

PROPOSED BASELINE HILLSIDE ORDINANCE PROVISIONS

The following language is intended to be a depiction of the proposed Code provisions that may comprise the Baseline Hillside Ordinance. These provisions attempt to consolidate as many relevant Zoning Code provisions related to single-family hillside development as possible into one simplified Code section. The final Baseline Hillside Ordinance, containing legal description of the proposed Code Amendments will be prepared at a later date by the City Attorney’s Office with the assistance of Department of City Planning staff.

LEGEND:

Language being migrated to the new consolidated location is generally indicated by a Code Section in brackets that is highlighted in green (when viewed or printed in color); example: **[12.21 A.17]**.

In general, except for the Hillside Area Development Standards section, new language is indicated by underlined text (“text”) and proposed language removal is indicated by strikethrough text (“~~text~~”).

Language in **blue** (when viewed or printed in color) generally indicates references to other provisions of the Municipal Code or other relevant regulations or policies.

Since the location of the Baseline Hillside Ordinance has not yet been determined the current proposal uses “<<BHO>>” in lieu of the final Section number.

DEFINITIONS (12.03)

COMPACTION. The densification of a fill by mechanical means.

CUT. A portion of land surface or areas from which earth has been removed or will be removed by excavation; the depth below the original ground surface or excavating surface. Also referred to as EXCAVATION in [Division 70 of Chapter IX of this Code](#).

ELEVATION. Vertical distance in feet above sea level.

FILL. The depositing of soil, rock or other earth materials by artificial means.

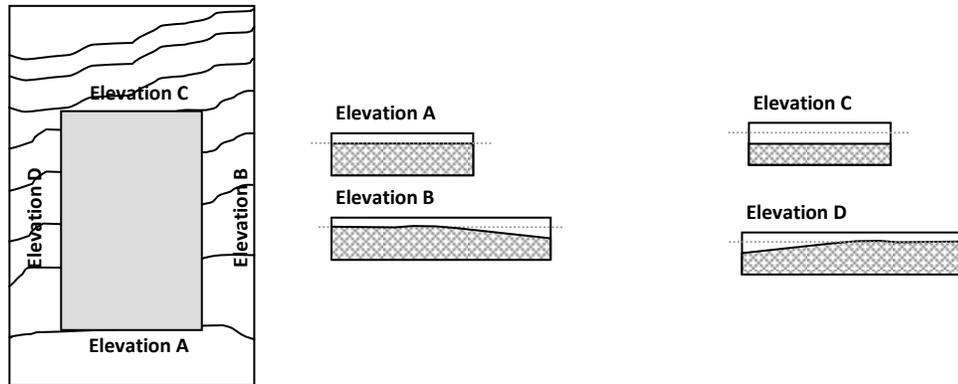
FLOOR AREA. The area in square feet confined within the exterior walls of a building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing building-operating equipment or machinery, parking areas with associated driveways and ramps, space for the landing and storage of helicopters, and basement storage areas.

Buildings on properties zoned RA, RE, RS, and R1, not including properties in the Coastal Zone which are not designated as Hillside Area, are subject to the definition of Residential Floor Area.

FLOOR AREA, RESIDENTIAL. The area in square feet confined within the exterior walls of a building or accessory building on a lot in an RA, RE, RS, or R1 Zone. Any floor or portion of a floor with a ceiling height greater than 14 feet shall count as twice the square footage of that area. The area of stairways shall only be counted once regardless of ceiling height. Area of an attic or portion of an attic with a ceiling height of more than seven feet shall be included in the floor area calculation.

Except that the following areas shall not be counted:

1. The first 400 square feet of covered parking area. For properties in the Hillside Area, the total area of a ratio of 200 square feet per required covered parking area.
2. Detached accessory buildings not exceeding 200 square feet; however, the total combined area exempted of all these accessory buildings on a lot shall not exceed 400 square feet.
3. The first 250 square feet of attached porches, patios, and breezeways with a solid roof if they are open on at least two sides. Except that in the Hillside Area:
 - a. For Downhill Lots, attached porches or patios with a solid roof may be open on only one side if two of the other sides are retaining walls.
 - a. For Downhill Lots, breezeways no wider than 5 feet and no longer than 25 feet connecting a garage at the street level to a dwelling, either directly or through a stairway or elevator, shall not count as Residential Floor Area and shall not be counted against the aforementioned 250 square-foot exemption.
4. Porches, patios, and breezeways that have an open lattice roof.
5. The first 100 square feet of any story or portion of a story of the main building on a lot with a ceiling height greater than 14 feet shall be counted only once. Except that in the Hillside Area, for a room or portion of a room which has a floor height below the exterior grade (or “sunken rooms”), when the ceiling height as measured from the exterior natural or finished grade, whichever is lower, is not greater than 14 feet it shall only be counted once.
6. A Basement when the elevation of the upper surface of the floor or roof above the basement does not exceed 2 feet in height at any point above the finished or natural grade, whichever is lower. For lots in the Hillside Area, a Basement when the elevation of the upper surface of the floor or roof above the basement does not exceed 3 feet in height at any point above the finished or natural grade, whichever is lower, for at least 60% of the perimeter length of the exterior basement walls.



For all lots, a maximum of 2 light-wells which are not visible from a public right-of-way and do not project more than 3 feet from the exterior walls of the basement and no wider than 6 feet shall not disqualify said basement from this exemption.

FLOOR AREA RATIO (FAR). A ratio establishing relationship between a property and the amount of development permitted for that property, and is expressed as a percentage or a ratio (example: “3 times the Buildable Area” or “3:1”). In the R1, RS, RE, and RA Zones not located in a Coastal Zone, the FAR is a percentage of the lot size. For all other Zones, unless otherwise specified, the FAR is a ratio based on the Buildable Area for a lot.

GRADE, HILLSIDE AREA. For the purpose of measuring height on an R1, RS, RE, or RA zoned lot in the Hillside Area, pursuant to <<BHO>> of this Article, hillside area grade shall be defined as the elevation of the finished or natural surface of the ground, whichever is lower, or the finished surface of the ground established in conformance with a grading plan approved pursuant to a recorded tract or parcel map action. Retaining walls shall not raise the effective elevation of grade for purposes of measuring height of a building or structure. [12.21 A.17(c)(5)]

GRADING. Any cut or fill, or combination thereof, or recompaction of soil, rock or other earth materials.

GRADING, LANDFORM. A contour grading method which creates artificial slopes with curves and varying slope ratios in the horizontal plane designed to simulate the appearance of surrounding natural terrain. The graded slopes are non-linear in plan view, have varying slope gradients, and significant transition zones between human-made and natural slopes resulting in pad configurations that are irregular. The concept of landform grading incorporates the created ravine and ridge shapes with protective drainage control systems and integrated landscaping designs.

GRADING, REMEDIAL. For the purposes of <<BHO>> of this Article, Remedial Grading shall mean grading recommended by a California Licensed Geologist, and approved by the Department of Building and Safety Grading Division, that is necessary to mitigate a geotechnical hazard on a site (including for access driveways), such as: 1) repair of a landslide, 2) over-excavation of a building site to remediate expansive or compressible soils, and/or 3) altering a building pad to improve site stability (usually by removing materials and lowering finish grade).

LOT, DOWNHILL. A lot for which the Front Lot Line, or street from which serves as the primary vehicular access point for the required parking, is at a higher elevation than the Rear Lot Line.

LOT, UPHILL. A lot for which the Front Lot Line, or street from which serves as the primary vehicular access point for the required parking, is at a lower elevation than the Rear Lot Line.

ROOF, LATTICE. A roof covering constructed as an Open Egg-Crate Roof or Spaced Roof. An Open Egg-Crate roof is constructed of lattice members so that a sphere of 10 inches minimum in diameter can pass through. All lattice members must have a minimum nominal width of 2 inches. A Spaced Roof is constructed of members running in one direction only with a minimum clear spacing between the members of not less than 4 inches. In addition beams supporting and placed perpendicular to the members shall be spaced not less than 24” on center. All members or beams must have a minimum nominal width of 2 inches.

SLOPE. An inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance (i.e. 2:1 or 1:1) or as a percentage (i.e. 50% or 100%).

SLOPE BAND. The area of a property contained within a defined slope interval as identified in [<<BHO>> of this Article](#) and shown on a Slope Analysis Map prepared by a licensed surveyor based on a survey of the natural/existing topography. Slope bands need not necessarily be located in a contiguous manner and can be one or more areas as small or as large as they exist on said property.

