

ORDINANCE NO. 173749

An Ordinance establishing a Specific Plan for the Vermont/Western Station Neighborhood Area Plan.

**WHEREAS**, the Vermont/Western Station Neighborhood Area Plan covers an approximately 2.2 square mile area within the Hollywood and Wilshire Communities in the City of Los Angeles, within the 4th and 13th Council Districts; and

**WHEREAS**, approximately 50,000 people live in the Plan Area today, and up to 62,000 people will live there by the year 2020; and

**WHEREAS**, the Plan Area currently lacks adequate facilities for schools, parks (including public pools and athletic fields), police stations and libraries; and

**WHEREAS**, during the Nineties the community also absorbed the disruption caused by the 1992 Civil Unrest, the 1994 Northridge Earthquake, and construction at four Metro Red Line subway stations; and

**WHEREAS**, the Vermont/Western Station Neighborhood Area Plan was created for the purpose of making the neighborhood more livable, economically viable, as well as pedestrian and transit friendly in an effort to heal the community of the disruptions of the Nineties, mitigate population growth and achieve maximum benefit from the subway stations as a valuable public asset; and

**WHEREAS**, preparation of the Plan was funded by the City with substantial assistance from the Federal Transit Administration, the Los Angeles County Metropolitan Transportation Authority, the Southern California Association of Governments, and the California League of Conservation Voters; and

**WHEREAS**, the Plan was developed in concert with area residents, property owners, local businesses, City staff, Council District staffs, other public agencies, and consultants in the fields of urban design, economics, computer mapping, law, recreation and parks and transportation; and

**WHEREAS**, the Plan is a document that describes the Neighborhood Vision to the year 2020 for more public facilities and services, jobs, housing, transit ridership, growth management and civic involvement; and

**WHEREAS**, the Plan contains strategies for achieving the Neighborhood Vision that require the implementation of this Specific Plan Ordinance; and

**WHEREAS**, the Vermont/Western Station Neighborhood Area Plan desires to promote and facilitate the objectives of the State of California under the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983 and the Federal Emergency Management Agency's (FEMA) Public Assistance Programs;

**NOW THEREFORE,**

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

**Section 1. ESTABLISHMENT OF THE SPECIFIC PLAN.** This Vermont/Western Station Neighborhood Area Specific Plan is applicable to that area of the City of Los Angeles shown on Map No. 1.

**Section 2. PURPOSES.** This Specific Plan is intended to:

**A.** Implement the goals and policies of the Hollywood Community Plan, the Wilshire Community Plan, the City General Plan Framework Element and the Transportation Element, including the new formats and terminology regarding land use designations created by the General Plan Framework;

**B.** Encourage sufficient schools, child care facilities, parks, public pools, soccer fields, open space, libraries and police stations within the Plan Area by the horizon year of 2020;

**C.** Establish a clean, safe, comfortable and pedestrian oriented community environment for residents to shop in and use the public community services in the neighborhood;

**D.** Improve the quality of housing stock in the neighborhood through the construction of affordable housing units available for homeownership, in Mixed Use buildings along transit corridors;

**E.** Guide all development, including use, location, height and density, to assure compatibility of uses and to provide for the consideration of transportation and public facilities, aesthetics, landscaping, open space and the economic and social well-being of area residents;

**F.** Preserve the quality of existing residential neighborhoods by limiting new residential development which would exceed the prevailing density of such neighborhoods, and establish standards for new construction in such neighborhoods to conform to the existing neighborhood character;

**G.** Create a transit friendly area by requiring conformance to pedestrian oriented design guidelines that establish building facade treatments, landscape standards, criteria for shade-producing building overhangs and awnings, street lighting and security lighting for streets, alleys, sidewalks and other pedestrian areas that adjoin new development;

**H.** Promote increased flexibility in the regulation of the height and bulk of buildings as well as the design of sites and public streets in order to ensure a well-planned combination of commercial and residential uses with adequate open space;

**I.** Encourage creation of a lively civic atmosphere by facilitating collaborative public/private enterprises, and promoting cultural districts, facilities and services;

**J.** Support the improvement of the business environment by providing attractive public streetscapes, encouraging business improvement districts, job development programs and business assistance centers;

**K.** Promote the provision of more small public parks among the residential neighborhoods;

**L.** Transform some neighborhood streets into shared streets thereby creating safer routes to schools and transit, adding to the public green space by planting and maintaining trees, replacing asphalt with porous surfaces and decreasing the urban heat island affect;

**M.** Require improvement of the public right of way along Vermont Avenue and Hollywood Boulevard to be in accordance with the Vermont Avenue/Hollywood Boulevard Transit/Pedestrian Improvement Project, Concept Guidelines, Volume One-Vermont Avenue, May 1998, or most current version; or the provisions in the Hollywood Crossroads-Restoring a Regional Destination with Neighborhood Streetscapes, December 1998, or the most current version;

**N.** Support further development of the existing industrial area near the Beverly/Vermont subway station, such that industries that generate jobs for the area residents are encouraged to locate there;

**O.** Support the hospital core near the corner of Sunset Boulevard and Vermont Avenue such that this industry will generate jobs and medical services for local residents, give local businesses expanded markets, and provide a coherent architectural presence at that corner;

**P.** Support the ability of local hospitals to respond successfully to the new requirements in The Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, as amended and

set forth in the Statewide Health and Safety Code Sections 129675, et seq., for seismic upgrades of acute care facilities;

**Q.** Support the expansion of educational facilities and adult training opportunities such that area children no longer have to be transported to schools outside the area, and residents are provided with the skills to take advantage of local job opportunities;

**R.** Facilitate the provision of studio and one bedroom apartments for adult students and senior citizens located near colleges, subway stations and along commercial corridors;

**S.** Support the provision of joint living and work spaces and small assembly workshops such that local business building is facilitated and encouraged, thereby expanding the local economy and keeping locally generated income within the community; and

**T.** Support, in anticipation of the full implementation of the Welfare to Work Reform Program, the provision of child care facilities within the neighborhoods, at transit stops and at large employment sites such that all local working parents and their children are accommodated.

### **Section 3. RELATIONSHIP TO PROVISIONS OF THE MUNICIPAL CODE.**

**A. Does Not Convey Rights.** The regulations of this Specific Plan are in addition to those set forth in the Planning and Zoning provisions of Chapter 1 of the Los Angeles Municipal Code (Code) and any other relevant ordinances, and do not convey any rights not otherwise granted under those provisions, except as specifically provided.

**B. More and Less Restrictive Uses.** Wherever this Specific Plan contains provisions which require or permit greater or lesser setbacks, street dedications, open space, densities, heights, uses, parking, or other controls on development than would be allowed or required pursuant to the provisions contained in Chapter 1 of the Code, the Specific Plan shall prevail and supersede the applicable provisions of the Code.

**Section 4. DEFINITIONS.** Whenever the following terms are used in this Specific Plan, they shall be construed as defined in this Section. Words and phrases not defined here shall be construed as defined in Sections 12.03, 13.07 C and 13.09 B 3, Division 4 of Article 1, Chapter 9 of the Code, and Division 62 of Article 1, Chapter 9 of the Code if defined there:

**Applicant.** An individual person or entity submitting an application for a building permit, grading permit, change of use permit, tract or parcel map approval, or Project Permit Compliance approval.

**Community Facilities.** Any use whose primary purpose is to provide non-profit, or not-for-profit assistance to the general public in the specific plan area, as determined by the Director of Planning. Included are government offices and services or privately funded services or charities that are provided to the public at a free, subsidized or reduced rate. Examples are child care centers, job assistance centers, business assistance centers, libraries, schools, adult day care, and related administrative offices, health clinics, museums, cultural centers, telecommuting centers, gyms or recreation centers, restrooms open to the general public, rooms available to the general public for community meetings, and pedestrian amenities like covered arcades, covered promenades, showers for bicyclists, sites for purchase of transit tokens, tickets or passes, or at which transit information is displayed. Houses of Worship and public parking structures are community facilities when they include another community service, such as child care or roof top parks if these uses meet the requirements of Section 6.

