

ORDINANCE NO. _____

A proposed ordinance amending Articles 2, 7, 9, 13, and 14 of Chapter 1A of the LAMC to implement the provisions of the state Starter Home Revitalization Act and to facilitate the development of more affordable homeownership opportunities.

THE PEOPLE OF THE CITY OF LOS ANGELES

DO HEREBY ORDAIN AS FOLLOWS:

Sec. 1. Subsection E. (Exceptions) of Sec. 2C.3.1. (Lot Amenity Space) of Division 2C.3. (Amenity) of Part 2C. (From Rules) of Article 2. (Form) of Chapter 1A of the LAMC shall be amended as follows:

E. Exceptions

1. ~~Where the calculation of lot amenity space requires less than 400 square feet, no lot amenity space is required.~~ For projects on lots with a lot area of 2500 square feet or less, areas provided to meet the lot amenity space requirement may comply with the standards outlined in Sec. 2C.3.3.C.4. (Private Outdoor Amenity Space), and 100 percent of the total required lot amenity space may be privately accessible to individual tenant spaces.
2. ~~When a lot modification involves an air space lot subdivision, the air space lot area is not used in the calculation for required lot amenity space;~~ instead, the project must provide required lot amenity based on the lot area of the entire unified development project site. Lot amenity space shall be shared by the airspace lots on the project site.
3. Where the applied Form District (Part 2B.) identifies an eligible lot amenity alternative, in lieu of the otherwise required lot amenity space in this Section (Lot Amenity Space), a project may provide a lot amenity space meeting the requirements established for that listed lot amenity alternative type, as provided in Sec. 2C.3.5. (Lot Amenity Alternatives).
4. ~~Where the applied Form District (Part 2B.) identifies an eligible lot amenity alternative, in lieu of the otherwise required lot amenity space in this Section (Lot Amenity Space), a project may provide a lot amenity space meeting the requirements established for that listed lot amenity alternative type, as provided in Sec. 2C.3.5. (Lot Amenity Alternatives).~~ When a lot modification involves an air space lot subdivision and does not have new

construction that results in an increase of 20 percent or more floor area, no lot amenity space is required.

Sec. 2. Subsection B. (Applicability) of Sec. 2C.3.2. (Residential Amenity Space) of Division 2C.3. (Amenity) of Part 2C. (From Rules) of Article 2. (Form) of Chapter 1A of the LAMC shall be amended as follows:

B. Applicability

Residential amenity space standards apply to any *project* that includes five or more *dwelling units* on a *lot* and involves any of the following *project activities*: *new construction, a major remodel, a lot modification, or a use modification.* For common interest developments consisting of multiple *airspace lots*, the number of *dwelling units* shall be counted across the entire *unified development project* site for the purpose of applying the residential amenity space standard.

Sec. 3. Paragraph 2. (Lot Amenity Alternative Types) of Subsection C. (Standards) of Sec. 2C.3.5. (Lot Amenity Alternatives) of Division 2C.3. (Amenity) of Part 2C. (From Rules) of Article 2. (Form) of Chapter 1A of the LAMC shall be amended as follows:

2. Lot Amenity Alternative Types

a. Courtyard

i. Width

The width of the courtyard shall be a minimum of 30 percent of the *lot width*, or a minimum of 15 feet, whichever is greater, measured parallel to the applicable *primary street lot line*. Allowable horizontal encroachments, pursuant to Sec. 2C.2.2.E.1., may encroach into the required depth, at the allowances permitted for encroachment into Primary/Side Street, Special Lot Line setbacks, provided that a minimum unobstructed width of 10 feet is maintained.

ii. Depth

The depth of the courtyard shall be a minimum of 40 percent of the lot depth, measured perpendicular to the applicable *primary street lot line*. Allowable horizontal encroachments, pursuant to Sec. 2C.2.2.E.1., may encroach into the required depth, at the allowances permitted for encroachment into Primary/Side Street, Special Lot Line setbacks.

iii. Outdoor Space

The entirety of the courtyard space shall meet the requirements of *Sec. 2C.3.4.C.1. (Outdoor Space)*.

iv. Location

The courtyard shall be placed in one of the following locations on the lot:

- a) *Abutting the front yard on a lot*, so as to create a courtyard that extends backward into the *lot* starting from the *front yard* or a courtyard that connects the *front yard* to another outdoor space meeting the standards of *Sec. 4C.3.4.C.1. (Outdoor Space)* on the *lot*.
- b) An internal courtyard, surrounded ~~on all sides~~ for at least 50% of its perimeter by *buildings* or *structures* and contained entirely within a single *lot*. For projects utilizing the Small Lot 2 Alternate Typology (Sec. 7B), the courtyard may span multiple lots resulting from the proposed subdivision.
- c) *Abutting an at-grade lot amenity space* on an abutting *lot*, so as to create the effect of one large open space across multiple *lots*.

Sec. 4. The title of Division 7B.3. (Small Lot Subdivision) of Part 7B. (Alternate Typologies) of Article 7. (Alternate Typologies) of Chapter 1A of the LAMC shall be amended as follows:

Div. 7B.3. ~~Small Lot Subdivision~~ Missing Middle Housing

Sec. 5. Section 7B.3.2. (Small Lot 2) of Division 7B.3. (Small Lot Subdivision), of Part 7B. (Alternate Typologies) of Article 7. (Alternate Typologies) of Chapter 1A of the LAMC shall be added to read as follows:

SEC. 7B.3.2. SMALL LOT 2

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A, RG, RX, CX, IX, & P	All Density Districts, except N

2. Eligible Projects

Projects that meet the definition of *unified development* and involve the creation of two or more *lots* or *airspace lots* provided to accommodate *dwelling units* and that meet all of the following criteria are eligible for the Small Lot 2 Alternate Typology:

- a. Number of Lots
The proposed subdivision will result in 10 or fewer *lots*;
- b. Number of Units
The *project* will result in 10 or fewer *dwelling units* on the *lot* proposed to be subdivided, not inclusive of allowable *ADUs* or *JADUs*;
- c. Fee-Simple Lots
The proposed *project* must result in the creation of fee-simple *lots* containing *buildings* including *residential uses*.
- d. Affordable Units
The proposed *project* would not result in the demolition or alteration of a *restricted affordable unit* or a *dwelling unit* subject to Chapter 15 (Rent Stabilization Ordinance) of the LAMC;
- e. Environmental Restrictions
 - i. The *lot* proposed to be subdivided is not located in a *Fire Restriction Area*;
 - ii. The *lot* proposed to be subdivided is not located in lands under a conservation easement;
- f. Tenancy
The proposed *project* would not require the demolition or alteration of a *dwelling unit* occupied by tenants within 5 years preceding the date of application, including *dwelling units* that have been demolished or that tenants have vacated prior to the submission of the application for using the Small Lot 2 Alternate Typology.
- g. Vacancy
For *lots* with an applied Density District (Part 6B) of 1L the *lot* must contain no permanent *structures* at the time a building permit for new construction is issued, unless the permanent *structure* is abandoned and uninhabitable.
- h. Housing Element Sites

- i. Regardless of the applied Density District, if the *lot* proposed to be subdivided is mapped on the Inventory of Housing Elements Sites Map (Sec. 1.5.13.), the proposed *project* will result in at least as many *dwelling units* as are projected for that *lot* in the Housing Element, not to exceed 10 *dwelling units*;
- ii. If applicable, the proposed *project* will result in as many *restricted affordable units* for *low income households* or *very low income households* as identified in the Housing Element.
- i. Historic Resources
The proposed *project* is not located in an *Historic Preservation Overlay Zone* (HPOZ), would not require the *demolition* of a *designated historic resource*, and is not located on a *lot* where a *designated historic resource* was demolished after December 31, 2022.
- j. Concurrent Subdivision and Development
The *project* consists of concurrent application for the proposed *subdivision* and housing development project and both utilize the standards of the Small Lot 2 Alternate Typology.



B. Intent

The Small Lot 2 Alternate Typology is intended to encourage infill housing that expands opportunities for fee-simple home ownership citywide, with an emphasis on smaller subdivisions, up to 10 *lots*. This Alternate Typology allows smaller lot sizes for *unified developments* in order to provide greater flexibility for infill housing, while maintaining standards essential for ensuring all *projects* contribute to a highly walkable and human scale neighborhood environment.

