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SECONDARY SUBMISSIONS



Item No. 7

Department of City Planning

City Hall, 200 N. Spring Street, Room 272, Los Angeles, CA 90012

September 21, 2021

TO: City Planning Commission

FROM: Craig Weber, Principal City Planner

**TECHNICAL MODIFICATIONS/CORRECTIONS TO THE STAFF RECOMMENDATION
REPORT FOR CASE NO. CPC-2017-432-CPU; CPC-2014-1582-CA; CEQA: ENV-2017-
433-EIR**

The following technical modifications/corrections are to be incorporated into the staff recommendation report to be considered at the City Planning Commission meeting of Thursday, September 23rd, 2021 related to Item No. 07 on the meeting agenda.

Deleted text is shown in ~~striketrough~~ and added text is shown in underline. All modifications are recommended for adoption unless marked as “[OPTIONAL]”, in which case the item is recommended for deliberation.

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A. Modifications to Staff Report Exhibit A.1 (Community Plan Text)

1. Addition of a policy in Chapter 3 Mobility & Connectivity to the Downtown Community Plan Proposed Draft Plan in order to incorporate the following language:
 - c. [ADDED] MC 5.9 Metro Review. Development within 100 feet of a Metro facility should be reviewed and approved by Metro, including for compliance with the Metro Adjacent Development Handbook.

B. Modifications to Staff Report Exhibit B.1 (Downtown Community Plan Implementation Overlay (CPIO))

1. Edit of Subarea Description:

Section I-3

Civic Center Subarea C

~~The purpose of Subarea C is to regulate the amount of development across the district and allow for floor area to be transferred between City-owned properties in the Civic Center Master Plan Area to support an active and world-class Civic Center environment.~~

The purpose of Subarea C is to introduce affordable housing, ensure active frontages for commercial uses, and regulate the amount of development across the district and allow for floor area to be transferred between City-owned properties in the Civic Center Master Plan Area to support an active and world-class Civic Center environment.

2. Edit of Linkage Fee Exemption:

Section I-5. RELATIONSHIP TO OTHER ZONING REGULATIONS

- c. Projects providing Restricted Affordable Units to fully utilize the Affordable Housing Local Incentive Program pursuant to Chapter II, Section 2 or pursuant to the requirements of Chapter IV, Section I shall be considered exempt from the Affordable Housing Linkage Fee.

3. Addition of Subarea Standards:

CIVIC CENTER DEVELOPMENT STANDARDS SUBAREA

C – CIVIC CENTER DEVELOPMENT STANDARDS SUBAREA C

OVERVIEW

The purpose of Subarea C is to introduce affordable housing, ensure active frontages for commercial uses, and regulate the amount of development across the district and allow for floor area to be transferred between City-owned properties in the Civic Center Master Plan Area to support an active and world-class Civic Center environment.

- V – I. On-Site Restricted Affordable Units.** Within the boundaries of this CPIO Subarea, a minimum of fifty percent of all permitted and constructed residential units shall be on-site Restricted Affordable Units in the Deeply Low, Extremely Low, Very Low, Low, Moderate, or Above-Moderate income categories.
- A.** Of these Restricted Affordable Units, a minimum of fifty percent shall be restricted to lower income households, in the Deeply Low, Extremely Low, Very Low, or Low income categories.
 - B.** The minimum percentage of Restricted Affordable Units shall be maintained across all residential development of this CPIO Subarea and shall be calculated based on the total number of dwelling units permitted within this Subarea.
 - C.** Any individual Housing Development shall provide on-site Restricted Affordable Units greater than or equal to the rates outlined in Set G of LAMC Chapter 1A Section 9.3.2.B. The minimum number of Restricted Affordable Units shall be calculated based on the total final project dwelling unit count. Projects developed in accordance with this section shall be eligible for the Project Review thresholds established under II-VIII.8
- V – II. Frontage Standards.** Within the boundaries of this CPIO Subarea, any development including uses specified as General Commercial Uses, pursuant to LAMC Chapter 1A Section 5C.1.5, located on the ground floor shall adhere to the Transparency and Entrances standards of the General 1 Frontage, pursuant to LAMC Chapter 1A Section 3B.3.1.
- ~~V – I.~~
- V – III. Transfer of Floor Area.** Any owner(s) of a legally defined lot located within Subarea C may transfer unused permitted floor area to another legally defined lot within Subarea C, pursuant to the procedures of this section.
- A. Floor Area.** Total floor area in the Civic Center Subarea shall not exceed a ratio of 6.5:1. Individual sites within the Subarea may exceed a floor area ratio of 6.5:1 through a transfer of floor area.
 - B. Limitation.** Any project constructed with transferred floor area must comply with all regulations set forth in this Subarea.

C. Procedures. Projects seeking the transfer of unused permitted floor area, within the floor area cap, shall apply for an Administrative Clearance pursuant to the provisions of Section I-6 C.2 of this CPIO.

C. Modifications to Staff Report Exhibit B.3 (Community Benefit Trust Fund)

1. Edit of responsible department:

Section K. ~~The City Administrative Officer~~ Department of City Planning shall be responsible for preparing the annual budget for the Fund and is authorized to establish appropriate procedures to carry out the provisions of this chapter.

2. Edit of responsible department:

Section N. ~~The City Administrative Officer~~ Department of City Planning shall maintain appropriate accounting records of the actual costs of the services rendered pursuant to the Fund. ~~The City Administrative Officer~~ Department of City Planning shall report annually to the Chief Legislative Analyst regarding and identifying all receipts into and all expenditures out of the Fund, as well as the purpose for which each expenditure was made. Each report shall cover a fiscal year and shall be submitted within 90 days after the close of that fiscal year.

D. Modifications to Staff Report Exhibit B.4 (Community Benefits Fee Ordinance)

1. Clarification of eligible organizations for affordable housing programs:

SECTION. X.9. ELIGIBLE COMMUNITY BENEFITS

1. Programs to support affordable housing

- a. Land acquisition ~~by Community Land Trusts~~, for the purposes of establishing permanent, community-controlled affordable housing ~~by organizations such as Community Land Trusts or other similar groups~~.
- b. Acquisition of buildings in default or facing expiring affordability covenants in the next 10 years in order to preserve and extend housing affordability. ~~by Organized Tenant Groups, Community Based Organizations, or the Los Angeles Housing and Community~~

~~Investment Department (HCID).~~ Qualifying applicants include but are not limited to: owners of the said project; developers; non-profit organizations; Organized Tenant Groups; Community Based Organizations; or the Los Angeles Housing and Community Investment Department (HCID).

- c. Time extension for buildings facing expiring affordability covenants in the next 10 years ~~by organized tenant groups and/or Community Based Organizations.~~ Qualifying applicants include but are not limited to: non-profit organizations; owners of the said project; developers; Organized Tenant Groups; Community Based Organizations; or the Los Angeles Housing and Community Investment Department (HCID).

E. Modifications to Staff Report Exhibit C.1 (Proposed Zoning Code)

1. Div. 1.6. (Emergency Provisions)

To incorporate the provisions of Ordinance No. 187,096 (Council File 20-0380-S1) a new Section 1.6.5 (Temporary Regulatory Relief During a Local Emergency) shall be added to Div. 1.6. (Emergency Provisions) as it reads in *Technical Modification Exhibit 1 - Temporary Regulatory Relief During A Local Emergency*.

2. Sec. 2A.2.2.B. Project Activities [p. 2-12]

To provide further clarity on the applicability of each form rule category, the following Project Activities table in Sec. 2A.2.2.B. (Project Activities) shall be amended to read as follows:

	Applicability								
	New Construction	Major Demolition	Lot Modification	Site Modification	Facade Modification	Use Modification	Temporary Use	Renovation	Maintenance & Repair
FORM RULES CATEGORIES									
Div.2C.1. Lot Size			●						
Div. 2C.2. Coverage	●		●						
Div. 2C.3. Amenity	●		●	●		●			
Div. 2C.4. Floor Area Ratio & Height	●	●	●						
Div. 2C.5. Upper-Story Bulk	●	●							
Div. 2C.6. Building Mass	●								

PAGE 7

3. Sec. 2B.8.1.B.2. (Low-Rise Narrow 1 -LN1) [p. 2-21]

To better align the Low-Rise Narrow 1 (LN1) Form District with the policy intent in regard to height transitions by removing the 2 story minimum from stories without a step-back, the “Stories without step-back” table row in Sec. 2B.8.1.B.2. shall be amended to read as follows:

Stories without step-back (min /max)	2/ 4
--	------

4. Sec. 2B.8.1.B.2. (Low-Rise Narrow 1 - LN1) [p. 2-21]

To better align the Low-Rise Narrow 1 (LN1) Form District with the policy intent in regard to height transitions from adjacent lower-scaled Form Districts, the “Height transition” table rows in Sec. 2B.8.1.B.2. shall be amended to read as follows:

Height Transition <u>District boundary height transition</u>		
GE	Stories without height transition <u>Abutting district</u> allowed height (max)	45'
EF	Side transition depth (min) <u>Stories without</u> height transition (max)	40' <u>4</u>
	Rear <u>I</u> transition depth (min)	10'
	Alley transition depth (min)	n/a

5. Sec. 2C.1.1.D.2. (Measurement) [p. 2-60]

To ensure consistency with the definition of “Lot”, a modification to the measurement language for Lot Area is required, therefore Sec. 2C.1.1.D.2. (Measurement) shall be amended as follows:

~~Lot area does not include portions of a lot required for land dedication with the exception of required street corner dedications and dedications for street widening according to Sec. 10.1.8. (Lots Affected By Street Widening). For measurement on portions of a lot required for land dedication, see Sec. 14.1.11. (Lot).~~

6. Sec. 2C.1.2.D. (Measurement) [p. 2-61]

To ensure consistency with the definition of “Lot”, a clarification to the measurement language for Lot Width is required, therefore a new Subdivision 3 shall be added to Sec. 2C.1.2.D. (Measurement) that reads as follows:

3. For measurement on portions of a lot required for land dedication, see Sec. 14.1.11. (Lot).

7. Sec. 2C.2.2.D. (Measurement) [p. 2-66]

To ensure consistency with the definition of “Lot”, a clarification to the measurement language for Building Setbacks is required, therefore a new Subdivision 7 shall be added to Sec. 2C.2.2.D. (Measurement) that reads as follows:

7. For measurement on portions of a lot required for land dedication, see Sec. 14.1.11. (Lot).

8. Sec. 2C.3.3.D.1.b. (Standards) [p. 2-76]

To fix a typographical error, the first unnumbered paragraph of Sec. 2C.3.3.D.1.b. (Standards) shall be amended to read as follows:

To meet the requirement for outdoor space ~~seating~~, each amenity space must meet all the following criteria:

9. Sec. 2C.5.3. (Height Transition) [p. 2-99]

To ensure that the height transition tools established are aligned with policy objectives and provide a transition which takes into account the adjacent/surrounding Form Districts, Sec. 2C.5.3. (Height Transition) shall be amended to read as established in *Technical Modification Exhibit 2 - District Boundary Height Transition*.

10. Sec. 3A.2.2.B. Project Activities, [p. 3-11]

To provide further clarity on the applicability of each frontage rule category, the following Project Activities table in Sec. 3A.2.2.B. (Project Activities) shall be amended to read as follows:

	Applicability								
	New Construction	Major Demolition	Lot Modification	Site Modification	Facade Modification	Use Modification	Temporary Use	Renovation	Maintenance & Repair
GENERAL FRONTAGE RULES CATEGORIES									
Div. 3C.1. Build-to	●	●							
Div. 3C.2. Parking	●	●		●					
Div. 3C.3. Landscaping	●	●	●	●					
Div. 3C.4. Transparency	●	●			●				
Div. 3C.5. Entrances	●	●			●				
Div. 3C.6. Ground Story	●								
CHARACTER FRONTAGE RULES CATEGORIES									
Div. 3D.1. Build-to	●	●							
Div. 3D.2. Parking	●	●		●					
Div. 3D.3. Landscaping	●	●	●	●					
Div. 3D.4. Ground Floor Elevation	●								
Div. 3C.5. Story Height	●								
Div. 3C.6. Articulation	●	●			●				
Div. 3C.7. Features	●				●				
Div. 3C.8. Entrances	●	●			●				
Div. 3C.9. Transparency	●	●			●				
Div. 3C.10. Exterior Materials	●	●			●				
Div. 3C.11. Roof Design	●	●			●				

11. Sec. 3B.2.1. MU1 [p. 3-20], Sec. 3B.2.2. MU2 [p. 3-21], Sec. 3B.3.1. G1 [p. 3-23], Sec. 3B.4.1. SH1 [p. 3-25], Sec. 3B.4.2. SH2 [p. 3-26], Sec. 3B.7.1. WH1 [p. 3-31], Sec. 7B.1.1. Civic Institution 1 [p. 7-15]

To provide more consistency in terminology between the Frontage districts and Alternate Typologies tables and the Entry Feature rules, the “Required entry feature” row in Sec. 3B.2.1., Sec. 3B.2.2., Sec. 3B.3.1., Sec. 3B.4.1., Sec. 3B.4.2., Sec. 3B.7.1., and Sec. 7B.1.1. shall be amended as follows:

Required e Entry feature	Non /a
-------------------------------------	-------------------

12. Sec. 3B.2.1. Multi-Unit 1 (MU1) [p. 3-20]

To better align the Multi-Unit 1 (MU1) Frontage District with the policy intent in regard to the applicability of the District’s standards, the “Applicable stories” table row in Sec. 3B.2.1.A. (Lot) shall be amended as follows:

BUILD-TO	
Applicable stories (min)	4 2

13. Sec. 3B.2.2. Multi-Unit 2 (MU2) [p. 3-21]

To better align the Multi-Unit 2 (MU2) Frontage District with the policy intent in regard to the applicability of the District’s standards, the “Applicable stories” table row in Sec. 3B.2.2.A. (Lot) shall be amended as follows:

BUILD-TO	
Applicable stories (min)	4 2

14. Sec. 3C.2.1. (Parking Setback) [p. 3-60, 3-61]

To specify that parking setbacks are measured from the minimum building setback in the parking setback standard, Sec. 3C.2.1.D. (Measurement) shall be amended as follows:

D. Measurement

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

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

3. A special parking setback is measured from the ~~lot line~~ minimum setback associated with a special lot line and continuing inward away from the special lot line. ~~in a Dual Frontage or Character Frontage. Special lot lines include but are not limited to "River," "Park," and "Alley."~~

15. Sec. 3C.3.1. (Frontage Planting Area) [p.3-62]

To clarify that Frontage planting area does not include the abutting parkway, Sec. 3C.3.1.D.1 (Measurement) shall be amended as follows:

D. Measurement

1. Frontage planting area is measured as a percentage calculated as the cumulative planting area located in a frontage yard ~~or the abutting parkway~~ divided by the total frontage yard area. ~~The area of the abutting parkway is not included in the total frontage yard area.~~
2. For frontage yard designation, see Sec. 14.1.16. (Yards).

16. Sec. 3C.5.1.C.2.b. (Standards) [p. 3-85]

To add additional clarification to the Street-Facing Entrance standards, a new Subparagraph iii. shall be added to Sec. 3C.5.1.C.2.b. that reads as follows:

- iii. When the applied Frontage District specifies that a street-facing entrance is 'not required' but does specify a maximum entrance spacing, a street-facing entrance shall only be required if the building width along the indicated frontage lot line is greater than the specified entrance spacing. Street facing entrances shall then be required in accordance with the maximum entrance spacing requirement specified.

17. Sec. 3D.9.1.C.5.a. (Standards) [p. 3-121]

To add additional clarification in the applicability of the symmetrical lite pattern standards, the first unnumbered paragraph of Sec. 3D.9.1.C.5.a. (Standards) shall be amended as follows:

When listed as "required in the applied Frontage District (Part 3B), ~~a~~All windows provided on applicable facades shall meet the following standards.

18. Div. 3D.10. (Exterior Materials) [p. 3-125]

To provide additional clarity and intent for Principal, Accessory and Exterior Material Options, the entirety of Div. 3D.10 (Exterior Materials) shall be replaced with the amended version as established in *Technical Modifications Exhibit 3 - Exterior Materials*.

19. Sec. 4A.2.2.B. (Project Activities) [p. 4-7]

To provide further clarity on the applicability of each development standard rule category, the following Project Activities table in Sec. 4A.2.2.B. (Project Activities) shall be amended to read as follows:

	Applicability								
	New Construction	Major Demolition	Lot Modification	Site Modification	Facade Modification	Use Modification	Temporary Use	Renovation	Maintenance & Repair
DEVELOPMENT STANDARD RULES CATEGORIES									
Div. 4C.1. Pedestrian Access	●	●	●	●	●				
Div. 4C.2. Automobile Access	●	●	●	●					
Div. 4C.3. Bicycle Parking	●	●		●		●			
Div. 4C.4. Automobile Parking	●	●		●		●			
Div. 4C.5. TDM	●			●		●			
Div. 4C.6. Plants	●			●					
Div. 4C.7. Fences & Walls	●	●	●	●		●			
Div. 4C.8. Screening	●	●	●	●		●			
Div. 4C.9. Grading	●	●	●	●					
Div. 4C.10. Outdoor Lighting & Glare	●	●		●	●				
Div. 4C.11. Signs	●	●	●	●	●	●			
Div. 4C.12. Site Elements	●	●		●	●	●			
Div. 4C.13. Environmental Protection	●	●		●					
Div. 4C.14. Development Review	●			●		●			

20. Sec. 4B.5.2. (Standards) [p. 4-11]

To ensure consistent use of terminology, the “Exempt change of use, non residential tenant size” table rows shall be amended as follows:

AUTOMOBILE PARKING	
Exempt change of use, non residential tenant size (max)	n/a
Change of use parking exemption (max)	

21. Sec. 4B.6.2. (Standards) [p. 4-12]

To ensure consistent use of terminology, the “Exempt change of use, non residential tenant size” table rows shall be amended as follows:

AUTOMOBILE PARKING	
Exempt change of use, non residential tenant size (max)	n/a
Change of use parking exemption (max)	

22. Sec. 4C.1.1.C.3.a.xi. (Pedestrian Passageway) [p. 4-21]

To add provisions governing signs for pedestrian passageways, Sec. 4C.1.1.C.3.a.xi. shall be amended as follows:

Shall be made permanently available to the general public, at no cost, between sunrise and sunset daily, or during the operating hours of the building, whichever would result in a longer period of time. No gates or other barriers may block any portion of a pedestrian passageway from pedestrian access during the required available hours, and a sign shall be posted at every public entrance to the pedestrian passageway in accordance with the standards in Sec. 2C.3.3.D.10.b.ii.

23. Div. 4C.2. (Automobile Access) [p. 4-28]

To simplify standards by regulating driveway lanes uniformly rather than distinguishing between single lane and double lane driveways, Div. 4C.2. (Automobile Access) shall be amended as established in *Technical Modification Exhibit 4 - Automobile Access*.

24. Sec. 4C.4.1.C.2. (Required Automobile Parking Table) [p. 4-55]

To better reflect policy goals and clarity of regulations, the following Sec. 4C.4.1.C.2. (Required Automobile Parking Table) table rows shall be amended as follows:

	PARKING SET				
	A	B	C	D	E
RESIDENTIAL					
Dwelling Units:					
1-2 Habitable Rooms	—	0.25/du	0.5/du	0.75/du	1/du
1-4 Habitable Rooms					
3 Habitable Rooms	--	0.5/du	0.75/du	1/du	1.5/du
4+ Habitable Rooms	--	0.75/du	1/du	1.5/du	2/du
5+ Habitable Rooms					
Joint Live/Work Quarters	See Sec.9.4.5. (Downtown Adaptive Reuse Projects) or Sec. 9.4.6. (Citywide Adaptive Reuse Projects) <u>Entire Unit including workspace treated as Dwelling Unit</u>				
Live Work	See Dwelling (No additional parking required beyond Dwelling) <u>Entire Unit including workspace treated as Dwelling Unit</u>				
OPEN SPACE AND RECREATION					
Indoor Recreation, Commercial	—	2.5/1,000 SF	5/1,000 SF	7.5/1,000 SF	10/1,000 SF
	--	<u>0.5/1,000 SF</u>	<u>1/1,000 SF</u>	<u>1.5/1,000 SF</u>	<u>2/1,000 SF</u>
GENERAL COMMERCIAL					
Eating and Drinking:					
Alcohol Services	--	--	--	--	--
Bar	—	2/1,000 SF	2/1,000 SF	5/1,000 SF	10/1,000 SF
Counter Service	—	1/1,000 SF	2/1,000 SF	3/1,000 SF	4/1,000 SF
Restaurant	—	1/1,000 SF	2/1,000 SF	4/1,000 SF	5/1,000 SF
Service floor area	--	<u>1/1,000 SF</u>	<u>2/1,000 SF</u>	<u>4/1,000 SF</u>	<u>5/1,000 SF</u>
Food & drink preparation area	--	<u>0.5/1,000 SF</u>	<u>1/1,000 SF</u>	<u>1.5/1,000 SF</u>	<u>2/1,000 SF</u>

25. Sec. 4C.4.1.E.4. (Electric Vehicle Charging Stations), (p 4-59)

To clarify calculation of required automobile parking stalls, and to incorporate State incentives for accessible Electric Vehicle Charging Stations, Sec. 4C.4.1.E.4. (Electric Vehicle Charging Stations) shall be amended as follows:

4. Electric Vehicle Stalls and Charging Stations

- a. Each electric vehicle charging station provided above the minimum required by Article 9 (Green Building Code) of Chapter 9 (Building Regulations) of the LAMC the California Green Building Standards Code may be substituted for 2 required automobile parking stalls for the purpose of complying with any applicable minimum parking stall requirements of Sec. 4C.4.1 (Automobile Parking Stalls).
 - i. Measurement. Where a multiport electric vehicle charger can simultaneously charge more than one vehicle, the number of electric vehicle charging stations shall be considered equivalent to the number of electric vehicles that can be simultaneously charged.
- b. An accessible parking stall with an access aisle served by electric vehicle supply equipment or an accessible parking stall with an aisle designated as a future electric vehicle charging space shall count as 2 required automobile parking stalls for the purpose of complying with any applicable minimum parking stall requirements of Sec. 4C.4.1 (Automobile Parking Stalls).

26. Sec. 4C.4.2. (Change of Use Parking Exemption) [p. 4-62]

To add a new section to provide clarity and details to the standards for Change of use Parking Exceptions, Sec. 4C.4.2. (Change of Use Parking Exemption) shall be added as established in *Technical Modification Exhibit 5 - Change of Use Parking Exemption*. In addition, update all subsequent section references in Article 4 accordingly.

27. Sec. 4C.4.3.C.8. (Parking Stall Obstructions) [p. 4-68]

To ensure consistent use of terminology, Sec. 4C.4.3.C.8. (Parking Stall Obstructions) shall be amended as follows:

No fence, wall, partition, column, post or similar obstruction may be located within 10 inches of a parking stall along its longest dimension unless the obstruction is located a minimum of 14 feet from the access drive aisle measured parallel to the parking stall. Parking stalls provided in 1L or 2L Density Districts are exempt from this standard.

28. Sec. 4C.4.4.C.2.b. (Option 1: Prescriptive Standard) [p. 4-75]

To update the number of trees required in surface parking lots to better align with current Zoning Code requirements, Subparagraphs ii. and iii. of Sec.4C.4.4.C.2.b. (Option 1: Prescriptive Standard) shall be amended as follows:

- ii. Trees planted within a planting area located along a single row of parking stalls shall

be provided at a rate of 1 large species tree or 2 small species trees for every ~~34~~ parking stalls.

iii. Trees planted between two rows of parking stalls shall be provided at a rate of 1 large species tree (Sec. 4C.6.5.C.3.a.) or 2 small species trees (Sec. 4C.6.5.C.3.a.) for every ~~68~~ parking stalls.

29. Sec. 4C.6.4.C.2.a. (General) [p. 4-98]

To add a new provision limiting the allowable height for planters allowed to count toward planting area in order to avoid overly-tall planters in the frontage yard, a new Subparagraph ii. shall be added that reads as follows and the subsequent Subparagraphs shall be renumbered accordingly:

ii. Where planters are allowed to count toward planting area (See Sec. 4C.6.4.C.2.a.i.), planters shall not be more than 4 feet in height, measured from finished grade.

30. Sec. 4C.8.1.C.1. (General) [p. 4-111]

To ensure consistency with existing provisions established by the current Zoning Code, a new Paragraph i. shall be added to Sec. 4C.8.1.C.1. that reads as follows:

i. Walls provided to meet the standards of Frontage Screen 4 and 5 shall not include chain link, barbed wire, or concertina.

31. Sec. 4C.8.2.C.1. (General) [p. 4-117]

To ensure consistency with existing provisions established by the current Zoning Code, a new Paragraph i. shall be added to Sec. 4C.8.2.C.1. that reads as follows:

i. Walls provided to meet the standards of Frontage Screen 4 and 5 shall not include chain link, barbed wire, or concertina.

32. Sec. 4C.8.2.C.1.b. (General) [p 4-116]

To ensure consistency with City policy regarding shared walls and fences, subdivision b. shall be amended as follows:

b. Required transition screens including their sub-grade elements, such as footings or foundation, shall be located either entirely on-site or, ~~with written consent from the neighboring property owner, straddling the common lot line located on both lots.~~

33. Sec. 4C.11.5.C.3 (Sign Types Allowed)

To increase clarity in the relationship between sign types, the following provision shall be added as a new subparagraph within Sec. 4C.11.5.C.3 that reads as follows:

Where a sign meets the standards and definition of both an allowed sign type and a sign type that is not allowed per the table in this paragraph, the sign is considered to be the allowed sign type.

34. Sec. 4C.11.6.C.2. (High-Rise Sign) [p. 4-150]

To increase clarity in the organization of the sign types, High-Rise Sign shall be renamed as follows:

2. High-Rise Sign 1

35. Sec. 4C.11.6.C.11. (Tall Building Sign) [p. 4-161]

To increase clarity in the organization of the sign types, Tall Building Sign shall be renamed as follows:

11. ~~Tall Building~~ High-Rise Sign 2

36. Sec. 4C.12.2. (Ground-Mounted Equipment) [p. 4-169]

To add refinements to the Ground-Mounted Equipment applicability and location and screening standards, including new provisions for landscape screening, Sec. 4C.12.2. (Ground-Mounted Equipment) shall be amended as established in *Technical Modification Exhibit 6 - Ground-Mounted Equipment*.

