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the CITY OF LOS ANGELES DEPARTMENT
OF CITY PLANNING

**FEE EXEMPT – GOVT. CODE § 6103**

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**
**COUNTY OF LOS ANGELES**

SNOWBALL WEST INVESTMENTS, L.P., a California limited partnership,

Petitioner and Plaintiff,

v.

THE CITY OF LOS ANGELES; CITY OF LOS ANGELES DEPARTMENT OF CITY PLANNING; and DOES 1-10, inclusive,

Respondents and Defendants.

Case No. 20STCP00771

Assigned to Hon. Mitchell L. Beckloff, Dept. 86

**REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF OPPOSITION TO PETITION FOR WRIT OF MANDATE**

Action Filed: Feb. 24, 2020
Trial Date: March 24, 2021

## REQUEST FOR JUDICIAL NOTICE

Pursuant to Evidence Code §§ 451-453, and in compliance with Rule of Court 3.1113(*l*), Defendants and Respondents City of Los Angeles, which includes Department of City Planning (collectively, the "City"), respectfully requests that the Court take judicial notice of the following documents in support of the City's Opposition to the Petition for Writ of Mandate.

| Ex. # | Document Description |
|---|---|
| **Ex. A** | Los Angeles Municipal Code § 12.04 |
| **Ex. B** | Los Angeles Municipal Code § 12.05 |
| **Ex. C** | Los Angeles Municipal Code § 12.07 |
| **Ex. D** | Los Angeles Municipal Code § 12.08 |
| **Ex. E** | Los Angeles Municipal Code § 12.09.1 |
| **Ex. F** | Los Angeles Municipal Code § 12.23 |
| **Ex. G** | Los Angeles Municipal Code § 12.32 |
| **Ex. H** | Los Angeles Municipal Code § 12.22 |
| **Ex. I** | Los Angeles General Plan Housing Element, Appendix H (excerpt) |
| **Ex. J** | Oct. 7, 2019 Correspondence to Hon. Monica Rodriguez re Wildland-Urban Interface Hazard Mitigation Task Force |
| **Ex. K** | Los Angeles City Charter § 558 |
| **Ex. L** | Los Angeles General Plan Framework Element (excerpt) |

True and correct copies of these exhibits are attached hereto as Exhibits A through L. The charter, municipal code, and general plan sections/exhibits are judicially noticeable under Evidence Code section 452(b) as "legislative enactments issued by or under the authority of … any public entity in the United States." *See* Evid. Code § 200 ("Public entity includes a … city."). The Los Angeles General Plan may publicly accessed at https://planning.lacity.org/plans-policies/general-plan-overview, the Framework Element may be publicly accessed at https://planning.lacity.org/plans-policies/framework-element, and Appendix H may be accessed at https://planning.lacity.org/odocument/1d50e6d7-23c2-40b6-98b7-12fc5ded6bb8/H.pdf. The official

correspondence to Councilmember Rodriguez is judicially noticeable under Evidence Code section 452(c) as an "official act[] of the legislative, executive, and judicial departments of the United States and of any state of the United States" or Evidence Code section 452(h) as "[f]acts and propositions that are not reasonably subject to dispute and are capable of immediate and accurate determination by resort to sources of reasonably indisputable accuracy." It may be publicly accessed among the Los Angeles City Council files (filed no. 18-1120), located online at https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=c.search&tab=cfi.

Dated: Feb. 22, 2021

MICHAEL N. FEUER, City Attorney
TERRY KAUFMANN MACIAS, Sr. Assistant City Attorney
DONNA WONG, Deputy City Attorney
PATRICK HAGAN, Deputy City Attorney

By: _____
**PATRICK HAGAN**
Attorneys for Respondent
CITY OF LOS ANGELES and the
DEPARTMENT OF CITY PLANNING

# EXHIBIT A

## SEC. 12.04. ZONES - DISTRICTS - SYMBOLS.

**(Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.)**

**A.** In order to regulate the use of property, as provided for in this article, the City is divided into the following Zones: **(Amended by Ord. No. 182,343, Eff. 1/23/13.)**

1. OS Open Space Zone;
2. A1 Agricultural Zone;
3. A2 Agricultural Zone;
4. RA Suburban Zone;
5. RE Residential Zone;
6. RS Suburban Zone;
7. R1 One-Family Zone;
8. RU Residential Urban Zone;
9. RZ Residential Zero Side Yard Zone;
10. RW1 One-Family Residential Waterways Zone;
11. R2 Two-Family Zone;
12. RD Restricted Density Multiple Dwelling Zone;
13. RMP Mobile Home Park Zone;
14. RW2 Two-Family Residential Waterways Zone;
15. R3 Multiple Dwelling Zone;
16. RAS3 Residential/Accessory Services Zone;
17. R4 Multiple Dwelling Zone;
18. RAS4 Residential/Accessory Services Zone;
19. R5 Multiple Dwelling Zone;
20. P Automobile Parking Zone;
21. PB Parking Building Zone;
22. CR Limited Commercial Zone;
23. C1 Limited Commercial Zone;
24. C1.5 Limited Commercial Zone;

25. C2 Commercial Zone;

26. C4 Commercial Zone;

27. C5 Commercial Zone;

28. CM Commercial Manufacturing Zone;

29. MR1 Restricted Industrial Zone;

30. M1 Limited Industrial Zone;

31. MR2 Restricted Light Industrial Zone;

32. M2 Light Industrial Zone;

33. M3 Heavy Industrial Zone;

34. PF Public Facilities Zone; and

35. SL Ocean-Submerged Land Zone.

The order of restrictiveness of these zones, the first being the most restrictive and last being the least restrictive, is as follows:

OS, A1, A2, RA, RE, RS, R1, RU, RZ, RW1, R2, RD, RMP, RW2, R3, RAS3, R4, RAS4, R5, CR, C1, C1.5, C4, C2, C5, CM, MR1, M1, MR2, M2, M3 and PF.

In addition, there shall be the following Specific Plan Zones:

1. CCS Century City South Studio Zone;

2. CM (GM) Commercial Manufacturing (Glencoe/Maxella) Zone;

3. CW Central City West Specific Plan Zone;

4. WC Warner Center Specific Plan Zone;

5. ADP Alameda District Specific Plan Zone;

6. LASED Los Angeles Sports and Entertainment District Specific Plan Zone;

7. LAX Los Angeles International Airport Specific Plan Zone;

8. USC-1A University of Southern California University Park Campus Specific Plan Subarea 1A Zone;

9. USC-1B University of Southern California University Park Campus Specific Plan Subarea 1B Zone;

10. USC-2 University of Southern California University Park Campus Specific Plan Subarea 2 Zone; and

11. USC-3 University of Southern California University Park Campus Specific Plan Subarea 3 Zone.

12. Ponte Vista at San Pedro Specific Plan Zone. **(Added by Ord. No. 182,937, Eff. 4/21/14.)**

13. EC Exposition Corridor Transit Neighborhood Plan (Specific Plan) Zone. **(Added by Ord. No. 185,672, Eff. 12/26/19.)**

**B.** The Zone symbols and the boundaries of these Zones are shown on the "**Zoning Map**" made up of separate map sheets and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code. The "**Zoning Map**" and all of the notations, references, and other information, shown on the map are as much a part of this article as if fully set forth here. **(Amended by Ord. No. 176,343, Eff. 1/20/05.)**

**C.** In order to more adequately regulate and restrict the height and floor area of buildings and structures, each lot shall include a height district designation, except for lots in the HI Hybrid Industrial Live/Work Zone, where the height and floor area of buildings and structures shall be regulated by Section 12.04.06*, and except for lots in the R1V, R1F, R1R One-Family Variation Zones, where the height and Residential Floor Area of buildings and structures shall be regulated by Sections 12.08 C.5.(b)-(d). Height district designations shall be numbered from 1 to 4, CRA 1 to 4, EZ 1 to 4 and CSA 1 to 4, and shall regulate the height or floor area of buildings and structures as provided in Sections 12.21.1, 12.21.2, 12.21.3, 12.21.4 and 12.21.5. The height districts and their boundaries are shown on the Zoning Map by a combination of zone symbols and height district number markings, e.g., R2-1, C2-2, M1-3, C1-CRA1, MS-EZ2, C2-CSA3, etc. Where a lot is located in more than one height district, the applicable zone symbol designations shall be separated by a slash mark, e.g., R2-CRA/CSA, C2-EZI/CRA2, etc. The symbol "HD" preceding height district number markings, when shown on the Zoning Map or used in a zoning ordinance, is an abbreviation for the words "height district" and refers to height districts. The height districts for the "CW" Zone are the height districts shown in Section 6 of the Central City West Specific Plan. The height districts for the "ADP" Zone are the height districts shown in Section 7 of the Alameda District Specific Plan. The height districts for the "LASED" Zone are the height districts shown in Section 10 of the Los Angeles Sports and Entertainment District Specific Plan. The height districts for the "USC-1A", "USC-1B", "USC-2" and "USC-3" Zones are the height districts shown in Section 7 of the University of Southern California University Park Campus Specific Plan. The height districts for the "PVSP" Zone are the Subareas shown in Section 5 of the Ponte Vista at San Pedro Specific Plan. The height districts for the "EC" Zone are the Subareas shown in Section 2 of the Exposition Corridor Transit Neighborhood Plan (Specific Plan). **(Amended by Ord. No. 185,672, Eff. 12/26/19.)**

***Editor's note:** The ordinance that added Sec. 12.04.06, Ord. No. 184.099, was rescinded by Ord. No. 185,423.

**D.** Certain portions of the City are also designated as being in one or more of the following districts, by the provision of Article 3 of this chapter. **(Amended by Ord. No. 184,827, Eff. 3/24/17.)**

"O" Oil Drilling District
"S" Animal Slaughtering
"G" Surface Mining District
"RPD" Residential Planned Development District
"K" Equinekeeping District
"CA" Commercial and Artcraft District
"POD" Pedestrian Oriented District
"CDO" Community Design Overlay District
"MU" Mixed Use District
"FH" Fence Height District
"SN" Sign District
"RFA" Residential Floor Area District
"NSO" Neighborhood Stabilization Overlay District
"CPIO" Community Plan Implementation Overlay District
"HS" Hillside Standards Overlay District

"MPR" Modified Parking Requirement District
"RIO" River Improvement Overlay District
"CUGU" Clean Up Green Up Overlay District
"RG" Rear Detached Garage District
"HCR" Hillside Construction Regulation District

The "**Zoning Map**" is amended to indicate these districts and the boundaries of each district.

Land classified in an "O" Oil Drilling District, "S" Animal Slaughtering District, "G" Surface Mining District, "RPD" Residential Planned Development District, "K" Equinekeeping District, "CA" Commercial and Artcraft District, "POD" Pedestrian Oriented District, "CDO" Community Design Overlay District, "MU" Mixed Use District, "FH" Fence Height District, "SN" Sign District, "RFA" Residential Floor Area District, "NSO" Neighborhood Stabilization Overlay District, "CPIO" Community Plan Implementation Overlay District, "RIO" River Improvement Overlay District, "CUGU" Clean Up Green Up Overlay District, "RG" Rear Detached Garage District" or "HCR" Hillside Construction Regulation District is also classified in one or more zones, and land classified in the "P" Automobile Parking Zone may also be classified in an "A" or "R" Zone.

These classifications are indicated on the "**Zoning Map**" with a combination of symbols, *e.g.*, **R2-2-O**, **C2-4-S**, **M1-3-G**, **M1-1-P** and **R2-O**, **C2-G**, etc., where height districts have not been established.

**E.** The boundaries of Redevelopment Project Areas, as geographically defined in Section 12.21.3 and 11.5.14 and as specifically designated on Map A; Enterprise Zones, as defined in Section 12.21.4 and as specifically designated on Maps numbered 48 through 50; and Centers Study Areas, as defined in Section 12.21.5, shall be shown on the "**Zoning Map**". **(Amended by Ord. No. 186,325, Eff. 11/11/19.)**

**F.** In order to provide a practicable method for the development of land, the topography of which creates problems in development, to permit the efficient design and use of building sites and local streets, and to secure compliance with the General Plan in certain hillside or mountainous areas of the City of Los Angeles, certain portions of the city classified in the RA and RE Zones are also designated as being in an "**H**" Hillside or Mountainous Area. The boundaries of said Hillside or Mountainous Areas are shown by the use of the symbol "**H**" in conjunction with the applicable Zone symbols on portions of the "**Zoning Map**." **(Amended by Ord. No. 141,821, Eff. 5/24/71.)**

# EXHIBIT B

## SEC. 12.05. "A1" AGRICULTURE ZONE.

The following regulations shall apply in the "A1" Agriculture Zone.

**A. Use**. No building, structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged or maintained, except for the following uses, and when a "Supplemental Use District" is created by the provisions of Article 3 of this chapter, for such uses as may be permitted thereon.

1. One–Family dwellings.

2. (**None**).

3. (**None**).

4. Parks, playgrounds or community centers, owned and operated by the government agency.

5. Golf courses, except driving tees or ranges, miniature and pitch and putt courses having an average fairway length per hole of less than 125 yards, courses illuminated for nighttime play and similar uses operated for commercial purposes. **(Amended by Ord. No. 123,664, Eff. 3/10/63.)**

6. Farming, nurseries, aviaries, and apiaries. **(Amended by Ord. No. 181,188, Eff. 7/18/10.)**

7. **(Amended by Ord. No. 158,126, Eff. 8/22/83.)** The keeping of equines, bovines, goats or other domestic livestock, and not to exceed five swine, and the keeping of poultry, fowl, rabbits, fish or frogs, chinchillas and other small animals in conjunction with the residential use of the lot, provided:

(a) That these activities are not for commercial purposes, except that a maximum of two currently licensed equines not owned by the resident of the involved property may be boarded (for which monetary compensation may be paid) or kept on that property as an accessory use, and except that chickens, rabbits or chinchillas may be kept for commercial purposes on lots of five acres or more. **(Amended by Ord. No. 161,352, Eff. 7/20/86.)**

(b) The keeping of equines, bovines, goats or other domestic livestock shall be permitted only on lots having an area of 17,500 square feet or more. Where equines and/or bovines are being kept, the number kept shall not exceed one equine or bovine for each 4,000 square feet of lot area. **(Amended by Ord. No. 159,341, Eff. 10/11/84.)**

8. (**None**).

9. Any other similar uses or enterprises customarily carried on in the field of general agriculture and not obnoxious or detrimental to the public welfare.

10. Conditional uses enumerated in Sec. 12.24 when the location is approved pursuant to the provisions of said section. **(Amended by Ord. No. 117,450, Eff. 12/18/60.)**

11. Accessory buildings including a private garage, accessory living quarters, servant's quarters, recreation room, greenhouse, lathhouse, stable, barn, corral, pen, coop, building or room for packing products raised on the premises or other similar structure. Accessory living quarters, servant's quarters, recreation room and a private garage, or any combination of such uses may be included in one building not exceeding two stories in height. **(Amended by Ord. No. 122,543, Eff. 9/2/62.)**

For location of accessory buildings, refer to Sec. 12.21C and Sec. 12.22C.

12. Accessory uses. **(Amended by Ord. No. 171,427, Eff. 1/4/97, Oper. 3/5/97.)**

13. One stand for the display and sale of only those products produced upon the same premises, provided that the plan for the construction of such stand is approved by the Department of Building and Safety; that it does not exceed an area of two hundred (200) square feet; and that it is located not nearer than ten (10) feet to any street or highway.

14. Name plates and signs as provided for in Sec. 12.21A7.

15. **(Deleted by Ord. No. 171,687, Eff. 8/19/97.)**

16. **Home Occupations**, subject to all of the following conditions and standards: **(Added by Ord. No. 171,427, Eff. 1/4/97, Oper. 3/5/97.)**

(a) **Conditions and Standards.**

(1) No changes are made which alter the residential character or appearance of the dwelling unit or property in any manner which precludes its residential use. Activities associated with the home occupation may not be visible from the outside of the dwelling unit, except for truck gardening. **(Amended by Ord. No. 181,188, Eff. 7/18/10.)**

(2) Notwithstanding Section 12.21 A 7 of this Code, signs and window or outside displays in connection with the home occupation are prohibited.

(3) The use shall be conducted within the main dwelling unit, except for truck gardening, and only by persons residing within the dwelling unit. However, no more than one person not residing on the premises may be employed to work on the premises as part of all of the home occupations. **(Amended by Ord. No. 181,188, Eff. 7/18/10.)**

(4) Parking provided for the building must continue to be maintained pursuant to Section 12.21 A.4.(m) of this Code.

(5) Visitors' parked cars shall not displace or impede the use of required parking spaces.

(6) The home occupation shall not generate greater vehicular or pedestrian traffic than is normal for the district in which the home occupation is located.

(7) The use causes no public nuisance or disruption to the residential character of the neighborhood.

(8) No more than one client visit or one client vehicle per hour shall be permitted, and only from 8:00 a.m. to 8:00 p.m. for all of the home occupations. **(Amended by Ord. No. 181,188, Eff. 7/18/10.)**

(9) The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises other than a vehicle not to exceed one ton capacity, owned by the operator of the home occupation. There shall be no parking or storing of commercial vehicles on the site or on public streets in

connection with the home occupation. As used herein, commercial vehicles are as defined in the California Vehicle Code and, in addition, shall include construction equipment or any other mobile paraphernalia used in connection with such use. No person shall store equipment including, but not limited to, trailers or trucks in excess of one ton or wheeled construction equipment on property zoned for residential purposes.

(10) Deliveries and pickups are limited to two per day for all of the home occupations carried on in the dwelling, and only to services which normally make deliveries to or pickups from households in residential areas.

(11) No material or mechanized equipment is utilized which is not associated with normal residential use.

(12) Incidental storage related to the home occupations may be located in the dwelling unit, but shall not be located in any open areas, covered patios or carports. However, an attached or detached garage, provided the required covered parking spaces are maintained, or a detached, fully enclosed accessory building may be used for incidental storage, but such storage area shall not exceed 400 square feet. **(Amended by Ord. No. 171,696, Eff. 9/27/97.)**

(13) Any advertising for the home occupation does not contain the address of the dwelling unit.

(14) No excessive noise in violation of the provisions of Sections 111.00, 112.00 and 114.00 of this Code is caused by the use, nor any excessive light, dust, fumes, vibration or electrical interference beyond that normally expected for a residential use.

(15) No "**extremely hazardous substances**," as listed in Section 355 (Appendix A) of Title 40 of the Code of Federal Regulations, are used, sold or stored on the site; and no "**hazardous materials**," as listed in Article 9, Title 22 of the California Health and Safety Code, are utilized except those associated with normal household use.

(16) No space or equipment used in the home occupation is rented out to other parties not residing on the premises.

(17) Any "**industrial homework**" (as defined by the California Labor Code) performed for an employer conforms to the provisions of Sections 2650 et seq. of the California Labor Code.

(18) The home occupation does not include any uses regulated under Section 12.24 or 12.27 of this Code.

(19) No sales or exchange of products, processing, manufacturing, display or servicing of any product is conducted on the premises, except for handicrafts, or intellectual or artistic products, or direct sales, or sales where the orders have been previously made by telephone, at a prior meeting or a sales party, and in accordance with the other standards of operation. Nothing in this section shall be construed as to permit other retail or wholesale sales in residential zones. Nor shall anything in this section be construed as allowing any type of on-site sales or distribution in connection with truck gardening. **(Amended by Ord. No. 181,188, Eff. 7/18/10.)**

(20) A person wishing to conduct a home occupation must obtain a City business license, if a license is required to perform the occupation, from the Office of Finance. **(Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.)**

(21) **(Deleted by Ord. No. 172,170, Eff. 9/27/98.)**

Monies collected from registration fees and from any fines imposed for violations of these provisions shall be deposited in the Home Occupation Trust Fund established pursuant to Section 5.486 of the Los Angeles Administrative Code. The money in this account shall be used to offset the costs by the Department of Building and Safety and the City Clerk's Office for administering the provisions of the home occupation ordinance.

(b) **Prohibited Uses.** Any use which disrupts, and is inconsistent with, the residential character of the neighborhood is prohibited. The following home occupations, including but not limited to other similar uses, and uses as determined by the Zoning Administrator are prohibited:

Adult entertainment

Ambulance service

Animal training

Automotive repair, painting, body/fender work, upholstering, detailing, washing, including motorcycles, trucks, trailers and boats.

Beautician or barber

Body piercing

Dentist, except as a secondary office which is not used for the general practice of dentistry, but may be used for consultation and emergency treatment as an adjunct to a principal office located elsewhere.

Funeral chapel or home

Firearms manufacturing or sales

Garment manufacturing

Gunsmith

Massage therapist, unless the therapist has procured a massage technician's license and a massage business license, as needed, from the Los Angeles Police Department.

Medical physician (non-psychiatric), except as a secondary office which is not used for the general practice of medicine, but may be used for consultation and emergency treatment as an adjunct to a principal office located elsewhere.

Photography lab, other than for occupant's own use.

Recording/motion picture/video production studios, except for editing of pre-recorded material.

Restaurant

Retail sales

Tattoo studio

Tow truck service

Upholstery

Veterinary services and other uses which entail the harboring, training, care, breeding, raising or grooming of dogs, cats, birds, or other domestic animals on the premises, except those which are permitted by this article (other than those owned by the resident)

Welding or machine shop

Yoga/spa retreat center

(c) **Authority of The Director of Planning. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.)** Notwithstanding any other provisions of this Code, the Director may require the discontinuance of a home occupation if he or she finds that as operated or maintained there has been a violation of any of the conditions or standards set forth in this section. The Director shall have the authority to prescribe additional conditions and standards of operation for any category of home occupation which may require additional conditions.

(d) **Administrative Fines.** An administrative fine of $250.00 may be collected by the Department of Building and Safety for any violation of the conditions and standards of Section 12.05A 16 (a) 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. It shall be unlawful to conduct any home occupation as set forth in Section 12.05A16(b) of this Code.

(1) **Definitions.** As used in this subparagraph the term "Superintendent" means the Superintendent of the Department of Building and Safety. The term "Department" means the Department of Building and Safety.

(2) **Order to Comply.** For any home occupation found to be in violation of Section 12.05A16(a) of this Code, the Superintendent shall send an Order to Comply to the operator of the home occupation use. The Order to Comply shall clearly state the following:

(i) 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.

(ii) 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) **Reinspection**. The Superintendent shall reinspect a property for which an Order to Comply was issued pursuant to this paragraph subsequent to the

Compliance Date.

(4) **Failure to Correct Violation.** 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.

If the Department 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 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.

The person cited shall remit the fine to the Department within 30 days after the date of mailing of the notice. If the person cited fails to do so, then the Department, 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.

(5) **Repeated Violations.** Notwithstanding any provision of this subsection to the contrary, if an Order to Comply is issued for a violation of Section 12.05A16, and after compliance with it a subsequent Order to Comply is issued for a violation of the same section of this Code occurring within one year of the date of the initial Order, an administrative fine of $500.00 may be collected by the Department.

(6) **Discontinuance of Use. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.)** Three violations of any condition set forth in Section 12.05 A.16. (a) of this Code which has resulted in an Order to Comply being issued under Paragraph (d)(2) may result in the imposition of proceedings to discontinue the home occupation use. The Director shall have jurisdiction to discontinue a home occupation use by giving notice to the record owner of the home occupation by issuing A Notice of Intention to Discontinue the Home Occupation (Notice). The Notice shall provide an opportunity for the home occupation user to either

(a) submit information to the Director by a date certain to show cause why the home occupation should not be discontinued or

(b) appear at a time and place before the Director pursuant to the procedures prescribed in Section 12.24 of the Code to show cause why the use should not be discontinued.

Upon the expiration of the time periods set forth in the Notice, the Director may discontinue the home occupation use.

(e) **Truck Gardening.** Truck gardening shall be subject to the provisions of this subdivision if the main use of the lot is a dwelling. **(Added by Ord. No. 181,188, Eff. 7/18/10.)**

**B. Restriction. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.)** For any lot designated as Public, Quasi-Public, Public/Quasi-Public Use, Other Public, or Open Space on the land use map of the applicable community or district plan; any lot shown on the map as having existing lakes, waterways, reservoirs, debris basins, or similar facilities; any lot shown on the map as the location of a freeway right-

of-way; and any property annexed to the City of Los Angeles where a plan amendment was not adopted as part of the annexation proceedings:

Any of the uses permitted by Subsection A of this section shall require prior approval in accordance with the provisions of Section 12.24.1 of this Code.

**C. Area**. No building or structure nor the enlargement of any building or structure shall be hereafter erected or maintained unless the following yards and lot areas are provided and maintained in connection with such building, structure or enlargement.

1. **Front Yard**. There shall be a front yard of not less than twenty (20) per cent of the depth of the lot, but such front yard need not exceed twenty–five (25) feet.

2. **Side Yards**. There shall be a side yard on each side of a main building of not less than ten (10) percent of the width of the lot, but such side yard need not exceed twenty–five (25) feet and shall not be less than three (3) feet in width.

3. **Rear Yard**. There shall be a rear yard of not less than twenty–five (25) per cent of the depth of the lot, but such rear yard need not exceed twenty–five (25) feet.

4. **Lot Area**. **(Amended by Ord. No. 150,624, Eff. 4/13/78.)** Every lot farm or other parcel of land shall have a minimum average width of 300 feet and a minimum area of five acres for all uses permitted in this section, except that:

(a) The lot area for goat or cattle dairies shall not be less than 20 acres.

(b) The lot area per dwelling unit shall be not less than two and one-half acres, but in no case shall more than two dwellings be permitted on any one lot.

In no case shall a farm or other parcel of land be reduced to less than five acres. Provided, that where a lot has less width or less area than herein required and was held under separate ownership or was of record at the time this article became effective, such lot may be occupied by any use permitted in this section, except for those uses as set forth in Subdivision 5 of Subsection A of this section.

Exceptions to area regulations are provided for in Section 12.22C.

# EXHIBIT C

## SEC. 12.07. "RA" SUBURBAN ZONE.

The following regulations shall apply to the "RA" Suburban Zone:

**A. Use.** No building, structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged or maintained except for the following uses, and when a "Supplemental Use District" is created by the provisions of Article 3 of this chapter, for such uses as may be permitted therein:

1. One–family dwellings.

2. **(Deleted by Ord. No. 171,687, Eff. 8/19/97.)**

3. (**None**)

4. Parks, playgrounds or community centers, owned and operated by a government agency.

5. Golf courses, except driving tees or ranges, miniature and pitch and putt courses having an average fairway length per hole of less than 125 yards, courses illuminated for nighttime play and similar uses operated for commercial purposes. **(Amended by Ord. No. 123,664, Eff. 3/10/63.)**

6. Truck gardening and nurseries. **(Amended by Ord. No. 181,188, Eff. 7/18/10.)**

7. **(Amended by Ord. No. 159,341, Eff. 10/11/84.)** The keeping of equines, bovines, goats or other domestic livestock other than swine), poultry, fowl, rabbits, chinchillas and other small animals, in conjunction with the residential use of the lot, provided:

   (a) That these activities are not for commercial purposes, except that a maximum of two currently licensed equines not owned by the resident of the involved property may be boarded (for which monetary compensation may be paid) or kept on that property as an accessory use. **(Amended by Ord. No. 161,352, Eff. 7/20/86.)**

   (b) The keeping of equines, bovines, goats or other domestic livestock (other than swine) shall be permitted only on lots having an area of 17,500 square feet or more; provided, however, that such keeping of domestic livestock shall also be permitted on lots which were of record as of November 19, 1966 and qualified for the minimum lot area requirement of 17,500 square feet by including the area of one-half of the abutting streets. Where equines and/or bovines are being kept, the number shall not exceed one equine or bovine for each 4,000 square feet of lot area.

8. Two-family dwellings, on lots having a side lot line adjoining a lot in a commercial or industrial Zone, provided that: **(Amended by Ord. No. 126,309, Eff. 2/13/64.)**

   (a) The lot on which the dwelling is located does not extend more than 100 feet from the boundary of the less restricted Zone which it adjoins;

   (b) There is a minimum lot area of 20,000 square feet for each two family dwelling.

9. (**None**).

10. Conditional uses enumerated in Sec. 12.24 when the location is approved pursuant to the provisions of said section. **(Amended by Ord. No. 117,450, Eff. 12/18/60.)**

11. Accessory buildings, including private garages, accessory living quarters, servants quarters, recreation rooms, greenhouses, bathhouses, or private stables, provided that:

(a) An accessory living quarters, servants quarters, recreation room or a private garage or any combination of said uses may be included in one building not exceeding two stories in height.

(b) No stable is located or maintained on a lot having an area of less than 17,500 square feet and its capacity does not exceed one equine for each 4,000 square feet of lot area. **(Amended by Ord. No. 157,144, Eff. 11/22/82.)**

(c) Automobile parking space is required in connection with permitted uses and additional space may be provided in accordance with the provisions of Section 12.21A.

For the location of accessory buildings, refer to Sec. 12.21C and Sec. 12.22C. **(Amended by Ord. No. 107,884, Eff. 9/23/56.)**

12. Accessory uses and home occupations, subject to the conditions specified in Section 12.05 A 16 of this Code. **(Amended by Ord. No. 171,427, Eff. 1/4/97, Oper. 3/5/97.)**

13. Backyard beekeeping, as an accessory use, provided that: **(Added by Ord. No. 183,920, Eff. 12/6/15.)**

(a) The person who is the owner of or in possession of an apiary is registered as a beekeeper with the County of Los Angeles Agricultural Commission.

(b) The number of hives is limited to one for every 2,500 square feet of lot area.

(c) Hives are not located in the required front yard of a lot, including through lots.

(d) Hives are located a minimum of five feet from the front, side, and rear lot lines and a minimum of 20 feet from public rights-of-way or private streets.

(e) Hive entrances face away from, or parallel to, the nearest lot line adjacent to another lot.

(f) A six-foot wall, fence, or hedge is located between hives and adjacent lots, or hives are placed at a minimum of eight feet above ground level of the adjacent lot. The purpose of this provision is to provide a solid barrier to help direct bees over six feet above ground level when departing the lot to minimize interactions between bees and individuals in the vicinity.

(g) A water source for bees shall be provided at all times on the property where the bees are kept to discourage bee visitation at swimming pools, hose bibs and other water sources on adjacent public or surrounding property.

14. Names, plates and signs as provided for in Sec. 12.21 A.7.

**B. Restriction. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.)** For any lot designated as Public, Quasi-Public, Public/Quasi-Public Use, Other Public, or Open Space on the land use map of the applicable community or district plan; any lot shown on the map as having existing lakes, waterways, reservoirs, debris basins, or similar facilities; any lot shown on the map as the location of a freeway right-of-way; and any property annexed to the City of Los Angeles where a plan amendment was not adopted as part of the annexation proceedings:

Any of the uses permitted by Subsection A of this section shall require prior approval in accordance with the provisions of Section 12.24.1 of this Code.

**C. Area (Development Standards). (First Para. Amended by Ord. No. 179,883, Eff. 6/29/08.)** No building or structure nor the enlargement of any building or structure shall be erected or maintained unless the following yards, lot areas, and floor area limitations are provided and maintained in connection with the building, structure, or enlargement:

1. **Front Yard**. There shall be a front yard of not less than 20% of the depth of the lot, but such front yard need not exceed 25 feet, provided, however, that where all of the developed lots which have front yards that vary in depth by not more than ten feet comprise 40% or more of the frontage, the minimum front yard depth shall be the average depth of the front yards of such lots. Where there are two or more possible combinations of developed lots comprising 40% or more of the frontage, each of which has front yards that vary in depth of not more than ten feet, the minimum front yard depth shall be the average depth of the front yards of that combination which has the shallowest average depth. In determining the required front yard, buildings located on key lots, entirely on the rear half of lots, or on lots in the "C" or "M" Zones, shall not be counted, provided, however, that nothing contained in this paragraph shall be deemed to require front yards which exceed 40 feet in depth. **(Amended by Ord. No. 139,155, Eff. 10/16/69.)**

On key lots the minimum front yard may be the average of the required front yard for the adjoining interior lot and the required side yard along the street side of a reversed corner lot, but such minimum front yard may apply for a distance of not more than 100 feet from the rear lot line of the reversed corner lot, beyond which point the front line specified in the above paragraph shall apply. Where existing buildings on either or both of said adjoining lots are located nearer to the front or side lot lines than the yards required by this article, the yards established by such existing buildings may be used in computing the required front yard for a key lot.

2. **Side Yards. (Amended by Ord. No. 169,775, Eff. 6/2/94.)**

(a) There shall be a side yard on each side of a main building of not less than ten feet, except that where the lot is less than 70 feet in width, and was of record prior to July 1, 1966, the side yard may be reduced to ten percent of the width of the lot, but in no event less than three feet. Provided, however, that where a side yard of less than ten feet in width is permitted pursuant to the foregoing provisions, and the building erected on the lot is three or more stories in height, one foot shall be added to such side yard.

(b) In lieu of the additional one foot side yard for buildings of three or more stories specified above, for new construction of a main building or ground floor addition to the main building on a lot not located in a Hillside Area or a Coastal Zone, one foot shall be added to each required side yard for each increment of ten feet or fraction thereof of height above the first 18 feet of height of the main building.

(c) Side yard requirements in specific plans, Historic Overlay Zones or in subdivision approvals shall take precedence over requirements in this subsection. This subsection shall apply in these areas, however, where there are no side yard requirements provided in the specific plan, Historic Overlay Zone or in the subdivision approval.

3. **Rear Yard**. There shall be a rear yard of not less than twenty–five (25) per cent of the depth of the lot, but such rear yard need not exceed twenty–five (25) feet.

4. **Lot Area**. Every lot shall have a minimum width of 70 feet and a minimum area of 17,500 square feet. The minimum lot area per dwelling unit shall be 17,500 square feet except for a two–

family dwelling on lots having a side lot adjoining a lot in a commercial or industrial Zone as provided for in Subsection A of this section. **(Amended by Ord No. 133,218, Eff. 11/19/66.)**

Provided, however, that on property located within the RA Zone and also within the "H" Hillside or Mountainous Area for which a Master Plan including dwelling unit densities has been adopted by the Council, the number of lots may be limited and the maximum areas may be increased so that the number of dwelling units permitted will not substantially exceed the densities shown on the Plan. **(Amended by Ord. No. 129,693, Eff. 5/2/65.)**

There may be lots with less than the minimum width and area, as provided by Section 17.05 H. of this Code, and there may be a single dwelling on each lot if the lot is shown with a separate letter or lot number on a recorded Subdivision Tract Map or Parcel Map. **(Amended by Ord. No. 130,871, Eff. 9/20/65.)**

Exceptions to area regulations are provided for in Sec. 12.22 C. **(Amended by Ord. No. 129,673, Eff. 5/2/65.)**

5. **Maximum Residential Floor Area. (Amended by Ord. No. 184,802, Eff. 3/17/17.)** For a lot located in a Hillside Area or Coastal Zone, the maximum Residential Floor Area shall comply with Section 12.21.1 A.1. of this Code.

For all other lots, the maximum Residential Floor Area contained in all buildings and accessory buildings shall not exceed 25 percent of the lot area when the lot is less than 20,000 square feet. For lots 20,000 square feet or greater, the maximum Residential Floor Area shall not exceed 20 percent of the lot area, or 5,000 square feet, whichever is greater.

An additional 20 percent of the maximum Residential Floor Area for that lot shall be allowed if any of the methods listed below are utilized. Only one 20 percent bonus per property is allowed.

(a) The total Residential Floor Area of each story other than the base floor in a multi-story building does not exceed 75 percent of the base floor area; or

(b) The cumulative length of the exterior walls facing the front lot line, equal to a minimum of 25 percent of the building width, shall be stepped-back a distance of at least 20 percent of the building depth from a plane parallel to the lot width established at the point of the building closest to the front lot line. When the front lot line is not straight, a line connecting the points where the side lot lines and the front lot line intersect shall be used. When through-lots have two front yards, the step-back shall be provided along both front lot lines.

For the purposes of this provision, all exterior walls that intersect a plane parallel to the front lot line at 45 degrees or less shall be considered to be facing the front lot line. The building width shall be the greatest distance between the exterior walls of the building measured parallel to the lot width. The building depth shall be the greatest distance between the exterior walls of the building measured parallel to the lot depth.

6. **Verification of Existing Residential Floor Area. (Amended by Ord. No. 184,802, Eff. 3/17/17.)** For additions with cumulative Residential Floor Area of less than 1,000 square feet constructed after January 1, 2008, or remodels of buildings built prior to January 1, 2008, the existing Residential Floor Area shall be determined based on the building records or the building square footage shown on the most recent Los Angeles County Tax Assessor's records at the time the plans are submitted to the Department of Building and Safety and a plan check fee is paid. Except that Residential Floor Area may be calculated as defined in Section 12.03 of this Code

when a complete set of fully dimensioned plans with area calculations of all the structures on the lot, prepared by a licensed architect or engineer, is submitted by the applicant.

Any work that does not qualify as a remodel, as defined in the paragraph below, or additions that are 1,000 square feet or larger shall require a complete set of fully dimensioned plans with area calculations of all the structures on the lot prepared by a licensed architect or engineer.

For the purposes of implementing this subdivision, a remodel shall mean the alteration of an existing building or structure provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

# EXHIBIT D

## SEC. 12.08. "R1" ONE-FAMILY ZONE.

The following regulations shall apply in the "R1" One-Family Zone:

**A. Use**. No building, structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged or maintained except for the following uses, and when a "**Supplemental Use District**" is created by the provisions of Article 3 of this chapter, for such uses as may be permitted therein:

1. One-family dwelling.

2. Parks, playgrounds or community centers, owned and operated by a governmental agency.

3. **(Amended by Ord. No. 181,188, Eff. 7/18/10.)** Truck gardening; the keeping of equines, poultry, rabbits and chinchillas in conjunction with the residential use of the lot, provided that:

(a) Such animal keeping is not for commercial purposes.

(b) The keeping of equines shall be permitted only on lots having an area of 20,000 square feet or more. Where equines are being kept, the number of such animals being kept shall not exceed one for each 5,000 square feet of lot area.

4. Two-family dwellings on lots having a side lot line adjoining a lot in a commercial or industrial zone, provided that: **(Amended by Ord. No. 171,427, Eff. 1/4/97, Oper. 3/5/97.)**

(a) The lot on which the use is located does not extend more than 65 feet from the boundary of the less restrictive zone which it adjoins; and

(b) There is a minimum lot area of 5,000 square feet for each two-family dwelling.

5. **(Deleted by Ord. No. 171,687, Eff. 8/19/97.)**

6. Conditional uses enumerated in Sec. 12.24 when the location is approved pursuant to the provisions of said section. **(Amended by Ord. No. 117,450, Eff. 12/18/60.)**

7. Accessory buildings, including private garages, accessory living quarters, servant's quarters, recreation rooms, or private stables, provided that:

(a) No accessory living quarters nor servant's quarters are located or maintained on a lot having an area less than 10,000 square feet;

(b) No stable is located or maintained on a lot having an area of less than 20,000 square feet and its capacity does not exceed one equine for each 5,000 square feet of lot area. **(Amended by Ord. No. 157,144, Eff. 11/22/82.)**

(c) An accessory living quarters, servant's quarters, recreation room or private garage or any combination of said uses may be included in one building not exceeding two stories in height;

(d) Automobile parking space is required in connection with permitted uses and additional space may be provided in accordance with the provisions of Sec. 12.21 A.