C. Review

1. Subdivision

Lot modifications utilizing the Small Lot 2 Alternate Typology shall be reviewed pursuant to Sec. 13B.7.10. (Ministerial Preliminary Parcel Map) for subdivisions resulting in four or fewer *lots* or pursuant to Sec. 13B.7.9. (Ministerial Tentative Tract Map) for subdivisions resulting in five to ten *lots*.

2. Construction and modification

- a. New construction, major remodels, site modification, exterior modification, use modification, temporary uses, demolition, renovation, or maintenance & repair on lots created pursuant to the Small Lot 2 Alternate Typology, shall be reviewed pursuant to Sec. 13B.3.3. (Zoning Plan Check).
- b. Any review otherwise required by an applicable *Specific Plan*, *Supplemental District*, or *Special Zone* shall be completed pursuant to Sec. 13.5.1. (Administrative Review).
- c. No City agency shall require a discretionary permit process, including a public hearing process, for a *project* that complies with this Section. The City shall not exercise any subjective judgment in deciding whether and how to carry out or approve the *project*. This includes but is not limited to a haul route grading permit, demolition permit or a tree removal permit for projects approved under this Section.
- d. *Projects* shall be reviewed for conformance with the requirements of California Government Code Sec. 65913.4.5 and this Section. This may include a requirement for a recorded covenant and agreement that states the building permit is issued on the condition that a certificate of occupancy for the building will not be issued unless the final map has been recorded.

D. Form Standards

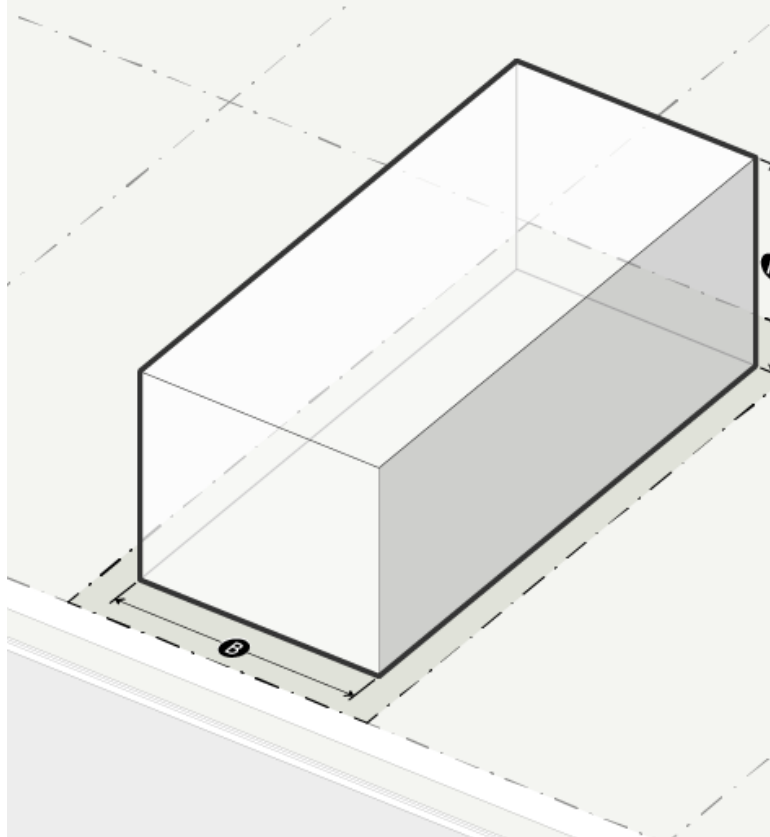
Projects shall utilize the Form standards provided in the table below, as applicable, except as outlined in Paragraphs 3 through 8, below. *Projects* may meet the standards for a “Standard Project” or a “Bungalow/Garden Project”, but must meet all the standards in the applicable column in the table and cannot mix standards across multiple columns.

