

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

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

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

MARTIN LUTHER KING, JR BLVD

E'LY LINE OF LOT FR 139,
EXPOSITION PARK SQUARE.

(T)(Q)C2-2D-CPIO

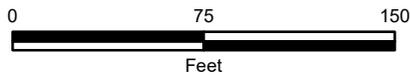
16' ALLEY

18' ALLEY

40TH PL

86

HOOVER ST

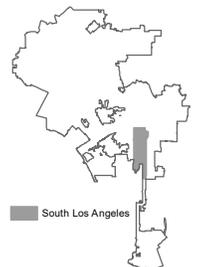


CPC-2024-6309-HD-ZC

AAI/Cf

022525

City of Los Angeles



(Q) QUALIFIED CLASSIFICATIONS

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the “Q” Qualified classification:

Entitlement Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials stamped “Exhibit A” and dated February 24, 2025, and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning, with each change being identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization. The South Los Angeles CPIO District shall not apply to the subject property so long as the development and use is consistent with Ordinance No. 184,947 and the entitlements found in City Planning Case Nos. CPC-2016-1032-GPA-ZC-HD-BL-ZAD-SPR and CPC-2024-6309-ZC-HD, which modified City Planning Case No. CPC-2016-1032-GPA-ZC-HD-BL-ZAD-SPR.
2. **Setbacks.** The setbacks of the proposed structures shall be in conformance with LAMC Section 12.14-C of the LAMC, and shall be in substantial conformance with the site plans stamped "Exhibit A" and dated February 24, 2025.
3. **Automobile Parking.** Automobile parking shall be provided consistent with LAMC Section 12.21-A,4 and/or Assembly Bill (AB) 2097.
4. **Above-Grade Parking.** Above-grade parking levels shall have an external screen integrated into the architecture and be designed to improve the building's appearance and minimize light pollution while meeting code requirements for ventilation.
5. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Sections 12.21-A,4 and 12.21-A,16. All bicycle parking shall have delineated access separate and apart from vehicular activity to promote a safe path of travel.
6. **Development Agreement.** Prior to the issuance of a building permit for this project, the Department of Building and Safety shall confirm that the public benefits, as identified in Case No. CPC-2016-1034-DA, have been satisfied.
7. **On-Site Wall Signs.** On-site wall signs shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the LAMC Section 14.4 (Sign Regulations) has been required or granted herein.
8. **Digital Displays, as defined by LAMC Section 14.4.2.**
 - a. Digital displays with off-site commercial messages shall be prohibited:
 - b. The project shall be permitted up to three on-site digital displays. None may face residential uses or zones:
 - c. The operation of the digital display portion of any on-site sign shall be limited to the hours of 6:00 a.m. and 11:00 p.m., daily.

- d. Digital displays with changing messages shall observe a minimum duration of eight seconds for each message. The message shall remain static between transitions.
- e. All digital displays shall be equipped with a sensor or other device that automatically adjusts the brightness of the display according to changes in ambient lighting to comply with a brightness limitation of 0.3 foot-candles above ambient lighting. A test by a Los Angeles City Licensed Testing Agency shall be conducted to verify light intensity not greater than 0.3 foot-candles above ambient lighting and a 300 candela per square meter limit in the nighttime after sunset measuring at the property line of the nearest residential property prior to final inspection approval.

Modified Conditions of Approval pursuant to Planning Case No. CPC-2016-1032-GPA-ZC-HD-BL-ZAD-SPR (carried forward)

9. **Use.** Authorized herein are two, five-story structures containing automobile dealership, vehicle service facility, and vehicle storage uses, including the 152,477 square-foot East Structure and 105,075 square-foot West Structure.
10. **Electric Vehicle Parking.** The project shall include at least 20 percent of the total code-required parking spaces capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. Of the twenty percent EV Ready parking, five percent of the total code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the required 20 percent or five percent results in a fractional space, round up to the next whole number. A label stating "EVCAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point. None of the required EV Ready parking shall apply to parking spaces used for dealership vehicle storage.
11. **Solar Panels.** Solar panels shall be installed on the project's rooftop space to be connected to the building's electrical system, in substantial conformance with the plans stamped "Exhibit A" and dated February 24, 2025.
12. **Landscaping.** All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the decision maker.
 - a. Vines grown on the masonry surface of the buildings shall be of a non-deciduous species.
13. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above
14. **Mechanical Equipment.** All mechanical equipment on the roof shall be fully screened from view of any abutting properties and the public right-of-way.
15. **Art Mural.** The project shall be permitted up to two art murals, one fronting 40th Place on the East Structure and one fronting the alley on the West Structure. Any art mural installed on the building façade shall be in compliance with all applicable City regulations, pursuant to Section

22.119 of the Los Angeles Administrative Code and including approval from the Department of Cultural Affairs.

16. **Pedestrian Path of Travel.** The ground level parking area of the East Structure shall have a path of travel demarcated for pedestrians for wayfinding purposes and to promote safety, in substantial conformance with the circulation plan stamped "Exhibit A" and dated February 24, 2025.
17. **Graffiti.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
18. **Trash/Storage.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.
 - a. Trash receptacles shall be stored in a fully enclosed building or structure, constructed with a solid roof, at all times.
 - b. Trash/recycling containers shall be locked when not in use.
19. **Hours of Operation.**
 - a. The vehicle servicing use shall only operate between the hours of 6:00 a.m. and 11:00 p.m., daily.
 - b. All other uses shall only operate between the hours of 7:00 a.m. and 11:00 p.m., daily.
 - c. Deliveries and trash/recycling pick-up and emptying are permitted to occur only between the hours of 7:00 a.m. and 8:00 p.m., Monday through Friday, and 10:00 a.m. to 4:00 p.m., Saturdays and Sundays.

Administrative Conditions of Approval

20. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
21. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
22. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
23. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
24. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the

agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

25. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
26. **Corrective Conditions.** The authorized use shall be conducted at all time with due regards to the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code to impose additional corrective conditions, if in the Commission's or Director's opinion such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
27. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City Planning Expedited Processing Section
28. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

DEVELOPMENT “D” LIMITATIONS

Pursuant to Section 12.32-G.4 of the Los Angeles Municipal Code, the following restrictions are hereby imposed upon the use of the subject property, subject to the “D” Development Limitation classification:

1. **Floor Area.** The East Structure shall be developed in substantial conformance with Exhibit A, and not exceed an FAR of 3.58 to 1, or 152,477 square feet. The West Structure shall be developed in substantial conformance with Exhibit A, and not exceed an FAR of 3.83 to 1, or 105,075 square feet.
2. **Height.** The East Structure shall be limited to a maximum height of 68 feet above grade level. The West Structure shall be limited to a maximum height of 65 feet above grade level. The East Structure shall be permitted an additional 11 feet to account for elevator shafts, solar panels, and equipment, in substantial conformance with Exhibit A.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Pursuant to Section 558 of the City Charter, the City Planning Commission on **April 10, 2025** recommends this ordinance **BE ADOPTED** by the City Council.

By  _____
Cecilia Lamas
Commission Executive Assistant II

File No. _____

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____