For the location of accessory buildings, refer to Sec. 12.21 C. and Sec. 12.22 C. **(Amended by Ord. No. 107,884, Eff. 9/23/56.)**

8. Accessory uses and home occupations, subject to the conditions specified in Section 12.05 A.16. of this Code. **(Amended by Ord. No. 171,427, Eff. 1/4/97, Oper. 3/5/97.)**

9. Name plates and signs as provided for in Sec. 12.21 A.7.

10. Backyard beekeeping, as an accessory use, provided that the activity complies with the performance standards established in Section 12.07 A.13. of this Code. **(Added by Ord. No. 183,920, Eff. 12/6/15.)**

**B. Restriction. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.)** For any lot designated as Public, Quasi-Public, Public/Quasi-Public Use, Other Public, or Open Space on the land use map of the applicable community or district plan; any lot shown on the map as having existing lakes, waterways, reservoirs, debris basins, or similar facilities; any lot shown on the map as the location of a freeway right-of-way; and any property annexed to the City of Los Angeles where a plan amendment was not adopted as part of the annexation proceedings:

Any of the uses permitted by Subsection A of this section shall require prior approval in accordance with the provisions of Section 12.24.1 of this Code.

C. **Area (Development Standards). (First Para. Amended by Ord. No. 179,883, Eff. 6/29/08.)** No building or structure nor the enlargement of any building or structure shall be erected or maintained unless the following yards, lot areas, and floor area limitations are provided and maintained in connection with the building, structure, or enlargement:

1. **Front Yard**. There shall be a front yard of not less than 20% of the depth of the lot, but such front yard need not exceed 20 feet; provided, however that where all of the developed lots which have front yards that vary in depth by not more than ten feet comprise 40% or more of the frontage, the minimum front yard shall be the average depth of the front yard of such lots. Where there are two or more possible combinations of developed lots comprising 40% or more of the frontage, each of which as front yards that vary in depth by not more than ten feet, the minimum front yard depth shall be the average depth of the front yards of that combination which has the shallowest average depth. In determining the required front yard, buildings located on key lots, entirely on the rear half of lots, or on lots in the "C" or "M" Zones, shall not be counted; provided, however, that nothing contained in this paragraph shall be deemed to require front yards which exceed 40 feet in depth. **(Amended by Ord. No. 139,155, Eff. 10/16/69.)**

On key lots the minimum front yard may be the average of the required front yard for the adjoining interior lot and the required side yard along the street side of a reversed corner lot, but such minimum front yard may apply for a distance of not more than 65 feet from the rear lot line of the reversed corner lot, beyond which point the front yard specified in the above paragraph shall apply. Where existing buildings on either or both of said adjoining lots are located nearer to the front or side lot lines than the yards required by this article, the yards established by such existing buildings may be used in computing the required front yard for a key lot.

2. **Side Yards. (Amended by Ord. No. 184,802, Eff. 3/17/17.)**

(a) For a main building not more than two stories in height, there shall be a side yard on each side of the building of not less than 5 feet, except that where the lot is less than 50 feet in width, the side yard may be reduced to 10 percent of the width of the lot, but in no event to less than 3 feet in width. For a building more than two stories in height, 1 foot shall be added to the width of each yard for each additional story above the second story.

All portions of a building that have a side wall exceeding 14 feet in height and a continuous length greater than 45 feet shall have an offset/plane break that is a minimum depth of five feet beyond the required yard and a minimum length of 10 feet. For the purpose of this Subdivision, height shall be measured from the existing or finished grade, whichever is lower, at each point along the perimeter of the building.

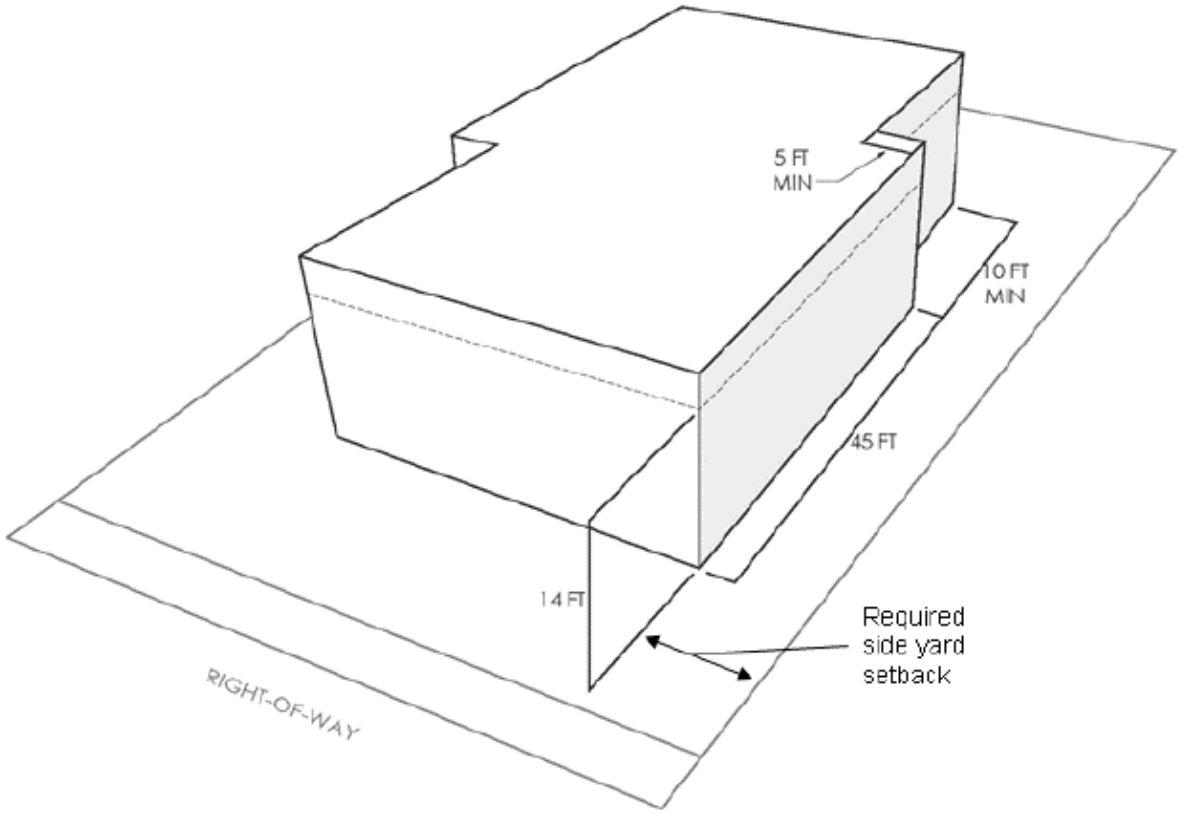



**Figure 12.08 C.2.(a): Plane break diagram.**

(b) In lieu of the additional one-foot side yard for each story above the second story as required above, for new construction of a main building or a ground floor addition to the main building on a lot not located in a Hillside Area or Coastal Zone, one-foot shall be added to each required side yard for each increment of ten feet or fraction thereof above the first 18 feet.

(c) Side yard requirements in specific plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over this subdivision. This subdivision shall apply in these areas, however, when there are no such side yard requirements.

(d) Any occupied rooftop deck shall be set back at least three feet from the minimum required side yard. This provision shall not apply to any rooftop deck located on the street side of a Corner Lot.

3. **Rear Yard**. There shall be a rear yard of not less than 15 feet in depth. **(Amended by Ord. No. 121,925, Eff. 6/4/62.)**

4. **Lot Area. (Amended by Ord. No. 153,478, Eff. 4/12/80.)**. Every lot shall have a minimum width of 50 feet and a minimum area of 5,000 square feet. The minimum lot area per dwelling unit shall also be 5,000 square feet, except for two–family dwellings on lots having a side lot line adjoining a lot in a commercial or industrial zone as provided for in Subsection A of this section.

There may be lots with less than the minimum required area and there may be a single dwelling on each such lot if the lot is shown with a separate letter or lot number on a recorded Subdivision Tract Map or a Parcel Map.

There may be lots with less than the minimum width and area as provided for in Section 17.05 H.7. Further exceptions to area regulations are provided for in Section 12.22 C.

5. **Maximum Residential Floor Area and Massing. (Amended by Ord. No. 184,802, Eff. 3/17/17.)**

(a) **R1.** For a lot located in a Hillside Area or Coastal Zone, the maximum floor area shall comply with Section 12.21.1 A.1. of this Code.

For lots outside of a Hillside Area or Coastal Zone, the maximum Residential Floor Area contained in all buildings and accessory buildings shall not exceed 45 percent of the lot area (a Residential Floor Area ratio of 0.45).

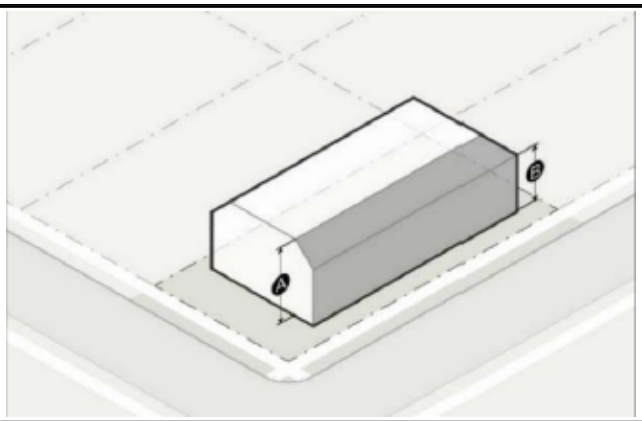
The encroachment plane shall originate from a point that is 20 feet in height from the existing or finished grade, whichever is lower, along the required front and side yard setbacks.

(b) **R1V, Variable-Mass.** These zones are intended to address issues of neighborhood character and to facilitate the compatibility of new construction, additions, and alterations in single-family neighborhoods having an existing variety of building forms. The intent of this variation is to allow flexibility in the location of massing within a maximum building envelope that respects the scale of other houses in the vicinity.

The maximum Residential Floor Area contained in all buildings on a lot shall not exceed the specified Residential Floor Area ratio for the corresponding zone per size of the lot as listed in Table 12.08 C.5.(b). The maximum lot coverage, maximum Height of Building, and maximum height at which the encroachment plane begins shall not exceed the amounts specified for each zone in Table 12.08 C.5.(b).

**Table 12.08 C.5.(b)**

**R1 VARIABLE-MASS VARIATION ZONES DEVELOPMENT STANDARDS**




| Lot Size and Residential Floor Area Ratio | R1V1 | R1V2 | R1V3 | R1V4 | Max Lot Coverage |
|---|---|---|---|---|---|
| Up to 6,000 SF | .65 | .55 | .45 | .40 | 50% |
| 6,001 to 7,000 SF | .63 | .53 | .43 | .38 | 48% |
| 7,001 to 8,000 SF | .61 | .51 | .41 | .36 | 46% |
| 8,001 to 9,000 SF | .59 | .49 | .39 | .34 | 44% |
| 9,001 to 10,000 SF | .57 | .47 | .37 | .32 | 42% |
| Over 10,000 SF | .55 | .45 | .35 | .30 | 40% |
| **Mass** | | | | | |
| (A) Height of Building (max) | 30' | 30' | 28' | 20' | |
| (B) Encroachment Plane Origin Height | 22' | 22' | 20' | 14' | |

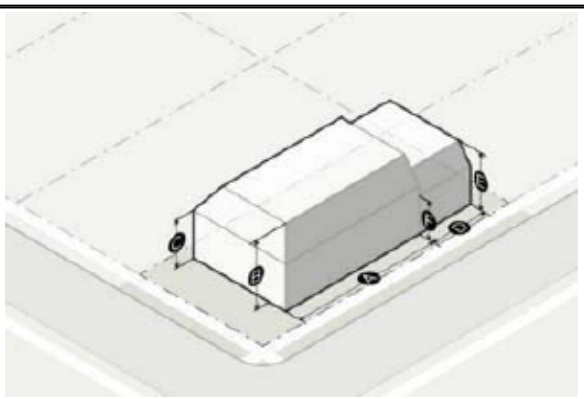
| | | | | | |
|---|---|---|---|---|---|
| Angle of Encroachment Plane | 45° | 45° | 45° | 45° | |

(c) **R1F, Front-Mass.** These zones are intended to address issues of neighborhood character and to facilitate the compatibility of new construction, additions and alterations in single-family neighborhoods where the predominate building form includes a two-story mass at the front of the lot and a one-story mass at the rear of the lot. The intent of this variation is to allow taller massing at the front of the lot and mandate shorter massing at the rear of the lot that respects the scale and form of other houses in the vicinity.

The maximum Residential Floor Area contained in all buildings shall not exceed the specified Residential Floor Area ratio for the corresponding zone per size of the lot as listed in Table 12.08 C.5.(c). The maximum lot coverage, the maximum height of the front and rear masses, and the maximum height at which the encroachment plane begins for the front and rear masses shall not exceed the amounts specified for each zone in Table 12.08 C.5.(c).

**Table 12.08 C.5.(c)**

**R1 FRONT-MASS VARIATION ZONES DEVELOPMENT STANDARDS**



| **Lot Size and Residential Floor Area Ratio** | **R1F1** | **R1F2** | **R1F3** | **R1F4** | **Max Lot Coverage** |
|---|---|---|---|---|---|
| Up to 6,000 SF | .65 | .55 | .45 | .40 | 50% |
| 6,001 to 7,000 SF | .63 | .53 | .43 | .38 | 48% |
| 7,001 to 8,000 SF | .61 | .51 | .41 | .36 | 46% |
| 8,001 to 9,000 SF | .59 | .49 | .39 | .34 | 44% |
| 9,001 to 10,000 SF | .57 | .47 | .37 | .32 | 42% |
| Over 10,000 SF | .55 | .45 | .35 | .30 | 40% |
| **Front Mass** | | | | | |
| (A) Front envelope depth, from front yard setback (min) | – | – | – | – | |
| (B) Height of Mass (max) | 30' | 30' | 28' | 26' | |
| (C) Encroachment Plane Origin Height | 22' | 22' | 20' | 18' | |
| Angle of Encroachment Plane | 45° | 45° | 45° | 45° | |
| **Rear Mass** | | | | | |
| (D) Rear envelope depth, from rear yard setback (min) | 25' | 25' | 25' | 25' | |
| (E) Height of Mass (max) | 24' | 24' | 20' | 18' | |
| (F) Encroachment Plane Origin Height | 16' | 16' | 14' | 14' | |

| | | | | | |
|---|---|---|---|---|---|
| Angle of Encroachment Plane | 45° | 45° | 45° | 45° | |

(d) **R1R, Rear-Mass.** These zones are intended to address issues of neighborhood character and to facilitate the compatibility of new construction, additions and alterations in single-family neighborhoods where the predominate building form includes a one-story mass at the front of the lot and a two-story mass at the rear of the lot. The intent of this variation is to mandate shorter massing at the front of the lot and allow taller massing at the rear of the lot that respects the scale and form of other houses in the vicinity.

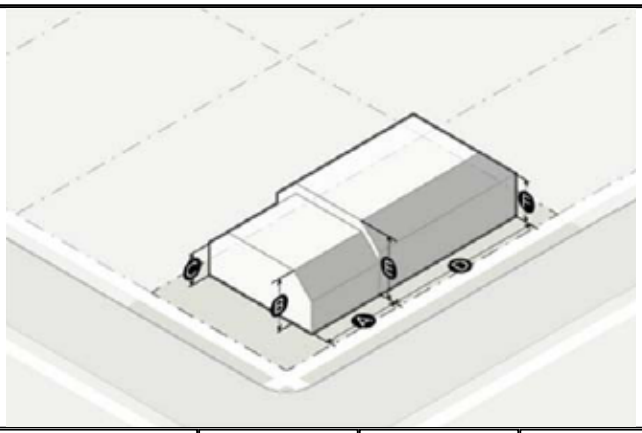
The maximum Residential Floor Area contained in all buildings shall not exceed the specified Residential Floor Area ratio for the corresponding zone per size of the lot as listed in Table 12.08 C.5.(d). The maximum lot coverage, the maximum height of the front and rear masses, and the maximum height at which the encroachment plane begins for the front and rear masses shall not exceed the amounts specified for each zone in Table 12.08 C.5.(d).

(1) **Exceptions.**

(i) Lots that are 90 feet or less in depth shall not be subject to two different massing requirements. Said lots shall be exempt from the Front Mass development standards listed in Table 12.08 C.5.(d), and instead the Rear Mass massing requirements specified in Table 12.08 C.5.(d) shall apply to the entire building.

**Table 12.08 C.5.(d)**

**R1 REAR-MASS VARIATION ZONES DEVELOPMENT STANDARDS**



| Lot Size and Residential Floor Area Ratio | R1R1 | R1R2 | R1R3 | R1R4 | Max Lot Coverage |
|---|---|---|---|---|---|
| Up to 6,000 SF | .65 | .55 | .45 | .40 | 50% |
| 6,001 to 7,000 SF | .63 | .53 | .43 | .38 | 48% |
| 7,001 to 8,000 SF | .61 | .51 | .41 | .36 | 46% |
| 8,001 to 9,000 SF | .59 | .49 | .39 | .34 | 44% |
| 9,001 to 10,000 SF | .57 | .47 | .37 | .32 | 42% |
| Over 10,000 SF | .55 | .45 | .35 | .30 | 40% |
| **Front Mass** | | | | | |
| (A) Front envelope depth, from front yard setback (min) | 30' | 30' | 30' | 30' | |
| (B) Height of Mass (max) | 24' | 24' | 20' | 18' | |
| (C) Encroachment Plane Origin Height | 16' | 16' | 12' | 12' | |
| Angle of Encroachment Plane | 45° | 45° | 45° | 45° | |
| **Rear Mass** | | | | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| (D) | Rear envelope depth, from rear yard setback (min) | – | – | – | – | |
| (E) | Height of Mass (max) | 30' | 30' | 28' | 26' | |
| (F) | Encroachment Plane Origin Height | 22' | 22' | 20' | 18' | |
| | Angle of Encroachment Plane | 45° | 45° | 45° | 45° | |

(e) **R1H, Hillside Area.** These zones are intended to address issues of neighborhood character and to facilitate the compatibility of new construction, additions and alterations to one-family houses in Hillside Areas having an existing variety of building forms. The intent of this variation is to allow flexibility in the location of massing within a maximum building envelope that respects the scale of other houses in the vicinity. A lot designated an R1H Zone shall comply with all of the R1 Hillside Area Development Standards pursuant to Section 12.21 C.10., except that R1H lots shall be subject to the Residential Floor Area ratios in Table 12.21 C.10-2b of their corresponding zone.

6. **Verification of Existing Residential Floor Area. (Amended by Ord. No. 184,802, Eff. 3/17/17.)** For additions with cumulative Residential Floor Area of less than 1,000 square feet constructed after January 1, 2008, or remodels of buildings built prior to January 1, 2008, the existing Residential Floor Area shall be determined based on the building records or the building square footage shown on the most recent Los Angeles County Tax Assessor's records at the time the plans are submitted to the Department of Building and Safety and a plan check fee is paid. Except that Residential Floor Area may be calculated as defined in Section 12.03 of this Code when a complete set of fully dimensioned plans with area calculations of all the structures on the lot, prepared by a licensed architect or engineer, is submitted by the applicant.

Any work that does not qualify as a remodel, as defined in the paragraph below, or additions that are 1,000 square feet or larger shall require a complete set of fully dimensioned plans with area calculations of all the structures on the lot prepared by a licensed architect or engineer.

For the purposes of implementing this subdivision, a remodel shall mean the alteration of an existing building or structure provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

7. **Definitions and Standards. (Added by Ord. No. 184,802, Eff. 3/17/17.)** For the purposes of this Subsection the following definitions and standards shall apply:

a. **Height of Mass, Front or Rear.** The height of the front mass is the vertical distance above Grade measured to the highest point of the roof, structure, or parapet wall, whichever is highest of the front mass. The height of the rear mass is the vertical distance above Grade measured to the highest point of the roof, structure, or parapet wall, whichever is highest of the rear mass. Retaining walls shall not be used for the purpose of raising the effective elevation of the finished grade for purposes of measuring the height of either mass.

However, whenever the highest point of elevation of the adjoining sidewalk or ground surface within a 5-foot horizontal distance measured from the exterior wall of a building exceeds grade level by more than 20 feet, a building or structure may exceed the maximum front or rear mass height in number of feet prescribed in this section by not more than 12 feet. However, such additional height shall not be permitted to the extent that such additional height causes any portion of the building or structure to exceed a front or rear mass height in number of feet as prescribed by this section as measured from the highest point of the front or rear mass roof structure or parapet wall to the elevation of the ground surface which is vertically below this point of measurement.

b. **Lot Coverage** is the area of a parcel covered by any structures extending more than six feet above grade. However, 400 square feet of required covered parking that is detached and located within the rear half of the lot shall be exempt from lot coverage calculations.

# EXHIBIT E

## SEC. 12.09.1. "RD" RESTRICTED DENSITY MULTIPLE DWELLING ZONE.

**(Added by Ord. No. 127,777, Eff. 8/1/64.)**

The following regulations shall apply in the "RD" Restricted Density Multiple Dwelling Zone:

**A. Use.** No building, structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged or maintained, except for the following uses, and when a "**Supplemental Use District**" is created by the provisions of Article 3 of this chapter, for such uses as may be permitted therein:

1. One-family dwellings.

2. Two-family dwellings.

3. Multiple dwellings or group dwellings.

4. Apartment houses.

5. Park, playgrounds or community center, owned and operated by a governmental agency.

6. **(Amended by Ord. No. 157,144, Eff. 11/22/82.)** The keeping of equines, in conjunction with the residential use of the lot, and subject to the following limitations:

(a) Such activities are not for commercial purposes.

(b) The keeping of equines shall be permitted only on lots having an area of 20,000 square feet or more. Where equines are being kept, the number of such animals being kept shall not exceed one for each 5,000 square feet of lot area.

7. Accessory buildings, including private garages, accessory living quarters, servants quarters, recreation rooms, or private stables, provided that:

(a) Every accessory building containing accessory living quarters or servants quarters shall constitute a dwelling and the lot area requirements of the zone in which it is located shall be complied with.

(b) No stable is located or maintained on a lot having an area of less than 20,000 square feet and its capacity does not exceed one equine for each 5,000 square feet of lot area. **(Amended by Ord. No. 157,144, Eff. 11/22/82.)**

(c) An accessory living quarters, servants quarters, recreation room or private garage or any combination of said uses may be included in one building not exceeding two stories in height. For location of accessory buildings, refer to Section 12.21C.

8. Conditional uses enumerated in Sec. 12.24 when the location is approved pursuant to the provisions of said section.

9. Accessory uses and home occupations, subject to the conditions specified in Section 12.05A16 of this Code. **(Amended by Ord. No. 171,427, Eff. 1/4/97, Oper. 3/5/97.)**

10. **(Deleted by Ord. No. 171,687, Eff. 8/19/97.)**

11. Name plates and signs, and required automobile parking spaces as provided for in Section 12.21A of this Code. **(Added by Ord. No. 171,427, Eff. 1/4/97, Oper. 3/5/97.)**

**B. Area. (Amended by Ord. No. 158,381, Eff. 11/20/83.)** No building or structure nor the enlargement of any building or structure shall be erected or maintained unless the following yards and lot areas are provided and maintained in connection with such building, structure or enlargement:

1. **Front Yard.** There shall be a front yard of not less than 15 feet in depth in the RD1.5, RD2, RD3 and RD4 Zones and not less than 20 feet in depth in the RD5 and RD6 Zones.

2. **Side Yards:**

(a) **RD1.5 and RD2 Zones.** For a main building not more than two stories in height in the RD1.5 and RD2 zones, there shall be a side yard on each side of said building of not less than five feet, except that where the lot is less than 50 feet in width, the side yard may be reduced to 10% of the width of the lot, but in no event to less than three feet in width. For a building more than two stories in height in the RD1.5 and RD2 zones, one foot shall be added to the width of such yard for each additional story above the second story, but in no event shall a side yard of more than 16 feet in width be required.

(b) **RD3 and RD4 Zones.** There shall be a side yard on each side of a main building in the RD3 and RD4 zones of not less than five feet or 10% of the width of the lot, whichever is larger, but in no event shall a side yard of more than 10 feet be required.

(c) **RD5 and RD6 Zones.** There shall be a side yard on each side of a main building in the RD5 and RD6 zones of not less than 10 feet in width.

3. **Rear Yards.** There shall be a rear yard of not less than 15 feet in depth in the RD1.5, RD2, RD3 and RD4 Zones and not less than 25 feet in depth in the RD5 and RD6 Zones.

4. **Lot Area.** Every lot classified in the "RD" Zone is, according to the lot area requirements, further designated as RD1.5, RD2, RD3, RD4, RD5 and RD6.

Every lot shall have a minimum width, area and lot area per dwelling unit or guest room as follows:

**[LOT SIZE – "RD"ZONE]**

| Zone | Minimum Lot Width (feet) | Minimum Lot Area (Square feet) | Minimum Lot Area Per Dwelling Unit or Guest Room (square feet) |
|---|---|---|---|
| RD1.5 | 50 | 5,000 | 1,500 |
| RD2 | 50 | 5,000 | 2,000 |
| RD3 | 60 | 6,000 | 3,000 |
| RD4 | 60 | 8,000 | 4,000 |
| RD5 | 70 | 10,000 | 5,000 |
| RD6 | 70 | 12,000 | 6,000 |

Exceptions to area regulations are provided for in Section 12.22C.

**C. Restriction. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.)** For any lot designated as Public, Quasi-Public, Public/Quasi-Public Use, Other Public, or Open Space on the land use map of the applicable community or district plan; any lot shown on the map as having existing lakes, waterways, reservoirs, debris basins, or similar facilities; any lot shown on the map as the location of a freeway

right-of-way; and any property annexed to the City of Los Angeles where a plan amendment was not adopted as part of the annexation proceedings:

Any of the uses permitted by Subsection A of this section shall require prior approval in accordance with the provisions of Section 12.24.1 of this Code.

# EXHIBIT F

## SEC. 12.23. NONCONFORMING BUILDING AND USES.

A building or structure with a nonconforming use and a nonconforming building or structure may be maintained, repaired or structurally altered and a nonconforming use may be maintained provided the building or use conformed to the requirements of the zone and any other land use regulations at the time it was built or established, except as otherwise provided in this section. **(Added by Ord. No. 178,599, Eff. 5/26/07.)**

A. **Buildings with Nonconforming Area, Height, Encroachment Plane, Yards or Lot Coverage Regulations. (Amended by Ord. No. 184,802, Eff. 3/17/17.)**

1. **Buildings Nonconforming as to Area or Yard Regulations.** A building, nonconforming as to area or yard regulations, may be repaired, altered, or internally remodeled, provided at least 50 percent of the perimeter length of the existing nonconforming portion of the exterior walls of the building are retained. It may be expanded in floor area provided the expansion conforms to the requirements of this Code, subject to the following provisions:

(a) a building, nonconforming only as to yard regulations, may be added to or enlarged in any manner provided:

(i) any addition or enlargement that is located in the required yard that is nonconforming does not encroach into any portion of that required yard to a greater extent than the existing nonconforming building encroaches; and

(ii) in no event shall any addition or enlargement reduce the width of a side yard or the depth of a front or rear yard to less than 50 percent of that required by the current yard regulations of the zone and other applicable current land use regulations; and

(iii) the total of all additions or enlargements, made since the building became nonconforming as to yard regulations, which encroach into any required yard, shall not exceed in height or length the height or length of that portion of the adjoining nonconforming building that extends into the same required yard.

(iv) Notwithstanding Sub-subparagraphs (i), (ii) and (iii) of this Sub-paragraph, a building nonconforming as to the Yard regulations on properties zoned RA, RE, RS and R1, not including properties in the Coastal Zone which are not located in a Hillside Area as defined in Section 12.03 of this Code, shall not be added to or enlarged in any manner unless the addition or enlargement conforms to all the current regulations of the zone and other applicable current land use regulations, except as may be approved or permitted pursuant to a discretionary approval as that term is defined in Section 16.05 B. of this Code.

(b) A residential building, nonconforming as to the area regulations (density), in the OS, A, R, P, PB, C or PF Zones, may be enlarged, provided that the enlargement does not create any additional dwelling units or guest rooms.

(c) Notwithstanding Paragraphs (a) and (b) above and Subdivision 2. of this Subsection, a building, nonconforming as to the Residential Floor Area regulations on properties zoned RA, RE, RS and R1, not including properties in the Coastal Zone which are not located in a Hillside Area, as defined in Section 12.03 of this Code, shall not be added to or enlarged in any manner unless the addition or enlargement conforms to all the current regulations of the zone and other applicable current land use regulations, except as permitted by Section 12.21 C.10.(l) and except as may be approved or permitted pursuant to a discretionary approval, as that term is defined in Section 16.05 B. of this Code. However, alterations, other than additions or enlargements to

existing buildings, may be made provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

2. **Buildings Nonconforming as to Height or Encroachment Plane.** A building, nonconforming only as to height or encroachment plane regulations, may not be added to or enlarged in any manner, unless the additions or enlargements conform to all the current regulations of the zone and other applicable current land use regulations, provided that the total aggregate floor area included in all the separate additions or enlargements shall not exceed 50 percent of the floor area of the ground floor of the building or structure.

3. **Buildings Nonconforming as to Lot Coverage.** A building, nonconforming as to the Lot Coverage regulations on properties zoned RA, RE, RS, and R1, shall not be added to or enlarged in any manner unless the addition or enlargement conforms to all the current regulations of the zone and other applicable current land use regulations, except as may be approved or permitted pursuant to a discretionary approval, as that term is defined in Section 16.05 B. of this Code. However, alterations, other than additions or enlargements to existing buildings, may be made provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

4. **Moving Nonconforming Buildings.** A nonconforming building or structure may not be moved, in whole or in part, to any other location on the lot unless every portion of the building or structure that is moved is made to conform to all the current regulations of the zone and other applicable current land use regulations, except as otherwise permitted by Section 12.22 C.13. of this Code.

5. **Restoration of Damaged Non-conforming Buildings.**

(a) A nonconforming building or structure, which 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, 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 Paragraph (b) below, if the damage or destruction exceeds 75 percent of the replacement value of the nonconforming building or 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 buildings in the zone in which it is located, and other applicable current land use regulations.

(b) If the damage or destruction of a nonconforming single-family or two-family dwelling, multiple dwelling or apartment house in the OS, A, R, P, PB, C, M or PF Zones exceeds 75 percent of its replacement value at the time of the damage or destruction, the building or structure may be reconstructed provided:

(i) that each side yard is no less than one-half the required side yard for new buildings in the zone in which it is located, or in other applicable current land use regulations, but in no event less than three feet; and

(ii) that the front and rear yards are at least one-half the required front and rear yards for new buildings in the zone in which it is located, or in other applicable current land use regulations; and

(iii) that 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; and

(iv) that the height shall not exceed the allowable height for new buildings or structures in the zone in which it is located, or in other applicable current land use regulations; and

(v) that a building permit for the reconstruction be obtained within two years of the damage or destruction from fire, flood, wind, earthquake, or other calamity or the public enemy.

6. **Replacement of Earthquake Hazardous Buildings.** Notwithstanding any other provision of this article to the contrary, 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 (Article 1, Chapter IX 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.

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 pursuant to Section 12.24 X.16. of this Code.

**B. Nonconforming Use of Buildings. (Amended by Ord. No. 178,599, Eff. 5/26/07.)**

1. **Discontinuance of Manufacturing Use in A and R Zones.** In the A and R Zones, any nonconforming use of a building first permitted in the MR1 or less restrictive zone shall be discontinued within five years from June 1, 1946, or five years from the date the use becomes nonconforming, whichever date is later.

2. **Discontinuance of Commercial Use in A and R Zones.** In the A and R Zones, any nonconforming commercial use of a building shall be discontinued within five years from June 1, 1946, or five years from the date the use becomes nonconforming, whichever date is later. However, the Zoning Administrator may permit its continuation pursuant to the procedures set forth in Section 12.24 X.27. of this Code.

3. **Authority of Department of Building and Safety to Issue Orders to Comply.** The Department of Building and Safety shall have the authority to issue an order to comply to an owner of any building or structure who is in violation of this subsection and advise the owner of the required discontinuance of the nonconforming use of the building or structure. 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 of the building or structure as provided in this subsection, but the failure to include that provision shall not nullify the order or provide a basis for the continued use of the building or structure. 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 shall 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. **Nonconforming Use in Manufacturing Zones.** In the M Zones:

(a) A building, nonconforming as to use, which does not contain any dwelling units or guest rooms, shall not be redesigned or rearranged to contain dwelling units or guest rooms;

(b) A building, nonconforming as to use, which contains dwelling units or guest rooms shall not be redesigned or rearranged to be used for any other purpose permitted in an R Zone;

(c) A building, nonconforming as to use, which contains dwelling units or guest rooms, shall not be redesigned or rearranged so as to increase the number of dwelling units or guest rooms in the building;

(d) Residential uses in the M3 Zone, except for caretakers quarters, shall not be permitted to remain beyond five years from the date the use became nonconforming.

5. **Expansion of Nonconforming Use.** Except as otherwise provided in this subsection, a nonconforming use shall not be expanded into any other portion of the building.

6. **Enlargement of Residential Portion of Buildings Nonconforming as to Use.** The residential portion of a building, nonconforming as to use in the OS, A, R, P, PB, C, or PF Zones, may be enlarged, provided that the enlargement does not create an additional dwelling unit or guest room.

7. **Change of Use.**

(a) Any change of use of a building or a portion of a building must conform to the current regulations of the zone and other applicable current land use regulations.

(b) However, in the R, C, or M Zones, a nonconforming use may be changed to any use that is permitted in a more restrictive zone than the current zone. The sequence of these zones, the first being the most restrictive and the last being the least restrictive, is as follows: OS, A1, A2, RA, RE, RS, R1, RU, RZ, RW1, R2, RD, RMP, RW2, R3, RAS3, R4, RAS4, R5, CR, C1, C1.5, C4, C2, C5, CM, MR1, M1, MR2, M2, M3 and PF. When the use of a nonconforming building is changed to a use that is permitted in a more restrictive zone, the nonconforming building shall not be occupied by a use that is permitted only in a less restrictive zone.

8. **Parking.**

(a) **Determination of Required Parking.** All currently provided parking spaces shall be considered as the required parking for an existing nonconforming use if the parking spaces are less than or equal to the parking required by current regulations.

(b) **Change of Use or Other Alterations.** For the purpose of calculating the parking requirements for a change of use or other alterations, which would require additional parking spaces per this Code, including, but not limited to, additional dwelling units, seating capacity, beds for institutions or guest rooms, existing parking must be maintained and additional parking spaces shall be provided equal to the difference between the number of required parking spaces for the existing use based on current parking regulations set forth in this Code and not on the provisions of Paragraph (a) above, and the number of required parking spaces for the new use or the new capacity created by the alterations, also based on current parking regulations.

(c) **Additions to Buildings or Structures.** The parking requirement for an addition or enlargement to a building or structure that results in an increase in floor area shall be as set forth in the current provisions of this Code. No additional parking spaces shall be required for the original portion of the building, as determined by Paragraphs (a) and (b) of this subdivision, only for the additional portion.

9. **Discontinuance of Use.** A building or structure or portion or a building or structure, which contains a nonconforming use which is discontinued for a continuous period of one year, shall only be

occupied by a use that conforms to the current use regulations of the zone and other applicable current land use regulations.

C. **Nonconforming Use Of Land**

1. **Discontinuation of Nonconforming Use of Land. (Amended by Ord. No. 178,599, Eff. 5/26/07.)**

(a) In the A, R or C Zones, a nonconforming use of land shall be discontinued within five years from June 1, 1946, or from the date the use becomes nonconforming, whichever date is later, in each of the following cases:

(i) where no buildings are utilized in connection with the use;

(ii) where the only buildings utilized are accessory or incidental to the use;

(iii) where the use is maintained in connection with a conforming building.

(b) A nonconforming use of land, which 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.

2. **Continuation of Nonconforming Use of Land. (Amended by Ord. No. 178,599, Eff. 5/26/07.)** Except as provided in Subdivision 1. above, the nonconforming use of land may be continued, subject to the following limitations:

(a) that the use is not expanded or extended in any way either on the same or adjoining land beyond the limits of what was originally permitted; and

(b) that the use is not changed, except to a use that conforms to the current use regulations of the zone and other applicable current land use regulations; and

(c) in the MR or M1 Zone, the use shall be completely enclosed within a building or within an area enclosed on all sides with a solid wall or solid fence of a height sufficient to screen the use from public view, but in no event less than six feet in height, within one year from the date the use becomes nonconforming; and

(d) if the use is discontinued for a continuous period of one year, it shall not be reestablished.

3. **Continuation of Signs.** Any existing nonconforming sign, as defined in Section 91.6203 of this Code, may be continued, provided that no structural, electrical or mechanical alterations are made to the sign except as permitted in Section 91.6206 of this Code. **(Amended by Ord. No. 178,599, Eff. 5/26/07.)**

4. **Oil Wells**. **(Amended by Ord. No. 160,874, Eff. 4/ 6/86.)**

(a) No well for the production of oil, gas or other hydrocarbon substances, which is a nonconforming use, shall be re-drilled or deepened.

(b) All such wells, including any incidental storage tanks and drilling or production equipment, shall be completely removed within 20 years from June 1, 1946, or within 20 years from date such use became nonconforming, if said date was subsequent to June 1, 1946; provided, however, a Zoning Administrator may, upon individual application, allow such wells to continue to operate after said removal date, if he determines that such continued operation would be reasonably

compatible with the surrounding area and in connection therewith may impose such conditions, including time limitations, as he deems necessary to achieve such compatibility.

(c) Notwithstanding the above, in the Los Angeles City Oil Field such wells may continue operation provided an application is filed with the Office of Zoning Administration on or before November 1, 1986 and is subsequently approved. Any well operator may reapply for Zoning Administrator approval after November 1, 1986 provided the prior approval has not expired.

5. **Commercial Animal Keeping** – The nonconforming keeping, grazing, breeding, raising or training of livestock, poultry, fowl, rabbits, chinchillas, fish, frogs or similar animals for commercial purposes in the RA and R Zones, shall be completely abandoned on or before July 1, 1976 or within 15 years from the date such use became nonconforming. **(Added by Ord. No. 122,543, Eff. 9/2/72.)**

6. **Automobile Dismantling Yards, Junk Yards, and Related Uses. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.)**

(a) Any of the uses to which the provisions of Section 12.19 A.4. of this article are applicable, lawfully existing in the M2 Zone on November 29, 1968, shall be completely removed from the zone within two years unless the use has been made to comply with the limitations applicable to the use. However, upon a showing that substantial compliance with the limitations applicable to a particular use has been effected, the Director of Planning may grant an extension of time to complete the work necessary to effect full compliance. No extension so granted shall exceed one year in duration nor shall more than one extension be granted with respect to any individual use.

