved by a Zoning Administrator. The decision of a Zoning Administrator on a proposed reduction of the area of an approved site shall be subject to the same appeal as is provided in *Subsection G.4.* above for an application to establish the use by variance.

3. Conditions of Approval

In connection with the approval of such plans, a Zoning Administrator may impose conditions on the same basis as provided for in this *Section* in connection with the original variance.

4. Change of Use

No use approved by variance may be changed to a different use for which a variance is otherwise required unless the new use is authorized in accordance with the procedure prescribed in this *Section* for the establishment of a use by variance.

I. Revocation and Repeal

1. Discontinuance of Variance or Exception - Revocation

- a. If the use authorized by any Variance granted by ordinance, or by decision of the Zoning Administrator, the Area Planning Commission, City Planning Commission or the City Council is or has been abandoned or discontinued for a period of six months, or the conditions of the Variance have not been complied with, the Director, upon knowledge of this fact, may give notice to the record owner or lessee of the real property affected to appear at a time and place fixed by the Director and show cause why the ordinance or decision granting the Variance should not be repealed or rescinded, as the case may be.
- b. After the hearing, the Director may revoke the Variance, or if an ordinance is involved, recommend to the City Council that the ordinance be repealed. The decision of the Director shall become final after 15 days from the date of mailing of the decision to the owner or lessees of the real property affected, unless an appeal to the Council is filed within that 15-day period. An appeal may be taken to Council in the same manner as described in *Subsection G. (Appeals)* above. After revocation or repeal, the property affected shall be subject to all the regulations of the zone in which the property is located.

2. Failure to Utilize Variance or Exception - Repeal

- a. The procedure for repeal of Variances that have been abandoned or discontinued as set forth in *Subdivision 1. (Discontinuance of Variance or Exception – Revocation)* above shall not apply to those exceptions or conditional Variances granted by ordinance and which were once utilized, but the authorized use or development had been discontinued or removed from the site for at least one year and the ordinance has been repealed.
- b. If the rights established by any ordinance previously adopted authorizing an exception or conditional Variance from the provisions of this Chapter, *Chapter I. (General Provisions and Zoning)*, or *ordinances No. 42,666 (N.S.), 66,750 and 74,140*, have never been executed or utilized, or, if once utilized, the use or development authorized has been discontinued or removed from the site for a period of least one year, that exception or conditional Variance shall no longer be of any force or effect and the respective ordinance granting the exception or conditional Variance is hereby repealed.

SEC. 13B.5.4. MODIFICATION OF ENTITLEMENT

Purpose. The Modification of Entitlement is a discretionary process intended to be used for situations where the Code expressly provides for a possible modification of the original entitlement pursuant to this process and it is deemed necessary to modify conditions of approval for the original grant on an approved project prior to the issuance of the Certificate of Occupancy.

A. Applicability

1. Original Action

This Section applies to modification of an approved entitlement, referred to in this Section as the “original action,” only if the Code expressly provides for a modification of that entitlement pursuant to this process.

2. Modification

- a. For purposes of this Section, a “modification” means any changes in the proposed physical development or related conditions of approval that were approved in the original action.
- b. A modification is limited to an alteration of the physical development or conditions of approval on the original action by no more than 20 percent, and the modification will not result in a new, significant unavoidable environmental impact.
- c. If multiple modifications are requested on the same original action, the modifications shall not cumulatively exceed the 20 percent limitation described above in Paragraph b.
- d. A modification does not include the granting of any new rights, nor does it include the granting of any deviation from zoning regulations in this Chapter or Chapter I. (*General Provisions and Zoning*).
- e. Nothing in this Section is intended to limit the authority of the Director to find that a project is in substantial conformance with its approved entitlements, consistent with state law.

3. New Application

Any request for a modification that exceeds the 20 percent limitation described above in Subdivision 2.b. or Subdivision 2.c. will not be processed as a modification of the original action but will instead require a new application.

B. Initiation

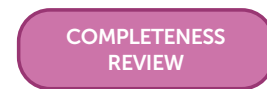
1. An application for a Modification of Entitlement is filed with the Department.

Sec. 13B.5.4. Modification of Entitlement

1 Initiation



2 Submittal



NOTICE

3 Decision



APPROVE
OR
DENY

APPEAL AVAILABLE

2. The application must include development plans showing the requested modifications.
3. A Modification of Entitlement shall be filed and approved before the original action expires.

C. Notice

1. Notice of Public Hearing

Notice of the public hearing on the initial decision of a Modification of Entitlement is provided in the same manner as required on the initial decision of the original action.

2. Notice of Public Hearing on Appeal

Notice of the public hearing on the appeal of a Modification of Entitlement is provided in the same manner as required on the appeal of the original action.

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Decision Maker

- a. The initial decision maker on a Modification of Entitlement is the initial decision maker on the original action.
- b. If the project was subject to multiple approvals, the initial decision maker is the initial decision maker assigned pursuant to *Sec. 13A.2.10. (Multiple Approvals)*, unless otherwise delegated.
- c. If the project was subject to an appeal, the decision maker on the Modification of Entitlement is the appellate body on the original action, unless otherwise delegated.

3. Public Hearing

The public hearing requirements that applied to the original action also apply to the Modification of Entitlement, with notice given in the manner specified in *Subsection C. (Notice)* above.

4. Decision

The initial decision maker shall approve, conditionally approve, or deny the request within 75 days after the application is deemed complete.

5. Conditions

The initial decision maker may impose conditions on the modification on the same basis as in the original action.

6. Transmittal

The initial decision maker shall transmit a copy of the decision by mail to the applicant, all owners and occupants of properties abutting, across the street or alley from, or having a common corner with the subject property, and persons who have filed a written request for the notice with the Department of City Planning.

E. Standards for Review and Required Findings

1. In approving a Modification of Entitlement, the decision maker shall find that the modification complies with all of the findings that apply to the original action.

F. Scope of Decision

1. See *Sec. 13A.2.7. (Scope of Decision)*.
2. Modification of Entitlement applications and approvals are only valid for permits or decisions which have not expired. A Modification of Entitlement does not suspend or extend the term grant of the original permit or decision.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Appealable in Same Manner as original Action

The initial decision on a Modification of Entitlement is appealable in the same manner as an appeal on the original action.

3. Scope of Appeal

An appeal of a Modification of Entitlement is an appeal of the requested modification; it is not an appeal of the entire project or grant as approved in the original action.

H. Modification of Entitlement

An approved Modification of Entitlement may be modified thereafter by following the same procedures established above for the original Modification of Entitlement.

SEC. 13B.5.5. REASONABLE ACCOMMODATION

A. Applicability

1. This *Section* establishes a formal procedure for an individual with a disability seeking equal access to housing to request a Reasonable Accommodation as provided by the Federal Fair Housing Amendments Act of 1988 and California's Fair Employment and Housing Act, and to establish criteria to be used when considering these requests.
2. The following definitions apply to this *Section*:

Acts. The Federal Fair Housing Amendments Act of 1988 and California's Fair Employment and Housing Act

Individual with a Disability. As defined under the Acts, a person who has a physical or mental impairment that limits one or more major life activities, anyone who is regarded as having that type of impairment or, anyone who has a record of that type of impairment.

Reasonable Accommodation. Providing an individual with a disability or developers of housing for an individual with a disability, flexibility in the application of land use and zoning regulations or policies (including the modification or waiver of certain requirements), when it is necessary to eliminate barriers to housing opportunities.

B. Initiation

1. A written request for Reasonable Accommodation from a land use or zoning regulation or policy shall be made on a form provided by the Department by any individual with a disability, his or her representative, or a developer or provider of housing for an individual with a disability.
2. A request for Reasonable Accommodation shall state the basis of the request including but not limited to a modification or exception to the regulations, standards and practices for the siting, development and use of housing or housing related facilities that would eliminate regulatory barriers and provide an individual with a disability equal opportunity to housing of his or her choice.
3. The Director may request additional information necessary for making a determination on the request for Reasonable Accommodation that complies with the fair housing law protections and the privacy rights of the individual with a disability to use the specified housing. If additional information is requested, the 45-day time period for making a determination on the request stops running until the additional information is provided.

Sec. 13B.5.5. Reasonable Accommodation

1 Initiation

APPLICANT

2 Submittal

COMPLETENESS
REVIEW

3 Decision

PLANNING DIRECTOR

APPROVE
OR
DENY

APPEAL AVAILABLE

C. Notice

1. Notice of Public Hearing

- a. There is no public hearing required on the initial decision of a Reasonable Accommodation, and therefore no notice of a public hearing is required.

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none">• In a newspaper of general circulation in the city, designated for that purpose by the City Clerk
Mail	24 days	<ul style="list-style-type: none">• The applicant;• The appellant;• The owner(s) of the property involved;• Owners of all properties abutting, across the street or alley from or having a common corner with the subject property; and• The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none">• The applicant will post notice in a conspicuous place on the property

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Decision Maker

The Director is the initial decision maker.

3. Decision

The Director shall issue a written determination to either grant, grant with modifications, or deny a request for Reasonable Accommodation within 45 days of the date the application is deemed complete, or within an extended period as mutually agreed upon in writing by the applicant and the Director.

4. Regulations Effective while Decision Pending

While a request for Reasonable Accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

5. Covenant

Prior to the issuance of any permits relative to an approved Reasonable Accommodation, the Director may require the applicant to record a covenant in the Los Angeles County Recorder's

office acknowledging and agreeing to comply with the terms and conditions established in the determination. The covenant is required only if the Director finds that a covenant is necessary to provide notice to future owners that a Reasonable Accommodation has been approved.

6. Transmittal

The Director shall transmit a copy of the written findings and decision to the applicant and to all owners of properties abutting the subject property. All written decisions shall give notice of the right to appeal and to request Reasonable Accommodation in the appeals process as set forth in *Subsection G. (Appeals)* of this *Section*.

E. Standards for Review and Required Findings

1. General

In approving a request for a Reasonable Accommodation, the Director or City Council (on appeal) shall find:

- a. That the housing, which is the subject of the request for Reasonable Accommodation, will be used by an individual with a disability protected under the Acts;
- b. That the requested accommodation is necessary to make housing available to an individual with a disability protected under the Acts;
- c. That the requested accommodation would not impose an undue financial or administrative burden on the City; and
- d. That the requested accommodation would not require a fundamental alteration in the nature of the City's land use and zoning program.

2. Coastal Zone Properties

- a. For housing located in the Coastal Zone, a request for Reasonable Accommodation under this *Section* shall be approved by the City if it is consistent with the requisite findings above, with *Chapter 3 (Coastal Resources Planning and Management Policies)* of the *California Coastal Act of 1976*, and with the interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 or the certified Local Coastal Program Land Use Plan for that area.
- b. Where a request for Reasonable Accommodation is not consistent with the regulations identified in *Paragraph a.* above, the City may waive compliance with an otherwise applicable provision of these regulations and approve the request for Reasonable Accommodation if the City finds:
 - i. That the requested Reasonable Accommodation is consistent, to the maximum extent feasible, with the regulations identified in this *Subsection*; and

- ii. That there are no feasible alternative means for providing an accommodation at the property that would provide greater consistency with the regulations identified in this *Subsection*.

F. Scope of Decision

1. See *Sec. 13A.2.7. (Scope of Decision)*.
2. If the Director grants the request, the request is granted to an individual and does not run with the land unless the Director determines that:
 - a. The modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with this Code; or
 - b. The accommodation is to be used by another individual with a disability.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The City Council is the appellate decision maker.

3. Filing

Only the aggrieved applicant and abutting owners who received notice of the Reasonable Accommodation determination have a right to appeal the decision.

4. Appellate Decision

- a. Before acting on any appeal, the City Council shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.
- b. The City Council shall act within 75 days after the expiration of the appeal period or within any additional period mutually agreed upon by the applicant and the City Council.
- c. The City Council will render its decision by resolution. A decision to reverse or modify the Director's decision, in whole or in part, shall only be adopted by at least a two-thirds vote of the whole Council.

H. Modification of Entitlement

A Reasonable Accommodation may be modified by following the same procedures established above for the original action.

DIV. 13B.6. NON-COMPLIANCE

SEC. 13B.6.1. EVALUATION OF NON-COMPLIANCE

A. Applicability

This *Section* establishes procedures to modify, discontinue, or revoke any discretionary zoning approval where needed to remedy non-compliance with the conditions of any conditional use or similar Quasi-judicial approvals.

B. Initiation

The Director, Zoning Administrator, or City Planning Commission (if the approval or conditional use was granted by the City Planning Commission) may initiate evaluation proceedings by notifying the business operator, property owner, or lessee(s) upon knowledge of the fact of non-compliance with the conditions of the discretionary zoning approval.

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing on the initial decision:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none">• Operator; and• Owner and lessee(s) of the property involved.

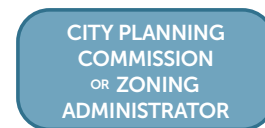
2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none">• Operator;• Owner and lessee(s) of the property involved;• Owners of all property within and outside of the City that is within 300 feet of the exterior boundaries of the property involved;• Residential, commercial and industrial occupants of the property involved, and all property within 300 feet of the exterior boundaries of the property involved; and• The Certified Neighborhood Council representing the area in which the property is located

Sec. 13B.6.1. Evaluation of Non-Compliance

1 Initiation

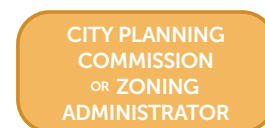


NOTICE

2 Review



3 Decision



REVOKE
OR
SUSPEND

APPEAL AVAILABLE

Type of Notice	When	Where / To Whom / Additional Requirements
Posting	10 days	<ul style="list-style-type: none"> The owner, lessee, or operator will post notice in a conspicuous place on the property

- b. If all property within the 300-foot radius is under the same ownership as the property involved in the proceeding, then the owners of all property which adjoins that ownership are included in the notification area.
- c. If the mailed notice within the required radius does not result in notice to at least 20 different owners of at least 20 different lots other than the subject property, then the notification radius will increase in increments of 50 feet until that number of owners and lots are within the expanded area.

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Decision Maker

The Zoning Administrator or the City Planning Commission, whichever was the initial decision maker on the original action, is the initial decision maker on an Evaluation of Non-Compliance. The City Planning Commission may delegate its authority in this matter to the Director.

3. Notice to Appear

- a. The Zoning Administrator or City Planning Commission may notify the record owner or lessee of the real property involved to appear at a time and place fixed by the Zoning Administrator or City Planning Commission and show cause why the discretionary zoning approval should not be repealed or rescinded, as the case may be.
- b. The Zoning Administrator or City Planning Commission shall set the matter for public hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this *Section*.

4. Decision

After the public hearing concludes, the Zoning Administrator or City Planning Commission may revoke, temporarily suspend, or impose further restrictions on the conditional use or other similar Quasi-judicial approval.

5. Fees

- a. A fee as set forth in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* for lots subject to this Zoning Code (Chapter 1A), shall be paid to the City within 30 days of the effective date of the decision by the Zoning Administrator or City Planning Commission.

- b. If an appeal is filed and the decision of the Zoning Administrator or City Planning Commission is upheld by the City Council on appeal, then the fee required by this Subsection shall be paid in full within 30 days of the effective date of the final decision. However, if the City Council reverses the decision of the Zoning Administrator or City Planning Commission then no payment of fees other than the appeal fee specified in Chapter I. (General Provisions and Zoning) Article 9 (Fees) for lots subject to Chapter I., or Article 15. (Fees) for lots subject to this Zoning Code (Chapter 1A) shall be required.

E. Standards for Review and Required Findings

The Zoning Administrator or City Planning Commission, or the Area Planning Commission (on appeal) or City Council (on appeal) may require modification, discontinuance, or revocation of any conditional use or other similar Quasi-judicial approval upon knowledge of the fact of a business operator, property owner, or lessee's non-compliance with the conditions of any conditional use or other similar Quasi-judicial approvals, and make the required findings for any action taken.

F. Scope of Decision

1. After corrective modification or imposition of new conditions, the property involved is allowed continuance of operation subject to compliance with all conditions.
2. After revocation, the property involved is subject to all the regulations of the zone in which the property is located, and as provided in this Code or as modified by the subject final revocation action.

G. Appeals

1. General Procedures

See Sec. 13A.2.8. (Appeals).

2. Decision Maker

- a. If the initial decision maker is the Zoning Administrator, the Area Planning Commission is the appellate decision maker.
- b. If the City Planning Commission is the initial decision maker, the City Council is the appellate decision maker.
- c. If the Zoning Administrator modifies conditions or imposes additional conditions as a part of the evaluation action, the appellate body is the appellate body on the original decision.

3. Filing

- a. Any person aggrieved by the Zoning Administrator's decision may appeal the decision to the Area Planning Commission.
- b. Any person aggrieved by the City Planning Commission's decision may appeal the decision to the City Council.

4. Appellate Decision

- a. Before acting on any appeal, the appellate body shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.
- b. The appellate body shall act within 75 days after the expiration of the appeal period. Failure to timely act is deemed a denial of the appeal, and is not further appealable.
- c. If the City Council is the appellate body, the City Council will render its decision by resolution. A decision to reverse or modify the initial decision, in whole or in part, shall be adopted by at least a two-thirds (2/3) vote of the whole Council.
- d. The City Council's decision on appeal shall be reviewable as an approval of a conditional use or other similar Quasi-judicial approval in the manner prescribed in *Sec. 13B.2.3.G. (Class 3 Conditional Use Permit; Appeals)*.

H. Modification of Action

No modification is available.

SEC. 13B.6.2. NUISANCE ABATEMENT/REVOCATION

Purpose. It is the intent of this *Section* to consolidate a number of existing Code provisions relating to the administrative abatement of public nuisances, and revocations, rescissions, discontinuances or modifications of discretionary zoning approvals. In addition, this *Section* also sets forth procedures allowing the Zoning Administrator to modify or remove conditions imposed as a result of nuisance abatement proceedings; to enforce conditions imposed as part of any discretionary zoning approval; and to require that the cost of a proceeding instituted pursuant to this *Section* be paid by those responsible for the maintenance and operation of the subject use.

These provisions allow the City's zoning authorities to protect the public peace, health and safety from any land use which becomes a nuisance; adversely affects the health, peace or safety of persons residing or working in the surrounding area; or violates any land use related condition imposed pursuant to this Code or other provision of law, while protecting the constitutional rights of the parties involved.

A. Applicability

1. Zoning Administrator Authority

The Zoning Administrator may require the modification, discontinuance, or revocation of any land use or discretionary zoning approval if it is found that the land use or discretionary zoning approval as operated or maintained:

- a. Jeopardizes or adversely affects the public health, peace, or safety of persons residing or working on the premises or in the surrounding area;
- b. Constitutes a public nuisance;
- c. Has resulted in repeated nuisance activities, including, but not limited to, disturbances of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, loitering, excessive littering, illegal parking, excessive loud noises (especially in the late night or early morning hours), traffic violations, curfew violations, lewd conduct, or police detentions and arrests;
- d. Adversely impacts nearby uses;
- e. Violates any provision of this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code, or any other city, state, or federal regulation, ordinance, or statute;
- f. Violates any condition imposed by a prior Legislative or discretionary land use approval; or

Sec. 13B.6.2. Nuisance Abatement/Revocation

1 Initiation



2 Review



3 Decision



APPEAL AVAILABLE

- g. Violates an approval initiated by application of a property owner or owner's representative related to the land use (including but not limited to a Parcel Map, Tentative Tract Map, or Coastal Development Permit).

2. Relationship to Other Code Provisions

The Zoning Administrator's authority in *Subdivision 1. (Zoning Administrator Authority)* above supersedes any provision of this Code to the contrary.

3. Continuation of Prior Decisions

- a. Prior administrative nuisance abatement decisions regarding land uses and discontinuances, revocations, rescissions or modifications of discretionary zoning approvals made by the Zoning Administrator, City Planning Commission, or the Council remain in full force and effect.
- b. It is unlawful to violate or fail to comply with any prior requirement or condition imposed by the Zoning Administrator, the former Board of Zoning Appeals, the City Planning Commission, or the City Council.
- c. Violation or failure to comply violates this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code and is subject to the same penalties as any other violation of this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code.
- d. To remedy a violation of an order of discontinuance or revocation, the Department of Building and Safety shall order the business operator, property owner or lessee(s) to vacate and secure all or any portion of the property, premises, or buildings - refer to *Chapter I. (General Provisions and Zoning), Sec. 91.9003 (Abatement Procedures)*. The Department of Building and Safety shall institute enforcement as provided in *Chapter I. (General Provisions and Zoning), Sec. 91.9003.4. (Enforcement)*.

B. Initiation

The Zoning Administrator may initiate a nuisance abatement proceeding by notifying the business operator, property owner, or lessee(s) as provided in this Section.

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing on the initial decision:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • Operator; • Owner(s) and lessee(s) of the property involved; • Owners of all property within and outside of the City that is within 500 feet of the exterior boundaries of the property involved; • Residential, commercial, and industrial occupants of the property involved, and all property within 500 feet of the exterior boundaries of the property involved; and • The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> • Operator must post in a conspicuous place on the property involved

- b. If all property within the 500 foot radius is under the same ownership as the property involved in the proceeding, then the owners of all property that adjoins that ownership are included in the notification area.
- c. If the mailed notice does not include at least 20 different owners of at least 20 different lots other than the subject property, then the notification radius will increase in increments of 50 feet until that number of owners and lots are within the expanded area.

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • Operator; • Owner(s) and lessee(s) of the property involved; • Owners of all property within and outside of the City that is within 500 feet of the exterior boundaries of the property involved; • Residential, commercial and industrial occupants of the property involved, and all property within 500 feet of the exterior boundaries of the property involved; and • The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> • Operator must post in a conspicuous place on the property involved

- b. If all property within the 500 foot radius is under the same ownership as the property involved in the proceeding, then the owners of all property that adjoins that ownership are included in the notification area.
- c. If the mailed notice does not include at least 20 different owners of at least 20 different lots other than the subject property, then the notification radius will increase in increments of 50 feet until that number of owners and lots are within the expanded area.

D. Decision

1. General Procedures

See Sec. 13A.2.5. (*Decisions*).

2. Decision Maker

The Zoning Administrator is the initial decision maker.

3. Filing

There is no filing, as this process can only be initiated by the Zoning Administrator.

4. Public Hearing and Decision

- a. The Zoning Administrator shall set the matter for public hearing, giving notice in the manner specified in *Subsection C. (Notice)* above. At this hearing the business operator, property, owner, or lessee(s) of the subject property shall be given an opportunity to show cause as to why the land use or discretionary zoning approval should not be modified, discontinued, or revoked.
- b. After the public hearing concludes, the Zoning Administrator may require the modification, discontinuance, or revocation of the land use or discretionary zoning approval.
- c. Any determination shall be supported by written findings, including a finding that the Zoning Administrator's determination does not impair the constitutional rights of any person. The written determination shall also state that failure to comply with any or all conditions imposed may result in the issuance of an order to discontinue or revoke the land use or discretionary zoning approval.

5. Conditions

- a. The Zoning Administrator may impose conditions of operation as needed to:
 - i. Protect the best interests of the surrounding property or neighborhood;
 - ii. Eliminate, lessen, or prevent any detrimental effect on the surrounding property or neighborhood; or
 - iii. Assure compliance with other applicable provisions of law or conditions of an earlier discretionary approval.
- b. Conditions imposed may include, but are not limited to:
 - i. The establishment of amortization schedules;
 - ii. The closure or removal of buildings or structures; or
 - iii. The establishment, maintenance, or operation of the subject use and related land uses, buildings, or structures.

c. Fee Condition

- i. Whenever the Zoning Administrator initiates an action pursuant to this *Section*, they shall impose a condition requiring payment of the fee (fee condition) set forth in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* for lots subject to this Zoning Code (Chapter 1A) to cover the City's costs in processing the matter. A fee is not required if the Zoning Administrator finds that the operation of the land use does not create a nuisance or that the property owner, business operator or person in control, is in substantial compliance with the conditions of operation.
- ii. The fee condition shall further provide that if the decision is not appealed, then the fee shall be paid in full to the City with confirmation of the payment being provided to the Zoning Administrator within 30 days of the decision date. If an appeal is filed and the decision of the Zoning Administrator is upheld on appeal, then the fee shall be paid in full with confirmation made to the Zoning Administrator within 30 days of the effective date of the decision. If the Council reverses in total the decision of the Zoning Administrator, then no payment of fees other than the appeal fee specified in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* for lots subject to this Zoning Code (Chapter 1A) shall be required.

d. Compliance Review

- i. Upon any finding of nuisance or non-compliance with existing conditions imposed on the land use or discretionary zoning approval, the Zoning Administrator's determination shall impose a condition requiring the business operator or property owner to file a Compliance Review application for Review of Compliance with Conditions within two years of the effective date, or the City may file an application on their behalf and a fee will be charged.
- ii. At the Zoning Administrator's discretion, the due date for the Compliance Review application can be set for 90 days, 180 days, one year, 18 months, or two years from the effective date of the Zoning Administrator's determination or the Council action on appeal.

6. Cost of Abatement

If the Zoning Administrator discontinues or revokes any land use or discretionary zoning approval pursuant to this *Section*, the full cost of the abatement, including the cost of inspection, becomes the personal obligation of the business operator, property owner, or person in control. If confirmed by the Council, a lien may be placed against the property in accordance with the procedures described in *Sec. 7.35.3. (Procedures to Confirm a Proposed Lien for Nuisance Abatement Costs and Code Enforcement Costs)* of the LAAC.

E. Standards for Review and Required Findings

In requiring the discontinuance or revocation of a land use or discretionary zoning approval, the Zoning Administrator or City Council (on appeal) shall find that:

1. The determination does not impair the constitutional rights of any person;
2. Prior governmental efforts to cause the owner or operator to eliminate the problems associated with the land use or discretionary zoning approval have failed (examples include formal action, such as citations, orders, or hearings by the Police Department, Department of Building and Safety, the Zoning Administrator, the City Planning Commission, or any other governmental agency); and
3. The owner or operator has failed to demonstrate, to the satisfaction of the Zoning Administrator, the willingness or ability to eliminate the problems associated with the land use or discretionary zoning approval.

F. Scope of Decision

1. General

After modification, discontinuance, or revocation, the property affected is subject to all the regulations of the zone in which the property is located, as provided in this Code or as modified by the subject final revocation action.

2. Violations

- a. It is unlawful to violate or fail to comply with any requirement or condition imposed by the Zoning Administrator or the City Council pursuant to this *Section*.
- b. Violation or failure to comply violates this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code and is subject to the same penalties as any other violation of this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code.
- c. If a violation of an order to discontinue or revoke a land use or discretionary zoning approval pursuant to this *Section* occurs, the Department of Building and Safety shall order the owner to vacate and secure the property, premises, buildings or portion of any property, premises or building pursuant to *Chapter I. (General Provisions and Zoning), Sec. 91.9003 (Abatement Procedures)*. The Department of Building and Safety shall institute enforcement as provided in *Chapter I. (General Provisions and Zoning), Sec. 91.9003.4. (Enforcement)*. The Zoning Administrator shall cause the determination or revocation to be recorded.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The City Council is the appellate decision maker.

3. Filing

Any person aggrieved by the Zoning Administrator's decision may appeal the decision to the City Council.

4. Decision

- a. Before acting on any appeal, the City Council shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.
- b. The City Council shall act within 75 days after the expiration of the appeal period. Failure to timely act is deemed a denial of the appeal.
- c. The City Council will render its decision by resolution. A decision to reverse or modify the Zoning Administrator's decision, in whole or in part, shall be adopted by at least a two-thirds vote of the whole City Council.
- d. If the City Council determines that the Zoning Administrator's decision impairs the constitutional rights of any person, then it shall modify the action accordingly, or remand the matter back to the Zoning Administrator for further action.

H. Modification of Decision

1. Any administrative nuisance abatement decision made pursuant to this Chapter or *Chapter I. (General Provisions and Zoning)*, any conditions imposed by that decision, or any decisions on a discretionary zoning approval pursuant to this *Section* may be modified pursuant to the provisions of this *Subsection*.
2. Upon application by the business operator, property owner, or lessee(s), the Zoning Administrator may add, modify, or eliminate the conditions of a prior decision.
3. An application may be considered if:
 - a. A time period of at least one year has passed from the effective date the conditions were originally imposed; or
 - b. There have been substantial changes in the nature and operation of the land use or discretionary zoning approval; or
 - c. There has been a change in circumstances such that continued enforcement of the previously imposed conditions is no longer reasonable or necessary.
4. An application shall be set for public hearing. The Zoning Administrator may grant or deny the requested application, or modify the prior decision, including imposing new or different substitute conditions as the Zoning Administrator deems appropriate.

5. No modification shall be approved pursuant to this *Subsection* unless the Zoning Administrator makes the following findings:
 - a. That the requirements for consideration of the application under this *Subsection* have been met; and
 - b. That due consideration has been given to the effects of the modification on surrounding properties.
6. An appeal from the decision of the Zoning Administrator may be taken to the City Council in the same manner as prescribed in *Subsection G. (Appeals)* of this *Section*.
7. When the Zoning Administrator orders the discontinuance or revocation of a land use or discretionary zoning approval and the applicant files for re-instatement of the land use pursuant to this *Subsection*, the Zoning Administrator may re-instate the land use if all findings of this *Subsection* are met. The applicant will not be issued a new Certificate of Occupancy.
8. Subsequent applications for consideration may be filed in accordance with this *Subsection*. If the application is denied with prejudice, a subsequent application for consideration shall not be filed within one year from the date the application was considered, and then only if a property owner, business operator or lessee(s) shows that the circumstances involving the land use or discretionary zoning approval have substantially and materially changed since it was last considered.

I. Revocations of Residential Uses

1. Applicability

This *Subsection* applies to all single-family and multi-family residential uses, including residential hotels as defined in *Chapter I. (General Provisions and Zoning), Sec. 47.73 T. (Definitions)*. This *Subsection* does not apply to hotels or motels that are not residential hotels. Nothing in this *Section* or *Chapter I. (General Provisions and Zoning), Sec. 91.9001 et seq. (General)* supersedes or abrogates the rights of tenants provided by State statute or by the Los Angeles Housing Code and Rent Stabilization ordinance, or by any other provision of this Code.

2. Process

The Zoning Administrator, as the initial decision maker, or the City Council on appeal, may ask the City Attorney to consider initiating the process of having the residential use placed in receivership pursuant to the *California Civil Code, Sec. 3479* and the *Code of Civil Procedure, Sec. 564(b)(9)* upon finding that:

- a. Prior governmental efforts to cause the owner or operator to eliminate the problems associated with the land use or discretionary zoning approval have failed (examples include formal action, such as citations, orders, or hearings by the Police Department, Department of Building and Safety, Los Angeles Housing Department, a Zoning Administrator, the City Planning Commission, or any other governmental agency); and

- b. That the owner or operator has failed to demonstrate, to the satisfaction of the Zoning Administrator, the willingness or ability to eliminate the problems associated with the land use or discretionary zoning approval.

3. Remedies

If the residential use is not placed in receivership and the Zoning Administrator, as the initial decision maker, or the Council on appeal, discontinues or revokes the land use or discretionary zoning approval, resulting in the displacement of tenants, the following provisions apply:

- a. The Los Angeles Housing Department shall identify each tenant who was displaced and is eligible for relocation assistance, and shall issue an order requiring the owner to pay relocation benefits in the amounts specified in *Chapter I. (General Provisions and Zoning), Sec. 151.09 G. (Evictions)*.
- b. If the owner fails to pay relocation benefits to an eligible tenant as required by this Subsection:
 - i. The Los Angeles Housing Department may advance relocation benefits to the tenant in the amount set forth in *Chapter I. (General Provisions and Zoning), Sec. 151.09 G. (Evictions)*; and
 - ii. The owner is liable to the City for any relocation payments advanced, and the Los Angeles Housing Department may obtain a lien upon the property pursuant to *Sec. 7.35.3 (Procedures to Confirm a Proposed Lien for Nuisance Abatement Costs and Code Enforcement Costs)* of the LAAC to recover the amount advanced and associated costs.
- c. Relocation benefits are not payable to any tenant who has caused or substantially contributed to the condition giving rise to an order to vacate issued pursuant to *Chapter I. (General Provisions and Zoning), Sec. 91.9003 (Abatement Procedures)*. The Zoning Administrator shall determine whether a tenant has caused or substantially contributed to the condition giving rise to the order to vacate.
- d. The Housing Department shall inform each eligible tenant of their right to re-rent the same unit, or comparable unit if the owner or subsequent owner, re-establishes the residential use. The Housing Department shall inform the eligible tenant that they must advise the owner in writing of their interest in re-renting and must provide the owner with an address to which the owner can direct an offer.
- e. When the residential use is re-established, the accommodations shall be offered, and rented or leased at the lawful rent in effect at the time the residential use was discontinued or revoked, plus annual adjustments available under *Chapter I. (General Provisions and Zoning), Sec. 151.06. (Automatic Adjustments)*.

- f. The Zoning Administrator's determination or the City Council's action shall include the provisions of this *Subsection* and shall be recorded as a covenant with the Los Angeles County Recorder.

SEC. 13B.6.3. BUILDING PERMIT REVOCATION

A. Applicability

This *Section (Building Permit Revocation)* applies where this Code expressly authorizes building permit revocation, including when a use or structure with a valid Certificate of Occupancy and/or a valid permit that violates any applicable LAMC standards for an outdoor dining area, including but not limited to *Sec. 4C.4.1.E.12. (Outdoor Dining Area Parking Exception)*, *Sec. 5C.2.4.B (Eating & Drinking)*, *Sec. 5C.1.10. (Amplified Sound Restrictions)*, *Sec. 5C.3.3.G.6. (Outdoor Dining Area Administrative Alcohol Authorization)*, or *Chapter XI. (Noise Regulation)* of this Code.

B. Initiation

1. Revocation Proceedings Resulting from Citations and Other Enforcement Mechanisms

- a. Regardless of any previous corrective actions or payments of fines and fees, any combination of four or more Notice to Appear Citations, Orders to Comply, Notices of Violation, or Administrative Citations issued by Los Angeles Police Department, Department of Building and Safety or other City departments for any violation under the provisions noted above in *Subsection A. (Applicability)* may result in revocation proceedings for any issued Certificate of Occupancy or permits, or both.
- b. The revocation proceedings shall commence by issuance of a Notice of Intent to Revoke ("Notice"), which shall be sent to the owner of the property and the restaurant operator of the outdoor dining area. The Notice shall state the following:
 - i. The date and place of the revocation hearing, which shall be scheduled at least 15 days and not more than 90 days from the date of issuance of the Notice.
 - ii. A list of all violations under the LAMC provisions noted above in *Subsection A. (Applicability)* for which a Notice to Appear Citation, Order to Comply, Notice of Violation, or Administrative Citation was issued by Los Angeles Police Department, Department of Building and Safety, or other City department.
 - iii. Copies of all Notice to Appear Citations, Order to Comply, Notices of Violation, and Administrative Citations related to these violations, unless the copies were previously furnished to the owner or operator.
 - iv. The owner or operator is entitled to be represented by legal counsel at any revocation hearing.

C. Notice of Public Hearing

The following notice is required for the public hearing held by the Board of Building and Safety Commissioners.

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	5 days	<ul style="list-style-type: none">• Operator;• Owner(s) and lessee(s) of the property involved;• Complainant;• All interested parties

D. Decision

1. General Procedures

- a. See *Sec. 13A.2.5. (Decisions)*.
- b. See *Chapter IX. (Building Regulations), Sec. 98.0601. (Purpose)* of this Code.

2. Decision Maker

The Board of Building and Safety Commissioners is the initial decision maker.

3. Filing

There is no filing as this process can only be initiated by the Department of Building and Safety.

4. Public Hearing & Decision

- a. On the date specified in the Notice, a revocation hearing shall be held before the Board of Building and Safety Commissioners. The Board of Building and Safety Commissioners shall determine whether the Certificate of Occupancy or permit, or both, shall be revoked. Revocation shall be ordered by the Board of Building and Safety Commissioners for multiple violations of the applicable LAMC regulations, four or more Notice to Appear Citations, Orders to Comply, Notice of Violation, or Administrative Citations issued to the property owner of record or restaurant operator by the Los Angeles Police Department, the Department of Building and Safety, or any other City department.
- b. In making its determination, the Board of Building and Safety Commissioners may hear from the owner, restaurant operator, or other interested party.
- c. The determination of the Board of Building and Safety Commissioners is final.

5. Reversion of Uses

- a. Upon the Board of Building and Safety Commissioners' determination to revoke any Certificate of Occupancy or permits issued to authorize an outdoor dining area, the Board of Building and Safety Commissioners may order the owner or restaurant operator to obtain all necessary permits to remove all improvements in the outdoor dining area.

- b. The Board of Building and Safety Commissioners may order the restaurant operator to obtain all necessary permits to restore the use and condition that existed prior to the development of the outdoor dining area or convert the outdoor dining area to a conforming use.

E. Scope of Decision

1. Permit Suspension Period

- a. The Board of Building and Safety Commissioners may determine that no new Certificate of Occupancy or permits authorizing an outdoor dining area shall be issued for a period of up to 12 consecutive months, as counted from the date the revocation determination is made by the Board of Building and Safety Commissioners.
- b. Each violation of the Code and each day of operation without a Certificate of Occupancy or a building permit is a misdemeanor.

F. Appeals

There is no appeal.

DIV. 13B.7. **DIVISION OF LAND**

SEC. 13B.7.1. **GENERAL PROVISIONS**

A. **Purpose**

1. The purpose of this *Division (Division of Land)* is to process requests for the division of land, within the City of Los Angeles, to provide for the dedication of land, the payment of fees in lieu thereof, or a combination of both, for the acquisition and development of park and recreation sites and facilities to serve the future inhabitants of the subdivision, and to supplement the provisions of the Subdivision Map Act concerning the design, improvement and survey data of subdivisions, and the form and content of tentative tract maps and final maps.
2. The established procedures to be followed in securing the official approval of the City of Los Angeles on such maps must be done pursuant to *Div. 13B.7. (Division of Land)*, in a manner that is consistent with the applicable General Plan and Specific Plans as well as state law and the public health, safety and welfare.
3. It is also the intention of this *Division (Division of Land)* that the subdividing of land in the City of Los Angeles be done in accordance with the grading regulations of the City contained and set forth in *Chapter IX. (Building Regulations), Article 1. (Buildings [Building Code])* and to establish when possible beauty and attractiveness in the hills consistent with watershed drainage, erosion and fire control requirements, and good engineering practices.
4. Time limits expressed in this *Division (Division of Land)* shall be consistent with the state Subdivision Map Act where applicable and as the Subdivision Map Act may amended from time to time.

B. **Applicability**

1. For lots subject to *Chapter I. (General Provisions and Zoning)* the processes in this *Division (Division of Land)* are established by the regulations in *Chapter I. (General Provisions and Zoning), Article 7. (Division of Land Regulations)* of this Code. For lots subject to this Chapter the processes in this *Division (Division of Land)* are established by the regulations in *Article 11. (Division of Land)*.

2. **Interpretation**

This *Division, Article 11. (Division of Land)* of this Zoning Code (Chapter 1A), and *Chapter I. (General Provisions and Zoning), Article 7 (Division of Land Regulations)* shall not be interpreted or construed to invalidate any previous act on the part of the City approving or authorizing private streets, or authorizing the issuance of building permits for structures on lots served by private streets.

3. Subdivision Violation

Any deed of conveyance, sale, or contract to sell made contrary to the provisions of the subdivision review regulations of this *Division* is voidable to the extent and in the same manner as is provided for in *Subdivision Map Act, Sec. 66499.32 (Remedies)*.

C. Advisory Agency

1. Establishment

The Director acts in the capacity of the Advisory Agency for the City pursuant to *Subdivision Map Act, Sec. 66415 (Definitions)* and the *City Charter, Sec. 553 (Director of Planning)*.

The Director is authorized to act in such capacity through one or more deputies who are appointed by him/her for that purpose. The Director, with the concurrence of the Chief Zoning Administrator, may designate an Associate Zoning Administrator to perform these additional functions.

2. Authorities and Duties

- a. The Advisory Agency is charged with the duty of making investigations and reports on the design and improvement of proposed subdivisions, of requiring the dedication of land, the payment of fees in lieu thereof, or a combination of both, for the acquisition and development of park and recreation sites and facilities, and is hereby authorized to approve, conditionally approve, or disapprove tentative tract maps of proposed subdivisions, private streets and such maps as are provided for herein, to prescribe the design, kinds, nature and extent of improvements required to be installed in connection therewith and to report directly to the subdivider the action taken on the tentative tract map.
- b. In taking any such action, the Advisory Agency is authorized to include or omit in whole or in part the reports or recommendations of the other concerned officials or City departments, except that the Advisory Agency may not omit any mandatory requirements relating to public health or safety recommended by such other officials or departments in the exercise of their duties prescribed by law. Before approving the omission of any report or recommendation made by such officials or departments the Advisory Agency shall submit the matter to the members of the Subdivision Committee for consideration at a regular meeting.

D. Subdivision Committee

1. Establishment

There is hereby created a Subdivision Committee.

2. Composition

- a. This committee is composed of the following officers of the City or their duly authorized representatives:

- i. The City Engineer;
 - ii. The Superintendent of Building;
 - iii. The Chief Engineer of the Department of Fire;
 - iv. The Chief Engineer and General Manager of the Department of Water and Power;
 - v. The General Manager of the Department of General Services;
 - vi. The General Manager of the Department of Recreation and Parks;
 - vii. The General Manager of the Department of Transportation; and
 - viii. The Director of the Bureau of Street Lighting of the Department of Public Works.
- b. For purposes of reviewing and submitting recommendations to the Advisory Agency on mobile home park closure impact reports pursuant to *Chapter IV. (Public Welfare), Sec. 47.09 (Mobile home Park Closure Report)* of this Code only, the Subdivision Committee shall also include a representative of the Rent Stabilization Division of the Los Angeles Housing Department, in addition to the above listed representatives.

3. Authorities and Duties

- a. It shall be the duty of the Subdivision Committee to meet with the Advisory Agency and make recommendations upon all tentative tract maps, private street maps, and other matters that are presented to it by the Advisory Agency. The Committee shall hold regular meetings for this purpose. All such meetings shall be open to the public and any persons having an interest in pending maps may be heard.
- b. The General Manager of the Department of Recreation and Parks shall submit a report to the Advisory Agency respecting each application for subdivision approval. Said report shall contain recommendations, approved by the Board of Recreation and Park Commissioners, specifying the land to be dedicated, the payment of fees in lieu thereof, or a combination of both for the acquisition and development of park or recreational sites and facilities to serve the future inhabitants of such subdivision, all in accordance with the limitations specified in *Chapter I. (General Provisions and Zoning), Section 17.12 (Park and Recreation Site Acquisition and Development Provisions)* for lots subject to Chapter I., or *Article 11.1.3.N. (Park and Recreation Sites)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter. To the extent possible, the report shall also specify when the development of the park or recreational facilities will be commenced.

SEC. 13B.7.2. PARCEL MAP EXEMPTION/LOT LINE ADJUSTMENT

Reference: *California Government Code, Sec. 66412.*

Sec. 13B.7.2. Parcel Map Exemption/Lot Line Adjustment

A. Applicability

This *Section* establishes a process to exempt parcel map regulations in two situations:

1. Land divisions that are exempt from parcel map review by state law; and
2. Lot Line Adjustments.

B. Initiation

An application for a Parcel Map Exemption/Lot Line Adjustment is filed with the Department.

C. Notice

1. Notice of Public Hearing

There is no public hearing required for the initial decision on a Parcel Map Exemption/ Lot Line Adjustment, and therefore no notice of a public hearing is required.

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Decision Maker

- a. The Advisory Agency shall review the application and approve or deny or Lot Line Adjustment.
- b. The Advisory Agency shall transmit the decision to the applicant and all persons to whom notification of the Preliminary Parcel Map is required by law.

E. Standards for Review and Required Findings

A Lot Line Adjustment is exempt from the parcel map regulations if the Advisory Agency or the Appeal Board determines that all the following conditions exist:

1. A Lot Line Adjustment is made between four or fewer existing adjoining lots or parcels and the land taken from one lot or parcel is added to an adjoining lot or parcel;
2. The resulting number of lots or parcels remains the same or decreases; and

① Initiation



② Submittal



③ Decision



3. The parcels or lots resulting from the Lot Line Adjustment will conform to the local General Plan, any applicable coastal, specific, and community plans, and zoning and building ordinances.

F. **Scope of Decision**

An approved Lot Line Adjustment does not expire. The approval is effective unless the applicant chooses to divide its property in a way that requires further subdivision review.

G. **Appeals**

1. **General Procedures**

See *Sec. 13A.2.8. (Appeals)*.

2. **Subdivision Appeal**

The action of the Advisory Agency may be appealed in accordance with *Sec. 13B.7.8. (Subdivision Appeal)*.

H. **Modification of Entitlement**

No modification is available.

SEC. 13B.7.3. TENTATIVE TRACT MAP

A. Applicability

This *Section* applies to tentative tract maps. A “tentative tract map” is a map made to show the design of a proposed subdivision creating five or more parcels, five or more condominiums, or five or more units in a community apartment project or stock cooperative, and showing the existing conditions in and around it and need not be based upon an accurate or detailed final survey of the property.

B. Initiation

An application for a tentative tract map, including all required materials, is filed with the Department.

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing on the initial decision by the Advisory Agency:

1 Initiation

APPLICANT

2 Submittal

COMPLETENESS
REVIEW

3 Review

SUBDIVISION
COMMITTEE REPORT
& RECOMMENDATION

NOTICE

4 Decision

ADVISORY AGENCY
HEARING

APPROVE
OR
DENY

APPEAL AVAILABLE

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	10 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the city, designated for that purpose by the City Clerk
Mail	10 days	<ul style="list-style-type: none"> Owners of all property located within 500 feet of the proposed subdivision; All residential, commercial, and industrial occupants of all property located within 500 feet of the proposed subdivision; and The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

2. Notice of Public Hearing — Condominium and Stock Cooperative Notice

- a. The following provisions apply only to cases where property is proposed for subdivision into condominiums, stock cooperatives, or community apartments, whether by new construction or by conversion of an existing building. In these cases, notice of the public hearing shall also be given to tenants as provided in this *Subdivision*.

- b. The following notice is required for the public hearing on the initial decision by the Advisory Agency:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	15 days	<ul style="list-style-type: none"> In addition to the notice provided in <i>Subdivision 1. (Notice of Public Hearing)</i> above, all names shown on a current list of tenants of the property proposed for <u>subdivision</u>. The <u>subdivider</u> shall provide the current list, which shall include the name and address of one tenant in each rental unit on the property.

- c. In addition to the notice provisions for the public hearing, additional notice requirements may apply pursuant to: *Chapter I. (General Provisions and Zoning), Sec. 12.95.2 (Conversion Projects: Residential)* and *Sec. 12.95.3 (Conversion Projects: Commercial/ Industrial)*; or *Div. 11.5. (Condominiums, Community Apartments, & Stock Cooperatives)* of this Zoning Code (Chapter 1A), as applicable.

d. Notice of Subdivision Approval

- i. The subdivider shall give written notice of any subdivision approval to at least one tenant in each rental unit on the property within 30 days of the approval.
- ii. The subdivider or record owner of the property for which a subdivision application is pending or approved shall give notice of that fact to any prospective tenant of the property before entering into any written or oral rental agreement with the prospective tenant.
- iii. This *Subdivision* may be enforced through a tentative tract map condition or a covenant running with the land.

3. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal by the Appeal Board or City Council:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	As required by state law	<ul style="list-style-type: none"> <u>Subdivider</u>; <u>Appellant</u>; <u>Advisory Agency</u>; <u>Appeal Board</u> (only on appeal to the City Council); and The Certified Neighborhood Council representing the area in which the property is located

D. Decision

1. General Procedures

See Sec. 13A.2.5. (*Decisions*).

2. Decision Maker

The Advisory Agency is the initial decision maker.

3. Recommendation of Subdivision Committee

- a. Upon receipt of a complete application, the Department shall forthwith furnish a copy of the certified list of names and addresses and a copy of the area map to the Bureau of Engineering and copies of the tentative tract map to each member of the Subdivision Committee and to any other departments or public agencies which the Advisory Agency had determined may have an interest in the proposed subdivision.
- b. The Subdivision Committee shall examine the map and property, and submit their reports and recommendations to the Advisory Agency, as follows:
 - i. The reports must be submitted in writing.
 - ii. The reports shall be made within 39 calendar days after the map is filed. The Advisory Agency may extend this time period.
- c. The Subdivision Committee shall submit copies of their reports to the subdivider when they are submitted to the Advisory Agency. This requirement is complied with when the reports or recommendations are mailed. Failure of any member of the committee to submit a timely report in writing is construed as indicating that the member has no recommendation to submit concerning the tentative tract map.

4. Action of Advisory Agency

- a. The Advisory Agency shall not act upon any tentative tract map until 39 days' time has elapsed from the filing of the map, unless reports have been received from each member of the Subdivision Committee. Where said reports have been mailed to the subdivider within the 39-day period, the Advisory Agency shall not act until five days' time has elapsed from the date of mailing of a copy of all such reports to the subdivider. Every Tentative Tract Map shall be considered by the Advisory Agency at a public meeting.
- b. The Advisory Agency shall conduct a public hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this Section, and approve, conditionally approve, or disapprove the tentative tract map within 50 calendar days after the map is filed with the City.
- c. When the Advisory Agency takes action on the tentative tract map:

- i. The Advisory Agency shall report its action in writing directly to the subdivider and a copy of the tentative tract map showing the action taken by the Advisory Agency on it shall be returned to the subdivider.
- ii. The City Engineer and the Department of Transportation shall be notified of the Advisory Agency's action.

5. Condition Consistency

If the final decision maker imposes a condition as part of an action on a related application that differs from a condition of approval on a Tentative Tract Map, then the Advisory Agency shall have the authority to make the Tentative Tract Map conditions consistent with the final decision maker's action.

E. Standards for Review and Required Findings

In approving a Tentative Tract Map, the Advisory Agency shall find that:

1. The proposed map will be/is consistent with applicable General and Specific Plans;
2. The design and improvement of the proposed subdivision are consistent with applicable General and Specific Plans;
3. The site is physically suitable for the proposed type of development;
4. The site is physically suitable for the proposed density of development;
5. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
6. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems;
7. The design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision; and
8. The design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

F. Scope of Decision

1. General

See Sec. 13A.2.7. (Scope of Decision).

2. Time Limit for Final Map Filing

- a. Within 36 months after the approval or conditional approval of the Tentative Tract Map, the subdivider shall cause the proposed subdivision to be accurately surveyed and a final map prepared and filed with the City Engineer. The failure of a subdivider to file a map with the City Engineer within that period and to have the map submitted by the City Engineer to the City Clerk within the specified time limit shall automatically terminate and void the proceedings unless the time is extended by the Advisory Agency or the Appeal Board, upon appeal from a denial of the extension by the Advisory Agency.
- b. The time limit for filing the final map with the City Engineer and submittal by the City Engineer of the final map to the City Council may be extended for a period or periods not exceeding a total of 72 months.

c. Exception

The term of a tentative tract map approval shall be automatically extended pursuant to the provisions of *California Government Code, Sec. 66452.21, Sec. 66452.22, and Sec. 66452.23.*

3. Disapproval and Subsequent Approval

When the Advisory Agency has disapproved a tentative tract map of a proposed subdivision, it may subsequently approve a new tentative tract map for the same property if it determines that arrangements are included to correct the conditions that caused the original disapproval, within the time limits specified in *Subdivision 2. (Time Limit for Final Map Filing)* above.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The Appeal Board and the City Council are the appellate decision makers.

3. Appeal Board

a. Filing

Appeals to the Appeal Board shall be filed in duplicate, in a public office of the Department of City Planning on forms provided for that purpose within 10 days of the date of mailing of the written decision of the Advisory Agency and shall be accompanied by the fee required in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter. No appeal shall be considered filed until the form has been properly completed and all information required by it has been submitted. The completed appeal form and file

shall then immediately be transmitted to the Appeal Board Secretary for a public hearing before the Appeal Board.

b. Who May File

The subdivider, the Mayor, any member of the City Council, or any other interested person adversely affected by the proposed subdivision may appeal any action of the Advisory Agency with respect to the tentative tract map or the kind, nature or extent of the improvement required to the Appeal Board.

c. Hearing and Notice

- i. The Appeal Board, upon notice to the subdivider, the appellant, the Advisory Agency, and any other parties required to be noticed by *Subsection C.3. (Notice; Notice of Public Hearing on Appeal)* above, shall hear the appeal within 30 days after it is filed, unless the time to act is extended by mutual agreement.
- ii. At the time established for the hearing, the Appeal Board shall hear the testimony of the subdivider, the appellant, the Advisory Agency, and any witnesses on their behalf. The Appeal Board may also hear the testimony of other persons with respect to the character of the neighborhood in which the subdivision is to be located, the kind, nature and extent of improvements, the quality or kinds of development to which the area is best adapted or any other phase of the matter into which the Appeal Board may desire to inquire.

d. Decision

- i. Upon conclusion of the hearing, the Appeal Board shall within 10 days render its decision on the appeal based upon the testimony and documents produced before it.
- ii. The Appeal Board may sustain, modify, reject, or overrule any recommendations or ruling of the Advisory Agency, and shall make findings consistent with the provisions of this Section and the Subdivision Map Act.
- iii. Failure to timely act is deemed a denial of the appeal. The decision from which the appeal was taken shall be deemed affirmed and an appeal may be filed and taken to the City Council.

4. City Council

a. Who May File

The subdivider, the Mayor, any member of the City Council, the Advisory Agency, or any other interested person adversely affected by the proposed subdivision may appeal any action of the Appeal Board to the City Council.

b. Filing

Appeals to the City Council shall be filed in duplicate, in a public office of the Department of City Planning on the forms provided for that purpose within 10 days of the date of mailing of the written decision of the Appeal Board and shall be accompanied by the fee required in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter. No appeal shall be considered filed until the form has been properly completed and all information required by it has been submitted. The completed appeal form and file shall then immediately be transmitted to the City Clerk for a public hearing before the City Council.

c. Hearing and Notice

- i. The City Council shall hear the appeal within 30 days after it is filed, unless the time to act is extended by mutual agreement. The Council shall give notice of the hearing to the subdivider, the appellant, the Appeal Board, the Advisory Agency, and any other parties required to be noticed by *Subsection C.3 (Notice; Notice of Public Hearing on Appeal)* above.
- ii. At the time established for the hearing, the Council or its Committee shall hear the testimony of the subdivider, the appellant, the Advisory Agency, and any witnesses on their behalf. The City Council may also hear the testimony of other competent persons with respect to the character of the neighborhood in which the subdivision is to be located, the kind, nature and extent of improvements, the quality or kinds of development to which the area is best adapted or any other phase of the matter into which the City Council may desire to inquire.

d. Decision

- i. Upon conclusion of the hearing, the City Council shall within 10 days render its decision on the appeal based upon the testimony and documents produced before it.
- ii. The City Council may sustain, modify, reject, or overrule any recommendations or ruling of the Appeal Board, and shall make findings consistent with the provisions of this *Section* and the Subdivision Map Act.
- iii. Failure to timely act is deemed a denial of the appeal. The decision from which the appeal was taken shall be deemed affirmed. It shall be the duty of the City Clerk to issue the decision. Note: See *California Government Code, Sec. 66452.5*.

H. Modification of Entitlement

1. The Advisory Agency may grant modifications to any of the provisions of *Chapter I. (General Provisions and Zoning), Article 7 (Division of Land Regulations), or Article 11 (Division of Land)* of this Zoning Code (Chapter 1A) on its own initiative or upon recommendation of any member of the Subdivision Committee whenever the property to be divided is of such size or

shape, is subject to such title limitations of record, is affected by such topographical location or subsurface or topographical conditions, is to be devoted to such use, is subject to such regulation by the provisions of *Chapter I. (General Provisions and Zoning), Article 1. (General Provisions)* that it is impractical to conform to the strict application of the requirements of *Chapter I. (General Provisions and Zoning), Article 7 (Division of Land Regulations)* to lots subject to this Chapter, or *Article 11 (Division of Land)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

2. Such modification may be made by the Advisory Agency prior to its action on the tentative tract map without specific or written application therefore by the subdivider.
3. After the tentative tract map has been acted upon by the Advisory Agency, however, no such modification may be granted by the Advisory Agency except upon compliance with the following requirements:
 - a. A request for modification shall be submitted by the subdivider in writing, setting forth the facts relied upon.
 - b. Such request shall clearly indicate that the modification is reasonably necessary and is in conformity with the spirit and intent of *Chapter I. (General Provisions and Zoning), Article 7 (Division of Land Regulations)* for lots subject to Chapter I., or *Article 11 (Division of Land)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter, and the Subdivision Map Act.
4. The actions of the Advisory Agency on a request for a modification after approval of the tentative tract map may be appealed in the same manner and subject to the same restrictions which apply to appeals from the action of the Advisory Agency on tentative tract maps. However, in no event shall such appeals be construed as extending the time limit within which to record a Final Map.

5. **Modification of Conditions**

The Advisory Agency is authorized to approve or disapprove requests by a subdivider for minor modifications in the Conditions of Approval for a tentative tract map, but such action shall not extend the time for filing of a final map with the City Engineer. Such decisions shall be made in accordance with the provisions of this *Section* and shall be subject to the same appeal as is provided for appeals from the decisions of the Advisory Agency on tentative tract maps.

I. **Vesting Tentative Map**

1. **Applicability**

Whenever the Subdivision Map Act requires a tentative tract map to be filed, the applicant may choose to file a vesting tentative tract map instead. The City shall not require the filing of a vesting tentative tract map as a prerequisite to any approval for any proposed subdivision, permit for construction or work preparatory to construction.

2. Filing an Application

- a. A vesting tentative tract map shall be filed on the same form and have the same contents, accompanying data and reports and shall be processed in the same manner as set forth in this *Section* for a tentative tract map except as hereinafter provided. At the time a vesting tentative tract map is filed, it shall have printed conspicuously on its face the words "Vesting Tentative Map". If it is known at the time of filing that an additional approval (such as a variance or Coastal Development Permit) is necessary, the application for such additional approval shall be filed prior to or simultaneously with the vesting tentative tract map.
- b. At the time a vesting tentative tract map is filed, a subdivider shall provide all information required in connection with the filing of a tentative tract map by this Code, including the information required by *Chapter I. (General Provisions and Zoning), Sec. 17.06 B. and C. (Tentative Map and Appeals)*.
- c. Where the proposed subdivision is in a designated Hillside Area, the Advisory Agency shall require the filing of a proposed grading plan pursuant to *Chapter I. (General Provisions and Zoning), Sec. 17.05 L. (Design Standards; Grading Plans)* for lots subject to *Chapter I., or Section 11.1.3.J. (Subdivision Design Standards; Grading Plans)* for lots subject to this Zoning Code (Chapter 1A), and may not waive the requirement to file preliminary soils report pursuant to *Chapter I. (General Provisions and Zoning), Sec. 17.05 U. (Design Standards; Preliminary Soils Report)* for lots subject to *Chapter I., or Sec. 11.1.3.Q. (Subdivision Design Standards; Preliminary Soils Report)* for lots subject to this Zoning Code (Chapter 1A).
- d. A subdivider shall also indicate whether the proposed subdivision is in the vicinity of the Mulholland Scenic Parkway and the dedication of land for such purposes may be necessary. In addition, if design review of the proposed subdivision is required by the applicable community or district plan or by a Specific Plan, the subdivider shall provide the information necessary for such review. The plan of building envelope shall be submitted, showing the height, size, number of units and approximate location of buildings, driveways and any proposed exterior garden walls.

3. Expiration

The approval or conditional approval of a vesting tentative tract map expires at the end of the same time period, and is subject to the same extensions established by *Subsection F. (Scope of Decision)* of this *Section* for the expiration and extension of the approval or conditional approval of a tentative tract map.

4. Development Rights

- a. The approval or conditional approval of a vesting tentative tract map shall confer:

- i. A vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect on the date the application is deemed complete; and
 - ii. With the conditions of approval imposed and specifically enumerated by the Director, including the submittal of a detailed grading plan under an approved grading permit prior to recordation of the final map.
- b. These development rights do not include exemptions from subsequent changes in the Building and Safety and Fire regulations (*Chapter V.* and *Chapter IX.* of this Code) and policies and related standards.
- c. A permit, approval, extension, or entitlement of a vesting tentative tract map may be conditioned or denied if the Advisory Agency, or the Appeal Board or the City Council on appeal, determines:
 - i. A failure to do so would place the occupants of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both; or
 - ii. The condition or denial is required in order to comply with state or federal law.
- d. The rights conferred by a map approved or conditionally approved pursuant to this *Section* expire if a final map is not recorded prior to the expiration of the vesting tentative tract map as provided in *Subdivision 3. (Expiration)* above. If the final map is recorded, the rights conferred by this *Section* are effective for the following time period:
 - i. An initial time period of two years beyond the recording of the final map. Where several final maps are recorded on various phases of a project covered by a single vesting tentative tract map, this initial time period begins for each phase when the final map for the phase is recorded. Note: See *California Government Code, Sec. 66498.5*.
 - ii. The initial time period set forth in *Subparagraph i.* above is automatically extended by any time used thereafter by the City to process a complete application for a grading permit or for design or architectural review, if that time exceeds 30 days, from the date a complete application for that permit or review is filed.
 - iii. A subdivider may apply to the Advisory Agency for a one-year extension at any time before expiration of the initial time period set forth in *Subparagraph i.* above. Denial of the time extension may be appealed to the City Council within 15 days by the subdivider.
 - iv. If the subdivider submits a complete application for a building permit during the periods of time specified in *Subparagraphs i. - iii.* above, the rights conferred by this *Section* continue until that permit expires.

- e. Consistent with *Paragraph a.* and *Paragraph b.* above, an approved or conditionally approved vesting tentative tract map does not limit the City from imposing reasonable conditions on subsequently required approvals or permits necessary for the development and authorized by the ordinances, policies, and standards described in *Paragraph a.* and *Paragraph b.* above.
- f. If the ordinances, policies, or standards described in *Paragraph a.* and *Paragraph b.* above are changed subsequent to the approval or conditional approval of a vesting tentative tract map:
 - i. The subdivider, or his or her assignee, at any time prior to the expiration of the vesting tentative tract map, may apply for an amendment to the vesting tentative tract map to secure a vested right to proceed with the changed ordinances, policies, or standards.
 - ii. An application shall clearly specify the changed ordinances, policies, or standards for which the amendment is sought. In addition, such application shall conform to the provisions relating to modifications of tentative tract maps set forth in *Subsection H. (Modification of Entitlement)* above.

5. Development inconsistent With Zoning – Conditional Approval

- a. Whenever a subdivider files a vesting tentative tract map for a subdivision whose intended development is inconsistent with this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code in existence at that time, that inconsistency shall be noted on the map.
- b. The City may deny the vesting tentative tract map or approve it conditioned on the subdivider obtaining the necessary change in this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code to eliminate the inconsistency. If the change in this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code is obtained, the approved or conditionally approved vesting tentative tract map shall confer the vested right to proceed with the development (superseding *Paragraphs a.* and *b.* above) in substantial compliance with the change in this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code, as approved.
- c. The rights conferred by this *Subdivision* continue for the time periods set forth in *Subdivision 4.d. (Development Rights)* above.

SEC. 13B.7.4. FINAL TRACT MAP

A. Applicability

This *Section* applies to the approval of a final map after a tentative tract map is approved.

B. Initiation

1. A final map is filed with the City Engineer in compliance with the provisions of *Chapter I. (General Provisions and Zoning), Article 7 (Division of Land Regulations)* for lots subject to Chapter I., or *Article 11 (Division of Land)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter. Final maps shall conform substantially to the approved tentative tract map.
2. When a final map covers only a portion of the property shown on the tentative tract map, it shall be submitted to the Advisory Agency for its approval prior to submission to the City Engineer.

C. Notice

1. Notice of Public Hearing

There is no public hearing required for a final map, and therefore no notice of a public hearing is required.

D. Decision

1. Decision Maker

The City Council is the decision maker.

2. City Engineer Certification

- a. In addition to the certificates required by the Subdivision Map Act, the City Engineer shall certify that the subdivision substantially conforms to the approved tentative tract map, and the required public improvements have been installed or agreed to be installed.
- b. If any portion of a subdivision is located in a Hillside Area, it shall not be certified by the City Engineer until the Superintendent of Building submits a report that the Hillside Area is or will be graded in accordance with approved plans as required by *Chapter IX. (Building Regulations), Article 1. (Buildings [Building Code])* of this Code, and that the applicant has entered into an agreement to provide the necessary grading.

Sec. 13B.7.4. Final Tract Map

1 Initiation



2 Submittal



3 Review



4 Decision



3. City Council Acceptance

After the City Engineer certifies the final map in any offers of dedication, the City Council will approve or disapprove the final map in accordance with *California Government Code, Sec. 66458*.

E. Standards for Review and Required Findings

1. The final map shall be accepted by the City Council provided:
 - a. The necessary improvements as set forth in the approval of the tentative tract map have been installed and approved by the City, or provided the subdivider submits satisfactory improvement plans together with the necessary guarantee that the improvements will be installed.
 - b. The required map checking fees have been paid by the subdivider.
 - c. All checking has been completed by the various departments and public agencies.
 - d. Taxes, liens and special assessments have been paid, or such payment guaranteed.

2. Park and Recreation Site Acquisition and Development Provisions

No final subdivision map shall be approved, nor shall it be recorded, unless land within the subdivision has been dedicated to the City of Los Angeles for park or recreational purposes or the park and recreation impact fee has been paid pursuant to *Chapter I. (General Provisions and Zoning), Sec. 12.33 (Park Fees and Land Dedication)* for lots subject to Chapter I., or *Div. 10.4. (Parks Fees & Dedications)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

F. Scope of Decision

1. The Advisory Agency may refuse to approve the recording of any such map that does not by itself provide adequate or satisfactory access, design, or improvements.
2. The City Engineer may refuse to approve the recording of a final map covering only a portion of a tentative tract map, when in the process of checking the final map, he determines that it will not be feasible from an engineering standpoint to construct satisfactory improvements in the reduced area, unless additional street or easement dedications and improvements beyond the boundaries of the final map are provided.
3. No final map shall be recorded until the required improvements are installed or suitably guaranteed to be installed.

G. Appeals

There is no appeal.

H. Modification of Recorded Final Tract Map

1. In addition to amendments to final maps authorized by *California Government Code, Sec. 66469 (Correction and Amendment of Maps)*, after a final map is filed with the Los Angeles County Recorder, such recorded map, including the conditions of approval thereof, may be modified pursuant to the provisions of this *Section*. The provisions of this *Section* are not applicable to certificates of correction or amending maps filed pursuant to *California Government Code, Sec. 66469 (Correction and Amendment of Maps)*.
2. Applications for certificates of correction or amending maps filed pursuant to this *Section* may be filed with the Advisory Agency. The filing and processing of such applications, including appeals, shall conform to the provisions of *Sec. 13B.7.3. (Tentative Tract Map)* relating to the filing and processing of modifications of tentative tract maps.
 - a. In addition to such requirements, a public hearing shall be held by the Advisory Agency and 10 days notice thereof shall be published in a newspaper of general circulation and mailed to the applicant and to the owners of all property located within 500 feet of the subdivision (as shown on records of the City Engineer and on the records of the County Assessor for property located outside of the City of Los Angeles).
 - b. Written notice shall also be mailed to residential, commercial and industrial occupants of all property, within 500 feet of the exterior boundaries of the property involved. This requirement can be met by mailing such notice to "occupant". This notice shall also conform to the requirements of *California Government Code, Sec. 66451.3*.
 - c. Notice of the public hearing shall be posted, by the applicant, in a conspicuous place on the property involved at least 10 days prior to the date of the public hearing.
 - d. Consideration of and action on such applications shall be limited to the proposed modifications.
3. No such modification or amending map may be approved unless the Advisory Agency, or the City Planning Commission or City Council on appeal finds each of the following:
 - a. That there are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary;
 - b. That the modifications do not impose any additional burden on the present fee owner of the property;
 - c. That the modifications do not alter any right, title or interest in the real property reflected on the recorded map;
 - d. That the map and conditions as modified conform to the provisions of *California Government Code, Sec. 66474* and this Code; and
 - e. That the decision maker has given consideration, among other factors, to the effects of the modifications on surrounding properties.

4. Modifications and amending maps shall be governed by the following limitations.
 - a. No modifications involving increases in density shall be allowed which would change the density of a subdivision as approved on appeal by the City Planning Commission or the City Council, where such density was the subject of the appeal to the City Planning Commission or the City Council.
 - b. Modifications involving increases in density over that originally approved by the Advisory Agency in approving the tentative tract map shall be limited as follows:
 - i. For subdivision of fewer than 10 lots or dwelling units, any density increase shall be limited to one lot or dwelling unit; and
 - ii. For subdivisions containing 10 or more lots or dwelling units, any increase shall be limited to not more than 10 percent of that originally approved.
 - c. Modifications involving either increase in the height of structures, or in the elevation of building pads where the elevation of such pads has been specified by the Advisory Agency, shall be limited as follows:
 - i. An increase in the height of structures of not more than 10 percent above the approved height of such structures;
 - ii. An increase in the elevation of building pads of not more than five feet above the approved elevation of such pads; or
 - iii. Any such increase in height or elevation shall not obstruct the view from surrounding properties. A greater increase in the elevation of building pads may be approved if such increase has been determined to be necessary for health and safety reasons by the Department of Building and Safety.
 - d. No modifications shall be permitted which violate the intent of any of the original conditions of the Tract Map approval as that intent is expressed in the findings or otherwise by the decision maker.
5. An amending map or certificate of correction shall be recorded with the Los Angeles County Recorder in the manner specified in *California Government Code, Sec. 66472*. If the modification of one or more conditions does not require an amending map or certificate of correction, the approval of the modification shall be evidenced in a letter mailed to the subdivider and made a part of the subject tract file.

SEC. 13B.7.5. PRELIMINARY PARCEL MAP

A. Applicability

1. This *Section* applies to parcel maps. No land shall be separated in ownership or otherwise divided into two, three, or four parcels or condominiums, and no such divided parcel or condominium shall be separately maintained unless the division conforms to that shown on a parcel map which has been approved by the Advisory Agency and recorded with the Los Angeles County Recorder.
2. This *Section* does not apply to divisions of land that are exempt from the Subdivision Map Act. Reference: See *California Government Code, Sec. 66412*.
3. **Waiver of Parcel Map**
 - a. The Advisory Agency may waive parcel maps required by this *Division* if the proposed division of land complies with all applicable requirements established by the Subdivision Map Act (*California Government Code, Sec. 66410 et seq.*) or this Code as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act or this Code, provided that in waiving such a Parcel Map, the Advisory Agency may receive a preliminary parcel map.
 - b. A request for a waiver of a parcel map shall be submitted by the subdivider in a form acceptable to the Advisory Agency. Notice of the action of the Advisory Agency upon such a request shall be given to the subdivider and to all persons to whom notification of the preliminary parcel map is required by law. The Advisory Agency action on a request for a waiver of a Parcel Map may be appealed in accordance with the provisions of *Sec. 13B.7.8. (Subdivision Appeal)*. Provided that in overruling an Advisory Agency denial of such a request for a waiver of a parcel map, the Appeal Board shall make the findings required by *Subdivision 3.a. (Waiver)* above.

B. Initiation

An application for a preliminary parcel map, including all required materials, is filed with the Department.

Sec. 13B.7.5. Preliminary Parcel Map

1 Initiation

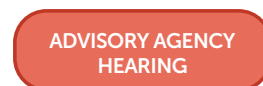


2 Submittal



NOTICE

3 Review



4 Decision



APPROVE
OR
DENY

APPEAL AVAILABLE

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing on the initial decision by the Advisory Agency:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	10 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the city, designated for that purpose by the City Clerk
Mail	10 days	<ul style="list-style-type: none"> Owners of all property located within 500 feet of the proposed <u>subdivision</u>; All residential, commercial, and industrial occupants of all property located within 500 feet of the proposed <u>subdivision</u>; and The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

2. Notice of Public Hearing — Condominium and Stock Cooperative Notice

- a. The following provisions apply only to cases where property is proposed for subdivision into condominiums, stock cooperatives, or community apartments, whether by new construction or by conversion of an existing building. In these cases, notice of the public hearing shall also be given to tenants as provided in this *Subdivision*.
- b. The following notice is required for the public hearing on the initial decision by the Advisory Agency:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	15 days	<ul style="list-style-type: none"> In addition to the notice provided in <i>Subdivision 1. (Notice of Public Hearing)</i> above, all names shown on a current list of tenants of the property proposed for <u>subdivision</u>. The <u>subdivider</u> shall provide the current list, which shall include the name and address of one tenant in each rental unit on the property.

- c. In addition to the notice provisions for the public hearing, additional notice requirements may apply pursuant to: *Chapter I. (General Provisions and Zoning), Sec. 12.95.2 (Conversion Projects: Residential)* and *Sec. 12.95.3 (Conversion Projects: Commercial/Industrial)* of this Code; or *Div. 11.5. (Condominiums, Community Apartments, & Stock Cooperatives)* of this Chapter, as applicable.

d. Notice of Subdivision Approval

- i. The subdivider shall give written notice of any subdivision approval to at least one tenant in each rental unit on the property within 30 days of the approval.

- ii. The subdivider or record owner of the property for which a subdivision application is pending or approved shall give notice of that fact to any prospective tenant of the property before entering into any written or oral rental agreement with the prospective tenant.
- iii. This *Subdivision* may be enforced through a preliminary parcel map condition or a covenant running with the land.

3. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal by the Appeal Board:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	As required by state law	<ul style="list-style-type: none"> • Subdivider; • Appellant; • Advisory Agency; • Appeal Board (on appeal to the City Council); and • The Certified Neighborhood Council representing the area in which the property is located

D. Decision

1. General Procedures

See Sec. 13A.2.5. (*Decisions*).

2. Decision Maker

The Advisory Agency is the initial decision maker.

3. Public Hearing

- a. Upon receipt of a complete application, the Advisory Agency shall set the matter for public hearing at which evidence shall be taken, giving notice in the manner specified in *Subsection C. (Notice)* above.
- b. The Advisory Agency may waive the public hearing required in this *Section* if the applicant submits with the application the written approval of the owners of all properties abutting, across the street or alley from, and/or having a common corner with the parcel map.

4. Recommendation of Other Agencies

- a. Upon receipt and acceptance of a properly prepared map, together with sufficient copies for appropriate City agencies, the Planning Department shall immediately forward copies to the City Engineer and, if in a Hillside Area, the Superintendent of Building for a report and recommendation.
- b. The City Engineer and the Superintendent of Building shall make their reports within 21 days after the map is transmitted to them. If a geologic and soils engineering report is required for lots subject to Chapter I. and as specified in *Chapter I. (General Provisions*

and Zoning), Sec. 17.51 C. (Additional Reports), they shall make their reports within 35 days after the subject geologic and soils report is received. Sec. 11.4.4. (Preliminary Parcel Map Review Considerations) of this Zoning Code (Chapter 1A) applies to lots subject to this Chapter.

- c. The Advisory Agency shall not take final action on any Preliminary Parcel Map until:
 - i. The Advisory Agency receives the City Engineer's report, and a report from the Superintendent of Building if the proposed Preliminary Parcel Map is in a Hillside Grading Area; or
 - ii. Until the expiration of the applicable period.
- d. A copy of the preliminary Parcel Map shall be forwarded to the Chief Engineer of the Fire Department for report and recommendation to the Director. The Chief Engineer shall submit the report within seven days after the map is transmitted. Said report shall indicate whether the designated areas in which buildings are to be erected on each proposed parcel or lot, as shown on said map are less than 1,000 feet from a Los Angeles City Fire Department fire hydrant, said distance to be measured along a route providing reasonable access for the laying of fire hoses in an emergency, or whether adequate alternative fire protection exists or is in the process of being provided for said parcel or lots.

5. Action of Advisory Agency

- a. The Advisory Agency shall review and either approve, conditionally approve or disapprove the map within 30 days after map is filed, or within additional time as mutually agreed upon in writing by the applicant and the Advisory Agency.
- b. If geology and soils reports are required as specified in Chapter I. (General Provisions and Zoning), Sec. 17.51 C. (Filing of Preliminary Parcel Maps; Additional Reports) on lots subject to Chapter I., the Advisory Agency shall act within 44 days after the subject geologic and soils reports are submitted by the applicant or within additional time as mutually agreed upon in writing by the applicant and the Director. Sec. 11.4.4. (Preliminary Parcel Map Review Considerations) of this Zoning Code (Chapter 1A) applies to lots subject to this Chapter.
- c. If the Advisory Agency refers a matter back to an agency as provided for in Subdivision 6.c. (Modification of Requirements) below, the time limits for action by the Advisory Agency are automatically extended for seven days.

d. Dedication

- i. When the Advisory Agency determines that the proposed Parcel Map complies with all the provisions of the parcel map regulations of Chapter I. (General Provisions and Zoning), Article 7 (Division of Land Regulations) for lots subject to Chapter I., or Article 11 (Division of Land) of this Zoning Code (Chapter 1A) for lots subject to this Chapter, and no dedication or improvement is required, it shall approve the map.

- ii. When a dedication or improvement is required, the Advisory Agency may approve the proposed Parcel Map subject to the conditions for dedications as described in Chapter I. (General Provisions and Zoning), Sec. 17.53 C. (Approval of Preliminary Parcel Map Standards of Review; Conditions of Approval) for lots subject to Chapter I., or Sec. 11.4.4. (Preliminary Parcel Map Review Considerations) of this Zoning Code (Chapter 1A) for lots subject to this Chapter, being complied with to the satisfaction of the City Engineer.

e. **Disapproval**

If the Preliminary Parcel Map is disapproved, the disapproval shall be in writing, shall set forth the reasons and clearly indicate where the proposed Parcel Map would contradict any of these regulations, and shall be transmitted to the subdivider.

6. **Modification of Requirements**

- a. The Advisory Agency may modify or waive any dedication or improvement requirements, if it determines such action is in the public interest.
- b. The Advisory Agency may modify or waive the application of the Design Standards for Streets and Alleys and the improvements required by this Section and Chapter I. (General Provisions and Zoning), Sec. 17.05 (Design Standards) for lots subject to Chapter I., or Sec. 11.1.3. (Subdivision Design Standards) of this Zoning Code (Chapter 1A) for lots subject to this Chapter, when it finds that their strict application would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of these regulations.
- c. Before approving the omission of any of the above requirements, the Advisory Agency shall refer the matter back to the agency, which originally recommended the requirement, and to any other involved agency for further report, with a statement of the reasons for its omission.
- d. The Advisory Agency may not waive any mandatory requirements relating to public health or safety recommended by other officials or departments in the exercise of their duties prescribed by law.
- e. Where the Advisory Agency elects to modify or waive requirements it shall do so within the time limit established in Subdivision 5. (Action of Advisory Agency) above. The modification or waiver shall be consistent with the intent of these parcel map regulations.

7. **Condition Consistency**

If the City Council imposes a condition as part of an action on a related application that differs from a condition of approval on a Preliminary Parcel Map, then the Advisory Agency may make the Parcel Map conditions consistent with the City Council action.

8. Transmittal

A copy of the determination shall be mailed to the applicant, and to the owners of all properties abutting, across the street or alley from, or having a common corner with the subject property and/or to all persons who have filed written requests for notice with the Advisory Agency.

E. Standards for Review and Required Findings

In approving a Preliminary Parcel Map, the Advisory Agency shall find that:

1. The proposed map will be/is consistent with applicable General and Specific Plans;
2. The design and improvement of the proposed subdivision are consistent with applicable General and Specific Plans;
3. The site is physically suitable for the proposed type of development;
4. The site is physically suitable for the proposed density of development;
5. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
6. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems;
7. The design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision; and
8. The design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

F. Scope of Decision

1. General

- a. See *Sec. 13A.2.7 (Scope of Decision)*.
- b. No building permit shall be issued, and no building or structure shall be constructed, altered or maintained on any land, which has been separated in ownership or otherwise divided into two to four parcels in violation of the provisions of this *Section*, unless a parcel map is recorded with the Los Angeles County Recorder. All conditions of approval shall be completed prior to recording the Parcel Map.
- c. Neither the approval or conditional approval of any parcel map shall constitute or waive compliance with any other applicable provision of this Code, nor shall any such approval authorize or be deemed to authorize a violation or failure to comply with other applicable provisions of this Code.

2. Time Limit for Final Map Filing

- a. Within 36 months after the approval or conditional approval of the Preliminary Parcel Map, the subdivider shall cause the proposed subdivision to be accurately surveyed and a final map prepared and filed with the City Engineer. The failure of a subdivider to file a map with the City Engineer within that period and to have the map submitted by the City Engineer to the City Clerk within the specified time limit shall automatically terminate and void the proceedings unless the time is extended by the Advisory Agency or the Appeal Board, upon appeal from a denial of the extension by the Advisory Agency.
- b. The time limit for the submittal by the City Engineer of the final map to the City Council may be extended for a period or periods not exceeding a total of 72 months.

c. Exception

The term of a Preliminary Parcel Map approval shall be automatically extended pursuant to the provisions of *California Government Code, Sec. 66452.21, 66452.22, and 66452.23.*

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals).*

2. Subdivision Appeal

The action of the Advisory Agency may be appealed in accordance with *Sec. 13B.7.8. (Subdivision Appeal).*

H. Modification of Entitlement

1. The Advisory Agency may grant slight modifications to a Preliminary Parcel Map upon its own initiative or upon a request from a subdivider.
2. The modifications may be granted where it is impractical to conform to the strict application of the requirements of this *Article* for one or more of the following reasons relating to the property:
 - a. Its size or shape;
 - b. Title limitations of record;
 - c. Topographical location or conditions, or subsurface conditions;
 - d. The specific intended use; or
 - e. The application of provisions of *Chapter I. (General Provisions and Zoning), Article 1. (General Provisions)* for lots subject to Chapter I., or the application of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

3. A request for slight modification shall be submitted in a form acceptable to the Advisory Agency.
4. Notice of the action of the Advisory Agency shall be given to the subdivider and to all persons to whom notification of the preliminary parcel map is required by law.
5. The Advisory Agency action on a slight modification request may be appealed in accordance with the provisions of *Sec. 13B.7.8. (Subdivision Appeal)*.
6. The action of the Advisory Agency on a slight modification or an appeal from that action shall not extend the time for recording a parcel map with the Los Angeles County Recorder.

I. **Vesting Parcel Map**

A vesting preliminary parcel map may be filed pursuant to the provisions of *Sec. 13B.7.3.I. (Tentative Tract Map; Vesting Tentative Map)*.

SEC. 13B.7.6. FINAL PARCEL MAP

A. Applicability

This *Section* applies to the approval of a final map after a preliminary parcel map is approved.

B. Initiation

A final map shall be prepared and filed with the City Engineer in compliance with the provisions of *Chapter I. (General Provisions and Zoning), Article 7 (Division of Land Regulations)* for lots subject to Chapter I., or *Article 11 (Division of Land)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter. Said map shall conform substantially to the approved preliminary parcel map, or the approved tentative map, which was filed pursuant to the requirements contained in *Chapter I. (General Provisions and Zoning), Sec. 17.50 (Parcel Maps - General Provisions)* for lots subject to Chapter I., or *Div. 11.4 (Parcel Maps)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

C. Notice

1. Notice of Public Hearing

There is no public hearing required for a final map, and therefore no notice of a public hearing is required.

D. Decision

1. Decision Maker

The City Council is the decision maker.

2. Certification by City Engineer

Within 20 days after receiving the parcel map, the City Engineer shall examine it for the survey information shown thereon, and if satisfied that it is technically correct, shall certify the map in accordance with the provisions of the Subdivision Map Act.

3. City Council Acceptance

After the City Engineer certifies the parcel map in any offers of dedication, the City Council will approve or disapprove the final map in accordance with *California Government Code, Sec. 66458 (Final Maps)*.

E. Standards for Review and Required Findings

1. The final map shall be accepted by the City Council provided that:

Sec. 13B.7.6. Final Parcel Map

1 Initiation



2 Submittal



3 Review



4 Decision



- a. The necessary improvements and grading or retaining structure construction, as set forth in the approval of the preliminary parcel map, have been installed and approved by the City, or provided the subdivider executes an Improvement Agreement and submits or agrees to submit:
 - i. Improvement plans;
 - ii. Satisfactory grading or construction plans, where grading or construction of an engineered retaining structure is required in Hillside Areas; and
 - iii. Improvement Securities, warranty guarantees, and labor and material payment securities in accordance with provisions of *Chapter I. (General Provisions and Zoning), Sec. 17.08 G. (Improvements)* for lots subject to Chapter I., or *Sec. 11.3.3. (Subdivision Improvements)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.
- b. All approvals have been obtained from City departments and other public agencies; and
- c. Any special assessment or bond required to be paid or guaranteed pursuant to *Subdivision Map Act, Sec. 66493(c)* has been paid in full, or such payment has been guaranteed.

2. **Park and Recreation Site Acquisition and Development Provisions**

No final subdivision map shall be approved, nor shall it be recorded, unless land within the subdivision has been dedicated to the City for park or recreational purposes or the park and recreation impact fee has been paid pursuant to *Chapter I. (General Provisions and Zoning) Sec. 12.33 (Park Fees and Land Dedication)* for lots subject to Chapter I., or *Div. 10.4 (Parks Fees and Dedications)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

F. **Scope of Decision**

Each approved parcel map recorded with the Los Angeles County Recorder shall contain the following statement: "The approval of this Parcel Map shall not be construed as having been based upon geological investigation such as will authorize the issuance of building permits on the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits."

G. **Appeals**

There is no appeal.

H. **Modification of Recorded Final Parcel Map**

1. In addition to amendments to parcel maps authorized by *California Government Code, Sec. 66469 (Correction and Amendment of Maps)*, after a parcel map is filed with the Los Angeles County Recorder, such recorded map, including the conditions of approval thereof, may

be modified pursuant to the provisions of this *Section*. The provisions of this *Section* are not applicable to certificates of correction or amending maps filed pursuant to *California Government Code, Sec. 66469 (Correction and Amendment of Maps)*.

2. Applications for certificates of correction or amending maps filed pursuant to this *Section* may be filed with the *Advisory Agency*. The submittal of an application and processing of such applications shall conform to the provisions of *Sec. 13B.7.5. (Preliminary Parcel Maps)* relating to the filing and processing of modifications of preliminary parcel maps.
 - a. The public notice and hearing shall conform to the provisions of *Sec. 13B.7.3. (Tentative Tract Maps)*. The decision of the *Advisory Agency* may be appealed in accordance with the applicable provisions of *Sec. 13B.7.8 (Subdivision Appeal)* of this Code relating to the appeal of preliminary parcel maps.
 - b. Consideration of and action on such applications shall be limited to the proposed modifications.
3. No such modification or amending map may be approved unless the *Advisory Agency*, or the *Appeal Board* or *City Council* on appeal, finds each of the following:
 - a. That there are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary;
 - b. That the modifications do not impose any additional burden on the present fee owner of the property;
 - c. That the modifications do not alter any right, title or interest in the real property reflected on the recorded map;
 - d. That the map and conditions as modified conform to the provisions of *California Government Code, Sec. 66474* and of this Code; and
 - e. That the decision maker has given consideration, among other factors, to the effects of the modifications on surrounding properties.
4. Modifications and amending maps shall be governed by the following limitations.
 - a. No modifications involving increases in density shall be allowed which would change the density of a parcel map as approved on appeal by the *Appeal Board* or the *City Council*, where such density was the subject of the appeal to the *Appeal Board* or the *City Council*.
 - b. Modifications involving increases in density shall not exceed the following:
 - i. For subdivision of fewer than 10 lots or dwelling units, any density increase shall be limited to one lot or dwelling unit; and
 - ii. For subdivisions containing 10 or more lots or dwelling units, any increase shall be limited to not more than 10 percent of that originally approved.

- c. Modifications involving either increase in the height of structures, or in the elevation of building pads where the elevation of such pads has been specified by the Advisory Agency, shall be limited as follows:
 - i. An increase in the height of structures of not more than 10 percent above the approved height of such structures;
 - ii. An increase in the elevation of building pads of not more than five feet above the approved elevation of such pads; or
 - iii. Any such increase in height or elevation shall not obstruct the view from surrounding properties. A greater increase in the elevation of building pads may be approved if such increase has been determined to be necessary for health and safety reasons by the Department of Building and Safety.
 - d. No modifications shall be permitted which violate the intent of any of the original conditions of the parcel map approval as that intent is expressed in the findings or otherwise by the decision maker.
5. An amending map or certificate of correction shall be recorded with the Los Angeles County Recorder in the manner specified in *California Government Code, Sec. 66472 (Correction and Amendment of Maps)*. If the modification of one or more conditions does not require an amending map or certificate of correction, the approval of the modification shall be evidenced in a letter mailed to the subdivider and made a part of the subject parcel map file.

SEC. 13B.7.7. PRIVATE STREET MAP

A. Applicability

1. This *Section* applies to the platting and division of land as lots or building sites, which are contiguous or adjacent to private road easements.
2. As to a lot or building site described in *Subdivision 1.* above, a Private Street Map must be approved before a building permit is issued.
3. This *Section* does not apply if the property is part of an application to approve a Parcel Map or Tract Map.

B. Initiation

An application for a Private Street Map is filed with the Department.

C. Notice

The Director shall give notice consistent with the provisions of Sec. 13B.7.3.C. (*Tentative Tract Map; Notice*).

D. Decision

1. General Procedures

See Sec. 13A.2.5. (*Decisions*).

2. Decision Maker

- a. The Director is the initial decision maker.
- b. All private street maps and all prints or copies of maps as required in this *Section* shall be submitted to the Director for approval.