SUBSTANDARD HILLSIDE LIMITED STREET. A street which does not meet the minimum requirements of a Standard Hillside Limited Street as defined in Section 12.03 (public or private) with a width less than 36 feet and paved to a roadway width of less than 28 feet, as determined by the Bureau of Engineering.

[12.03]

HILLSIDE AREA DEVELOPMENT STANDARDS (LOCATION TBD)

Hillside Area Development Standards. For a lot located in a Hillside Area, no building or structure nor the enlargement of any building or structure shall be erected or maintained unless the following development standards are provided and maintained in connection with the building, structure, or enlargement:

1. **Setback Requirements.** No building or structure nor the enlargement of any building or structure shall be erected or maintained unless the setbacks as outlined in Table <<BHO>>-1 are provided and maintained in connection with the building, structure, or enlargement.

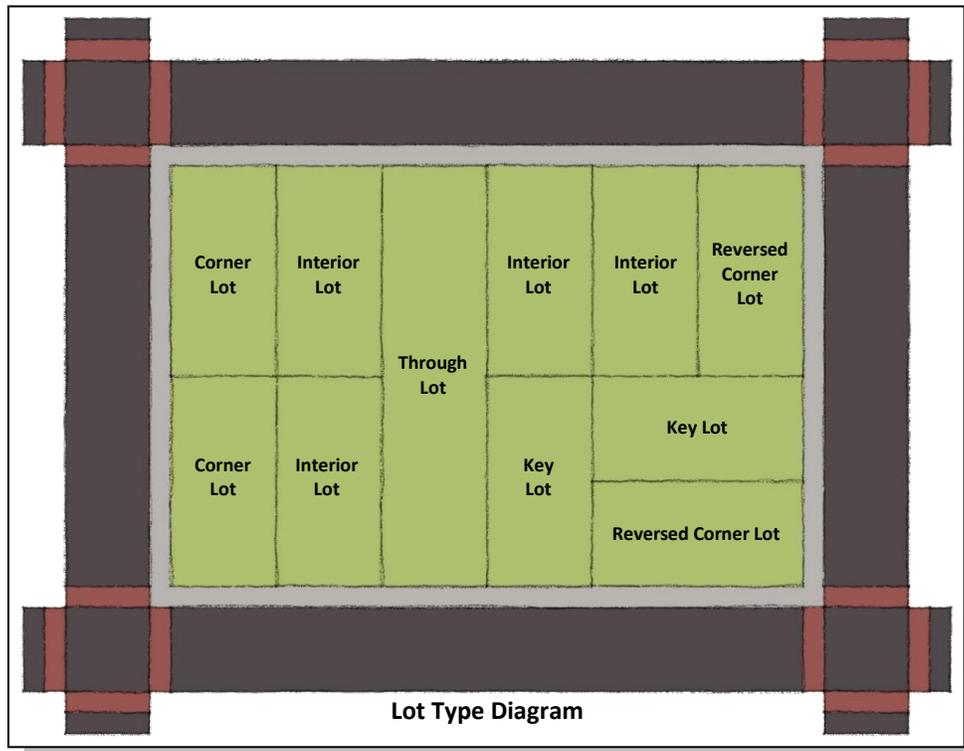
Table <<BHO>>-1 Single-Family Zone Hillside Area Setback Requirements								
	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
Front Yard								
Not less than:	20% of Lot Depth							
Need not exceed:	20 ft		25 ft					
Side Yard								
Not less than:	5 ft		7ft		10% of lot width, but not less than 5 ft		10 ft	
Need not exceed:	n/a				10 ft		n/a	
The required side yard may be reduced to 10% of the Lot Width, but in no event to less than 3 ft, where the lot is less than the following widths:	50 ft		70 ft		n/a		70 ft*	
For buildings or structures with a height larger than 18 feet:	One additional foot shall be added to each required side yard for each increment of 10 feet or fraction thereof above the first 18 feet. [12.21 A.17(b)(2)]							
Rear Yard								
Not less than:	15 ft		20 ft		25% of lot depth			
Need not exceed:	n/a				25 ft			
ft – feet n/a – the provision is not applicable Lot Depth – as defined in Section 12.03 of this Code Lot Width – as defined in Section 12.03 of this Code								
Notes:								
* Only applicable for lots which are of record prior to July 1, 1966.								

Notwithstanding the required yards, or setbacks, outlined in [Table <<BHO>>-1](#) above, or those exceptions found in [Section 12.22 of this Chapter](#), the following provisions shall apply:

- a. **Prevailing Front Yard Setbacks.** Where all of the developed lots which have front yards that vary in depth by not more than 10 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 by not more than 10 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.
- b. **Front Yards on Lots Fronting on Substandard Hillside Limited Street.** For any lot that fronts on a Substandard Hillside Limited Street, there shall be a minimum front yard of at least five feet. ~~For lots having a zoning classification that contains a provision calling for observance of the prevailing setback,~~ The prevailing setback regulations, as outlined in [Paragraph a of this Subdivision](#), shall apply, so long as a front yard of no less than five feet is provided. **[12.21 A.17(a)(1)]**
 - (1) **Zoning Administrator’s Authority.** A Zoning Administrator may grant limited deviations from the requirements of [Paragraph b of this Subdivision](#), pursuant to the authority and procedures established in [Subdivision 28 of Subsection X of Section 12.24 of this Article](#).
- c. **Front Yard Setbacks on Key Lots.** 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 or not more than 85 feet from the rear lot line of the reversed corner lot, beyond which point the front yard specified in [Paragraph a of this Subdivision](#) 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 yard required by [this Article](#), the yards established by such existing buildings may be used in computing the required front yard for a key lot.
- d. **Front Yards on Through Lots.** At each end of a through lot there shall be a front yard of the depth required by [this Subsection](#) for the zone in which each street frontage is located, except that only one front yard need be provided on those through lots which abut on a primary, major or secondary highway, as such highways are shown on [the “Highways and Freeways Element of the General Plan”](#), when the rights to vehicular ingress and egress from such through lots to the highways have been abandoned or prohibited by a tract restriction as a condition precedent to the approval of the recordation of the subdivision in which such through lots are included. Where only one

front yard is required on a through lot, as provided herein, the rear yard shall be located on the portion of such lot adjacent to the highway

Where a through lot is less than 150 feet in depth or is developed as a single building site, and the two required front yards are provided, no rear yard is required. **[12.21 C.1(h)]**



- e. **Front Yard Paving.** All portions of the required front yard not used for necessary driveways and walkways, including decorative walkways, shall be used for planting, and shall not otherwise be paved. **[12.21 C.1(g)]**
- f. **Front Yard on Lots Existing Prior to June 1, 1946.** On any lot of less than one acre which was of record or held in separate ownership on June 1, 1946, or was subsequently created either by the recording of a division of land map or otherwise in accordance with the applicable zoning regulations, the originally required front yard shall be provided and maintained on such lot in addition to any new front yard required by any subsequent rearrangement of the lot lines by sale or division (without recording a subdivision map) creating a new lot fronting on a different street than that on which said original lot fronted. **[12.21 C.1(e)]**
- g. **Side Yards in Specific Plans, Historic Preservation Overlay Zones or in Subdivision Approvals.** Side yard requirements in specific plans, Historic Preservation 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 Preservation Overlay Zone, or subdivision approval.

- h. **Side and Rear Yards for Basements.** In determining the required side and rear yards of a building, any basement containing habitable rooms shall be considered a story. [12.21 C.1(l)]

- i. **Yards in the Coastal Zone.** The following setback requirements shall apply to lots located in a Coastal Zone:
 - (1) On a lot in the RE9 or RE11 Zone, there shall be a side yard on each side of a main 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% of the width of the lot, but in no event less than 3 feet.
 - (2) In lieu of the additional side yard requirement in [Table <<BHO>>-1](#), for a building more than two-stories in height on lots in the R1, RS, or RE Zone, one foot shall be added to the width of each required side yard for each additional story above the second story.
 - (3) On a lot in the RA Zone, where a side yard is less than 10 feet in width, and the building erected on the lot is three or more stories in height, one foot shall be added to such side yard.