**Existing Hospital Replacement Project.** A Replacement In-Patient Facility Project for which design development drawings have been preliminarily submitted to the State of California Health and Human Services Agency, Office of Statewide Health Planning and Development, Facilities Division, prior to the effective date of this Specific Plan.

**Extensive Remodeling.** Any alteration to, including addition to, an existing building in which the aggregated value of the work in any one year exceeds 75% of the replacement value of the existing building, as determined by the Department of Building and Safety.

**Floor Area Ratio (FAR).** A multiplier applied to the buildable area of a lot to determine the maximum allowable square footage of all buildings on the lot.

**Guidelines.** The Vermont/Western Station Neighborhood Area Plan Development Standards and Design Guidelines, as adopted by the City Planning Commission on August 10, 2000, and as modified.

**Ground Floor.** The lowest level within a building which: (1) is accessible to the street; (2) has a floor level within three feet above or below curb level; (3) has frontage on and is primarily facing any public street; and (4) is at least 25 feet in depth or the total depth of the building, whichever is less, but in no event less than ten feet.

**Hospital and Medical Uses.** Hospital and medical office uses, medical clinics, medical service facilities and ancillary medical-related uses, including pharmacies, medical laboratories and teaching or research facilities.

**Mixed Use.** Any Project which combines a commercial use with a residential use, either in the same building or in separate buildings on the same lot or lots in a unified development.

**Parks First Trust Fund.** A fund established by separate ordinance within the Treasury of the City of Los Angeles for the purpose of retention, receipt and disbursement of funds for the support of the Parks First Program for the Vermont/Western Station Neighborhood Area Plan.

**Parks First Program.** A program described in the Vermont/Western Station Neighborhood Plan and Development Standards and Design Guidelines for the purpose of developing ten or more acres of small parks and other open space within the plan area.

**Project.** The construction of any new building or structure or the Extensive Remodeling of an existing building or structure on a lot located in whole or in part within the Specific Plan Area, which requires the issuance of a building permit after the effective date of this Specific Plan. A Project shall also include a change of use for any building or structure or land.

**Replacement In-Patient Facility.** A Project constructed in conjunction with the replacement of an existing building or structure, pursuant to and in compliance with the Alfred E. Alquist Hospital Facilities Seismic Safety Act, as amended, and set forth at Health and Safety Code Sections 129675, *et seq.*

**Unified Hospital Development Site.** A development site with a single ownership interest held by a legal entity or its affiliated entities, for the purpose of conducting Hospital or Medical Uses, if the site is composed of two or more contiguous lots, one or more tied lots or lots of record separated only by a street or alley, and has a combination of functional linkages, such as vehicular or pedestrian connections.

## **Section 5. PROHIBITION.**

**A. Project Permit Compliance.** No demolition, grading or building permit shall be issued for any Project unless a Project Permit Compliance has been issued pursuant to Section 12 of this Specific Plan.

### **B. Exemptions.**

1. Notwithstanding the above or anything else to the contrary in this Specific Plan, this prohibition shall not apply to any Project for which plans sufficient for a complete plan check have been accepted by the Department of Building and Safety and for which a plan check fee has been paid as of August 10, 2000.
2. Notwithstanding the above or anything else to the contrary in this Specific Plan, an Existing Hospital Replacement Project is (i) not subject to Subsection A above, (ii) not required to comply with Section 12 of this Specific Plan, and (iii) exempt from the requirements of the Guidelines and any other requirement of Sections 6 G, 6 L 4, 9 B 3 (as to setbacks only) and 9 G of this Specific Plan, if:

(a) the Existing Hospital Replacement Project is subject to a Memorandum of Understanding (MOU) entered into prior to the effective date of this ordinance between the Applicant and the Commission for Children, Youth and their Families;

(b) that MOU contains an agreement by the Applicant to (i) make payments in lieu of the requirements for child care facilities in Section 6 G, setbacks in Sections 6 L 4 and 9 B 3, and pedestrian throughways in Section 9 G, and (ii) execute and record a covenant promising to make the in lieu fee payments as described in the MOU; and

(c) the Applicant has in fact complied with the terms of the covenant.

## **Section 6. LAND USE REGULATIONS AND DESIGNATION OF SUBAREAS.**

**A. Designation of Subareas.** The Specific Plan area is divided into five Subareas, as shown on the Map 1. The Subareas are designated as follows:

- Subarea A - Neighborhood Conservation
- Subarea B - Mixed Use Boulevard
- Subarea C - Community Center
- Subarea D - Light Industrial/Commercial
- Subarea E - Public Facility

**B. Prohibited Uses.** The following uses shall not be permitted within the Specific Plan area:

- 1. Automotive Yards.** Any automobile dismantling yard or automotive repair use, as defined in Section 12.03 of the Code, in addition to any auto-related uses involving automobile hoists, which are not conducted completely within an enclosed building; and
- 2. Signs.** Any pole, roof or off-site sign, any sign containing flashing, mechanical or strobe lights.

**C. Joint Live/Work Quarters.** The provisions of this subsection shall apply to Joint Live/Work Quarters, as defined in Section 12.13 A 2 (a)(27) of the Code.

- 1. Application.** In connection with a Project Permit Compliance application pursuant to Section 12 of this Specific Plan, the owner of any property within Subareas B or C may apply to the Director of Planning for a Joint Live/Work Quarter approval. Prior to granting an approval, the Director shall find that the property satisfies the following criteria for a Joint Live/Work Quarter: as described in Section 12.13 A 2 (a)(27) of the Code:

Notwithstanding any provisions of the Code to the contrary, Joint Live/Work Quarters shall be permitted in any commercial or any residential zone within Subareas B and C.

**3. Incentives for Existing Buildings.** Notwithstanding any provision of the Code to the contrary, the only incentives Joint Live/Work Quarters shall be entitled to are the following: (1) Mezzanines, (2) Density, (3) Off-Site Automobile Parking, (4) Mini-Shopping Center and Commercial Corner Development Regulations and (6) Loading Space, as provided in Section 12.22 A 26.

**4. Exceptions for Existing Buildings.** Notwithstanding the nonconforming provisions of Section 12.23, only the following exceptions shall apply to buildings in which Joint Live/Work Quarters are located: (1) Floor Area, (2) Height, and (3) Yards, as provided in Section 12.22 A 26.

**D. Small Assembly Workshops.** The provisions of this subsection shall apply to small manufacturing and assembly workshops when conducted wholly within a completely enclosed building and in accordance with the requirements specified in Section 12.17.1 A 2(b) of the Code: manufacturing or assembling of clothing or linens from previously prepared materials; bakery; book bindery; box lunch preparation or catering establishment; candy, confectioner or ice cream manufactory; cosmetics, toiletries, or perfumes manufacturing or blending; jewelry manufacturing and any other similar use as determined by the Director of Planning.

**1. Application.** In connection with a Project Permit Compliance application pursuant to Section 12 of this Specific Plan, the Applicant may apply to the Director for approval of a small assembly workshop. Prior to approval, the Director shall find that the property satisfies the criteria in Subdivisions 2 through 8 below.

**2. Location.** These small manufacturing and assembling establishments is permitted on any lot in any commercial or any residential zone in Subareas B or C if the lot has a lot line adjoining Virgil Avenue, Vermont Avenue, Western Avenue, Hollywood Boulevard, Sunset Boulevard, or Santa Monica Boulevard.

**3. Size.** No more than twenty persons may be engaged in assembly or manufacturing at one time, excluding office and delivery personnel.

**4. Responsible Employer.** Employers must abide by all applicable Federal and State Laws regarding labor and work place safety, including minimum wage requirements.



**5. Workshop Delivery Trucks.** The use shall be limited to commercial vehicles with a maximum one ton capacity for the delivery of materials to or from the premises.

**6. Deliveries.** Deliveries or pickups by commercial shipping companies are limited to a total of two per day.

**7. Noise.** The use shall not cause any excessive noise in violation of the provisions of Sections 111.00, 112.00 and 114.00 of the Code, nor any excessive light, dust, fumes, vibration or electrical interference.