3. Referral

- a. The Director shall not act on any Private Street Map until the City Engineer, the Department of Building and Safety, the Fire Department and the Department of Water and Power file their reports on the application.
- b. Reports from the Departments shall be submitted to the Director within 30 days of the date they receive a request for the reports.

Sec. 13B.7.7. Private Street Map

1 Initiation



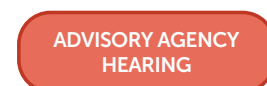
2 Submittal



3 Review



NOTICE



4 Decision



APPROVE
OR
DENY

APPEAL AVAILABLE

4. Public Hearing

- a. Upon receipt of a complete application, the Director shall set the matter for public hearing at which evidence shall be taken, giving notice in the manner specified in *Subsection C. (Notice)* of this Section.
- b. The Director may waive the public hearing required in this Section if the applicant submits with the application the written approval of all owners of properties adjacent or gaining access from the private street. No appeal hearing shall be waived.
- c. With respect to private streets not set for public hearing, a copy of the determination shall be mailed to the applicant, and to the owners of properties adjacent or gaining access from the private street and to all persons who file written requests for notice with the Department.

5. Decision

- a. Within 40 days after the application is deemed complete, the Director shall approve, conditionally approve, or disapprove the map.
- b. The Director shall transmit its decision on the private street to the applicant in writing.
- c. Any of the time limits specified in this Section may be extended by mutual consent of the applicant and the Director or the Appeal Board, as the case may be.

E. Standards for Review and Required Findings

1. General

The following standards apply to approval of a Private Street Map:

- a. The private streets comply with *Chapter I. (General Provisions and Zoning), Article 8 (Private Street Regulations)* for lots subject to Chapter I., or *Div. 10.3. (Private Street Regulations)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter;
- b. Adequate and safe vehicular access to the property exists from a public street over a private street for police, fire, sanitation and public service vehicles;
- c. An adequate water supply is available for domestic and firefighting purposes;
- d. An approved method of sewage disposal is available;
- e. The lot or building site is graded and engineered in accordance with the grading regulations of the City as set forth in *Chapter IX. (Building Regulations), Article 1. (Buildings [Building Code])* of this Code; and
- f. Any proposed name of a private street is approved by the City Engineer. The proposed street name shall not create confusion, be misleading, be unduly long, or carry connotations offensive to good taste and decency.

2. Offer to Dedicate Easements

- a. Where it is necessary to acquire public easement rights, the Director may require an offer to dedicate easement.
- b. The offer shall be properly executed by all parties having a record interest, including beneficiaries under deeds of trust, as shown by a current preliminary title report. The title report shall be prepared by a title company approved by the Bureau of Engineering for that purpose. The report shall be furnished by the applicant.
- c. The offer shall:
 - i. Be on a form approved by the City Attorney and the City Engineer;
 - ii. Binding on the owner and its heirs, assigns or successors in interest;
 - iii. Continue until the City Council accepts or rejects it;
 - iv. Shall provide that the dedication is complete upon the acceptance by the City Council;
 - v. The Advisory Agency shall approve or disapprove the offer for recordation within 10 days after it is filed;
 - vi. The offer shall be recorded with the Los Angeles County Recorder upon its approval by the Director; and
 - vii. The recorded offer shall be promptly presented and processed by the City Departments concerned and submitted to the City Council, in order to complete the dedication within the earliest possible time. If the offer is rejected by the City Council, the Bureau of Right of Way and Land shall issue a release from such offer which shall be recorded with the Los Angeles County Recorder. When said Bureau approves the offer to dedicate, it shall notify the City Engineer.

F. Scope of Decision

1. No building permits shall be issued for the erection of buildings on lots or building sites which are contiguous or adjacent to private streets or private road easements unless the following requirements have been met:
 - a. That the Private Street Map shall have been duly approved and written findings made as to the conditions of approval thereof.
 - b. That the Director shall certify to the Department of Building and Safety that the conditions, if any, required by said written findings have been fulfilled in a satisfactory manner and that a permit may be issued.

2. The private street approval shall be void unless all conditions of approval are completed or fulfilled within six years from the date of approval, except that grading and improvement conditions are fulfilled if the required work is begun during that time limit and diligently carried on to completion.

G. Appeals

1. General Procedures

See Sec. 13A.2.8. (Appeals).

2. Decision Maker

The Appeal Board is the appellate decision maker.

3. Filing

- a. An applicant or any other person aggrieved by the Director's initial decision may file an appeal to the Appeal Board.
- b. The appeal shall be filed within 15 days after Director's decision is mailed.

4. Decision

- a. The Appeal Board shall consider the appeal within 30 days after the 15-day appeal period expires.
- b. Within 14 days after the appeal is considered, the Appeal Board shall affirm, modify, or reverse the action or determination. The action of the Appeal Board shall be final.

H. Modification of Entitlement

The Director or the Board on appeal from a determination of the Advisory Agency, after a recommendation from the Board of Public Works, or the Department of Water and Power, or in the exercise of sound, reasonable judgment, may grant modifications from the requirements of Chapter I. (General Provisions and Zoning), Article 8 (Private Street Regulations) for lots subject to Chapter I., or Div. 10.3. (Private Street Regulations) of this Zoning Code (Chapter 1A) for lots subject to this Chapter, only if the modifications are necessary because of the size, use, physical or other conditions or private road easement or the property contiguous or adjacent thereto.

SEC. 13B.7.8. SUBDIVISION APPEAL

A. Applicability

1. Each *Section* of this *Division* either establishes an appeals process, or indicates that an appeal is not available. This *Section* supplements those *Sections*. The appeal processes established for an individual procedure supersede this *Section* to the extent that they are inconsistent.
2. An applicant or any other person claiming to be aggrieved by an action or determination of the Advisory Agency with respect to a Preliminary Parcel Map, certificate or conditional certificate of compliance pursuant to *California Government Code, Sec. 66499.35 (Remedies)* or an exemption from the Parcel Map regulations pursuant to *Sec. 13B.7.2 (Parcel Map Exemption/Lot Line Adjustment)* may appeal to the Appeal Board for a public hearing.

B. Initiation

1. An application for a Subdivision appeal is filed with the Department.
2. Appeals must be filed within a period of 15 days after the date the initial decision was made.
3. The appeal is not considered filed unless and until the form is properly completed and all required information is submitted.

C. Notice

1. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal to the Appeal Board:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	As required by state law	<ul style="list-style-type: none"> • Applicant; • The person claiming to be aggrieved, if any; • The Advisory Agency; and • The Certified Neighborhood Council representing the area in which the property is located

D. Decision

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

Sec. 13B.7.8. Subdivision Appeal

1 Initiation

AGGRIEVED PERSON

2 Submittal

COMPLETENESS REVIEW

3 Review

APPEAL BOARD SECRETARY

NOTICE

4 Decision

APPEAL BOARD HEARING

APPROVE OR DENY

2. Appellate Decision

- a. The complete appeal form and file shall be immediately transmitted to the Appeal Board Secretary for hearing before the Appeal Board.
- b. The Appeal Board shall hear the appeal within 30 days after the expiration of the appeal period. Within 14 days after the appeal is considered, the Appeal Board shall affirm, modify, or reverse the action or determination.
- c. At the time established for the hearing, the Appeal Board shall hear the testimony of the applicant and witnesses in his/her behalf, the testimony of any aggrieved persons, if there are any, and the testimony of the Advisory Agency and any witnesses on its behalf. The Appeal Board may also hear the testimony of other competent persons respecting the character of the neighborhood in which the division of land is to be located, the kinds, nature and extent of improvements, the quality or kinds of development to which the area is best adapted or any other relevant phase of the matter into which the Appeal Board may desire to inquire.
- d. Upon conclusion of the hearing, the Appeal Board shall within 14 days declare findings based upon the testimony and documents produced before it.
- e. The Appeal Board may sustain, modify, reject, or overrule any recommendation or ruling of the Advisory Agency and may make findings consistent with applicable provisions of this Division.
- f. Failure to timely act is deemed a denial of the appeal and the decision from which the appeal was taken shall be deemed affirmed.
- g. Any of the time limits specified in this Division may be extended by mutual consent of the applicant and the Advisory Agency or the Appeal Board.

DIV. 13B.8. HISTORIC PRESERVATION

SEC. 13B.8.1. GENERAL PROVISIONS

A. Purpose

As a matter of public policy, the recognition, preservation, enhancement, and use of buildings, structures, landscaping, natural features, and areas within the City having historic, architectural, cultural or aesthetic significance are required in the interest of the health, economic prosperity, cultural enrichment and general welfare of the people. This *Division (Historic Preservation)* is designed to:

1. Protects and enhances the use of buildings, structures, natural features, and areas, which are reminders of the City's history, or which are unique and irreplaceable assets to the City and its neighborhoods, or which are worthy examples of past architectural styles;
2. Develops and maintains the appropriate settings and environment to preserve these buildings, structures, landscaping, natural features, and areas;
3. Enhances property values, stabilize neighborhoods and/or communities, render property eligible for financial benefits, and promote tourist trade and interest;
4. Fosters public appreciation of the beauty of the City, of the accomplishments of its past as reflected through its buildings, structures, landscaping, natural features, and areas;
5. Promotes education by preserving and encouraging interest in cultural, social, economic, political and architectural phases of its history;
6. Promotes the involvement of all aspects of the City's diverse neighborhoods in the historic preservation process; and
7. Ensures that all procedures comply with the California Environmental Quality Act (CEQA).

B. Applicability

1. General

This *Division (Historic Preservation)* applies to any project within a Historic Preservation Overlay Zone (HPOZ).

2. Exemptions

This *Division (Historic Preservation)* does not apply to the following:

- a. The correction of Emergency or Hazardous Conditions where the Department of Building and Safety, the Los Angeles Housing Department, or other enforcement agency has determined that emergency or hazardous conditions currently exist and the emergency or hazardous conditions must be corrected in the interest of the public health, safety and welfare. When feasible, the Department of Building and Safety, Los Angeles Housing

Department, or other enforcement agency should consult with the Director on how to correct the hazardous condition, consistent with the goals of the HPOZ. However, any other work shall comply with the provisions of this *Division (Historic Preservation)*.

- b. Department of Public Works improvements located, in whole or in part, within an HPOZ:
 - i. Where the Director finds:
 - a) That the certified Historic Resources Survey for the HPOZ does not identify any contributing elements located within the right-of-way and/or where the right-of-way is not specifically addressed in the approved Preservation Plan for the HPOZ; and
 - b) Where the Department of Public Works has completed the CEQA review of the proposed improvement, and the review has determined that the improvement is exempt from CEQA, or will have no potentially significant environmental impacts.
 - ii. The relevant Historic Preservation Board shall be notified of the project, given a description of the project, and an opportunity to comment.
- c. Work authorized by an approved Historical Property Contract by the City Council.
- d. Where a building, structure, landscaping, natural feature or lot has been designated as a City Historic-Cultural Monument by the City Council, unless proposed for demolition. However, those properties with federal or state historic designation which are not designated as City Historic-Cultural Monuments or do not have a City Historical Property Contract are not exempt from review under this *Division (Historic Preservation)*.
- e. Where work consists of repair to existing structural elements and foundations with no physical change to the exterior of a building.
- f. Where work consists of interior alterations that do not result in a change to an exterior feature.
- g. Where the type of work has been specifically deemed exempt from review as set forth in the approved Preservation Plan for a specific HPOZ.

3. Authority of Cultural Heritage Commission Not Affected

Nothing in this *Division (Historic Preservation)* supersedes or overrides the Cultural Heritage Commission's authority as provided in Sec. 22.171, et seq. of the LAAC.

4. Publicly Owned Property

The provisions of this *Division (Historic Preservation)* shall apply to any building, structure, landscaping, natural feature or lot within an HPOZ, which is owned or leased by a public entity to the extent permitted by law.

C. Definitions

The following definitions apply to this *Division (Historic Preservation)*:

Addition. An extension or increase in floor area or height of a building or structure.

Alteration. Any exterior change or modification of a building, structure, Landscaping, Natural Feature or lot within a Historic Preservation Overlay Zone including but not limited to changing exterior paint color, removal of significant trees or Landscaping, installation or removal of fencing, and similar projects, and including street features, furniture or fixtures.

Building Coverage. The area of a parcel covered by buildings measured from the outside of the exterior perimeter of a building, including covered porches, patios, and any detached or attached accessory structures. Building Coverage does not include uncovered areas such as paved parking, driveways, walkways, steps, terraces, decks, and porches; or roof overhangs and architectural projections not intended for shelter or occupancy.

Certificate of Appropriateness. An approved certificate issued for the construction, Additions over established thresholds outlined in *Sec. 13B.8.4.*, Demolition, Reconstruction, Alteration, removal, or relocation of any publicly or privately owned building, structure, Landscaping, Natural Feature, or lot within a Historic Preservation Overlay Zone that is identified as a Contributing Element in the Historic Resources Survey for the zone, including street features, furniture or fixtures.

Certificate of Compatibility. An approved certificate issued for the construction of a new building or structure on a lot, Demolition, or building replacement of an element, identified as Non-Contributing, or not listed, in the Historic Resources Survey for the zone.

Contributing Element. Any building, structure, Landscaping, Natural Feature identified on the Historic Resources Survey as contributing to the Historic significance of the Historic Preservation Overlay Zone, including a building or structure which has been altered, where the nature and extent of the Alterations are determined reversible by the Historic Resources Survey.

Cultural. Anything pertaining to the concepts, skills, habits, arts, instruments or institutions of a given people at any given point in time.

Demolition. The removal of more than 50 percent of the perimeter wall framing, the removal of more than 50 percent of the roof framing, or the substantial removal of the exterior of a facade in the Street-Visible Area.

Historic. Any building, structure, Landscaping, Natural Feature, or lot, including street features, furniture or fixtures, which depicts, represents or is associated with persons or phenomena which significantly affect or which have significantly affected the functional activities, heritage, growth or development of the City, State, or Nation.

Historic Preservation Overlay Zone (HPOZ). Any area of the City containing buildings, structures, landscaping, Natural Features or lots having Historic, architectural, cultural or aesthetic significance and designated as a Historic Preservation Overlay Zone under the provisions of this Division.

Historical Property Contract. A contract between an Owner or Owners of a Historical-Cultural Monument or a Contributing Element and the City, which meets all requirements of *California Government Code, Sec. 50281 and 50282 and Sec. 19.140 et seq.* of the LAAC.

Historic Resources Survey. A document, which identifies all contributing and non-contributing buildings, structures and all contributing Landscaping, Natural Features and lots, individually or collectively, including street features, furniture or fixtures, and which is certified as to its accuracy and completeness by the Cultural Heritage Commission.

Landscaping. The design and organization of landforms, hardscape, and softscape, including individual groupings of trees, shrubs, groundcovers, vines, pathways, arbors, etc.

Maintenance & Repair. Any work done to correct the deterioration, decay of, or damage to a building, structure or lot, or any part thereof, including replacement in-kind where required, and which does not involve a change in the existing design, materials, or exterior paint color.

Monument. Any building, structure, Landscaping, Natural Feature, or lot designated as a City Historic-Cultural Monument.

Natural Feature. Any significant tree, plant life, geographical or geological feature identified individually or collectively on the Historic Resources Survey as contributing to the cultural or Historic significance of the Historic Preservation Overlay Zone.

Non-Contributing Element. Any building, structure, Natural Feature, lot, or Landscaping, that is identified in the Historic Resources Survey as a Non-Contributing element, or not listed in the Historic Resources Survey.

Owner. Any person, association, partnership, firm, corporation or public entity identified as the holder of title on any property as shown on the records of the City Engineer or on the last assessment roll of the County of Los Angeles, as applicable. For purposes of this *Division*, "Owner" also refers to an appointed representative of an association, partnership, firm, corporation, or public entity which is a recorded owner.

Project. The Addition, Alteration, construction, Demolition, Reconstruction, Rehabilitation, relocation, removal, or Restoration of the exterior of any building, structure, Landscaping, Natural Feature, or lot, within an HPOZ, except as provided under *Subsection B.2. (Applicability; Exemptions)* of this *Section*. A Project may or may not require a building permit, and may include but not be limited to changing exterior paint color, removal of significant trees or Landscaping, installation or removal of fencing, replacement of windows and/or doors which are character-defining features of architectural styles, removal of features that may or may not have a building permit, or changes to public spaces and similar activities.

Reconstruction. The act or process of reproducing by new construction the exact form, features and details of a vanished building, portion of a building, structure, landscape, Natural Feature, or object as it appeared at a specific period of time, on its original or a substitute lot.

Rehabilitation. The act or process of returning a property to a state of utility, through repair or Alteration, which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its Historical, architectural and cultural values.

Renter. Any person, association, partnership, firm, corporation, or public entity which has rented or leased a dwelling unit or other structure within an HPOZ for a continuous time period of at least three years. For purposes of this *Division*, the “renter” also refers to an appointed representative of an association, partnership, firm, corporation, or public entity which is a renter.

Restoration. The act or process of accurately recovering the form, features and details of a property as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

Right-of-Way. The dedicated area that includes roadways, medians, and/or sidewalks.

Street Visible Area. Any portion of the front, side, and rear facades that can be seen from any adjacent street, alley, or sidewalk, or that would be visible but are currently obstructed by landscaping, fencing, or freestanding walls. It also includes undeveloped portions of the lot where new construction would be visible from the adjacent street or sidewalk; facades that are generally visible from non-adjacent streets due to steep topography; or second stories visible over adjacent one story structures.

D. Historic Preservation Board Establishment and Duties

1. Establishment

A Historic Preservation Board is established by this *Section* for each HPOZ. A Historic Preservation Board may serve two or more HPOZs in joint name and administration. HPOZs may have separate individual Preservation Plans administered under one Historic Preservation Board. Each Historic Preservation Board shall have, as part of its name, words linking it to its area(s) of administration and distinguishing it from all other boards.

2. Composition

A Historic Preservation Board shall be comprised of five members. Where a Historic Preservation Board serves two or more HPOZs, the Historic Preservation Board shall be comprised of seven members. At least three members shall be Renters or Owners of property in the HPOZ(s), with a Renter or property Owner representative from each HPOZ on the Historic Preservation Board. If an HPOZ is established for an area insufficient in size to provide for a Historic Preservation Board whose members meet the requirements of this *Subsection*, for appointment purposes only, the area may be expanded to include the community plan area in which the HPOZ is located. If a Historic Preservation Board still cannot be comprised of members who meet the requirements of this *Subsection*, the Director shall assume all the powers and duties otherwise assigned to the Historic Preservation Board for the HPOZ(s), until a Historic Preservation Board can be established.

3. Term of Membership

Members of the Historic Preservation Board serve for a term of four years. Members of the Historic Preservation Board whose terms have expired may continue to serve on the Historic Preservation Board until their replacements are appointed.

4. Appointment of Members.

- a. All members shall have demonstrated a knowledge of, and interest in, the culture, buildings, structures, historic architecture, history and features of the area encompassed by the HPOZ and, to the extent feasible, shall have experience in historic preservation. The appointing authorities are encouraged to consider the cultural diversity of the HPOZ in making their appointments. Appointees serve at the pleasure of the appointing authority and the appointment may be rescinded at any time prior to the expiration of a member's term. To the maximum extent practicable, members shall be appointed as follows:

Appointing Body	Qualifications
Mayor	<ul style="list-style-type: none"> One member having extensive real estate or construction experience
Councilmember	<ul style="list-style-type: none"> One member who is a Renter or Owner of property in the <u>HPOZ(s)</u> shall be appointed by the Councilmember of the district in which the <u>HPOZ</u> is located Where a Historic Preservation Board serves two or more <u>HPOZs</u>, two Renters or Owners of property shall be appointed
Cultural Heritage Commission	<ul style="list-style-type: none"> One member who is an architect licensed by the State of California One member who is a Renter or Owner of property in the <u>HPOZ(s)</u> Where a Historic Preservation Board serves two or more <u>HPOZs</u>, two Renters or Owners of property shall be appointed
Historic Preservation Board	<ul style="list-style-type: none"> One member who is a Renter or Owner of property in the <u>HPOZ(s)</u>, pursuant to the criteria set forth in <i>Paragraph d.</i> below

- b. If a Historic Preservation Board serves two or more HPOZs in joint name and administration, a Renter or property Owner representative shall be appointed for each HPOZ the Historic Preservation Board serves.
- c. If the HPOZ(s) is/are located in more than one council district, the appointment shall be made by the Councilmember representing the greatest land area in the HPOZs.
- d. The Historic Preservation Board shall consider appointee suggestions from the Certified Neighborhood Council representing the district in which the HPOZ(s) is/are located. In cases where the HPOZ(s) is/ are located in an area represented by more than one Neighborhood Council, the appointee suggestions shall be made by the Neighborhood Council representing the greatest land area in the HPOZ(s). in those HPOZs containing no Certified Neighborhood Councils, or if, after notification of a vacancy by the Planning

Department, the Certified Neighborhood Council fails to make suggestions within 45 days, or at least one Certified Neighborhood Council meeting has been held, whichever occurs first, the Historic Preservation Board may make its appointment without delay.

5. Vacancies

In the event of a vacancy occurring during the term of a member of the Historic Preservation Board, the same body or official, or their successors, who appointed the member shall make a new appointment. The new appointment shall serve a 4-year term beginning on the date of appointment. Where the member is required to have specified qualifications, the vacancy shall be filled with a person having these qualifications. If the appointing authority does not make an appointment within 60 days of the vacancy, the President of the City Council shall make a temporary appointment to serve until the appointing authority makes an appointment to occupy the seat or for a period of no more than one year.

6. Expiration of Term

Upon expiration of a term for any member of the Historic Preservation Board, the appointment for the next succeeding term shall be made by the same body or official, or their successors, which made the previous appointment. No member of a Historic Preservation Board shall serve more than two consecutive 4-year terms.

7. Historic Preservation Board Member Performance

Historic Preservation Board members are expected to regularly attend scheduled Historic Preservation Board meetings and fully participate in the powers and duties of the Historic Preservation Board. Appointees serve at the pleasure of the appointing authority and the appointment may be rescinded at any time prior to the expiration of a member's term. A board member with more than three consecutive unexcused absences or eight unexcused absences in a year period from regularly scheduled meetings may be removed by the appointing authority. Excused absences may be granted by the Historic Preservation Board chair. If a board member accrues unexcused absences, the Historic Preservation Board shall notify the appointing authority.

8. Organization and Administration.

- a. Each Historic Preservation Board shall schedule regular meetings at fixed times within the month with a minimum of two meetings a month. Meetings may be canceled if no deemed complete applications are received at least three working days prior to the next scheduled meeting.
- b. There shall be at least one meeting a year.
- c. The Historic Preservation Board shall establish rules, procedures and guidelines as it may deem necessary to properly exercise its function.

- d. The Historic Preservation Board shall elect a Chairperson and Vice-Chairperson who shall serve for a 1-year period. The Historic Preservation Board shall designate a Secretary who shall serve at the Historic Preservation Board's pleasure.
- e. For a 5-member Historic Preservation Board, three members is a quorum. For a Seven-member Historic Preservation Board, four members is a quorum. Decisions shall be determined by majority vote of the Historic Preservation Board.
- f. Public minutes and records shall be kept of all meetings and proceedings showing the attendance, resolutions, findings, determinations and decisions, including the vote of each member.
- g. To the extent possible, the staff of the Department of City Planning may assist the Historic Preservation Board in performing its duties and functions.

9. Power and Duties

When considering any matter under its jurisdiction, the Historic Preservation Board has the following power and duties:

- a. To evaluate any proposed changes to the boundaries of the HPOZ it administers and make recommendations to the City Planning Commission, Cultural Heritage Commission and City Council.
- b. To evaluate any Historic Resources Survey, resurvey, partial resurvey, or modification undertaken within the HPOZ it administers and make recommendations to the City Planning Commission, Cultural Heritage Commission and City Council.
- c. To study, review and evaluate any proposals for the designation of Historic-Cultural Monuments within the HPOZ it administers and make recommendations to the Cultural Heritage Commission and City Council, and to request that other City departments develop procedures to provide notice to the Historic Preservation Boards of actions relating to Historic-Cultural Monuments.
- d. To evaluate applications for Certificates of Appropriateness or Certificates of Compatibility and make recommendations to the Director or the Area Planning Commission.
- e. To encourage understanding of and participation in historic preservation by residents, visitors, private businesses, private organizations and governmental agencies.
- f. In pursuit of the purposes of this Division, to render guidance and advice to any Owner or occupant on construction, Demolition, Alteration, removal or relocation of any Monument or any building, structure, Landscaping, Natural Feature or lot within the HPOZ it administers. This guidance and advice shall be consistent with approved procedures and guidelines, and the Preservation Plan, or in absence of a Plan, the guidance and advice shall be consistent with the Secretary of interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

- g. To tour the HPOZ it represents on a regular basis, to promote the purposes of this *Division* and to report to appropriate City agencies matters which may require enforcement action.
- h. To assist in the updating of the Historic Resources Survey for the HPOZ using the criteria in *Sec. 13B.8.2.B.3 (Historic Preservation Overlay Zone Designation; initiation; Historic Resources Survey)*.
- i. To make recommendations to decision makers concerning facade easements, covenants, and the imposition of other conditions for the purposes of historic preservation.
- j. To make recommendations to the City Council concerning the utilization of grants and budget appropriations to promote historic preservation.
- k. To assist in the preparation of a Preservation Plan, which clarifies and elaborates upon these regulations as they apply to the HPOZ, and which contains the elements listed in *Sec. 13B.8.3.B.2. (Preservation Plan Adoption/Amendment; initiation; Elements)*.

10. Conflict of Interest

No Historic Preservation Board member shall discuss with anyone the merits of any matter pending before the Historic Preservation Board other than during a duly called meeting of the Historic Preservation Board or subcommittee of the Historic Preservation Board. No member shall accept professional employment on a case that has been acted upon by the Historic Preservation Board in the previous 12 months or is reasonably expected to be acted upon by the Historic Preservation Board in the next 12 months.

E. Enforcement

1. Inspections and Violations

- a. The Department of Building and Safety, the Housing Department, or any successor agencies, whichever has jurisdiction, shall make all inspections of properties which are in violation of this *Division* when apprised that work has been done or is required to be done pursuant to a building permit.
- b. Violations, the correction of which do not require a building permit, shall be investigated and resolved jointly by the Planning Department, the Department of Building and Safety, the Los Angeles Housing Department, or any successor agencies, whichever has jurisdiction, and if a violation is found, the Planning Department may then request the Department of Building and Safety, the Los Angeles Housing Department or any successor agencies to issue appropriate orders for compliance.
- c. Any person who fails to comply with the provisions of this *Division* is subject to the provisions of *Sec. 11.00 (m) (Provisions Applicable to Code)* of this Code. The Owner of the property in violation shall be assessed a minimum inspection fee, as specified in *Sec. 98.0412 (Inspection Fees)* of this Code for each site inspection. No building permit shall be cleared by the Planning Department while an outstanding violation exists, regardless of whether a building permit is required or not for the violation.

2. Demolition of Buildings Without a Permit

If a Contributing Element or Non-Contributing Element, or a portion thereof, is Demolished or relocated without benefit of a building permit and Certificate of Appropriateness or Certificate of Compatibility approvals pursuant to *Sec. 13B.8.6.E. (Certificate of Appropriateness (Demolition, Removal, or Relocation); Standards for Review and Required Findings)* and *Sec. 13B.8.7.D.4. (Certificate of Compatibility for Non-Contributing Elements; Decision)*, the matter shall be reviewed by the Director as provided in *Subdivision 3.c. (Preliminary Evaluation of Demolition or Relocation Without Permit; Procedures)* below.

3. Preliminary Evaluation of Demolition or Relocation Without Permit

a. Purpose

The purpose of this *Subdivision* is to require the documentation of the loss of historic features as a result of unpermitted construction or Demolition activities, relocation, neglectful ownership, or man-made disaster.

b. Prohibition

Where all or portions of a Contributing Element or Non-Contributing Element have been Demolished or relocated without the necessary approvals, the provisions of *Sec. 13B.8.6.E. (Certificate of Appropriateness (Demolition, Removal, or Relocation); Standards for Review and Required Findings)* or *Sec. 13B.8.7.D.4. (Certificate of Compatibility for Non-Contributing Elements; Decision)*, shall not apply. Upon completion of a Preliminary Evaluation of Demolition or Relocation without Permit, and *Sec. 91.106.4.1(10)* proceedings by the Department of Building and Safety, an application for Certificate of Appropriateness or Certificate of Compatibility shall be reviewed in accordance with the provisions of *Sec. 13B.8.5. (Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction))*, *Sec. 13B.8.6. (Certificate of Appropriateness (Demolition, Removal, or Relocation))*, and *Sec. 13B.8.7. (Certificate of Compatibility for Non-Contributing Elements)*, whichever is applicable.

c. Procedures

i. Evaluation

The Director or his or her designee can initiate review on the Demolition or relocation of a structure, in whole or in part, commenced prior to the issuance of a building permit. During the investigation, all work on the site shall cease and an order to comply shall be issued per *Subsection E.1 (Enforcement; inspections and Violations)* of this *Section*. Review by the Director shall include, but is not limited to: documentation of the structure(s) as it(they) existed at the time of the Historic Resources Survey, permit history research, site visits, documentation of the loss of building features, identification of salvageable features, and evaluation of the demolition's impact on the historic resource.

ii. **Evaluation Fees**

Fees for the preliminary evaluation will be assessed pursuant to *Chapter I. (General Provisions and Zoning)*, *Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

d. **Notice**

A copy of the evaluation shall be mailed to the Department of Building and Safety, the applicant, the Historic Preservation Board, Council office, and any other interested parties.

e. **Proceedings per LAMC Section 91.106.4.1(10)**

- i. Upon completion of the evaluation, the matter shall be referred to the Department of Building and Safety for investigation and enforcement pursuant to *Sec. 91.106.4.1(10)* of this Code. The Department of Building and Safety shall be authorized to withhold development permits on said property for five years if it determines that demolition occurred in violation of the *Sec. 91.106.4.1(10)* of this Code. Any person who has failed to comply with the provisions of *Sec. 13B.8.6.E. (Certificate of Appropriateness (Demolition, Removal, or Relocation); Standards of Review and Required Findings)* or *Sec. 13B.8.7.D.6. (Certificate of Compatibility for Non-Contributing Elements; Decision; Certificates of Compatibility for the Demolition of Non-Contributing Elements)* is subject to the provisions of *Sec. 11.00 (I) (Provisions Applicable to Code)* of this Code.
- ii. During the *Sec. 91.106.4.1(10)* of this Code proceedings and the five year penalty period, the property owner is responsible for protecting any features of the original structure, which remain intact, securing the property from vandalism and theft, and keeping the property free of other nuisances.

4. **Injunctive Relief**

Where it appears that the Owner, occupant or person in charge of a building, structure, Landscaping, Natural Feature, lot or area within an HPOZ threatens, permits, is about to do or is doing any work or activity in violation of this Division, the City Attorney may apply to an appropriate court for a temporary restraining order, preliminary or permanent injunction, or other or further relief as appears appropriate.

F. **Relation to Other Provisions of the Zoning Code**

When the City Council establishes, adds land to, eliminates land from or repeals in its entirety an HPOZ, this *Division* does not abrogate any other provision of this Code. Any portion of a street that is located within an HPOZ(s) or shares a boundary with an HPOZ(s), is not subject to the street dedication and/or improvement requirements as set forth in *Chapter I. (General Provisions and Zoning)*, *Sec. 12.37 A.-C. (Highway and Collector Street Dedication and Improvement)* and *Chapter I. (General Provisions and Zoning) Sec. 17.05 (Design Standards)* for lots subject to Chapter I., or *Div. 10.1. (Street Dedication and Improvement)* and *Sec. 11.1.3. (Subdivision Design Standards)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter, unless requested by the Director.

However, the existing sidewalk(s) shall comply with any accessibility guidelines within the public right-of-way that are adopted to comply with Title II of the Americans with Disabilities Act. When it appears that there is a conflict, the most restrictive requirements of this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code apply, except for a requirement in this *Division* that would compromise public safety if enforced.

SEC. 13B.8.2. HISTORIC PRESERVATION OVERLAY ZONE DESIGNATION

Sec. 13B.8.2. HPOZ Designation

A. Applicability

1. This *Section* applies to the establishment, boundary change, or repeal of a Historic Preservation Overlay Zone (HPOZ).
2. The processing of an initiation or an application to establish, change the boundaries of or repeal an HPOZ shall conform to all the requirements of *Sec. 13B.1.4. (Zone Change)* and the following additional requirements.

B. Initiation

1. By City Council, City Planning Commission, Director of Planning, or Cultural Heritage Commission

In addition to the provisions of *Sec. 13B.1.4. (Zone Change)*, the Cultural Heritage Commission may initiate proceedings to establish, repeal, or change the boundaries of an HPOZ. Upon initiation by City Council, the City Planning Commission, the Director, or the Cultural Heritage Commission, a Historic Resources Survey shall be prepared, pursuant to *Subdivision 3. (Historic Resources Survey)* below.

2. By Application

- a. Owners or Renters of property within the boundaries of the proposed or existing HPOZ may initiate the establishment of an HPOZ.
- b. A Historic Resources Survey shall not be prepared for a proposed HPOZ until the Planning Department verifies that the application contains the signatures of at least 75 percent of the Owners or lessees of property within the proposed district.
- c. Applications initiated by Owners or Renters are not complete until the requirements of *Paragraph b.* above are met and the Cultural Heritage Commission certifies a Historic Resources Survey for the proposed HPOZ pursuant to *Subsection D. (Decision)* of this *Section*.

1 Initiation

COUNCIL, CITY
PLANNING COMMISSION,
PLANNING DIRECTOR
OR APPLICANT

2 Submittal

HISTORIC RESOURCES
SURVEY

3 Review

CULTURAL HERITAGE
COMMISSION REPORT
& RECOMMENDATION

NOTICE

PLANNING
DIRECTOR HEARING

OPTIONAL

PLANNING
DIRECTOR REPORT
& RECOMMENDATION

NOTICE

CITY PLANNING
COMMISSION HEARING

CITY PLANNING
COMMISSION REPORT
& RECOMMENDATION

4 Decision

CITY COUNCIL
MEETING

APPROVE
OR
DENY

3. Historic Resources Survey

a. Purpose

Each HPOZ shall have a Historic Resources Survey, which identifies all Contributing Elements and Non-Contributing Elements and is certified as to its accuracy and completeness by the Cultural Heritage Commission.

b. Context Statement

In addition to the requirements above, the Historic Resource Survey shall also include a context statement supporting a finding establishing the relation between the physical environment of the HPOZ and its history, thereby allowing the identification of Historic features in the area as Contributing or Non-Contributing. The context statement shall represent the history of the area by theme, place, and time. It shall define the various Historical factors which shaped the development of the area. It shall define a period of significance for the HPOZ, and relate Historic features to that period of significance. It may include, but not be limited to, Historical activities or events, associations with Historic personages, architectural styles and movements, master architects, designers, building types, building materials, landscape design, or pattern of physical development that influenced the character of the HPOZ at a particular time in history.

c. Finding of Contribution

For the purposes of this Section, no building, structure, Landscaping, or Natural Feature shall be considered a Contributing Element unless it is identified as a Contributing Element in the Historic Resource Survey for the applicable HPOZ. Features designated as Contributing shall meet one or more of the following criteria:

- i. Adds to the Historic architectural qualities or Historic associations for which a property is significant because it was present during the period of significance, and possesses Historic integrity reflecting its character at that time;
- ii. Owing to its unique location or singular physical characteristics, represents an established feature of the neighborhood, community or city; or
- iii. Retaining the building, structure, Landscaping, or Natural Feature, would contribute to the preservation and protection of a Historic place or area of Historic interest in the City.

d. Modification of a Previously Certified Historic Resources Survey

The City Council, City Planning Commission, or Director may find that a previously certified Historic Resource Survey needs to be modified, and may call for a revision, re-survey, or partial re-survey to a previously certified survey. Modifications, including boundary changes, re-surveys, partial re-surveys, and minor corrections of a previously certified Historic Resources Survey shall be processed as follows:

- i. Revisions involving a boundary change, expansion, or contraction of an HPOZ shall be certified by the Cultural Heritage Commission as to the accuracy of the survey, and shall be forwarded to the City Planning Commission for recommendation and the City Council for final action.
 - ii. Revisions involving a re-survey or partial re-survey of an existing HPOZ shall be certified by the Cultural Heritage Commission as to the accuracy of the survey, and shall be forwarded to the City Planning Commission for final action.
 - iii. The correction of technical errors and omissions in a previously certified Historic Resource Survey can be made by the Director based on input from the Historic Preservation Board and the Cultural Heritage Commission or its designee.
- e. **Application Procedure for Redesignation of an individual Property in a Certified Historic Resources Survey (Technical Correction)**

i. **Application form and Contents**

To apply for a technical correction to a previously certified Historic Resources Survey pursuant to *Paragraph d.iii.* above, an applicant shall file an application with the Department of City Planning, on a form provided by the Department, and include all information required by the instructions on the application. Prior to deeming the application complete, the Director shall advise the applicant of the processes to be followed and fees to be paid. Upon receipt of a complete application, the Director shall review all documents submitted and may approve or deny a technical correction.

ii. **Application Fees**

The application fees for a Property Survey Redesignation are set forth in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing held prior to a recommendation:

Type of Notice	When	Where / To Whom / Additional Requirements
Publication	24 days	<ul style="list-style-type: none"> In a newspaper of general circulation in the city, designated for that purpose by the City Clerk If City initiated, in two newspapers of general circulation in the city, designated for that purpose by the City Clerk

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • The applicant; • The owner(s) of the property involved; • The owners and occupants of all property within and outside the City within 500 feet of the area to be changed; • Residential, commercial and industrial occupants of all properties within 500 feet of the exterior boundaries of the property involved (or the expanded area described below); and • The Certified Neighborhood Council representing the area in which the property is located
Posting (applicant initiated Zone Changes only)	10 days	<ul style="list-style-type: none"> • If an applicant initiates the establishment of a new <u>HPOZ</u>, notice will be posted at key entry points to the proposed <u>HPOZ</u> with no less than three postings • If a <u>Hearing Officer</u> is designated to conduct the public hearing, then the applicant, in addition to posting notice of the public hearing, will also post notice of the initial meeting of the City Planning Commission on the matter

- b. If the mailed notice does not result include at least 20 different owners of at least 20 different lots other than the subject property, then the notification radius will increase in increments of 50 feet until that number of owners and lots are within the expanded area.

D. Decision

1. General Procedures

See Sec. 13A.2.5. (*Decisions*).

2. Cultural Heritage Commission Determination

- a. The Cultural Heritage Commission shall certify each Historic Resources Survey as to its accuracy and completeness, and the establishment of or change in boundaries of an HPOZ upon:
- A majority vote; and
 - A written finding that structures, landscaping, and natural features within the HPOZ meet one or more of criteria in *Subsection B.3.c. (Initiation; Historic Resources Survey)* of this Section.
- b. The Cultural Heritage Commission shall act within 45 days from the date of the submission to the Commission. This time limit may be extended for a specified further time period if the Cultural Heritage Commission requests an extension, in writing, from the City Planning Commission.

- c. Upon action, or failure to act, the Cultural Heritage Commission shall transmitted their determination, comments, and any related files to the City Planning Commission for recommendation.

3. City Planning Commission Approval

- a. The City Planning Commission shall make its report and recommendation to approve, approve with changes, or disapprove the establishment, repeal, or change to the boundaries of an HPOZ, pursuant to *Sec. 13B.1.4.D. (Zone Change; Decision)*.
- b. However, notice of a public hearing will be given in the manner specified in *Subsection C. (Notice)* of this Section.
- c. The Director and the City Planning Commission may recommend conditions to be included in the initial Preservation Plan for a specific HPOZ, as appropriate to further the purpose of this Section.

4. City Council

- a. The City Council may approve or disapprove the establishment, repeal, or change in the boundaries of an HPOZ.
- b. The City Council may require that a specific HPOZ not take effect until a Preservation Plan for the HPOZ is approved by the City Planning Commission.

E. Standards for Review and Required Findings

1. In approving a Historic Preservation Overlay Zone designation, the City Planning Commission and City Council shall find that the proposed boundaries are appropriate and make the findings of contribution required in *Subsection B.3.c. (Initiation; Historic Resources Survey)* of this Section.
2. The City Planning Commission shall also carefully consider the Historic Resources Survey and the determination of the Cultural Heritage Commission.

F. Scope of Decision

1. Once an HPOZ has been adopted, all projects within the HPOZ must comply with the procedures in this Division.
2. All projects within HPOZs, except as exempted in *Sec. 13B.8.1.B.2. (General Provisions; Applicability; Exemptions)*, shall be submitted in conjunction with an application, if necessary, to the Department of City Planning on a form provided for that purpose.
3. Upon receipt of an application, the Director shall review a request and find whether the project requires:
 - a. A Certificate of Appropriateness, pursuant to *Sec. 13B.8.5.* and *Sec. 13B.8.6.;*
 - b. A Certificate of Compatibility, pursuant to *Sec. 13B.8.7.;*

- c. Is eligible for review under Conforming Work on Contributing Elements, pursuant to Sec. 13B.8.4; or
 - d. Conforming Work on Non-Contributing Elements, pursuant to Sec. 13B.8.4.
- 4. All questions of Street Visible Area are determined by Department of City Planning staff.
- 5. If multiple applications are received resulting in a significant cumulative impact to a Structure or feature in the Street Visible Area, a Certificate of Appropriateness or Certificate of Compatibility may be required for additional work.

G. Appeals

There is no appeal.

H. Modification of HPOZ Designation

The establishment or boundary change of an HPOZ may be modified or repealed by following the same procedures established above for the original action.

SEC. 13B.8.3. PRESERVATION PLAN ADOPTION/AMENDMENT

A. Applicability

This *Section* applies to the adoption of Preservation Plans. A Preservation Plan clarifies and elaborates upon the “HP” Historic Preservation Overlay Zone regulations as they apply to individual HPOZs. A Preservation Plan is used by the Director, Historic Preservation Board, property Owners and residents in the application of preservation principles within an HPOZ.

B. Initiation

1. Preparation

The Historic Preservation Board shall make a draft Preservation Plan available for review and comment to property Owners and Renters within the HPOZ.

- a. If a Historic Preservation Board exists, it will prepare the Preservation Plan with the Director’s assistance. Historic preservation groups may also assist in this effort.
- b. If no Historic Preservation Board exists, or has yet to be appointed, the Director may create a working committee of diverse neighborhood stakeholders to prepare a Preservation Plan for the HPOZ. The Director will consult with the Councilmember(s) representing the HPOZ. This committee does not have any duties beyond preparing the Preservation Plan.

2. Elements

A Preservation Plan shall contain the following elements:

- a. A mission statement;
- b. Goals and objectives;
- c. A function of the Plan Section, including the role and organization of a Preservation Plan, Historic Preservation Overlay Zone process overview, and work exempted from review, if any, and delegation of Historic Preservation Board authority to the Director, if any;
- d. The Historic Resources Survey;
- e. A brief context statement which identifies the Historic, architectural and cultural significance of the HPOZ;
- f. The Secretary of the interior’s Standards for Rehabilitation;

Sec. 13B.8.3. Preservation Plan Adoption/ Amendment

1 Initiation

HISTORIC
PRESERVATION BOARD
OR PLANNING DIRECTOR

2 Review

CULTURAL HERITAGE
COMMISSION REPORT &
RECOMMENDATION

NOTICE

CITY PLANNING
COMMISSION HEARING

3 Decision

CITY PLANNING
COMMISSION

APPROVE
OR
DENY

- g. Design guidelines for Rehabilitation or Restoration, Additions, Alterations, infill and the form of single and multi-family residential, commercial and other non-residential buildings, structures, and public areas. The guidelines shall use the Secretary of the interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings; and
- h. Preservation incentives and adaptive reuse policies, including policies concerning adaptive reuse projects permitted under the Class 1 Conditional Use Permit regulations (see Chapter I. (General Provisions and Zoning), Sec. 12.24 X.12 for lots subject to Chapter I.).

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing on the initial decision:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> The applicant (if initiated by property owners or residents); The owner(s) and occupants of the property involved; The owners of all property within and outside the City within 500 feet of the exterior boundaries of the area subject to the application (or the expanded area described below); Residential, commercial and industrial occupants of all property within 500 feet of the application area; and The Certified Neighborhood Council representing the area in which the property is located

- b. If the mailed notice does not include at least 20 different owners of at least 20 different lots other than the subject property, the notification radius will increase in increments of 50 feet until that number of owners and lots are encompassed within the expanded area.

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. Decision Maker

The City Planning Commission is the initial decision maker.

3. Public Hearing

- a. A draft Preservation Plan shall be set for a public hearing before the City Planning Commission or a Hearing Officer designated by the City Planning Commission, with notice given in the manner specified in Subsection C. (Notice) of this Section.

- b. If a Hearing Officer is designated, the Hearing Officer shall submit a written report with conclusions and recommendations to the City Planning Commission after the hearing concludes. The report shall be submitted within a period of time fixed by the Commission.

4. Cultural Heritage Commission Recommendation

The Cultural Heritage Commission shall submit its recommendation regarding a proposed Preservation Plan within 45 days of its submission to the Commission. Upon action, or failure to act, the Cultural Heritage Commission shall transmit its recommendation, if any, comments, and any related files to the City Planning Commission.

5. Decision

The City Planning Commission shall render the initial decision within 75 days of the Preservation Plan being submitted.

E. Standards for Review

In approving a Preservation Plan Adoption or Amendment, the City Planning Commission shall consider whether the Preservation Plan is reasonable, including:

1. Whether the policies, guidelines and standards are consistent with the General Plan, community plan, or any Specific Plan;
2. Whether the document is internally consistent;
3. Whether the document is consistent with sound planning principles;
4. Whether the document is consistent with state and federal law; and
5. Any other factors the Commission deems appropriate.

F. Scope of Decision

The Preservation Plan, Guidelines and Standards are in addition to those set forth in this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code, and any other relevant ordinances and do not convey any rights not otherwise granted under the provisions and procedures contained in those Chapters and other relevant ordinances, except as specifically provided in this *Section*.

G. Appeals

There is no appeal.

H. Modification of Preservation Plan

1. Review

After approval by the City Planning Commission, the Historic Preservation Board shall review a Preservation Plan at least every five years, or as needed.

2. Modifications

Any modifications to a Preservation Plan resulting from the review shall be processed pursuant to the provisions of *Subsections B. (Initiation) - F. (Scope of Decision)* of this *Section*.

SEC. 13B.8.4. REVIEW OF CONFORMING WORK

A. Applicability

1. General

- a. This *Section* applies to the review of Conforming Work on contributing elements and non-contributing elements.
- b. Conforming Work may fall into two categories: Major Conforming Work and Minor Conforming Work.
- c. This *Section* requires Conforming Work on contributing elements for some projects which may, or may not, require a building permit, including, but not limited to, changing exterior paint color, removal of significant trees (for contributing elements), removal of trees (for non-contributing elements), removal of landscaping, installation or removal of fencing, window and door replacement, changes to public spaces, and similar projects.

2. Conforming Work on Contributing Elements

- a. Conforming Work meeting the criteria and thresholds set forth in this *Subsection* does not require Certificates of Appropriateness set forth in Sec. 13B.8.5. (*Construction, Addition, Alteration, or Reconstruction*) and Sec. 13B.8.6. (*Demolition, Removal, or Relocation*)).
- b. Where the project consists of the demolition of a detached garage, porte cochere, carport, storage building, tool or garden shed, or animal keeping use structure:
 - i. The Director shall review the request and determine whether it qualifies for review under Conforming Work, based on at least one of the following considerations:
 - a) It can be demonstrated that the structure was built outside of the Period of Significance for the HPOZ through building permits, or where building permits do not exist, through Sanborn Fire insurance Maps or historic records or photographs.
 - b) The demolition of the structure will not degrade the status of the lot as a contributing element in the Historic Preservation Overlay Zone.
 - c) The demolition will not affect the integrity and development pattern of the district as a whole.

Sec. 13B.8.4. Review of Conforming Work

1 Initiation



2 Submittal



3 Review



4 Decision



- ii. Any request for the Demolition of a detached garage, porte cochere, carport, storage building, tool or garden shed, or animal-keeping use structure that does not meet one or more of the above criteria is reviewed pursuant to Certificate of Appropriateness provisions (see *Sec. 13B.8.5. (Construction, Addition, Alteration, or Reconstruction)* and *Sec. 13B.8.6. (Demolition, Removal, or Relocation)*).

3. Conforming Work on Non-Contributing Elements

Conforming Work meeting the criteria and thresholds set forth in this *Subsection* does not require Certificates of Compatibility set forth in *Sec. 13B.8.7. (Certificate of Compatibility for Non-Contributing Elements)*.

4. Failure to Meet Conforming Elements Criteria

- a. If an application fails to conform to the criteria of Conforming Work on Contributing Elements, an applicant may elect to file for review under the Certificate of Appropriateness procedure pursuant to *Sec. 13B.8.5. (Construction, Addition, Alteration, or Reconstruction)* and *Sec. 13B.8.6. (Demolition, Removal, or Relocation)*.
- b. If an application fails to conform to the criteria of Conforming Work on Non-Contributing Elements, an applicant may elect to file for review under the Certificate of Compatibility procedure pursuant to *Sec. 13B.8.7. (Certificate of Compatibility for Non-Contributing Elements)*.

B. Initiation

1. Application, form and Contents

To apply for Conforming Work, an owner shall file an application with the Department of City Planning and include all information required by the instructions on the application. Prior to deeming the application complete, the Director shall determine and, if necessary, advise the applicant of the processes to be followed and fees to be paid.

2. Application Fees

The application fees for Major Conforming are set forth in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter. Minor Conforming Work does not require an application fee.

C. Notice

1. Notice of Public Hearing

There is no public hearing required for a Review of Conforming Work, and therefore no notice of a public hearing is required.

D. Decision

1. General Procedures

See Sec. 13A.2.5. (*Decisions*).

2. Decision Maker

Pursuant to Sec. 13B.8.2.F.3. (*Historic Preservation Overlay Zone Designation; Scope of Decision*), the Director shall forward applications for Conforming Work to the Historic Preservation Board for conformance review and sign off. The Historic Preservation Board may delegate its review authority to the Director as specified in the Preservation Plan approved for the HPOZ.

3. Meeting and Decision

a. Time to Act

The Historic Preservation Board shall act on a request for Conforming Work at its next agendaized Historic Preservation Board meeting within 21 days of the Director deeming an application complete, unless the applicant and the Director mutually agree in writing to an extension of time. Applications reviewed under Conforming Work shall be agendaized by the Historic Preservation Board.

b. Certification

The Historic Preservation Board shall review and sign off a request for Conforming Work if it finds that the work meets the criteria as set forth in *Subsection A.2.b. (Applicability; Conforming Work on Contributing Elements)* of this Section and *Subsection E. (Standards for Review and Required Findings)* of this Section. The Historic Preservation Board does not have the authority to impose conditions on Conforming Work. If the Historic Preservation Board finds that the work does not meet the criteria, it shall specify in writing as to why.

c. Failure to Act

The applicant may request a transfer of jurisdiction to the Director if the Historic Preservation Board fails to act within 21 days.

E. Standards for Review and Required Findings

1. Conforming Work on Contributing Elements

A request for Conforming Work on Contributing Elements shall be reviewed for conformity with the Preservation Plan for the HPOZ, or if none exists, the Secretary of interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, and at least one of following conditions:

Review Criteria for Contributing Elements		
Project Scope		
a. Minor Conforming Work	i.	Restoration work, Rehabilitation, Maintenance, and/or Repair of architectural features on any Contributing Building, structure, Landscaping, Natural Feature, or lot
	ii.	Projects that do not require the issuance of a building permit but affect the building or site, pursuant to Sec. 91.106.2 of this Code
b. Major Conforming Work		Addition(s) to any and all structures on a lot or new Building(s) that satisfy all of the following: <ul style="list-style-type: none"> • The Addition(s) or new Building(s) result(s) in an increase of less than 20 percent of the Building Coverage legally existing on the effective date of the HPOZ; • The Addition(s) or new Building(s) is/are located outside of a Street Visible Area; • No increase in height is proposed; and • The Addition(s) and/or new Building does/do not involve two or more structures
	ii.	Construction of detached garage, porte cochere, carport, storage building, tool or garden shed, or animal-keeping use structure in a Street Visible Area in which the proposed square footage is equal to less than 10 percent of the lot area
	iii.	Demolition of a detached garage, porte cochere, carport, storage building, tool or garden shed, or animal-keeping use structure pursuant to the criteria set forth in Subsection A.2.b. (Applicability; Conforming Work on Contributing Elements) of this Section
	iv.	Demolition and Reconstruction taken in response to natural disaster or to correct a hazardous condition (subject to the provisions of Sec. 5028 of the California Public Resources Code, where applicable)
	v.	Correction of Code Enforcement Conditions

2. Conforming Work on Non-Contributing Elements

A request for Conforming Work on Non-Contributing Elements shall be reviewed for conformity with the Preservation Plan for the HPOZ, and at least one of following conditions:

Review Criteria for Contributing Elements		
Project Scope		
a. Minor Conforming Work	i.	Rehabilitation, Maintenance, or Repair of architectural features on any Non- Contributing building, structure, Landscaping, Natural Feature or lot
	ii.	Relocation of buildings or structures dating from the <u>HPOZ's</u> Period of Significance onto a lot designated as a Non-Contributing element in an <u>HPOZ</u>
	iii.	Projects that do not require the issuance of a building permit but affect the building or site, pursuant to Sec. 91.106.2 of this Code

Review Criteria for Contributing Elements		
Project Scope		
b. Major Conforming Work	i.	Addition(s) to any and all structures on a lot
	ii.	Construction or Demolition of a structure located outside of a Street Visible Area
	iii.	Construction of a detached garage, porte cochere, carport, storage building, tool or garden shed, or animal-keeping use structure located in a Street Visible Area in which the proposed square footage is equal to less than 10 percent of the lot area
	iv.	Relocation or Demolition of a detached garage, porte cochere, carport, storage building, tool or garden shed, or animal-keeping use structure located in a Street Visible Area
	v.	Correction of Code Enforcement Conditions

F. Scope of Decision

See *Sec. 13A.2.7. (Scope of Decision)*.

G. Appeals

There is no appeal.

H. Modification of Entitlement

No modification is available.

SEC. 13B.8.5. CERTIFICATE OF APPROPRIATENESS (CONSTRUCTION, ADDITION, ALTERATION, OR RECONSTRUCTION)

A. Applicability

1. General

This Section requires the issuance of a Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction) for:

- a. Any project affecting a contributing element, except as set forth in Paragraph 3. (*Conforming Work*) below.
- b. A Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction) is required for some projects, which may, or may not, require a building permit. Examples include changing exterior paint color, removing significant trees or landscaping, installing or removing fencing, window and door replacement which are character-defining features of architectural styles, changes to public spaces, and similar projects. However, an applicant not approved under Sec. 13B.8.4. (*Review of Conforming Work*) may elect to file for a Certificate of Appropriateness.

2. Prohibition

- a. No person shall construct, add to, alter, or reconstruct any building, structure, landscaping, or natural feature designated as contributing in the Historic Resources Survey for an HPOZ unless a Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction) is approved for that action pursuant to this Section, with the exception of Conforming Work on contributing elements (which shall not require a Certificate of Appropriateness).
- b. In the event that demolition, removal, or relocation has occurred without a Certificate of Appropriateness (Demolition, Removal, or Relocation) having been approved for such action pursuant to Sec. 13B.8.6., a Certificate of Appropriateness shall be based on the existing conditions of the Historic Resource prior to the demolition, removal, or relocation.
- c. No Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction) shall be approved unless the plans for the construction, alteration, addition, or reconstruction conform to the provisions of this Section.

Sec. 13B.8.5. Certificate of Appropriateness (Construction)

1 Initiation



2 Submittal



NOTICE

3 Review



4 Decision



APPEAL AVAILABLE

3. Conforming Work

- a. This *Section* does not require a Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction) for the ordinary Maintenance & Repair of any exterior architectural feature of a property within an HPOZ, which does not involve a change in design, material, color, or outward appearance.
- b. Work meeting the criteria for Conforming Work on Contributing Elements shall not require a Certificate of Appropriateness.

4. Other City Approvals

The activities listed in *Paragraph 1. (General)* above require a Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction) in addition to other City approvals (building permits, variances, etc.) or other legal requirements, such as *California Public Resources Code, Sec. 5028*, which may be required.

B. Initiation

1. The applicant shall submit:
 - a. Any plan for the construction, Addition, Alteration, or Reconstruction of a building, structure, Landscaping, or Natural Feature; or
 - b. Any combination of the above designated as Contributing in the Historic Resources Survey for an HPOZ.
2. The plans shall be submitted to the Department of City Planning in conjunction with an application, on a form provided for that purpose.
3. The application fees for a Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction) shall be as set forth in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

C. Notice

1. Notice of Public Hearing

- a. The following notice is required for the public hearing held prior to a recommendation:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	10 days	<ul style="list-style-type: none"> Owners and occupants of all properties abutting, across the street or alley from, or having a common corner with the subject property; and The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

2. Notice of Public Hearing on Appeal

- a. The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • Applicant; • Appellant; • Cultural Heritage Commission; • The relevant Historic Preservation Board; • The Certified Neighborhood Council representing the area in which the property is located; and • Any other interested parties of record

D. Decision

1. General Procedures

See Sec. 13A.2.5. (*Decisions*).

2. Decision Maker

The Director is the initial decision maker.

3. Referral

Upon an application being deemed complete by the Director, one copy each of the application and relevant documents shall be mailed by the Department of City Planning to both the Cultural Heritage Commission and to each Historic Preservation Board Member of the HPOZ for evaluation.

4. Public Hearing

Before making its recommendation to approve, conditionally approve, or disapprove an application pursuant to this Section for a Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction), the Historic Preservation Board shall hold a public hearing on the matter, giving notice in the manner specified in Paragraph C. (*Notice*) above.

5. Cultural Heritage Commission & Historic Preservation Board Recommendations

- a. The Cultural Heritage Commission (or its designee) and the Historic Preservation Board shall submit their recommendation to the Director as to whether the Certificate should be approved, conditionally approved, or disapproved.
- b. In the event that the Cultural Heritage Commission or Historic Preservation Board does not submit their recommendations within 30 days of the postmarked date of the mailing from the City Planning Department, the Cultural Heritage Commission or Historic Preservation Board shall be deemed to have forfeited all jurisdiction in the matter and the

Certificate may be approved, conditionally approved, or disapproved as filed. The applicant and the Director may mutually agree in writing to a longer period of time for the Historic Preservation Board to act.

6. Decision

- a. The Director shall approve, conditionally approve, or disapprove a Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction).
- b. Any approval, conditional approval, or denial shall include written findings in support.

7. Time to Act

The Director shall render a determination on any Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction) within 75 days after the application is deemed complete, unless the applicant and the Director mutually consent in writing to a longer period.

8. Transmittal

A copy of the determination shall be mailed to the applicant, the Historic Preservation Board, the Cultural Heritage Commission, and any other interested parties. No Certificate of Appropriateness shall be deemed approved or issued until the appeal period has expired or until any appeal has been resolved.

E. Standards for Review and Required Findings

In making a determination on a Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction), the Director or Area Planning Commission (on appeal) shall consider the following:

1. If no Preservation Plan exists, whether the project complies with Standards for rehabilitation approved by the United States Secretary of the interior considering the following factors:
 - a. Architectural design;
 - b. Height, bulk, and massing of buildings and structures;
 - c. Lot coverage and orientation of buildings;
 - d. Color and texture of surface materials;
 - e. Grading and site development;
 - f. Landscaping;
 - g. Changes to natural features;
 - h. Antennas, satellite dishes and solar collectors;
 - i. Off-street parking;

- j. Light fixtures and street furniture;
 - k. Steps, walls, fencing, doors, windows, screens and security grills;
 - l. Yards and setbacks;
 - m. Signs; and
 - n. Whether the project protects and preserves the historic and architectural qualities and the physical characteristics, which make the building, structure, landscaping, or natural feature a contributing element of the Preservation Zone.
2. If a Preservation Plan exists, whether the project complies with the approved Preservation Plan for the HPOZ.

F. Scope of Decision

See Sec. 13.2.7. (*Scope of Decision*).

G. Appeals

1. General Procedures

See Sec. 13A.2.8. (*Appeals*).

2. Decision Maker

The Area Planning Commission is the appellate decision maker.

3. Filing

- a. An appeal may be filed by the applicant, any aggrieved party, the Mayor, or a member of the City Council. Unless a Historic Preservation Board member is an applicant, they may not appeal any initial decision of the Director as it pertains to this Section.
- b. An appeal shall be filed in triplicate, and the Planning Department shall forward a copy of the appeal to the Historic Preservation Board and the Cultural Heritage Commission.

4. Public Hearing

Before acting on any appeal, the Area Planning Commission shall set the matter for hearing, giving notice in the manner specified in Paragraph C. (*Notice*) above.

5. Appellate Decision

- a. The Area Planning Commission may grant, conditionally grant, or deny the appeal.
- b. The Area Planning Commission shall render its decision within 75 days after the expiration of the appeal period or within an additional period as may be agreed upon by the applicant and the appellate body.

- c. The failure of the Area Planning Commission to submit a timely decision shall be deemed a denial of the appeal, and the original action on the matter shall become final.

H. Modification of Entitlement

1. Modification of an Approved Certificate of Appropriateness

Once a Certificate of Appropriateness becomes effective, the Director shall review any subsequent proposed modification to the project. The Director shall approve the modification if he or she finds the modification to be substantially in conformance with the original approved project. If the Director finds that the proposed modification does not substantially conform to the original approved project, then the applicant shall resubmit the project for a new Certificate of Appropriateness.

2. Modification Procedure

To modify an approved Certificate of Appropriateness, an applicant shall submit to the Department of City Planning plans, building elevations, or details of the proposed modification and any additional information determined necessary for conformance review. The Director may forward proposed modifications to the Historic Preservation Board and/or the Cultural Heritage Commission's designee for consultation.

SEC. 13B.8.6. CERTIFICATE OF APPROPRIATENESS (DEMOLITION, REMOVAL, OR RELOCATION)

A. Applicability

1. General

This *Section* requires the issuance of a Certificate of Appropriateness (Demolition, Removal, or Relocation) for:

- a. The Demolition, relocation or removal of any contributing building, structure, Landscaping, or Natural Feature, except as set forth in *Paragraph 3. (Conforming Work)* below; or
- b. Any combination of the above designated as Contributing in the Historic Resources Survey for an HPOZ.

2. Prohibition

- a. No person shall cause the Demolition, relocation or removal of any building, structure, Landscaping, or Natural Feature designated as contributing in the Historic Resources Survey for an HPOZ unless a Certificate of Appropriateness (Demolition, Removal, or Relocation) is approved for that action pursuant to this *Section*, with the exception of Conforming Work on Contributing Elements (which shall not require a Certificate of Appropriateness).
- b. If the event that Demolition, removal, or relocation occurs without a Certificate of Appropriateness (Demolition, Removal, or Relocation) having been approved for that action pursuant to this *Section*, a Certificate of Appropriateness shall be based on the existing conditions of the Historic Resource prior to the Demolition, removal, or relocation.
- c. No Certificate of Appropriateness (Demolition, Removal, or Relocation) shall be approved unless the plans for the Demolition, relocation, or removal conform to the provisions of this *Section*.

3. Conforming Work

- a. This *Section* does not require a Certificate of Appropriateness (Demolition, Removal, or Relocation) for the ordinary Maintenance & Repair of any exterior architectural feature of a property within an HPOZ, which does not involve a change in design, material, color, or outward appearance.

Sec. 13B.8.6. Certificate of Appropriateness (Demolition)

1 Initiation

APPLICANT

2 Submittal

COMPLETENESS REVIEW

NOTICE

3 Review

CULTURAL HERITAGE COMMISSION REVIEW

HISTORIC PRESERVATION BOARD HEARING

CULTURAL HERITAGE COMMISSION REPORT & RECOMMENDATION

HISTORIC PRESERVATION REPORT & RECOMMENDATION

4 Decision

AREA PLANNING COMMISSION HEARING

APPROVE OR DENY

APPEAL AVAILABLE

- b. Work meeting the criteria for Conforming Work on Contributing Elements does not require a Certificate of Appropriateness.

4. Other City Approvals

The activities listed in *Subdivision 1. (General)* above require a Certificate of Appropriateness (Demolition, Removal, or Relocation) in addition to other City approvals (building permits, variances, etc.) or other legal requirements, such as *California Public Resources Code, Sec. 5028*, which may be required.

B. Initiation

1. The applicant shall submit:
 - a. Any plan for the Demolition, removal, or relocation of a building, structure, Landscaping, or Natural Feature; or
 - b. Any combination of the above designated as Contributing in the Historic Resources Survey for an HPOZ.
2. The plans shall be submitted to the Department of City Planning in conjunction with an application, on a form provided for that purpose.
3. The application fees for a Certificate of Appropriateness (Demolition, Removal, or Relocation) shall be as set forth in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

C. Notice

1. Notice of Public Hearing

The following notice is required for the public hearing held prior to a recommendation:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	10 days	<ul style="list-style-type: none"> Owners and occupants of all properties abutting, across the street or alley from, or having a common corner with the subject property; and The Certified Neighborhood Council representing the area in which the property is located
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

2. Notice of Public Hearing on Appeal

The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • Applicant; • Appellant; • Cultural Heritage Commission; • The relevant Historic Preservation Board; • The Certified Neighborhood Council representing the area in which the property is located; and • Any other interested parties of record

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Decision Maker

The Area Planning Commission is the initial decision maker.

3. Referral

Upon an application being deemed complete by the Director, one copy each of the application and relevant documents shall be mailed by the Department of City Planning to both the Cultural Heritage Commission and to each Historic Preservation Board Member for the HPOZ for evaluation.

4. Public Hearing

Before making its recommendation to approve, conditionally approve, or disapprove an application pursuant to this *Section* for a Certificate of Appropriateness (Demolition, Removal, or Relocation), the Historic Preservation Board shall hold a public hearing on the matter, giving notice in the manner specified in *Subsection C. (Notice)* above.

5. Cultural Heritage Commission & Historic Preservation Board Recommendations

- a. The Cultural Heritage Commission (or its designee) and the Historic Preservation Board shall submit their recommendations to the Area Planning Commission as to whether the Certificate should be approved, conditionally approved, or disapproved.
- b. In the event that the Cultural Heritage Commission or Historic Preservation Board does not submit their recommendations within 30 days of the postmarked date of the mailing from the City Planning Department, the Cultural Heritage Commission or Historic Preservation Board shall be deemed to have forfeited all jurisdiction in the matter and the Certificate may be approved, conditionally approved, or disapproved as filed. The applicant and the Director may mutually agree in writing to a longer period of time for the Historic Preservation Board to act.

6. Decision

- a. The Area Planning Commission shall approve, conditionally approve, or disapprove a Certificate of Appropriateness (Demolition, Removal, or Reconstruction).
- b. Any approval, conditional approval, or denial shall include written findings in support.

7. Time to Act

The Area Planning Commission shall render a determination on any Certificate of Appropriateness (Demolition, Removal, or Relocation) within 75 days after the application is deemed complete, unless the applicant and the Director mutually consent in writing to a longer period.

8. Transmittal

A copy of the determination shall be mailed to the applicant, the Historic Preservation Board, the Cultural Heritage Commission, and any other interested parties. No Certificate of Appropriateness (Demolition, Removal, or relocation) shall be deemed approved or issued until the appeal period has expired or until any appeal has been resolved.

E. Standards for Review and Required Findings

1. No Certificate of Appropriateness (Demolition, Removal, or Relocation) shall be issued for Demolition, removal, or relocation of any contributing building, structure, Landscaping, Natural Feature or Lot within an HPOZ that is designated as a Contributing Element unless the Owner can demonstrate to the Area Planning Commission that the Owner would be deprived of all economically viable use of the property.
2. In making a determination on a Certificate of Appropriateness (Demolition, Removal, or Relocation), the Area Planning Commission or City Council (on appeal) shall consider any evidence presented concerning the following:
 - a. An opinion regarding the structural soundness of the structure and its suitability for continued use, renovation, Restoration, or Rehabilitation from a licensed engineer or architect who meets the Secretary of the interior's Professional Qualification Standards as established by the Code of Federal Regulation, 36 CFR Part 61. This opinion shall be based on the Secretary of the interior's Standards for Architectural and Engineering Documentation with Guidelines;
 - b. An estimate of the cost of the proposed Alteration, construction, Demolition, or removal and an estimate of any additional cost that would be incurred to comply with the recommendation of the Historic Preservation Board for changes necessary for it to be approved;

- c. An estimate of the market value of the property in its current condition; after completion of the proposed Alteration, construction, Demolition, or removal; after any expenditure necessary to comply with the recommendation of the Historic Preservation Board for changes necessary to approve a Certificate of Appropriateness; and, in the case of a proposed Demolition, after renovation of the existing structure for continued use; and
 - d. In the case of a proposed Demolition, an estimate from architects, developers, real estate consultants, appraisers, or other real estate professionals experienced in Rehabilitation as to the economic feasibility of Restoration, renovation, or Rehabilitation of any existing structure or objects. This includes tax incentives and any special funding sources, or government incentives, which may be available.
3. In a case where Demolition, removal, or relocation of any Contributing Element, without a Certificate of Appropriateness (Demolition, Removal, or Relocation) has occurred, this *Subsection* does not apply. Procedures in *Sec. 13B.8.5. (Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction))* and/or *Sec. 13B.8.1.E. (General Provisions; Enforcement)* apply.

F. Scope of Decision

See *Sec. 13A.2.7. (Scope of Decisions)*.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The City Council is the appellate decision maker.

3. Filing

- a. An appeal may be filed by the applicant, any aggrieved party, the Mayor, or a member of the City Council. Unless a Historic Preservation Board member is an applicant, he or she may not appeal any initial decision of the Director as it pertains to this *Section*.
- b. An appeal shall be filed in triplicate, and the Planning Department shall forward a copy of the appeal to the Historic Preservation Board and the Cultural Heritage Commission.

4. Public Hearing

Before acting on any appeal, the City Council shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.

5. Appellate Decision

- a. The City Council may grant, conditionally grant, or deny the appeal.

- b. The City Council shall render its decision within 75 days after the expiration of the appeal period or within an additional period as may be agreed upon by the applicant and the appellate body.
- c. The failure of the City Council to submit a timely decision shall be deemed a denial of the appeal, and the original action on the matter shall become final.

H. Modification of Entitlement

1. Modification of an Approved Certificate of Appropriateness

Once a Certificate of Appropriateness becomes effective, the Director shall review any subsequent proposed modification to the project. The Director shall approve the modification if he or she finds the modification to be substantially in conformance to the original approved project. If the Director finds that the proposed modification does not substantially conform to the original approved project, then the applicant shall resubmit the project for a new Certificate of Appropriateness.

2. Modification Procedure

To modify an approved Certificate of Appropriateness, an applicant shall submit to the Department of City Planning plans, building elevations, or details of the proposed modification and any additional information determined necessary for conformance review. The Director may forward proposed modifications to the Historic Preservation Board and/or the Cultural Heritage Commission's designee for consultation.

SEC. 13B.8.7. CERTIFICATE OF COMPATIBILITY FOR NON-CONTRIBUTING ELEMENTS

Purpose. The intent of this Section is to ensure compatibility of non-contributing elements with the character of the HPOZ and to ensure that any construction or demolition work is undertaken in a manner that does not impair the essential form and integrity of the historic character of its environment.

A. Applicability

1. General

A request for a Certificate of Compatibility shall be reviewed for conformity with the Preservation Plan for the HPOZ and shall consist of at least one of following project types:

- a. Where the project on a non-contributing element does not qualify as Conforming Work;
- b. Where a structure is constructed or demolished in a street visible area on a lot designated as a non-contributing element; or
- c. Where structures not dating from the HPOZ's period of significance are replaced or relocated onto a lot designated as a non-contributing element.

2. Prohibition

- a. No person shall construct, add to, alter, cause the demolition, relocation, or removal of any building, structure, landscaping, or natural feature designated as a non-contributing element or not listed in the Historic Resources Survey for an HPOZ unless a Certificate of Compatibility has been approved for that action pursuant to this Section.
- b. Additions and alterations may be exempt from this Section provided they meet the criteria in Sec. 13B.8.4. (Review of Conforming Work).
- c. No Certificate of Compatibility shall be approved unless the plans for the construction, demolition, alteration, addition, relocation, or removal conform to the provisions of this Section. Any approval, conditional approval, or denial shall include written justification pursuant to Subsection E. (Standards for Issuance of a Certificate of Compatibility for New Building Construction or Replacement, and the Relocation of Buildings or Structures Not Dating from the Preservation Zone's Period of Significance Onto a Lot Designated as a Non-Contributing Element) of this Section.

Sec. 13B.8.7. Certificate of Compatibility

1 Initiation

APPLICANT

2 Submittal

COMPLETENESS REVIEW

NOTICE

3 Review

CULTURAL HERITAGE COMMISSION REVIEW

HISTORIC PRESERVATION BOARD HEARING

CULTURAL HERITAGE COMMISSION REPORT & RECOMMENDATION

HISTORIC PRESERVATION BOARD REPORT & RECOMMENDATION

4 Decision

PLANNING DIRECTOR

APPROVE OR DENY

APPEAL AVAILABLE

3. Conforming Work

- a. Other types of work solely involving Non-Contributing Elements, including the relocation of buildings or structures dating from the HPOZ's period of significance onto a lot designated as a Non-Contributing Element, are eligible for review under Conforming Work on Non-Contributors as set forth in *Sec. 13B.8.4. (Review of Conforming Work)*.
- b. The Director shall review a request, pursuant to *Sec. 13B.8.2.F. (Historic Preservation Overlay Zone Designation; Scope of Decision)* and find whether the application is eligible for Conforming Work on Non-Contributors as outlined in *Sec. 13B.8.4. (Review of Conforming Work)* or requires a Certificate of Compatibility.
- c. An applicant not approved under *Sec. 13B.8.4. (Review of Conforming Work)* may elect to file for a Certificate of Compatibility.

4. Other City Approvals

The requirements for a Certificate of Compatibility are in addition to other City approvals (building permits, variances, etc.) and other legal requirements, such as *Public Resources Code, Sec. 5028*, which may be required. The time periods specified above may be extended, if necessary, with the written mutual consent of the applicant and the Director.

B. Initiation

1. Plans shall be submitted, in conjunction with an application, to the Department of City Planning upon a form provided for that purpose.
2. Upon an application being deemed complete by the Director, one copy of the application and relevant documents shall be mailed by the Department of City Planning to each Historic Preservation Board member of the HPOZ for evaluation.
3. The application fees for a Certificate of Compatibility are set forth in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.

C. Notice

1. Notice of Public Hearing

The following notice is required for the public hearing held prior to a recommendation:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	10 days	<ul style="list-style-type: none"> Owners and occupants of all properties abutting, across the street or alley from, or having a common corner with the subject property; and The Certified Neighborhood Council representing the area in which the property is located

Type of Notice	When	Where / To Whom / Additional Requirements
Posting	10 days	<ul style="list-style-type: none"> The applicant will post notice in a conspicuous place on the property

2. Notice of Public Hearing on Appeal

The following notice is required for the public hearing on the appeal:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> Applicant; Appellant; Cultural Heritage Commission; The relevant Historic Preservation Board; The Certified Neighborhood Council representing the area in which the property is located; and Any other interested parties of record

D. Decision

1. General Procedures

See *Sec. 13A.2.5. (Decisions)*.

2. Decision Maker

The Director is the initial decision maker.

3. Referral

Upon an application being deemed complete by the Director, one copy each of the application and relevant documents shall be mailed by the Department of City Planning to both the Cultural Heritage Commission and to each Historic Preservation Board member of the HPOZ for evaluation.

4. Public Hearing

Before making its recommendation to approve, conditionally approve, or disapprove an application pursuant to this *Section* for a Certificate of Compatibility, the Historic Preservation Board shall hold a public hearing on the matter, giving notice in the manner specified in *Subsection C. (Notice)* above.

5. Cultural Heritage Commission & Historic Preservation Board Recommendations

- a. The Cultural Heritage Commission (or its designee) and the Historic Preservation Board shall submit their recommendation to the Director as to whether the Certificate of Compatibility should be approved, conditionally approved, or disapproved.

- b. In the event the Cultural Heritage Commission or the Historic Preservation Board does not submit its recommendations within 30 days of the postmarked date of mailing of the application from the City Planning Department, the Cultural Heritage Commission or the Historic Preservation Board shall forfeit all jurisdiction. The applicant and the Director may mutually agree in writing to a longer period of time for the Historic Preservation Board to act.

6. **Certificates of Compatibility for the Demolition of Non-Contributing Elements**

- a. After notice pursuant to *Subsection C. (Notice)* of this *Section* and a hearing, the Historic Preservation Board shall submit its comments on a request to Demolish a Non-Contributing Element, considering the impact(s) of the Demolition of the Non-Contributing Element to the essential form and integrity of the Historic character of its surrounding built environment within 30 days of the postmarked date of mailing of the application from the City Planning Department. In the event the Historic Preservation Board does not submit its comment within 30 days, the Historic Preservation Board shall forfeit all jurisdiction. The applicant and the Director may mutually agree in writing to a longer period of time for the Historic Preservation Board to comment.
- b. In a case where Demolition of any Non-Contributing Element, without a Certificate of Compatibility for the Demolition of Non-Contributing Elements or permit has occurred, *Paragraph 5.a. (Cultural Heritage Commission and Historic Preservation Board Recommendations)* above does not apply. Procedures in *Subsections A. (Applicability) - G. (Appeals)* of this *Section* and/or *Sec. 13B.8.1.E. (General Provisions; Enforcement)* apply.

7. **Decision**

- a. The Director shall approve, conditionally approve, or disapprove a Certificate of Compatibility.
- b. Any approval, conditional approval, or denial shall include written findings in support.

8. **Time to Act**

The Director shall render a determination on any Certificate of Compatibility within 75 days after the application is deemed complete, unless the applicant and the Director mutually consent in writing to a longer period.

9. **Transmittal**

A copy of the determination shall be mailed to the applicant, the Historic Preservation Board, and any other interested parties. No Certificate of Compatibility shall be deemed approved or issued until the time period for appeal has expired.

E. **Standards for Issuance of a Certificate of Compatibility for New Building Construction or Replacement, and the Relocation of Buildings or Structures**

Not Dating from the Preservation Zone's Period of Significance Onto a Lot Designated as a Non-Contributing Element

In making a determination on a Certificate of Compatibility, the Director or Area Planning Commission (on appeal) shall consider each of the following:

1. If no Preservation Plan exists, whether the following aspects of the project do not impair the essential form and integrity of the historic character of its surrounding built environment, considering the following factors:
 - a. Architectural design;
 - b. Height, bulk, and massing of buildings and structures;
 - c. Lot coverage and orientation of buildings;
 - d. Color and texture of surface materials;
 - e. Grading and lot development;
 - f. Landscaping;
 - g. Changes to natural features;
 - h. Steps, walls, fencing, doors, windows, screens, and security grills;
 - i. Yards and setbacks;
 - j. Off street parking;
 - k. Light fixtures and street furniture;
 - l. Antennas, satellite dishes and solar collectors; or
 - m. Signs; and
2. New construction shall not destroy historic features or materials that characterize the property. The design of new construction shall subtly differentiate the new construction from the surrounding historic built fabric, and shall be contextually compatible with the massing, size, scale, and architectural features of nearby structures in the HPOZ; or
3. Whether the project complies with the Preservation Plan approved by the City Planning Commission for the HPOZ.

F. Scope of Decision

See Sec. 13A.2.7. (Scope of Decision).

G. Appeals

1. General Procedures

See Sec. 13A.2.8. (*Appeals*).

2. Decision Maker

The Area Planning Commission is the appellate decision maker.

3. Filing

- a. An appeal may be filed by the applicant, any aggrieved party, the Mayor, or a member of the City Council. Unless a Historic Preservation Board member is an applicant, he or she may not appeal any initial decision of the Director as it pertains to this *Section*.
- b. An appeal shall be filed in triplicate, and the Planning Department shall forward a copy of the appeal to the Historic Preservation Board and the Cultural Heritage Commission.

4. Public Hearing

Before acting on any appeal, the Area Planning Commission shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* above.

5. Appellate Decision

- a. The Area Planning Commission may grant, conditionally grant, or deny the appeal.
- b. The Area Planning Commission shall render its decision within 75 days after the expiration of the appeal period or within an additional period as may be agreed upon by the applicant and the appellate body.
- c. Failure of the Area Planning Commission to submit a timely decision shall be deemed a denial of the appeal, and the original action on the matter shall become final.

H. Modification of Entitlement

1. Modification of an Approved Certificate of Compatibility

Once a Certificate of Compatibility becomes effective, any subsequent proposed modification to the project shall require review by the Director, who shall approve the modification if he or she finds the modification to be substantially in conformance with the original approved project. If the Director finds that the proposed modification does not substantially conform to the original approved project, then the applicant shall resubmit the project for a new Certificate of Compatibility.

2. Modification Procedure

To modify an approved Certificate of Compatibility, an applicant shall submit to the Department of City Planning plans, building elevations, or details of the proposed modification

and any additional information determined necessary for conformance review. The Director may forward proposed modifications to the Historic Preservation Board and/or the Cultural Heritage Commission's designee for consultation.

DIV. 13B.9. COASTAL DEVELOPMENT

SEC. 13B.9.1. COASTAL DEVELOPMENT PERMIT (PRE-CERTIFICATION)

Purpose. It is the purpose of this *Section* to provide for the approval or denial of Coastal Development Permits, prior to the certification of the Local Coastal Program, in accordance with *California Public Resources Code, Sec. 30600(b)*. In adopting the California Coastal Act of 1976 the State Legislature finds and declares:

- That the California Coastal Zone is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced ecosystem.
- That the permanent protection of the State's natural and scenic resources is a paramount concern to present and future residents of the State and nation.
- That to promote the public safety, health, and welfare, and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and to prevent its deterioration and destruction.

A. Applicability

1. Definitions

For the purpose of this *Section* the following words and phrases are defined:

Aggrieved Person. Any person who, in person or through a representative, appeared at a hearing on the application for a Coastal Development Permit, or appeal hearing in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing, informed the permit issuing authority, or appeal body of the nature of his or her concerns or who for good cause was unable to do either. "Aggrieved person" includes the applicant for a Coastal Development Permit.

Coastal Zone. That land and water area within the City as specified on maps prepared by the California Coastal Commission, copies of which are on file with the Department of City Planning and the Office of City Engineer. Such "Coastal Zone" extends seaward to the City's outer limit of jurisdiction, and generally extends inland 1000 yards from the mean high tide line of the sea. In significant coastal estuarine, habitat and recreational areas it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone extends inland 1000 yards.

Development. On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of the use of land, including, but not limited to, subdivisions pursuant to the Subdivision Map Act (commencing with *Sec. 66410 of the California Government Code*), and any other division of land, including, but not limited to, parcel maps and private street divisions, lot splits, lot

reconfigurations, and mergers, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the *Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Sec. 4511 of the California Public Resources Code)*. As used in this definition, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

Local Coastal Program (LCP). The City's land use plans and other applicable general plan elements, zoning ordinances, zoning district maps, and proposed implementing actions, which when taken together, meet the requirements of, and implement the provisions and policies of, the *California Coastal Act of 1976*.

Permit. Any license, certificate, approval, or other entitlement for use granted, conditionally granted, or denied by any public agency, which is subject to the provisions of this *Section*.

Public Project. Any development initiated by the Department of Public Works or any of its bureaus, any development initiated by any other department or agency of the City, and any development initiated or to be carried out by any other governmental agency which is required to obtain a local government permit. Public Project shall not include any development by any department or agency of the City or any other governmental entity which otherwise requires action by or approval of the *City Planning Commission*, *Area Planning Commission* or the Office of Zoning Administration, or any development by any department or agency of the City or any other governmental entity for which a permit from the *Department of Building and Safety* is required. Public Project shall also not include any development on tidelands, submerged lands, or on public trust lands, whether filled or unfilled. (Definition Amended by Ord. No. 173,268, eff. 7/1/00, Oper. 7/1/00.)

Sea. The Pacific Ocean and all harbors, bays, channels, canals, estuaries, salt marshes, sloughs and other areas subject to tidal action through any connection with the Pacific Ocean, excluding non-estuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.

2. Use

No Development shall be undertaken in the Coastal Zone unless and until an application for such Development has been submitted to the City for a Coastal Development Permit and such Permit has been obtained from the appropriate City Department in conformance with the provisions of this *Section* and has become final. Where the particular coastal project requires a Coastal Development Permit from the Commission in addition to the one obtained from the

City, no development may be commenced until both such permits have been obtained, and both have become final.

Exception

The provisions of this *Section* shall not apply to developments which do not need locally issued Coastal Development Permits under the Coastal Act of 1976 or *Division 5.5 Title 14 California Coastal Commission Regulations, of the California Code of Regulations*. A current copy of these regulations is on file with the Department of City Planning and the Office of City Engineer. This exception shall not relieve any person from obtaining from the proper authority a Coastal Development Permit for a Development within the Coastal Zone where such permit is required but can only be issued by the California Coastal Commission or the Executive Director. The provisions of this *Section* shall also not apply to any development on tidelands, submerged lands, or on public trust lands, whether filled or unfilled; any development by a public agency for which a local government permit is not otherwise required; any emergency repair authorized by *Sec. 30611 of the Public Resources Code*; any permits authorized to be issued by the Executive Director of the California Coastal Commission pursuant to *Sec. 30624 of the Public Resources Code*; and any other permits over which the City is not authorized to exercise the option provided for in *Subdivision (b) of Sec. 30600 of the Public Resources Code*.

B. Initiation

Proceedings for a Permit shall be initiated by the filing of a verified application upon a form or forms prescribed for that purpose. An application for a Coastal Development Permit for a public project, or for a private project where the approval for the underlying permit is within the jurisdiction of the City Engineer shall be filed in the public office of the City Engineer. All other applications for Coastal Development Permits shall be filed in a public office of the Department of City Planning.

1. All applications filed with the City Engineer and the Department of City Planning shall be accompanied by the following data:
 - a. An adequate description of the project including, but not limited to maps, plans, photographs, drawings, etc., of the proposed development, project site and vicinity sufficient to determine whether the project complies with all relevant policies of the California Coastal Act of 1976. Each application shall contain sufficient information concerning land and water areas in the vicinity of the site of the proposed project, (whether or not owned or controlled by the applicant) so that the permit issuing authority will be adequately informed as to present uses and plans, both public and private, insofar as they can reasonably be ascertained for the vicinity surrounding the project site. The description of the development shall also include any feasible alternatives or any feasible mitigation measures available which would substantially lessen any significant adverse impact which the development may have on the environment. For purposes of this

Section the term "significant adverse impact on the environment" shall be defined as in the California Environmental Quality Act and the State and City Guidelines adopted pursuant thereto.

- b. A description and documentation of the applicant's legal interest in the property on which the Development is to be located if the application were approved (e.g., ownership, leasehold, enforceable option, authority to acquire the specific property by eminent domain.)
- c. A dated signature by or on behalf of each of the applicants, attesting to the truth, completeness, and accuracy of the contents of the application and, if the signer of the application is not the applicant, written evidence that the signer is authorized to act as the applicant's representative and to bind the applicant in all matters concerning the application.
- d. A statement of the status of the environmental documentation for the project and a copy of the required environmental documentation.
- e. Any additional information as may be required by the permit granting authority.

2. Filing Exception

Despite any other provisions of this *Section* or Code, an applicant may file an application for a Permit at any point of the project approval process relating to his or her Development. However, upon initiation of the project approval process by the applicant, said applicant shall sign and notarize a form prescribed for this purpose which shall contain the following:

- a. A statement advising the applicant that no permits or permission for a Development in the Coastal Zone shall be issued unless and until a Permit has been approved in accordance with the provisions of this *Section*.
- b. A statement relieving the City of any legal or other responsibility in the event that failure to apply for a Permit results in, or contributes to, a violation of *Sec. 65950, 65951, or 65952 of the California Government Code*.

C. Notice

1. Notice of Application – Posting

At the time the application is submitted for filing, the applicant must post, at a conspicuous place, easily read by the public and as close as possible to the site of the proposed development a notice that an application has been made for a Coastal Development Permit. Such notice shall contain specific information as to the nature of the proposed development and be in a form as prescribed for that purpose.

2. Notice of Public Hearing – Mailing

a. Hearing on Coastal Development Permit Combined with Other Hearing

The applicant shall furnish to the City, accompanying the application, a list containing the name and address of each property owner of record and the addresses of all residences, including apartments within 300 feet from each boundary of the site of the proposed development. Where the hearing on the Coastal Development Permit is to be combined with a public hearing otherwise required by this Code for the proposed development, and the provisions of this Code require notification to persons beyond 300 feet of the site of the proposed development, no separate list shall be required, and all persons notified of the hearing for the proposed development shall also be notified that the hearing shall include the application for a Coastal Development Permit. Notice of such hearing, at least 24 days prior, shall also be sent to an occupant of all residences, including apartments within 300 feet of the boundary of the proposed development, all persons known, or thought to have a particular interest in the application, the Certified Neighborhood Council representing the area in which the property is located, and all other persons requesting notice.

b. Hearing on Coastal Development Permit Only

For those projects for which no hearing would otherwise be required by law, the appropriate City agency shall notify by mail, at least 24 days prior to the hearing, the following:

- i. Those persons whose names appear on the list of property owners within 300 feet of the boundary of the site of the proposed development;
- ii. An occupant of all residences, including apartments, within 300 feet of the boundary of the site of the proposed development. This requirement can be met by mailing such notice to "occupant" of the subject residence;
- iii. Those persons known or thought to have a particular interest in the application;
- iv. The Certified Neighborhood Council representing the area in which the property is located; and
- v. All other persons requesting notice.