37. Sec. 4C.12.3.B. (Applicability) [p. 4-172]

To add clarification regarding the applicability of the Wall-Mounted Equipment provisions, Sec. 4C.12.3.B. (Applicability) shall be amended as follows:

Wall mounted equipment standards apply to all mechanical or utility equipment attached to the exterior wall of a building or structure, with the exceptions of wireless telecommunication uses. Wireless telecommunication uses shall meet the screening requirements outlined in Sec. 4C.8.8. (Wireless Telecommunication Facilities). Wall-Mounted Equipment standards do not apply to fire alarms.

38. Sec. 4C.12.5. (Waste Receptacles) [p. 4-177]

To better align with existing City policies regarding the screening of waste receptacles, Subsection B. and C. of Sec. 4C.12.5. (Waste Receptacles) shall be amended as established in *Technical Modification Exhibit 7 – Waste Receptables*.

39. Div. 4C.12. (Site Elements) [p. 4-167]

To carry over the equivalent version of the shopping cart containment regulations in the current Zoning Code, a new Sec. 4C.12.7. (Shopping Cart Containment) shall be added to Div. 4C.12 (Site Elements) as established in *Technical Modification Exhibit 8 - Shopping Cart Containment*.

40. Sec. 4C.14.1.B.1.a. (Project Review Thresholds) [p. 4-184]

To establish a correct citation, the first unnumbered paragraph shall be amended as follows:

When the applicable Development Standards District (Part 4B) specifies development review threshold package 1, the following development projects are subject to Sec. 13B.2.4. (~~Development~~ Project Review).

41. Sec. 4C.14.1.B.2.a. (Project Review Thresholds) [p. 4-185]

To establish a correct citation, the first unnumbered paragraph shall be amended as follows:

When the applicable Development Standards District (Part 4B) specifies development review threshold package 2, development projects participating in the community benefits program (Div. 9.3.) having one or more of the characteristics listed below are subject to Sec. 13B.2.4. (~~Development~~ Project Review). Any development project that is not participating in the community benefits program is subject to development review threshold package 1:

42. Sec. 5A.2.2.A.3. (Project Activities) [p. 5-8]

To provide further clarity on the applicability of each use rule category, the following Project Activities table in Sec. 5A.2.2.A.3. (Project Activities) shall be amended to read as follows:

	Applicability								
	New Construction	Major Demolition	Lot Modification	Site Modification	Facade Modification	Use Modification	Temporary Use	Renovation	Maintenance & Repair
USE RULE CATEGORIES									
Div. 5C.1. Use Definitions	●					●	●		
Div. 5C.2. Use Permissions	●					●	●		
Div. 5C.3. Use Standards	●	●	●	●		●	●		

43. Sec. 5B.2.1. (Agricultural 1 - A1) [p. 5-18]

To align with the new policy intent regarding Family Child Care, the Family Child Care table row in Sec. 5B.2.1.B. (Allowed Use & Use Limitations) shall be amended as follows:

Family Child Care	P*	In conjunction with:	Dwelling
		<u>Persons in care (max)</u>	<u>20</u>
		<u>Relief</u>	<u>C2</u>

44. Sec. 5B.2.1. (Agricultural 1 - A1) [p. 5-19]

To align with the new policy intent regarding Preschool/Daycare, the Preschool/Daycare table row in Sec. 5B.2.1.B. (Allowed Use & Use Limitations) shall be amended as follows:

Preschool/Daycare	P	Persons in care (max)	50 <u>20</u>
		<u>Relief</u>	<u>C2</u>

45. Sec. 5B.3.1. (Residential 1 - RG1) [p. 5-25]

To align with the new policy intent regarding Family Child Care, the Family Child Care table row in Sec. 5B.3.1.B. (Allowed Use & Use Limitations) shall be amended as follows:

Family Child Care	P*	In conjunction with:	Dwelling
		<u>Persons in care (max)</u>	<u>20</u>
		<u>Relief</u>	<u>C2</u>

46. Sec. 5B.2.1. (Residential 1 - RG1) [p. 5-26]

To align with the new policy intent regarding Preschool/Daycare, the Preschool/Daycare table row in Sec. 5B.3.1.B. (Allowed Use & Use Limitations) shall be amended as follows:

Preschool/Daycare	- P	<u>Persons in care (max)</u>	<u>20</u>
		<u>Relief</u>	<u>C2</u>

47. Sec. 5B.4.1. (Residential-Mixed 1 - RX1) [p. 5-23]

To align with the new policy intent regarding Preschool/Daycare, the Preschool/Daycare table row in Sec. 5B.4.1.B. (Allowed Use & Use Limitations) shall be amended as follows:

Preschool/Daycare	P	<u>Persons in care (max)</u>	<u>20</u>
		<u>Relief</u>	<u>C2</u>

48. Sec. 5B.5.1. (Commercial-Mixed 1 - CX1) [p. 5-41], Sec. 5B.5.2. (Commercial-Mixed 2 - CX2) [p. 5-53], Sec. 5B.5.3. (Commercial-Mixed 3 - CX3) [p. 5-64], 5B.5.4. (Commercial-Mixed 4 - CX4) [p. 5-76], Sec. 5B.7.1. (Industrial-Mixed 1 - IX1) [p. 5-89], Sec. 5B.7.2. (Industrial-Mixed 2 - IX2) [p. 5-101], Sec. 5B.7.3. (Industrial-Mixed 3 - IX3) [p. 5-115], Sec. 5B.7.4. (Industrial-Mixed 4 - IX4) [p. 5-129], Sec. 5B.9.1. (Public 1 - P1) [p. 5-180], Sec. 5B.9.2. (Public 2 - P2) [p. 5-186]

To align with the new policy intent regarding Preschool/Daycare, the Preschool/Daycare table row in Sec. 5B.5.1.B. (Allowed Use & Use Limitations), Sec. 5B.5.2.B. (Allowed Use & Use Limitations), Sec. 5B.5.3.B. (Allowed Use & Use Limitations), 5B.5.4.B. (Allowed

Use & Use Limitations), Sec. 5B.7.1.B. (Allowed Use & Use Limitations), Sec. 5B.7.2.B. (Allowed Use & Use Limitations), Sec. 5B.7.3.B. (Allowed Use & Use Limitations), Sec. 5B.7.4.B. (Allowed Use & Use Limitations), Sec. 5B.9.1.B. (Allowed Use & Use Limitations), Sec. 5B.9.2.B. (Allowed Use & Use Limitations) shall be amended as follows:

Preschool/Daycare	P	Persons in care (max)	50
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49. **Sec. 5B.5.1. (Commercial-Mixed 1 - CX1) [p. 5-42], Sec. 5B.5.2. (Commercial-Mixed 2 - CX2) [p. 5-54], Sec. 5B.5.3. (Commercial-Mixed 3 - CX3) [p. 5-65], 5B.5.4. (Commercial-Mixed 4 - CX4) [p. 5-76], Sec. 5B.7.1. (Industrial-Mixed 1 - IX1) [p. 5-89], Sec. 5B.7.2. (Industrial-Mixed 2 - IX2) [p. 5-102], Sec. 5B.7.3. (Industrial-Mixed 3 - IX3) [p. 5-116], Sec. 5B.7.4. (Industrial-Mixed 4 - IX4) [p. 5-130], Sec. 5B.8.1. (Industrial 1 - I1) [p. 5-143], Sec. 5B.8.2. (Industrial 2 - I2) [p. 5-161]**

To make the Animal Services uses clearer and more effective, add a new “General” table row under the Animal Services table row in Sec. 5B.5.1.B. (Allowed Use & Use Limitations), Sec. 5B.5.2.B. (Allowed Use & Use Limitations), Sec. 5B.5.3.B. (Allowed Use & Use Limitations), 5B.5.4.B. (Allowed Use & Use Limitations), Sec. 5B.7.1.B. (Allowed Use & Use Limitations), Sec. 5B.7.2.B. (Allowed Use & Use Limitations), Sec. 5B.7.3.B. (Allowed Use & Use Limitations), Sec. 5B.7.4.B. (Allowed Use & Use Limitations), Sec. 5B.8.1.B. (Allowed Use & Use Limitations), Sec. 5B.8.2.B. (Allowed Use & Use Limitations) that reads as follows:

Animal Services:			
<u>General</u>	<u>P*</u>	<u>Use enclosure</u>	<u>Fully Indoor</u>

50. **Sec. 5B.1.1. (Open Space 1 - OS1) [p. 5-14], Sec. 5B.2.1. (Agricultural 1 - A1) [p. 5-20], Sec. 5B.3.1. (Residential 1 - RG1) [p. 5-27], Sec. 5B.4.1. (Residential-Mixed - RX1) [p. 5-34]**

To make the Animal Services uses clearer and more effective, add a new “General” table row under the Animal Services table row in Sec. 5B.1.1.B. (Allowed Use & Use Limitations), Sec. 5B.2.1.B. (Allowed Use & Use Limitations), Sec. 5B.3.1.B. (Allowed Use & Use Limitations), Sec. 5B.4.1.B. (Allowed Use & Use Limitations) that reads as follows:

Animal Services:			
<u>General</u>	=		

51. Sec. 5B.9.1. (Public 1 - P1) [p. 5-180]

To make the Animal Services uses clearer and more effective, add a new “General” table row under the Animal Services table row in Sec. 5B.9.1.B. (Allowed Use & Use Limitations) that reads as follows:

Animal Services:			
<u>General</u>	A-		

52. Sec. 5B.9.2. (Public 2 - P2) [p. 5-186]

To make the Animal Services uses clearer and more effective, add a new “General” table row under the Animal Services table row in Sec. 5B.9.1.B. (Allowed Use & Use Limitations) that reads as follows:

Animal Services:			
<u>General</u>	A+		

53. Sec. 5B.5.1. (Commercial-Mixed 1 - CX1) [p. 5-40]

To align with the new policy intent regarding Lodging, the Lodging table row in Sec. 5B.5.1.B. (Allowed Use & Use Limitations) shall be amended as follows:

Lodging	P*	Beds (max)	49
		Use separation	
		Agricultural, Residential, or Residential Mixed Use District (min)	500'

		Supplemental standards	<i>Sec. 5B.5.1.C.3.</i>
		Relief	<i>C2</i>

54. Sec. 5B.5.1. (Commercial-Mixed 1 - CX1) [p. 4-42]

Update Indoor Recreation, Commercial and Outdoor Recreation, Commercial: General non-residential tenant size limitation (max) in the Commercial-Mix 1 use district to bring into consistency with non-residential tenant size max for General Commercial use.

Indoor Recreation, Commercial	P*	Non-residential tenant (max)	5,000 <u>10,000</u>
		Relief	C2
		Upper story location	Prohibited

Outdoor Recreation, Commercial			
General	P*	Non-residential tenant (max)	5,000 <u>10,000</u>
		Relief	C2
		Upper story location	Prohibited

55. Sec. 5B.5.1. (Commercial-Mixed 2 - CX2) [p. 5-54]

Update Eating & Drinking, Alcohol Service permission level in the Commercial-Mix 2 use district to allow for use by-right when participating in the Restaurant Beverage Special Use Program

Alcohol Services	C2* P*	(see <i>General Commercial</i>)	
		In conjunction with:	Restaurant

		<u>Special use program</u>	<u>5C.4.2.</u>
		<u>Relief</u>	<u>C2</u>
		Supplemental procedures	Sec. 5B.5.2.D.1.

56. Sec. 5B.5.3. (Commercial-Mixed 3 - CX3) [p. 4-65]

Update Eating & Drinking, Alcohol Service permission level in the Commercial-Mix 3 use district to allow for use by-right when participating in the Restaurant Beverage Special Use Program

Alcohol Services	C2* P*	<i>(see General Commercial)</i>	
		In conjunction with:	Restaurant
		<u>Special use program</u>	<u>5C.4.2.</u>
		<u>Relief</u>	<u>C2</u>
		Supplemental procedures	Sec. 5B.5.3.D.1.

- 57. Open Space 1 (OS1) Sec. 5B.1.1.D.1. [p. 5-17], Residential-Mix 1 (RX1) Sec. 5B.5.1.D.1. [p. 5-38], Commercial-Mix 1 (CX1) Sec. 5B.6.1.D.1. [p. 5-49], Commercial-Mix 2 (CX2) Sec. 5B.6.2.D.1. [p. 5-60], Commercial-Mix 3 (CX3) Sec. 5B.6.3.D.1. [p. 5-71], Commercial-Mix 4 (CX4) Sec. 5B.6.4.D.1. [p. 5-82], Industrial-Mix 1 (IX1) Sec. 5B.7.1.D.1. [p. 5-97], Industrial-Mix 2 (IX2) Sec. 5B.7.2.D.1. [p. 5-109], Industrial-Mix 3 (IX3) Sec. 5B.7.3.D.1. [p. 5-123], Industrial-Mix 4 (IX4) Sec. 5B.7.4.D.1. [p. 5-137], Industrial 1 (I1) Sec. 5B.8.1.D.1. [p. 5-155], Industrial 2 (I2) Sec. 5B.8.2.D.1. [p. 5-173]**
Include additional supplemental procedure for Alcohol Service use to include procedures to allow for the application of multiple approvals to allow alcohol service for three or more tenant spaces.

D. Supplemental Procedures

1. Alcohol Service

- a. In addition to the notification otherwise required by Sec. 13B.2.2. (Class 2 Conditional Use Permit), the Zoning Administrator shall promptly notify the Council-member that represents the area including the project site of the conditional use application.
- b. In addition to the findings otherwise required by Sec. 13B.2.2. (Class 2 Conditional Use Permit), the Zoning Administrator shall also consider:
 - i. That the granting of the application will not result in an undue concentration of uses that dispense alcoholic beverages within a 1,000-foot radius of the lot according to the California Department of Alcoholic Beverage Control's guideline for undue concentration.
 - ii. Consider the existing crime rate nearby, especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace, and disorderly conduct, and whether revocation or nuisance proceedings have been initiated for any similar use in the area.
 - iii. That the proposed use will not detrimentally affect nearby Residential Use Districts or sensitive uses.

[ADDED]

- c. Permission for multiple approvals to allow alcohol service for three or more tenant spaces may be applied for under a single conditional use permit entitlement, subject to the following:
 - i. Tenant spaces are maintained under a single ownership within a unified complex comprising a combined floor area of 10,000 square feet or greater on the same site.
 - ii. The entitlement application for multiple conditional use permits shall be subject to processes and procedures required by Sec. 13B.2.2. (Class 2 Conditional Use Permit).
 - iii. Project Review shall be completed for each individual tenant space resulting in approval for each individual tenant space prior to the establishment of the proposed use within the subject tenant space.
 - iv. Applications shall detail the square footage of each tenant space, suite or unit number, hours of operation, and specific nature of proposed use for each tenant-operator space.
 - v. Each individual tenant space shall be separately addressed with applicable site-specific conditions. Any change in tenant-operator shall be required to apply for Project Review in order to evaluate the applicability of existing conditions and review any potential changes in site operations and conditions.

58. Residential-Mix 1 (RX1) Sec. 5B.5.1.D.2. [p. 5-39], Commercial-Mix 1 (RX1) Sec. 5B.6.1.D.2. [p. 5-50], Commercial-Mix 2 (CX2) Sec. 5B.6.2.D.2. [p. 5-61], Commercial-Mix 3 (CX3) Sec. 5B.6.3.D.2. [p. 5-72], Commercial-Mix 4 (CX4) Sec. 5B.6.4.D.2. [p. 5-83], Industrial-Mix 2 (IX2) Sec. 5B.7.2.D.2. [p. 5-110], Industrial-Mix 3 (IX3) Sec. 5B.7.3.D.2. [p. 5-123], Industrial-Mix 4 (IX4) Sec. 5B.7.4.D.2. [p. 5-137], Industrial 1 (I1) Sec. 5B.8.1.D.2. [p. 5-156], Industrial 2 (I2) Sec. 5B.8.2.D.2. [p. 5-174].

Include additional supplemental procedure for Bar use to include procedures to allow for the application of multiple approvals to allow alcohol service for three or more tenant spaces.

D. Supplemental Procedures

2. Bar

- a. In addition to the notification otherwise required by Sec. 13B.2.2. (Class 2 Conditional Use Permit), the Zoning Administrator shall promptly notify the Council-member that represents the area including the project site of the conditional use application.
- b. In addition to the findings otherwise required by Sec. 13B.2.2. (Class 2 Conditional Use Permit), the Zoning Administrator shall also consider:
 - i. That the granting of the application will not result in an undue concentration of uses that dispense alcoholic beverages within a 1,000-foot radius of the lot according to the California Department of Alcoholic Beverage Control's guideline for undue concentration.
 - ii. Consider the existing crime rate nearby, especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace, and disorderly conduct, and whether revocation or nuisance proceedings have been initiated for any similar use in the area.
 - iii. That the proposed use will not detrimentally affect nearby Residential Use Districts or sensitive uses.

[ADDED]

- c. Permission for multiple approvals to allow bars for three or more tenant spaces may be applied for under a single conditional use permit entitlement, subject to the following:

- i. Tenant spaces are maintained under a single ownership within a unified complex comprising a combined floor area of 10,000 square feet or greater on the same site.
- ii. The entitlement application for multiple conditional use permits shall be subject to processes and procedures required by Sec. 13B.2.2. (Class 2 Conditional Use Permit).
- iii. Project Review shall be completed for each individual tenant space resulting in approval for each individual tenant space prior to the establishment of the proposed use within the subject tenant space.
- iv. Applications shall detail the square footage of each tenant space, suite or unit number, hours of operation, and specific nature of proposed use for each tenant-operator space.
- v. Each individual tenant space shall be separately addressed with applicable site-specific conditions. Any change in tenant-operator shall be required to apply for Project Review in order to evaluate the applicability of existing conditions and review any potential changes in site operations and conditions.

59. Sec. 5B.5.3. Commercial-Mix 3 [p. 5-67]

Add Service Hours 7AM/7PM standard to Fueling Station use.

Fueling Station	P*	Use separation	
		Sensitive Use	200'
		Residential or Agricultural Use District	200'
		Relief	C2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		<u>Service Hours (early/late)</u>	<u>7AM/7PM</u>

		Outdoor sound system	Prohibited
		Supplemental standards	---

60. Sec. 5B.7.2. Industrial-Mix 2 (IX2) [p. 5-104]

Removal of Hours of Operation 7AM/7PM standard for Fueling Station in Industrial-Mix 2 (IX2) use district.

Fueling Station	P*	Use separation	
		Sensitive Use	200'
		Residential or Agricultural Use District	200'
		Relief	C2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (early/late)	7AM/7PM
		Service Hours (early/late)	7AM/7PM
		Outdoor sound system	Prohibited
		Supplemental standards	---

61. Sec. 5B.8.1. Industrial 1 (I1) [p. 5-146]

Removal of Hours of Operation 7AM/7PM and Service Hours 7AM/7PM standards for Fueling Station in Industrial 1 (I1) use district.

Fueling Station	P*	Use separation	
		Sensitive Use	200'
		Residential or Agricultural Use District	200'
		Relief	C2
		Screening	
		Frontage screen	F-Screen 3
		Transition screen	T-Screen 1
		Hours of operation (early/late)	7AM/7PM
		Service Hours (early/late)	7AM/7PM
		Outdoor sound system	Prohibited
		Supplemental standards	---

62. Sec. 5B.8.1.D.6. [p. 5-158], Sec. 5B.8.2.D.6. [p. 5-176]

Include additional supplemental procedure for outdoor storage: cargo container use in Industrial 1 (I1) and Industrial 2 (I2) use districts.

Supplemental Procedures

Outdoor Storage, Cargo Container

- The stacking of cargo containers more than 20 feet high shall only be permitted if a structural analysis done by a licensed engineer or architect in the State of California is submitted to and approved by the Los Angeles Department of Building and Safety (LADBS).
- An annual site inspection shall be conducted by LADBS, pursuant to Sec. 13B.10.3. (Annual Inspection Monitoring - Auto Dismantling Yards, Junk Yards, Scrap Metal or Recycling Materials Processing Yards, Recycling Collection

Centers or Buyback Centers, Recycling Materials Sorting Facilities, and Cargo Container Storage Yards).

63. Sec. 5C.1.1.D.1. [p. 5-194]

A modification of the Supportive Housing: General definition:

Residential use with 7 or more beds with no limit on length of stay for persons ~~with low incomes who have one or more disabilities who may require frequent support from on-site or off-site supportive services for daily living.~~ May include, among other populations, seniors adults, children within the foster care system, young adults aging out of the foster care system, emancipated minors, individuals exiting from institutional settings, individuals receiving rehabilitation or mental health support, veterans, and persons or families experiencing homelessness. The housing is linked to on-site or off-site supportive services, and any floor area used for the delivery of supportive services shall be considered incidental to the residential use. Full-time medical services shall not be provided on the premises. Supportive Housing, General includes all residential community care facilities and permanent supportive housing. Residential uses with 6 or fewer beds shall be classified as a dwelling rather than non-medical supportive housing. For non-residential community care facilities see Government Office, Social Services (Sec. 5C.1.2.E.2.).

64. Sec. 5C.1.2.E.1. [p. 5-197]

A modification to the Medical: Local definition

An inpatient or outpatient acute or sub acute care facility with a capacity of fewer than 100 beds that provides direct medical treatment to patients. ~~Including but not limited to: skilled nursing facility, rehabilitation facility, and psychiatric facility.~~ For outpatient facilities not providing acute or sub acute care, see Sec. 5C.1.5.H. (Medical Clinic).

65. Sec. 5B.1.1. [p. 5-12], Sec. 5B.2.1. [p. 5-18], Sec. 5B.3.1. [p. 5-25], Sec. 5B.4.1. [p. 5-32], Sec. 5B.5.1. [p. 5-40], Sec. 5B.5.2. [p. 5-52], Sec. 5B.5.3. [p. 5-63], 5B.5.4. [p. 5-75], Sec. 5B.7.1 [p. 5-87], Sec. 5B.7.2. [p. 5-100], Sec. 5B.7.3. [p. 5-113]. Sec. 5B.7.4. [p. 5-127], Sec. 5B.8.1. [p. 5-141], Sec. 5B.8.2. [p. 5-159], Sec. 5B.9.1. [p. 5-179], Sec. 5B.9.2. [p. 5-185]

Remove Supportive Housing: Non-Medical use from all use district tables:

Example use district table

Supportive Housing:			
General	P		
Medical Care	P		
Non-medical	P		
Transitional Shelter	P		

66. Sec. 5C.1.1.D.2. [p. 5-194]

Remove Supportive Housing: Non-Medical use definition:

~~Residential use with 7 or more beds which may be licensed by the California Department of Social Services to provide assistance with non-medical activities of daily living and may include dwelling, common dining areas, or other community rooms. Full-time medical services shall not be provided on the premises. Includes assisted living and senior independent living. Nonmedical supportive housing includes all residential community care facilities. Residential uses with 6 or fewer beds shall be classified as a dwelling rather than non-medical supportive housing. For non-residential community care facilities see Government Office, Social Services (Sec. 5C.1.2.E.2.).~~

67. Sec. 5C.3.1.D. [p. 5-204]

A modification to the Entertainment Venue, Indoor, Regional and Outdoor Regional use definition and removal of Entertainment Venue, Outdoor use.

D. Entertainment Venue

Any indoor ~~or outdoor~~ assembly use designed or intended for entertainment.

~~1. Outdoor~~

~~Any entertainment venue use located outdoors.~~

21. Indoor, Regional

Any indoor assembly use designed or intended for entertainment, having a capacity of ~~1,200~~ 3,000 persons or greater. Includes multiplex theater, auditorium, concert hall, and night club. For similar indoor spaces having a capacity less than ~~1,200~~ 3,000, see entertainment venue, local (Sec. 5C.1.5.D.2.). Does not include

activities established in Sec. 5C.1.5.M. (Sexually Oriented Business). See Bar (Sec. 5C.1.5.C.2.) for the inclusion of alcoholic beverages for on-site consumption.

32. ~~Indoor~~, Local

Any indoor assembly facility designed or intended for entertainment having a capacity of less than ~~1,200~~ 3,000 persons. For similar indoor spaces having a capacity of ~~1,200~~ 3,000 or greater, see entertainment venue, regional (Sec. 5C.1.5.D.1.). Includes community theater, movie theater, live-music venue, night club, comedy club, karaoke lounge, banquet hall. Does not include activities established in Sec. 5C.1.5.M. (Sexually Oriented Business). For the inclusion of alcoholic beverages for on-site consumption, see Bar (Sec. 5C.1.5.C.2.).

- 68. Sec. 5B.1.1. [p. 5-12], Sec. 5B.2.1. [p. 5-18], Sec. 5B.3.1. [p. 5-25], Sec. 5B.4.1. [p. 5-32], Sec. 5B.5.1. [p. 5-40], Sec. 5B.5.2. [p. 5-52], Sec. 5B.5.3. [p. 5-63], 5B.5.4. [p. 5-75], Sec. 5B.7.1. [p. 5-87], Sec. 5B.7.2. [p. 5-100], Sec. 5B.7.3. [p. 5-113]. Sec. 5B.7.4. [p. 5-127], Sec. 5B.8.1. [p. 5-141], Sec. 5B.8.2. [p. 5-159], Sec. 5B.9.1. [p. 5-179], Sec. 5B.9.2. [p. 5-185]**

Delete Outdoor Entertainment Venue use in all use district tables and rename Entertainment Venue, Indoor Local and Entertainment Venue, Indoor Regional to Entertainment Venue, Local and Entertainment Venue, Regional.

Example use district table

Entertainment Venue:			
Indoor , Local			
Indoor , Regional			
Outdoor			

69. Sec. 5C.1.3.F. [p. 5-201]

A modification to the Sports Arena or Stadium, Major use name and use definition

F. ~~Sports Arena or Stadium, Major~~ Amphitheater or Stadium

~~A use operated by an institution including sports, athletic, or performance facilities, and associated seating capacity of 10,000 seats or more. For sports arenas or stadiums associated with postsecondary schools with a capacity of less than 10,000 seats, see Sec. 5C.1.2.J.3. (School, Postsecondary). For facilities with seating capacity of less than 10,000 seats, or for facilities with seating capacity of 10,000 or more that are not operated by an institutional entity, see Sec. 5C.1.5.D. (Entertainment Venue: Indoor, Regional).~~

1. Local

Any outdoor or semi outdoor assembly facility intended to accommodate a large number of spectators for performances or sporting events and having an associated seating capacity of less than 3,000 seats. For facilities with seating capacity of 3,000 seats or more, see Sec. 5C.1.3.F.2. (Amphitheater or Stadium, Major). For an amphitheater or stadium associated with a school, see Sec. 5C.1.2.J. (School). For a fully indoor assembly facility intended to accommodate a large number of spectators for performances or sporting events, see 5C.1.5.D. (Entertainment Venue).