- j. **~~Projections–Encroachments~~ Into Required Yards.** Notwithstanding those exceptions found in [Section 12.22 of this Chapter](#), every required front, side and rear yard shall be open and unobstructed from the ground to the sky except for the following: [12.21 C.1(g)]
 - (1) **Garages in Front Yards.** A private garage may be located on the required front yard of a lot having a slope conforming to that specified in [Section 12.22-C.6](#), provided every portion of the garage building is at least 5 feet from the front lot line. Where the wall of such garage is two-thirds below natural or finished grade of the lot, whichever is lower, said wall may extend to the adjacent side lot line; in all other cases, said garage shall not be nearer to the side lot line than the width of the side yard required for a main building of the same height. [12.21 C.5 (l)]
 - (6) **Open, Unenclosed Stairways or Balconies.** Notwithstanding [any other provisions of this Code](#), on lots fronting onto a Substandard Hillside Limited Street, open unenclosed stairways, ~~porches, platforms and landing places~~ not covered by a roof or canopy shall not project or extend into the front yard. Balconies with 10 feet of vertical clearance beneath them may project or extend no more than 30 inches into a front yard. [12.21 A.17(a)(3)]
 - (7) **Open, Unenclosed Porches, Platforms, or Landing Places.** Notwithstanding [any other provisions of this Code](#), on lots fronting onto a Substandard Hillside Limited Street, open unenclosed ~~stairways, porches, platforms and landing places~~ not

covered by a roof or canopy shall not project or extend into the front yard. ~~Balconies with 10 feet of vertical clearance beneath them may project or extend no more than 30 inches into a front yard.~~ **[12.21 A.17(a)(3)]**

- k. **Pools, Ponds, or Body of Water in Required Yards.** No swimming pool, fish pond or other body of water which is designed or used to contain water 18 inches or more in depth shall be permitted in any required yard space in which fences over 42 inches in height are prohibited, even though the pool, pond or body of water extends below the adjacent natural ground level. **[12.21 C.1(g)]**
2. **Maximum Residential Floor Area.** The maximum Residential Floor Area contained in all buildings and accessory buildings shall not exceed the sum of the square footage of each Slope Band multiplied by the corresponding Floor Area Ratio (FAR) for the zone of the lot, as outlined in [Table <<BHO>>-2](#). This formula can be found in [Figure <<BHO>>-1](#), where “A” is the area of the lot within each slope band, “M” is the FAR of the corresponding slope band, “V” is the sum of the residential floor area of each slope band.

Table <<BHO>>-2 Single-Family Zone Hillside Area Residential Floor Area Ratios (FAR)								
Slope Bands (%)	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
0 – 14.99	0.50	0.45	0.40	0.40	0.35	0.35	0.35	0.25
15 – 29.99	0.45	0.40	0.35	0.35	0.30	0.30	0.30	0.20
30 – 44.99	0.40	0.35	0.30	0.30	0.25	0.25	0.25	0.15
45 – 59.99	0.35	0.30	0.25	0.25	0.20	0.20	0.20	0.10
60 – 99.99	0.30	0.25	0.20	0.20	0.15	0.15	0.15	0.05
100 +	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Figure <<BHO>>-1 Hillside Area Maximum Residential Floor Area Formula					
Slope Bands (%)	Area (sq-ft)		FAR	=	Residential Floor Area
0 – 14.99	A ¹	X	M ¹	=	V ¹
15 – 29.99	A ²	X	M ²	=	V ²
30 – 44.99	A ³	X	M ³	=	V ³
45 – 59.99	A ⁴	X	M ⁴	=	V ⁴
60 – 99.99	A ⁵	X	M ⁵	=	V ⁵
100 +	A ⁶	X	M ⁶	=	V ⁶
Maximum Residential Floor Area				=	Sum of V ¹ through V ⁶

- a. **Slope Analysis Map.** As part of an application for a permit to the Department of Building & Safety, or for a Discretionary Approval [as defined in Section 16.05 B of this Code](#) to the Department of City Planning the applicant shall submit a Slope Analysis Map based on a survey of the natural/existing topography, prepared and signed by a

registered civil engineer or licensed land surveyor, to verify the total area (in square-foot) of the portions a property within each slope band identified in [Table <<BHO>>-2](#) of [this Subsection](#). The map shall have a scale of not less than 1 inch to 100 feet and a contour interval of not more than 10 feet with one-foot intermediates.

The Slope Analysis Map shall delineate the slope bands, with contrasting colors, and shall include a tabulation of the total area in square-foot within each slope band, as well as the FAR and Residential Floor Area value of each corresponding slope band.

The Slope Analysis Map shall be prepared using CAD-based or GIS-based software specifically designed for such purpose and approved for such use by the Department of Public Works, Bureau of Engineering.

The Slope Analysis Map shall be stamped and signed by a registered civil engineer or licensed land surveyor, indicating the datum, source, and scale of topographic data used in the slope analysis, and attesting to the fact that the slope analysis has been accurately calculated.

- b. **Guaranteed Minimum Residential Floor Area.** Notwithstanding the above, if a property meets the current minimum lot size requirements, the maximum Residential Floor Area for all buildings and accessory buildings on any lot need not be less than 1,250 square feet in the R1 Zone, 1,688 square feet in the RS Zone, 1,800 square feet in the RE9 Zone, 2,200 square feet in the RE11 Zone, 2,625 square feet in the RE15 Zone, 3,500 square feet in the RE20 Zone, 7,000 square feet in the RE40 Zone, and 2,188 square feet in the RA Zone.

For lots which were made nonconforming in lot size as a result of an adopted zone change or code amendment changing the minimum lot size and met the minimum lot size requirements of the original zone, the guaranteed minimum for the original zone as stated in [the paragraph above](#) shall apply.

For all other lots which are nonconforming in lot size, the maximum Residential Floor Area for all buildings and accessory buildings need not be less than 750 square-feet.

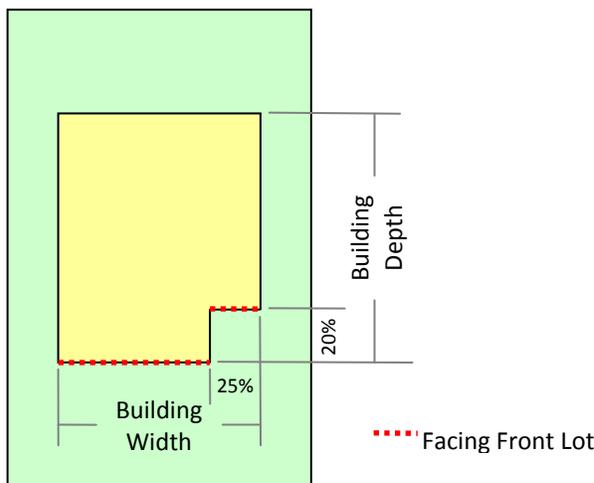
- c. **Residential Floor Area Bonus.** An additional 20% of the maximum Residential Floor Area, as determined by [Table <<BHO>>-2](#) or by [Paragraph b of this Subdivision](#), for that lot shall be allowed if any of the options listed below is utilized. Only one 20% bonus per property is allowed.
- (1) **Proportional Stories Option.** The total residential floor area of each story other than the Base Floor in a multi-story building does not exceed 75% of the base floor area. This option shall only apply where the slope of the building pad area prior to any grading, as measured from the highest point of the existing grade within 5 horizontal feet of the exterior wall of the proposed building or structure to the lowest point of the existing grade within 5 horizontal feet, is less than 15%; or

- (2) **Front Facade Stepback Option.** The cumulative length of the exterior walls which are not a part of a garage facing the front lot line, equal to a minimum of 25% of the building width shall be stepped-back a distance of at least 20% 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, as illustrated in Figure <<BHO>>-2. 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, as illustrated in Figure <<BHO>>-3. When through-lots have two front yards, the step-back shall be provided along both front lot lines.