3. Charges for Notification

No person requesting notification of any application, hearing, or decision by any permit granting authority or any notification of hearing or decision on any appeal therefrom shall be required to bear the cost of any such notification.

D. Decision

1. Proceedings and Hearing

- a. To the extent possible, any Permit application for a Development within the Coastal Zone shall be processed in accordance with established policies and procedures of a permit granting authority in conformance with the provisions of this Code.
- b. At the public hearing, all interested persons shall be afforded a reasonable opportunity to testify and present evidence.

2. Determination

a. Authority

A permit granting authority, including any appellate body, shall have the authority to approve, conditionally approve, or disapprove any application for a Permit under the provisions of the California Coastal Act of 1976; and, standards as established by *Division 5.5 Title 14 of the California Code of Regulations*.

b. Conditions of Approval

In approving an application for a permit under the provisions of this *Section*, the City shall impose such reasonable terms and conditions as it deems necessary to assure a development that is in accordance with the provisions of the California Coastal Act of 1976 and those other criteria set forth in *Subsection E. (Standards for Review and Required Findings)* of this *Section*.

3. Notification of Determination

A copy of the permit granting authority's action approving, conditionally approving, or disapproving any application for a Coastal Development Permit, along with any findings made and conditions imposed in connection therewith, shall be mailed to the applicant and to any person or persons who, in writing, request a copy of such action.

4. Transmittal of Notice of Final Action to the Coastal Commission

- a. After the decision of the last appeal body, or the time within which any appeal can be taken has expired, the permit granting authority, including any appeal body whose action became final on the permit, shall transmitted a copy, by mail, with return receipt requested, of the notice of permit issuance or permit denial to the Executive Director of the Coastal Commission. Such notice shall include the requisite findings, a project description, and a verbatim copy of any conditions attached to the permit, all as required by *Sec. 13302(g) of the California Coastal Commission Regulations*. Notice shall also be mailed to the applicant, the appellant, and any persons who, in writing, requested such notice.

- b. The decision of the permit granting authority, or any appeal body to approve issuance of a permit shall not be deemed to be final and no Coastal Development Permit may be issued until 20 working days have expired from the date said notice of permit issuance is deemed received by said Executive Director and without an appeal having been taken to the Coastal Commission.
- c. If a timely, valid appeal is taken to the Coastal Commission, the operation and effect of the Coastal Development Permit is stayed pending final action on the appeal by the Coastal Commission, and the City shall within five working days of the receipt of such notice, deliver to the Executive Director copies of all relevant documents and materials used by the City in its consideration of the permit application.
- d. If no appeal is taken within 20 working days of the date of the notice of the City's decision to issue a permit is deemed received by the Executive Director, the applicant may commence utilization of the permit. If no timely appeal is taken from the City's decision to deny a permit, such decision is final.
- e. Neither an applicant nor any other party may appeal the approval, conditional approval, or disapproval of any permit to the Coastal Commission unless and until the City has completed its review of the permit application, has taken final action, and has formally notified the Coastal Commission that the Coastal Development Permit is final.

E. Standards for Review and Required Findings

The permit granting authority shall have the authority to approve, conditionally approve or disapprove any application for a Permit under the provisions of the California Coastal Act of 1976; and, standards as established by *Division 5.5 Title 14 of the California Code of Regulations*. In making its determination under the provisions of this *Section*, the permit granting authority, including any appellate body, shall not approve, or conditionally approve a permit unless it makes written findings, including specific factual findings, supporting the following conclusions:

1. That the development is in conformity with *Chapter 3* of the California Coastal Act of 1976 (commencing with *Sec. 30200 of the California Public Resources Code*).
2. That the permitted development will not prejudice the ability of the City to prepare a Local Coastal Program that is in conformity with *Chapter 3* of the California Coastal Act of 1976.
3. That the Interpretative Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed, and considered in the light of the individual project in making its determination.
4. That the decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to *Sec. 3062S(c) of the Public Resources Code*.

5. If the development is located between the nearest public road and the sea or shoreline of any body of water located within the Coastal Zone that the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.
6. Any other finding or findings as may be required for the development by the California Environmental Quality Act.

F. Scope of Decision – Extension of Permits

1. Prior to the expiration of a Coastal Development Permit, an applicant may apply to the initial approving authority of the original permit for an extension of the permit for a period of one year. This request shall automatically extend the expiration date of the permit until the approving authority has acted upon the request and the approving authority's action becomes effective. However, if construction has not commenced at the time the application for extension is made, construction may not commence during the period of the automatic extension until the approving authority has acted upon the request and it becomes effective. The application shall state the reasons for the request and shall be accompanied by evidence of a valid, unexpired permit and of the applicant's continued legal ownership interest in the property. The applicant shall also furnish to the City the information required in Subsection C. (Notice) of this Section.
2. The approving authority, in considering the request for extension, shall determine whether there are changed circumstances that may affect the consistency of the project with the findings required under Subsection E. (Standards for Review and Required Findings) of this Section.
3. If the approving authority determines that there are no changed circumstances that may affect the consistency of the project with the findings required under Subsection E. (Standards for Review and Required Findings) of this Section, notice of the determination, including a summary of the procedures set forth in this Subsection, shall be posted on the subject property by the applicant and shall be mailed, by first class mail by the appropriate City agency, to all persons who testified at any public hearing on the original permit and left their names and addresses, or submitted written testimony or to any other persons requesting notice.
4. If no written objection to the determination is received within 10 working days of the posting and mailing, the extension shall be approved.
5. If the approving authority determines that, due to changed circumstances, the proposed development is no longer consistent with the findings required in Subsection E. (Standards for Review and Required Findings) of this Section, or if objection is made to the determination of consistency, the approving authority shall set the matter for public hearing and give notice in accordance with the provisions of Subsection C. (Notice) of this Section. In addition, the approving authority shall notify any persons who objected to the approving authority's determination of consistency.

6. The approving authority shall make a determination based on the facts presented at the public hearing. If the proposed development is determined to be consistent with the findings required in *Subsection E. (Standards for Review and Required Findings)* of this *Section*, the extension shall be approved. If the proposed development is determined to be inconsistent with these requirements, the extension shall be denied.
7. Notice of any action taken by the approving authority on an application for an extension of a permit shall be provided as set forth in *Subsection D.3 (Decision; Notification of Determination)* of this *Section*.
8. Any action taken by the approving authority on an application for an extension of a permit is appealable to the first City appellate body referenced in *Subsection G. (Appeals)* of this *Section* in the same manner as an appeal of the original permit as set forth in *Subsection G. (Appeals)* of this *Section*.
9. The notification procedures and the procedures applicable to appeals to the Coastal Commission set forth in *Subsection C. (Notice)* of this *Section* are applicable to applications for extensions of permits.

G. Appeals

1. Appellate Procedures

Appeals from the approval, conditional approval, or disapproval of a permit under the provisions of this *Section*, may be taken by the applicant or any aggrieved person as follows:

- a. Where a Coastal Development Permit hearing has been combined with the hearing on the project itself, an appeal may be taken to the appellate body that would hear and decide the appeal from the underlying project. If the appeal from any underlying project is further appealable to a second appellate body, the Coastal Development Permit is likewise further appealable. The appellate body may be the Area Planning Commission, City Planning Commission, or City Council depending on the underlying project. The time within which to appeal shall be the same as that provided for an appeal of the project itself, but the decision of the permit granting authority on the coastal permit may be separately appealed, without appealing the action on the underlying project. The times for notification of hearing and action on such appeal shall be the same as for the underlying project, whether or not such underlying project is also appealed.
- b. Where a Coastal Development Permit application is for a public project, the action of the City Engineer may be appealed to the Board of Public Works. Such appeal shall be filed with the Office of the City Engineer within 15 calendar days (including at least 10 working days) of the mailing of the decision of the permit granting authority.

- c. Where a Coastal Development Permit (other than for a public project) involves an underlying activity, which is not otherwise appealable, the action of a permit-granting authority on an application may be appealed to the Area Planning Commission. That appeal shall be filed with the Area Planning Commission within 15 calendar days (including at least 10 working days) of the mailing of the decision of the permit-granting authority.
- d. Any appeal filed with either the City Engineer or the Area Planning Commission shall be heard and decided within 30 calendar days of the filing of the appeal. Notice shall be mailed to the required parties at least 10 calendar days prior to the hearing.
- e. Action on any appeal shall be in writing. If the action of any appeal body is further appealable within the City's appeal structure, notice of such intermediate appeal body's action approving, conditionally approving or disapproving any appeal of a Coastal Development Permit along with the findings and conditions imposed in connection therewith, as set forth in *Subsection E. (Standards for Review and Required Findings)* of this Section, shall be mailed to the applicant, the appellant, and to any person or persons who, in writing, request a copy of such action.
- f. No fee shall be charged for appeals of a Coastal Development Permit.

H. Amendments to Permits

1. The holder of a Coastal Development Permit may apply to amend the permit by filing a written application with the initial approving authority who approved the original permit. The application shall contain a description of the proposed amendment, the reason for the amendment, together with maps, plans or any other information as may be required by the approving authority, and shall be accompanied by evidence of a valid, unexpired permit and of the applicant's continued legal ownership interest in the property. The applicant shall also furnish to the City the information required in *Subsection C. (Notice)* of this Section. If the application is deemed complete and accepted, the approving authority shall determine if the requested amendment constitutes an immaterial or material change to the permit.
2. For applications representing immaterial changes, the approving authority shall prepare a written notice containing the same information required for the notice of the original application for a Coastal Development Permit, a description of the proposed amendment and a summary of the procedures outlined in this Subsection. The notice shall be posted on the subject property by the applicant and shall also be mailed, by first class mail by the appropriate City agency, to all persons who testified at any public hearing on the original permit and left their names and addresses, or submitted written testimony or to any other persons who requested to be notified. If no written objection is received by the approving authority within 10 working days of the posting and mailing, the approving authority shall approve the amendment provided the following findings are made:
 - a. That the proposed amendment will not lessen or avoid the intended effect of the original permit, as approved or conditioned consistent with the findings required in *Subsection E. (Standards for Review and Required Findings)* of this Section, unless the proposed

- b. That the proposed amendment will not lessen or eliminate any conditions imposed for the purpose of protecting a coastal resource or coastal access consistent with the findings required by *Subsection E. (Standards for Review and Required Findings)* of this Section;
- c. That all of the findings required by *Subsection E. (Standards for Review and Required Findings)* of this Section can still be made;
- d. That the proposed amendment will not result in any increase in the density or intensity of the project; and
- e. That the proposed amendment will not cause any adverse impact on surrounding properties.

3. For applications representing material changes, applications whose immateriality has been challenged or applications for amendments which affect coastal resource or coastal access protection as required by *Sec. 30604 of the California Public Resources Code*, the approving authority shall set the matter for public hearing and shall give notice in accordance with the provisions of *Subsection C. (Notice)* of this Section. The approving authority shall also notify all persons who objected to the approving authority's determination of immateriality. If the approving authority can make the findings contained in *Subdivision 2.* above, it shall approve the application for amendment to the permit. If the approving authority cannot make the findings referenced above, the application for amendment shall be denied.
4. Notice of any action taken by the approving authority on an application for an amendment to a permit shall be provided as set forth in *Subsection D.3 (Decision; Notice of Determination)* of this Section.
5. Any action taken by the approving authority on an application for an amendment to a permit is appealable in the same manner as an appeal on the original permit as set forth in the *Subsection G. (Appeals)* of this Section.
6. The notification procedures and the procedures applicable to appeals to the Coastal Commission set forth in *Subsection D.4 (Decision; Transmittal)* of this Section are applicable to applications for amendments to permits.

1. Violations

City of Los Angeles Zoning Code 13-267

2. Revocation

Any permit application filed or approved under the provisions of this *Section* or Code may be immediately terminated or revoked by the permit granting authority upon a finding that one or more of the following grounds exist:

- a. That inaccurate, erroneous or incomplete information was filed or presented in conjunction with said permit application.
- b. That names and addresses of all property owners as shown on the records of the City Engineer or of the County Assessor, were not provided within the required radius of the involved property in conformity with the requirements of this *Section* and Code.
- c. That the addresses of all residential occupancies within 300 feet of each boundary of the site of the proposed development were not provided.
- d. That the applicant failed to post and maintain the required notice at the project site in accordance with *Subsection C. (Notice)* of this *Section*.

SEC. 13B.9.2. COASTAL DEVELOPMENT PERMIT (POST-CERTIFICATION)

A. Applicability

1. Requirement of a Coastal Development Permit

A Coastal Development Permit issued by the City in conformance with the provisions of this Section is required for all Coastal Development located within an area of the City covered by a certified Local Coastal Program, unless:

- a. The Coastal Development is exempted under *Paragraph 4. (Exemptions)* below; or
- b. The proposed project site lies completely within the Coastal Commission Permit jurisdiction; or
- c. The Coastal Commission previously issued a Coastal Development Permit for the Coastal Development.

2. Amendments

Amendments to these procedures are not effective until certified by the Coastal Commission.

3. Definitions

The following definitions apply to the Coastal Zone of the City within areas subject to certified Local Coastal Programs. Words and phrases not defined here shall be construed as defined in *Sec. 12.03. (Definitions) of Chapter I. (General Provisions and Zoning)* of this Code or the California Coastal Commission Regulations, if defined there.

Appealable Area. The area identified in *Sec. 30603 of the Public Resources Code*. The area that meets this criteria includes, but is not limited to, the area shown on the "Post-LCP Certification Permit and Appeals Jurisdiction Map" certified by the Coastal Commission in accordance with the provisions of *Sec. 13576 of Title 14 of the California Code of Regulations* and attached as an exhibit in each certified coastal Specific Plan.

Appealable Development. In accordance with *Sec. 30603(a) of the Public Resources Code*, any development that constitutes a major public works project or a major energy facility, or any development located in the Appealable Area.

Applicant. The person, partnership, corporation, or other entity or state or local government agency applying for the Coastal Development Permit.

Approving Authority. The initial decision maker and appeal body, including the Director, City Engineer, Zoning Administrator, City Planning Commission, Area Planning Commission, Board of Public Works, City Council or other applicable decision-making person or body within the City, which has the authority to approve a Coastal Development Permit pursuant to this Section or by reason of jurisdiction over other permits and approvals sought in conjunction with an application for a Coastal Development Permit.

Categorically Excluded Development. A development, which is excluded from the Coastal Development Permit requirements pursuant to a categorical exclusion order adopted by the Coastal Commission that sets forth the specific categories of development that qualify for the exclusion within a specific geographic area, and which establishes that those categories of development in the specified geographic areas will have no potential for significant adverse effects, either individually or cumulatively on coastal resources or on public access to or along the coastline.

Coastal Bluff. The upper termination of a bluff, cliff, or seacliff. In cases where the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff face, the bluff line or edge shall be defined as that point nearest the cliff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the cliff. In a case where there is a steplike feature at the top of the cliff face, the landward edge of the topmost riser shall be taken to be the cliff edge. The termini of the bluff line, or edge along the seaward face of the bluff, shall be defined as a point reached by bisecting the angle formed by a line coinciding with the general trend of the bluff line along the inland facing portion of the bluff. The minimum length of bluff line or edge used in making these determinations is 500 feet.

Coastal Development. Any of the following on land, in or under water: the placement or erection of any solid material or structure; the discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; the grading, removing, dredging, mining or extraction of any materials; any change in the density or intensity of use of land, including, but not limited to, subdivisions pursuant to the Subdivision Map Act (commencing with *California Government Code Sec. 66410*), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of the land by a public agency for public recreational use; any change in the intensity of use of water or of access to the water; construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations, which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly forest Practice Act of 1973 (commencing with *Sec. 4511 of the Public Resources Code*).

Coastal Zone. That land and water area specified on the maps cited in *Sec. 30103 of the Public Resources Code*, extending seaward to the State's outer limit of jurisdiction, including all offshore islands, but with some additional criteria for special areas as specified in *Sec. 30103.5 and 30166 of the Public Resources Code*.

Disaster. Fire, flood, wind, earthquake, or other natural or man-made disaster.

Emergency. A sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

Environmentally Sensitive Habitat Area. Any officially mapped area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could easily be disturbed or degraded by human activities and

developments, and any area identified as a wetland, an environmentally sensitive habitat or as a Sensitive Coastal Resource Area, in a certified Local Coastal Program, a certified land use plan or a certified Specific Plan.

First Public Road Paralleling the Sea. That road nearest to the sea, as defined in *Sec. 30115 of the Public Resources Code*, which: (a) is lawfully open to uninterrupted public use and is suitable for that use; (b) is publicly maintained; (c) is an improved, all-weather road open to motor vehicle traffic in at least one direction; (d) is not subject to any restrictions on use by the public except when closed due to an emergency or when closed temporarily for military purposes; and (e) does, in fact, connect with other public roads, providing a continuous access system, and generally parallels and follows the shoreline of the sea to include all portions of the sea where the physical features, such as bays, lagoons, estuaries and wetlands cause the waters of the sea to extend landward from the generally continuous coastline.

Public Project. Any development initiated by the Department of Public Works or any of its bureaus, any development initiated by any other department or agency of the City, and any development initiated or to be carried out by any other governmental agency that is required to obtain a local government permit. Public Project shall not include any development by any department or agency of the City or any other governmental entity that otherwise requires action by or approval of the City Planning Commission, Area Planning Commission, or the office of Zoning Administration, or any development by any department or agency of the City or any other governmental entity for which a permit from the Department of Building and Safety is required. Public Project shall also not include any development on tidelands, submerged lands, or on public trust lands, whether filled or unfilled.

Wetland. Lands within the Coastal Zone, which may be covered periodically or permanently with shallow, water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats and fens.

4. Exemptions

The following types of Coastal Development are exempt from the requirement to obtain a Coastal Development Permit in accordance with the provisions of this *Section*:

a. Improvements to Existing Structures

- i. Improvements to any existing structure are exempt. For purposes of this *Section*, in order to qualify as an improvement, the Coastal Development shall retain 50 percent or more of the existing exterior walls of the building or structure. In addition, the following shall be considered a part of an existing structure:
 - a) All fixtures and other structures directly attached to the existing structure and landscaping on the lot; and

- ## Chapter 1A

- 2) An additional improvement of 10 percent or less where an improvement to the structure has previously been undertaken pursuant to *Public Resources Code Sec. 30610(b)*; and/or
 - 3) An increase in height by more than 10 percent of an existing structure.
- g) In areas the Coastal Commission has previously declared, by resolution after public hearing, to have a critically short water supply that must be maintained for the protection of coastal resources or public recreational use, the construction of any specific major water-using Coastal Development including, but not limited to, swimming pools, or the construction or extension of any landscaping irrigation system;
 - h) Any improvement to a structure where the development permit issued for the original structure by the Coastal Commission indicated that any future improvements would require a Coastal Development Permit;
 - i) Any improvement to a structure that results in a Change in the intensity of Use of the structure; and
 - j) Any improvement made pursuant to a conversion of an existing structure from a multiple unit rental use or visitor-serving commercial use to a use involving a fee ownership or long-term leasehold, including, but not limited to, a condominium conversion, stock cooperative conversion or hotel/motel timesharing conversion.

b. Repair and Maintenance Activities of Public Utilities

Repair and maintenance activities of public utilities as specified in the repair, maintenance and utility hook-up exclusion adopted by the Coastal Commission on September 5, 1978.

c. Other Repair and Maintenance

Repair and maintenance activities that do not result in a material addition to or an enlargement or expansion of the object of those activities, except as otherwise specified by the Coastal Commission in *Sec. 13252 of Title 14 of the California Code of Regulations*, and any amendments subsequently adopted, except if the repairs or maintenance involve any of the following:

- i. Any method of repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall or similar shoreline work that involves:
 - a) Repair or maintenance involving substantial alteration of the foundation of the protective work including pilings and other surface or subsurface structures;
 - b) The placement, whether temporary or permanent, of rip-rap, artificial berms of sand or other beach materials, or any other forms of solid materials, on a beach or in coastal waters, streams, Wetlands, estuaries and lakes or on a shoreline protective work except for agricultural dikes within enclosed bays or estuaries;

- c) The replacement of 20 percent or more of the materials in an existing structure with materials of a different kind; or
 - d) The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area or bluff or within 20 feet of coastal waters or streams.
 - ii. Any method of maintenance dredging that involves:
 - a) The dredging of 100,000 cubic yards or more within a 12 month period;
 - b) The placement of dredge spoils of any quantity within an Environmentally Sensitive Habitat Area, on any sand area, within 50 feet of the edge of a Coastal Bluff or Environmentally Sensitive Habitat Area or within 20 feet of coastal waters or streams; or
 - c) The removal, sale or disposal of dredge spoils of any quantity that would be suitable for beach nourishment in an area that the Coastal Commission has declared by resolution, or has been identified in a certified Local Coastal Program, to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use.
 - iii. Any repair or maintenance to facilities or structures or work located in an Environmentally Sensitive Habitat Area, any sand area, within 50 feet of the edge of a Coastal Bluff or Environmentally Sensitive Habitat Area or within 20 feet of coastal waters or streams that includes:
 - a) The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials; or
 - b) The presence, whether temporary or permanent, of mechanized equipment or construction materials.
 - iv. Unless destroyed by Disaster, the replacement of 50 percent or more of a seawall, revetment, bluff retaining wall, breakwater, groin or similar protective work under one ownership is not repair and maintenance under *Sec. 30610(d) of the Public Resources Code*, but instead constitutes a replacement structure requiring a Coastal Development Permit.
- d. **Replacement Structures**

The replacement of any structure destroyed by a Disaster if the replacement structure conforms to applicable existing zoning requirements, is for the same use as the destroyed structure, does not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent and is sited in the same location on the affected property as the destroyed structure.

- i. As used in this *Subdivision*, "bulk" means total interior cubic volume as measured from the exterior surface of the structure.
- ii. As used in this *Subdivision*, "structure" includes landscaping and any erosion control structure or device, which is similar to that which existed prior to the occurrence of the Disaster.

e. **Categorically Excluded Development**

Any Coastal Development that has been categorically excluded pursuant to a categorical exclusion approved by the Coastal Commission.

f. **Geologic Testing**

Geologic testing that does not require other City permits, does not involve cutting access roads and does not remove significant vegetation.

g. **Temporary Events**

- i. A temporary event that meets all of the following criteria:
 - a) Does not involve a charge for general public admission or seating; and
 - b) Will not restrict public access or use of roadways, parking areas, or recreational areas; and
 - c) Will not either directly or indirectly impact Environmentally Sensitive Habitat Areas, rare or endangered species, significant scenic resources, or other coastal resources, such as water-oriented activities, visitor facilities, marine resources, biological resources, agricultural lands, and archaeological or paleontological resources.
- ii. Any temporary event which has previously received a Coastal Development Permit, will be in the same location, during the same time period, will be operated in the same manner, and was not the subject of previous complaints.

B. Initiation

1. **General**

An application for a Coastal Development Permit shall be filed with either the Department of City Planning or the City Engineer on a form provided by the Department and include all information required by the instructions on the application and any applicable adopted guidelines.

- a. Within 30 days of the submittal of the application and the payment of fees, the Director or City Engineer, whichever has jurisdiction, shall determine whether the application is complete.

- b. Prior to deeming an application complete, the Director or City Engineer shall determine, and if necessary, advise the Applicant, of the processes to be followed, any additional information required, and the fees to be paid. The Director or City Engineer shall adopt guidelines and use them to determine when an application is deemed complete.

2. Jurisdiction

- a. An application for a Coastal Development Permit for a public project, or for a private project where the approval of the underlying permit is within the jurisdiction of the City Engineer, shall be filed in the office of the City Engineer.
- b. All other applications for Coastal Development Permits shall be filed in a public office of the Department of City Planning.

3. Preliminary Notice of Jurisdiction

- a. At the time an application for Coastal Development is submitted, the Director or City Engineer, whichever has jurisdiction, shall determine whether:
 - i. The development is within the Coastal Commission's jurisdiction or the City's jurisdiction; and
 - ii. The development is located within the appealable or non-appealable jurisdiction of the Coastal Zone; and
 - iii. The development is within an area designated by a certified Local Coastal Program or within the area subject to the provisions of *Sec. 12.20.1 (SL Ocean - Submerged Land Zone) of Chapter I. (General Provisions and Zoning)* of this Code; and
 - iv. The development is exempt or categorically excluded according to the criteria of *Subsection A.4. (Applicability; Exemptions)* of this Section.
- b. The Director or City Engineer shall use the following criteria: the certified Local Coastal Program, including any maps, the Post LCP Certification Permit and Appeals Jurisdiction Map certified by the California Coastal Commission, land use designations, special programs and zoning ordinances that are certified as part of the Local Coastal Program and categorical exclusion orders granted by the Coastal Commission.
- c. If the preliminary notice of jurisdiction of the Director or City Engineer is challenged by the Applicant or an interested person within 15 days after the determination is made, the Director or City Engineer may request an opinion of the Coastal Commission Executive Director. The decision of the Executive Director or the Coastal Commission pursuant to *Sec. 13569 of Title 14 of the California Code of Regulations* shall apply.

4. Notice of Exemption

- a. After jurisdiction has been established and the Director or City Engineer has determined that the Coastal Development is exempt pursuant to *Subsection C. (Notice)* of this *Section*, the Director or the City Engineer, whichever has jurisdiction, shall issue a notice of exemption for a Coastal Development which is exempt from the Coastal Development Permit requirements. The Director or City Engineer shall mail a copy of the notice of exemption to the Applicant and the Coastal Commission.
- b. The City shall maintain a record of all notices issued for exempt Coastal Developments, including Categorically Excluded Developments, which shall be made available to the Coastal Commission or any interested person upon request. This record may be in the form of a list of issued permits or approvals currently maintained by the City, provided that the record includes the Applicant's name, the location of the Coastal Development, and a brief description of the Coastal Development.

C. Notice

1. Notice of Coastal Development Permit Application

- a. The City, at the Applicant's expense, shall provide a Notice of Coastal Development Permit Application by first class mail, pursuant to the requirements of this *Subdivision*.

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days before the initial decision	<ul style="list-style-type: none"> • Applicant; • The Certified Neighborhood Council; • All persons who have requested to be on the mailing list for the particular Coastal Development or for all coastal decisions within the Coastal Zone; • All property owners and residents within 300 feet of the perimeter of the parcel on which the Coastal Development is proposed exclusive of streets; and • The Coastal Commission
Posting	At the time the application is submitted for filing	<ul style="list-style-type: none"> • In a conspicuous place, and as close as possible to the proposed Coastal Development

- b. The notice shall contain the following information:
 - i. A statement that the Coastal Development is within the Coastal Zone;
 - ii. The date of filing of the application and the name of the Applicant;
 - iii. The case number assigned to the application; and
 - iv. A description of the Coastal Development and its proposed location.

2. Notice of Waiver of Public Hearing

- a. For Coastal Development in the Appealable Area where the requirement for a public hearing is proposed to be waived, the City shall provide the following statement in the manner provided in *Subdivision 1. (Notice of Coastal Development Permit Application)* above: "The public hearing will be waived unless a hearing is requested by any person within ten working days of the date of this notice. The failure to request a public hearing may result in the loss of that person's ability to appeal to the Coastal Commission the City's action on the Coastal Development Permit."
- b. For a Coastal Development that does not require a public hearing pursuant to this Section, the notice shall contain the date the application will be acted upon by the Approving Authority and the general procedure for submitting public comments in writing to the Approving Authority prior to the decision date.

3. Notice of Public Hearing

- a. For a Coastal Development that requires a public hearing pursuant to this Section, the City, at the Applicant's expense, shall provide a Notice of Public Hearing by first class mail pursuant to the requirements of this *Subdivision*. This notice may be combined with the Notice of Coastal Development Permit Application for applications that require a public hearing.

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days before the first public hearing	<ul style="list-style-type: none"> • Applicant; • The Certified Neighborhood Council; • All persons who have requested to be on the mailing list for the particular Coastal Development or for all coastal decisions within the Coastal Zone; • All property owners and residents within 300 feet of the perimeter of the parcel on which the Coastal Development is proposed, exclusive of streets; and • The Coastal Commission
Posting	At the time the application is submitted for filing	<ul style="list-style-type: none"> • In a conspicuous place, and as close as possible to the proposed Coastal Development

- b. The notice shall contain the following information:
 - i. A statement that the Coastal Development is within the Coastal Zone;
 - ii. The date of filing of the application and the name of the Applicant;
 - iii. The case number assigned to the application;
 - iv. A description of the Coastal Development and its proposed location;

- v. The date, time, and place at which the public hearing on the application will be heard;
- vi. A brief description of the general procedure concerning the conduct of the public hearing and City actions;
- vii. The procedure for City and Coastal Commission appeals, if any, including any required fees;
- viii. If applicable, the criteria for eligibility to appeal to the Coastal Commission; and
- ix. A statement that an interested person must request to be on the mailing list for the particular Coastal Development in order to receive notice of the written determination and in order to appeal to the City.

4. Continuation of Public Hearing – Notice

If a decision on a Coastal Development Permit is continued to a time which is neither previously stated in the notice of public hearing provided pursuant to this *Subsection*, nor announced at the hearing as being continued to a time certain, notice of the further hearings or action on the proposed Coastal Development shall be provided in the same manner, and within the same time limits, as established in this *Subsection*.

5. Posted Notice

The Applicant must post, in a conspicuous place, and as close as possible to the proposed Coastal Development, the City's notice that an application has been filed for a Coastal Development Permit. The notice shall contain specific information as to the nature of the proposed Coastal Development and be in a form as required by the approving department for that purpose.

6. Notice of Public Hearing on Appeal

The following notice is required for the public hearing on the appeal.

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • Applicant; • Appellant(s); • The Certified Neighborhood Council; • All persons who have requested to be on the mailing list for the particular Coastal Development or for all coastal decisions within the Coastal Zone; • All property owners and residents within 300 feet of the parcel on which the Coastal Development is proposed, exclusive of streets; and • The Coastal Commission

7. Notification of Failure to Act and Approval by Operation of Law

a. Notification by Applicant

If the Approving Authority fails to act on an application within the time limits set forth in *Sec. 65950 - 65957.1 of the California Government Code*, the person claiming a right to proceed pursuant to those Code sections shall notify, in writing, the Approving Authority and the Coastal Commission and all persons entitled to receive notice of an appeal pursuant to *Subsection C. (Notice)* of this *Section* that the Coastal Development has been approved by operation of law. The notice shall specify the application, which is claimed to have been approved.

b. Notification by Approving Authority

When the Approving Authority determines that the time limits established pursuant to *Sec. 65950 - 65957.1 of the California Government Code* have expired, and that the notice required to all persons entitled to receive notice of an appeal pursuant to *Subsection C. (Notice)* of this *Section* has occurred, the Approving Authority shall, within seven calendar days of its determination, notify any person entitled to receive notice of an appeal pursuant to *Subsection C. (Notice)* of this *Section* that it has taken final action by operation of law pursuant to *Sec. 65950 - 65957.1 of the California Government Code*, and that the application, if it is for an Appealable Development, may be appealed to the Coastal Commission pursuant to *Sec. 13110, et seq. of Title 14 of the California Code of Regulations*.

D. Decision

1. General Procedures

- a. Decisions must be made within the time period specified in this *Article*, or as otherwise required by law. Unless otherwise provided in the regulations governing the particular application, this time limit may be extended by mutual consent of the decision maker and the applicant. The extension of time to act also applies to applications or initiations under the multiple approval provisions in *Sec. 13A.2.10. (Multiple Approvals)*.
- b. Where extensions on the City Council's time to act on a matter may be granted by mutual consent of an application and the City Council, the Council President or the Council President's councilmember designee may consent to a time extension on behalf of the City Council.
- c. Each decision is subject to all applicable standards of this Code, including the applicable zone.
- d. Each process described in *Part B. (Processes & Procedures)* of this *Article* includes standards and/or findings for approval. In approving an application, the decision maker must find that the project substantially conforms to the standards and/or findings for approval.

- e. The initial decision maker shall adopt written findings of fact supporting the decision based upon evidence in the record.
- f. Unless otherwise provided, an application may be approved or disapproved in whole or in part.
- g. Unless otherwise provided, the decision maker may impose conditions that it determines are needed to ensure substantial compliance with the standards or findings for approval.
- h. The decision maker transmits a letter of determination that notifies the applicant, owner, and interested parties, as applicable, of the decision. The notification will indicate whether the application is approved, approved with conditions, or denied.
- i. An initial decision or decision of the City Planning Commission or Area Planning Commission that is appealable to the City Council is final and effective upon the close of the appeal period if no appeal is filed.
- j. An appellate agency's decision or decision of the City Planning Commission or Area Planning Commission that is not appealable to the City Council is final as provided in *Charter Section 245*.

2. Decision Maker

The initial decision maker on a Coastal Development Permit is the Director or the City Engineer, pursuant to *Subsections B.1. (Initiation; General)* and *2. (Initiation; Jurisdiction)* above.

3. Public Hearing

a. General

The Approving Authority shall hold a public hearing on any application for a Coastal Development Permit for an Appealable Development except as waived in *Paragraph b.* below. It shall hold the hearing at least 24 calendar days following the mailing of the notice required in *Subsection C. (Notice)* of this *Section* and shall consolidate the hearing with any other public hearing required for any other approvals required by this Code or other City ordinance.

b. Waiver of Public Hearing

The Approving Authority may waive the public hearing for Coastal Development in the non-appealable area and may propose to waive the requirement for a public hearing for Coastal Development in the Appealable Area if it determines that the Coastal Development meets the following criteria:

- i. The Coastal Development is consistent with the certified Local Coastal Program;
- ii. The Coastal Development requires no discretionary approvals other than a Coastal Development Permit; and

- iii. The Coastal Development has no adverse effect either individually or cumulatively on coastal resources or public access to the shoreline or along the coast.

4. Initial Decision

- a. If an application for a Coastal Development Permit is submitted to the City and there is no application for another Quasi-judicial or Legislative approval, the initial decision shall be made by the Director or City Engineer, whichever has jurisdiction.
- b. The Director or City Engineer may approve, conditionally approve, or deny a Coastal Development Permit.
- c. The Approving Authority, in approving an application for a Coastal Development Permit, shall impose any conditions considered necessary to ensure that the proposed use will be consistent with the findings in Subsection E. (*Standards for Review and Required Findings*) of this Section.
- d. An application for a Coastal Development Permit shall be denied when the evidence submitted by the Applicant and/or presented at a public hearing fails to support the findings in Subsection E. (*Standards for Review and Required Findings*) of this Section to the satisfaction of the Approving Authority).

5. Concurrent Processing with Other Permits or Approvals

- a. When a proposed Coastal Development is required to obtain a Coastal Development Permit and is also required to obtain other Quasi-judicial or Legislative approvals, the application for a Coastal Development Permit shall be filed and processed concurrently with the other permits or approvals. The action of the Approving Authority is considered one consolidated action.
- b. If a condition of the Coastal Development Permit varies from a condition contained in the other permits and approvals, the more restrictive condition controls.
- c. No additional fees shall be charged for appeal of a Coastal Development Permit that is combined with an appeal for the other permits and approvals.

6. Time Limit for Initial Decision

- a. The initial Approving Authority shall make an initial decision within 75 days after:
 - i. The date the application is deemed complete; or
 - ii. When an environmental impact report (EIR) is required, the date preparation of the EIR is complete consistent with State law.
- b. The time limit may be extended by mutual consent of the Director and the Applicant.

7. Transmittal of Written Decision

Upon making a written decision, the Approving Authority shall transmitted a copy by First Class Mail to each Applicant, to all persons who have requested to be on the mailing list for the particular Coastal Development or for all coastal decisions within the Coastal Zone, to all property owners and residents within 300 feet of the perimeter of the parcel on which the Coastal Development is proposed, exclusive of streets, and to the Coastal Commission.

8. Effective Date of City Action

The City shall issue a Coastal Development Permit only:

- a. For a non-appealable development, 15 days after the final City action if no appeal is filed or if the Coastal Commission does not assert jurisdiction.
- b. For an Appealable Development:
 - i. Only after receiving the final City action and notification that the 10 working day appeal period to the Coastal Commission established by California Code of Regulations has ended and no appeal was filed; or
 - ii. An appeal was filed and the Coastal Commission made a determination of no substantial issue with the City's decision.
- c. If a decision on a Coastal Development Permit is appealed to the Coastal Commission and the Coastal Commission determines that a substantial issue exists, the issuance of the permit will be regulated by the Coastal Commission.

9. Recordation of the Coastal Development Permit

Within 14 days of the issuance of the Coastal Development Permit for a Coastal Development subject to the jurisdiction of the Director, the Applicant shall record the Permit with the Los Angeles County Recorder's office and provide a certified copy to the City Planning Department.

10. Notice of Final City Action

Within seven calendar days of a final decision on an application for any Coastal Development, the Approving Authority shall provide notice of its action, at the expense of the Applicant, by first class mail to the Coastal Commission and to any persons who specifically requested notice of the final action by submitting a self-addressed, stamped envelope to the Approving Authority. The notice shall include conditions of approval, written findings, and, if applicable, the procedures for appeal to the Coastal Commission.

E. Standards for Review and Required Findings

An application for a Coastal Development Permit shall be approved if the Approving Authority, based on information obtained during an investigation and/or public hearing, if applicable, makes specific written findings justifying the City's action, including any conditions imposed in order to

bring the Coastal Development into conformity with the certified Local Coastal Program. These findings shall include the following:

1. That the proposed Coastal Development conforms to the certified Local Coastal Program;
2. That the Coastal Development conforms to all applicable provisions of any adopted community plan and Specific Plan for the area; and
3. Where applicable, that any Coastal Development located between the First Public Road Paralleling the Sea and the sea or shoreline of any body of water located within the Coastal Zone conforms to the public access and public recreation policies of Chapter 3 of Division 20 of the California Public Resources Code.

F. Scope of Decision

1. Coastal Development undertaken pursuant to a Coastal Development Permit shall conform to the plans, specifications, terms, and conditions approved in the Permit.

2. Duration of Permits

a. Validity

A Coastal Development Permit that was granted pursuant to this Section runs with the land and continues to be valid upon any changes of ownership of the land or any changes to the existing building or structure on the land.

b. Termination

- i. A permit, which is not used within the time, specified in the permit, or, if no time is specified, within two years after the permit is granted, becomes void.
- ii. The Director or City Engineer, whichever has jurisdiction, may grant extensions of time for the using the permit, if the extension is requested prior to the expiration date, under the provisions of Subdivision 4. (Extensions of Time) below.
- iii. Where other approvals are granted concurrent with the Coastal Development Permit, the time limits and extensions shall be the same as those for the other approvals. However, the Coastal Development Permit shall become void after six years.

c. Use of Permit

- i. A Coastal Development Permit shall be considered used when construction or other development authorized by that permit, which would be prohibited in that location if no Coastal Development Permit had been issued, has commenced.
- ii. A Coastal Development Permit shall automatically cease to be in effect if the use for which the permit was granted has ceased or has been suspended for a consecutive period of two or more years.

3. Revocation

a. Failure to Comply with Conditions

If the Director or City Engineer, whichever has jurisdiction, determines that the conditions of any Coastal Development Permit granted pursuant to this *Section* have not been complied with, the Director or City Engineer may give notice to the record owner or lessee of the real property to appear at a time and place fixed by the Director or City Engineer and show cause why the determination of the Approving Authority granting the Coastal Development Permit should not be rescinded. An appeal from a revocation action may be taken in the same manner prescribed in *Subsection G. (Appeals)* of this *Section*.

b. Request by Aggrieved Person

Any aggrieved person may request revocation of a permit by application to the Director or City Engineer, whichever has jurisdiction, specifying with particularity the grounds for revocation. The Director or City Engineer shall review the stated grounds for revocation and shall determine whether to initiate revocation proceedings. An appeal from a revocation action may be taken in the same manner prescribed in *Subsection G. (Appeals)* of this *Section* below.

4. Extensions of Time

a. Application

- i. Prior to the expiration of a Coastal Development Permit, an Applicant may apply for a one-year extension of the permit. Prior to the expiration of any extension, the Applicant may apply for another one-year extension of the permit.
- ii. An application for an extension of time shall automatically keep the permit in effect until the Approving Authority has acted upon the request. However, if construction has not commenced at the time the application is made, construction may not commence after the initial expiration date until the Approving Authority has acted upon the request.
- iii. The application shall state the reasons for the request and shall be accompanied by evidence of a valid, unexpired permit and of the Applicant's continued property interest.

b. Procedures

The procedures for applying for an extension of time shall be in accordance with *Subsections B. (Initiation) - E. (Standards for Review and Required Findings)* of this *Section*.

c. Findings

The Approving Authority shall only grant an extension if the Approving Authority can make the same findings as were required for the original permit, with no new conditions, and

must make an additional finding that there are no changed circumstances, which would affect the Coastal Development's consistency with the Local Coastal Program.

d. Appeal

An extension of time for a Coastal Development Permit may be appealed in accordance with *Subsection G. (Appeals)* of this *Section*. However, in addition to the notice provisions required for appeals in the table in *Subsection C. (Notice)* of this *Section*, the Approving Authority shall also notify any persons who objected to the Approving Authority's approval of an extension.

G. Appeals

1. General Procedures

- a. Appeals shall be in writing and filed on forms maintained by the Department.
- b. An appeal shall specifically state the points at issue and the reasons why the decision should be overturned.
- c. An appeal not properly or timely filed shall not be accepted, and will not be considered by the appellate body.
- d. Unless otherwise required by a specific process, appeals must be filed within 15 days after the date on the letter of determination to the applicant.
- e. Despite any provisions of this Chapter, whenever the final day for filing an appeal from any action, decision or determination of the Director, Zoning Administrator, Area Planning Commission, or City Planning Commission falls on a Saturday, Sunday or legal holiday, the time for filing an appeal shall be extended to the close of business on the next succeeding working day, and the effective or final date of any action, decision, or determination shall be extended to the close of that appeal period.
- f. If in any individual case involving a 15-day appeal period, that appeal period fails to include at least 10 working days, then the appeal period shall be extended as many days as the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council determines are necessary to include 10 working days.
- g. An appeal stays the processing of the application and entitlement, and any development of the project at issue until the appellate body makes a decision.
- h. After an appeal is filed, the initial decision maker will transmitted the appeal and the file to the appellate body, together with any report if one was prepared by staff responding to the points raised made in the appeal. The Department of City Planning will make investigations and furnish any reports requested by the body to which the matter is transferred.
- i. When the appellate body receives the appeal, the initial decision maker loses jurisdiction.

- j. Upon the date set for the hearing, the appellate body shall either hear the appeal, or continue the matter by mutual agreement to another date if there is cause to do so. No additional notice of continuance need be given if the continuance to a date certain is announced at the time of the original hearing. If no date for the continued hearing is provided publicly at the original hearing, then notice of the continued hearing shall be provided in the same manner as the original notice for the appellate hearing.
- k. The appellate body will conduct a public hearing. After the public hearing, the appellate body will render a decision:
 - i. Affirming the initial decision in whole or in part; or
 - ii. Reversing the initial decision in whole or in part, after which it may render its own decision or remand the decision to the initial decision maker for further proceedings.
- l. The appellate body may impose conditions that it determines are needed to ensure substantial compliance with the standards or findings for approval.
- m. Appellant(s) may withdraw an appeal of an initial determination if the withdrawal is filed with the Department at least 15 days prior to the public hearing by the appellate body on the appeal.
- n. Withdrawal of an appeal shall be in writing and does not require the decision maker to concur. The withdrawal shall be filed with the Department.
- o. If the withdrawal of the appeal is received by the Department after the close of the original appeal period, the Department shall notify the same persons who received notice of the decision that was appealed, that an appeal had been filed and was now withdrawn. The notice shall state that the appeal period is being reopened. The reopened appeal period shall run for 10 days from the date the notice of withdrawal of the appeal is mailed. If more than one appeal was filed, the appeal period is only reopened if the withdrawal of the appeal would result in no other appeal going forward. The appeal period shall only be reopened once.
- p. If the withdrawal is received by the Department before any required public hearing notice is mailed, then the time for the appellate body to act is extended for 10 days.
- q. If the withdrawal is received by the Department after the public hearing notice is mailed, then any appeal filed during the reopened appeal period shall be heard on the same date and time as set forth in the previously mailed public hearing notice. No further notice of the appeal hearing is required.
- r. If the withdrawal of the appeal, and the subsequent reopening of the appeal period, results in no appeal going forward:
 - i. The withdrawal of the appeal is permanent; and

- ii. The decision from which the appeal was taken automatically becomes final at the end of the appeal period or reopened appeal period.
- s. The appellate body shall hear the matter de novo, considering the whole of the project with no deference given to the decision of the initial decision maker. The appellate body shall make its decision based on the record before the initial decision maker and any other evidence or testimony presented at or before the appellate body's hearing.
- t. Unless required otherwise by this Chapter or *Chapter I. (General Provisions and Zoning)*, in making a decision to grant a project approval, the appellate body shall make the same findings as required to be made by the initial decision maker, supported by substantial evidence.
- u. Unless otherwise required by a specific process, the appellate body shall act within 75 days after the expiration of the appeal period or within any additional period mutually agreed upon by the applicant and the appellate body.
- v. Failure of the appellate body to render a timely decision shall result in the denial of the appeal.

2. Filing

- a. An Applicant or any other person aggrieved by the initial decision on a Coastal Development Permit may appeal the decision to the Area Planning Commission or to the Board of Public Works for a public project or for a private project where the approval of the underlying permit is within the jurisdiction of the City Engineer. The appeal on an Appealable Development and non-appealable development shall be filed within 15 days of the date of mailing of the decision.
- b. The appeal shall set forth specifically the points at issue and the reasons for the appeal. Any appeal not filed within the 15-day filing period shall not be considered by the Area Planning Commission or Board of Public Works. The filing of an appeal stays proceedings in the matter until the Commission or Board has made a decision. Once an appeal is filed, the initial decision maker shall transmitted the appeal and the file to the Commission or Board, together with any reports responding to the allegations made in the appeal.

3. Public Hearing on Appellate Decision

Before acting on any appeal of a Coastal Development Permit, the Area Planning Commission or Board of Public Works shall set the matter for hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this *Section*.

4. Time for Appellate Decision

The Area Planning Commission or Board of Public Works shall act within 75 days after the expiration of the appeal period or within any additional period mutually agreed upon by the Applicant and the Commission or Board.

5. Appellate Decision

The Area Planning Commission or Board of Public Works may reverse or modify the initial decision, in whole or in part. In reversing or modifying the initial decision, the Commission or Board shall make the same findings required to be made by the initial decision maker.

6. Appeal Procedures for Multiple Applications including a Coastal Development Permit

- a. If a Coastal Development Permit is combined with another Quasi-judicial or Legislative approval, an appeal of the initial decision on a Coastal Development Permit application shall automatically constitute an appeal of the decision on the application for the other discretionary permits and approvals. Any appeal of the other permits and approvals also constitute an appeal of the Coastal Development Permit unless the appeal of the Coastal Development Permit would violate *Sec. 563 (Conditional Use Permits and Other Approvals) of the City Charter*. The time for appeal of the Coastal Development Permit to the Coastal Commission shall commence after action on the other permits and approvals becomes final.
- b. The Approving Authority for multiple applications for a Coastal Development Permit and other Quasi-judicial or Legislative approvals shall be as established in *Sec. 13A.2.10. (Multiple Approvals)*. However, the appeal procedures for the consolidated action shall follow the procedural requirements for notice, public hearing, and final action of an initial decision on a Coastal Development Permit in accordance with *Subsections C. (Notice) - E. (Standards for Review and Required Findings) of this Section*.

H. Amendments to Permits

1. Immaterial Changes to a Coastal Development Permit

a. Application

An application for an immaterial change to a Coastal Development Permit shall be filed with the Approving Authority that approved the existing permit.

b. Approval

If the Approving Authority finds that the proposed change conforms to the original findings and conditions required for the Coastal Development Permit and is in substantial conformance with that Permit, then the Approving Authority may approve the proposed change.

2. Permit Amendments

a. Application

If the Approving Authority that originally granted the Coastal Development Permit finds that a proposed change does not substantially conform to the original Coastal

Development Permit, the holder of the Permit may apply for an amendment to the Permit in the same manner as an application for a new Coastal Development Permit. This application shall contain a description of the proposed amendment, the reason for the amendment, together with maps, plans or other material appropriate to the request, and shall be accompanied by evidence of a valid, unexpired permit and of the Applicant's continued legal ownership or interest in the property.

b. Procedures

The procedures for an amendment are the same as would be required of a new application at the same location in accordance with *Subsections B. (Initiation) - E. (Standards for Review and Required Findings)* of this Section.

c. Appeals

Decisions on amendment applications are appealable as provided in *Subsection G. (Appeals)* of this Section.

I. Emergency Permits

An emergency permit shall only be issued in cases where an emergency necessitates immediate action that would normally require a Coastal Development Permit, and where the worth of any permanent structures erected does not exceed \$25,000.

1. Applications

An application for an Emergency Coastal Development Permit shall be made to the Director or the City Engineer, whichever has jurisdiction, within three days of the emergency or discovery of the danger. The following information shall be included in the request:

- a. Nature of the emergency;
- b. Cause of the emergency, if this can be determined;
- c. Location of the emergency;
- d. The remedial, protective or preventive work required to deal with the emergency; and
- e. The circumstances during the emergency that justify the proposed course of action, including the probable consequences of failing to take action.

2. Verification of Emergency

The Director or City Engineer shall verify the facts, including the existence and the nature of the emergency, insofar as time permits.

3. Procedure

The Director or City Engineer shall provide public notice of the emergency work, with the extent and type of notice determined on the basis of the nature of the emergency. The

Director or City Engineer shall not issue an emergency permit for any work that falls within the provisions of *Sec. 30519(b) and 30601 of the Public Resources Code*. The Director or City Engineer may grant an emergency permit upon reasonable terms and conditions, if the Director or City Engineer finds that:

- a. An emergency exists that requires action more quickly than the regular permit process would allow, and the work can or will be completed within 30 days, unless otherwise specified by the terms of the permit;
- b. Public comment on the proposed emergency action has been reviewed, if time allows; and
- c. The work proposed would be consistent with the certified Local Coastal Program and any adopted, relevant community or Specific Plans.

4. Compliance

An emergency permit shall be valid for not more than 60 days from the date of issuance. Prior to expiration of the emergency permit, the permittee must submit a Coastal Development Permit application for the Coastal Development or else remove the Coastal Development undertaken pursuant to the emergency permit in its entirety and restore the site to its previous condition. Failure to comply with the provisions of this *Subsection* or failure by the permittee to properly notice and report any emergency actions may result in the revocation of the emergency permit.

5. Reporting

The Director or City Engineer shall notify the Coastal Commission of the issuance of an emergency permit by phone or letter as soon as possible, but in any event within three days of the issuance of the emergency permit.

DIV. 13B.10. DEPARTMENT OF BUILDING AND SAFETY

SEC. 13B.10.1. GENERAL PROVISIONS

A. Purpose

This *Division* describes the powers, duties, and processes of the Department of Building and Safety as they relate to this Chapter and *Chapter I. (General Provisions and Zoning)* of this Code.

B. Permits and Vesting of Development Plan

1. Permits

No permit pertaining to the use of land or buildings shall be issued by any department, officer, or employee of this City, vested with such duty, unless the application for the permit has been approved by the Department of Building and Safety as to conformance of said use with the provisions of this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code. Any permit or Certificate of Occupancy issued in conflict with the provisions of this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code shall be null and void.

2. Vesting of Development Plan

- a. Whenever plans sufficient for a complete plan check are accepted by the Department of Building and Safety and a fee is paid, a vested right is granted to the project to proceed with its development in substantial compliance with the zoning, and development rules, regulations, ordinances and adopted policies of the City of Los Angeles in force on the date that the plan check fee is paid as indicated on a valid building permit application. These rights shall not include exemption from other applications or approvals that may be necessary to entitle the project to proceed (i.e., subdivision, zone variance, design review board review, etc.) and from subsequent changes in the Building and Safety and Fire regulations found necessary by the City Council to protect the public health and safety and which are applicable on a citywide basis, contained in *Chapter V. (Public Safety and Protection)* and *Chapter IX. (Building Regulations)* of this Code and policies and standards relating to those Chapters or from citywide programs enacted after the application is deemed complete to implement State or Federal mandates.
- b. These rights shall end:
 - i. 18 months after the plan check fee is paid, or if a permit is issued during that time, when the building permit terminates pursuant to *Sec. 98.0602 (Expiration of Permits)* of this Code;
 - ii. When subsequent changes are made to those plans that increase by more than five percent or decrease by more than 10 percent the height, floor area, or occupant load of the proposed-structure;
 - iii. When the use of the property is changed;

- iv. When changes exceed or violate the regulations of this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code in force on the date the plan check fee was paid; or
 - v. When the discretionary land use approval for the project terminates under the provisions of this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code or any ordinance adopted pursuant to this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code.
- c. In the case that a discretionary land use approval is required, the vesting rights in plan check will be extended for the time period during which the discretionary land use approval is being processed. However, in no case will the extension of vesting rights exceed more than 18 months beyond the original vesting expiration timeline.

C. Yard Area Modifications

The Department of Building and Safety shall have the authority to hear and determine requests for yard area modifications pursuant to *Chapter IX. (Building Regulations), Sec. 98.0403.1(a)11. (Powers of the Department and the Board)* of this Code.

Parking Facility Modifications

1. The Superintendent of Building or the Superintendent's designee may grant slight modifications in the requirements of *Chapter I. (General Provisions and Zoning), Sec. 12.21 A.5. and Chapter I. (General Provisions and Zoning) Sec. 12.21 A.16. for lots* subject to Chapter I., or *4C.4.3. (Parking Area Design) and Div. 4C.3. (Bicycle Parking)* of this Zoning Code (Chapter 1A) for *lots* subject to this Chapter, if it is impractical to apply the design criteria set forth therein due to the unusual topography, peculiar shape of location of the lot, or where parking angles are less than 40 degrees. The Superintendent of Building may also grant slight modifications in such requirements where such modifications will improve the design or functioning of the *parking area or garage, or where attendant parking* is ensured to his or her satisfaction.
2. The power to grant such modifications shall be exercised in accordance with the procedure established in *Section 98.0403* of this Code.

D. Inspection of Premises

1. Whenever it is necessary to make an inspection to enforce any of the provisions or to perform any duty imposed by this Code or other applicable law, or whenever the Superintendent of Building or his/ her authorized representative has reasonable cause to believe that there exists in any building or upon any premises any violation of the provisions of this *Article* or other applicable law, the Superintendent of Building or his/her authorized representative is hereby authorized to enter such property at any reasonable time and to inspect the same and perform any duty imposed upon the General Manager by this Code or other applicable law, provided that:

- a. If such property be occupied, he/she shall first present proper credentials to the occupant and request entry explaining his/her reasons therefor; and
- b. If such property be unoccupied, he/she shall first make a reasonable effort to locate the owner or other persons having charge or control of the property and request entry, explaining his reasons therefor. If such entry is refused or cannot be obtained because the owner or other person having charge or control of the property cannot be found after due diligence, the Superintendent of Building or his/her authorized representative shall have recourse to every remedy provided by law to secure lawful entry and inspect the property.

SEC. 13B.10.2. APPEALS FROM LADBS DETERMINATIONS

A. Applicability

1. The Director may investigate and make a decision upon appeals from determinations of the Los Angeles Department of Building and Safety (LADBS) where it is alleged there is error or abuse of discretion in any order, interpretation, requirement, determination or action made by LADBS in the enforcement or administration of this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code and other land use ordinances in site specific cases.
2. This *Section* does not apply to requests for extensions of time to comply with any order issued by LADBS.
3. An appeal to the Director may only be made after the LADBS has rendered a decision in writing and provided written justification and findings on an appeal made pursuant to Sec. 98.0403.2(a) (*Procedures for Appeals to the Department and to the Board*) of this Code.

B. Initiation

1. Any aggrieved person may file an appeal at a public counter of the Department of City Planning. For the purposes of this process, the person filing an appeal on the LADBS determination will be considered the applicant.
2. The appeal shall be filed within 15 days after the LADBS renders a decision in writing with justification and findings on the issues set forth in the appeal made pursuant to Sec. 98.0403.2(a) (*Procedures for Appeals to the Department and to the Board*) of this Code.
3. The appeal to the Director must be accompanied by a written copy of the decision of LADBS, and any written copy of the underlying order, interpretation, requirement, determination or action taken on the matter by LADBS. The applicant shall set forth specifically how there was error or abuse of discretion in the action of LADBS. Each appeal shall be accompanied by a filing fee as specified in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter.
4. Filing an appeal stays, with respect to that site, all enforcement proceedings and actions pertaining to this Chapter or *Chapter I. (General Provisions and Zoning)* of this Code, and other land use ordinances pending the Director's decision. However, filing an appeal will not prevent the issuance of a building permit or performance of work authorized by the permit when all Code and other land use requirements are met to the satisfaction of the LADBS, and only after consideration of the issues set forth in the appeal to the LADBS made pursuant to Sec.

Sec. 13B.10.2. Appeals from LADBS Determinations

1 Initiation

AGGRIEVED PERSON

2 Submittal

COMPLETENESS REVIEW

NOTICE

3 Review

PLANNING DIRECTOR HEARING

OPTIONAL

3 Decision

PLANNING DIRECTOR

APPROVE
OR
DENY

APPEAL AVAILABLE

98.0403.2(a) (Procedures for Appeals to the Department and to the Board) of this Code. Filing an appeal does not delay enforcement proceedings or actions related to the abatement of imminent life safety hazards.

C. Notice

1. Notice of Appeal Filing

Upon receipt of the Appeal from LADBS Determination, the Department of City Planning shall notify the owner of the subject property if an appeal is filed by a third party.

2. Notice of Public Hearing

The following notice is required for the public hearing on the initial decision, if held:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • Appellee and property owner; • Applicant; • Department of Building and Safety; • Owners of all properties abutting, across the street or alley from, or having a common corner with the subject property; • The Certified Neighborhood Council representing the area in which the property is located; and • Interested parties who have requested in writing to be notified

3. Notice of Public Hearing on Appeal

The following notice is required for the public hearing on the appeal to the Area or City Planning Commission:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • Appellee and property owner; • Applicant; • Department of Building and Safety; • Owners of all properties abutting, across the street or alley from, or having a common corner with the subject property; • The Certified Neighborhood Council representing the area in which the property is located; and • Interested parties who have requested in writing to be notified

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. Decision Maker

The Director is the initial decision maker.

3. Public Hearing

The Director shall set the matter for hearing if it is likely to be controversial, giving notice in the manner specified in *Subsection C. (Notice)* above.

4. Decision

- a. The Director shall investigate the matter.
- b. The Director shall render a decision within 75 days after the appeal period expires. If the Director fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the Area Planning Commission pursuant to *Sec. 13A.2.6. (Transfer of Jurisdiction)*.

5. Transmittal

The Director shall transmit a copy of the decision to the applicant, property owner, appellant, the Department of Building and Safety, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property, and to all persons who requested notification in writing.

E. Standards for Review and Required Findings

1. In making a determination on an Appeal from LADBS Determination, the Director shall consider whether there was an error or abuse of discretion by LADBS.
2. The Director shall make a finding regarding whether the matter may have a citywide impact.
3. The Director shall find that there is no citywide impact if the matter concerns only the use of the specific property, or circumstances or issues connected with other zoning matters which are unique to the affected site and would not generally apply to other sites in the City, or would not result in changes in the application of this Chapter and *Chapter I. (General Provisions and Zoning)* of this Code and other land use ordinances to other sites.
4. In making a determination on an appeal of the Director's initial decision on an Appeal from LADBS Determination, the Area Planning Commission or City Planning Commission shall consider whether there was an error or abuse of discretion by the Director.

F. Scope of Decision

See *Sec. 13A.2.7. (Scope of Decision)*.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Decision Maker

The Area Planning Commission is the appellate decision maker on a matter that the Director found did not have a citywide impact. The City Planning Commission is the appellate decision maker on a matter that the Director found does have a citywide impact.

3. Filing

An applicant or any other person aggrieved by a decision of the Director may appeal that decision to the Area Planning Commission or City Planning Commission.

4. Appellate Decision

- a. Before acting on any appeal, the appellate body will set the matter for a public hearing, giving notice in the manner specified in *Subsection C. (Notice)* of this *Section*.
- b. The appellate body shall act within 75 days after the expiration of the appeal period.

H. Modification of the Action

No modification is available.

SEC. 13B.10.3. ANNUAL INSPECTION MONITORING (TYPE 1)

A. Applicability

1. The provisions of this *Section* shall apply to every recycling center or yard operating pursuant to a valid Certificate of Occupancy and to every collection bin operating pursuant to a valid building permit. In addition, these provisions shall be applicable to every recycling center or yard operating with nonconforming status pursuant to *Chapter I. (General Provisions and Zoning), Sec. 12.23 (Nonconforming Building and Uses)* for lots subject to Chapter I., or *Article 12. (Nonconformities)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter, and any rights otherwise granted by *Chapter I. (General Provisions and Zoning), Sec. 12.23 (Nonconforming Building and Uses)* or *Article 12. (Nonconformities)* of this Zoning Code (Chapter 1A), may be revoked pursuant to this *Section*.

2. Definitions

For the purpose of this *Section* the following words and phrases are defined:

Collection Bins. Any box, canister, receptacle, or other container that can be opened and closed, and is used for collecting salvageable personal property, including, but not limited to, clothing, shoes, books, and household items for periodic off-site processing and/or redistribution. For purposes of this definition, salvageable personal property shall not include recyclable materials not intended for re-use, including, but not limited to, newspapers, plastic, glass, aluminum, electronics, toxic or hazardous materials, and solid waste; nor any personal property that, because of its size, does not fit inside the collection bin.

Department. The Department of Building and Safety.

Recycling Center. Any recycling collection or buyback site, recycling sorting facility, or other recycling oriented site which does not do any processing other than mechanical compaction to reduce the volume of recyclable containers for economy of storage.

Superintendent. The Superintendent of Building or his or her authorized representative.

Yard. Any automobile or truck dismantling yard, junk yard, scrap metal or recycling materials processing yard or cargo container storage yard or any open storage location where used materials and equipment of any kind, including vehicles, boats, or airplanes, which are inoperable, wrecked, damaged, or unlicensed, i.e., not currently licensed by the Department of Motor Vehicles, are stored or processed.

B. Initiation

1. Inspections

- a. Each recycling center, yard, or collection bin shall be available for inspection by the Department to verify compliance with all applicable provisions of this Code.

- b. An inspection fee as specified in *Sec. 98.0402(e) (Annual inspection Fee)* of this Code shall be paid by each business operator or property owner to the Department. The business operator and the property owner of every site under the jurisdiction of this *Section* shall be notified of all fees, fines, penalties, costs, or other assessments resulting from enforcement of this *Section* and are jointly and severally responsible to ensure that code compliance is maintained, at all times, and that payment of all fees, fines, penalties, costs, or other assessments due for each qualifying business as specified by this *Section*, is made to the Department. If all fees, fines, penalties, costs or other assessments due pursuant to this *Section* are not paid, a lien may be placed upon the property as provided in *Sec. 98.0402(g)* of this Code and *Sec. 7.35.1 et seq.* of the LAAC. In addition, failure to pay all fees, fines, penalties, costs or other assessments is sufficient cause to institute a Certificate of Occupancy revocation hearing.
- c. An inspection may also be made whenever a complaint is received by the Department concerning a violation of this Code or as needed to verify continued compliance with applicable Code requirements. Accessory storage-only yards, where no business is conducted and which are nearby but not contiguous with a main yard, may be subject to an inspection and an additional fee of one half of the annual inspection fee for each primary yard.

2. Order to Comply

- a. If a recycling center, yard, or collection bin that is inspected is found to be in violation of any provision of this Code, the Superintendent shall send an order to comply ("Order") to the owner of the property and the operator of the recycling center, yard, or collection bin.
- b. The violation must be corrected by the compliance date specified in the Order, which shall be no more than 30 days from the date the Order is mailed.
- c. The compliance date as specified in the Order may be extended for an additional period not to exceed 45 days if the owner or operator of the recycling center, yard, or collection bin presents evidence of unusual hardship to the satisfaction of the Superintendent.
- d. Failure to comply with the Order may result in a revocation of Certificate of Occupancy. A revocation hearing may be canceled upon correction of violation and payment of a fine based on the fine schedule in *Subsection H. (Additional Standards and Provisions)* of this *Section*. If a collection bin is found in violation of this *Section* after the Department has issued and resolved an order to comply for a previous collection bin violation on the same property, then revocation proceedings shall commence on the Certificate of Occupancy for the collection bin and the Department shall issue no further Certificate of Occupancy permits for collection bins on that property.

3. Re-Inspection

The Superintendent shall re-inspect a recycling center, yard, or collection bin for which an Order was issued pursuant to this Section subsequent to the compliance date or any authorized extension thereof.

4. Enforcement Authority Prior to Revocation Notice

The Superintendent may commence enforcement pursuant to *Sec. 98.0408 (Issuance of Citations by Designated Employees)* of this Code if the violations noted in an Order are not corrected on or before the due date noted upon such notice.

C. Notice of Intent to Revoke and Revocation Hearing

1. If any violation specified in an Order or citation is not corrected prior to the compliance date or any extension thereof, or if the annual inspection fee has not been paid within 60 days of assessment, then Certificate of Occupancy revocation proceedings shall be commenced by issuance of a Notice of intent to Revoke ("Notice"), which shall be sent to the owner of the property and the operator of the recycling center or yard subsequent to any re-inspection pursuant to *Subsection A (Applicability)* of this Section.

2. The Notice shall state the following:

- a. The date and place of the revocation hearing, which shall be scheduled at least 15 days and not more than 90 days from the date of issuance of the Notice.
- b. A list of all uncorrected violations as of the compliance date.

3. Owner and operator may obtain copies of all inspection reports related to these violations.

4. Revocation Hearing

- a. The Board of Building and Safety Commissioners may appoint a Hearing Officer to conduct the hearing, which Hearing Officer shall not be any individual who participated in the issuance of any of the Notices required by this Section. Subpoenas may be issued pursuant to *Sec. 98.0307 (Subpoenas)* of this Code. The hearing shall be conducted pursuant to the provisions of *Sec. 98.0308 (Evidence)* and *98.0309 (Official Notices)* of this Code.
- b. Revocation proceedings may only be terminated if each violation noted in the Notice is corrected before the date of the revocation hearing and if a specified fine is paid, which fine shall be fixed in accordance with the fine schedule in *Subsection I. (Additional Standards and Provisions)* of this Section.

D. Decision

1. Hearing Officer's Report

Within 30 days of the conclusion of the revocation hearing, the Hearing Officer shall report its findings and recommendations in writing to the Board of Building and Safety Commissioners.

2. Board of Building and Safety Commissioners Determination

- a. Revocation may be ordered by the Board of Building and Safety Commissioners if it finds that any required fees, fines, penalties, costs or other assessments have not been paid or any of the violations specified in the Order have not been corrected, except for the circumstances stated in *Subsection E. (Standards for Review and Required Findings)* of this Section.
- b. In making its determination, the Board of Building and Safety Commissioners may hear from the owner, operator, or other interested party.
- c. The determination of the Board of Building and Safety Commissioners is final.

E. Standards for Review and Required Findings

The Board of Building and Safety Commissioners may, in its discretion, determine that a Certificate of Occupancy should not be revoked if it makes both of the following findings:

1. Taken together, the remaining uncorrected violations specified in the Order do not have an adverse effect on neighboring properties or on the general public; and
2. The owner or operator of the yard has paid the fine specified in *Subsection I. (Additional Standards and Provisions)* of this Section with respect to all violations listed in the Notice of Revocation.

F. Scope of Decision

1. Termination of Revocation Proceedings

The Superintendent shall terminate Certificate of Occupancy revocation proceedings upon a finding that each violation of this Code specified in the Notice has been corrected and the fine specified in such Notice has been paid. Termination may only occur on or before the date of the revocation hearing.

2. Loss of Non-Conforming Rights

Notwithstanding any provision of this Code to the contrary, where a Certificate of Occupancy is revoked pursuant to this Section, a new Certificate of Occupancy for the property may only be issued if all requirements of the Code in effect, at the time of issuance of the new certificate, are satisfied. A site which has no valid Certificate of Occupancy and seeks a Certificate of Occupancy shall retain no rights under *Chapter I. (General Provisions and*

Zoning), Sec. 12.23 (Nonconforming Building and Uses) nor under Article 12. (Nonconformities) of this Zoning Code (Chapter 1A).

G. Appeals

There is no appeal.

H. Additional Standards and Provisions

1. Fine Schedule

The fine for each violation listed in the Notice shall be as specified in *Sec. 98.0402(f)2. (Code Enforcement Costs incurred; investigation Costs, Fees and Fines)* of this Code.

2. Parking of Vehicles in Custody of Any Yard

No vehicle or any part of any vehicle in the custody or possession, for any reason, of a yard, as defined in this *Section*, shall be parked, left standing, placed, or stored outside of the approved enclosure on the lot where the yard is located, except that vehicles and parts may be stored within an approved auxiliary storage yard. In addition, all parking stalls on the lot and any access driveways leading to the parking spaces that are required by this Code must remain clear and available for parking of operative vehicles.

I. Further Action

1. Repeat Violations

Despite any provision of this *Section* to the contrary, if a business or property owner is issued a subsequent notice for a code violation within one year of the initial notice of an Order for the same code violation then all of the following apply:

- a. Each violation cited in a subsequent Order shall carry a fine as specified in *Sec. 98.0402(f)1. (Code Enforcement Costs incurred; investigation Costs, Fees and Fines)* of this Code and shall be paid within 15 days of the compliance date of any subsequent Order.
- b. The compliance date for any subsequent order to comply shall be no more than 10 days from the date of mailing of notice for repeat violations.
- c. No extension of the compliance date may be granted for repeat violations.

SEC. 13B.10.4. ANNUAL INSPECTION MONITORING (TYPE 2)

A. Applicability

1. The provisions of this *Section* shall apply to every automotive repair garage use in the City of Los Angeles, including those in existence prior to May 27, 1990 and every used vehicle sales area.

2. **Exception**

Used car sales areas operated in conjunction with and on the same lot or on contiguous lots with a new car dealer are exempted from the annual inspections required by this Section.

3. **Definitions**

For the purpose of this *Section* the following words and phrases are defined:

Department. The Department of Building and Safety.

Used Vehicle Sales Area. An area or lot where any type of used motor vehicle or trailer is displayed for sale.

Automotive Repair Garage. For lots subject to *Chapter I. (General Provisions and Zoning)* of this Code, this term means: All retail or wholesale uses which are enumerated in the definition for "Automotive Repair" in *Section 12.03 (Definitions)* of this Code, and all testing, installation of vehicle equipment or accessories, and the application of paint, sprayed coloring, or other types of covering or the recovering of any part of a vehicle interior or exterior. Included in this definition are smog testing shops whether for test only or for repairs, window tinting or replacement shops, application of vinyl or similar covering materials, installation of parts or accessories on the site of a parts store, and all other similar uses.

For lots subject to this Chapter, this term means any use described by the definition of: 1) motor vehicle services: light 2) motor vehicle services: heavy 3) or motor vehicle services: large vehicle per Part 5D. (Use Definitions).

B. Initiation

1. **Inspections**

- a. The physical facilities of each automotive repair garage or used vehicle sales area shall be open to the Department for inspections.
- b. An inspection fee as specified in *Sec. 98.0402(e) (Annual inspection Fee)* of this Code shall be paid by each business operator or property owner to the Department upon notice. The business operator and the property owner of every site under the jurisdiction of this *Section* shall be notified of all fees, fines, penalties, costs, or other assessments resulting from enforcement of this *Section* and are jointly and severally responsible to ensure that code compliance is maintained, at all times, and that payment of all fees, fines, penalties, costs, or other assessments due for each qualifying business as specified by this *Section*,

is made to the Department. If all fees, fines, penalties, costs or other assessments due pursuant to this Section are not paid, a lien may be placed upon the property as provided for in Sec. 98.0402(g) (*Code Enforcement Costs incurred: investigation Costs, Fees and Fines*) of this Code and Sec. 7.35.1 et seq. of the LAAC. In addition, failure to pay all fees, fines, penalties, costs or other assessments is sufficient cause to institute a Certificate of Occupancy revocation hearing.

- c. An inspection may also be made whenever a complaint is received by the Department concerning a violation of this Code by an automotive repair garage or used vehicle sales area or as needed to verify continued compliance with applicable Code requirements. Accessory storage only yards, where no business is conducted, which are nearby but not contiguous with a main automotive repair garage, may also be subject to inspection and an additional fee of one half of the annual inspection fee for the yard or building.

2. Order to Comply

- a. If the physical facilities of an automotive repair garage or used vehicle sales area are found to be in violation of any provision of this Code, the Department shall send an order to comply ("Order") to the owner of the property and the operator of the automotive repair garage or used vehicle sales area. The Order shall state the following:
 - i. The nature of the violation and the Code section violated;
 - ii. The compliance date by which the violation must be corrected.
- b. Failure to correct the violation on or before the compliance date or any authorized extension may result in commencement of proceedings to revoke the Certificate of Occupancy. These proceedings may involve a revocation hearing. A personal appearance at the hearing may only be avoided if the violation is corrected and a fine paid according to the fine schedule in Subsection H. (*Additional Standards and Provisions*) of this Section;
- c. An appeal may be filed from the Order in the manner provided by Subsection G. (*Appeals*) of this Section.

3. Re-Inspection

The Department may re-inspect an automotive repair garage or used vehicle sales area for which an Order was issued pursuant to this Section subsequent to the compliance date or any authorized extension.

4. Enforcement Authority Prior to Revocation Notice

The Superintendent may commence enforcement pursuant to Sec. 98.0408 (*Issuance of Citations by Designated Employees*) of this Code if the violations noted in an Order are not corrected on or before the due date noted upon such notice.

C. Notice of intent to Revoke and Revocation Hearing

1. If any violation specified in the Order is not corrected prior to the compliance date or any extensions, or if the annual inspection fee has not been paid within 60 days of assessment, pursuant to *Sec. 98.0402(e) (Annual inspection Fee)* of this Code, then the Department may commence Certificate of Occupancy revocation proceedings by issuance of a Notice of intent to Revoke ("Notice"). This Notice shall be sent to the owner of the property and the operator of the automotive repair garage or used vehicle sales area.
2. The Notice shall state the following:
 - a. The date and place of the revocation hearing, which shall be scheduled at least 15 days and not more than 90 days from the date of issuance of the Notice.
 - b. A list of all violations uncorrected as of the compliance date.
3. Copies of all inspection reports related to such violations are available for inspection by the owner or operator.

4. Revocation Hearing

- a. The Board of Building and Safety Commissioners may appoint a Hearing Officer to conduct the hearing, which Hearing Officer shall not be any individual who participated in the issuance of any of the Notices required by this Section. Subpoenas may be issued pursuant to *Sec. 98.0307 (Subpoenas)* of this Code. The hearing shall be conducted pursuant to the provisions of *Sec. 98.0308 (Evidence)* and *98.0309 (official Notices)* of this Code.
- b. Revocation proceedings may be terminated if each violation noted in the Notice is corrected before the date of the revocation hearing and if a specified fine is paid, which fine shall be fixed in accordance with the fine schedule in *Subsection I. (Additional Standards and Provisions)* of this Section.

D. Decision

1. Hearing Officer's Report

Within 30 days of the last day of the revocation hearing, the Hearing Officer shall report its findings and recommendations in writing to the Board of Building and Safety Commissioners.

2. Board of Building and Safety Commissioners Determination

- a. Within 30 days of receipt of the Hearing Officer's report, the Board of Building and Safety Commissioners shall determine whether the Certificate of Occupancy shall be revoked.
- b. In making its determination, the Board of Building and Safety Commissioners may hear from the owner, operator, or other interested party.
- c. The determination of the Board of Building and Safety Commissioners is final.

E. Standards for Review and Required Findings

In ordering a revocation, the Board of Building and Safety Commissioners shall find that:

1. Any of the violations specified in the Order have not been corrected, or that the fines specified in *Subsection H. (Additional Standards and Provisions)* have not been paid;
2. That, taken together, the remaining uncorrected violations have significant adverse effects on surrounding properties or the health, peace, or safety of persons residing or working in the surrounding area; and
3. The owner or operator of the automotive repair garage or used vehicle sales area has failed to demonstrate to the satisfaction of the Board of Building and Safety Commissioners the ability or willingness to eliminate problems associated with the automotive repair garage or used vehicle sales area operation.

F. Scope of Decision

1. Loss of Non-Conforming Rights

Notwithstanding any provision of this Code to the contrary, if a Certificate of Occupancy is revoked pursuant to this *Subsection*, then a new Certificate of Occupancy for the property may only be issued if all requirements of the Code in effect at the time of application for such new Certificate are satisfied.

G. Appeals

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Appellate Decision

- a. Except for extensions of time granted by the Department as authorized in *Subsection H. (Additional Standards and Provisions)* and despite any provisions of this Code to the contrary, there shall be no appeal to the Board of Building and Safety Commissioners from any notice issued or determination made by the Department pursuant to this *Section*.
- b. Appeals may be made from Department determinations of violations of *Paragraph 3. (Parking of Cars in Custody of Automotive Repair Garage or Used Vehicle Sales Area)* and *Paragraph 4. (Minimum Standards)* of *Subsection H. (Additional Standards and Provisions)* of this *Section*.

H. Additional Standards and Provisions

1. Fine Schedule

- a. The fine for each violation listed in the Notice shall be as specified in *Sec. 98.0402(f)2. (Code Enforcement Costs incurred: investigation Costs, Fees and Fines)* of this Code.

b. Fines Distinct from Other Penalties and Fees

The above fines are separate and distinct from both misdemeanor or infraction fee penalties provided in the Code and the noncompliance fees authorized in *Sec. 98.0411 (Non-Compliance Fees)* of this Code.

2. Time Limits for Compliance With Order

- a. The automotive repair garage or used vehicle sales area shall comply with the Order described in *Subsection B.2 (Initiation; order to comply)* of this *Section* on or before the compliance date specified in the Order, or any authorized extension. The compliance date shall be not more than 30 days from the date of the Order.
- b. The Department may grant an extension of the compliance date specified in the Order for an additional period not to exceed 45 days if the owner or operator of the automotive repair garage or used vehicle sales area presents satisfactory evidence to the Department that unusual difficulties would prevent substantial compliance without such extension.
- c. Upon an appeal, the Board of Building and Safety Commissioners may grant an extension of the compliance date for an additional period not to exceed 180 days if it finds that the correction of Code violations requiring extensive building alterations would create a hardship without such extension.

3. Parking of Cars in Custody of Automotive Repair Garage or Used Vehicle Sales Area

No vehicle left in the custody or possession, for any reason, of an automotive repair garage or used vehicle sales area shall be parked, left standing or stored outside the lot on which the automotive repair garage or used vehicle sales area is located, except that such vehicles may be stored within an approved storage yard. A responsible person shall be on the premises of each automotive repair garage or used vehicle sales lot during hours of operation. This person shall maintain current records, in a manner that can be immediately supplied to any enforcement agency upon request (subject to applicable state or federal laws), including the license plate number, vehicle identification number and registered owner of each vehicle currently in the custody or possession of the automotive repair garage or used vehicle sales lot for purposes of repair, sales, trade, shipment or other disposition. This *Subdivision* shall not apply to employees' vehicles used for commuting.

4. Minimum Standards

All automotive repair garages shall comply with the minimum standards described in *Chapter I. (General Provisions and Zoning), Sec. 12.26 F. (Automotive Repair Garage and Used Vehicle Sales Area; Minimum Standards)* for lots subject to Chapter I., or all Use Standards that pertain to the subject use per the lot's applied pursuant to *Part 5B. (Use Districts)* for lots subject to this Zoning Code (Chapter 1A).

I. Further Action

1. Repeat Violations

Notwithstanding any provision of this *Section* to the contrary, if a business or property owner is issued a subsequent notice for a code violation within one year of the initial notice of an Order for the same code violation then all of the following apply:

- a. Each violation cited in a subsequent Order shall carry a fine as specified in *Sec. 98.0402(f)1.* of this Code and shall be paid within 15 days of the compliance date of any subsequent Order.
- b. The compliance date for any subsequent order to comply shall be no more than 10 days from the date of mailing of notice for repeat violations..
- c. No extension of the compliance date may be granted for repeat violations.

DIV. 13B.11. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PROVISIONS

SEC. 13B.11.1. ENVIRONMENTAL REVIEW PROCEDURES

A. Applicability of CEQA

1. This purpose of this *Section* is to comply with the requirements of the California Environmental Quality Act (CEQA) and the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) to adopt local procedures that implement CEQA.
2. This *Section (Environmental Review Procedures)* applies to CEQA compliance for all projects subject to approval under the authority of this *Article (Administration)*. Additionally, any CEQA appeal from an approval made pursuant to *Chapter IX. (Building Regulations)* of this Code shall be subject to and comply with *Subsection F. (Appeals of CEQA Decisions)* below.
3. This *Section (Environmental Review Procedures)* supersedes any contradicting provision in this Zoning Code (Chapter 1A) or any other City ordinance, regulation, guideline, or policy, including Sec. 197.01 (CEQA Appeals) of the LAAC.
4. CEQA and the CEQA Guidelines, as applicable, are incorporated and made a part of this Section (Environmental Review Procedures) as though fully set forth herein. In the review and approval of projects under this *Article (Administration)*, all officers and employees of the City shall comply with each and every applicable provision of CEQA and the CEQA Guidelines.

5. Prohibition

No permit shall be issued or entitlement approved by the Department of City Planning or the Department of Building and Safety that would violate CEQA, including by approving a discretionary project without making the necessary findings under CEQA. Discretionary projects include projects that require only discretionary actions or both discretionary and ministerial actions.

B. CEQA Review Responsibility

1. Director of Planning Responsibilities

The Director shall prepare all environmental documents necessary to comply with CEQA and the CEQA Guidelines, and assist the decision maker in approving CEQA Clearances.

2. Director of Planning Authority

The Director may:

- a. Issue administrative guidelines to implement CEQA and this *Section (Environmental Review Procedures)*, consistent with CEQA, the CEQA Guidelines, this Section (Environmental Review Procedures), and any City Council policy; and

- b. Determine significance of environmental effects based on applicable administrative guidelines, CEQA and the CEQA Guidelines.

C. Notice Rules for CEQA

1. All notice is provided pursuant to the requirements of CEQA and the CEQA Guidelines.
2. If CEQA does not provide notice requirements, then notice shall be given pursuant to *California Government Code, Sec. 54950 et seq.*
3. **Notice of Public Hearing on CEQA Appeal**

The following notice is required for the CEQA appeal hearings held pursuant to *Subsection F. (Appeals of CEQA Decision)* of this *Section (Environmental Review Procedures)*:

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	24 days	<ul style="list-style-type: none"> • The Project applicant; • The owner(s) of the property subject to the <u>CEQA Clearance</u>; • Appellant; • The Certified Neighborhood Council representing the area in which the property is located; and • Any interested parties who have requested in writing to receive notices related to the <u>CEQA Clearance</u> or any action on the Project.

4. **Notice of Hearing on Sustainable Communities Project**

The following minimum notice is required for a hearing held pursuant to *Paragraph a. of Subdivision D.3. (CEQA Decisions; Sustainable Communities Project Exemption)* of this *Section*, or a hearing by the City Council, the City Planning Commission, or an Area Planning Commission for a Sustainable Communities Environmental Assessment, pursuant to *Sec. 21155.2 (Transit Project Review) of the Public Resources Code*.

Type of Notice	When	Where / To Whom / Additional Requirements
Mail	10 days	<ul style="list-style-type: none"> • The Project applicant; • The owner(s) of the property subject to the <u>CEQA Clearance</u>; • The owner(s) and occupant(s) of properties within 500 feet of the property subject to the <u>CEQA Clearance</u>; • The Certified Neighborhood Council representing the area in which the property is located; and • Any interested parties who have requested in writing to receive notices related to the <u>CEQA Clearance</u> or any action on the Project.

D. CEQA Decisions

1. Lead Agency

The City of Los Angeles is the lead agency for all projects reviewed and approved under this Article, except where the City of Los Angeles is a responsible agency under CEQA and the CEQA Guidelines.

2. Decision Maker

Any entity authorized to decide a project approval or appeal of an approval under this Article is the decision maker for purposes of compliance with CEQA. When a project has more than one approval, the decision maker on the initial approval, or the appeal of the initial approval, determines the CEQA Clearance for the project, subject to any available CEQA appeal to the City Council under Subsection F. (Appeals of CEQA Decisions) of this Section and all other requirements of CEQA and the CEQA Guidelines.

3. Sustainable Communities Project Exemption

- a. The hearing and determination of the use of the Sustainable Communities Project Exemption (SCP Exemption) shall be determined by the City Council after it holds a public hearing and adopts findings consistent with *Public Resources Code, Sec. 21155.1. (Transit Project; applicability requirements)*. This hearing and the determination on the use of the SCP Exemption may be completed before or after the project approval.
- b. Where the only CEQA Clearance proposed for a project is a SCP Exemption, no project approval is final and effective until the City Council determines the project is exempt as a Sustainable Communities Project. No actions shall be taken and no permits issued in reliance on a project approval prior to the City Council's determination that the SCP Exemption applies, absent the approval of an alternative CEQA Clearance.
- c. If the City Council holds a hearing on the SCP Exemption and determines that it does not apply to the project, and no other CEQA Clearance is approved for the project, any prior project approval shall be void.
- d. If the only CEQA clearance proposed for a project is a SCP Exemption and there are no project related approvals or appeals subject to City Council action, and there are no further appeals available for the project approval, the City Council shall hold the public hearing on the SCP Exemption within 75 days of the issuance of the letter of determination.

4. Finality of Project Approvals

For purposes of filing a Notice of Determination or a Notice of Exemption or the filing of a CEQA appeal to the City Council pursuant to Subsection F. (Appeals of CEQA Decisions) of this Section, a project approval is final pursuant to the provisions of Subsection 13A.2.5.E. (Decisions; Effective Date), or if finality for the project approval is not provided for in Sec. 13A.2.5.E. (Decisions), approval is effective immediately unless otherwise provided by the City Charter, the Code, or CEQA and the CEQA Guidelines.

E. Standards for CEQA Review and Required Findings

1. CEQA Clearances

In approving projects, decision makers may rely on any CEQA Clearance consistent with CEQA and the CEQA Guidelines.

- a. Where an Environmental Impact Report (EIR), Mitigated Negative Declaration (MND), Negative Declaration (ND), or Sustainable Communities Environmental Assessment (SCEA) has been adopted or certified for a project, no subsequent EIR, MND, ND, or SCEA shall be adopted or certified, except as required by CEQA, including *Public Resources Code, Sec. 21166. (Lead agency prohibition to require subsequent reports for a certified project unless specific events.)*.
- b. To the extent applicable and supported by substantial evidence, the City may rely on multiple CEQA Clearances, including CEQA Clearances approved in the alternative.
- c. This Section is not intended to expand the City's discretion to approve or condition projects. Subject to the requirements of CEQA, the environmental analysis of a project is limited to the extent the decision maker has discretion to mitigate or avoid environmental impacts in the approval of the project.

2. Appeals

A City Council decision on an appeal filed under *Subsection F. (Appeals of CEQA Decisions)* of this Section shall be based on the requirements of CEQA and the CEQA Guidelines.

F. Appeals of CEQA Decisions

1. General Procedures

See *Sec. 13A.2.8. (Appeals)*.

2. Appeal of CEQA Clearances

The following CEQA Clearances may be appealed to the City Council by any interested party, when the decision maker was not the City Council, and no further appeals on the project approval are available:

- a. Certification of an Environmental Impact Report.
- b. Adoption of a Negative Declaration or a Mitigated Negative Declaration.
- c. Adoption of a Sustainable Communities Environmental Assessment.
- d. A determination that an approval under this Article is not subject to CEQA either because it is not a project as defined by CEQA or the CEQA Guidelines or because it is exempt.

3. Exhaustion

No appeal of the CEQA Clearance shall be accepted by the City unless all project approval appeals were previously exhausted.

4. CEQA Appeal Filing Requirements

No appeal of the CEQA Clearance shall be considered by the City Council unless the appellant does all of the following:

- a. Files a CEQA appeal with the Department within 15 days of the date the project approval is final.
- b. Pays the applicable fee, if any.
- c. Fills out the application form required by the City and provides the following information:
 - i. The name, address, and telephone number of the appellant and the person filing the appeal if different from the appellant;
 - ii. A statement that the appeal is made pursuant to this *Section*;
 - iii. The decision maker of the CEQA Clearance subject to the appeal;
 - iv. The CEQA Clearance to which the appeal is filed, including applicable case number(s), and the date of the certification, adoption or determination of the CEQA Clearance;
 - v. A written statement setting forth all of the reasons for the appeal, and specifying in detail why the appellant believes the CEQA Clearance fails to comply with CEQA; and
 - vi. Any other information required by the office of the City Clerk or the Director.
- d. At any time, the City may reject an appeal that does not comply with all the requirements of *Subdivisions 2, 3, or 4* of this *Subsection*.

5. Effect of Filing an Appeal of the CEQA Clearance

- a. The filing of an appeal of the CEQA Clearance stays:
 - i. The CEQA Clearance;
 - ii. Any project approvals that rely upon the CEQA Clearance;
 - iii. Any action or approval by the Department on related project approvals that will rely on the CEQA Clearance; and
 - iv. Any action or approvals by other City departments in reliance upon the project approval that relied upon the CEQA Clearance.
- b. Upon the filing of a CEQA appeal, the applicant's time to act under any project approval or permit shall be tolled until the appeal is decided.

- c. Upon the filing of a CEQA appeal, the City's time to act on any related project approval shall be tolled until the appeal is decided.
- d. Nothing in this *Subdivision F.5.*, is intended to affect the finality of project approvals for purposes of an applicable statutes of limitations.