2. Regional

Any outdoor or semi outdoor assembly facility intended to accommodate a large number of spectators for performances or sporting events and having an associated seating capacity of 3,000 seats or more. For facilities with seating capacity of less than 3,000 seats, see Sec. 5C.1.3.F.2. (Amphitheater or Stadium, Major). For an amphitheater or stadium associated with a school, see Sec. 5C.1.2.J. (School). For a fully indoor assembly facility intended to accommodate a large number of spectators for performances or sporting events, see 5C.1.5.D. (Entertainment Venue).

- 70. Sec. 5B.1.1. [p. 5-12], Sec. 5B.2.1. [p. 5-18], Sec. 5B.3.1. [p. 5-25], Sec. 5B.4.1. [p. 5-32], Sec. 5B.5.1. [p. 5-40], Sec. 5B.5.2. [p. 5-52], Sec. 5B.5.3. [p. 5-63], 5B.5.4. [p. 5-75], Sec. 5B.7.1. [p. 5-87], Sec. 5B.7.2. [p. 5-100], Sec. 5B.7.3. [p. 5-113]. Sec. 5B.7.4. [p. 5-127], Sec. 5B.8.1. [p. 5-141], Sec. 5B.8.2. [p. 5-159], Sec. 5B.9.1. [p. 5-179], Sec. 5B.9.2. [p. 5-185]**

Change "Sports Arena or Stadium, Major" to "Amphitheater or Stadium, Local" and "Amphitheater or Stadium, Regional" in all use district tables. Base permission levels for Amphitheater or Stadium, Local on former use: "Entertainment Venue, Outdoor". Base

permission levels for Amphitheater or Stadium, Regional on former use: "Sports Arena or Stadium, Major".

Example use district table

<u>Sports Arena & Arena Amphitheater or Stadium</u>			
<u>Local</u>			
<u>Regional</u>			

71. **Sec. 5B.1.1.** [p. 5-12], **Sec. 5B.2.1.** [p. 5-18], **Sec. 5B.3.1.** [p. 5-25], **Sec. 5B.4.1.** [p. 5-32], **Sec. 5B.5.1.** [p. 5-40], **Sec. 5B.5.2.** [p. 5-52], **Sec. 5B.5.3.** [p. 5-63], **5B.5.4.** [p. 5-75], **Sec. 5B.7.1.** [p. 5-87], **Sec. 5B.7.2.** [p. 5-100], **Sec. 5B.7.3.** [p. 5-113]. **Sec. 5B.7.4.** [p. 5-127], **Sec. 5B.8.1.** [p. 5-141], **Sec. 5B.8.2.** [p. 5-159], **Sec. 5B.9.1.** [p. 5-179], **Sec. 5B.9.2.** [p. 5-185]

Rename Outdoor Entertainment Venue to Amphitheater or Stadium: Local and move from General Commercial uses to Open Space & Recreation uses in all use district tables. Maintain the same permission level within each use district; move use group and update name only.

Example use district table

Open Space & Recreation			
<u>Entertainment Venue, Outdoor:</u>			
<u>Local</u>	<u>C3</u>		
<u>Regional</u>	<u>C3</u>		
General Commercial			
Entertainment Venue, <u>Indoor:</u>			
Indoor , Local	--		

Indoor, Regional	--		
Outdoor	C3		

72. Sec. 5C.1.1.B.1. [p. 5-193]

A modification to the Household Business: Family Child Care definition:

Family Child Care

The provision of non-medical care and supervision for children in the provider's own household dwelling unit, for periods of less than 24 hours per day. No more than 14 children shall be in care concurrently, unless further use district standards specify otherwise. Any children under the age of 10 years who reside within the dwelling unit and are in care count toward the maximum number of children in care. Any such use shall comply with all regulations set forth in Health and Safety Code Section 1597.465.

73. Sec. 5C.1.1.B.4. [p. 5-194]

A modification to the use definition of Household Business: Joint Living & Working Quarters:

The ~~adaptive reuse~~ of an building or portion of a building, that is part of an adaptive reuse project which was issued a building permit prior to April 1, 1994, from commercial or industrial uses to live/work use.

74. Sec. 5C.7.2.B. [p. 5-100]

A modification to the assigned relief process for the use separation from heavy industrial standard for the Joint Living and Work Quarters use in the Industrial-Mixed (IX2) use district.

Joint Living & Work Quarters	P*	Designated work space:	
		Work space area (min/max)	10%/50%
		Workspace uses	- Office - Personal Services: General - Manufacturing, Light: General

			- Manufacturing, Light: Artistic & Artisanal
		Use separation	
		From Heavy Industrial Uses	50'
		Relief	G2 C1

75. Sec. 5B.9.2. [p. 5-185]

Update Dwelling permission level in the Public 2 Use District to allow for use by-right when 100% of dwelling units are Restricted Affordable. Add the additional use standards and supplemental procedures as included below.

Use	Permiss -ion	Use Standard	Specification
Dwelling	A+ P*	<u>Use separation</u>	
		<u>Heavy Industrial</u>	<u>300'</u>
		<u>Restricted affordable units</u>	<u>100% of dwelling units</u>
		<u>Supplemental procedures</u>	<u>Sec.5B.9.2.C.1.</u>
		<u>Relief</u>	<u>C3</u>
		<u>Supplemental procedures</u>	<u>Sec.5B.9.2.D.1.</u>
		<u>Government owned</u>	<u>Required</u>

76. Sec. 5B.9.2. [p.5-190]

Add a new Subsection C. and D. to add supplemental standards and procedures for Dwellings in the Public 2 Use District.

C. Supplemental Standards

1. Dwelling

An alternative percentage of restricted affordable units may be authorized by a Community Plan Implementation Overlay (CPIO) Subarea.

D. Supplemental Procedures

1. Dwelling

In addition to the findings otherwise required by Sec. 13B.2.3. (Class 3 Conditional Use Permit), the City Planning Commission shall also find:

- i. A minimum percentage of restricted affordable housing shall be provided in accordance with the most applicable Local Affordable Housing Incentive Program.

77. Sec. 5C.1.5.A [p. 5-203]

A modification of the Animal Services definition:

Animal Services:

A ~~commercial~~ use involving the provision of services related primarily to domestic animal care and keeping.

78. Sec. 5C.1.5.A.1. [p. 5-203]

An addition of the Animal Services: General use definition:

1. General

Any use in which domestic dogs or cats are provided non-medical care, grooming, training, or supervision. The maximum number of adult dogs or cats is limited to no more than 20, or 1 for every 60 square feet of floor area of the facility rounded up to the nearest whole number, whichever results in the greater number of animals. No more than thirty percent 30% of the floor area of the facility shall be used for overnight boarding. Animal boarding areas shall not occupy the area within the first twenty 20 feet, as measured from the storefront of the facility, and shall be separated from retail, grooming, or food storage areas. For uses where the overnight boarding of dogs or cats exceeds 30% of the floor area of a facility, see (Sec.5C.1.5.A.2.). For the medical treatment of animals, see Animal Sales and Services, Veterinary (Sec.5C.1.5.A.3.).

79. Sec. 5C.1.5.A.2. [p. 5-203]

A clarification to the Kennel definition:

Any use in which 4 or more dogs or cats, at least 4 months of age, are ~~kept~~ sheltered for periods beyond 24 hours per day. This definition does not include animal retail uses. For animal retail use, see ~~animal sales and services~~ Retail, Pet Shop. (Sec.5C.1.5.L.8.). For

uses where the sheltering dogs or cats beyond 24 hours per day occupies less than 30% of the floor area of a facility, see Animal Services, General (Sec.5C.1.5.A.1.).

80. Sec. 5C.1.5.A.3. [p. 5-203]

A clarification to the Veterinary definition:

Any use in which animals or pets are given medical or surgical treatment and care. For the non-medical treatment and care of dogs and cats, see Animal Services, General (Sec.5C.1.5.A.1.).

81. Sec. 5C.1.5. [p. 5-203]

Modifications to the commissary kitchen definition:

B. Commissary Kitchen

A ~~commercial~~ kitchen facility used for cooking and preparing food to be primarily ~~sold~~ served and consumed off-site. Research, design, and processing are allowed as an incidental use. Includes multi-tenant, incubator, preparatory kitchen, and catering kitchen.

82. Sec. 5C.1.5.C.4. [p. 5-204]

A modification of the Eating & Drinking, Restaurant use definition:

4. Restaurant

An eating and drinking establishment that provides a dining environment where customers are seated at tables and served made-to-order meals prepared in a full-service kitchen on-site and beverages for consumption onsite. Takeout and delivery service is incidental to on-site dining. See Alcohol Services (Sec. 5C.1.5.C.1.) for the inclusion of alcoholic beverages for on-site consumption.

83. Sec. 5C.1.5.D.1. [p. 5-204]

Removal of the Entertainment Venue, Outdoor from Sec. 5C.1.5. (General Commercial Uses)

~~1. Outdoor~~

~~Any entertainment venue use located outdoors.~~

84. Sec. 5C.1.5.D. [p. 5-204]

Modifications to the Entertainment Venue use name and use definitions

D. Indoor Entertainment Venue

Any indoor ~~or outdoor~~ assembly use designed or intended for entertainment.

~~21. Indoor, Regional~~

Any indoor assembly use designed or intended for entertainment, having a capacity of 1,200 ~~person~~ seats or greater and less than 10,000 seats. Includes multiplex theater, auditorium, concert hall, and night club. For similar indoor spaces having a capacity less than 1,200, see Indoor eEntertainment vVenue, indoor, fLocal (Sec. 5C.1.5.E.3.D.2.). For facilities with a seating capacity of 10,000 seats or more, see Sec. 5C.1.3.G. (Auditorium or Stadium, Major). Does not include activities established in Sec. 5C.1.5.M. (Sexually Oriented Business). See Bar (Sec. 5C.1.5.C.2.) for the inclusion of alcoholic beverages for on-site consumption.

~~32. Indoor, Local~~

Any indoor assembly facility designed or intended for entertainment having a capacity of less than 1,200 ~~persons~~ seats. For similar indoor spaces having a capacity of 1,200 seats or greater, see Indoor eEntertainment vVenue, indoor, fRegional (Sec. 5C.1.5.E.2.D.1.). Includes community theater, movie theater, live-music venue, night club, comedy club, karaoke lounge, banquet hall. Does not include activities established in Sec. 5C.1.5.M. (Sexually Oriented Business). For the inclusion of alcoholic beverages for on-site consumption, see Bar (Sec. 5C.1.5.C.2.).

85. Sec. 5C.1.5.L.10. [p. 5-207]

A modification of the Smoke & Vape Shop use definition:

10. Smoke & Vape Shop

Any establishment, the main intent of which is the sale of tobacco products, substances intended for smoking, or smoking accessories, including but not limited to pipes, vaporizing devices, or other smoking paraphernalia. If the establishment is solely dedicated to the retail or wholesale sales of tobacco products, substances intended for smoking, or smoking accessories, an attached public or private smokers' lounge that is solely dedicated to smoking may be included. Does not include medicinal or recreational ~~marijuana~~ cannabis establishments.

86. Sec. 5C.1.6. [p. 5-209]

Modifications to the Fueling Station definition:

3. Fueling Station

Any motor vehicle services use that sells and dispenses vehicle fuel, including diesel, gasoline, hydrogen, and other alternative fuels. Includes electric vehicle charging station

and commercial vehicle fueling. Does not include electric vehicles charging spaces within a parking area serving another use or uses.

87. Sec. 5C.3.20. [p. 5-235]

Modifications to Restricted Affordable Units measurement standards

D. Measurement

1. The percentage of dwelling units on a lot that are restricted affordable is calculated by dividing the number of affordable units by the total number of dwelling units on the lot, exclusive of a manager's unit or units.
- ~~2. Dwelling units designed and intended for property managers are not included in the calculation of affordable units.~~
2. Dwelling units are measured as restricted affordable ~~when its rental or mortgage amounts are restricted so as to be affordable to and occupied by deeply low income, extremely low income, very low income, low income, or moderate income households, as determined by the Los Angeles Housing and Community Investment Department~~ when provided in accordance with the definition restricted affordable unit in Div.14.2. (Glossary).

88. Sec. 5C.3.33. [p.5-242]

Create a new Section 5C.3.33 (Lot Eligibility) within Div. 5C.3 (Use Standards) to provide clarity on Use District standards for Lot Eligibility as established in *Technical Modification Exhibit 9 - Lot Eligibility*.

89. Sec. 6A.2.2.A.B. (Project Activities) [p. 6-7]

To provide further clarity on the applicability of each density rule category, the following Project Activities table in Sec. 6A.2.2.A.B. (Project Activities) shall be amended to read as follows:

	Applicability								
	New Construction	Major Demolition	Lot Modification	Site Modification	Facade Modification	Use Modification	Temporary Use	Renovation	Maintenance & Repair
DENSITY RULES CATEGORIES									
Div. 6C.1. Maximum Density	●		●			●			

90. Sec. 6A.2.3.A. [p. 6-8]

Relationship to Use Districts

A correction to remove the statement that use districts can set a minimum density.

- A. When household dwelling units or efficiency dwelling units are permitted by a Use District in Part 5B. (Use Districts), the Density Districts in Article 6 (Density) establish limits on the number of household dwelling units or efficiency dwelling units. ~~While maximum density is set by the Density Districts, minimum density may be set by the Use District.~~

91. Sec. 6C.1.2.D.1. [p. 6-15]

A correction to include an existing provision from the current Zoning Code (Sec. 12.22.C.16.) regarding the calculation of density on lots adjacent to alleys:

1. The maximum number of household dwelling units is calculated by dividing the lot area by the lot area per household dwelling unit value outlined in Sec. 6B.1.2. (Lot Area-Based Districts), and can be provided in conjunction with efficiency dwelling units where permitted, as calculated in Sec. 6C.1.3. (Lot Area per Efficiency Dwelling Unit). For lots that are adjacent to one or more alley, the maximum number of household dwelling units may be calculated using the lot area plus the area between the exterior lot lines and the centerline of the alley.

92. Sec. 6C.1.3.D.1. [p. 6-17]

1. The maximum number of efficiency dwelling units is calculated by dividing the lot area by the lot area per efficiency dwelling unit value outlined in Sec. 6B.1.2. (Lot Area-Based Districts), and can be provided in conjunction with household dwelling units where permitted, as calculated in Sec. 6C.1.3. (Lot Area per Household Dwelling Unit). For lots that are adjacent to one or more alley, the maximum number of efficiency dwelling units may be calculated using the lot area plus the area between the exterior lot lines and the centerline of the alley.

93. [OPTIONAL] Sec. 9.2.1.F.4.b.iv. [p. 9-15]

Should CPC choose to consider increasing affordable housing covenant lengths to 99 years from 55 years, below are the following technical corrections supporting this modification:

The project's restricted affordable units are subject to a recorded affordability restriction of ~~55~~ 99 years from the issuance of the Certificate of Occupancy, recorded in a covenant acceptable to the Housing and Community Investment Department, and subject to fees as set forth in Chapter 1, Sec. 19.14. (Fees for Enforcement of Housing Covenants); except for a housing development project consisting of 100% affordable units, which are subject to a recorded affordability restriction of 55 years, or with public subsidies that are tied to a specified covenant period; and

94. [OPTIONAL] Sec. 9.2.1.H.1. [p. 9-16]

Should CPC choose to consider increasing affordable housing covenant lengths to 99 years from 55 years, below are the following technical corrections supporting this modification:

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 will be observed for at least ~~55~~ 99 years from the issuance of the Certificate of Occupancy or a longer period of time if required by the construction or mortgage financing assistance program, mortgage assistance program, or rental subsidy program; except for a housing development project consisting of 100% affordable units, which are subject to a recorded affordability restriction of 55 years, or with public subsidies that are tied to a specified covenant period. A copy of the covenant shall be filed with the Department of City Planning and the Department of Building and Safety.

95. [OPTIONAL] Sec. 9.2.1.H.2. [p. 9-16]

Should CPC choose to consider increasing affordable housing covenant lengths to 99 years from 55 years, below are the following technical corrections supporting this modification:

For any housing development project qualifying for a Density Bonus and that contains housing for low income, very low income, or extremely low income households, a covenant acceptable to the Housing and Community Investment Department must be recorded with the Los Angeles County Recorder, guaranteeing that the affordability criteria will be observed for at least ~~55~~ 99 years from the issuance of the Certificate of Occupancy or a longer period of time if required by the construction or mortgage financing assistance program, mortgage assistance program, or rental subsidy program; except for a housing development project consisting of 100% affordable units, which are subject to a recorded affordability restriction of 55 years, or with public subsidies that are tied to a specified covenant period. A copy of the covenant shall be filed with the Department of City Planning and the Department of Building and Safety.

96. [OPTIONAL] Sec. 9.2.2.G.1. [p. 9-20]

Should CPC choose to consider increasing affordable housing covenant lengths to 99 years from 55 years, below are the following technical corrections supporting this modification:

For any eligible housing development qualifying for a TOC Incentive that contains rental housing for extremely low income households, very-low income households, 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~~ 99 years or longer; except for a housing development project consisting of 100% affordable units, which are subject to a recorded affordability restriction of 55 years, or with public subsidies that are tied to a specified covenant period.

97. [OPTIONAL] Sec. 9.4.4.E. [p. 9-57]

Should CPC choose to consider increasing affordable housing covenant lengths to 99 years from 55 years, below are the following technical corrections supporting this modification:

Prior to the issuance of any building permit, a covenant acceptable to the Los Angeles Housing and Community Investment Department, shall be recorded with the Los Angeles

County Recorder, guaranteeing that each required restricted affordable unit shall be reserved and maintained for at least ~~55~~ 99 years from the issuance of the Certificate of Occupancy.

98. [OPTIONAL] Sec. 9.4.6.C.1.d. [p. 9-64]

Should CPC choose to consider increasing affordable housing covenant lengths to 99 years from 55 years, below are the following technical corrections supporting this modification:

Affordable Housing Covenant

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 at least ~~55~~ 99 years from the issuance of the Certificate of Occupancy or a longer period of time if required by the construction or mortgage financing assistance program, mortgage assistance program, or rental subsidy program; except for a housing development project consisting of 100% affordable units, which are subject to a recorded affordability restriction of 55 years, or with public subsidies that are tied to a specified covenant period.

99. Sec. 9.3.2.E.1 [p. 9-26]

A correction to a citation internal to the New Zoning Code involving Records and Agreements:

Housing development projects requesting only the incentives outlined in Sec. 9.3.2.C. (Base Incentives), without requesting any additional incentives outlined in applicable CPIO or Specific Plan, shall be considered ministerial and no application to the Department of City Planning is required. Housing development projects shall comply with the records and agreements requirements of Sec. 9.2.1.~~1H~~. (Records and Agreements).

100. Sec. 9.3.2.B.1. [p. 9-24]

Adding a new Paragraph e. clarifying the applicability of the new Deeply Low Income category for the calculation of Linkage Fees.

e. Linkage Fee Calculation

For the purpose of the fee established in 19.18. (Affordable Housing Linkage Fee) of Chapter 1 (General Provisions and Zoning) of the LAMC, a minimum of 7% deeply

low income households dwelling units shall be calculated in the same manner as a minimum of 8% extremely low income household dwelling units.

101. Sec. 9.4.5.E. [p. 9-62]

A clarification regarding the review process for parking structures for the Downtown Adaptive Reuse Program

E. Process

1. ~~Buildings That Are At Least 25 Years Old~~ Department of Building and Safety Review

The following types of adaptive reuse projects shall be approved by the Department of Building and Safety if the requirements of Sec. 9.4.5.B. (Applicability Eligibility) and the standards criteria described in Sec. 9.4.5.D.C. (Standards) and Sec. 9.4.5.C. (Incentives) are met. If the adaptive reuse project is approved, and the incentives described in Sec. 9.4.5.G.D. (Incentives) for which the project qualifies shall be granted.

Adaptive reuse projects involving buildings constructed in accordance with building and zoning codes in effect at the time they were built and that are at least 25 years old and adaptive reuse projects involving parking structures or parking areas within an existing building with a Certificate of Occupancy which was issued at least 10 years prior to the date of application.

2. ~~Buildings That Are At Least 10 Years Old~~ Zoning Administrator Review

Adaptive reuse projects involving buildings constructed in accordance with building and zoning codes in effect at the time they were built and that are at least 10 years old may be approved by the Zoning Administrator, pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit), if the adaptive reuse project complies with the provisions established in requirements of Sec. 9.4.5.B. (Applicability Eligibility) and the criteria described in Sec. 9.4.5.C. (Standards) and Sec. 9.4.5.D. (Incentives) are met. If the adaptive reuse project is approved, and the incentives described in Sec. 9.4.5.D. (Incentives) for which the project qualifies may be granted.

3. Relief

The Zoning Administrator may grant, modify or deny some or all of the incentives established in Sec. 9.4.5.D. (Incentives) pursuant to Sec. 13.B.2.1. (Class 1 Conditional Use Permit). Furthermore, the Zoning Administrator shall have the authority to grant any other incentives or relief from other zoning district standards required to permit adaptive reuse projects proposed pursuant to this Section,

including but not limited to the authority to permit dwelling units and joint living and work quarters, regardless of the nonconforming provisions of Article 12. (Nonconformities).

102. Sec. 9 4.6.B., first unnumbered paragraph [p. 9-63]

A correction removing a mention of a Specific Plan that was written for the Adaptive Reuse program in the current Zoning Code that is not necessary for the new Citywide Adaptive Reuse program in the New Zoning Code:

The provisions of this Section shall apply to adaptive reuse projects outside the Downtown Community Plan Area ~~and the Adaptive Reuse Incentive Areas Specific Plan~~, in any Commercial or Commercial-Mixed Use District, or on any lot in Density District 2 or FA, regardless of Use District, in the following buildings and structures:

103. Sec. 9 4.6.C.1.c. [p. 9-64]

A correction fixing a typo in the Citywide Adaptive Reuse program that would create a gap in the affordable housing requirements for projects with 18 affordable units:

c. ~~More than 18~~ or More Dwelling Units

An adaptive reuse project that involves the creation of ~~more than 18~~ or more new dwelling units shall provide at least 10% of its units for moderate income households and at least 5% of its units affordable for very-low income households as restricted affordable units. For the purposes of this Section, in calculating the required number of restricted affordable units, any number resulting in a fraction is rounded up to the next whole number.

104. Sec. 9.4.6.E. [p. 9-67]

A clarification regarding the review process for parking structures for the Citywide Adaptive Reuse Program

E. Process

1. ~~Buildings That Are At Least 25 Years Old~~ Department of Building and Safety Review

The following types of adaptive reuse projects shall be approved by the Department of Building and Safety if the requirements of Sec. 9.4.6.B. (~~Applicability~~ Eligibility), and the ~~standards~~ criteria described in Sec. 9.4.6.C. (Standards) and Sec. 9.4.6.D. (Incentives) are met. If the adaptive reuse project is approved, ~~and the incentives described in Sec. 9.4.6.D. (Incentives)~~ for which the project qualifies shall be granted.

Adaptive reuse projects involving buildings constructed in accordance with building and zoning codes in effect at the time they were built and that are at least 25 years old and adaptive reuse projects involving parking structures or parking areas within an existing building with a Certificate of Occupancy which was issued at least 10 years prior to the date of application.

2. ~~Buildings That Are At Least 10 Years Old~~ Zoning Administrator Review

Adaptive reuse projects involving buildings constructed in accordance with building and zoning codes in effect at the time they were built and that are at least 10 years old may be approved by the Zoning Administrator, pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit), if the adaptive reuse project complies with the requirements of Sec. 9.4.6.B. (~~Applicability-Eligibility~~) and the ~~standards criteria~~ described in Sec. 9.4.6.C. (Standards) and Sec. 9.4.6.D. (Incentives) are met. If the adaptive reuse project is approved, the incentives described in Sec. 9.4.6.D. (Incentives) for which the project qualifies may be granted.

3. Relief

The Zoning Administrator may grant, modify or deny some or all of the incentives established in Sec. 9.4.5.D. (Incentives) pursuant to Sec. 13.B.2.1. (Class 1 Conditional Use Permit). Furthermore, the Zoning Administrator shall have the authority to grant any other incentives or relief from other zoning district standards required to permit adaptive reuse projects proposed pursuant to this Section, including but not limited to the authority to permit dwelling units and joint living and work quarters, regardless of the nonconforming provisions of Article 12. (Nonconformities).

105. Sec. 9 4.6.E.3. &4. [p. 9-67 & 9-68]

A correction moving the supplemental findings to allow an adaptive reuse project with a Class 1 CUP for buildings that are at least 10 years old in the Citywide Adaptive Reuse program by taking Subdivision 3. and making it Paragraph a. under Subdivision 2., and renumbering Subdivision 4. to Subdivision 3.:

3a. Supplemental Findings

In addition to the findings in Sec. 13B.2.1. (Class 1 Conditional Use Permit), the Zoning Administrator shall also find that:

ai. The eligible building is no longer economically viable in its current use or uses. In making this finding, the Zoning Administrator shall consider the building's past and current vacancy rate, existing and previous uses, and

real estate market information. The Zoning Administrator may require the applicant to submit independently verified documentation.

bii. In approving a reduced parking incentive pursuant to Sec. 9.4.6.D.5. (Off-Street Automobile Parking), the Zoning Administrator find that the surrounding area will not be adversely affected by overflow parking or traffic congestion originating or terminating at the site of the adaptive reuse project.

43. Relief

The Zoning Administrator may grant, modify or deny some or all of the incentives established in Sec. 9.4.6.D. (Incentives) pursuant to Sec. 13.B.2.1. (Class 1 Conditional Use Permit). Furthermore, the Zoning Administrator shall have the authority to grant any other incentives or relief from other zoning district standards required to permit adaptive reuse projects proposed pursuant to this Section, including but not limited to the authority to permit dwelling units and joint living and work quarters in adaptive reuse projects, regardless of the nonconforming provisions of Article 12. (Nonconformities).

106. Div. 9.4. (General Incentive Programs)

Addition of a new Section 9.4.7 (Public Nuisance Abatement Program) to Article 9 (Public Benefit Systems) and the addition of new terms into Div. 14.2 (Glossary) of Article 14 (General Rules) in order to incorporate the provisions of Ordinance No. 187,145 (Council File 17-0893) as established in *Technical Modification Exhibit 10 - Public Nuisance Abatement Program*.

107. Sec. 10.1.8. [p. 10-9]

A clarification to street widening provisions in the context of subdivisions

On lots affected by street widening required by the provisions of Division 10.1 (Street Dedication and Improvement), lot area, lot width, floor area ratio, and density shall be calculated based on the lot lines that existed immediately prior to such required street widening. All other provisions of this Zoning Code (Chapter 1A) shall be measured and calculated from the new lot lines being created by any widening, including when street widening is required by or included as part of the subdivision process.