(b) Any of the uses to which the provisions of Section 12.20 A.5. are applicable, lawfully existing in the M3 Zone on November 29, 1968, shall be completely removed from the zone within two years unless the use has been made to conform to the limitations applicable to the use. However, upon a showing that substantial compliance with the limitations applicable to a particular use has been effected, the Zoning Administrator may grant an extension of time to complete the work necessary to effect full compliance. The procedure for this extension shall be as set forth in Section 12.24 with the Zoning Administrator as the initial decision maker and the Area Planning Commission as the appellate body. No extension so granted shall exceed one year in duration nor shall more than one extension be granted with respect to any individual use.

(c) The nonconforming use of land for the open storage of materials and equipment, including used materials and equipment, may be continued, but shall be subject to the following limitation: it shall be made to conform to the provisions of this Code on the construction of walls or fences for the open storage of such used materials and equipment within one year from the date the use became nonconforming. The phrase "**used materials and equipment**" includes, but is not limited to, vehicles, boats, or airplanes which are inoperable, wrecked, damaged or unlicensed, *i.e.*, not currently licensed by the Department of Motor Vehicles.

7. **Discontinuance of Nonconforming Hostels and Transient Occupancy Residential Structures. (Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.)**

(a) Any hostel or transient occupancy residential structure to which the provisions of Sections 12.12.2A1(d), 12.13A1.5, and 12.13.5A11, of this article are applicable, existing in or within 500 feet of an A or R zone on May 8, 1992, shall be discontinued within 180 days unless the use has been made to comply with the limitations applicable to that use. However, upon a showing that substantial compliance with the limitations applicable to a particular use has been effected, the Zoning Administrator may grant an extension of time to complete the work necessary to effect full compliance. No extension so granted shall exceed 90 days in duration nor shall more than one extension be granted with respect to any individual use. The procedure for this extension

shall be as set forth in Section 12.24 with the Zoning Administrator as the initial decision maker and the Area Planning Commission as the appellate body.

**D**. **Nonconforming Due To Changes –** Whenever a building or structure or a use of a building, structure or land becomes nonconforming because of a change of zone or change in the regulations, and a period of time is specified in this section for the removal of such non conforming building, structure or use, said period of time shall be computed from the effective date of such change.

This section merely provides for an exception to other sections of the LAMC; it is not to be regarded as a part of the definition of the offense created by other sections of the code and need not be negatived by proof or pleading.
*People v. Webb*, CR A 1762.

The existence of nonconforming uses does not necessarily invalidate a zoning ordinance, and no vested right to violate an ordinance may be acquired by continued violations.
*Lockard v. The City of Los Angeles*, 33 Cal. 2d 453.
*Acker v. Baldwin*, 18 Cal. 2d 341.

Uses for commercial purposes in district zoned for residential purposes if subsequent to enactment of zoning ordinance, confers no vested right for continuance thereof.
*Burke v. City of Los Angeles*, 68 Cal. App. 2d 189.

A nonconforming use cannot be enlarged.
*County of San Diego v. McClurken*, 37 Cal. 2d 683.

A nonconforming use is subject to the full exercise of the police power and may, like all other activities, be subjected to all reasonable regulations.
*People v. Scheib*, CR A 2457.

Under a zoning ordinance authorizing applications to an administrative body for permission to put land to a nonconforming use, it is not a denial of an owner's constitutional right to equal protection of the laws to discriminate against him by granting such application to some owners and refusing a grant to him in the same district.
*Otis v. City of Los Angeles*, 52 Cal. App. 2d 605.

**E**. **Use Of Nonconforming Lot.** A Nonconforming lot may be occupied by any use permitted in the zone in which it is located except for those uses which require a width, area or other lot dimension other than the minimum specified in the area requirements of said zone. However, no more than two dwelling units shall be permitted on a lot with an area less than 4,000 square feet, except on lots located in an RW Zone. **(Amended by Ord. No. 138,095, Eff. 4/19/69.)**

**F**. **Equine Keeping – Nonconforming Lot In "RA" Zone.** Equines may be kept and a stable may be erected or maintained on any lot in an "RA" Zone, provided said lot had the area required for the keeping of equines at the time the lot was established. **(Amended by Ord. No. 157,144, Eff. 11/22/82.)**

**G. Equine - Nonconforming Uses - Non-"K" Equinekeeping Lots.** Notwithstanding any other provisions of this Code to the contrary, equine uses of the land on non-"K" District lots shall be allowed to be continued if, after the legal establishment of the equine use, a neighbor is granted a building permit to construct a dwelling unit within the 75-foot required distance between an equine use and the neighbor's dwelling unit. If, in accordance with the provisions of Section 12.24X5, the Zoning Administrator grants permission for a neighbor's dwelling to be constructed closer than 35 feet from a legally existing equine enclosure, the equine enclosure may be considered to be nonconforming if it is relocated not closer than 35 feet from the habitable rooms attached to any dwelling. The nonconforming equine use shall be subject to the following limitations: **(Amended by Ord. No. 173,492, Eff. 10/10/00.)**

1. The equine enclosure shall not be closer than 35 feet to the habitable rooms of any dwelling unit.

2. The subject lot has 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 neighbor's dwelling unit.

3. 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.

4. The nonconforming equine use shall be discontinued if, during a successive 3–year period, no equine is licensed by the Department of Animal Services to be stabled on the subject lot. **("Department of Animal Regulation" renamed "Department of Animal Services" by Ord. No. 174,735, Eff. 9/13/02.)**

**H. (Repealed by Ord. No. 171,740, Eff. 10/27/97.)**

**I. Equine Nonconforming Uses Adjacent to Residential Buildings**. Notwithstanding any provisions of this Code to the contrary, if an equine use not in a "K" District 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 equine 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 Section 12.24X5. This nonconforming equine use shall be subject to the following limitations: **(Amended by Ord. No. 173,492, Eff. 10/10/00.)**

1. The subject lot has 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.

2. 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.

3. The nonconforming equine use shall be discontinued if, during a successive 3-year period, no equine is licensed by the Department of Animal Services to be stabled on the subject lot. **("Department of Animal Regulation" renamed "Department of Animal Services" by Ord. No. 174,735, Eff. 9/13/02.)**

Nothing in this subsection relieves any person from the obligation to comply with the requirements of any county or state law. **(Para. Amended by Ord. No. 173,754, Eff. 3/5/01.)**

# EXHIBIT G

## SEC. 12.32. LAND USE LEGISLATIVE ACTIONS.
**(Amended by Ord. No. 173,268, Eff. 7/1/00, Oper. 7/1/00.)**

**A. Initiation.** The City Council, the City Planning Commission or the Director of Planning may initiate consideration of a proposed land use ordinance. Any initiation by the Council or the City Planning Commission shall be by majority vote. The Council or the City Planning Commission shall forward the proposed ordinance to the Director of Planning for a report and recommendation.

**B. Application. (Amended by Ord. No. 173,374, Eff. 8/3/00.)** An owner of property may apply for a proposed land use ordinance if authorized to do so by Subsections F through S relative to that owner's property. The applicant shall complete the application for that proposed land use ordinance, pay the required fee and file the application with the Department of City Planning on a form provided by the Department.

**C. Action on the Initiation or Application.**

1. **Authority**. **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** The City Planning Commission may recommend approval or disapproval in whole or in part of an application for or initiation of a proposed land use ordinance. These recommendations shall be made to the City Council for its action pursuant to the procedures set forth in this section.

Except as set forth elsewhere in this section, the Area Planning Commissions shall hear and make recommendations only on applications for or initiations of a land use ordinance involving a proposed zone or height district change, if the proposed zone or height district change involves:

(a) Any development project which creates or results in fewer than 50,000 gross square feet of nonresidential 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 without a proposed project description, involving a lot with fewer than 65,000 square feet of lot area.

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.

The City Planning Commission shall hear all other applications or initiations of proposed land use ordinances. Notwithstanding the above, 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 land use ordinance when it is being considered in conjunction with an initiated General Plan amendment.

Unless otherwise specified, further references in this subsection to "**Planning Commission**" shall mean either the Area Planning Commission or the City Planning Commission, whichever has authority as set forth above.

2. **Procedure for Initiated Changes**. **(Amended by Ord. No. 173,754, Eff. 3/5/01.)** The Director shall make a recommendation for action on the matter, which recommendation shall then be heard by the Planning Commission. Before making a recommendation, the Director may direct a Hearing Officer to hold a public hearing and make a report and recommendation. After receipt of the Director's recommendation, the Planning Commission shall hold a public hearing and make a report and recommendation to the Council regarding the relation of the proposed land use ordinance to the General Plan and whether adoption of the proposed land use ordinance will be in conformity with public

necessity, convenience, general welfare and good zoning practice. If the matter was initiated by either the City Planning Commission or the Director, and the City Planning Commission recommends denial of the proposed land use ordinance, the decision is final. After the Planning Commission has made its report and recommendation for approval, or after the time for it to act has expired, the Council may consider the matter.

3. **Procedure for Applications**. **(Amended by Ord. No. 173,754, Eff. 3/5/01.)** 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. If a Hearing Officer holds the public hearing, he or she shall make a recommendation for action on the application. That recommendation shall then be heard by the Planning Commission, which may hold a public hearing and shall make a report and recommendation regarding the relation of the proposed land use ordinance to the General Plan and whether adoption of the proposed land use ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice.

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. If the Planning Commission recommends disapproval, that action is final unless the applicant timely files an appeal pursuant to Subsection D below.

4. **Notice**. **(Amended by Ord. No. 173,754, Eff. 3/5/01.)** Notice of the time, place and purpose of the public hearing shall be given in the following manner for land use ordinances proposed by applications or initiations:

(a) By at least one publication in a newspaper of general circulation in the City, designated for that purpose by the City Clerk, not less than 24 days prior to the date of the hearing.

(b) By mailing written notice at least 24 days prior to the date of the hearing, to the applicant, to the owner or owners of the property involved and to the owners of all property within and outside the City that is within 500 feet of the area proposed to be changed as shown upon the records of the City Engineer or the records of the County Assessor. 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 the notice to "occupant". If this notice provision will not result in notice being given to at least 20 different owners of at least 20 different parcels of property other than the subject property, then the 500-foot radius for notification shall be increased in increments of 50 feet until the required number of persons, and parcels of property are encompassed within the expanded area. Notification shall then be given to all property owners and occupants within that area. **(Amended by Ord. No. 181,595, Eff. 4/10/11.)**

(c) If there is an applicant, by the applicant posting notice of the public hearing in a conspicuous place on the property involved at least ten days prior to the date of the public hearing. If a hearing officer is designated to conduct the public hearing then the applicant, in addition to posting notice of the public hearing, shall also post notice of the initial Commission meeting on the matter. This notice shall be posted in a conspicuous place on the property involved at least ten days prior to the date of the meeting.

5. **Record and Reports from Commission Public Hearing**. **(Amended by Ord. No. 173,754, Eff. 3/5/01.)**

(a) **Record**. 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 placed in the files.

(b) **Reports**. After the conclusion of a public hearing conducted by the Director, he or she shall submit a report to the Commission within the period of time fixed by the Commission. The report shall set forth in writing the Director's conclusions and recommendations and the reasons for them.

6. **Time for the Commission to Act**. **(Amended by Ord. No. 173,754, Eff. 3/5/01.)** The Planning Commission shall act within 75 days of the filing of a complete, verified application for a proposed land use ordinance, except as otherwise provided in this section. This time limit may be extended by mutual consent of the applicant and the Planning Commission.

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 not more than 180 days from the date of filing of the application. Upon the Planning Commission's decision to withhold action, notice of this decision shall be sent forthwith to the applicant, advising of the study and the postponement.

However, if the Director determines that a verified application is inconsistent with the General Plan, then the Planning Commission, with the consent of the applicant, may withhold action on the application for a period of not more than 180 days from the closing date of the applicable application filing period established in the schedule adopted pursuant to Section 11.5.8D of this Code. This time limit may be extended for two additional three month periods by mutual consent of the applicant and the Planning Commission.

If the land use ordinance was proposed by initiation rather than application, the Planning Commission shall act within 75 days of receipt of the Director's report and recommendation. If the Planning Commission does not act by that deadline, or any extension, the Council may then, by resolution, request the Planning Commission to forward the matter to it for the Council's action. If the Council does not do so, the time for the Planning Commission to act shall automatically be extended for an additional 75 days. The Council may request the Planning Commission forward the matter at any time within any 75 day continuance period.

If the Planning Commission fails to act on an application or an initiation within the time allowed by this section, the Planning Commission shall be deemed to have approved the ordinance.

7. **Council. (Amended by Ord. No. 173,992, Eff. 7/6/01.)** The Council may approve or disapprove an application or initiated proposed land use ordinance. It shall approve an ordinance only after making findings that its action is consistent with the General Plan and is in conformity with public necessity, convenience, general welfare and good zoning practice. If the Planning Commission recommends approval of an application, then the Council shall act within 90 days of receipt of the Planning Commission recommendation. The 90 day time limit to act on a Planning Commission approval of an application may be extended by mutual consent of the applicant and the Council.

**D. Appeal.**

1. **Filing of an Appeal**. If the Planning Commission recommends disapproval of an application, in whole or in part, the applicant may appeal that decision to the Council by filing an appeal with the Planning Commission that made the initial decision. If no appeal is filed, a denial is final. An appeal shall be filed within 20 days of the date of the mailing of the Planning Commission's decision, on a form provided by the Department, and shall set forth specifically the reasons for the appeal. Any appeal not filed within the 20-day period shall not be considered by the Council. Once an appeal is filed, the Planning Commission shall transmit the appeal and its file to the City Clerk. At any time prior to the action of the Council on the appeal, the Department shall submit any supplementary, pertinent information as the Council or its Committee may request.

2. **Appellate Decision - Public Hearing and Notice**. Before the Council acts on the appeal, it shall hold a public hearing. The City Clerk shall set the matter for hearing, giving notice by mail of the time, place and purpose of the hearing to the applicant and to any interested party who has requested in writing to be so notified. The notice shall be mailed at least ten days prior to the hearing.

3. **Time for Appellate Decision**. The Council shall make its decision 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 Council. If the 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.

**E. Amendment to the Zoning Regulations.** The procedures for initiation and decision-making for amendments to Chapter 1 of this Code and other zoning regulations shall be the same as provided for City Planning Commission and Council initiated zone changes as set forth above, except that the City Planning Commission shall be the designated Planning Commission for these actions and proceedings for the amendment of the regulations need not comply with the notice requirements in Subsection C 4, nor be set for public hearing.

**F. Zone Changes and Height District Changes.** The procedures for changes of zoning or height districts shall be as set forth in Subsections A through D, with the following additional regulations:

1. In the consideration of an application for a proposed land use ordinance involving a change of zone, the Planning Commission may approve or disapprove a change upon all or only a part of the subject area. The Planning Commission may recommend a change to any zone between that existing on the property and that requested in the application, as determined by the Planning Commission, or may recommend, on all or a portion of the property, a change to a P or PB Zone, or may recommend that an M Zone be changed to an MR Zone. The Planning Commission may, without additional notice or hearing, recommend minor additions to the area proposed for rezoning or slight adjustments of proposed zone boundaries within that area, when the Planning Commission determines that the public necessity, convenience, general welfare or good zoning practice so require.

2. Where the City initiates changes of zone or height districts pursuant to California Government Code Section 65860(d) to a significant number of lots, publication in two newspapers of general circulation designated by the City Clerk for official advertising in the area involved, not less than ten 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.

**G. Special Zoning Classifications.**

1. **T Classification.**

(a) **Purpose**. In the consideration of a proposed change of zone it may be determined that public necessity, convenience and general welfare require that provision be made for the orderly arrangement of the property concerned into lots and/or that provision be made for adequate streets, drainage facilities, grading, sewers, utilities, park and recreational facilities; and/or that provision be made for payments of fees in lieu of dedications and/or that provision be made for other dedications; and/or that provision be made for improvements; all in order that the property concerned and the area within which it is located may be properly developed in accordance with the different and additional uses to be permitted within the zone to which the property is proposed for change.

(b) **T Classification**. Instead of immediately and finally rezoning the property or changing the height district, the ordinance shall place it in a T or Tentative classification pending the recordation of a Final Map in compliance with the provisions and requirements of Article 7 of this chapter, or, in certain instances hereinafter specified by the recordation of a Parcel Map in compliance with said provisions and requirements, or, where no map is necessary, by completion

or assurance of all dedications, payments, and improvements which are required by the Council to be provided, to the satisfaction of the appropriate City departments. For the purposes of this Subsection, the term "**payments**" shall include dedications or payments pursuant to Section 12.33 of this Chapter.

(c) **Map Symbol**. The T or Tentative classification shall be indicated by the symbol T in parentheses preceding the proposed zoning designation; for example, (T)R4-2.

(d) **Allowed Uses**. While property remains in the T Tentative classification, and until the Department of Building and Safety has received notification from the Department of the recordation of the Final Map or Parcel Map, or the completion or assurance of the required dedications, payments or improvements, which are to the satisfaction of the appropriate City departments in accordance with those conditions as have been imposed by the City Council, the property may continue to be used only for the purposes permitted in the zone applicable to the property prior to its T Tentative classification. No permits shall be issued, no buildings or structures shall be erected or constructed, and no land shall be used for any other purpose. Provided, however, that grading or other improvements which have been required as a prerequisite to the approval of the Final Map or Parcel Map or other required dedications, payments and improvements of the property may be accomplished. The Council may also permit the removal of the T Tentative classification by the recordation of a Parcel Map or by completion of all required dedications, payments and improvements in lieu of a Final Map after report and recommendations from the Director that all the necessary improvements can be accomplished and assured under Parcel Map procedures; or where no map is necessary, completion of all required dedications, payments and improvements.

(e) **Time Limit**. Property shall remain in the T Tentative classification until a Final Map or a Parcel Map of the property has been approved by the Council and recorded in the County Recorder's Office, or until the Department has notified the Superintendent of Building of the completion to the satisfaction of the appropriate City agencies of all required dedications, payments and improvements, or until the classification expires as provided in this subsection. Unless otherwise authorized by the City Council, dedications, payments and improvements must be completed for the entire area subject to the change of zone.

(f) **Removal of T**. When a Final Map or Parcel Map has been approved by the Council and recorded, or the Superintendent of Building has been notified by the Department of the completion of all required dedications, payments, and improvements, the property shall no longer be designated as being within the T Tentative classification, the T Tentative designation shall be removed from City records, and the new zone designation shall become finally effective. The Council may authorize the removal of a T Tentative classification by any procedure which assures any appropriate dedications, payments or improvements including any dedication, payment or improvement described in Section 12.33 of this chapter. If the Tentative classification expires, the zone change and height district proceedings shall terminate and the property shall be redesignated as described in Paragraph (h) below.

(g) **Assurance of Dedications, Payments and Improvements**. Prior to making a report and recommendation, the Director of Planning or his authorized representative shall obtain a report from the Bureau of Engineering as to whether all the necessary improvements can be accomplished and assured under Parcel Map procedures, or, if no map is necessary, without a map. The report shall be made within 40 calendar days of the date of request or within additional time as may be agreed upon by the Department and the Bureau of Engineering.

(h) **Time Limit. (Amended by Ord. No. 182,106, Eff. 5/20/12.)** Except as provided in Subdivision 2. of this subsection, as to those properties placed in the T classification subsequent to March 26, 1973, property shall not remain in a T Tentative classification for more than six

years after the effective date of the ordinance creating it without the recording of a Final Tract Map or a Final Parcel Map, or a decision by the Department that all required dedications, payments and improvements have been made or assured to the satisfaction of the appropriate City agencies.

**EXCEPTIONS:** Property may remain in a T Tentative classification for an additional 60 months if the ordinance creating the classification took effect between July 15, 2005, and December 31, 2007; an additional 48 months if the ordinance took effect between January 1, 2008, through December 31, 2008; and an additional 24 months if the ordinance took effect between January 1, 2009, and December 31, 2010, provided that the Director makes a written finding that the prior discretionary approval and the required environmental review considered significant aspects of the approved project and that the existing environmental documentation under the California Environmental Quality Act is adequate for the issuance of the extension. Property may also remain in a T Tentative classification for a longer period of time through operation of Section 12.36 I. of the Code.

When these time limitations expire, the T Tentative Zone classification and the zoning authorized thereby shall become null and void, the rezoning proceeding shall be terminated, and the property thereafter may only be utilized for those purposes permitted prior to the commencement of the rezoning proceedings and shall be so redesignated.

(i) **Time limit Does Not Include Moratoria**. The time limit for property placed in a T Tentative classification which is also the subject of a Tentative Map shall not include any time during which a development moratorium, as defined in California Government Code Section 66452.6(b), has been imposed and is in existence after the effective date of the ordinance placing the property in a T Tentative classification, provided that the moratorium affects the property and does not exceed five years. Provided further that for property placed in a T Tentative Classification which is also the subject of a Tentative Map and which requires the expenditure of $125,000.00 or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the Tentative Map, excluding improvements of public rights-of-way which abut the boundary of the property to be subdivided and which are reasonably related to the development of that property, then the T Tentative Classification shall be extended for the life of the Tentative Map.

(j) **Restoration to Former Zoning.** Except as provided for in subdivision 2. of this subsection, as to those properties placed in the T Tentative classification prior to March 26, 1973 and which remain in a T Tentative classification for more than six years, the City Planning Commission, the Director or the Director's designee may investigate the circumstances therefor. When deemed appropriate by the Commission or upon the request of the Council, and after due notice to the owner of the property as shown on the records of the City Engineer or the records of the County Assessor, the City Planning Commission, the Director or the Director's designee shall submit a report and recommendation to the Council concerning the restoration of the property to its former zoning or height district classification. Where the recommendation is that the property be changed to its former classification, or when the Council requests that the property be changed to its former classification, an ordinance accomplishing the change shall be transmitted with the report and recommendation to the Council. Notwithstanding any other provisions of this Code to the contrary, no public hearing need be held nor further notice given as a prerequisite to the adoption of an ordinance restoring the property to its former classification. **(Amended by Ord. No. 181,595, Eff. 4/10/11.)**

(k) **General Plan Consistency**. In the implementation of Paragraph (i) of this Subdivision, the former zoning or height district classification may be inconsistent with the current General Plan designation for the property. In this case, the property shall be changed to the least intense zoning or height district classification consistent with the General Plan.

2. **Q Qualified Classification**.

(a) **Purpose**. Except where property is being changed to the RA, RE, RS or R1 Zone, provision may be made in a zoning ordinance that the property not be utilized for all the uses ordinarily permitted in a particular zone classification and/or that the development of the site shall conform to certain specified standards, if the limitations are deemed necessary to:

(1) Protect the best interests of and assure a development more compatible with the surrounding property or neighborhood;

(2) Secure an appropriate development in harmony with the objectives of the General Plan; or

(3) Prevent or mitigate potential adverse environmental effects of the zone change.

(b) **Q Classification**.

(1) Where limitations are deemed necessary the zoning ordinance may, instead of immediately and finally changing the zone or height district on the property, place it in a Q Qualified classification. Except as provided for in Paragraphs (f) of (g) of this subdivision, the Q Qualified classification shall be deemed to be a temporary classification until the time the proceedings are either terminated or completed as provided in this section.

(2) Prior to the issuance of permits for the construction of buildings or structures authorized by the Qualified enactment, the plans for them shall be submitted to and approved by the Director as being in full compliance with all limitations and standards set forth in the ordinance.

(c) **Map Symbol**. The Q classification shall be indicated by the symbol Q in parentheses preceding the proposed designation; for example, (Q)C2-1.

(d) **Allowed Uses**. While property remains in a Q Qualified classification, whether temporary or permanent as provided for in Subdivision 3 of this subsection, it may be used for any of the uses permitted in the zone applicable to the property prior to its Q Qualified classification, unless the use or uses are prohibited in the zone classification to which the property is being changed, or are subject to limitations as are specified in the Qualified classification to which the property is being changed. Prior to the issuance of permits for the construction of buildings or structures authorized by reason of the Qualified zone enactment, the plans therefor must be submitted to and approved by the Director of Planning or by his designated representative as being in full compliance with all limitations and standards set forth in that ordinance.

(e) **Certificate of Occupancy.** Property shall remain in a temporary (Q) Qualified classification for the period of time provided in Paragraph (f) of this subsection or until a Certificate of Occupancy is issued by the Superintendent of Building for one or more of the uses first permitted by the Qualified zone ordinance. The Superintendent of Building shall notify the Director of the issuance of the Certificate of Occupancy. Once the Certificate of Occupancy is issued: (i) the (Q) Qualified classification shall no longer be considered temporary; (ii) the parentheses shall be removed from the designation; and (iii) the new zone designation shall become finally effective and shall be placed on the appropriate City records with the symbol "Q" being a permanent part of the symbol designation; for example QR3-1. All applicable limitations and/or standards within the Qualified classification ordinance shall thereafter be considered to apply permanently to the specific uses. The temporary Qualified classification and the

accompanying conditions that have become permanent and are shown with brackets shall have the same status as those that have become permanent, but shown with neither parenthesis nor brackets. **(Amended by Ord. No. 177,103, Eff. 12/18/05.)**

(f) **Time Limit. (Amended by Ord. No. 182,106, Eff. 5/20/12.)** Except as provided below and in Subsection I., property shall not remain in a Q Qualified classification for more than six years unless during that time:

(1) there is substantial physical development of the property to allow for one or more of the uses for which the Q Qualified classification was adopted; or

(2) if no physical development is necessary, then the property is used for one or more of the purposes for which the Q Qualified classification was adopted.

**EXCEPTION:** Property may remain in a Q Qualified classification for an additional 60 months if the ordinance creating the classification took effect between July 15, 2005, and December 31, 2007; an additional 48 months if the ordinance took effect between January 1, 2008, through December 31, 2008; and an additional 24 months if the ordinance took effect between January 1, 2009, and December 31, 2010, provided that the Director makes a written finding that the prior discretionary approval and the required environmental review considered significant aspects of the approved project and that the existing environmental documentation under the California Environmental Quality Act is adequate for the issuance of the extension.

When these time limitations expire, the Q Qualified classification and the authority contained therein shall become null and void, the rezoning proceedings shall be terminated, and the property thereafter may only be utilized for those purposes permitted prior to the commencement of the rezoning proceedings.

In addition, the Director may determine that the development has not been continuously and expeditiously carried on to completion, but that one or more usable units has been completed and that the partial development will meet the requirements for the utilization of the (Q) classification. The Director may impose conditions on the partial development to meet the intent of this subdivision. The Director shall advise the Department of Building and Safety of his or her decision. Thereafter, a Certificate of Occupancy may be issued after compliance with the Director's decision, and the temporary (Q) classification shall be permanent on that portion of the property determined by the Director to be appropriate to the completed portion of the development. The Qualified classification and the authority contained therein shall become null and void as to the remainder of the property. Notwithstanding any other provision of this Code to the contrary, no public hearing need be held nor notice be given before terminating the (Q) Qualified classification and restricting the property to its previously permitted uses.

(g) **Non-Conforming Improvements**. In the event that buildings or structures designed for occupancy by uses which were not permitted prior to the (Q) Qualified classification are located on property on which the (Q) Qualified classification is terminated, the buildings or structures shall be completely removed forthwith by the owner at his or her own expense, unless their design is altered and they are immediately completed in full compliance with all applicable regulations for uses permitted prior to the (Q) Qualified classification.

(h) **Q's with T's**. Property may simultaneously be classified as being in a (Q) or [Q] Qualified classification and T Tentative classification. The T designation shall be removed prior to utilization of the additional uses permitted by the (Q) or [Q] Qualified classification. In no event shall there be any change in the time limitations of this section or any extension of them.

(i) **Time Limit Does Not Include Moratoria**. However, for property placed in a Q Qualified classification which is also the subject of a Tentative Map, the six year time period for the Q Qualified Classification shall not include any time during which a development moratorium, as defined in California Government Code Section 66452.6(f), has been imposed and is in existence after the effective date of the ordinance placing the property in a Q Qualified Classification, provided that the moratorium affects the property and does not exceed five years. Provided further that for property placed in a Q Qualified Classification which is also the subject of a Tentative Map and which requires the expenditure of $125,000.00 or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the Tentative Map, excluding improvements of public rights-of-way which abut the boundary of the property to be subdivided and which are reasonably related to the development of that property, then the Q Qualified classification shall be extended for the life of the Tentative Map, including any time extensions approved by the Advisory Agency. For the purposes of this subsection, a zone change or height district change shall be deemed a change incident to division of land when the project's environmental analysis includes a description of both the change and the division of land, and the proposed development of the site does not deviate substantially from the original project description. In particular, the proposed development shall be substantially the same regarding density, the number of dwelling units, the amount of floor area, uses, height and massing of buildings, amount of grading, and other relevant attributes.

(j) **Q Conditions in the RA, RE, RS and R1 Zones**. **(Added by Ord. No. 174,406, Eff. 2/28/02.)** Notwithstanding Paragraph (a) of this Subdivision, properties being changed to the RA, RE, RS and R1 zones may be placed in the "Q" Qualified classification in order to impose conditions to mitigate adverse environmental effects of the zone change identified in a Mitigated Negative Declaration or Environmental Impact Report.

3. **Permanent [Q] Qualified Classification**. In consideration of a proposed change of zone or height district, the Council may determine to impose a permanent Q Qualified classification rather than a classification which expires. The permanent Qualified classification shall be identified on the Zoning Map by the symbol Q in brackets, preceding the proposed zoning designation; for example, [Q]M2-1; or, in combination with a T Tentative classification, [T][Q]C2-2. There shall be no time limit on removal of the brackets around the [Q] Qualified designation nor on removal of the T Tentative designation. After the conditions of the permanent [Q] Qualified classification have been fulfilled, the brackets surrounding the Q symbol shall be removed. After the conditions of the T Tentative classification have been fulfilled, the symbol [T] shall be removed from the zone designation.

4. **D Development Limitations**.

(a) **Purpose**. Notwithstanding any provisions of Section 12.21.1 of this Code to the contrary, provisions may be made in an ordinance establishing or changing any Height District that a building or structure may be built to a specific maximum height or floor area ratio less than that ordinarily permitted in the particular Height District classification; or that buildings may cover only a fixed percentage of the area of the lot; or that buildings be set back in addition to setbacks otherwise required by this Code. These limitations shall be known as D Development limitations.

(b) **Findings**. In establishing D limitations, the Council shall find that any or all the limitations are necessary:

(1) to protect the best interests of and assure a development more compatible with the surrounding property or neighborhood, and

(2) to secure an appropriate development in harmony with the objectives of the General Plan, or

(3) to prevent or mitigate potentially adverse environmental effects of the Height District establishment or change.

(c) **Map Designation**. The imposition of D Development limitations shall be indicated by the symbol D following the Height District designated on the Zone Map; for example, C2-1-L-D, R4-2-D, RD1.5-1-VL-D, etc.).

(d) **Permanence of D Development Limitations**. D Development limitations shall not be affected by any failure to remove a (T) Tentative classification or the parentheses of a Q Qualified classification.

**H. Amendments of the T Classification and Clarifications of the Q Classification or D Limitation.**

1. **Application**. A request for an amendment of Council's instructions involving the T Classification or a clarification of a Q Classification or D Limitation set forth in an ordinance pursuant to Subsections C and G of this section may be filed by one or more of the owners or lessees of the subject property with the Department on a form accompanied by information required by the Department and by a fee as provided in Section 19.01.

2. **Guidelines**. The City Planning Commission shall adopt guidelines for the Director to utilize in considering these requests. The City Planning Commission may amend the guidelines from time to time as it deems appropriate.

3. **Hearing**. Proceedings for an amendment to Council instructions or a clarification need not be set for hearing.

4. **Director's Authority**.

(a) **Approval of Request**. If the Director decides that the request complies with the City Planning Commission's guidelines, then the Director may approve or conditionally approve a request subject to the findings below.

(b) **Disapproval of Request**. If the Director decides that the request does not comply with the City Planning Commission guidelines for considering requests for amendments or clarifications, the Director shall deny the request. The decision of the Director that a request does not comply with the City Planning Commission guidelines shall be final.

5. **Findings**. The Director, or the City Council on appeal, shall approve an amendment or clarification if the Director or the City Council finds that:

(a) The request is consistent with the City Planning Commission guidelines; and

(b) The amendment or clarification is necessary in order to carry out the intent of the City Council in adopting the T or Q Classification or D Limitation; and

(c) The amendment or clarification would have only a minimal effect on adjacent property and would not result in a significant or substantial deprivation of the property rights of other property owners.

6. **Notice of Decision**.

(a) **Notice.** After making a decision pursuant to this subsection, the Director or City Clerk, as appropriate, shall notify the applicant in writing. Written notice shall also be mailed to the owners of all property within and outside of the City that is within 300 feet of the exterior

boundaries of the property involved, using for the purpose of notification the last known name and address of owners shown upon the records of the City Engineer or the records of the County Assessor. **(Amended by Ord. No. 181,595, Eff. 4/10/11.)**

(b) **Expanded Notice**.

(1) 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 the ownership, or is separated only by a street, alley, public right-of-way or other easement, shall also be notified as provided in this subdivision.

(2) If these notice provisions will not result in notice being given to at least 20 different owners of at least 20 different parcels of property other than the subject property, then the 300-foot radius for notification shall be increased in increments of 50 feet until the required number of owners, and parcels of property, are encompassed within the expanded area. Notification shall then be given to all property owners within that area.

7. **Effective Date of Decision**. A decision of the Director pursuant to this subdivision shall become final and effective upon the close of the 20 day appeal period, if not appealed.

8. **Appeals of Director's Decision**. **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** An applicant or any person aggrieved by a decision of the Director may appeal that decision to the City Council. The appeal shall be in writing and shall set forth specifically where there is error or abuse of discretion in the decision by the Director pursuant to this subdivision. The appeal shall be filed with the Department of City Planning and accompanied by a fee as provided in Section 19.01 of this Code. The City Council may approve, conditionally approve, or disapprove the appeal if it finds there is error or abuse of discretion in the determination by the Director. If the Council makes this decision, it shall make written findings pursuant to Subdivision 5 of this subsection. The decision of the City Council shall be final.

**I. Changes Incident to Divisions of Land.**

1. **Purpose**. **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** To provide for the orderly arrangement of the property concerned into lots.

2. **Council Authority**. In the subdivision of an area, it may be determined by the Commission that the zones or height districts, as shown on the zoning map, do not conform with the best subdivision and use of the land. The Council may, upon the recommendation of the Commission, authorize 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 Council shall have the authority to make changes without the Commission holding a public hearing on the adjustment.

3. **Restriction on Commission Authority**. The Commission shall make no recommendation to the Council pursuant to Subdivision 4 of this Subsection except upon written application made by the owner of the land being subdivided.

4. **Procedure**. Notice of a public hearing on any change of zone incident to division of land to a less restrictive zone 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.

**J. F Funded Improvement Classification.**

1. **Purpose**. In consideration of a proposed change of zone, the Council may determine that public necessity, convenience or general welfare indicate rezoning for an area is desirable, but that street lighting and fire hydrants in the area are so lacking or inadequate that provision for these facilities shall be made prior to the more intensive use of the area contemplated by the zone change.

2. **Improvements**. If the Council determines that provision should be made for street lighting, fire hydrants, or both, it shall designate the improvements. The ordinance changing the zone of the property concerned may in addition to rezoning the property place it in an F or Funded Improvement classification pending installation of all designated street lighting and fire hydrants by the owners of the property, or payment of a pro rata share of the cost of improvement as estimated by the City Engineer. Unless otherwise determined by the Council, the entire area rezoned in each zone change case shall have its own separate Funded Improvement Account.

3. **Map Symbol**. The F or Funded Improvement classification shall be indicated by the symbol F in parentheses immediately before the combination of symbols designation; for example, (F)R3-1.

4. **Issuance of Permits**. While the property remains in an F Funded Improvement classification, and until the Department of Building and Safety has received notification from the Board of Public Works that the required improvements have been installed to the satisfaction of the City Engineer, or that the pro rata share of the improvement charge has been paid to the City, or that the improvements are assured by an assessment district, the property may continue to be used only for the purposes permitted in the zone applicable to the property prior to its F Funded Improvement classification. No permits shall be issued, no buildings or structures shall be erected or constructed, and no land shall be used for any other purpose.

5. **Funded Improvement Accounts**.

(a) **Establishment**. Unless otherwise determined by the Council, the Board of Public Works shall establish a separate Funded Improvement Account for each zone change area placed in the F Funded Improvement classification. Each account shall be maintained until the funds are expended to complete all the designated improvements in that the area, or until the Board of Public Works determines the account is no longer necessary.

(b) **Unit Charges**. The Board of Public Works shall establish one or more standard unit charge, based upon front footage, acreage, or other equitable measurements. The charges shall be estimated by the City Engineer to be sufficient to reimburse the City for its cost of installation, materials, design, surveying, inspection, testing of materials, appurtenant work, and all other applicable costs. Unit charges may vary depending on geographic or other special conditions. Upon request, the City Engineer shall advise any property owner of the total charge for the installation of the required improvements, and the proportionate share of the charges for the property. In the event a property owner installs any of the improvements designated for the property, a proportionate adjustment of the pro rata improvement charge shall be made.

(c) **Earlier Improvements**. The Board of Public Works may authorize the earlier installation of certain of the designated improvements which are more urgently needed than the others when its Funded Improvement Account contains sufficient funds to cover the cost of the improvements.

(d) **Completion of Improvements**. When 60% of the total estimated improvement charges have been collected in any Funded Improvement Account, the Board of Public Works may cause the designated improvements for the area to be completed either by the City or by contract, using monies from the revolving fund established by Paragraph (e) below for the remainder of the costs, if sufficient amounts are available in it. Upon completion of all the designated improvements in a zone change area placed in the F Funded Improvement classification, the Funded Improvement Account for that area shall be terminated.

(e) **Revolving Fund**. There is hereby established the Funded Improvement Revolving Fund to be administered by the Board of Public Works, which shall be used to finance completion of improvements in areas in the F Funded Improvement classification. The Council, after a report from the Board of Public Works, may appropriate monies to the Fund. The Board of Public Works shall periodically report to the Council on the operation of the Revolving Fund as well as any need for additional funds. When a Funded Improvement Account for a rezoned area has been terminated, all remaining pro rata improvement charges due as a prerequisite to obtaining building permits shall be paid into the Revolving Fund.

(f) **Removal of F Classification**. Each parcel of property shall remain in the F Funded Improvement classification until the owner has installed all designated improvements determined by the City Engineer to pertain to the property, or has paid the improvement charges, or the improvements have been completed or guaranteed under assessment proceedings, and the Board of Public Works has notified the Department of Building and Safety. Thereafter, each parcel shall no longer be designated as being within the classification and the F Funded Improvement designation shall be removed from the City records. A copy of the notification shall be furnished to the Department.