6. **Withdrawal of Appeal**

- a. An appeal filed under this *Subsection F. (Appeals of CEQA Decisions)* may be withdrawn at any time by the Appellant prior to the date and time scheduled for the hearing. Upon withdrawal of the appeal, no further action on the appeal shall be taken by the City and the timeline to file an appeal under this *Subsection I.* shall not be extended or restarted.
- b. All stays and tolling under *Subdivision 5. (Effect of Filing an Appeal of the CEQA Clearance)* of this *Subsection F.* shall terminate upon the withdrawal of the appeal.

7. **Hearing on Appeal**

a. **Timeline for City Council Hearing**

The City Council shall hold a public hearing before deciding the appeal, giving notice in the manner specified in *Subsection C. (Notice Rules for CEQA)* of this *Section*. The appeal shall be decided by the City Council within 75 days of the appeal being filed. The timeline to decide the appeal may be extended by the mutual consent of the project applicant and the City Council.

b. **Joint Hearings on the CEQA Clearance and Project Approvals**

i. **Applicability**

If there are related project approvals or appeals for which the City Council is the decision maker or appellate body and have been transmitted to City Council for its action at any time after the CEQA appeal is filed and before the hearing on the CEQA appeal, the City Council shall hold a joint hearing on the CEQA appeal and the related project approvals or appeals.

ii. **Time Limits Extended**

Any Code required time limits to hear or act on any appeal of the CEQA Clearance or the approval or appeal of any related project approvals shall automatically be extended as necessary to comply with this *Subsection*.

iii. **CEQA Clearance is Considered Before Project Entitlements**

After the joint hearing concludes, the City Council shall decide the appeal on the CEQA Clearance before taking action on the related project approvals.

8. Time to File Documents for the Hearing

All appeal-related documents filed by or on behalf of the appellant must be filed with the City Clerk no later than five business days prior to the date set for the hearing. Appeal-related documents filed by any other party, must be filed with the City Clerk no later than two business days prior to the date of the hearing. Documents submitted after these deadlines shall be accepted for filing, but shall not be considered by the City Council in its review and decision on the appeal. The City Clerk shall mark late-filed documents to indicate that they were filed after the deadline provided in this *Subdivision*.

9. Council Authority on Appeal

- a. The City Council shall conduct a de novo review of the CEQA Clearance and shall consider the whole of the administrative record, including any documents timely filed on the appeal, and affirm, reverse, or modify the CEQA Clearance.
- b. After conducting a public hearing, the City Council shall do one of the following:
 - i. Affirm the decision maker's approval of the CEQA Clearance.
 - ii. Reverse the decision maker's approval of the CEQA Clearance and remand the environmental review of the project to the decision maker who last approved the CEQA Clearance with direction to correct the substantive or procedural error.
 - iii. Reverse the decision maker's approval of the CEQA Clearance without remand.
 - iv. Approve a modified or alternative CEQA Clearance provided no new mitigation or change to the project is required.

10. Findings

The City Council shall adopt findings based upon substantial evidence to support its decision as to why the CEQA Clearance does or does not comply with CEQA, including adopting the decision maker's findings or findings recommended by the Director, the appellant, the applicant, or any other interested party. In affirming any decision maker's approval of the CEQA Clearance, the City Council shall make all necessary findings and take all necessary actions required by CEQA for the approval of that CEQA Clearance.

11. Exhaustion of Administrative Remedies

No person entitled to file a CEQA Appeal pursuant to this Section may initiate action in a court of law challenging the Environmental Determination unless and until such person files the CEQA Appeal and the City Council has taken final action on the CEQA Appeal.

G. Scope of CEQA Appeal Action

The following procedures apply to the City Council action on a CEQA Appeal under *Subsection F. (Appeals of the CEQA Decisions)* of this Section.

1. Affirmed

If the City Council affirms the CEQA Clearance, or any one CEQA Clearance when multiple CEQA Clearances are appealed, the stays in *Subdivision F.5. (Appeals of CEQA Decisions; Effect of Filing an Appeal of the CEQA Clearance)* above are lifted.

2. Reversed Without Remand

If the City Council determines the CEQA Clearance(s) should be reversed without remand, the project approval(s) subject to the CEQA Clearance(s), as well as any City action taken or approval granted in reliance upon the project approval(s), are void.

3. Reversed With Remand

If the City Council reverses and remands the CEQA Clearance(s) to the decision maker for further action:

a. Project Approvals Void

All project approvals subject to the CEQA Clearance, as well as any City actions taken or approvals granted in reliance upon the project approvals, are void. All stays on actions or approvals pursuant to *Subdivision F.5. (Appeals of CEQA Decisions; Effect of Filing an Appeal of the CEQA Clearance)* above, shall remain in place until the decision maker on remand under *Paragraph b. (Decision Maker Responsibility on Remand)* below, approves a CEQA Clearance on the project. All times to act on related project approvals shall be extended to comply with this *Subsection*.

b. Decision Maker Responsibility on Remand

After approving a CEQA Clearance consistent with Council direction, the decision maker shall reconsider the project approvals.

c. Planning Director Responsibility on Remand

The Director shall prepare all necessary analysis, reports, studies, findings, and notices to assist the decision maker in its compliance with Council direction on remand.

d. Applicant Fees

Applicants shall pay applicable fees in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* of this Zoning Code (Chapter 1A) for lots subject to this Chapter, if any, for additional environmental review on remand.

e. Project Timelines

All Code required timelines to act on the project approvals shall automatically be extended to the extent reasonably necessary for the Director and decision maker to complete the necessary environmental review on remand.

f. Applicable Project and CEQA Requirements

On remand, the review and approval of the project approvals shall comply with the Code requirements and all review and approval of the CEQA Clearance shall comply with CEQA and the CEQA Guidelines.

g. Appeal of CEQA Clearance on Remand

An action to approve a CEQA Clearance on remand may be appealed to the City Council under *Subsection F. (Appeals of CEQA Decisions)* of this *Section*, provided the City Council's review is limited to modifications to the original CEQA Clearance.

4. City Council Action on Joint Hearings on CEQA Appeals and Project Approvals

In addition to the above provisions in *Subsection F. (Appeals of CEQA Decisions)* of this *Section* and this *Subsection (Scope of CEQA Appeal Action)*, the following rules apply when the City Council is required to hold a joint hearing under *Paragraph F.7.b. (Appeals of CEQA Decisions; Joint Hearings on the CEQA Clearance and Project Approvals)* of this *Section*:

a. City Council Decision to Affirm the CEQA Clearance

If the City Council affirms the CEQA Clearance, the City Council shall comply with *Paragraph E.1.a (Standard for CEQA Review and Required Findings; CEQA Clearances)* of this *Section* and review the related project approval or appeal as a subsequent approval of the affirmed CEQA Clearance, if applicable.

b. City Council Decision to Reverse the CEQA Clearance

If the City Council determines the CEQA Clearance should be reversed, the project approvals subject to the CEQA Clearance are void. The City Council shall approve or remand the decision on a new CEQA Clearance and the decision on the related project approvals pursuant to the following provisions:

i. Remand to the Lower Decision Maker

If any project approval is voided or stayed by the City Council's reversal of the CEQA Clearance, the City Council shall use one of the following procedures.

a) Remand the CEQA Clearance

The City Council may continue its decision on the related project approval or appeal and remand the CEQA Clearance to the lower decision maker for further action under the procedures in *Paragraph G.3 (Reversed with Remand)* of this *Section*. The action on the related project approval subject to City Council approval shall be continued until the lower decision maker adopts a new CEQA Clearance and a new hearing before the City Council is scheduled.

b) Approve a New or Modified CEQA Clearance and Remand Project Approvals

The City Council may adopt a new CEQA Clearance for the project, decide the related project approval or appeal, and remand action on the project approval subject to the lower decision-making body for the sole purpose of taking an action on the project approval considering the CEQA Clearance approved by the City Council, including but not limited to, modifying the project approval to incorporate mitigation measures as conditions of approval. The lower decision-making body shall comply with *Paragraph E.1.a (Standard for CEQA Review and Required Findings; CEQA Clearances)* of this Section, if applicable, and review the remanded project approval as a subsequent approval of the CEQA Clearance approved by the City Council.

ii. Project Approval and Finality

If the City Council approves the CEQA Clearance on the project under the procedures in this Subdivision, the date the project is approved and final for purposes of CEQA and the CEQA Guidelines is the day the City Council approves the CEQA Clearance and acts on any project approval.

iii. Time Limits

All Code required time limits to act or hold hearings on project-related approvals or appeals are stayed to comply with this Section.

5. Housing Projects

- a. Notwithstanding *Subsection F. (Appeals of CEQA Decisions)* and *Subsection G. (Scope of CEQA Appeal Action)* in this Section, if a project includes dwelling units, and the City Council reverses all CEQA Clearances for a project, the Council does not have the option to reverse the CEQA Clearance without Remand in *Sub-subparagraph b.iii. (Council Authority on Appeal)* of this Section.
- b. While the CEQA Clearance for a project that includes dwelling units is on remand to the decision maker all of the following requirements shall be met:
 - i. The Director, subject to the Applicant's payment of fees and cooperation, shall work diligently to complete all CEQA analysis in an expeditious manner.
 - ii. The decision maker shall act on the CEQA Clearance and the project approval within thirty (30) days of the revised or new CEQA Clearance being completed.
 - iii. The decision maker's discretion to modify the previously approved project shall be limited to the mitigation or avoidance of significant environmental impacts, and any necessary findings under *California Government Code, Sec. 65589.5 (Findings to assure the approval of adequate housing)* shall be made.

H. Modification of Project or Mitigation Measure

1. Modification of Project

The applicant may modify the approved project under the applicable provisions of this *Article*, provided all requirements of CEQA and the CEQA Guidelines are met.

2. Modification to Mitigation Measures after Project Approval

- a. The deletion of an adopted mitigation measure imposed as a condition of approval on an approved project, or the modification of such a condition where the Director cannot otherwise find substantial conformance, shall require the approval of a Modification to Mitigation Measure pursuant to the procedures in this *Subdivision*.
- b. A Modification to Mitigation Measure is approved upon the Director doing the following:
 - i. Complying with CEQA and the CEQA Guidelines; including if necessary preparing a new CEQA Clearance, such as an addendum or supplemental or subsequent EIR.
 - ii. Preparing written findings that support the need for the modification or deletion of the mitigation measure.
- c. Director approval of a Modification to Mitigation Measure is final and not appealable. A CEQA Clearance approved in support of the Modification to Mitigation Measure, may be appealed under *Subsection F. (Appeals of CEQA Decisions)* of this *Section*, if applicable.
- d. Modifying a condition of approval imposing an adopted mitigation measure does not require the approval of any other project approval or project modification in this *Article (Administration)*.

I. Prohibition and Enforcement of Improper Segmentation of Projects

1. Prohibition

No person or entity, including without limitation, the applicant, the property owner, or a representative of the applicant or the property owner, shall take any action to avoid CEQA review of the project, including through the misrepresentation of the whole of the project in any City application.

2. Loss of Historical Resources from Improper Segmentation

If the Zoning Administrator, or the Area Planning Commission on appeal, finds a violation of *Paragraph 1. (Prohibition)* of this *Subsection* under the process in *Paragraph 3. (Zoning Administrator Determination)* or *Paragraph 4. (Appeal)* of this *Subsection*, and finds the violation resulted in the material impairment in the significance of a historical resource, the Zoning Administrator or the Area Planning Commission shall issue the maximum penalties in *Paragraph 5.a. (Penalties)* of this *Subdivision*, unless the Zoning Administrator or the Area Planning Commission adopts written findings showing that the maximum penalty is excessive in light of the criteria in *Paragraph 5.b. (Penalties)* of this *Subdivision*.

For purposes of this *Subsection*, "historical resource" means those resources that meet the definition of a historical resource in *Public Resources Code, Sec. 21084.1 (Historical resources)* and *Sec. 15064.5(a) (Determining the Significance of Impacts to Archaeological and Historical Resources)* of the *CEQA Guidelines*. For purposes of meeting the definition above, the historical resource shall be presumed to retain its integrity unless proven otherwise by a preponderance of the evidence.

3. Zoning Administrator Determination

The following procedures shall be followed to enforce a violation of *Paragraph 1. (Prohibition)* of this *Subsection*:

- a. If the Director reasonably believes that there has been a violation of *Paragraph 1. (Prohibition)* of this *Subsection*, the Director may refer the matter to the Zoning Administrator for investigation pursuant to the procedures in this *Subdivision*. If the Director refers the matter for investigation to the Zoning Administrator, the Director shall request the Department of Building and Safety to issue a Notice of intent to Revoke Permits and a Stop Work order for the project site.
- b. Within 45 days of the issuance of a Notice of Intent to Revoke Permits or a Stop Work order, the Zoning Administrator shall either issue a letter of determination finding a violation of *Subdivision 1. (Prohibition)* of this *Subsection*, or request the Department of Building and Safety to rescind the Notice of intent to Revoke Permits and the Stop Work order.
- c. For the purpose of deciding the Zoning Administrator's determination, the Zoning Administrator shall have the power of subpoena to obtain documents from the Applicant.
- d. If the Zoning Administrator finds a violation under *Subdivision 1. (Prohibition)* of this *Subsection*, the letter of determination shall include written findings supporting the determination and the penalty, if imposed and the letter of determination shall be forwarded to the Department of Building and Safety.
- e. The letter of determination shall be noticed to the applicant and the property owner by certified mail or personal service, and posted on the project site. If the Zoning Administrator finds a violation, the notice shall include the timeline and manner in which an appeal may be filed under this *Subsection*.

4. Appeal

- a. A Zoning Administrator determination of a violation under this *Subsection* is appealable by the applicant or the property owner to the Area Planning Commission within 15 days of the notice of the letter of determination being issued. If no appeal is filed, the determination is final.

- b. Any appeal filed to the Area Planning Commission shall be decided after a public hearing where the City and the appellant have an opportunity to present evidence in support of its case. Notice of the hearing shall be given at least 24 days before the hearing to the appellant and property owner (if the property owner is not the appellant) by mail.
- c. At the hearing, the City and the Appellant shall have the opportunity to testify, cross-examine witnesses, and present witnesses and evidence in support of its case. Written and oral evidence submitted at the hearing shall be submitted under penalty of perjury. Documentary and other tangible evidence must be authenticated to the satisfaction of the Area Planning Commission.
- d. The Area Planning Commission shall decide the appeal within 75 days of the appeal being filed. The time to act may be continued upon agreement of the appellant and the Area Planning Commission. No reasonable request of the appellant for additional time shall be denied.
- e. On appeal, the standard of review shall be de novo, the standard of proof shall be preponderance of the evidence, and except as otherwise provided in this *Subsection I. (Prohibition and Enforcement of Improper Segmentation of Projects)*, the City has the burden of proof.
- f. Within 15 days of the conclusion of the hearing, the Area Planning Commission shall render a written decision that shall include a determination of whether a violation occurred, a penalty, if any, written findings as well as a summary of the evidence supporting its decision and any penalty.
- g. The decision of the Area Planning Commission shall be issued in writing and transmitted by mail to the property owner and the applicant, and forwarded to the Department of Building and Safety.

5. Penalties

- a. The following penalties may be imposed for the violation of *Paragraph 1. (Prohibition)* of this *Subsection*:
 - i. No entitlements, permits, or approvals under this *Article* may be issued for the project site for up to five years from issuance of the Letter of Determination.
 - ii. No permits may be issued by the Department of Building and Safety for new development on the project site for up to five years from issuance of the Letter of Determination. The above notwithstanding, the Department of Building and Safety may issue any permits necessary to address a threat to the public health and safety. In imposing this penalty, the Zoning Administrator, or Area Planning Commission on appeal, may take into account any action taken by the Department of Building and Safety pursuant to *Section 91.106.4.1.10 (Permits Issuance; Issuance; Exceptions)*.
 - iii. An administrative penalty of up to \$100,000.

- b. In determining penalties, the Zoning Administrator, or the Area Planning Commission on appeal, shall consider any aggravating or mitigating factors, including the following:
 - i. the culpability of the violating party;
 - ii. efforts, if any, to correct the violation;
 - iii. the benefit to the violating party conferred by the violation;
 - iv. the seriousness of the violation, including any damage to the physical environment;
 - v. the financial status of the violating party; and
 - vi. any other factors that justice may require.
- c. If the Zoning Administrator or the Area Planning Commission finds a violation of *Paragraph 1. (Prohibition)* of this Subsection has occurred, the violator shall pay any cost recovery fee established in *Chapter I. (General Provisions and Zoning), Article 9 (Fees)* for lots subject to Chapter I., or *Article 15. (Fees)* for lots subject to this Zoning Code (Chapter 1A)..
- d. Administrative penalties collected under this Subsection (*Prohibition and Enforcement of Improper Segmentation of Projects*) shall be placed into a special fund for the purpose and promotion of historical resource preservation to be administered by the Department.
- e. If the City imposes a penalty under this Subsection I. (*Prohibition and Enforcement of Improper Segmentation of Projects*) staying the issuance of permits, the Director, as applicable, shall record an affidavit with the Los Angeles County Recorder providing notice that no permits for any new development shall be issued on the property for the period of time imposed. If penalties or costs are imposed, the City may record a lien against the property subject to the requirements of State law and the City Code and Charter.

6. CEQA Review of Improperly Segmented Projects

The City may use a project description that includes the whole of the project, including those activities that have already occurred on the project site, and analyze the project against a baseline of the physical conditions prior to an improper segmentation if the decision maker finds all of the following:

- a. Improper segmentation of the project occurred as a result of misrepresentations of the applicant or the property owner or a representative of the applicant or the property owner;
- b. Permitted or unpermitted activities occurred on the project site prior to completion of the City's review of the project under CEQA; and
- c. Such analysis is reasonably necessary to adequately analyze and mitigate all potential significant impacts to the environment from the project, such as, a circumstance where the loss of a historical resource or a protected tree through site clearance activities could be feasibly mitigated, even if not to a less than significant level, by site rehabilitation or reconstruction.

7. No New Rights

Nothing in this *Subsection I. (Prohibition and Enforcement of Improper Segmentation of Projects)* is intended to provide any right or remedy to any third party that does not already exist at law.

ARTICLE 14.
GENERAL RULES

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DIV. 14.1. INTRODUCTION

SEC. 14.1.1. OPENING PROVISIONS

A. General

1. This Article (*General Rules*) contains Div. 14.2. (*General Standards & Measurements*) which includes definitions, measurements, and standards related to rules in this Chapter.
2. This Article (*General Rules*) also contains Div. 14.3. (*Glossary*), which contains all defined terms, abbreviations, and symbols used throughout this Zoning Code (Chapter 1A).
3. Where a definition contains a list of examples, the examples listed are provided as illustrative examples to guide users, and not an exhaustive list.
4. The provisions of Chapter I. (*General Provisions and Zoning*), Sec. 11.01.(b) (*Grammatical Interpretation*) and Sec. 11.01.(c) (*Civil Code Provisions*) shall apply to the interpretation of this Article (*General Rules*).

B. Definitions & Standards

Text in italics below a heading provides a definition of that heading. A definition may be supported by development standards and/or measurement instructions specific to that defined heading.

C. Illustrations & Graphics

Illustrations and graphics are included in this Article (*General Rules*) only to assist users in understanding the intent and requirement of the text. In the event that a conflict occurs between the text of this Article (*General Rules*) and any illustrations or graphics, the text shall prevail.

DIV. 14.2. GENERAL STANDARDS & MEASUREMENT

The following definitions and standards apply to this Zoning Code (Chapter 1A).

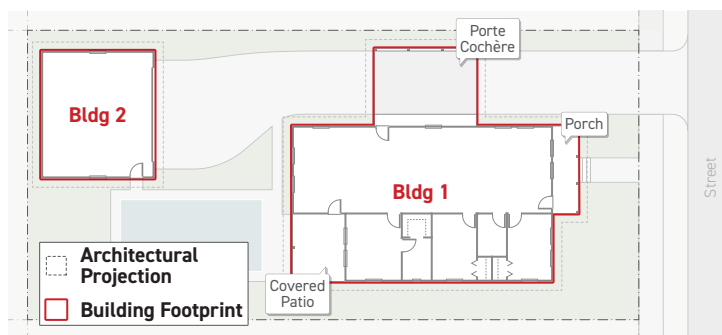
SEC. 14.2.1. BUILDING FOOTPRINT

Building footprint is defined as the area of a lot occupied by a building, measured horizontally. Also referred to as "structure footprint".

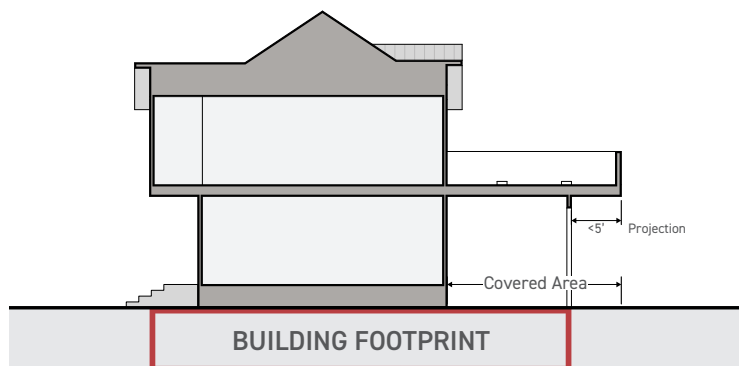
A. Definitions & Standards

The following definitions and standards apply to building footprints:

1. Building footprint includes those portions of a lot covered by buildings or structures.



2. Building footprint does not include portions of a lot covered by architectural projections (including roof overhangs, and projecting balcony) that meet both of the following criteria:
 - a. The architectural projection does not include floor area; and
 - b. The architectural projection projects less than five feet from the nearest wall, column, spanning beam, or other structural element carrying gravity loads to the ground.



SEC. 14.2.2. COVERED AREA (%)

Covered area is defined as the measurement of how open an occupiable space is to the sky.

A. Definitions & Standards

The following definitions and standards apply to a covered area:

1. Covered

A space or structure is considered covered if less than 25 percent of its area is open to the sky.

2. Uncovered

A space or structure is considered uncovered if 25 percent or more of its area is open to the sky. Areas containing overhead, non-solid structures, such as lattice and pergolas, may be considered uncovered provided that 25 percent or more of their area is open to the sky.

3. Sheltered

A space or structure is considered sheltered if no portion of its area is open to the sky.

B. Measurement

Covered area is a percentage, measured as the cumulative area that is not open to the sky divided by the total area of the subject space or structure.

SEC. 14.2.3. DISTANCE

A. Definitions & Standards

The following definitions and standards apply to distance or walking distance:

1. Distance

Distance is defined as the amount of space between two points.

a. Measurement

- i. When distance is specified as being measured horizontally or vertically between two points, a line shall be projected from each of the points along the same plane until the projected lines can be connected by a perpendicular line. The distance between the two points is measured along the perpendicular line.
- ii. When distance is not specified as being measured horizontally or vertically, it shall be measured in the shortest straight line from one point to another.

2. Walking Distance

Walking distance is the distance measured as the most direct path of travel for a pedestrian.

a. **Measurement**

Walking distance is measured horizontally along the most direct route of travel on the ground in the following manner:

- i. Starting at the nearest street-facing entrance accessible to the majority of tenants or residents on the subject lot;
- ii. In a straight line to the nearest public sidewalk, walkway, street, or road;
- iii. Along a public sidewalk, walkway, street, or road; and
- iv. In a straight line ending at the nearest pedestrian access point to the destination use.

SEC. 14.2.4. **ENCLOSURE**

Enclosure is defined as the measurement of how closed off an occupiable space is to its surroundings.

A. **Definitions & Standards**

The following definitions and standards apply to an enclosure:

1. **Enclosed**

A space is considered to be enclosed when the perimeter of the space has an enclosure of at least 66.7 percent.

2. **Unenclosed**

A space is considered to be unenclosed when the perimeter of the space has an enclosure of less than 66.7 percent.

3. **Perimeter Plane**

A perimeter plane is defined as an imaginary vertical plane along the perimeter of a space used to measure the enclosure of a space. A perimeter plane shall be projected for a height of eight feet measured from the floor or ground surface of the space.

4. **Solid Area**

A solid area is defined as the portions of the perimeter planes that have a permanent structure or component physically obstructing the space from its surroundings. For the purpose of measuring the enclosure of a space, portions of the perimeter plane are considered solid area where a permanent structure or component is located within five feet of the perimeter plane, measured perpendicular to the perimeter plane and away from the subject space.

5. **Non-Solid Area**

A non-solid area is defined as the portions of the perimeter planes along the perimeter of a space that have no permanent structure or component obstructing the space from

its surroundings. For the purpose of measuring the enclosure of a space, portions of the perimeter plane are considered non-solid area where no permanent structure or component is located within five feet of the perimeter plane, measured perpendicular to the perimeter plane and away from the subject space.

6. Solid Perimeter

A solid perimeter is defined as the length of a perimeter of a space that consists of solid area for the entire height of the perimeter plane.

7. Weighted Solid Perimeter

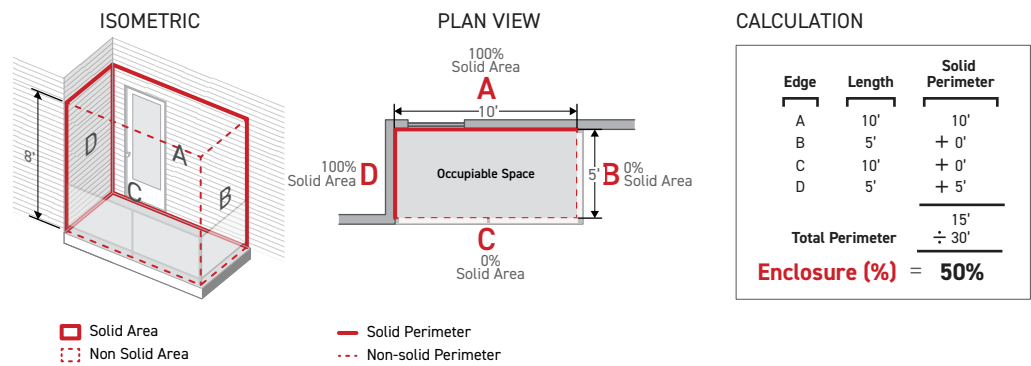
Where perimeter planes consist of a mix of solid area and non-solid area, the weighted solid perimeter for each perimeter plane is the length of the perimeter plane weighted by the percent of the perimeter plane area that is composed of solid area.

B. Measurement

Enclosure is measured as a percentage, calculated by dividing the cumulative length of the perimeter of a space that is solid perimeter by the total perimeter of the space.

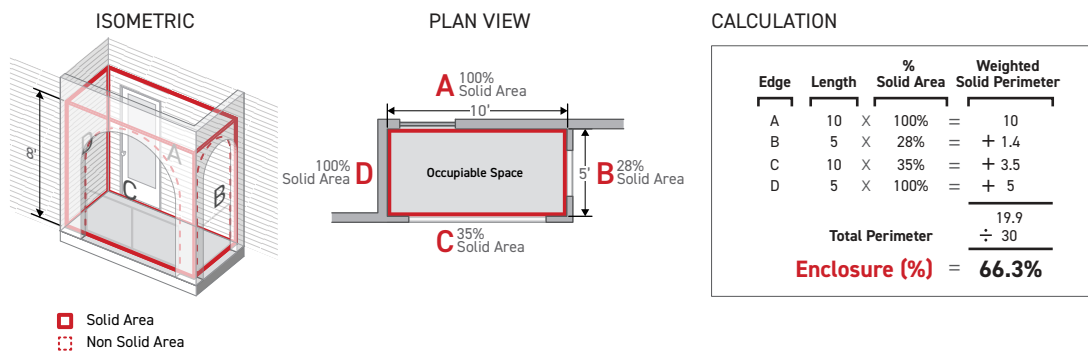
1. Solid Perimeter Method

For spaces with perimeter planes that do not contain a mixture of solid area and non-solid area for the full height of the perimeter plane, enclosure shall be calculated as the length of the solid portion of the perimeter divided by the total perimeter.



2. Weighted Solid Perimeter Method

For spaces with perimeter planes that contain a mixture of solid area and non-solid area across their height, enclosure shall be calculated as the sum of the weighted solid perimeter of all perimeter planes divided by the total perimeter of the space.



C. Exceptions

1. Safety barriers 45 inches in height or less, measured from finished floor elevation, having an opacity of no more than 40 percent do not count toward solid area or solid perimeter.
2. Safety barriers 45 inches in height or less, measured from finished floor elevation, that are transparent with a minimum visual light transmittance of 60 percent and maximum external reflectance of 20 percent do not count toward solid area or solid perimeter.

SEC. 14.2.5. ENCROACHMENTS

A. Horizontal Encroachments

A horizontal encroachment is defined as a structure or assembly that extends horizontally into a space where structures are typically prohibited.

1. Definitions & Standards

The following definitions and standards apply to a horizontal encroachment:

a. Architectural Details

Architectural details are defined as building elements attached to or integrated into the structure of a building, not intended for human occupation. Types of architectural details include, but are not limited to: cornices, belt courses, sills, lintels, pilasters, pediments, or chimneys.

b. Roof Projections

Roof projections are defined as roof elements that overhang or cantilever beyond the building footprint and do not include posts or columns. Types of roof projections include, but are not limited to: eaves, roof overhangs, gutters, awnings, or canopies.

c. Unenclosed Structures: Ground Story

To be eligible as a horizontal encroachment for Unenclosed Structures: Ground Story, an unenclosed structure on the ground story shall have all finished floors and ground surfaces at or below the maximum finished floor elevation of the ground story as specified in the applied *Frontage District (Part 3B.)* and shall have a total structure height of 15 feet or less, measured from surrounding finished grade. Types of eligible unenclosed structures include, but are not limited to: porches, decks, stoops, landing platforms, gazebos, trellises, arbors, pergolas, basketball hoops, or volleyball nets.

d. Unenclosed Structures: Above Ground Story

To be eligible as a horizontal encroachment for Unenclosed Structures: Above Ground Story, an unenclosed structure above the ground story shall have finished floors or ground surfaces above the maximum finished floor elevation of the ground story as specified in the applied *Frontage District (Part 3B.)* or shall have a total structure height of 15 feet or greater, measured from surrounding finished grade. Types of eligible unenclosed structures include, but are not limited to: balconies, upper-story light shelves, or exterior stairways.

e. Enclosed Structures: Projecting

To be eligible as a horizontal encroachment for Enclosed Structures: Projecting, a structure shall; project, overhang, or cantilever beyond the building footprint; meet the definition of enclosed; and shall have a cumulative length less than 25 percent of the length of the building. Types of eligible enclosed structures include, but are not limited to: bay windows, oriel windows, sleeping porches, overhanging volumes, or enclosed balconies.

f. Mechanical/Electrical Equipment: Ground Mounted

To be eligible as a horizontal encroachment for Mechanical/Electrical Equipment: Ground Mounted, the weight of the mechanical equipment or electrical equipment including the equipment's related wires, conduits, and pipes shall be primarily supported by the ground. Examples of eligible equipment include, but are not limited to: gas meter, water softener, pool equipment, HVAC equipment, gas tank, cistern, wind turbine, or solar panel.

g. Mechanical/Electrical Equipment: Wall Mounted

To be eligible as a horizontal encroachment for Mechanical/Electrical Equipment: Wall Mounted, the mechanical equipment or electrical equipment including the equipment's related wires, conduits, and pipes shall be attached to and primarily supported by a wall. Examples of eligible equipment include, but are not limited to: gas meter, electric meter, electrical panel, water heater, HVAC equipment, or gas tank.

h. Waste Enclosure

Waste enclosure is defined as waste areas and their required screening structures. Examples of waste enclosures include, but are not limited to enclosures for: trash compactors, garbage, recycling, or food waste.

i. **Utility Equipment**

Utility equipment is defined as equipment related to publicly-operated or utility-operated systems, including their related wires, conduits and pipes. Examples of utility equipment include, but are not limited to: hydrants, transformers, utility cabinets, water utility devices, cable television boxes, Internet boxes, or phone boxes.

j. **Underground Structures**

Underground structures are defined as covered structures located entirely below finished grade. Examples of underground structures include, but are not limited to: cellars, basements, underground parking structures, stormwater storages, or cisterns.

k. **Flatwork**

Flatwork is defined as constructed objects 30 inches in height or less, measured from finished grade. Examples of flatwork may include, but are not limited to: pavement, sidewalk, multi-use path, patio, a low deck, or stairs or ramps 30 inches in height or less.

l. **Fences, Walls, Hedges, & Screening**

*Fences, walls, or hedges used for the purposes of screening or any required screening may encroach into any required setback up to the lot line, provided that fences and walls in any frontage yard are allowed by the frontage yard fence & wall standards specified in the applied *Frontage District (Part 3B.)*.*

m. **Vegetation**

*To be eligible as a horizontal encroachment for Vegetation, the vegetation shall meet the definition of vegetation. Vegetation horizontal encroachments also include planters that meet the requirements of Sec. 4C.6.4.C.2. (*Planting Areas*).*

n. **Outdoor Furniture**

Outdoor furniture is defined as permanent or movable furniture not located within an enclosed space. Examples of outdoor furniture may include, but are not limited to: benches, tables, or bike or scooter parking racks.

- i. Outdoor furniture may encroach into any required setback up to the lot line.

o. **Signs**

*For standards on horizontal encroachment of signs see Sec. 4C.11. (*Signs*).*

2. **Measurement**

a. **Encroachment**

Horizontal encroachment is measured as the horizontal distance from the edge of the area where structures are restricted.

b. Distance from Lot Line

For purposes of measuring horizontal encroachment distance from lot line is measured as the horizontal distance from a lot line and toward the interior of the lot along the full perimeter of the lot line.

B. Vertical Encroachments

A vertical encroachment is defined as a structure or assembly that extends vertically into a space where structures are typically prohibited.

1. Definitions & Standards

The following definitions and standards apply to vertical encroachments:

a. General

No vertical encroachments that contribute to floor area are allowed.

b. Mechanical/Electrical Equipment: Roof Mounted

To be eligible as a vertical encroachment for Mechanical/Electrical Equipment: Roof Mounted, mechanical equipment or electrical equipment including the equipment's related wires, conduits, pipes and visual screens shall be supported by a roof. Eligible equipment also include the required screening pursuant to Sec. 4C.12.1. (*Roof-Mounted Equipment*). Examples of eligible equipment include, but are not limited to: HVAC equipment, cisterns, water tanks, wind turbines, solar panels, solar water heaters, exhaust ducts, smokestacks, wireless masts, communication equipment, satellite dishes, ventilation fans, chimney, flues, vent stacks, or generators.

c. Architectural Elements

Architectural elements are defined as building elements attached to or integrated onto the roof of a building, not intended for human occupation. Examples of architectural elements may include, but are not limited to: skylights, steeples, spires, belfries, cupolas, domes, flagpoles, or lighting.

d. Vertical Circulation

Vertical circulation is defined as enclosed and covered structures used for building circulation and rooftop access. Examples of vertical circulation may include, but are not limited to: elevator rooms and associated equipment, and stair accesses to a roof.

e. Safety Barriers

Safety barriers are defined as vertical barriers that are 45 inches in height or less and required for safety and protection by Chapter IX. (Building Regulations) of this Code to protect occupants from falling from walking surfaces. Examples of safety barriers may include, but are not limited to: parapets, railings, or banisters.

f. **Unenclosed Structures**

To be eligible as a vertical encroachment for Unenclosed Structures, structures shall meet the definition of unenclosed, be attached to or integrated onto the roof of a building, and be intended for human shelter or activity. Examples of eligible unenclosed structures may include, but are not limited to: shade structures, cabanas, pergolas, rooftop bars, outdoor dining, permanent seating, beehives, sports courts, or cooking facilities.

g. **Flatwork**

Flatwork is defined as constructed objects 30 inches in height or less. Examples of flatwork may include, but are not limited to: decking, walkways, patios, or planters.

h. **Vegetation**

To be eligible as a vertical encroachment for Vegetation, the vegetation shall meet the definition of vegetation. Vegetation vertical encroachments also include planters that meet the requirements of *Sec. 4C.6.4.C.2. (Planting Areas)*.

i. **Signs**

For standards on vertical encroachment of signs see *Sec. 4C.11. (Signs)*.

2. **Measurement**

a. **Encroachment**

i. **Height in Feet**

For any *Form District (Part 2B.)* with a maximum height in feet standard, vertical encroachment is measured as the vertical distance from the maximum allowed height in feet to the topmost point of the encroaching object.

ii. **Height in Stories Only**

For *Form Districts (Part 2B.)* where height is regulated only in stories, vertical encroachment is measured as the vertical distance from the top of the roof structure to the topmost point of the encroaching object.

b. **Setback from Roof Edge**

For the purposes of measuring vertical encroachment, setback from roof edge is measured as the horizontal distance from the outermost edge of the roof structure and inward along the full perimeter of the roof structure.

SEC. 14.2.6. **FACING**

Facing is defined as the exterior portions of a structure that are exposed to a specified object or site element.

A. **Standards**

1. **Measurement**

For the purposes of measuring facing the following standards apply:

- a. Where the exterior portions of a structure are specified as exposed to a linear (or one dimensional) site element, those exterior portions are considered to be facing where they are visible from a building elevation projected parallel to the specified object or site element, such as a lot line. For example see *Subsection B. (Lot Line-Facing Facade)* below. To determine facing for building elevations projected along curved or complex lot lines or other linear site elements, see *Sec. 14.2.14. (Irregular Lot lines)*.
- b. Where the exterior portions of a structure are specified as exposed to an area or an object/site element (such as a building or structure) all portions of a subject structure visible from any of the four building elevations projected parallel to each side of and oriented away from the smallest rectangle that circumscribes the footprint of the object or site element, are considered to be facing the specified object or site element. Building elevations projected that include no visible portions of the structure do not need to be included. See *Subsection C. (Pedestrian Amenity & Public Amenity-Facing Facade)* below, for an example.

2. **Exceptions**

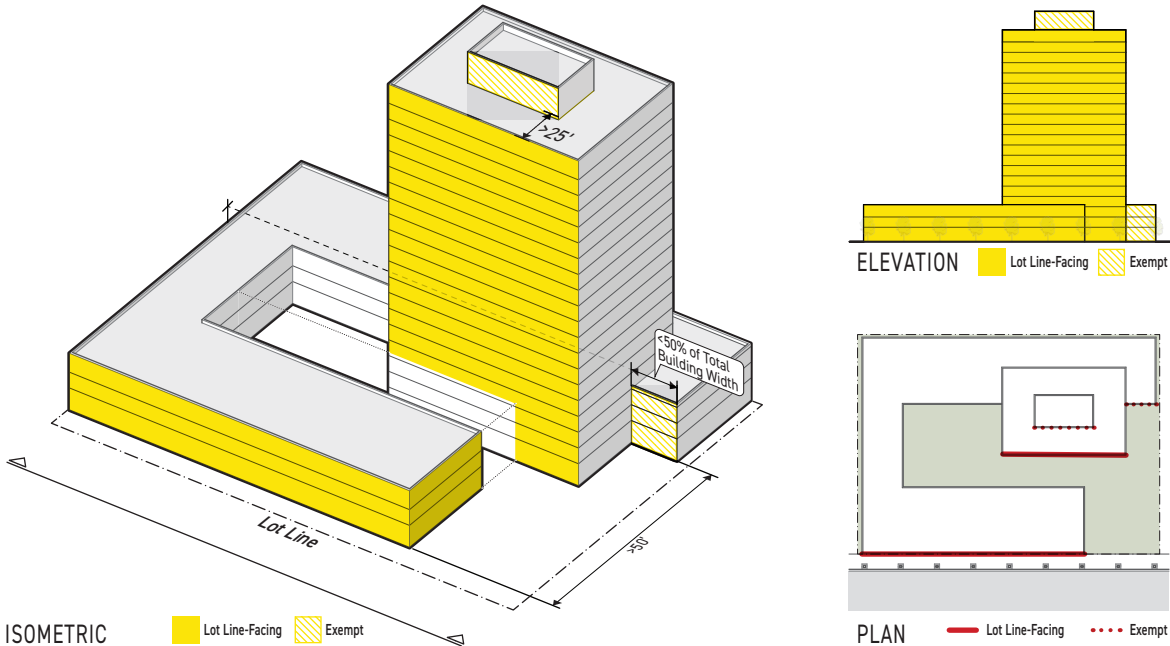
Portions of a structure that would otherwise be considered to be facing a specified object or site element which are located more than 50 feet from the specified object or site element, are not included, provided they are less than 50 percent of the total width of the specified object or site element measured parallel to the building elevations required in *Subsection A. (Standards)* above.

B. **Lot Line-Facing Facade**

The portions of any frontage applicable facade pursuant to Sec. 3A.2.2.B.3. (Frontage Applicable Facades) having no permanent structure (not including fences or walls) located between the building facade and a common lot line.

1. Measurement

- a. All facades visible from a building elevation projected parallel to the lot line are considered lot line-facing. Fences and walls shall not be considered as affecting visibility.



- b. To measure lot line-facing facade for building elevations along curved or complex lot lines, see Sec. 14.2.14. (*Irregular Lot lines*).

2. Exceptions

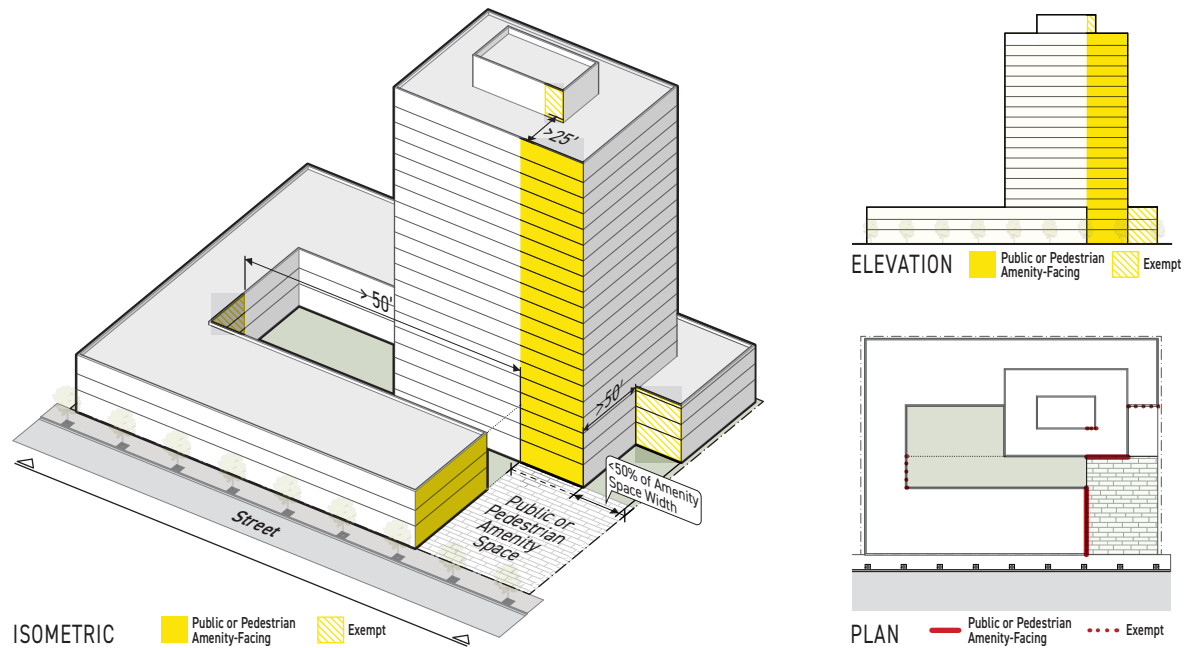
- a. Portions of a facade that would otherwise be considered to be lot line-facing that meet the following conditions are exempt from any requirements of lot line-facing facades:
 - i. Facades set back 50 feet greater than the facade nearest to the lot line, provided they are less than 50 percent of the total building width.
 - ii. Facades that are located entirely above the sixth story and are stepped-back more than 25 feet from the exterior perimeter of the story below.
- b. Portions of a frontage applicable facade, pursuant to Sec. 3A.2.2.B.2. *Frontage Applicable Portions of a Lot*, having an allowable fence or wall, per the applied Frontage District (Part 3B.), located between the building facade and a street lot line or special lot line are still considered lot line-facing facades. Fences and walls shall not be considered as affecting visibility for purposes of determining if a facade is lot line-facing.

C. Pedestrian Amenity & Public Amenity-Facing Facade

The portions of any frontage applicable facade pursuant to Sec. 3A.2.2.B.3. (Frontage Applicable Facade) having no permanent structure (not including fences or walls) located between the building facade and a pedestrian amenity space or public amenity space.

1. Measurement

- a. All portions of a facade visible from the required building elevations below are considered pedestrian amenity facing or public amenity facing. Fences and walls shall not be considered as affecting visibility.



- i. A building elevation from the pedestrian amenity space or public amenity space projected parallel to the frontage lot line; and
 - ii. A building elevation from the pedestrian amenity space or public amenity space projected perpendicular to the frontage lot line.
- b. For purposes of measuring pedestrian amenity & public amenity-facing facade for building elevations along curved or complex frontage lot lines, see Sec. 14.2.14. (Irregular Lot lines).

2. Exceptions

Portions of a facade that would otherwise be considered to be pedestrian amenity-facing facade or public amenity-facing facade that meet the following conditions are exempt from any requirements of pedestrian amenity & public amenity-facing facades:

- a. Facades set back 50 feet greater than the facade nearest to the lot line, provided they are less than 50 percent of the total width of the pedestrian amenity space or public amenity space.

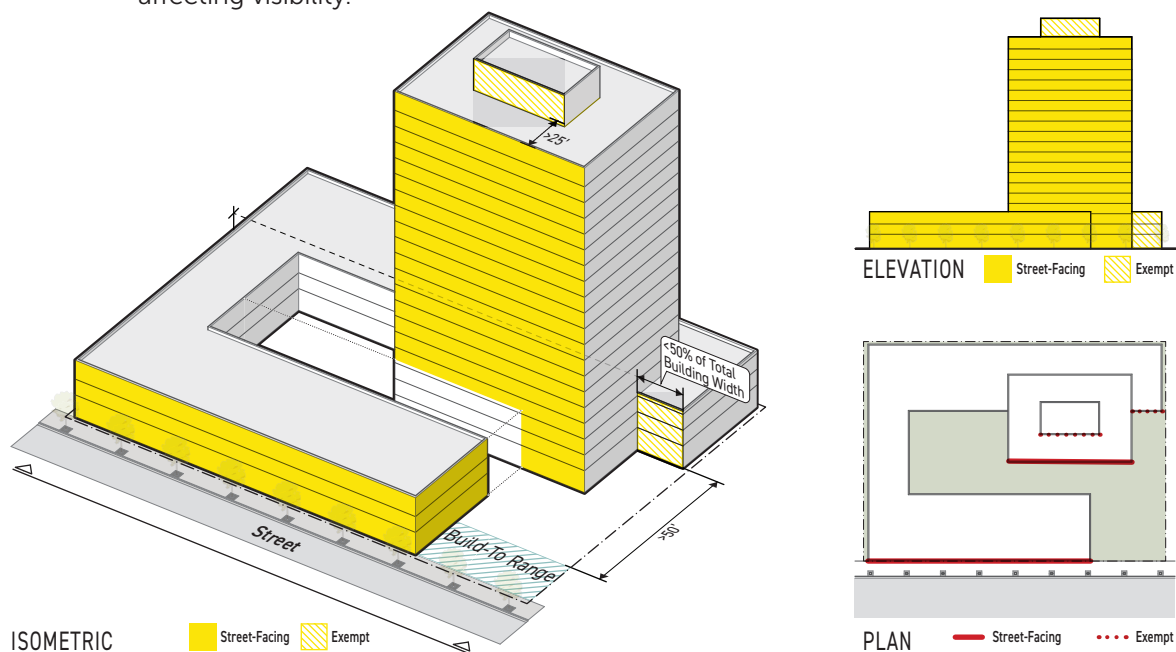
- b. Facades that are located entirely above the sixth story and are stepped-back more than 25 feet from the exterior perimeter of the story below.

D. Street-Facing Facade

Street-facing facade is defined as the portions of any frontage applicable facade, pursuant to Sec. 3A.2.2.B.3. (Frontage Applicable Facades), having no permanent structure (not including fences or walls) located between the building facade and a street lot line or special lot line.

1. Measurement

- a. All facades visible from a building elevation projected parallel to the street lot line or special lot line are considered street-facing. Fences and walls shall not be considered as affecting visibility.



- b. For purposes of measuring street-facing facade, for building elevations along curved or complex frontage lot lines, see Sec. 14.2.14. (Irregular Lot lines).

2. Exceptions

Portions of a facade that would otherwise be considered to be street-facing that meet the following conditions are exempt from any requirements of street-facing facades:

- a. Facades more than 50 feet from the build-to zone, provided they are less than 50 percent of the total building width.
- b. Facades that are located entirely above the sixth story and are stepped-back more than 25 feet from the exterior perimeter of the story below.

SEC. 14.2.7. FLOOR AREA

Floor area is defined as the cumulative amount of interior floor space on a lot, within a room, or within a covered and enclosed space.

A. Measurement

1. General

- a. Floor area is calculated as the sum of all interior floor space for each story of a building.
- b. The following areas are included in the calculation of floor area:
 - i. All areas within the exterior walls of a building; or
 - ii. All areas within the exterior walls of any structure that is both enclosed and covered.

c. Exceptions

The following areas and structures shall not be considered in determining floor area:

- i. Exterior walls;
- ii. Bicycle parking areas;
- iii. All interior floor space dedicated to automobile parking, except as specified in Paragraph 2. (House Form Districts) below and Paragraph 3. (Development Standards District 5) below;
- iv. Spaces with ceiling heights less than seven feet measured from finished floor, including floored attic space;
- v. Basements including underground parking and cellars, with the exception of storage indoor: self-service use areas;
- vi. Stairways and elevator shafts;
- vii. Areas dedicated to housing mechanical equipment or machinery utilized for the operation of on-site buildings, provided that the equipment does not serve any off-site buildings;
- viii. Waste enclosures dedicated to waste receptacles that are integral or incidental to the operation of on-site buildings, provided that the waste receptacles do not serve any off-site buildings; and
- ix. Outdoor dining areas that have not been subject of a wage claim under Chapter XVIII. (Employee Wages and Protections), Article 8. (Los Angeles Office of Wage Standards Ordinance) of this Code.

2. House Form Districts

In a lot with an applied *House Form District (Div. 2B.3.)*, the following rules apply:

- a. Any floor or portion of a floor with a ceiling height greater than 14 feet counts as twice the square footage of that area.
- b. Up to 400 square feet of a detached garage is exempt from the calculation of floor area, provided the structure is:
 - i. Separated from the primary structure a minimum of 10 feet; and
 - ii. Located a minimum of 40 feet from a primary street lot line.
- c. Up to 200 square feet of an attached garage is exempt from the calculation of floor area.
- d. No more than 400 square feet of garage floor area per lot shall be exempt.
- e. Detached accessory buildings that do not exceed 18 feet in height and 200 square feet in floor area are exempt from the calculation of floor area, provided that the total combined area exempted of all the detached accessory buildings on a lot does not exceed 400 square feet in floor area.

3. Development Standards District 5

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

- a. All covered, above-grade parking areas located on a lot zoned with *Development Standards District 5 (Div. 4B.5.)* are included in the calculation of floor area.
- b. Active spaces with a minimum depth of 30 feet measured from the street-facing facade and located on the ground story are exempt from the calculation of floor area.

SEC. 14.2.8. FREQUENCY

Frequency is defined as the rate at which something occurs or is repeated over a given distance

A. Measurement

1. Spacing frequency is a ratio measured as the number of required occurrences of an object over a specified distance (displayed as occurrences: distance or occurrences per distance).
 - a. Occurrences of an object are measured as the total quantity of a required object located within the specified distance.
 - b. Specified distance is measured horizontally.
2. To calculate the number of required objects over a provided distance, divide the required occurrence of an object by the specified distance in the frequency ratio, then multiply this quotient by the applicable distance.

- When calculating the number of required objects results in the requirement of a fractional occurrence, any fraction greater than 0.5 shall be rounded up to the nearest whole occurrence and any fraction of 0.5 or less may be rounded down to the nearest whole occurrence so long as at least one occurrence is provided.
- Frequency standards do not preclude irregular spacing.

EXAMPLE

(Occurrences)

Frequency: 1 per 30'

(Distance)

FORMULA

Required Occurrence (1)	X	Applicable Distance (75')	= Required Occurrences (2.5 rounded to 2)
Specified Distance (30')			

SEC. 14.2.9. GRADE PLANE ELEVATION

Grade plane elevation is defined as a reference plane, representing the average elevation of the existing ground level adjoining a building and its exterior walls, from which the height of a building or structure shall be measured.

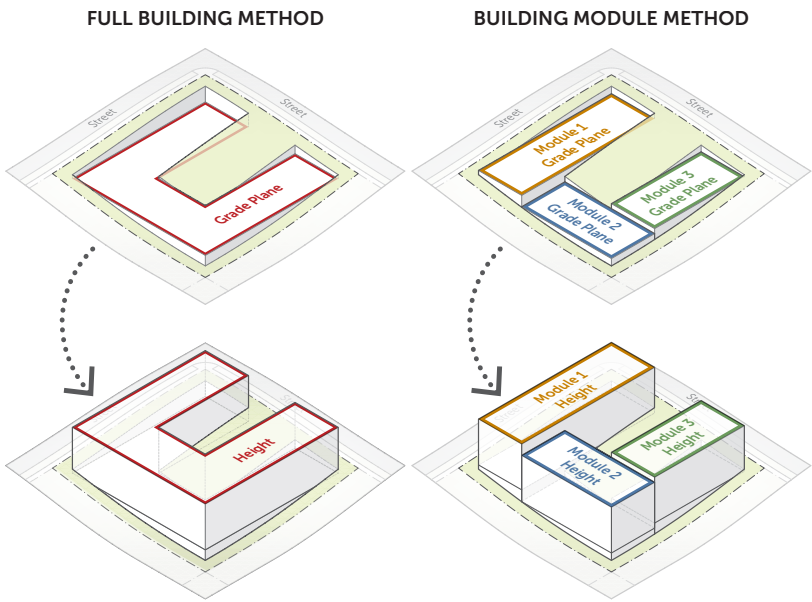
A. General

1. Average Grade Elevation

For all buildings and structures that have no applicable building perimeter pursuant to Subsection B. (Applicable Building Perimeter) below or for lots that contain an average natural slope of less than 15 percent slope, except lots located within the City's Hillside Area per Sec. 1.5.6. (Hillside Area Map), the grade plane elevation shall be established in accordance with Subsection E. (Average Grade Method) below.

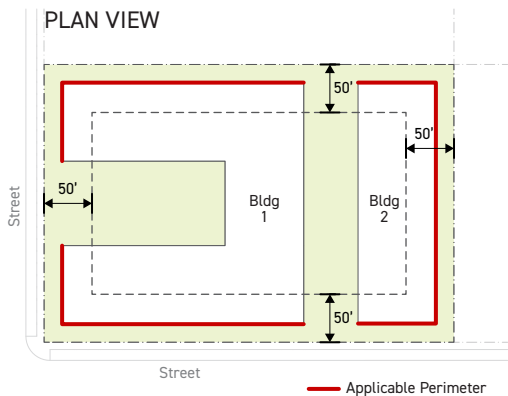
2. Full Building Method & Building Module Method

For buildings or structures located within the City’s Hillside Area, the grade plane elevation may be established for either an entire building in accordance with Subsection C. (Full Building Method) below or separately for different building modules in accordance with Subsection D. (Building Module Method) below. Using the Full Building Method, in accordance with Sec. 14.1.9.C. (Full Building Method) or for separate buildings using the Building Module Method in accordance with Sec. 14.1.9.D. (Building Module Method).

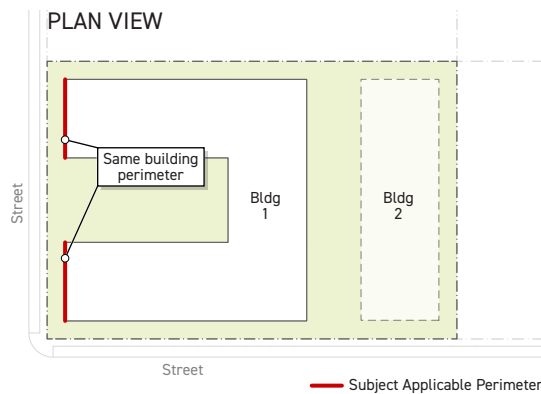


B. Applicable Building Perimeter

- Only building perimeters located within 50 feet of the lot line that the building perimeter faces are considered applicable perimeters when calculating grade plane elevation using the Subsection C. (Full Building Method) below or Subsection D. (Building Module Method) below.



2. Applicable building perimeters associated with the same building and facing the same lot line are considered a singular or part of the same building perimeter even where they are not contiguous.



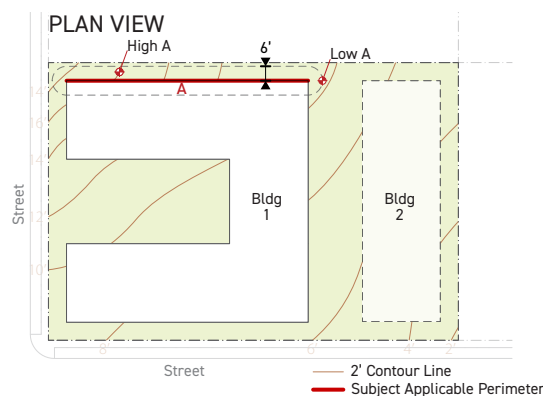
3. Where a building has no lot line-facing perimeter within 50 feet of a lot line, the grade plane elevation shall be established according to *Subsection E. (Average Grade Method)* below.

C. Full Building Method

1. When using the full building method, the entirety of each building perimeter shall be governed by a uniform weighted average elevation reference.
2. Where there are multiple buildings, each building shall independently establish its own weighted average elevation.
3. Establishing the weighted average elevation using the full building method is determined by following the steps below:

a. Step 1

For each applicable building perimeter pursuant to *Sec. 14.2.9.B. (Applicable Building Perimeter)*, calculate the building perimeter average grade by averaging the highest and lowest elevation of on-site existing grade located within six feet of the subject applicable building perimeter.

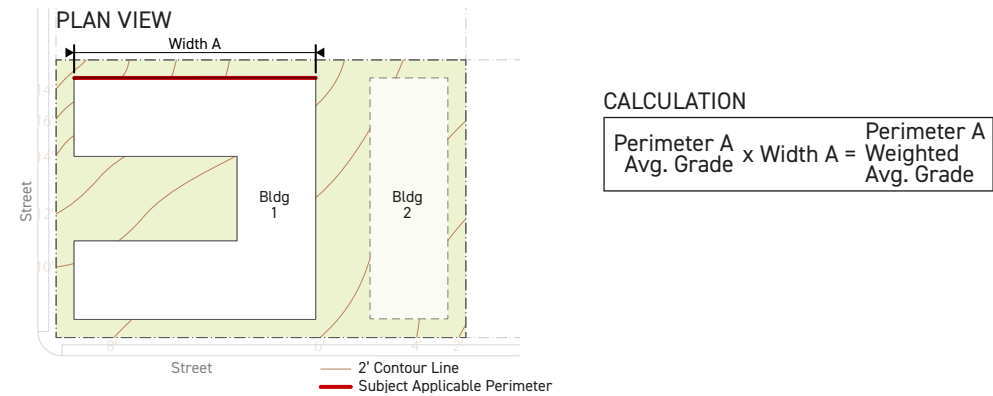


CALCULATION

$$[\text{High A} + \text{Low A}] \div 2 = \text{Perimeter A Avg. Grade}$$

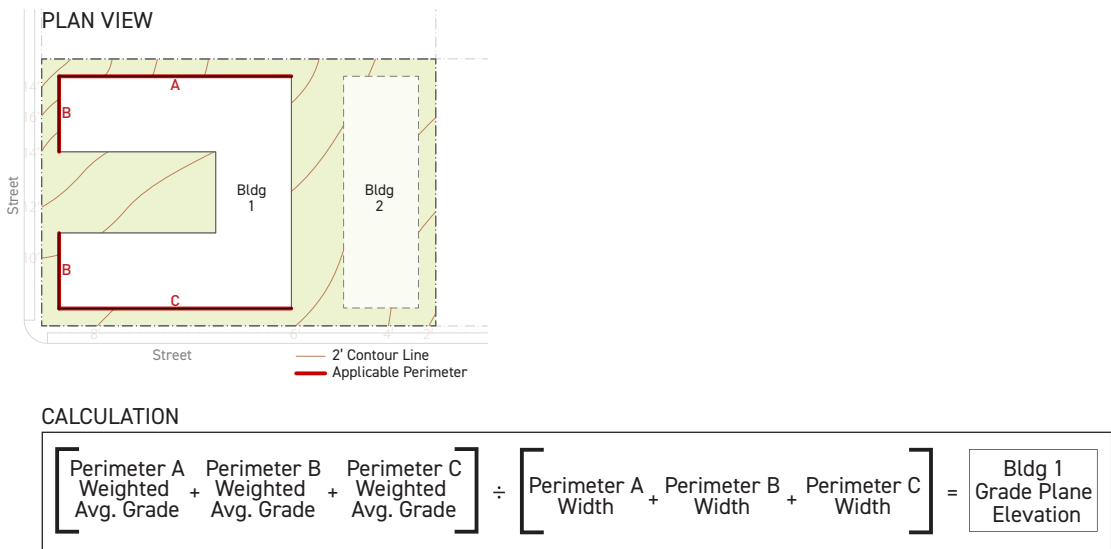
b. Step 2

For each applicable building perimeter pursuant to Sec. 14.2.9.B. (*Applicable Building Perimeter*), calculate the weighted building perimeter average existing grade by multiplying the building perimeter average existing grade by the width of the applicable building perimeter, measured parallel to the lot line that it faces.



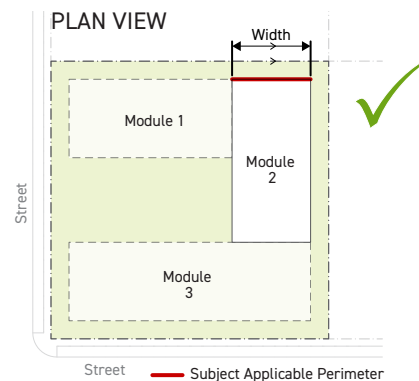
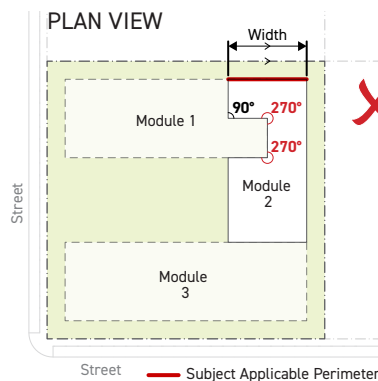
c. Step 3

Sum the weighted building perimeter average existing grade (for all applicable building perimeters) and divide the sum by the cumulative total length of all applicable building perimeters associated with the building.

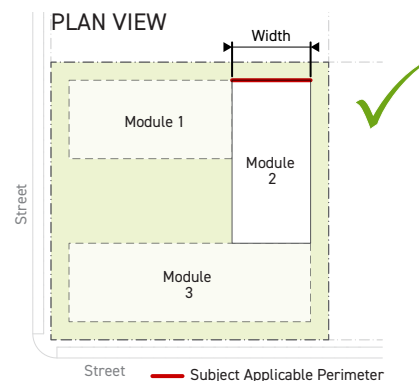
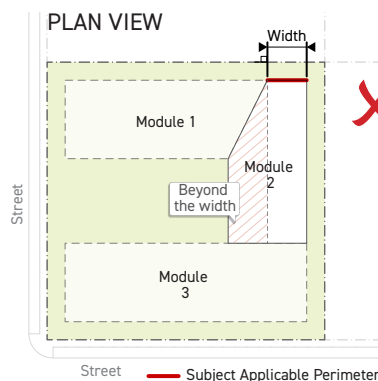


D. Building Module Method

1. When using the building module method, a building footprint may be broken up into multiple modules, each possessing its independently established weighted average elevation.
2. Building modules shall be delineated according to the following steps:
 - a. All portions of a building footprint shall be designated to a building module.
 - b. Each building module shall not encompass any area external to the building footprint.
 - c. Each building module shall have an individual building footprint and shall not overlap with another building module's building footprint.
 - d. All components of a building module area shall be contiguous.
 - e. All building modules shall have at least one building perimeter qualifying as an applicable building perimeter pursuant to Subsection B. (*Applicable Building Perimeter*) above.
 - f. Building module perimeters internal to a structure shall not include any interior angles greater than 180 degrees.



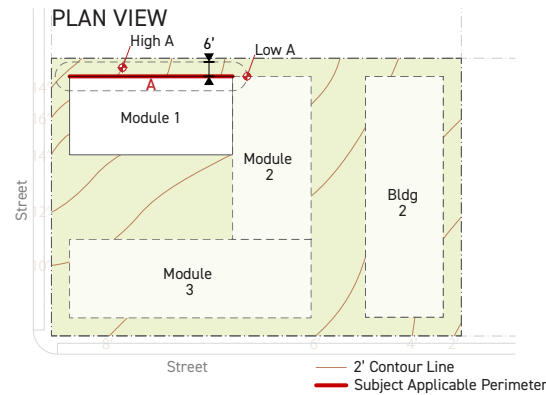
- g. Building modules shall not include a building footprint that extends beyond the width of its applicable building perimeter, measured parallel to the lot line that the applicable building perimeter faces.



3. Using the building module method, grade plane elevation shall be established independently for each building module following the steps below:

a. Step 1

For each applicable building perimeter pursuant to Subsection B. (*Applicable Building Perimeter*) above, calculate the building perimeter average grade by averaging the highest and lowest elevations within six feet of the applicable building perimeter of the existing grade.

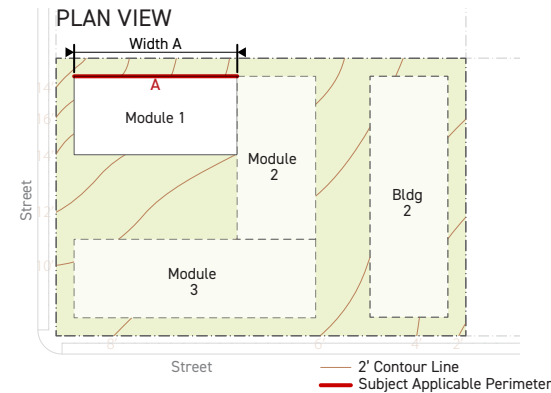


CALCULATION

$$[\text{High A} + \text{Low A}] \div 2 = \text{Perimeter A Avg. Grade}$$

b. Step 2

For each applicable building perimeter pursuant to Subsection B. (*Applicable Building Perimeter*) above, calculate the weighted building perimeter average grade by multiplying the building perimeter average grade by the width of the applicable building perimeter, measured parallel to the lot line that it faces.

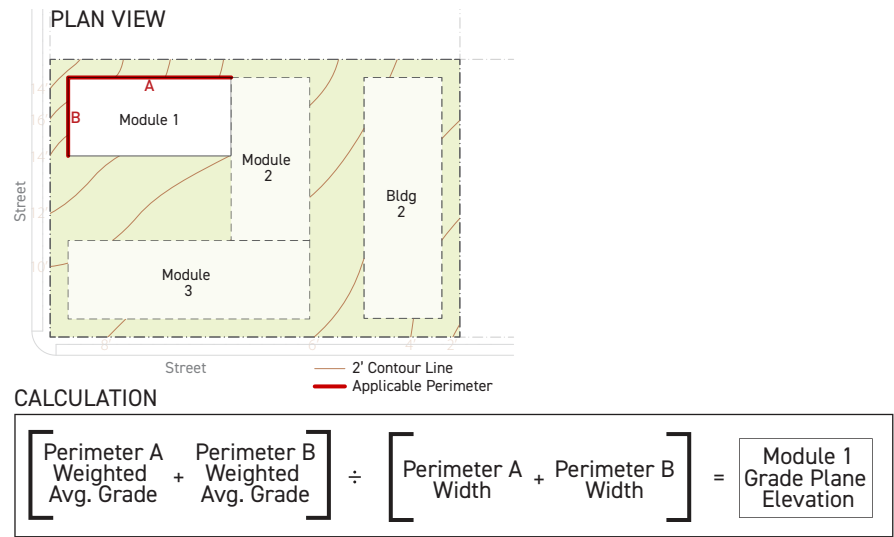


CALCULATION

$$\text{Perimeter A Avg. Grade} \times \text{Width A} = \text{Perimeter A Weighted Avg. Grade}$$

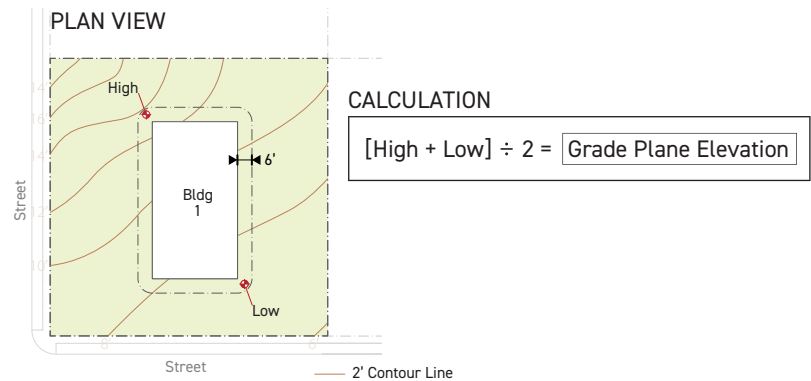
c. Step 3

Sum the weighted building perimeter average grade from all applicable building perimeters associated with the building module and divide this sum by the total cumulative length of all applicable perimeters associated with the building module.



E. Average Grade Method

When using the average grade method the grade plane elevation shall be established by averaging the building footprint elevation measured from the lowest and highest elevation points of the existing grade, within six feet of the exterior wall or lot line, whichever is less.



SEC. 14.2.10. STORY

Story is defined as the portion of a building or structure included between the upper surface of a floor and the upper surface of the floor next above, except that the topmost story is that portion of a building or structure included between the upper surface of a floor and the upper surface of the ceiling structure above.

A. Ground Story

The story of a building that meets the criteria of either of the Paragraph 1. (Continuous Ground Story (Typical)) or Paragraph 2. (Ground Story Modules) below:

1. Continuous Ground Story (Typical)

- a. A ground story shall be designated for all portions of a building footprint.
- b. The ground story is the lowest story of a building or structure meeting the following standards:
 - i. The ground story facade shall be exposed a minimum of six feet above finished grade along the full width of each frontage applicable facades pursuant to Sec. 3A.2.2.B.3. (*Frontage Applicable Facades*).
 - ii. The ground story structural floor shall be no more than six feet above finished grade for at least 75 percent of its applicable building perimeter pursuant to Sec. 14.2.9.B. (*Applicable Building Perimeter*), measured cumulatively.
 - iii. The ground story shall comply with the ground story height and ground floor elevation standards specified by the applied *Frontage District (Part 3B.)*.

EXAMPLE: A (ELEVATION)

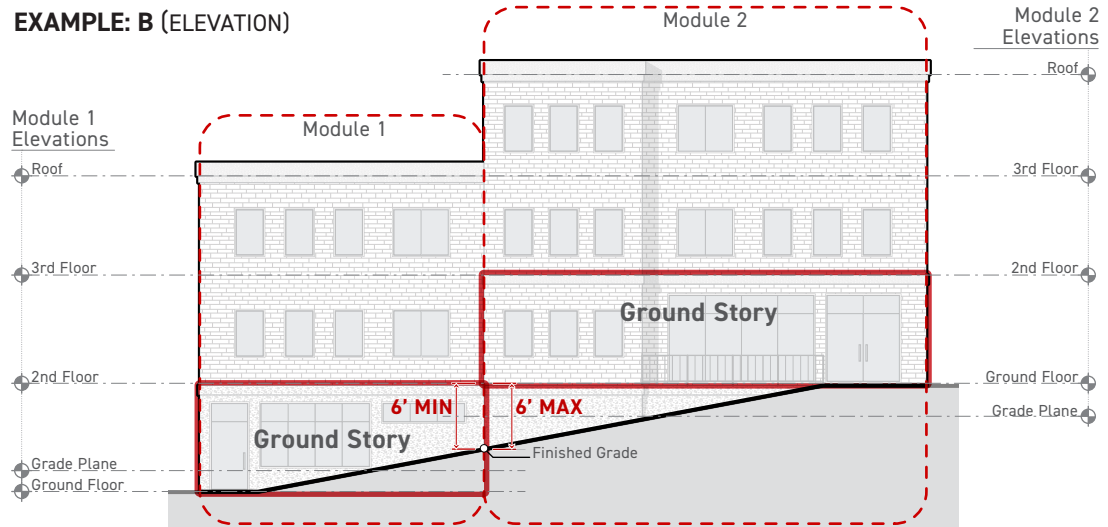


2. Ground Story Modules

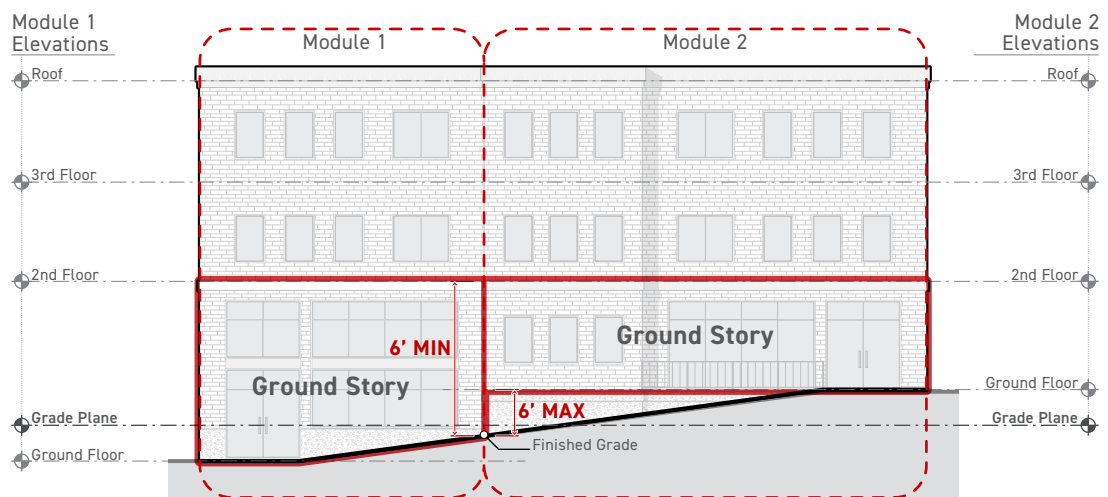
Projects with very large buildings and those developed on lots with significant topographic variation may be required to designate a higher or lower story as the ground story for different portions of the building footprint. Where the ground story changes across the building footprint, the ground story shall meet the following standards:

- a. A ground story shall be designated for all portions of a building footprint.
- b. The ground story is the lowest story of a building or structure meeting the following standards:
 - i. The ground story shall meet the following standards for a minimum depth of 15 feet measured perpendicular to the specified facades:
 - a) The ground story facade shall be exposed a minimum of six feet above finished grade along the full width of each frontage applicable facade pursuant to Sec. 3A.2.2.B.3. (*Frontage Applicable Facades*).
 - b) The ground story finished floor shall be no more than six feet above finished grade for at least 75 percent of its applicable building perimeter pursuant to Sec. 14.2.9.B. (*Applicable Building Perimeter*), measured cumulatively.
 - c) The ground story shall comply with the ground story height and ground floor elevation standards specified by the applied *Frontage District (Part 3B.)*.

EXAMPLE: B (ELEVATION)

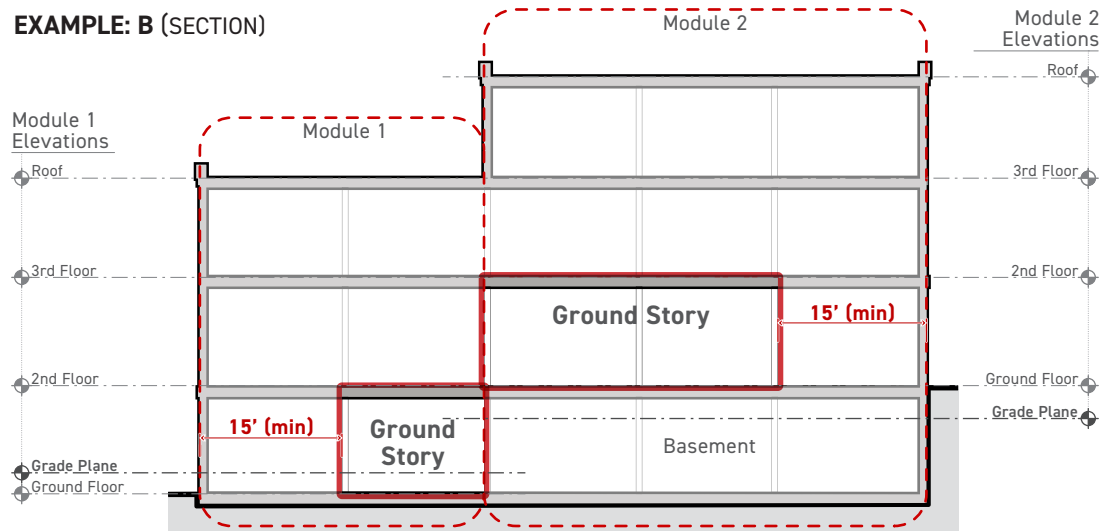


EXAMPLE: C (ELEVATION)

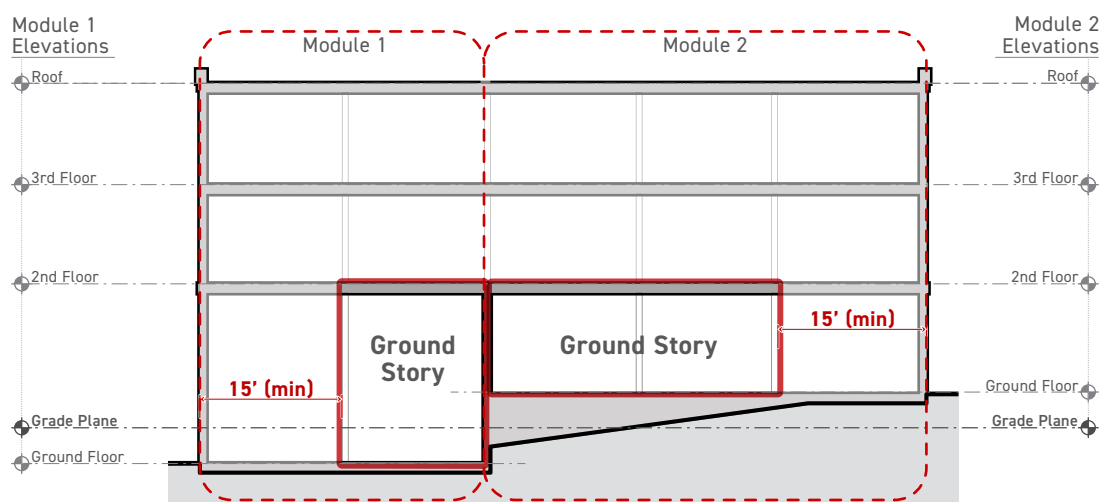


- ii. For portions of a building footprint located 15 feet or greater from a frontage applicable facade pursuant to Sec. 3A.2.2.B.3. (*Frontage Applicable Facades*), the ground story shall be the story of a building or structure having its structural floor surface nearest to the grade plane elevation.

EXAMPLE: B (SECTION)



EXAMPLE: C (SECTION)



B. Ground Story Facade

The ground story facade is defined as the facade of the ground story for the full height of the ground story.

C. Ground Floor

The ground floor is defined as the finished floor elevation of the ground story.

D. Upper Story

The upper story is defined as any story of a building located above the ground story.

E. Upper Story Facade

The upper story facade is defined as the portions of the exterior building envelope at the perimeter of each upper story for the full height of the story.

F. Attic

Attic is defined as the clear height between the underside of the finished ceiling or exposed framing, whichever is lower, and the finished floor.

1. An attic that includes an occupiable floor area less than 50 percent of the floor area located on the story immediately below is not considered a story.
2. An attic that includes an occupiable floor area greater than or equal to 50 percent of the floor area located on the story immediately below is considered a story and shall comply with all standards applicable to upper story and upper story facades.

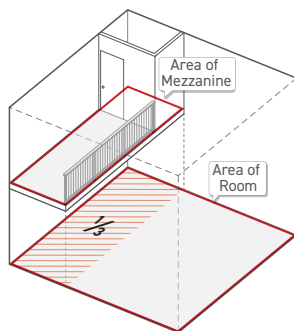
G. Basement

Basement is defined as an occupiable portion of a building located below the ground story.

H. Mezzanine

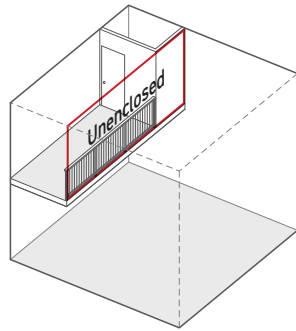
Mezzanine is defined as an intermediate level within a story of a building.

1. A mezzanine is not considered a story provided it meets the following standards:
 - a. The mezzanine floor area shall not be greater than $\frac{1}{3}$ of the floor area of the room or enclosed space it is included within.

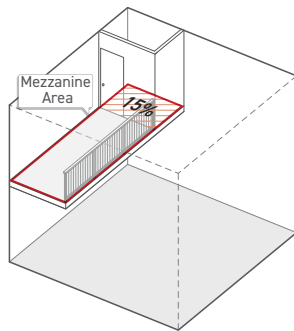


- b. The perimeter planes of the mezzanine shall consist of non-solid area, with the following exceptions:
 - i. Those portions of the mezzanine perimeter that are formed by the walls enclosing the larger room or space the mezzanine is included within;

- ii. Safety barriers that meet the standards outlined in *Sec. 14.2.4. (Enclosure)*.



- c. Regardless of enclosure rules in *Subparagraph b.*, above, within the mezzanine floor area, a maximum of 15 percent of the mezzanine floor area may be enclosed.



2. A mezzanine that does not meet the standards in *Paragraph 1.*, above, is considered an additional story.

SEC. 14.2.11. LOT

A lot is defined as one or more parcels of land identified for the purpose of development and meeting the standards below:

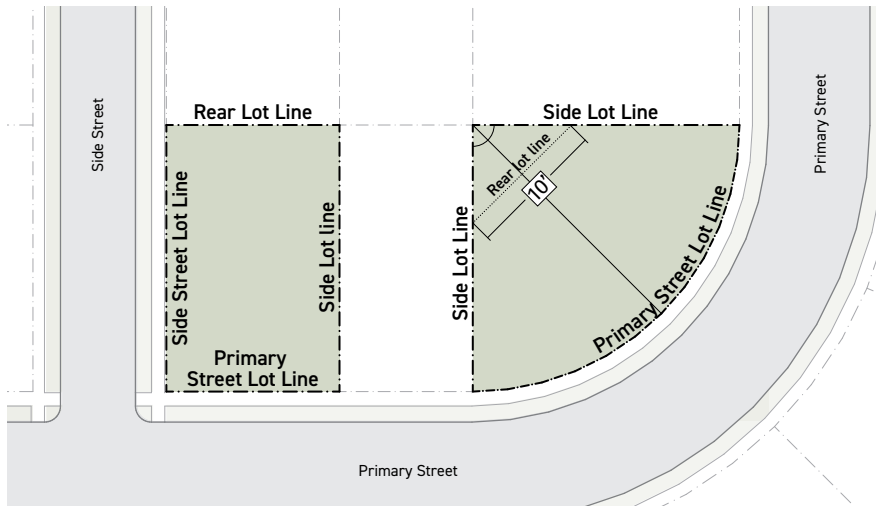
- A. A lot may be composed of one or more contiguous parcels.
- B. All parcels composing a lot shall be owned by the same person or entity.
- C. For the purposes of *Article 11. (Division of Land)* all parcels composing a lot shall be identified on a final map and recorded with the Los Angeles County Recorder with a separate and distinct letter or number, or otherwise be on a recorded instrument that meet the requirement of the *Subdivision Map Act*.
- D. For the purpose of meeting standards associated with the applied zoning districts, a lot composed of multiple parcels grouped together as a single lot through a lot tie affidavit filed and approved with the *Department of Building and Safety* shall be considered a single lot. When the involved parcels have different and conflicting applied zoning districts, each individual parcel must meet the standards associated with the applied zoning district on each parcel.

- E. A lot does not include portions of a lot required for dedication of land (for example, proposed right-of-way), including dedication of land required by or included as part of the subdivision process, with the following exceptions:
1. As otherwise stated in *Sec. 10.1.8. (Lots Affected by Street Widening)*.
 2. In the case of new developments taking place on a lot with an existing, recorded dedication, or on lots with old permits where the building was never constructed, measurements of a lot may be taken from the lot lines that existed prior to the dedication of land, provided that clearance is obtained from the Department of Public Works indicating that the improvements or street widening associated with the recorded dedication have not taken place. If the associated improvements or street widening have already been completed, measurements of a lot do not include the portions of the lot required for dedication of land.
- F. A lot shall include all portions of a lot allocated to City or utility easements.
- G. A lot shall abut the public right-of-way, alley, or a private street contiguously for a minimum of 12 feet.
- H. Access shall be provided from the lot to the public right-of-way through:
1. An access lane with a minimum width as specified in *Div. 4C.2. (Automobile Access)*; or
 2. A pedestrian accessway with a minimum width in accordance with *Div. 4C.1. (Pedestrian Access)*; or
 3. A private street with a minimum width as determined by the Advisory Agency.

SEC. 14.2.12. LOT LINE DETERMINATION

A. General

1. Each lot line shall have one of the following designations as determined by the definitions in this Section (*Lot Line Determination*), and each lot line shall not have more than one of the following designations:
 - a. Primary street lot line;
 - b. Side street lot line;
 - c. Special lot line;
 - d. Rear lot line;
 - e. Side lot line; or
 - f. Alley lot line.



2. In addition to these required designations, lot lines may also be included into one of the following lot line categories:
 - a. Frontage lot line;
 - b. Street lot line; and
 - c. Common lot line.
3. For lot lines with curved or irregular lines which makes the dividing point between two types of lot line designations unclear, see Sec. 14.2.14.B. (*Lot Line Determination for Curved Corner Lot Lines*).

B. Lot Line Categories

1. Frontage Lot Line

A frontage lot line is any lot line that triggers Frontage District (Part 3B.) requirements. Frontage lot lines include all primary street lot lines and side street lot lines.

2. Street Lot Line

A street lot line is any lot line that abuts a street right-of-way. Street lot lines include all primary street lot lines, side street lot lines, and alley lot lines.

3. Common Lot Line

A common lot line is any lot line shared by multiple lots. Common lot lines include all side lot lines and rear lot lines and may include special lot lines in Dual Frontage Districts (Div. 3B.8.).

C. Lot Line Designations

1. Primary Street Lot Line

A primary street lot line is a lot line that has been designated as a primary street lot line by following the criteria and standards listed below.

- a. Each lot shall have at least one primary street lot line. However, if all street lot lines are mapped as special lot lines, then no primary street lot line is required.
- b. When there is only one street lot line, it shall be designated as the primary street lot line, unless it is mapped as a special lot line.
- c. When there is more than one street lot line, the primary street lot line shall be determined according to Subparagraph d. (Special Scenario Lots Abutting More Than One Street) and Subparagraph e. (Other Lots Abutting More Than One Street) below, except that:
 - i. Any lot line that has been mapped as a special lot line shall be considered a special lot line.
 - ii. If all street lot lines are private streets, the primary street lot line shall be determined pursuant to Sec. 13B.3.1. (Administrative Review) using the established orientation of the block criteria pursuant to Subparagraph f. (Relief) below.
 - iii. When the lot crosses the boundary of the City, its primary street lot line shall be determined pursuant to Sec. 13B.3.1. (Administrative Review) using the established orientation of the block criteria pursuant to Subparagraph f. (Relief) below.

d. Special Scenario Lots Abutting More Than One Street

In the following special scenarios, there may be more than one primary street lot line:

- i. Any lot lines abutting a street that is mapped as a primary street pursuant to *Sec. 1.5.3. (Primary Street Map)*, shall always be designated a primary street lot line, even if this results in more than one primary street lot line per lot.
- ii. On a lot with an applied *Commercial-Mixed Use District (Div. 5B.5.)*, any lot line abutting an avenue or boulevard shall be a primary street lot line, even if this results in more than one primary street lot line per lot.

e. Other Lots Abutting More Than One Street

For lots that abut multiple streets where none of the lot lines are designated as a primary street lot line per the provisions in *Subparagraph d. (Special Scenario Lots Abutting More Than One Street)* above, the primary street lot line is designated using the following criteria, listed in order of priority:

- i. The shortest lot line abutting a street, with the exception of:
 - a) Through lots, in which case the longest lot line abutting a street shall be the primary street lot line;
 - b) Lot lines under 20 feet, in which case the next shortest lot line shall be the primary street lot line;
 - c) Lots of 30,000 square feet or greater, for which the primary street lot line shall be determined using the subsequent criteria in this *Subparagraph e. (Other Lots Abutting More Than One Street)*;
- ii. The lot line abutting the street or streets with the highest street designation;
- iii. The lot line abutting the longest face of the block which the lot touches;
- iv. The lot line parallel to an alley within the block;
- v. The lot line abutting a street that faces a publicly accessible open space;
- vi. The lot line abutting the street that the lot takes its address from, as confirmed by the Bureau of Engineering;

f. Relief

Rather than designating a primary street lot line pursuant to *Subparagraph a. (Primary Street Lot Line)* through *Subparagraph e. (Other Lots Abutting More Than One Street)* above, the primary street lot line may be determined pursuant to *Sec. 13B.3.1. (Administrative Review)* using the established orientation of the block criteria below:

- i. The lot line abutting the street the majority of buildings along the block accommodate pedestrian access from;
- ii. The primary street lot line designation of the majority of buildings along the block, either existing or approved;
- iii. The lot line abutting the street the majority of wall signs on the block are oriented toward.