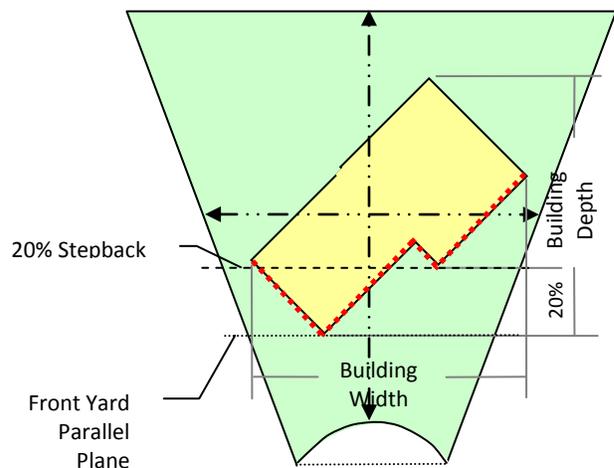
For the purposes of [this provision](#), all exterior walls that intersect a plane parallel to the front lot line at 45 degrees or less shall be considered to be facing the front lot line. The building width shall be the greatest distance between the exterior walls of the building measured parallel to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

This option shall only apply where the slope of the building pad prior to any grading, as measured from the highest point of the existing grade within 5 horizontal feet of the exterior wall of the proposed building or structure to the lowest point of the existing natural grade within 5 horizontal feet, is less than 15%; or

**Figure <<BHO>>-2
Front Facade Stepback**



**Figure <<BHO>>-3
Front Facade Stepback**



- (3) **Cumulative Side Yard Setbacks Option.** Side yard setbacks shall be cumulatively at least 25% of the total Lot Width, as defined in Section 12.03, but in no event shall a single side yard setback be less than 10% of the Lot Width or the minimum required by [Subdivision 1 of this Subsection](#), whichever is greater; or
- (4) **18-Foot Envelope Height Option.** For properties which are not in the “1SS” Single-Story Height District, the maximum envelope height, measured pursuant to [Paragraph a of Subdivision 4 of this Subsection](#), shall be no more than 18 feet; or

- (5) **Multiple Structures Option.** In addition to the lot coverage requirements in [Subdivision 5 of this Subsection](#), any one building and structure extending more than 6 feet above natural ground level shall cover no more than 20% of the area of a lot. For the purposes of this provision, these structures may only be connected by one breezeway, fully enclosed walkway, elevator, or combination thereof of not more than 5 feet in width; or

- (6) **Minimal Grading Option.** For properties where at least 60% of the lot is comprised of slopes which are 30% or greater, as determined by the Slope Analysis Map, the total grading on the site, including exempted grading, as outlined in [Subdivision 6 of this Subsection](#), does not exceed the numeric value of 10% of the total lot size in cubic yards or 1,000 cubic yards, whichever is less (example: a project involving 500 cubic-yards of non-exempt grading on a 5,000 square-foot lot will eligible for this bonus option); or

- (7) **Landform Grading Option.** For properties where at least 60% of the lot is comprised of slopes which are 30% or greater, as determined by the Slope Analysis Map, the total quantities of non-exempted grading, as outlined in [Subdivision 6 of this Subsection](#), on the site does not exceed 1,000 cubic yard and landform grading, as outlined in the [Department of City Planning – Planning Guidelines Landform Grading Manual](#), is used to reflect original landform and result in minimum disturbance to natural terrain; or

- (8) **Green Building Option 1.** For new single family dwelling construction only, the new construction shall be in substantial compliance with the requirements for the U.S. Green Building Council’s (USGBC) Leadership in Energy and Environmental Design (LEED®) for Homes program at the “Silver” level or higher.

Prior to submitting an application to the Department of Building and Safety for a building permit, the applicant shall be required to obtain an authorization to submit for plan check from the Department of City Planning. In order to obtain this authorization, the applicant shall provide:

- (i) Documentation that the project has been registered with the USGBC’s LEED® for Homes Program, and that the required fees have been paid;

- (ii) A preliminary checklist from a USGBC-contracted LEED® for Homes Provider, which demonstrates that the project can be registered with the LEED® for Homes Program with a target of certification at the “Silver” or higher level;

- (iii) A signed declaration from the USGBC-contracted LEED® for Homes Provider stating that the plans and plan details have been reviewed, and confirms that the project can be registered with the LEED® for Homes Program with a target certification at the “Silver” or higher level; and

- (iv) A complete set of plans stamped and signed by a licensed architect or engineer that include a copy of the preliminary checklist and signed declaration identified in Subparagraphs (2) and (3) of this paragraph and identify the measures being provided for LEED® Certification at the “Silver” level. Each plan sheet must also be signed by a USGBC-contracted LEED® for Homes Provider verifying that the plans are consistent with the submitted preliminary checklist.

The Department of Building and Safety shall refer applicants to the Department of City Planning prior to issuance of a building permit to obtain a clearance to verify the project compliance with the originally approved plans.

If changes are made to the project, the applicant shall be required to submit a revised set of plans, including the four requirements listed above, with all revisions necessary to make the project in substantial compliance with the requirements for LEED® Certification at the “Silver” level.

- (9) **Green Building Option 2.** Project exceeds the energy efficiency performance of a home built to the [Title-24](#) requirements by at least 15%. Projects can minimize the amount of energy used by installing energy-efficient systems, such as Energy Star appliances, as well as by minimizing the amount of energy lost as a result of the building envelope.

All projects should have an Energy Usage Plan and should document in detail which features/measures will be implemented in order to limit energy usage. Energy Usage Plans should correspond to the requirements of [Title-24](#).

e. Zoning Administrator’s Authority.

- (1) **10% Adjustments.** The Zoning Administrator has the authority to grant adjustments from the requirements of [Paragraphs a and c of this Subdivision](#) of not more than 10%, pursuant to the authority and procedures established in [Subsection A of Section 12.28 of this Article](#).
- (2) **Additions to Structures Existing Prior to August 1, 2010.** The Zoning Administrator has the authority to approve any additions made after August 1, 2010 to a one-family dwelling existing prior to that date with the benefit of permits which exceed the requirements of [Paragraphs a and c of this Subdivision](#), provided: **[12.21 A.17(i)(3)]**
 - (i) the total cumulative Residential Floor Area of all such additions does not exceed 750 square feet (excluded from calculations of this 750 square foot limitation is floor area devoted to required parking); and **[12.21 A.17(i)(3)(a)]**
 - (ii) the resulting building does not exceed the height of the original building or the height permitted in [Subdivision 4 of this Subsection](#), whichever is greater; and **[12.21 A.17(i)(3)(b)]**

(iii) at least two off-street parking spaces are provided. **[12.21 A.17(i)(3)(c)]**

3. **Verification of Existing Residential Floor Area.** For additions with cumulative Residential Floor Area of less than 1,000 square feet constructed after [August 1, 2010](#), or remodels of buildings built prior to [August 1, 2010](#), the existing residential floor area shall be the same as 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.

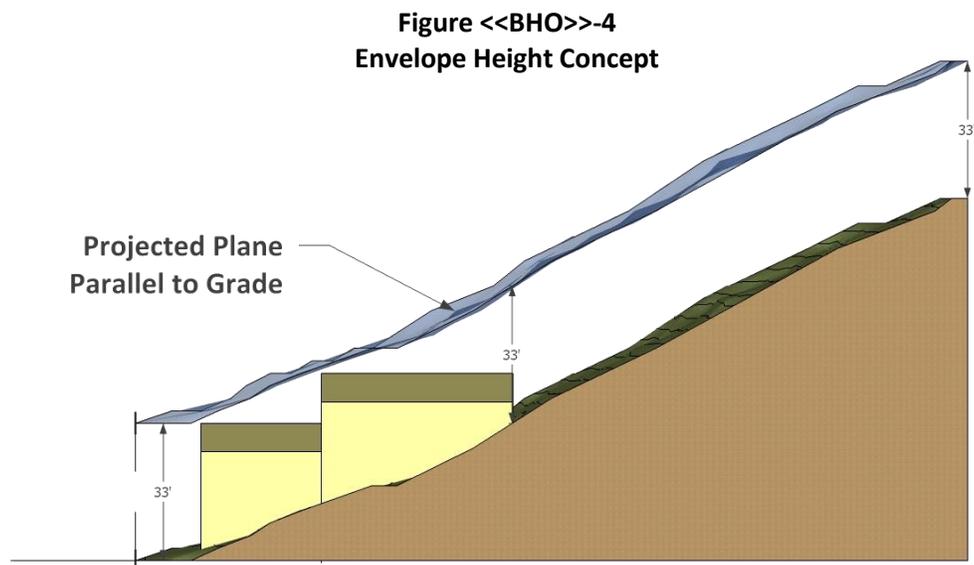
4. **Height Limits.** No portion of a building or structure shall be erected or enlarged which exceeds the envelope height limits as outlined in [Table <<BHO>>-3](#), or as otherwise stated in the [paragraphs below](#).

Table <<BHO>>-3 Maximum Height of Structures (in feet)								
Height Districts	R1	RS	RE9	RE11	RE15	RE20	RE40	RA
When the roof of the uppermost story of a building or structure or portion thereof has a slope of 25% or greater, the maximum height for said portion of building or structure thereof shall be as follows:								
1, 1L, & 1VL	33	33	33	36	36	36	36	36
1XL	30	30	30	30	30	30	30	30
1SS	22	22	22	22	22	22	22	22
When the roof of the uppermost story of a building or structure or portion thereof has a slope of less than 25%, the maximum height for said portion of building or structure thereof shall be as follows:								
1, 1L, & 1VL	28	28	28	30	30	30	30	30
1XL	28	28	28	30	30	30	30	30
1SS	18	18	18	18	18	18	18	18

- a. **Measurement of Height.** Notwithstanding [any other provision in this Code](#), the height limits outlined in [Table <<BHO>>-3](#) shall be measured [as outlined below](#); for [the provisions below](#), whenever grade is mentioned it shall mean Hillside Area Grade as defined in [Section 12.03 of this Article](#).