**8. No "Extremely Hazardous Substances."** No "extremely hazardous substances" as listed in Section 335 (Appendix A) of Title 40 of the Code of Federal Regulations shall be used, sold or stored on the site; and no "hazardous materials," as listed in Article 9, Title 22 of the California Health and Safety Code, shall be utilized on the site except those associated with normal household use.

**E. Community Facilities.** The floor area of a Community Facility shall not be included in the calculation of the building floor area in determining the permitted FAR, provided the use is limited to a Community Facility use for the life of the Project and the Applicant executes and records a covenant to that effect as described in Section 13 of this Specific Plan. Community Facilities shall be a permitted use in any zone in Subareas A, B, C, and E of this Specific Plan Area.

**F. Parks First Program and Park Fees.**

**1. Account.** Monies in the Parks First Trust Fund shall be used to acquire an interest in properties and develop the properties for parks and open space, for landscaping of public properties, maintenance and related facilities located within the Specific Plan Area shown on Map 1, and further described in the Guidelines.

**2. Park First Program Fees.**

**(a) Residential.** Prior to issuance of a Certificate of Occupancy, the Applicant for any residential Project shall pay a fee to the Parks First Trust Fund of \$4,300 per dwelling unit.

**(b) Exemptions.**

**(1) Projects in Plan Check.** Residential Projects for which complete plans were accepted by the Department of Building and Safety for plan check and for which a plan check fee was paid on or before the

effective date of this Specific Plan are exempt from the Parks First Trust Fund fee.

**(2) Senior Citizen and Student Housing.** Residential units with fewer than three habitable rooms reserved exclusively for seniors or full-time students and which both (i) qualify as low and very low income housing as defined by the United States Department of Housing and Urban Development and (ii) are subsidized with public funds and/or Federal or State Tax Credits with affordability covenants of at least 30 years are exempt from the Parks First Trust Fund fee.

**(3) Low and Very Low Income Housing.** All residential units in a Project containing low and very low income residential units as defined by the United States Department of Housing and Urban Development that are subsidized with public funds and/or Federal or State Tax Credits with affordability covenants of at least 30 years are exempt from the Parks First Trust Fund fee.

**(c) In Lieu Provision of Park Fees.** In lieu of paying the Parks First Trust Fund fee as required in Section 6 F 2, an Applicant may choose to provide park or open space either on-site or off-site, so long as the following conditions are met.

**(1)** The park or open space provided is in addition to other Project open space, setbacks, step backs, pedestrian walk-throughs, child care or landscaping requirements of this Specific Plan.

**(2)** The Applicant shall commit to providing this park or open space prior to the granting of a Project Permit Compliance by the Director of Planning.

**(3)** The park or open space shall be an area of at least 5,000 contiguous square feet; open and accessible to the general public during daylight hours in a manner similar to other public parks; improved to prevailing public park standards, except that the open space may be provided above the ground floor on roof tops or above parking structures if public access is provided that conforms with the Americans With Disabilities Act standards.

**(4) On-Site.** For on-site park or open space, the Applicant shall provide land area equal to what would be purchasable with the Parks First Trust Fund fee amount required in Subdivision 2 above and construct or covenant to construct the improvements for the park or open space on-site to the satisfaction of the Director of Planning in consultation with the

Department of Recreation and Parks and the Councilmember of the District(s) involved; or

**(5) Off-Site.** For off-site park or open space, the Applicant shall provide land area equal to what would be purchasable with the Parks First Trust Fund fee required in Subdivision 2 above and construct or covenant to construct the improvements for the park or open space off-site, but within the Specific Plan area, to the satisfaction of the Director of Planning in consultation with the Department of Recreation and Parks and the Councilmember of the District(s) involved.

**(d) Set-Offs.** The calculation of a Parks First Trust Fund fee to be paid or actual park space to be provided pursuant to this ordinance shall be off-set by the amount of any Quimby Fee (LAMC § 17.12) or dwelling unit construction tax (LAMC § 21.10.1, *et seq.*) paid as a result of the Project.

**G. Childcare Facility Requirements.** In Subareas B, C and D, all commercial and Mixed Use Projects, which total 100,000 net square feet or more of non-residential floor area shall include child care facilities to accommodate the child care needs of the Project employees for pre-school children, including infants, and shall meet the following requirements:

**1. Calculation of Child Care Facility Requirement.** The size of the child care facility necessary to accommodate commercial, Mixed Use, Unified Hospital Development Site or Replacement In-Patient Facilities Project employees' child care needs shall be: one square foot of floor area of an indoor child care facility or facilities, for every 50 square feet of net, usable non-residential floor area; or to the satisfaction of the Commission for Children, Youth and their Families consistent with the purpose in Section G.

**(a) Ground Floor Play Area.** In addition to the requirements specified in Subsection G 1 above, the Applicant shall provide outdoor play area per child served by the child care facility as required by the California Department of Social Services, Community Care Licensing Division, Title 22.

**(b) Setback and Throughways.** The child care play area at a child care facility provided as required by this subsection, on- or off-site, or as an in lieu cash payment, shall count on a one-for-one square foot basis toward either any building setback requirements of Section 6 L or pedestrian throughways as required in Section 9 G 2.

**2. Floor Area.** The floor area provided for a child care facility shall be used for that purpose for the life of the Project. The square footage devoted to a child care facility shall be located at the ground floor, unless otherwise permitted by

State Law, and shall not be included as floor area for the purpose of calculating permitted floor area on a lot or within a Unified Hospital Development Site.

**3. Off-site Provision.** The child care facility may be off-site, provided it is within 5,280 feet of the Project.

**4. Cash Payment In Lieu of Floor Area and Play Area.** At the Applicant's request, the Commission for Children, Youth and their Families may authorize a cash payment in lieu of some or all of the minimum indoor square footage and play area required in Subsection G 1. In lieu cash payments for indoor child care space and outdoor play areas shall be deposited in the City's Child Care Trust Fund.

**5. Certificate of Occupancy.** No certificate of occupancy for a commercial or Mixed Use Project subject to the requirement to include floor area and play area for a child care facility shall be issued prior to the issuance of the certificate of occupancy for the child care facility required pursuant to this subsection, and in accordance with Section 13 of this Specific Plan, or a cash deposit has been made in the City Child Care Trust Fund in accordance with Subdivision 4 above.

**6. Credit for Existing Child Care Facility and Play Area.**

**(a) Indoor Facility.** The Commission for Children, Youth and their Families shall authorize credit for existing child care provided on or near the site of the Project against the minimum required child care facility square footage. The Commission for Children, Youth and their Families shall calculate the credit as one square foot of credit per one square foot of existing in-door child care facility that will be made available to the employees of the Project. The existing child care facility must be owned by the Project owner and located within 750 feet of the Project in order to receive credit. Child care credit shall be inventoried by the Commission for Children, Youth and their Families so that the same square footage of existing child care facility is only credited once.

**(b) Outdoor Play Area.** The Director of Planning shall authorize credit for existing ground level outdoor play areas provided within 750 feet of the Project site toward the minimum required open space, building setback, or pedestrian throughway requirements. The existing play area must be owned by the Project owner and located within 750 feet of the Project in order to receive credit. The Director shall calculate the credit as one square foot per one square foot of existing outdoor play area available to the children of the Project employees. Open space credit shall be inventoried by the Director so that the same square footage of existing play area is only credited once.

**7. Enforcement.** The Commission for Children, Youth and their Families shall be responsible for monitoring and the Department of Building and Safety shall be responsible for enforcement of the requirements of this Subsection. All Project owners required to provide a child care facility shall submit an annual report to the Commission for Children, Youth and their Families. The report shall document the annual number of children served. The first report shall be due 12 months after issuance of any certificate of occupancy for the child care facility or facilities.

**H. Motels.** Floor area associated with a hotel, motel or apartment hotel use shall be counted as commercial floor area for the purposes of this Specific Plan.

**I. Sidewalk Cafes.** Sidewalk cafes shall be permitted within a public street right-of-way with the approval of the Department of Public Works, provided a minimum of ten feet of sidewalk width remains for pedestrian circulation.

**J. Public Street Improvements.** The regulations and procedures contained in Section 12.37 of the Code shall apply to any public street improvements, except for the highway and street improvement standards contained in Section 12.37 H. Instead, the Guidelines shall be utilized to the extent physically feasible for any improvements of streets in the Specific Plan area.