**K. (Deleted by Ord. No. 182,242, Eff. 10/9/12.)**

**L. (Deleted by Ord. No. 182,242, Eff. 10/9/12.)**

**M. Changes of Zone Relating to Projects Subject to Section 12.24.1.** In connection with a change of zone subject to the provisions of Section 12.24.1 of this Code, the ordinance changing the zone may provide that one or more of the uses permitted by that ordinance shall be exempt from the requirements of this Code.

**N. Changes Incident to Self-Contained Communities.**

1. **Agricultural Zones**. Where property is in an A1, A2 or RA Zone, a proposed plan for the development of a new self-contained community with a town lot subdivision design may be submitted to the Commission for its consideration, provided the plan indicates that adequate provision is made for school and playground sites, municipal facilities, utilities and other services.

2. **Subdivision Map Required**. If the Commission finds that the location and plan of the proposed community are tentatively acceptable, it shall initiate the zone changes which may be necessary for the completion of the plan. After holding the public hearing required in connection with the proposed zone changes, the Commission may approve the plan including the proposed zone changes, but the approval shall be subject to the filing and recordation of a subdivision map conforming to the plan. If the self-contained community plan and the proposed zone changes are approved by the Commission, the plan and the proposed zone changes shall be submitted to the Council for its consideration. If the Council concurs in the action of the Commission, the ordinance required to effect the changes shall be presented to the Council only after a tentative subdivision map has been submitted to and approved by the Council.

**O. Establishment or Change of H Hillside Areas.**

1. **Procedure**. Whenever the public necessity, convenience or general welfare justify the action, the Council by ordinance may create or change the boundaries of an H Hillside Area. The fees to be paid and the procedure to be followed shall be the same as prescribed in this section for a change of zone. However, where the establishment or change of an H Hillside Area is initiated by the Council or the Commission and consists of a parcel or parcels of land totaling in excess of 20 acres, publication in a newspaper of general circulation, designated by the City Clerk for official advertising in the area involved, not less than 24 days prior to the date of the public hearing, giving notice of the time, place and purpose of the hearing shall be sufficient notice of the hearing, and the mailing of individual notices shall not be required.

2. **Exception**. Where the Commission initiates a change of zone from the R1-H to the RE15-H zone on property generally described in Subdivision 3 of this Subsection, publication in a newspaper of general circulation, designated by the City Clerk for official advertising in the area involved, at least ten days prior to the date of the public hearing, giving notice of the time, place and purpose of the hearing shall be sufficient notice, and the mailing of individual notices shall not be required.

3. **Boundaries**. Sunset Boulevard from Pacific Coast Highway to Western Avenue, Western Avenue and its northerly extension to the common city boundary line between Los Angeles City and the City of Glendale, westerly on the City boundary line from the northerly extension of Western Avenue to Lankershim Boulevard, southerly on Lankershim Boulevard to Ventura Boulevard, westerly on Ventura Boulevard from Lankershim Boulevard to the westerly City boundary line, southerly on the westerly City boundary line to Pacific Coast Highway, and easterly on Pacific Coast Highway to Sunset Boulevard.

**P. Minor Changes to Parking Requirements Incident to Legislative Actions.** As part of any legislative land use ordinance, the Council may approve changes to the parking requirements not to exceed 20% of the requirements otherwise required by the Code.

**Q. Vesting Applications.**

1. **Application**. Whenever a provision of the Los Angeles Municipal Code requires the filing of an application for a zone change, a vesting zone change may instead be filed, in accordance with 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.

2. **Development Rights**.

(a) The approval of a vesting application shall confer a vested right to proceed with a development in substantial compliance with the rules, regulations, ordinances, zones and officially adopted policies of the City of Los Angeles 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. These rights shall not include exemption from other applications or approvals that may be necessary to entitle a project to proceed (*i.e.*, subdivision, parcel map, zone variance, design review, *etc.*) and from subsequent changes in the Building and Safety and Fire regulations contained in Chapters V and IX of the Los Angeles Municipal Code found necessary by the City Council to protect the public health and safety and which are applicable on a citywide basis and policies and standards relating to those regulations or from citywide programs enacted after the application is deemed complete to implement State or Federal mandates.

(b) If the ordinances, policies, or standards described in Paragraph 2(a) of this section 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 4 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.

(c) Prior to final signoff 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.

3. **Procedures**.

(a) **Vesting Zone Change**.

(1) **Filing and Processing an Application**. 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 in Subsection C 3 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. 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 rights-of-way and any other information deemed necessary by the Director of Planning.

(2) **Conditional Approval or Denial**. Notwithstanding Subdivision 2.(a) of this subsection, a vesting zone change may be conditioned or denied if the City Planning Commission or the City Council determines: **(Amended by Ord. No. 177,103, Eff. 12/18/05.)**

(i) that the condition is deemed necessary to protect the best interest of and assure a development more compatible with the surrounding property or neighborhood; to secure an appropriate development in harmony with the objectives of the General Plan; to prevent or mitigate potential adverse environmental affects of the zone change; or 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; or

(ii) the zone change is denied because it 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 and the reason for not conforming with the plan.

If the Council does not adopt the Commission's findings and recommendations, the Council shall make its own findings.

(3) **Expiration**. The approval or conditional approval of a vesting zone change shall expire at the end of a six year time period. Where a project to be developed under a vesting zone change contains multiple phases, the vested zoning shall terminate if less than 25 percent of 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.

4. **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 Paragraph 2 (a) of this section vested by a zone change issued pursuant to this section. They shall file the application with the

Department of City Planning upon a form designated for this purpose, and accompany it with a fee as provided in Section 19.01 A of this Code

(b) The City Council, after a report and recommendation from the Director of Planning or his or her authorized representative, may amend the vested building or site plans or add to the set of City regulations to which the applicant's project has vested by a zone change issued pursuant to this section. 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, prior to making a decision pursuant to this paragraph shall hold a public hearing. Written notice shall be mailed to the owners or tenants of all property within and outside of the City that is within 500 feet of the exterior boundaries of the property involved.

**R. Building Lines.**

1. **Purpose**. It is the purpose of this article to provide regulations for the establishment, change or removal of building lines along any street or portion of a street in order to provide for the systematic execution of the General Plan; to obtain a minimum uniform alignment from the street at which buildings, structures or improvements may be built or maintained; to preserve the commonly accepted characteristics of residential districts; to protect and implement the "**Highways and Freeways Element of the General Plan**"; to provide sufficient open spaces for public and private transportation; to facilitate adequate street improvements; to prevent the spread of major fires and to facilitate the fighting of fires; and to promote the public peace, health, safety, comfort, convenience, interest and general welfare.

2. **Procedures for Establishment, Change or Removal of Building Lines**. **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** Except for the provisions below, the procedures set forth in Subsection C shall be used for the establishment, change or removal of building lines.

(a) **Initial Decision-Maker**. Area Planning Commissions shall have the authority to make recommendations on building line ordinances.

(b) **Notice**. Notwithstanding the notice requirements of Subsection C4, the following notice shall be required for actions on building lines:

(1) **By Mailing Notices**: A written notice shall be mailed at least 24 days prior to the date of the hearing to the applicant, to the owner or owners of the property involved and to the owners of properties abutting that portion of the street on which the building line is to be established, changed or removed. The written notice shall be mailed to the last known name and address of the owners as shown upon the records of the City Engineer or the records of the County Assessor; or **(Amended by Ord. No. 181,595, Eff. 4/10/11.)**

(2) **By Posting Notices on the Street Affected**: The Board of Public Works shall be notified whenever a public hearing on a building line proceeding is set. The Board shall cause copies of the notice of the public hearings to be posted within 20 days after receiving the notification and at least 24 days prior to the date set for public hearing. The Board shall post at least three notices, not more than 300 feet apart, in front of each block or part of a block along the street involved in the building line proceeding.

The posted notice of public hearing shall conform to the following requirements:

(i) It shall be at least 10-1/2 inches × 11 inches in size;

(ii) It shall be titled "Notice of Public Hearing," and the title shall also state whether the purpose of the hearing is to establish, change or remove a building line. All letters in the title shall be at least one inch in height;

(iii) It shall include, in legible characters, the time and place of the public hearing; and

(iv) It shall include a diagram or other description of the building line to be established, changed or removed.

(c) **Public Hearing for Certain Building Line Actions**. Notwithstanding the provisions of Section C4, no separate public hearings will be required for the establishment, change or removal of a building line when it is incidental to subdivisions or zone changes as specified in Paragraphs (e) and (f).

(d) **Action on Building Line Change**. The procedures in Subsection C shall be used for establishment or change to a building line.

(e) **Building Line Incident to Subdivision**. In connection with the consideration of a tentative subdivision map by the Director of Planning, he or she may recommend to the Area Planning Commission or the City Planning Commission, whichever is considering the matter, the establishment, change or removal of a building line on streets within the subdivision, if he or she finds it is necessary for the proper development and use of the lots or to achieve any purpose set forth in Subdivision 1 of this subsection. The recommendation shall be in the form of a written report. Upon the receipt of the report, the Commission shall advise the subdivider that the proposed building line matter will be considered at a regular Commission meeting. The meeting shall constitute the required public hearing and no further notice need be given. If the Commission approves the establishment, change or removal of a building line, an ordinance in conformity with that recommendation shall be presented to the Council for adoption concurrently with its action on the final subdivision tract map.

(f) **Building Line Incident to Zone Change**. **(Amended by Ord. No. 173,754, Eff. 3/5/01.)** In connection with its hearing and consideration of a proposed zone change, the Area Planning Commission or the City Planning Commission may also consider the establishment, change or removal of a building line on the property involved or on adjoining property under the same ownership as the property involved in the zone change proceeding. If the Commission finds that it is necessary to establish, change, or remove a building line in order to give proper effect to the zoning proposed in the proceeding, or to achieve any purpose set forth in Subdivision 1 of this subsection, the Commission may act upon the building line matter simultaneously with the zone change proposal. Only one notice of public hearing need be given concerning the proposed zone change and the building line proceeding and both matters may be considered at the one public hearing. If the Commission approves the establishment, change or removal of a building line, an ordinance in conformity with that recommendation shall be presented to the City Council for adoption concurrently with the ordinance involving the proposed zone change.

(g) **Notification to Building and Safety**. The Department of Building and Safety shall be notified relative to an initial City Council or Area Planning Commission approval of a building line proceeding, and whenever the proceeding is terminated by the City Council.

3. **Building Permits Shall Not Be Issued During Proceedings**. After the approval of a building line proceeding by the Area Planning Commission or by the Council upon an appeal from a disapproval, and until the time the ordinance establishing, changing or removing a building line in the proceedings becomes effective, or until the time the proceedings are terminated by the City Council, no building

permit shall be issued for the erection of any building, structure or improvement between any proposed building line and the street line, and any permits so issued shall be void.

4. **Compliance**. After the effective date of any ordinance establishing a building line, no person shall build or maintain any building, structure, wall, fence, hedge or other improvement within the space between the street line and the building line so established, and the Department of Building and Safety shall refuse to issue any permit for any building, structure or improvement within that space.

5. **Exceptions - Nonconforming Buildings**.

(a) **Permitted Projections**. Any improvements or projection permitted in a front yard, or in a side yard adjoining a street by Section 12.22C20 of Article II, may extend or be located in the same manner in the space between an established building line and the adjacent street line. Further, a marquee may extend into the space between an established building line and the adjacent street line a distance of not more than 12 feet from the face of the building to which it is attached, providing the building be lawfully devoted to a business use.

(b) **Nonconforming Buildings**. A nonconforming building, structure or improvement may be maintained except as otherwise provided in Sections 12.23A and 12.23D.

(c) **Subsurface Improvements**. The provisions of this article do not apply to buildings, structures or improvements located below the natural or finished grade of a lot whichever is lower.

(d) **Street Vacation**. Any building line existing along a public street hereafter vacated shall be deemed automatically removed when the City Council makes its order of vacation unless the order of vacation provides otherwise.

(e) **Enforcement**. The provisions of Section 12.26 concerning enforcement of the zoning regulations shall also apply to the enforcement of the provisions of this article.

**S. Supplemental Use Districts. (Amended by Ord. No. 181,412, Eff. 1/2/11.)**

1. **Purpose.** The purpose of Article 3 of this chapter is to regulate and restrict the location of certain types of uses whose requirements are difficult to anticipate and cannot adequately be provided for in the "Comprehensive Zoning Plan". These uses, the boundaries of the districts where they are permitted, the limitations governing their operations, and the procedure for the establishment of new districts, are provided for in Article 3 of this chapter. Except for the "Supplemental Uses" permitted by Article 3 of this chapter, all property within the districts hereby established is subject to the provisions of the "Comprehensive Zoning Plan".

2. **Districts. (Amended by Ord. No. 184,827, Eff. 3/24/17.)** In order to carry out the provisions of this article, the following districts are established:

"O" Oil Drilling District
"S" Animal Slaughtering District
"G" Surface Mining District
"RPD" Residential Planning Development District
"K" Equinekeeping District
"CA" Commercial and Artcraft District
"POD" Pedestrian Oriented District
"CDO" Community Design Overlay District
"MU" Mixed Use District
"FH" Fence Height District

"SN" Sign District
"RFA" Residential Floor Area District
"NSO" Neighborhood Stabilization Overlay District
"CPIO" Community Plan Implementation Overlay District
"HS" Hillside Standards Overlay District
"MPR" Modified Parking Requirement District
"RIO" River Improvement Overlay District
"CUGU" Clean Up Green Up Overlay District
"RG" Rear Detached Garage District
"HCR" Hillside Construction Regulation District

These districts and their boundaries are shown on portions of the "Zoning Map" as provided for in Section 12.04 and made a part thereof by a combination of the zone and district symbols. This map and the notations, references and other information shown on it which pertain to the boundaries of these districts are made a part of this article as if fully described here. Reference is hereby made to those maps, notations, references and other information for full particulars.

3. **Establishment of Districts.**

(a) **Requirements.** The procedure for initiation or an application to establish, change the boundaries of or repeal a supplemental use district shall be as set forth in this section with the following additional requirements.

(b) **Additional Requirements for Application. (Amended by Ord. No. 184,246, Eff. 6/4/16.)** Except for CPIO Districts, which may not be established through the application procedure, 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 district. An application for the establishment of a Commercial and Artcraft District, a Pedestrian Oriented District, an Equinekeeping District, a Community Design Overlay District, a Mixed Use District, a Sign District, a Residential Floor Area District, a Neighborhood Stabilization Overlay District, a Hillside Standards Overlay District, a Modified Parking Requirement District, a River Improvement Overlay District, or a Clean Up Green Up Overlay District shall contain the signatures of at least 75 percent of the owners or lessees of property within the proposed district. 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. An application shall be accompanied by any information deemed necessary by the Department.

If establishment of a district is initiated by the City Council, City Planning Commission or Director of Planning, the signatures of the property owners or lessees shall not be required.

(c) **Action on the Initiation or Application.**

(1) **Authority.** Notwithstanding the provisions of Subsection C., 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 Council.

(2) **Notice.** 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.

(3) **Time for Commission to Act on Application. (Amended by Ord. No. 184,246, Eff. 6/4/16.)** The City Planning Commission shall act on an application to establish an "O", "S", "G", "K", "CA", "POD", "CDO", "MU", "FH", "SN", "RFA", "NSO", "CPIO",

"HS", "MPR", "RIO", or "CUGU" District within 75 days from the date of the filing of the application. The City Planning Commission shall act on an application to establish an "RPD" District within 75 days from receipt of the Subdivision Committee report and recommendation. The City Planning Commission shall act on proceedings initiated by the Council within 75 days of receipt of that action from the Council, or within the time that the Council may otherwise specify.

(4) **Disapproval - Appeal to Council.** If the City Planning Commission recommends disapproval of an application, in whole or in part, any owner or lessee of property included in a proposed district may appeal that decision to the Council by filing an appeal with the City Planning Commission pursuant to the procedure set forth in Subsection D. of this section.

4. **Administrative Clearance - Director Authority for Sign Off.**

(a) **Administrative Clearance.** An Administrative Clearance is defined as a ministerial approval for Projects that comply with all applicable Supplemental Use District regulations. The term "Project" shall be defined in any Supplemental Use District that seeks to invoke this Administrative Clearance procedure.

(b) **Application, Form and Contents.** To apply for an Administrative Clearance, 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 and any additional submission requirements.

(c) **Procedures. (Amended by Ord. No. 184,246, Eff. 6/4/16.)** An applicant for a Project that complies with the provisions of an adopted Commercial and Aircraft District, Pedestrian Oriented District, Community Design Overlay District, Mixed Use District, Community Plan Implementation Overlay District, River Improvement Overlay District, or Clean Up Green Up Overlay District shall submit plans to the Director for an Administrative Clearance. The Director or his/her designee shall review the Project for compliance with the applicable Supplemental Use District development regulations. A Project that does not qualify for Administrative Clearance shall follow the procedures set forth in the applicable Supplemental Use District.

# EXHIBIT H

## SEC. 12.22. EXCEPTIONS.

**A. Use.**

1. **Private Garage Not Required – Topography –** Where a lot abuts upon a street or place which due to topographic conditions or excessive grades is not accessible by automobile, and such lot is to be occupied by not more than a one–family dwelling, no private garage shall be required.

2. **Public Utilities and Public Services –** The provisions of this article shall not be so construed as 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 pipe lines, sewers and sewer mains, and incidental appurtenances.

3. **Family Day Care Homes. (Title and Subdiv. Amended by Ord. No. 173,085, Eff. 3/19/00.)** Notwithstanding any other provisions of this article to the contrary, and in all zones wherein residential uses are permitted by right the following shall apply:

(a) **Small Family Day Care Homes**: Any dwelling unit may be used as a small family day care home, with up to eight children, as defined in Section 12.03, if it is licensed by the State of California as a small family day care home. **(Amended by Ord. No. 176,545, Eff. 5/2/05.)**

(b) **Large Family Day Care Homes**: Any dwelling unit may be used as a large family day care home, with up to 14 children, as defined in Section 12.03, if it is licensed by the State of California as a large family day care home, and if it complies with the conditions set forth in Subparagraph (1) below. **(Amended by Ord. No. 176,545, Eff. 5/2/05.)**

(1) **Conditions**. A large family day care home shall comply with the following conditions:

(i) Provide drop-off facilities, such as curb spaces or driveway area, which are necessary to avoid interference with traffic and promote the safety of the children;

(ii) Comply with any standards adopted by the State Fire Marshal pursuant to Subdivision (d) of Section 1597.46 of the California Health and Safety Code relating to large family day care homes;

(iii) Comply with all provisions of the Los Angeles Municipal Code relating to large family day care homes and dwelling units;

(iv) The use shall not create an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties;

(v) Name plates and signs shall conform to the provisions of Section 12.21 A.7.;

(vi) Play equipment, swings, sandboxes, or structures shall be located in the rear yard only;

(vii) No loud speaker or public address system shall be installed or operated on any open portion of the premises, and any phonograph, radio or other recorded music used in connection with any activity shall be sufficiently modulated to ensure that the use does not disturb the adjoining and neighboring residents;

(viii) The existing residential character of the building and site shall be maintained, including the exterior facade, landscaping, fences, walls, lawn area, and driveways;

(ix) The floor space of any dwelling unit used for the operation of a large family day care home shall not be increased for such use, and the floor space shall not be altered to reasonably preclude its continued use as a dwelling unit; and

(x) There shall be at least 300 feet between the lot containing the building where the proposed large family day care home will be located and the building housing any existing large family day care home. This distance is to be measured along the shortest street route between the two lots as determined by the Department of Recreation and Parks. **(Second Sentence Amended by Ord. No. 181,192, Eff. 7/27/10.)**

(2) **Notice of Intention to Operate Large Family Day Care Home**. **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** A Notice of Intention to Operate a Large Family Day Care Home shall be filed in the public office of the Department of City Planning, on forms provided by the Department. The forms shall be accompanied by all information deemed necessary by the Department. The notice shall include verification provided by the Department of Recreation and Parks that the large family day care home is in compliance with the concentration and spacing condition set forth in Section 12.22 A.3.(b)(1)(x) above. **(Sentence Amended by Ord. No. 181,192, Eff. 7/27/10.)** No fee shall be charged and no public hearing shall be required in connection with the filing of the notice.

(3) **Exemption from Concentration and Spacing Condition**. If a proposed Large Family Day Care Home is not in compliance with the concentration and spacing condition set forth in Section 12.22 A.3.(b)(1)(x) above, then the operator may apply to the Zoning Administrator for an exemption from this condition pursuant to Section 12.24 X.25. **(Amended by Ord. No. 176,545, Eff. 5/2/05.)**

(4) **Violation of Conditions - Authority of Zoning Administrator to Require Modification of Conditions of Operation or Discontinuance of Large Family Day Care Homes.** Notwithstanding any other provision of this Code, the Zoning Administrator may require a modification of the conditions of operation or the discontinuance of a large family day care home if the Zoning Administrator finds that as operated or maintained there has been a violation of any of the conditions or standards set forth in Subparagraph (1) of Paragraph (b) of this subdivision, or that such use:

(i) jeopardizes or endangers the public health or safety of persons residing in, working on, or occupying the premises; or

(ii) constitutes a public nuisance; or

(iii) violates any provision of this chapter or any other city, state or federal regulations, ordinance or statute.

The procedure for the modification of the conditions of operation or discontinuance of a large family day care home shall be as provided for in Section 12.27.1 of this Code.

4. **Sale of Christmas Trees –** Notwithstanding any provisions of this article to the contrary, the annual retail sale, including sales by philanthropic, political, patriotic, and charitable associations, of Christmas trees and ornaments shall be permitted in all zones, except the RE, RS, R1, RU, RZ, and RMP Zones,

between December first and twenty-fifth, inclusive, and the necessary permits and licenses may be issued provided that: **(Amended by Ord. No. 164,904, Eff. 7/6/89.)**

(a) Any lights used to illuminate the site shall be arranged to reflect the light away from any adjacent residentially-zoned property except that this restriction does not apply to frosted light bulbs of 100 watts or less; and

(b) There shall be no use of any sound equipment in the residential zone in conjunction with the retail sale of Christmas trees; and

(c) The operator of such a sale of Christmas trees shall post a Two Hundred Dollar ($200.00) cleanup deposit with the Office of the City Clerk prior to any lot preparation or sales; and

(d) The operator of such a sale of Christmas trees shall comply with all other applicable provisions of the Los Angeles Municipal Code.

5. **(Title and First Para. Deleted by Ord. No. 172,489, Eff. 4/16/99.)**

(a) **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** Notwithstanding any other provisions of Articles 2 and 3 of this chapter to the contrary, no oil well, controlled drill site or temporary geological exploratory hole may be permitted in an A, R, P or C Zone within the area located between the mean high tide line of the City's shoreline and a line 1,000 yards landward from that line. This prohibition shall not be construed or interpreted as affecting:

(1) any shore line areas within the Los Angeles Harbor except for Cabrillo Beach;

(2) any oil well, controlled drill site or a facility for the production of oil gases or other hydrocarbon substances in existence on the effective date of this subdivision;

(3) any connected subterranean gas holding areas and facilities that are operated as a public utility pursuant to Section 14.00; and

(4) subsurface drilling and producing operations more than 500 feet below the surface of this area.

(b) Ordinances 159,607, 159,608 and 159,609, which created Oil Drilling Districts U–171–A, U–172–A and U–173–A, respectively, to allow exploration and production of oil within 1,000 yards of the mean high tide in the City of Los Angeles, are hereby repealed.

(c) This subdivision shall apply to all supplemental use districts within this area for which a vested right for production of oil has not accrued as of the effective date of this subdivision

(d) If any provision or clause of this Ordinance or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other Ordinance provisions thereof which can be implemented without the invalid provision, clause or application, and to this end the provisions and causes of this ordinance are declared to be severable.

**[Subdivision 5(a) - (d) adopted by the voters as Initiative Ordinance "O" on November 8, 1988, Eff. 11/30/88.]**

6. **Infrequent Helicopter Landings.(Amended by Ord. No. 150,623, Eff. 4/13/78.)** – Notwithstanding any provision of this article to the contrary, helicopters may land and take off in any zone except RA, R, C1 and CR Zones, provided that a permit therefore has first been obtained from the

Fire Department under the provisions of Division 5, Article 7 of Chapter 5 of this Code. Such helicopter landings and takeoffs shall not exceed three per day in or upon any single location or premises except that the Fire Department may permit as many such landings and takeoffs in or upon any single location or premises in a day as it determines are required by the individual nature of each such helicopter use, including occasions of civic interest, and are consistent with the public health, safety, general welfare and intent of this article. In the RA, R, C1 or CR Zones helicopters may land and take off in or upon any single location not more than two times per calendar year in a park, school ground or other similar type of public open space, for educational programs sponsored by the Los Angeles Police Department or the Los Angeles City Unified School District, provided that the Fire Department permit referred to above has first been obtained. Nothing herein shall prevent nor curtail the operation of emergency helicopter landing facilities as required in Section 57.4705 of the Los Angeles Municipal Code.

The provisions of this subdivision shall not be construed or interpreted as permitting the establishment of a regularly operating airport, aircraft landing field, heliport or helistop.

7. **Temporary Operations of Carnivals and Rides. (Added by Ord. No. 130,076, Eff. 5/26/65.)** – Notwithstanding any provisions of this article to the contrary, carnival shows and amusement enterprises of a similar type may be operated in the P Zone for a period of not to exceed five consecutive days in any 30 day period in or upon any single location, provided that:

(1) All such operations are conducted at least 200 feet from any school or adjoining occupied property classified in any A or R Zone.

(2) Such operations do not cause or produce any dust, gas, smoke, noise, fumes, odors, or vibrations detrimental to other property in the neighborhood or to the welfare of the occupants thereof.

(3) Any lights used to illuminate the event are arranged so as to reflect the light away from any adjacent residentially used premises.

(4) No public address system in connection with the event is installed on the property unless it is modulated so as not to be disturbing to occupants of any nearby dwelling units.

(5) All structures, apparatus and appurtenances shall be removed from the premises the next day following the closing of the carnival.

(6) The hours of such operation to be limited between the hours of 10:00 a.m. and 10:00 p.m.

8. **Occasional Use of Private Homes for Adult Education Classes. (Added by Ord. No. 132,573, Eff. 8/5/66.)** – Notwithstanding any provision of this article to the contrary, adult education classes shall be permitted in homes in the RA or R Zones and no additional off-street parking shall be required in conjunction therewith, provided that:

(a) Classes are held not more than one day a week for a period not to exceed three hours per day end each class does not meet for more than fifteen weeks in any one semester.

(b) Classes are purely incidental to the use of the property as a home and no more than thirty persons are permitted to attend each class.

(c) Classes primarily involve oral discussions and no laboratory equipment, heavy machinery, or large tools are used in connection therewith, except small record players, slide projectors and other similar audiovisual teaching aids.

(d) All classes are scheduled on the first floor of the building.

For the purpose of this subdivision "**adult education classes**" shall mean any educational programs conducted by University Extension of University of California or any other comparable university.

No certificate of occupancy shall be required in connection with the use authorized by this ordinance.

9. **Maintenance of Accessory Structures. (Amended by Ord. No. 172,839, Eff. 11/1/99.)** Notwithstanding any provisions of this article to the contrary, an accessory building or structure may be maintained on a lot without a main building and a residential building may be maintained on a lot without the required off-street parking for the periods of time as authorized by the Advisory Agency in conformance with Article 7 of Chapter 1 of this Code.

10. **Model. (Amended by Ord. No. 174,999, Eff. 1/15/03.)** Notwithstanding any other provision of this article, a model or models, as defined in Article 7 of Chapter 1 of this Code, may be erected and maintained on any lot or site designated by the Advisory Agency as a site for a model or models on an approved or conditionally approved tentative map, in the A, RE, RS, R1, RU, RZ, RMP, or RW1 Zones with respect to one-family homes, and in the R2, RD, RW2, R3, RAS3, R4, RAS4, or R5 Zones with respect to multiple unit structures, i.e., buildings containing more than one dwelling unit, for a period of time as determined by the Advisory Agency, provided that:

(a) In an "**H**" hillside or mountainous 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.

(b) 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.

(c) 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.

(d) Adequate fire protection facilities are provided to the satisfaction of the Fire Department.

(e) Adequate sewer facilities are provided to the satisfaction of the Bureau of Engineering and the Los Angeles County Health Department.

(f) A paved access roadway at least 20 feet in width is provided which is satisfactory to the Department of Building and Safety.

(g) Off-street parking be provided as follows:

(1) For multiple unit structures, the numbers and location of the off-street parking facilities shall be determined by the Advisory Agency;

(2) For one-family detached structures, one lot for each six model dwellings or fraction thereof shall be located contiguous to the model dwelling sites. All off-street 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.

(h) The model dwelling sites are attractively maintained and, with respect to one-family detached structures, attractively landscaped.

(i) Not more than one sign is placed on each designated model dwelling. Said sign shall not exceed 12 square feet in area and shall be used only for identification or directional purposes. Prohibited are banners, posters, pennants, ribbons, streamers, string of light bulbs, spinners, or other similarly moving devices.

(j) 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.

(k) 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 Subdivision 10. With respect to one-family detached structures, the agreement shall further provide that in the event that a final map which includes the property whereon the model dwelling is located is not recorded, all buildings or structures authorized by said permit shall be removed, within 90 days from the expiration of the tentative tract, 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–family detached structure, authorized pursuant to the approval of any subdivision and contingent thereon, 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 to him) 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 dwellings. The bond shall be released to the property owner or person legally entitled thereto either upon recordation of the subdivision tract map or upon removal of the concerned structures or buildings, as the case may be, to the satisfaction of the Superintendent of Building. **(Amended by Ord. No. 158,561. Eff. 1/14/84.)**

(l) This subdivision shall apply to approved or conditionally approved tentative tract maps which include model dwelling units and which have not been recorded as of the effective date of this ordinance. **(Added by Ord. No. 158,561, Eff. 1/14/84.)**

11. **(Amended by Ord. No. 145,410, Eff. 2/16/74.)** Notwithstanding any other provisions of this article, a real estate tract sales office may be established and maintained in one model dwelling approved in accordance with the provisions of Section 12.22 A.10. or in a dwelling constructed on a recorded lot previously designated as a model dwelling site 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 thereon is limited to the original sale of vacant or improved land shown on the tentative map or units of airspace shown on the condominium plan.

(b) All name plates and signs conform to the provisions of Section 12.21 A.7.

(c) The tract sales office is attractively maintained and, where located in a one–family 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 Subdivision 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. **(Amended by Ord. No. 158,561, Eff. 1/14/84.)**

12. **(Added by Ord. No. 149,472, Eff. 5/14/77.)** Notwithstanding any other provision of this article, equipment and material storage yards used exclusively in connection with public facilities projects may be located in the A, R and C Zones, provided the following conditions are complied with.

(a) That such storage activities not be commenced prior to the execution of the construction contract with the governmental entity authorizing such work, and such storage activity be terminated within 30 days of the expiration of the contract or 30 days after completion of the construction, whichever comes first.

(b) That no storage or related activities be located closer than 25 feet to any residential improvement unless a solid 8 foot high fence be constructed along the entire property line adjoining such improvement, except at parking of employees' personal vehicles shall be permitted within the 25 foot buffer area, and such parking area need not comply with the requirements of Section 12.21 A.6. of this article.

(c) That the premises and grounds be frequently sprinkled and watered to prevent dust from becoming a nuisance to the neighboring residents.

(d) That there be no stockpiling of materials above 8 feet.

(e) That hours of operation including servicing and maintenance of all stored equipment be only between 7:00 a.m. and 6:00 p.m., and at no time on Saturdays, Sundays or holidays except in emergencies.

Prior to the use of any land for equipment and material storage activities pursuant to this Subdivision, the operator or operators of such storage yard shall obtain a certificate of occupancy of land as provided for in Section 12.26 E. of the Los Angeles Municipal Code. Where it can be shown to the satisfaction of the Superintendent of Building that the conditions of this Subdivision are not being complied with, the Superintendent may revoke the certificate of occupancy. Such revocation may be appealed to the Board of Building and Safety Commissioners pursuant to the provisions of Section 98.0403 of this Code.

13. **Infrequent Use of Property for Commercial Filming. (Amended by Ord. No. 170,516, Eff. 6/18/95.)** Notwithstanding any of the provisions of this article to the contrary, property in all zones may be used for the purpose of infrequent filming of commercial motion pictures and still photographs, provided that a permit therefor has first been obtained from the City Council, or whomever the Council by order, resolution or ordinance may delegate such authority. The City Council, or whomever the Council by order, resolution or ordinance may delegate such authority shall adopt such rules and regulations concerning the issuance of said permits as may be necessary to assure that filming will be conducted at such times and in such a manner as to cause a minimum of interference with the enjoyment and use of adjacent property, and consistent with public health, safety and general welfare.

14. **(None)**

15. **Parking Requirements For Showcase Theaters. (Added by Ord No 148,910, Eff. 11/18/76.)** Notwithstanding any provision of this article to the contrary, the parking for showcase theaters required under Section 12.21 A.4.(e) (g) (i) (m); Section 12.21 A.5.; and Section 12.26 C. and 12.26 E.5. may be provided on the site, or off the site under a written agreement approved by the City Attorney and the Superintendent of Building. Where off-site parking is provided under any written agreement other than a Parking Covenant, such agreement shall be for a minimum of one year and shall be signed by the theater

operator and the lessee or owner of the property upon which the required parking spaces shall be located. This agreement shall remain in effect for the duration of the existence of the showcase theater. Such agreement shall be filed with the Department of Building and Safety.

Where the parking covenant or other written agreement provides for parking on a lot which does not meet the design standards set forth in Section 12.21 A.5. and 12.21 A.6. but which parking area met the applicable Municipal Code design standard when originally established, such spaces shall be accepted for purposes of this Subdivision without compliance with the provisions of Section 12.21 A.5. and 12.21 A.6.

16. **Outside Automobile Hoists. (Amended by Ord. No. 172,468, Eff. 4/1/99.)** Any type of outside automobile hoist in the C2, C4, C5, CM or M1 Zones is prohibited.

17. **Temporary Residency in Residential Vehicle Pending Reconstruction of Disaster – Destroyed Dwelling. (Added by Ord. No. 153,144, Eff. 12/28/79.)**

(a) **Use of Land Permit.** Notwithstanding any other provision of this Code to the contrary, the Department of Building and Safety may issue a use of land permit to any resident–owner of a single–family 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 must 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 area, such residential vehicle shall be screened from public view by a fence constructed to the specifications of Section 91.4401 (c) of this Code; on corner lots, the restrictions of Section 62.200 of this Code shall also apply. Such fence shall be maintained in good condition and appearance.

(c) **Yard Area Requirements.** Such residential vehicle must observe five–foot front, side and rear yards and adequate access shall be assured to permit the removal of such residential vehicle after reconstruction of the disaster-destroyed dwelling unit.

(d) **Site Restoration.** Within thirty (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 shall be removed and the site restored to permitted use and condition.

18. **Developments Combining Residential and Commercial Uses.** Except where the provisions of Section 12.24.1 of this Code apply, notwithstanding any other provision of this chapter to the contrary, the following uses shall be permitted in the following zones subject to the following limitations: **(Amended by Ord. No. 163,679, Eff. 7/18/88.)**

(a) Any use permitted in the R5 Zone on any lot in the CR, C1, C1.5, C2, C4 or C5 Zones provided that such lot is located within the Central City Community Plan Area or within an area designated on an adopted community plan as "Regional Center" or "Regional Commercial". Any combination of R5 uses and the uses permitted in the underlying commercial zone shall also be permitted on such lot. **(Amended by Ord. No. 182,452, Eff. 4/4/13.)**

(b) Any use permitted in the CR, C1, C1.5, C2, C4 or C5 Zones on any lot in the R5 Zone provided that the lot is located within the Central City Community Plan Area. Any combination

of these commercial and residential uses shall also be permitted on the lot. Commercial uses or any combination of commercial and residential uses may be permitted on any lot in the R5 Zone by conditional use pursuant to Section 12.24 W.15. outside the Central City Community Plan Area. **(Amended by Ord. No. 182,452, Eff. 4/4/13.)**

(c) **Yards.** Except as provided herein, the yard requirements of the zone in which the lot is located shall apply.

(1) The yard requirements of the C2 Zone shall apply to buildings located on lots in the R5 Zone in a redevelopment project area approved by the City Council if such buildings are used exclusively for commercial uses.

(2) The following yard requirements shall apply to buildings located on lots in the R5 Zone which are used for any combination of commercial and residential uses:

(i) The yard requirements of the C2 Zone shall apply to the portions of such buildings used exclusively for commercial uses.

(ii) No yard requirements shall apply to the portions of such buildings which are used exclusively for residential uses and which abut a street, private street or alley, if the first floor of such buildings at ground level is used for commercial uses or access to the residential portions of such buildings.

(3) No yard requirements shall apply to the residential portions of buildings located on lots in the CR, C1, C1.5, C2, C4, and C5 Zones used for combined commercial and residential uses, if such portions are used exclusively for residential uses, abut a street, private street or alley, and the first floor of such buildings at ground level is used for commercial uses or for access to the residential portions of such buildings.

(4) No yards shall be required along air space lot boundaries within the interior of buildings.

(d) The residential and commercial density, maximum floor area or height otherwise permitted for any lot shall not be increased by reason of the existence of one or more air space lots.

(e) **Pedestrian Bridges.** Residential uses in a building combining residential and commercial uses shall be limited to the floors above the level of a connecting pedway or pedestrian bridge except that the Director of Planning may modify or waive this requirement if the Director finds unusual topography or other special circumstances justify such modification or waiver.

(f) **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** In the event of a conflict between the terms of this subdivision and the terms of a specific plan enacted prior to December 31, 1981, the terms of the specific plan shall prevail. The terms of this subdivision shall not apply within the boundaries of the Century City North Specific Plan.

19. **Dwelling Adjacent to An Equinekeeping Use**. **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** Notwithstanding any provision of this Code to the contrary, the City shall not issue a building permit for a residential building (excluding non-habitable rooms) that is less than 35 feet from a legally established equine use, unless the Zoning Administrator makes an exception in accordance with Section 12.24 X.5.

20. **Adult Entertainment Businesses. (Amended by Ord. No. 161,111, Eff. 5/18/86.)**

(a) **Exceptions from Section 12.70 C.**

(i) A person may establish and maintain, or continue to operate, an adult entertainment business on a lot within 500 feet of an "**A**" or "**R**" Zone, or within the "**CR**", "**C1**" or "**C1.5**" Zones, if a site consistent with Section 12.70 C. is not reasonably available elsewhere in the City for the establishment or relocation of the subject adult entertainment business. This exception shall only apply to an adult entertainment business which is otherwise in compliance with all other provisions of this chapter including Section 12.70 C.

A site is "**reasonably available**" elsewhere in the City if it meets all of the following criteria:

(1) Its use as the proposed adult entertainment business is consistent with all applicable zoning regulations, including Section 12.70 C.

(2) It is available for use, purchase, or rental as an adult entertainment business.

(3) It has adequate street access, street lighting, and sidewalks.