2. Side Street Lot Line

A side street lot line is a lot line separating a lot from a side street right-of-way. Any street lot line not determined to be a primary street lot line is considered a side street lot line.

3. Special Lot Line

A special lot line is any lot line mapped as a special lot line on the Special Lot Line map, pursuant to Sec. 1.5.8. (Special Lot Line Map) and designated within an applied Form District (Part 2B.) or Frontage District (Part 3B.) that specifies standards for a special lot line.

- a. Special lot lines are intended to identify lot lines that face, abut, or otherwise interact with active spaces such as pedestrian paths, open spaces, equine trails, or active pedestrian alleys.
- b. Regardless of whether a lot line qualifies as any other lot line designation pursuant to Sec. 14.2.12.C. (Lot Line Designations), all lot lines that are mapped as a special lot line shall be designated as a special lot line.

4. Rear Lot Line

A rear lot line is a lot line that does not abut a street or alley right-of-way and is opposite and most distant from a primary street lot line, and meets the following criteria:

- a. A lot shall have no more than one lot line designated as a rear lot line.
- b. In the case of a through lot, a lot may have no rear lot line.
- c. Where no lot line is clearly opposite to the primary street lot line, such as triangular lots or gore-shaped lots, the rear lot line is determined based on an imaginary line 10 feet wide, parallel to the primary street lot line that intersects two lot lines at its endpoints.
- d. Where the primary street lot line is not straight, the rear lot line shall be the opposite and most distant lot line that is parallel to an imaginary line connecting the end points of the primary street lot line.
- e. Where there are multiple primary street lot lines, the lot line having the highest portion of its length serving as the rear lot lines of abutting lots is the rear lot line.

5. Side Lot Line

A side lot line is any lot line not determined to be a primary street lot line, side street lot line, rear lot line, alley lot line, or special lot line.

6. Alley Lot Line

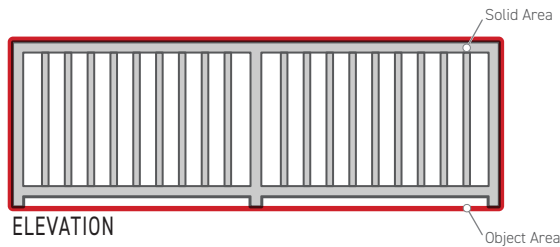
An alley lot line is any lot line that abuts an alley right-of-way. Even when a lot line qualifies as a rear lot line, or side lot line, alley right-of-way abutting lot lines shall be designated an alley lot line, except when the lot line qualifies as a special lot line.

SEC. 14.2.13. OPACITY (%)

Opacity is defined as the degree to which an object or material is impervious to rays of light or obstructs visibility.

A. Measurement

1. Opacity is measured as a percentage, calculated by dividing the solid portion of the object area by the total area of the object.
2. The total area of the object is measured as the smallest convex polygon containing all elements of the object or assembly.



FORMULA

$$\frac{\text{Solid Area}}{\text{Object Area}} = \text{Opacity (\%)}$$

B. Standards

1. Equivalent Transparency

Where an assembly includes materials or objects that are solid but transparent (including glass), the transparent portion of the solid area may be weighted by multiplying it by the visual light transmittance of the material specified by the manufacturer.

SAMPLE CALCULATION

$$1 - 0.6 (VT) = 0.4 = 40\% \text{ (Opacity\%)}$$

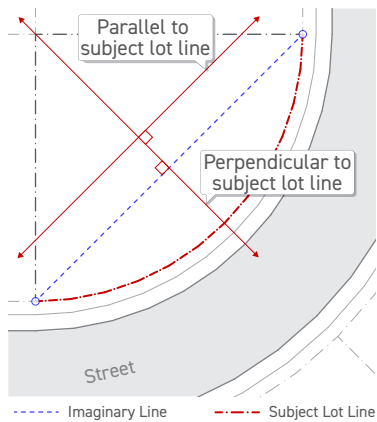
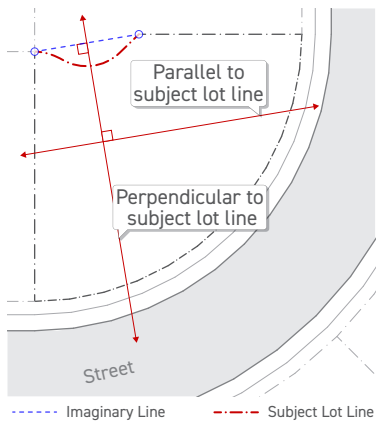
2. Visual Obstructions

Any permanent visual obstructions within a distance of five feet of the subject object, measured horizontal and perpendicular to the object area, renders otherwise non-solid areas solid for the purpose of measuring opacity.

SEC. 14.2.14. IRREGULAR LOT LINES

A. Parallel or Perpendicular to Irregular Lot Line

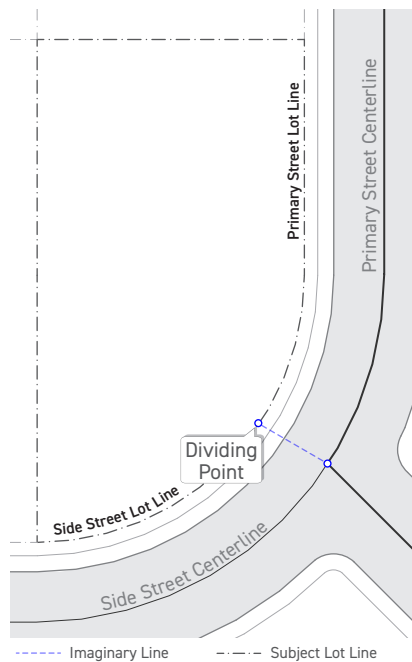
Where a lot line is curved, standards measured parallel or perpendicular to that lot line assume the angle of the lot line to be the same as an imaginary straight line connecting the endpoints of the curved lot line segment.



B. Lot Line Determination For Curved Lot Lines

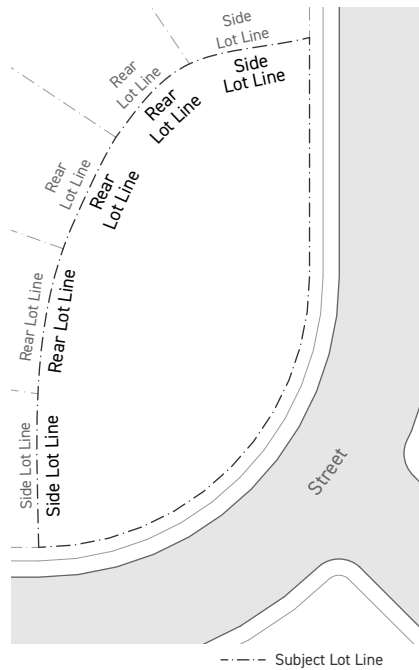
1. Street Lot Lines

Where a corner lot has a curved street lot line to which it makes the dividing point between two types of street lot lines unclear for the purposes of Sec. 14.2.12. (*Lot Line Determination*), that dividing point shall be identified as the nearest point on the lot perimeter to the intersection of the abutting street centerlines.



2. Common Lot Lines

Where a common lot line is curved to which it makes the dividing point between two types of lot lines unclear for the purposes of *Sec. 14.2.12. (Lot Line Determination)*, the abutting lot line designation from the abutting lot or lots shall be utilized to assign a designation for the length of the lot line segment in question.

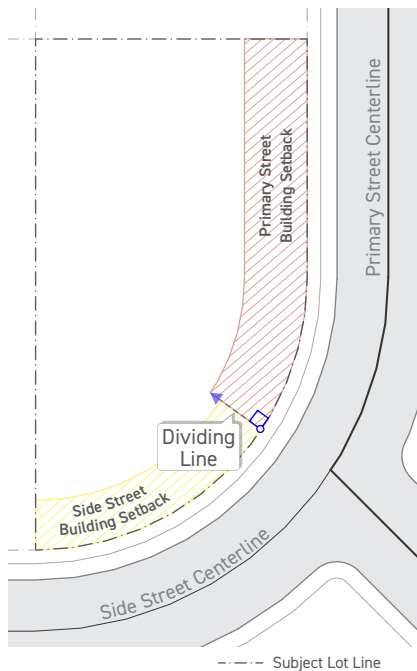


C. Building Setback Determination For Curved Lot Lines

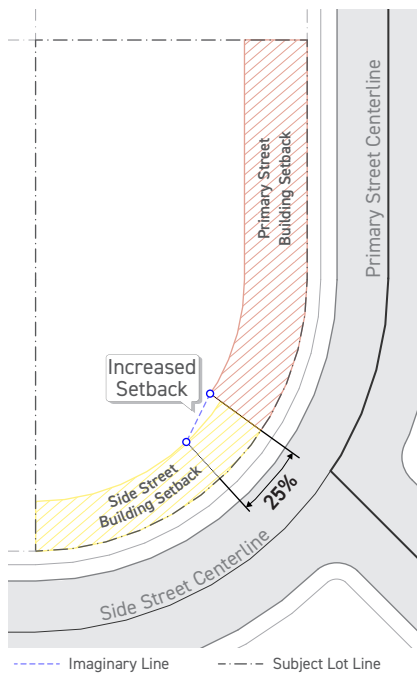
Where a corner lot has a curved street lot line which makes the dividing line between two types of building setbacks unclear for the purposes of *Sec. 2C.2.2. (Building Setbacks)*, that dividing line shall be identified by the following:

1. Taking the dividing point established in *Sec. 14.2.14.B.1. (Street Lot Lines)*, above, and drawing a line into the lot perpendicular to the lot line at the dividing point for the depth of the building setback.

2. The setbacks shall connect along the dividing line for the depth of the primary street building setback.



3. Where the depth of a primary street building setback and side street building setback differ at the dividing line established in Paragraph 1., above, the side street building setback shall be increased linearly for 25 percent of the side street lot line until it meets the primary street building setback.



D. Parking Setback Determination For Curved Lot Lines

Where a corner lot has a curved street lot line which makes the dividing line between two types of parking setback designations unclear for the purposes of Sec. 3C.2.1. (*Parking Setback*), that dividing line shall be the same as established in Subsection C. (*Building Setback Determination For Curved Lot Lines*) above.

E. Yard Determination For Curved Lot Lines

Where a corner lot has a curved street lot line which makes the dividing line between two types of yard designations unclear for the purposes of Sec. 14.2.6. (*Yards*), that dividing line shall be the same as established in Subsection C. (*Building Setback Determination For Curved Lot Lines*) above.

SEC. 14.2.15. PROJECT ACTIVITIES

A. Project

*A project is defined as work involving any of the project activities listed in Subsection B. (*Project Activities*) below. A project may or may not require a building permit, and may or may not be one application in a series of applications (such as demolition followed by new construction). A Community Plan Implementation Overlay or Specific Plan may have its own definition for a project. Typically, more than one project activity will apply to a proposed project (for example, a street-facing addition concealing a portion of an existing building facade includes both new construction and an exterior modification).*

B. Project Activities

A project activity describes the type of work composing a project. A project may be composed of one or more project activity. The following are types of project activities for the purposes of this Zoning Code (Chapter 1A):

1. New Construction

New construction is defined as work that includes the construction of a new building or structure on a lot, whether structurally detached or attached from other existing buildings or structures on the lot. New construction includes an addition to or relocation of an existing building or structure, or the relocation of existing floor area, to another location on the lot, or to any other lot. Relocation of existing buildings or structures includes any activity that lifts any portion of the building or structure off of its foundation. New construction does not include ground mounted signs or wall mounted signs.

- a. For ground mounted signs, see Paragraph 4. (*Site Modification*) below.
- b. For wall mounted signs, see Paragraph 5. (*Exterior Modification*) below.

2. Major Remodel

Major remodel is defined as work that includes significant removal, disassembly, or replacement of a building or structure or portions of a building or structure that does not add to or change the building footprint and meets the standards below:

- a. Major remodel includes the removal or replacement of any of the following:
 - i. More than 50 percent of the perimeter wall framing; or
 - ii. More than 50 percent of the roof framing; or
 - iii. More than 50 percent of the structural members.
- b. Major remodel may affect the exterior of a building or structure, in which case it would also be considered an exterior modification.
- c. Remodeling that does not meet the thresholds within this *Paragraph (Major Remodel)* or another project activity would be considered maintenance & repair.

3. Lot Modification

Lot modification is defined as the modification of the lot lines of any existing lot through the Subdivision Map Act and Article 11. (Division of Land), including the division of land as defined in California Government Code, Title 7. (Planning and Land Use), Sec. 66424.

4. Site Modification

Site modification is defined as work including modifications to existing, or the addition of, new horizontal site improvements and landscaping, including trees, fences or walls, street furniture, lighting fixtures, grading, flatwork, ground mounted signs, and parking lot resurfacing or the reconfiguration of existing parking stalls.

- a. Site modifications, such as grading, that expose additional foundation wall or facade areas are considered to be both a site modification and an exterior modification.
- b. Any work whose principal aim is the provision of handicap accessibility for compliance with the *Americans with Disabilities Act* is not considered a site modification.

5. Exterior Modification

Exterior modification is defined as work to the exterior of a building or structure.

a. Facade Modification

Facade modification is an exterior modification that includes a change to a building facade involving a modification of its existing design or outward appearance.

Facade modifications include changes to any of the following:

- i. The facade of a building;
- ii. Wall mounted signs beyond the maintenance & repair required pursuant to Sec. 4C.11.1.C.4. (Maintenance);
- iii. The amount of exterior foundation wall that is exposed above finished grade;
- iv. An architectural element or architectural feature attached to the facade;
- v. Exterior wall finish materials on an applicable facade area in a Character Frontage District (Div. 3B.9.); or
- vi. In an Historic Preservation Overlay Zone, facade modification includes change of the exterior paint color.

b. General

Any exterior modification work that does not meet the definition and standards of facade modification.

6. Use Modification

Use modification is a change of use or an intensification of use.

a. Change of Use

Change of use is defined as work that includes a change or expansion in the permitted use of any portion of an existing building or lot from one use defined in Part 5D. (Use Definitions) to any other use defined in Part 5D. (Use Definitions). Change of use does not include any temporary uses. For temporary uses, see Paragraph 7. (Temporary Use) below.

b. Intensification of Use

Intensification of use is defined as work that increases the intensity of a use, such as an increase in dwelling units, seating capacity, or the number of people in care.

7. Temporary Use

Temporary use is defined as a use of a building or lot with any use defined in Part 5D. (Use Definitions) that does not exceed 180 days and meets the requirements of Chapter IX. (Building Regulations), Sec. 91.106.1.3. (Temporary Permits) of this Code.

8. Demolition

Demolition is defined as the removal of an entire structure or building.

- a. Proposed demolition of a structure or building that results in a reduction of compliance of other structures or buildings on the lot with the requirements of this Zoning Code (Chapter 1A) is required to be accompanied by new construction or another project

activity that maintains the level of compliance with the requirements of this Zoning Code (Chapter 1A) in place prior to the issuance of the demolition permit, except as described in *Subparagraph b.* below.

- b. Regardless of the general rule in *Subparagraph a.* above, demolition permits may be issued for buildings or structures without accompanying new construction or other project activities when said building or structure has been determined by the Department of Building and Safety to be a present, imminent, extreme and immediate hazard or danger to life or limb, health or safety pursuant to Chapter IX. (*Building Regulations*), Sec. 91.8905. (*Special Provisions for Vacating, Barricading, Removing or Demolishing Buildings or Structures Without Notice*).

9. Renovation

Renovation is defined as a modification to the interior of any building or structure, including the basement, that does not expand the building or structure. Renovation includes interior remodels or tenant improvements.

10. Maintenance & Repair

Maintenance & repair is defined as work that does not qualify as a site modification, major remodel, exterior modification or new construction, and does not impact the project's ability to meet any applicable zoning requirements. Replacement of deteriorated or damaged parts of a building is considered maintenance & repair; however, in a Character Frontage District, CPIO, Conservation District, or Historic Preservation Overlay Zone, direct replacement may have additional requirements and processes. Maintenance & repair includes repair of site components such as restriping existing parking stripes, resealing parking lots, pothole repair, or replanting plants.

SEC. 14.2.16. YARDS

A. General

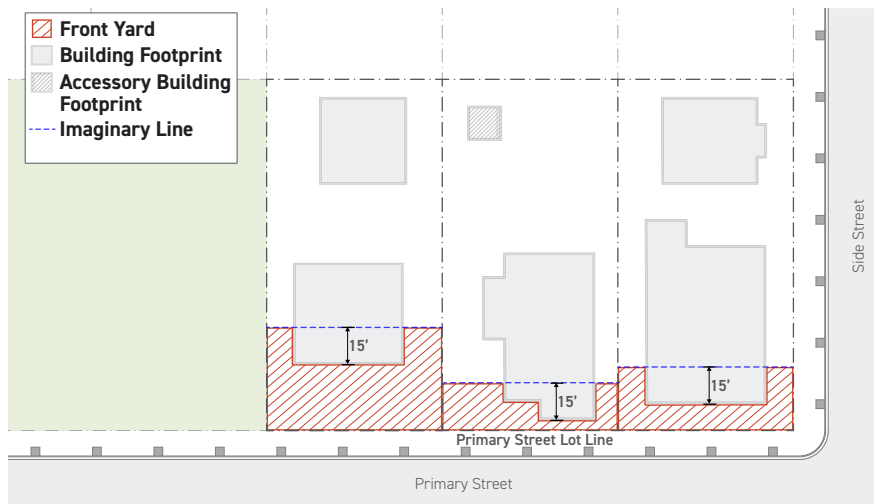
1. All portions of a lot between exterior walls of a building and a property line shall be designated as one of the following yard designations, and no portions of a lot shall have more than one of the following designations, as established in *Subsection B. (Yard Designations)* below:
 - a. Front yard
 - b. Special yard
 - c. Side street yard
 - d. Side yard
 - e. Rear yard

2. Individual yard designations may fall into one or more yard categories as provided in Subsection C. (Yard Categories) below.

B. Yard Designations

1. Front Yard

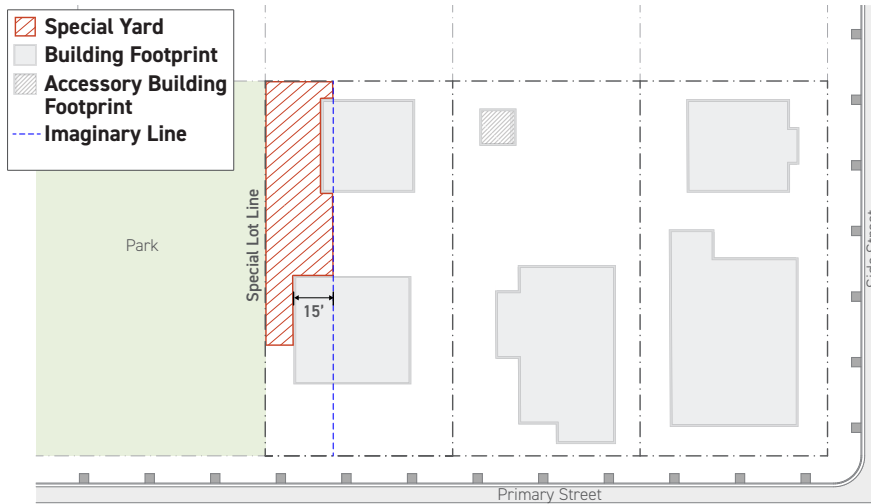
A front yard is the area between a primary street lot line and an imaginary line running parallel to the primary street lot line. The imaginary line shall be drawn 15 feet back from the portion of the primary street lot line-facing facade nearest to the primary street lot line, measured perpendicularly to the lot line.



- a. Only yards abutting a primary street lot line shall be designated as front yards.
- b. Portions of a lot that meet the criteria for front yard designation shall not be designated as any other yard, including portions of a lot that meet the criteria for front yard designation but also meet the criteria for any other yard designation.

2. Special Yard

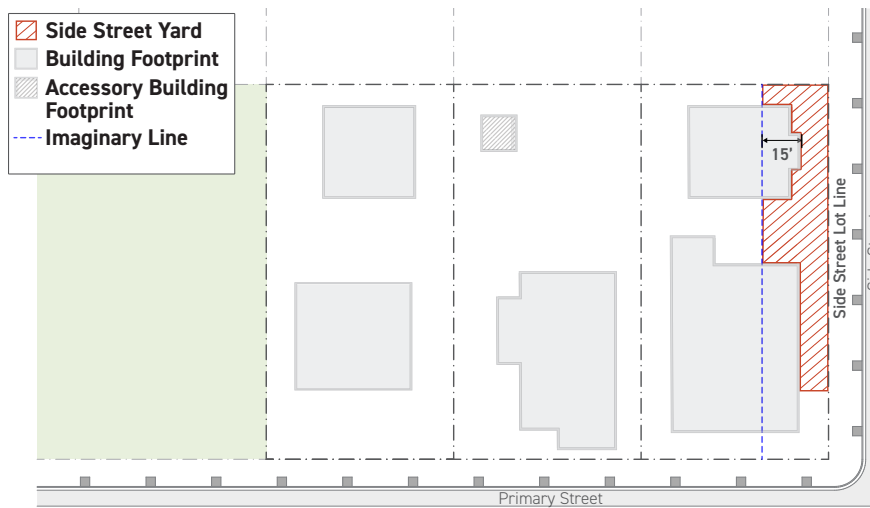
A special yard is the area between a special lot line and an imaginary line running parallel to the special lot line. The imaginary line shall be drawn 15 feet back from the portion of the special lot line-facing facade nearest to the primary street lot line, measured perpendicularly to the lot line.



- a. Special yards include yards abutting a special lot line including but not limited to special river and special alley lot lines.
- b. Portions of a lot that meet the criteria for special yard designation shall not be designated as a side street yard, rear yard, or side yard, including portions of a lot that meet the criteria for special yard designation but also meet the criteria for side street yard, rear yard, or side yard.
- c. Portions of a lot that meet the criteria for special yard designation but also meet the criteria for front yard designation shall be designated as front yard.

3. Side Street Yard

A side street yard is the area between a side street lot line and an imaginary line running parallel to the side street lot line. The imaginary line shall be drawn 15 feet back from the portion of the side street lot line-facing facade nearest to the side street lot line, measured perpendicularly to the lot line.



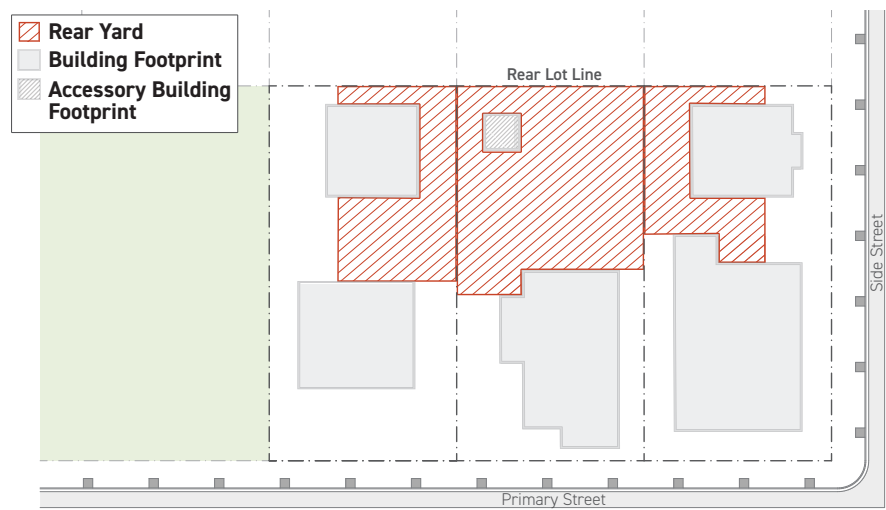
- a. Only yards abutting a side street lot line shall be designated as side street yards.
- b. Portions of a lot that meet the criteria for side street yard designation shall not be designated as a rear yard or side yard, including portions of a lot that meet the criteria for side street yard designation but also meet the criteria for rear yard or side yard.
- c. Portions of a lot that meet the criteria for side street yard designation but also meet the criteria for front yard designation shall be designated as front yard.
- d. Portions of a lot that meet the criteria for side street yard designation but also meet the criteria for special yard shall be designated as special yard.
- e. Portions of a lot that meets all three criteria for side street yard designation, special yard designation, and front yard designation shall be designated as a front yard.

4. Rear Yard

A rear yard is the portion of a lot between a rear lot line and a principal structure. When there is more than one principal structure located on the same lot, rear yard includes the portions of a lot between the rear lot line and the principal structure that is located closest to the primary street lot line.

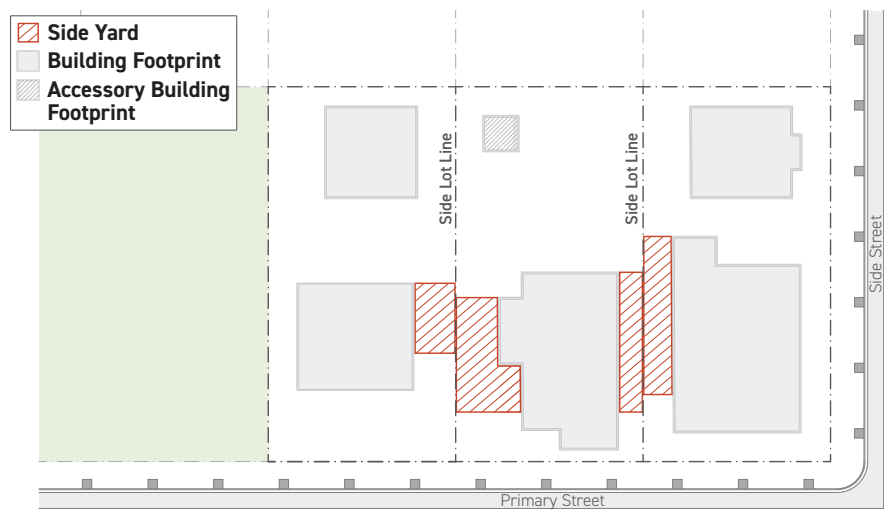
- a. Portions of a lot that meet the criteria for rear yard designation shall not be designated as a side yard.
- b. Portions of a lot that meet the criteria for rear yard designation but also meet the criteria for side street yard shall be designated as side street yard.

- c. Portions of a lot that meets all three criteria for rear yard designation, side street yard designation, and special yard designation shall be designated as a special yard.



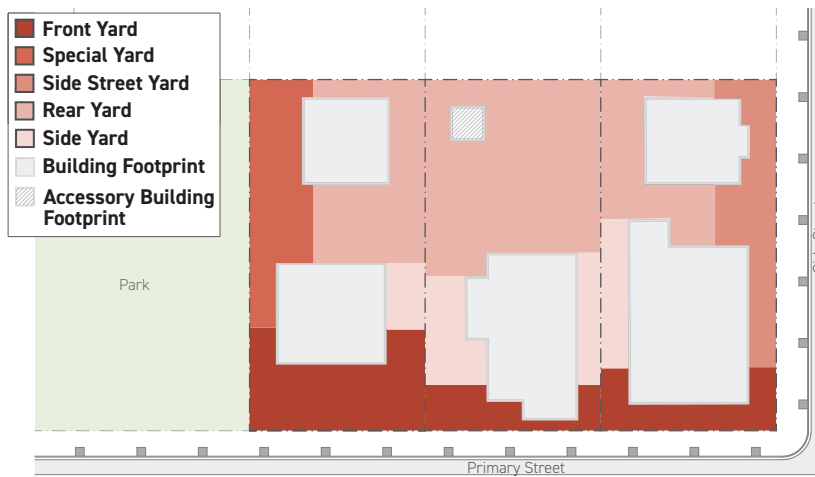
5. Side Yard

A side yard is the portions of a lot between a side lot line and a principal structure. All portions of a lot that do not meet the yard designation criteria for any other yard shall be designated as a side yard.



6. All Yards Graphic Illustration

The following illustration provides an example distribution of yard designations for three different lots.



C. Yard Categories

1. Frontage Yard

Frontage yard is a category of yards referring to all yards that abut a frontage lot line including:

- a. Front yards;
- b. Side street yards; and
- c. Special yards.

2. Street Yard

Street yard is a category of yards referring to all yards that abut a street right-of-way including:

- a. Front yards; and
- b. Side street yards.

SEC. 14.2.17. PUBLIC ACCESS EASEMENTS

A public access easement is an easement, established between a lot owner or owners and the City of Los Angeles, as found on the Public Access Easement Map (Sec. 1.5.11.), affecting a lot or lots for the purpose of ensuring public access to the portions of the lot covered by the easement.

A. Standards

1. Public access easements affecting a lot shall be considered a part of the whole lot for the purposes of any standard or calculation which pertains to lot area or lot dimensions, unless stated otherwise as a condition of the easement.

2. No structures may be constructed within a public access easement.
3. When determining yard area, the yard area shall be measured from the interior edge of the easement rather than lot line.

B. Measurements

1. Building Setback

Buildings or structures to be constructed on a lot affected by a mapped public access easement shall measure the nearest required yard setback from the interior edge of the public access easement.

2. Lot Amenity Space

All portions of the public access easement area on a lot or lots may be calculated as part of the lot amenity space. When the public access easement is counted as lot amenity space, an accessway from the development on the lot must be ensured to the easement area. The required accessway must meet the minimum standards as established in *Sec. 4C.1.1.C.2.A.i. (Linked)*.

3. Build-to depth

Where a lot includes a public access easement that abuts the frontage lot line, the build-to depth shall be measured to the front yard setback. The front yard setback is measured from the interior edge of the easement as established in *Paragraph 1. (Building Setback)* above.

4. Pedestrian Amenity Allowance

Where a lot includes a public access easement that abuts the frontage lot line, the pedestrian amenity shall be measured to the front yard setback. The front yard setback is measured from the interior edge of the easement as established in *Paragraph 1. (Building Setback)* above.

5. Parking Setback

Where a lot includes a public access easement that abuts the frontage lot line, the parking setback shall be measured to the front yard setback. The front yard setback is measured from the interior edge of the easement as established in *Subsection A. (Standards)* above.

6. Frontage Planting Area

Area within the public access easement shall not be used to meet planting area required by a frontage planting area, frontage screen, or transition screen.

7. Frontage Yard Fence & Wall

Where a lot includes a public access easement, fences and walls allowed by the applied *Frontage District (Part 3B.)* may be constructed and maintained on the interior edge of the public access easement, but shall not be constructed within the easement area nor on any lot line or portion of a lot line affected by the easement unless provided in the easement. A fence

or wall shall not be constructed in a manner which obstructs public access to the easement area.

8. Frontage Screens and Transition Screens

Where a lot includes a public access easement, any required frontage screens and transition screens may be constructed and maintained on the interior edge of the public access easement, but shall not be constructed within the easement area nor on any lot line or portion of a lot line affected by the easement unless provided in the easement. A frontage screen or transition screen shall not be constructed in a manner which obstructs public access to the easement area.

SEC. 14.2.18. SLOPE

A. Average Natural Slope

Average natural slope is defined as the average of the ungraded slopes at selected contours within a given parcel of land divided by its area as computed from either the City Engineer's topographic maps or a topographic map prepared by a registered civil engineer or land surveyor and meets all the following standards:

1. Regardless of which map is used, calculations cannot be derived or interpolated from a map that originally had contour intervals of greater than 25 feet for subdivisions or greater than five feet for parcel maps.
2. Average natural slope shall be computed by the following formula:

$$S = \frac{C \times L}{A} \times 100$$

Where:

S = average natural slope in percent.

C = contour interval in feet, at no greater than 25-foot intervals for subdivisions or five-foot intervals for parcel maps, resulting in at least five contour lines.

L = total accumulated length of all contours of interval "C" in feet.

A = the area being considered in square feet.

3. Average natural slopes may be computed only by the entire subdivision or parcel map area. The calculation "L" (contour lengths) and "A" (area in square feet) can be computed by 500-foot grid increments, as shown on the City Engineer's topographic maps. The "L" for each grid increment shall be added to the "L" for every other grid increment and the "A" for each grid increment shall be added to the "A" for every other grid increment to determine the "L" and the "A" for the entire subdivision or parcel map, prior to calculating the average natural slope for that subdivision or parcel map.

4. In any matter where the average natural slope is used to calculate density pursuant to Sec. *11.1.3. (Subdivision Design Standards)* or Sec. *11.4.1.D. (Slope Density)*, the subdivision file shall contain copies of all maps and all calculations so that the figures can be verified. All maps and all calculations are required to be submitted at the time of the filing of a subdivision application or the application is deemed incomplete.

DIV. 14.3. GLOSSARY

The following terms, abbreviations, and symbols shall be used in construing this Zoning Code (Chapter 1A). For any term not defined in this glossary (or defined, but not for all purposes), see *Sec. 14.1.1.A.4. (General)*.

Abbreviations & Symbols

'. Feet.

". Inches

%. Percent

ac. Acres

ADU. Accessory Dwelling Unit.

AMI. Area Median Income.

CDO. Community Design Overlay.

CEQA. California Environmental Quality Act.

CPIO. Community Plan Implementation Overlay.

Div. Division.

DU. Dwelling Unit.

FAR. Floor Area Ratio.

FC. Footcandles.

HPOZ. Historic Preservation Overlay Zone.

JADU. Junior Accessory Dwelling Unit.

LAAC. *Los Angeles Administrative Code.*

LADBS. Los Angeles Department of Building and Safety.

LADOT. Los Angeles Department of Transportation.

LADWP. Los Angeles Department of Water and Power.

LAHD. Los Angeles Housing Department.

LAMC. *Los Angeles Municipal Code.*

LCP. Local Coastal Program.

LID. Low Impact Development.

max. Maximum.

Metro. Los Angeles County Metropolitan Transportation Authority.

min. Minimum.

n/a. Not Applicable.

RAP. Department of Recreation and Parks.

Sec. Section.

SF. Square Feet.

TDM. Transportation Demand Management.

A

Abandoned Shopping Cart. Abandoned shopping cart is defined as a shopping cart located outside of the lot where the establishment that furnishes shopping carts for use by its patrons is located.

Abatement Radius. Abatement radius is defined as the area around a permitted lot designated by the Office of Community Beautification for the removal of graffiti, posters/handbills and any other illegal postings, as well as trash, debris, rubbish, and weeds from public property and right-of-ways.

Above-Grade. Above-grade is defined as located higher in elevation than the surrounding finished grade.

Abut. See abutting.

Abutting. Abutting is defined as to touch or have a common boundary with.

Access. Access is defined as a means of approaching or entering a place.

Access Lane. Access lane is defined as the lane accommodating automobile access onto a lot in accordance with Div. 4C.2. (Automobile Access).

Accessory Building. Accessory building is defined as a detached, subordinate building, the use and scale of which is supplementary to other buildings and uses on the lot.

Accessory Dwelling Unit. See Chapter I. (General Provisions and Zoning), Sec. 12.03. (Definitions) of this Code.

Accessory Material Coverage. Pursuant to *Sec. 3D.10.2. (Accessory Material Coverage)*, accessory material coverage is defined as the building products used as an exterior wall finish material to accent or support the principal material.

Accessory Roof Form. Accessory roof form is defined as a portion of a roof structure that deviates from the principal roof form in either shape, color, or shape and color.

Accessory Structure. Accessory structure is defined as a detached, subordinate structure, the use and scale of which is supplementary to other buildings and uses on the lot.

Accessory Use. Pursuant to *Sec. 5C.1.1. (Accessory To)*, accessory use is defined as a use that meets all standards in *Sec. 5C.1.1 (Accessory To)*.

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.

Active Wall Spacing. Pursuant to *Sec. 3C.4.2. (Active Wall Spacing)*, active wall spacing is defined as the horizontal distance between widths of ground story facade and foundation wall with window or door openings.

Acts. Pursuant to *Sec. 13B.5.5. (Reasonable Accommodation)*, acts is defined as the *Federal Fair Housing Amendments Act of 1988* and *California's Fair Employment and Housing Act*.

Acutely Low Income Household. An acutely low income household is a household whose annual income, adjusted for family size, does not exceed 15 percent of the area median income as designated for this category in *California Health and Safety Code, Sec. 50063.5*.

Adaptive Reuse Project. Adaptive reuse project is defined as any change of use to dwelling, or household business: joint living & work quarters, or any change in commercial use to another commercial use, in all or any portion of any eligible building according to *Sec. 9.4.5. (Downtown Adaptive Reuse Program)* or *Sec. 9.4.6. (Citywide Adaptive Reuse Program)*, as long as the commercial use is allowed in the zone.

Addition. Addition is defined as any work that increases the floor area or the volume of enclosed space of an existing building, and is structurally attached to the existing building. The definition of addition is modified for the purposes of *Historic Preservation (Div. 13B.8.)*, for which addition is defined as an extension or increase in floor area or height of a building or structure.

Additional Housing Units. Pursuant to *15.4.3.A. (Definitions)*, a net increase in the number of dwelling units or guest rooms to be added on a parcel or parcels of land by issuance of a building permit, after subtracting the number of dwelling units or guest rooms legally removed from the same parcel of real property during the year preceding the issuance of the building permit.

Additional Non-Residential Floor Area. For the purposes of *Sec. 15.4.3.A. (Definitions)*, additional non-residential floor area is defined as the net increase in the amount of non-residential floor area to be added on a parcel or parcels of land by issuance of a building permit, less the amount of

non-residential floor area legally removed from the same parcel of real property during the year preceding the issuance of the building permit.

Adjacent. See abutting.

Adjoining. See adjoining Lot.

Adjoining Lot. Adjoining lot is defined as abutting lots, lots separated from the subject lot by a street or alley right-of-way, and lots having a common corner with the subject property.

Administrative Guidelines. For the purposes of *5C.3.2.B.1. (Administrative Guidelines)*, the Department of City Planning or Office of Finance may promulgate regulations, which may include, but are not limited to, application requirements, interpretations, conditions, reporting requirements, enforcement procedures, and disclosure requirements, to implement the provisions, and consistent with the intent, of *Sec. 5C.3.2. (Home-Sharing Program)*.

Advisory Agency. Advisory Agency is defined as the Director of Planning, who acts in the capacity of the Advisory Agency for the City pursuant to the Subdivision Map Act established in accordance with *Sec. 13B.7.1.C. (Advisory Agency)*. The Advisory Agency is granted additional authority pursuant to *Sec. 11.1.2. (Division of Land)*.

Affordable Housing Incentive Program. Affordable housing incentive program is defined as an incentive program established in *Div. 9.2. (Affordable Housing Incentive Programs)* to increase the production of affordable housing, consistent with City policies.

Affordable Housing Incentives Guidelines. Affordable housing incentives guidelines is defined as the guidelines approved by the City Planning Commission, pursuant to *Sec. 13B.1.5. (Guidelines or Standards Adoption/Amendment)*, under which housing development projects for which a density bonus above 35 percent has been requested are evaluated for compliance with *Div. 9.2. (Affordable Housing Incentive Programs)*.

Aggrieved Person. Aggrieved person is defined as any person or entity with standing to appeal an action on an application filed under this Zoning Code (Chapter 1A) under California law, or as provided in the provisions of this Zoning Code (Chapter 1A) relating to a particular appeal.

For the purposes of *Sec. 13B.9.1. (Coastal Development Permit (Pre-Certification))*, aggrieved person is defined as any person who, in person or through a representative, appeared at a hearing on the application for a Coastal Development Permit, or appeal hearing in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing, informed the permit issuing authority, or appeal body of the nature of his or her concerns or who for good cause was unable to do either. "Aggrieved person" includes the applicant for a Coastal Development Permit.

Agricultural Use. Pursuant to *Div. 5D.10. (Agricultural Uses)*, agricultural uses are defined as uses dedicated to the cultivation of plants or the keeping of animals.

Air Space Lot. Air space lot is defined as a division of the space above or below a lot with a finite width, length, and upper and lower elevation occupied or to be occupied by a use, or accessory use, any building or unit group of buildings, or portion of a use or building. An air space lot shall be identified on a final map recorded with the Los Angeles County Recorder with a separate and distinct number or letter. An air space lot shall have such access to a street or private street by means of one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

Airport. Pursuant to Sec. 5D.5.1. (Airport), an airport is defined as a runway landing area or other facility used for the landing and taking off of aircraft including all the necessary taxiways, aircraft storage and tie-down areas, hangars, passenger terminals, and warehousing facilities.

Alley. Alley is defined as a public way designated as an alley by the Circulation Element of the General Plan, and displayed on Zoning Information and Map Access System (ZIMAS) or NavigateLA.

Alley Lot Line. Pursuant to Sec. 14.2.12.C.6. (Alley Lot Line), alley lot line is defined as any lot line that abuts an alley right-of-way. Even when a lot line qualifies as a rear lot line, or side lot line, alley right-of-way abutting lot lines shall be designated an alley lot line, except when the lot line qualifies as a special lot line.

Alley Lot Line-Facing Facade. Alley lot line-facing facade is defined as all portions of a building facade that are parallel to an alley lot line and meet the criteria outlined in Sec. 14.2.6.B. (Lot Line-Facing Facade).

Alteration. For the purposes of Div. 13B.8. (Historic Preservation), alteration is defined as any exterior change or modification of a building, structure, landscaping, natural feature or lot within a Historic Preservation Overlay Zone including but not limited to changing exterior paint color, removal of significant trees or landscaping, installation or removal of fencing, and similar projects, and including street features, furniture or fixtures.

Alternative Parking Strategy. Alternative parking strategy is defined as an alternative method of meeting parking requirements that meet the standards outlined in Sec. 4C.4.2. (Alternative Parking Strategies).

American Standard for Nursery Stock. American standard for nursery stock is defined as a publication by the American Horticulture Industry Association intended to provide buyers and sellers of nursery stock with a common terminology in order to facilitate commercial transactions involving nursery stock.

Amphitheater or Stadium. Amphitheater or stadium is defined as a use meeting the definition of either amphitheater or stadium: local or amphitheater or stadium: regional.

Amphitheater or Stadium: Local. Pursuant to Sec. 5D.4.1. (Amphitheater or Stadium: Local), amphitheater or stadium: local is defined as any outdoor or semi-outdoor assembly facility intended to accommodate a large number of spectators for performances or sporting events and having an associated seating capacity of less than 3,000 seats. This use does not include facilities

with seating capacity of 3,000 seats or more, for such uses see Sec. 5D.4.1.B. (*Amphitheater or Stadium: Regional*).

Amphitheater or Stadium: Regional. Pursuant to Sec. 5D.4.1. (*Amphitheater or Stadium: Regional*), amphitheater or stadium: regional is defined as any outdoor or semi-outdoor assembly facility intended to accommodate a large number of spectators for performances or sporting events and having an associated seating capacity of 3,000 seats or more. This use includes an amphitheater or stadium associated with a school. This use does not include facilities with seating capacity of less than 3,000 seats, for such uses see Sec. 5D.4.1.A. (*Amphitheater or Stadium: Local*).

Angle of Elevation. Angle of elevation is defined as the angle of an elevation view, zero degrees (horizontal) being the angle of an elevation projection, and 90 degrees being vertical.

Animal Keeping. Pursuant to Sec. 5D.10.1. (*Animal Keeping*), animal keeping is defined as any agricultural use that includes the breeding, boarding, training, or raising of animals.

Animal Keeping: Bees. Pursuant to Sec. 5D.10.1. (*Animal Keeping: Bees*), animal keeping: bees is defined as any animal keeping use that includes the keeping of bees.

Animal Keeping: Dairy. Pursuant to Sec. 5D.10.1. (*Animal Keeping: Dairy*), animal keeping: dairy is defined as an animal keeping use that includes the storage, processing, or distribution of milk or milk products.

Animal Keeping: Equine, Commercial. Pursuant to Sec. 5D.10.1C. (*Animal Keeping: Equine, Commercial*), animal keeping: equine, commercial is defined as the keeping, breeding, raising, training, or boarding of more than two equines not owned by and registered to residents on the same lot as the equine use. Equine includes mules and donkeys.

Animal Keeping: Equine, Non-commercial. Pursuant to Sec. 5D.10.1.D. (*Animal Keeping: Equine, Non-Commercial*), animal keeping: equine, non-commercial is defined as the keeping, breeding, raising, training, or boarding of equines owned by and registered to residents on the same lot as the equine use. No more than two equines owned by or registered to persons not residing on the same lot shall be allowed. Equine includes mules and donkeys.

Animal Keeping: Livestock. Pursuant to Sec. 5D.10.1.E. (*Animal Keeping: Livestock*), animal keeping: livestock is defined as any animal keeping use that includes the breeding, raising, training, boarding, or keeping of animals such as alpacas, cattle, donkeys, goats, mules, sheep, swine, or similar livestock, typically for fiber, meat, milk, or other products. This use includes day-to-day care, selective breeding, raising, and selling of livestock.

Animal Keeping: Pets. Pursuant to Sec. 5D.10.1.F. (*Animal Keeping: Pets*), animal keeping: pets is defined as any animal keeping use that includes the keeping of domestic pets that are readily classifiable as being incidental to another use such as dogs, cats, rabbits, rodents, birds, poultry, fish, amphibians, and small reptiles. This use does not include those uses defined in Sec. 5D.10.1.G. (*Animal Keeping: Small Animals*). This use does not include those uses defined in Sec. 5D.6.1.B. (*Animal Services: Kennel*).

Animal Keeping: Small Animals. Pursuant to *Sec. 5D.10.1.G. (Animal Keeping: Small Animals)*, animal keeping: small animals is defined as any animal keeping use licensed by the Department of Animal Services for the breeding, raising, training, or boarding of small domestic animals such as dogs, cats, rabbits, rodents, birds, poultry fish, amphibians, and reptiles. This use does not include the uses defined in *Sec. 5D.10.1.G. (Animal Keeping: Wild Animals)*.

Animal Keeping: Wild Animals. Pursuant to *Sec. 5D.10.1.H. (Animal Keeping: Wild Animals)*, animal keeping: wild animals is defined as any animal keeping use licensed by the Department of Animal Services pursuant to *Chapter V. (Public Safety and Protection), Sec. 53.38. (Wild Animals - Keeping - Permit)* for the keeping of wild, exotic, dangerous, or non-domestic animals.

Animal Products Processing. Pursuant to *Sec. 5D.9.1. (Animal Products Processing)*, animal products processing is defined as a heavy industrial use involving one or more of the following: dressing or dyeing furs; preparing processed meat and meat byproducts; preparing, tanning, and finishing hides and skins; refining or rendering animal fat, bones, and meat scraps; and slaughtering animals.

Animal Services. Pursuant to *Sec. 5D.6.1. (Animal Services)*, animal services is defined as a use involving the provision of services related primarily to domestic animal care and keeping.

Animal Services: General. Pursuant to *Sec. 5D.6.1.A. (Animal Services: General)*, animal services: general is defined as animal services in which domestic dogs or cats are provided non-medical care, such as, grooming, training, supervision, or boarding. This does not include uses where the overnight boarding of dogs or cats exceeds 30 percent of the floor area of a facility, for such uses see *Sec. 5D.6.1.B. (Animal Services: Kennel)*. This use does not include medical care of animals, for such uses see *Sec. 5D.6.1.C. (Animal Services: Veterinary Care)*.

Animal Services: Kennel. Pursuant to *Sec. 5D.6.1.B. (Animal Services: Kennel)*, animal services: kennel is defined as animal services in which four or more dogs or cats, at least four months of age, are sheltered for periods beyond 24 hours per day. This definition does not include retail establishments dedicated to the commercial sale of animals, for such uses see *Sec. 5D.6.12.H. (Retail: Pet Shop)*. This use does not include the breeding and raising of animals, for such uses see *Sec. 5D. 10.1.G. (Animal Keeping: Small Animals)*.

Animal Services: Veterinary Care. Pursuant to *Sec. 5D.6.1.C. (Animal Services: Veterinary Care)*, animal services: veterinary care is defined as animal services in which animals or pets are given medical or surgical treatment and care. This use does not include the non-medical treatment and care of dogs and cats, for such uses see *Sec. 5D.6.1.A. (Animal Services: General)*.

Apartment. Apartment is defined as a type of dwelling unit.

Appeal Board. For the purposes of *Sec. 13B.7.8. (Subdivision Appeal)*, the Appeal Board is the Area Planning Commission where the map is located for any parcel map or tentative tract map that: (a) creates or results in less than 50,000 gross square feet of non-residential floor area; or (b) creates or results in fewer than 50 dwelling units, guest rooms, or combination of dwelling units and guest rooms; or (c) involves a lot with fewer than 65,000 square feet of lot area; or (d) where specifically

provided by this Zoning Code (Chapter 1A). In all other cases, the Appeal Board for *Subdivision Appeals* (Sec. 13B.7.8.) is the City Planning Commission.

Appealable Area. For the purposes of Sec. 13B.9.2. (*Coastal Development Permit (Post-Certification)*), appealable area is defined as the area identified in Sec. 30603 of the *Public Resources Code*. the area that meets this criteria includes, but is not limited to, the area shown on the "Post-LCP certification Permit and Appeals Jurisdiction Map" certified by the Coastal Commission in accordance with the provisions of Sec. 13576 of Title 14 of the *California Code of Regulations* and attached as an exhibit in each certified coastal specific plan.

Appealable Development. For the purposes of Sec. 13B.9.2. (*Coastal Development Permit (Post-Certification)*), appealable development is defined in accordance with Sec. 30603(a) of the *Public Resources Code*, as any development that constitutes a major public works project or a major energy facility, or any development located in the Appealable Area.

Applicable Stories. Pursuant to Sec. 3C1.1. (*Applicable Stories*), applicable stories is defined as the number of stories that are required to meet build-to standards.

Applicable Story. See applicable stories.

Applicant. For the purposes of Sec. 13B.9.2. (*Coastal Development Permit (Post-Certification)*), applicant is defined as the person, partnership, corporation, or other entity or state or local government agency applying for the Coastal Development Permit.
For the purposes of Sec. 15.4.3. (*Affordable Housing Linkage Fee*), applicant is defined as any individual, person, firm, partnership, association, joint venture, corporation, limited liability company, entity, combination of entities or authorized representative thereof, who undertakes, proposes or applies to the City for a planning or zoning entitlement approval or building permit related to a development project.

Application. Application is defined as an application filed pursuant to Sec. 13A.2.3. (*Applications*) of this Zoning Code (Chapter 1A).

Approving Authority. For the purposes of Sec. 13B.9.2. (*Coastal Development Permit (Post-Certification)*), approving authority is defined as the initial decision maker and appeal body, including the Director, City Engineer, Zoning Administrator, City Planning Commission, Area Planning Commission, Board of Public Works, City Council or other applicable decision-making person or body within the City, which has the authority to approve a Coastal Development Permit pursuant to this Section or by reason of jurisdiction over other permits and approvals sought in conjunction with an application for a Coastal Development Permit.

Architectural Detail. Pursuant to Sec. 14.2.5.A.1.a. (*Architectural Details*), architectural detail is defined as building elements attached to or integrated into the structure of a building, not intended for human occupation. Types of architectural details include, but are not limited to: cornices, belt courses, sills, lintels, pilasters, pediments, or chimneys.

Architectural Element. Architectural element is defined as any building component, either decorative or structural, which is outside of or comprises the building envelope. Examples include windows,

walls, cornices, and parapets. For the purposes of *Sec. 14.2.5.B. (Vertical Encroachments)*, architectural elements is defined as building elements attached to or integrated onto the roof of a building, not intended for human occupation. Examples of architectural elements may include, but are not limited to: skylights, steeples, spires, belfries, cupolas, domes, flagpoles, or lighting.

Architectural Feature. Architectural feature is defined as a structure or assembly of architectural elements attached to or integrated with a facade. Often architectural features include occupiable space. Examples include: bay windows, balconies, and entry features.

Area Median Income. Area median income is defined as the median income in Los Angeles County as determined annually by the California Department of Housing and Community Development, adjusted for household size.

Area of Overlap. Area of overlap is defined as the portion of a lot's area where the build-to zones of two intersecting frontage lot lines overlap. See *Sec. 3C.1.2. (Build-To Depth)*. For an illustration of the area of overlap, see *Sec. 3C.1.2.C.4. (Standards)*.

Area Planning Commission. Area Planning Commission is defined pursuant to *Sec. 552. (Area Planning Commission)* of the *City Charter*.

Articulating Element. Pursuant to *Sec. 3D.6.5. (Articulating Element)*, articulating element is defined as permanent architectural details used to embellish a facade design to accentuate an articulation technique or facade composition.

At-Grade. At-grade is defined as a descriptor ascribed to something, such as a floor or entry, which is at the elevation of the ground where the ground meets the foundation of a building.

Attended Bicycle Parking Service. Attended bicycle parking service is defined as a service by which a bicycle is left in the care of an attendant(s) with provision for identifying the bicycle's owner. See *Sec. 4C.3.2.C.7. (Attended Bicycle Parking Service)* and *Sec. 4C.3.3.C.5. (Attended Bicycle Parking Service)*.

Attic. Pursuant to *Sec. 14.2.10.F. (Attic)*, attic is defined as the clear height between the underside of the finished ceiling or exposed framing, whichever is lower, and the finished floor.

Automobile Access Package. Pursuant to *Sec. 4C.2.1.C.1. (Automobile Access Packages)*, automobile access packages are defined as a combination of standards regulating automobile access between the public roadway and a lot.

Automobile Parking Stall. Pursuant to *Sec. 4C.4.1. (Automobile Parking Stalls)*, automobile parking stalls are defined as a space within a building, or a private or public parking area, exclusive of driveways, ramps, columns, office, and work areas, for the parking of one automobile. Automobile parking stalls do not include bicycle parking.

Automotive Repair Garage. For the purposes of *Sec. 13B.10.4. (Annual Inspection Monitoring (Type 2))*, automotive repair garage is defined pursuant to *Sec. 13B.10.4.A.3. (Definitions)* as any use described by the definition of: 1) motor vehicle services: light 2) motor vehicle services: heavy 3) or motor vehicle services: large vehicle per *Part 5D. (Use Definitions)*.

Avenue. Avenue is defined as any public right-of-way designated as an Avenue I, II, or III on the Citywide General Plan Circulation System maps of the *Circulation Element* of the *General Plan*.

Average Natural Slope. Average natural slope is defined as the average of the ungraded slopes at selected contours within a given parcel of land divided by its area as computed from either the City Engineer's topographic maps or a topographic map prepared by a registered civil engineer or land surveyor and meets all the standards in Sec. 14.2.18.A. (*Average Natural Slope*).

Awning Sign. Pursuant to Sec. 4C.11.6.C.1. (*Awning Sign*), awning sign is defined as a sign painted, sewn, or otherwise adhered to the material of an awning as an integrated part of the awning itself.

B

Base-Top Articulation. Pursuant to Sec. 3D.6.2. (*Base-Top Articulation*), base-top articulation is defined as a requirement composed of two separate and coordinated articulating elements designed to visually break a building facade up into two separately legible layers.

Base, Middle & Top Articulation. Pursuant to Sec. 3D.6.1. (*Base, Middle & Top Articulation*), base, middle & top articulation is defined as a requirement composed of three separate and coordinated articulating elements designed to visually break a building facade up into three separately legible layers.

Basement. Pursuant to Sec. 14.2.10.G. (*Basement*), basement is defined as an occupiable portion of a building located below the ground story.

Bee. Bee is defined as any stage of life of the common domestic honey bee (*Apis Mellifera*).

Beehive. Beehive is defined as a structure that houses a bee colony.

Belt Course. Pursuant to Sec. 3D.6.5.C.2. (*Belt Course*), belt course is defined as a horizontal course projecting beyond the face of the surrounding building facade often shaped to mark a division in the facade wall.

Bicycle Cage. Bicycle cage is defined as a locked bicycle parking area that has been fenced off to prohibit access by the general public, and contain bicycle racks that provide a means of securing the bicycle frame at two points to a securely anchored rack.

Bicycle Corral. Bicycle corral is defined as any on-street public bicycle parking space in which multiple short-term bicycle parking racks have been installed.

Bicycle Room. Bicycle room is defined as a locked bicycle parking area that has been walled off to prohibit access by the general public, and which, contain bicycle racks that provide a means of securing the bicycle frame at two points to a securely anchored rack.

Bicycle Share Dock. Bicycle share dock is defined as a device designed to receive a bicycle for locked storage as part of a system that directly rents bicycles on a short-term basis.

Bicycle Share Service Provider. Bicycle share service provider is defined as an entity operating a system that directly provides bicycles for rent on a short-term basis.

Bicycle Share Station. Bicycle share station is defined as a combination of multiple bicycle share docks, automated payment equipment, and related equipment associated with bicycle rentals on a short-term basis.

Bisecting Line. Bisecting line is defined as a line that equally divides the angle created by the projection of intersecting lot lines of a lot adjoining the street of a corner lot as illustrated in *Sec. 4C.11.3.D. (Measurement)*.

Block. Block is defined as a lot or grouping of lots with public ways on all sides.

Block Face. Block face is defined as any number of lots that have a primary street lot line adjacent to one side of a segment of private or a public street that lies between two other streets or alleys.

Bollard. Bollard is defined as an upright post consisting of a piece of timber, concrete, metal or similar material fixed firmly in an upright position intended to impede various forms of traffic or circulation.

Bonus Building Width. [forthcoming].

Bonus FAR. See bonus floor area.

Bonus Floor Area. Bonus floor area is defined as the bonus floor area ratio granted pursuant to *Sec. 2C.4.1.C.2. (Bonus)*.

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)*.

Booking Service. For the purposes of the *Home-Sharing Program (Sec. 5C.3.2.)*, booking service is defined pursuant to *Sec. 5C.3.2.B. (Definitions)* as any reservation or payment service provided by a person that facilitates a short-term rental transaction between a person and a prospective guest or transient user, and for which the person collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation or payment of services provided for the transaction.

Boulevard. Boulevard is defined as any public right-of-way designated as a Boulevard I or II on the Citywide General Plan Circulation System maps of the *Circulation Element* of the General Plan.

Build-To Depth. Pursuant to *Sec. 3C.1.2. (Build-To Depth)*, build-to depth is defined as the depth of the build-to zone starting at the minimum building setback and continuing inward for the maximum build-to depth for the full width of the lot.

Build-To Width. Pursuant to *Sec. 3C.1.3. (Build-To Width)*, build-to width is defined as the cumulative building width that shall occupy the build-to zone, relative to the width of the lot at the frontage lot line.

Build-To Zone. Build-to zone is defined as the area on a lot located behind the minimum frontage lot line building setback and continuing inward to the maximum build-to depth, and extending the full width of the lot.

Building. Building is defined as a covered and enclosed structure intended for human occupancy.

Building Break. Building break is defined as the minimum distance that structures are required to be separated in order to establish them as separate buildings.

Building Coverage. Pursuant to Sec. 2C.2.1. (*Building Coverage*), building coverage is defined as the percentage of lot area covered by buildings or structures.

Building Elevation. Building elevation is defined as an orthographic projection of the exterior face of a building, represented as a two-dimensional drawing of the building facade. Building elevations have an angle of elevation of zero degrees (horizontal).

Building Entrance. Building entrance is defined as a door providing access from the public realm to the interior of a building.

Building Envelope. Building envelope is defined as the physical barrier (including walls, roof, foundation, windows, and doors) that separates a building's interior from its exterior environment.

Building Facade. See facade.

Building Face. Building face is defined as the outer surface of a building facade, which would not include recesses or encroachments.

Building Footprint. Pursuant to Sec. 14.2.1. (*Building Footprint*), building footprint building is defined as the area of a lot occupied by a building, measured horizontally. Also referred to as "structure footprint".

Building Frontage. Building frontage is defined as the projection of the exterior walls upon the street used for street frontage, as measured perpendicular to the edge of the street. For walls that are not parallel to the street, the building frontage shall include the wall that, other than open parking stalls, has direct and unimpeded access to the street.

Building Module. Building module is defined as sub-areas of a building footprint used in the building module method to determine grade plane elevation. See Sec. 14.2.9.D. (*Grade Plane Elevation*).

Building Perimeter. Building perimeter is defined as the perimeter of a building footprint, See Sec. 14.2.1. (*Building Footprint*).

Building Permit. Building permit is defined as a permit obtained pursuant to Chapter IX. (*Building Regulations*), Sec. 91.106.1.1. (*Building Permit*) of this Code.

Building Permit Application. For the purposes of Sec. 15.4.3. (*Affordable Housing Linkage Fee*), building permit application is defined as plans submitted to the Department of Building and Safety pursuant to Sec. 13B.10.1.B.2. (*Vesting of Development Plan*).

Building Setback. Pursuant to *Sec. 2C.2.2. (Building Setback)*, building setback is defined as the area between a lot boundary and the minimum required setback, represented with a dotted white line and bounded by the buildable area.

Building Site. See lot.

Building Width. Pursuant to *Sec. 2C.5.1. (Building Width)*, building width is defined as the horizontal dimension of any building or collection of abutting buildings on a lot.

Bulkhead. Pursuant to *Sec. 3D.9.1.4.C.4. (Bulkhead)*, bulkhead is defined as a wall located beneath a display window on the ground story facade that elevates a window above the exterior finished grade and the interior finished floor surface.

C

California Coastal Act. California Coastal Act is defined by *California Public Resources Code, Div. 20. (California Coastal Act), Sec. 30000.*, et seq.

California Environmental Quality Act. The California Environmental Quality Act (CEQA), is defined pursuant to the *California Public Resources Code, Sec. 21000.* et seq. and the CEQA Guidelines.

California Native Plant Library. California native plant library is defined as a library of native plants maintained by the *Theodore Payne Foundation*.

California State Accessibility Standards. California state accessibility standards is defined by the provisions established in the *California Building Standards Code, Title 24. (Physical Access Regulations)*.

Caliper. Caliper is defined as the diameter measurement of the stem or trunk of nursery stock. For the measurement of caliper, see *Sec. 4C.6.4.D.10. (Caliper)*.

Calvo Exclusion Area. Calvo exclusion area is defined as the lots identified as being in a Calvo Exclusion Area, as established in *Sec. 1.5.7. (Coastal Zone Map)*.

Canes. Canes is defined as a primary stem which starts at a point not higher than 1/4 the height of the plant.

Caretaker Unit. Caretaker unit is defined as a dwelling unit designed for use solely by a watchman, manager, or caretaker (including their family) of a permitted use which requires 24-hour supervision and is located on the same lot with the permitted use.

Carpool. Carpool is defined as a vehicle carrying two to five persons to and from work on a regular schedule.

Categorically Excluded Development. For the purposes of *Sec. 13B.9.2 (Coastal Development Permit (Post-Certification))*, categorically excluded development is defined as a development, which is excluded from the Coastal Development Permit requirements pursuant to a categorical exclusion order adopted by the Coastal Commission that sets forth the specific categories of development

that qualify for the exclusion within a specific geographic area, and which establishes that those categories of development in the specified geographic areas will have no potential for significant adverse effects, either individually or cumulatively on coastal resources or on public access to or along the coastline.

Cemetery. Pursuant to *Sec. 5D.3.1. (Cemetery)*, cemetery is defined by *California Health and Safety Code, Sec. 7003. (Definitions)*. A cemetery includes columbarium, crypt, and mausoleum facilities integrated within a burial ground. This use does not include crematoriums, for such uses see *Sec. 5D.6.10. (Postmortem Services)*.

CEQA Clearance. CEQA clearance is defined as any determination, finding or certification authorized or required under CEQA to approve a project in compliance with CEQA. CEQA Clearances include, but are not limited to, (i) a determination that an approval does not require CEQA review, in whole or in part, either due to the applicability of an exemption or because the City action is not a project, (ii) a finding that the City may adopt a Negative Declaration or a Mitigated Negative Declaration, (iii) the certification of an Environmental Impact Report, or (iv) a finding that a project was adequately assessed in a prior adopted Negative Declaration or certified Environmental Impact Report, including through the use of an addendum.

CEQA Guideline. CEQA guideline is defined by *California Code of Regulations, Title 14, Chapter 3, Sec. 15000, et seq.*

Certificate of Appropriateness. For the purposes of *Historic Preservation (Div. 13B.8.)*, certificate of appropriateness is defined as an approved certificate issued for the construction, additions over established thresholds outlined in *Sec. 13B.8.4. (Review of Conforming Work)*, demolition, reconstruction, alteration, removal, or relocation of any publicly or privately owned building, structure, landscaping, natural feature, or lot within a Historic Preservation Overlay Zone that is identified as a contributing element in the historic resources survey for the zone, including street features, furniture or fixtures.

Certificate of Compatibility. For the purposes of *Historic Preservation (Div. 13B.8.)*, certificate of compatibility is defined as an approved certificate issued for the construction of a new building or structure on a lot, demolition, or building replacement of an element, identified as noncontributing, or not listed, in the historic resources survey for the zone.

Certificate of Occupancy. Certificate of Occupancy is defined as a certificate issued by the Department of Building and Safety in accordance with *Chapter IX. (Building Regulations), Sec. 91.109. (Certificate of Occupancy)* of this Code authorizing the use of land, a building or structure or portion thereof, or a trailer park or portion thereof. See *Sec. 1.4.2.C. (Certificate of Occupancy)*.

Chamfered Corner. Chamfered corner is defined as an architectural element at a corner of a building adjacent to a street intersection where a tertiary building face transitions between two otherwise intersecting primary building faces at an angle between 30 and 60 degrees measured from both primary building faces. For an illustrative example, see *Sec. 3C.1.3.C.2. (Standards)*.

Change of Use. Pursuant to *Sec. 14.2.15.B.6.a. (Change of Use)*, change of use is defined as work that includes a change or expansion in the permitted use of any portion of an existing building or lot from one use defined in *Part 5D. (Use Definitions)* to any other use defined in *Part 5D. (Use Definitions)*. Change of use does not include any temporary uses. For temporary uses, see *Sec. 14.2.15.B.7. (Temporary Use)*.

Character Frontage. Character frontage is defined as a Frontage District established in *Div. 3B.9. (Character Frontage District)*.

Citation. For the purposes of *Sec. 5C.3.2. (Home-Sharing Program)*, citation is defined as any enforcement citation, order, ticket or similar notice of violation, relating to the condition of or activities at a person's primary residence or property, issued by the Department of Building and Safety, Los Angeles Housing Department, Los Angeles Police Department, or Los Angeles Fire Department, including an Administrative Citation issued pursuant to *Chapter I. (General Provisions and Zoning)*, *Article 1.2. (Administrative Citations)* of this Code.

City. City is defined as the City of Los Angeles, California.

City Council. City Council is established by *City Charter, Sec. 200 (City Officers)*. See also *Sec. 13A.1.2. (City Council)*.

City Engineer. City Engineer is defined pursuant to *Article 6. (City Engineer)* of the LAAC.

City Hall Height Restriction. Pursuant to *Sec. 2C.4.4. (City Hall Height Restriction)*, City Hall height restriction is defined as a restriction to the vertical dimension of a building based on proximity and height relative to Los Angeles City Hall.

City Planning Commission. City Planning Commission is defined pursuant to *City Charter, Sec. 551. (City Planning Commission)*.

Civic Facility. Pursuant to *Sec. 5D.3.2. (Civic Facility)*, civic facility is defined as any publicly accessible facility that provides governmental or cultural services to the general public and is operated by or in partnership with a governmental institution. A civic facility includes a post office, civic center, community center, public museum, courthouse, government office, or library.

Civic Facility: Local. Pursuant to *Sec. 5D.3.2.A. (Civic Facility: Local)*, civic facility: local is defined as a civic facility that occupies no more than 50,000 square feet of total floor area. This use does not include similar uses that occupy more than 50,000 square feet of total floor area; for such uses see *Sec. 5D.3.2.B. (Civic Facility: Regional)*.

Civic Facility: Regional. Pursuant to *Sec. 5D.3.2.B. (Civic Facility: Regional)*, civic facility: regional is defined as a civic facility that occupies more than 50,000 square feet of total floor area. This use does not include similar uses that occupy 50,000 square feet or less of total floor area; for such uses see *Sec. 5D.3.2.A. (Civic Facility: Local)*.

Civic Fleet Services. Pursuant to *Sec. 5D.3.3. (Civic Fleet Services)*, civic fleet services include maintenance, storage, and management of government or publicly operated motor vehicles, such as school buses, municipal transit vehicles, emergency response vehicles, public utility vehicles,

or waste hauling vehicles, in service of any civic facility use. Where uses, such as dispatch, do not include motor vehicle maintenance or storage, they are allowed pursuant to Sec. 5D.3.2. (*Civic Facility*).

Clear Depth. Clear depth is defined as the horizontal dimension of the occupiable portion of a building or structure at the narrowest point.

Clear Height. Clear height is defined as the vertical dimension of the occupiable portion of a building or structure at the shortest point.

Clear Width. Clear width is defined as the horizontal dimension of the occupiable portion of a building or structure at the narrowest point (unless otherwise noted).

Coastal Bluff. For the purposes of Sec. 13B.9.2. (*Coastal Development Permit (Post-Certification)*), coastal bluff is defined as the upper termination of a bluff, cliff, or seacliff. In cases where the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff face, the bluff line or edge shall be defined as that point nearest the cliff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the cliff. In a case where there is a steplike feature at the top of the cliff face, the landward edge of the topmost riser shall be taken to be the cliff edge. The termini of the bluff line, or edge along the seaward face of the bluff, shall be defined as a point reached by bisecting the angle formed by a line coinciding with the general trend of the bluff line along the inland facing portion of the bluff. The minimum length of bluff line or edge used in making these determinations is 500 feet.

Coastal Development. For the purposes of Sec. 13B.9.2. (*Coastal Development Permit (Post-Certification)*), coastal development is defined as any of the following on land, in or under water: the placement or erection of any solid material or structure; the discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; the grading, removing, dredging, mining or extraction of any materials; any change in the density or intensity of use of land, including, but not limited to, subdivisions pursuant to the *Subdivision Map Act (commencing with California Government Code, Sec. 66410)*, and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of the land by a public agency for public recreational use; any change in the intensity of use of water or of access to the water; construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations, which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the *Z'bergNejedly Forest Practice Act of 1973 (commencing with Sec. 4511 of the Public Resources Code)*.

Coastal Zone. For the purposes of Sec. 13B.9.2. (*Coastal Development Permit (Post-Certification)*), coastal zone is defined as that land and water area specified on the maps cited in Sec. 30103 of the *Public Resources Code*, extending seaward to the State's outer limit of jurisdiction, including all offshore islands, but with some additional criteria for special areas as specified in Sec. 30103.5 and 30166 of the *Public Resources Code*.

Collection Bin. Collection bin is defined as any box, canister, receptacle, or other container that can be opened and closed, and is used for collecting salvageable personal property, including, but not limited to, clothing, shoes, books, and household items for periodic off-site processing and/or redistribution. For purposes of this definition, salvageable personal property shall not include recyclable materials not intended for re-use, including, but not limited to, newspapers, plastic, glass, aluminum, electronics, toxic or hazardous materials, and solid waste; nor any personal property that, because of its size, does not fit inside the collection bin. See *Sec. 13B.10.3.A.2. (Definitions)*.

Collector Street. Collector street is defined as any public right-of-way designated as a collector street on the Citywide General Plan Circulation System maps of the *Circulation Element* of the *General Plan*.

Commercial Message. For the purposes of *Sec. 4C.11.1.E.3. (Original Art Murals, Vintage Original Art Murals & Public Art Installations)*, commercial message means any message that advertises a business conducted, services rendered, or goods produced or sold.

Commercial Vehicle. Commercial vehicle is defined as any vehicle, excluding household moving rental trucks and utility rental trailers, which when operated upon a highway is required to be registered as a commercial vehicle by the Vehicle Code of the State of California, or by any other jurisdiction, and that is used or maintained for the transportation of persons for hire, compensation, or profit, or designed, used, or maintained primarily for the transportation of property.

Commercial/Industrial Conversion Project. For the purposes of *Div. 11.5. (Condominiums, Community Apartments, & Stock Cooperatives)* commercial/industrial conversion project is defined as an existing building used exclusively for commercial or industrial purposes, or both, proposed for conversion to a condominium or stock cooperative to be used exclusively for commercial or industrial purposes, or both through approval of a tract map or parcel map. For purposes of this definition, the term existing means that the building was constructed prior to 1945, or if it was built after 1945, a Certificate of Occupancy was issued for the building prior to the time of map application.

Commercial/Industrial to Residential Conversion Project. For the purposes of *Div. 11.5. (Condominiums, Community Apartments, & Stock Cooperatives)* commercial/industrial to residential conversion project is defined as an existing building used exclusively for commercial or industrial purposes, or both, proposed for conversion to a condominium, stock cooperative or community apartment to be used exclusively for residential purposes through approval of a tract map or parcel map. For purposes of this definition, the term existing means that the building was constructed prior to 1945 or, if it was built after 1945, a Certificate of Occupancy was issued for the building prior to the time of map application.

Commissary Kitchen. Pursuant to *Sec. 5D.6.2. (Commissary Kitchen)*, a commissary kitchen is defined as a kitchen facility used for cooking and preparing food to be primarily served and consumed off-site. This definition includes multi-tenant shared kitchen facilities, order fulfillment kitchens, and catering kitchen facilities. The following uses are allowed when incidental to the kitchen

facility: research and teaching facilities, commercial food processing, and order fulfillment pick-up lobbies.

Common Indoor Amenity Space. Pursuant to Sec. 2C.3.3.C.5. (*Common Indoor Amenity Space*), common indoor amenity space is defined as a type of amenity space that is covered or enclosed, is legally required to be open to all tenants of a building, is intended to create opportunities for social and recreational activity for tenants, and meets all of the standards in Sec. 2C3.3.C.5. (*Common Indoor Amenity Space*).

Common Lot Line. Pursuant to Sec. 14.2.12.B.3. (*Common Lot Line*), common lot line is defined as any lot line shared by multiple lots. Common lot lines include all side lot lines and rear lot lines and may include special lot lines in *Dual Frontage Districts (Div. 3B.8.)*.

Common Outdoor Amenity Space. Pursuant to Sec. 2C.3.3.C.1. (*Common Outdoor Amenity Space*), common outdoor amenity space is defined as a type of amenity space that is outdoors, open to all tenants of a building, and meets the standards of Sec. 2C.3.3.C.1. (*Common Outdoor Amenity Space*).

Community Apartment Project. Community apartment project is defined pursuant to *California Business and Professions Code, Sec. 11004*.

Community Assembly. Pursuant to Sec. 5D.3.8. (*Community Assembly*), community assembly is defined as any non-residential and not-for-profit facility that is oriented around an assembly space used primarily for the temporary gathering of people for a shared social purpose. Access to the general public may be limited based on association. Community assembly includes any place of worship, community meeting room, private club, event space, assembly hall, social club, or union hall.

Community Assembly: Local. Pursuant to Sec. 5D.3.8.A. (*Community Assembly: Local*), community assembly: local is defined as any community assembly use that includes an assembly space 2,000 square feet or less. This use does not include similar uses that occupy more than 2,000 square feet of total assembly space floor area, for such uses see Sec. 5D.3.8.B. (*Community Assembly: Regional*).

Community Assembly: Regional. Pursuant to Sec. 5D.3.8.B. (*Community Assembly: Regional*), community assembly: regional is defined as any community assembly use that includes an assembly space larger than 2,000 square feet. This use does not include similar uses that occupy 2,000 square feet or less of total assembly space floor area, for such uses see Sec. 5D.3.8.A. (*Community Assembly: Local*).

Community Care Facilities. See community care facility.

Community Care Facility. Community care facility is defined as any place licensed by the State of California that is maintained and operated as a residential facility or as a social rehabilitation facility to provide non-medical residential care, day treatment, adult day care, or foster family agency services for persons in need of services, supervision, or assistance essential for sustaining the activities of daily living, as defined in the *California Health and Safety Code, Sec. 1502 (a)*.

(Definitions). The term includes halfway house, non-medical assisted living, and substance abuse treatment operation. For residential community care facility see *Sec. 5D.2.4.A. (Supportive Housing: General)*. For non-residential community care facility see *Sec. 5D.3.10. (Social Services)*.

Community Plan Implementation Overlay. Community Plan Implementation Overlay is defined as a zoning overlay adopted for a community plan area, which provides supplemental development regulations by defined subareas, which may include, public benefits incentives programs available, amount of floor area awarded for public benefits incentives programs, applicable local affordable housing incentive program sets, and development standards. See *Sec. 8.2.2. (Community Plan Implementation Overlay)*.

Condominium. Condominium is defined pursuant to *California Civil Code, Chapter 1, Sec. 783*.

Contributing Element. For the purposes of *Div. 13.B.8. (Historic Preservation)*, contributing element is defined as any building, structure, landscaping, natural feature identified on the historic resources survey as contributing to the Historic significance of the Historic Preservation Overlay Zone, including a building or structure which has been altered, where the nature and extent of the alterations are determined reversible by the historic resources survey.

Controlled Drilling Site. Controlled drilling site is defined as that particular location within an oil drilling district in an urbanized area upon which surface operations for the drilling, deepening, or operation of a hole or well associated with an oil, gas, or hydrocarbon well, or any incidental operation are permitted subject to the conditions prescribed by written determination by the Zoning Administrator.

Conversion Project. For the purposes of *Article 11. (Division of Land)*, a conversion project is an existing building proposed for conversion to a condominium, stock cooperative, or community apartment through approval of a tract map or parcel map. For purposes of this definition, the term existing means that the building was constructed prior to 1945 or, where built after 1945, a Certificate of Occupancy was issued for the building prior to the time of map application. Conversion project includes residential conversion project, residential to commercial/industrial conversion project, and commercial/industrial to residential conversion project.

Corner Lot. Corner lot is defined as a lot situated at the intersection of two or more streets having an angle of intersection of not more than 135 degrees.

Covered. Pursuant to *Sec. 14.2.2.A.1. (Covered)*, covered is defined as a space or structure with less than 25 percent of its area open to the sky.

Covered Area. Pursuant to *Sec. 14.2.2. (Covered Area (%))*, covered area is defined as the measurement of how open an occupiable space is to the sky.

Cultural. For the purposes of *Historic Preservation (Div. 13B.8.)*, cultural is defined as anything pertaining to the concepts, skills, habits, arts, instruments or institutions of a given people at any given point in time.

Cultural Heritage Commission. Cultural Heritage Commission is defined pursuant to *Article 1. (Cultural Heritage Commission)* of the LAAC.

D

Day Laborer. Day laborer is defined as any person who offers themselves to be hired as a laborer for a day, or some other temporary basis.

Decision Maker. Decision maker is defined as the agency or official charged with rendering a formal decision on an application subject to *Article 13. (Administration)*. For the purposes of *Sec. 13B.11.1. (Environmental Review Procedures)*, see *Sec. 13B.11.1.D.2. (Decision Maker)*.

Dedication of Land. Dedication of land is defined as a conveyance of land in fee simple or as an easement by its owner for public uses, reserving to themselves no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

Demolition. Pursuant to *Sec. 14.2.15.B.8. (Demolition)*, demolition is defined as the removal of an entire structure or building. For the purposes of *Div. 13B.8. (Historic Preservation)*, demolition is defined as the removal of more than 50 percent of the perimeter wall framing, the removal of more than 50 percent of the roof framing, or the substantial removal of the exterior of a facade in the Street-Visible Area.

Density Bonus. Density bonus is defined as a density increase 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)*.

Department. Department is defined as the Department of City Planning, unless otherwise indicated. See *City Charter, Sec. 550. (Powers and Duties of the Department)*.

Department of Building and Safety. The Department of Building and Safety is defined pursuant to *Sec. 22.20. (The Department)* of the LAAC.

Department of City Planning. Department of City Planning is defined pursuant to *City Charter, Sec. 550. (Powers and Duties of the Department)*.

Designated Historic Resource. Designated historic resource is defined as a building, structure, object, landscaping element, or natural feature listed or designated as a historic resource, either individually, 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.

Destroyed. Destroyed is defined as damaged so as to not be habitable, or having lost 75 percent of replacement value, as determined by the Department of Building and Safety.

Detention Facility. Pursuant to *Sec. 5D.3.4. (Detention Facility)*, detention facility is defined as any facility where persons are incarcerated, or otherwise involuntarily confined under the jurisdiction and custody of a governmental entity. Detention facilities include correctional facilities and penal institutions.

Development. For the purposes of *Sec. 13B.9.1. (Coastal Development Permit (Pre-Certification))*, development is defined as: on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of the use of land, including, but not limited to, subdivisions pursuant to the *Subdivision Map Act (commencing with Sec. 66410. of the California Government Code)*, and any other division of land, including, but not limited to, parcel maps and private street divisions, lot splits, lot reconfigurations, and mergers, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the *Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Sec. 4511 of the California Public Resources Code)*. As used in this definition, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Development Project. For the purposes of *Article 15. (Fees)*, development project is defined as any activity involving or requiring the issuance of a building permit that results in additional housing units, additional non-residential floor area, additional single-family residential floor area, or a change of use from non-residential to residential.

Digital Display. Digital display is defined as a sign face, building face, or any building or structural component that displays still images, scrolling images, moving images, or flashing images, including video and animation, through the use of grid lights, cathode ray projections, light emitting diode displays, plasma screens, liquid crystal displays, fiber optics, or other electronic media or technology that is either independent of, attached to, integrated into, or projected onto a building or structural component, and that may be changed remotely through electronic means.

Direct Access. Direct access is defined as the ability of a person to move to and from a facility or space, without necessitating travel through any intermediate space.

Director. Director is defined as the Director of the Department of City Planning, or the Director's designee. See *Sec. 13A.1.6. (Director of Planning)*.

Disaster. For the purposes of *Sec. 13B.9.2. (Coastal Development Permit (Post-Certification))*, disaster is defined as fire, flood, wind, earthquake, or other natural or man-made disaster.

Distance. Pursuant to *Sec. 14.2.3.A.1. (Distance)*, distance is defined as the amount of space between two points.

District Boundary Height Transition. Pursuant to *Sec. 2C.6.2. (District Boundary Height Transition)*, district boundary height transition is defined as a reduction in the maximum height of a building for a limited depth where abutting districts have substantially lower height allowances.

Divided-Lite. Divided-lite is defined as separate pieces of glass glazed between muntin bars.

Domestic Use. Domestic use is defined as for use or consumption within the household that cultivates, manufactures, or generates a good. Domestic use includes goods gifted outside of the household provided there is no reciprocal or monetary exchange.

Drilling & Production Site in the Los Angeles City Oil Field Area. Drilling & Production site in the Los Angeles City oil field area is defined as locations within an oil drilling district in the Los Angeles City Oil Field Area upon which surface operations for the drilling, deepening or operation of a hole or well associated with an oil, gas, or hydrocarbon well, or any operation incident thereto, are subject to the conditions prescribed by written determination by the Zoning Administrator.

Drip Line. Drip line is defined as a line which may be drawn on the ground around a tree, directly under its outermost branch tips, and which identifies that location where rainwater tends to drip from the tree.

Drive Aisle. Drive aisle is defined as an access lane in a parking area that accommodates vehicle circulation and access to parking stalls. Drive aisle may accommodate one-way or two-way vehicle traffic, depending on the drive aisle width provided in accordance with *Sec. 4C.4.3. (Parking Area Design)*.

Drive-Through Facilities. Pursuant to *Sec. 4C.2.2.C.3. (Drive-Through Facilities)*, a drive-through facility is defined a facility that provides goods or services to drivers in vehicles. Drive-through facilities include drive-through lanes consisting of queuing spaces.

Drive-Through Facility. See drive-through facilities.

Drive-Through Lane. A drive-through lane is defined as an automobile lane providing access to a service window through which goods or services are provided directly to drivers in vehicles.

Driveway. A driveway is defined as a space along a roadway that is designed to accommodate vehicle access to a drive aisle on a lot. Driveways are formed by a sloping break or cut in the curb along the roadway to allow a vehicle to drive over the curb and into the lot.

Dual Frontage. Pursuant to *Div. 3B.8. (Dual Frontages)*, apply frontage standards along special frontage lot lines, in addition to primary and side street lot lines, on lots where multiple frontage lot lines are prioritized for a prescribed set of design and activation standards.

Dwelling. Pursuant to *Sec. 5D.2.1. (Dwelling)*, a dwelling is defined as a housing accommodation serving as a primary residency or having an occupancy of greater than 30 consecutive days. A dwelling includes household dwelling unit, efficiency dwelling unit, and group dwelling.

Dwelling Unit. A dwelling unit is defined as a habitable residential unit serving as a residency having an occupancy of greater than 30 days consecutively.

Dwelling Units Per Lot. Pursuant to *Sec. 6C.1.1. (Dwelling Units Per Lot)*, dwelling units per lot is defined as the maximum number of dwelling units allowed on a lot.

E

Easement. Easement is defined as a non-possessory right given to a person or entity to use another's property for a limited purpose, such as for access to other properties.

Eating & Drinking. Pursuant to *Sec. 5D.6.3. (Eating & Drinking)*, eating & drinking is defined as the sale of prepared, ready-to-consume meals or drinks for consumption by the public.

Eating & Drinking: Alcohol Service. Pursuant to *Sec. 5D.6.3.A. (Eating & Drinking: Alcohol Service)*, eating & drinking: alcohol service is a use that involves the serving and dispensing of alcoholic beverages primarily for consumption on-site. Eating & drinking: alcohol service includes the provision of alcoholic beverages to customers in a dining setting, while gathered at a bar or tasting room, or in conjunction with another use, such as an entertainment venue, stadium, hotel, indoor recreation, brewery or distillery. This use does not include the sale of alcoholic beverages for off-site consumption, without prepared food orders, for such uses see *Sec. 5D.6.12.B. (Retail: Alcohol)*.

Eating & Drinking: General. Pursuant to *Sec. 5D.6.3.A. (Eating & Drinking: General)*, eating & drinking: general is defined as an eating & drinking use that involves serving and sale of prepared food and drinks for on or off-site consumption. Eating & drinking: general uses includes table service at a restaurant, counter service for off-site consumption, and self-service cafeteria dining. This use does not include the dispensing of alcoholic beverages for consumption on-site, for such uses, see *Sec. 5D.6.3.B. (Eating & Drinking: Alcohol Service)*. This use does not include the sale of alcoholic beverages for off-site consumption, without prepared food orders, for such uses see *Sec. 5D.6.12.B. (Retail: Alcohol)*.

Efficiency Dwelling Unit. Efficiency dwelling unit is defined as a dwelling unit serving as a residency having an occupancy of greater than 30 days consecutively, and that contains only one habitable room, is limited to 455 square feet in floor area, may include a kitchenette, but may not include a full kitchen. The dwelling unit may include an exterior entry or an entry from a common interior corridor.

Electric Vehicle Charging Station. An electric vehicle charging station is defined as one or more electric vehicle charging spaces served by an electric vehicle charger or other charging equipment allowing charging of electric vehicles.

Elevation. Elevation is defined as the position or location of something along a vertical direction above or below a given vertical datum.

Elevation Projection. Elevation projection is defined as an orthographic projection of the exterior face of a building, represented as a two-dimensional drawing of the building facade. Elevation projections have an angle of elevation of zero degrees (horizontal).

Eligible Tenant. For the purposes of *Div. 11.5. (Condominiums, Community Apartments, & Stock Cooperatives)*, eligible tenant is defined as any tenant who was a resident of the property both on the date of tentative tract map or preliminary parcel map application and the date of approval of such map, or at any time after that, and who does not intend to purchase a unit in the conversion project.

Emergency. For the purposes of *Sec. 13B.9.2. (Coastal Development Permit (Post-Certification))* emergency is defined as a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

Enclosed. Pursuant to *Sec. 14.1.4.A.1. (Enclosed)*, an enclosed space is considered to be enclosed when the perimeter of the space has an enclosure of at least 66.7 percent.

Enclosure. Pursuant to *Sec. 14.1.4. (Enclosure)*, enclosure is defined as the measurement of how closed off an occupiable space is to its surroundings.

End Stall. An end stall is defined as the last parking stall in a row, beyond which the drive aisle does not continue.

Entertainment Venue, Indoor. Pursuant to *Sec. 5D.6.4. (Entertainment Venue, Indoor)*, entertainment venue, indoor is defined as any indoor assembly use designed or intended for entertainment, includes live music venues, performing arts theaters, movie theaters, dance clubs, comedy clubs, karaoke lounges, and banquet halls.

Entertainment Venue, Indoor: Local. Pursuant to *Sec. 5D.6.4.A. (Entertainment Venue, Indoor: Local)*, entertainment venue, indoor: local is defined as any entertainment venue, indoor use designed for an assembly capacity of less than 3,000 persons. For entertainment venue, indoors designed for an assembly capacity of 3,000 or greater, see *Sec. 5D.6.4.B. (Entertainment Venue, Indoor: Regional)*. This use does not include activities established in *Sec. 5D.6.13. (Sexually Oriented Business)*. For the inclusion of alcoholic beverages for on-site consumption, see *Sec. 5D.6.3.B. (Eating & Drinking: Alcohol Service)*.

Entertainment Venue, Indoor: Regional. Pursuant to *Sec. 5D.6.4.B. (Entertainment Venue, Indoor: Regional)*, entertainment venue, indoor: regional is defined as any entertainment venue, indoor use designed for an assembly capacity of 3,000 persons or greater. For entertainment venue, indoors designed for an assembly capacity of less than 3,000 persons, see *Sec. 5D.6.4.A. (Entertainment Venue, Indoor: Local)*. This use does not include activities established in *Sec. 5D.6.13. (Sexually Oriented Business)*. For the inclusion of alcoholic beverages for on-site consumption, see *Sec. 5D.6.3.B. (Eating & Drinking: Alcohol Service)*.