108. Article 12 (Nonconformities) [p. 12-5 through 12-12-28]

In order to incorporate clarifications and feedback from the Los Angeles Department of Building and Safety regarding the nonconforming provisions of the Proposed Draft of the New Zoning Code, the entirety of Article 12 (Nonconformity) shall be replaced with

the amended version established in *Technical Modification Exhibit 11 - Article 12 (Nonconformity)*.

109. Sec.14.1.2.A.2. [p. 14-5]

A clarification to the rules of measurement pertaining to “uncovered” space:

A space or structure is considered uncovered if 25% or more of its area is open to the sky. Areas containing overhead, non-solid structures, such as lattice and pergolas, may be considered uncovered provided that 25% or more of their area is open to the sky.

110. Sec. 14.1.2.B.2. [p. 14-5]

A clarification to the rules of measurement pertaining to “uncovered” space:

~~Areas containing overhead, non-solid structures, such as lattice and pergolas, may be considered uncovered provided they meet the standard in Sec. 14.1.1.A.2. (Uncovered).~~

111. Sec. 14.1.5.A.1.c. [14-8]

In order to align the definition of Unenclosed Structures: Ground Story with the rules of measurement for a structure to be considered unenclosed, subparagraph c. shall be amended as follows:

Structures having all finished floors and ground surfaces at or below the maximum finished floor elevation of the ground story listed in Frontage and, having a total structure height less than 15 feet, measured from surrounding finished grade, and that meet the standards in Sec. 14.1.14.A.2. (Unenclosed). Includes porch, deck, stoop, landing platform, gazebo, trellis, arbor, pergola, basketball hoop, and volleyball net.

112. Sec. 14.1.5.A.1.f. [p. 14-8]

Clarifications of the definitions of Mechanical Equipment:

Mechanical Equipment (Ground Mounted)

Equipment whose weight is primarily supported by the ground and that is related to privately operated systems, including related wires, conduits, and pipes. Includes gas meter, water softener, pool equipment, HVAC equipment, gas tank, cistern, wind turbine, and solar panel.

113. Sec. 14.1.5.A.1.g. [p. 14-9]

Clarifications of the definitions of Mechanical Equipment:

Mechanical Equipment (Wall Mounted)

Equipment attached to and primarily supported by a wall and that is related to privately operated systems, including related wires, conduits, and pipes. Includes gas meter, electric meter, electrical panel, water heater, HVAC equipment, and gas tank.

114. Sec. 14.1.5.B.1.e. [p. 14-11]

A clarification of the definition of Vertical Barriers:

Vertical barriers, 45 inches in height or less, provided to protect occupants from falling from walking surfaces ~~required for safety and protection~~. Includes fence, wall, parapet, ~~and railing, and bannister.~~

115. Sec. 14.1.5.B.1.f. [p. 14-11]

In order to align the definition of Unenclosed Structures with the rules of measurement for a structure to be considered unenclosed, paragraph f. shall be amended as follows:

f. ~~Unenclosed areas~~ Areas that meet the standards in Sec. 14.1.14.A.2. (Unenclosed) and are attached to or integrated onto the roof of a building, intended for human shelter or activity. Includes shade structure, cabana, pergola, rooftop bar, outdoor dining, permanent seating, beehive, sports court, and cooking facility.

116. Sec. 4C.1.11.D. [p. 14-30]

A clarification to provisions addressing Lot Ties:

For the purpose of meeting standards associated with ~~an applied zone string~~ the applied zoning districts, a lot composed of multiple parcels ~~may meet all applicable standards independently for each parcel or the lot may meet the standards treating the collection of contiguous parcels as a single parcel.~~ grouped together as a single lot through a lot tie affidavit filed and approved with the Department of Building and Safety shall be considered a single lot. When the involved parcels have different and conflicting applied zoning districts, each individual parcel must meet the standards associated with the applied zoning districts as individual lots.

117. Sec. 2C.1.1.C.2. [p. 2-60]

A clarification to provisions addressing Lot Ties:

~~For the purpose of meeting minimum lot size standards, multiple lots may be grouped together as a lot when a lot tie affidavit is filed and approved by the Department of Building and Safety.~~

118. Sec. 2C.1.2.C.2. [p. 2-61]

A clarification to provisions addressing Lot Ties:

~~For the purpose of meeting minimum lot width standards, multiple lots may be grouped together as a lot when a lot tie affidavit is filed and approved by the Department of Building and Safety.~~

119. Sec. 14.1.11.E. [p. 14-30]

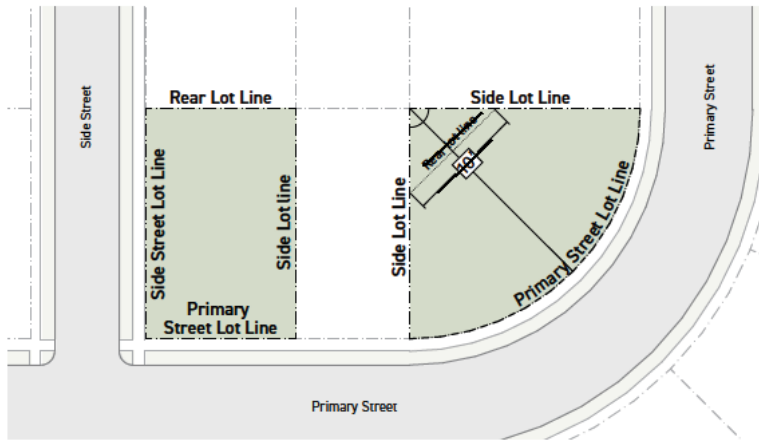
A clarification to the definition of a lot in the context of land dedications

A lot does not include portions of a lot required for land dedication (for example, proposed rights-of-way), including land dedications required by or included as part of the subdivision process, with the following exceptions:

- ~~1. Required street corner dedications are included in all measurements of a lot.~~
2. As otherwise stated in Sec. 10.1.8. (Lots Affected by Street Widening).
3. In the case of new developments taking place on a lot with an existing, recorded dedication, or on lots with old permits where the building was never constructed, measurements of a lot may be taken from the lot lines that existed prior to the dedication, provided that clearance is obtained from the Department of Public Works indicating that the improvements or street widening associated with the recorded dedication have not taken place. If the associated improvements or street widening have already been completed, measurements of a lot do not include the portions of the lot required for land dedication.

120. Sec. 14.1.12.A.1. [p. 14-32]

In order to align the example diagram with the written rules for Rear Lot Line in Sec. 14.1.12.C.4., the diagram in subdivision 1 shall be amended as shown below, removing the "Rear Lot Line" and "10'" labels on the corner lot.



121. Sec. 14.1.12.C.1.d. [p. 14-32]

A removal of a provision pertaining to Primary Street determination:

- ~~d. Where determining the primary street using the above criteria is unclear, primary street lot line may be determined by the Director of Planning according to Sec. 13B.3.1. (Administrative Review).~~

122. Sec. 14.1.14. [p. 14-36]

In order to ensure that the rules of measurements for irregular lot lines can be applied to all types of lot lines, the section text shall be amended as follows:

Where a ~~street~~ lot line is curved ~~and only abutting one street~~, standards measured parallel or perpendicular to that ~~street~~ lot line assume the angle of the lot line to be the same as a straight line connecting the endpoints of the curved lot line segment.

123. Sec. 14.1.15. (Project Activities) [p. 14-37]

In order to incorporate clarifications and feedback from the Los Angeles Department of Building and Safety regarding the project activities provisions of the Proposed Draft of the New Zoning Code, the entirety of Sec. 14.1.15. (Project Activities) shall be replaced with the amended version established in *Technical Modification Exhibit 12 - Project Activities*.

124. Sec. 14.1.16.A. [p. 14-39]

A clarification to the Yard designation provisions:

1. All portions of a lot between exterior walls of a building and a property line shall be designated as one of the following yard designations, and no portion of a lot shall have more than one of the following designations:

2. ~~Either a front yard, special yard, side street yard, side yard, or rear yard.~~

- a. Front yard (Sec. 14.1.6.B.1.)
- b. Special yard (Sec.14.1.6.B.2.)
- c. Sie street yard (Sec.14.1.6.B.3.)
- d. Side yard (Sec. 14.1.6.B.4.)
- e. Rear yard (Sec.14.1.6.B.5.)

3. No portions of a lot may have more than one yard designation.

125. Sec. 14.1.16.B.2. [p. 14-40]

A clarification pertaining to Special Yard determination:

No less than 80% of the ~~width~~ length of each special lot line-facing principal structure shall abut the special yard. Only portions of a building set back at least 15 feet behind the facade nearest the special lot line are not required to abut the special yard.

126. Div. 14.2. [p. 14-44]

An addition of terms related to Shopping Cart provisions to the Glossary:

Abandoned Shopping Cart. A shopping cart located outside of the lot where the establishment that furnishes shopping carts for use by its patrons is located.

Bollard. An upright post consisting of a piece of timber, concrete, metal or similar material fixed firmly in an upright position intended to impede various forms of traffic or circulation.

Shopping Cart. A basket of any size, mounted on wheels, rollers or a similar device, including parts, provided by a retail establishment for the purpose of transporting groceries or merchandise of any kind within a retail establishment or associated parking area.

Shopping Cart Containment Plan. A plan sheet that includes a specific written plan with a corresponding site plan that identifies areas of shopping cart containment to prevent customers from removing shopping carts from the premises.

Shopping Cart Corral. A stable structure that provides an enclosure for the collection of shopping carts on a lot.

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127. Div. 14.2 [p. 14-58]

A clarification to the definition of Dwelling Unit:

~~Dwelling or~~ Dwelling Unit. A habitable residential unit serving as a primary residency or having a tenancy of 30 days or greater. Includes household dwelling unit and efficiency dwelling unit. ~~accessory dwelling unit, and junior accessory dwelling unit.~~

128. Div. 14.2. [p. 14-59]

A correction to the definition of End Stall.

End Stall the last parking stall in a row, beyond which the ~~access~~ drive aisle does not continue.

129. Div. 14.2. [p. 14-60]

A clarification to the Existing Grade definition.

Grade as established prior to any site modification. Existing grade does not include fill material or retained soil established without a grading permit. Excludes window wells, and depressed access points to a building or structure, such as driveways and stairways (other than those used to access required street-facing entrances) ~~entrances to basements, entrances to parking garages, and window wells.~~

130. Div. 14.2. [p. 14-62]

Addition of the definition of Food & Drink Preparation Area.

Food & Drink Preparation Area. All floor area within an Eating & Drinking use where employees prepare food or beverages, including kitchens, bartender stations, dishwashing facilities, storage, refrigeration closets, employee office, and all other areas reserved for employee use.

131. Div. 14.2. [p 14-65]

A clarification to the Habitable Room definition.

Habitable Room. An enclosed subdivision in a residential building commonly used for living purposes, but not including any lobby, hall, closet, storage space, water closet, bath, toilet, slop sink, general utility room, or service porch. A recess from a room, ~~or~~ an alcove (other than a dining area), or a mezzanine having 50 square feet or more of floor area and located where it could be partitioned off to form a habitable room, shall be considered a habitable room. For the purpose of applying the automobile parking stall

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requirements per Sec. 4C.4.1. (Automobile Parking Stalls), any kitchen shall not be considered a habitable room.

132. Div. 14.2. [p. 14-76]

A clarification to the Parking Bay definition:

For a double-loaded aisle, the width of two rows of parking stalls including the width of the access drive aisle in between, or for. For a single-loaded aisle, the width of a single row of parking stalls including the width of the access drive aisle.

133. Div. 14.2. [p. 14-56]

Addition of definition needed to implement the Local Affordable Housing Incentive Program.

Deeply Low Income Household. Persons and families whose incomes do not exceed 15 percent of area median income, adjusted for family size.

134. Div. 14.2. [p. 14-78]

A correction to the definition of Permanent Supportive Housing (Use)

Permanent Supportive Housing (Use). See Sec. 5C.1.1.D.3. (Permanent Supportive Housing). As defined in LAAC Chapter 10, Section 10 51.1.(j). (Definitions).

135. Div. 14.2 [p. 14-59]

A correction to align the definition of Electric Vehicle Charging Station with its usage in the California Green Building Standards Code.

Electric Vehicle Charging Station. One or more electric vehicle charging spaces served by an electric vehicle charger(s) or other charging equipment allowing charging of electric vehicles. ~~Electric vehicle charging stations are equipped with a dedicated branch circuit(s), circuit breakers, and other electrical components, including a receptacle or blank cover needed to support future installation of one or more charging stations. Where a multiport electric vehicle charger can simultaneously charge more than one vehicle, the number of electric vehicle charging stations shall be considered equivalent to the number of electric vehicles that can be simultaneously charged.~~

136. Div. 14.2. [p. 14-83]

Clarification of the definition of Restricted Affordable Housing:

Restricted Affordable Unit. A dwelling unit for which rental amounts or mortgage amounts ~~in compliance with California Government Code Sec. 65915(c)~~ are restricted so as to be affordable to and occupied by ~~Extremely Low, Very Low, Low, or Moderate Income households, as determined by the Housing and Community Investment Department~~ [ADDED] Deeply Low (0-15% of the Area Median Income), Extremely Low (0%-30% of the Area Median Income), Very Low (30%-50% of the Area Median Income), Low (50%-80% of the Area Median Income), or Moderate Income households (80% to 120% of the Area Median Income). Restricted affordable units provided to meet the requirements of Article 9 Sec. 9.3.2. (Local Affordable Housing Incentive Program) shall comply with income ranges as defined by the California Health and Safety Code Sec. 50052.5. or California Health and Safety Code Sec. 50053. All other restricted affordable units shall comply with income ranges as defined by the California Health and Safety Code Sec. 50052.5. or California Health and Safety Code Sec. 50053 or as defined by the US Department of Housing and Urban Development (HUD), or any successor agency, as verified by the Housing & Community Investment Department.

137. Div. 14.2 [p. 14-86]

Addition of the definition of Service Floor Area.

Service Floor Area. All indoor floor area within an Eating & Drinking use where the customer can be served, including an indoor dining or lounge area, bar-top and bar seating area, service counter, customer waiting area, customer restrooms, and indoor paths of travel accessible to customers.

Technical Modifications Exhibit 1: Temporary Regulatory Relief During a local Emergency

Create a new Section 1.6.5 (Temporary Regulatory Relief During a Local Emergency) to Article 1 (Introductory Provisions) that reads as follows in order to incorporate the provisions of Ordinance No. 187,096 (Council File 20-0380-S1).

Sec. 1.6.5 Temporary Regulatory Relief During A Local Emergency

A. Intent

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

B. Applicability

The provisions of this Section may be invoked upon the adoption of a City Council resolution following the Mayor's declaration of emergency pursuant to local and State law, provided the resolution does not conflict with any Mayoral orders issued in relation to the declared local emergency.

1. State Law and City Charter

The provisions of this Section do not supersede State law or the Mayor's authority under the City of Los Angeles Charter and Los Angeles Administrative Code.

2. Effective Dates

Regardless of any other provisions of this Article to the contrary, the regulatory relief provided by this Section shall automatically terminate 12 months after the expiration or termination date of the relevant emergency declaration, or upon City Council's action by resolution to terminate earlier than that date. However, the City Council may, by resolution, extend the regulatory relief provided by this Section for up to an additional 24 months, thereby allowing the provisions to apply for a total of 36 months after the termination or expiration of the local emergency order. The City Council retains the

discretion to terminate these provisions by resolution at any time after the expiration or termination of the local emergency order.

C. Regulatory Relief

Regardless of any provision of this Zoning Code, Zoning Administrator Interpretations of this Zoning Code, ordinance, or specific plan to the contrary, the following regulatory relief shall be granted to a qualifying project.

1. Time Limitations

a. Extension of Time Limitations

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

i. Multiple Approvals

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

b. Extension of Term-Limited Grants

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

i. Multiple Approvals

Regardless of any other provision of this Zoning Code to the contrary, if an eligible conditional use permit is part of a project that requires multiple

Legislative and/or Quasi-judicial Approvals pursuant to Sec. 13A.2.10. (Multiple Approvals) and any of the approvals include a condition with a separate expiration date or term limit, said expiration date shall be extended concurrently with the conditional use permit that meets the criteria in Paragraph c. (Eligibility Criteria) below.

c. Eligibility Criteria

i. Eligible Conditional Use Approvals

All uses approved by conditional use permit per the applicable Use District are eligible for the time extension, except for the following:

- a) Conditional use permits related to resource extraction, manufacturing, heavy: petroleum and coal product manufacturing, or solid waste facility: hazardous waste are not eligible for the time extension within this Subdivision.
- b) Businesses or properties that are or have been the subject of revocation proceedings, pursuant to Sec. 13B.6.2. (Nuisance Abatement/Revocation), that resulted in corrective conditions or revocation are not eligible for a time extension.

ii. Application

In order to benefit from the relief provided by this Subdivision, the procedures enumerated in Sec. 13B.3.1 (Administrative Review) shall apply, and a fee, pursuant to Sec. 19.01.J. (Extension of Time or Suspension of Time Limits for Planning and Zoning Matters) of Chapter 1 (General Provisions and Zoning) of the LAMC, shall be paid in accordance with the procedures set forth by the Department of City Planning.

iii. Original Approval

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

iv. Notification

The applicant shall notify, in accordance with the procedures set forth by the Department of City Planning, the Los Angeles Police Department, the Department of Building and Safety, and the City Councilmember whose

district includes any portion of the property as part of the application process for the extension of the time limits.

2. Automobile Parking Relief

a. Use Modifications

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

i. Requirements

- a) The use modification is limited to a nonresidential use allowed by the applied Use District.
- b) The building where the use modification is proposed has one of the following: a valid certificate of occupancy; temporary certificate of occupancy; or a building permit if the building predates the certificate of occupancy requirement. Those documents must have been issued prior to the declaration of the local emergency related to the City Council's resolution invoking this Section.
- c) The automobile parking relief only applies to the first 5,000 square feet of floor area for any tenant space. Any floor area in excess of 5,000 square feet for the tenant space shall conform to the automobile parking requirements in *Div. 4C.4. (Automobile Parking)*, and any applicable specific plan, inclusive of any aggregate floor area, including floor area sectioned from a separate tenant space that may have been previously eligible or approved for the automobile parking reduction allowed by this Subdivision.
- d) The creation of new floor area within the subject building, occurring during the period this Section is activated by City Council resolution, is limited to the area within the existing walls and existing roofline of the building.
- e) The use modification shall not result in a net loss of dwelling units.

ii. Consistency

The relief provided in this Subdivision is limited to the automobile parking provisions established in this Subdivision, and the project shall otherwise be consistent with this Zoning Code and the General Plan.

b. Outdoor Dining

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

i. Eligibility

Only permitted eating and drinking establishments with verifiable indoor seating for on-premises dining are eligible for the relief provided within this Subdivision.

ii. Consistency

The relief provided in this Subdivision is limited to the automobile parking provisions enumerated herein, and the project shall otherwise be consistent with this Zoning Code and the General Plan.

iii. Termination

Whenever the provisions of this Section cease to apply, the automobile parking requirements that existed prior to the declaration of the local emergency shall be met, and any outdoor dining areas shall comply with the applicable requirements of this Zoning Code and any applicable specific plan.

c. Existing Conditions of Approval

Any existing condition of approval that requires valet automobile parking or off-site automobile parking is suspended and shall not be enforced during the effective dates of this Section, if all the following requirements are met.

i. Eligibility

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

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

ii. Existing Covenant

The suspension of enforcement activity as a result of the invocation of the provisions of this Subdivision shall not be construed to terminate or void any recorded covenant documenting valet or off-site parking requirements.

iii. Termination

Whenever the provisions of this Section cease to apply, all conditions of approval and associated covenants shall be enforced and, if the conditions were never met, the applicant shall provide verification to the Department of City Planning, in accordance with procedures set forth by the Department of City Planning, within 90 days of the termination of the provisions of this Section.

Technical Modification Exhibit 2: District Boundary Height Transition

To ensure that the height transition tools established are aligned with policy objectives and provide a transition which takes into account the adjacent/surrounding Form Districts, Sec. 2C.5.3. (Height Transition) shall be amended to read as follows.

Sec. 2C.5.3. ~~HEIGHT TRANSITION~~ DISTRICT BOUNDARY HEIGHT TRANSITION

~~[Reserved]~~ A reduction in the maximum height of a building for a limited depth where abutting districts have substantially lower height allowances.

A. Intent

To prevent looming impacts and reduce the perceived bulk and mass of buildings along zoning district boundaries where maximum height standards change significantly.

B. Applicability

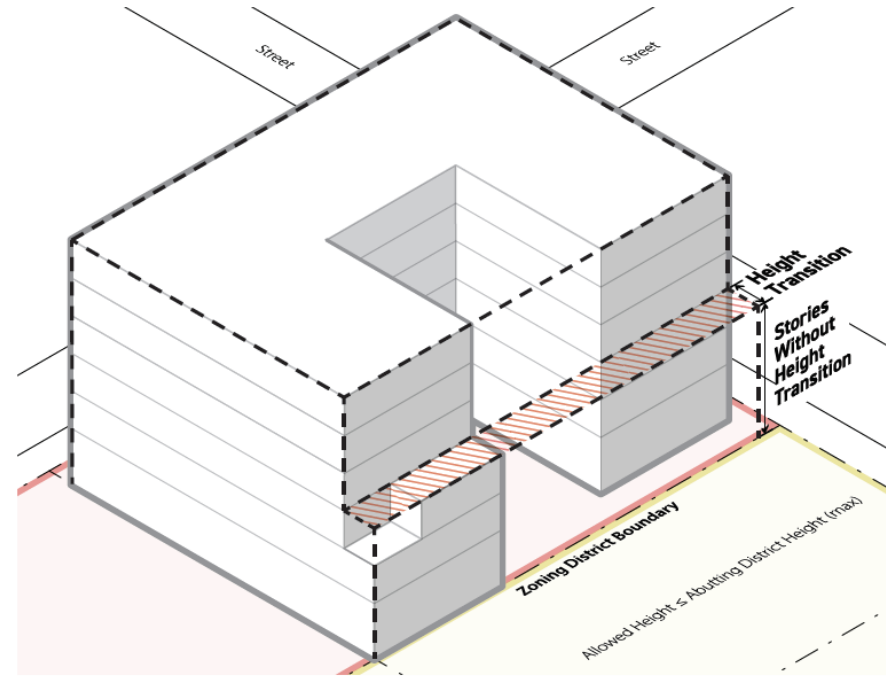
1. District boundary height transition standards apply to all lots that abut a zoning district that has a maximum height or bonus height of less than or equal to the *abutting district allowed height (Sec. 2C.5.3.C.2.)*, specified by the applied Form District (Part 2B).

2. All structures located on an applicable lot shall comply with district boundary height transition standards unless listed as an exception in *Sec. 2C.5.3.E (Exceptions)*.

C. Standards

1. General

- a. All structures located above the maximum *stories without height transition (Sec. 2C.5.3.D.2)* shall be located no less than the minimum *height transition depth (Sec. 2C.5.3.D.3)* from any lot zoned with a district that specifies a maximum building height of less than or equal to the maximum *abutting district allowed height (Sec. 2C.5.3.D.1)*.



b. Structures are not required to provide a district boundary height transition from public rights-of-way.

c. No structure or portion of a structure may be located within the minimum height transition depth, except where allowed in Sec. 2C.5.3.E. (Exceptions).

D. Measurement

1. Abutting District Allowed Height

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

2. Stories Without Height Transition

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

3. Height Transition Depth

Height transition depth is measured as the horizontal distance from any lot zoned with a district that specifies a maximum building height of less than or equal to the maximum *abutting district allowed height* (Sec. 2C.5.3.D.1) to the nearest point of any structure located above the specified maximum *stories without height transition* (Sec. 2C.5.3.D.2.).

E. Exceptions

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

ALLOWED HORIZONTAL ENCROACHMENTS

Architectural Details

Examples: cornices, belt courses, sills, lintels, pilasters, pediments, and chimneys

<u>Encroachment (max)</u>	<u>2'</u>
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Roof Projections

Examples: eaves, roof overhangs, gutters, awnings, and canopies

<u>Encroachment (max)</u>	<u>2.5'</u>
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Unenclosed Structures (all stories)

Examples: porch, deck, stoop, balcony, light shelves, and exterior stairways

<u>Encroachment (max)</u>	<u>5'</u>
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Enclosed, Projecting Structures

Examples: bay window, oriel window, sleeping porch, overhanging volume, and enclosed balcony

<u>Encroachment (max)</u>	<u>2.5'</u>
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Mechanical Equipment (ground and wall mounted)

Examples: gas and electric meters, HVAC equipment, cisterns, wind turbines and solar panels, and water heaters

<u>Encroachment (max)</u>	<u>1.5'</u>
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See Sec. 14.1.5. (Horizontal Encroachments)

ALLOWED VERTICAL ENCROACHMENTS

Mechanical Equipment

Examples: HVAC equipment, water tanks, solar panels, exhaust ducts, and communication equipment

<u>Encroachment (max)</u>	<u>5'</u>
<u>Setback from edge (min)</u>	<u>3'</u>

Architectural Elements

Examples: skylights, steeples, spires, belfries, cupolas, domes, flagpoles, and lighting

<u>Encroachment (max)</u>	<u>5'</u>
<u>Setback from edge (min)</u>	<u>2'</u>

Safety Barriers

Examples: Fencing, walls, parapets, railing, and stairs

<u>Encroachment (max)</u>	<u>4'</u>
<u>Setback from edge (min)</u>	<u>0'</u>

Unenclosed Structures

Examples: Shade structures, pergolas, rooftop bar, permanent seating, beehives, and cooking facilities

<u>Encroachment (max)</u>	<u>8'</u>
<u>Setback from edge (min)</u>	<u>2'</u>

Flatwork

Examples: Decking, walkways, patios, and planters

<u>Encroachment (max)</u>	<u>2.5'</u>
<u>Setback from edge (min)</u>	<u>1'</u>

Plants

Examples: trees, shrubs, flowers, herbs, vegetables, grasses, ferns, and moss

<u>Encroachment (max)</u>	<u>unlimited</u>
<u>Setback from edge (min)</u>	<u>1'</u>

See Sec. 14.1.6. (Vertical Encroachments)

F. Relief

1. A reduced height transition depth of 20% or less may be requested in accordance with Sec. 13B.5.2. (Adjustments).

2. A reduced height transition depth may be requested as a variance in accordance with Sec. 13B.5.3. (Variance).

3. Increased stories without height transition may be requested as a variance in accordance with Sec. 13B.5.3. (Variance).

Technical Modification Exhibit 3: Exterior Materials

To provide additional clarity and intent for Principal, Accessory and Exterior Material Options, the entirety of Div. 3D.10 (Exterior Materials) shall be replaced with the amended version below.