(4) It is at least 500 feet away from any uses which are or may become obnoxious or offensive by reason of emission of odor, dust, smoke, noise, gas, fumes, cinders, refuse matter or water carried waste.

This exception shall not apply to massage parlors or sexual encounter establishments.

(ii) **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** To apply for an exception, an applicant shall file an application with the Department of City Planning, on a form provided by the Department, identifying the present or proposed location of the adult entertainment business, and accompanied by data supporting the proposed exception and the fee provided for in Section 19.01 of this Code.

The procedures described in Section 12.24 shall be followed to the extent applicable. However, a hearing shall be held and a decision made within 60 days from the date of filing of an application. This time limit may be extended by mutual written consent of the applicant and the Zoning Administrator. An exception shall be approved if it meets the requirements of Subparagraph (i) above.

An appeal from the determination of the Zoning Administrator on whether a proposed exception meets the requirements of Subparagraph (i) may be taken to the Area Planning Commission in the same manner as prescribed in Section 12.24 I. The Area Planning Commission's decision may be appealed to the City Council. The appeal to the Council shall follow the procedures set forth in Section 12.24 I. However, a decision on any appeal shall be made within 30 days of the expiration of the appeal period. This time limit may be extended by mutual written consent of the applicant and the Area Planning Commission or Council, whichever then has jurisdiction over the appeal.

If the Zoning Administrator, Area Planning Commission or Council disapproves an exception, then it shall make findings of fact showing how a site consistent with Section 12.70 C. is reasonably available elsewhere in the City for the establishment or relocation of the subject adult entertainment business.

(b) **Extensions of the Section 12.70 C. Amortization Period.**

(i) An adult entertainment business existing on March 6, 1986 and operating within 500 feet of a lot in an "**A**" Zone of "**R**" Zone or, within the "**CR**", "**C1**", or "**C1.5**" Zones may

be continued, as specified below:

(1) If the adult entertainment business is otherwise in compliance with all other provisions of this chapter including Section 12.70 C.; and

(2) If the adult entertainment business is subject to a written lease, entered into prior to March 6, 1986, with a termination date extending beyond March 6, 1988, then the adult entertainment. business may continue until the expiration of the present term of the lease but no later than March 6, 1991; or

(3) If the adult entertainment business invokes the investment of money in real property, improvements, or stocks in trade such that a termination date beyond March 6, 1988 is necessary to prevent undue financial hardship, then it may be continued until March 6, 1991.

(ii) **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** To apply for an extension of time, an applicant shall file an application with the Department of City Planning, on a form provided by the Department, identifying the present or proposed location of the adult entertainment business, and accompanied by data supporting the extension request and the fee provided for in Section 19.01 of this Code. An extension shall be approved if it meets the requirements of Subparagraph (i) above.

The procedures described in Section 12.24 shall be followed to the extent applicable. However, a hearing shall be held and a decision made within 60 days from the date of filing. This time limit may be extended by mutual written consent of the applicant and the Zoning Administrator.

An appeal from the determination of the Zoning Administrator on whether a proposed exception meets the requirements of Subparagraph (i) may be taken to the Area Planning Commission in the same manner as prescribed in Section 12.24I. The Area Planning Commission's decision may be appealed to the City Council. The appeal to the Council shall follow the procedures set forth in Section 12.24I. However, a decision on any appeal shall be made within 30 days of the expiration of the appeal period. This time limit may be extended by mutual written consent of the applicant and the Area Planning Commission or Council, whichever then has jurisdiction over the appeal.

If the Zoning Administrator, Area Planning Commission or Council disapproves an extension, then it shall make findings of fact showing how the proposed extension fails to meet the requirements of Subparagraph (i).

21. **(Deleted by Ord. No. 171,687, Eff. 8/19/97.)**

22. **(Deleted by Ord. No. 170,752, Eff. 12/14/95.)**

23. **Mini-Shopping Centers and Commercial Corner Development. (Amended by Ord. No. 175,223, Eff. 6/30/03.)** If the requirements set forth in Paragraph (a) and the conditions set forth in Paragraph (b) of this subdivision are met, and the proposed use or uses are not enumerated in Section 12.24 W.27., then a conditional use approval pursuant to Section 12.24 W.27. shall not be required for any new use, change of use or addition of floor area to a Mini-Shopping Center or a Commercial Corner Development.

(a) **Development Standards.**

(1) **Height.** Buildings or structures located in Height District Nos. 1 and 1-L shall not exceed a maximum height of 45 feet. However, buildings or structures shall comply with the provisions of Section 12.21.1 A.10., "Transitional Height," of this Code.

(2) **Front Yard.** The front yard requirements set forth in Sections 12.12.2 C., 12.13 C.1. and 12.13.5 B.1. of this Code shall not apply to Mini-Shopping Centers or Commercial Corner Developments.

(3) **Windows.** The exterior walls and doors of a ground floor containing non-residential uses that front adjacent streets shall consist of at least fifty percent transparent windows, unless otherwise prohibited by law.

(4) **Parking.**

(i) Notwithstanding Section 12.21 A.5.(h) of this Code to the contrary, no tandem parking shall be permitted, except those spaces reserved exclusively for residential use.

(ii) Bicycle parking shall be provided as required by Section 12.21 A.16. of this Code.

(iii) Parking in the Downtown Business District shall be provided as required by Section 12.21 A.4.(i) of this Code.

(5) **Lighting.** All public areas of the lot or lots not covered by a building shall have night lighting for safety and security. All other open exterior areas, such as walkways and trash areas, shall have low-level, security-type lighting. All exterior lighting shall be directed onto the lot or lots, and all flood lighting shall be designed to eliminate glare to adjoining properties. All parking areas shall have a minimum of 3/4 foot-candle of flood lighting measured at the pavement.

(6) **Signs.**

(i) In addition to the requirements set forth in Division 62 of this Code, no person shall erect on the lot or lots the following signs, as defined in Section 91.6203 of this Code without first obtaining a conditional use permit: pole signs; projecting signs; or roof signs.

(ii) Monument signs and information signs shall be located only within the landscape-planted areas of the lot or lots.

(7) **Utilities.** All new utility lines which directly service the lot or lots shall be installed underground. If underground service is not currently available, then provisions shall be made for future underground service.

(8) **Walls and Trash Storage.** A solid masonry wall at least six feet in height shall be erected along the lot lines of the lot or lots where the lot or lots abut or are across an alley from any residential zone or use, except for that portion of the lot line where an access driveway is required by the City. Trash storage bins shall be located within a gated, covered enclosure constructed of materials identical to the exterior wall materials of the building.

(9) **Recycling Area or Room.** Every Mini-Shopping Center or Commercial Corner Development shall conform to the requirements of Section 12.21 A.19.(c) of this Code.

(10) **Landscaping.** All landscaping shall comply with Sections 12.41, 12.42 and 12.43 of this Code and the following requirements:

(i) **Landscaping - Setback. (Amended by Ord. No. 177,103, Eff. 12/18/05.)** A landscaped, planted area having a minimum inside width of five feet shall be required along all street frontages of the lot and on the perimeters of all parking areas of the lot or lots which abut a residential zone or use.

Notwithstanding the above, in the Downtown Business District as defined in Section 12.21 A.4.(i) of this Code, a landscape (planted) area having a minimum inside width of five feet shall be required on the perimeters of all parking areas of the lot which abut a residential zone or use.

(ii) **Irrigation System.** An automatic irrigation system shall be provided for all landscaped areas. This system shall be installed prior to the issuance of any certificate of occupancy.

(b) **Conditions of Operation.** A Mini-Shopping Center or a Commercial Corner Development shall comply with the following conditions:

(1) **Maintenance.** The condition of the lot or lots, including but not limited to parking areas, exterior walls, required lighting, and landscaped areas, shall at all times be maintained in a safe and sanitary condition and in a state of good repair. Exterior wall surfaces shall at all times be kept free from graffiti and any marks of vandalism.

(2) **Debris Removal.** The lot or lots shall at all times be kept clear of weeds, rubbish, and all types of litter and combustible materials. Trash receptacles shall be located throughout the open areas of the lot or lots.

(3) **Hours.** Parking lot cleaning and sweeping, and trash collections from and deliveries to a Mini-Shopping Center or Commercial Corner Development, shall occur no earlier than 7 a.m., nor later than 8 p.m., Monday through Friday, and no earlier than 10 a.m., nor later than 4 p.m., on Saturdays and Sundays.

(4) **Landscape Maintenance.** Maintenance of landscaped areas shall include continuous operations of watering, removal of weeds, mowing, trimming, edging, cultivation, reseeding, plant replacement, fertilization, spraying, control of pests, insects, and rodents, or other operations necessary to assure normal plant growth. All trees, shrubs and ground cover shall be maintained as healthy and vigorous at all times. Irrigation systems, installed pursuant to the requirements in Subsubparagraph (a)(10)(ii) above shall be continuously maintained in accordance with Section 12.41 B.5. of this Code.

(5) **Covenant.** Prior to the issuance of a building permit or land use permit, the owner of the lot or lots shall execute and record a covenant and agreement in a form satisfactory to the Director of Planning, acknowledging that the owner shall implement each of the conditions set forth in Paragraph (b) of this subdivision, and shall not permit the erection of any of the signs enumerated in Paragraph (a)(6) of this subdivision or the establishment of any uses enumerated in Section 12.24 W.27. of this Code without first obtaining a conditional use approval. The covenant and agreement shall run with the land and be binding upon the owners, and any assignees, lessees, heirs, and successors of the owners. The City's right to enforce the covenant and agreement is in addition to any other remedy provided by law.

(c) **Existing Building Changed to Mini-Shopping Center or Commercial Corner Development.**

(1) An existing building or buildings may be converted to a Mini-Shopping Center or to a Commercial Corner Development without first obtaining a conditional use approval if all of the following requirements are met:

(i) all alterations result in no more than a twenty percent increase in the existing floor area of all of the buildings on a lot or lots;

(ii) the proposed Mini-Shopping Center or the Commercial Corner Development use or uses are not enumerated in Section 12.24 W.27.;

(iii) no sign identified in Paragraph (a)(6) of this subdivision shall be erected on the site; and

(iv) the proposed Mini-Shopping Center or the Commercial Corner Development complies with the conditions of operation of Paragraph (b) of this subdivision.

(2) For an existing Mini-Shopping Center, or existing Commercial Corner Development use, no person shall establish as a new use, any of the uses enumerated in Section 12.24 W.27. of this subdivision without first obtaining a conditional use approval.

(d) **Exemptions.** The following Projects shall not be subject to this subdivision:

(1) A Mixed Use Project as defined in Section 13.09 B.3. that consists of predominantly residential uses and does not contain commercial uses enumerated in Section 12.24 W.27.;

(2) Adaptive Reuse Projects as defined in Section 12.22 A.26.; and

(3) Libraries, governmental offices, police stations, fire stations, and other government owned related facilities or uses.

(e) **Specific Plan Compliance.** If, as determined by the Director of Planning or his/her designee, the provisions of this Section conflict with those of an adopted Specific Plan, then the provisions of the Specific Plan shall prevail.

24. **Mobile Medical Facilities and Bloodmobiles. (Added by Ord. No. 166,045, Eff. 8/17/90.)**

(a) Notwithstanding any provision of this article to the contrary, any mobile medical facility may operate once a month for no more than 72 consecutive hours, in any single established parking area, in the P, PB, CR, C1, C1.5, C2, C4, CM, M1, M2 and M3 Zones, provided the parking area meets all requirements of the Municipal Code for a parking area and the operation of the facility does not obstruct any driveway access aisle or required parking space.

(b) Notwithstanding any provision of the article to the contrary, any bloodmobile may operate once a month for no more than 72 consecutive hours, in any single established parking area in any zone, provided the parking area meets all requirements of the Municipal Code for a parking area and the operation of the bloodmobile does not obstruct any driveway access aisle or required parking space.

(c) Notwithstanding any provision of this article to the contrary, any mobile medical facility may operate once a week for no more that 72 consecutive hours, in any single established hospital parking area, in the P, PB, CR, C1, C1.5, C2, C4, CM, M1, M2 and M3 zones, provided the parking area meets all requirements of the Municipal Code for a parking area and the operation of the facility does not obstruct any driveway access aisle or required parking space. **(Added by Ord. No. 170,161, Eff. 1/16/95.)**

25. **Affordable Housing Incentives - Density Bonus. (Amended by Ord. No. 179,681, Eff. 4/15/08.)**

(a) **Purpose.** The purpose of this subdivision is to establish procedures for implementing State Density Bonus requirements, as set forth in California Government Code Sections 65915-65918, and to increase the production of affordable housing, consistent with City policies.

(b) **Definitions.** Notwithstanding any provision of this Code to the contrary, the following definitions shall apply to this subdivision:

**Affordable Housing Incentives Guidelines** - the guidelines approved by the City Planning Commission under which Housing Development Projects for which a Density Bonus has been requested are evaluated for compliance with the requirements of this subdivision.

**Area Median Income (AMI)** - the median income in Los Angeles County as determined annually by the California Department of Housing and Community Development (HCD) or any successor agency, adjusted for household size.

**Density Bonus** - a density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and/or specific plan granted pursuant to this subdivision.

**Density Bonus Procedures** - procedures to implement the City's Density Bonus program developed by the Departments of Building and Safety, City Planning and Housing.

**Disabled Person** - 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 an impairment or, anyone who has a record of having that type of an impairment.

**Floor Area Ratio** - the multiplier applied to the total buildable area of the lot to determine the total floor area of all buildings on a lot.

**Housing Development Project** - the construction of five or more new residential dwelling units, the addition of five or more residential dwelling units to an existing building or buildings, the remodeling of a building or buildings containing five or more residential dwelling units, or a mixed use development in which the residential floor area occupies at least fifty percent of the total floor area of the building or buildings. For the purpose of establishing the minimum number of five dwelling units, Restricted Affordable Units shall be included and density bonus units shall be excluded.

**Incentive** - a modification to a City development standard or requirement of Chapter I of this Code (zoning).

**Income, Very Low, Low or Moderate** - annual income of a household that does not exceed the amounts designated for each income category as determined by HCD or any

successor agency.

**Residential Hotel** - any building containing six or more Guest Rooms or Efficiency Dwelling Units, which are intended or designed to be used, or are used, rented, or hired out to be occupied, or are occupied for sleeping purposes by guests, so long as the Guest Rooms or Efficiency Dwelling Units are also the primary residence of those guests, but not including any building containing six or more Guest Rooms or Efficiency Dwelling Units, which is primarily used by transient guests who do not occupy that building as their primary residence.

**Residential Unit** - a dwelling unit or joint living and work quarters; a mobilehome, as defined in California Health and Safety Code Section 18008; a mobile home lot in a mobilehome park, as defined in California Health and Safety Code Section 18214; or a Guest Room or Efficiency Dwelling Unit in a Residential Hotel.

**Restricted Affordable Unit** - a residential unit for which rental or mortgage amounts are restricted so as to be affordable to and occupied by Very Low, Low or Moderate Income households, as determined by the Housing and Community Investment Department. **(Amended by Ord. No. 182,718, Eff. 10/30/13.)**

**Senior Citizens** - individuals who are at least 62 years of age, except that for projects of at least 35 units that are subject to this subdivision, a threshold of 55 years of age may be used, provided all applicable City, state and federal regulations are met.

**Senior Citizen Housing Develop- ment**- a Housing Development Project for senior citizens that has at least 35 units.

**Specific Adverse Impact** - a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

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

(1) A station stop for a fixed transit guideway or a fixed rail system that is currently in use or whose location is proposed and for which a full funding contract has been signed by all funding partners, or one for which a resolution to fund a preferred alignment has been adopted by the Los Angeles County Metropolitan Transportation Authority or its successor agency; 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.

(c) **Density Bonus.** Notwithstanding any provision of this Code to the contrary, the following provisions shall apply to the grant of a Density Bonus for a Housing Development Project:

(1) **For Sale or Rental Housing with Low or Very Low Income Restricted Affordable Units.** A Housing Develop- ment Project that includes 10% of the total units of the project for Low Income households or 5% of the total units of the project for Very Low Income households, either in rental units or for sale units, shall be granted a minimum Density Bonus of 20%, which may be applied to any part of the Housing Development Project. The bonus may be increased according to the percentage of affordable housing units provided, as follows, but shall not exceed 35%:

| **Percentage Low Income Units** | **Percentage Density Bonus** |
|---|---|
| 10 | 20 |
| 11 | 21.5 |
| 12 | 23 |
| 13 | 24.5 |
| 14 | 26 |
| 15 | 27.5 |
| 16 | 29 |
| 17 | 30.5 |
| 18 | 32 |
| 19 | 33.5 |
| 20 | 35 |

| **Percentage Very Low Income Units** | **Percentage Density Bonus** |
|---|---|
| 5 | 20 |
| 6 | 22.5 |
| 7 | 25 |
| 8 | 27.5 |
| 9 | 30 |
| 10 | 32.5 |
| 11 | 35 |

(2) **For Sale or Rental Senior Citizen Housing (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 Sections 798.76 or 799.5 shall be granted a minimum Density Bonus of 20%.

(3) **(Deleted by Ord. No. 181,142, Eff. 6/1/10.)**

(4) **A Common Interest Develop-ment That Includes Moderate Income Restricted Affordable Units. (Amended by Ord. No. 181,142, Eff. 6/1/10.)** A common interest development as defined in Section 1351 of the Civil Code that includes at least 10% of its units for Moderate Income households shall be granted a minimum Density Bonus of 5%. The bonus may be increased according to the percentage of affordable housing units provided, as follows, but shall not exceed 35%:

| **Percentage** | |
|---|---|
| **Moderate Income Units** | **Percentage** |
| | **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 |
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| 26 | 21 |
| 27 | 22 |
| 28 | 23 |
| 29 | 24 |
| 30 | 25 |
| 31 | 26 |
| 32 | 27 |
| 33 | 28 |
| 34 | 29 |
| 35 | 30 |
| 36 | 31 |
| 37 | 32 |
| 38 | 33 |
| 39 | 34 |
| 40 | 35 |

(5) **Land Donation.** An applicant for a subdivision, parcel map or other residential development approval that donates land for housing to the City of Los Angeles satisfying the criteria of California Government Code Section 65915(h)(2), as verified by the Department of City Planning, shall be granted a minimum Density Bonus of 15%.

(6) **Child Care.** A Housing Development Project that conforms to the requirements of Subparagraphs (1), (2), (3), (4) or (5) of this paragraph and includes a child care facility located on the premises of, as part of, or adjacent to, the project, shall 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 child care facility included in the project.

(ii) An additional Incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

(7) **Fractional Units.** In calculating Density Bonus and Restricted Affordable units, any number resulting in a fraction shall be rounded up to the next whole number.

(8) **Other Discretionary Approval.** Approval of Density Bonus units shall not, in and of itself, trigger other discretionary approvals required by the Code.

(9) **Other Affordable Housing Subsidies.** Approval of Density Bonus units does not, in and of itself, preclude projects from receipt of other government subsidies for affordable housing.

(10) **Additional Option for Restricted Affordable Units located near Transit Stop/Major Employment Center.** In lieu of providing the requisite number of Restricted Affordable Units in a Housing Development Project located in or within 1,500 feet of a Transit Stop/Major Employ- ment Center that would otherwise be required under this subdivision, an applicant may opt to provide a greater number of smaller units, provided that:

(i) the total number of units in the Housing Development Project including Density Bonus units does not exceed the maximum permitted by this subdivision;

(ii) the square footage 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 subdivision;

(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 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).

(11) **Common Interest Development with Low or Very Low Income restricted Affordable Units for Rent.** In a common interest development as defined in California Government Code Section 1351, such as a condominium, Restricted Affordable Units may be for sale or for rent.

(12) **Condominium Conversion.** A Housing Development Project that involves the conversion of apartments into condominiums and that includes 33 percent of its units restricted to households of Low or Moderate income or 15 percent of its units restricted to households of Very Low Income shall be granted a Density Bonus of 25 percent or up to three incentives as provided in Paragraph (e) of this subdivision.

(d) **Parking in a Housing Development Project.** Required parking spaces for a Housing Development Project that is for sale or for rent and qualifies for a Density Bonus and complies with this subdivision may be provided by complying with whichever of the following options requires the least amount of parking: applicable parking provisions of Section 12.21 A.4. of this

Code, or Parking Option 1 or Parking Option 2, below. Required parking in a Housing Development Project that qualifies for a Density Bonus may be sold or rented separately from the dwelling units, so that buyers and tenants have the option of purchasing or renting a unit without a parking space. The separate sale or rental of a dwelling unit and a parking space shall not cause the rent or purchase price of a Restricted Affordable Unit (or the parking space) to be greater than it would otherwise have been.

(1) **Parking Option 1.** Required parking for all residential units in the Housing Development Project (not just the restricted units), inclusive of handicapped and guest parking, shall be reduced to the following requirements:

(i) For each Residential Unit of 0-1 bedroom: 1 on-site parking space.

(ii) For each Residential Unit of 2-3 bedrooms: 2 on-site parking spaces.

(iii) For each Residential Unit of 4 or more bedrooms: 2-1/2 on-site parking spaces.

(2) **Parking Option 2.** Required parking for the Restricted Affordable Units only shall be reduced as set forth in Subparagraphs (i) and (ii) below. Required parking for all other non-restricted units in the Housing Development Project shall comply with applicable provisions of Section 12.21 of this Code.

(i) One parking space per Restricted Affordable Unit, except:

a. 0.5 parking space for each dwelling unit restricted to Low or Very Low Income Senior Citizens or Disabled Persons; and/or

b. 0.25 parking space for each Restricted Affordable Unit in a Residential Hotel.

(ii) Up to 40% of the required parking for the Restricted Affordable Units may be provided by compact stalls.

(e) **Incentives.**

(1) In addition to the Density Bonus and parking options identified in Paragraphs (c) and (d) of this subdivision, a Housing Development Project that qualifies for a Density Bonus shall be granted the number of Incentives set forth in the table below.

| **Number of Incentiv.es** | **Required Percentage* of Units Restricted for Very Low Income Households** | | **Required Percentage* of Units Restricted for Low Income Households** | | **Required Percentage* of Units Restricted for Moderate Income Households (For Sale Only)** |
|---|---|---|---|---|---|
| One Incentive | 5% | or | 10% | or | 10% |
| Two Incentives | 10% | or | 20% | or | 20% |
| Three Incentives | 15% | or | 30% | or | 30% |

* Excluding Density Bonus units.

(2) To be eligible for any on-menu incentives, a Housing Development Project (other than an Adaptive Reuse project) shall comply with the following:

(i) The facade of any portion of a building that abuts a street shall be articulated with a change of material or with a break in plane, so that the facade is not a flat surface.

(ii) All buildings must be oriented to the street by providing entrances, windows, architectural features and/or balconies on the front and along any street-facing elevations.

(iii) The Housing Development Project shall not be a contributing structure in a designated Historic Preservation Overlay Zone and shall not be on the City of Los Angeles list of Historical-Cultural Monuments.

(iv) The Housing Development Project shall not be located on a substandard street in a Hillside Area or in a Very High Fire Hazard Severity Zone as established in Section 57.4908 of this Code.

(f) **Menu of Incentives.** Housing Development Projects that meet the qualifications of Paragraph (e) of this subdivision may request one or more of the following Incentives, as applicable:

(1) **Yard/Setback.** Up to 20% decrease in the required width or depth of any individual yard or setback except along any property line that abuts an R1 or more restrictively zoned property provided that the landscaping for the Housing Development Project is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by Section 12.40 of this Code and Landscape Ordinance Guidelines "O."

(2) **Lot Coverage.** Up to 20% increase in lot coverage limits, provided that the landscaping for the Housing Development Project is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by Section 12.40 of this Code and Landscape Ordinance Guidelines “O”.

(3) **Lot Width.** Up to 20% decrease from a lot width requirement, provided that the landscaping for the Housing Development Project is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by Section 12.40 of this Code and Landscape Ordinance Guidelines “O”.

(4) **Floor Area Ratio.**

(i) A percentage increase in the allowable Floor Area Ratio equal to the percentage of Density Bonus for which the Housing Development Project is eligible, not to exceed 35%; or

(ii) In lieu of the otherwise applicable Floor Area Ratio, a Floor Area Ratio not to exceed 3:1, provided the parcel is in a commercial zone in Height District 1 (including 1VL, 1L and 1XL), and fronts on a Major Highway as identified in the City’s General Plan, and

a. the Housing Develop- ment Project includes the number of Restricted Affordable Units sufficient to qualify for a 35% Density Bonus, and

b. 50% or more of the commercially zoned parcel is located in or within 1,500 feet of a Transit Stop/Major Employ- ment Center.

A Housing Development Project in which at least 80% of the units in a rental project are Restricted Affordable Units or in which 45% of the units in a for-sale project are Restricted Affordable Units shall be exempt from the requirement to front on a Major Highway.

(5) **Height.** A percentage increase in the height requirement in feet equal to the percentage of Density Bonus for which the Housing Development Project is eligible. This percentage increase in height shall be applicable over the entire parcel regardless of the number of underlying height limits. For purposes of this subparagraph, Section 12.21.1 A.10. of this Code shall not apply.

(i) In any zone in which the height or number of stories is limited, this height increase shall permit a maximum of eleven additional feet or one additional story, whichever is lower, to provide the Restricted Affordable Units.

(a) No additional height shall be permitted for that portion of a of a building in a Housing Development Project that is located within fifteen feet of a lot classified in the R2 Zone.

(b) For each foot of additional height the building shall be set back one horizontal foot.

(ii) No additional height shall be permitted for that portion of a building in a Housing Development Project that is located within 50 feet of a lot classified in an R1 or more restrictive residential zone.

(iii) 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 classified in an R1 or more restrictive zone. 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 classified in an R1 or more restrictive residential zone.

(6) **Open Space.** Up to 20% decrease from an open space requirement, provided that the landscaping for the Housing Development Project is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by Section 12.40 of this Code and Landscape Ordinance Guidelines “O”.

(7) **Density Calculation.** 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 underlying zone in which the project is located.

(8) **Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access.** A Housing Development Project that is located on two or more contiguous parcels may average the floor area, density, open space and parking over the project site, and permit vehicular access from a less restrictive zone to a more restrictive zone, provided that:

(i) the Housing Development Project includes 11% or more of the units as Restricted Affordable Units for Very Low Income households, or 20% of the units for Low Income households, or 30% of the units for Moderate Income households; and

(ii) the proposed use is permitted by the underlying zone(s) of each parcel; and

(iii) no further lot line adjustment or any other action that may cause the Housing Development Project site to be subdivided subsequent to this grant shall be permitted.

(g) **Procedures.**

(1) **Density Bonus and Parking.** Housing Development Projects requesting a Density Bonus without any Incentives (which includes a Density Bonus with only parking requirements in accordance with Paragraphs (c) and (d) of this subdivision) shall be considered ministerial and follow the Affordable Housing Incentives Guidelines and the Density Bonus Procedures. No application for these projects need be filed with the City Planning Department.

(2) **Requests for Incentives on the Menu.**

(i) The applicant for Housing Development Projects that qualify for a Density Bonus and that request up to three Incentives on the Menu of Incentives in Paragraph (f) of this subdivision, and which require no other discretionary actions, the following procedures shall apply:

a. **Application.** The request shall be made on a form provided by the Department of City Planning, as set forth in Section 11.5.7 B.2.(a) of this Code, accompanied by applicable fees.

b. **Authority. (Amended by Ord. No. 182,106, Eff. 5/20/12.)** The Director shall be the initial decision maker for applications seeking on Menu incentives.

**EXCEPTION:** When the application is filed as part of a project requiring multiple approvals, the initial decision maker shall be as set forth in Section 12.36 of this Code; and when the application is filed in conjunction with a subdivision and no other approval, the Advisory Agency shall be the initial decision-maker.

c. **Action.** The Director shall approve a Density Bonus and requested Incentive(s) 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 Section 50052.5, or Section 50053 for rents for the affordable units; 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, Low and Moderate Income households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

d. **Transmittal of Written Decision.** Within three business days of making a decision, the Director shall transmit a copy by First Class Mail to the applicant and 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. **Effective Date of Initial Decision.** The Director's decision shall become effective after an elapsed period of 15 calendar days from the date of the mailing of the written decision unless an appeal is filed to the City Planning Commission.

f. **Appeals. (Amended by Ord. No. 182,106, Eff. 5/20/12.)** 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 appeal the decision to the City Planning Commission pursuant to applicable procedures set forth in Section 11.5.7 C.6. of this Code that are not in conflict with the provisions of this paragraph (g)(2)(i). The appeal shall include a filing fee pursuant to Section 19.01 B. of this Code. Before acting on any appeal, the City Planning Commission shall set the matter for hearing, with written notice of the hearing sent by First Class Mail at least ten days prior to the meeting date to: the applicant; the owner(s) of the property involved; and the interested parties who have requested notice in writing. The appeal shall be placed on the agenda for the first available meeting date of the City Planning Commission and acted upon within 60 days from the last day of the appeal period. The City Planning Commission may reverse or modify, in whole or in part, a decision of the Director. The City Planning Commission shall make the same findings required to be made by the Director, supported by facts in the record, and indicate why the Director erred making the determination.

**EXCEPTION:** When the application is filed as part of a project requiring multiple approvals, the appeals procedures set forth in Section 12.36 of this Code shall govern. When the application is filed in conjunction with a Parcel Map and no other approval, the appeals procedures set forth in Section 17.54 of this Code shall govern. When the application is filed in conjunction with a tentative map and no other approval, the appeals procedures set forth in Section 17.06 A.3. of this Code shall govern, provided that such applications shall only be appealable to the Appeal Board, as defined in Section 17.02 of this Code, and shall not be subject to further appeal to the City's legislative body.

(ii) For Housing Development Projects that qualify for a Density Bonus and for which the applicant requests up to three Incentives listed in Paragraph (f), above, and that require other discretionary actions, the applicable procedures set forth in Section 12.36 of this Code shall apply.

a. The decision must include a separate section clearly labeled "Density Bonus/ Affordable Housing Incentives Program Determination".

b. The decision-maker shall approve a Density Bonus and requested Incentive(s) unless the decision-maker, based upon substantial evidence, makes either of the two findings set forth in Subparagraph (2)(i)(c), above.

(3) **Requests for Waiver or Modification of any Development Standard(s) Not on the Menu.**

(i) For Housing Development Projects that qualify for a Density Bonus and for which the applicant request a waiver or modification of any development standard(s) that is not included on the Menu of Incentives in Paragraph (f), above, and that are not subject to other discretionary applications, the following shall apply:

a. The request shall be made on a form provided by the Department of City Planning, accompanied by applicable fees, and shall include a pro forma or other documentation to show that the waiver or modification of any development standard(s) are needed in order to make the Restricted Affordable Units economically feasible.

b. **Notice and Hearing.** The application shall follow the procedures for conditional uses set forth in Section 12.24 D. of this Code. A public hearing shall be held by the City Planning Commission or its designee. The decision of the City Planning Commission shall be final.

c. The City Planning Commission shall approve a Density Bonus and requested waiver or modification of any development standard(s) unless the Commission, based upon substantial evidence, makes either of the two findings set forth in Subparagraph (g)(2)(i)c., above.

(ii) For Housing Development Projects requesting waiver or modification of any development standard(s) not included on the Menu of Incentives in Paragraph (f) above, and which include other discretionary applications, the following shall apply:

a. The applicable procedures set forth in Section 12.36 of this Code shall apply.

b. The decision must include a separate section clearly labeled "Density Bonus/ Affordable Housing Incentives Program Determination".

c. The decision-maker shall approve a Density Bonus and requested waiver or modification of any development standard(s) unless the decision-maker, based upon substantial evidence, makes either of the two findings set forth in Subparagraph (g)(2)(i)c., above.

(h) **Covenant.** Prior to issuance of a Building Permit, the following shall apply:

(1) For any Housing Development Project qualifying for a Density Bonus and that contains housing for Senior Citizens, a covenant acceptable to the Housing and Community Investment Department shall be recorded with the Los Angeles County Recorder, guaranteeing that the occupancy restriction to Senior Citizens shall be observed for at least 30 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. **(Amended by Ord. No. 182,718, Eff. 10/30/13.)**

(2) For any Housing Development Project qualifying for a Density Bonus and that contains housing for Low or Very Low Income households, a covenant acceptable to the Housing and Community Investment Department shall be recorded with the Los Angeles County Recorder, guaranteeing that the affordability criteria will be observed for at least 30 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. **(Amended by Ord. No. 182,718, Eff. 10/30/13.)**

(3) 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 Housing and Community Investment Department and consistent with the for sale requirements of California Government Code Section 65915(c)(2) shall be recorded with the Los Angeles County Recorder guaranteeing that the affordability criteria will be observed for at least ten years from the issuance of the Certificate of Occupancy. **(Amended by Ord. No. 182,718, Eff. 10/30/13.)**

(4) If the duration of affordability covenants provided for in this subdivision conflicts with the duration for any other government requirement, the longest duration shall control.

(5) Any covenant described in this paragraph must provide for a private right of enforcement by the City, any tenant, or owner of any building to which a covenant and agreement applies.

(i) **Fee Deferral.** At the option of the applicant, payment of fees may be deferred pursuant to Sections 19.01 O. and 19.05 A.1. of this Code.

(j) **Applicability.** To the extent permitted under applicable State law, if a conflict arises between the terms of this subdivision and the terms of the City's Mello Act Settlement Agreement, Interim Administrative Procedures for Complying with the Mello Act or any subsequent permanent Mello Ordinance, Procedures or Regulations (collectively "Mello Terms"), the Mello Terms preempt this subdivision.

26. **Downtown Adaptive Reuse Projects. (Amended by Ord. No. 174,315, Eff. 12/20/01.)**

(a) **Purpose.** The purpose of this Subdivision is to revitalize the Greater Downtown Los Angeles Area and implement the General Plan by facilitating the conversion of older, economically distressed, or historically significant buildings to apartments, live/work units 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 vehicle trips and vehicle miles traveled by locating residents, jobs, hotels and transit services near each other.

(b) **Application.** If the provisions of Subparagraph (2) of Paragraph (h) and of Subparagraphs (1), (2) or (3) of Paragraph (j) of this subdivision conflict with those of any specific plan, supplemental use district, "Q" condition, "D" limitation, or citywide regulation, any of which were adopted or imposed by City action prior to the effective date of this ordinance, then this Subdivision shall prevail.

(c) **Definition of Adaptive Reuse Project.** Notwithstanding any other provisions of this chapter to the contrary, for the purposes of this subdivision, an Adaptive Reuse Project is any change of use to dwelling units, guest rooms, or joint living and work quarters in all or any portion of any eligible building.

(d) **Eligible Buildings.** The provisions of this subdivision shall apply to Adaptive Reuse Projects in all or any portion of the following buildings in the CR, C1, C1.5, C2, C4, C5, CM and R5 Zones in the Downtown Project Area:

(1) Buildings constructed in accordance with building and zoning codes in effect prior to July 1, 1974. A Certificate of Occupancy, building permit, or other suitable documentation may be submitted as evidence to verify the date of construction.

(2) Buildings constructed in accordance with building and zoning codes in effect on or after July 1, 1974, if:

(i) Five years have elapsed since the date of issuance of final Certificates of Occupancy; and

(ii) A Zoning Administrator finds that the building is no longer economically viable in its current use or uses, pursuant to Section 12.24 X.1.(c). **(Amended by Ord. No. 175,588, Eff. 12/1/03.)**

(3) Buildings designated on the National Register of Historic Places, the California Register of Historical Resources, or the City of Los Angeles List of Historic-Cultural Monuments. Contributing Buildings in National Register Historic Districts or Contributing Structures in Historic Preservation Overlay Zones (HPOZ) established pursuant to Section 12.20.3 of this Code are also eligible buildings.

(e) **M Zones.** The Zoning Administrator may, upon application, permit Adaptive Reuse Projects in all or any portion of any eligible building in the MR1, MR2, M1, M2 and M3 Zones in the Downtown Project Area, pursuant to Section 12.24 X.1.(b). **(Amended by Ord. No. 175,588, Eff. 12/1/03.)**

(f) **Floor Area Averaging.** The Zoning Administrator may, upon application, permit floor area averaging in unified Adaptive Reuse Projects, pursuant to Section 12.24 X.1.(d). **(Amended by Ord. No. 175,588, Eff. 12/1/03.)**

(g) **Downtown Project Area.** The Downtown Project Area includes the following areas:

(1) The Central City Community Plan Area as shown on the General Plan of the City of Los Angeles; and

(2) All that real property in the City of Los Angeles, described by the following boundary lines: Bounded northerly by the centerline of Freeway Number 10 (commonly called the Santa Monica Freeway); bounded southerly by the centerline of Vernon Avenue; bounded easterly and southeasterly by the following centerline courses: beginning at the intersection of the Santa Monica Freeway and Grand Avenue, then southerly along Grand Avenue to the most easterly line of Freeway Number 110 (commonly called the Harbor Freeway), then southerly along that right of way to the centerline of Martin Luther King, Jr. Boulevard, then easterly along Martin Luther King, Jr. Boulevard to the centerline of Grand Avenue, then southerly along Grand Avenue to the centerline of Vernon Avenue. Bounded westerly and northwesterly by the following centerline courses: beginning at the intersection of Vermont Avenue and Vernon Avenue, then northerly along Vermont Avenue to Jefferson Boulevard, then easterly along Jefferson Boulevard to University Avenue, then northerly along University Avenue to 28th Street, then westerly along 28th Street to Severance Street, then northerly along Severance Street to Adams Boulevard, then westerly along Adams Boulevard to Scarff Street, then northerly along Scarff Street to 23rd Street, then southerly along 23rd Street to Bonsallo Avenue, then northerly along Bonsallo Avenue to Washington Boulevard, then westerly along Washington Boulevard to Oak Street, then northerly along Oak Street and its northerly prolongation to the Santa Monica Freeway.

(h) **Incentives.** Notwithstanding any other provisions of this chapter to the contrary, Adaptive Reuse Projects shall be entitled to the incentives set forth below. Except for the provision concerning mezzanines set forth in Subparagraph (1) below, these incentives shall not apply to any new floor area that is added to an Adaptive Reuse Project.

(1) **Mezzanines.** Loft spaces in joint living and work quarters, dwelling units and guest rooms which do not exceed more than 33 percent of the floor area of the space below shall not be considered new floor area. Mezzanines may be included in the calculation of floor area for the purpose of determining compliance with the standards set forth in Paragraph (i) of this subdivision.

(2) **Density.** Dwelling units, joint living and work quarters and guest rooms shall not be subject to the lot area requirements of the zone or height district.

(3) **Off-Street Automobile Parking.** The required number of parking spaces shall be the same as the number of spaces that existed on the site on June 3, 1999, and shall be maintained and not reduced. Adaptive Reuse Projects shall otherwise be exempt from the provisions of Section 12.21 A.4.(m) of this Code.

(4) **Mini-Shopping Center and Commercial Corner Development Regulations.** Adaptive Reuse Projects shall be exempt from the mini-shopping center and commercial corner development regulations set forth in Section 12.22 A.23.