Entrance Spacing. Pursuant to *Sec. 3C.5.1.C.2. (Entrance Spacing)*, entrance spacing is defined as the distance between street-facing entrances meeting the standards of *Sec. 3C.5.1.C.1. (Street-Facing Entrance General Standards)*.

Entry Feature. Pursuant to *Sec. 3C.5.2. (Entry Feature)*, entry features are defined as improved design standards applied to each entrance along the public realm.

Entry Feature Option. Pursuant to Sec. 3C.5.2.C.2. (*Entry Feature Options*), entry feature options are defined as packages of design standards applied to each entrance along the public realm.

Environmentally Sensitive Habitat Area. For the purposes of Sec. 13B.9.2. (*Coastal Development Permit (Post-Certification)*) an Environmentally Sensitive Habitat Areas (ESHA) is defined as any officially mapped area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could easily be disturbed or degraded by human activities and developments, and any area identified as a wetland, an environmentally sensitive habitat or as a sensitive coastal resource area, in a certified local coastal program, a certified land use plan or a certified Specific Plan.

Equine. Equine is defined as any horse, pony, donkey, burro, or mule which is 12 months of age or older, and is issued a current Equine License by the City Department of Animal Services. An animal which is under 12 months of age, and is the offspring of or is unweaned and being nursed by a female equine lawfully kept on the property where said animal is kept, shall not be considered an equine.

Evaluation Of Non-Compliance. Pursuant to Sec. 13B.6.1. (*Evaluation Of Non-Compliance*), evaluation of non-compliance is the procedure to modify, discontinue, or revoke any discretionary zoning approval where needed to remedy non-compliance with the conditions of any conditional use or similar quasi-judicial approvals.

Existing Building. An existing building is defined as a building lawfully constructed and completed under a building permit, if a building permit was required.

Existing Grade. Existing grade is defined as the grade prior to grading.

Existing Uses. An existing use is defined as any use enumerated in this Zoning Code (Chapter 1A) for which any lot or portion of a lot is used at the time the property is first classified in a zone, or subsequently allowed through Div. 13B.3. (*Ministerial Action*), Div. 13B.1. (*Legislative Action*), or Div. 13B.2. (*Quasi-Judicial Review*).

Extended Home-Sharing. For the purposes of Sec. 5C.3.2.B.4. (*Extended Home-Sharing*), extended home-sharing is defined as home-sharing that is permitted for an unlimited number of days in a calendar year.

Exterior Face. Exterior face is defined as the outermost surface of any object such as a window, wall, or building.

Exterior Material Option. Pursuant to Sec. 3D.10.3. (*Exterior Material Options*), exterior material option is defined as building products allowed for use as primary or accessory exterior wall finish material.

Exterior Modification. Pursuant to Sec. 14.2.15.B.5. (*Exterior Modification*), exterior modification is defined as work to the exterior of a building or structure.

Exterior Wall. Exterior wall is defined as any wall which forms the envelope of a building, separating its interior from its exterior.

Extremely Low Income Household. A extremely low income household is a household whose annual income, adjusted for family size, does not exceed 30 percent of the area median income as designated for this category in *California Health and Safety Code, Sec. 50106*.

F

Facade. Facade is defined as the above-grade, non-roof portions of the exterior building envelope, which includes cornices, bay windows or architectural projections, of any exterior wall of a building.

Facade Area. Facade area is defined as any surface area of a facade.

Facade Modification. Pursuant to *Sec. 14.2.15.B.5.a. (Facade Modification)* facade modification is an exterior modification that includes a change to a building facade involving a modification of its existing design or outward appearance.

Facade Plane. See Building Face.

Faces. See facing.

Facing. Pursuant to *Sec. 14.2.6. (Facing)*, facing is defined as the exterior portions of a structure that are exposed to a specified object or site element.

Feasible. For the purposes of *Sec. 13B.9.1. (Coastal Development Permit (Pre-Certification))* and *Sec. 13B.9.1.A.1. (Definitions)*, feasible is defined as capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

Fence. A fence is defined as a constructed vertical barrier of wood, masonry, wire, metal, or other manufactured material, or combination of materials erected to enclose, screen, or separate areas. A fence differs from a wall in not having a solid foundation along its entire length.

Fill. Pursuant to *LAMC Chapter IX. (Building Regulations), Sec. 91.7003. (Definitions)*, fill is defined as a deposit of earth material placed by artificial means.

Final Map. A final map is defined as a map prepared in accordance with the provisions of *Article 11. (Division of Land)*, and the Subdivision Map Act subject to e recordation with the Los Angeles County Recorder upon final approval by the City.

Final Tract Map. See final map.

Financial Services. Pursuant to *Sec. 5D.6.5. (Financial Services)*, financial services is defined as professional services involving the investment, lending, or management of money and assets in a publicly accessible setting rather than a private office setting. For private office settings, see *Sec. 5D.6.9. (Office)*.

Financial Services: Alternative. Pursuant to *Sec. 5D.6.5.B. (Financial Services: Alternative)*, financial services: alternative is defined as financial services uses involving for-profit lending facility offering

small, unsecured, short-term loans, such as bail bonds, or a use that primarily consists of check cashing services for a fee, or any business where articles of personal property may be left as security in exchange for a loan of money. Financial services: alternative include pawnshops, precious metal buyback centers, short-term credit lenders, and title loan centers. This use does not include remittance services, for such uses see *Sec. 5D.6.5. (Financial Services: General)*.

Financial Services: General. Pursuant to *Sec. 5D.6.5.A. (Financial Services: General)*, financial services: general is defined as financial services uses that provide retail banking services. Financial services: general include only those institutions engaged in the transfer and circulation of money, such as banks and credit unions. For uses such as check-cashing businesses and payday lenders, see *Sec. 5D.6.5.B. (Financial Services: Alternative)*.

Finished Floor Elevation. Finished floor elevation is defined as the elevation of the uppermost surface of the structural floor.

Finished Grade. Finished grade is defined as the final grade of the lot which conforms to the approved plan, or where no grading work is proposed, the existing grade.

Fire Protection. For the purposes of *Article 11. (Division of Land)*, fire protection is defined as such fire hydrants and other protective devices as required by the Chief Engineer of the Fire Department.

First Public Road Paralleling the Sea. For the purposes of *Sec. 13B.9.2. (Coastal Development Permit (Post-Certification))*, first public road paralleling the sea is defined as that road nearest to the sea, as defined in *Sec. 30115 of the Public Resources Code*, which: (a) is lawfully open to uninterrupted public use and is suitable for that use; (b) is publicly maintained; (c) is an improved, all-weather road open to motor vehicle traffic in at least one direction; (d) is not subject to any restrictions on use by the public except when closed due to an emergency or when closed temporarily for military purposes; and (e) does, in fact, connect with other public roads, providing a continuous access system, and generally parallels and follows the shoreline of the sea to include all portions of the sea where the physical features, such as bays, lagoons, estuaries and wetlands cause the waters of the sea to extend landward from the generally continuous coastline.

Flatwork. For the purposes *Sec. 14.2.5.A. (Horizontal Encroachments)*, flatwork is defined as constructed objects 30 inches in height or less, measured from finished grade. Examples of flatwork may include, but are not limited to: pavement, sidewalk, multi-use path, patio, low deck, or stairs or ramps 30 inches in height or less.

For the purposes of *Sec. 14.2.5.B. (Vertical Encroachments)*, flatwork is defined as constructed objects 30 inches in height or less. Examples of flatwork may include, but are not limited to: decking, walkways, patios, or planters.

Flood Hazard. Flood hazard is defined as a hazard to land or improvements due to overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.

Floor Area. Pursuant to *Sec. 14.2.7. (Floor Area)*, floor area is defined as the cumulative amount of interior floor space on a lot, within a room, or within a covered and enclosed space.

Floor Area Ratio. Pursuant to Sec. 2C.4.1. (*Floor Area Ratio (FAR)*), floor area ratio or FAR is defined as the measurement of the total floor area of all buildings on a lot in relation to the size of the lot.

Focal Entry Feature. Pursuant to Sec. 3D.8.3. (*Focal Entry Feature*), focal entry features are design standards applied to enhance the primary entrance of a building frontage.

Focal Entry Feature Option. Pursuant to Sec. 3D.8.3.C.2. (*Focal Entry Feature Options*), focal entry feature options refer to packages of design standards options applied to enhance the primary entrance of a building frontage.

Food & Drink Preparation Area. Food & drink preparation area is defined as all floor area within an eating & drinking use where employees prepare food or beverages or are reserved for employee use, including kitchens, bartender stations, dishwashing facilities, storage, refrigeration closets, employee office, and break rooms.

Footcandle. Pursuant to Sec. 4C.10.1.D. (*Measurement*), a footcandle is a unit of illuminance. One footcandle is equivalent to one lumen per square foot and shall be measured using a light meter.

Foundation Inactive Wall Treatment Alternatives. Pursuant to Sec. 3C.4.2.E.3. (*Foundation Inactive Wall Treatment Alternatives*), foundation inactive wall treatment alternatives are defined as permanent design improvements located between exposed foundation walls and the public realm, designed to improve visual interest and the pedestrian experience.

Foundation Wall. A foundation wall is defined as any above-grade portion of a facade located below the finished ground story.

Freeway. Pursuant to Sec. 8.3.2. (*Freeway*), freeway is defined as any property owned by the California Department of Transportation (Caltrans) that is used for highway purposes.

Freight Loading Area. Pursuant to Sec. 4C.2.2.C.2. (*Freight Loading Areas*), freight loading area is defined as areas designated for the on-site loading and unloading of freight vehicles.

Freight Railway Facility. Pursuant to Sec. 5D.5.2. (*Freight Railway Facility*), a freight railway facility is defined as any railway facility accommodating the transportation of cargo by train on a railway network. Freight railway facilities include freight railway track networks and accompanying railway yards, stations, and maintenance facilities. This use does not include cargo transfer between vehicles; for such uses see Sec. 5D.5.3. (*Freight Transfer Facility*).

Freight Transfer Facility. Pursuant Sec. 5D.5.3. (*Freight Transfer Facility*), freight transfer facility is defined as a facility intended for the transshipment of freight between different modes of transport, including ship transport, rail transport, and road transport, and accompanying warehousing used in connection with such activities. This use does not include the storage of empty cargo containers; for such uses; see Sec. 5D.7.5.E. (*Storage, Outdoor: Cargo Container*).

Frequency. Pursuant to Sec. 14.2.8. (*Frequency*), frequency is defined as the rate at which something occurs or is repeated over a given distance.

Front Yard. Pursuant to *Sec. 14.2.16.B.1. (Front Yard)*, a front yard is the area between a primary street lot line and an imaginary line running parallel to the primary street lot line. The imaginary line shall be drawn 15 feet back from the portion of the primary street lot line-facing facade nearest to the primary street lot line, measured perpendicularly to the lot line.

Frontage Lot Line. Pursuant to *Sec. 14.2.12.B.1. (Frontage Lot Line)*, a frontage lot line is any lot line that triggers *Frontage District (Part 3B.)* requirements. Frontage lot lines include all primary street lot lines and side street lot lines.

Frontage Planting Area. Pursuant to *Sec. 3C.3.1. (Frontage Planting Area)*, a frontage planting area is defined as the area in a frontage yard designated and designed for plants.

Frontage Screen. Pursuant to *Sec. 4C.8.1. (Frontage Screens)*, a frontage screen is defined as a device or combination of elements, including fences, walls, trees and other plants, along a frontage lot line that conceals, obstructs or protects the public realm from adjacent uses, activities, or site elements.

Frontage Screen Type. Pursuant to, *Sec. 4C.8.1.C.2. (Frontage Screen Types)*, frontage screen types are defined as packages of standards for required frontage screens.

Frontage Yard. Pursuant to *Sec. 14.2.16.C.1. (Frontage Yard)*, frontage yard is defined as a category of yards referring to all yards that abut a frontage lot line, including front yards, side street yards, and special yards.

Frontage Yard Fence & Wall. Pursuant to *Sec. 3C.3.2. (Frontage Yard Fence & Wall)*, frontage yard fence & wall is defined as fences, walls, and hedges that are allowed in a frontage yard.

Frontage Yard Fence & Wall Type. Pursuant to *Sec. 3C.3.2.C.2. (Frontage Yard Fence & Wall Types)*, frontage yard fence & wall types refer to a package of standards, specified by the applied *Frontage District (Part 3B.)*, that applies to fences, walls, and hedges located in a frontage yard.

Fueling Station. Pursuant to *Sec. 5D.7.2. (Fueling Station)*, a fueling station is defined as any use dedicated to the sale and dispensing of vehicle fuel.

Fueling Station: Large Vehicle. Pursuant to *Sec. 5D.7.2.B. (Fueling Station: Large Vehicle)*, fueling station: large vehicle is defined as any fueling station dedicated to dispensing fuel for large vehicles. Large vehicles include vehicles possessing three or more axles, such as trailer trucks, construction vehicles, motor homes, and recreation vehicles.

Fueling Station: Standard Vehicle. Pursuant to *Sec. 5D.7.2.A. (Fueling Station: Standard Vehicle)*, fueling station: standard vehicle is defined as any fueling station dedicated to dispensing fuel for standard vehicles. Standard vehicles include vehicles possessing two or fewer axles, such as cars, motorcycles, sport utility vehicles, pickup trucks, and vans.

Full-service Grocery Store. Full-service grocery store is defined as a retail store which stocks a minimum inventory in the following food groups and non-perishable items: fresh and frozen meats and poultry; canned, fresh, and frozen fruits and vegetables; dairy products; cereals; canned

fish; bread products; infant food and formula; shampoo; pain medication; diapers; and feminine hygiene products.

Fully Shielded Luminaire. Fully shielded luminaire is defined as a luminaire that allows no light emission above a horizontal plane through the luminaire.

Future Street or Alley. Future street or alley is defined as any real property which the owner has offered for dedication to the City for street or alley purposes, but which has been rejected by the City Council, subject to the right of the City Council to rescind its action and accept by resolution at any later date and without further action by the owner, all or part of the property as a public street or alley.

G

General Commercial Use. Pursuant to *Div. 5D.6. (General Commercial Uses)*, general commercial uses are defined as uses that involve business activity serving the general public, including retail, professional and personal services, hospitality, and entertainment.

General Plan. The General Plan is the City's comprehensive framework that sets forth policies, goals, and objectives to guide the physical development of the City, while outlining the vision and priorities of the City. It consists of 11 citywide elements in addition to a Land Use Element, composed of 34 Community Plans. The General Plan serves as the legal basis for all land use policy decisions. Preparation and maintenance of the General Plan is mandated by the State, pursuant to *California Government Code, Title 7. (Planning and Land Use), Sec. 65300*.

General Plan Land Use Designation. General Plan Land Use Designations are designations established in Appendix A to the *Framework Element*, which broadly identifies intensities, densities, heights, and general uses allowed where the designations are mapped on the General Plan Land Use Map, and implemented through the corresponding zoning districts from the Zoning Code, as shown in correspondence tables in Appendix A or as otherwise provided in the community plan.

Gore-Shaped Lot. A gore-shaped lot is defined as an irregularly shaped lot that includes an angle of 65 degrees or less between intersecting lot lines.

Grade. Grade is defined as the elevation or contour of the ground surface of a lot.

Grade Plane. See grade plane elevation.

Grade Plane Elevation. Pursuant to *Sec. 14.2.9. (Grade Plane Elevation)*, grade plane elevation is defined as a reference plane, representing the average elevation of the existing ground level adjoining a building and its exterior walls, from which the height of a building or structure shall be measured.

Grading. Grading is defined as any cut or fill, combination of cut and fill, or recompaction of soil, rock, or other earth materials.

Grocery Store. For the purposes of *Article 15. (Fees)*, grocery store is defined as a project that is for a retail use of which greater than 1/2 of the floor area is devoted to the sale of food items intended for consumption or use off the premises, excluding alcoholic beverages.

Ground Floor. Pursuant to *Sec. 14.2.10.C. (Ground Floor)*, ground floor is defined as the finished floor elevation of the ground story.

Ground Floor Elevation. Pursuant to *Sec. 3C.6.2. (Ground Floor Elevation)*, ground floor elevation is defined as the finished floor height associated with the story of a building having its finished floor elevation nearest to the finished grade.

Ground Story. Pursuant to *Sec. 14.2.10.A. (Ground Story)*, ground story is defined as the lowest story of a building meeting the criteria of either Continuous Ground Story (Typical) or Ground Story Modules pursuant to *Sec. 14.2.10. (Story)*, depending on site and building conditions.

Ground Story Facade. Pursuant to *Sec. 14.2.10.B. (Ground Story Facade)*, ground story facade is defined as the facade of the ground story for the full height of the ground story.

Ground Story Height. Pursuant to *Sec. 3C.6.1. (Ground Story Height)*, ground story height is defined as the floor-to-floor height of the story of a building having its finished floor elevation nearest to the finished grade.

Ground Story Inactive Wall Treatment Alternatives. Pursuant to *Sec. 3C.4.2.E.3. (Ground Story Inactive Wall Treatment Alternatives)*, ground story inactive wall treatment alternatives are permanent design improvements located between segments of ground story active wall and the public realm, designed to improve visual interest and the pedestrian experience.

Ground Story Windows. Ground story windows are defined as any windows on the ground story facade.

Ground Surface. Ground surface is defined as any hardscape or softscape surface which is at-grade and is exterior to any building.

Ground-Mounted Equipment. Ground-mounted equipment is defined as any mechanical equipment or utility equipment that is fixed to the ground at or below grade in order to serve a building or facility on the same site. See *Sec. 4C.12.2. (Ground-Mounted Equipment)* for applicable development standards.

H

Habitable Room. Habitable room is defined as an enclosed space in a residential building commonly used for living purposes, but not including any lobby, hall, closet, storage space, water closet, bath, toilet, slop sink, general utility room, kitchen area, or service porch. A recess from a room or an alcove (other than a dining area), or a mezzanine having 50 square feet or more of floor area, and located where it could be partitioned off to form a habitable room, shall be considered a habitable room.

Habitable Space. Habitable space is defined as any occupiable space designed and intended for living, sleeping, eating, or cooking. Restrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

Health Center. For the purposes of *Sec. 9.3.4.C.3. (Health Center Incentive Area)*, a health center is defined as a healthcare facility 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.

Hearing Officer. A hearing officer is defined as any Department of City Planning staff member conducting a public hearing on behalf of the Director or the City Planning Commission.

Heavy Commercial Use. Pursuant to *Div. 5D.7. (Heavy Commercial Uses)*, heavy commercial uses are defined as uses that involve the servicing and sale of motor vehicles, and businesses dedicated primarily to storage.

Heavy Industrial Use. Pursuant to *Div. 5D.9. (Heavy Industrial Uses)*, heavy industrial uses are defined as uses involving manufacturing, processing of animal products, waste, or extraction activities, which requires siting away from the general public due to potentially adverse impacts on the immediate surroundings.

Height in Feet. Pursuant to *Sec. 2C.4.2. (Height in Feet)*, height in feet is defined as the vertical dimension of a building or structure measured in feet.

Height in Stories. Pursuant to *Sec. 2C.4.3. (Height in Stories)*, height in stories is defined as the vertical dimension of a building measured in stories.

Heliport. Pursuant to *Sec. 5D.5.4. (Heliport)*, heliport is defined as any public-use, special-use, or personal-use airport, as defined by the *California Code of Regulations, Title 21. Sec. 3527. (Definitions)*, suitable only for use by helicopters.

High-Rise Sign 1. Pursuant to *Sec. 4C.11.6.C.2. (High-Rise Sign 1)*, a high-rise sign 1 is a sign located at least 100 feet above-grade and attached to the wall of a building.

High-Rise Sign 2. Pursuant to *Sec. 4C.11.6.C.3. (High-Rise Sign 2)*, a high-rise sign 2 is a sign located at least 100 feet above-grade and attached to the wall of a building within close proximity to the top of the building.

Hillside Area. Pursuant to *Sec. 1.5.6. (Hillside Area Map)*, a hillside area is defined as any area shown on the Hillside Area Map.

Historic. For the purposes of *Historic Preservation (Div. 13B.8.)*, historic is defined as any building, structure, landscaping, natural feature, or lot, including street features, furniture or fixtures, which depicts, represents or is associated with persons or phenomena which significantly affect or which have significantly affected the functional activities, heritage, growth or development of the City, state, or nation.

Historic Preservation Overlay Zone. For the purposes of *Historic Preservation (Div. 13B.8.)*, Historic Preservation Overlay Zone is defined as any area of the City containing buildings, structures, landscaping, natural features or lots having historic, architectural, cultural or aesthetic significance and designated as a Historic Preservation Overlay Zone.

Historic Resources Survey. For the purposes of *Historic Preservation (Div. 13B.8.)*, a Historic Resources Survey is a document which identifies all contributing and non-contributing buildings, structures and all contributing landscaping, natural features and lots, individually or collectively, including street features, furniture or fixtures, and which is certified as to its accuracy and completeness by the Cultural Heritage Commission.

Historic-Cultural Monument. Pursuant to *Sec. 22.171.10. (Procedures for Designation of Monuments)* of the LAAC, a Historic-Cultural Monument (HCM) is defined as any building, structure, landscaping, natural feature, or lot designated by the City as a City Historic-Cultural Monument.

Historical Property Contract. For the purposes of *Historic Preservation (Div. 13B.8.)*, a historical property contract is defined as a contract between an owner or owners of a Historical-Cultural Monument or a contributing element and the City, which meets all requirements of *Sec. 50281 and 50282 of the California Government Code* and *Sec. 19.140 et seq. of the LAAC*.

Historical Resource. As defined by *California Public Resources Code, Sec. 21084.1.*, and as determined by the Director, in consultation with the Office of Historic Resources, a historical resource means those resources that meet the definition of a historical resource in *Sec. 21084.1 (Historical Resources) of the Public Resources Code* and *Sec. 15064.5(a) (Determining the Significance of Impacts to Archaeological and Historical Resources)* of the CEQA Guidelines.

Horizontal Band Articulation. Pursuant to *Sec. 3D.6.3. (Horizontal Band Articulation)*, horizontal band articulation is defined as a continuous band of material running horizontally across a facade.

Horizontal Encroachment. Pursuant to *Sec. 14.1.5.A. (Horizontal Encroachments)*, a horizontal encroachment is defined as a structure or assembly that extends horizontally into a space where structures are typically prohibited.

Horizontal Illuminance. Horizontal illuminance is defined as the amount of light falling on a horizontal plane, as measured with a light meter in units of footcandles.

Hospital. Pursuant to *Sec. 5D.3.5. (Hospital)*, hospital is defined as an inpatient or outpatient healthcare facility that provides direct medical treatment to patients.

Hospital: Local. Pursuant to *Sec. 5D.3.5.A. (Hospital: Local)*, hospital: local is defined as an inpatient or outpatient acute or subacute care facility with a capacity of 100 or fewer beds that provides direct medical treatment to patients. This use does not include outpatient facilities not providing acute or sub-acute care, for such uses see *Sec. 5D.6.8. (Medical Clinic)*.

Hospital: Regional. Pursuant to *Sec. 5D.3.5.B. (Hospital: Regional)*, hospital: regional is defined as an inpatient acute care and sub-acute care facility with a capacity of more than 100 beds that provides direct medical treatment to patients. This use does not include inpatient facilities

providing sub-acute care with a capacity of fewer than 100 beds, for such uses see *Sec. 5D.3.5.A. (Hospital: Local)*.

Host. For the purposes of *Home-Sharing Program (Sec. 5C.3.2.)*, host is defined as an individual who is registered for home-sharing pursuant to *Sec. 5C.3.2. (Home-Sharing Program)*.

Hosting Platform. For the purposes of *Home-Sharing Program (Sec. 5C.3.2.)*, hosting platform is defined as a person that participates in short-term rental business by collecting or receiving a fee, directly or indirectly through an agent or intermediary, for conducting a booking service transaction using any medium of facilitation.

Household. Household is defined as one or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit.

Household Business. Pursuant to *Sec. 5D.2.2. (Household Business)*, a household business is a use that combines a dwelling with productive uses and entrepreneurial activities within a unit or building.

Household Business: Family Child Care. Pursuant to *Sec. 5D.2.2.A. (Household Business: Family Child Care)*, a household business: family child care is defined as the provision of non-medical care and supervision for children in the provider's primary residence for periods of less than 24 hours per day. No more than 14 children shall be in care, unless Use District standards specify otherwise. Any children under the age of 10 years who reside within the dwelling unit and are in care count toward the maximum number of children in care. This use shall comply with all regulations set forth in *California Health and Safety Code, Sec. 1597465. (Family Day Care Homes)*.

Household Business: Home Occupation. Pursuant to *Sec. 5D.2.2.B. (Household Business: Home Occupation)*, household business: home occupation is defined as the incidental use of a dwelling unit for the intent of conducting a business enterprise by a primary resident of the dwelling unit. Home occupation business enterprises are limited to instructional services, personal services, office uses, and industrial homework.

Household Business: Home-Sharing. Pursuant to *Sec. 5D.2.2.C. (Household Business: Home-Sharing)*, household business: home-sharing is defined as the use of a primary residence for lodging for periods of 30 days consecutively or less, and no more than 120 days annually. The use of a dwelling unit for home-sharing shall be in conjunction with a dwelling use. The use of a dwelling unit for home-sharing shall meet the registration and eligibility requirements pursuant to *Sec. 5C.3.2. (Home-Sharing Program)*.

Household Business: Joint Living & Work Quarters. Pursuant to *Sec. 5D.2.2.D. (Household Business: Joint Living & Work Quarters)*, household business: joint living & work quarters is defined as the adaptive reuse of a building or portion of a building, which is part of an adaptive reuse project, from commercial or industrial uses to household business: live/work use.

Household Business: Live/Work. Pursuant to *Sec. 5D.2.2.E. (Household Business: Live/Work)*, household business: live/work is defined as the combination of a dwelling unit with a work space designated for productive uses and entrepreneurial activities within a single dwelling unit.

Household Dwelling Unit. Household dwelling unit is defined as a dwelling unit serving as a residency having an occupancy of greater than 30 days consecutively, and that includes a kitchen or kitchenette.

Housing Development Project. As the term "housing development" is defined in subdivision (i) of *California Government Code, Sec. 65915.*, a development project with five or more dwelling units including mixed-use developments; and subdivisions or common interest developments as defined in *California Civil Code, Sec. 4100*.

Illuminated Canopy Sign. Pursuant to *Sec. 4C.11.6.C.4. (Illuminated Canopy Sign)*, an illuminated canopy sign is defined as a sign integrated into an enclosed internally illuminated canopy that is attached to the wall of a building.

In-Kind. In-kind is defined as a replacement with the same material type, design, dimension, texture, detailing, and exterior appearance.

Inclusionary Housing Project. Inclusionary housing project is defined as a project involving the construction of 10 or more dwelling units which is subject to the requirements established in *Sec. 5C.3.1. (Inclusionary Housing Program)*.

Individual with a Disability. For the purposes of *Reasonable Accommodation (Sec. 13B.5.5.)*, as defined under the Acts, individual with a disability is any person who has a physical or mental impairment that limits one or more major life activities, anyone who is regarded as having that type of impairment or, anyone who has a record of that type of impairment.

Indoor Recreation. Pursuant to *Sec. 5D.4.2. (Indoor Recreation)*, indoor recreation is defined as any indoor use providing sports, fitness, leisure, amusement, or recreational facilities. Indoor recreation includes the following uses when fully indoors: sports courts, health clubs, spas, fitness, martial arts, and dance studios, gymnasiums, aquatics centers, bowling alleys, billiard halls, gaming arcades, ice skating and roller rinks, skate parks, play facilities, and amusement rides.

Indoor Recreation: Commercial. Pursuant to *Sec. 5D.4.2.B. (Indoor Recreation: Commercial)*, indoor recreation: commercial is defined as any indoor recreational use owned or operated by a private or commercial entity. This use does not include associated spectator facilities with seating capacity greater than 500 seats, for such uses see *Sec. 5D.4.1. (Amphitheater or Stadium)*.

Indoor Recreation: Public. Pursuant to *Sec. 5D.4.2.A. (Indoor Recreation: Public)*, indoor recreation: public is defined as any indoor recreational use owned or operated by or in partnership with a public institution.

Industrial Homework. Industrial homework is the same as defined in *California Labor Code, Sec. 2650*.

Instructional Services. Pursuant to *Sec. 5D.6.6. (Instructional Services)*, instructional services are defined as any establishment primarily engaged in offering avocational or recreational educational courses to adults or children for the purposes of play, amusement, or relaxation, including

education offered for the intent of teaching the fundamentals, skills, or techniques of a hobby or activity. Includes establishments offering programs in art, cooking, drama, driving, language, music, sewing, tutoring, or other similar forms of self-improvement. For vocational and other educational uses, see *Sec. 5D.3.9. (School)*.

Integrated Parking. Integrated parking is defined as a parking structure within or attached to a building that is primarily used for a non-parking uses, such as residential or commercial uses. For a parking structure to be considered an integrated parking structure, the motor vehicle use area in a building shall not be greater than the floor area of the building.

Intensification of Use. Pursuant to *Sec. 14.1.15.B.6.b. (Intensification of Use)*, intensification of use is defined as work that increases the intensity of a use, such as an increase in dwelling units, seating capacity, or the number of people in care.

Interim Lodging Unit Housing Project. Interim lodging unit housing project is defined as the physical re-purposing or adaptation of an existing lodging unit, for use as supportive housing or transitional housing for persons experiencing homelessness or those at risk of homelessness.

Interior. Interior is defined as all enclosed and covered areas included within surrounding exterior walls of a building.

Interior Wall. Interior wall is defined as any wall which is within the building envelope and that is not separating the building's interior from its exterior.

Inundation. Inundation is defined as ponded water, or water in motion, of sufficient depth to damage property due to the presence of the water or to the deposit of silt.

J

Junior Accessory Dwelling Unit. See *Chapter I. (General Provisions and Zoning), Sec. 12.03. (Definitions)* of this Code.

K

Kitchen. Kitchen is defined as an area designed to be used for the preparation of food that includes a sink and has all of the following standards: 1) a refrigerator rough-in greater than 30 inches in width; 2) a gas connection or 240V electrical connection; 3) an oven and range; and 4) counter space in excess of 10 square feet.

Kitchenette. Kitchenette is defined as an area designed to be used for the preparation of food that includes a sink and meets all of the following standards: 1) a refrigerator rough-in 30 inches in width or less; 2) no gas connection or 240V electrical connection; 3) counter space 10 square feet or less.

L

Landing Platform. Landing platform is defined as the portion of a floor adjacent to an elevator, ramp, stair, or door, designed to provide a stable space to stand.

Landscaping. For the purposes of *Historic Preservation (Div. 13B.8.)*, landscaping is defined as the design and organization of landforms, hardscape, and softscape, including individual groupings of trees, shrubs, groundcovers, vines, pathways, arbors, etc. As the term is used in the remainder of this Zoning Code (Chapter 1A), landscaping is defined as any lot non-building structure features including; standalone fences and walls, site furniture, flatwork, ground treatments, vegetation, landforms, stormwater management features, outdoor lighting, water features, or outdoor access and circulation.

Large Species Tree. Large species tree is defined as a tree with a minimum 30-foot canopy spread at maturity.

Leachates. Leachates is defined as any liquid which has come into contact with or percolated through composting or curing materials and contains extracted or dissolved substances therefrom, or any other liquid which has been generated by the decomposition process.

Leader. Leader is defined as the tip of the main stem of a plant.

Light Industrial Use. Pursuant to *Div. 5D.8. (Light Industrial)*, light industrial uses are defined as uses involving the production, warehousing, or manufacturing of goods, materials, and products in an intensive manner that require a significant separation from residential and commercial districts.

Light Trespass. Light trespass is defined as light that falls beyond the property it is intended to illuminate.

Linkage Fee. Pursuant to *Sec. 15.4.3. (Affordable Housing Linkage Fee)*, linkage fee is defined as the fee assessed on certain development projects in order to mitigate the impact of the additional demand for affordable housing caused by such activity.

Living Wall. Living wall is defined as a system permanently attached to the exterior building facade, supporting vegetation with its growing medium and integrated irrigation system.

Loading Space. Loading space is defined as a designated space within a motor vehicle use area that accommodates the short-term parking of a vehicle for the purposes of loading and unloading passengers, goods, or materials.

Local Coastal Program. For the purposes of *Sec. 13B.9.1. (Coastal Development Permit (Pre-Certification))*, Local Coastal Program is the City's land use plans and other applicable general plan elements, zoning ordinances, zoning district maps, and proposed implementing actions, which when taken together, meet the requirements of, and implement the provisions and policies of, the California Coastal Act of 1976.

Local Public Agency. For purposes of *Sec. 9.4.1. (Permanent Supportive Housing Incentive Program)*, *Sec. 9.4.2. (Interim Conversions of Lodging Units Program)*, local public agency is defined

as an agency, identified on a list maintained by the Department of City Planning, that funds supportive housing and transitional housing for persons experiencing homelessness or at risk of homelessness.

Local Street. Local street is defined as any public right-of-way designated as a local street on the Citywide General Plan Circulation System maps of the *Circulation Element* of the General Plan.

Lodging. Pursuant to Sec. 5D.6.7. (*Lodging*), lodging is defined as commercial overnight accommodations for transient occupancy, often for periods of 30 consecutive days, or less. Lodging uses shall not serve as a primary residence. Lodging uses include, hotels, motels, hostels, and bed and breakfast establishments. This use does not include uses defined in Sec. 5D.2.2.C. (*Household Business: Home-Sharing*). For residential housing accommodations see Div. 5D.2. (*Residential Uses*).

Lodging Unit. Lodging unit is defined as any habitable room or rooms, designed or used for transient occupancy by a single party, often for a period of 30 consecutive days or less. Lodging units must be associated with the lodging commercial use.

Los Angeles City Oil Field Area. Pursuant to Sec. 8.2.4.B.3.d. (*Los Angeles City Oil Field Area*) is defined as all land in the City within the areas identified on the maps in Ord. No. 156,166 located in Council File No. 80-3951, and shall include all oil producing zones beneath those areas, but no deeper than the third zone beneath the surface of the earth.

Los Angeles Fire Department Equipment. Los Angeles Fire Department Equipment is defined as any equipment owned or installed for the use of the Los Angeles Fire Department.

Lot. Pursuant to Sec. 14.2.11. (*Lot*) a lot is defined as one or more parcels of land identified for the purpose of development and meets all the standards of Sec. 14.2.11. (*Lot*).

Lot Amenity Space. Pursuant to Sec. 2C.3.1. (*Lot Amenity Space*), lot amenity space is defined as an area on a lot designated to be used for active or passive recreation, including common outdoor amenity space, pedestrian amenity space, and public amenity space.

Lot Area. Pursuant to Sec. 2C.1.1. (*Lot Area*), lot area is defined as the amount of land area within the boundaries of a lot.

Lot Area Per Household Dwelling Unit. Pursuant to Sec. 6C.1.3. (*Lot Area per Efficiency Dwelling Unit*), lot area per efficiency dwelling unit is defined as the maximum number of efficiency dwelling units allowed on a lot based on lot area.

Lot Area Per Efficiency Dwelling Unit. Pursuant to Sec. 6C.1.2. (*Lot Area per Household Dwelling Unit*), lot area per household dwelling unit is defined as the maximum number of household dwelling units allowed on a lot based on lot area.

Lot Line. Lot line is defined as the legal boundaries of a lot, as determined pursuant to Sec. 14.2.12. (*Lot Line Determination*).

Lot Line-Facing Facade. Pursuant to *Sec. 14.2.6.B. (Lot Line-Facing Facade)*, lot line-facing facade is defined as the portions of any frontage applicable facade pursuant to *Sec. 3A.2.2.C.3. (Frontage Applicable Facades)* having no permanent structure (not including fences or walls) located between the building facade and a common lot line.

Lot Modification. Pursuant to *Sec. 14.2.15.B.3. (Lot Modification)*, lot modification is defined as the modification of the lot lines of any existing lot through the Subdivision Map Act and *Article 11. (Division of Land)*, including the division of land as defined in *California Government Code, Title 7. (Planning and Land Use), Sec. 66424.*

Lot Tie. Lot tie is defined as a legally binding covenant to hold multiple lots as one.

Lot Width. Pursuant to *Sec. 2C.1.2. (Lot Width)*, lot width is defined as the length of primary street lot lines bounding a lot.

Low Impact Development. Low impact development refers to the Low Impact Development (LID) program, which establishes requirements for stormwater and urban runoff control. The program is administered by LA Sanitation and Environment (LASAN) and is authorized by *Chapter VI., Sec. 64.72. (Stormwater and Urban Runoff Pollution Control Measures for Development Planning and Construction Activities)* of this Code.

Low Income Household. A low income household is a household whose annual income, adjusted for family size, does not exceed 80 percent of the area median income as designated for this category in the *California Health and Safety Code, Sec. 50079.5.*

Lower Income Household. A lower income household is a household whose annual income, adjusted for family size, does not exceed 80 percent of the area median income as designated for this category in *California Health and Safety Code, Sec. 50079.5.* Lower income households includes very low income households and extremely low income households.

Luminaire. Pursuant to *Sec. 4C.10.1. (Outdoor Lighting)*, luminaire is defined as the complete lighting unit (fixture), consisting of a lamp or lamps, and ballasts (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

M

Machine Shop. Pursuant to *Sec. 5D.8.1. (Machine Shop)*, a machine shop is defined as any facility engaged in the maintenance, repair, custom fabrication and finishing of products, parts, props, equipment, or machinery primarily using metal and woodworking machinery and tools. This use does not include the servicing of consumer goods when occupying less than 3,000 square feet in area; for such uses see *Sec. 5D.6.10. (Personal Services)*. This use does not include motor vehicle repair and maintenance; for such uses see *Sec. 5D.7.1. (Motor Vehicle Services)*. This use does not include the fabrication of heavy machinery used for manufacturing, motor vehicles, aircraft or watercraft; for such uses see *Sec. 5D.9.2.A. (Manufacturing, Heavy: General)*.

Main Traveled Roadway of a Freeway. Main traveled roadway of a freeway is defined as the portion of a freeway, including interchange roadways connecting one freeway with another, which is designed for the movement of large volumes of vehicular traffic, efficiently and safely at high speed. Does not include service roadways, landscape areas, or ingress or egress ramps connecting the freeway with other streets.

Maintenance & Repair. Pursuant to *Sec. 14.2.15.B.9. (Maintenance & Repair)*, maintenance & repair is defined as work that does not qualify as a site modification, major remodel, exterior modification or new construction, and does not impact the project's ability to meet any applicable zoning requirements. Replacement of deteriorated or damaged parts of a building is considered maintenance & repair; however, in a Character Frontage District, CPIO, Conservation District, or Historic Preservation Overlay Zone, direct replacement may have additional requirements and processes. Maintenance & repair includes repair of site components such as restriping existing parking stripes, resealing parking lots, pothole repair, or replanting plants.

For the purposes of *Historic Preservation (Div. 13B.8.)*, maintenance & repair is defined as any work done to correct the deterioration, decay of, or damage to a building, structure or lot, or any part thereof, including replacement in-kind where required, and which does not involve a change in the existing design, materials, or exterior paint color.

Major Remodel. Pursuant to *Sec. 14.2.15.B.2. (Major Remodel)*, major remodel is defined as work that includes significant removal, disassembly, or replacement of a building or structure or portions of a building or structure that does not add to or change the building footprint and meets the standards in *Sec. 14.2.15.B.2. (Major Remodel)*.

Major Transit Stop. Pursuant to *California Public Resources Code, Sec. 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.

Majority. For the purposes of *Article 13. (Administration)*, majority is defined as a majority number of the members of the respective body, not the majority of members present.

Manager Unit. See caretaker unit.

Manufacturing, Heavy. Pursuant to *Sec. 5D.9.2. (Manufacturing, Heavy)*, manufacturing, heavy is defined as any heavy industrial use involving the making or processing of materials or components into finished products.

Manufacturing, Heavy: Chemical Products. Pursuant to *Sec. 5D.9.2.B. (Chemical Products)*, manufacturing, heavy: chemical products is defined as any manufacturing, heavy use producing basic chemicals or manufacturing products by predominantly chemical processes. Includes, but is not limited to, production of acid, alkali, organic chemical, salt, dry color, pigment, synthetic fiber, fertilizer, explosives, or paint. This use does not include those uses defined in *Sec. 5D.9.2.C. (Manufacturing, Heavy: Petroleum & Coal Products)*.

Manufacturing, Heavy: General. Pursuant to Sec. 5D.9.2.A. (*Manufacturing, Heavy: General*), manufacturing, heavy: general is defined as manufacturing that requires significant health, safety, or environmental precautions due to potential adverse impacts from the manufacturing process on immediate surroundings. This use includes, but is not limited to, the manufacturing of heavy machinery, motor vehicles, aircraft and watercraft, primary metal products, wood or paper products, metal fabrication, or manufacturing involving the processing, mixing, or refinement of inorganic raw materials. This use does not include those uses defined in Sec. 5D.9.2.B. (*Manufacturing, Heavy: Chemical Products*). This use does not include those uses defined in Sec. 5D.9.2.C. (*Manufacturing, Heavy: Petroleum & Coal Products*).

Manufacturing, Heavy: Petroleum & Coal Products. Pursuant to Sec. 5D.9.2.C. (*Manufacturing, Heavy: Petroleum & Coal Products*), manufacturing, heavy: petroleum & coal products is defined as any manufacturing, heavy use that processes petroleum, coal, plastic, or rubber materials into products, including the refining of petroleum, gas, or other hydrocarbons.

Manufacturing, Light. Pursuant to Sec. 5D.8.3. (*Manufacturing, Light*), manufacturing, light is defined as any light industrial use involving the making or processing of materials or components into new products.

Manufacturing, Light: Alcoholic Beverage. Pursuant to Sec. 5D.8.3.B. (*Manufacturing, Light: Alcoholic Beverage*), manufacturing, light: alcoholic beverage is defined as any manufacturing, light use where beer, wine, or other alcoholic beverages are fermented, distilled, and/or processed for distribution and sale on a wholesale basis. For retail sale of any alcoholic beverage, see Sec. 5D.6.12.B. (*Retail: Alcohol*).

Manufacturing, Light: Artistic & Artisanal. Pursuant to Sec. 5D.8.3.C. (*Manufacturing, Light: Artistic & Artisanal*), manufacturing, light: artistic & artisanal is defined as a small-scale manufacturing, light use where skilled craftspersons are integral to the creation of each product, materials, substances, or components, and may include, but are not limited to the use of hand tools or light mechanical equipment such as commercial mixers, sewing machines, wax melters, bottle sealers, paste filling machines, and button press machines. Manufacturing, light: artistic & artisanal uses are less than 5,000 square feet in area, for such uses larger than 5,000 square feet in area see Sec. 5D.8.2. (*Manufacturing, Light: General*).

Manufacturing, Light: Cosmetic & Pharmaceutical. Pursuant to Sec. 5D.8.2.D. (*Manufacturing, Light: Cosmetic & Pharmaceutical*), manufacturing, light: cosmetic & pharmaceutical is defined as any manufacturing, light use where cosmetics, soaps, or pharmaceutical drugs are produced. This use includes, but is not limited to, manufacturing of makeup products, deodorants, shampoos, hair dyes, perfumes, skin moisturizers, medications, or supplements.

Manufacturing, Light: Electronics. Pursuant to Sec. 5D.8.2.E. (*Manufacturing, Light: Electronics*), manufacturing, light: electronics is defined as any manufacturing, light use involved in the manufacturing or assembly of computer or electronic products, electrical equipment, appliances, fixtures, or electronic product components. This use includes testing and repair incidental to the product or component assembly.

Manufacturing, Light: Food & Drink. Pursuant to Sec. 5D.8.3.F. (*Manufacturing, Light: Food & Drink*), manufacturing, light: food & drink is defined as any manufacturing, light use where food or drink products are processed or manufactured. The food and beverage products manufactured in these facilities are typically sold to wholesalers or retailers for distribution to consumers. This use includes, but is not limited to, the processing and packaging of the following: sodas & juices, coffee & tea, ice, dairy products, fruit, nut, & vegetable products, grain & oilseeds, baked or fried goods, sugar and confectionery products, animal food, and tobacco products. This use includes food & drink products composed of previously rendered animal products. This use does not include meat processing, the rendering of animal products, or animal slaughtering, for such uses see Sec. 5D.9.1. (*Animal Products Processing*). This use does not include breweries, distilleries, and wineries, for such uses see Sec. 5D.8.2.B. (*Manufacturing, Light: Alcoholic Beverage*).

Manufacturing, Light: Garment & Accessory. Pursuant to Sec. 5D.8.3.G. (*Manufacturing, Light: Garment & Accessory*), manufacturing, light: garment & accessory is defined as any manufacturing, light use involving the cutting, stitching or assembly of materials to produce finished clothing, footwear, and accessories. Specific activities include, but are not limited to, sewing of finished textiles, printing or stenciling of designs on garments, assembly of accessories or footwear, or the knitting of finished garments. This use does not include those uses defined in Sec. 5D.8.2.H. (*Manufacturing, Light: Textile*).

Manufacturing, Light: General. Pursuant to Sec. 5D.8.2.A. (*Manufacturing, Light: General*), Manufacturing, light: general is defined as the manufacturing of finished goods intended to be sold as consumer goods to the general public, including devices and instruments used in a workplace. This use includes, but is not limited to, the manufacturing and assembly of the following: medical equipment and supplies; semiconductors and electronic instruments; signs and printed material; musical instruments; jewelry; toys; furniture; crates; boxes; and barrels. This use does not include those uses defined in Sec. 5D.9.2.A. (*Manufacturing, Heavy: General*).

Manufacturing, Light: Textile. Pursuant to Sec. 5D.8.3.H. (*Manufacturing, Light: Textile*), manufacturing, light: textile is defined as any manufacturing, light use involving mechanized production of fibers and fabrics used to create materials for the production of garments and accessories. Specific activities include, but are not limited to, textile spinning, weaving, dying, printing, or finishing. This use does not include those uses defined in Sec. 5D.8.2.G. (*Manufacturing, light: Garment & Accessory*).

Marquee Sign. Pursuant to Sec. 4C.11.6.C.5. (*Marquee Sign*), a marquee sign is defined as a sign attached to the periphery of a marquee.

Mayor. Mayor is defined pursuant to Sec. 200. (*City Officers*) of the *City Charter*.

Mechanical Equipment. Mechanical equipment is defined as any building mechanical services equipment including heating, cooling, and ventilation equipment; electrical systems, plumbing or piping; or any sustainable energy systems.

Mechanical Exhaust Outlet. Mechanical exhaust outlet is defined as any pneumatic conveyor or port which expels any air or gas as part of the function of any building mechanical systems.

Medical Clinic. Pursuant to *Sec. 5D.6.8. (Medical Clinic)*, medical clinic is defined as an outpatient healthcare facility that provides direct medical, dental, or therapeutic services to patients. This use does not include healthcare facilities providing acute, subacute or inpatient healthcare; for such uses see *Sec. 5D.3.8.A. (Hospital: Local)* and *Sec. 5D.3.8.B. (Hospital: Regional)*.

Mezzanine. Pursuant to *Sec. 14.2.10.H. (Mezzanine)*, mezzanine is defined as an intermediate level within a story of a building.

Mineral & Ore Extraction. Pursuant to *5D.9.6. (Mineral & Ore Extraction)*, mineral & ore extraction is defined as any use engaged in the extraction of metallic minerals, nonmetallic minerals, or other natural compounds. This use includes the exploration or development of any lot for such purposes, and any preparation of those resources until the point of shipment from the producing property. This use includes metal ore mining, nonmetallic mineral mining, and quarrying. This use does not include extraction, recovery, or production of oil, natural gas, or any other hydrocarbon materials, for these activities see *Sec. 5D.9.7. (Oil, Gas, or Hydrocarbon Well)*.

Ministerial Action. See ministerial decision.

Ministerial Decision. Ministerial decision is defined as a decision based on the non-discretionary application of objective standards. See *Sec. 13A.2.1.B. (Procedural Categories)*.

Mobile Home. Mobile home is defined as a structure transportable in one or more sections, designed and equipped to be used as a dwelling unit or accessory dwelling unit. This structure shall comply with all applicable provisions of the *California Health and Safety Code, Div. 13. (Housing), Part 2. (Manufactured Housing)*. The term "mobile home" shall not include a factory-built home, recreational vehicle, or commercial coach.

Mobile Home Park. Pursuant to *Sec. 5D.2.3. (Mobile Home Park)*, mobile home park is defined as any lot or portion of a lot used to provide rental or lease sites for two or more individual manufactured homes, mobile homes, or park trailer used to provide housing accommodations.

Model Dwelling. Model dwelling is defined as a structure designed to be temporarily used as an example of a dwelling unit which have been built or are proposed to be built in the same subdivision or multiple unit development. See *Sec. 11.1.3.M. (Model)*.

Moderate Income Household. A moderate income household is a household whose annual income, adjusted for family size, does not exceed 120 percent of the area median income as designated for this category in *California Health and Safety Code, Sec. 50093*.

Module. Module is defined as each of a set of parts or independent units that can be used to construct, or as a construct for, a more complex system. See *Sec. 14.2.10.A.2. (Ground Story Modules)*. See *Sec. 2C.4.3. (Height in Stories)*. See *Sec. 14.2.9.D. (Building Module Method)*.

Monument. For the purposes of *Div. 13B.8. (Historic Preservation)*, monument is defined as any building, structure, landscaping, natural feature, or lot designated as a City Historic-Cultural Monument.

Monument Sign. Pursuant to Sec. 4C.11.6.C.6. (*Monument Sign*), monument sign is defined as a freestanding sign which is wholly independent of a building for support, erected directly upon the original grade or finished grade, or that is raised no more than 12 inches from the grade to the bottom of the sign.

Motor Vehicle. Motor vehicle is the same as defined in the *Code of Federal Regulations, Title 40., Sec. 85.1703. (Definition of Motor Vehicle)*.

Motor Vehicle Sales & Rental. Pursuant to Sec. 5D.7.3. (*Motor Vehicle Sales & Rental*), motor vehicle sales & rental is defined as any heavy commercial use that sells, rents, or leases motor vehicles.

Motor Vehicle Sales & Rental: Household Moving Truck Rental. Pursuant to Sec. 5D.7.3.C. (*Motor Vehicle Sales & Rental: Household Moving Truck Rental*), motor vehicle sales & rental: household moving truck rental is defined as any motor vehicle sales & rental use involving the rental of household moving rental trucks or utility trailers. This use does not include the outdoor storage of vehicles that do not comprise an establishment's rental inventory, for such uses see, Sec. 5D.7.5.C. (*Storage, Outdoor: Large Vehicle*).

Motor Vehicle Sales & Rental: Large Vehicle. Pursuant to Sec. 5D.7.3.B. (*Motor Vehicle Sales & Rental: Large Vehicle*), motor vehicle sales & rental: large vehicle is defined as any motor vehicle sales & rental use involving indoor or outdoor display of three or more new or used large vehicles for sale, rental, or lease. Large vehicles include vehicles possessing three or more axles, such as trailer trucks, construction vehicles, motor homes, and recreational vehicles, in addition to recreational boats and watercraft. This use does not include the outdoor storage of vehicles that do not comprise an establishment's sale or rental inventory, for such uses see, Sec. 5D.7.5.C. (*Storage, Outdoor: Large Vehicle*).

Motor Vehicle Sales & Rental: Standard Vehicle. Pursuant to Sec. 5D.7.3.A. (*Motor Vehicle Sales & Rental: Standard Vehicle*), motor vehicle sales & rental: standard vehicle is defined as any motor vehicle sales & rental use involving indoor or outdoor display of three or more new or used standard vehicles for sale, rental, or lease. Standard vehicles include vehicles possessing two or fewer axles, such as cars, motorcycles, sport utility vehicles, pickup trucks, and vans. This use does not include the outdoor storage of vehicles that do not comprise an establishment's sale or rental inventory, for such uses see, Sec. 5D.7.5.B. (*Storage, Outdoor: Standard Vehicle*).

Motor Vehicle Services. Pursuant to Sec. 5D.7.1. (*Motor Vehicle Services*), motor vehicle services are defined as a use involving the diagnosing of malfunctions, repair, or maintenance of motor vehicles.

Motor Vehicle Services: Car Wash. Pursuant to Sec. 5D.7.1.D. (*Motor Vehicle Services: Car Wash*), motor vehicle services: car wash is defined as any motor vehicle services use engaged in cleaning, washing, or waxing of motor vehicles, such as passenger cars, trucks, vans, and trailers. This use does not include wash facilities for large vehicles, for such uses see Sec. 5D.7.1.C. (*Motor Vehicle Services: Large Vehicle*).

Motor Vehicle Services: Heavy. Pursuant to *Sec. 5D.7.1.B. (Motor Vehicle Services: Heavy)*, motor vehicle services: heavy is defined as any motor vehicle services use involving auto body repair or rebuilding, painting, or servicing of standard motor vehicles. This use includes the repair or rebuilding of a vehicle's frame, roof, doors, fenders, bumpers, hood, trunk, automobile painting, and electric vehicle battery reconditioning and replacement.

Motor Vehicle Services: Large Vehicle. Pursuant to *Sec. 5D.7.1.C. (Motor Vehicle Services: Large Vehicle)*, motor vehicle services: large vehicle is defined as any motor vehicle services use performed for large vehicles, classified for this purpose as a vehicle having three or more axles, such as trailer trucks, construction vehicles, motor homes, and recreation vehicles.

Motor Vehicle Services: Light. Pursuant to *Sec. 5D.7.1.A. (Motor Vehicle Services: Light)*, motor vehicle services: light is defined as any motor vehicle services use involving the mechanical or electrical repair, diagnosis, maintenance or servicing of standard motor vehicles. This use includes automotive emissions testing; electrical diagnostic, battery testing, and charging; tire removal, replacement, and repair; mechanical adjustment; oil change; lubrication; sound system or alarm service and installation; and window repair. This use does not include uses defined in the following Sections: *Sec. 5D.7.1.B. (Motor Vehicle Services: Heavy)*, *Sec. 5D.7.1.C. (Motor Vehicle Services: Large Vehicle)*, or *Sec. 5D.7.1.D. (Motor Vehicle Services: Car Wash)*.

Motor Vehicle Use Area. Pursuant to *Sec. 4C.2.2. (Motor Vehicle Use Area)*, motor vehicle use area is defined as portions of a lot designed and intended for use by motor vehicles, including areas to be used by motor vehicles for circulation, maneuvering, loading, staging, queuing, service areas and areas to be used for the sale or storage of motor vehicles.

Movable Tiny House. See *Chapter I. (General Provisions and Zoning)*, *Sec. 12.03. (Definitions)* of this Code.

Multi-Story Building. Multi-story building is defined as a building with one or more stories constructed above the ground story.

N

Native Plant. Native plant is defined as any plant species listed on *Calscape* as occurring in the South Coast region.

Natural Feature. For the purposes of Div 13B.8. (Historic Preservation), natural feature is defined as any significant tree, plant life, geographical or geological feature identified individually or collectively on the historic resources survey as contributing to the cultural or historic significance of the Historic Preservation Overlay Zone.

Nature Reserve. Pursuant to *Sec. 5D.4.3. (Nature Reserve)*, nature reserve is defined as an area managed so as to protect its flora, fauna, and physical features. Nature reserve includes ecological preserve, marine preserve, natural resource preserve, and water conservation area.

New Construction. Pursuant to *Sec. 14.2.15.B.1. (New Construction)*, new construction is defined as work that includes the construction of a new building or structure on a lot, whether structurally detached or attached from other existing buildings or structures on the lot. New construction includes an addition to or relocation of an existing building or structure, or the relocation of existing floor area, to another location on the lot, or to any other lot. Relocation of existing buildings or structures includes any activity that lifts any portion of the building or structure off of its foundation. New construction does not include ground mounted signs or wall mounted signs.

Non-Contributing Element. For the purposes of *Div. 13B.8. (Historic Preservation)*, non-contributing element is defined as any building, structure, natural feature, lot, or landscaping, that is identified in the historic resources survey as a non-contributing element, or not listed in the historic resources survey.

Non-Solid Area. Pursuant to *Sec. 14.2.4.A.5. (Non-Solid Area)*, non-solid area is defined as the portions of the perimeter planes along the perimeter of a space that have no permanent structure or component obstructing the space from its surroundings. For the purpose of measuring the enclosure of a space, portions of the perimeter plane are considered non-solid area where no permanent structure or component is located within five feet of the perimeter plane, measured perpendicular to the perimeter plane and away from the subject space.

Non-Urbanized Area. Pursuant to *Sec. 8.2.4.B.2.a. (Non-Urbanized Area)*, non-urbanized area is defined as all those portions of the City which the City Planning Commission or City Council has determined will not be detrimentally affected by the drilling, maintenance, or operation of oil, gas, or hydrocarbon wells. In making its determination, the City Planning Commission, or the City Council on appeal, shall give due consideration to the amount of land subdivided, the physical improvements, the density of population, and the zoning of the district.

Nonconforming. See nonconforming lot, nonconforming structure, nonconforming use, nonconforming sign, or nonconforming yard.

Nonconforming Building. See nonconforming structure.

Nonconforming Lot. Nonconforming lot is defined as a lot that conformed to the zoning regulations, if any, at the time it was established, but does not conform to current requirements of this Zoning Code (Chapter 1A). See *Sec. 12.8.2. (Lot Area)*.

Nonconforming Sign. Nonconforming sign is defined as a sign that conformed to the zoning regulations, if any, at the time it was established, but does not conform to current requirements of this Zoning Code (Chapter 1A). See *Sec. 12.4.2. (Sign Exceptions)*.

Nonconforming Structure. Nonconforming structure is defined as a structure that conformed to the regulations, if any, at the time it was established, but does not conform to current requirements of this Zoning Code (Chapter 1A). See *Div. 12.1. (General Nonconforming Provisions)*.

Nonconforming Use. Nonconforming use is defined as a use that conformed to the zoning regulations, if any, at the time it was established, but does not conform to current requirements of this Zoning Code (Chapter 1A). See *Div. 12.5.1. (Use Exceptions)*.

Nonconforming Yard. Nonconforming yard is defined as an existing yard that conformed to the zoning regulations, if any, at the time it was established, but does not conform to current requirements of this Zoning Code (Chapter 1A). See *Div. 12.1. (General Nonconforming Provisions)*.

O

Occupiable. See occupiable space.

Occupiable Space. Occupiable space is defined as any area designed and intended for human occupancy with a minimum clear height of seven feet.

Off-Site Sign. Pursuant to *Sec. 4C.11.3. (Off-Site Signs)*, off-site sign is defined as a sign that displays any message directing attention to a business, product, service, profession, commodity, activity, event, person, institution, or any other commercial message, which is generally conducted, sold, manufactured, produced, offered or occurs elsewhere than on the premises where the sign is located.

Office. Pursuant to *Sec. 5D.6.9. (Office)*, office is defined as any workspace accommodating administrative, creative and business services. Office uses may be operated independently or combined with other uses, provided each of the other uses is permitted and meets the applicable standards. An office use includes workspace accommodating the following activities: administrative, clerical, legal, accounting, design, consulting, graphics and sound editing, and dry lab research.

Oil Drilling District (O). An oil drilling district established pursuant to *Sec. 8.2.4. (Oil Drilling Districts)*.

Oil Well Class I or A. Oil well class I or A is defined as any well associated with an oil, gas, or hydrocarbon well drilled, conditioned arranged, used or intended to be used for the production of petroleum.

Oil Well Class II or B. Oil well class II or B is defined as any well associated with an oil, gas, or hydrocarbon well drilled, conditioned, arranged, used or intended to be used only for the subsurface injection into the earth of oil field waste, gases, water or liquid substances.

Oil, Gas, or Hydrocarbon Well. Pursuant to *Sec. 5D.9.7. (Oil, Gas, or Hydrocarbon Well)*, oil, gas, or hydrocarbon wells are defined as any well or hole already drilled, being drilled or to be drilled into the surface of the earth which is used or intended to be used in connection with coring or the drilling for prospecting for or producing petroleum, natural gas or other hydrocarbon substances, or is used or intended to be used for the subsurface injection into the earth of oil field waste, gases, water or liquid substances, including any such existing hole, well or casing which has not been abandoned in accordance with the requirements of *Chapter V. (Public Safety and Protection)*, *Sec. 57.5706.3.16. (Abandonment of Oil Wells)* and the mitigation monitoring program and well plugging and abandonment mitigation measures adopted with *Ordinance No. 187,709 (Oil and Gas Drilling Ordinance)*. This use does not include any well operated by a public utility regulated by the California Public Utilities Commission.

On-Site Sign. Pursuant to *Sec. 4C.11.4. (On-Site Signs)*, on-site sign is defined as a sign that is other than an off-site sign.

Opacity. Pursuant to *Sec. 14.2.13. (Opacity (%))*, opacity is defined as the degree to which an object or material is impervious to rays of light or obstructs visibility.

Open Space & Recreation Use. Pursuant to *Sec. 5D.4. (Open Space & Recreation)*, open space & recreational uses are defined as uses that provide opportunities for recreation, sport, and the enjoyment of open space and nature.

Open Space, Public. Pursuant to *Sec. 5D.4.4. (Open Space, Public)*, open space, public is defined as publicly accessible, outdoor areas for passive recreation, which include spaces such as parks, plazas, walking trails, lawns, and picnic benches.

Open to the Sky. Open to the sky is defined as having no intervening structure between the finished floor or ground surface and the sky.

Opposing Lot Line. Opposing lot line is defined as lot lines that do not intersect at any point. Determinations as to whether irregular lot lines are opposing shall be made in accordance with *Sec. 14.2.14. (Irregular Lot Lines)*.

Original Art Mural. Original art mural is defined as a one-of-a-kind, hand-painted, hand-tiled, or digitally printed image on the exterior wall of a building that does not contain any commercial message.

Outdoor Dining. Outdoor dining is defined as any covered or uncovered portion of an eating and drinking establishment which is unenclosed and which is used primarily for the consumption of food or drinks by the patrons of the eating and drinking establishment. Includes outdoor dining areas that are on or above the ground story. Does not include rooftop dining.

Outdoor Dining Area. Outdoor dining area is defined as any portion of any eating & drinking use on private property designed and intended for the service and consumption of food and drinks, that has less than 75 percent enclosure (regardless of covered area percentage), or less than 25 percent covered area (regardless of enclosure percentage).

Outdoor Display. Outdoor display is defined as any exhibition of goods for retail sale which are outdoors.

Outdoor Furniture. Pursuant to *Sec. 14.2.5.A.1.n. (Outdoor Furniture)*, outdoor furniture is defined as permanent or movable furniture not located within an enclosed space. Examples of outdoor furniture may include, but are not limited to: benches, tables, or bike or scooter parking racks.

Outdoor Recreation. Pursuant to *Sec. 5D.4.5. (Outdoor Recreation)*, outdoor recreation is defined as any outdoor use providing sports, fitness, leisure, amusement, or recreation facilities. Outdoor recreation includes the following uses when outdoors: sports courts and fields, aquatic centers, skate parks, play facilities, and amusement rides.

Outdoor Recreation: Commercial. Pursuant to Sec. 5D.4.5.B. (*Outdoor Recreation: Commercial*), outdoor recreation: commercial is defined as any outdoor recreational use owned or operated by a private or commercial entity. This use does not include associated spectator facilities with seating capacity greater than 500 seats, for such uses see Sec. 5D.4.1. (*Amphitheater or Stadium*).

Outdoor Recreation: Golf Course. Pursuant to Sec. 5D.4.5.C. (*Outdoor Recreation: Golf Course*), outdoor recreation: golf course is defined as an area of land designed and intended for the game of golf with a series of holes each including tee, fairway, and putting green, and often one or more natural or artificial hazards. A outdoor recreation: golf course use includes any course having a total par of 65, or greater. This use also includes a clubhouse incidental to a standard-sized golf course. This use does not include miniature golf, pitch & putt, driving range, or 3-par courses, for such uses see Sec. 5D.4.5.A. (*Outdoor Recreation: Public*) or Sec. 5D.4.5.B. (*Outdoor Recreation: Commercial*).

Outdoor Recreation: Public. Pursuant to Sec. 5D.4.5.A. (*Outdoor Recreation: Public*), outdoor recreation: public is defined as any outdoor recreational use owned or operated by or in partnership with a public institution.

Outdoor Storage Screening. Pursuant to Sec. 4C.8.3. (*Outdoor Storage Screening*), outdoor storage screening is defined as fences or walls surrounding outdoor storage areas in which goods, material, and equipment, new or used, are held outside of a building for future use.

Owner. For the purposes of Div. 13B.8. (*Historic Preservation*), owner is defined as any person, association, partnership, firm, corporation or public entity identified as the holder of title on any property as shown on the records of the City Engineer or on the last assessment roll of the County of Los Angeles, as applicable. For purposes of this Div. 13B.8. (*Historic Preservation*), “owner” also refers to an appointed representative of an association, partnership, firm, corporation, or public entity which is a recorded owner.

P

Parallel Parking. For purposes of on-site parking, parallel parking is defined as a parking stall having its length parallel to its access drive aisle.

Parcel. Parcel is defined as a piece of land with defined boundaries intended for the purpose of ownership, lease, or finance.

Parcel Map. Parcel map is defined as a map for the division of land meeting the requirements of Sec. 11.4.5. (*Parcel Map*).

Park Fee. Park fee is defined as Quimby in-lieu fees and park mitigation fees pursuant to Sec. 10.4.2. (*Types of Fees*).

Park Trailer. Park trailer is the same as defined in *California Health and Safety Code, Sec. 18009.3*.

Parking. Pursuant to Sec. 5D.3.6. (*Parking*), parking is defined as a facility intended for the temporary storage of operable vehicles belonging to a site's occupants, employees, or visitors and is designed

to meet the standards of *Sec. 4C.4.4. (Parking Area Design)*. Includes parking structures and surface parking lots. This use does not include long term vehicle storage, for such uses see *Sec. 5D.7.5. (Storage, Outdoor)*.

Parking Area. Parking area is defined as a motor vehicle use area which is used for parking vehicles. Examples include, parking lots and parking structures.

Parking Bay. For a double-loaded aisle, parking bay is defined as the width of two rows of parking stalls including the width of the access drive aisle in-between. For a single-loaded aisle, parking bay is defined as the width of a single row of parking stalls including the width of the access drive aisle.

Parking Garage. Parking garage is defined as any parking structure that is primarily used for parking. For a parking structure to be considered a parking garage, motor vehicle use area in a building shall be greater than or equal to the floor area of the building. See *Sec. 4C.4.6. (Parking Structure Design)*.

Parking Lot. Parking lot is defined as a parking area that has no floor area below or above it.

Parking Setback. Pursuant to *Sec. 3C.2.1. (Parking Setback)*, parking setback is defined as an area on a lot along a frontage lot line where motor vehicle use areas are prohibited, including primary street parking setbacks, side street parking setbacks, and special lot line parking setbacks.

Parking Stall. See automobile parking stall.

Parking Structure. Parking structure is defined as a building that includes parking uses. Parking structure includes parking garages and integrated parking structures. See *Sec. 4C.4.6. (Parking Structure Design)*.

Parkway. Parkway is defined as the area between the edge of the roadway and the adjacent property line excluding any area occupied by a sidewalk. Parkway shall also include any area within a roadway which is not open to vehicular travel.

Passenger Loading Area. Passenger loading area is defined as areas designated for the on-site or curbside loading and unloading of passenger vehicles.

Passenger Transit Facility. Pursuant to *Sec. 5D.5.5. (Passenger Transit Facility)*, a passenger transit facility is defined as any facility that includes a structure accommodating publicly accessible passenger transport vehicles which regularly load and unload passengers along a fixed route. A passenger transit facility include bus terminals, light rail stations and right-of-ways, subway stations and right-of-ways, and passenger train stations and right-of-ways.

Pedestrian Access. Pedestrian access is defined as a means of approaching or entering a lot from the public right-of-way as a pedestrian in accordance with *Div. 4C.1. (Pedestrian Access)*.

Pedestrian Access Package. Pursuant to *Sec. 4C.1.1.C.1. (Pedestrian Access Packages)*, pedestrian access package is defined as a combination of standards regulating pedestrian access from the public sidewalk into and through a site.

Pedestrian Accessway. Pedestrian accessway is defined as a pedestrian path designed to accommodate pedestrian access from the public right-of-way into a lot and to one or more building entrances, in accordance with Div. 4C.1. (*Pedestrian Access*).

Pedestrian Amenity & Public Amenity-Facing Facade. Pursuant to Sec. 14.2.6.C. (*Pedestrian Amenity & Public Amenity-Facing Facade*), pedestrian amenity & public amenity-facing facade is defined as the portions of any frontage applicable facade pursuant to Sec. 3A.2.2.C.2. (*Frontage Applicable Facade*) having no permanent structure (not including fences or walls) located between the building facade and a pedestrian amenity space or public amenity space.

Pedestrian Amenity Allowance. Pursuant to Sec. 3C.1.4. (*Pedestrian Amenity Allowance*), pedestrian amenity allowance is defined as the width of pedestrian amenity space in the build-to zone that can be counted toward the build-to width requirement.

Pedestrian Amenity Space. Pursuant to Sec. 2C.3.3.C.2. (*Pedestrian Amenity Space*), pedestrian amenity space is defined as a type of amenity space that is outdoors, located at ground-level, is accessible to pedestrians and all tenants of a building, and meets all the standards in Sec. 2C.3.3.C.2. (*Pedestrian Amenity Space*). See Div. 3C.1. (*Build-To*) for additional provisions related to pedestrian amenity spaces.

Pedestrian Amenity-Facing Facade. See pedestrian amenity & public amenity-facing facade.

Pedestrian Passageway. Pedestrian passageway is defined as a publicly accessible pedestrian pathway that provides pedestrian through access from the public right-of-way into and directly through a lot, in accordance with Sec. 4C.1.1.C.3.a. (*Pedestrian Passageway*).

Pedestrian Sign. Pursuant to Sec. 4C.11.6.C.7. (*Pedestrian Sign*), pedestrian sign is defined as a small sign attached perpendicular to the building facade that hangs from a bracket or support.

Pedestrian Walkway. Pedestrian walkway is defined as any public right-of-way designated as a pedestrian walkway on the Citywide General Plan Circulation System maps of the *Circulation Element* of the General Plan.

Perennial. Perennial is defined as a plant that lives more than two years, including woody species and other plants that do not die back annually.

Perimeter Plane. Pursuant to Sec. 14.2.4.A.3. (*Perimeter Plane*), perimeter plane is defined as an imaginary vertical plane along the perimeter of a space used to measure the enclosure of a space. A perimeter plane shall be projected for a height of eight feet measured from the floor or ground surface of the space.

Permanent Supportive Housing. Permanent supportive housing is defined by Div. 10. (*Contracts*), Article 25. (*Permanent Supportive Housing and Facilities Infrastructure Stabilization Ordinance*), Sec. 10 51.1.(j). (*Definitions*) of the LAAC.

Permission Level. A permission level is a letter or symbol provided within a Use District table to indicate how an individual use is permitted, as established in Div. 5A.3. (*Use Permissions*).

Permit. For the purposes of *Sec. 13B.9.1. (Coastal Development Permit (Pre-Certification))*, permit is defined as any license, certificate, approval, or other entitlement for use granted, conditionally granted, or denied by any public agency, which is subject to the provisions of *Sec. 13B.9.1. (Coastal Development Permit (Pre-Certification))*.

Perpendicular Line. For the purposes of *Sec. 4C.11.3.D.1. (Lots with Multiple Street Frontages)*, perpendicular line is defined as, a straight line between the point on a sign face that is closest to the street and the point where the line intersects the street lot line at a 90 degree angle, as illustrated in *Sec. 4C.11.3.D.1. (Lots with Multiple Street Frontages)*.

Person. For the purposes of the *Home-Sharing Program (Sec. 5C.3.2.)*, person shall have the same meaning as that term is defined in *Chapter II. (Licenses, Permits, Business Regulations), Sec. 21.7.2. (Definitions)* of this Code. As the term is used in the remainder of this Zoning Code (Chapter 1A) person means, an individual, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, or organization and any other legal or natural person, or the manager, lessee, agent, servant, officer, or employee of any of them.

Personal Services. Pursuant to *Sec. 5D.6.10. (Personal Services)*, personal services are defined as any commercial use providing an in-person service directly to individuals seeking cosmetic services, counseling services, document services, or servicing of consumer goods. Personal services include: cosmetic services such as hair cutting and styling, nail salon, day spas, licensed massage therapy, tattooing and piercing; counseling services, such as non-medical counseling, legal counseling, financial counseling, psychic counseling; document services such as printing, form and application assistance, notary services, photo developing, visa and passport services; garment services, such as garment tailoring and alterations, laundromat, dry cleaning; and consumer goods repair services when occupying less than 3,000 square feet in area, such as electronics repair, jewelry repair, shoe repair, appliance repair, furniture restoration, and bicycle repair. This use does not include consumer goods repair services when occupying 3,000 square feet in area, or greater, for such uses see *Sec. 5D.8.1. (Machine Shop)*. This use does not include maintenance and repair of motor vehicles, for such uses see *Sec. 5D.7.1. (Motor Vehicle Services)*.

Plant Cultivation. Pursuant to *Sec. 5D.10.2. (Plant Cultivation)*, plant cultivation is defined as any agricultural use that includes the growing of plants.

Plant Cultivation: Community Garden. Pursuant to *Sec. 5D.10.2.A. (Plant Cultivation: Community Garden)*, plant cultivation: community garden is defined as a plant cultivation use designed and intended for multiple households or organizations to cultivate plants for domestic use. This use may include shared facilities for storage and maintenance or services incidental to the agricultural use such as an educational space.

Plant Cultivation: Farming. Pursuant to *Sec. 5D.10.2.B. (Plant Cultivation: Farming)*, plant cultivation: farming is defined as the cultivation of produce, ornamental plants, herbs, seeds, or fungi, for off-site sale or distribution. This use includes, but is not limited to, truck gardening, indoor farming, or vertical farming. For the sale of produce on-site beyond a farm stand pursuant to *Sec. 5C.2.8.G.1. (Supplemental Standards)*, see *Sec. 5D.6.12.E. (Retail: Food & Beverage)*.

Planting Area. Pursuant to Sec. 4C.6.4.C.2. (*Planting Areas*), planting area is defined as an area on a lot designated and designed for plants.

Planting Hole. Planting hole is defined as a hollow space dug within a planting area to accommodate the placement of a plant.

Platform Agreement. For the purposes of Sec. 5C.3.2. (*Home-Sharing Program*), platform agreement is defined as a signed agreement between a hosting platform and the City, which, among other things, provides that the platform will collect and submit the Transient Occupancy Tax to the City on behalf of hosts and persons listed for short-term rentals.

Pole Sign. Pursuant to Sec. 4C.11.6.C.8. (*Pole Sign*), pole sign is defined as a freestanding sign that is wholly independent of a building for support, permanently affixed to the ground using one or more poles or posts.

Postmortem Services. Pursuant to Sec. 5D.6.11. (*Postmortem Services*), postmortem services are defined as any establishment engaged in the provision of services involving the care, preparation, or arrangement of human or animal remains, and conducting memorial services. Postmortem service establishments include crematoriums, funeral homes, mortuaries, and pet crematoriums. This use does not include a cemetery, for such uses see Sec. 5D.3.1. (*Cemetery*).

Preliminary Parcel Map. Preliminary parcel map is defined as a map made for the purpose of showing the design of a proposed subdivision creating four or fewer parcels, four or fewer condominiums, or four or fewer units in a community apartment project or stock cooperative and prepared pursuant to Sec. 11.4.2. (*Preliminary Parcel Map Standards*).

Prepare. Whenever this Zoning Code (Chapter 1A) directs an agency or official to prepare a document, prepare means prepare directly or cause to be prepared.

Primary Residence. For the purposes of the *Home-Sharing Program* (Sec. 5C.3.2.), primary residence is defined as the sole residence from which the host conducts home-sharing and in which the host resides for more than six months of the calendar year. For all other purposes in this Zoning Code (Chapter 1A), primary residence is defined as a place of residence for an individual or group of individuals to live for more than six months out of the year.

Primary Roof Form. Primary roof form is defined as the form of the roof which covers at least 80 percent of the building footprint.

Primary Street. See primary street lot line.

Primary Street Lot Line. Primary street lot line is defined as a lot line that has been designated as the primary street lot line per Sec. 14.2.12.C.1. (*Primary Street Lot Line*).

Primary Use. For the purposes of Article 5. (*Use*), primary use is defined as the principal or predominant use of a lot relative to any other uses sharing the same lot as determined by the use that occupies the most floor area on a lot, or the use that covers the most lot area when concerning outdoor uses.

Principal Material Coverage. Pursuant to *Sec. 3D.10.1. (Principal Material Coverage)*, principal material coverage is defined as the building products used as the primary exterior wall finish materials of the exterior building facade.

Principal Structure. Principal structure is defined as any structure that is not an accessory structure.

Private Club. Private club is defined as any facility organized solely for the promotion of some common interest and which is accessible to club members and their guests only. Private club includes business, fraternal, political, and social organizations.

Private Outdoor Amenity Space. Pursuant to *Sec. 2C.3.3.C.4. (Private Outdoor Amenity Space)*, private outdoor amenity space is defined as a type of amenity space that is uncovered or unenclosed and is available to an assigned unit or tenant space, and meets all the standards in *Sec. 2C.3.3.C.4. (Private Outdoor Amenity Space)*.

Private Road Easement. Private road easement is defined as a parcel of land not dedicated as a public street, over which a private easement for road purposes is proposed to be, or has been, granted to the owners of property contiguous or adjacent to the road, that intersects or connects with a public street or a private street. The instrument creating such easement shall be, or shall have been, duly recorded with the Los Angeles County Recorder.

Private Street. Private street is defined as a private road easement as defined herein which has been determined by the Advisory Agency or the Director to be adequate for access and for the purposes set forth in *Article 10. (Streets & Parks)*, or *Article 11. (Division of Land)* of this Zoning Code (Chapter 1A).

Problem Areas. Problem areas are defined as those portions of the City determined by resolution of the Board of Public Works to be actually or potentially dangerous by reason of geological conditions, being subject to inundation or overflow by storm water, or because of any other potentially dangerous condition, including areas subject to rapid spread of fire.

Producing Zone (Oil Drilling Districts). Producing zone (Oil Drilling Districts) is defined as a reservoir or series of reservoirs of sufficient thickness and productivity of hydrocarbons as to form an economic source of supply and which is segregated from other reservoirs, or series of reservoirs, by natural boundaries or barriers to such an extent as to make its separate development either economically or mechanically desirable in accordance with good oil field practice.

Project. As the term is used in this Zoning Code (Chapter 1A) project is defined by *Sec. 14.2.15.A. (Project)*. The definition for project is modified for the purposes of the following Sections:

1. For the purposes of *Sec. 13B.11.1. (Environmental Review Procedures)*, project is defined by the *California Public Resources Code, Sec. 21065.* and *CEQA Guidelines, Sec. 15378.*
2. For the purposes of *Historic Preservation (Div. 13B.8.)*, see *Sec. 13B.8.1.C. (Definitions)* or *Sec. 8.2.6.B.1. (Definition of Project)*.
3. For the purposes of *Sec. 8.2.2. (Community Plan Implementation Overlay (CPIO))* see *Sec. 8.2.2.B.1. (Definition of Project)*.

4. For the purposes of *Sec. 8.2.3. (Sign District (SN))* see *Sec. 8.2.3.B.1. (Definition of Project)*.
5. For the purposes of *Sec. 8.2.5. (Community Design Overlay (CDO))* see *Sec. 8.2.5.B.1. (Definition of Project)*.
6. For the purposes of *Sec. 8.2.7. (Conservation Districts (CD))* see *Sec. 8.2.7.B.1. (Definition of Project)*.
7. For the purposes of *Sec. 8.2.8. (Transportation Communication Network District (TCN))* see *Sec. 8.2.8.B.1. (Definition of Project)*.

Project Activities. See project activity.

Project Activity. Pursuant to *Sec. 14.2.15. (Project Activities)*, project activity is defined as the type of work composing a project. A project may be composed of one or more project activity.

Project Adjustment. For the purposes of review of a project for compliance with a Specific Plan, project adjustment is defined as a decision on a project by the Director granting a minor adjustment from certain Specific Plan regulations, subject to the limitations specified by *Div. 13B.4. (Specific Plan Implementation)*.

Project Compliance. For the purposes of review of a project for compliance with a Specific Plan, project compliance is defined as a decision by the Director that a project complies with the regulations of the applicable Specific Plan, either as submitted, or with conditions imposed to achieve compliance.

Project Exception. For the purposes of review of a project for compliance with a Specific Plan, project exception is defined as a decision on a project by the Area Planning Commission granting relief from applicable Specific Plan regulations.

Project Site. Project site is defined as the lot on which a project is located.

Projecting Balcony. Pursuant to *Sec. 3D.7.1.D. (Projecting Balcony)*, projecting balcony is defined as an unenclosed occupiable platform, located at an elevation above the ground story, that is fixed to or integrated with an exterior building facade and projects beyond the floor area of the story immediately below. Balconies include protective barriers such as railings or parapets and may be covered or uncovered.

Projecting Sign. Pursuant to *Sec. 4C.11.6.C.9. (Projecting Sign)*, projecting sign is defined as a sign attached approximately perpendicular to the building facade that does not meet the standards for a pedestrian sign.

Projection. For the purposes of signs, projection is defined as the distance by which a sign extends beyond the building face. See *Div. 4C.11. (Signs)*.

Proposed Use. For the purposes of *Article 5. (Use)*, proposed use is defined as any project activity involving the establishment of a new use, the modification of an existing use, expansion of floor area dedicated to an existing use, or relocation of an existing use.

Protected Vegetation. Protected vegetation is defined as any protected tree or shrub as defined in *Chapter IV. (Public Welfare), Sec. 46.01. (Definition)* of this Code.

Protective Barrier. Protective barrier is defined as a building component or assembly located at, or near, the open sides of elevated floor surfaces, that is designed to reduce the risk of fall from the occupiable space. Protective barrier includes guardrails, railings, and parapets.

Public & Institutional Use. Pursuant to *Div. 5D.3. (Public & Institutional Uses)*, public & institutional uses are defined as uses dedicated to serving the public through the provision of government services, utilities, healthcare, education, and culture.

Public Access Easement. Pursuant to *Sec. 14.2.17. (Public Access Easements)*, public access easement is an easement, established between a lot owner or owners and the City of Los Angeles, as found on the *Public Access Easement Map (Sec. 1.5.11.)*, affecting a lot or lots for the purpose of ensuring public access to the portions of the lot covered by the easement.

Public Amenity Space. Pursuant to *Sec. 2C.3.3.C.3. (Public Amenity Space)*, public amenity space is defined as a type of amenity space that is outdoors and, although privately owned, is open to the public, and meets all the standards in *Sec. 2C.3.3.C.3. (Public Amenity Space)*.

Public Amenity-Facing Facade. See pedestrian amenity & public amenity-facing facade.

Public Art Installation. Pursuant to *Sec. 4C.11.1.E.3.d. (Public Art Installation)*, public art installation is defined as a facility, amenity or project that does not contain any commercial message and which is either an "approved public arts project" as defined by *Sec. 19.85.4. (Direct Expenditure on Approved Public Arts Projects)* of the *LAAC* or approved pursuant to *Chapter IX. (Building Regulations), Sec. 91.107.4.6. (Arts Development Fee)* of this Code.

Public Facility. Public facility is defined as any facility, including, but not limited to, buildings, property, recreation areas, and roads, which are owned, leased, or otherwise operated, or funded by a governmental body or public entity. See *Sec. 9.3.4.C.7. (Civic Facility Incentive Area)*.

Public Project. For the purposes of *Div. 13B.9. (Coastal Development)*, public project is defined as any development initiated by the Department of Public Works or any of its bureaus, any development initiated by any other department or agency of the City, and any development initiated or to be carried out by any other governmental agency which is required to obtain a local government permit. Public project shall not include any development by any department or agency of the City or any other governmental entity which otherwise requires action by or approval of the City Planning Commission, Area Planning Commission or the Office of Zoning Administration, or any development by any department or agency of the City or any other government entity for which a permit from the Department of Building and Safety is required. Public project shall also not include any development on tidelands, submerged lands, or on public trust lands, whether filled or unfilled. (Definition Amended by Ord. No. 173,268, eff. 7/1/00, Oper. 7/1/00.).

Public Right-of-Way. Public right-of-way is defined as the area on, below, or above any surface owned by, or under the control of the City for the purpose of providing public access for a mode

of transportation or mobility. Public right-of-way includes roadway, alley, median, sidewalk, parkway, bicycle path, and recreational trail.

Public Safety Facility. Pursuant to *Sec. 5D.3.7. (Public Safety Facility)*, public safety facility is defined as any government facility that provides public safety services. Public safety facility includes fire stations and police stations.

Public Sidewalk. Public sidewalk is defined as any sidewalk within a public right-of-way.

Public Way. Public way is defined as a street, alley, or other parcel of land leading to a street or public right-of-way, that has been deeded, dedicated, or otherwise permanently appropriated to the public, for public use, that has a clear width and height of not less than 10 feet. Public way includes any street, channel, viaduct, subway, tunnel, bridge, easement, public right-of-way, or other way, in which a public agency or the public has a right of use.

Publicly Accessible. Publicly accessible is defined as the ability of the public to access a facility.

Q

Qualified Nonprofit Housing Corporation. Qualified nonprofit housing corporation is defined pursuant to *Sec. 501(c)(3) of the Internal Revenue Code* that has received a welfare exemption under *Sec. 214.15 of the Revenue and Taxation Code* for properties intended to be sold to low-income families who participate in a special no-interest loan program.

Qualified Permanent Supportive Housing Project. Qualified permanent supportive housing project is defined as a use where all dwelling units meet the standards of *Sec. 9.4.1. (Permanent Supportive Housing Incentive Program)*.

Quasi-Judicial Approval. Quasi-judicial approval is defined as an action that applies rules to specific facts and is subject to procedural due process principles and includes but is not limited to the approvals provided for in *Div. 13B.2. (Quasi-Judicial Review)*, *Div. 13B.4. (Specific Plan Implementation)*, and *Div. 13B.5. (Quasi-Judicial Relief)*.

Queuing. Queuing is defined as the channeling of vehicle traffic into lanes to accommodate the temporary stopping of two or more vehicles that are waiting to enter into an area or obtain goods or services from a drive-through facility.

Queuing Depth. Queuing depth is defined as the portion of a drive aisle which is designated for ingress vehicular traffic on a site, and meets the standards of *Sec. 4C.2.1.C.2.b. (Queuing Depth)*.

Queuing Space. Queuing space is defined as the space within a drive-through lane needed to accommodate the temporary stopping of a single vehicle.

R

Rear Lot Line. Pursuant to Sec. 14.2.12.C.4. (*Rear Lot Line*), rear lot line is defined as a lot line that does not abut a street or alley right-of-way and is opposite and most distant from a primary street lot line, and meets the criteria pursuant to Sec. 14.2.12.C.4. (*Rear Lot Line*).

Rear Yard. See Sec. 14.2.16.B.4. (*Rear Yard*).

Reasonable Accommodation. For the purposes of Sec. 13B.5.5. (*Reasonable Accommodation*), reasonable accommodation is defined as providing an individual with a disability or developers of housing for an individual with a disability, flexibility in the application of land use and zoning regulations or policies (including the modification or waiver of certain requirements), when it is necessary to eliminate barriers to housing opportunities.

Reconstruction. For the purposes of Div. 13B.8. (*Historic Preservation*), reconstruction is defined as the act or process of reproducing by new construction the exact form, features and details of a vanished building, portion of a building, structure, landscape, natural feature, or object as it appeared at a specific period of time, on its original or a substitute lot.

Recorded Parcel Map. Recorded parcel map is defined as a parcel map that has been recorded in accordance with Sec. 11.4.5. (*Parcel Map*).

Recreational Vehicle. Recreational vehicle is defined pursuant to *California Health and Safety Code, Sec. 18010*.

Recyclable Materials. Recyclable materials are defined as items or materials to be recycled or reused, including yard waste, paper, plastic, glass, metal, newspaper, and cardboard.

Recycling Area. Pursuant to Sec. 4C.12.7. (*Recycling Areas*), recycling area is defined as an outdoor enclosure or a room within a building which is designated for the collection of recyclable materials generated by the use(s) on a lot.

Recycling Center. Pursuant to Sec. 13B.10.3. (*Annual Inspection Monitoring (Type 1)*), recycling center is defined as any recycling collection or buyback site, recycling sorting facility, or other recycling oriented site which does not do any processing other than mechanical compaction to reduce the volume of recyclable containers for economy of storage.

Recycling Chute. Recycling chute is defined as any vertical smooth shaft used to convey recyclable materials from the upper floors of a building to a recyclable storage bin or room at the bottom end of the chute.

Recycling Facility. Pursuant to Sec. 5D.9.4. (*Recycling Facility*), recycling facility is defined as any use that includes the recovery and processing of recyclable or reusable materials.

Recycling Facility: Collection. Pursuant to Sec. 5D.9.4.A. (*Recycling Facility: Collection*), recycling facility: collection is defined as any recycling facility use where recyclable materials including, but not limited to, paper, plastic, glass, metal, newspaper, or cardboard, are deposited or redeemed for monetary value. This use includes baling or crushing operations for the purposes of efficient

storage and transfer, but shall not include sorting or processing activities other than for temporary storage purposes. This use includes reverse vending machines and buyback centers.

Recycling Facility: Sorting & Processing. Pursuant to *Sec. 5D.9.4.B. (Recycling Facility: Sorting & Processing)*, recycling facility: sorting & processing is defined as any recycling facility use that accepts recyclable materials for on-site sorting or processing. For the purpose of this definition, processing shall mean the process of changing the physical characteristics of a recyclable material, including the shredding, smelting, grinding and crushing of cans, bottles, and other materials, other than for temporary storage purposes. This use includes the transfer and processing of scrap metals.