- (1) **Maximum Envelope Height.** Envelope height (otherwise known as vertical height or “plumb line” height) shall be the vertical distance from the grade of the site to an imaginary plane at the roof structure or parapet wall located directly above and parallel to the grade as illustrated in [Figure <<BHO>>-4](#) below. Measurement of the envelope height shall originate at the lowest grade within 5 horizontal feet of the exterior walls of a building or structure. At no point shall any given section of any part of the proposed building or structure exceed the maximum envelope height.

A topographic map shall be submitted as a separate plan sheet or as part of the site plan identifying the 5-foot perimeter of the exterior walls, along with any other information which the Department of Building and Safety deems necessary to determine compliance with [this Subdivision](#).



- b. **Zoning Administrator’s Authority.** A Zoning Administrator may grant limited deviations from the requirements of [Paragraph a of this Subdivision](#), pursuant to the authority and procedures established in [Subdivision 28 of Subsection X of Section 12.24 of this Article](#).
- c. **Prevailing Height.** [Notwithstanding Paragraph a of this Subdivision](#), when 40% or more of the existing one-family dwellings with frontage on both sides of the block have building heights exceeding these limits, the maximum envelope height for any building on that block may be the average height of the dwellings exceeding these limits.
- d. **Lots in a Single-Story Height District.** As enabled by [Section 12.21.1 A. 1 of this Article](#), on lots in a “SS” Single Story Height District, shown as “1SS” on a Zoning Map, no building or structure shall be erected or enlarged which exceed one story.

Notwithstanding [the provision in Section 12.21.1 A.8](#), in determining the number of stories, any basement which is exempt from the Residential Floor Area calculation, as outlined in [Section 12.03 of this Code](#), shall not be considered a story.

- e. **Lots Fronting on Substandard Hillside Limited Streets.** For any lot, where the elevation of the ground at a point 50 feet from the front lot line and midway between the side lot lines is 33 feet or more higher than the lowest point of the front lot line, fronting onto a Substandard Hillside Limited Street, as defined in [Section 12.03](#), and subject to the 5-foot front yard setback, no portion of a building or structure within 20 feet of the front lot line shall exceed 24 feet in height. The 24 foot maximum building and structure height shall be measured from the elevation at the centerline or midpoint of the street on which the lot fronts. Portions of a building or structure beyond the front yards setback of the base zone, structures would be allowed those heights permitted under [Paragraph a of this Subdivision](#). **[12.21 A.17(c)(4)]**

- f. **Unenclosed/Uncovered Rooftop Decks and Cantilevered Balconies.** Unenclosed/uncovered rooftop decks, cantilevered balconies and “visually permeable railing” no more than 42 inches in height, may project beyond the maximum envelope height, as limited and measured in [Paragraph a of this Subdivision](#), no more than 5 horizontal feet.

For the purposes of [this Paragraph](#), “visually permeable railing” means railing constructed of material that is transparent, such as glass or plastic panels, or wrought iron or other solid material which is 80% open to light and air.

- g. **Roof Structures.** Roof structures as outlined in [Table <<BHO>>-4](#) below, or similar structures, may be erected above the height limit specified in [Table <<BHO>>-3](#).

Table <<BHO>>-4 Projecting Roof Structures		
Roof Structures	Projection Above Height Limit	Setback from Roof Perimeter
Elevator Housing	No more than 5 feet.	Not less than 5 feet.
Tanks		
Ventilating Fans or similar equipment required to operate and maintain the building.		
Towers		
Steeples		
Flagpoles		
Smokestacks		
Wireless Masts		
Water Tanks		
Silos		
Solar Energy Devices		
Chimneys		
Exhaust Ducts/Ventilation Shafts		
Stairway Housing, no larger than 36 square-feet.		
Skylights, covering more than 33 1/3% of the	No more than	

Table <<BHO>>-4 Projecting Roof Structures		
Roof Structures	Projection Above Height Limit	Setback from Roof Perimeter
roof area upon which the skylight is constructed.	30 inches.	

No roof structure or any other space above the height limit specified in [Table <<BHO>>-3](#) shall be allowed for the purpose of providing additional floor space.

- h. **Specific Plans, Historic Preservation Overlay Zones or Subdivision Approvals.** Height limitations in specific plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over the requirements of this section. This section shall apply when there are no height limitations imposed on lots by a specific plan or a Historic Overlay Zone or created by a subdivision approval.
5. **Lot Coverage.** Buildings and structures extending more than 6 feet above natural ground level shall cover no more than 40% of the area of a lot. [\[12.21 A.17\(f\)\(1\)\]](#)
- a. **Lot Coverage on Substandard Lots.** Notwithstanding [the paragraph above](#), for a lot which is substandard as to width (less than 50 feet) and as to area (less than 5,000 square feet), buildings and structures shall cover no more than 45% of the area of a lot. [\[12.21 A.17\(f\)\(2\)\]](#)
 - b. **Zoning Administrator’s Authority.** A Zoning Administrator may grant limited deviations from [these requirements](#), pursuant to the authority and procedures established in [Subdivision 28 of Subsection X of Section 12.24 of this Article](#).
6. **Grading.** Notwithstanding [any other provisions of the Municipal Code](#), total grading (cut and fill) on a lot shall be limited as outlined below. No grading permits shall be issued until a building permit is approved.
- a. **Maximum Grading Quantities.** The maximum cumulative quantity of grading, or the total combined value of both cut and fill or incremental cut and fill, for any one property shall be limited to a maximum of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards, up to a maximum of 1,000 cubic yards total. Example: a 5,000 square-foot lot would have a maximum grading amount of 750 cubic yards (500 cubic yards for the base amount + 250 cubic yards for the 5% calculation).
 - b. **Import/Export Limits.** The maximum quantity of earth import shall be no more than 500 cubic yards, where additional grading on-site does not exceed 500 cubic yards in conjunction with any landform alteration so that the maximum amount of grading is no greater than 1,000 cubic yards. The maximum quantity of earth export shall be no more than 1,000 cubic yards.

However, for a property which fronts onto a Substandard Hillside Limited Street, as defined in [Section 12.03](#), the maximum quantity of earth import shall be no more than

375 cubic yards, where additional grading on-site does not exceed 625 cubic yards in conjunction with any landform alteration so that the maximum amount of grading is no greater than 1,000 cubic yards. The maximum quantity of earth export shall be no more than 750 cubic yards.

- c. **Zoning Administrator’s Authority.** A Zoning Administrator may grant limited deviations from the requirements of [Paragraphs a and b of this Subdivision](#), pursuant to the authority and procedures established in [Subdivision 28 of Subsection X of Section 12.24 of this Article](#).
- d. **Grading on Extreme Slopes.** Grading, excepted as otherwise noted in [this Paragraph](#), on slopes greater than or equal to 100% shall be done only when recommended by a full site Geotechnical Investigation Report and approved by the Department of Building & Safety Grading Division in order to mitigate previously existing unsafe conditions.

Except that grading activity exempted by [Subparagraphs \(1\) and \(2\) of Paragraph g of this Subdivision](#) shall not be prohibited as a result of this provision when the portions of a slope that are greater than or equal to 100% is no more than 100 square feet.

- e. **Landform Grading Requirement.** For any project, including remedial grading, involving 1,000 cubic yards or more of grading, landform grading, as outlined in [the Department of City Planning – Planning Guidelines Landform Grading Manual](#), shall be used to reflect original landform and result in minimum disturbance to natural terrain. Notching into hillsides is encouraged so that projects are built into natural terrain as much as possible.
- f. **New Graded Slopes.** All new graded slopes shall be no steeper than 2:1 (rise:run), except when the Grading Division has determined that slopes may exceed 2:1 pursuant to [Section 91.105 of Division 1 of Chapter IX of this Code](#).
- g. **Exceptions.** The following grading activity shall be exempt from the grading limitations established in [Paragraph a of this Subdivision](#):
 - (1) Cut for foundations, required animal keeping site development, understructures including basements, pools, water storage tanks, or other completely subterranean spaces that do not involve the construction of any retaining walls.
 - (2) Cut and/or fill, up to 500 cubic yards, for driveways to the required parking or fire department turnaround closest to the accessible street for which a lot has ingress/egress rights.
 - (3) Remedial Grading as defined in [Section 12.03 of this Article](#) as recommended in a Geotechnical Investigation Report, prepared in accordance with [Paragraph h of this Subdivision](#), and approved by the Department of Building and Safety Grading Division shall be excluded from grading limitations.