(5) **Site Plan Review.** Adaptive Reuse Projects shall be exempt from the requirements for Site Plan Review set forth in Section 16.05.

(6) **Loading Space.** Where an existing loading space is provided, the provisions of Section 12.21 C.6.(h) shall apply. If no loading spaces exist, then a loading space shall not be required in conjunction with the development of an Adaptive Reuse Project.

(i) **Standards.** Adaptive Reuse Projects permitted pursuant to this subdivision shall be developed in compliance with the following standards:

(1) **Dwelling Units and Joint Living and Work Quarters. (Amended by Ord. No. 175,588, Eff. 12/1/03.)** The minimum floor area for new dwelling units and joint living and work quarters shall be 450 square feet, provided however, that the average floor area of all such units and quarters in a single eligible building, including those that existed prior to June 3, 1999, shall be at least 750 square feet. That minimum average size shall be maintained and not reduced.

Floor area, as defined in Section 12.03 of the Code, shall also not include hallways or other common areas. The floor area of both the living space and the work space shall be combined to determine the size of joint living and work quarters.

(2) **Guest Rooms.** Guest rooms shall include a toilet and bathing facilities.

(j) **Exceptions.** Notwithstanding the nonconforming provisions of Section 12.23, the following exceptions shall apply to the buildings in which Adaptive Reuse Projects are located. These exceptions shall also apply to any building in which new floor area or height was added or observed yards changed on or after July 1, 1974, as evidenced by a valid Certificate of Occupancy.

(1) **Floor Area.** Existing floor area which exceeds that permitted by the zone, height district, specific plan, supplemental use district, or any other land use regulation shall be permitted.

(2) **Height.** Existing height which exceeds that permitted by the zone, height district, specific plan, supplemental use district, or any other land use regulation shall be permitted.

(3) **Yards.** Existing observed yards which do not meet the yards required by the zone, height district, specific plan, supplemental use district, or any other land use regulation shall be permitted.

(k) **Uses.** Notwithstanding the nonconforming provisions of Section 12.23, dwelling units, guest rooms, and joint living and work quarters shall be permitted in Adaptive Reuse Projects, so long as the use is permitted by the underlying zone.

27. **Reasonable Accommodation - Fair Housing Protections for Individuals with Disabilities. (Added by Ord. No. 177,325, Eff. 3/18/06.)**

(a) **Purpose.** The purpose of this provision is to establish 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. Reasonable accommodation means 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) **Definitions.**

**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.

(c) **Procedures.**

(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 of City Planning 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.

(4) 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 County Recorder's Office acknowledging and agreeing to comply with the terms and conditions established in the determination. The covenant shall be required only if the Director finds that a covenant is necessary to provide notice to future owners that a reasonable accommodation has been approved.

(d) **Time to Act.**

(1) 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.

(2) 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.

(e) **Findings.** The written decision to grant, grant with modifications or deny a request for reasonable accommodation shall include the following findings:

(1) 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;

(2) that the requested accommodation is necessary to make housing available to an Individual with a Disability protected under the Acts;

(3) that the requested accommodation would not impose an undue financial or administrative burden on the City; and

(4) that the requested accommodation would not require a fundamental alteration in the nature of the City's land use and zoning program.

(f) **Applicability.** If the Director grants the request, the request shall be granted to an individual and shall not run with the land unless the Director determines that (1) the modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with the Code or (2) the accommodation is to be used by another Individual with a Disability.

(g) **Notice.** Notice of the determination shall be provided to the applicant and to abutting owners of the property, which is the subject of the request for reasonable accommodation. 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 (h), below.

(h) **Appeal of Determination.**

(1) A determination by the Director shall be final unless appealed to the City Council within 15 calendar days of the date of mailing of the determination.

(2) Only the aggrieved applicant and abutting owners who received notice of the reasonable accommodation determination have a right to appeal the decision.

(3) An appeal shall be made in writing, pursuant to procedures established in Section 12.24 I.2. through 5. of this Code.

(i) **Coastal Zone Properties.** 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 of the California Coastal Act of 1976, and with the Interpretative Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977, and any subsequent amendments, and, within the Venice Community Plan, with the certified Local Coastal Program Land Use Plan.

Where a request for reasonable accommodation is not consistent with the regulations identified in the paragraph 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:

(1) that the requested reasonable accommodation is consistent, to the maximum extent feasible, with the regulations identified in this subsection; and,

(2) 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.

28. **Automotive Use. (Added by Ord. No. 178,382, Eff. 3/24/07.)** In the C2 or less restrictive zones, a new automotive use, change of use or addition of floor area to an existing automotive use may be established without first obtaining an approval pursuant to Section 12.24 W.4. of this Code if the development standards set forth in Paragraph (a) and the operating conditions set forth in Paragraph (b)

of this subdivision are met. Notwithstanding the above, new automobile dealership franchises, and their associated activities, are exempt from the requirements of this subdivision.

(a) **Development Standards.**

(1) **Windows.** The exterior walls and doors of any building, excluding bay doors and/or security grills, housing an automotive use, which are parallel to a street, shall consist of at least 50 percent transparent windows, unless otherwise prohibited by law.

(2) **Bay Doors.** Bay doors or vehicle entrances, exits and openings shall not face any school, lot with a Certificate of Occupancy for a one-family dwelling, multiple-family dwelling, or mixed use project containing a residential use, or A or R zone that is within 100-feet from the face of the building containing the bay door, vehicle entrance, exit or opening.

(3) **Wash Rack.** Every wash rack shall be constructed or arranged so that entrances, exits and openings shall not face any school, lot with a Certificate of Occupancy for a one-family dwelling, multiple-family dwelling, or mixed use project containing a residential use, or A or R zone within 100-feet of the side of the building containing the bay door, vehicle entrance, exit or opening.

(4) **Fences.** Fences or walls erected along the front lot line shall not exceed 36-inches in height.

(5) **Automotive hoists.** Automotive hoists of any type or size, shall be located and operated only inside a building enclosed on at least three sides.

(6) **Signs.**

(i) In addition to the requirements set forth in Sections 91.6201 et seq. of this Code, no person shall erect a pole sign or projecting sign, as defined in Section 91.6203 of this Code, on the lot or lots without first obtaining a conditional use permit pursuant to Section 12.24 W.4. of this Code.

(ii) Monument signs and information signs may only be located within the landscape-planted areas of the lot or lots.

(7) **Utilities.** All new utility lines which directly service the lot or lots shall be installed underground. If underground service is not available at the time the application is submitted and fees paid for plan check, then provisions should be made for future underground service to the satisfaction of the Bureau of Engineering, if determined necessary by the Department of Water and Power.

(8) **Walls and Trash Storage.** A solid masonry wall at least six feet in height shall be erected along the lot lines of the lot or lots where the lot or lots abut or are across an alley from any school, lot with a Certificate of Occupancy for a one-family dwelling, multiple-family dwelling, or mixed use project containing a residential use, or A or R zone, except for that portion of the lot line where an access driveway is required by the City as determined by the Department of Building and Safety. Trash storage bins shall be located within a gated enclosure constructed of solid masonry and finished to match the exterior wall materials of the main building.

(9) **Landscaping.** All landscaping shall comply with Sections 12.41, 12.42 and 12.43 of this Code and the following requirements:

(i) **Landscaping - Setback.** A landscaped, planted area having a minimum width of five feet shall be required along all street frontages of the lot or lots, except for that portion of the lot line where an access driveway is required by the City as determined by the Department of Building and Safety, and on the perimeters of all parking areas of the lot or lots that abut a residential zone or use.

(ii) **Irrigation System.** An automatic irrigation system shall be provided for all landscaped, planted areas. The system shall be installed and operational prior to the issuance of any certificate of occupancy.

(10) **Lighting.** All exterior and flood lighting shall be directed onto the lot or lots and shall be designed to eliminate any glare to adjoining properties.

(b) **Operating Conditions.**

(1) Spray painting shall not be conducted.

(2) Junkyard or automobile dismantling activities shall not be conducted.

(3) Public address system shall not be permitted.

(4) Site cleaning, sweeping, trash collection, and deliveries to the site shall be limited to the following hours: Monday through Friday, 7:00 AM to 7:00 PM and Saturday and Sunday 8:00 AM to 5:00 PM. Notwithstanding the above, trash collection shall not be allowed on Sundays or legal holidays.

(5) Hours of operation shall be limited to: Monday through Friday, 7:00 AM to 7:00 PM; Saturday, 9:00 AM to 8:00 PM; and Sunday, 11:00 AM to 8:00 PM.

(6) All loading, including those of vehicles, shall occur on-site.

(7) Vehicles being repaired shall be stored on-site. Any off-site parking shall comply with Section 12.21 A.6. of this Code.

(8) Accessory sales activities shall not occur outside a fully enclosed building.

(9) Trailers and/or temporary modular buildings shall not be permitted as a work area.

(10) Arcades or game machines shall not be permitted.

(11) Temporary canopy tents shall not be permitted when the tents are visible from the street.

(12) The site where the automotive use is located shall be kept clear of weeds, rubbish, and all types of litter and combustible materials at all times. One trash receptacles shall be located for every 200 square feet of open space and shall be uniformly distributed throughout the open areas of the site.

(13) Any automotive laundry or wash rack, in which power driven or steam cleaning machinery is used, shall maintain noise levels below the levels provided in Table II of Section 111.03 of this Code. The comparison between the noise emanating from the automotive laundry or wash rack and from Table II shall be made in the manner set forth in Section 111.02 (a) of this Code.

(14) Any automotive sound shop or automotive alarm shop shall be wholly conducted within a fully enclosed building. No portion of the building or its associated parking area shall be within 50 feet of any school, lot with a Certificate of Occupancy for a one-family dwelling, multiple-family dwelling, or mixed use project containing a residential use, A or R zoned lot.

(15) All operational conditions imposed by the Department of Building and Safety in its annual inspections of automotive repair and used vehicle sales area pursuant to Section 12.26 I. of this Code shall be followed.

(16) On-site pennants, banners, ribbons, streamers, spinners, balloons and supergraphic signs are prohibited.

(17) All windows and glass doors shall be maintained free of any signs.

(18) **Covenant.** Prior to the issuance of a building permit or land use permit, the owner of the lot or lots shall execute and record a covenant and agreement in a form satisfactory to the Director of Planning, acknowledging that the owner shall implement each of the conditions set forth in this paragraph, and shall not permit the establishment of any uses enumerated in Section 12.24 W.4. of this Code without first obtaining a conditional use approval. The covenant and agreement shall run with the land and be binding upon the owners, and any assignees, lessees, heirs, and successors of the owners. The City's right to enforce the covenant and agreement is in addition to any other remedy provided by law.

(c) **Existing Building Changed to Automotive Use and/or an Existing Automotive Use Being Expanded or Remodeled.** An existing building or buildings may be converted or an existing automotive use may be expanded without first obtaining a conditional use approval if all of the following requirements are met:

(1) All alterations result in no more than a 20 percent increase in the existing floor area of all of the buildings on a lot or lots cumulatively over the previous five years.

(2) The proposed automotive use complies with all the conditions of operation of Paragraph (b) above.

(3) Any reuse of an existing structure that is required to go through a CUP process shall have all standards established by the Zoning Administrator.

(d) **Specific Plan Compliance.** Notwithstanding any other provision of this Code to the contrary, if the Director determines that the provisions of this subdivision conflict with those of an adopted Specific Plan, pedestrian oriented, commercial and artcraft, community design overlay, historic preservation overlay or transit-oriented district, area or zone, then the provisions of that Specific Plan, district, area or zone shall prevail.

29. **Floor Area Bonus for the Greater Downtown Housing Incentive Area. (Added by Ord. No. 179,076, Eff. 9/23/07.)**

(a) **Definitions.**

**Area Median Income (AMI)** - the median income in the Los Angeles County as determined annually by the United States Department of Housing and Urban Development (HUD), or any successor agency, adjusted for household size.

**Floor Area Bonus** - an increase in floor area greater than the otherwise maximum allowable floor area, as set forth in Section 12.21.1 of the Code.

**Income, Very Low, Low or Moderate** - annual income of a household that does not exceed amounts designated for each income category as determined by HUD, or any successor agency.

**Income, Workforce** - the annual income of a household that does not exceed 150% of the Area Median Income as determined by HUD, or any successor agency.

**Restricted Affordable Unit** - a residential unit for which rental or mortgage amounts are restricted so as to be affordable to and occupied by Very Low, Low, Moderate or Workforce Income households, as determined by the Housing and Community Investment Department. **(Amended by Ord. No. 182,718, Eff. 10/30/13.)**

(b) **Eligibility for Floor Area Bonus.** A residential (including Apartment Hotel and mixed-use) building in the Greater Downtown Housing Incentive Area containing the requisite number of Restricted Affordable Units as determined by the Department of City Planning and as set forth in Subparagraphs (1), (2) and (3) below shall be granted the following incentives in accordance with Paragraph (c) below:

(1) 5% of the total number of dwelling units shall be provided for Very Low Income households; and

(2) One of the following shall be provided:

(i) 10% of the total number of dwelling units for Low Income households; or

(ii) 15% of the total number of dwelling units for Moderate Income households; or

(iii) 20% of the total number of dwelling units for Workforce Income households.

(3) Any dwelling unit or guest room occupied by a household earning less than 50% of the Area Median Income that is demolished or otherwise eliminated shall be replaced on a one-for-one basis within the Community Plan Area in which it is located.

(4) Fractional Units. In calculating Restricted Affordable Units, any number resulting in a fraction shall be rounded up to the next whole number.

(c) **Incentives.**

(1) A 35% increase in total floor area. In computing the total floor area of a residential building or residential portion of a building, any public area accessible to all residents, including public common areas that serve both residential and commercial uses, and any unenclosed architectural features and areas of a building shall not be considered part of the total floor area of a residential or residential portion of a building. The floor area shall be measured to the center line of partitions separating public and non-public common areas.

(2) The open space required by Section 12.21 G. of this chapter shall be reduced by one-half, provided that a fee equivalent to the amount of the relevant park fee, pursuant to Section 19.17, shall be paid for all dwelling units, with the following exception: units qualifying under Section 12.33 C.3.(d) shall be allowed to reduce the open space

requirement by one-half without payment of such fee. The in-lieu fee shall be placed in a trust fund with the Department of Recreation and Parks for the purpose of acquisition, development and maintenance of open space and/or streetscape amenities within the Greater Downtown Housing Incentive Area, and within the Community Plan Area in which the project is located. The in-lieu fee is independent of any required park and recreation impact fee. **(Amended by Ord. No. 184,505, Eff. 1/11/17.)**

(3) No parking space shall be required for dwelling units or guest rooms dedicated to or set-aside for households that earn less than 50% of the Area Median Income as determined by the Housing and Community Investment Department. **(Amended by Ord. No. 182,718, Eff. 10/30/13.)**

(4) No more than one parking space (including spaces allocated for guest parking) shall be required for each dwelling unit.

(d) **Covenant.** Prior to issuance of a building permit to create a residential or mixed-use building or an Apartment Hotel, the following shall apply:

(1) For any project qualifying for a Floor Area Bonus that contains rental housing for Low, Very Low, Moderate or Workforce Income households, a covenant acceptable to the Housing and Community Investment Department shall be recorded with the Los Angeles County Recorder, guaranteeing that the affordability criteria will be observed for at least 30 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. **(Amended by Ord. No. 182,718, Eff. 10/30/13.)**

(2) For any project qualifying for a Floor Area Bonus that contains for-sale housing for Moderate or Workforce Income households, a covenant acceptable to the Housing and Community Investment Department and consistent with the for-sale requirements of California Government Code Section 65915(c)(2) shall be recorded with the Los Angeles County Recorder. **(Amended by Ord. No. 182,718, Eff. 10/30/13.)**

(3) If the duration of affordability covenants provided for in this subdivision conflicts with the duration for any other government requirement, the longest duration shall control.

30. **Downtown Design Guide. (Added by Ord. No. 181,557, Eff. 3/15/11.)**

(a) **Purpose.** The purpose of this Subdivision is to implement the standards and guidelines in the Downtown Design Guide (the "Design Guide"), adopted by the City Planning Commission and incorporated as part of the Central City Community Plan, an element of the General Plan of the City of Los Angeles. Given the importance of Downtown Los Angeles as the civic, cultural, institutional, governmental, social and economic center of the region, the urban form is critical to its continued vitality and economic viability and the preservation and enhancement of its historic fabric. The Downtown Design Guide regulates projects that have the potential to affect the urban form, pedestrian orientation and street-level activity, and its implementation will ensure a quality built environment.

(b) **Definition of Project. (Amended by Ord. No. 186,325, Eff. 11/11/19.)** For the purposes of this Subdivision, a Project is the construction, erection, addition to or alteration, of any building or structure, or a use of land or change of use on a lot located in whole or in part within the Downtown Design Guide Project Area, as defined in Section 12.03 and shown on the adopted ordinance map, which requires the issuance of a grading permit, foundation permit, building permit, sign permit or use of land permit.

A Project does not include any of the following: (1) demolition; (2) adaptive reuse of an existing building which conforms to Section 12.22 A.26. of this Code; (3) remodeling of designated historic resources; (4) alterations of 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% of the Building or Structure's replacement value before the alterations or additions, as determined by the Department of Building and Safety; and (5) interior remodeling of any other existing Building, unless the interior alterations are to the ground floor and will result in the alteration of windows, display windows, entrances, storefronts or otherwise minimize ground floor transparency.

(c) **Downtown Design Guide.** Every project within the Project Area must comply with the Downtown Design Guide standards and guidelines. The Director shall have the authority to review projects for compliance with the Downtown Design Guide prior to the issuance of a building permit in the Project Area.

(1) **Exception.** Projects conforming to the Downtown Design Guide shall be exempt from the mini-shopping center and commercial corner development regulations set forth in Section 12.22 A.23. of this Code.

(d) **Administrative Clearance - Authority of the Director for Sign Off.**

(1) **Application, Form and Contents.** To apply for an Administrative Clearance, 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 and any additional submission requirements. The Director shall determine if the application qualifies for Administrative Clearance and whether the Project complies with all applicable District regulations.

(2) **Application Fees.** The application fee for an Administrative Clearance shall be as set forth in Section 19.01 E. or 19.01 I. of this Code. The fee in Section 19.01 E. shall be charged for administrative clearance of new construction permits only. The fee in Section 19.01 I. shall be charged for all other building permit sign-offs.

(3) **Procedures.** Applicants for Projects that comply with the provisions of the Downtown Design Guide shall submit plans to the Director for conformance review and administrative sign off. The Director or his/her designee shall review the Project for compliance with the standards and guidelines in the Downtown Design Guide. Projects that fail to demonstrate compliance with the Downtown Design Guide shall follow relief procedures set forth below.

(e) **Adjustment - Authority of the Director with Appeals to the Area Planning Commission.** If an application fails to conform to the provisions of the Downtown Design Guide, the Director or the Director's designee shall have initial decision-making authority to grant an Adjustment in accordance with Section 11.5.7 E.1.(a) and with the procedures set forth in Section 11.5.7 C.4. - 6. of this Code.

(1) **Limitations.** An Adjustment shall be limited to deviations from regulations which do not substantially alter the execution or intent of those regulations as applicable to a proposed Project.

(2) **Findings.** The determination by the Director shall include written findings in support of the determination. In order to approve a proposed project pursuant to this subsection, the Director must find that:

(a) There are special circumstances applicable to the project or project site which make the strict application of the Design Guide regulations impractical;

(b) In granting the adjustment, the Director has imposed project requirements and/or decided that the proposed project will substantially comply with the purpose and intent of all Design Guide regulations;

(c) In granting the adjustment, the Director has considered and found no detrimental effects of the adjustment on surrounding properties and public rights-of-way;

(d) The project incorporates mitigation measures, monitoring of measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible; and

(e) The project is compatible with the neighborhood character of the surrounding district.

31. **Transit Oriented Communities Affordable Housing Incentive Program. (Added by Ord. No. 184,745, Eff. 12/13/16.)**

(a) **Application of TOC Affordable Housing Incentive Program.** This Transit Oriented Communities Affordable Housing Incentive Program, and the provisions contained in the TOC Affordable Housing Incentive Program Guidelines, shall apply to all Housing Developments that are located within a one-half mile radius of a Major Transit Stop, as defined in subdivision (b) of Section 21155 of the California Public Resources Code. Each one-half mile radius around a Major Transit Stop shall constitute a unique Transit Oriented Communities Affordable Housing Incentive Area.

(b) **Preparation and Content of TOC Incentive Guidelines.** Within 90 days of enactment of this Ordinance, the Director of Planning shall prepare TOC Affordable Housing Incentive Program Guidelines ("TOC Guidelines") that provide the eligibility standards, incentives, and other necessary components of this TOC Incentive Program described herein. Nothing in the TOC Guidelines shall restrict any right authorized in the underlying zone or height district. The TOC Guidelines shall be drafted consistent with the purposes of this Subdivision and shall include the following:

(1) **Eligibility for TOC Incentives.** A Housing Development located within a TOC Affordable Housing Incentive Area shall be eligible for TOC Incentives if it provides minimum required percentages of On-Site Restricted Affordable Units, meets any applicable replacement requirements of California Government Code Section 65915(c)(3), and is not seeking and receiving a density or development bonus under the provisions of California Government Code Section 65915 or any other State or local program that provides development bonuses. Minimum required percentages of On-Site Restricted Affordable Units shall be determined by the Department of City Planning and set forth in the TOC Guidelines at rates that meet or exceed 11% of the total number of dwelling units affordable to Very Low income households; or 20% of the total number of dwelling units affordable to Lower Income households. The Department of City Planning shall also establish an option for a Developer to qualify for the TOC Incentives by providing a minimum percentage of units for Extremely Low Income Households, which shall be set at no less than 7%. In calculating the required Restricted Affordable Units, the percentage shall be based on the total final project unit count, and any number resulting in a fraction shall be rounded up to the next whole number. In creating the TOC Guidelines, the

Department of City Planning shall identify incentives for projects that adhere to the labor standards required in Section 5 of this Ordinance provided, that no such incentives will be created that have the effect of undermining the affordable housing incentives contained herein or in Government Code Section 65915.

(2) **TOC Incentives.** An Eligible Housing Development shall be granted TOC Incentives, as determined by the Department of City Planning consistent with the following:

(i) **Residential Density increase.** An Eligible Housing Development shall be granted increased residential density at rates that shall meet or exceed a 35% increase. In establishing the density allowances, the Department of City Planning may allow adjustments to minimum square feet per dwelling unit, floor area ratio, or both, and may allow different levels of density increase depending on the Project's base zone and density.

(ii) **Parking.** An Eligible Housing Development shall be granted parking reductions consistent with California Government Code Section 65915(p).

(iii) **Incentives and Concessions.** An Eligible Housing Development may be granted up to either two or three incentives or concessions based upon the requirements set forth in California Government Code Section 65915(d)(2).

(c) **Approval of TOC Guidelines and Incentives.** The City Planning Commission shall review the TOC Guidelines and shall by vote make a recommendation to adopt or reject the TOC Guidelines.

(d) **Process for Changing TOC Incentives and Eligibility.** The TOC Incentives and the required percentages for On-Site Restricted Affordable Units may be adjusted for an individual TOC Affordable Housing Incentive Area through a Community Plan update, Transit Neighborhood Plan, or Specific Plan, provided that the required percentages for On-Site Restricted Affordable Units may not be reduced below the percentages set forth in subdivision (b).

(e) **Procedures.** Application for the TOC Incentives shall be made on a form provided by the Department of City Planning, and shall follow the procedures outlined in Los Angeles Municipal Code Section 12.22 A.25.(g).

(f) **Covenant.** Prior to issuance of a building permit to create a Housing Development, the following shall apply:

(1) For any Housing Development qualifying for a TOC Incentive that contains rental housing for Extremely Low, Very Low, or Lower Income households, a covenant acceptable to the Los Angeles Housing and Community Investment Department shall be recorded with the Los Angeles County Recorder, guaranteeing that the affordability criteria will be observed for 55 years or longer.

(2) For any Housing Development qualifying for a TOC Incentive that contains for-sale housing, a covenant acceptable to the Housing and Community Investment Department and consistent with the for-sale requirements of California Government Code Section 65915(c)(2) shall be recorded with the Los Angeles County Recorder.

(3) If the duration of affordability covenants provided for in this subdivision conflicts with the duration for any other government requirement, the longest duration shall control.

(g) **Definitions.**

"**Eligible Housing Development**" shall mean a Housing Development that includes On-Site Restricted Affordable Units at a rate that meets or exceeds the minimum requirements to satisfy the TOC Incentives, as determined by the Department of City Planning and as set forth in paragraph (b)(1) above.

"**Extremely Low-Income Households**" is defined in Section 50106 of the Health and Safety Code.

"**Housing Development**" shall mean the construction of five or more new residential dwellings units, the addition of five or more residential dwelling units to an existing building or buildings, the remodeling of a building or buildings containing five or more residential dwelling units, or a mixed use development containing residential dwelling units.

"**Lower Income Households**" is defined in Section 50079.5 of the Health and Safety Code.

"**On-Site Restricted Unit**" shall mean a residential unit for which rental or mortgage amounts are restricted so as to be affordable to and occupied by Extremely Low, Very Low, or Lower income households, as determined by the Housing and Community Investment Department.

"**Very Low-Income Households**" is defined in Section 50105 of the Health and Safety Code.

32. **Home-Sharing. (Added by Ord. No. 185,931, Eff. 7/1/19.)** In all zones wherein residential uses are permitted by right, the following shall apply:

(a) **Purpose.** The purpose of this subdivision is 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 subdivision:

(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 subdivision.

(2) **Booking Service.** Any reservation and/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 and/or payment of services provided for the transaction.

(3) **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 Los Angeles Department of Building and Safety, Los Angeles Housing and Community Investment Department, Los Angeles Police Department or Los

Angeles Fire Department, including an Administrative Citation issued pursuant to Article 1.2 of the Los Angeles Municipal Code.

(4) **Extended Home-Sharing.** Home-Sharing that is permitted for an unlimited number of days in a calendar year.

(5) **Hosting Platform.** 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.

(6) **Host.** An individual who is registered for Home-Sharing as the term is defined in Section 12.03 of this Code.

(7) **Person.** Shall have the same meaning as that term is defined in Section 21.7.2 of this Code.

(8) **Platform Agreement.** A signed agreement between a Home-Sharing Hosting Platform (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.** The sole residence from which the Host conducts Home-Sharing and in which the Host resides for more than 6 months of the calendar year.

(10) **Rental Unit.** A Dwelling Unit, Guest Room, Accessory Living Quarters, other residential structure, or portion thereof.

(11) **Short-Term Rental.** A Rental Unit, rented in whole or in part, to any Person(s) for transient use of 30 consecutive days or less. Rental Units within City-approved Hotels, motels, Transient Occupancy Residential Structures and Bed and Breakfasts shall not be considered a Short-Term Rental.

(12) **Transient.** Shall have the same meaning as that term is defined in Section 21.7.2 of this Code.

(c) **Home-Sharing Registration.**

(1) **Application.** To register for Home-Sharing, an applicant shall file an application with the Department of City Planning in a manner provided by the Department, and shall include: information needed to verify the Host's identification and Primary Residence; identification of a local responsible contact person; a list of all Hosting Platforms to be used; whether Home-Sharing is for an entire Rental Unit or a portion thereof; and any other information required by the instructions on the application and/or by the guidelines promulgated by the Director of Planning. Payment of any filing fee required under Section 19.01 E. shall be included with the application. If the required information for registration, including any filing fee, is not received within 45 days of submittal of the application, the Home-Sharing registration will be considered withdrawn.

(2) **Eligibility Requirements.** The following requirements must be met at the time of submitting an application for Home-Sharing registration:

(i) The applicant has obtained a Transient Occupancy Registration Certificate from the Office of Finance pursuant to Section 21.7.6 of this Code, unless the

applicant exclusively lists his or her Primary Residence on Hosting Platforms that have a Platform Agreement with the City of Los Angeles.

(ii) The proposed Home-Sharing is consistent with the provisions of this subdivision 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, and/or Chapter 15 of the Los Angeles Municipal Code ("Rent Stabilization Ordinance"), and/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.

(3) **Expiration and Renewal.** 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: (1) pays the renewal fee; (2) has complied with the provisions of this subdivision for the past year; (3) provides information concerning any changes to the previous application for, or renewal of, the Home-Sharing registration; and (4) submits Home-Sharing records described in Subparagraph (e)(2) for the last year to demonstrate compliance with this subdivision, 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. The records described in Subparagraph (e)(2) shall be made public to the extent required by law.

(4) **Suspensions and Revocations.** Notwithstanding any other provision of this Code to the contrary, the Director may require the suspension, modification, discontinuance or revocation of any Home-Sharing registration if it is found that the Host has violated this subdivision or any other city, state, or federal regulation, ordinance or statute.

(i) **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 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 Section 12.24 Z. of this Code, with no further appeal to a Commission or City Council.

(ii) **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 Section 12.24 Z. of this Code, 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.

(iii) **Modification.** The Director may modify, discontinue or revoke any Home-Sharing registration based upon an order to show cause, pursuant to Section 12.27.1 B. of this Code, why any proposed modifications, discontinuances or revocations of any Home-Sharing registration should not be issued. The Director shall provide notice to the Host and/or recorded owner and lessee(s) of the Host's Primary Residence to appear at a public hearing at a time and place fixed by the Director to respond to the Director's order to show cause.

(d) **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 subdivision.

(2) A Host may not participate in Home-Sharing unless all advertisements clearly list the City-issued Home Sharing registration number or pending registration status number.

(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 Paragraph (h).

(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 Section 12.26 A.3. 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 may be booked at any given time.

(7) A Host may not rent all or a portion of his 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 15 of the Los Angeles Municipal Code ("Rent Stabilization Ordinance") to single family homes until five years after the date of conversion.

(9) Except for allowable Home Occupations, 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 2 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 Section 111.01 (j) of this Code after 10:00 pm and no evening outdoor congregations of more than 8 people (excluding children) during Home-Sharing activities. Home-Sharing activities are subject to the noise regulations in the Los Angeles Municipal 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.

(e) **Host Requirements.**

(1) A Host may be responsible for any nuisance violations, as described in Section 12.27.1 B. of this Code, arising at the Host's Primary Residence during Home-Sharing activities. 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 Section 98.0412 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.

(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 Subdivision.

(4) The Host shall fully comply with all the requirements of Article 1.7 of the Los Angeles Municipal Code (establishing the Transient Occupancy Tax) and successor Sections.

(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 Section 5.576 of the Los Angeles Administrative Code. The City Council shall adopt, by

resolution, a per-night fee based on an analysis of the cost of implementing, maintaining, and enforcing this subdivision.

(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 by the City of Los Angeles Fire Department pursuant to Government Code Section 51178 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 Subdivision and other information to address behavioral, safety, security, and other matters, as required in the Department's Administrative Guidelines.

(9) Every Host shall authorize any Hosting Platform on which his or her Primary Residence is listed to provide to the City the Host listing and other information described in in Subsection (f)(4).

(10) Every Host must consent to receive all City notices and citations regarding their Home-Sharing registration by U.S. mail.

(f) **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 or a pending registration status number.

(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 Ordinance, Hosting Platforms with listings located in the City shall provide to the Department of City Planning contact information for an employee or representative responsible for responding to requests for information, including requests related to possible violations of this Subdivision. Hosting Platforms that commence listings in the City after the effective date must 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 Los Angeles Municipal Code Section 21.7.1 et seq., 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 paragraph shall not apply to a Hosting Platform whenever it (a) complies with the Administrative Guidelines, issued by DCP and approved by resolution of the City Council, that describe how the Platform shall satisfy the Hosting Platform responsibilities in this paragraph, 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 subdivision and meets the purposes of the Platform responsibilities in this paragraph. Each individual Platform Agreement shall be approved by the City Council.

(g) **Enforcement of Violations.**

(1) The provisions in this Subsection shall be in addition to any criminal, civil or other legal remedy established by law that may be pursued to address violations of this Subdivision.

(2) Any Person who has failed to comply with the provisions of this Subdivision may be subject to the provisions of Section 11.00 of this Code. The owner and/or operator of any property used for Short Term Rentals, including the Host or owner of any Host Primary Residence, may be assessed a minimum inspection fee, as specified in Section 98.0412 of this Code for each site inspection.

(3) The Director may, at any time, require the modification, discontinuance, or revocation of any Home-Sharing registration in the manner prescribed in Subparagraph (c)(4).

(4) The ACE program in Article 1.2 of this Chapter may be utilized to issue administrative citations and impose fines pursuant to this Subdivision. 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, and/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 subdivision shall be as follows:

(i) Hosting Platform: a $1,000 fine per day shall be imposed for any of the following violations:

a. Completing a Booking Service transaction for each listing without a valid City Home-Sharing registration number or pending registration status number.

b. 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.

c. 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.

d. 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.

(ii) Owner of Primary Residence and/or Host and/or Person:

a. 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 Subdivision.

b. 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.

c. For all other violations of this subdivision, the administrative fine shall be levied according to the amounts described in Section 11.2.04(a)(2) 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.

(iii) 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).

(h) **Extended Home-Sharing.** For Hosts who participate in Extended Home-Sharing, the following shall apply:

(1) **Application and Eligibility Requirements.**

(i) **Ministerial Approval.** Extended Home-Sharing may be approved by the Director if, in addition to the eligibility requirements for Home-Sharing, all of the following requirements are met:

a. 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;

b. No more than one Citation was issued within the prior three years; and

c. The Host provides proof of mailing of a notification concerning commencement of Extended Home-Sharing, which includes a Director-issued publication outlining the complaint process, to adjacent and abutting owners and occupants on a form provided by the Department.

(ii) D**iscretionary Approval.** A discretionary review of an Extended Home-Sharing application is required if the Host complies with Subparagraph (h)(1)(i)a., but two Citations have been issued within the prior three years.

a. If the Director 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 adjacent and 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.

b. 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 of Planning:

1. The Host provides proof of mailing of a notification, which includes a Director-issued publication outlining the complaint process, to adjacent and abutting owners and occupants on a form provided by the Department;

2. 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.

c. 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 adjacent and abutting owner and occupant. An appeal shall be filed at the public counter of the Planning Department 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 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.

(2) **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.

(3) **Expiration and 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 Subparagraph (c)(3) and may be renewed annually if the Host meets the same renewal requirements in that subparagraph.

(4) **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 Paragraph (c)(4). 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.

(i) **Administration and Regulations.** No Person shall fail to comply with the Administrative Guidelines.

(j) **Effective Date.** This ordinance shall take effect on July 1, 2019.

(k) **Severability.** If any provision of this Subdivision is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this Subdivision which can be implemented without the invalidated provisions, and to this end, the invalid provisions of this Subdivision 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 the ordinance would subsequently be declared invalid or unconstitutional.

33. **Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU). (Added by Ord. No. 186,481, Eff. 12/19/19.)**

(a) **Purpose.** The purpose of this subdivision is to provide for the creation of ADUs and JADUs consistent with California Government Code Sections 65852.2 and 65852.22, as amended from time to time.

(b) **Applicability.** The following development standards shall apply:

(1) A detached ADU shall be approved if in compliance with all of the provisions provided in Paragraphs (c) and (d).

(2) An attached ADU shall be approved if in compliance with all of the provisions provided in Paragraphs (c) and (e).

(3) A Movable Tiny House (MTH) shall be approved if in compliance with all of the provisions in Paragraph (c), except for those provisions in Paragraph (c) which apply solely to buildings and structures; and all of the provisions in Paragraph (f).

(4) A JADU shall be approved if in compliance with all of the provisions provided in Sections 65852.2(e)(1)(A) and 65852.22 of the Government Code.

(5) An ADU described by Section 65852.2(e)(1)(A) or (C) of the Government Code shall be approved if in compliance with all of the applicable provisions in Section 65852.2(e) of the Government Code.

(6) An ADU described by Section 65852.2(e)(1)(B) or (D) of the Government Code shall be approved if in compliance with all of the applicable provisions in Section 65852.2(e) of the Government Code; and all of the applicable provisions of Paragraphs (c), (d) and (e) of this subdivision, except for those provisions which do not allow such an ADU otherwise in compliance with all applicable provisions in Section 65852.2(e) of the Government Code; and all of the provisions provided in Paragraph (g).

(c) **Development Standards.**

(1) Comply with all applicable objective provisions required pursuant to Chapter 1 of this Code, including provisions stated in the underlying applicable zone and height district, Specific Plan, Historic Preservation Overlay Zone, Community Planning Implementation Overlay and other applicable zoning ordinances, policies or other documents established pursuant to Chapter 1, Article 3 of this Code. In any instance where there is conflict, this subdivision shall govern. Notwithstanding the prior two sentences and notwithstanding anything to the contrary in this Subdivision 33:

(i) No minimum lot size requirement shall apply to an ADU;

(ii) No minimum square footage requirement for either an attached or detached ADU shall apply that prohibits an efficiency unit;

(iii) No other minimum or maximum size for an ADU, including size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, shall apply for either attached or detached dwellings that does not permit at least an 800 square foot ADU that is at least 16 feet in height with 4-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(2) An ADU which complies with this subdivision shall not require a discretionary planning approval. The ADU project shall be reviewed in a ministerial and administrative manner, limited to only considering the project's compliance with the applicable objective standards. An application to create an ADU shall be acted upon within 60 days from the date the City receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an ADU unit is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU until the City acts on the permit application to create the new single-family dwelling. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay.

(3) Except where otherwise prohibited by this subdivision, an ADU is permitted in all zones where residential uses are permitted by right.

(4) No ADU is permitted on any lot that is located in both a Very High Fire Hazard Severity Zone designated by the City of Los Angeles Fire Department pursuant to Government Code Section 51178 and a Hillside Area as defined by the Hillside Area Map pursuant to Section 12.03 of this Code, unless it meets one of the following exceptions:

(i) The ADU is located within the boundaries of either the Northeast Los Angeles Community Plan Area or the Silver Lake - Echo Park - Elysian Valley Community Plan Area; or

(ii) The ADU complies with all of the following requirements:

a. Notwithstanding Subparagraph (c)(10) below, the ADU is protected throughout with an approved automatic fire sprinkler system, in compliance with the Los Angeles Plumbing Code;

b. Notwithstanding Subparagraph (c)(12) below, one off-street parking space is provided for the ADU; and

c. The ADU is located on a lot fronting on a street that is improved with a roadway width of 20 feet or more in unobstructed width, as measured along the entire frontage of the subject property, after any associated dedication and improvement. In the event the ADU is located on a Through Lot or a Corner Lot, the lot must front on at least one street that is improved with a roadway width of 20 feet or more in unobstructed width after any associated dedication and improvement.

(5) Except as otherwise permitted by this subdivision, only one ADU is permitted per lot.

(6) An ADU may only be created on a lot that contains a proposed or existing dwelling. Other non-residential uses and accessory residential uses may be permitted on the lot, consistent with the uses permitted by the zone.

(7) No passageway for an ADU, nor space between buildings, as per LAMC 12.21 C.2. and LAMC 12.21 C.5.(d), is required in conjunction with the construction of an ADU. Building Code separation requirements still apply.