Div. 3D.10 EXTERIOR MATERIALS

SEC. 3D.10.1. PRINCIPAL MATERIAL COVERAGE

Building products used as the exterior wall finish materials for the great majority of the exterior building facade.

A. Intent

To visually unify the facade with a dominant material and ensure that building facades are finished with materials that contribute to the established architectural character of surrounding neighborhoods or districts.

B. Applicability

Facade area that meets all of the following criteria shall comply with primary material coverage standards:

1. Qualifies as a frontage applicable facade (Sec. 3A.2.2.C.2.);
2. Located on a build-to applicable story as specified by the applied Character Frontage District (Div. 3B.7) or located above the last provided story where the number of stories provided for any building is less than the specified build-to applicable stories; and
3. Is not a window or door opening.

C. Standards

1. General

- a. The total percentage of applicable facade area finished in a primary material shall be no less than the minimum primary material coverage specified by the applied Character Frontage District (Div. 3B.7).
- b. Only exterior material options specified by the applied Character Frontage District (Div. 3B.7) may be used as a primary material.

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- c. Only one primary material may be used to meet the primary material coverage standard.

2. Exterior Material Options

- a. For exterior material options standards, see Sec. 3D.10.3. (Exterior Material Options).

D. Measurement

1. Principal material coverage is calculated for each building width separately.
2. Principal material coverage is a percentage calculated by dividing the facade area covered in a principal material by the total applicable facade area.
3. The principal material is measured as compliant or non-compliant based on whether it meets the standards and definition of one of the allowed exterior material options specified by the applied Frontage District (Part 3B).

E. Relief

1. Up to a 10% reduction to the total required facade area finished in an allowed primary exterior material may be requested in accordance with Sec. 13B.5.2. (Adjustment).
2. Deviation from any principal material standard may be requested as a variance in accordance with Sec. 13B.5.3. (Variance).

SEC. 3D.10.2. ACCESSORY MATERIAL COVERAGE

Building products used as an exterior wall finish material to accent or support the principal material.

A. Intent

To visually unify the facade with a consistent material palette and ensure that building facades are finished with materials that contribute to the established architectural character of surrounding neighborhoods or districts.

B. Applicability

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1. Facade area that meets all of the following criteria shall comply with accessory material coverage standards:
 - a. Qualifies as a frontage applicable facade (Sec. 3A.2.2.C.2.);
 - b. Located on a build-to applicable story as specified by the applied Character Frontage District (Div. 3B.7) or located above the last provided story where the number of stories provided for any building is less than the specified build-to applicable stories; and
 - c. Is not a window or door opening.
2. All exterior materials cumulatively covering between 5% and 30% of the total applicable facade area are considered an accessory material and shall comply with all accessory material coverage, exterior material options, and number of accessory material standards.

C. Standards

1. General

- a. The total percentage of applicable facade area finished in an accessory material shall be no more than the maximum accessory material coverage specified by the applied Character Frontage District (Div. 3B.7).
- b. Only exterior material options specified by the applied Character Frontage District (Div. 3B.7) may be used as an accessory material.

2. Exterior Material Options

For exterior material options standards, see Sec. 3D.10.3. (Exterior Material Options).

3. Number of Accessory Materials

No more individual accessory materials than the maximum number of accessory materials specified by the applied Character Frontage District (Div. 3B.7) may be provided.

D. Measurement

1. Accessory material coverage is calculated for each building width separately.
2. Accessory material coverage is a percentage calculated by dividing the facade

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area covered in the accessory material product by the total applicable facade area.

3. The accessory material is measured as compliant or non-compliant based on whether it meets the standards and definition of one of the exterior material options specified by the applied Character Frontage District (Div. 3B.7).

E. Relief

1. Up to a 10% increase to the total allowed facade area finished in a secondary exterior material may be requested in accordance with Sec. 13B.5.2. (Adjustment).
2. Deviation from any accessory material standard may be requested as a variance in accordance with Sec. 13B.5.3. (Variance).

SEC. 3D.10.3. EXTERIOR MATERIAL OPTIONS

Building products allowed for use as primary or accessory exterior wall finish material.

A. Intent

To ensure that building facades are finished with materials that contribute to the established architectural character of surrounding neighborhoods or districts.

B. Applicability

Exterior material options standards apply to all exterior materials provided to comply with primary material coverage (Sec. 3D.10.1.) or accessory material coverage (Sec. 3D.10.2.) standards as specified by the applied Character Frontage District (Div. 3B.9).

C. Standards

1. General

Proposed principal and accessory materials shall meet all standards and definitions of one of the exterior material options specified by the applied Character Frontage District (Div. 3B.7) in order to comply with principal material coverage and accessory material coverage standards.

2. Exterior Material Options

Building products allowed for use as primary or accessory exterior wall finish

material.

a. Brickwork

Courses of rectangular masonry units made of hardened clay, laid with mortar exposed between bricks. Examples include solid brick construction, brick veneer and thin brick veneer. Other products required for installation that are visually incidental to the brick are also included.

PLACEHOLDER

INTENT

To provide structures with a human scale, durability, and a connection to local history. The profile of brickwork creates a pattern of channels along the mortar beds and perpend providing shadow line effects and texture reflecting the scale of the individual brick units. The size of the brick units are of a commonly recognized scale related to its manual assembly which naturally helps observers relate to the overall scale of the structure and recognize the building as a result of tangible human activities rather than machined or synthetic installations. Brick assemblies provide lasting durability against weather and wear, reducing maintenance demands. Used as an exterior building material in some of Los Angeles most treasured historic buildings, brickwork connects observers to local history.

DIMENSIONAL STANDARDS

- i. Individual brick units shall have a height of between 1.5 and 8 inches.
- ii. Individual brick units shall have a width of between 3.5 to 16 inches.

b. Stonework

Stacked rocks quarried and worked into a specific size and shape for use as a building material. Solid stone includes required mortar and other products required for installation that are visually incidental to the stone product. Examples include solid stone construction, stone veneer, and thin stone veneer. Solid stone excludes heavy aggregate concrete, terrazzo, engineered stone products, and comparable materials.

PLACEHOLDER
INTENT
To provide structures with a human scale, durability, and a connection to nature and local history. The profile of stonework provides dynamic shadow line effects relating to the scale of individual stones, helping observers to relate to the overall scale of the structure. Solid stone assemblies provide lasting durability against weather and wear, reducing maintenance demands. Used as an exterior building material in some of Los Angeles most treasured historic buildings, solid stone assemblies connect observers to local history.
DIMENSIONAL STANDARDS
n/a

c. Concrete

<i>A cement based product either poured-in-place or precast in a form or mold. Concrete includes engineered masonry products set in resin or cement such as terrazzo, terracotta, CMU, breeze block, and exposed columns and beams. Other products required for installation that are visually incidental to the concrete product are also included. Concrete excludes fiber cement products, brick, EFIS, and stucco.</i>
PLACEHOLDER
INTENT
To provide structures with the lasting durability and a sense of weight and permanence of concrete. Used as an exterior building material in some of Los Angeles most treasured historic buildings, concrete connects observers to local history.
DIMENSIONAL STANDARDS

n/a

d. Metal

Metal products designed and intended for architectural purposes. Examples include exposed structural steel, architectural metal panels, and decorative metal products. Other products required for installation that are visually incidental to the metal product are also included.

PLACEHOLDER

INTENT

To provide structures with the lasting durability and sense of permanence of metal. Used as an exterior building material in some of Los Angeles most treasured historic buildings, metal connects observers to local history.

DIMENSIONAL STANDARDS

n/a

e. Wood

Tree-based products milled into a particular shape and size for use as an exterior building material. Examples include wood panels, structural lumber like cross laminated timber and glulam beams, plank siding, and shingles. Wood excludes products with exposed faces composed substantially of wood chips, particles, and fibers. Examples include structural composite lumber like PSL, LSL, and OSL, and composite panel products like OSB, fiberboard, and particleboard. Wood also excludes faux-wood products such as vinyl, aluminum, and fiber cement siding. Other products required for installation that are visually incidental to the wood product are also included.

PLACEHOLDER

INTENT
To provide structures with a connection to local history through warm natural colors of exposed wood. Used as an exterior building material in some of Los Angeles most treasured historic buildings, wood products connect observers to local history.
DIMENSIONAL STANDARDS
n/a

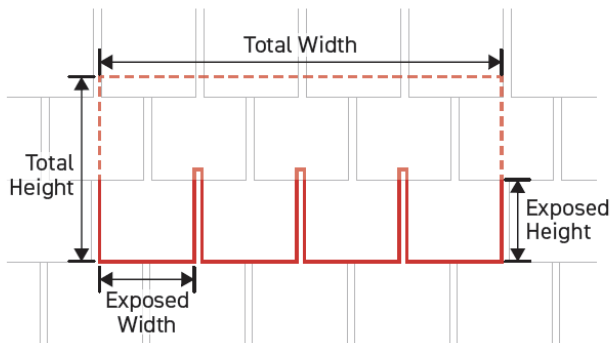
e. Glazed Tile

<i>Ceramic tile having porcelain or natural clay body, glazed for surfacing walls, typically attached to an exterior wall with mortar and finished by filling joints between tiles with a cement- or resin-based grout product. Examples include small or large format tile and structural facing tile. Other products required for installation that are visually subordinate to the tile product are also allowed. Glazed tile excludes terracotta and other non-ceramic tile products.</i>
PLACEHOLDER
INTENT
To provide structures with a human scale, durability, and a connection to local history. The profile of glazed tile assemblies provides a regular pattern of channels along grout joints, creating shadow line effects and texture reflecting the scale of the individual tile units. Glazed tile assemblies provide lasting durability against weather and wear, reducing maintenance demands. Used as an exterior building material in some of Los Angeles most treasured historic buildings, glazed tile assemblies connect observers to local history with their familiar luster and sheen.
DIMENSIONAL STANDARDS
n/a

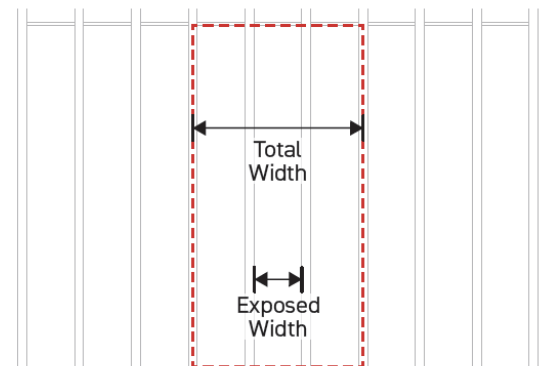
D. Measurement

1. The height of individual board, brick, or shingle unit is measured as the greatest dimension from one end of the unit to the opposite end of the unit, measured vertically and based on the proposed installation pattern.
2. The width of individual board, brick, or shingle unit is measured as the greatest dimension from one end of the unit to the opposite end of the unit, measured horizontally and based on the proposed installation pattern.
3. Exposed width is measured as the largest horizontal dimension of a board or shingle unit that is uninterrupted by either, another board or shingle covering the first unit, or a gap or break in the board or shingle unit, for the full height of the unit.
4. Exposed height is measured as the largest vertical dimension of a board or shingle unit that is uninterrupted by either, another board or shingle covering the first unit, or a gap or break in the board or shingle unit, for the full height of the unit.

SHINGLE SIDING (SQUARE)



VERTICAL PLANK (BOARD & BATTEN)



5. Gap between board units is measured as the distance between board units at the widest point.

E. Relief

1. Deviation from exterior material option standards may be requested in accordance with Sec. 13B.5.1. (Alternative Compliance).
2. Up to a 10% modification to any exterior material option dimensional standard may be requested in accordance with Sec. 13B.5.2. (Adjustment).
3. Deviation from any exterior material option standard may be requested as a variance in accordance with Sec. 13B.5.3. (Variance).

Technical Modification Exhibit 4: Automobile Access

To simplify standards by regulating driveway lanes uniformly rather than distinguishing between single lane and double lane driveways, Div. 4C.2. (Automobile Access) shall be amended as below.

Div. 4C.2. AUTOMOBILE ACCESS

Sec. 4C.2.1. AUTOMOBILE ACCESS PACKAGES

A. Intent

To ensure automobile access to sites is designed to support the safety of all users by minimizing conflicts with pedestrians, cyclists, transit vehicles, micro-mobility devices, and automobile traffic on the abutting public right-of-way, and to avoid detrimental effects on the surrounding public realm, while providing sufficient access to automobile parking and motor vehicle use areas.

B. Applicability

1. General

Automobile access standards are applicable wherever a project provides a driveway from a public right-of-way to a lot. Applicable automobile access standards are in Sec. 4C.2.1.C.1. (Automobile Access Packages), and are assigned by the applicable Development Standards District (Part 4B).

~~2. Single Lane~~

~~Where Automobile Access Package standards are specified for Single Lane, the standards apply to driveways that include only 1 automobile lane.~~

~~3. Double Lane~~

~~Where Automobile Access Package standards are specified for Double Lane, the standards apply to driveways that include 2 automobile lanes.~~

4. Boulevard or Avenue

Where Automobile Access Package standards are specified for Boulevard or Avenue, the standards apply to driveways that take access from a street designated as a Boulevard or Avenue, as designated by the applicable community plan circulation map.

5. Collector or Local

Where Automobile Access Package standards are specified for Collector or Local, the standards apply to driveways that take access from a street designated as a Collector or Local, as designated by the applicable community plan circulation map.

C. Standards

a. Automobile Access Package 1

Intended for areas where walking, bicycling and transit are the prioritized modes of transportation.		
	Access Lanes Single Lane	Double Lane
ACCESS LOCATION		
Boulevard or Avenue	Limited	Limited
Collector or Local	Limited	Limited
NUMBER OF ACCESS LANES		
Boulevard or Avenue		
0'- 400' lot width	2	4
> 400' lot width	4	+1 / 400'
Collector or Local		
0'-120' lot width	1	0
120'-400' lot width	2	4
> 400' lot width	4	+1 / 400'
Alley	Unlimited	Unlimited
ACCESS DIRECTION		
Boulevard or Avenue	1-way only	2-way separated
Collector or Local	2-way shared	2-way shared
ACCESS LANE WIDTH		
Boulevard or Avenue (min/max)	9' / 12'	18' / 22'
Collector or Local (min/max)	8' / 12'	18' / 20'

DRIVEWAY SEPARATION		
Boulevard or Avenue		
From intersection (min)	150'	150'
From bus stop (min)	400'	100'
From other driveway (min)	60'	120'
Collector or Local		
From intersection (min)	75'	75'
From bus stop (min)	75'	75'
From other driveway (min)	60'	120'
DRIVE-THROUGHS		
Drive-through facilities	Not Allowed	

b. Automobile Access Package 2

Intended for areas where walking, bicycling and transit are balanced with automobiles as the prioritized modes of transportation.		
	Access Lanes Single Lane	Double Lane
ACCESS LOCATION		
Boulevard or Avenue	Limited	Limited
Collector or Local	Limited	Limited
NUMBER OF ACCESS LANES		
Boulevard or Avenue		
0' to 200' lot width	2	1
> 200' lot width	4	2
> 400' lot width	+2 / 400'	+1 / 400'
Collector or Local		
0'-80' lot width	1	0
80'-200' lot width	2	1
> 200' lot width	4	2

> 400' lot width	+2 / 400'	+1 / 400'
Alley	Unlimited	Unlimited
ACCESS DIRECTION		
Boulevard or Avenue	1-way only	2-way separated
Collector or Local	2-way shared	2-way shared
ACCESS LANE WIDTH		
Boulevard or Avenue (min/max)	9' / 12'	18' / 22'
Collector or Local (min/max)	8' / 12'	18' / 20'
DRIVEWAY SEPARATION		
Boulevard or Avenue		
From intersection (min)	150'	150'
From bus stop (min)	100'	100'
From other driveway (min))	40'	120'
Collector or Local		
From intersection (min)	75'	75'
From bus stop (min)	75'	75'
From other driveway (min)	40'	120'
DRIVE-THROUGHS		
Drive-through facilities	Allowed	

c. Automobile Access Package 3

Intended for areas where automobiles are the prioritized mode of transportation.

	Access Lanes Single Lane	Double Lane
ACCESS LOCATION		
Boulevard or Avenue	Limited	Limited
Collector or Local	Limited	Limited
NUMBER OF ACCESS LANES		

Boulevard or Avenue		
0' to 200' lot width	2	4
> 200' lot width	4	2
> 400' lot width	+2 / 400'	+1 / 400'
Collector or Local		
0'-200' lot width	2	4
> 200' lot width	4	2
> 400' lot width	+2 / 400'	+1 / 400'
Alley	Unlimited	Unlimited
ACCESS DIRECTION		
Boulevard or Avenue	1-way only	2-way separated
Collector or Local	2-way shared	2-way shared
ACCESS LANE WIDTH		
Boulevard or Avenue	9' / 16'	18' / 30'
Collector or Local	8' / 16'	18' / 30'
DRIVEWAY SEPARATION		
Boulevard or Avenue		
From intersection (min)	150'	150'
From bus stop (min)	100'	100'
From other driveway (min)	20'	40'
Collector or Local		
From intersection (min)	75'	75'
From bus stop (min)	75'	75'
From other driveway (min)	20'	40'
DRIVE-THROUGHS		
Drive-through facilities	Allowed	

2. General

a. Design

All vehicle driveways shall conform to Sec. 4C.2.2. (Motor Vehicle Use Area Design).

b. Access lanes ~~Driveways~~ Reservoir Depth

Access lanes ~~Driveways~~ designated for ingress traffic shall comply with the following standards for a depth no less than the minimum specified in the table below, based on the total number of parking stalls that the access lane ~~driveways~~ serves.

- i. Vehicle entry restriction devices, such as mechanical gates or ticket dispensers are prohibited within the driveway for the minimum access lane ~~driveways~~ reservoir depth.
- ii. Automobile parking stalls shall not be accessed from the driveway for the minimum access lane ~~driveways~~ reservoir depth.
- iii. Drive aisles shall not be permitted to intersect the driveway within the minimum access lane ~~driveways~~ depth.

3. Access Location

a. Limited

Where an automobile access package specifies "Limited" for any street designation, the following standards apply:

- i. Access lanes ~~Driveways~~ shall not take access through primary street lot lines unless the lot does not include a side street lot line or alley lot line through which access can be taken.
- ii. Access lanes ~~Driveways~~ shall not take access through side street lot lines unless the lot does not include an alley lot line through which access can be taken.
- iii. For an alley lot line to be considered eligible for automobile access the abutting alley shall have a minimum width of 12 feet.

b. Permitted

Where an automobile access package specifies Permitted for a street designation, access lanes ~~driveways~~ are permitted along the specified street lot line.

4. Number of Access lanes ~~Driveways~~

- a. The total number of access lane ~~driveways~~ taking access through a street lot line shall be no greater than the number specified by the specified automobile access package (Sec. 4C.2.1.C.1.) based on the lot width measured along the street lot line abutting the street having the listed street designation.
- b. ~~The total number of driveways shall be calculated independently for single lane driveways and double lane driveways. However, where a combination of single lane and double lane~~

~~driveways is proposed, a 1 double lane driveway may count as 2 single lane driveways and 1 single lane driveway may count as 1/2 of a double lane driveway.~~

5. Access Direction

- ~~a. Where an automobile access package specifies "1 way only", the driveway shall be designated exclusively for either ingress or egress traffic.~~
- ~~b. Where an automobile access package specifies "1 way shared", the driveway may be designated and used for both ingress or egress traffic.~~
- ~~c. Where an automobile access package specifies "2 way separated", the driveway shall provide a lane exclusively for ingress traffic alongside a lane exclusively for egress traffic.~~
- ~~d. Where an automobile access package specifies "2 way shared", the driveway may be designated and used for both ingress or egress traffic.~~

6. Access Lane Driveway Width

Access lanes driveways shall be no wider than the maximum and no narrower than the minimum width specified by the applicable automobile access package (Sec. 4C.2.1.C.1.) . A driveway may be no wider than the sum of all included access lane widths, excluding gutters of no more than 18 inches wide and curbs.

7. Driveway Separation

a. From Intersection

- i. Driveways shall be separated from all street intersections by a distance no less than the minimum distance specified by the applicable automobile access package (Sec. 4C.2.1.C.1.).
- ii. Where the intersecting street only interrupts the opposite edge of the subject street right-of-way (ex: 3-way intersection), the following standards apply:
 - A. Where at least one of the intersecting street rights-of-way is not designated as a local street, the driveway shall be located no less than half of the minimum distance specified by the applicable automobile access package (Sec. 4C.2.1.C.1.).
 - B. Where both intersecting streets are designated as local streets, no driveway separation from the intersection is required.
- iii. Driveway lanes may only be placed within the minimum separation from intersection when the lot width is less than 170 feet on a Boulevard or Avenue and 85 feet on a Collector of Local, and driveways are placed along the side lot line located furthest from the street intersection. When there are multiple intersections from which separation is required, driveways shall be placed at the midpoint between the street intersections.

b. From Bus Stop

- ~~i. Driveway lanes shall be separated from all bus stops by a distance no less than the minimum distance specified by the applicable package in Sec. 4C.2.1.C.1. (Automobile Access Package), measured along to the applicable street lot line.~~
- ~~ii. Driveway lanes may only be placed within the minimum bus stop spacing when the lot width is less than 120 feet and driveways are instead placed along the side lot line located furthest from the bus stop. When there are multiple bus stops from which spacing is required, driveways shall be placed at the midpoint of the distance measured between each bus stop.~~

c. From other Driveway Driveway Spacing

Driveways shall be separated from all other driveways located along the same street lot line shall be separated by a distance no less than the minimum distance specified by the applicable automobile access package (Sec. 4C.2.1.C.1.). Distance from other driveway is measured along the applicable street lot line.

8. Drive-Throughs

- a. Where the assigned automobile access package specifies that drive-through facilities are "not allowed", no drive-through facility may be provided on the lot.
- b. Where the assigned automobile access package specifies that drive-through facilities are "allowed", a drive-through facility may be provided on-site provided they meet the standards for drive-through lanes provided in Sec. 4C.2.2.C.2 (Motor Vehicle Use Area).
- c. Where the assigned automobile access package specifies a Drive-Through Alternative Typology, a drive-through facility may be provided on-site provided it meets all standards of the specified Alternate Typology (Div. 7B.4.).

D. Measurement

- 1. For determining primary and side street lot lines see Sec. 14.1.12 (Lot Line Determination).
- 2. Street designation is determined by the applicable community plan circulation map.
- 3. Number of access lanes ~~Driveway quantity~~ is calculated as the total number of access lanes ~~driveways~~ providing access to a lot through a street lot line.
- 4. Driveway separation from intersections is measured ~~parallel to~~ following the geometry of the street lot line that the driveway takes access through, from the extension of the curb along the intersecting street to the nearest edge centerline of the driveway.
- 5. ~~Driveway separation from bus stops is measured parallel to following the geometry of the street lot line that the driveway takes access through, from the edge of the bus stop to the nearest edge centerline of the driveway lane. Separation from bus stops is only measured from bus stops on the same side of the street as the subject lot.~~
- 6. Driveway separation from other driveways located on the same street lot line is measured following the geometry of the street lot line that the driveway takes access

through, from edge of driveway to edge of driveway. Driveway separation from other driveways only includes driveways providing access to the subject lot and does not include driveways providing access to surrounding lots. ~~Driveway spacing is measured along each street lot line from edge of driveway to edge of driveway. Driveway spacing includes driveway on other lots along the same block face.~~

7. Driveway Access lane width is measured as the narrowest horizontal dimension from edge of driveway access lane to edge of driveway access lane for the full length of the access lane, ~~excluding up to a 9 inches of curb on either side.~~
8. Driveway Access lane reservoir depth is measured from the applicable street lot line, into the lot and perpendicular to the driveway lane width, to the nearest parking stall, drive aisle or vehicle entry restriction device.

E. Relief

1. A deviation from any ~~driveway or access~~ automobile access standard may be requested in accordance with Sec. 13B.5.1. (Alternative Compliance).
2. A deviation from any ~~driveway~~ access lane ~~spacing~~, width or depth dimensional standard, or driveway separation of up to ~~40%~~ 20% may be requested in accordance with Sec. 13.B.5.2. (Adjustment).
3. One additional ~~driveway~~ access lane in excess of the maximum number of driveway access lanes permitted may be requested in accordance with Sec. 13.B.5.2. (Adjustment).
4. A deviation from any ~~driveway or access~~ automobile access standard may be allowed as a variance in accordance with Sec. 13.B.5.3 (Variance).

Technical Modification Exhibit 5: Change of Use Parking Exemption

Create Sec. 4C.4.2 (Change of Use Parking Exemption) to provide clarity and details to the standards for Change of use Parking Exceptions, as established below.

[ADDED]

Sec. 4C.4.2. CHANGE OF USE PARKING EXEMPTION

A. Intent

To allow existing commercial spaces to change uses in response to evolving neighborhood and business conditions without requiring additional parking stalls, which may not be feasible without the loss of existing floor area and major site alterations.

B. Applicability

Applies to use modification project activities within a *commercial tenant space* having a floor area less than or equal to the square footage threshold specified by the applied *Development Standards District (Part 4B)*.

C. Standards

1. No additional parking stalls beyond those that currently exist *on-site* shall be required for use modification project activities within a *commercial tenant space* having a floor area less than or equal to the square footage threshold specified by the applied *Development Standards District (Part 4B)*.
2. When the applied *Development Standard District (Part 4B)* specifies “n/a” for change of use parking exemption, use modification project activities involving a *commercial tenant space* of any size is allowed without providing any additional parking.
3. The proposed use to occupy the commercial tenant space shall be designated for one of the following uses:
 - i. General Commercial (all)
 - ii. Indoor Recreation, Commercial
 - iii. Office, Government
 - iv. Social Services

D. Measurement

1. The size of an individual *commercial tenant space* shall be measured as the total floor area of a space designated to an individual tenant having no direct access to any other tenant space. Where multiple individual tenant spaces have direct access between the

tenant spaces, all connected tenant spaces are considered the same tenant space for the purpose of measuring commercial tenant size.

2. Commercial tenant spaces may have direct access to common areas and shared facilities; however, common areas and shared facilities shall not be included in the calculation of commercial tenant size.
3. For the measurement of floor area see Sec. 14.1.7. (Floor Area).

E. Relief

1. A deviation from the maximum floor area eligible for a change of use parking exemption of up to 20% may be requested in accordance with Sec. 13B.7.2 (Adjustments).
2. A deviation from maximum floor area threshold specified by the applied *Development Standards District (Part 4B)* for a commercial tenant space to be eligible for the change of use parking exemption may be allowed as a variance in accordance with Sec. 13B.5.3 (Variance).