**K. Lot Assembly.**

**1. Application.** In connection with a Project Permit Compliance application pursuant to Section 12 of this Specific Plan, the owner of any property within Subareas B, C or D may apply to the Director of Planning for a designation of property for lot assembly. The Planning Director shall determine if the property satisfies the criteria for a lot assembly in Subsection 6 K of this Specific Plan.

**2. Mixed-Use Subareas.** An FAR bonus of 15% over what is otherwise permitted in this Specific Plan and the underlying zone, whichever is greater, shall apply to Project sites that result from the assembly of two or more lots in Subareas B or C, so long as the site has a total lot area of no less than 10,000 square feet and no more than 40,000 square feet. This FAR bonus may not be combined with the floor area averaging bonus in Section 6 L.

**3. Subarea D - Light Manufacturing.** An FAR bonus of 15% over what is otherwise permitted in this Specific Plan and the underlying zone, whichever is greater, shall apply to Project sites that result from the assembly of two or more lots in Subarea D, so long as the site has a total lot area of no less than 20,000 square feet and no more than 500,000 square feet. This FAR bonus may not be combined with the floor area averaging bonus in Section 6 L. The FAR on commercially zoned lots in Height District 1 may not exceed a 1.5:1 FAR.

## **L. Unified Hospital Development Sites.**

**1. Application.** In connection with a Project Permit Compliance application pursuant to Section 12 of this Specific Plan, the Applicant for any Project within Subarea C may apply to the Director of Planning for an approval of the property as a Unified Hospital Development Site. The Director shall determine if the property satisfies the following criteria for a Unified Hospital Development Site:

**(a) Location.** A Unified Hospital Development Site for purposes of this subdivision shall only be authorized in Subarea C. Some portion of the Unified Hospital Development Site must be within 1,500 feet of a subway portal.

**(b) Title Search.** A current title report showing the record ownership and vesting of the owners of all lots and parcels comprising the Unified Hospital Development Site shall be submitted with the application for Project Permit Compliance to ensure that all parcels are held in ownership by the Applicant or its corporate affiliated entities.

**(c) Covenant.** Prior to the issuance a Project Permit Compliance, the applicant must file with the Department of Building and Safety a covenant as described in Section 13 of this Specific Plan that:

**(1)** guarantees the continued operation and maintenance of the development as a Unified Hospital Development Site in perpetuity;

**(2)** indicates the floor area used on each lot and the floor area potential, if any, that would remain;

**(3)** guarantees the continued maintenance of the unifying design and landscaping elements, including child care facilities, open space and pedestrian amenities in perpetuity; and

**(4)** specifies an individual or entity to be responsible and accountable for this maintenance.

**2. Floor Area Averaging.** The Director may permit FAR averaging for buildings on a Unified Hospital Development Site, even if buildings on each individual lot would exceed the otherwise permitted FAR, so long as the Unified Hospital Development Site meets the criteria in Subdivisions 3 and 4 below.

**3. Maximum Floor Area and Height.** The FAR for a Unified Hospital Development Site when calculated as a whole may not exceed 3.0 and the height of any building or structure may not exceed 100 feet plus the height of

roofs and roof structures for the purposes specified in Section 12.21.1 B 3 of the Code.

Notwithstanding the above, in connection with a Project Permit Compliance pursuant to Section 12 of this Specific Plan, the Director of Planning may approve additional height for Hospital and Medical Use buildings up to 200 feet and additional FAR for Hospital and Medical Use buildings up to a maximum of 4.5 if the Director makes the following findings:

**(a) Public Welfare.** The additional height and/or FAR will be desirable to the public convenience or welfare.

**(b) Compatible.** The additional height and /or FAR will be in proper relation to adjacent uses or to the development of the community and that the arrangement of buildings and structures (including height, bulk and setbacks), off street-parking facilities, loading areas, lighting, landscaping trash collection and other similar improvements, will be compatible with existing and future development on neighboring properties;

**(c) Mitigation.** The Project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would substantially lessen any significant environmental impacts of the Project, and/or any additional findings as may be required by the California Environmental Quality Act.

**(d) Compliance with this Specific Plan.** The Project complies with all applicable provisions of this Specific Plan and the Guidelines adopted by the City Planning Commission on August 10, 2000, and as amended, including the child care requirements, pedestrian throughways, building step backs, setbacks, streetscape, landscaping requirements, *etc.*; and

**(e) Consistency.** The Project is consistent with the General Plan and any applicable adopted Redevelopment Plan.

#### **4. Setbacks.**

**(a) Setback Requirements.** A landscaped or sidewalk area having a minimum width of five feet shall be required along all street frontages of the lot or lots and along the street frontage of all parking areas on the lot or lots within the Unified Hospital Development Site. Setback requirements in this subsection of the Specific Plan shall not be deducted for the purpose of computing the buildable area for the Unified Hospital Development Site. Setbacks shall be improved according to the requirements contained in the Guidelines.

**(b) In Lieu Provision of Setbacks.** The Applicant shall provide one or more or any combination of the following in lieu of the setback requirement in Paragraph (a) prior to the Director granting a Project Permit Compliance:

**(1) On-Site.** Provide land area equal to what would be required in Paragraph (a) above as a setback and construct or covenant to construct that square footage of land and improvements for parks or open space on-site meeting the requirements in Section 6 F 2 (c)(3) above, to the satisfaction of the Director of Planning in consultation with the Department of Recreation and Parks; or

**(2) Off-Site.** Provide land area equal to what would be required in Paragraph (a) above as a setback and construct or covenant to construct improvements for parks or open space off-site, but within the Specific Plan area, meeting the requirements in Section 6 F 2 (c)(3) above, to the satisfaction of the Director of Planning in consultation with the Department of Recreation and Parks; or

**(3) Cash Payment.** Deposit in the Parks First Trust Fund an amount equal to the current cost of purchasing land and constructing improvements for the setback required in Paragraph (a) above to the satisfaction of the L.A. FOR KIDS Steering Committee. This money shall be used for parks or open space meeting the requirements in Section 6 F 2 (c)(3) of this Specific Plan.

**M. Parking Reduction Within 1,500 Feet of a Metro Red Line Station.** In connection with a Project Permit Compliance pursuant to Section 12 of this Specific Plan, the Director of Planning shall grant a 15% reduction in the minimum parking space standards otherwise required by this Specific Plan for any Project in any zone on any lot, any portion of which is located within 1,500 feet of a portal entrance to a Metro Red Line subway station.

**N. Free Delivery.** An Applicant for any Project containing 40,000 square feet or more of retail commercial floor area shall submit to the Director of Planning as part of the application for a Project Permit Compliance, a program for retail use designed to provide free delivery of purchases made at the site by residents living within the Specific Plan area.

**O. Amending the Development Standards and Design Guidelines.** Amendments to the Guidelines may be approved by the City Planning Commission following a public hearing, preceded by a published and posted notice meeting the requirements of Section 12.32 C 4 (a) and (c) of the Code.



## **Section 7. Subarea A - Neighborhood Conservation.**

**A. Residentially Zoned Properties.** Notwithstanding any provisions of the Code to the contrary, the uses allowed by the existing residential zoning classification of any lot located within Subarea A, as shown on Subarea Map 1, shall be permitted, provided, however, that no more than two lots, having a total combined lot area of 15,000 square feet, may be tied together to form a single building site. Parking shall be prohibited in required front yard areas.

**B. Commercially Zoned Properties.** Notwithstanding any provisions of the Code to the contrary, commercial uses on commercially zoned lots located within Subarea A, as shown on Subarea Map 1, shall be limited to those uses defined as "Neighborhood Retail" and "Neighborhood Serving" in Section 13.07 of the Code, and shall be permitted on the Ground Floor level only. Uses above the ground floor level shall be limited to residential. No more than two lots, having a combined lot area of 10,000 square feet, may be tied together to form a single building site. All storage must be conducted wholly within an enclosed building. Parking shall be prohibited in required front yard areas.