(8) No additional setbacks shall be required for an existing living area or accessory structure, or a structure constructed in the same location and to the same dimensions as an existing structure, converted to an ADU or portion of an ADU. A setback of no more than 4 feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(9) ADUs are required to comply with all applicable Building and Residential Codes for the proposed use.

(10) ADUs are not required to provide fire sprinklers if they are not required for the primary residence.

(11) ADUs located where a private sewage disposal system is being used, shall require approval by the local health officer.

(12) Parking Requirements:

(i) **ADU Parking.** One parking space is required for an ADU, except that no parking is required for an ADU that is:

a. Located within one-half mile walking distance of a 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; or

b. Located within one block of a designated pick-up and drop-off location of a car share vehicle; or

c. Located in an architecturally and historically significant district listed in or formally determined eligible for listing in the National Register of Historic Places or California Register of Historical Resources or located in any City Historic Preservation Overlay Zone; or

d. Part of the proposed or existing primary residence or an accessory structure.

(ii) **ADU Parking Location.** ADU parking is allowed in any yard area or passageway. When located in a required front yard, the parking must be located on an existing driveway. Parking may be provided through tandem parking where two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another. Driveway access areas located in the required front yard shall not be expanded to provide required parking. Other objective parking and driveway standards in the LAMC apply, including those found in Sections 12.21 A.5. and 12.21 A.6. However, Section 12.21 A.6.(d) of this Code shall not apply to parking required for an ADU.

(iii) **Replacement Parking.** No replacement parking shall be required when a garage, carport or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU.

(d) **Detached Accessory Dwelling Unit Requirements.** Detached ADUs, except those described in Paragraph (f), below, must comply with all provisions of Paragraph (c) and all of the following provisions provided in this Paragraph (d). In addition, Detached ADUs must comply with all applicable provisions of Section 12.21 C.5. that are not in conflict with these Paragraphs (c) and (d).

(1) The Floor Area for a detached ADU shall not exceed 1,200 square feet. Limits on Floor Area on a lot apply separately and may further limit allowable Detached ADU square footage, except as otherwise provided by this Subdivision 33.

(2) Structures containing a detached ADU shall not be greater than two stories.

(3) Detached ADUs shall not be located between a proposed or existing dwelling unit and the street adjoining the front yard, except in the following cases:

(i) Where the ADU is on a Through Lot and complies with LAMC Section 12.21 C.5.(k); or

(ii) Where the ADU is being added to a lawfully existing garage or accessory structure building.

(e) **Attached Accessory Dwelling Unit Requirements.** Attached ADUs can be either attached to or completely contained within an existing or proposed dwelling, and must comply

with all provisions in Paragraph (c) and all of the following provisions in this Paragraph (e):

(1) If there is an existing primary dwelling, the Floor Area of an attached ADU may not exceed 50 percent of the existing primary dwelling.

(2) Limits on Floor Area on a lot apply separately and may further limit allowable attached ADU square footage, except as otherwise provided by this Subdivision 33.

(3) Nothing in this subdivision shall prohibit an attached ADU with a Floor Area of less than 850 square feet, or less than 1,000 square feet for an attached ADU that provides for more than one bedroom.

(f) **Requirements for Movable Tiny Houses as Accessory Dwelling Units.** A Movable Tiny House must comply with all of the provisions provided in Paragraph (c) except for any provisions in Paragraph (c) which apply solely to buildings and structures; and this Paragraph (f):

(1) Only one Movable Tiny House is allowed to be located on a lot and no lot may be approved for more than one moveable tiny house in a twelve month period.

(2) When sited on a lot, the undercarriage (wheels, axles, tongue and hitch) shall be hidden from view.

(3) The wheels and leveling or support jacks must sit on a paved surface compliant with LAMC 12.21 A.6.(c).

(4) Mechanical equipment shall be incorporated into the structure and not located on the roof.

(5) Movable Tiny Houses shall be connected to water, sewer and electric utilities.

(6) Moveable Tiny Houses are not required to have separate street addresses from the primary dwelling unit.

(7) Movable Tiny Houses are not required to have sprinklers, but shall follow the ANSI A119.5 or NFPA 1192 standards relating to health, fire and life-safety.

(8) Movable Tiny Houses shall have the following design elements:

(i) **Cladding and Trim.** Materials used on the exterior of a moveable tiny house shall exclude single piece composite, laminates, or interlocked metal sheathing.

(ii) **Windows and Doors.** Windows shall be at least double pane glass and labelled for building use, and shall include exterior trim. Windows and doors shall not have radius corners.

(iii) **Roofing.** Roofs shall have a minimum of a 12:2 pitch for greater than 50 percent of the roof area, and shall not be composed of wooden shingles.

(iv) **Extensions.** All exterior walls and roof of a moveable any tiny house used as an ADU shall be fixed with no slide-outs, tip-outs, nor other forms of mechanically articulating room area extensions.

(9) Movable Tiny Houses shall not be greater than two stories.

(10) Movable Tiny Houses shall not be located between the proposed or existing single-family dwelling unit and the street adjoining the front yard, except where the Movable Tiny House is on a Through Lot and complies with LAMC 12.21 C.5.(k).

(g) **Accessory Dwelling Units Otherwise Required By State Law.** An application for a building permit shall be approved to create an ADU pursuant to Section 65852.2(e)(1)(B) or (D) of the Government Code within a residential or mixed-use zone, in compliance with all of the applicable provisions in Section 65852.2(e) of the Government Code; and all of the applicable provisions of Paragraphs (c), (d) and (e) of this subdivision, except for those provisions which do not allow such an ADU otherwise in compliance with all applicable provisions in Section 65852.2(e) of the Government Code; and all of the following requirements:

(1) An ADU created pursuant to Section 65852.2(e)(1)(B) of the Government Code shall have a Floor Area of not more than 800 square feet and a height of no more than 16 feet; and

(2) An ADU created pursuant to Section 65852.2(e)(1)(B) or (D) of the Government Code shall not be located on any lot that is located in both a Very High Fire Hazard Severity Zone designated by the City of Los Angeles Fire Department pursuant to Government Code Section 51178 and a Hillside Area as defined by the Hillside Area Map pursuant to Section 12.03 of this Code, unless it meets one of the exceptions stated in Subparagraph (4) of Paragraph (c) of this subdivision.

(h) **General Provisions.** The following general provisions apply to all ADUs, JADUs, and lots where any ADU or JADU is located.

(1) In the event where an ADU or JADU would be created as a result of a conversion of an entire existing dwelling unit, any newly constructed dwelling unit located between the ADU or JADU, and the rear lot line, shall not exceed 1,200 square feet.

(2) In cases where additional dwelling units are added to a lot after the creation of the ADU or JADU, an ADU and JADU will be counted towards the overall number of dwelling units as permitted by the zone.

(3) ADUs and JADUs may be rented but shall not be sold separate from the existing or proposed dwelling unit on the same lot. Movable Tiny Houses may be sold when removed from the lot.

(4) Applicants for ministerial approval of a permit application for the creation of an ADU or JADU shall not be required to correct nonconforming zoning conditions. For this purpose, nonconforming zoning condition means a physical improvement on a property that does not conform to current zoning standards.

(5) A certificate of occupancy for an ADU or JADU shall not be issued before a certificate of occupancy for the primary dwelling.

(i) **Zoning Administrator Authority.** It is the intent of the City to retain all portions of this subdivision regarding ADUs and JADUs not in conflict with state law. The Zoning Administrator shall have authority to clarify, amend or revoke any provision of this subdivision as may be necessary to comply with any state law regarding ADUs or JADUs.

(j) **Interpretation Consistent with State Law.** This subdivision is not intended to conflict with state law. This subdivision shall be interpreted to be compatible with state enactments.

(k) **California Coastal Act.** Nothing in this subdivision shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 [Division 20 (commencing with Section 30000) of the Public Resources Code], except that the Department shall not be required to hold public hearings for coastal development permit applications for ADUs or JADUs.

(l) **Enforcement.** Enforcement of building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an ADU described in paragraph (1) or (2) below, upon request of an owner of an ADU, shall be delayed subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The ADU unit was built before January 1, 2020.

(2) The ADU was built on or after January 1, 2020, in a local jurisdiction that, at the time the ADU was built, had a noncompliant ADU ordinance, but the ordinance is compliant at the time the request is made.

**B.** (**None**)

**C. AREA.**

1. **Building Lines** – Where a Building Line or Setback Line has been established by ordinance, the space between such Building or Setback Line and the front or side lot line may be used as the front or side yard, as the case may be, in lieu of the front or side yard required by this article.

2. **Side Yard Waived for First Story Garage** – Where a residential building is more than two stories or 28 feet in height and the first story is designed and used solely for automobile parking or other accessory purpose, the required side yard need not be increased in width for said first story; provided that the floor surface above such story is not more than seven feet above the adjacent ground elevation at any point, except that the floor surface may be eight feet above the adjacent ground elevation at the exits and entrances to the automobile parking area. **(Added by Ord. No. 109,714, Eff. 8/26/57.)**

3. **Incentives to Produce Housing in the Greater Downtown Housing Incentive Area. (Amended by Ord. No. 179,076, Eff. 9/23/07.)** Notwithstanding any other provision of this chapter to the contrary, for lots in the R4, RAS4, R5, CR, C2, C4, and C5 zones in the Greater Downtown Housing Incentive Area, the following shall apply:

(a) No yard requirements shall apply except as required by the Downtown Design Guide as approved by the City Planning Commission. The Director of Planning or his/her designee shall stamp and sign the plans showing the required yards. The applicant shall submit the stamped and signed plans to the Department of Building and Safety along with the plans submitted for a building permit. **(Amended by Ord. No. 186,325, Eff. 11/11/19.)**

(b) For the purpose of calculating the buildable area for residential (including Apartment Hotel or mixed-use) buildings, the buildable area shall be the same as the lot area.

(c) The maximum number of dwelling units or guest rooms permitted shall not be limited by the lot area provisions of this chapter so long as the total floor area utilized by guest rooms does not exceed the total floor area utilized by dwelling units.

(d) Notwithstanding the provisions of Section 12.21 G.2. of this Code to the contrary, there shall be no prescribed percentage of the required open space that must be provided as either common open space or private open space.

4. **(Repealed by Ord. No. 181,076, Eff. 3/28/10.)**

5. **(Repealed by Ord. No. 181,076, Eff. 3/28/10.)**

6. **Front Yard – Sloping Lot** – Where the elevation of the ground at a point fifty (50) feet from the front lot line of a lot and midway between the side lot lines differs ten (10) feet or more from the curb level, the front yard need not exceed fifty (50) percent of that required in the zone.

7. **(None)**

8. **Front Yard – Unit Development** – Where all the lots in a frontage in an "R" Zone are developed as a unit with one–family dwellings, the required front yard may be reduced by not more than five feet on part of the lots, provided the average of the front yard depth for the entire frontage is not less than the minimum front yard required in the zone in which the property is located.

9. **Side Yards Reduced** – Where all the lots in a frontage are developed as a unit with residential buildings, the required side yard may be reduced on one side of each lot, provided that:

(a) The total combined width of the side yards on each lot is not less than the sum of the widths of the side yards required in the zone in which the property is located; and

(b) The buildings are so located that the narrow side yard on one lot adjoins the wide side yard on the adjoining lot; and

(c) No side yard is less than three feet in width for buildings two stories or less in height, nor less than three feet in width, plus the increased width for additional stories above two stories where required by the area regulations of the zone in which the property is located. **(Amended by Ord. No. 138,685, Eff. 7/10/69.)**

Where lots comprising 50% or more of a frontage are developed with buildings having varying side yards conforming to the above regulations, or where all the lots in a frontage have deed restrictions requiring such varying side yards, all the lots in such frontage may be developed in the same manner.

10. **Rear Yard – Includes One-Half Alley**. Except in the RS, R1, RU, RZ, RMP, and R2 Zones, in computing the depth of a rear yard where the rear yard opens onto an alley or in the RW Zone onto a court of not more than 30 feet in width, one-half the width of the alley or court may be assumed to be a portion of the required rear yard. **(Amended by Ord. No. 177,103, Eff. 12/18/05.)**

11. **Rear Yard – Includes Loading Space** – Loading space provided in accordance with this article may occupy a required rear yard or portion thereof but in no case shall any portion of a street or alley be counted as part of the required loading space.

12. **Accessory Buildings in Yards.** Accessory buildings may be located in a required yard in conformance with the provisions of Section 12.21 C.5. **(Amended by Ord. No. 125,278, Eff. 9/16/63.)**

13. **Lots Affected by Acquisitions for Public Use. (Amended by Ord. No. 144,536, Eff. 5/3/73.)** Where a building or structure is located upon a lot portion of which 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 thereafter be used, maintained or repaired without relocating or altering the same to comply with the area regulations or off-street automobile parking requirements of this article. 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 space adjacent to the new lot line created by such acquisition, and without reducing the number of dwelling units to conform to the area regulations of the zone in which it is located and without observing the off-street automobile parking requirements of this article. The exemptions provided in this paragraph permit compliance only to the extent that such non–compliance is caused by an acquisition for public use.

If only a portion of an existing building or structure is acquired for public use, the repair, remodeling or reconstruction of the remainder of said building or structure which was made necessary by said acquisition, shall conform to the provisions of the building code. Any portion of the building or structure which is not required to be repaired, remodeled or reconstructed by reason of said acquisition shall not be required to be made to conform to the provisions of the building code, unless it would otherwise be required to conform thereto independently of and in the absence of said acquisition of only a portion of the building or structure.

If a lot resulting from the acquisition of all or a portion of a parcel for public use does not comply with the area requirements of the zone in which it is located, or if a legally existing nonconforming lot is further reduced in size because of such acquisition, said lot may be utilized and a building permit shall be issued for any purpose permitted in the zone, so long as the lot is not smaller in size or width than one-half (1/2) of the minimum area or width required for the zone. **(Amended by Ord. No. 150,362, Eff. 1/13/78.)**

14. **(None)**

15. **(None)**

16. **Lot Area – Includes One-Half Alley.** In computing the number of dwelling units allowed by the minimum lot area per dwelling unit requirements of this article on a lot abutting upon one or more alleys, one-half the width of such alley or alleys may be assumed to be a portion of the lot. **(Added by Ord. No. 121,925, Eff. 6/4/62.)**

17. **Lot Area Acreage – Includes One-Half Street.** In computing the lot area of a lot in the A1 and A2 Zones, that portion of the width of all abutting streets or highways, which would normally revert to the lot if the street were vacated, may be assumed to be a portion of the lot. **(Amended By Ord. No. 133,218, Eff. 11/19/66.)**

18. **Lot Area in Hillside Subdivisions** – On land located within an RA or RE Zone and also within the "H" Hillside or mountainous area, there may be lots having less than the minimum lot area specified within said zones and there may be a single-family dwelling on each lot if the lot is shown with a separate letter or lot number on a recorded Subdivision Tract Map or Parcel Map. **(Amended By Ord. No. 139,736, Eff. 1/31/70.)**

19. **Through Lot – May Be Two Building Site** – Where a through lot has a depth of 150 feet or more, each half of the lot may be improved as though it is a separate lot, with the rear line of each approximately equidistant from the front lot lines. The location of all buildings and the number of dwelling units therein shall comply with the requirements of the zone in which the through lot is located, except that in any case there may be at least one single–family dwelling on each half. **(Amended By Ord. No 116,389, Eff. 6/29/60.)**

The provisions of this subdivision shall not apply to lots in the RE Zone, or to lots in any zone that are also within the "H" Hillside or Mountainous Area. **(Amended by Ord. No. 127,777, Eff. 8/1/64.)**

20. **Projections Into Yards.**

(a) A canopy above an entrance and extending over a driveway which leads to a detached garage or a parking space not abutting a dwelling, for the temporary shelter of automobiles, commonly referred to as a porte–cochere, may project into a required side yard, but not nearer than 30 in to any lot line, provided such structure is not more than one story in height and 20 feet in length, and is entirely open on at least three sides except for the necessary supporting columns and customary architectural features. **(Amended by Ord. No. 138,685, Eff. 7/10/69.)**

(b) Cornices, belt courses, sills, or other similar architectural features (not including bay windows or vertical projections), may project into a required side yard, other than the side yard adjoining the street lot line of a corner lot, not more than two inches for each one foot of width of such yard, and may project into a required front yard, rear yard, side yard adjoining the street lot line of a corner lot, passageway, or other open space not more than 30 inches, except as provided in Section 12.08.5 C.1.(c), provided the width of a side yard adjoining the street lot line of a corner lot is not reduced to less than three feet. Eaves may project into a required side yard, other than the side yard adjoining the street lot line of a corner lot, not more than four inches for each one foot of width of such side yard, provided the width of such side yard is not reduced to less than two and one-half feet. Eaves may also project into a required front yard, rear yard, side yard adjoining the street lot line of a corner lot, passageway, or other open space not more than 30 inches, provided the width of a side yard adjoining the street lot line of a corner lot is not reduced to less than two and one-half feet. Chimneys may project into a required passageway not more than one foot and may project into a required front yard, rear yard, side yard, or other required open space, except as provided in Section 12.08.5 C.1.(c), not more than two feet, provided the width of any required side yard is not reduced to less than three feet. **(Amended by Ord. No. 138,685, Eff. 7/10/69.)**

(c) Fire escapes may extend or project into any front, side or rear yard not more than four (4) feet.

(d) **(Amended by Ord. No. 138,685, Eff. 7/10/69.)** Except in an RW Zone, where a required passage may not be reduced in any manner, open, unenclosed stairways or balconies, not covered by a roof or canopy, may extend or project into a required rear yard not more than four feet, and such balconies may extend into a required front yard, passageway, other open space, or the side yard adjoining the street lot line of a corner lot, not more than 30 inches, provided the width of a side yard adjoining the street lot line or a corner lot is not reduced to less than 30 inches.

(e) Open, unenclosed porches, platforms, or landing places (including access stairways thereto) not covered by a roof or canopy, which do not extend above the level of the first floor of the building, may extend or project into the required front yard, side yard, rear yard, passageway, or other open space, not more than six feet, provided that in no event shall any such porch, platform or landing space be more than six feet above the natural ground level adjacent thereto. **(Amended by Ord. No. 138,685, Eff. 7/10/69.)**

(f) **Fences and Walls in the A and R Zones. (Amended by Ord. No. 154,798, Eff. 2/20/81.)**

(1) **Fences and Walls**. For the purposes of Article 2 through 6 of this chapter, the terms "**fence**" and "**wall**" shall include latticework, ornamental fences, screen walls, hedges or thick growths of shrubs or trees. Fence and wall height shall be measured from the natural ground level adjacent thereto.

(2) **Front Yards**. **(Amended by Ord. No. 173,754, Eff. 3/5/01.)** In the R Zones, fences, walls, and landscape architectural features of guard railing around depressed ramps, not more than three and one-half feet in height above the natural ground level adjacent to the feature, railing or ramp, may be located and maintained in any required front yard. In the A Zones (including the RA Zone), a fence or wall not more than six feet

in height may be located and maintained in the required front yard. In both the A and R Zones, a fence or wall not more than eight feet in height may be located and maintained in the required front yard when authorized by a Zoning Administrator pursuant to Section 12.24 X.7.

In both the A and R zones, an unobstructed chainlink fence not more than ten feet in height may be located and maintained in all yards when required by the Department of Building and Safety pursuant to the provisions of Sections 91.3303 and 91.6103 and Division 89 of Article 1 of Chapter IX of this Code.

(3) **Side Yards, Rear Yards and Other Spaces**. **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** A fence or wall not more than eight feet in height may be located and maintained within the required side yard, rear yard or other open space of any lot in an RW Zone and within the required side yard, rear yard or other open space of a lot within any other A or R zone which is 40 feet or more in width, provided the lot is not located within the boundary of a "**Hillside Area**", as defined in Section 91.7003 of this Code.

A fence or wall not more than six feet in height may be located and maintained within the required side yard, rear yard or other open space of any lot in an A or R Zone, other than an RW Zone, which is less than 40 feet in width or which is located within the boundary of a "**Hillside Area**", as defined in Section 91.7003 of this Code, except that in either case a fence or wall not more than eight feet in height may be located in the yards or other open space when authorized by a Zoning Administrator pursuant to Section 12.21A2.

In the A Zones (including the RA Zone), a fence or wall not more than eight feet in height may be located on the side street lot line of any reversed corner lot; provided, however, that if the lot is located within the boundary of a "Hillside Area", as defined in Section 91.7003 , the fence or wall shall not exceed six feet in height.

In the R Zones, other than the RW Zones, a fence or wall located within five feet of the side street lot line of a reversed corner lot may not exceed three and one-half feet in height. In the RW Zones, a fence or wall located within three feet of the side street lot line of either a corner lot or a reversed corner lot may not exceed three and one-half feet in height.

(4) **Access Ways.** Access ways shall be maintained in accordance with the provisions of Section 12.22C20(1).

(5) **Maintenance of Fences and Walls**. Fences shall be maintained in accordance with the provisions of Section 12.21A9.

(6) **Masonry and Concrete Walls**. **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** A masonry or concrete fence or wall over three and one-half feet in height shall be built in accordance with the provisions of Section 91.106.1 of this Code.

(7) **Fences and Walls Enclosing Parking Areas**. Fences and walls enclosing parking areas shall be provided in accordance with the provisions of Section 12.21A6.

(8) **Fences and Walls Around Pools**. **(Amended by Ord. No. 173,492, Eff. 10/10/00.)** A fence or wall not exceeding four and one-half feet in height, as required by Section 91.6109 of this Code, may be erected and maintained to enclose a swimming pool, fish pond or other body of water existing in a required yard prior to June 1, 1956.

(9) **Fences and Walls Around Schools.** An open mesh type fence to enclose an elementary or high school site may be located and maintained in any required yard.

(10) **Fences and Walls Around Tennis Courts.** The provisions of Section 12.20 C 20(m) shall control with respect to tennis court fences.

(11) **Fences and Walls at Street Intersections.** Fences and Walls at street intersections shall comply with the provisions of 62.200 of this Code.

(g) **(None)**

(h) A one–story covered passageway, commonly referred to as a breezeway, not over five feet in width, extending from a main residential building to a private garage or other accessory building may be erected and maintained in a required rear yard. Such passageway shall be located not less than five feet from all lot lines and shall be unenclosed, except that on a corner lot there may be a wall or fence not over six feet in height along the street side of such passageway.

(i) Landscape features such as trees, shrubs, flowers or plants, shall be permitted in any required front, side, or rear yard, passageway or other open space, provided that they do not produce a hedge effect contrary to the provisions of Paragraphs (f) and (g) above. **(Amended by Ord. No. 107,884, Eff. 9/23/56.)**

(j) Name plates, signs, and advertising matter, as permitted by this article, may be located in any required front yard, side yard, rear yard, passageway or other open space; provided that the total area of all identification signs in any required yard, shall not exceed 12 square feet, and any sign appertaining to the sale of farm products raised or produced on the premises shall be located at least ten feet from any side lot line. **(Amended by Ord. No. 107,884, Eff. 9/23/56.)**

(k) Awnings or canopies without enclosing walls or screening may be attached to the exterior walls of a Group R or Group H Occupancy, provided that: such awnings or canopies do not extend more than four feet into a required front yard or building line space at the front of a lot, and have no vertical support within said yard or space; such awnings or canopies do not extend more than 30 inches into a required side yard, rear yard, building line space at the side of a lot, passageway or other open space, but in no event nearer than 30 inches to an interior lot line; and where such awnings or canopies project into a required front or side yard, passageway or other open space, they may extend only over the windows or doors to be protected and for 12 inches on each side thereof. **(Amended by Ord. No. 121,925, Eff. 6/4/62.)**

(l) Notwithstanding the provisions of this subdivision, no architectural feature, fire escape, porch, balcony, or other projection permitted in a yard, passageway or other open space, shall be located and maintained so as to preclude complete access about and on each side of and in close proximity to main buildings and accessory living quarters at all times. Where a fence or wall is provided or maintained, a gate or other suitable opening at least two and one–half feet in width shall be deemed adequate for access through said fence or wall; provided further that where such fence or wall is located adjacent to an alley and is over six feet in height, adequate access shall be provided through such wall or fence onto the adjacent alley. At least five feet of clear and open space shall be maintained between any two main buildings, including the projections, on any one lot. **(Amended by Ord. No. 154,798, Eff. 2/20/81.)**

(m) **(Added by Ord. No. 151,466, Eff. 10/27/78.)** Tennis or paddle tennis courts, including fences and light which are accessory to a primary residential use on the same lot in the A or R Zones may extend into a portion of the required rear yard of such lot if such court and its appurtenances meet all of the following conditions:

(i) The court surface is not more than 2 feet above the natural adjacent grade at any point.

(ii) The court is enclosed with a fence no higher than 10 feet above the court surface and all portions of such fence above a height of six feet are an open chain link type fence.

(iii) Any light standards and fixtures are no higher than 20 feet above the court surface.

(iv) The court is located a distance from the rear lot line at least equal to the width of the side yard required for a one–story main building in the zone but in no event less than 5 feet.

21. **Lot Widths and Yard Requirements for RE15–H Zones.**Lot widths and yard area requirements for the R1 Zone shall apply to lots in the RE15–H Zone if said lots are shown as numbered lots on a tentative subdivision tract map or parcel map approved by the Advisory Agency or the Director of Planning for the City of Los Angeles prior to January 1, 1967 and recorded in the Office of the Los Angeles County Recorder prior to July 1, 1967. **(Added by Ord. No. 134,673, Eff. 7/31/67.)**

22. **Width and Area Flag Lots in Mountainous Areas.** Where a flag lot is situated in the "H" Hillside or the Very High Fire Hazard Severity Zone pursuant to Section 57.4908 of the Municipal Code, the lot width may be calculated by measuring the width of the main buildable portion of said flag lot on a straight line parallel to the general direction of the frontage street and midway between the rear and front lines of the main buildable portion of the flag lot provided, however, that the main buildable portion contains the lot width and not less than 90% of the lot area required for lots in the zone classification in which the flag lot is situated, said lot area to be calculated exclusive of the area contained within the access strip portion of the flag lot. **(Amended by Ord. No. 176,943, Eff. 10/5/05.)**

23. **(Repealed by Ord. No. 164,145, Eff. 12/8/88.)**

24. **Zero Side Yard Lots – Remain Separate Lots.** If several lots are developed with building crossing lot lines, as permitted by Section 12.08.3 B.1. of this Code, they shall remain separate lots, notwithstanding such construction across the lot lines. **(Added by Ord. No. 159,532, Eff. 1/3/85.)**

25. **Zero Side and Rear Yard Development in Multiple Residential Zones.** In the R2, RD, R3, RAS3, R4, RAS4, and R5 Zones, lots may be developed with either attached dwellings crossing lot lines or detached dwellings not crossing lot lines. These dwellings may contain one dwelling unit on a lot and may observe the lot width, yard, passageway and other requirements for development in the RZ Zone. Every lot so developed shall have a minimum lot area of 2,500 square feet. No lots may be developed in accordance with this subdivision unless the lots and uses are approved in connection with a preliminary parcel map, tentative tract map or modification approved subsequent to January 1, 1985. Development so approved shall meet the density requirement of the zone in which the lots are located. **(Amended by Ord. No. 174,999, Eff. 1/15/03.)**

26. **Yards Required for Historically Significant Buildings.** Notwithstanding any provision of the Los Angeles Municipal Code to the contrary, in connection with any change of use in an historically significant building, the yards required shall be the same as the yards observed by the existing structures on the site. An historically significant building is defined as a structure that is designated on the National Register of Historic Places, including Contributing Buildings in National Register Historic Districts, the California Register of Historical Resources, the City of Los Angeles List of Historic-Cultural Monuments, or a Contributing Structure in an Historic Preservation Overlay Zone (HPOZ) established pursuant to Section 12.20.3 of this Code. **(Added by Ord. No. 172,792, Eff. 10/4/99.)**

27. **Small Lot Subdivision. (Amended by Ord. No. 185,462, Eff. 4/18/18.)** The purpose of this provision is to create alternative fee-simple home ownership within the multi-family and commercial

zones. A small lot subdivision shall be permitted in the RD, R3, R4, R5, RAS and the P and C zones pursuant to an approved tract or parcel map. A subdivision for the purposes of small lots enables the construction of new small lot homes and provides opportunities for the preservation of existing residential dwelling units located on a single lot to be rehabilitated as for-sale dwellings on individual small lots.

(a) **Construction of New Small Lots.** Notwithstanding any provisions of this Code relating to minimum lot area, in the RD, R3, R4, R5, RAS and the P and C zones, parcels of land may be subdivided into lots which may contain one, two or three dwelling units, provided that the density of the subdivision complies with the minimum lot area per dwelling unit requirement established for each zone, or, in the case of a P zone, the density of the subdivision shall comply with the minimum lot area per dwelling unit of the least restrictive abutting commercial or multi-family residential zone(s).

(1) A parcel map or tract map, pursuant to Section 17.00 et seq. of this Code, shall be required for the creation of a small lot subdivision. The parcel map or vesting tentative tract map must comply with the Advisory Agency Small Lot Map Standards; and

(2) For small lot subdivision projects, no demolition, grading, building permit or certificate of occupancy shall be issued unless the Director of Planning has reviewed the application and determined that the small lot subdivision project complies with the City Planning Commission's Small Lot Design Standards. The Director of Planning's sign-off as to compliance with the Commission's Small Lot Design Standards is a ministerial administrative clearance.

(i) The Director is authorized to designate one or more members of the professional staff of the Department of City Planning to perform any of the Director's duties in this section. The Director shall establish an administrative process, guidelines, procedures, requirements, and forms as may be necessary to conduct the review of the administrative clearance to determine conformance with the Small Lot Design Standards.

(ii) The application for this administrative clearance shall be filed concurrent with the tract or parcel map application and at any time a subsequent alteration or addition is proposed.

(iii) As a condition of approval, all small lot subdivisions shall be required to conform to the plans approved by the Director of Planning.

(3) The minimum lot width shall be 18 feet and the minimum lot area shall be 600 square feet. The Advisory Agency shall designate the location of front yards in the subdivision tract or parcel map approval.

(4) Access shall be provided to a lot containing a dwelling unit and to its required parking spaces, pursuant to Section 12.21 A.4.(a) by way of a public or private street, an alley, or an access easement.

(5) The lot area coverage by all structures shall not exceed 75% of an approved small lot, unless the tract or parcel map provides an open space easement equivalent to 25% of the lot area of each lot not meeting this provision.

(6) No front, side, or rear yard shall be required between interior lot lines created within an approved small lot subdivision.

(7) The provisions of the front yard of the underlying zone shall apply to the Front Lot Line of the perimeter of the subdivision.

(8) The following shall apply to the perimeter of the subdivision:

(i) For any subdivision that shares a property line with an R1 or more restrictive single family zone, the provisions of the front yard, side yard and rear yard of the underlying zone shall apply. A minimum five-foot side yard shall be required.

(ii) For any subdivision that does not share a property line with an R1 or more restrictive single family zone, the following shall apply:

a. A minimum five-foot yard shall be required along the Side Lot Line of the perimeter of the subdivision; and

b. A minimum ten-foot yard shall be required along the Rear Lot Line of the perimeter of the subdivision, except that where the Rear Lot Line abuts an alley a minimum five-foot rear yard shall be required along the perimeter of the subdivision.

(9) No passageway pursuant to Section 12.21 C.2. of this Code shall be required.

(10) In a P zone, lots may be developed as a small lot subdivision, provided that the General Plan land use designation of the lot is "commercial" or "multiple family residential".

(11) A dwelling unit in a small lot subdivision shall not be required to comply with Paragraphs (a), (b), and (f) of Section 12.21 A.17. of this Code.

(12) Fences and walls within the yard setback areas adjacent to a public right-of-way, except alleys, and along the perimeter of the proposed subdivision shall be no more than three and one-half feet in height in accordance with Section 12.22 C.20. of this Code. Fences and walls within the yard setback areas along the perimeter, not adjacent to the public right-of-way, of the proposed subdivision shall be no more than six feet in height in accordance with Section 12.22 C.20. of this Code.

(13) Lots created within a small lot subdivision are exempt from the "frontage" requirement as defined in the definition of "Lot" pursuant to Section 12.03.

(b) **Small Lot Subdivisions of Existing Dwelling Units.** The purpose of this Subsection is to further facilitate fee-simple home ownership opportunities through the preservation of existing housing within the City.

Existing Group Dwellings, Bungalow Courts, and detached single, duplex, and triplex dwelling structures maintained under a single ownership with an original building permit issued more than 45 years prior to the date of submittal of the application for subdivision, or where information submitted with the subdivision application indicates that the building(s) is/are more than 45 years old based on the date the application is submitted may be subdivided into small lots and shall comply with Subparagraphs (1), (2) (4), and (9) through (13) of Paragraph (a) of this Subdivision. All existing structures shall be legally constructed with an issued building permit or Certificate of Occupancy.

(1) Notwithstanding any provisions of this Code relating to minimum lot area to the contrary, in the RD, R3, R4, R5, RAS and the P and C zones, parcels of land may be

subdivided into lots which may contain one, two or three dwelling units, provided that the density of the subdivision complies with the minimum lot area per dwelling unit requirement established for each zone, or in the case of a P zone, the density of the subdivision shall comply with the minimum lot area per dwelling unit of the least restrictive abutting commercial or multi-family residential zone(s). Bungalow courts and existing structures that are nonconforming as to use, density, yards, or parking may be subdivided provided that the subdivision does not further increase the density nor reduce the yards, and that existing required parking be maintained, respectively.

(2) A nonconforming building, structure, or improvements may be maintained or repaired or structurally altered provided it conforms to Section 12.23 A. of this Code. However, alterations to existing structures shall also be in conformance with the "Bungalow Court and Existing Structure" Small Lot Design Standards adopted by the City Planning Commission.

(3) All existing dwellings shall provide parking as required on each dwelling's most recently issued permit. No additional parking is required.

(4) All new dwellings added to the small lot subdivisions of existing dwelling units shall be subject to subparagraphs (1) through (13) of Paragraph (a) of this Subdivision, including current setback requirements, parking, and applicable Small Lot Design Standards.

(c) **Exceptions.** The provisions of this section do not apply to any of the following projects, which shall comply with the regulations in effect prior to the effective date of this ordinance, as applicable:

(1) Any small lot subdivision entitlement application filed and accepted and deemed complete prior to the effective date of this ordinance as determined by the Department of City Planning.

(2) Any project for which the City has approved a small lot subdivision discretionary land use entitlement as of the effective date of this ordinance, but that has not yet submitted plans and appropriate fees to the Department of Building and Safety for plan check, as determined by the Department of City Planning.