Technical Modification Exhibit 6: Ground-Mounted Equipment

To add refinements to the Ground-Mounted Equipment applicability and location and screening standards, including new provisions for landscape screening, Sec. 4C.12.2. (Ground-Mounted Equipment) shall be amended as established below.

Sec. 4C.12.2. GROUND-MOUNTED EQUIPMENT

A. Intent

To minimize visibility of ground-mounted equipment from the public realm and support the intent of the applicable Frontage District (Part 3B).

B. Applicability

1. Mechanical or utility equipment having the following characteristics:
 - a. Publicly or privately owned.
 - b. Located at an elevation within 6 feet of surrounding grade.
 - c. Serves 5 or more dwelling units or at least 5,000 square feet of floor area.
 - d. Does not include equipment for wireless telecommunication uses. These uses shall comply with Sec. 4C.8.8. (Wireless Telecommunication Facilities).
2. Ground-mounted equipment screening standards do not apply to lots owned or leased by the Los Angeles Department of Water and Power.
3. Ground-mounted equipment standards do not apply to fire hydrants.

C. Standards

1. Location

- a. Ground mounted equipment located in a frontage yard ~~or in the public right-of-way~~ shall be installed entirely below finished grade in a vault.
- b. Ground mounted equipment may be located within a building or structure, such as a utility room or parking garage, provided no portion of the equipment faces a frontage yard unobstructed.
- c. Ground mounted equipment may be located outdoors and above-grade provided that it meets the following standards:
 - i. No portion of the equipment is located in a frontage yard.
 - ii. When located on a corner lot, the equipment and its padmount shall not be located in the parking setback specified by the applied Frontage District (Part 3B).
 - iii. Equipment is screened with a ~~screening enclosure meeting the standards outlined in Sec. 4C.12.C.2. (Screening Enclosure).~~ a fence/wall screen that meets the requirements of Sec. 4C.12.C.2. (Fence/Wall Screen) or a

landscape screen that meets the requirements of Sec. 4C.12.C.3. (Landscape Screen). Fence/wall screens and landscape screens may be combined to achieve full screening of the subject equipment.

- iv. ~~When located on a corner lot, the equipment and its padmount shall be setback from the intersection of any primary or side street lot lines by a dimension no less than 60% of the building width.~~

2. Screening Enclosure Fence/Wall Screen

~~Ground-mounted equipment located outdoors and above-grade shall be screened with a screening enclosure that meets the following requirements: Fences or walls used to meet ground mounted equipment screening requirements shall meet the following standards:~~

- a. Form a screening enclosure that creates a contiguous perimeter around 100% of the subject equipment ~~has a 100% enclosure~~ for a height no less than 6 inches taller than the topmost point of the equipment. In no case may the screening enclosure be less than 3 feet in height.
- b. Have ~~Has~~ a minimum *opacity* of 90%
- c. Access gates provided in the screening enclosure shall meet the following standards:
 - i. Shall have a height no less than 6 inches taller than the topmost point of the equipment.
 - ii. Where a screening ~~structure~~ enclosure is taller than the minimum height, gates may be no more than 1 foot shorter than the height of the wall or fence provided.
 - iii. In no case shall gates exceed the height of the screening ~~structure~~ enclosure by more than 1 foot.
 - iv. Has a minimum opacity of 90%.
- a. A building wall of an existing or proposed building may serve as a partial element of the screening enclosure, provided that the building wall meets the height requirements outlined in Sec. 4C.12.C.2.a. and the opacity requirements outlined in Sec. 4C.12.C.2.b.
- b. ~~Enclosed areas~~ Areas within the screening enclosure shall be maintained free of trash and debris.
- c. Screening ~~structure~~ enclosure shall comply with Sec. 4C.7.3 (Fence/Wall Design & Installation).
- d. Screening may need to comply with additional access and clearance standards as may be required by LADWP.

3. Landscape Screen

Plants and landscaping used meet ground mounted equipment screening requirements shall meet the following standards:

a. General

- i. Landscape screens shall be composed of hedges meeting the requirements of Sec. 4C.12.2.C.3.b. (Hedges) or screening plants meeting the requirements of Sec. 4C.12.2.C.3.c. (Screening Plants) Landscape screens may be composed of a combination of screening plants and hedges.
- ii. All required screening plants and hedges shall have a minimum *height at maturity* no lower than the height of the topmost point of the equipment subject to screening.
- iii. All required screening plants and hedges shall comply with Sec. 4C.6.4. (Plant Design and Installation).
- iv. Areas within the landscape screen shall be maintained free of trash and debris.
- v. All plants provided in a landscape screen shall be planted and maintained so as to ensure a minimum of 3 feet of clearance between all portions of the equipment and the plants, based on *spread at maturity*.
- vi. Screening may need to comply with additional access and clearance standards as may be required by LADWP

b. Hedges

- i. A continuous perimeter of hedge shall surround 100% of the subject equipment. A maximum gap of 3 feet breaking the continuous perimeter is permitted to allow for equipment access, provided that the access gap does not *face a frontage lot line*.
- ii. Hedges shall meet the requirements of Sec.4C.6.4.C.3.d. (Hedges)

c. Screening Plants

- i. Screening plants shall be planted in a *planting area* no less than 3 feet in depth that creates a contiguous perimeter surrounding 100% of the subject equipment. A maximum gap of 3 feet breaking the contiguous perimeter is permitted to allow for equipment access, provided that the access gap does not *face a frontage lot line*.
- ii. A minimum of 20 screening plants shall be planted for every 50 linear feet of *planting area*, measured at the outside perimeter of the *planting area*.
- iii. Screening plants shall meet the requirements of Sec.4C.6.4.C.3.b. (Screening Plants)

D. Measurement

1. For measurement of *opacity* see Sec. 14.1.13. (Opacity %).
2. For measurement of *enclosure* see Sec. 14.1.4. (Enclosure).
3. Height from topmost point of the equipment is measured to the top of the screen and gate at their lowest ~~height point~~.
4. For measurement of plant and hedge *height at maturity*, see Sec. 4C.6.4.D.11, (Height at Maturity).
5. For measurement of plant and hedge *spread at maturity*, see Sec.4C.6.4.D.3. (Canopy Diameter, Spread, and Height at Maturity)
6. For measurement of *planting area width*, see Sec. 4C.6.4.D.1. (Planting Area Width).
7. For measurement of *parking setback* see Sec. 3C.2.1.D. (Measurement, Parking Setback).
8. For measurement of *building width* see Sec 2C.6.1.D. (Building Width).

E. Relief

1. Where Los Angeles Department of Water and Power determines that utility equipment must be located in the frontage yard and that locating the equipment in a below grade vault is infeasible for reasons not related to cost, the applicant may request an alternative to the ground-mounted equipment location standards in accordance with Sec. 13B.5.2 (Alternative Compliance) allowing for the utility equipment to be located above-grade and in a frontage yard.
2. A deviation from any ground-mounted equipment screening dimensional standard of up to 15% may be requested in accordance with Sec. 13B.5.2 (Adjustment).
3. Deviation from any ground-mounted equipment screening standard may be allowed as a variance in accordance with Sec. 13B.5.3 (Variance).

Technical Modification Exhibit 7: Waste Receptacles

To better align with existing City policies regarding the screening of waste receptacles, Subsection B. and C. of Sec. 4C.12.5. (Waste Receptacles) shall be amended as established below.

Sec. 4C.12.5. WASTE RECEPTACLES

A. Intent

To ensure waste receptacle service areas are designed in a manner that does not detract from the safety, comfort, or enjoyment of users of the lot, neighboring lots or the public realm.

B. Applicability

~~All waste receptacles provided on a lot with the exception of lots zoned with a 1L, 2L, 3L, or 4L Density District.~~

1. All solid waste, recycling, and organic waste receptacles 96 gallon in size or greater stored on a lot, with the exception of lots containing only residential uses and 4 or fewer dwelling units.
2. Use modification project activities on a site having less than 2,500 square feet of lot area shall be exempt from waste receptacle screening and enclosure standards .

C. Standards

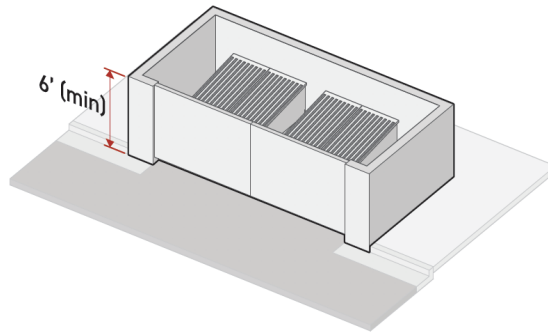
1. Location

- a. Waste receptacles and their screening enclosures shall not be located in a frontage yard.
- b. Waste receptacles may be located within a building or structure provided they are located in a room providing 100% enclosure.
- c. Waste receptacles may be located in the same area, room, or enclosure as required recycling areas as long as the area, room, or enclosure meets both the waste receptacle standards (Sec. 4C.12.5.) and the recycling areas standards outlined in Sec. 4C.12.6. (Recycling Areas).
- d. Waste receptacle storage areas shall be made accessible to the public right of way, a driveway, or a motor vehicle use area through a pedestrian accessway with a minimum width of 4 feet in order to accommodate waste hauling services.

2. Screening Enclosure

The outdoor waste receptacle shall be screened with an enclosure that meets the following requirements:

- a. Has 100% enclosure for a minimum height of 6 feet, but no less than 1 foot taller than the height of the waste receptacles the facility is designed to enclose.
- b. Has a minimum opacity of 90%.



- c. Outdoor waste receptacle enclosures located on a lot zoned with a Residential or Agricultural use district or located on a lot abutting a Residential or Agricultural use district shall be sheltered. : The sheltering structure shall meet the following standards:
 - i. Shall have a slope of no less than 5 degrees.
 - ii. Shall be and made of non pervious material to ensure runoff, and
 - iii. Shall provide a minimum clear height of 8 feet under the structure.
- d. Wheel stops with a minimum height of 8 inches shall be installed a minimum of 6 inches from interior walls of waste receptacle enclosures to prevent damage to walls
- e. Access gates provided in the screening enclosure shall meet the following standards:
 - i. Shall have a height of no less than 6 feet.
 - ii. Where a screening structure is 7 feet or greater in height, gates shall be no more than 1 foot shorter than the height of the screening enclosure provided.
 - iii. In no case shall gates exceed the height of the screening structure by more than 1 foot.
 - iv. Shall have a minimum opacity of 90%.
- f. All provided screening enclosures shall comply with Sec. 4C.7.3 (Fence/Wall Design & Installation).

D. Measurement

- 1. For frontage yard designation see Sec. 14.1.16.G. (Frontage Yard).

2. For measurement of height see Sec. 4C.7.1.D.1 (Fence and Wall Height).
3. For measurement of enclosure see Sec. 14.1.4. (Enclosure).
4. For *sheltered* and *covered area* see Sec. 14.1.2. (Covered Area %).
5. For measurement of opacity see Sec. 14.1.13. (Opacity %).

E. Relief

1. An alternative to waste receptacle standards may be requested in accordance with Sec. 13B.5.1 (Alternative Compliance).
2. A deviation from any waste receptacle dimensional standard of up to 15% may be requested in accordance with Sec. 13B.5.2 (Adjustment).
3. Deviation from any waste receptacle standard may be allowed as a variance in accordance with Sec. 13B.5.3 (Variance).

Technical Modification Exhibit 8: Shopping Cart Containment

To carry over the equivalent version of the shopping cart containment regulations in the current Zoning Code, a new Sec. 4C.12.7. (Shopping Cart Containment) shall be added to Div. 4C.12 (Site Elements) as established below.

Sec. 4C.12.7 Shopping Cart Containment

A. Intent

To prevent or reduce the accumulation of abandoned shopping carts in the City, which may obstruct pedestrian and vehicular traffic, and constitute a hazard to the health, safety, and general welfare of the public.

B. Applicability

Shopping cart containment requirements apply to projects involving new construction, site modification, use modification, and major renovation for commercial uses established in Sec. 5C.1.5. (General Commercial Uses) that provide six or more shopping carts.

C. Standards

1. General

a. Shopping Cart Noticing

Every shopping cart owned or provided by any business establishment in the City must have a notice permanently affixed to it that:

- i. Identifies the owner of the cart or the name of the business establishment, or both.
- ii. Notifies the public of the procedure to be utilized for authorized removal of the cart from the business premises.
- iii. Notifies the public that the unauthorized removal of the cart from the premises or parking area of the business establishment is a violation of State and City law.
- iv. Lists a telephone number to contact to report the location of the abandoned cart.
- ii. Lists an address for returning the cart to the owner or business establishment.

b. Shopping Cart Collection Areas

Shopping cart corrals and/or storage areas shall be provided with a minimum width of 5 feet and minimum depth of 15 feet, but shall not be located within a required frontage yard.

c. Signs

Signs that warn customers that shopping cart removal is prohibited and constitutes a violation of Sec. 22435.1. of the California Business and Professions Code and Sec. 41.45. of Chapter 4 (Public Welfare) of the LAMC shall be installed and maintained at exits, shopping cart collection areas, and any vehicular or pedestrian accessways. Signs shall be no less than 16 inches by 20 inches, and placed at a minimum height of 3 feet and a maximum height of 6 feet.

2. Containment Methods

A project shall include a practical containment approach with one or more of the following containment methods to ensure that shopping carts remain on the premises.

a. Wheel Locking or Stopping Mechanisms

Shopping carts shall be equipped with a wheel locking or stopping mechanism that is used in conjunction with an electronic magnetic barrier along the perimeter of the commercial use or lot, including customer entrances, loading areas, basements, landscaped areas, along crossings and access points required for driveways, drive aisles, pedestrian accessways, and pedestrian passageways, or any other perimeter identified on a shopping cart containment plan. The wheel locking or stopping mechanism must activate when the shopping cart crosses the electronic or magnetic barrier.

b. Screening Plants

A type F1 frontage screen, in accordance with Sec. 4C.8.1.C.2.a. (F-Screen 1), shall be provided along the perimeter of the commercial use or lot, or any other perimeter identified on a shopping cart containment plan.

c. Bollards

Bollards shall be installed at customer entrances, or within 10 feet of the entrances, and shall be spaced at a maximum distance of 17 inches from each other or nearby enclosed space.

d. Other Methods

Other methods for shopping cart containment so long as the Department of Public Works, Bureau of Sanitation, or its successor agency, has approved the system or method which would effectively contain or control shopping carts on the premises.

3. Performance Standards

Applicants shall execute and record a covenant and agreement to the satisfaction of the Department of Public Works, Bureau of Sanitation, meeting the following standards:

a. Daily After Hours Cart Containment

A plan for securing shopping carts whenever the store is not open for business shall be provided.

b. Shopping Cart Retrieval

The owner shall be responsible for retrieving their own carts or provide evidence of a contract with a shopping cart retrieval service with terms requiring collection of abandoned shopping carts within 24 hours of notification of an abandoned shopping cart.

c. Employee Training

The owner of the retail establishment shall implement and maintain a periodic training program for its new and existing employees designed to educate employees about the abandonment and retrieval of shopping carts from the premises of the retail establishment.

D. Measurement

1. Shopping Cart Containment Plan

A shopping cart containment plan shall be prepared that identifies areas on a lot where shopping carts can be removed from the lot and identifies the proposed containment method for each area.

2. Recorded Agreement

Prior to issuance of a Building Permit, a covenant acceptable to the Department of Public Works, Bureau of Sanitation and consistent with Sec. 1.3.2.C.6. (Recorded Agreements) shall be recorded with the Los Angeles County Recorder, guaranteeing that the contaminants methods, general requirements, and performance standards established in this Section are met.

E. Relief

1. A deviation from shopping cart containment standards established in this Section may be requested in accordance with Sec. 13B.5.1. (Alternative Compliance).
2. A deviation from any shopping cart containment dimensional standard of up to 10% may be requested in accordance with Sec. 13B.5.2 (Adjustment).
3. A deviation from any shopping cart containment standard may be allowed as a variance in accordance with Sec. 13B.5.3 (Variance).

F. Enforcement

Regardless of Div. 13B.10. (Department of Building and Safety), the Department of Public Works, Bureau of Sanitation shall have the authority and responsibility to enforce the provisions of this Section.

Technical Modification Exhibit 9: Lot Eligibility

Create a new Section 5C.3.33 (Lot Eligibility) within Div. 5C.3 (Use Standards) to provide clarity on Use District standards for Lot Eligibility as established below.

Sec. 5C.3.33. LOT ELIGIBILITY

A. Intent

To limit subject uses only to lots having specific qualities required in order to ensure the use is appropriately sited within its surroundings and complies with the intent of the Use District.

B. Applicability

Applies only when specified by the Use District as a required use standard.

C. Standards

1. **Alley Abutting:** Where the applied Use District specifies 'Alley Abutting' for the lot eligibility standard, the subject use may be permitted when the subject use is located on a lot that abuts an alley having a width of 15 feet or greater.
2. **Boulevard or Avenue Fronting:** Where the applied Use District specifies 'Boulevard or Avenue Fronting' for the lot eligibility standard, the subject use may be permitted when the subject use is located on a lot sharing a lot line with a street designated as a Boulevard or Avenue.
3. **Corner Lot:** Where the applied Use District specifies 'Corner Lot' for the lot eligibility standard, the subject use may be permitted when the subject use is located on a lot located at the intersection of two streets.
4. **Minimum Lot Area:** Where the applied Use District specifies 'Minimum Lot Area' for the lot eligibility standard, the subject use may be permitted when the subject use is located on a lot having an area that is equal to or greater than the minimum area specified by the applied use district (*Part 5B*).

D. Measurement

1. Alley width is measured as the narrowest horizontal distance between opposite edges of a designated alley.
2. For lot line determination see Sec. 14.1.12 (*Lot Line Determination*).
3. For lot area measurement see Sec. 2C.1.1.D. (*Lot Area, Measurement*).

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E. Relief

See the allowed uses and use limitations of the applied *Use District (Part 5B)*.

Technical Modification Exhibit 10: Public Nuisance Abatement Program

Create a new Section 9.4.7 (Public Nuisance Abatement Program) within Article 9 (Public Benefit Systems) and the addition of new terms into Div. 14.2 (Glossary) of Article 14 (General Rules) in order to incorporate the provisions of Ordinance No. 187,145 (Council File 17-0893) as established below.

Sec. 9.4.7. PUBLIC NUISANCE ABATEMENT PROGRAM

A. Purpose

The purpose of this Section is to facilitate the removal of graffiti, posters/handbills and any other illegal postings, as well as trash, debris, rubbish, and weeds on public property in exchange for the temporary placement of signs at construction sites and vacant lots.

B. Eligibility

Construction sites and vacant lots are eligible for the placement of temporary signs, including off-site signs, on temporary construction walls, and/or solid wood fences, if the lot has an applied Residential-Mixed, Commercial-Mixed, Commercial, Industrial-Mixed, or Industrial Use District and the project complies with the requirements of the public nuisance abatement program as outlined in this Section.

C. Program Requirements

Upon issuance of a building permit for a sign and installation of any signs on temporary construction walls, and/or solid wood or similar material fences surrounding vacant lots it shall be the sign company and property owner's responsibility to comply with the provisions of this Subsection, and as established in Sec. 9.4.7.F.4. (Authorized Representative) it shall be the responsibility of the Department of Public Works - Office of Community Beautification (Office of Community Beautification) to enforce them.

1. Notification

- a. Within 10 days after the issuance of the building permit for a sign, provide written notification to the Office of Community Beautification and the Council District Office of the council district in which the construction site or vacant lot is located.
- b. The notification shall contain the name and address of the sign company or property owner and the property address where the signs will be placed.
- c. The notification to the Office of Community Beautification shall include a copy of the sign company's contract with the property owner to post signs at the specified location.

2. Reporting

- a. Report the amount, type, and location of clean-ups within the abatement radius to the Office of Community Beautification every 30 days for the duration of the building permit for the sign.
- b. Reporting shall be thorough and include before and after photo documentation, City of Los Angeles MyLA311 App request confirmation and/or other documentation stating date and time of clean up, as well as receipts for where materials were disposed.

3. Public Nuisance Abatement

- a. Clean and maintain free from graffiti, posters/handbills and any other illegal postings, as well as trash, debris, rubbish, and weeds from public property and rights-of-way within the abatement radius. The removal of graffiti shall include, but not be limited to, spray paint on walls, poles, and fences on public property.
- b. Remove any posters/handbills on light poles, utility poles, bus stops, and any other illegal postings on public property.
- c. Patrol the abatement radius every 24 hours to search for and remove any graffiti within 24 hours of its discovery.
- d. Report, through the City of Los Angeles MyLA311 program, bulky items within the abatement radius around the permitted lot.
- e. Comply with the administrative policies and procedures set by the Office of Community Beautification.

4. Abatement Radius Calculation

The abatement radius will be measured as a horizontal extension of the perimeter of the entire lot at a distance determined by the Office of Community Beautification.

- a. Initially, a 750-foot radius around the permitted lot, or
- b. Also, a radius around the permitted lot expanded in 250-foot increments, up to a maximum of 1,500 feet per Sec. 9.4.7.E.3.d. (Review).

D. Incentives

Regardless of the provisions of Sec. 4C.11.2. (Temporary Signs), signs placed on temporary construction walls, and/or solid wood fences surrounding vacant lots shall comply with the following:

1. Placard

Install an 18" x 24" placard in a conspicuous location on the wall or fence. The placard shall be made of a durable laminated paper, vinyl or other weather resistant material with contrasting black letters on white background at least 1 inch in height and display the following information:

- a. "This is an Official Notice of the City of Los Angeles and shall not be defaced."
- b. Signs have been placed on this wall or fence pursuant to Los Angeles Municipal Code Sec. 9.4.7. (Public Nuisance Abatement Program).
- c. Building permit number: _____ and expiration date: _____
- d. Phone number of the Department of Public Works' Office of Community Beautification: _____
- e. Name and phone number of the sign operator's representative for public reporting of graffiti, posters/handbills and any other illegal postings, as well as trash, debris, rubbish, and weeds for removal within the required abatement radius: _____

2. Individual Sign Area

Individual signs shall not exceed a sign area of 250 square feet.

3. Grouped Sign Area

Signs shall not be grouped to form a maximum sign area that exceeds 250 square feet.

4. Separation of Signs

Individual signs or groups of signs having an area of 250 square feet shall be separated from any other sign on temporary construction walls and/or solid wood fences surrounding vacant lots by at least 10 feet measured horizontally.

5. Combined Area

The combined sign area of temporary signs shall not exceed 8 square feet for each linear foot of street frontage.

6. Maximum Height

Signs may only be placed to a maximum height of 8 feet and shall not extend above the top of the wall or fence.

7. Time Limits

A building permit for a temporary sign is time limited by the following:

a. Temporary Construction Wall

- i. A building permit for a temporary sign placed on a temporary construction wall shall remain valid for two years, or during the duration of the construction work, under a separate valid building permit, requiring a barrier, pursuant to Sec. 91.3306. (Protection of Pedestrians) of Chapter 9 (Building Regulations) of the LAMC, whichever is less.
- ii. If the construction work authorized by the separate building permit has not commenced by the 180th day following the permit issuance date, or the 90th day when an operating business exists on the lot, or work has been suspended, discontinued or abandoned for a continuous period of 180 days, or 90 days when an operating business exists on the lot, the building permit for the temporary sign permitted pursuant to Sec. 9.4.7.E. (Process) shall be expired.
- iii. If the separate building permit is revoked or expired, the building permit for the temporary sign permitted pursuant to Sec. 9.4.7.E. (Process) shall be expired.
- iv. Subsequent building permits for a temporary sign at the same lot, issued in conjunction with the original separate construction permit, shall not be authorized.

b. Fence Around a Vacant Lot

- i. A building permit for a temporary sign placed on a fence of solid wood or similar material surrounding a vacant lot shall remain valid for one year, or for as long as the lot remains vacant, whichever is less.
- ii. Subsequent building permits for temporary signs on a fence of solid wood or similar material surrounding a vacant lot at the same lot shall be issued under the terms of Sec. 9.4.7.E. (Process) , not to exceed two additional permits, for a total of three years.

8. Sign Materials

Regardless of the provisions of Sec. 4C.11.2.C.3.c. (Construction), Temporary Signs authorized by this Section shall be made of paper, vinyl, or other similar material.

9. Operating Business

When a business is operating on a construction site, temporary signs must also comply with the following:

a. Display Location

Temporary signs are limited to the portion of the temporary construction wall that is required pursuant to Sec. 91.3306. (Protection of Pedestrians) of Chapter 9 (Building Regulations) of the LAMC; and

b. Wall Minimum

A minimum 40 linear feet of required temporary construction wall, not exceeding the boundaries of the lot, may be installed and used for temporary signs; and

c. Sign Maximum

The total area of temporary signs on a lot authorized by this Section shall not exceed a maximum of 250 square feet.

E. Process

The Department of Building and Safety shall issue a building permit for a temporary sign, pursuant to this Section, after verifying that the plans comply with all applicable LAMC provisions, all permit clearances have been approved and the following requirements have been met.

1. Initial Permit Application - Temporary Construction Wall

a. Valid Building Permit

There is a separate valid building permit issued by the Department of Building and Safety authorizing construction work on the lot(s).

b. Required Wall

At least a portion of the temporary construction wall is required pursuant to Section Sec. 91.3306. (Protection of Pedestrians) of Chapter 9 (Building Regulations) of the LAMC.

c. Previous Permit

A previous building permit for a temporary sign was not issued in conjunction with the same building permit referenced in Sec. 9.4.7.E.1.a. (Valid Building Permit).

d. Expiration and Revocation

A previous building permit for a temporary sign on the lot was not expired or revoked within the preceding 12 months pursuant to Sec. 9.4.7.D.6.a. (Temporary Construction Wall) or Sec. 9.4.7.F.2. (Revocation).

e. Operating Business

When a business is operating on the lot, temporary signs must comply with Sec. 9.4.7.D.8. (Operating Business).

2. Initial Permit Application - Fence Surrounding a Vacant Lot

a. Existing Use

There are no buildings or uses of land on the lot.

b. Expiration and Revocation

A previous building permit for a temporary sign on the lot was not expired or revoked within the preceding 12 months pursuant to Sec. 9.4.7.D.6.a. (Temporary Construction Wall) or Sec. 9.4.7.F.2. (Revocation).