Recycling Receptacle. Recycling receptacle is defined as a container which is suitable for the collection of recyclable materials.

Registered Civil Engineer. Registered civil engineer is defined as a civil engineer licensed and registered by the State of California.

Rehabilitation. Pursuant to *Div. 13B.8. (Historic Preservation)*, rehabilitation is defined as the act or process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural and cultural values.

Renovation. Pursuant to *Sec. 14.2.15.B.9. (Renovation)*, renovation is defined as a modification to the interior of any building or structure, including the basement, that does not expand the building or structure. Renovation includes interior remodels or tenant improvements.

Rental Unit. For the purposes of *Home-Sharing Program (Sec. 5C.3.2.)*, rental unit is defined as a dwelling unit or residential structure, or portion thereof. For all other purposes in this Zoning Code (Chapter 1A) rental unit is defined as a dwelling unit available for rent.

Renter. For the purposes of *Historic Preservation (Div. 13B.8.)*, renter is defined as any person, association, partnership, firm, corporation, or public entity which has rented or leased a dwelling unit or other structure within an HPOZ for a continuous time period of at least three years. The "renter" also refers to an appointed representative of an association, partnership, firm, corporation, or public entity which is a renter. See *Sec. 13B.8.1.C. (Definitions)*.

Research & Development. Pursuant to *Sec. 5D.8.3. (Research & Development)*, research & development is defined as any light industrial use requiring a wet laboratory where chemicals, drugs, or other material or biological matter are handled in liquid solutions or volatile phases, requiring direct ventilation, and specialized piped utilities. Research & development does not include uses requiring a dry laboratory, for these uses see *Sec. 5D.6.9. (Office)*.

Resident. Resident is defined as one who legally resides at the subject building or lot.

Residential. See residential use.

Residential Amenity Space. Pursuant to *Sec. 2C.3.2. (Residential Amenity Space)*, residential amenity space is defined as an area which is designed and intended to be used by occupants of dwelling units for recreational, domestic, or vocational purposes.

Residential Building. Residential building is defined as a building, or portion of a building, designed or used for human habitation.

Residential Care Facility for Elderly. Residential care facility for elderly is defined pursuant to *California Code of Regulations, Title 22. (Social Security), Div. 6. (Licensing of Community Care Facilities), Sec. 87101 (r)(5) (Definitions)*.

Residential Conversion Project. Residential conversion project is defined as an existing apartment house, apartment hotel, hotel, or multiple dwellings used exclusively for residential purposes, proposed for conversion to a condominium, stock cooperative, or community apartment project to be used exclusively for residential purposes through approval of a tract map or parcel map. For purposes of this definition, the term existing means that the building was constructed prior to 1945 or, where built after 1945, a Certificate of Occupancy has been issued for the building prior to the time of map application.

Residential Project. Residential project is defined as a project containing any number of dwelling units.

Residential to Commercial/Industrial Conversion Project. Residential to commercial/industrial conversion project is defined as an existing hotel or multiple dwellings used exclusively for residential purposes proposed for conversion to a condominium or stock cooperative which is to be used exclusively for commercial or industrial purposes through approval of a tract map or parcel map. For purposes of this definition, the term existing means that the building was constructed prior to 1945 or, where built after 1945, a Certificate of Occupancy was issued for the building prior to the time of map application.

Residential Use. Pursuant to *Div. 5D.2. (Residential Uses)* residential uses are uses that provide housing accommodations, residential support services, and home-based enterprise. See.

Restoration. For the purposes of *Div. 13B.8. (Historic Preservation)*, restoration is defined as the act or process of accurately recovering the form, features and details of a property as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

Restaurant. An eating & drinking establishment that provides a dining environment where customers are seated and served made-to-order meals prepared in a full-service kitchen on-site.

Restricted Affordable Unit. Restricted affordable unit is defined as a dwelling unit for which rental amounts or mortgage amounts are restricted through enforceable covenant or other legal restriction so as to be affordable to and occupied by an acutely low income household, extremely low income household, very low income household, low income household, or moderate income household as verified by the Los Angeles Housing Department.

Retail. Pursuant to Sec. 5D.6.12. (*Retail*), retail is defined as a commercial use involved in the sale or dispensing of consumer goods to the general public, including any associated indoor or outdoor display and point of sales.

Retail: Alcohol. Pursuant to Sec. 5D.6.12.B. (*Retail: Alcohol*), retail: alcohol is defined as a retail use involving the sale or dispensing of alcoholic beverages for off-site consumption and are licensed or seeking a license to sell or otherwise dispense alcoholic beverages for off-site consumption, as defined by the *California State Alcoholic Beverage Control Act (ABC)*. This use does not include the on-site consumption of alcoholic beverages, for such uses see Sec. 5D.6.3.B. (*Eating & Drinking: Alcohol Service*).

Retail: Farmers' Market, Certified. Pursuant to Sec. 5D.6.12.C. (*Retail: Farmers' Market, Certified*), retail: farmers' market, certified is defined as a retail use involved in the sale or dispensing of agricultural products by producers or certified producers directly to consumers or to individuals, organizations, or entities that subsequently sell or distribute the products directly to end users and is certified by the Los Angeles County Agricultural Commissioner.

Retail: Firearms. Pursuant to Sec. 5D.6.12.D. (*Retail: Firearms*), retail: firearms is defined as a retail use where firearms, ammunition, or related accessories are sold.

Retail: Food & Beverage. Pursuant to Sec. 5D.6.12.E. (*Retail: Food & Beverage*), retail: food & beverage is defined as a retail use primarily involved in the retail sale of food and beverages for off-site consumption. Retail: food & beverage includes grocery stores, produce markets, seafood and meat markets, bakeries, delis, and on-site seating areas for dining accessory to the primary retail use. This use does not include alcoholic beverage sales; for such uses see Sec. 5D.6.12.B. (*Retail: Alcohol*).

Retail: General. Pursuant to Sec. 5D.6.12.A. (*Retail: General*), retail: general is defined as any retail use primarily involved in the sale or rental of new or used consumer goods to the general public. Retail: general includes but is not limited to, the sale or rental of household goods, clothing, books, toys, art supplies, pet supplies, house plants, medicine, consumer electronics, appliances, hardware, building supplies, mattresses, and furniture. This use does not include the sale or rental of motor vehicles, for such uses see Sec. 5D.7.3. (*Motor Vehicle Sales & Rental*).

Retail: Large Format. Pursuant to Sec. 5D.6.12.F. (*Retail: Large Format*), retail: large format is defined as any retail use with a non-residential tenant size of 100,000 square feet or greater. This use may include but is not limited to any of the following types of retail when occupying a non-residential tenant size of 100,000 square feet or greater: superstore, department store, wholesale club, furniture store, and home improvement store. This use does not include any retail use with a non-residential tenant size of less than 100,000 square feet, for such uses see Sec. 5D.6.12.A. (*Retail: General*).

Retail: Merchant Market. Pursuant to Sec. 5D.6.12.G. (*Retail: Merchant Market*), retail: merchant market is defined as a retail use that includes ten or more tenants or vendors within a shared facility with common entrances and walkways, where goods, products, groceries, and prepared food are

offered or displayed for sale or exchange, and may include on-site seating areas for dining as incidental to the market use.

Retail: Pet Shop. Pursuant to *Sec. 5D.6.12.H. (Pet Shop)*, retail: pet shop is defined as a retail use possessing a pet shop permit issued by the Department of Animal Services where domestic animals such as dogs, cats, rabbits, rodents, birds, fish, amphibians, and small reptiles are kept and offered for commercial sale, for hire, or adoption. This use does not include uses where the overnight keeping of dogs or cats exceeds 30 percent of the floor area of a facility, for such uses see *Sec. 5D.6.1.B. (Animal Services: Kennel)*. This use does not include the breeding and raising of animals, for such uses see *Sec. 5D.10.1.G. (Animal Keeping: Small Animals)*.

Retail: Seasonal Market. Pursuant to *Sec. 5D.6.12.I. (Seasonal Market)*, retail: seasonal market is defined as a retail use involving the seasonal outdoor retail sale of ornamental holiday decor, primarily ornamental pumpkins and Christmas trees.

Retail: Smoke & Vape Shop. Pursuant to *Sec. 5D.6.12.J. (Smoke & Vape Shop)*, retail: smoke & vape shop is defined as a retail use primarily involving the sale of tobacco products, substances intended for smoking, or smoking accessories, including but not limited to cigars, pipes, vaporizing devices, or other smoking paraphernalia. The use may include an enclosed smokers' lounge that is solely dedicated to smoking tobacco products. This use does not include medicinal or recreational cannabis establishments, for such uses see the *Department of Cannabis Regulation*.

Retaining Wall. Pursuant to *Sec. 4C.9.2. (Retaining Walls)*, retaining wall is defined as a freestanding continuous structure, as viewed from the top, intended to support earth, which is not attached to a building.

Reverse Vending Machine. Reverse vending machine is defined as an automated mechanical device which accepts one or more types of empty beverage containers including aluminum cans, glass and plastic bottles, and which issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value, as determined by the State of California. A reverse vending machine may sort and process containers mechanically, provided that the entire process is enclosed within the machine. See *Sec. 5D.9.4.A. (Collection)*.

Reviewing Agency. Reviewing agency is defined as the agency or official charged with reviewing an application for an approval under this Zoning Code (Chapter 1A) which includes the Zoning Administrator, the Director of Planning, or the Department of City Planning.

Revised Tentative Tract Map. Revised tentative tract map is defined as a tract map for which a tentative tract map has been previously approved which involves a revised arrangement of the streets, alleys, easements, or lots within property or a modification of the boundary of the property pursuant to *Article 11. (Division of Land)*.

Right-of-way. For the purposes of *Historic Preservation (Div. 13B.8.)* right-of-way is defined as the dedicated area that includes roadways, medians, and/or sidewalks. For the remainder of this Zoning Code (Chapter 1A) see public right-of-way.

Roadway. Roadway is defined as that portion of a public right-of-way for a street or alley used for, or intended to accommodate, the movement of vehicles, including provided or planned on-street bike lanes.

Roof Form. Pursuant to *Sec. 3D.11.1. (Roof Form)*, roof form is defined as the shape of the external upper covering of a building, including the frame for supporting the roofing.

Roof Projection. Pursuant to *Sec. 14.2.5.A.1.b. (Roof Projection)*, roof projections are defined as roof elements that overhang or cantilever beyond the building footprint and do not include posts or columns. Types of roof projections include, but are not limited to: eaves, roof overhangs, gutters, awnings, or canopies.

Roof Sign. Pursuant to *Sec. 4C.11.6.C.10. (Roof Sign)*, a roof sign is defined as a sign erected on a roof of a building.

Roof Sign: Open Panel. Pursuant to *Sec. 4C.11.6.C.11. (Roof Sign: Open Panel)*, a roof sign: open panel is defined as a sign erected on a roof of a building consisting of channel letters, graphic segments, open lighting elements, or other open forms affixed to a non-solid panel sign support structure.

Roof Structure. A roof structure is defined as the structure forming the upper covering of a building.

Roof-Mounted Equipment. Roof-mounted equipment is defined as all mechanical equipment or utility equipment located on a roof, with the exception of solar panels and their required appurtenances. See *Sec. 4C.12.1. (Roof-Mounted Equipment)*.

Roofline Cornice. Pursuant to *Sec. 3D.6.5.C.4. (Roofline Cornice)*, a roofline cornice is defined as a continuous molded projection that crowns a wall, often as part of a parapet.

Rooftop Planting Area. Pursuant to *Sec. 4C.6.4.C.2.b. (Rooftop Planting Area Standards)*, rooftop planting areas are defined as areas where plants are provided on or over a built structure, including but not limited to, a roof, a bridge, a balcony or a parking structure, and complies with all of the standards in *Sec. 4C.6.4.C.2.b. (Rooftop Planting Area Standards)*.

Root Ball. Root ball is defined as the intact ball of earth or growing medium containing the roots of a nursery plant.

Root Collar. A root collar is defined as the line of junction between the root of a plant and its stem or trunk.

Root Flare. A root flare is defined as the area at the base of the plant's stem or trunk where the stem or trunk broadens to form roots; the area of transition between the root system and the stem or trunk.

Root Mass. Root mass is defined as a plant's overall amount of root growth.

S

Safety Barrier. For the purposes of vertical encroachments pursuant to *Sec. 14.2.5.B.1.e. (Safety Barriers)*, a safety barrier is defined as a vertical barriers that is 45 inches in height or less and required for safety and protection by *Chapter IX. (Building Regulations)* of this Code to protect occupants from falling from walking surfaces including but not limited to parapets, railings, or banisters. For the purposes of the remainder of this Zoning Code (Chapter 1A), a safety barrier is defined as anything put in place to prevent people from moving easily from one place to another for the purpose of mitigating risk including fences, walls, parapets, and railings.

Sales Floor Area. Sales floor area is defined as the interior floor area of a retail use devoted to the retail sale of merchandise where customers can view, select, and carry merchandise from an inventory display to the point of sale. Areas not included in sales floor area include, showrooms, restrooms, office space, storage areas, open-air retail areas.

Salvage Yard. Pursuant to *Sec. 5D.9.3. (Salvage Yard)*, a salvage yard is defined as any heavy industrial use having any portion of the use located outdoors where a junk dealer or automobile dismantler operates, or where partially dismantled, obsolete, or wrecked automobiles are stored. This use does not include motor vehicle storage, for such uses see *Sec. 5D.7.5. (Storage, Outdoor)*.

School. Pursuant to *Sec. 5D.3.9. (School)*, school is defined as an institution of academic learning and social development that provides facilities for teaching and instruction to accommodate a student body such as preschool, K-12, post-secondary education, and associated athletic and recreational facilities. This use does not include avocational, recreational, or other educational or instruction-based uses, for such uses see *Sec. 5D.6.6. (Instructional Services)*. This use does not include a campus auditorium or stadium facilities with a seating capacity greater than 3,000 seats, for such uses see *Sec. 5D.4.1. (Amphitheater or Stadium)*.

School: K-12. Pursuant to *Sec. 5D.3.9.B. (School: K-12)*, school: K-12 is defined as an institution of learning which offers instruction in grades Kindergarten through 12th grade, and associated recreation and athletic facilities serving its students.

School: Post-Secondary. Pursuant to *Sec. 5D.3.9.C. (School: Post-Secondary)*, school: post-secondary is defined as an institution offering a formal educational program beyond K-12, including programs whose intent is academic, vocational, or continuing professional education. School: post-secondary includes college, technical school, trade school, and university.

School: Preschool/Daycare. Pursuant to *Sec. 5D.3.9.A. (School: Preschool/Daycare)*, school: preschool/daycare is defined as a facility providing care, supervision, and educational services to children during the day. A school: preschool/daycare includes all forms of early childhood education, daycare, and after school supervision. This use does not include in-home child care, for such uses see *Sec. 5D.2.2.A. (Household Business: Family Child Care)*.

Screening. Screening is defined as an arrangement of structures, vegetation, or site elements that are intended to block or obscure views into a lot or structure. See *Div. 4C.8. (Screening)*.

Screening Plants. Screening plants are defined as plants that are arranged for the purposes of obscuring views into a lot or structure.

Screening Structure. A screening structure is defined as a structure obstructing visibility from outside an enclosed area to another space, object, or structure.

Sea. For the purposes of *Sec. 13B.9.1. (Coastal Development Permit (Pre-Certification))* sea is defined as the Pacific Ocean and all harbors, bays, channels, canals, estuaries, salt marshes, sloughs and other areas subject to tidal action through any connection with the Pacific Ocean, excluding nonestuarine rivers, streams, tributaries, creeks, and flood control and drainage channels.

Senior Care Facility. Senior care facility is defined as any assisted living, senior independent living, or skilled nursing home for senior citizens. See *Sec. 9.4.3. (Senior Care Facilities Incentive Program)*.

Senior Citizen. Senior citizen is defined as an individual 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 senior citizen may be a person of 55 years of age.

Senior Citizen Housing Development. As defined pursuant to *California Civil Code, Sec. 51.3 (b)(4)*, a housing development project for senior citizens that has at least 35 dwelling units.

Sensitive Use. Unless otherwise provided in this Code or City guidelines for a specific purpose, sensitive use is defined as any permitted use in the residential use group, a hospital use, a school use, or any use in the open space & recreation use group shall be considered a sensitive use.

Service Floor Area. Service floor area is defined as all indoor floor area within an eating & drinking use where the customer can be served, including an indoor dining or lounge area, bar-top and bar seating area, service counter, customer waiting area, customer restrooms, and indoor paths of travel accessible to customers.

Service Road. A service road is defined as that part of a major or secondary highway, containing a roadway that affords access to abutting property, but is adjacent and approximately parallel to, and separated from the principal roadway.

Sexually Oriented Business. Pursuant to *Sec. 5D.6.13. (Sexually Oriented Business)*, sexually oriented business is defined as any commercial use involving the retail sale, rental or exhibition, of any goods or services that are characterized by an emphasis on the exposure or display of specified sexual activities or specified anatomical parts. Each sexually oriented business use shall constitute a separate sexually oriented business, even if operated in conjunction with another sexually oriented business at the same establishment, for the intent of meeting applicable use standards.

Sexually Oriented Business: General. Pursuant to *Sec. 5D.6.13.A. (Sexually Oriented Business: General)*, sexually oriented business: general is defined as any sexually oriented business use, other than a sexually oriented business: sexual encounter establishment. This use includes but is not limited to adult arcades, adult bookstores, adult cabaret theaters, adult motion picture theaters, or striptease venues.

Sexually Oriented Business: Sexual Encounter. Pursuant to *Sec. 5D.6.13.B. (Sexually Oriented Business: Sexual Encounter)*, sexually oriented business: sexual encounter is defined as any sexually oriented business use, other than lodging offering public accommodations, which, for any form of consideration, provides a place where two or more persons may congregate, associate or consort in connection with specified sexual activities or the exposure of specified anatomical parts. This use does not include a use where a medical practitioner, psychologist, psychiatrist, or similar professional licensed by the State of California engages in sexual therapy, for such uses see *Sec. 5D.6.8. (Medical Clinic)*.

Sheltered. Pursuant to *Sec. 14.2.2.A.3. (Sheltered)* a space or structure is considered sheltered if no portion of its area is open to the sky.

Sheltering Structure. Sheltering structure is defined as any structure, including entry features, canopies, or roofs, that creates a covered, unenclosed space.

Shopfront Cornice. Pursuant to *Sec. 3D.6.5.C.3. (Shopfront Cornice)*, shopfront cornice is defined as a continuous molded projection located above a series of display windows on the ground story facade.

Shopping Cart. A shopping cart is defined as a basket of any size, mounted on wheels, rollers or a similar device, including parts, provided by a retail establishment for the purpose of transporting groceries or merchandise of any kind within a retail establishment or associated parking area.

Shopping Cart Containment Plan. Shopping cart containment plan is defined as a plan sheet that includes a specific written plan with a corresponding site plan that identifies areas of shopping cart containment to prevent customers from removing shopping carts from the premises. See *Sec. 4C.12.8. (Shopping Cart Containment)*.

Shopping Cart Corral. Shopping cart corral is defined as a stable structure that provides an enclosure for the collection of shopping carts on a lot.

Shoreline Project. Shoreline project is defined as any development in streams, wetlands, and other waters of the United States, and may include depositing of fill and dredged material, jetties, marinas, and piers.

Short-Term Rental. For the purposes of the *Home-Sharing Program (Sec. 5C.3.2.)*, short-term rental is defined as a rental unit, rented in whole or in part, to any person(s) for use of 30 consecutive days or less. Rental units within City-approved lodging uses shall not be considered a short-term rental.

Showroom Area. Showroom area is defined as the interior floor area of a retail use devoted to the display of heavy/large goods, such as furniture, mattresses, major household appliances, carpet, cars, or wholesale fabric where the assistance of a sales associate, special order, or delivery of goods is required.

Shrub. Shrub is defined as a small to medium sized perennial woody plant. Unlike herbaceous plants, shrubs have persistent woody stems above the ground. They are distinguished from trees by their

multiple stems and shorter height and for purposes of this Zoning Code (Chapter 1A) are less than 15 feet.

Side Lot Line. Pursuant to Sec. 14.2.12.C.5. (*Side Lot Line*), side lot line is defined as any lot line not determined to be a primary street lot line, side street lot line, rear lot line, alley lot line, or special lot line.

Side Street Lot Line. Pursuant to Sec. 14.2.12.C.2. (*Side Street Lot Line*), side street lot line is defined as a lot line separating a lot from a side street right-of-way. Any street lot line not determined to be a primary street lot line is considered a side street lot line.

Side Street Yard. Pursuant to Sec. 14.2.16.B.3. (*Side Street Yard*), side street yard is defined as the area between a side street lot line and an imaginary line running parallel to the side street lot line. The imaginary line shall be drawn 15 feet back from the portion of the side street lot line-facing facade nearest to the side street lot line, measured perpendicularly to the lot line.

Side Yard. Pursuant to Sec. 14.2.16.B.5. (*Side Yard*), side yard is defined as the portions of a lot between a side lot line and a principal structure. All portions of a lot that do not meet the yard designation criteria for any other yard shall be designated as a side yard.

Sidewalk Grade. Sidewalk grade is defined as the elevation of the sidewalk surface at any given point.

Sign. Sign is defined as any whole or part of a display board, wall, screen, or object, used to announce, declare, demonstrate, display, or otherwise present a message and attract the attention of the public.

Sign Face. Sign face is defined as the surface upon which the sign message is placed.

Significant Tree. Significant tree is defined as any tree which measures 12 inches or more in diameter at 4.5 feet above the average natural grade at the base of the tree or is more than 35 feet in height.

Sill. Pursuant to Sec. 3D.9.2.C.4. (*Sill*), sill is defined as the bottommost horizontal exterior surface of a window opening including a ledge or other architectural detail that projects from the surrounding building facade.

Simulated Divided-Lite. Simulated divided-lite is defined as a way to create the look of authentic divided lites, simulated divided-lite bars are permanently adhered to both sides of glass. See Sec. 3D.9.1.C.5. (*Symmetrical Lite Pattern*).

Site. See project site.

Site Modification. Pursuant to Sec. 14.2.15.B.4. (*Site Modification*), site modification is defined as work including modifications to existing, or the addition of, new horizontal site improvements and landscaping, including trees, fences or walls, street furniture, lighting fixtures, grading, flatwork, ground mounted signs, and parking lot resurfacing or the reconfiguration of existing parking stalls.

Skilled Nursing Home. Skilled nursing home is defined as residential housing that is licensed by the California Department of Health, and provides acute, intermediate, or long-term skilled nursing

care, and consists only of efficiency dwelling units for its residents. Full-time medical services may be provided on the premises. It may be a component of a senior care facility. See Sec. 5D.2.4.B. (*Supportive Housing: Medical Care*).

Slope. Slope is defined as the plane or incline of land, usually expressed as a percentage:

$$\% \text{ slope} = \frac{\text{vertical distance}}{\text{horizontal distance}} \times 100$$

Small Species Tree. Small species tree is defined as a tree with a minimum 15-foot canopy spread at maturity.

Social Service Center. Social service center is defined as any facility that provides services for the benefit of the community, on a voluntary basis, including the following: employment services, job training, business incubation, youth development, educational services, medical and mental health care, substance abuse treatment, food aid, or other similar services. See Sec. 9.3.4.C.6. (*Social Service Incentive Area*).

Social Services. Pursuant to Sec. 5D.3.10. (*Social Services*), social services are defined as publicly accessible administrative services and governmental services that support public welfare through social programs. Social services may be operated by a government entity, a non-profit or a non-governmental organization, and includes welfare service, foster family services, day treatment, adult day care, special needs care, and all other non-residential community care facilities.

Soil Depth. Pursuant to Sec. 4C.6.4.D.4. (*Soil Depth*), soil depth is defined as the shortest vertical dimension of growing medium provided, for all portions of a planting area.

Soil Volume. Pursuant to Sec. 4C.6.4.D.5. (*Soil Volume*), soil volume is defined as the total volume of growing medium provided. Drainage layers and other elements located within a container or planter that are not growing medium are not included in the calculation of soil volume.

Solid Area. Pursuant to Sec. 14.2.4.A.4. (*Solid Area*), solid area is defined as the portions of the perimeter planes that have a permanent structure or component physically obstructing the space from its surroundings. For the purpose of measuring the enclosure of a space, portions of the perimeter plane are considered solid area where a permanent structure or component is located within five feet of the perimeter plane, measured perpendicular to the perimeter plane and away from the subject space.

Solid Perimeter. Pursuant to Sec. 14.2.4.A.6. (*Solid Perimeter*), solid perimeter is defined as the length of a perimeter of a space that consists of solid area for the entire height of the perimeter plane.

Soundstages & Backlots. Pursuant to Sec. 5D.8.4. (*Soundstages & Backlots*), soundstages & backlots are defined as any light industrial use providing facilities for the construction and use of indoor or outdoor filming sets and adjoining backlot facilities, including supporting office workspace, machine shops, and warehousing related to filming or film production.

Special Lot Line. Pursuant to *Sec. 14.2.12.C.3. (Special Lot Line)*, special lot line is defined as any lot line mapped as a special lot line on the Special Lot Line map, pursuant to *Sec. 1.5.8. (Special Lot Line Map)* and designated within an applied *Form District (Part 2B.)* or *Frontage District (Part 3B.)* that specifies standards for a special lot line.

Special Lot Line-Facing Facade. Special lot line-facing facade is defined as any facade which faces a special lot line.

Special Use Program. Special use program is defined as programs established for uses that require a detailed and prescriptive set of performance standards for safe, orderly, and efficient operation, in addition to any general use standards and supplemental standards that may be included in the Use District table. See *Div. 5C.3. (Special Use Programs)*.

Special Yard. Pursuant to *Sec. 14.2.16.B.2. (Special Yard)*, special yard is defined as the area between a special lot line and an imaginary line running parallel to the special lot line. The imaginary line shall be drawn 15 feet back from the portion of the special lot line-facing facade nearest to the primary street lot line, measured perpendicularly to the lot line.

Special Zone. A Special Zone is a set of self-contained development regulations, adopted by ordinance, tailored and applied to a designated area having unique characteristics that may not lend themselves to established zoning districts and regulations. See *Div. 8.3. (Special Zones)*.

Specific Plan. Specific Plan is defined as a zoning tool, adopted by ordinance, to provide detailed standards, and regulations, together with a map or description defining the locations where such standards, and regulations apply.

Specified Anatomical Parts. The same as defined in *Chapter X. (Business Regulations), Sec. 103.01. (Definitions)* of this Code.

Specified Sexual Activities. The same as defined in *Chapter X. (Business Regulations), Sec. 103.01. (Definitions)* of this Code.

Spread at Maturity. Spread at maturity is defined as the horizontal width of a shrub or the crown of a tree at maturity. See *Sec. 4C.6.4.D.3. (Canopy Diameter, Spread, and Height at Maturity)*.

Standard Hillside Limited Street. Standard hillside limited street is defined as a street (public or private) with a minimum width of 36 feet, and paved to a minimum roadway width of 28 feet, as determined by the Bureau of Engineering.

Standards Package. Standards package is defined as a group of related development standards which is applied through *Development Standards Districts (Part 4B.)*.

Stock Cooperative. The same as defined in *California Business and Professions Code, Sec. 11003.2*.

Storage, Indoor. Pursuant to *Sec. 5D.7.4. (Storage, Indoor)*, storage, indoor is defined as the indoor holding of goods, merchandise, supplies, material, machinery, equipment, or other items for future use.

Storage, Indoor: General. Pursuant to Sec. 5D.7.4.A. (*Storage, Indoor: General*), storage, indoor: general is defined as any storage, indoor use that is incidental to another use. This use does not include storage, indoor: self-service for such uses see Sec. 5D.7.4.B. (*Storage, Indoor: Self-Service*). This use does not include indoor storage that functions as the primary use on a lot and is not incidental to another use, for such uses see Sec. 5D.8.6. (*Wholesale Trade & Warehousing*).

Storage, Indoor: Self-Service. Pursuant to Sec. 5D.7.4.B. (*Storage, Indoor: Self-Service*), storage, indoor: self-service is defined as any storage, indoor use that offers secure self-storage for household goods in individual rooms, compartments, lockers, or containers, to which clients bring goods for storage and retrieve them at any time during normal business hours.

Storage, Outdoor. Pursuant to Sec. 5D.7.5. (*Storage, Outdoor*), storage, outdoor is defined as the outdoor holding of goods, merchandise, supplies, material, machinery, equipment, vehicles, or other items for future use. Includes contractors' equipment storage yards and lumber yards.

Storage, Outdoor: Cargo Container. Pursuant to Sec. 5D.7.5.E. (*Storage, Outdoor: Cargo Container*), storage, outdoor: cargo container is defined as any storage, outdoor use involving the keeping of empty cargo containers. Storage, outdoor: cargo container may include storage of container chassis and commercial truck cabs, repair facilities, warehouses, and offices, incidental to the movement or storage of cargo containers. This use does not include the storage of cargo containers that are not empty, or uses which are part of any freight transfer, for such uses see Sec. 5D.5.3. (*Freight Transfer Facility*).

Storage, Outdoor: Donation Bin. Pursuant to Sec. 5D.7.5.D. (*Storage, Outdoor: Donation Bin*), storage, outdoor: donation bin is defined as any storage, outdoor use, involving a box, canister, receptacle, or other container that can be opened and closed, and is used for collecting salvageable personal property, including, but not limited to, clothing, shoes, books, and household items for periodic off-site processing or redistribution. For purposes of this definition, salvageable personal property shall not include recyclable materials not intended for re-use, including, but not limited to, newspapers, plastic, glass, aluminum, electronics, toxic or hazardous materials, and solid waste. For purposes of this definition, donation bins are limited dimensionally to 82-inches in height, 50-inches in depth, and 60-inches in width. For bins that are larger in size, see Sec. 5D.9.4.A. (*Recycling Facility: Collection*).

Storage, Outdoor: General. Pursuant to Sec. 5D.7.5.A. (*Storage, Outdoor: General*), storage, outdoor: general is defined as any storage, outdoor use that is in conjunction with another use. This use does not include the keeping of empty cargo containers, for such uses see Sec. 5D.7.5.E. (*Storage, Outdoor: Cargo Container*). This use does not include inactive large vehicles, for such uses see Sec. 5D.7.5.C. (*Storage, Outdoor: Large Vehicle*). This use does not include towing and storage for official motor vehicle impound, for such uses see Sec. 5D.7.5.F. (*Storage, Outdoor: Official Motor Vehicle Impound*). This use does not include inactive standard vehicles, for such uses see Sec. 5D.7.5.B. (*Storage, Outdoor: Standard Vehicle*).

Storage, Outdoor: Large Vehicle. Pursuant to Sec. 5D.7.5.C. (*Storage, Outdoor: Large Vehicle*), storage, outdoor: large vehicle is defined as the outdoor storage of large vehicles that are not actively used by the site's occupants, employees, or visitors. Large vehicles include vehicles possessing three or

more axles, such as trailer trucks, construction vehicles, motor homes, and recreational vehicles as well as recreational boats and watercraft. This use includes storage of inoperable vehicles. This use does not include uses where vehicles are actively used by the site's occupants, employees, or visitors; for such uses see Sec. 5D.3.6. (*Parking*).

Storage, Outdoor: Official Motor Vehicle Impound. Pursuant to Sec. 5D.7.5.F. (*Storage, Outdoor: Official Motor Vehicle Impound*), storage, outdoor: official motor vehicle impound is defined as any vehicle towing and storage service that involves City-approved vendors that support the public safety mission of the Los Angeles Police Department and Department of Transportation.

Storage, Outdoor: Standard Vehicle. Pursuant to Sec. 5D.7.5.B. (*Storage, Outdoor: Standard Vehicle*), storage, outdoor: standard vehicle is defined as the outdoor storage of standard vehicles that are not actively used by the site's occupants, employees, or visitors. Standard vehicles include vehicles possessing two or fewer axles, such as cars, motorcycles, sport utility vehicles, pickup trucks, and vans. Includes storage of inoperable vehicles. This use does not include uses where vehicles are actively used by the site's occupants, employees, or visitors; for such uses see Sec. 5D.3.6. (*Parking*).

Stories. See *story*.

Story. Pursuant to Sec. 14.2.10. (*Story*), story is defined as the portion of a building or structure included between the upper surface of a floor and the upper surface of the floor next above, except that the top most story is that portion of a building or structure included between the upper surface of a floor and the upper surface of the ceiling structure above.

Street Centerline. Street centerline is defined as a line that is aligned to the center of a street as established and maintained by the Department of Public Works, Bureau of Engineering.

Street Designation. Street designation is defined as the classification assigned to a roadway or other public right-of-way based on Citywide General Plan Circulation System maps of the *Circulation Element* for the purposes of providing dimensional and performance standards.

Street Frontage. For the purposes of Div. 4C.11. (*Signs*), street frontage is defined as the length of a line separating a lot from one street.

Street Lot Line. Pursuant to Sec. 14.2.12.B.2. (*Street Lot Line*), street lot line is defined as any lot line that abuts a street right-of-way. Street lot lines include all primary street lot lines, side street lot lines, and alley lot lines.

Street Step-Back. Pursuant to Sec. 2C.6.1. (*Street Step-Back*), street step-back is defined as a step-like recess in the massing of a building that requires upper stories to be pushed back from the lower stories from the street.

Street Visible Area. For the purposes of *Historic Preservation* (Div. 13B.8.), street visible area is defined as any portion of the front, side, and rear facades that can be seen from any adjacent street, alley, or sidewalk, or that would be visible but are currently obstructed by landscaping, fencing, or freestanding walls. It also includes undeveloped portions of the lot where new construction would

be visible from the adjacent street or sidewalk; facades that are generally visible from non-adjacent streets due to steep topography; or second stories visible over adjacent one story structures.

Street Wall. Street wall is defined as the condition created along a street by the fronts and consistent setbacks of buildings, and enhanced by the continuity and the height of the buildings.

Street Yard. Pursuant to *Sec. 14.2.16.C.2. (Street Yard)*, street yard is defined as a category of yards referring to all yards that abut a street right-of-way including front yards and side street yards.

Street-Facing Entrance. Pursuant to *Sec. 3C.5.1. (Street-Facing Entrance)*, *street-facing entrance is defined as a door providing access from the public realm to the interior of a building.*

Street-Facing Facade. Pursuant to *Sec. 14.2.6.D. (Street-Facing Facade)*, street-facing facade is defined as the portions of any frontage applicable facade, pursuant to *Sec. 3A.2.2.C.2. (Frontage Applicable Facades)*, having no permanent structure (not including fences or walls) located between the building facade and a street lot line or special lot line.

Structural Floor. Structural floor is defined as the assembly of building components that compose a floor, which includes any structural members, subfloor, and similar elements. Structural floor does not include finish or underlayment materials such as carpets, tiles, or membranes.

Structural Modification. Structural modification is defined as any change to the existing load-bearing members of a building or structure, including bearing walls, columns, beams, or girders.

Structure. Structure is defined as any constructed object more than 30 inches in height. For constructed objects 30 inches or lower in height, see flatwork.

Structure Footprint. See building footprint.

Subdivider. The same as defined in *California Government Code, Sec. 66423. (Subdivider)*.

Subdivision. The same as defined in *California Government Code, Sec. 66424. (Subdivision)*.
Subdivision includes a stock cooperative project.

Subdivision Approval. Subdivision approval is defined as any approval under *Div. 13B.7. (Division of Land)*.

Subdivision Committee. Pursuant to *Sec. 13B.7.1.D. (Subdivision Committee)*, subdivision committee is defined as an advisory committee composed of the following officers of the City or their duly authorized representatives: the City Engineer; the Superintendent of Building; the Chief Engineer of the Department of Fire; the Chief Engineer and General Manager of the Department of Water and Power; the General Manager of the Department of General Services; the General Manager of the Department of Recreation and Parks; the General Manager of the Department of Transportation; and the Director of the Bureau of Street Lighting of the Department of Public Works.

Subdivision Design. Subdivision design is defined as a set of design features, elements, and infrastructure incorporated into a subdivision including: street alignments, grades and widths;

drainage and sanitary facilities and utilities, including alignments and grades; location and size of all required easements and right-of-ways; fire roads and firebreaks; lot and size configuration; traffic access; grading; dedication of land for park and recreation purposes; and such other specific requirements in the General Plan and configuration of the entire subdivision as may be necessary or convenient to insure conformity to or implementation of the General Plan or any adopted Specific Plan.

Subdivision Improvement. The same as defined in *California Government Code, Title 7. (Planning and Land Use), Sec. 66419. (Improvement)*. For standards to subdivision improvements see *Sec. 11.3.3. (Subdivision Improvements)*.

Subdivision Map Act. The Subdivision Map Act, *California Government Code, Title 7. (Planning and Land Use), Div. 2. (Subdivisions)*, commencing with *California Government Code, Sec. 66410*.

Subject Use. As used in *Article 5. (Use)*, a "subject use" refers to a use that is subject to applicable use rules, permissions, standards, supplemental findings, or special use programs.

Substandard Hillside Limited Street. Substandard hillside limited street is defined as a street which does not meet the minimum requirements of a standard hillside limited street (public or private), because it has a width less than 36 feet or is paved to a roadway width of less than 28 feet, as determined by the Bureau of Engineering.

Supergraphic Sign. Supergraphic sign is defined as a sign, consisting of an image projected onto a wall or printed on vinyl, mesh or other material, with or without written text, supported and attached to a wall by an adhesive, by using stranded cable and eye-bolts, or with other materials and methods, and that does not comply with the following provisions of this Zoning Code (Chapter 1A): *Sec. 4C.11.6.C.9. (Projecting Signs), Sec. 4C.11.6.C.5. (Marquee Signs), Sec. 4C.11.2. (Temporary Signs), Sec. 4C.11.1.E.2. (Original Art Murals, Vintage Original Art Murals and Public Art Installations)*.

Superintendent. Pursuant to *Sec. 13B.10.3.A.2. (Definitions)*, Superintendent is defined as the Superintendent of Building or his or her authorized representative.

Supplemental District. Supplemental District is defined as a limited set of topic-specific development regulations, adopted by ordinance, and is indicated in a third zoning bracket in the zone string, and applied to a designated area in order to establish additional regulations that build upon and enhance regulations applied through zoning districts. See *Div. 8.2. (Supplemental Districts)*.

Supportive Housing. Pursuant to *Sec. 5D.2.4. (Supportive Housing)*, supportive housing is defined as a residential use that provides housing accommodations and support services on a voluntary basis to residents on an ongoing basis.

Supportive Housing: General. Pursuant to *Sec. 5D.2.4. (Supportive Housing: General)*, supportive housing: general is defined as a residential use with no limit on length of stay for persons with low incomes and/or who have one or more disabilities who may require support from on-site or off-site supportive services for daily living. Eligible populations may include seniors, children within the foster care system, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, individuals

receiving rehabilitation or mental health support, veterans, and persons or families experiencing homelessness. The housing accommodations are linked to on-site or off-site supportive services, including, but not limited to: subsidized, permanent housing; intensive case management; medical or mental health care; substance abuse treatment; employment services; benefits advocacy; or other services or service referrals necessary to obtain and maintain housing. Any floor area used for office workspace accommodating the administration of supportive services shall be incidental to the residential use. Medical services shall not be provided on the premises, unless otherwise permitted by the applied Use District. Supportive housing: general includes a residential community care facility, assisted living, and permanent supportive housing. Residential uses with six or fewer beds shall be classified as a dwelling rather than supportive housing: general. This use does not include non-residential community care facilities, for such uses see *Social Services (Sec. 5D.3.10.)*.

Supportive Housing: Medical Care. Pursuant to *Sec. 5D.2.4.B. (Supportive Housing: Medical Care)*, supportive housing: medical care is defined as a residential use of long, and short-term occupation, which may be licensed by the California Department of Health, to provide 24-hour non-acute medical services and supportive care on the premises. Supportive housing: medical care includes congregate living health facilities, skilled nursing homes, residential mental health facilities, and hospice care. Any floor area used for office workspace accommodating the administration of medical services and supportive care shall be incidental to the residential use. Supportive housing: medical care facilities may include dwelling units, common dining areas, or other community rooms.

Supportive Housing: Transitional. Pursuant to *Sec. 5D.2.4.C. (Supportive Housing: Temporary)*, Supportive housing: temporary is defined as a facility providing temporary housing accommodations or services, including low barrier navigation, to persons or families experiencing homelessness. Supportive housing: temporary may provide housing for persons or families experiencing homelessness for a time period not to exceed six months within a calendar year. Supportive housing: temporary shall be provided by a government agency or private non-profit organization which provides, or contracts with recognized community organizations to provide, emergency or temporary shelter or services for persons or families experiencing homelessness.

Supportive Services. Supportive services are defined as services that are provided on a voluntary basis to residents of supportive housing or transitional housing, including, but not limited to, intensive case management, medical and mental health care, substance abuse treatment, employment services, benefits advocacy, and other services or service referrals necessary to obtain and maintain housing. See *Sec. 9.4.1. (Permanent Supportive Housing Incentive Program)*.

Surrounding Grade. Surrounding grade is defined as the elevation of finished grade measured along the perimeter of an object, assembly, or structure.

Surveyed Historic Resource. Surveyed historic resource is defined as any building, structure, object, site, landscape, or natural feature identified through an historic resources survey as potentially eligible for listing as either an individual resource, or as a contributor to a historic district, under a local, state or federal designation program, including but not limited to listing in the *National*

Register of Historic Places or California Register of Historical Resources, or designation as a historic-cultural monument or as an Historic Preservation Overlay Zone. This term does not include a non-contributor to an eligible historic district.

Surveyor. Surveyor is defined as a licensed land surveyor authorized to practice in California.

Sustainable Energy Systems. Sustainable energy systems is defined as any equipment which uses renewable energy sources, such as solar or wind power, to generate electricity, heating or cooling.

Symmetrical Lite Pattern. Pursuant to *Sec. 3D.9.1.C.5. (Symmetrical Lite Pattern)*, symmetrical lite pattern is defined as window panes that are arranged or designed so that the left-side of the window composition is a mirror image of the right-side of the window composition.

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Target Population. For the purposes of *Article 9. (Public Benefit Systems)*, target population is defined as persons with qualifying lower incomes who:

1. Have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, and are homeless as defined by any Los Angeles City, Los Angeles County, State of California, or federal guidelines; or
2. Are chronically homeless, as defined by any Los Angeles City, Los Angeles County, State of California, or federal guidelines.

Targeted Planting Area. Targeted planting area is defined as a planting area with boundaries established pursuant to *Sec. 1.5.5.B. (Boundaries)*.

Targeted Planting List. Targeted planting list is defined as the document containing planting requirements established to implement the Targeted Planting Areas Map. See *Sec. 1.5.5. (Targeted Planting Map)*.

Temporary Construction Wall. Temporary construction wall is defined as a temporary solid fence or barrier of wood or similar material that provides protection for pedestrians and is erected and maintained on the perimeter of a construction or demolition site, which may be required by *Chapter IX. (Building Regulations), Sec. 91.3306. (Protection of Pedestrians)* of this Code.

Temporary Sign. Pursuant to *Sec. 4C.11.2. (Temporary Signs)*, temporary sign is defined as any sign that is to be maintained for a limited duration, including paper signs, posters, pennants, banners, ribbons, streamers, spinners, and other signs that are not permanently affixed to the ground or building.

Temporary Use. Pursuant to *Sec. 14.2.15.B.7. (Temporary Use)*, temporary use is defined as a use of a building or lot with any use defined in *Part 5D. (Use Definitions)* that does not exceed 180 days and meets the requirements of *Chapter IX. (Building Regulations), Sec. 91.106.1.3. (Temporary Permits)* of this Code.

Tentative Tract Map. Tentative tract map is defined as a map made for the purpose of showing the design of a proposed subdivision creating five or more parcels, five or more condominiums, or five or more units in a community apartment project or stock cooperative and prepared pursuant to *Sec. 11.2. (Tentative Tract Maps)*.

Through Lot. Through lot is defined as a lot abutting two parallel or approximately parallel streets, a lot situated at the intersection of two streets having an angle of intersection of 35 degrees or less, or a lot abutting three or more streets. A through lot does not include those lots abutting a street and also abutting a navigable public canal or waterway parallel or approximately parallel to said street.

Tract Map. Tract map is defined as either a tentative tract map or final tract map.

Transient. For the purposes of the *Home-Sharing Program (Sec. 5C.3.2.)*, transient shall have the same meaning as that term is defined in *Chapter II. (Licenses, Permits, Business Regulations), Sec. 21.7.2. (Definitions)* of this Code.

Transit Stop/Major Employment Center. For purposes of *Sec. 9.2.1. (Density Bonus)* transit stop/major employment center is defined as 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 Metro; 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.

Transition Screen. Pursuant to *Sec. 4C.8.2. (Transition Screens)*, transition screen is defined as a device or combination of elements along a common lot line that conceals, obstructs or protects abutting lots from impactful uses, activities, or site elements.

Transitional Housing. Transitional housing is defined as a building where housing linked to supportive services is offered, usually for a period of up to 24 months, to facilitate movement to permanent housing for persons with low incomes who may have one or more disabilities, and may include but are not limited to, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and persons or families experiencing homelessness.

Transmit. See transmitted.

Transmitted. Transmitted is defined as a notification of a decision in writing, by mail, or electronically. See *Sec. 13A.2.5.D. (Transmittal)*.

Transparent Area. Pursuant to *Sec. 3C.4.1. (Transparent Area)*, transparent area is defined as the amount of transparent area on a building facade.

Transportation Demand Management. Transportation demand management is defined as the modification of travel behavior through programs of incentives, services, and policies, including encouraging the use of alternatives to single-occupant vehicles such as public transit, cycling, walking, carpooling/vanpooling, and changes in work schedule that move trips out of the peak period or eliminate them altogether (such as telecommuting or compressed work weeks). See *Div. 4C.5. (Transportation Demand Management)*.

Transportation Use. Pursuant to *Div. 5D.5. (Transportation Uses)*, transportation use is defined as uses that facilitate major modes of transportation for the loading or unloading of passengers and freight.

Trash Chute. Trash chute is defined as any vertical smooth shaft used to convey rubbish, trash, or garbage from the upper floors of a building to a trash storage bin or room at the bottom end of the chute.

Tree Expert. Tree expert is defined as a person with at least four years of experience in the business of transplanting, moving, caring for, and maintaining trees and who is a certified arborist with the International Society of Arboriculture, and who holds a valid California license as an agricultural pest control advisor; or a landscape architect; or a registered consulting arborist with the American Society of Consulting Arborists.

Trip Reduction. For the purposes of *Article 9. (Public Benefit Systems)* trip reduction is defined as the reduction in the number of work-related trips made by single-occupant vehicles.

U

Uncovered. Pursuant to *Sec. 14.2.2.A.2. (Uncovered)*, uncovered is defined as an instance where 25 percent or more of a space or structure's area is open to the sky. Areas containing overhead, non-solid structures, such as lattice and pergolas, may be considered uncovered provided that 25 percent or more of their area is open to the sky.

Underground Parking. Underground parking is defined as motor vehicle use areas located below the finished floor elevation of the ground story.

Underground Structure. Pursuant to *Sec. 14.2.5.A.1.j. (Underground Structures)*, underground structure is defined as a covered structure located entirely below finished grade. Examples of underground structures include, but are not limited to: cellars, basements, underground parking structures, stormwater storages, or cisterns.

Unenclosed. Pursuant to *Sec. 14.2.4.A.2. (Unenclosed)*, unenclosed is defined as an instance when the perimeter of a space has an enclosure of less than 66.7 percent.

Unified Development. Unified development is defined as a development consisting of multiple lots within a common site plan which is unified by a combination of functional linkages, such as pedestrian or vehicular connections, common architectural and landscape features which constitute distinctive design elements of the development, and when viewed from adjoining streets appears to be a consolidated whole. A unified development may include lots that abut or are separated only by an alley or are located across the street from any portion of each other. See Sec. 14.2.1. (Lot) for clarification on lot ties.

Uniformity Ratio. Uniformity ratio is defined as a ratio of the average illumination to minimum illumination.

Upper Story. Pursuant to Sec. 14.2.10.D. (Upper Story), upper story is defined as any story of a building located above the ground story.

Upper Story Facade. Pursuant to Sec. 14.2.10.E. (Upper Story Facade), upper story facade is defined as the portions of the exterior building envelope at the perimeter of each upper story for the full height of the story.

Upper Story Height. Pursuant to Sec. 3D.5.2. (Upper Story Height), upper story height is defined as the floor-to-floor height of any story of a building located above the ground story.

Urbanized Area. Pursuant to Sec. 8.2.4.B.3.b. (Urbanized Area), urbanized area is defined as all land in the City, except land in the Heavy Industrial 1 Use District, and land which has been determined to be non-urbanized area by the City Planning Commission or City Council, or land located in the Los Angeles City Oil Field Area.

Use. Use is defined as the purpose for which land or a building is arranged, designed, or intended, or for which land or a building is, or may be, occupied or maintained.

Use Category. Use category is defined as a group of use groups.

Use District. Use District is defined as the fourth component in a zone string established in Part 5B. (Use Districts), which regulates land uses by assigning permission levels for defined uses as well as citing applicable performance standards, supplemental procedures for conditional uses, and special use programs.

Use District Table. Use District table is defined as a table provided for each Use District established in Part 5B. (Use Districts) that contains a list of uses and their assigned permission levels, along with any applicable performance standards, conditional use procedures, and special use programs that apply to uses within a Use District.

Use Group. Use group is defined as a group of individual uses with common use characteristics and similar activities.

Use Modification. Pursuant to Sec. 14.2.15.B.6. (Use Modification), use modification is defined as a change of use or an intensification of use.

Used Vehicle Sales Area. Pursuant to *Sec. 13B.10.4. (Annual Inspection Monitoring (Type 2))*, used vehicle sales area is defined as an area or lot where any type of used motor vehicle or trailer is displayed for sale.

Utilities. Pursuant to *Sec. 5D.3.11. (Utilities)*, utilities is defined as utility infrastructure as a primary use of land, necessary for the public provision of services such as water, sewer, power, or communications. For the purposes of this definition, utilities uses exclude the following off-site systems: transmission lines, pipes, or other systems for conveying and transmitting services within utility easements, as those systems are not regulated as a use of land by *Article 5. (Use)*.

Utilities: Major. Pursuant to *Sec. 5D.3.11.B. (Utilities: Major)*, utilities: major is defined as utility infrastructure that requires significant health, safety, and environmental precautions due to potential adverse impacts immediate surroundings, and requires on-site personnel. Utilities: major include non-solar power generation facilities, wastewater treatment, and water supply treatment.

Utilities: Minor. Pursuant to *Sec. 5D.3.11.A. (Utilities: Minor)*, utilities: minor is defined as utility infrastructure that does not require significant health, safety, and environmental precautions, and do not require on-site personnel. Utilities: minor includes renewable energy generation, including wind turbines, geothermal systems, and solar photovoltaic systems serving no more than 10 different lots with supporting on-site storage, control and transmission equipment, storm water retention or detention ponds, aeration and septic systems, reservoirs, lift stations, water supply wells and water tanks or towers, telecommunications switching facilities, and electrical substations.

Utilities: Solar Energy Facility. Pursuant to *Sec. 5D.3.11.C. (Utilities: Solar Energy Facility)*, utilities: solar energy facility is defined as utility infrastructure that generates energy for the general public using a solar photovoltaic system primarily for off-site use or sale serving 11 or more lots.

Utilities: Wireless Facility, Freestanding. Pursuant to *Sec. 5D.3.11.D. (Utilities: Wireless Facility, Freestanding)*, utilities: wireless facility, freestanding is defined as a freestanding device or system including a monopole, tower, or antenna for the transmitting or receiving of electromagnetic signals, including, but not limited to, radio waves and microwaves, for cellular technology, personal communications services, mobile services, paging systems and related technologies. Facilities include antennas, microwave dishes, parabolic antennas and all other types of equipment used in the transmission and reception of such signals; structures for the support of such facilities, associated buildings or cabinets to house support equipment, and other accessory structures or development. A utilities: wireless facility, freestanding is a type of telecommunications facility.

Utilities: Wireless Facility, Rooftop. Pursuant to *Sec. 5D.3.11.E. (Utilities: Wireless Facility, Rooftop)*, utilities: wireless facility, rooftop is defined as a device or system that is mounted on a building or structure rooftop for the transmitting or receiving of electromagnetic signals, including, but not limited to, radio waves and microwaves, for cellular technology, personal communications services, mobile services, private antennas, paging systems and related technologies. Facilities include antennas, microwave dishes, parabolic antennas and all other types of equipment used in the transmission and reception of such signals; structures for the support of such facilities,

associated buildings or cabinets to house support equipment, and other accessory structures or development. A utilities: wireless facility, rooftop is a type of telecommunications facility.

Utility Area. Utility area is defined as any area containing mechanical equipment or utility equipment.

Utility Equipment. Pursuant to Sec. 14.2.5.A.1.i. (*Utility Equipment*), utility equipment is defined as equipment related to publicly-operated or utility-operated systems, including their related wires, conduits and pipes. Examples of utility equipment include, but are not limited to: hydrants, transformers, utility cabinets, water utility devices, cable television boxes, Internet boxes, or phone boxes.

V

Vacant Lot. Vacant lot is defined as a lot on which no building, temporary or permanent, is erected; or which has no uses of the land.

Vanpool. Vanpool is defined as a vehicle carrying six or more persons to and from work on a regular schedule, and on a prepaid basis.

Variance. Pursuant to Sec. 13B.5.3. (*Variance*), variance is defined as granted relief from a standard or regulation in this Chapter or Chapter I. (*General Provisions and Zoning*) on the basis of hardship or difficulties.

Vegetation. For purposes of Sec. 14.1.5. (*Encroachments*) vegetation is defined as living organisms, absorbing water and organic substances through its roots and synthesizing nutrients. Examples of vegetation include, but are not limited to: trees, shrubs, flowers, herbs, vegetables, grasses, ferns, or moss.

Vehicle. Vehicle is defined as anything used to transport people or goods, including automobiles, vans, trucks, buses, and motorcycles, bicycles, or any other form of micro-mobility.

Vehicle Entry Restriction Device. Vehicle entry restriction device is defined as any device, such as mechanical gates or ticket dispensers, restricting ingress vehicle traffic during operating hours.

Vertical Band Articulation. Pursuant to Sec. 3D.6.4. (*Vertical Band Articulation*), vertical band articulation is a continuous band of material running vertically up a facade.

Vertical Circulation. Pursuant to Sec. 14.2.5.B.1.d. (*Vertical Circulation*), vertical circulation is defined as enclosed and covered structures used for building circulation and rooftop access. Examples of vertical circulation may include, but are not limited to: elevator rooms and associated equipment, and stair accesses to a roof.

Vertical Encroachment. Pursuant to Sec. 14.2.5.B. (*Vertical Encroachments*), vertical encroachment is defined as a structure or assembly that extends vertically into a space where structures are typically prohibited.

Very High Fire Hazard Severity Zone. The Very High Fire Hazard Severity Zone (VHFHSZ) are determined through the *Local Hazard Mitigation Plan* (LHMP) wildfire hazard assessment, based on boundaries established by the Los Angeles Fire Department in accordance with state law.

Very Low Income Household. A very low income household is a household whose annual income, adjusted for family size, does not exceed 50 percent of the area median income as designated for this category in *California Health and Safety Code, Sec. 50105*.

Vesting Preliminary Parcel Map. Vesting preliminary parcel map is defined as a preliminary parcel map for any land division that has printed conspicuously on its face the words "Vesting Preliminary Parcel Map" and is characterized by certain rights to proceed with development when filed and processed in accordance with *Div. 13B.7. (Division of Land)*.

Vesting Tentative Tract Map. Vesting tentative tract map is defined as a tentative tract map for any land division that has printed conspicuously on its face the words "Vesting Tentative Tract Map" and is characterized by certain rights to proceed with development when filed and processed in accordance with *Div. 13B.7. (Division of Land)*.

Vintage Original Art Mural. Vintage original art mural is defined as an original art mural that existed prior to October 12, 2013 (the operative date of *Ord. No. 182,706*). See *Div. 4C.11. (Signs)*.

Visual Light Transmittance. Visual light transmittance is defined as the amount of light in the visible portion of the spectrum that passes through a glazing material as defined in manufacturer specifications.

Visual Obstruction. Visual obstruction is defined as any opaque object, assembly, or structure that obscures visibility through a transparent area, on the interior side of the transparent area of a building facade. See *Sec. 3C.4.1. (Transparent Area)*.

W

Walking Distance. Pursuant to *Sec. 14.2.3.A.2. (Walking Distance)*, walking distance is defined as the distance measured as the most direct path of travel for a pedestrian.

Wall. Wall is defined as a constructed vertical barrier erected to enclose, screen, or separate areas. A wall differs from a fence in having a solid foundation along its whole length.

Wall Sign. Pursuant to *Sec. 4C.11.6.C.12. (Wall Sign)*, wall sign is defined as a sign on the wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the plane of the wall, that has been attached to, painted on, or erected against the wall, projected onto the wall, or printed on any material which is supported and attached to the wall by an adhesive or other materials or methods.

Waste Enclosure. Pursuant to *Sec. 14.2.5.A.1.h. (Waste Enclosure)*, waste enclosure is defined as waste areas and their required screening structures. Examples of waste enclosures include, but are not limited to: trash compactors, garbage, recycling, or food waste.

Waste Facility. Pursuant to Sec. 5D.9.5. (*Waste Facility*), waste facility is defined as any heavy industrial use involving the receipt, storage, separation, conversion, combustion, processing of solid waste, transfer of waste directly from small to larger vehicles for transport, or operation as a landfill. This use includes facilities involved in the transfer, processing, and transformation of organic waste, construction and demolition debris, inert material, solid waste.

Waste Facility: Hazardous Waste. Pursuant to Sec. 5D.9.5.B. (*Waste Facility: Hazardous Waste*), waste facility: hazardous waste is defined as any waste facility use involving the storage, treatment, and disposal of hazardous waste, as defined in the *California Health and Safety Code, Sec. 25117.1. (Definitions)*.

Waste Facility: Organic Waste. Pursuant to Sec. 5D.9.5.A. (*Waste Facility: Organic Waste*), waste facility: organic waste is defined as any waste facility use that receives any material that comes from a plant or animal and is biodegradable, for chipping and grinding, composting, curing, mulching or similar processing methods. This use does not include any chipping and grinding, composting, curing, or mulching conducted as part of the maintenance of landscaped areas associated with any public & institutional uses or open space & recreation uses.

Waste Facility: Solid Waste. Pursuant to Sec. 5D.9.5.C. (*Waste Facility: Solid Waste*), waste facility: solid waste is defined as any waste facility use that does not involve any storage, treatment, and disposal of hazardous waste, or that does not exclusively receive organic waste. For such uses, see Sec. 5D.9.5.B. (*Waste facility: Hazardous Waste*) and Sec. 5D.9.5.A. (*Waste Facility: Organic Waste*).

Water Supply. For the purposes of Div. 13B.7. (*Division of Land*), water supply is defined as the water system supply and distribution facilities necessary to provide a reliable and adequate water supply for private use and public fire protection purposes.

Weighted Solid Perimeter. Pursuant to Sec. 14.2.4.A.7. (*Weighted Solid Perimeter*), weighted solid perimeter is defined as the length of the perimeter plane weighted by the percent of the perimeter plane area that is composed of solid area, for each perimeter plane where perimeter planes consist of a mix of solid area and non-solid area.

Wetland. For the purposes of Sec. 13B.9.2. (*Coastal Development Permit (Post-Certification)*), wetland is defined as lands within the Coastal Zone, which may be covered periodically or permanently with shallow, water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats and fens.

Wholesale Trade & Warehousing. Pursuant to Sec. 5D.8.5. (*Wholesale Trade & Warehousing*), wholesale trade & warehousing is defined as any light industrial use facility primarily used for the high volume storage of goods for sale in large quantities primarily to businesses, or the storage of products intended for consolidation and distribution to manufacturers, wholesalers, retailers, or end users. This use includes seasonal inventory storage, distribution centers, fulfillment centers, cold storage facilities, and facilities housing goods for sale in bulk to businesses or institutions. This use does not include the sale of goods directly to consumers; for such uses see Sec. 5D.6.12. (*Retail*). This use does not include the transshipment of freight between different modes of transport, such as rail to trucking transport; for such uses see Sec. 5D.5.3. (*Freight Transfer Facility*).

Whorl. Whorl is defined as the arrangement of three or more buds, leaves, flowers, or twigs at the same node.

Window. Window is defined as an operable or inoperable opening constructed in a wall that admits light or air into an enclosure and is often framed and spanned with glass or other translucent material.

Window Assembly. Window assembly is defined as a manufactured assembly of a frame, sash, glazing, and necessary hardware, made to fit a window opening.

Window Display. Window display is defined as a display, behind a window, along the facade of a building exhibiting items or advertisements designed to attract the attention of passersby, including window signs.

Window Frame. Window frame is defined as the fixed frame of a window, consisting of two jambs, a head, and a sill.

Window Opening. Window opening is defined as an opening in the wall of a building for admitting light and air, usually fitted with a frame in which are set operable sashes containing panes of glass.

Window Recession. Pursuant to *Sec. 3D.9.1.C.3. (Window Recession)*, window recession is defined as the depth that a window is set back from the surrounding facade.

Window Sash. Window sash is defined as the fixed or movable framework of a window or door in which panes of glass are set.

Window Sign. Pursuant to *Sec. 4C.11.6.C.13. (Window Sign)*, window sign is defined as a sign, except for a supergraphic sign, that is attached to, affixed to, leaning against, or otherwise placed within six feet of a window or door in a manner so that the sign is visible from outside the building.

Wood Waste. Wood waste is defined as any discarded untreated or unpainted wood material, and includes pallets, plywood, and other construction-related scrap lumber, stumps, and tree trimmings.

X

Y

Yard. Yard is defined as all portions of a lot between exterior walls of a building and a property line. See *Sec. 14.2.16. (Yards)*.

Yard Sign. Pursuant to *Sec. 4C. 11.6.C.14. (Yard Sign)*, yard sign is defined as a small sign placed in a yard or other amenity space.

Z

Zone String. Pursuant to Sec. 1.3.1. (*Zone String*), zone string is defined as the combination of zoning districts applied to a lot including, *Form District (Part 2B.)*, *Frontage District (Part 3B.)*, *Development Standards District (Part 4B.)*, *Use District (Part 5B.)*, and *Density District (Part 6B.)*.

Zoning Administrator. Zoning Administrator is defined as the Chief Zoning Administrator or an Associate Zoning Administrator. The Director may appoint the Zoning Administrator to act as the Director's designee or as a Hearing Officer for the Director. See Sec. 13A.1.7. (*Zoning Administrator*).

Zoning District. Zoning district is defined as all zoning districts that compose a zone string including *Form Districts (Part 2B.)*, *Frontage Districts (Part 3B.)*, *Development Standards Districts (Part 4B.)*, *Use Districts (Part 5B.)*, and *Density Districts (Part 6B.)*. Pursuant to Sec. 1.3.1.B. (*Zoning Districts*), the term zoning district does not include Specific Plans, Supplemental Districts, or Special Zones.

ARTICLE 15. FEES

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DIV. 15.1. GENERAL RULES

This *Division (General Rules)* identifies the general standards involved in administering the required fees for land use and development requests which are subject to this Zoning Code (Chapter 1A).

SEC. 15.1.1. FILING OF APPLICATIONS & APPEALS

A. Filing Date

See Sec. 13A.2.3. (*Applications*).

B. Time Limit - Appeals

See Sec. 13A.2.8. (*Appeals*).

C. Place of Filing

See Sec. 13A.2.3. (*Applications*).

D. Notice of Public Hearing

See Sec. 13A.2.4. (*Notice of Public Hearing*).

E. Annual Inflation Adjustment

These fees were established on December 5, 2023 (pursuant to *Ordinance No. 188,063*) as the "Base Fee" and shall be automatically adjusted annually for inflation on July 1st. The Department of City Planning shall provide an updated fee schedule on an annual basis, which reflects the annual inflation adjustment calculated in accordance with the latest change in year-over-year Consumer Price Index for Urban Consumers (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics, in the Los Angeles area from the previous calendar year. This updated fee schedule will have the latest base fee.

ANNUAL INFLATION ADJUSTMENT			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
[Annual Inflation Adjustment Applies]		●	
[Annual Inflation Adjustment Doesn't Apply]		○	

1. Base Fees

For fees in this *Article (Fees)* which are identified on the "Annual Inflation Adjustment" columns with a solid circle, as shown in the table above, the base fee amounts in this *Article (Fees)* shall be the fee amount set forth in *Ordinance No. 188,063*, as reflected and incorporated into this *Article (Fees)*. For previously-adopted fees and for newly-adopted fees, the base fee is the amount of the fee as of the date of introduction of the applicable implementing ordinance.

2. Notice of Updated Fee Schedules

Notice of the updated fee schedule showing the current fee amounts inclusive of annual adjustments shall be published on the Department of City Planning website, as well as the Council File, no less than 30 days in advance of July 1 of every year. The Director shall have the authority to adopt guidelines consistent with this *Division (General Rules)* for the posting of notices of updated fee schedules if the Director determines that guidelines are necessary and appropriate.

F. Appeal Fees

1. Except as expressly provided in *Paragraph 2. (Appeal Fees)* below, the following fees shall be charged and collected with the filing of all appeals.

a. Appeal by Applicant

A fee equal to 85 percent of the total underlying application fees or \$16,586 for first level appeal and \$12,153 for additional level appeals, whichever is less when the appeal is made by the applicant.

b. Appeal by Aggrieved Person Other than Applicant

A fee of \$166 in the case of an appeal by an aggrieved person, other than the applicant.

c. Appeals for Street Dedication & Improvement

A fee of \$1,674 in the case of an appeal by the applicant or an aggrieved person other than the applicant.

APPEAL FEES			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Appeals			
Applicant - First Level Appeal	\$16,586*	●	○
Applicant - Additional Level of Appeal	\$12,153*	●	○
Person other than the Applicant	\$166	●	○
Appeals for Street Dedication & Improvement			
Applicant or Person other than the Applicant	\$1,647	●	○

*The fee is equal to 85 percent of the total underlying application fees or the specified base fee, whichever is less when the appeal is made by the applicant.

2. An appeal filed pursuant to *Sec. 13B.10.2. (Appeals from LADBS Determinations)* shall be accompanied by a filing fee as specified in Table 4-A (Filing Fees for Appeals) of *Chapter IX. (Building Regulations), Sec. 98.0403.2. (Procedures for Appeals to the Department and to the Board)* of this Code, to be collected by the Department. An appeal filed pursuant to *Sec. 13B.10.2.G. (Appeals)* shall be charged a fee in accordance with *Paragraph 1. (Appeal Fees)* above.

G. Fee Payments

Before accepting for filing any application or appeal involving any of the matters specified in this *Article (Fees)*, the Department of City Planning shall charge and collect for each application or appeal the applicable filing fees.

H. Fee Exceptions

The fees as provided for in this *Article (Fees)* shall be subject to the following exceptions:

1. City Departments & Other Governmental Agencies

The fees contained in this *Article (Fees)* shall not apply to any governmental agencies, except for the following proprietary City departments, the Los Angeles World Airports, the Los Angeles Harbor District, and the Los Angeles Department of Water and Power, unless otherwise prescribed by any applicable memorandum of understanding or controlling interagency contract.

2. Variance From Minimum Lot Area Requirements

No fee shall be required in connection with an application for a variance from the minimum lot area requirements of an improved lot, or on appeal from a ruling on the variance application, where it is shown that the lot neither conformed with the minimum lot area requirements at the time of issuance of the original building permit nor constituted a nonconforming lot.

3. Conditional Use Permits for Non-Profit School: Preschool/Daycare

No fee shall be required in connection with an application, appeal, or approval of plans for a conditional use for a school: preschool/daycare pursuant to *Sec 5D.3.9.A. (Preschool/Daycare)* which is determined to be non-profit, including, but not limited to, parent-cooperatives and facilities funded by a governmental agency or owned or operated by a philanthropic institution, religious institution, or similar institution. A facility funded by a governmental agency shall indicate the principal current and anticipated source of funds. Where any uncertainty exists as to the non-profit status of the facility, the applicant shall file a copy of the articles of incorporation or an affidavit, to the satisfaction of a Zoning Administrator, showing that the child-care facility will be non-profit.

4. Non-profit Social Services

No fee shall be required in connection with an application, appeal, or approval of plans for a conditional use or variance for a non-profit social services use pursuant to *Sec. 5D.3.10. (Social Services)*.

5. Credit for Fees Paid Upon A Reapplication

- a. At the discretion of the appropriate decision-maker, an applicant for any determination for which fees are required by this *Article (Fees)* may be allowed credit for the fees paid upon a reapplication for the same project under a different procedure when the decision-maker finds:
 - i. That the applicant made a good-faith attempt to file the application properly; and
 - ii. That the application could be more appropriately approved if filed under a different procedure.
- b. This *Subsection (Fee Exceptions)* shall not be construed to allow credit to be given at the applicant's option, nor to allow refunds of any fees paid on the original application.

6. Continuation of Nonconforming Uses

No fee shall be required in connection with an initial application for continuation of a nonconforming use made pursuant to *Sec. 12.1.4.B. (Discontinuance of Nonconforming Use)*.

7. Project Exceptions In Conjunction with a Quasi-Judicial Review/Relief

Regardless of the provisions in *Sec. 15.1.2. (Multiple or Combination Applications)*, where a project exception and a variance, Conditional Use Permit, or other similar quasi-judicial review/relief are both required for a project, the lower of the fees charged for the project exception and variance, Conditional Use Permit, or other similar quasi-judicial review/relief shall be waived.

8. Full Cost Recovery

In addition to the fees set forth in this *Article (Fees)*, the Department of City Planning may negotiate with an applicant, pursuant to *Sec. 5.121.9.3. (Supplemental Fee Agreements) of the LAAC*, for reimbursement of the actual costs associated with the City's processing of discretionary actions or other Planning reviews and processes for applications involving extraordinary projects, which require unusually heavy commitments of department resources but not involving a "major project", as that term is defined in *Sec. 5.121.9(b) (Creation of the Fund) of the LAAC*.

SEC. 15.1.2. MULTIPLE OR COMBINATION APPLICATIONS

For fees in this *Article (Fees)* which are identified on the "Multiple Applications" columns with a solid circle, as demonstrated in the table below, if more than one application is filed at the same time for the same project and the fee for each separate application, then the charges will be as follows: 100 percent for the highest application fee, 50 percent for the second application (second highest fee), and 25 percent for each additional application fee. Fees which are identified on the "Multiple Applications" columns with a hollow circle, as demonstrated in the table below, or are expressly stated are not

subject to this Section (*Multiple or Combination Applications*).

MULTIPLE OR COMBINATION APPLICATIONS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
[Multiple Applications Applies]			●
[Multiple Applications Doesn't Apply]			○

SEC. 15.1.3. EXPEDITED PERMIT FEE

- A. At the request of the applicant, the Department of City Planning may charge a fee to offset expenses for additional human and physical resources necessary to expedite the permit process for development projects. A minimum initial deposit of \$8,500 or, as adjusted by the Director, in addition to fees charged elsewhere in this Zoning Code (Chapter 1A), shall be collected at the time of the request. In addition, fees shall be paid by the applicant for any additional costs that exceed the initial deposit.
- B. The Department of City Planning shall calculate the costs and resultant fee, at the hourly rate in this Section (*Expedited Permit Fee*), in accordance with Sec. 5.121.9.3.(b)3. (*Supplemental Fee Agreements*) of the LAAC and shall maintain appropriate accounting records of the actual costs. The Director shall resolve any dispute related to the fee. The Director shall exclude from consideration any cost incurred or attributed to the processing of appeals.
- C. The Department shall cause all money collected pursuant to this Section (*Expedited Permit Fee*) to be deposited into the Planning Case Processing Fund as prescribed in Sec. 5.121.9.2.(c) (*Supplemental Fee Agreements*) of the LAAC for purposes of disbursement as permitted therein.

EXPEDITED PERMIT FEE			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Expedited Review Services (hourly)	\$240	●	

DIV. 15.2. LEGISLATIVE ACTION FEES

SEC. 15.2.1. FEES FOR GENERAL PLAN CONSISTENCY

The following fees shall be charged when a zone change is requested by an applicant that necessitates the initiation of a General Plan Amendment to achieve consistency between the requested zone change and the General Plan.

FEES FOR GENERAL PLAN CONSISTENCY			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
General Plan Adoption/Amendment (Sec. 13B.1.1.)			
Less than 400 dwelling units, 500,000 square feet for commercial/industrial, or 250,000 square feet for mixed-use	\$33,790	●	●
400 dwelling units or greater, 500,000 square feet or greater for commercial/industrial, or 250,000 square feet or greater for mixed-use	\$40,284	●	●
Annexation, Zone Change and associated costs for a General Plan Amendment (Sec. 13B.1.1.)			
Less than 400 dwelling units, 500,000 square feet for commercial/industrial, or 250,000 square feet for mixed-use	\$91,084	●	●
400 dwelling units or greater, 500,000 square feet or greater for commercial/industrial, or 250,000 square feet or greater for mixed-use	\$92,753	●	●
Street Re-Classification	\$16,761	●	●

SEC. 15.2.2. FEES FOR ESTABLISHMENT OR CHANGE OF ZONES, & OTHER RELATED ACTIONS

The following fees shall be charged for a zone change, Supplemental District, or Special Zones when that action is consistent with the General Plan. See Fees for General Plan Consistency (Sec. 15.2.1.) for zone change requests that are not consistent with the General Plan.

FEES FOR ESTABLISHMENT OR CHANGE OF ZONES, SUPPLEMENTAL DISTRICTS, OR SPECIAL ZONES & OTHER RELATED ACTIONS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Specific Plan Adoption/Amendment (Sec. 13B.1.2.)	\$35,417	●	●
Zone Change (Sec. 15.2.C.1.; Sec. 13B.1.4.)			
No New Construction	\$26,062	●	●
With New Construction	\$30,912	●	●
Zone Boundary Line Adjustment (Sec. 15.2.C.2.; Sec. 13B.5.2.)	\$11,050	●	●
Zone Change (Sec. 15.2.C.1.; Sec. 13B.1.4.)			
Establishment	\$142,533	●	●
Boundary Change or Repeal	\$72,601	●	●

DIV. 15.3. GENERAL DEPARTMENT OF CITY PLANNING FEES

SEC. 15.3.1. QUASI-JUDICIAL REVIEW FEES

The following fees shall be charged and collected in connection with the corresponding applications filed pursuant to *Div. 13B.2. (Quasi-Judicial Review)*.

A. Class 1 Conditional Use Permit

FEES FOR CLASS 1 CONDITIONAL USE PERMITS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Class 1 Conditional Use Permit (<i>Sec. 13B.2.1.</i>)	\$8,362	●	●
Family Child Care or Preschool/Daycare greater than the persons in care maximum but less than 50 children	\$5,653	●	●
Certified Farmers' Market	\$4,685	●	●
Approval to Erect Amateur Radio Antenna	\$2,700	●	●
Hillside Permit Filing Fee*	\$11,834	●	●

* See Paragraph 2. (*Hillside Permit Filing Fee*) below.

1. Preliminary Project Review

A fee shall be charged to applicants seeking a conditional use permit that requires a consultation with the Department for preliminary project review. See *Sec. 15.3.10. (Project Development & Counseling Services Fees)*.

2. Hillside Permit Filing Fee

[Reserved]

B. Class 2 Conditional Use Permit

FEES FOR CLASS 2 CONDITIONAL USE PERMITS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Class 2 Conditional Use Permit (<i>Sec. 13B.2.2.</i>)	\$15,364		
Conditions of Approval for Oil Drilling (<i>Sec. 8.2.4.</i>)	\$59,191	●	●
Alcohol Service and Indoor Entertainment Venue	\$10,967	●	●
Permanent Supportive Housing Incentive Program: General Application (<i>Sec. 9.4.1.D.1.</i>)	\$14,206	●	●
Sexually Oriented Business - Use Separation from another Sexually Oriented Business Establishment (<i>Part 5D.6.13.. (Sexually Oriented Business)</i>)	\$17,520	●	●

1. Preliminary Project Review

A fee shall be charged to applicants seeking a conditional use permit that requires a consultation with the Department for preliminary project review. See Sec. 15.3.10. (*Project Development & Counseling Services*).

C. Class 3 Conditional Use Permit

FEES FOR CLASS 3 CONDITIONAL USE PERMITS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Class 3 Conditional Use Permit (Sec. 13B.2.3.)	\$26,248	●	●
Modification of Existing Class 3 Conditional Use Permit (Sec. 13B.2.3.H.)	\$21,679	●	●
Surface Mining Permits "Citation reserved"; or Sec. 13B.2.3.	\$3,678	●	●

1. Preliminary Project Review

A fee shall be charged to applicants seeking a conditional use permit that requires a consultation with the Department for preliminary project review. See Sec. 15.3.10. (*Project Development & Counseling Services Fees*).

D. Project Review

FEES FOR PROJECT REVIEWS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Project Review (Sec. 13B.2.4.)			
Project Review Application for Residential-Only Projects	\$11,399	●	●
All Other Project Review Applications	\$11,399	●	●

1. Preliminary Project Review

A fee shall be charged to applicants seeking a conditional use permit that requires a consultation with the Department for preliminary project review. See Sec. 15.3.10. (*Project Development & Counseling Services Fees*).

E. Director Determination

FEES FOR DIRECTOR DETERMINATIONS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Director Determination (Sec. 13B.2.5.)			
Standard	\$5,610	●	●
Standard, Single-Unit Dwelling	\$2,623	●	●
Minor (Sec. 15.3.3.A.)	\$2,649	●	●
Major (Sec. 15.3.3.A.)	\$6,444	●	●
Major, Single-Unit Dwelling	\$2,884	●	●
Approval of Transfer of Development Rights - 49,999 square feet or less. (Sec. 9.3.5.D.)	\$16,500	●	●
Approval of Transfer of Development Rights - 50,000 square feet or greater (Sec. 9.3.5.D.)	\$26,723	●	●

1. Preliminary Project Review

A fee shall be charged to applicants seeking a conditional use permit that requires a consultation with the Department for preliminary project review. See Sec. 15.3.10. (*Project Development & Counseling Services Fees*).

SEC. 15.3.2. MINISTERIAL ACTION FEES

The following fees shall be charged and collected in connection with the corresponding applications filed pursuant to Div. 13B.3. (*Ministerial Action*).

FEES FOR MINISTERIAL ACTIONS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Administrative Review			
Minor	\$1,408	●	○
Major	\$4,173	●	○
Miscellaneous Clearance			
Zoning Administrator	\$2,347	●	○
Zoning Administrator, Single-Unit Dwellings with No Exceptions	\$842	●	○
Director	\$2,132	●	○
Commission	\$2,522	●	○
Advisory Agency	\$713	●	○
Approval of plans for Substantial Conformance	\$2,681	●	○
Letters of Clarification of a determination by the Director, a ZA, the APC, or the CPC Applicant Initiated	\$4,904	●	○
Landscape Plan Approval as part of a Discretionary Approval	\$1,005	●	○
Building Permit Clearance - Minor	\$313	●	○

SEC. 15.3.3. SPECIFIC PLAN IMPLEMENTATION FEES

The following fees shall be charged and collected in connection with the corresponding applications filed pursuant to *Div. 13B.4. (Specific Plan Implementation)*.

FEES FOR SPECIFIC PLAN IMPLEMENTATION			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Project Compliance (Sec. 13B.4.2.)			
Standard Cases	\$5,610	●	●
Standard Cases, Single-Unit Dwelling	\$2,623	●	●
Minor Cases	\$2,649	●	●
Major Cases	\$6,444	●	●
Major Cases, Single-Unit Dwelling	\$2,884	●	●
Project Compliance (Design Review Board) (Sec. 13B.4.3.)			
Standard Cases	\$7,060	●	●
Standard Cases, Single-Unit Dwelling	\$3,426	●	●
Minor Cases	\$3,426	●	●
Major Cases	\$7,999	●	●
Major Cases, Single-Unit Dwelling	\$3,635	●	●
Design Review Board - Preliminary Design Review	\$4,650	●	●
Design Review Board - Preliminary Design Review for Single-Unit Dwelling	\$2,326	●	●
Project Adjustment (Sec. 13B.4.4.)	\$4,880	●	●
Project Exception (Sec. 13B.4.5.)	\$15,885	●	●
Specific Plan Interpretation (Sec. 13B.4.6.)	\$5,600	●	●

A. Fee Thresholds

The following thresholds shall be used in determining which fees apply in the categories for Project Compliance:

FEE THRESHOLDS	
Fee Category	Thresholds
Minor Cases	Three or less signs or a change of use
Standard Cases	More than three signs, wireless cases, or projects with additions of less than 200 square feet
Major Cases	All other projects not falling into the categories of Minor or Standard cases

SEC. 15.3.4. QUASI-JUDICIAL RELIEF FEES

The following fees shall be charged and collected in connection with the corresponding applications filed pursuant to *Div. 13B.5. (Quasi-Judicial Relief)*.

FEES FOR QUASI-JUDICIAL RELIEF			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Alternative Compliance (Sec. 13B.5.1.)	\$7,060	●	●
Adjustment (Sec. 13B.5.2.)			
Not Single-Unit Dwelling	\$9,629	●	●
Single-Unit Dwelling	\$9,629	●	●
Relief from Fence Height Limitation	\$10,377	●	●
Variance (Sec. 13B.5.3.)	\$13,934	●	●
Modification of Entitlement (Sec. 13B.5.4.)			
Modification or Review by Zoning Administrator (Sec. 13B.2.1.H. and Sec. 13B.2.2.H.)	\$6,731	●	●
Director Approval - First Entitlement	\$3,987	●	●
Director Approval - Each Additional Entitlement	\$199	●	●
Zoning Administrator Approval - First Entitlement	\$4,773	●	●
Zoning Administrator Approval - Each Additional Entitlement	\$199	●	●
City Planning Commission/Area Planning Commission Approval - First Entitlement	\$5,966	●	●
City Planning Commission/Area Planning Commission Approval - Each Additional Entitlement	\$398	●	●
Reasonable Accommodation (Sec. 13B.5.5.)	\$0	●	●

SEC. 15.3.5. NON-COMPLIANCE FEES

The following fees shall be charged for costs associated with permit clearance, condition compliance monitoring and inspections conducted by the City, and revocation proceedings pursuant to Sec. 13B.6.1. (*Evaluation of Non-Compliance*).

A. Evaluation of Non-Compliance

FEES FOR EVALUATION OF NON-COMPLIANCE			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Evaluation of Non-Compliance (Sec. 13B.6.1.)			
Monitoring of Class 1 and Class 2 Conditional Use Permits	\$1,878	●	○
Inspection and Field Compliance Review of Operations	\$816	●	○

* See Paragraph 1. below.

FEES FOR EVALUATION OF NON-COMPLIANCE			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Revocation, Suspension or Restriction Proceedings for Non-Compliance of Conditions (Initial Deposit)*	\$5,000	●	●

* See Paragraph 1. below.

1. Revocation, Suspension or Restriction Proceeding for Non-Compliance of Conditions

With respect to *Sec. 13B.6.1. (Evaluation of Non-Compliance)*, fees shall be paid for the actual costs associated with the revocation process that exceed the initial deposit amount. The Department of City Planning shall calculate the actual costs and resultant fee, in accordance with *Sec. 5.121.9.3.(b)3. (Supplemental Fee Agreements)* of the LAAC and shall maintain appropriate accounting records of the actual costs. The Director shall resolve any dispute related to the fee. The Director shall exclude from consideration any cost incurred or attributed to the processing of appeals.

B. Nuisance Abatement/Revocation

FEES FOR NUISANCE ABATEMENT/REVOCATIONS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Nuisance Abatement/Revocation (<i>Sec. 13B.6.2.</i>)			
Imposition of Conditions (City Initiated)	\$55,495	●	●
Modification (Applicant Initiated)	\$42,646	●	●
Plan Approval for Revocation Case	\$52,783	●	●

SEC. 15.3.6. DIVISION OF LAND FEES

The following fees shall be charged in connection with the corresponding applications filed pursuant to *Div. 13B.7. (Division of Land)* and paid to the Department of City Planning, except as otherwise specified here.

A. Parcel Map Exemption/Lot Line Adjustment

FEES FOR PARCEL MAP EXEMPTION/LOT LINE ADJUSTMENTS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Parcel Map Exemption (Lot Line Adjustment) (<i>Sec. 11.4.1.B.3.c.; Sec. 13B.7.2.</i>)	\$2,804	●	○
Parcel Map Waiver (<i>Sec. 11.4.1.B.4.; State Subdivision Map Act Sec. 66412(a) and Sec. 66412.1(a) & (b); Sec. 13B.7.2.</i>)	\$3,784	●	○

1. Bureau of Engineering Fees

In addition to the fees imposed pursuant to the provisions of this *Subsection (Parcel Map Exemption/Lot Line Adjustment)*, before acceptance for examination by the City Engineer, the Bureau of Engineering shall charge and collect for each parcel map exemption application a nonrefundable fee of \$1,262 is applicable to the project.

B. Tentative Tract Map

FEES FOR TENTATIVE TRACT MAPS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Tentative Map - Single-Unit Dwellings			
5-49 Lots	\$13,579	●	○
Each additional Set of 50 Lots over 49 Lots	\$6,895	●	○
Tentative Map - Multi-Unit Dwellings			
5-49 Units	\$13,893	●	○
50-99 Units	\$15,788	●	○
100 Units or More	\$19,316	●	○
Tentative Map - Commercial/Industrial with Building			
Less than 50,000 sq-ft of floor area	\$13,579	●	○
50,000-99,999 sq-ft of floor area	\$14,727	●	○
100,000-249,999 sq-ft of floor area	\$16,083	●	○
250,000 sq-ft of floor area or More	\$18,013	●	○
Tentative Map - Commercial/Industrial without Building			
Less than 1 Acre	\$12,641	●	○
1 to Less than 5 Acres	\$13,579	●	○
5 Acres or More	\$14,006	●	○

1. Phasing of Map

For each request for the Advisory Agency to approve the recording of a final map which covers only a portion of the property shown on an approved tentative map pursuant to the provisions of *Sec. 13B.7.4. (Final Tract Map)*, a fee of \$9,859.

2. Very High Fire Hazard Severity Zone

For tentative maps within Very High Fire Hazard Severity Zones, a surcharge of 1/2 the sum of the fees paid pursuant to the fee table in this *Subsection (Tentative Tract Map)* shall be paid.

3. Mixed-Use

Where the project involves a combination of single-unit dwellings, multi-unit dwellings, commercial, and/or industrial uses, the highest fee, including modifications to the fee, shall be charged at 100 percent, the second highest at 50 percent, and the third and subsequent fee at 25 percent. This fee discounting shall not apply to the surcharge required by *Paragraph 2. (Very High Fire Hazard Severity Zone)* of this *Subsection (Tentative Tract Map)*.

4. Bureau of Engineering Fees

In addition to the fees imposed pursuant to the provisions of this *Subsection (Tentative Tract Map)*, before acceptance for examination by the City Engineer, the Bureau of Engineering shall charge and collect for each application the following nonrefundable fees applicable to the project for which the application is made:

- a. For each subdivision tract of fewer than 20 lots, a fee of \$8,240. For each modified or revised subdivision tract of fewer than 20 lots requiring a revised engineering report, a fee of \$1,854.
- b. For each subdivision tract of 20 or more lots, actual Bureau of Engineering costs and a deposit for such costs as determined and collected pursuant to the provisions of *Chapter VI (Public Works and Property), Sec. 61.15. (Actual Cost Special Engineering Services)*. For each modified or revised subdivision tract of 20 or more lots requiring a revised engineering report, a fee of \$1,854.

FEES FOR TENTATIVE SUBDIVISION TRACTS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Subdivision Tract - Fewer than 20 Lots			
Initial Fee	\$8,240	●	○
Subsequent Modifications/Revisions	\$1,854	●	○
Subdivision Tract - 20 or More Lots			
Initial Fee	LAMC Sec. 61.15.	○	○
Subsequent Modifications/Revisions	\$1,854	●	○

C. Final Tract Map

Before acceptance for examination by the City Engineer, the Bureau of Engineering shall charge and collect for each application the following nonrefundable fees that apply to the project for which the application is made:

FEES FOR FINAL SUBDIVISION TRACTS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Subdivision Tract			
Fewer than 20 Lots	\$8,240	●	○
20 or More Lots	LAMC Sec. 61.15.*	○	○
Airspace Subdivision			
	LAMC Sec. 61.15.*	○	○

* Actual Bureau of Engineering costs and a deposit for such costs as determined and collected pursuant to the provisions of *Chapter VI. (Public Works and Property), Sec. 61.15 (Actual Cost Special Engineering Services)*.

1. Very High Fire Hazard Severity Zone

For each subdivision that is located entirely or partly within a Very High Fire Hazard Severity Zone, the Bureau of Engineering shall charge and collect a surcharge in the amount of 50 percent of the fee imposed pursuant to the fee table in this *Subsection (Final Tract Map)*.

2. Resubmission Fee

In addition to the fee and surcharge imposed pursuant to the fee table in this *Subsection (Final Tract Map)* and the provisions of *Paragraph 1. (Very High Fire Hazard Severity Zone)* above, the Bureau of Engineering shall charge and collect a resubmission fee of \$824 for each and every map or any part of a map submitted to the City Engineer more than three times, including the original submission, and the fee shall be paid to the Bureau of Engineering upon each and every submission to the City Engineer thereafter.