**C. Schools, Child Care and Community Facilities.** Notwithstanding any provision of the Code to the contrary, public or private schools, child care facilities, parks, community gardens, Community Facilities, shall be permitted on any lot or lots provided that the building site for those uses has no more than two acres of combined lot area.

**D. Transitional Height.** The maximum height of any Project shall not exceed a height that is within 15 feet of the height of the shortest existing building on any adjacent lot. Roofs and roof structures for the purposes specified in Section 12.21.1 B 3 of the Code, and architectural rooftop features, such as roof decks, trellises and gazebos, may be erected up to ten feet above the height limit established in this section, if the structures and features are set back a minimum of ten feet from the roof perimeter and screened from view at street level by a parapet or a sloping roof.

**E. Building Setback.** All buildings shall face public or publicly accessible streets. The exterior wall of the building frontage shall be located no closer to the street than the exterior wall of the adjacent building closest to the street, and shall be located no further from the street than the exterior wall of the adjacent building farthest from the street.

**F. Usable Open Space.** Notwithstanding the contrary provisions of Section 12.21 G 2 of the Code, Projects containing two or more residential units, shall contain usable open space in accordance with the standards of Section 12.21 G 2, with the following exceptions:

**1. Above Grade.** Up to 50% of the common or private open space, regardless of the underlying zone, may be located above the grade level or first habitable room level;

**2. Roof Decks.** Roof decks, regardless of the underlying zone, may be used in their entirety as common or private open space, excluding that portion of the roof within 20 feet of the roof perimeter.

## **G. Project Parking Requirements.**

### **1. Residential.**

**(a) Minimum Standard.** Notwithstanding the contrary provisions of Section 12.21 A 4 (a) of the Code, parking shall be provided at the following ratios: at least one parking space for each dwelling unit having fewer than three habitable rooms, and at least one and one-half parking spaces for each dwelling unit having more than three habitable rooms, in addition to at least one-quarter parking space for each dwelling unit as guest parking.

**(b) Maximum Standard.** Notwithstanding the contrary provisions of Section 12.21 A 4 (a) of the Code and regardless of the underlying zone, the maximum number of parking spaces provided shall be limited to the following ratios: a maximum of one parking space for each dwelling unit having fewer than three habitable rooms, a maximum of one and one-half parking spaces for each dwelling unit having three habitable rooms, a maximum of two parking spaces for each dwelling unit having more than three habitable rooms, and no more than one-quarter parking space for each dwelling unit as guest parking.

**2. Bicycle Parking Spaces.** Notwithstanding the contrary provisions of Section 12.21 A 16 of the Code and regardless of the underlying zone, for any Project with two or more dwelling units, off-street parking spaces for bicycles shall be provided at a ratio of one-half parking space per dwelling unit, and for Projects with non-residential uses, regardless of the underlying zone, off-street parking spaces for bicycles shall be provided at a ratio of one parking space for every 1,000 square feet of non-residential floor area. Bicycle parking spaces shall conform to the standards set forth in Section 12.21 A 16 (c) through (h) of the Code, and the Guidelines.

**3. Commercial.** Notwithstanding the contrary provisions of Section 12.21 A 4 of the Code, for Projects which include commercial uses, the maximum number of off-street parking spaces which may be provided shall be limited to two parking spaces for each 1,000 square feet of combined floor area of commercial uses contained within all buildings on a lot.

#### **4. Existing Buildings.**

**(a) Change of use.** Notwithstanding the contrary provisions of Section 12.21 A 4 (m) of the Code or any other provisions of this Specific Plan, no additional parking shall be required for a change of use in an existing building to a use permitted by this Specific Plan provided that the existing parking is maintained.

**(b) Extensive Remodeling of Residential Buildings.** Notwithstanding the contrary provisions of Section 12.21 A 4 (m) of the Code or any other provisions of this Specific Plan, no additional parking shall be required for an Extensive Remodeling of an existing building with residential uses permitted by this Specific Plan.

**(c) Maintenance of Off Street Parking.** Notwithstanding anything to the contrary in Section 12.21 A 4 (m) of the Code or any provisions of this Specific Plan, off-street automobile parking spaces being maintained in connection with any existing use on a lot as of the effective date of this ordinance shall be maintained, so long as the main building or structure remains, and shall not be reduced.

#### **H. Conversion Requirements.**

**1. Acoustics and Utilities.** An acoustical report and a utility metering report meeting the requirements of Section 12.95.2 D 1 (c) (2) c and d of the Code, respectively, shall be required as part of any application for a Project Permit Compliance for any Project containing dwelling units.

**2. Permission to Convert to Condominiums.** Notwithstanding the contrary provisions of the Code, including Section 91.106.4.1, Exceptions 5 and 11, building permits and demolition permits may be issued without a requirement for the owner to agree and covenant to refrain from constructing or converting to a condominium, stock cooperative or community apartment Project for any time period following construction or demolition of two or more dwelling units.

**I. Development Standards.** Projects shall be in substantial conformance with the Guidelines .

#### **Section 8. SUBAREA B MIXED-USE BOULEVARDS.**

**A. Use.** Notwithstanding any provisions of the Code to the contrary, residential uses permitted in the R3 Zone by Section 12.10 of the Code and commercial uses permitted in the C1.5 Limited Commercial Zone by Section 12.13.5 of the Code, in addition to Live/Work Quarters and Small Assembly Workshops, shall be permitted on any lot

located within Subarea B as shown on Map 1, provided that the following requirements are met:

**1. Commercial Uses.** Commercial uses in a Mixed Use Project shall be limited to the Ground and second floors of any building, and any commercial use in a Live/Work Quarters shall be limited to those uses permitted in a C1.5 Zone;

**2. Enclosed Activities.** With the exception of outdoor merchandise displays during sidewalk sales, outdoor eating areas and newsstands, all commercial activities, including storage, shall be conducted wholly within an enclosed building;

**3. Mixed-Use Regulations.** Mixed Use Projects shall comply with the Mixed-Use Development Standards of Section 13.09 F of the Code; and

**4. Commercial Corner Exemption.** Notwithstanding any provisions of Sections 12.22 A 23 and 12.24 W 26 of the Code to the contrary, and except as otherwise required by this Specific Plan, Projects that constitute a Commercial Corner Development or Mini-shopping Center may be developed within Subarea B without first obtaining a conditional use approval pursuant to Section 12.24 W 26 of the Code or having to comply with the requirements and conditions set forth in Section 12.22 A 23 of the Code.

#### **B. Height And Floor Area Ratio.**

**1. Mixed-Use and Residential Only Projects.** The maximum height of any building for a Mixed-Use Project or a Project comprised exclusively of residential uses, shall not exceed 50 feet, provided, however, that roofs and roof structures for the purposes specified in Section 12.21.1 B 3 of the Code, may be erected up to ten feet above the height limit established in this section, if those structures and features are setback a minimum of ten feet from the roof perimeter and are screened from view at street level by a parapet or a sloping roof. The maximum permitted FAR for a Mixed-Use Project shall be 2.0. Commercial uses in a Mixed-Use Project shall be limited to a maximum FAR of 1.5.

**2. Commercial Only Projects.** Projects comprised exclusively of commercial uses shall not exceed a maximum building height of 35 feet and a maximum FAR of 1.5.

#### **C. Transitional Height.**

**1. Height Limits.** Notwithstanding any provisions of Sections 12.21.1 A 10 of the Code to the contrary, portions of buildings on a lot located within Subarea B

shall not exceed the transitional height limits set forth below when located within the distances specified from an abutting lot line within Subarea A:

| <u>Distance</u> | <u>Height</u> |
|-----------------|---------------|
| 0 to 49 feet    | 25 feet       |
| 50 to 99 feet   | 33 feet       |

**2. Calculating Distance.** Transitional Height limits as set forth above in Section 8 C of this Specific Plan shall only apply to lots adjoining or abutting a lot in Subarea A and shall not apply to lots separated by a public street.