3. Subsequent Permit Application - Fence Surrounding a Vacant Lot

If Department of Building and Safety records indicate that a building permit for a temporary sign on a fence of solid wood or similar material surrounding a vacant lot on the lot was previously issued the following must be met.

a. Use

The sign complies with Sec. 9.4.7.E.2. (Initial Permit Application) as applicable.

b. Expiration and Revocation

A previous building permit for a temporary sign on the lot was not expired or revoked within the preceding 12 months pursuant to Sec. 9.4.7.F.2. (Revocation)

c. Previous Permit

No more than one initial building permit for a temporary sign and one subsequent building permit for a temporary sign, for a total of two years, have been issued at the same lot.

d. Review

The Director of the Office of Community Beautification reviews and consents to the subsequent building permit in a written statement and determines an abatement radius pursuant to the following:

- i. Response for consent shall be provided within 10 days of written request and based solely on the assessment as to whether a public nuisance exists within the abatement radius.
- ii. Investigation and determination of the existence of a public nuisance within the abatement radius may occur for the purpose of determining whether to consent to a subsequent permit or at any time after the issuance of a building permit for a sign under Sec. 9.4.7.E. (Process).

- iii. Expansion of the abatement radius for the purpose of a subsequent building permit for a sign when a public nuisance cannot be found to exist within the initial abatement radius per Sec. 9.4.7.D.6.b. (Fence Around a Vacant Lot) and requiring the sign company or property owner to abate the public nuisance in the expanded abatement radius in accordance with Sec. 9.4.7.C.4. (Nuisance Abatement).

F. Permit Termination

Permits that become invalid or are terminated by the Department of Building and Safety are subject to the following provisions.

1. Expiration

For all building permits for a sign expired due to failure to meet the notification and reporting requirements pursuant to Sec. 9.4.7.C. (Program Requirements), the Department of Building and Safety shall issue a notification to the permit holder upon expiration of the permit, including information about the appeals process.

2. Revocation

Any building permit for a sign issued pursuant to this Section may be revoked by the Department of Building and Safety for any of the following reasons. However, for all building permits for a sign revoked for the reasons stated specifically in Subparagraphs (c), (d), (e), (f) or (g) of this Subdivision a written and signed notification of the sign company or property owner's failure shall be sent to the Department of Building and Safety by the Director of the Office of Community Beautification prior to the revocation.

- a. Failure by the sign company or property owner to comply with the terms of the permit.
- b. Failure by the sign company or property owner to maintain the bond required in Sec. 91.6201.2.2. (General Provisions) of Chapter 9 (Building Regulations) of the LAMC.
- c. Failure by the sign company or property owner to maintain the temporary construction wall and/or solid wood fences surrounding vacant lots free from graffiti.
- d. Failure by the sign company or property owner to eliminate graffiti within an abatement radius within 24 hours of receiving notification of the presence of graffiti from the Office of Community Beautification or the City Council district office of the district in which the construction site or vacant lot is located.
- e. Failure by the sign company or property owner to remove posters/handbills placed on light poles, utility poles, bus stops and any other illegal postings on public

property within an abatement radius within 24 hours of receiving notification from the Office of Community Beautification or the City Council district office of the district in which the construction site or vacant lot is located.

- f. Failure by the sign company or property owner, at the time of graffiti removal, to report bulky items and/or remove trash, debris, rubbish and weeds from public property within an abatement radius.
- g. The Office of Community Beautification sends three or more notifications of failure to comply with Subparagraphs (c), (d), (e), (f) or (g) of this Subdivision to the sign company or property owner within a three-month period.

3. **Removal of Signs**

- a. The sign company or property owner must remove the temporary signs authorized by this Section by the date the sign permit becomes invalid due to its time limit or no later than the permit expiration or revocation date.
- b. Any signs remaining on temporary construction walls, and/or solid wood or similar material fences surrounding vacant lots after the building permit has expired or is revoked are deemed to be a public nuisance that can be abated by utilizing the procedure contained in Sec. 91.8904., et seq., (Special Provisions for Vacant Property Graffiti Removal) of Chapter 9 (Building Regulations) of the LAMC.

4. **Authorized Representative**

The Office of Community Beautification is hereby designated the authorized representative of the City for the purpose of enforcing and implementing the provisions of Sec. 91.89041.2., et seq., (Special Provisions for Vacant Property Graffiti Removal) of Chapter 9 (Building Regulations) of the LAMC. for compelling the removal of a sign which is a public nuisance under Sec. 9.4.7.F.3.b. (Removal of Signs).

Div. 14.2 (Glossary)

Abatement Radius. *The area around a permitted lot designated by the Office of Community Beautification for the removal of graffiti, posters/handbills and any other illegal postings, as well as trash, debris, rubbish, and weeds from public property and rights-of-way.*

Nuisance, Public (Public Nuisance Abatement Program). *Trash, debris, rubbish, weeds, graffiti, unpermitted posters/handbills, or illegal postings.*

Temporary Construction Wall. *A temporary solid fence or barrier of wood or similar material that provides protection for pedestrians and is erected and maintained on the*

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perimeter of a construction or demolition site, which may be required by Sec. 91.3306.
(Protection of Pedestrians) of Chapter 9 (Building Regulations) of the LAMC.

Vacant Lot - A lot on which no building, temporary or permanent, is erected; or which
has no uses of the land.

Technical Modification Exhibit 11: Article 12 (Nonconformities)

In order to incorporate clarifications and feedback from the Los Angeles Department of Building and Safety regarding the nonconforming provisions of the Proposed Draft of the New Zoning Code, the entirety of Article 12 (Nonconformity) shall be replaced with the amended version established below.

Div. 12.1. GENERAL PROVISIONS

Sec. 12.1.1. INTENT

The provisions of Article 12 (Nonconformities) provide relief from the requirements of this Zoning Code (Chapter 1A) for any existing nonconformity, defined as any lot, building or structure, or use that conformed to the zoning regulations, if any, at the time they were established, but do not conform to current requirements of this Zoning Code (Chapter 1A).

Sec. 12.1.2. GENERAL RULES

The following general rules apply to all nonconformities. Specific rules in the following Divisions of Article 12 (Nonconformities) may provide additional standards or exceptions to these general rules.

- A.** Any portion of a lot, site improvement, building, structure, or use that meets the definition of nonconforming may be continued indefinitely, provided it is not changed or modified. Maintenance and repair, as well as renovation, of the nonconformity are allowed.
- B.** Project activities may be conducted, provided they meet the standards of this Zoning Code (Chapter 1A) and do not increase the degree of nonconformity with any individual standard in this Zoning code, except as expressly allowed in this Article 12 (Nonconformities).
- C.** Each increment of new construction, site modification, facade modification, or use modification must meet the standards of this Zoning Code (Chapter 1A), except as expressly allowed in this Article 12 (Nonconformities).
- D.** A demolition that reduces compliance with the standards or rules in any Zoning District Article (Articles 2-6) is not allowed, except in conjunction with a project activity that allows the project to meet the minimum requirement.
- E.** A nonconforming building or structure may have additional rights when it is located on a lot affected by a public acquisition. See Div. 12.8. (Lots Affected by Acquisitions for Public Use).

Sec. 12.1.3. APPLICABILITY

A. Relationship to Article-Level Applicability Standards

1. The provisions of Article 12 (Nonconformities) apply in addition to the Applicability provisions of any Zoning District Article (Articles 2-6).
2. Sec. 12.7.1. (Restoration of Damaged Nonconforming Buildings) and Sec. 12.7.2. (Replacement of Earthquake Hazardous Buildings) supersede any other provisions of this Zoning code.

B. Relationship to Specific Plans, Supplemental Districts, and Special Districts

The provisions of Article 12 (Nonconformities) apply to Specific Plans, Supplemental Districts, and Special Districts only to the extent that those provisions apply the standards of a Zoning District Article (Articles 2-6).

Sec. 12.1.4. DISCONTINUANCE OF NONCONFORMING USE

- A.** A building or structure, portion of a building or structure, or any land that contained a nonconforming use that has been discontinued for a continuous period of 1 year or more shall only be occupied by a use that conforms to the current use regulations of the applied zone.
- B.** A nonconforming use of land that is accessory or incidental to the nonconforming use of a building shall be discontinued on the same date the nonconforming use of the building is discontinued.
- C.** In Agricultural, residential, and residential-Mixed Use Districts, any nonconforming use first permitted in a commercial or commercial-Mixed Use District shall be discontinued within 5 years from the date the use becomes nonconforming, except that the Zoning Administrator may permit its continuation pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit).
- D.** In Agricultural, residential, and residential-Mixed Use Districts, any nonconforming use first permitted in an industrial or industrial-Mixed Use District shall be discontinued within 5 years from the date the use becomes nonconforming. No continuation is permitted.
- E.** Nonconforming animal keeping and animal keeping, livestock for commercial

intent or other similar uses in any residential or residential-Mixed Use District, shall be discontinued within 15 years from the date such use became nonconforming.

- F.** In Agricultural, residential, residential-Mixed, commercial, and commercial-Mixed Use Districts, a nonconforming use of land where no buildings are occupied in connection with the use or where the only buildings occupied are accessory or incidental to the use, shall be discontinued within 5 years from the date the use becomes nonconforming.
- G.** Nonconforming residential uses in industrial Use Districts shall be discontinued 5 years from the date the use became nonconforming.
- H.** Any well for the production of oil, gas or other hydrocarbon substances is a nonconforming use, including any incidental storage tanks and drilling or production equipment, and shall be completely removed within 20 years from the date such use became nonconforming.

Sec. 12.1.5. CALCULATION OF TIME

Whenever a period of time related to a nonconformity is specified in this Zoning code (Chapter 1A), the period of time is computed from the effective date of the ordinance that created the nonconformity.

Sec. 12.1.6. RELIEF

- A.** In circumstances where Alternative compliance is specified as a form of relief in the standards of the Zoning District Articles, it is available as a way to achieve a standard in an acceptable alternate way, which may be used to bring a project into conformity pursuant to Sec. 13B.5.1. (Alternative Compliance).
- B.** Additional relief from the requirements of Article 12 (Nonconformities) may be available through the adjustment process, pursuant to Sec. 13B.5.2 (Adjustment) or the variance process, pursuant to Sec. 13B.5.3. (Variance).
- C.** The city's adaptive reuse project standards allow some relief and provide incentives for the re-use of existing buildings pursuant to Sec. 9.4.5. (Downtown Adaptive Reuse Projects) and Sec. 9.4.6. (Citywide Adaptive Reuse Projects).

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D. When relief is granted through any discretionary action taken consistent with this Section, the element that is the subject of the discretionary action is no longer considered nonconforming.

Sec. 12.1.7. ORDERS TO COMPLY

A. The Department of Building and Safety shall have the authority to issue an order to comply to an owner who is in violation of Article 12 (Nonconformities) and advise the owner of the required discontinuance of the nonconforming use.

B. Included in any order shall be a provision advising the owner of the right to apply to the Department of city Planning within 90 days for permission to continue the nonconforming use as provided in Article 12 (Nonconformities), but the failure to include that provision shall not nullify the order or provide a basis for the continuation of the use.

C. The Department of Building and Safety shall record a notice of any order issued pursuant to Article 12 (Nonconformities) 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 continuation of the use by any owner, purchaser or lessee who was not aware of the order.

Sec. 12.1.8. COMPLIANCE WITH OTHER LAWS

Nothing in Article 12 (Nonconformities) relieves any person from the obligation to comply with the requirements of any Federal, State, or county law.

Div. 12.2. FORM EXCEPTIONS

Sec. 12.2.1. COVERAGE EXCEPTIONS

A. Building Setbacks

Where a building is nonconforming as to building setbacks, an addition to the existing building is allowed as new construction, provided that:

1. Additions located in the nonconforming setback do not encroach to a greater extent than the existing encroachment or reduce the nonconforming setback to less than 50% of that required by the dimensional requirements of the applied zone.
2. The total of all additions made since the building became nonconforming

do not exceed, in height or length, the height or length of that portion of the adjoining nonconforming building that extends into the same setback.

Sec. 12.2.2. FLOOR AREA RATIO & HEIGHT EXCEPTIONS

A. Rural, Estate, and House Form Districts

In the rural, estate, and House Form Districts, an addition to a building or structure that is nonconforming as to floor area is allowed, provided that the addition conforms to all individual standards in this Zoning Code, except as may be approved or permitted pursuant to a discretionary approval. this exception is not available for lots in the coastal Zone not located in a Hillside Area.

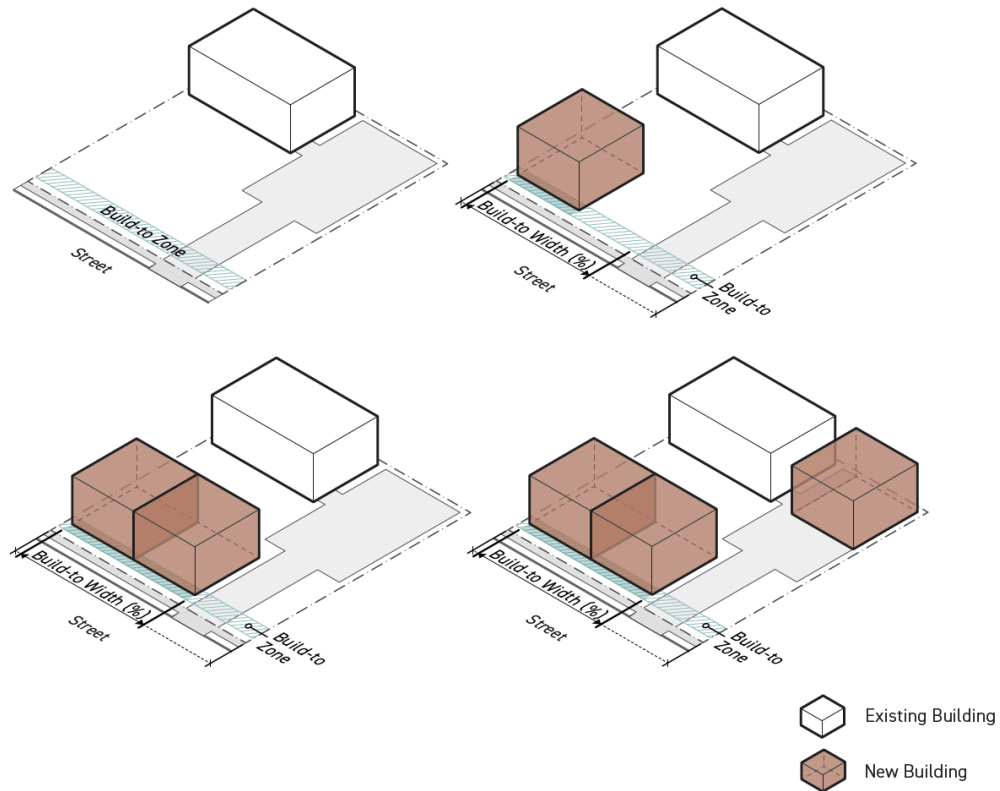
Div. 12.3. FRONTAGE EXCEPTIONS

Sec. 12.3.1. BUILD-TO EXCEPTIONS

- A. On a lot with an existing building where the lot is nonconforming as to the maximum build-to depth or minimum build-to width requirements, any new construction shall meet the minimum build-to width between the minimum and maximum build-to depth in one or more of the ways outlined below.

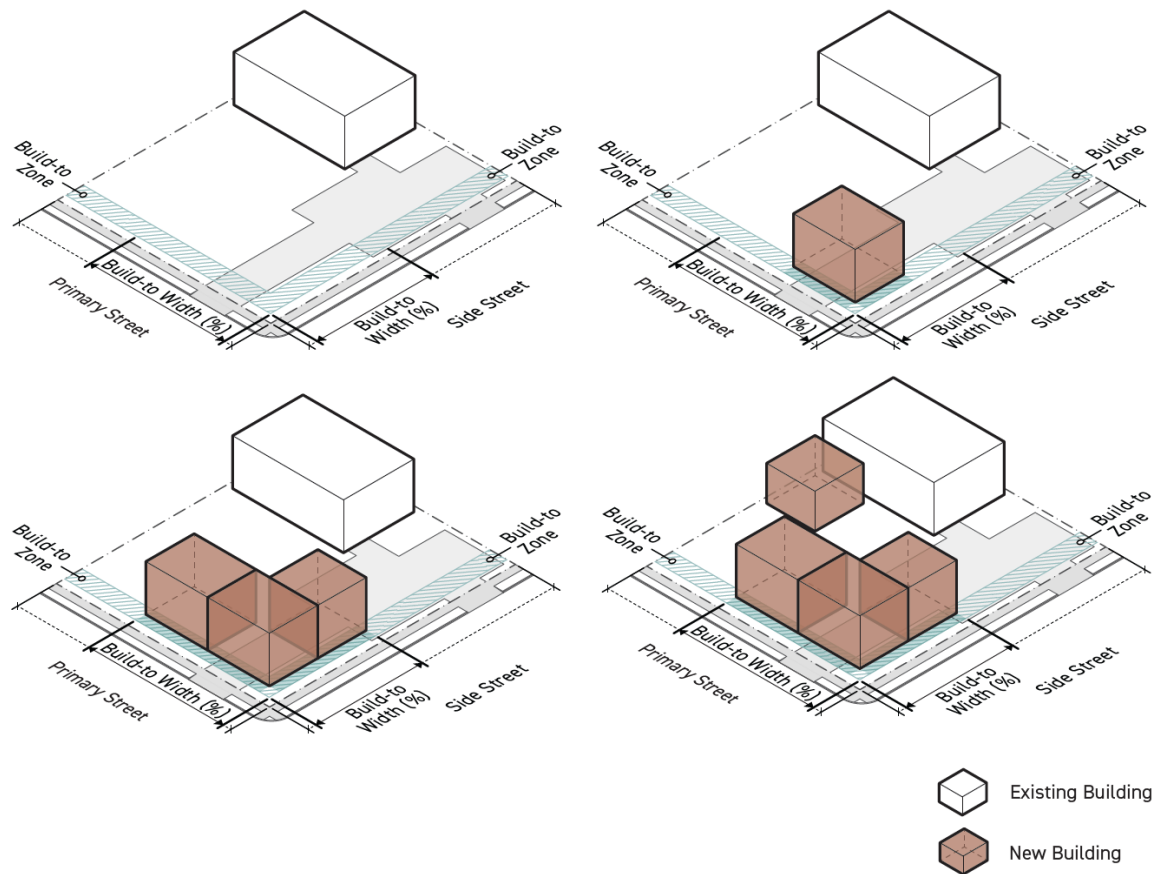
1. New Construction on an Interior Lot

All new construction shall occupy the build-to zone until the build-to width has been met, except that buildings may be provided in phases - each new building is not required to meet the entire required build-to width for the lot. Until all build-to width standards have been met, new buildings shall occupy the build-to width for 100% of their building width and may not be deeper than they are wide.



2. New Construction on a Corner Lot

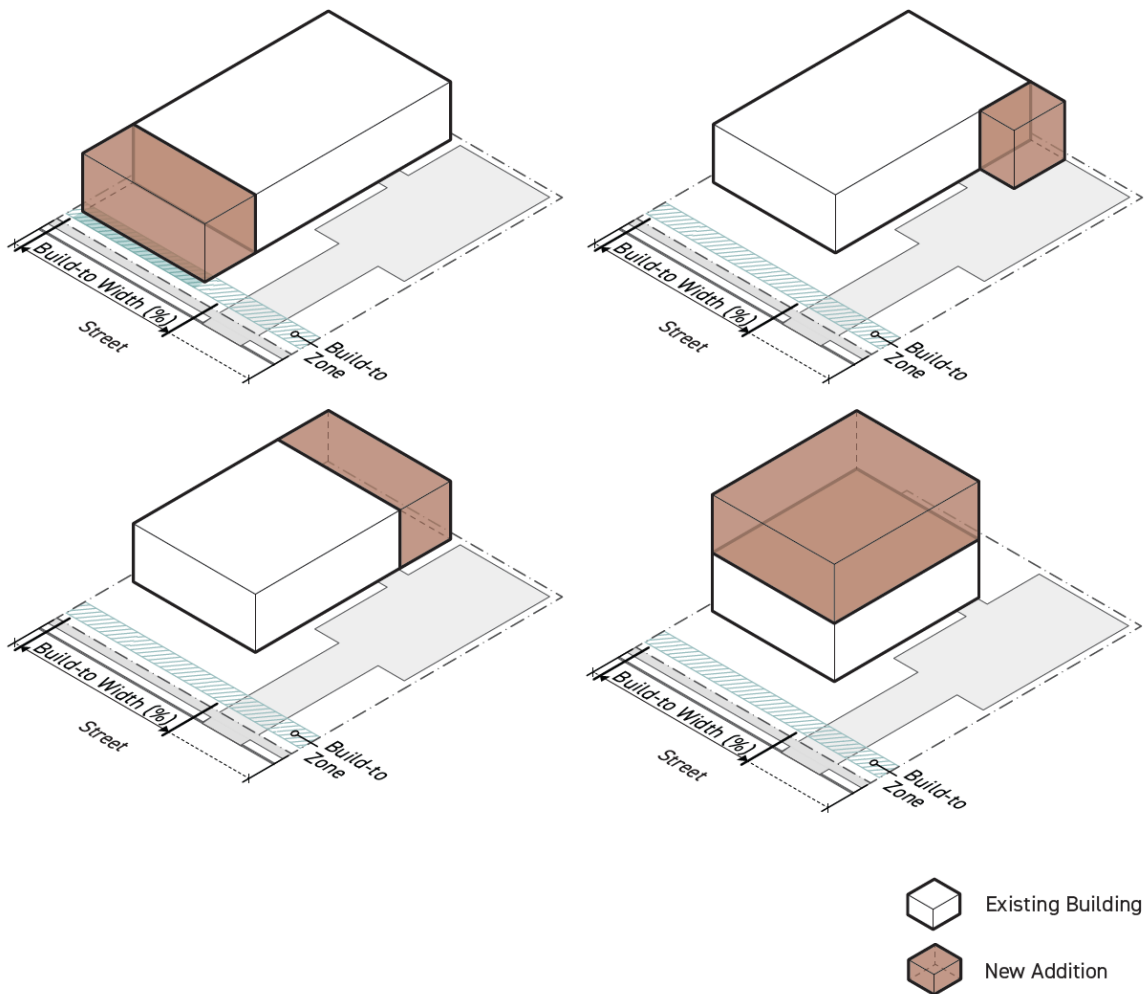
All new construction shall occupy the build-to depth until the build-to width for both streets has been met, except that buildings may be provided in phases - each new building is not required to meet the entire required build-to width for the lot. The initial new building shall begin at the corner and be located within the build-to-depth on both streets. Additional new buildings may be placed anywhere within the build-to zone.



3. Additions on an Interior Lot

- a. Any addition to the street-facing facade of a building that is nonconforming as to build-to depth or build-to width shall occupy the build-to depth, except that the addition does not have to meet the entire required build-to width for the lot.
- b. Additions of any size that extend a building that is nonconforming as to build-to depth or build-to width between the existing building and the rear lot line are allowed.
- c. Additions that extend a building that is nonconforming as to build-to depth or build-to width between the existing building and the side lot line are allowed, except that they shall have a floor area less than 20% of the existing ground story.

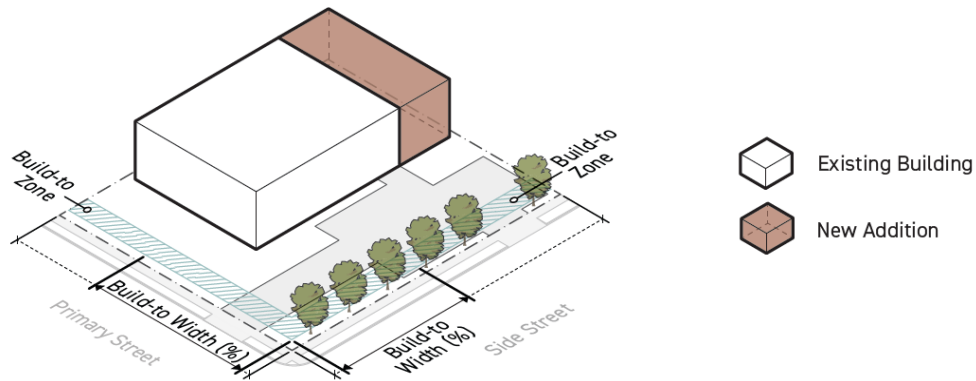
- d. Additions on top of a building that is nonconforming as to build-to depth or build-to width are allowed, except that they shall not increase the existing building footprint by more than 50 square feet and shall not exceed the height limit for the applied zone



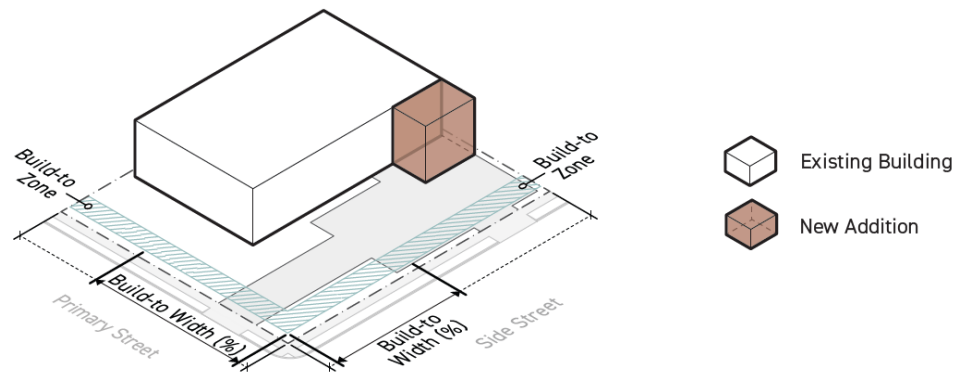
4. Additions on a Corner Lot

- a. Any addition to the primary street-facing facade of a building that is nonconforming as to build-to depth or build-to width shall be located within the build-to depth on the primary street, except that the addition does not have to meet the minimum build-to width for the entire lot.

- b. Additions of any size that extend a building that is nonconforming as to build-to depth or build-to width between the existing building and the rear lot line, but not any wider than the existing building, and are located behind the build-to depth are allowed, except that:
- A planting area shall be provided as required in Sec. 4C.6.4.C.2. (Planting Areas), at least 6 feet wide, abutting the side street lot line, and installed across the entire length of the side street frontage where no building occupies the build-to zone. Breaks for pedestrian, bicycle and vehicular access are allowed.
 - The planting area with large species trees, shall be provided as required in Sec. 4C.6.4.C.3.a. (Trees), planted at a rate of 1 tree per 30 feet along the entire length of the planting area. trees should be planted offset from street trees to maximize space for canopy growth.



- c. Additions that extend a building that is nonconforming as to build-to depth or build-to width between the existing building and the side lot line are allowed, except that the floor area shall be no greater than 20% of the existing ground story.