However, any excavation being used as fill, outside of a 5-foot perimeter from the exterior walls of a building, structure, required animal keeping site development,

driveway, or fire department turnaround, for any other on-site purpose shall be counted towards the limits established in [Paragraph a of this Subdivision](#).

- h. **Geotechnical Investigation Report.** Notwithstanding the provisions in [Sections 91.7006.2, 91.7006.3, and 91.7006.4 of Division 70 of Chapter IX of this Code](#), a Geotechnical Investigation Report (also referred to as a soils and/or geological report) that evaluates the proposed project’s soil and grading shall be submitted to the LADBS Grading Division for review. This report shall be prepared by a registered geotechnical (or soils) engineer, as defined in [Section 91.7003 of Division 70 or Chapter IX of this Code](#), and in sufficient detail to substantiate and support the design concepts being proposed.

In addition to the requirements in [Sections 91.7006.2, 91.7006.3, and 91.7006.4 of Division 70 of Chapter IX of this Code](#) this report shall include:

- (1) A Phase I Geotechnical Analysis involving a records search and detailed assessment of any other report on file for any property within 1,000 feet of the subject property, with a minimum of 5 separate reports for 5 individual properties; and
- (2) A Phase II Geotechnical Analysis involving physical investigation of soils identifying any hazards present on the property.

An approved Soils & Grading Report letter from LADBS – Grading Division shall be required prior to approval of a grading, foundation or building permit.

- i. **Grading Plancheck Criteria.** Grading plans and reports shall be submitted for approval with building plans, and shall include those items required by [Section 91.7006 of Division 70 of Chapter IX of this Code](#).

- 7. **Off-Street Parking Requirements.** No building or grading permit shall be issued for the construction of any one-family dwelling, accessory building, ~~Major Remodel Hillside~~, or addition thereto ~~located on a lot which fronts on a Substandard Hillside Limited Street~~, unless the following requirements are met. [\[12.21 A.17\(h\)\]](#)

- a. **Number of Required Spaces.** There shall be at least two automobile parking spaces on the same lot with each one-family dwelling thereon. These required parking spaces shall be provided within a private garage. [\[12.21 A.4\(a\)\]](#) ~~No automobile~~ These required parking spaces shall not be provided or maintained within a required front yard. [\[12.21 C.1\(g\)\]](#)

- (1) **Exception for Dwelling on Narrow Lot.** Where only one single-family dwelling is located on a nonconforming lot 40 feet or less in width and not abutting an alley, only one automobile parking space need be provided. This exception shall not apply to any lot ~~in the A1, RA, RE, RS, R1 or RD Zones which fronts on a Substandard Hillside Limited Street.~~ [\[12.21 A.4\(q\)\]](#)

- b. **Additional Required Spaces.** For a main building and any accessory building located on a lot which fronts on a Substandard Hillside Limited Street, excluding floor area devoted to required parking, which exceed a combined residential floor area of 2,400 square feet, there shall be one additional parking space provided for each additional increment of 1,000 square feet or fraction thereof of floor area for a maximum of 5 total on-site spaces. **[12.21 A.17(h)(1)]** These additional required parking spaces may be uncovered and in tandem. Notwithstanding the provisions of Section 12.21 C.1(g) of this Code to the contrary, when a lot fronts onto a Substandard Hillside Limited Street, the additional parking spaces required by this Subdivision may be uncovered and in tandem, and may be located within the required 5-foot front yard. **[12.21 A.17(h)(2)]**
 - (1) **Zoning Administrator’s Authority.** A Zoning Administrator may grant limited deviations from the requirements of Paragraphs b of this Subdivision, pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Article.
 - ~~(1) **Grading for Additional Required Parking.** If the requirements in this Paragraph require the grading of 1,000 cubic yards or more of earth, then no building or grading permit shall be issued for a new one-family dwelling, accessory building, Major Remodel Hillside, or addition to the above on a lot which fronts on a Substandard Hillside Limited Street unless the Zoning Administrator has issued an approval pursuant to Section 12.24 X.2128 of this Code. **[12.21 A.17(h)(3)]**~~
- d. **Parking Stall Dimensions.** In each parking area or garage devoted to parking for dwelling uses, all parking stalls in excess of one parking stall_s per dwelling unit may be designed as compact stalls to accommodate parking cars. Every standard parking stall provided for dwelling units shall be at least 8 feet 6 inches in width and 18 feet in length, every compact stall shall be at least 7 feet 6 inches in width and 15 feet in length. **[12.21 A.5(a)]** **[12.21 A.5(c)]**
- e. **Tandem Parking.** Automobile parking may be parked in tandem in a private parking garage or private parking area serving a one-family dwelling where the tandem parking is not more than two cars in depth. Each required parking stall within a parking area or garage shall be accessible. Tandem parking shall not be allowed in parking areas for recreational vehicles or guest parking. **[12.21 A.5(h)]**
- f. **Garage Doors.** Any door or doors installed at the automobile entry to a garage serving a one-family dwelling where the required parking spaces are located shall be of conventional design constructed so as to permit the simultaneous entry of automobiles in each required parking space without damaging the door or door frame and constructed so as to permit the flow of air through the automobile entry when the door is in the fully closed position. **[12.21 A.4(a)]**
- g. **Driveway Width.** Every access driveway shall be at least 9 feet in width. **[12.21 A.5(f)]**
- h. **Garages in Front Yards.** A private garage may be located in the required front yard of a lot having a slope conforming to that specified in Section 12.22-C.6, provided every

portion of the garage building is at least 5 feet from the front lot line. Where the wall of such garage is two-thirds below natural or finished grade of the lot, whichever is lower, said wall may extend to the adjacent side lot line; in all other cases, said garage shall not be nearer to the side lot line than the width of the side yard required for a main building of the same height. **[12.21 C.5 (l)]**

- i. **Mechanical Automobile Lifts and Robotic Parking Structures.** The stacking of two or more automobiles via a mechanical car lift or computerized parking structure is permitted. The platform of the mechanical lift on which the automobile is first placed shall be individually and easily accessible and shall be placed so that the location of the platform and vehicular access to the platform meet the requirements of paragraphs (a), (b), and (i) of Subdivision 5 of Subsection A of Section 12.21 of this Article. The lift equipment or computerized parking structure shall meet any applicable building, mechanical and electrical code requirements as approved by the Department of Building and Safety. **[12.21 A.4(m)]**

- 8. **Fire Protection.** Notwithstanding any other provisions of this Code to the contrary, any new construction of a one-family dwelling or detached accessory building, on a lot fronting onto a Substandard Hillside Limited Street, or on any lot located either more than 2 miles from a fire station housing a Los Angeles City Fire Department Truck Company or more than 1½ miles from a fire station housing a Los Angeles Fire Department Engine Company, shall be protected throughout with an approved automatic fire sprinkler system, in compliance with the Los Angeles Plumbing Code. **[12.21 A.17(d)(1)]**

- a. **Existing Buildings or Structures.** An approved automatic fire sprinkler system in compliance with the Los Angeles Plumbing Code shall be installed: **[12.21 A.17(d)(2)]**

- (1) whenever an addition to an existing one-family dwelling or accessory building increases in residential floor area by 50% or more of the area of the existing dwelling or building; or **[12.21 A.17(d)(2)(i)]**

- (2) whenever the aggregate value of Major Remodels within a one-year period exceeds 50% of the replacement cost of the dwelling or accessory building; ~~and the dwelling or accessory building is on a lot located on a Substandard Hillside Limited Street and located either more than 2 miles from a fire station housing a Los Angeles City Fire Department Truck Company or more than 1½ miles from a fire station housing a Los Angeles Fire Department Engine Company.~~ **[12.21 A.17(d)(2)(ii)]**

- b. **Fire Sprinkler Coverage.** The sprinkler systems required in this Subdivision shall be sufficient to cover the entire dwelling or building, unless otherwise determined by the Department of Building and Safety, and shall be installed in compliance with all Codes. **[12.21 A.17(d)(3)]**

- c. **Exempt Accessory Structures.** The provisions of this Subdivision shall not apply to accessory structures such as gazebos, pergolas, or storage sheds provided these

structures are not supported by or attached to any portion of a dwelling or accessory building and do not exceed 200 square feet in floor-area. [12.21 A.17(d)(4)]