1. Lot Parameters

		[Diagram?]	
		Standard Project	Bungalow Court/Garden Project
a. LOT SIZE		Sec. 7C.1.1	
	<u>Lot area (min)</u>	For 1L Density Districts: 900 SF For all other Density Districts: 450-600 SF, as outlined in Paragraph 3, below	For 1L Density Districts: 900 SF For all other Density Districts: 450-600 SF, as outlined in Paragraph 3, below
	<u>Lot width (min)</u>	12'	12'
b. COVERAGE		Sec. 7C.1.1	
	<u>Building coverage (max)</u>	75%	75%
<u>Building setbacks</u>			
	<u>Primary street</u>	Set by Form District	10' or 50% of the setback required by the Applied Form District, whichever is smaller
	<u>Side street (min)</u>	Set by Form District	10' or 50% of the setback required by the Applied Form District, whichever is smaller

	<u>Side (min)</u>	<u>4'</u>	<u>3' or Set by Form District, whichever is smaller</u>
	<u>Interior</u>	<u>0'</u>	<u>0'</u>
	<u>Rear (min)</u>	<u>4'</u>	<u>7.5' or Set by Form District, whichever is smaller</u>
	<u>Alley (min)</u>	<u>Set by Form District</u>	<u>Set by Form District</u>
	<u>Special: All (min)</u>	<u>Set by Form District</u>	<u>Set by Form District</u>
<u>c. AMENITY</u>		<u>Sec. 7C.1.1.</u>	
	<u>Lot amenity space (min)</u>	<u>15% or Set by Form District; whichever is smaller</u>	<u>15% or Set by Form District; whichever is smaller</u>
	<u>Required at grade (min)</u>	<u>50% or Set by Form District; whichever is smaller</u>	<u>100%</u>
	<u>Required Lot Amenity Alternative</u>	<u>Not Applicable</u>	<u>Courtyard</u>
	<u>Residential amenity space (min)</u>	<u>Set by Form District</u>	<u>Set by Form District</u>

2. Bulk and Mass

		[Diagram?]	
		Standard Project	Bungalow Court/Garden Project
a. FAR & HEIGHT		Sec. 7C.1.1	
	<u>Floor area ratio (FAR)</u>	<u>Set by Form District; or as provided in Paragraph 4, below</u>	<u>1.25 or Set by Form District, whichever is greater</u>
	<u>Bonus FAR</u>	<u>1.75 or Set by Form District, whichever is greater</u>	<u>1.75 or Set by Form District, whichever is greater</u>
	<u>Height in stories (max)</u>	<u>Set by Form District</u>	<u>Set by Form District</u>
	<u>Height in feet (max)</u>	<u>28' or Set by Form District, whichever is greater; or as provided in Paragraph 7, below</u>	<u>28' or Set by Form District, whichever is greater; or as provided in Paragraph 7, below</u>
	<u>Bonus Height</u>	<u>4 stories or Set by Form District, whichever is greater</u>	<u>4 stories or Set by Form District, whichever is greater</u>
b. BUILDING MASS		Sec. 7C.1.1	
	<u>Building width (max)</u>	<u>Set by Form District</u>	<u>Set by Form District</u>
c. UPPER-STORY BULK		Sec. 7C.1.1	

	<u>Wall Plate Height</u>	<u>Set by Form District; or as provided in Paragraph 7, below</u>	<u>Set by Form District; or as provided in Paragraph 7, below</u>
	<u>Street step-back</u>	<u>Set by Form District</u>	<u>Set by Form District; except that any portion of a <i>building</i> or <i>structure</i> located within the <i>primary street</i> <i>setback</i> required by the applied Form District shall be limited to a <i>height in feet of 22'</i></u>
	<u>Height Transition</u>	<u>Set by Form District</u>	<u>Set by Form District</u>

3. Minimum Lot Size Reduction

Lots created pursuant to the Small Lot 2 Alternate Typology and that have an applied Density District (Part 6B) other than 1L or N, are eligible for a minimum *lot size* of 600 square feet. For *projects* in which all new *dwelling units* in the *project* are limited to an average of 1,300 net habitable square feet per *dwelling unit*, not including allowable ADUs or JADUs or dwelling units on a designated *remainder parcel*, the minimum *lot size* may be reduced to 450 square feet; however, in no case shall the total number of *dwelling units* in the *project* exceed ten.