- d. Additions on top of a building that is nonconforming as to build-to depth or build-to width are allowed, except that they shall not increase the existing building footprint by more than 50 square feet.
- B. Additions to any street-facing facade of a building that is nonconforming as to build-to depth or build-to width are allowed behind the build-to depth, except that they shall not exceed 10% of the ground story area of the existing building.
- C. On lots with an existing building that is nonconforming as to build-to depth or build-to width, except where the existing building is a residential building, and new construction of additional dwelling units that are detached from the existing building located in a rear yard, the build-to depth and build-to width requirements do not apply.

Sec. 12.3.2. CHARACTER FRONTAGE EXCEPTIONS

[reserved]

Div. 12.4. DEVELOPMENT STANDARDS EXCEPTIONS

[reserved]

Sec. 12.4.1. GRADING & RETAINING WALLS EXCEPTIONS

The retaining wall standards in Sec. 4C.9.2. (Retaining Walls) do not apply to a retaining wall that received a final discretionary approval from the city under another provision of this Zoning

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Code (Chapter 1A) prior to the effective date of Ord. No. 176,445 (effective 3/9/05), pursuant to Sec. 13B.3.1. (Administrative Review).

Sec. 12.4.2. SIGNS EXCEPTIONS

Any existing nonconforming sign, as defined in LAMC Chapter 9 (Building Regulations), Section 91.6216 (Existing Signs), may be continued. Structural, electrical, or mechanical modifications may be made to a sign as permitted in LAMC Chapter 9 (Building Regulations), Section 91.6216.4 (Alterations, Repairs or Rehabilitation).

Div. 12.5. USE EXCEPTIONS

Sec. 12.5.1. USE NOT ALLOWED EXCEPTIONS

- A. Where an existing use is nonconforming in the applied Use District, it may be relocated within the existing building, provided the move does not cause a net increase in the floor area of the nonconforming use.
- B. Where a building in any Open Space, Agricultural, residential, residential-Mixed, commercial, commercial-Mixed or Public Use District includes an existing nonconforming use, any residential portion of the building may be enlarged, provided that the addition does not create any additional dwelling units, and the addition or expansion meets all other requirements for the applied zone.
- C. Sport courts legally existing prior to the October 27, 1978 (Ord. No. 151,466) may continue as a nonconforming development or in accordance with regulations existing at the time such use was established. those standards apply to any tennis or paddle tennis court which is accessory to a residential use and for which a permit is issued by the Department of Building and Safety subsequent to October 16, 1985, whether or not the subject of a variance. However, any replacement of lighting, fencing, or windscreens for such courts taking place after October 16, 1985, shall fully conform to the sport court standards in Sec. 4C.7.2. (Side/Rear Yard Fences & Walls).
- D. An establishment dispensing, for sale or other consideration, alcoholic beverages, including beer and wine, for on-site or off-site consumption may not be continued or re-established after September 13, 1997, without conditional use approval granted in accordance with the provisions of Sec. 13.4.2 (Class 2 Conditional Use Permit), where there is a substantial change in the mode or character of operation of the establishment, including any addition by more than 20% of the floor area, seating or

occupancy, whichever applies. construction for which a building permit is required in order to comply with an order issued by the Department of Building and Safety to repair or remedy an unsafe or substandard condition is exempt from this provision. Any addition of less than 20% of the floor area, seating or occupancy, whichever applies, requires the approval of plans pursuant to Sec. 13.4.2.H (Modification of Entitlement).

- E. Any lot or portion of a lot in a commercial, commercial-Mixed, industrial-Mixed, or Industrial 1 (I1) Use District that was being used on June 1, 1951, for the temporary storage of abandoned, dismantled, partially dismantled, obsolete or wrecked automobiles, but not for the dismantling or wrecking of automobiles nor for the storage or sale of used parts, may continue.
- F. Any light industrial uses lawfully existing prior to March 22, 1981, in any portion of any building in a commercial or commercial-Mixed Use District shall not be extended beyond that portion of the building except in accordance with Sec. 13B.2.2. (Class 2 Conditional Use Permit).
- G. Joint living & work quarters are considered nonconforming to the use household business, and may be continued. Additional flexibility and incentives may be granted for existing buildings that are eligible for adaptive reuse projects pursuant to Sec. 9.4.5. (Downtown Adaptive Reuse Projects) and Sec. 12.4.6. (Citywide Adaptive Reuse Projects).
- H. In the industrial Use Districts, the nonconforming use of land where no buildings are occupied in connection with the use or where the only buildings occupied are accessory to or incidental to the use, may be continued, subject to the following limitations:
 - a. The nonconforming use shall not be enlarged in any way beyond the limits of what was originally permitted.
 - b. The nonconforming use shall be completely enclosed within a building or within an area enclosed on all sides with a type t1 transition Screen pursuant to Sec. 4C.8.2.C.3.a. (T-Screen 1), within 1 year from the date the use becomes nonconforming.
- I. In the industrial Use Districts:
 - 1. A building that is nonconforming as to use with no dwelling units shall not be redesigned or rearranged to contain dwelling units.

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2. A building that is nonconforming as to use with dwelling units shall not be redesigned or rearranged so as to increase the number of dwelling units in the building.
 3. Caretakers quarters in industrial Use Districts are permitted to continue.
- J. Existing petroleum-based oil refineries expanding operations onto adjacent properties are required to:
1. Receive a conditional Use Permit with approval by the city Planning commission, in accordance with Sec. 13B.2.3. (Class 3 Conditional Use Permit).
 2. Comply with all of the required Unified Programs (Unified Hazardous Waste and Hazardous Materials Management regulatory Program). California Environmental Reporting System (CERS) database submittals may serve as proof of compliance.
 3. Submit a health assessment of the project for the surrounding vicinity identifying pollution and population indicators, such as, but not limited to, those analyzed in the California Communities Environmental Health Screening tool; the number of people affected by the project; short term or permanent impacts caused by the project; likelihood that impacts will occur; and recommended mitigation measures.
 4. Submit a truck routing plan that minimizes the incidence of a commercial truck traveling past dwellings, religious assembly, schools, regional medical, public recreation, medical care supportive housing, preschool/day care, and other similar uses.

Sec. 12.5.2. USE STANDARDS EXCEPTIONS

Where a temporary use is nonconforming as to Use District standards it may be continued until the expiration of the temporary use permit. When a nonconforming temporary use is subject to a new temporary use permit, it shall meet all of the Use District standards.

Sec. 12.5.3. SEXUALLY ORIENTED BUSINESS EXCEPTIONS

- A. A person may continue to operate a sexually oriented business on a lot within 500 feet of a lot zoned with an Agricultural, residential, or residential-Mixed Use District, if a lot consistent with the Use District standards in the applied Use District tables is not

reasonably available elsewhere in the city for the establishment or relocation of the subject sexually oriented business. this exception shall only apply to a sexually oriented business which is otherwise in compliance with all other provisions including the Use District standards in the applied Use District table, and does not apply to massage parlors or sexual encounter establishments. A lot is reasonably available elsewhere in the city if it meets all of the following criteria:

1. Its use as the proposed sexually oriented business is consistent with all applicable zoning regulations, including the Use District standards in the applied Use District table.
 2. It is available for use, purchase, or rental as a sexually oriented 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 or emission of odor, dust, smoke, noise, gas, fumes, cinders, refuse matter or water- carried waste.
- B. To apply for an exception, an applicant shall file an application with the Department of city Planning, on a form provided by the Department of city Planning, identifying the present or proposed location of the sexually oriented business, and accompanied by data supporting the proposed exception and the fee provided for in LAMC Chapter 1 (General Provisions and Zoning), Sec. 19.01.K. (Adult Entertainment Business Exception). the procedures described in Sec. 13B.2.2 (Class 2 Conditional Use Permit) shall be followed to the extent applicable.
- C. If the Zoning Administrator, Area Planning Commission, or Council disapproves an exception, then it shall make findings of fact showing how a lot consistent with the Use District standards in the applied Use District tables is reasonably available elsewhere in the City for the establishment or relocation of the subject sexually oriented business.
- D. A person possessing ownership or control of a sexually oriented business shall be permitted to transfer such ownership or control if such business is not within 500 feet of any religious assembly, school, preschool/day care facility, or public recreation or public open space, and the only other sexually oriented business within 1,000 feet of

such business has been established under a variance from the requirements of this Section, pursuant to Sec. 13B.5.3. (Variance). This exception shall not, however, apply to a sexually oriented business which has been established under such a variance.

Sec. 12.5.4. EQUINE KEEPING EXCEPTIONS

A. Lot Area Exception

Equines may be kept and a stable may be erected or maintained on any lot, as permitted, in a Residential Use District, provided the lot had the area required for the keeping of equines at the time the lot was established.

B. Equine Use Exceptions

1. Equine, non-commercial uses shall be allowed to be continued if, after the legal establishment of the equine, non-commercial use, an adjacent property is granted a building permit to construct a dwelling unit within the 75-foot required distance between an equine, noncommercial use and the adjacent property's dwelling unit. The nonconforming equine, noncommercial use shall be subject to the following limitations:
 - a. The subject lot shall have been designated by an Equine License to stable at least one licensed equine during the 12 months prior to the issuance of the building permit for the adjacent property's dwelling unit.
 - b. The equine enclosure shall not be closer than 35 feet to the habitable rooms of any dwelling unit.
 - c. The equine enclosure shall not be expanded, extended or relocated in such a manner as to reduce the nonconforming distance between the enclosure and the habitable rooms of the neighbor's dwelling unit.
 - d. The nonconforming equine, non-commercial 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.
2. If, pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit), the Zoning Administrator grants permission for a dwelling unit on an adjacent property to be constructed closer than 35 feet from a legally existing equine enclosure, the equine enclosure may be considered relocated not closer than 35 feet from the

habitable rooms attached to any dwelling unit, and retain its nonconforming status. the nonconforming equine, non-commercial use shall be subject to the following limitations:

- a. The subject lot shall have been designated by an equine license to stable at least one licensed equine during the 12 months prior to the issuance of the building permit for the adjacent property's dwelling unit.
 - b. The equine enclosure shall not be closer than 35 feet to the habitable rooms of any dwelling unit.
 - c. The equine enclosure shall not be expanded, extended or relocated in such a manner as to reduce the nonconforming distance between the enclosure and the habitable rooms of the residential building on an adjacent lot.
 - d. The nonconforming equine, non-commercial 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.
3. If an equine, non-commercial use was legally established prior to November 22, 1982, that use shall be allowed to continue, even though the city issued a building permit between November 22, 1982 and July 1, 1986, to construct a residential building on an adjacent lot within the 35-foot required distance between an equine, non-commercial use and the habitable rooms of a residential building on the adjacent lot. this provision shall not apply to building permits authorized by the Zoning Administrator, pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit). this nonconforming equine use shall be subject to the following limitations:
- a. The subject lot shall have been designated by an equine license to stable at least one licensed equine during the 12 months prior to the issuance of the building permit for the residential building on an adjacent lot.
 - b. The equine enclosure shall not be expanded, extended, or

relocated in such a manner as to reduce the nonconforming distance between the enclosure and the habitable rooms of the residential building on an adjacent lot.

- c. The nonconforming equine, non-commercial 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.

Sec. 12.5.5. NONCONFORMING OIL WELLS EXCEPTIONS

1. Any well for the production of oil, gas or other hydrocarbon substances is a nonconforming use and shall not be re-drilled or deepened.
2. Any well for the production of oil, gas or other hydrocarbon substances that became nonconforming subsequent to June 1, 1946, may apply for relief under Sec. 13B.2.1. (Class 1 Conditional Use Permit), to allow the well to continue to operate after the removal date in Sec. 12.1.4.H. (Discontinuance of Nonconforming Use), where the Zoning Administrator determines that such continued operation would be reasonably compatible with the surrounding area. the Zoning Administrator may impose such conditions, including time limitations, as deemed necessary to achieve such compatibility.
3. Any well for the production of oil, gas or other hydrocarbon substances in the Los Angeles City Oil Field may continue operation provided an application for a conditional Use Permit consistent with Sec. 13B.2.1. (Class 1 Conditional Use Permit), was filed with the Office of Zoning Administration on or before November 1, 1986 and was subsequently approved. Any well operator may reapply for Zoning Administrator approval, pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit), after November 1, 1986, provided the prior approval has not expired.

Div. 12.6. DENSITY EXCEPTIONS

The expansion of floor area does not increase the degree of nonconformity as to any density standard. Only a change in the number of dwelling units impacts the degree of nonconformity as to a density standard.

Div. 12.7. DAMAGED OR EARTHQUAKE HAZARDOUS BUILDINGS

Sec. 12.7.1. RESTORATION OF DAMAGED NONCONFORMING BUILDINGS

- A. A nonconforming building or structure that is damaged or partially destroyed by any fire, flood, wind, earthquake or other calamity, or the public enemy may be restored and the occupancy or use of the building or structure, or part of the building or structure, which existed at the time of the damage or destruction, may be continued or resumed, provided that the total cost of restoration does not exceed 75% of the replacement value of the building or structure at the time of the damage or destruction. A permit for restoration shall be obtained within a period of two years from the date of the damage or destruction. except as set forth in Sec. 12.1.6.B. (Relief), if the damage or destruction exceeds 75% 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 use regulations.
- B. If the damage or destruction of a nonconforming building exclusively for dwellings in any zone exceeds 75% of its replacement value at the time of the damage or destruction, the building or structure may be reconstructed provided the following requirements are met.
1. The restored or reconstructed building may encroach into any side setback no more than half the width of the required setback in the zone in which it is located, or in other applicable current regulations of this Zoning code (Chapter 1A), but in no event more than 3 feet.
 2. The restored or reconstructed building may encroach in the front and rear setbacks no more than half the width of the required setback in the applied Form District, or in other applicable current regulations of this Zoning Code (Chapter 1A).
 3. Neither the footing, nor the building or structure, projects into any area planned for widening or extension of existing or future streets as determined by the Advisory Agency upon the recommendation of the city engineer.
 4. The height shall not exceed the allowable height for new buildings or structures in the applied Form District, or in other applicable current regulations of this Zoning Code (Chapter 1A).
 5. A building permit for the reconstruction be obtained within 2 years of the

damage or destruction from fire, flood, wind, earthquake, or other calamity, or the public enemy.

Sec. 12.7.2. REPLACEMENT OF EARTHQUAKE HAZARDOUS BUILDINGS

A. General

1. Except as otherwise provided in this Zoning code (chapter 1A), a building nonconforming as to height, number of stories, lot area, loading space or parking, which is demolished as a result of enforcement of the earthquake Hazard reduction Ordinance provisions in LAMC Chapter 9 (Building Regulations), Article 1 (Building Code), may be reconstructed with the same nonconforming height, number of stories, lot area, loading space or parking as the original building, provided, however, that reconstruction shall be commenced within two years of obtaining a permit for demolition and completed within two years of obtaining a permit for reconstruction. Provided further, that neither the footing, nor any portion of the replacement building may encroach into any area planned for widening or extension of existing or future streets as determined by the Advisory Agency upon the recommendation of the city engineer.
2. Additionally, a building nonconforming as to use or yards, which is demolished as a result of enforcement of the earthquake Hazard reduction Ordinance, may be reconstructed with the same nonconforming use or yards provided that the approval of a Zoning Administrator is obtained as outlined below.

B. Nonconforming Rights Related to Earthquake Safety Ordinance

A Zoning Administrator may, in accordance with Sec. 13B.2.1. (Class 1 Conditional Use Permit), permit a building, nonconforming as to use or yards, which is demolished as a result of enforcement of the LAMC Chapter 9 (Building Regulations), Div. 88. (Earthquake Hazard Reduction in Existing Buildings), to be reconstructed with the same nonconforming use or yards as the original building.

1. Procedures

a. Notification

- i. Regardless of the provisions of Sec. 13B.2.1. (Class 1 Conditional Use Permit), an application pursuant to this Section involving a nonconforming use shall instead notify the owners and occupants of all property within and outside the city within 500 feet of the exterior boundaries of the area subject to the application.
- ii. An application pursuant to this Section involving only a nonconforming yard, when a public hearing is held, the notice shall be given in the same manner as required in Sec. 13B.2.1. (Class 1 Conditional Use Permit).

b. Waiver of Public Hearing

- i. Regardless of the provisions of Sec. 13B.2.1. (Class 1 Conditional Use Permit), the Zoning Administrator may waive the public hearing if the applicant has secured the approval for the reconstruction from the owners of all properties abutting, across the street or alley from, or having a common corner with the subject property. if that approval is obtained from the surrounding property owners, the Zoning Administrator may waive the public hearing if the Administrator makes the following written findings:
 - a) That the nonconforming use will not have a significant adverse effect on adjoining property or on the immediate neighborhood; and
 - b) That the nonconforming use is not likely to evoke public controversy.
- ii. An application pursuant to this Section involving only a nonconforming yard may be set for a public hearing in accordance with the same procedures as above, if the Zoning Administrator determines that the public interest requires a hearing.

2. Supplemental Findings

In addition to the findings otherwise required by Sec. 13B.2.1. (Class 1 Conditional Use Permit), a Zoning Administrator shall also require and find the following:

- a. That reconstruction be commenced within two years of obtaining a permit for demolition and completed within two years of obtaining a permit for reconstruction;
- b. That neither the footing nor any portion of the replacement building encroaches into any area planned for widening or extension of existing or future streets; and
- c. That the continued nonconforming use of the property or the continued maintenance of nonconforming yards will not be materially detrimental to the public welfare and will not have a substantial adverse impact on or be injurious to the properties or improvements in the vicinity.

Div. 12.8. LOTS AFFECTED BY ACQUISITION FOR PUBLIC USE

Sec. 12.8.1. MAINTENANCE AND REPAIR OF EXISTING BUILDINGS ACQUIRED FOR PUBLIC USE

- A. Where a building or structure is located upon a lot where a portion is acquired for any public use (by condemnation, purchase, dedication, or otherwise) by any governmental entity, or if all or a part of a separate off-street automobile parking area serving such building or structure is acquired for public use, such building or structure may be maintained, and may continue to be used, maintained or repaired without relocating or altering the same to comply with the area regulations or automobile parking stall requirements of this Zoning Code (Chapter 1A). Further, if such building or structure is partially located upon the area being acquired for public use, it may be relocated upon the same lot or premises or remodeled or reconstructed without observing the required yard adjacent to the new lot line created by such acquisition, and without reducing the number of dwellings to conform to the regulations of the applied Form District and without observing the automobile parking stall requirements of this Zoning code (chapter 1A). the exemptions provided in this Section permit compliance only to the extent that such non-compliance is caused by an acquisition for public use.
- B. If only a portion of an existing building or structure is acquired for public use, any new construction, addition, facade modification, site modification, or major renovation of the remainder of said building or structure which was made necessary by said acquisition, shall conform to the provisions of LAMC Chapter 9 (Building Regulations).

Any portion of the building or structure which does not require any new construction, addition, facade modification, site modification, or major renovation by reason of said acquisition shall not be required to be made to conform to the provisions of LAMC Chapter 9 (Building Regulations), unless it would otherwise be required to conform independently of and in the absence of the acquisition of only a portion of the building or structure.

Sec. 12.8.2. LOT AREA

If a lot resulting from the acquisition of all or a portion of a lot for public use does not comply with the requirements of the applied Form District, or if a legally existing nonconforming lot is further reduced in size because of such acquisition, the lot may be used, and a building permit shall be issued for any intent permitted in the applied Form District, so long as the lot is not smaller in size or width than 50% of the minimum lot area or lot width required by the applied Form District.

Technical Modifications Exhibit 12: Project Activities

In order to incorporate clarifications and feedback from the Los Angeles Department of Building and Safety regarding the project activities provisions of the Proposed Draft of the New Zoning Code, the entirety of Sec. 14.1.15. (Project Activities) shall be replaced with the amended version as established below.

Sec. 14.1.15. PROJECT ACTIVITIES

~~A. Area of Work~~

~~Any portion of a lot or building where a project activity occurs, as indicated on the construction documents, is considered part of the area of work. Includes those additional portions of the lot or building where work not initially intended by the owner is specifically required by this Chapter 1A (Zoning Code) or the Building Code.~~

A. Project

Work involving any of the activities listed in Sec. 14.1.15.B. (Project Activities) below. A project may be composed of one or more project activity. The activities may or may not require a building permit, and may or may not be one application in a series of applications (such as demolition followed by new construction). Each project activity does not necessarily bring the project into full compliance; however, the set of project activities that comprise the project, once completed, shall bring the project into full compliance. The definition of project may be modified by a Community Plan Implementation Overlay or Specific Plan. Typically, more than one project activity will apply to a proposed project (for example, a street-facing addition concealing a portion of an existing building facade includes both new construction and a facade modification).

B. Project Activities

1. New Construction

Work that includes the construction of a new building or structure on a lot, including an addition or relocation. New construction is any work that includes the construction of a new building or structure, whether structurally detached from existing buildings and structures or structurally attached to an existing building or structure, on a lot. Includes relocation of an existing structure to another location on the lot, or to any other lot. Relocation of an existing structures includes any activity that lifts any portion of the building off of its foundation. ~~Includes work that increases the floor area or the height of an enclosed space within an existing building.~~

2. Major Demolition

Work that includes significant removal or disassembly of a building or structure or portions of a building or structure.

- a. Demolition that reduces compliance of the existing building or structure with the requirements of this Zoning Code (Chapter 1A); or
- b. Removal of any of the following:
 - i. More than 50% of the perimeter wall framing; or
 - ii. More than 50% of the roof framing; or
 - iii. More than 50% of the structural members.
- c. Demolition may affect the facade of a building or structure, in which case it would also be considered a facade modification, ~~unless it occurs as part of maintenance and repair.~~
- d. Any demolition that does not meet this definition is considered minor demolition, and does not trigger the requirements of this Chapter 1A (although a building permit may be required).

3. Lot Modification

Modification of the lot lines of any existing lot, or the division of land as defined in Subdivision Map Act, Section 66424.

4. Site Modification

Work including modifications to horizontal site improvements, pedestrian accessways, motor vehicle use areas, bicycle parking, and landscaping, including trees, required screens, outdoor storage areas, mechanical equipment, wireless and broadcasting facilities, waste receptacles, and other site elements. Site modifications also include planting or removing vegetation, fencing or walls, street furniture, lighting fixtures, grading, flatwork, ground mounted signs, and parking lot resurfacing and restriping. Site modifications, such as grading, that expose additional foundation wall or facade areas are considered to be both a site modification and a facade modification.

5. Facade Modification

Work including a ~~substantial~~ modification to the exterior envelope of the building.

- a. Facade modifications include changes to any of the following:
 - i. The facade of a building;
 - ii. Wall mounted signs;
 - iii. The amount of exterior foundation wall that is exposed above finished grade;
 - iiiv. An architectural element (including a balcony, porch or deck) attached to the facade; ~~or~~

v. Exterior wall finish materials on an applicable facade area in a Character Frontage district; or

iv. The roof of a building in a Character Frontage.

b. Facade modification includes any change to a facade that involves a change or modification of the existing design, outward appearance or applicable zoning requirements ~~goes beyond the definition of maintenance and repair.~~

c. In an Historic Preservation Overlay Zone, facade modification includes change of the exterior paint color.

6. Use Modification

A change in use or a modification of the area designed and intended for a specific use from the previously approved uses and use areas.

a. Use modification includes a change in the permanent use of any portion of a building or lot from one of the uses defined in Div. 5C.1. (Use Definitions) to another.

b. Use modification does not include any uses requiring event-based permission from the City. For these uses, see Sec. 14.1.15.7. (Temporary Use).

c. Use modification includes the expansion of floor area or lot area dedicated to a use (Div. 5C.1.) or an increase in the intensity of a use, such as an increase in seating capacity or the number of persons in care.

7. Temporary Use

Use of a building or lot with any use (Div. 5C.1.) for an event-based permission requiring a license from the City. The event shall be for a specified and limited period of time, but may be recurring.

~~8. Major Renovation~~

~~Modification of the interior of any building or structure that does not expand the building or structure, but includes more than 50% of the floor area of any story of the structure, not including the basement. Major renovation does not include interior modifications to meet fire, life safety, and handicapped requirements, regardless of the amount of floor area included.~~

~~98. Minor Renovation~~

~~Modification to the interior of any building or structure, including the basement, that does not expand the building or structure, provided that the modification does not include more than 50% of the floor area of any story or the basement of the structure. Minor renovation includes interior modifications to meet fire, life safety, and handicapped requirements, regardless of the amount of floor area included.~~

109. Maintenance & Repair

~~Work done to correct the deterioration, decay of, or damage to, any part of a building, structure, or lot, that does not qualify as a site modification, facade modification or new construction, and does not impact involve a change or modification of the existing design, outward appearance, or the project's ability to meet any applicable zoning requirements.~~ In-kind Replacement of deteriorated or damaged parts of a building is considered maintenance and repair; however, in a Character Frontage or Historic District Overlay Zone, replacement must be in-kind (with the same material type, design, dimension, texture, detailing, and exterior appearance). Maintenance and repair includes repair of site components such as parking lots or landscaping.



Item No. 7

Department of City Planning

City Hall, 200 N. Spring Street, Room 272, Los Angeles, CA 90012

September 22, 2021

TO: City Planning Commission

FROM: Craig Weber, Principal City Planner

TECHNICAL CORRECTION TO THE STAFF RECOMMENDATION REPORT FOR CASE NO. CPC-2017-432-CPU; CPC-2014-1582-CA; CEQA: ENV-2017-433-EIR

The following technical correction is to be incorporated into the staff recommendation report to be considered at the City Planning Commission meeting of Thursday, September 23rd, 2021 related to Item No. 07 on the meeting agenda. The correction is additional to the technical corrections/modifications issued on September 21, 2021 and relates to the Supplemental Staff Recommendation Report dated August 26, 2021.

Added text recommended for adoption is shown in underline.

Addition of a Recommended Action (7. c.) omitted in error under Item 7 within the Supplemental Staff Report dated August 26, 2021:

7. Approve and Recommend that the Mayor approve and the City Council adopt, pursuant to LAMC Section 11.5.6 and City Charter Section 555, the attached Resolution in Exhibit A to amend the General Plan as follows:
 - a. Amend the General Plan Land Use Element and adopt the Plan Boundary Change Map to consolidate the Central City Community Plan area and Central City North Community Plan area into the new Downtown Plan Area as shown in Exhibit A.5, adopt the Downtown Community Plan as shown in Exhibit A.1, and adopt the General Plan Land Use Map for the Downtown Community Plan, inclusive of Symbols, Footnotes, and Corresponding Zone and Land Use Nomenclature as shown in Exhibit A.3, and the General Plan Land Use Change Maps and Matrices as shown in Exhibit A.4.
 - b. Amend the Mobility Plan 2035 to reclassify selected streets and Enhanced Networks, as shown in Exhibit A.7.
 - c. [ADDED] Amend the Citywide General Plan Framework Element, as shown in Exhibit A.6.