9. Street Access.

- a. **Street Dedication.** For any new construction of, or addition to, a one-family dwelling on a lot fronting on a Substandard Hillside Limited Street, no building permit or grading permit shall be issued unless at least one-half of the width of the street(s) has been dedicated for the full width of the frontage of the lot to Standard Hillside Limited Street dimensions or to a lesser width as determined by the City Engineer. The appellate procedures provided in [Section 12.37 I of this Code](#) shall be available for relief from [this paragraph](#). [12.21 A.17(e)(1)]
- b. **Minimum Roadway Width.** For any new construction of, or addition to a one-family dwelling on a lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet, no building permit or grading permit shall be issued unless the construction or addition has been approved pursuant to [Section 12.24 X.2128 of this Code](#). [12.21 A.17(e)(2)]
- c. **Minimum Roadway Width.** For any new construction of, or addition to a one-family dwelling on a lot that does not have a vehicular access route from a street improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area, no building permit or grading permit shall be issued unless the construction or addition meets the requirements of [this Subsection](#) or has been approved by a Zoning Administrator pursuant to [Section 12.24 X.2128 of this Code](#). [12.21 A.17(e)(3)]

10. **Sewer Connection.** No building permit shall be issued for the construction of any new one-family dwelling on a lot located 200 feet or less from a sewer mainline unless a sewer connection is provided to the satisfaction of the City Engineer. [12.21 A.17(g)]

11. **Hillside Neighborhood Overlay.** The provisions of [Subdivisions 2, 4 and 6 of this Subsection](#) may be superseded by a Hillside Neighborhood Overlay adopted pursuant to [Section 13.## of this Code](#).

12. **Exceptions.** The provision of [this Subsection](#) shall not apply to: [12.21 A.17(i)]

- a. **Tracts With CC&Rs Approved After February 1, 1985.** One-family dwellings, accessory buildings and additions thereto within a subdivision for which a tentative or final tract map was approved by the City of Los Angeles after February 1, 1985, and is still valid, provided that the map resulted in the establishment of covenants, conditions and restrictions governing building height, yards, open space or lot coverage, and provided,

further, that such covenants, conditions and restrictions were recorded on or after February 1, 1985. [12.21 A.17(i)(1)]

- x. ~~**Streets With Minimum Width of 28 Feet.** Any construction on a lot with a vehicular access from a street improved with a minimum 28-foot wide continuous paved roadway within the Hillside Area, provided:~~ [12.21 A.17(i)(2)]

- (1) ~~the roadway begins at the driveway apron which provides access to the main residence and ends where the roadway intersects a designated collector street, or a secondary or major highway where the collector, major or secondary highway roadway also has a minimum continuous paved roadway width of 28 feet from the apron to the edge of the Hillside Area boundaries.~~ [12.21 A.17(i)(2)(i)]

- (2) ~~the area within the vehicular access does not contain any encroachment which would prohibit the passage of emergency vehicles.~~ [12.21 A.17(i)(2)(ii)]

- x. ~~**Additions to Dwellings Built Prior to September 14, 1992.** Any additions made after September 14, 1992, to a one-family dwelling existing prior to that date, provided:~~ [12.21 A.17(i)(3)]

- (1) ~~the total cumulative floor area of all such additions does not exceed 750 square feet (excluded from calculations of this 750 square foot limitations is floor area devoted to required parking); and~~ [12.21 A.17(i)(3)(a)]

- (2) ~~the resulting building does not exceed the height of the original building or the height permitted in [Subdivision 4 of this Subsection](#) whichever is greater; and~~ [12.21 A.17(i)(3)(b)]

- (3) ~~at least 2 off-street parking spaces are provided.~~ [12.21 A.17(i)(3)(c)]

- b. **Hillside Major Remodel.** [As defined in Section 12.03](#), Any remodeling of a main building on a lot in the Hillside Area, ~~as defined in Section 12.03~~, which does not add square-footage and for which the aggregate value of all the alterations which a one-year period does not exceed 50% of the replacement cost of the main building. [12.21 A.17(i)(4)]

- x. ~~**Vested Development Plan.** Where architectural and structural plans sufficient for a complete plan check for a building permit for a building or structure were accepted by the Department of Building and Safety and for which a plan check fee was collected on or before the effective date of this Subdivision, and for which no subsequent changes are made to those plans which increase the height or reduce front or side yards. However, any building permit shall become invalid if construction pursuant to the permit is not commenced within 18 months of the date the plan check fee was collected.~~ [12.21 A.17(i)(5)]

BASELINE HILLSIDE ORDINANCE

Prepared by the City of Los Angeles – Department of City Planning

**PROPOSED
ORDINANCE**

NONCONFORMING RIGHTS (12.23 A.1)

- (c) 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 designated as Hillside Area and not located in the Hillside Area or Coastal Zone, shall not be added to or enlarged in any manner, 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, 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. **[12.23 A.1(c)]**

ZONING ADMINISTRATOR DETERMINATIONS (12.24 X)

28. **Single-Family Zones in Hillside Area.** A Zoning Administrator may, upon application, grant the deviations outlined in [Paragraph a of this Subdivision](#) on lots in the R1, RS, RE, and RA Zones which are located in a Hillside Area as defined in [Section 12.03](#).
- a. **Zoning Administrator Authority.** If an owner seeks relief, a Zoning Administrator has the authority to grant the following deviations:
- (1) **Setback Requirements.** A reduction of the front and side yard setback requirements outlined in [Subdivision 1 of <<BHO>> of this Article](#) for lots fronting on a Substandard Hillside Limited Street; however, in no event shall the side yard be less than 4 feet. **[12.24 X.11(2)] [12.24 X.11(b)]**
 - (2) **Additions to Structures Existing Prior to August 1, 2010.** The Zoning Administrator has the authority to approve any additions made after [August 1, 2010](#) to a one-family dwelling existing prior to that date with the benefit of permits which exceed the requirements of Paragraphs a and c of Subdivision 2 of <<BHO>> of this Article, provided: **[12.21 A.17(i)(3)]**
 - (i) the total cumulative Residential Floor Area of all such additions does not exceed 750 square feet (excluded from calculations of this 750 square foot limitation is floor area devoted to required parking); and **[12.21 A.17(i)(3)(a)]**
 - (ii) the resulting building does not exceed the height of the original building or the height permitted in [Subdivision 4 of <<BHO>> of this Article](#), whichever is greater; and **[12.21 A.17(i)(3)(b)]**
 - (iii) at least two off-street parking spaces are provided. **[12.21 A.17(i)(3)(c)]**
 - (3) **Height.** Exceed the maximum envelope height requirements required by [Subdivision 4 of <<BHO>> of this Article](#); however, the increase in height ~~will~~ may not result in a building or structure which exceeds an overall height of 45 feet. The overall height shall be measured from the lowest elevation point within 5 horizontal feet of the exterior walls of a building or structure, to the highest elevation point of the roof structure or parapet wall. **[12.24 X.11(1)] [12.24 X.11(a)(1)]**
 - (4) **Lot Coverage.** Increase the maximum lot coverage limitations as outlined in Subdivision 5 of <<BHO>> of this Article, up to a maximum of 50% of the lot area. **[12.24 X.11(3)] [12.24 X.11(c)]**
 - (5) **Grading.** **[12.24 X.21(a)(3) NO LONGER NECESSARY]**
 - (i) Grading in excess of 1,000 cubic yards, but in no event shall the quantities exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards.

- (ii) Increase the maximum quantity of earth import greater than 500 cubic yards, and increase the maximum quantity of export greater than 1,000 cubic yards.

For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03, increase the maximum quantity of earth import greater than 375 cubic yards, and increase the maximum quantity of earth export greater than 750 cubic yards.