3. Reverting Subdivided Land Fee

In addition to all other fees charged pursuant to the provisions of this *Subsection (Final Tract Map)*, if a final map is filed for the purpose of reverting subdivided land to acreage or for merger and re-subdivision of land pursuant to the provisions of *Sec. 11.3.5. (Reversion to Acreage)* and *Sec. 11.3.6. (Merger & Resubdivision)*, the Bureau of Engineering shall charge and collect a fee of \$2,549.

D. Preliminary Parcel Map

FEES FOR PRELIMINARY PARCEL MAPS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Preliminary Parcel Map - Residential, Up to 4 Lots			
Single-Unit Dwellings	\$13,204	●	○
Multi-Unit Dwellings	\$13,621	●	○
Preliminary Parcel Map - Commercial/Industrial With Building, Up to 4 Lots			
Less than 50,000 square feet of Floor Area	\$13,726	●	○
50,000 to Less than 100,000 square feet of Floor Area	\$14,717	●	○
100,000 to Less than 250,000 square feet of Floor Area	\$16,125	●	○
250,000 square feet of Floor Area or More	\$18,013	●	○
Preliminary Parcel Map - Commercial/Industrial Without Building, Up to 4 Lots			
Less than 1 Acre in Area	\$12,975	●	○
1 to Less Than 5 Acres in Area	\$12,975	●	○
5 Acres or More in Area	\$12,975	●	○

1. Very High Fire Hazard Severity Zone

For preliminary parcel maps within the Very High Fire Hazard Severity Zones, a surcharge of 1/3 the sum of the fees paid pursuant to the fee table in this *Subsection (Preliminary Parcel Map)* shall be paid.

2. Mixed-Use

Where the project involves a combination of single-unit dwellings, multi-unit dwellings, commercial, and/or industrial uses, the highest fee, including modifications to the fee, shall be charged at 100 percent, the second highest at 50 percent, and the third and subsequent fee at 25 percent. This fee discounting shall not apply to the surcharge required by *Paragraph 1. (Very High Fire Hazard Severity Zone)* of this Subsection (*Preliminary Parcel Map*).

3. Bureau of Engineering Fees

In addition to the fees imposed pursuant to the provisions of this Subsection (*Preliminary Parcel Map*), before acceptance for examination by the City Engineer, the Bureau of Engineering shall charge and collect for each application the following nonrefundable fees applicable to the project for which the application is made:

- a. For each map, a fee of \$8,240.
- b. For each modified or revised map requiring a revised engineering report, a fee of \$824.

E. Final Parcel Map

Before acceptance for examination by the City Engineer, the Bureau of Engineering shall charge and collect for each application the following nonrefundable fees that apply to the project for which the application is made:

FEES FOR FINAL PARCEL MAPS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Final Parcel Map	\$8,240	●	○
Airspace Subdivision	LAMC Sec. 61.15.*	○	○

** Actual Bureau of Engineering costs and a deposit for such costs as determined and collected pursuant to the provisions of *Chapter VI. (Public Works and Property), Sec. 61.15 (Actual Cost Special Engineering Services)*.

1. Very High Fire Hazard Severity Zone

For each subdivision that is located entirely or partly within a Very High Fire Hazard Severity Zone, the Bureau of Engineering shall charge and collect a surcharge in the amount of 50 percent of the fee imposed pursuant to the fee table in this Subsection (*Final Parcel Map*).

2. Resubmission Fee

In addition to the fee and surcharge imposed pursuant to the fee table in this Subsection (*Final Parcel Map*) and the provisions of *Paragraph 1. (Very High Fire Hazard Severity Zone)* above, the Bureau of Engineering shall charge and collect a resubmission fee of \$824 for each and every map or any part of a map submitted to the City Engineer more than three times, including the original submission, and the fee shall be paid to the Bureau of Engineering upon each and every submission to the City Engineer thereafter.

3. Reverting Subdivided Land Fee

In addition to all other fees charged pursuant to the provisions of this *Subsection (Final Parcel Map)*, if a final map is filed for the purpose of reverting subdivided land to acreage or for merger and re-subdivision of land pursuant to the provisions of *Sec. 11.3.5. (Reversion to Acreage)* and *Sec. 11.3.6. (Merger & Resubdivision)*, the Bureau of Engineering shall charge and collect a fee of \$1,854.

4. Final Map Waiver

Before acceptance for examination by the City Engineer, the Bureau of Engineering shall charge and collect a fee of \$1,262 to review and process each application for a final map waiver requested pursuant to the provisions of *Sec. 13B.7.5. (Preliminary Parcel Map)*.

F. Private Street Map

FEES FOR PRIVATE STREET MAPS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Deemed to be Approved Private Street (<i>Sec. 10.3.2.C.</i>)	\$4,687	●	○
Private Street Map (<i>Sec. 13B.7.7.</i>)	\$14,069	●	○

1. Private Streets In Conjunction With Division of Land

In the event the person plotting or dividing land as lots or building sites pursuant to *Div. 10.3. (Private Street Regulations)* shall elect to subdivide land in accordance with *Article 11. (Division of Land)* within one year from the filing date of the private street map, the fees required and paid under *Subsection (Private Street Map)* may be applied against the payment of the fees required by *Subsection B (Tentative Tract Map)* or *Subsection D (Preliminary Parcel Map)* of this *Section (Division of Land Fees)*.

2. Modifications of Private Street Maps

For each request for modification of the requirements governing private streets pursuant to the provisions of *Sec. 13B.7.7. (Private Street Map)*, a fee of \$3,323 shall be paid. For each and every lot or building site shown on a private street map, excepting the lots or building sites as are shown at the request of the City Engineer to facilitate the description of the land to be acquired by condemnation proceedings, a fee of \$59 shall be paid.

3. Bureau of Engineering Fees

Before acceptance for examination by the City Engineer, the Bureau of Engineering shall charge and collect for each private street map application a fee of \$6,304, and shall charge and collect for each modified or revised street map application requiring a revised engineering report a fee of \$630.

G. Certificate or Conditional Certificate of Compliance

A fee of \$4,920 shall be paid for each determination of the Advisory Agency with respect to a certificate or conditional certificate of compliance pursuant to the Subdivision Map Act in California Government Code Sec. 66499.35. The above fee shall be waived when the Advisory Agency has approved a division of land and collected a fee without the requirement of a final map being filed with the Los Angeles County Recorder. In every case, the applicant shall also pay a fee equal to the amount required by law for recording any certificate or conditional certificate of compliance issued in connection with the decision. Before acceptance for examination by the City Engineer, the Bureau of Engineering shall charge and collect a fee of \$1,262 for the review and processing of each application for a Certificate of Compliance.

FEES FOR CERTIFICATE OR CONDITIONAL CERTIFICATE OF COMPLIANCE			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Certificate or Conditional Certificate of Compliance - Determination	\$4,920	●	○

H. Mobile Home Park Impact Reports

FEES FOR MOBILE HOME PARK IMPACT REPORTS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Mobile Home Park Impact Report (Sec. 13B.7.1.D.2.b.)	\$13,682	●	○

If no request for hearing is filed within the time periods set forth in *Chapter IV. (Public Welfare), Article 7 (Miscellaneous), Sec. 47.09.D.5. (Request for Council Hearing)*, upon written demand by park management, a refund of \$5,229 shall be made to park management.

I. Condominium Conversion for Subdivision & Parcel Maps

1. Residential Dwellings

FEES FOR CONDOMINIUM CONVERSION FOR SUBDIVISION & PARCEL MAPS (RESIDENTIAL DWELLINGS)			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Residential Dwelling Units			
1 to 4 Dwelling Units	\$15,822	●	○
5 to 49 Dwelling Units	\$18,743	●	○
50 to 99 Dwelling Units	\$22,561	●	○
100 Dwelling Units or More	\$25,336	●	○

For the approval of any relocation assistance plan required by *Sec. 11.5.1.E.6. (Tentative Tract Map & Preliminary Parcel Map Approval)*, a fee of \$186.

2. Commercial/Industrial

FEES FOR CONDOMINIUM CONVERSION FOR SUBDIVISION & PARCEL MAPS (COMMERCIAL/INDUSTRIAL)			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Commercial/Industrial			
Less than 50,000 square feet of Floor Area	\$13,819	●	○
50,000 to Less than 100,000 square feet of Floor Area	\$14,769	●	○
100,000 to Less than 250,000 square feet of Floor Area	\$15,655	●	○
250,000 square feet of Floor Area or More	\$16,667	●	○

3. Mixed-Use

Where the project involves a combination of dwelling units, commercial, and/or industrial uses, the highest fee shall be charged at 100 percent, the second highest at 50 percent, and the third and subsequent fee at 25 percent. This fee discounting shall not apply to the surcharge required by the *first unnumbered paragraph of Subdivision I.1. (Residential Dwellings)* above.

J. Improvement Plans

Engineering, checking and inspection fees shall be deposited with the City in accordance with the provisions of *Chapter VI. (Public Works and Property), Sec. 62.109. (Class "A" Permit Fees)* and *Chapter VI. (Public Works and Property), Sec. 62.110 (Class "B" Permit Fees)*.

K. Appeals

Each appeal of a tentative or final map shall be accompanied by the payment of a fee pursuant to *Sec. 15.1.1.F. (Appeals Fees)*.

L. Modifications

Each request for a modification of an approved tentative map or recorded final map shall be accompanied by the payment of the appropriate fee indicated in *Subsection M. (Map Related Fees)* below.

M. Map Related Fees

FEES FOR MAP RELATED FEES			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Other Map Related Fees			
Review of Revision of Tentative/Preliminary Map	\$3,174	●	○
Modification of Recorded Final Parcel Map or Final Tract Map (<i>Sec. 13B.7.4.H. or Sec. 13B.7.6.H.</i>)	\$8,912	●	○

FEES FOR MAP RELATED FEES			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Reversion to Acreage (Sec. 11.3.5.)	\$8,922	●	○
Time Extension for Maps (Sec. 13B.7.3. and Sec. 13B.7.5.)	\$1,067	●	○
Letter of Clarification or Correction (Applicant Initiated)	\$4,786	●	○

N. Temporary Subdivision Signs

FEES FOR TEMPORARY SUBDIVISION SIGNS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Request for Approval to Erect Temporary Subdivision Directional Signs			
First Sign (Sec. 11.1.3.M.13.)	\$452	●	○
Each Additional Sign (Sec. 11.1.3.M.13.)	\$400	●	○

Prior to the erection of any signs authorized pursuant to any single application, the applicant shall deposit \$100 with the Department of Building and Safety for the purposes of defraying any expense incurred by the City in the removal of the signs. This money shall be refunded on the expiration of the prescribed time period if all of the signs have been removed by the applicant, the owner of the signs, or the owner and the lessee of the property where the signs are placed.

O. Conversion Projects: Residential, Residential to Commercial/Industrial; Rental Housing Production

1. As a condition of tentative map or preliminary parcel map approval, the Advisory Agency shall require that the applicant or their successor-in-interest pay to the City a fee of \$1,492 for each unit in a residential or residential to commercial/industrial conversion project, based on the number of units in the project prior to conversion. For the year beginning July 1, 2008, and all subsequent years, the fee amount shall be adjusted on an annual basis pursuant to the formula set forth in *Chapter XV. (Rent Stabilization), Sec. 151.06.D. (Automatic Adjustments)*. The adjusted amount shall be rounded to the nearest \$50 increment. This fee shall be paid prior to approval of the final map by the City Engineer.
2. All fees collected pursuant to this *Subsection (Conversion Projects: Residential, Residential to Commercial/Industrial; Rental Housing Production)* shall be deposited and held in the Rental Housing Production Account of the Los Angeles Housing Department, which account is hereby established to be administered by the Los Angeles Housing Department separately from all other money expended by the Department. Money in this account shall be used

exclusively for the development of low and moderate income rental housing in the City, pursuant to guidelines carrying out this purpose prepared by the Department and approved by resolution of the City Council.

P. Deferred Placement of Monuments

Pursuant to *Sec. 11.3.1.D.3. (Deferment)*, when the placement of monuments is to be deferred, the Bureau of Engineering shall charge and collect a fee of \$443 for the service of receiving and processing a bond to guarantee placement of the monuments.

SEC. 15.3.7. HISTORIC PRESERVATION FEES

The following fees shall be charged and collected in connection with the corresponding applications filed pursuant to *Div. 13B.8. (Historic Preservation)*.

FEES FOR HISTORIC PRESERVATION			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Historic Preservation Overlay Zone Designation (Sec. 13B.8.2.)	\$140,589	●	●
Preservation Plan Adoption/ Amendment (Sec. 13B.8.3.)	\$40,345	●	●
HPOZ Certificate of Appropriateness Not involving new construction or addition (Sec. 13B.8.5.)	\$1,776	●	●
Certificate of Appropriateness or Compatibility (Sec. 13B.8.5. and Sec. 13B.8.7.)			
For additions to existing square footage, up to a 20% increase in building coverage	\$1,855	●	●
For additions to existing square footage, greater than a 20% increase in building coverage	\$2,295	●	●
For new residential construction, 1 to 4 units, or for new commercial and mixed-use construction, up to 5,000 square feet	\$2,562	●	●
For new residential construction, 5 units or more, or for new commercial and mixed-use construction, 5,000 square feet or greater	\$3,062	●	●
For new accessory building construction	\$1,805	●	●
Review of Conforming Work (Sec. 13B.8.4.)	\$595	●	●
Modification of a Certificate Determination	\$642	●	●
Historic Resources Building Permit Clearance (Larger Project*) (Sec. 91.106.4.5.)	\$1,127	●	○
Certificate of Appropriateness - Demolition, Removal, or Relocation (COA-DRR) Demolition of Main Structure (Sec. 13B.8.6.)	\$11,475	●	●
Mills Act (LAAC Sec. 19.144.)			

* Larger Project, for purposes of this Section (*Historic Preservation Fees*), is defined as any project so determined by the Director for which the planning or processing of requests for administrative permit clearances will significantly impact departmental resources.

FEES FOR HISTORIC PRESERVATION			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Application Processing Fee	\$711	●	●
Contract Execution Fee	\$2,984	●	●
Application Valuation Exemption	\$3,242	●	●
Application (Appeal of Staff Determination to Cultural Heritage Commission)	\$2,504	●	●
Contract Compliance Inspection (once every 5 years)	\$2,825	●	●
Technical Corrections to previously certified Historic Resource (Applicant Initiated)	\$3,547	●	●
Historic Resources - Environmental Impact Report Review (hourly)	\$209	●	○
Preliminary Evaluation of Demolition or Relocation Without Permit (Sec. 13B.8.1.E.)	\$10,223	●	●
Historic Resource Assessment	\$1,044	●	●

* Larger Project, for purposes of this Section (*Historic Preservation Fees*), is defined as any project so determined by the Director for which the planning or processing of requests for administrative permit clearances will significantly impact departmental resources.

SEC. 15.3.8. COASTAL DEVELOPMENT FEES

In addition to any other fees set forth in this Article (*Fees*), the following fees shall be charged and collected by the permit granting authority in connection with the filing of all applications pursuant to Div. 13B.9. (*Coastal Development*) for coastal development permits.

FEES FOR COASTAL DEVELOPMENT			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Coastal Development Permit (Pre-Certification) (Sec. 13B.9.1.)			
Single-Unit Dwelling	\$12,605	●	●
Multi-Unit Dwelling	\$16,709	●	●
Non-residential	\$16,709	●	●
Coastal Development Permit Exemption Determination (Sec. 13B.9.1. and Sec. 13B.9.2.)	\$1,565	●	●
Coastal Development Permit Amendment (Sec. 13B.9.1. and Sec. 13B.9.2.)	\$10,988	●	●
Coastal Development Permit - Mello Compliance Review - City Review (Sec. 13B.9.1.)	\$3,394	●	●

A. Filing Fees for Environmental Impact Reports & Negative Declarations

Where an environmental impact report or negative declaration is prepared for a project for which application for a coastal development permit has been made, a negative declaration or environmental impact report shall consider the effect of the project in light of the criteria established in Sec. 13B.9.1.D. (*Decision*) and Sec. 13B.9.1.E. (*Standards for Review & Required Findings*), and no additional charge shall be made. Where the underlying project is otherwise exempt from the preparation of a negative declaration or environmental impact report but either

document is required for the coastal development permit, those fees set forth in *Sec. 15.3.9. (Environmental Fees)* shall be applicable, and shall be collected by the appropriate permit granting authority.

SEC. 15.3.9. ENVIRONMENTAL FEES

For the preparation and processing of required studies, analysis, reports, findings, mitigation measures, certifications, and notices under the California Environmental Quality Act (CEQA), all fees, deposits, and costs provided in *Subsection A.* and *Subsection B.* below, shall be paid. All monies required to be paid in this *Section (Environmental Fees)*, shall be paid to the Department of City Planning at the time the planning application is filed unless otherwise indicated in this *Section (Environmental Fees)*. The determination of the necessary actions to comply with CEQA is at the City's discretion acting as the lead or responsible agency.

A. Categorical Exemptions (CEs), Negative Declarations (NDs)/Mitigated Negative Declarations (MNDs), Environmental Assessment Forms (EAFs), & Addenda

FEES FOR CATEGORICAL EXEMPTIONS (CES), NEGATIVE DECLARATIONS (NDS)/MITIGATED NEGATIVE DECLARATIONS (MNDS), ENVIRONMENTAL ASSESSMENT FORMS (EAFS), & ADDENDA			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Categorical Exemption			
Classes 1-31, 33	\$556	●	○
Class 32	\$4,481	●	○
EAF / Initial Study leading to ND or MND or Statutory Exemptions (except Sustainable Communities Project Exemption)	\$6,911	●	○
MND / Expanded Initial Study, Subsequent Approval Review (CEQA Guidelines <i>Sec. 15162.</i>), or Addendum to ND or MND - Expanded	\$12,163	●	○
Subsequent Approval Review (CEQA Guidelines <i>Sec. 15162.</i>) or Addendum to ND or MND	\$2,692	●	○
Publication Fee for Notice of Intent to Adopt ND or MND (pass through of publishing costs)	\$1,700	●	○

B. Environmental Impact Reports (EIRs), Sustainable Communities Project Exemption (SCPE), & Sustainable Communities Environmental Assessment (SCEA)

1. Deposit

An initial deposit as provided in the fee table below, is required at the time of an application for an EAF, resulting in an Environmental Impact Report (EIR), Sustainable Communities Project Exemption (SCPE), Sustainable Communities Environmental Assessment (SCEA), or any other environmental clearance available in CEQA that is not otherwise expressly listed in *Subsection A.* or this *Subsection B.*

FEES FOR EIRS, SCPES, & SCEAS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
EIRs (includes Focused EIRs) - Initial Deposit	\$15,000	●	○
SCPE, SCEA, or Other CEQA Clearance - Initial Deposit	\$10,000	●	○
Subsequent Approval to EIR (CEQA Guidelines Sec. 15162) - Initial Deposit	\$7,500	●	○
EIR (including Supplemental, Subsequent, Tiered, Focused, or Addendum to EIR) Review Services (hourly)	\$209	●	○
SCPE Review Services (hourly)	\$209	●	○
SCEA Review Services (hourly)	\$209	●	○
Other CEQA Clearance Review Services (hourly)	\$209	●	○

2. Full Cost Recovery

For any costs incurred by the City, other than for those CEQA clearances or notices identified in the fee table in *Paragraph 1. (Deposit)*, above, the applicant is responsible for all of the City's actual costs to comply with CEQA. All other costs shall be paid at the cost invoiced by the City for the City's actual costs.

3. Indemnification and Defense

Applicants are responsible for any and all costs incurred by the City in defense of any and all actions or claims arising in full or in part out of the City's processing of a project application filed under Chapter 1 or 1A or the City's actions to comply with CEQA in the processing of said applications. Applicants shall deposit \$50,000 (or an amount found necessary by the City Attorney's Office to ensure the City's costs are fully covered) to the City Attorney's Office upon receipt of a tender of defense letter. The applicant shall pay all invoices from the City Attorney's Office for its costs and ensure that the initial deposit is maintained in full at all times prior to final disposition of the case or action.

C. Preschool/Daycare Fees

1. No fee shall be charged in connection with the processing of an initial study or filing of an EIR for any school: preschool/daycare which is determined to be non-profit, including, but not limited to, parent cooperatives and facilities funded by a governmental agency or owned or operated by a philanthropic institution, church, or similar institution. A facility funded by a governmental agency shall indicate the primary current and anticipated source of funds.
2. Where any uncertainty exists as to the non-profit status of the facility, the applicant shall file a copy of the articles of incorporation or an affidavit showing, to the satisfaction of a Zoning Administrator, that the school: preschool/daycare will be non-profit.

SEC. 15.3.10. PROJECT DEVELOPMENT & COUNSELING SERVICE FEES

The following fees shall be charged and collected in connection with the corresponding applications filed pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit), Sec. 13B.2.2. (Class 2 Conditional Use Permit), and Sec. 13B.2.3. (Class 3 Conditional Use Permit).

FEES FOR PROJECT DEVELOPMENT AND COUNSELING SERVICES			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Zoning Pre-Check with Feasibility Study (Minor/Review) (Sec. 13B.2.1., Sec. 13B.2.2., and Sec. 13B.2.3.)	\$1,460	●	○
Zoning Pre-Check with Pre-Application Review (Major)	\$3,129	●	○

SEC. 15.3.11. DEVELOPMENT AGREEMENT FEES

- A. The following fees shall be charged and collected in connection with the corresponding applications filed pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit), Sec. 13B.2.2. (Class 2 Conditional Use Permit), and Sec. 13B.2.3. (Class 3 Conditional Use Permit).

FEES FOR DEVELOPMENT AGREEMENTS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Development Agreement Fee (Sec. 13B.2.1., Sec. 13B.2.2., and Sec. 13B.2.3.)	\$32,807	●	○

- B. In addition to the fees set forth above, the City may negotiate with the applicant for reimbursement of the actual costs to the City associated with administering the development agreement, pursuant to Sec. 5.121.9.3. (Supplemental Fee Agreements) of the LAAC. The actual costs assessed shall be offset by the fees collected as indicated in the table above.

SEC. 15.3.12. ANNUAL INSPECTION OF FAR AVERAGING & DENSITY TRANSFER COVENANTS

A fee of \$300 shall be charged and collected by the Department of Building and Safety to cover the cost of an annual inspection to monitor compliance with, and maintain records of, the covenant required pursuant to Sec. 2C.4.1.F.2. (Relief), Sec. 6C.1.2.F.2. (Relief), Sec. 9.2.1.D.8. (Averaging of Floor Area Ratio, Density, Parking or Lot Amenity Space), Sec. 9.3.2.D.4. (Averaging of Floor Area, Lot Amenity Space, Parking, & Density), Sec. 9.4.1.C.2.f. (Averaging of Floor Area Ratio, Parking), Sec. 9.4.5.D.1.e. (Unified Development), and Sec. 9.4.6.D.1.e. (Unified Development).

SEC. 15.3.13. RESTORATION OF DAMAGED OR DESTROYED BUILDINGS

Applicants for determinations by the Zoning Administrator for deviations pursuant to Sec. 1.6.1.D. (Restoration of Damaged or Destroyed Buildings) shall pay a fee of \$869. This fee is subject to Sec. 15.1.1.E. (Annual Inflation Adjustment).

SEC. 15.3.14. STREETS FEES

The following fees shall be charged and collected in connection with the corresponding applications filed pursuant to *Div. 10.1. (Street Dedication & Improvement)*.

A. Street Dedication & Improvement Fees

In addition to all other required fees, the following fees shall be charged for services provided for processing applications pursuant to the provisions of *Div. 10.1. (Street Dedication & Improvement)*:

1. A nonrefundable fee as set forth in *Chapter I. (General Provisions and Zoning), Sec. 11.12. (Summary of Fees for Bureau of Engineering Services Pursuant to the Provisions of this Chapter)* of this Code for every property requiring the City Engineer to investigate and determine whether the provisions of this Section (*Streets Fees*) require a dedication of land or improvement to land.
2. A fee as set forth in *Chapter I. (General Provisions and Zoning), Sec. 11.12. (Summary of Fees for Bureau of Engineering Services Pursuant to the Provisions of this Chapter)* of this Code for Bureau of Engineering services for processing real estate transfer documents for every property for which the provisions of this Section (*Streets Fees*) require a dedication of land.
3. A nonrefundable fee in the amount of \$1,970 paid to the Department of City Planning for processing waiver requests pursuant to the provisions of *Sec. 10.1.10. (Waiver & Appeals)*.
4. A nonrefundable fee of \$1,570 paid to the Department of City Planning for processing appeals pursuant to the provisions of *Sec. 10.1.10. (Waiver & Appeals)*.

B. Waiver of Dedications & Improvements

FEES FOR WAIVER OF DEDICATIONS & IMPROVEMENTS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Waiver of Dedications and Improvements (<i>Sec. 10.1.10.</i>)	\$7,165	●	●

C. Private Street Name Fees

A nonrefundable application processing fee of \$4,326 for projects subject to *Sec. 10.3.8. (Private Street Names)*.

SEC. 15.3.15. ZONING ADMINISTRATOR INTERPRETATION FEES

The following fees shall be charged and collected in connection with the corresponding applications filed pursuant to *Sec. 13A.1.7.D.2. (Zoning Administrator Interpretation)*.

FEES FOR ZONING ADMINISTRATOR INTERPRETATIONS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Zoning Administrator Interpretation (Applicant Initiated) (Sec. 13A.1.7.D.2.)	\$10,725	●	●

SEC. 15.3.16. TIME EXTENSION

FEES FOR TIME EXTENSIONS			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Time Extension for Planning and Zoning Matters Other Than Maps	\$582	●	○

DIV. 15.4. AFFORDABLE HOUSING PROGRAM FEES

SEC. 15.4.1. DENSITY BONUS PROGRAM FEES

The following fees shall be charged for costs associated with implementation of Sec. 9.2.1. (*Density Bonus*):

FEES FOR DENSITY BONUSES			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Application for a Density Bonus			
Including a Request For One or More Incentives Included in the Menu of Incentives (Sec. 9.2.1.F.1. and Sec. 9.2.1.F.2.)	\$9,459	●	●
Including a Request For One or More Incentives Not Included in the Menu of Incentives (Sec. 9.2.1.F.3.)	\$24,349	●	●
Exceeding a 35% Density Bonus (Sec. 9.2.1.F.4.)	\$24,359	●	●

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*).

FEES FOR ENFORCEMENT OF HOUSING COVENANTS	
Type of Service	Fee
Housing Replacement Determinations Pursuant to AB222 (2014)	\$1,027.00 per unit
Affordable Housing Covenant Preparation	\$5,770.00 per project*
Affordable Housing Covenant Amendments	\$5,770.00 per amendment
Affordable Housing Covenant Assumptions and Terminations	\$1,214.00 per assumption or termination
Affordable Housing Covenant Monitoring	\$173.00 per restricted unit, per year*
Filing Fee	\$43.00 per project*

A. Fee Exemption

New projects subject to an affordable housing covenant wherein at least 50 percent of the units are restricted for use as permanent supportive housing shall be exempt from the fees marked above with an asterisk.

B. Fees In Existing Covenants

Any owner or landlord of a project subject to an existing affordable housing covenant in effect prior to the effective date of the fees set forth in Sec. 15.4.2.A. (*Fee Exemption*) and which contains a conflicting monitoring fee amount, shall be subject to the fee set forth in the existing covenant.

C. Fees Due & Payable

The fees shall be fully due and payable at the time of the request for service, except for the affordable housing monitoring fees, which may be paid pursuant to the options set forth in *Subsection D. (Covenant Monitoring Fees)* below.

D. Covenant Monitoring Fees

The affordable housing covenant monitoring fees may be pre-paid in full at or before the time of the recording of an underlying affordable housing covenant, or billed annually to an owner or landlord upon the issuance of the Certificate of Occupancy for the project that is subject to an underlying affordable housing covenant.

E. Collection of Outstanding Fees

The LAHD shall have the right to bring legal action in any court to collect the amount of any outstanding fees. The LAHD may make such rules and regulations as may be necessary to carry out the provisions of this *Section (Fees For Enforcement Of Housing Covenants)*.

SEC. 15.4.3. AFFORDABLE HOUSING LINKAGE FEE

A. Definitions

Terms shall have the meaning ascribed to them in *Div. 14.3. (Glossary)*. For the purposes of this *Section (Affordable Housing Linkage Fee)* only, certain terms and words are defined as follows:

Additional Housing Units. A net increase in the number of dwelling units or guest rooms to be added on a parcel or parcels of land by issuance of a building permit, after subtracting the number of dwelling units or guest rooms legally removed from the same parcel of real property during the year preceding the issuance of the building permit.

Additional Non-Residential Floor Area. The net increase in the amount of non-residential floor area, as defined in *Sec. 14.2.7. (Floor Area)*, to be added on a parcel or parcels of land by issuance of a building permit, less the amount of non-residential floor area legally removed from the same parcel of real property during the year preceding the issuance of the building permit.

Applicant. Any individual, person, firm, partnership, association, joint venture, corporation, limited liability company, entity, combination of entities or authorized representative thereof, who undertakes, proposes or applies to the City for a planning or zoning entitlement approval or building permit related to a development project.

Building Permit Application. Plans submitted to the Department of Building and Safety pursuant to *Sec. 13B.10.1.B.2. (Vesting of Development Plan)*.

Development Project. Any activity involving or requiring the issuance of a building permit that results in additional housing units, additional non-residential floor area, additional single-family residential floor area, or a change of use from non-residential to residential.

Grocery Store. A project that is for a retail use of which greater than one half of the floor area is devoted to the sale of food items intended for consumption or use off the premises, excluding alcoholic beverages.

Linkage Fee. The fee assessed, pursuant to this *Section (Affordable Housing Linkage Fee)*, on certain development projects in order to mitigate the impact of the additional demand for affordable housing caused by such activity.

B. Applicability

The regulations, requirements, and provisions of this *Section (Affordable Housing Linkage Fee)* shall apply to any development project. Unless a development project is exempt from this *Section (Affordable Housing Linkage Fee)*, 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 (Affordable Housing Linkage Fee)* 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 (Affordable Housing Linkage Fee)* shall not apply to construction that includes any the following:

- a. Less than 15,000 square feet of additional non-residential floor area in any non-residential building, other than parking garages and parking facilities, as determined by the Department of Building and Safety.
- b. Any for-sale or rental housing development project containing restricted affordable units where the following requirements are met:
 - i. At least 40 percent of the total dwelling units are dedicated for moderate income households, or at least 20 percent of the total dwelling units are dedicated for low income households, or at least 11 percent of the total dwelling units are dedicated for very low income households, or at least eight percent of the total dwelling units are dedicated for extremely low income households.
 - 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 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 100 percent of all dwelling units, exclusive of manager units, are restricted affordable units, which are subject to a recorded affordability restriction of at least 55 years or utilize public subsidies that are tied to a specified covenant period. At minimum, all restricted affordable units in the housing development project shall be covenanted for at least 55 years.
 - b) A mixed-income housing development project utilizing public subsidies that are tied to a specified covenant period. At minimum, all restricted affordable units in the housing development project shall be covenanted for at least 55 years.
 - c) Such a covenant shall also subject projects using this exemption to the replacement policies in *California Government Code Sec. 65915(c)(3)*, and to LAHD fees related to housing replacement determinations pursuant to State law, as set forth in this Zoning Code (Chapter 1A).
- iii. For the purposes of this Section (*Affordable Housing Linkage Fee*), total dwelling units includes any units added by a density bonus or other land use incentive, consistent with the affordability levels defined in *California Government Code Sec. 65915*.
- c. Any development project being constructed by, or on behalf of: (1) a government or public institution such as a school, museum, homeless shelter, or other similar projects that are intended for community use; or (2) any private school that offers instruction in grades kindergarten through 12th grade.
- d. Any hospital: local use or hospital: regional use.
- 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 Use 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 Sections 66314 - 66332*.
- 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. 186,370*, 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 Central City West Area Specific Plan.
- 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 as defined by *California Government Code Sec. 65590-65590.1*, in order to satisfy its inclusionary housing obligations. In that case, the residential component of the project shall be exempt from the linkage fee requirements of this Section (*Affordable Housing Linkage Fee*). Non-residential portions of mixed-use Coastal Zone projects shall be analyzed separately from residential portions of mixed-use projects for the purposes of the linkage fee requirements of this Section (*Affordable Housing Linkage Fee*). Non-residential portions of such projects shall be subject to this Section (*Affordable Housing Linkage Fee*). The provision of housing units or in-lieu fees to satisfy replacement housing obligations under the Mello Act, (as opposed to inclusionary housing obligations) shall not exempt a project from the linkage fee requirements of this Section (*Affordable Housing Linkage Fees*).
- 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 (*Affordable Housing Linkage Fee*) in either fee amount or on-site affordable housing percentages provided in *Subparagraph b.* above.
- k. A residential development project that is subject to affordable housing and labor requirements pursuant to *Chapter I. (General Provisions and Zoning), Sec. 11.5.11. (Affordable Housing)* of this Code.
- l. Any grocery store, provided there is no existing grocery store within a 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.

2. Protests, Adjustments & Waivers

- a. An applicant may protest the imposition of the linkage fee and request that the requirements of this *Section (Affordable Housing Linkage Fee)* be adjusted or waived pursuant to *California Government Code Sec. 66020, et seq.*, based on a showing that the application of the requirements of this *Division (Affordable Housing Program Fees)* would effectuate an unconstitutional taking of property or otherwise have an unconstitutional application to the development project. Protests shall be filed with the Director.
- b. On or before the date on which payment of the linkage fee is due, the applicant shall pay the amount required by this *Section (Affordable Housing Linkage Fee)* and serve a written notice to the Director with all of the following information: (1) a statement that the required payment is tendered, or will be tendered when due, under protest; and (2) a statement informing the Director of the factual elements of the dispute and the legal theory forming the basis for the protest or request for adjustment or waiver, along with the substantial evidence that supports the protest or request, including any supporting documentation. The protest must be filed at the time of approval or conditional approval of the development project or within 90 days after the imposition of the linkage fee. The City shall provide the applicant with written notice as required by *California Government Code Sec. 66010(d)(1)*.
- c. If the Director determines that application of the requirements of this *Section (Affordable Housing Linkage Fee)* would effectuate an unconstitutional taking of property or otherwise have an unconstitutional application to a development project, the fee requirements shall be adjusted or waived to reduce the obligations under this *Section (Affordable Housing Linkage Fee)* to the extent necessary to avoid an unconstitutional result. The Director shall render a decision within 75 days from the date the protest was received.
- d. If an adjustment or waiver is granted, any change in the development project shall invalidate the adjustment or waiver. If the Director determines that no violation of the federal or state constitution would occur through application of this *Section (Affordable Housing Linkage Fee)*, the requirements of this *Section (Affordable Housing Linkage Fee)* shall remain fully applicable.
- e. Failure of an applicant to comply with the protest requirements of this *Section (Affordable Housing Linkage Fee)* or *California Government Code Sec. 66020, et seq.*, shall bar that applicant from any action or proceeding or any defense of invalidity or unreasonableness of the imposition of the linkage fee.

C. Fee Calculation

1. The City Council shall adopt, by resolution, a linkage fee schedule based on an analysis of the cost of mitigating the impact of the additional demand for affordable housing caused by development projects, and on the varying levels of economic feasibility in different geographic

areas of the City based on current market conditions. The City Council shall also adopt, by resolution, a map or maps establishing the respective market areas throughout the City that inform the amount of the linkage fee to be assessed for a given development project.

2. For each development project, the linkage fee shall be calculated as the amount of new or added floor area in the development project devoted to the uses described in the linkage fee schedule, as determined by the Department of Building and Safety, multiplied by the amount of the applicable fee, as found in the most recent linkage fee schedule adopted by City Council, at the time the building permit for the development project is issued, minus any deductions or credits.

3. Fee Adjustments and Reports

a. Annual Inflation Adjustment

The linkage fee shall be adjusted annually for inflation every 1st of July, by the Director in accordance with the latest change in year-over-year Consumer Price Index for Urban Consumers (CPI-U) for the Los Angeles-Riverside-Orange County area, or if such index ceases to be published, by an equivalent index chosen by the Director. An updated linkage fee schedule shall be maintained by the Department of City Planning, which shall provide a copy of the adjusted schedule to the Mayor and City Council each year.

b. Five-Year Market Area Adjustment

Every five years, beginning on July 1, 2018, the Director, in association with LAHD shall undertake a new market area analysis and adjust market areas and geographies, where necessary, to reflect the most up to date rental and sales price information for each of the market areas. Any change to the linkage fee schedule other than the Annual Inflation Adjustment described in Paragraph a. (Annual Inflation Adjustment) above shall be adopted by resolution of the City Council.

4. Deductions or Credits

a. Change of Use

If the development project is the result of a change of use from non-residential to residential, the linkage fee to be paid is the result of subtracting the equivalent fee amount that either was paid or would have been paid, based on the pre-existing use, from the fee amount required to be paid for the new use based on the most recent linkage fee schedule approved by the City Council. Deductions or credits shall not be applied to any portion of a development project comprised of additional floor area resulting from new construction. The calculation of a deduction or credit shall not result in a refund to an applicant or be applied as a credit to another development project in a different location.

b. Affordable Housing Units

Any restricted affordable units may be subtracted from the total number of dwelling units in a building in determining the required linkage fee.

c. Mixed Use

The first 15,000 square feet of non-residential use in a mixed-use building shall be excluded from the calculation of floor area for the purposes of determining the required linkage fee.

d. Transfer of Floor Area Rights

Any additional floor area that is obtained by a development project through the provision of public benefit payments pursuant to *Sec. 9.3.5. (Transfer of Development Rights Programs)* shall be excluded from the calculation of floor area for purposes of determining the linkage fee for the development project.

e. Other Affordable Housing Requirements

In calculating floor area for purposes of determining the linkage fee for a development project, the following shall be excluded from that calculation:

- i. The floor area of the residential portion of a mixed-use development project that is subject to affordable housing requirements pursuant to any land use policy or ordinance or development agreement that exceeds the linkage fee requirements of this *Section (Affordable Housing Linkage Fee)* in either fee amount or on-site affordable housing percentages provided in *Sec. 15.4.3.B.1.b. (Exemptions)* above.
- ii. The floor area of the residential portion of a mixed-use development project that is subject to affordable housing and labor requirements pursuant to *Chapter I. (General Provisions and Zoning)*, *Sec. 11.5.11. (Affordable Housing)* of this Code.

f. Land Dedication

If the Los Angeles Housing Department accepts, on behalf of the City, an offer by an applicant to dedicate land off-site from the proposed location of the development project for the purpose of building affordable housing, the value of the land to be dedicated, to be determined as the average of two independent appraisals funded by the applicant, may be deducted from the linkage fee amount owed for the applicant's development project. If the value of the dedicated land is more than the linkage fee owed for the applicant's development project, the City shall bear no responsibility for the difference in value, nor shall that overage be applied as a credit to any future development project.

5. Payment of Linkage Fee

The linkage fee is due and payable by the applicant prior to the issuance of a building permit for a development project. No additional fee shall be required for a project seeking an extension of an expired building permit application.

6. Refunds of Linkage Fee

Any fee paid under the provisions of this *Section (Affordable Housing Linkage Fee)* may be refunded to an applicant if the building permit application has expired and was not utilized to begin construction of a development project.

D. Severability

If any provision of this *Section (Affordable Housing Linkage Fee)* is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this *Section (Affordable Housing Linkage Fee)*, which can be implemented without the invalid provisions and, to this end, the provisions of this *Section (Affordable Housing Linkage Fee)* are declared to be severable. The City Council hereby declares that it would have adopted each and every provision and portion thereof not declared invalid or unconstitutional, without regard to whether any portion of this *Section (Affordable Housing Linkage Fee)* would subsequently be declared invalid or unconstitutional.

DIV. 15.5. SPECIAL USE PROGRAM FEES

SEC. 15.5.1. HOME-SHARING FEES

- A. The following fees shall be charged and collected in connection with the corresponding applications filed pursuant to *Sec. 5C.3.2. (Home-Sharing Program)*.

FEES FOR HOME-SHARING			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Home-Sharing Administrative Hearing (<i>Sec. 5C.3.2. ; Sec. 13B.6.1. and Sec. 13B.6.2.</i>)	\$20,980	●	○
Home-Sharing Application or Renewal (<i>Sec. 5C.3.2.)</i>	\$192	●	○
Extended Home-Sharing Administrative Clearance (<i>Sec. 5C.3.2.)</i>	\$1,030	●	○
Extended Home-Sharing Discretionary Review Application (<i>Sec. 5C.3.2.)</i>	\$15,166	●	○
Extended Home-Sharing Renewal (<i>Sec. 5C.3.2.)</i>	\$1,030	●	○

- B. The Department of City Planning shall cause all money collected pursuant to this *Section (Home-Sharing Fees)* to be deposited into the Short-Term Rental Enforcement Trust described in *Sec. 5.576. (Creation and Administration of the Short-Term Rental Enforcement Trust Fund)* of the *LAAC* for purposes of disbursement as permitted therein.

SEC. 15.5.2. ALCOHOL SALES PROGRAM FEES

The following fees shall be charged and collected in connection with the corresponding applications filed pursuant to *Sec. 5C.3.3. (Alcohol Sales Program)*.

FEES FOR ALCOHOL SALES PROGRAM			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Alcohol Sales Program (<i>Sec. 5C.3.3.</i>)			
Administrative Clearance	\$2,347	●	●
Monitoring	\$1,878	●	●
Inspection and Field Compliance Review	\$816	●	●

DIV. 15.6. TRANSPORTATION IMPROVEMENT & MITIGATION PROGRAM FEES

SEC. 15.6.1. WESTSIDE MOBILITY TRANSPORTATION FEES

A. Purpose

This ordinance is intended to adopt the Transportation Improvement Assessment Fee (TIA Fee), TIA Fee Credits, TIA Fee exemptions, and TIA Fee Improvement list authorized in the *West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP)* pursuant to *Ordinance Nos. 186,108 & 186,105* and the *Coastal Transportation Corridor Specific Plan (CTCSP)*.

B. Definitions

Terms in this ordinance shall be as defined in Section 4. of the WLA TIMP and the CTCSP, unless as provided otherwise herein.

C. Fee Schedule

1. TIA Fees

a. TIA Fee Amounts

The TIA Fee for each land use category shall be as provided in the TIA Fee Table below, where:

- i. The unit of measurement is provided in the "Unit" column, "DU" refers to dwelling unit, and "SF" refers to square feet;
- ii. The amount of TIA Fee per unit of measurement is provided in the "TIA Fee per Unit" column;
- iii. The definition of the land use category is provided in the "Description" column; and,
- iv. The term "Interpolate" refers to the mathematical definition of "interpolate." For retail uses greater than 250,000 square feet but less than or equal to 800,000 square feet, the TIA Fee per Unit shall be determined by interpolating between the other retail fee rates provided in the table. For office uses greater than 50,000 square feet but less than or equal to 250,000 square feet, the TIA Fee per Unit shall be determined by interpolating between the other office fee rates provided in the table.

TIA FEE TABLE			
Land Use Category	Unit	TIA Fee per Unit	Description
Residential Land Uses			
Single Family	DU	\$8,847	Single family detached homes on individual lots, including homes created through Small Lot Subdivisions.

TIA FEE TABLE			
Land Use Category	Unit	TIA Fee per Unit	Description
Apartment	DU	\$4,646	Multi-family rental units in a building 10 stories or less.
High-Rise Apartment	DU	\$2,804	Multi-family rental units in a building with more than 10 stories.
Condominium/Townhouse	DU	\$6,248	Multi-family units with individual ownership in buildings 10 stories or less.
High-Rise Condominium/Townhouse	DU	\$3,044	Multi-family units with individual ownership in buildings more than 10 stories.
Affordable Dwelling Unit	DU	\$0	Affordable Dwelling Unit as defined in Section 4 of the WLA TIMP and the CTCSP.
Hotel	Room	\$5,452	A use that provides sleeping accommodations and supporting facilities for short-term occupancy.
Retail & Service Land Uses			
Retail \leq 250,000 SF	1,000 SF	\$13,347	Less than or equal to 250,000 SF of general retail uses, based on total square footage of retail uses on site. Retail uses are those uses typically found in shopping centers, and neighborhood centers, including but not limited to grocery stores, restaurants, and general retail shops.
Retail > 250,000 SF - 800,000 SF	1,000 SF	Interpolate	More than 250,000 SF but less than 800,000 SF of retail uses, as defined above, based on total square footage of uses on site.
Retail > 800,000 SF	1,000 SF	\$16,897	More than 800,000 SF of general retail uses, as defined above based on total square footage of retail uses on site.
Commercial Office & Medical Office Land Uses			
Office \leq 50,000 SF	1,000 SF	\$25,000	A building of 50,000 SF or smaller with office uses, including those with multiple tenants. Office uses include but are not limited to, businesses, commercial, or professional services, medical and dental office uses that provide outpatient care on a routine basis, and on-site cafeteria or café or retail services for use by on-site employees.
Office > 50,000 SF - 250,000 SF	1,000 SF	Interpolate	A building greater than 50,000 SF but less than 250,000 SF for office uses (as defined above).
Office > 250,000 SF	1,000 SF	\$16,754	Buildings greater than 250,000 SF for office uses (as defined above).
Industrial Land Uses			
Industrial	1,000 SF	\$10,975	Facility that includes a mixture of two or more of the following: manufacturing, service facilities, or warehouse facilities.

TIA FEE TABLE			
Land Use Category	Unit	TIA Fee per Unit	Description
Manufacturing	1,000 SF	\$9,426	Facility that is primarily devoted to the conversion of raw materials or parts into finished products; may include ancillary warehouse, office and research related functions.
Warehouse	1,000 SF	\$4,132	Facility that is primarily devoted to the storage of materials; including ancillary office and maintenance related functions.
Mini-Warehouse	1,000 SF	\$3,357	Self-storage facilities in which a number of storage units/vaults are rented for the storage of goods, including ancillary office and maintenance-related functions.
Cargo Facilities	1,000 SF	\$7,876	Cargo facilities associated with aviation uses on or adjacent to the LAX airport.
Maintenance Facilities	1,000 SF	\$2,195	Maintenance facilities associated with aviation uses on or adjacent to the LAX airport.

b. Special Generators

If the Los Angeles Department of Transportation (LADOT) determines that a proposed use cannot be classified under the land use categories listed in the TIA Fee Table, then LADOT shall calculate the fee as follows:

- i. Based on the land use category that is most similar to the proposed use; or if LADOT determines in its discretion that no land use category is similar,
- ii. Based on the trip generation of the use, average trip length for the use, and pass-by trip rate of the use, and fee rate consistent with the methodology and rates in the Westside Mobility Plan Fee Study approved by the City Council to adopt the fees in the TIA Fee Table.

2. Effective Date

The TIA Fee became effective on June 28, 2019.

3. Phased Implementation of the Residential TIA Fee

The TIA Fee for Residential Land Uses (as those uses are defined in the TIA Fee Table), shall be phased based on when the project plans are submitted to the Los Angeles Department of Building and Safety, pursuant to Sec. 13B.10.1.B.2. (Vesting of Development Plan):

- a. For projects with plans submitted within the first 120 days following the effective date of the ordinance, no TIA Fee for Residential Land Uses shall be paid.

- b. For projects with plans submitted between 121 and 305 days following the effective date of the ordinance, 1/3 of the TIA Fee for Residential Land Uses (based on the fee schedule in effect at the time the plans are submitted) shall be imposed.
- c. For projects with plans submitted between 306 and 484 days following the effective date of the ordinance, 2/3 of the TIA Fee for Residential Land Uses (based on the fee schedule in effect at the time the plans are submitted) shall be paid.
- d. For projects with plans submitted 485 or more days following the effective date of the ordinance, the full TIA Fee for Residential Land Uses (based on the fee schedule in effect at the time the plans are submitted) shall be paid.

4. Annual Indexing

The TIA Fees shall be increased (or decreased) annually as follows: The Annual Index upon adoption of this ordinance shall be 1.000. The TIA Fee shall be increased (or decreased) as of January 1 of each year by the amount of the percent increase (or decrease) in the most recently available Construction Cost Index for the Los Angeles region, or equivalent index, as determined by LADOT. The revised Annual Index shall be published by LADOT in a newspaper of Citywide circulation or on the LADOT website before January 31 of each year.

5. Appeal Filing Fee

An appeal filed pursuant to Section 11.A. or B. of the WLA TIMP or the CTCSP shall be accompanied by a filing fee of \$500 payable to LADOT or the Department of City Planning, as applicable.

D. Fee Exemptions, Calculations, & Credits

1. TIA Fee Exemptions

The following projects shall be exempt from payment of a TIA Fee:

- a. Any project exempt from the requirements of the CTCSP or WLA TIMP pursuant to Section 5.B. in the applicable Specific Plan;
- b. Affordable dwelling units, if they meet the criteria in Subsection 8.B.2.b. of the CTCSP and the WLA TIMP;
- c. One hundred percent affordable housing projects. For the purposes of this Section (*Westside Mobility Transportation Fees*), a "one hundred percent affordable housing project" means a project in which each residential unit in the project, exclusive of a manager unit or manager units, is an affordable dwelling unit. A one hundred percent affordable housing project may include on-site services or mixed commercial uses;
- d. Projects providing housing or services for persons experiencing homelessness, including but not limited to permanent supportive housing, or temporary supportive housing projects, transitional housing projects, and supportive services;

- e. Accessory dwelling units to single-unit homes, commonly referred to as "granny flats;"
- f. Schools, public and private;
- g. Household business: family child care or school: preschool/daycare;
- h. Community assembly, and other buildings used for assembly, whether for religious or secular purposes;
- i. Any hospital: local or hospital: regional healthcare facility;
- j. Supportive housing: general. For the purposes of this *Section (Westside Mobility Transportation Fees)*, the fee exemption shall only apply to senior care facility as enumerated in Sec. 9.4.3. (Senior Care Facilities Incentive Program);
- k. Park and Ride Facilities;
- l. Temporary uses of less than six months in duration based on a building permit where no extension of time is permitted;
- m. Governmental or public facilities defined as capital improvements and/or buildings or structures used for the operation of City, county, state or federal governments including, but not limited to, police and fire stations, government offices, government equipment yards, sanitation facilities, schools, parks, United States Federal Aviation Authority or Los Angeles World Airports (LAWA) administrative facilities, and other similar administrative facilities in which general government operations are conducted. Governmental or public facility does not include the use of publicly owned land, buildings, improvements or structures for private activities pursuant to lease agreements; and
- n. Projects on property owned by LAWA and used for aircraft operations (commercial or noncommercial) or airport operation facilities (such as, terminals and other passenger processing related facilities such as gate areas and non-commercial spaces of passenger transportation such as the Intermodal Transportation Facility), not including cargo facilities or maintenance facilities.

2. TIA Fee Calculation

The TIA Fee shall be calculated as follows:

- a. $\text{Total TIA Fee} = (\text{number of Units}) \times (\text{TIA Fee per Unit})$
- b. The type of Unit and the TIA Fee per Unit for the land use are identified in the TIA Fee Table in *Sec. 15.6.1.C.1.a. (TIA Fee Amounts)* above.
- c. For special generators, pursuant to *Sec. 15.6.1.C.1.b. (Special Generators)* above, the fee shall be calculated as provided in *Sec. 15.6.1.C.1.b. (Special Generators)* above.

3. TIA Fee Credits

a. Existing Land Use Credit

The Fee Credit for existing uses, as provided in Section 8.A of the WLA TIMP and the CTCSP, shall be determined and calculated as follows:

- i. Existing land uses on a project site for which a TIA Fee was paid pursuant to Ordinance Nos. *160,394, 168,999, or 171,492* shall receive a Fee Credit based on the existing land uses for which a fee was previously paid; and
- ii. For existing land uses that are not eligible for a credit under *Sub-subparagraph i.* above, a Fee Credit shall be given when requested by the applicant subject to all of the following:
 - a) Applicants for projects seeking credits for existing uses must provide LADOT with documentation supporting the existence and duration of the use (such as, lease agreements, utility bills, or previous environmental reviews). LADOT will validate credits for existing uses based on the provided documentation.
 - b) Fee Credits shall not be given for existing affordable dwelling units.
- iii. If the existing use was active for at least six consecutive months during the past two years prior to submittal of plans to LADBS pursuant to *Sec. 13B.10.1.B.2. (Vesting of Development Plan)*, a 100 percent credit will be granted for the existing use pursuant to the calculation below. The 100 percent credit is calculated as follows:
 - a) $\text{Credit} = (\text{number of existing Units}) \times (\text{TIA Fee per Unit})$
 - b) The type of Unit and the TIA Fee per Unit for each land use are identified in the TIA Fee Table in *Paragraph C.1.a. (TIA Fee Amounts)* above.
 - c) For special generators, pursuant to *Paragraph C.1.b. (Special Generators)* above, the fee shall be calculated as provided in *Paragraph C.1.b. (Special Generators)* above.
- iv. If the existing use was active for at least six consecutive months during the past four years prior to submittal of plans to LADBS pursuant to *Sec. 13B.10.1.B.2. (Vesting of Development Plan)*, a 50 percent credit will be granted for the previous use. The 50 percent credit is calculated as follows:
 - a) $\text{Credit} = (\text{number of existing Units}) \times (\text{TIA Fee per Unit}) \times (.50)$
 - b) The type of Unit and the TIA Fee per Unit for the land use are identified in the TIA Fee Table in *Sec. 15.6.1.C.1.a. (TIA Fee Amounts)* above.
 - c) For special generators, pursuant to *Sec. 15.6.1.C.1.b. (Special Generators)* above, the fee shall be calculated as provided in *Sec. 15.6.1.C.1.b. (Special Generators)* above.

b. Affordable Housing Credit

The Affordable Housing Fee Credit pursuant to Section 8.B.2. of the WLA TIMP and the CTCSP shall be calculated as follows:

i. Calculation

Credits shall be granted for each Affordable Dwelling Unit in an amount equal to the fee for two Apartment units, as shown in the TIA Fee Table in *Sec. 15.6.1.C.1.a. (TIA Fee Amounts)* above, as follows:

- a)** Credit = (Affordable Dwelling Units) x (2 x [TIA Fee per Apartment Unit])
- b)** The type of Unit and the TIA Fee per Unit for the land use are identified in the TIA Fee Table in *Sec. 15.6.1.C.1.a. (TIA Fee Amounts)* above.
- c)** For special generators, pursuant to *Sec. 15.6.1.C.1.b. (Special Generators)* above, the fee shall be calculated as provided in *Sec. 15.6.1.C.1.b. (Special Generators)* above.

ii. Maximum Credits

In no case shall the Affordable Housing Fee Credit exceed 50 percent of the TIA Fee for a project.

c. Transit Oriented Development Credit

The Transit Oriented Development Fee Credit pursuant to Section 8.B.3. of the WLA TIMP and the CTCSP shall be calculated as follows:

- i.** A project on a parcel within 1/2 mile of a transit station or stop serving a Dedicated Transit Line is eligible for a five percent Fee Credit; or
- ii.** A project with a pedestrian entrance within 1/4 mile walking distance to a transit station or stop serving a Dedicated Transit Line is eligible for a 10 percent fee credit.

The applicant is required to submit a map subject to LADOT review and approval, showing the project is eligible for a Transit Oriented Development Fee Credit.

d. No Credit for Administrative Costs

Notwithstanding the above, no credit shall be granted for that portion of the TIA Fee for the administrative costs of the TIA Fee program (five percent of total fee).

E. Transportation Improvement Project List

- 1.** The City Council shall adopt by resolution a list of TIA Fee Improvements as described in Section 6.B. of the WLA TIMP and the CTCSP that meet the purposes identified in Section 3 of the Specific Plans and are consistent with the most recently adopted fee study. The City

Council may amend the resolution from time to time or approve the use of TIA Fee monies for transportation improvements not on the list of TIA Fee Improvements subject to the procedures in this *Subsection (Transportation Improvement Project List)*.

2. The list of TIA Fee Improvements shall include improvements in all of the following four categories:

- a. **Transit**

A transit improvement is an improvement that encourages or supports the use of transit.

- b. **Active Transportation**

An active transportation improvement is an improvement that encourages or supports the use of biking and walking, and other forms of active transportation.

- c. **Roadway**

A roadway improvement is an improvement that improves or maintains vehicular movement in the circulation system.

- d. **Trip Reduction**

A trip reduction improvement is an improvement that decreases vehicle miles traveled.

3. Updating the List of TIA Fee Improvements. Upon recommendation of LADOT or the Department of City Planning, the City Council may amend the resolution and list of TIA Fee Improvements adopted pursuant to *Paragraph 1.* above, provided the following criteria are met:
 - a. The improvement achieves the purposes described in Section 3 of the CTCSP or the WLA TIMP; and
 - b. The improvement fulfills the transportation objectives of the improvement which it is to replace, including falling within the same category of improvement as identified in *Paragraph 2.* above and at least one of the same type of project improvements existing in that category; and
 - c. The improvement meets at least one of the following:
 - i. The improvement implements one or more goals, objectives and policies of the *Mobility Plan 2035*; and/or
 - ii. The improvement is feasible and the planning and engineering is advanced enough that with sufficient funding or funds to meet a funding gap, construction can begin in the near future, (i.e., "shovel ready"); and/or
 - iii. The improvement does not hinder equitable geographic distribution of transportation projects within the Specific Plan geographies.

4. Funding Transportation Improvements that are not on the Approved List of TIA Fee Improvements. The City Council may by resolution allocate TIA Fee funds for an improvement project that is not included on the approved list of TIA Fee Improvements without amending the resolution adopted under *Paragraph 1.* above, provided the improvement meets the relevant criteria in *Paragraph 3.* above.

F. Administration

1. Guidelines

The General Manager of the LADOT may adopt guidelines to implement the WLA TIMP and CTCSP TIA Fee programs consistent with the Specific Plans and this *Section (Westside Mobility Transportation Fees)*.

2. Reporting Template

LADOT may develop a reporting template for the fee monitoring report. The template may include, but is not limited to, TIA Fee revenues, interest revenues, trust fund administration, encumbered monies, and expended monies.

G. Use of TIA Fees

1. Administrative Costs

Up to five percent of TIA Fees may be used for administrative costs each year.

2. Prohibited Use of TIA Fee Monies

TIA Fee monies shall not be used for any of the following:

- a. Improvements which do not provide a regional or sub-regional transportation benefit;
- b. Project Serving Improvements;
- c. Financing of any transportation improvement which is not of direct benefit to the Specific Plan area from which the TIA Fee was collected;
- d. Substituting for other transportation monies which have been allocated to the Specific Plan area;
- e. Operation and maintenance costs;
- f. Curb, driveway, gutter, trees, street lights/power poles and sidewalk construction or repair, except as part of a transportation improvement pursuant to the Specific Plan;
- g. Off-street parking facilities, except in conjunction with a TDM program;
- h. Alley improvements; and
- i. Private streets.

H. Severability

If any portion, Subsection, sentence, clause or phrase of this *Division (Transportation Improvement & Mitigation Program Fees)* is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this *Division (Transportation Improvement & Mitigation Program Fees)*. The City Council hereby declares that it would have passed this Section and each portion or Subsection, sentence, clause and phrase herein, irrespective of the fact that any one or more portions, Subsections, sentences, clauses or phrases be declared invalid.

DIV. 15.7. SURCHARGES

SEC. 15.7.1. SURCHARGE FOR DEVELOPMENT SERVICES CENTERS

A. Surcharge

There shall be added to each fee imposed for any permit, license, or application provided for in this *Article (Fees)*, a surcharge in an amount equal to the greater of three percent of the fee or \$1.00.

B. BuildLA Increase

The previous surcharge amount of two percent is increased solely to pay for the \$21.76 million cost of developing and implementing BuildLA, a comprehensive enterprise-wide development services system, and shall not be used to pay for ongoing BuildLA costs, such as maintenance or system hosting services.

C. BuildLA Increase Reversion

The surcharge shall be returned to the greater of two percent or \$1.00 when the City Administrative Officer determines the surcharge increase has recovered the \$21.76 million cost of BuildLA.

SEC. 15.7.2. AUTOMATED SYSTEMS SURCHARGE FOR THE DEPARTMENT

A. Operating Surcharge

There shall be added to each fee imposed for any permit, plan check, license or application provided for in this Zoning Code (Chapter 1A) a surcharge in an amount equal to the greater of seven percent of the fee or \$1.00, except that any other surcharge shall be excluded from the computation of this surcharge. Moneys received from this surcharge shall be deposited and maintained in the City Planning Systems Development Fund pursuant to *Sec. 5.457. (Creation and Administration of the Fund)* of the LAAC for the maintenance and operation of automated systems. Exempted from this surcharge are all fees and costs imposed pursuant to *Div. 10.1. (Street Dedication & Improvement)*.

B. Development Surcharge

There shall be added to each fee imposed for any permit, plan check, license or application provided for in this Zoning Code (Chapter 1A) an automated systems development surcharge in an amount equal to the greater of six percent of the fee or \$1.00, except that any other surcharge shall be excluded from the computation of this surcharge. Moneys received from this surcharge shall be deposited into the City Planning Systems Development Fund pursuant to *Sec. 5.457. (Creation and Administration of the Fund)* of the LAAC. Exempted from this surcharge are all fees and costs imposed pursuant to *Div. 10.1. (Street Dedication & Improvement)*.

SEC. 15.7.3. **GENERAL PLAN MAINTENANCE SURCHARGE FOR THE DEPARTMENT**

There shall be added to each fee imposed for any permit, plan check, license or application, provided in this Zoning Code (Chapter 1A), a surcharge in an amount equal to the greater of seven percent of the fee or \$1.00, except that any other surcharge shall be excluded from the computation of this surcharge. Monies received from this surcharge shall be deposited into the Department of City Planning Long-Range Planning Special Revenue Trust Fund. The monies received pursuant to this *Section (General Plan Maintenance Surcharge For The Department)* shall be used for maintenance of the City's General Plan and all associated underlying plans or elements, ordinances, and other associated planning initiatives. 50 percent of the monies received, after the effective date of this ordinance, shall be used for costs directly related to updating the City's 34 Community Plans. Exempted from this surcharge are all fees and costs imposed pursuant to *Div. 10.1. (Street Dedication & Improvement)*.

DIV. 15.8. FINES

SEC. 15.8.1. HOME OCCUPATION FINES

An administrative fine of \$250.00 may be collected by the Department of Building and Safety for any violation of the household business: home occupation standards as established in *Part 5B. (Use Districts)* and administrative fines of \$500.00 may be collected for repeated violations pursuant to the following provisions. These administrative fine provisions are in addition to any other fines and penalties authorized by law.

A. Order to Comply

For any use found to be in violation of the household business: home occupation standards as established in *Part 5B. (Use Districts)*, the Superintendent of the Department of Building and Safety shall send an Order to Comply to the operator of the household business: home occupation use. The Order to Comply shall clearly state the following:

1. The violation must be corrected by a Compliance Date specified in the Order, which date shall be no more than 15 days from the date the Order is mailed.
2. Failure to correct the violation on or before the Compliance Date may result in the imposition of an administrative fine in the amount of \$250.00.

B. Reinspection

The Superintendent shall reinspect a property for which an Order to Comply was issued pursuant to this *Section (Home Occupation Fines)* subsequent to the Compliance Date.

C. Failure to Correct Violation

1. If any violation specified in the Order to Comply is not corrected prior to the Compliance Date as specified in the Order to Comply, an administrative fine of \$250.00 may be collected by the Department of Building and Safety.
2. If the Department of Building and Safety determines that a fine is due, then it shall notify the person cited by United States Postal Service mail in a sealed envelope, with postage paid. If the person cited is the owner of the property, the notice shall be addressed to the last known address of the owner as that address appears in the last equalized assessment roll. If the person to be cited is a tenant, the notice shall be addressed to the location where the household business: home occupation is being conducted. Service of the notice shall be deemed to have been completed at the time of deposit with the United States Postal Service.
3. The person cited shall remit the fine to the Department of Building and Safety within 30 days after the date of mailing of the notice. If the person cited fails to do so, then the Department of Building and Safety, by sending a second notification by certified mail, may demand payment of the fine from the person cited and may prohibit the issuance of any building permit, license or approval to the cited persons until such fees are paid.

D. Repeated Violations

Regardless of any provision of this *Section (Home Occupation Fines)* to the contrary, if an Order to Comply is issued for a violation of the household business: home occupation standards as established in *Part 5B. (Use Districts)*, and after compliance with it a subsequent Order to Comply is issued for a violation of the same *Section of Part 5B. (Use Districts)* occurring within one year of the date of the initial Order, an administrative fine of \$500.00 may be collected by the Department of Building and Safety.

E. Discontinuance of Use

1. Three violations of any household business: home occupation standards as established in *Part 5B. (Use Districts)* which has resulted in an Order to Comply being issued under *Subsection A. (Order to Comply)* above may result in the imposition of proceedings to discontinue the household business: home occupation use. The Director shall have jurisdiction to discontinue a household business: home occupation use by giving notice to the record owner of the household business: home occupation by issuing A Notice of Intention to Discontinue the Home Occupation (Notice). The Notice shall provide an opportunity for the household business: home occupation user to either:
 - a. Submit information to the Director by a date certain to show cause why the household business: home occupation should not be discontinued; or
 - b. Appear at a time and place before the Director pursuant to the procedures prescribed in *Div. 13B.2. (Quasi-Judicial Review)* to show cause why the household business: home occupation use should not be discontinued.
2. Upon the expiration of the time periods set forth in the Notice, the Director may discontinue the household business: home occupation use.

SEC. 15.8.2. RECYCLING FACILITIES FINES

An administrative fine of \$250.00 may be collected by the Department of Building and Safety for any violation of the provisions of this *Section (Recycling Facilities Fines)* pursuant to the following provisions.

A. Order to Comply

For any use found to be in violation of the recycling facility standards as established in *Part 5B. (Use Districts)*, the Superintendent of the Department of Building and Safety shall send an Order to Comply to the operator of the recycling facility use. The Order to Comply shall clearly state the following:

1. The violation must be corrected by a Compliance Date specified in the Order, which date shall be no more than 15 days from the date the Order is mailed.
2. Failure to correct the violation on or before the Compliance Date may result in the imposition of an administrative fine in the amount of \$250.00.

3. Repeated violations can result in nuisance abatement procedures under the provisions of the Zoning Code (Chapter 1A).

B. Reinspection

The Superintendent shall reinspect a property for which an Order to Comply was issued pursuant to this *Section (Recycling Facilities Fines)* subsequent to the Compliance Date.

C. Failure to Correct Violation

1. If any violation specified in the Order to Comply is not corrected prior to the Compliance Date as specified in the Order to Comply, an administrative fine of \$250.00 may be collected by the Department of Building and Safety.
2. If the Department of Building and Safety determines that a fine is due, then it shall notify the person cited by United States mail in a sealed envelope, with postage paid. If the person cited is the owner of the property, the notice shall be addressed to the last known address of the owner as that address appears in the last equalized assessment roll. If the person to be cited is a tenant, the notice shall be addressed to the location where the household business: home occupation is being conducted. Service of the notice shall be deemed to have been completed at the time of deposit with the United States Postal Service.
3. The person cited shall remit the fine to the Department of Building and Safety within 30 days after the date of mailing of the notice. If the person cited fails to do so, then the Department of Building and Safety, by sending a second notification by certified mail, may demand payment of the fine from the person cited and may prohibit the issuance of any building permit, license or approval to the cited persons until such fees are paid.

D. Appeals

Appeals may be made from a Notice to Comply issued by the Department of Building and Safety pursuant to this subdivision pursuant to *Sec. 13B.10.2. (Appeals from LADBS Determinations)*.

SEC. 15.8.3. HOME-SHARING FINES

Fines as established in *Sec. 5C.3.2.H. (Enforcement of Violations)* shall be imposed for any of the violations established in that Subsection.

DIV. 15.9. OTHER CITY AGENCY FEES

SEC. 15.9.1. FEES FOR FLOOD HAZARD REPORTS & COMPLIANCE CHECKS

A. Basic Review Fee

Except for services subject to the provisions of *Subsection B. (Reviews or Services Requiring Additional Staff Time of 16 or Fewer Hours)* or *Subsection C. (Reviews or Services Requiring Additional Staff Time of More than 16 Hours)* below, the Bureau of Engineering shall charge and collect a fee of \$273 to perform each of the following services pertaining to Flood Hazard compliance:

1. Flood Hazard Compliance Check Fee

Review to verify that a permitted project would or does comply with the requirements of the *Los Angeles Specific Plan for the Management of Flood Hazards* and the National Flood Insurance Program.

2. Elevation Certificate Processing Fee

Process an Elevation Certificate for building permits located in floodplain zones, in compliance with the requirements of the *Los Angeles Specific Plan for the Management of Flood Hazards* and the National Flood Insurance Program.

3. Floodproofing Certificate Processing

Process a Floodproofing Certificate for a commercial project or a non-single-family development proposed in a floodplain zone, in compliance with the requirements of the *Los Angeles Specific Plan for the Management of Flood Hazards* and the National Flood Insurance Program.

4. Letter of Map Change/Conditional Letter of Map Change Processing

Process a Conditional Letter of Map Revision, Conditional Letter of Map Amendment, Letter of Map Revisions, or Letter of Map Amendment.

B. Reviews or Services Requiring Additional Staff Time of 16 or Fewer Hours

For all Bureau of Engineering services identified in *Subsection A. (Basic Review Fee)* above, for which a fee of \$273 is charged, and which will require Bureau staff to review plans or surveys, or take other action in addition to that normally required to accomplish the task for which the \$273 fee is charged, the Bureau shall charge and collect a fee pursuant to the provisions of *Chapter VI. (Public works and Property), Sec. 61.14. (Special Engineering Fee)* of this Code, except for reviews or services provided pursuant to the provisions of *Subsection C. (Reviews or Services Requiring Additional Staff Time of More than 16 Hours)* below.

C. Reviews or Services Requiring Additional Staff Time of More than 16 Hours

For all Bureau of Engineering services identified in *Subsection A. (Basic Review Fee)* above for which a fee of \$273 is charged, and which will require Bureau staff to review plans or surveys, or take other action, and where Bureau staff will be required to provide more than 16 hours of staff time in addition to that normally required to accomplish the task for which the \$273 fee is charged, the Bureau shall charge and collect actual Bureau of Engineering costs and a deposit for such costs as determined and collected pursuant to the provisions of *Chapter VI. (Public Works and Property), Sec. 61.15. (Actual Cost Special Engineering Services)*.

D. All Fees To Be Paid Prior Issuance of any to Bureau of Engineering Action

The Bureau of Engineering shall not issue any approval or decision with respect to any matter for which this section requires payment to the Bureau until all monies owed pursuant to the provisions of this *Section (Fees For Flood Hazard Reports & Compliance Checks)* are paid.

SEC. 15.9.2. DEPARTMENT OF TRANSPORTATION DEVELOPMENT FEES

The following specific fees shall be paid to the Department of Transportation for the preparation and processing of traffic reports, clearance of conditions and permit sign-offs in connection with obtaining any environmental clearance and/or permit issuance related tasks.

FEES FOR DEPARTMENT OF TRANSPORTATION TRAFFIC STUDY REVIEWS, CONDITION CLEARANCES & PERMIT ISSUANCES	
Application Type	Fee
Building Permit Sign Offs (Note 1)	\$365
Dedication & Widening Waivers	\$445
Department Referral Form (Note 2)	\$430
Driveway Permit Sign Offs (Note 3)	\$535
Haul Route Review	\$420
Master Plan / Complex Circulation Review (Note 4)	\$1,595
Project Condition Clearance (Note 5)	\$270
Revocable Permit	\$205
Street Vacation Requests	\$965
Subdivision Report	\$205
TDM Compliance / Trip Monitoring Report Review	\$770
Technical Study (Note 6)	\$1,340
Traffic Study MOU	\$1,175
Traffic Study Review (Note 7)	\$7,480
Traffic Study Review / Plan Review - Expedited	See <i>Subsection B. (Expedited Services)</i>
Worksite Traffic Control Plan Review (non B-permit)	\$1,645

Note 1: For a project with multiple addresses and permits (i.e., multi-unit dwellings), \$365 should be charged per distinct site plan and not per unit. For example: if, for a 100 unit small lot subdivision condominium project, each unit falls into one of three different site plan options, then the Department review fee should be \$1,110 (\$370 X 3) even if there are 100 separate building permits to approve.

FEES FOR DEPARTMENT OF TRANSPORTATION TRAFFIC STUDY REVIEWS, CONDITION CLEARANCES & PERMIT ISSUANCES

Application Type	Fee
Note 2: The Department Referral Form may also be submitted to the Department in the form of an Initial Site Assessment Form or a Site Plan Review Form. If this is the case, the Department Referral Form fee still would apply.	
Note 3: When reviewing a Building Permit application that also includes a Driveway Permit Sign Off, the applicant should not be charged two fees (Building Permit and Driveway Permit). Instead, the applicant should be charged only the Building Permit fee if the driveway plan does not include a new curb cut. If the driveway plan does include a new curb cut, then the applicant only should be charged the Driveway Permit Sign-Off fee.	
Note 4: This fee applies to Master Plan type developments or large scale projects with complicated circulation plans that require considerable staff time to help applicant arrive at an acceptable access and circulation plan.	
Note 5: \$270 for the first three condition clearances, plus \$200 for each additional condition clearance.	
Note 6: A "technical study" can include technical memorandums (defined in LADOT's Traffic Study Guidelines), trip generation assessments, traffic study supplements, shared parking analyses, etc. The fee includes the cost to process a study MOU, if required.	
Note 7: \$7,480 for the first ten study intersections, plus \$400 per each additional study intersection, not to exceed a total of \$25,000.	
Special Note: If a project is approved by LADOT through the subdivision clearance or building permit process and the applicable fees have been paid, future approvals shall not require additional fees as long as there have been no substantial changes to the approved portion of the project.	

A. Transportation Review Fee Fund

Each fee collected pursuant to this section shall include a five percent surcharge to be deposited into the "Transportation Review Fee Fund No. 50Y." This fund shall be used exclusively by the Department of Transportation to provide funding for the continual enhancement of development review related information technology systems and for procurement costs associated with equipment, software, materials, staff training and, if needed, consultant services. With the exception of the five percent surcharge deposited into the Fund, the remaining 95 percent fees collected shall be credited to the General Fund.

B. Expedited Services

The Department of Transportation shall offer expedited services in the review of traffic studies or the review of B-permit design plans. Project applicants can choose to pay a higher review fee to allow Department of Transportation staff to work overtime hours to expedite their review. The actual review fee to process a traffic study, which will be greater than the standard traffic study review fee, will be determined by the Department of Transportation during the preparation of the Traffic Study Memorandum of Understanding executed between the Department of Transportation and the applicant's representative. The fee established shall be based on the applicant's desired completion date, the availability of staff to work overtime and the affected division's case workload. During times of peak workloads, the expedited review fee may be utilized by the Department of Transportation to procure an outside firm from the Department of Transportation's pre-screened list of consultants to conduct the review of the study. Similarly, the actual fee to process B-permit design plans shall be established by the Department of Transportation at the pre-design meeting with the applicant's representative.

C. Fee Revisions

The Department of Transportation shall provide an annual review of the fees established pursuant to this *Section (Department Of Transportation Development Fees)*, and shall submit recommendations for changes in these fees for special services to the City Council. The fees shall be revised by the Department of Transportation to account for any staff salary cost of living adjustments. Notice of a revision in fees shall be in accordance with *California Government Code Sec. 66018 and 6062a*, which require that prior to adoption of a new or increased fee a public hearing be held and notice of that hearing be published in a newspaper with two publications at least five days apart over a ten-day period. The notice period begins the first day of publication, and there must be at least five days intervening between the first and second publications, not counting the dates of publication.

SEC. 15.9.3. PARK FEES

The following fees shall be paid to the Department of Recreation and Parks. Current figures are located in the Department of Recreation and Parks (RAP) Rate and Fee Schedule.

A. Subdivision (Quimby In-Lieu) Fee

1. At effective date of ordinance: \$7,500, adjusted for inflation pursuant to *Sec. 10.4.5.D. (Indexing)*.
2. First annual RAP rate and fee schedule update after effective date of ordinance: The prior year's fee amount plus \$2,500, adjusted for inflation pursuant to *Sec. 10.4.5.D. (Indexing)*.
3. Each subsequent annual RAP rate and fee schedule update: The fee of the previous year, adjusted for inflation pursuant to *Sec. 10.4.5.D. (Indexing)*.

B. Non-Subdivision (Park Mitigation) Fee

1. At effective date of ordinance: \$2,500, adjusted for inflation pursuant to *Sec. 10.4.5.D. (Indexing)*.
2. First annual RAP rate and fee schedule update after effective date of ordinance: The prior year's fee amount plus \$2,500, adjusted for inflation pursuant to *Sec. 10.4.5.D. (Indexing)*.
3. Each subsequent annual RAP rate and fee schedule update: The fee of the previous year, adjusted for inflation pursuant to *Sec. 10.4.5.D. (Indexing)*.

SEC. 15.9.4. SALE OF CHRISTMAS TREES

The operator of a sale of Christmas trees shall post a \$200 cleanup deposit with the Office of the City Clerk prior to any lot preparation or sales.

EXHIBIT B

EXHIBIT B

Downtown



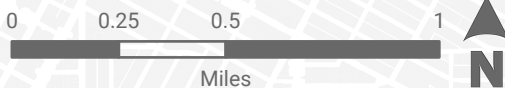
Alcohol Permission Area

Downtown

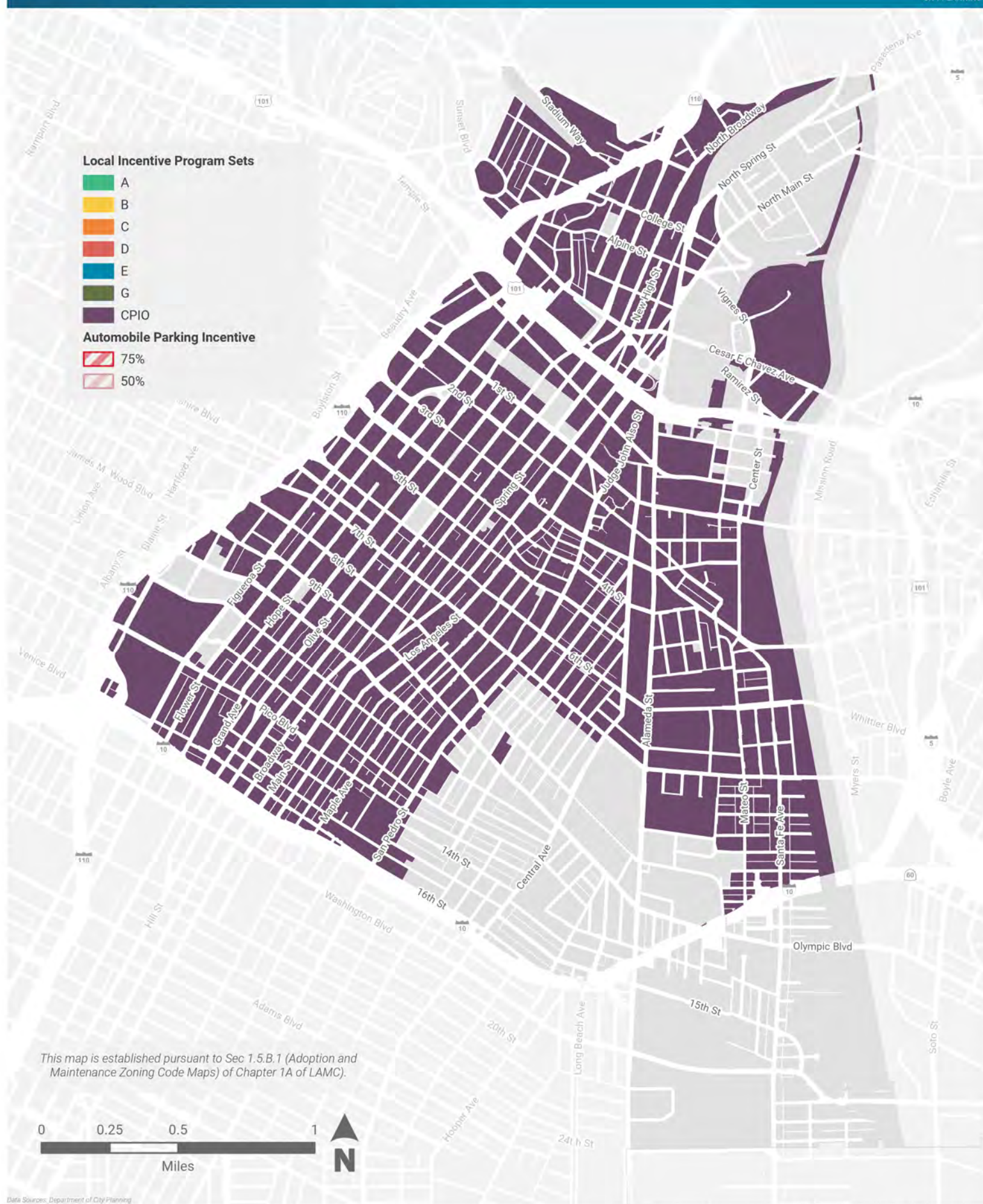


- 1. Alcohol Sensitive Sales Area
- 2. Restaurant Beverage Area
- 3. Restaurant & Bar Nightlife Area

This map is established pursuant to Sec 1.5.B.1 (Adoption and Maintenance Zoning Code Maps) of Chapter 1A of LAMC).



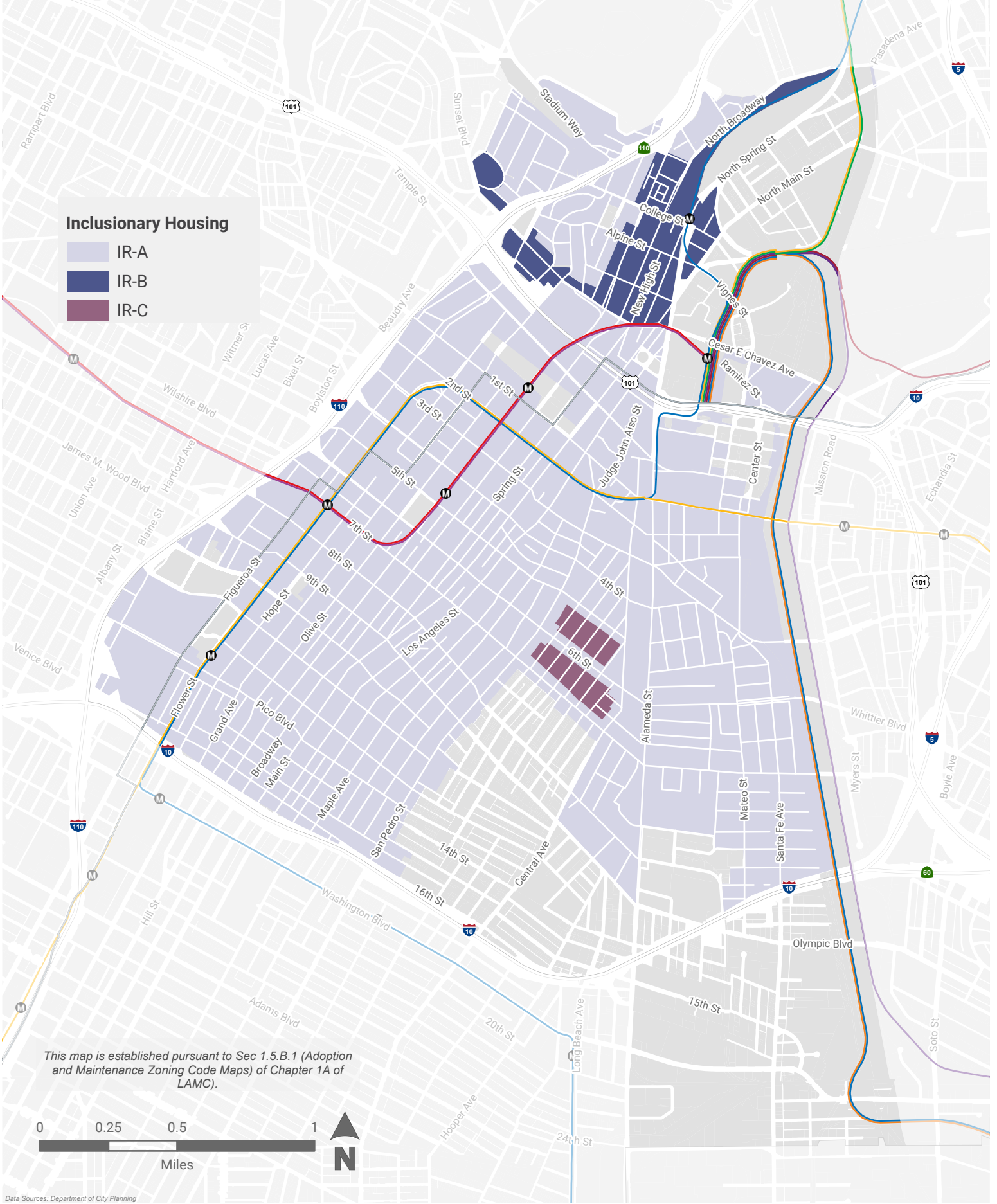
Downtown



Data Sources: Department of City Planning
Data Exported: 10/15/2014

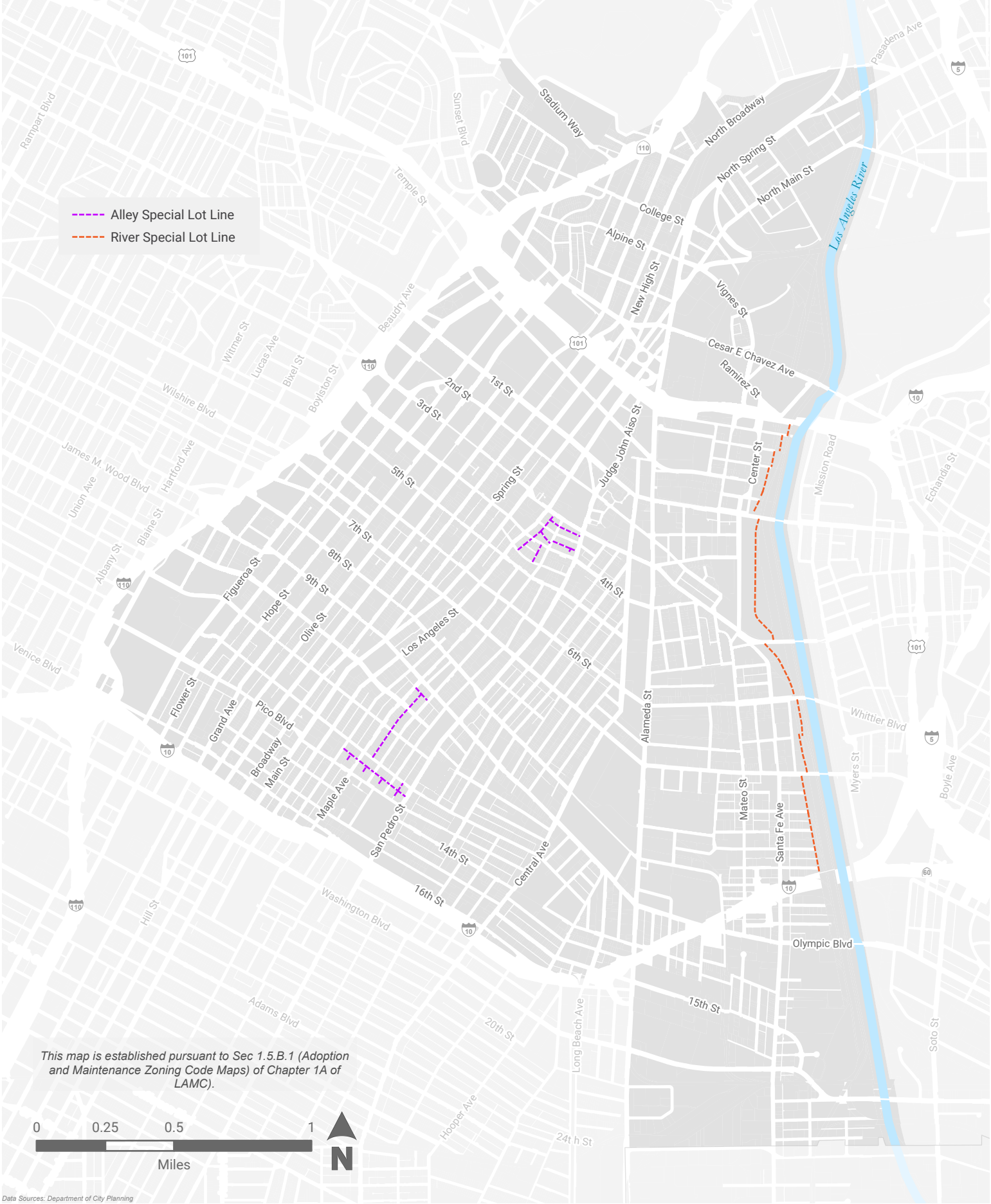
Inclusionary Housing

Downtown

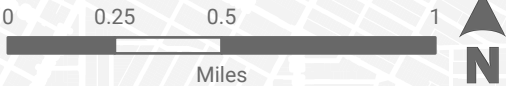


Special Lot Line

Downtown




This map is established pursuant to Sec 1.5.B.1 (Adoption and Maintenance Zoning Code Maps) of Chapter 1A of LAMC).



Sec. 6. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By 
ADRIENNE KHORASANEE
Assistant City Attorney

Date 11/22/24

File No. _____

Pursuant to Charter Section 559, I
disapprove this ordinance on behalf
of the City Planning Commission and
recommend that it **not** be adopted.


VINCENT P. BERTONI, AICP
Director of Planning

Date 11/25/2024

m:\real prop_env_land use\land use\kathryn phelan\ordinances\dt ordinances\revised f&l\revised nzc ordinance\revised new zoning code (chapter 1a) ordinance (fully executed).pdf

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than two-thirds** of all its members.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____