# EXHIBIT I

# Inventory and Maps of Parcels Available for Housing by Community Planning Area

**Appendix H**



| APN | Year Built | Current Use | Zone | 30 du/ac (Y/N) | Net Units | Acres | CPA | General Plan Land Use Designation |
|---|---|---|---|---|---|---|---|---|
| 2631012059 | 1991 | Warehousing, distribution under 10,000 sq. ft. | CM-1 | No | 0.6 | 0.14 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631012060 | 1971 | Warehousing, distribution under 10,000 sq. ft. | CM-1 | No | 1.9 | 0.43 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631012061 | 1978 | Light manufacturing | CM-1 | No | 1.3 | 0.29 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631015038 | 1951 | Light manufacturing | (F)CM-1 | No | 0.6 | 0.14 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631015039 | 0 | VACANT LAND | (F)CM-1 | No | 0.6 | 0.14 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631015040 | 1959 | Light manufacturing | CM-1 | No | 0.6 | 0.14 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631015041 | 0 | VACANT LAND | (F)CM-1 | No | 0.6 | 0.14 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631015042 | 1957 | Auto Service Shops | (F)CM-1 | No | 0.6 | 0.14 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631015045 | 1966 | Store | (F)CM-1 | No | 0.6 | 0.14 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631015046 | 1972 | Auto Service Shops | CM-1 | No | 1.2 | 0.29 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631015047 | 1959 | Auto Service Shops | (F)CM-1 | No | 0.5 | 0.14 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631015048 | 1959 | Lots - patron or employee | (F)CM-1 | No | 0.9 | 0.20 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631015049 | 1989 | Light manufacturing | CM-1 | No | 1.3 | 0.29 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631028003 | 1948 | Store | C2-1 | No | 0.6 | 0.14 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631028019 | 1977 | Lots - patron or employee | C2-1 | No | 0.7 | 0.16 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631028020 | 1948 | Lots - patron or employee | C2-1 | No | 0.6 | 0.14 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631028021 | 1968 | Light manufacturing | C2-1 | No | 1.7 | 0.40 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2631028022 | 1969 | Light manufacturing | CM-1 | No | 0.6 | 0.14 | Sun Valley - La Tuna Canyon | Commercial Manufacturing |
| 2633005017 | 1979 | Lots - commercial parking | R1-1 | No | 6 | 0.69 | Sun Valley - La Tuna Canyon | Low Residential |
| 2633006018 | 1979 | Shopping Center (Regional) | C2-1VL | No | 2.2 | 0.48 | Sun Valley - La Tuna Canyon | Neighborhood Office Commercial |
| 2633006019 | 1979 | Shopping Center (Neighborhood, Community) | P-1VL | No | 53.3 | 11.47 | Sun Valley - La Tuna Canyon | Neighborhood Office Commercial |
| 2633007011 | 1969 | Store | C2-1VL | No | 1.8 | 0.40 | Sun Valley - La Tuna Canyon | Neighborhood Office Commercial |
| 2633007025 | 1954 | Auto Service Centers (no gasoline) | C2-1VL | No | 1.3 | 0.31 | Sun Valley - La Tuna Canyon | Neighborhood Office Commercial |
| 2634007015 | 1950 | Store and residential combination | C2-1VL | No | 0.7 | 0.17 | Sun Valley - La Tuna Canyon | Neighborhood Office Commercial |
| 2634007017 | 0 | Store | C2-1VL | No | 0.7 | 0.17 | Sun Valley - La Tuna Canyon | Neighborhood Office Commercial |
| 2634007026 | 1984 | Store | C2-1VL | No | 1.6 | 0.34 | Sun Valley - La Tuna Canyon | Neighborhood Office Commercial |
| 2634007027 | 1949 | Store and residential combination | C2-1VL | No | 1.8 | 0.39 | Sun Valley - La Tuna Canyon | Neighborhood Office Commercial |
| 2526023803 | 0 | VACANT LAND | (T)RS-1 | No | 9 | 1.57 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Open Space |
| 2528002901 | 0 | VACANT LAND | C2-1VL | No | 1.3 | 0.29 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Neighborhood Commercial |
| 2529028006 | 1977 | Horse stable - private | RA-1-K | No | 18 | 7.91 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Very Low II Residential |
| 2530003007 | 1946 | Commercial | (T)RS-1 | No | 10 | 2.01 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2530003008 | 1944 | Commercial | (T)RS-1 | No | 10 | 2.00 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |

| APN | Year Built | Current Use | Zone | 30 du/ac (Y/N) | Net Units | Acres | CPA | General Plan Land Use Designation |
|---|---|---|---|---|---|---|---|---|
| 2530003016 | 0 | VACANT LAND | RS-1 | No | 11 | 2.05 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2530003017 | 1950 | Commercial | (T)RS-1 | No | 16 | 2.98 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2530003018 | 1943 | Commercial | (T)RS-1 | No | 8 | 1.57 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2530008901 | 0 | VACANT LAND | (T)RD2-1 | No | 66 | 3.03 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Medium II Residential |
| 2530020035 | 1969 | Store | C2-1VL | No | 1 | 0.23 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Neighborhood Commercial |
| 2530020036 | 0 | VACANT LAND | C2-1VL | No | 2.5 | 0.55 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Neighborhood Commercial |
| 2530020037 | 1969 | Lots - patron or employee | P-1VL | No | 1.1 | 0.26 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Neighborhood Commercial |
| 2530021003 | 0 | VACANT LAND | (T)RS-1-K | No | 11 | 1.99 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2531013032 | 1965 | Churches | RS-1 | No | 10 | 1.73 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2532012037 | 1965 | Store | C2-1VL | No | 1.5 | 0.37 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Neighborhood Commercial |
| 2532012039 | 1965 | Supermarket - 12000 sq. ft. or more | C2-1VL | No | 8.1 | 1.75 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Neighborhood Commercial |
| 2532012040 | 0 | Service Station | C2-1VL | No | 1.6 | 0.36 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Neighborhood Commercial |
| 2532012044 | 1965 | Store | C2-1VL | No | 7.1 | 1.57 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Neighborhood Commercial |
| 2551025027 | 1924 | Single Residence | R1-1-RFA | No | 6 | 0.91 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2552023014 | 0 | VACANT LAND | R1-1 | No | 5 | 0.59 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2552023015 | 1942 | Commercial | R1-1 | No | 7 | 0.94 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2552028015 | 1925 | Single Residence | R1-1 | No | 5 | 0.73 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2552033020 | 1980 | Commercial | R1-1 | No | 9 | 1.22 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |

| APN | Year Built | Current Use | Zone | 30 du/ac (Y/N) | Net Units | Acres | CPA | General Plan Land Use Designation |
|---|---|---|---|---|---|---|---|---|
| 2553009002 | 1927 | Commercial | R1-1 | No | 7 | 1.01 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2555020020 | 1951 | Commercial | R1-1-RFA | No | 5 | 0.75 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2555023078 | 1917 | Churches | R1-1-RFA | No | 19 | 2.78 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2556031006 | 1956 | Churches | R1-1-RFA | No | 24 | 2.94 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2557004902 | 0 | Reservoir, Tank, Underground Storage | R1-1-RFA | No | 8 | 0.96 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2557009008 | 1937 | Commercial | R1-1-RFA | No | 5 | 0.72 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2557009009 | 1947 | Single Residence | R1-1-RFA | No | 6 | 0.82 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2559016026 | 1961 | Convalescent hospitals, nursing homes | R1-1-RFA | No | 10 | 1.23 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2559021006 | 1947 | Single Residence | R1-1-RFA | No | 5 | 0.80 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2559034002 | 1953 | Single Residence | R1-1-RFA | No | 5 | 0.71 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2559034003 | 1941 | Commercial | R1-1-RFA | No | 5 | 0.71 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2560030012 | 1979 | Commercial | R1-1-RFA | No | 5 | 0.72 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2565001053 | 1937 | Single Residence | R1-1 | No | 6 | 0.85 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2566006900 | 0 | Government Owned Property (OPEN) | R1-1 | No | 51 | 5.87 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Open Space |
| 2566008010 | 1928 | Commercial | R1-1-RFA | No | 5 | 0.75 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2566008045 | 1935 | Single Residence | R1-1-RFA | No | 5 | 0.75 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2570003019 | 1917 | Commercial | R1-1-RFA | No | 5 | 0.75 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |
| 2570003022 | 1912 | Commercial | R1-1-RFA | No | 5 | 0.75 | Sunland - Tujunga - Lake View Terrace - Shadow Hills - East La Tuna Canyon | Low Residential |

# EXHIBIT J

CITY HALL
LOS ANGELES, CALIFORNIA 90012

October 7, 2019

The Honorable Monica Rodriguez
Chair, Committee on Public Safety
Los Angeles City Council
200 N Spring Street, Room 455
Los Angeles, CA 90012

Dear Chairwoman Rodriguez:

We write in response to the report conducted by the Chief Legislative Analyst, CF #18-1120, on the Wildland-Urban Interface (WUI) Hazard Mitigation Task Force (Task Force). This report was written in response to a motion introduced by Councilmember Bonin and adopted by Council on April 17, 2019, which called for the formation of a multi-agency task force to address the unique challenges of the "Wildland Urban Interface areas" -- those areas that straddle the line between urban environments and wildland.

The motion called for strategies to mitigate the risk of wildfires and better prepare for emergencies; however, the subsequent report, released August 7, 2019, falls short of providing comprehensive planning and coordination that the City of Los Angeles needs. While the Los Angeles Fire Department (LAFD) convened a meeting with several city departments on January 31, 2019, the group did not make specific recommendations to achieve the objectives sought by the initiating motion.

Given the unique threats faced by our neighborhoods in Wildland-Urban Interface areas, and given that the climate crisis has significantly exacerbated that risk and extended fire season year-round, it is imperative that City of Los Angeles conduct a more comprehensive study and make a series of recommendations for changes and multi-disciplinary improvements to our current procedures. Relevant departments and agencies should consult with relevant council

offices, constituents, climate change experts and others and issue a report with concrete proposals for City Council to consider.

Accordingly, we request that the Public Safety Committee take the following actions.

1. RECEIVE AND FILE the August 7, 2019 report from the Wildland-Urban Interface (WUI) Hazard Mitigation Task Force.
2. DIRECT the Los Angeles Fire Department and the CLA to convene a Wildland-Urban Interface Hazard Mitigation Working Group, in consultation with the offices of Council Districts 4, 5, and 11.
3. DIRECT the Wildland-Urban Interface Hazard Mitigation Working Group to prepare a multi-faceted report with specific recommendations addressing the unique challenges of neighborhoods in Wildland-Urban Interface zones, and recognizing that the climate crisis has worsened the risk of dangerous brush fires, and extended fire season year-round. The report should address, at minimum, the following topics: Citywide Wildfire Preparation and Planning; Notification and Evacuation Strategies; and Recovery and Citizen Empowerment.

A list of suggested subjects of the report and topics for potential recommendations are attached to this letter (Attachment A) and will be provided to the departments and Working Group.

Thank you for your consideration of our request, and for your mutual interest in safeguarding the health and safety of residents of Los Angeles.

Regards,

MIKE BONIN
*Councilmember, 11th District*

DAVID RYU
*Councilmember, 4th District*

PAUL KORETZ
*Councilmember, 5th District*

Bonin, Koretz, Ryu
**ATTACHMENT A**

The Wildland-Urban Interface (WUI) Hazard Mitigation Working Group should consider and make recommendations on, at minimum, the following topics:

**Wildfire Preparation and Planning**

- Review post-fire analyses of the causes of loss of life and property from wildfire prepared by other California jurisdictions
- Identify specific areas within the boundaries of the City of Los Angeles, including those already identified in the City's Sustainability Plan, that are particularly at risk of future weather events due to climate change; include recommendations for planning in these areas (i.e., how to responsibly develop or maintain) and disclose the imminent threats to hillside communities posed by a warming climate;
- Identify and map the number and percentage of Hillside and VHFHSZ homes built before 2008, when California building codes included a fire safety update.
- Identify and map the number and percentage of hillside and VHFHSZ homes located on single egress routes and/or substandard and withdrawn hillside streets and disseminate this information publicly to ensure property owners are aware of their personal risks.
- Create special plans for residents who have no exit route in case of fire. Plan secondary or new routes in these cases.
- Review the boundaries of Very High Fire Hazard Severity Zones (VHFHSZ) and recommend updates if needed.
- Require all updates to Community and general Plans for areas in the WUI contain policies and programs designed to anticipate and prevent likely loss of life caused by fire.
- Diagram the organizational responsibilities of the city's fire preparation and response, identifying any missing roles, work products, and partners and look for methods to reduce overlap in responsibility.
- Develop a comprehensive fire plan using Federal and State best practices that looks at implementing a citywide fire prevention, retrofit, mitigation, and evacuation system.

**Notification and Evacuation Strategies**

- Update notification, evacuation, and public safety plans for increasingly powerful weather events, wildfires, and mudslides.
- Use the modeling software housed at Old Dominion University and used by FEMA to model nuclear evacuation plans, or a comparable system to analyze realistic evacuation times, as the LA Times did in looking at evacuation models from Paradise, CA.

- Establish plans that coordinate evacuation and emergency response procedures with state and national entities
- Identify necessary road and infrastructure upgrades necessary for evacuations in hillside communities, and identify source of funds and timeline to do so
- Expand the use and function of NotifyLA and Everbridge for mass notification and messaging, including regular testing and verification of functionality
- Analyze the likelihood that a digital notification system will fail in the event of catastrophic fire and compare against the benefit to installing physical siren systems, which do not require voluntary enrollment.
- Identify necessary upgrades to or expansion of communications systems, including cell phone and WiFi towers, to ensure connectivity in the event of emergency; and need for warning systems such as hi-lo sirens
- Identify any needed improvements to existing evacuation plans for large animals
- Recommend changes to the "Red Flag Warning Days" Parking Program

**Recovery & Citizen Empowerment**

- Compare citizen preparation methods used by other county governments, such as the implementation of CA Fire Safe Councils, and LA County's Forestry Division Vegetation Management training program with the City's programs.
- Identify potential grant funding and other policies the City might employ to implement fire-hardening retrofits for older structures at greatest risk of fire.
- Identify public locations for shelter in place facilities and a ranking system of locations which would provide the most benefit.
- Identify outreach plans so that the public can be trained in emergency procedures

# EXHIBIT K

## Sec. 558. Procedure for Adoption, Amendment or Repeal of Certain Ordinances, Orders and Resolutions.

(a) The requirements of this section shall apply to the adoption, amendment or repeal of ordinances, orders or resolutions by the Council concerning:

(1) the creation or change of any zones or districts for the purpose of regulating the use of land;

(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) Procedures for the adoption, amendment or repeal of ordinances, orders or resolutions described in subsection (a) shall be prescribed by ordinance, subject to the following limitations:

(1) *Initiation.* An ordinance, order or resolution may be proposed by the Council, the City Planning Commission, or Director of Planning or by application of the owner of the affected property if authorized by ordinance.

(2) *Recommendation of the City Planning Commission.* After initiation, the proposed ordinance, order or resolution shall be referred to the City Planning Commission for its report and recommendation regarding the relation of the proposed ordinance, order or resolution to the General Plan and, in the case of proposed zoning regulations, whether adoption of the proposed ordinance, order or resolution will be in conformity with public necessity, convenience, general welfare and good zoning practice. The City Planning Commission shall act within the time specified by ordinance. After the City Planning Commission has made its report and recommendation, or after the time for it to act has expired, the Council may consider the matter. Failure to act within the time prescribed by ordinance shall be deemed to be a recommendation of approval by the City Planning Commission of the proposed ordinance, order or resolution.

(3) *Action by the Council.* Before adopting a proposed ordinance, order or resolution, the Council shall make the findings required in subsection(b)(2) of this section.

(A) *Planning Commission Recommendation of Approval.* If the City Planning Commission recommends approval of the proposed ordinance, order or resolution, the Council may adopt an ordinance, order or resolution conforming to the Commission recommendation by majority vote.

(B) *Planning Commission Recommendation Against Approval.* If the City Planning Commission recommends against approval of the proposed ordinance, order or resolution, and the matter has been initiated by the filing of an application, the City Planning Commission action shall be final, subject to appeal to the Council in accordance with procedures prescribed by ordinance. The Council shall review the action of the Commission appealed from and may adopt an ordinance, order or resolution contrary to the recommendation of the Commission only by a two-thirds vote. If the City Planning Commission recommends against approval of the proposed

ordinance, order, or resolution, and the matter has been initiated by the Council, the Council may take action on the matter without an appeal. The Council may adopt the proposed ordinance, order or resolution only by a two-thirds vote.

(C) *Failure of Planning Commission to Act.* If the Commission fails to make any recommendation within the time specified by ordinance, an ordinance, order or resolution in conformity with that which was initiated by the Council or by application shall be prepared and presented to the Council, and may be adopted by majority vote.

# EXHIBIT L

Chapter 1

# The General Plan System

This chapter describes the Citywide General Plan Framework Element, an element of the City of Los Angeles General Plan, and the General Plan System for the City of Los Angeles, which includes the Framework Element, a Land Use Element comprised of 35 community plans, twelve citywide elements which address various citywide topics, a Monitoring System, and an Annual Report on Growth and Infrastructure.

The General Plan Framework Element is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. It is the product of numerous public workshops and events, advisory committee meetings, and economic, land use, and environmental studies conducted by a team of city planners, engineers, and consultants.

It provides a comprehensive strategy for accommodating long-term growth should it occur as predicted. Framework Element strategies build upon the historic physical form and character of Los Angeles in a manner that enhances, rather than degrades, the City's and region's environmental resources and quality of life for residents. The Framework Element's strategies are based on the following principles:

**Economic Opportunity**
*Economic opportunity in all communities is essential to improve social equity and maintain the quality of life. A business-friendly environment is a requirement for protecting current jobs and developing new ones.*

**Equity**
*Equity means that public resources are invested on the basis of priority community needs. Decisions concerning the location and level of public investment necessary to meet citywide needs should be made in ways that do not unfairly impact any one single community.*

**Environmental Quality**
*Environmental quality means cleaner air, enhanced mobility, and accessible open space, and is a foundation for attracting and retaining economic investment and improving neighborhood liveability. Limited resources should be used wisely so that the needs of today can be met without compromising the ability of future generations to meet the needs of tomorrow*.

**Strategic Investment**
*Strategic investment in infrastructure systems and public facilities and services is important to ensure mobility and access to jobs, and to maintain environmental quality. Public resources should be invested in ways that leverage private capital to produce the greatest economic benefit for all residents of the City.*

**Clear and Consistent Rules**
*Clear and consistent rules governing both public and private sector development are necessary to expand economic opportunity and protect the character of residential neighborhoods. These rules should provide predictability to anyone who develops property, including small businesses and individual homeowners.*

**Effective Implementation**
*Effective implementation is comprehensive, continuing, and responsive to changing circumstances and needs. Communities and neighborhoods must be engaged in a participatory process of planning for their futures within a citywide context.*

These principles shape and form the Framework Element's goals, objectives, policies, and implementation programs in the following chapters: Land Use, Housing, Urban Form and Neighborhood Design, Open Space and Conservation, Transportation, and Infrastructure and Public Services.

*Economic opportunity* is addressed by the Framework Element's Economic Development Chapter, which sets forth policies intended to help generate 200,000 jobs over forecast levels by the year 2010. Permit streamlining programs and transportation construction and other public works projects all stimulate economic opportunity, while the Framework Element's land use policies help ensure that there is an adequate supply of land and entitlement capacity available for new development.

*Equity* is broadly addressed throughout the Framework Element. The Economic Development Chapter calls for targeting infrastructure and public service investments in economically disinvested communities. The Land Use Chapter identifies districts, centers, and boulevards throughout the City. The Open Space and Conservation Chapter addresses the critical lack of recreational opportunities in the City's urban cores and its older residential neighborhoods through establishment of a citywide greenways network and development of smaller parks and plazas.

The Housing Chapter calls for implementation of the City's regional fair share housing needs. Permit streamlining and other development regulatory reforms can reduce the cost of housing, making it more affordable for lower income groups. The Land Use Chapter includes policies which encourage mixed commercial and residential development in districts and centers and along some of the City's many boulevards. An adequate supply of housing that meets market demands, augmented through mixed-use development, can help stabilize prices and maintain affordability.

The Transportation Chapter calls for development of a multimodal approach to mobility, providing a variety of choices--including shuttles and light rail systems as well as the more traditional fixed route busses--that will ensure access to jobs for those who do not own a car. The Infrastructure and Public Services Chapter calls for provision of fire protection, police, library, recreational, and other services at adequate levels in every neighborhood of the City.

*Environmental quality* is addressed by the Land Use and Transportation Chapters, which include development and mobility strategies for reducing air emissions. By encouraging growth that occurs to locate in centers and along boulevards served by transit, traffic congestion is reduced and air quality is improved. The Open Space and Conservation Chapter sets forth policies for the protection of the City's natural environmental resources.

The Infrastructure and Public Services Chapter continues current City policies concerning waste product recycling and water and electric power conservation. The compact development encouraged by the Land Use Chapter is more energy efficient than current patterns of development. The Urban Form and Neighborhood Design Chapter's residential development standards and citywide greenways network both enhance the quality of life by making neighborhoods more liveable.

*Strategic public investment* is advocated in both the Transportation and Infrastructure and Public Services Chapters as methods to stimulate economic development as well as maintain environmental quality. Coordinated street lights, functioning utilities, and adequate sewage capacity, while seemingly mundane, provide the essential foundations that make cities work. To the extent that Los Angeles is perceived as having a good quality of life and sound public services, the City's economic base is strengthened.

*Clear and consistent rules* are advanced through the Land Use Chapter's standard land use categories and definitions, thus bringing a measure of clarity and certainty to community plans. The Implementation Chapter calls for the completion of regulatory reforms that will "cut the red tape," making it easier for the City to attract jobs and private investment.

*Implementation* is made more effective through citywide monitoring of growth trends and infrastructure capacity. Public participation will ensure the responsiveness and relevance of the community plans that, over time, will be updated as a strategy for implementing the Framework Element. An annual report to the City will provide an opportunity to make policy adjustments as necessary in light of changing circumstances.

**COMMUNITY INVOLVEMENT**
Community involvement in the preparation of the Framework Element consisted of 60 neighborhood and two citywide public workshops. Over 3,000 persons participated in these events.

These workshops were advertised via special mailings, public service announcements, videos, and press releases to general and special interest newspapers, including publications oriented towards particular ethnic communities. In addition, a dedicated toll-free telephone line enabled the general public to call for "more information" about the project as publications became available or workshop dates were announced.

The community participation effort also included interviews and "focus group" discussions with community leaders, homeowners, property owners, and others.

**STEERING COMMITTEE**
A Steering Committee consisting of representatives from the Planning, Transportation, and Public Works Departments provided management direction to the project.

**TECHNICAL ADVISORY COMMITTEE**
A Technical Advisory Committee (TAC) provided review, technical assistance, and input on policy development. Membership on the TAC included representatives from the following City departments and outside agencies:

Airports
Building and Safety
California Regional Water Control Board
Chief Legislative Analyst
City Administrative Officer
City Attorney
Community Development
Community Redevelopment Agency
Councilman Hal Bernson's Office
Cultural Affairs
Environmental Affairs
Fire
Harbor
Housing
Housing Authority
Los Angeles Unified School District
Mayor's Office
Metropolitan Transportation Authority
Police
Public Works
Recreation and Parks
Southern California Association of Governments (SCAG)
South Coast Air Quality Management
District (SCAQMD)
Transportation
Water and Power

**STATUTORY REQUIREMENTS**
California State Government Code Section 65300 requires each county and city, including charter cities, to adopt a comprehensive general plan. The general plan may be adopted either as a single document or as a group of

related documents organized either by subject matter or by geographic section within the planning area [Government Code Section 65301 (b)]. The general plan must be periodically updated to assure its relevance and usefulness.

Changes to the law over the past twenty years have vastly boosted the importance of the general plan to land use decision-making. A general plan may not be a "wish list" or a vague view of the future but rather must provide a concrete direction. In essence, the general plan is a "constitution for development," the foundation upon which all land use decisions in a city or county are to be based. It expresses community development goals and embodies public policy relative to the distribution of future land use, both public and private.

The general plan must include the following seven mandated elements (Government Code Section 65320):

1. Land Use
2. Circulation
3. Housing
4. Conservation
5. Noise
6. Open Space
7. Safety

In addition, State law permits the inclusion of optional elements which address needs, objectives, or requirements particular to that city or county (Government Code Section 65303).

Counties and cities have flexibility in organizing their general plans. This is permissible as long as all of the requirements specified for each of the seven mandated elements are addressed. For example, it is permissible to combine the Open Space and Conservation Elements into a single element (Government Code Section 65301 (a)).

The State law recognizes that the diversity of the State's communities and their residents and, thus, requires them to implement the general plan law in ways to accommodate local conditions while meeting its minimum requirements (Gov't Code § 65300.7). Further, State law recognizes that cities' and counties' capacity to respond to State planning law will vary due to the differences between them in size, characteristics, population, density, fiscal and administrative capabilities, land use and development issues and human needs (Gov't Code § 65300.9).

As a result, State law has given a city with the diversity and size of Los Angeles latitude in formatting, adopting and implementing its general plan, as long as it adheres to the minimum requirements of State law.

**ORGANIZATION OF THE LOS ANGELES CITY GENERAL PLAN**

The City of Los Angeles has reorganized the elements which comprise its general plan. Some mandatory elements have been combined. Others have been organized into separate elements. Optional elements have been added.

These changes are necessary to better address the particular issues facing the City of Los Angeles. The twelve elements which will comprise the Los Angeles City General Plan are listed below:

A. CITYWIDE GENERAL PLAN FRAMEWORK ELEMENT

B. LAND USE ELEMENT

The Land Use Element is divided into the following community plans:

| | |
|---|---|

| **Metropolitan Geographic Area** | **South Geographic Area** |
|---|---|
| 1. Boyle Heights<br>2. Central City<br>3. Central City North<br>4. Hollywood<br>5. Northeast Los Angeles<br>6. Silver Lake - Echo Park<br>7. Westlake<br>8. Wilshire | 9. South Central Los Angeles<br>10. Southeast Los Angeles<br>11. West Adams - Baldwin Hills - Leimert Park |
| **San Fernando Valley Geographic Area** | **West/Coastal Geographic Area** |
| 12. Arleta - Pacoima<br>13. Canoga Park - Winnetka - Woodland Hills<br>14. Chatsworth - Porter Ranch<br>15. Encino - Tarzana<br>16. Granada Hills - Knollwood<br>17. Mission Hills - Panorama City - North Hills<br>18. North Hollywood<br>19. Northridge<br>20. Reseda - West Van Nuys<br>21. Sherman Oaks - Studio City - Toluca Lake<br>22. Sun Valley<br>23. Sunland / Tujunga - Shadow Hills - Lakeview Terrace 24. Sylmar<br>25. Van Nuys - North Sherman Oaks | 26. Bel Air<br>27. Brentwood - Pacific Palisades<br>28. Harbor Gateway<br>29. Palms<br>30. San Pedro<br>31. Venice<br>32. West Los Angeles<br>33. Westchester<br>34. Westwood<br>35. Wilmington |

Click Here to View Figure 4-1 City Subregions

C.AIR QUALITY ELEMENT

D. TRANSPORTATION ELEMENT

E. HOUSING ELEMENT

F. INFRASTRUCTURE SYSTEMS ELEMENT

G. OPEN SPACE AND CONSERVATION ELEMENT

H. NOISE ELEMENT

I. PUBLIC FACILITIES AND SERVICES ELEMENT

J. HISTORIC PRESERVATION AND CULTURAL RESOURCES ELEMENT

K. SAFETY ELEMENT

L. URBAN FORM AND NEIGHBORHOOD DESIGN ELEMENT

The following chart identifies the relationship between the existing general plan structure and the new general plan structure. The chart explains which existing elements have been superseded by or incorporated into new elements. Completion of all general plan elements, including necessary comprehensive updates, is dependent upon adequate funding.

## Comparison of the Existing General Plan Structure with the New General Plan System

†Mandatory Elements under State Law
*Revision required when 1994 South Coast Air Quality Management Plan adopted

| ***Existing General Plan Structur*** | ***New General Plan System*** |
|---|---|
| | |
| **CONCEPT LOS ANGELES** (long-range citywide policy) | To be superseded by the FRAMEWORK ELEMENT |
| **CITYWIDE ELEMENT** | To be superseded by the FRAMEWORK ELEMENT |
| **LAND USE ELEMENT** (Made up of 35 community plans) | No change |
| **CIRCULATION ELEMENT** | To be superseded by the TRANSPORTATION ELEMENT |
| Bicycle Plan | To be incorporated into the TRANSPORTATION ELEMENT |
| Central City Elevated Pedway | To be deleted as obsolete |
| Highways and Freeways | To be incorporated into the TRANSPORTATION (included in community plans) ELEMENT |
| **SERVICE SYSTEMS ELEMENT** | |
| City-Owned Power Transmission Right-of-Way | To be incorporated into the INFRASTRUCTURE SYSTEMS ELEMENT |
| Drainage | To be incorporated into the SAFETY ELEMENT |
| Major Equestrian and Hiking Trails | To be incorporated into the PUBLIC FACILITIES AND SERVICES ELEMENT |
| Power System | To be incorporated into the INFRASTRUCTURE SYSTEMS ELEMENT |
| Public Libraries | To be incorporated into the PUBLIC FACILITIES AND SERVICES ELEMENT |
| Public Recreation | To be incorporated into the PUBLIC FACILITIES AND SERVICES |

| | |
|---|---|
| | ELEMENT |
| Public Schools | To be incorporated into the PUBLIC FACILITIES AND SERVICES ELEMENT |
| Sewerage | To be incorporated into the INFRASTRUCTURE SYSTEMS ELEMENT |
| Water System | To be incorporated into the INFRASTRUCTURE SYSTEMS ELEMENT |
| **ENVIRONMENTAL ELEMENT** | |
| *Air Quality | Adopted as new AIR QUALITY ELEMENT in 1992 |
| City-Collected Refuse Disposal | To be incorporated into the INFRASTRUCTURE SYSTEMS ELEMENT |
| †Conservation | To be superseded by the OPEN SPACE AND CONSERVATION ELEMENT |
| †Noise | To be updated as the NOISE ELEMENT |
| †Open Space | To be updated as the OPEN SPACE AND CONSERVATION ELEMENT |
| Scenic Highways | To be incorporated into the TRANSPORTATION ELEMENT |
| **CULTURAL ELEMENT** | |
| Cultural and Historic Monuments | To be superseded by the HISTORIC PRESERVATION AND CULTURAL RESOURCES ELEMENT |
| **†HOUSING ELEMENT** | Adopted as new HOUSING ELEMENT in 1993 Revision required by July, 1996 |
| **†SAFETY ELEMENT** | |
| Fire Protection | To be included in the SAFETY ELEMENT |
| Safety | To be updated as the SAFETY ELEMENT |
| Seismic Safety | To be included in the SAFETY ELEMENT |

**PURPOSE OF THE CITYWIDE GENERAL PLAN FRAMEWORK ELEMENT**

The Framework Element establishes the broad overall policy and direction for the entire general plan. It is a discretionary element of the general plan which looks to the future and replaces Concept Los Angeles and the

Citywide Plan (adopted in 1974). It provides a citywide context and a comprehensive long-range strategy to guide the comprehensive update of the general plan's other elements -- including the community plans which collectively comprise the Land Use Element. The Framework Element also provides guidance for the preparation of related general plan implementation measures including Specific Plans, ordinances, or programs, including the Capital Improvements Program.

The Framework Element is not sufficiently detailed to impact requests for entitlements on individual parcels. Community plans will be more specific and will be the major documents to be looked to for consistency with the general plan for land use entitlements.

The Framework Element sets forth a conceptual relationship between land use and transportation on a citywide basis and defines new land use categories which better describe the character and function of the City as it has evolved over time. In addition, it sets forth an estimate of population and employment growth for a 15 to 20 year time period that can be used to guide the planning of infrastructure and public services. This, however, does not represent a limit on growth or a mandated level of growth in the City or its community plan areas. Traditionally, such "end-state" limits have proven ineffective in guiding growth and public infrastructure and service investments and in responding to the changing needs of a city's residents and its economy. In its place, the Framework Element establishes a program to annually monitor growth, its impacts, and infrastructure and service needs that will be documented in a report to the City Council and pertinent service departments and agencies. This will provide decision makers and planners with the information that is essential in shaping growth in a manner that can mitigate its impacts, minimize development costs, conserve natural resources, and enhance the quality of life in the City.

**REGIONAL CONTEXT AND CONFORMITY WITH OTHER REGIONAL PLANS**

The Framework Element serves as subregional input to the Southern California Association of Governments Regional Comprehensive Plan and Guide and provides a context for cooperative planning efforts between the City of Los Angeles, adjacent cities, and the County of Los Angeles. The Framework Element, along with the Air Quality Element and the Transportation Element, ensures conformity between the Los Angeles City General Plan and the Regional Comprehensive Plan and Guide and the Regional Air Quality Management Plan. The Regional Comprehensive Plan and Guide includes Growth Management and Mobility components.

**MONITORING AND REPORTING**

The Department of City Planning will develop and implement a growth Monitoring System and annually prepare a Report on Growth and Infrastructure to the Mayor, City Council, and the City Planning Commission. The Annual Report on Growth and Infrastructure will include policy and program recommendations and summary information generated by the Monitoring System on the City's changing circumstances, needs, and trends.

**ORGANIZATION OF THE FRAMEWORK ELEMENT**

The Framework Element consists of ten chapters that provide guidance to the comprehensive update of general plan elements and related implementation measures, as follows:

**Chapter 1: General Plan System**
This chapter defines the elements of the City of Los Angeles General Plan, how the City of Los Angeles addresses the issues required by the seven elements mandated by the State of California, and the role of the General Plan Framework Element in the comprehensive update of the other elements that comprise the City of Los Angeles General Plan.

**Chapter 2: Growth and Capacity**
This chapter establishes a consistent set of baseline and forecasted growth levels for population, employment, and housing citywide and for each community planning area and City subregion. It defines the planning assumptions that shall be used to ensure consistency in the comprehensive update of the other elements that comprise the City of Los Angeles General Plan.

**Chapter 3: Land Use**

This chapter provides guidance for the comprehensive update of the community plans that collectively comprise the Land Use Element and related implementation measures.

**Chapter 4: Housing**
This chapter provides guidance for the comprehensive update of the Housing Element and related implementation measures.

**Chapter 5: Urban Form and Neighborhood Design**
This chapter provides guidance for the amendment of the Land Use Element and the preparation of an Urban Form and Neighborhood Design Element and related implementation measures.

**Chapter 6: Open Space and Conservation**
This chapter provides guidance for the comprehensive updates of the Land Use and the Open Space and Conservation Elements and related implementation measures.

**Chapter 7: Economic Development**
This chapter provides guidance for the preparation of an Economic Development strategy, and related implementation measures.

**Chapter 8: Transportation**
This chapter provides guidance for the comprehensive update of a Transportation Element and related implementation measures.

**Chapter 9: Infrastructure and Public Facilities**
This chapter provides guidance for the preparation of the Infrastructure Systems and the Public Facilities and Services Elements, and related implementation measures, including financing strategies.

**Chapter 10: Implementation Programs**
This chapter is a synopsis of measures that implement the General Plan Framework Element policies and standards, and makes clear how the plan policies are to be applied.

## INTERNAL GENERAL PLAN CONSISTENCY

According to California State Government Code Section 65300.5, a general plan must be integrated and internally consistent, both among the elements and within each element. This requirement applies to any optional Elements adopted by the City as well as the mandatory elements.

The internal consistency requirement also applies to the community plans which collectively comprise the City's Land Use Element. All principles, goals, objectives, policies, and plan proposals set forth in the general plan must be internally consistent.

All adopted elements have equal status and no element may be made subordinate to another.

### 1. The General Plan Framework Element and Its Relationship to the General Plan

The Framework Element is a special purpose element of the City of Los Angeles General Plan that establishes the vision for the future of the City of Los Angeles and the direction by which the citywide elements and the community plans shall be comprehensively updated in harmony with that vision. The Framework Element establishes development policy at a citywide level and within a citywide context, so that both the benefits and challenges of growth are shared.

Given the size and complexity of the City, the process of updating the community plans and the citywide elements takes time. The Framework Element's Long-Range Land Use Diagram and associated land use policies take effect incrementally, as each comprehensive community plan update is adopted.

The Framework Element replaces *Concept Los Angeles* and the *Citywide Plan*. This element enables a citywide perspective, to determine the most effective distribution of growth in relationship to environmental and economic goals, to enhance the environment and protect the quality of life, and to determine citywide policies and standards that can be implemented at the local level through a community planning process.

The citywide elements address functional topics that cut across community boundaries, such as transportation or public services. The citywide elements address these topics in more detail than is appropriate in the Framework Element, which is the "umbrella document" that provides the direction and vision necessary to bring cohesion to the City's overall general plan.

The community plans are oriented towards specific geographic areas of the City, defining locally the more general citywide policies and programs set forth in the Framework Element and the citywide elements with more specificity than is appropriate at the citywide level. This differentiation is necessary because of Los Angeles' varied topography, development patterns, diverse cultural and ethnic communities, and other variations which require that policies, standards, and programs developed at the citywide level be tailored to meet community and neighborhood needs.

**2. The General Plan Framework Element and Its Relationship to Other Elements**
The Citywide General Plan Framework Element establishes the standards, goals, policies, objectives, programs, terms, definitions, and direction to guide the update of citywide elements and the community plans.

While the Long-Range Land Use Diagram in the Framework Element generally describes the centers, districts, and mixed-use boulevards to give a citywide perspective, the community plans will contain specific land use designations, intensities, and standards.

**3. The General Plan Framework Element and its Relationship to Community Plans**
Community plans apply the growth and development policies defined in the Framework Element and the other citywide elements as they relate to a smaller geographic area. Community plans are more detailed and specific than citywide elements and are necessary due to the size, complexity, and diversity of the City of Los Angeles. The community plans are tailored to local conditions and needs. Adoption of the Framework Element neither overrides nor mandates changes to the community plans. The community plans reflect appropriate levels of development at the time of the General Plan Framework Element's adoption. As community plans are updated utilizing future population forecasts and employment goals, the Framework Element is to be used as a guide -- its generalized recommendations to be more precisely determined for the individual needs and opportunities of each community plan area. Nothing in the Framework Element suggests that during the Community Plan Update process, the areas depicted as districts, centers, or mixed-use boulevards in the community plan must be amended to the higher intensities or heights within the ranges described in the Framework Element. The final determination about what is appropriate locally will be made through the community plans -- and that determination may fall anywhere within the ranges described.

As the City evolves over time, it is expected that areas not now recommended as neighborhood districts, community and regional centers, and mixed-use boulevards may be in the future appropriately so designated; and areas now so designated may not be appropriate. Therefore, the Framework Element long-range diagram may be amended to reflect the final determination made through the Community Plan Update process should those determinations be different from the adopted Framework Element.

**4. The General Plan Framework Element and Its Relationship to Specific Plans**

The City has a number of adopted specific plans which set detailed development regulations for local areas and include various types of regulatory limitations. Examples of these limitations include "trip caps," design review boards, density/intensity limits, maximum heights, landscape, lot coverage, etc. The General Plan Framework Element is consistent with and does not supersede nor override these local requirements.

**5. Zoning Approvals and ZoningConsistency**
The community plans and their implementing zoning set forth how property may be used and form the basis for decisions on discretionary permits. The community plans are the primary point of reference for determining compliance with Government Code Section 65860 (d).

Zoning, specific plans and other discretionary approvals and designations are implementing tools of the general plan as reflected in the community plans. The City Charter and the Los Angeles Municipal Code provide for variances, specific plan exceptions, exceptions and other tools to provide a means for relieving hardships from strict adherence to the zoning regulations or dealing with special situations.

**6. Highways and Freeways**
The Transportation Element contain general policies and definitions concerning highways and freeways. Community plans shall identify highway and freeway designations consistent with the policies and standards provided by the Transportation Element.

**7. Comprehensive Community Plan Updates**
The Framework Element provides the citywide perspective often lacking from locally produced land use planning efforts to establish overall guidelines for the community planning process. Individual community plans establish the specific guidelines within each community to implement the citywide Framework Element. The community plans comprise the Land Use Element of the City's general plan and are, therefore, the final determination of land use categories, zoning, development requirements, and consistency findings. Like all general plan elements, community plans are comprehensively updated on a periodic basis through a city-initiated process. However, given the size and complexity of the City, the process of updating all of them takes time.

The Framework Element itself may be amended to reflect changes and address issues which arise through the public participation and detailed parcel-by-parcel analysis that occurs when the community plans are updated. Care must be taken in revising the Framework Element to assure that citywide issues are not compromised in the process.

**8. Annual Review**
The Department of City Planning shall annually review the need to comprehensively update the citywide elements, including the Framework Element and the community plans. The results of this annual review shall be reported to the City Planning Commission, the City Council, and the Mayor through the Annual Report on Growth and Infrastructure. This report shall recommend which citywide element or community plan should be updated and why. These recommendations shall be based on an evaluation of changing circumstances, trends, and other information provided by the Monitoring System.

**9. General Plan Preparation, Revision,and Update Program**
The Department of City Planning has established a program to comprehensively update general plan elements and community plans to implement the goals, policies, and objectives established in the Citywide General Plan Framework Element. Subject to availability of funding, all comprehensive updates of the citywide elements and the community plans for the purpose of implementing the Framework Element shall be initiated within five years of adoption of the Framework Element. Phasing of such updates may be made in accordance with Objective 3.3. and Policies 3.3.1 and 3.3.2 based on the monitoring of population, development, and infrastructure and service capacities as

recommended through the Annual Report on Growth and Infrastructure.

**10. Periodic Plan Review**
Periodic Plan Review is an on-going procedure of the Department of City Planning which permits private applicants to request plan amendments and associated zone changes. Requests are subject to an established public review and approval process.

**11. Pending Development Projects**
Development projects pending in the City review process which had already completed circulation of a Notice of Preparation (under CEQA) at the time of adoption of the Framework Element, shall not be required to demonstrate consistency with the Framework Element for a period of two years (24 months) after that Element's adoption.

**12. Redevelopment Plans**
The community plans are the point of reference for determining compliance of Redevelopment Plans with State of California State Government Code Section 65860 (d).

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## PROOF OF SERVICE

I, the undersigned, say: I am over the age of 18 years and not a party to the within action or proceeding. My business address is 200 North Main Street, 701 City Hall East, Los Angeles, California 90012.

On February 22, 2021, I served the foregoing documents described as: **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF OPPOSITION TO PETITION FOR WRIT OF MANDATE** on all interested parties in this action as follows:

Fred Gaines, Esq.
Lisa A. Weinberg, Esq.
Kimberly A. Rible, Esq.
Gaines & Stacey LLP
16633 Ventura Blvd., Suite 1220
Encino, CA 91436-1872

[ ] BY MAIL - I deposited such envelope(s) for collection, processing and mailing by my office. I am readily familiar with the business practice of my office for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, it is deposited with the United States Postal Service on that same day, at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postage cancellation date or postage meter date is more than one (1) day after the date of deposit for mailing in affidavit; and/or

**[X] BY ELECTRONIC MAIL** – I transmitted via EMAIL the document(s) listed above to the parties set forth above on this date.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on February 22, 2021, at Los Angeles, California.

SHEENA PARACUELLES