**D. Usable Open Space.** Notwithstanding any provisions of Sections 12.21 G of the Code to the contrary, a Project constituting a Mixed-Use Project containing two or more residential units or a Project comprised exclusively of residential uses containing two or more residential units shall contain usable open space in accordance with the standards of Section 12.21 G 2 of the Code, with the following exceptions:

- 1. Above Grade.** Up to 50% of the common or private open space, regardless of the underlying zone, may be located above the grade level or first habitable room level;
- 2. Roof decks.** Roof Decks, regardless of the underlying zone, may be used in their entirety as common or private open space, excluding that portion of the roof within 20 feet of the roof perimeter.

**E. Project Parking Requirements.**

**1. Residential Projects.**

**(a) Minimum Standards.** Notwithstanding the contrary provisions of Section 12.21 A 4 (a) of the Code and regardless of the underlying zone, the minimum number of parking spaces required shall be provided at the following ratios: at least one parking space for each dwelling unit having fewer than three habitable rooms, and at least one and one-half parking spaces for each dwelling unit having more than three habitable rooms, in addition to at least one-quarter parking space for each dwelling unit as guest parking.

**(b) Maximum Standards.** Notwithstanding the contrary provisions of Section 12.21 A 4 (a) of the Code and regardless of the underlying zone, the maximum number of parking spaces provided shall be limited to the following ratios: a maximum of one parking space for each dwelling unit having fewer than three habitable rooms, a maximum of one and one-half parking spaces for each dwelling unit having three habitable rooms, a maximum of two parking spaces for

each dwelling unit having more than three habitable rooms, and a maximum of one-half parking space for each dwelling unit as guest parking.

**(c) Guest Parking.** Notwithstanding the contrary provisions of Section 12.21 A 4 of the Code, guest parking spaces for residential uses in Mixed Use Projects, as set forth above, shall be provided through shared use of required commercial parking spaces.

**2. Bicycles.** Notwithstanding the contrary provisions of Section 12.21 A 16 of the Code and regardless of the underlying zone, Projects with two or more dwelling units, shall provide off-street parking spaces for bicycles at a ratio of one-half parking space per dwelling unit, and for Projects which include non-residential uses, regardless of the underlying zone, off-street parking spaces for bicycles shall be provided at a ratio of one parking space for every 1,000 square feet of non-residential floor area for the first 10,000 square feet of floor area, and one bicycle parking space for every additional increments of 10,000 square feet of floor area. Bicycle parking spaces shall conform to the standards set forth in Section 12.21 A 16 (c) through (h) of the Code, and the Guidelines.

**3. Commercial.** Notwithstanding the contrary provisions of Section 12.21 A 4 of the Code and regardless of the underlying zone, the following parking standards shall apply to Projects which include non-residential uses: (i) Except for medical offices, the maximum number of off-street parking spaces which may be provided shall be limited to two parking spaces for each 1,000 square feet of combined floor area of non-residential uses contained within all buildings on a lot; (ii) a maximum of 50% of the required non-residential parking spaces may be provided off-site, but within 1,500 feet of the lot for which they are provided; and (iii) off-site parking facilities may be provided pursuant to leases of existing parking spaces for at least a twenty-year term, in order to provide the parking required by this Specific Plan, and these leased spaces may be shared parking operated or maintained by more than one owner or lessee.

#### **4. Existing Buildings.**

**(a) Change of use.** Notwithstanding the contrary provisions of Section 12.21 A 4 (m) of the Code, or any other provisions of this Specific Plan, no additional parking shall be required for a change of use in an existing building to a use permitted by this Specific Plan.

**(b) Extensive Remodeling of Residential Buildings.** Notwithstanding the contrary provisions of Section 12.21 A 4 (m) of the Code, or any other provisions of this Specific Plan, no additional parking shall be required for an Extensive Remodeling of an existing residential or Mixed-Use building, so long as the uses are permitted by this Specific Plan.

**(c) Maintenance of Off-Street Parking.** Notwithstanding the contrary provisions of Section 12.21 A 4 (m) of the Code, or any other provisions of this Specific Plan, off-street automobile parking spaces being maintained in connection with any existing main building or structure as of the effective date of this ordinance shall be maintained, so long as the main building or structure remains, and shall not be reduced.

## **F. Conversion Requirements.**

**1. Acoustics and Utilities.** An acoustical report and a utility metering report meeting the requirements of Section 12.95.2 D 1 (c) (2) c and d of the Code, respectively, shall be required as part of any application for a Project Permit Approval for any Project containing dwelling units.

**2. Permission to Convert to Condominiums.** Notwithstanding the contrary provisions of Section 91.106.4.1, Exceptions 5 and 11 of the Code, demolition permits may be issued for residential buildings without a requirement for the owner to agree and covenant to refrain from constructing a condominium, stock cooperative or community apartment Project for any time period following demolition of a building containing two or more dwelling units.

**G. Yards.** Notwithstanding any contrary provisions of the Code, no front, side or back yards shall be required for the development of any Mixed-Use, commercial or residential Project on any lot located within Subarea B.

## **H. Pedestrian Throughways.**

**1.** Applicants shall provide one public pedestrian walkway, throughway or path for every 250 feet of street frontage for a Project. An arcade or through interior pedestrian path shall be provided from the rear lot line or from the parking lot or public alley or street, if located to the rear of the Project, to the front lot line, and from the side lot line to the lot line on the opposite side of the lot, if the public street, alley or parking lot is located on the side of the Project. The pedestrian throughway shall be accessible to the public and have a minimum vertical clearance of 12 feet, and a minimum horizontal clearance of ten feet.

**2. Facade Treatment.** The building facade facing the pedestrian walkway shall be improved in accordance with the provisions of the Guidelines.

**3. In Lieu Provision of Throughways.** The Applicant shall provide one or more or a combination of the following in lieu of the throughway requirement in Subdivision 1 prior to the Director granting a Project Permit Compliance:

**(a) On-Site.** Provide land area equal to what would be required in Subdivision 1 above as a throughway and construct or covenant to construct improvements for parks and open space on-site, meeting the requirements in Section 6 F 2 (c)(3) above, to the satisfaction of the Director of Planning in consultation with the Department of Recreation and Parks; or

**(b) Off-Site.** Provide land area equal to what would be required in Subdivision 1 above as a throughway and construct or covenant to construct improvements for parks and open space off-site, but within the Specific Plan area, meeting the requirements in Section 6 F 2 (c)(3) above, to the satisfaction of the Director of Planning in consultation with the Department of Recreation and Parks and the Councilmember of the District; or

**(c) Cash Payment.** Deposit in the Parks First Trust Fund an amount equal to the current cost of purchasing land and constructing improvements for the throughway required in Subdivision above to the satisfaction of the L.A. FOR KIDS Steering Committee. This money shall be used for parks or open space meeting the requirements in Section 6 F 2 (c)(3) of this Specific Plan.

**I. Development Standards.** Projects shall be in substantial conformance with the Guidelines.

#### **Section 9. SUBAREA C COMMUNITY CENTER.**

**A. Use.** Notwithstanding any provisions of the Code to the contrary, residential uses permitted in the R4 Zone by Section 12.11 of the Code, Hospital and Medical Uses, and commercial uses permitted in the C4 Commercial Zone by Section 12.16 of the Code, Live/Work Quarters and Small Assembly Workshops, shall be permitted on any lot located within Subarea C as shown on Map 1, provided that the following requirements are met:

**1. Commercial Uses.** Commercial uses in a Mixed-Use Project shall be limited to the Ground Floor;

**2. Enclosed Activities.** With the exception of outdoor merchandise displays during sidewalk sales, outdoor eating areas and newsstands, all commercial activities, including storage, shall be conducted wholly within an enclosed building;

**3. Mixed Use Regulations.** Projects shall comply with the Mixed-Use development standards of Section 13.09 F of the Code and the Pedestrian Orientation development standards of Section 13.07 E of the Code;



**4. Commercial Corner Exemption.** Notwithstanding any provisions of Sections 12.22 A 23 and 12.24 W 26 of the Code to the contrary, and except as otherwise required by this Specific Plan, Projects that constitute a Commercial Corner Development or Mini-shopping Center, as defined in Section 12.03 of the Code, may be developed within Subarea C without first obtaining a conditional use approval pursuant to Section 12.24 W 26 of the Code or having to comply with the requirements and conditions set forth in Section 12.22 A 23 of the Code; and

**5. Exemption from Major Projects Conditional Use Permit Requirement.** Notwithstanding the provisions of Section 12.24 U 12 of the Code to the contrary, Unified Hospital Development Projects need not obtain a conditional use permit to operate in Subarea C.