4. Incremental FAR

In lieu of the maximum *FAR* of the applied Form District (Part 2B), a Standard Projects may opt to use the following incremental *FAR* limits, which depend on the total number of *dwelling units* provided across the project site, as outlined in the table below. Bungalow Court/Garden Projects are subject to a flat *FAR* limit of 1.25, regardless of the number of dwelling units provided, as indicated in Paragraph 2 (Bulk and Mass), above.

<u>Total Dwelling Units</u>	<u>Floor Area Ratio (max.)</u>
<u>1-2</u>	<u>Set by Form District</u>
<u>3-7</u>	<u>1.0</u>
<u>8-10</u>	<u>1.25</u>

5. FAR Averaging

For projects that provide a shared automobile parking location or a common open space easement, floor area may be averaged across the entire unified development project site; however, projects must still maintain compliance with all other applicable requirements, including height limitations and amenity space requirements.

6. Lot Amenity Space Exceptions

Projects utilizing the Small Lot 2 Alternate Typology may opt to provide required lot amenity space on each individual fee-simple lot created by the subdivision or to provide one or more shared spaces to meet the cumulative lot amenity space requirement based on the area of the entire unified development project site.

a. For Standard Projects, where the lot amenity space requirement is met on each individual lot, areas provided to meet the lot amenity space requirement may comply with the standards of Sec. 2C.3.3.C.4. (Private Outdoor Amenity Space), as described in Sec. 2C.3.1.E.1.

b. For Bungalow Court/Garden Projects, the space used to meet the required courtyard lot amenity alternative (Sec. 2C.3.5.) may be provided as a single shared space or divided across multiple lots in the subdivision, provided that the space as a contiguous whole meets the dimensional, design, and location requirements outlined for the courtyard lot amenity alternative in Sec. 2C.5.3. (Lot Amenity Alternatives). For the purposes of meeting these standards, required courtyard dimensions shall be based on the dimensions of the total project site, prior to the proposed subdivision.

7. Height Exception

Projects may build up to a height in stories of 4 stories feet if the project opts to apply a wall plate height of 34 feet or less. Where the applied Form District (Part 2B) allows for a higher height in feet, height in stories, or wall plate height, the project may utilize the height limits of the applied Form District (Part 2B).

8. Setback Exceptions

Building setback requirements outlined in Paragraph 1. (Lot requirements of the applied Form District (Part 2B) on the lot:

a. 2-Story Frontage

For a Standard Project, the required *primary street setback* and *side street setback* may be reduced to 15 feet, subject to the following *street step-back* standards.

- i. Stories without street step-back: 2 stories; and
- ii. Street step-back depth: 5 feet

b. Corner Lots

Where a *project site* consists of two or more consolidated *lots*, including at least one *corner lot*, the *primary street setback* and *side street setback* may be reduced to 10 feet, subject to the following *street step-back* standards.

- i. Stories without street step-back: 2 stories; and
- ii. Street step-back depth: 10 feet, or stepped back to the *required primary street setback* or *side street setback*, as applicable, of the applied Form District (Part 2B), whichever is smaller.

c. Large Projects

Large-site *projects* meeting the following criteria may reduce the *primary street setback* or *side street setback* by a dimension equal to a corresponding increase in the *rear setback*, up to a minimum *primary street setback* or *side street setback* of 10 feet:

- i. The *project site* occupies 50% or more of the length of a block face; or
- ii. The *project site* has a *lot width* of 120 feet or more and includes a *corner lot*.

d. Avenues & Boulevards

Where the *project site* is located along a street with a *street designation* of Avenue or Boulevard the *primary street setback* and *side street setback* may be reduced to 10 feet.

e. Reverse Corner Lots

Where newly created *lots* on a reverse *corner lot* result in the newly created lots having a different *primary street lot line* than the original *lot* proper to *subdivision*, the *primary street setback* may be reduced to five feet or may align with the façade of the *adjoining building* along the same *block face*, whichever is less

e. Front Yard Average

The *primary street setback* may be reduced to the average depth of the setbacks of *adjoining buildings* along the same *block face*. If the *project site* is a *corner lot*, is *adjoining a vacant lot*, or has only one *adjoining building* along the same *block face*, the setback may align with the façade of the adjoining building along the same *block face*.