- (8) **Off-Street Parking.** Reduce the number of off-street parking spaces required by Paragraph b of Subdivision 7 of <<BHO>> of this Article. [12.24 X.11(4)] [12.24 X.11(d)]
- (9) **Substandard Hillside Street, or Street Access or Grading for Parking in Hillside.** If an owner seeks relief, a Zoning Administrator may permit the ~~grading and~~ construction of buildings and structures on lots in the R1, RS, RE, and RA Zones which: [12.24 X.21(a)]
 - (i) Do not meeting the requirements of Paragraph b of Subdivision 9 of <<BHO>> of this Article because they front on a Substandard Hillside Limited Street improved to a roadway width of less than 20 feet. [12.24 X.21(a)(1)]
 - (ii) Do not meeting the requirements of Paragraph c of Subdivision 9 of <<BHO>> of this Article because they do not have vehicular access from streets improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area. [12.24 X.21(a)(2)]
 - (iii) ~~Grading in excess of 1,000 cubic yards, in order to accommodate the additional parking requirements in Paragraph b of Subdivision 6 of <<BHO>> of this Article for a new one-family dwelling, accessory building, Major Remodel Hillside, or additions on a lot which fronts on a Substandard Hillside Limited Street, but in no event shall the quantities exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards.~~ [12.24 X.21(a)(3)]
- b. **Findings.** The Zoning Administrator shall find that approval of any use in this Subsection is in conformity with the public necessity, convenience, general welfare and good zoning practice and that the action will be in substantial conformance with the various elements and objectives of the General Plan, and that the approval is consistent with following applicable findings: [12.24 X]
 - (1) **Setback Requirements.** That the reduction in yards will not be materially detrimental to the public welfare or injurious to the adjacent property or improvements. [12.24 X.11(b)]
 - (2) **Additions to Structures Existing Prior to August 1, 2010.** That the increase in Residential Floor Area will result in a building or structure which is compatible in

scale with existing structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the vicinity.

- (3) **Height.** That the increase in height will result in a building or structure which is compatible in scale with existing structures in the vicinity; and that the approval is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the ~~area~~ vicinity. [12.24 X.11(a)(2)] [12.24 X.11(a)(3)]
- (4) **Lot Coverage.** That the increase in lot coverage will result in a development which is compatible in size and scale with other improvements in the immediate neighborhood; and that the increase will not result in a los of privacy or access to light enjoyed by adjacent properties. [12.24 X.11(c)]
- (5) **Grading.** [12.24 X.21(a)(3) NO LONGER NECESSARY]
 - (i) That grading in excess of 1,000 cubic yards is done in accordance with the Department of City Planning – Planning Guidelines Landform Grading Manual (adopted by the City Council on June 1983), and is used to reflect original landform and result in minimum disturbance to natural terrain. Notching into hillsides is encouraged so that projects are built into natural terrain as much as possible.
 - (ii) That the increase the maximum quantity of earth import or exported will not lead to the significant alteration of the existing natural terrain, that the hauling of earth is being done in a manner that does not significantly affect the existing conditions of the street improvements and traffic of the streets along the haul route, and that potentially significant impacts to the public health, safety, and welfare of the surrounding community are being mitigated to the fullest extent feasible.
- (6) **Off-Street Parking.** That the reduction of the parking requirements will not create an adverse impact on street access or circulation in the surrounding neighborhood; and that the reduction will not be materially detrimental or injurious to the property or improvements in the vicinity in which the lot is located. [12.24 X.11(d)]
- (8) **Substandard Hillside Street, or Street Access ~~or Grading for Parking in Hillsides.~~**
 - (i) That the vehicular traffic associated with the building or structure will not create an adverse impact on street access or circulation in the surrounding neighborhood; and [12.24 X.21(b)(1)]
 - (ii) That the building or structure will not be materially detrimental or injurious to the adjacent property or improvements; and [12.24 X.21(b)(2)]

- (iii) That the building or structure will not have a materially adverse safety impact on the surrounding neighborhood. [12.24 X.21(b)(3)]
 - (iii) That the site and/or existing improvements make strict adherence to Subdivision 7-~~or~~9 of <<BHO>> of this Article impractical or infeasible. [12.24 X.21(b)(4)]
- c. **Procedures.** An application for permissions pursuant to this Subdivision shall follow the procedures for slight modifications set forth in Section 12.28 C.1, 2 and 3. Except that for public hearings for fences, walls, and retaining walls within required yards may not be required if the applicant submits with the application the written approval of the owners of all properties abutting, across the street or alley from, or having a common corner with the subject property. However, for requests for fences in the required front yard, (except for game court fences) only the written approval of the owners of the properties abutting on the side or across the street from the subject property need be submitted. [12.24 X.7(b)] [12.24 X.11(e)] [12.24 X.21(c)] [12.24 X.26(b)]
- d. **Conditions for Approval.** In approving ~~an adjustment or slight modification~~ the uses and activities authorized in this Subdivision, the Zoning Administrator may impose those conditions he or she deems necessary to remedy a disparity of privileges and that are necessary to protect the public health, safety or welfare and assure compliance with the objectives of the General Plan and the purpose and intent of the zoning. [12.24 X.26(b)] [12.28 C.4(a) by reference]

ZONING ADMINISTRATOR ADJUSTMENTS (12.28)

A. Adjustments. The Zoning Administrator shall have the authority to grant adjustments in the yard, area, building line and height requirements of [Chapter I of this Code](#). An adjustment shall not be permitted for relief from a density (lot area per unit) or height requirement, excluding fences and hedges, if the request represents an increase of 20 percent or more than what is otherwise permitted by this Code. A request for an increase of 20 percent or more shall be made as an application for a variance pursuant to [Section 12.27 of this Code](#), except as may be permitted by other provisions of [Chapter I of this Code](#).

The Zoning Administrator shall also have the authority to grant adjustments in Residential Floor Area of no more than a ten percent increase beyond what is otherwise permitted by [Chapter I of this Code](#). A request for an increase in Residential Floor Area greater than ten percent shall be made as an application for a variance pursuant to [Section 12.27 of this Code](#), except as may be permitted by other provisions of [Chapter I of this Code](#).

ADD PARAGRAPH (d) TO SUBDIVISION 2 OF SUBSECTION C:

(d) For R1, RS, RE, and RA Zoned properties in the Hillside Area, as defined in [Section 12.03 of this Article](#), the Zoning Administrator must conduct a public hearing for any Adjustment or Slight Modification requests.

“HN” HILLSIDE STANDARDS OVERLAY DISTRICTS (13.##)

A. Purpose. This section sets forth procedures and guidelines for the establishment of “HS” Hillside Standards Overlay in single-family residential neighborhoods in designated Hillside Areas, as defined in [Section 12.03 of this Chapter](#), throughout the City. The purpose of the “HS” Hillside Standards Overlay is to permit Residential Floor Area, height, and grading limits in the R1, RS, RE, and RA zones to be higher or lower than normally permitted by [this Code](#) in areas where the proposed overlay will further enhance the existing scale of homes and/or help to preserve the existing character of the neighborhood as effectively as the limitations or requirements otherwise established in this Code; and where these changes will be consistent with the policies and objectives set forth in the applicable Community Plan.

B. Establishment of the District. The procedures set forth in [Section 12.32 S of this Code](#) shall be followed, however each “HS” Hillside Standards Overlay shall include only properties in the RA, RE, RS, or R1 zones. The overlay shall not generally be less than 100 acres in area; however, the 100 acres do not need to be within one contiguous boundary as long as no one subarea is less than 25 acres in area, and that the entire 100 acres is located within an overall area of 200 contiguous acres. The precise boundary of a district may be adjusted for urban features such as topography, freeways or streets/highways. Boundaries shall be along street frontages and shall not split parcels. An “HS” Hillside Standards Overlay may encompass an area, which is designated, in whole or in part, as a Historic Preservation Overlay Zone and/or Specific Plan. The “HS” Hillside Standards Overlay shall include contiguous parcels, which may only be separated by public streets, ways or alleys or other physical features, or as set forth in the rules approved by the Director of Planning. Precise boundaries are required at the time of application for or initiation of an individual overlay.

C. Development Regulations. The Department of Building and Safety shall not issue a building permit for a residential structure within an “HS” Hillside Standards Overlay unless the residential structure conforms to the regulations set forth in a specific “HS” Hillside Standards Overlay. The development regulations for each “HS” Hillside Standards Overlay shall be limited to changes in the numerical values of the Residential Floor Area, height, and grading limits in the R1, RS, RE, and RA zones stated in [this Chapter](#), and shall not result in a substantial deviation in approach, method of calculation, or measurement from the corresponding language already in place in [this Chapter](#). The development regulations shall be determined at the time the overlay is established. The development regulations shall serve to enhance the existing or envisioned character of the overlay.

SUBSECTION D OF SECTION 12.04 AMENDED TO READ:

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:

- “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
“HS”	<u>Hillside Standards Overlay</u>

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 or “HS” Hillside Standards Overlay 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.

SUBPARAGRAPH (2) OF PARAGRAPH (C) OF SUBDIVISION 1 OF SUBSECTION S OF SECTION 12.32 AMENDED TO READ:

(2) **Additional Requirements for Application.** 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 or a Hillside Standards Overlay 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.