## **B. Height And Floor Area Ratio.**

**1. Commercial Only Project.** Projects comprised exclusively of commercial uses (not Hospital and Medical Uses) shall not exceed a maximum building height of 35 feet and a maximum FAR of 1.5, provided, however, that roofs and roof structures for the purposes specified in Section 12.21.1 B 3 of the Code, may be erected up to ten feet above the height limit established in this section, if the structures and features are set back a minimum of ten feet from the roof perimeter and screened from view at street level by a parapet or a sloping roof.

**2. Mixed-Use Project.** The maximum height of any building for a Mixed-Use Project shall not exceed 75 feet, provided, however, that roofs and roof structures for the purposes specified in Section 12.21.1 B 3 of the Code, may be erected up to ten feet above the prescribed height limit established in this section, provided that the structures and features are set back a minimum of ten feet from the roof perimeter and screened from view at street level by a parapet or a sloping roof. The maximum permitted FAR for a Mixed-Use Project shall be 3.0. Commercial uses in a Mixed-Use Project shall be limited to a maximum FAR of 1.5.

### **3. Hospital and Medical Uses.**

**(a) Height and FAR.** Hospital and Medical Uses shall be developed in accordance with the Guidelines, and shall not exceed a maximum building height of 100 feet and a maximum FAR of 3.0, provided that roofs and roof structures for the purposes specified in Section 12.21.1 B 3 of the Code shall be erected so that structures and features are set back a minimum ten feet from the roof perimeter and screened from view at street level by a parapet or a sloping roof. Notwithstanding anything to the contrary in this subsection, any Existing Hospital Replacement In-Patient Facility Project, may have a building height of up to and

including 150 feet, so long as the Project complies with the setback requirements in Section 6 L.

**(b) Additional Authority.** In accordance with the provisions in Section 6 L of this Specific Plan and in connection with a Project Permit Compliance pursuant to Section 12 of this Specific Plan, the Director of Planning may approve additional height for Hospital and Medical Use buildings up to 200 feet, plus the height of roofs and roof structures for the purposes specified in Section 12.21.1 B 3 of the Code, and additional FAR for Hospital and Medical Uses up to 4.5.

### C. Transitional Height.

**1. Height Limits.** Notwithstanding any provisions of Sections 12.21.1 A 10 of the Code to the contrary, portions of buildings on a lot located within Subarea C shall not exceed the transitional height limits set forth below when located within the distances specified from a lot within Subarea A;

| <u>Distance</u> | <u>Height</u> |
|-----------------|---------------|
| 0 to 49 feet    | 25 feet       |
| 50 to 99 feet   | 33 feet       |
| 100 to 200 feet | 61 feet       |

**2. Calculating Distances.** Transitional Height limits as set forth above in Section 9 C of this Specific Plan shall only apply to lots adjoining or abutting a lot in Subarea A and shall not apply to lots separated by a public street.

**D. Usable Open Space.** Notwithstanding any provisions of Sections 12.21 G of the Code to the contrary, Projects constituting a Mixed-Use Project containing two or more residential units or a Project comprised exclusively of residential uses containing two or more residential units shall contain usable open space in accordance with the standards of Section 12.21 G 2 of the Code, with the following exceptions:

- 1. Above Grade.** Up to 75% of the common or private open space, regardless of the underlying zone, may be located above the grade level or first habitable room level;
- 2. Roof decks.** Roof Decks, regardless of the underlying zone, may be used in their entirety as common or private open space, excluding that portion of the roof within 20 feet of the roof perimeter.

### E. Project Parking Requirements.

- 1. Residential.**

**(a) Minimum Standards.** Notwithstanding the contrary provisions of Section 12.21 A 4 (a) of the Code and regardless of the underlying zone, the minimum number of parking spaces required shall be provided at the following ratios: at least one parking space for each dwelling unit having fewer than three habitable rooms, and at least one and one-half parking spaces for each dwelling unit having more than three habitable rooms, in addition to at least one-quarter parking space for each dwelling unit as guest parking.

**(b) Maximum Standards.** Notwithstanding the contrary provisions of Section 12.21 A 4 (a) of the Code and regardless of the underlying zone, the maximum number of parking spaces provided shall be limited to the following ratios: a maximum of one parking space for each dwelling unit having fewer than three habitable rooms, a maximum of one and one-half parking spaces for each dwelling unit having three habitable rooms, a maximum of two parking spaces for each dwelling unit having more than three habitable rooms, and a maximum of one-half parking space for each dwelling unit as guest parking.

**(c) Guest Parking.** Notwithstanding the contrary provisions of Section 12.21 A 4 of the Code, guest parking spaces for residential uses in Mixed-Use Projects, as set forth above, shall be provided through shared use of required commercial parking spaces.

**2. Bicycles.** Notwithstanding the contrary provisions of Section 12.21 A 16 of the Code and regardless of the underlying zone, for Projects with two or more dwelling units, off-street parking spaces for bicycles shall be provided at a ratio of one-half parking space per dwelling unit, and for Projects with non-residential uses, regardless of the underlying zone, off-street parking spaces for bicycles shall be provided at a ratio of one parking space for every 1,000 square feet of non-residential floor area for the first 10,000 square feet of floor area, and one bicycle parking space for every additional 10,000 square feet of floor area. Bicycle parking spaces shall conform to the standards set forth in Section 12.21 A 16 (c) through (h) of the Code, and the Guidelines.

**3. Commercial.** Notwithstanding the contrary provisions of Section 12.21 A 4 of the Code and regardless of the underlying zone, the following parking standards shall apply to Projects with commercial uses, other than Hospital and Medical Uses: (i) the maximum number of off-street parking spaces which may be provided shall be limited to two parking spaces for each 1,000 square feet of combined floor area of commercial uses contained within all buildings on a lot; (ii) a maximum of 50% of the required non-residential parking spaces may be provided off-site, but within 1,500 feet of the lot for which they are provided.

**4. Hospital and Medical Uses.** Notwithstanding the contrary provisions of Section 12.21 A 4 (d) of the Code, the following parking standards shall apply to

Hospital and Medical Use Projects: (i) hospitals shall provide a minimum of one parking space for each patient bed for which the hospital is licensed, and a maximum of two parking space for each patient bed for which the hospital is licensed; (ii) a maximum of 50% of the required hospital parking spaces may be provided off-site, but within 1,500 feet of the lot for which they are provided; and (iii) off-site parking facilities may be provided pursuant to leases of existing parking spaces for at least a twenty-year term, in order to provide the parking required by this Specific Plan, and these leased spaces may be shared parking operated or maintained by more than one owner or lessee.

## **5. Existing Buildings.**

**(a) Change of Use.** Notwithstanding the contrary provisions of Section 12.21 A 4 (m) of the Code, or any other provisions of this Specific Plan, no additional parking shall be required for a change of use in an existing building to a use permitted by this Specific Plan.

**(b) Extensive Remodeling of Residential Buildings.** Notwithstanding the contrary provisions of Section 12.21 A 4 (m) of the Code, or any other provisions of this Specific Plan, no additional parking shall be required for an Extensive Remodeling of an existing residential or Mixed-Use building with so long as the uses are permitted by this Specific Plan.

**(c) Maintenance of Off-Street Parking.** Notwithstanding the contrary provisions of Section 12.21-A 4 (m) of the Code, off-street automobile parking spaces being maintained in connection with any existing main building or structure as of the effective date of this ordinance shall be maintained, so long as the main building or structure remains, and shall not be reduced.

## **F. Conversion Requirements.**

**1. Acoustics and Utilities.** An acoustical report and a utility metering report meeting the requirements of Section 12.95.2 D 1 (c) (2) c and d of the Code, respectively, shall be required as part of any application for a Project Permit Approval for any Project containing dwelling units.

**2. Permission to Convert to Condominiums.** Notwithstanding the contrary provisions of Section 91.106.4.1, Exceptions 5 and 11 of the Code, demolition permits may be issued for residential buildings without a requirement for the owner to agree and covenant to refrain from constructing a condominium, stock cooperative or community apartment Project for any time period following demolition of a building containing two or more dwelling units.

## **G. Pedestrian Throughways.**

1. Applicants shall provide one public pedestrian walkway, throughway or path for every 250 feet of street frontage for a Project. An arcade or through interior pedestrian path shall be provided from the rear property line or from the parking lot or public alley or street if located to the rear of the Project, to the front lot line, and from the side lot line to the lot line on the opposite side. The pedestrian throughway shall be accessible to the public and have a minimum vertical clearance of twelve feet, and a minimum horizontal clearance of ten feet.

2. **Facade Treatment.** The building facade facing the pedestrian walk way shall be improved in accordance with the provisions of the Guidelines.

3. **In Lieu Provision of Throughways.** The Applicant shall provide one or more or a combination of the following in lieu of the throughway requirement in Subdivision 1 prior to the Director granting a Project Permit Compliance:

(a) **On-Site.** Provide land area equal to what would be required in Subdivision 1 above as a throughway and construct or covenant to construct improvements for public open space on-site, meeting the requirements in Section 6 F 2 (c)(3) above, to the satisfaction of the Director of Planning in consultation with the Department of Recreation and Parks and the Councilmember of the District; or

(b) **Off-Site.** Provide land area equal to what would be required in Subdivision 1 above as a throughway and construct or covenant to construct improvements for public open space off-site, but within the Specific Plan area, meeting the requirements in Section 6 F 2 (c)(3) above, to the satisfaction of the Director of Planning in consultation with the Department of Recreation and Parks and the Councilmember of the District; or

(c) **Cash Payment.** Deposit in the Parks First Trust Fund an amount equal to the current cost of purchasing land and constructing improvements for the throughway required in Subdivision 1 above to the satisfaction of the L.A. FOR KIDS Steering Committee. This money shall be used for parks or open space meeting the requirements in Section 6 F 2 (c)(3) of this Specific Plan.

**H. Yards.** Notwithstanding any contrary provisions of the Code, no front, side or back yards shall be required for the development of any commercial or residential Project on any lot located within Subarea C.

**I. Development Standards.** Projects shall be in substantial conformance with the Guidelines.

**Section 10. SUBAREA D LIGHT INDUSTRIAL/COMMERCIAL.**

**A. Use.** The use and area regulations of Section 12.17.1 of the Code (CM Zone) shall apply to all lots in Subarea D, except that Projects with hotel, motel, apartment hotel, and residential uses shall be prohibited.

**B. Maximum Building Setback.** At least 75 percent of the Ground Floor exterior wall along the building frontage shall be located no more than ten feet from any lot line parallel to a public street, excluding alleys.

**C. Transitional Height.** Notwithstanding any provisions of Sections 12.21.1 A 10 of the Code to the contrary, portions of buildings on a lot located within Subarea D shall not exceed the transitional height limits set forth in Section 12.21.1 A 10 of the Code when located within the distances specified from a lot within Subarea A.

| <u>Distance</u> | <u>Height</u> |
|-----------------|---------------|
| 0 to 49 feet    | 25 feet       |
| 50 to 99 feet   | 33 feet       |
| 100 to 200 feet | 61 feet       |

**D. Development Standards.** Projects shall be in substantial conformance with the Guidelines.

**Section 11. SUBAREA E PUBLIC FACILITIES.**

**A. Permitted Uses.** The use and area regulations of Section 12.04.09 of the Code (PF Zone) shall apply to all lots in Subarea E. Notwithstanding the requirements for conditional use approvals contained in Section 12.04.09 B and 12.24 B of the Code, the following uses shall be permitted by right and allowed to be developed in Subarea E: public elementary, secondary or high schools; police stations and related uses; parks and recreation facilities, including bicycle paths and walking trails, nature trails; park land and lawn areas; children’s play areas; picnic facilities; athletic fields (not to exceed 200 seats); senior citizen centers, community centers, clubhouses; swimming pools, libraries; tennis courts; rest rooms; gyms; camping facilities; museums; aquaria, observatories, planetaria and zoos; and any landscaped cover over a freeway right of way.

**B. Development Standards.** Projects shall be in substantial conformance with the Guidelines.

**Section 12. DEVELOPMENT REVIEW PROCEDURES.**

**A. Director Approvals.** The Director shall have the authority to approve conditionally, approve or deny one or more of the following for any Project, Lot Assembly, Floor Area

Averaging for a Unified Hospital Development Site, Live/Work Project, or Small Assembly Workshop within the Specific Plan Area so long as prior to approving the Project Permit Compliance, he or she finds that the Project conforms with all applicable provisions of this Specific Plan:

**1. Project Permit Compliance.** Prior to the issuance of any building permit for any Project, Lot Assembly, Floor Area Averaging for a Unified Hospital Development Site, Live/Work Quarters, or Small Assembly Workshop, a Project Permit Compliance application shall be filed with and acted on by the Director in accordance with Section 11.5.7 C of the Code. The Project Permit Compliance application shall include a site plan drawn to scale that shows the location of the proposed buildings and the location of any existing buildings or structures on adjacent lots. The site plan shall be accompanied by other plans or information as may be required by the Director to demonstrate the conformity of the proposed Project to the Specific Plan ordinance requirements and the Guidelines, as adopted by the City Planning Commission on August 10, 2000, and as amended.

**2. Modifications.** The Director may grant a Project Permit Compliance modification if the request is found to be in conformance with the original approval, in accordance with Section 11.5.7 D of the Code.

**3. Adjustments.** The Director may grant, as part of the Project Permit Compliance application, minor adjustments for certain Specific Plan requirements in accordance with Section 11.5.7 E of the Code.

**B. Specific Plan Exceptions.** The Area Planning Commission may permit exceptions to the Specific Plan in accordance with Section 11.5.7 F of the Code.

### **Section 13. OWNERS'S ACKNOWLEDGMENT OF LIMITATIONS.**

The Department of Building and Safety shall not issue any building permit for construction on a lot or lots within the Specific Plan area until the owner of the property has executed and recorded with the County Recorder a covenant and agreement acknowledging and accepting the contents and limitations of this Specific Plan. The covenant and agreement shall be executed by all fee owners of the property, shall run with the land and shall be binding on future owners, successors, heirs, or assignees of the owners. A certified copy of the recorded covenant shall be delivered to the Departments of City Planning and Building and Safety prior to the issuance of any building permit.

**Section 14. SEVERABILITY.**

If any provision of this Ordinance or its application to any person, property or circumstances, is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this Ordinance or the application of those provisions to other persons, property or circumstances which can be implemented without the invalid provisions and to this end, the provisions of this Ordinance are declared to be severable.

(60135)



Sec. 15 The City Clerk shall certify to the passage of this ordinance and cause it to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of NOV 29 2000

J. MICHAEL CAREY, City Clerk

By Maria Kostanin  
Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

Approved as to form and legality

Presented to me for my consideration on December 1, 2000, and returned to the City Clerk without my approval on December 11, 2000.

11/29/00  
James K. Hahn, City Attorney

[Signature]

Pursuant to Charter Section 559, I approve this ordinance and recommend its adoption on behalf of the City Planning Commission .....

November 29, 2000

see attached report.

Car Howe  
CON HOWE  
Director of Planning

By [Signature]  
For Claudia Culling,  
Assistant City Attorney

File No. CF 00-1999

(publish 2)  
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BY [Signature]  
CITY CLERK  
DEPUTY

I hereby certify that the foregoing Ordinance was again introduced at the meeting of the Council of the City of Los Angeles JAN 23 2001 and was passed at its meeting of JAN 23 2001 by a two thirds vote, notwithstanding the objections of the Mayor, pursuant to Charter Section 250(c).

J. MICHAEL CAREY, City Clerk

By Maria Kostanin  
Deputy

File No. 00-1999

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By Maria Kostas  
Deputy

Approved \_\_\_\_\_  
Mayor

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By [Signature]  
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Assistant City Attorney

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By Maria Kostas  
Deputy

File No. 00-1999