f. Existing Development Pattern

Where prevailing residential *buildings* have variable setbacks, the *primary street setback* may align with the shallowest setback for a residential *building* along the same *block face*, provided that any portion of a building within the otherwise required setback does not exceed 25 feet in height.

g. Existing Structures

No setback shall be required for an existing *permitted building* or *structure* or for a new *building* or *structure* constructed in the same location and to the same dimensions as an existing permitted *building* or *structure*.

E. Frontage Standards

Projects shall utilize the Frontage standards provided in the table below, as applicable, except as outlined in Paragraphs 3 through 4, below. *Projects* may meet the standards for a “Standard Project” or a “Bungalow/Garden Project”, but must meet all the standards in the applicable column in the table and cannot mix standards across multiple columns.

1. Lot

[Diagram]			[Diagram]	
			Standard Project	
			Bungalow Court /Garden Project	
			Primary	Side
a. BUILD-TO			Sec. 7C.1.2.	
	Build-to depth (max)	6'	Not Required	6'
	Build-to width (min)	50%	Not Required	45%
b. PARKING			Sec. 7C.1.2.	
	Parking setback	10'	5'	10'
c. LANDSCAPING			Sec. 7C.1.2.	
	Frontage planting area (min)	50%	50%	50%
	Frontage yard fence & wall type allowed:	A2	A2	A2

2. Facade

[Diagram]		[Diagram]	
		Standard Project	
		Bungalow Court/Garden Project	

		<u>Primary</u>	<u>Side</u>	<u>Primary</u>	<u>Side</u>
<u>a. TRANSPARENCY</u>		<u>Sec. 7C.1.2.</u>			
	<u>Transparent area (min)</u>				
	<u>Ground story</u>	<u>12%</u>	<u>10%</u>	<u>12%</u>	<u>10%</u>
	<u>Upper stories</u>	<u>15%</u>	<u>15%</u>	<u>15%</u>	<u>10%</u>
	<u>Active wall spacing (max)</u>	<u>10'</u>	<u>20'</u>	<u>10'</u>	<u>20'</u>
<u>b. ENTRANCES</u>		<u>Sec. 7C.1.2.</u>			
	<u>Street-facing entrance</u>	<u>Required</u>	<u>Required</u>	<u>Required, may face courtyard amenity space</u>	<u>Required, may face courtyard amenity space</u>
	<u>Entrance spacing (max)</u>	<u>40'</u>	<u>40'</u>	<u>40'</u>	<u>40'</u>
	<u>Entry feature</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
	<u>Options</u>	<u>• Porch</u> <u>• Raised entry</u> <u>• Forecourt</u> <u>• Recessed entry</u> <u>• Covered entry</u>		<u>• Courtyard</u> <u>• Breezeway</u>	
<u>c. GROUND STORY</u>		<u>Sec. 7C.1.2.</u>			
	<u>Ground story height (min)</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>
	<u>Ground floor elevation (min/max)</u>	<u>-2'/5'</u>	<u>-2'/5'</u>	<u>-2'/5'</u>	<u>-2'/5'</u>

F. Development Standards

Development Standards are set by the applied Development Standards District (Part 4B.), except as modified below.

1. Pedestrian Access

In addition to any site access pedestrian standards specified by the applied Development Standards District (Part 4B.), small lot subdivisions shall be subject to the following:

- a. Small lot subdivisions shall provide a shared pedestrian accessway meeting the following standards:
 - i. Shall have the pedestrian accessway providing site access to any street-facing entrance required by the applicable Frontage District (Part 3B.) be a minimum width of four feet. All pedestrian accessways that are used for internal circulation, such as leading to

- other entrances or amenity spaces shall have a minimum width of three feet and shall be open to the sky.
- ii. Shall connect from the public right of way, or other publicly accessible pedestrian facility-along the frontage lot line, to all common open spaces, mailboxes, trash enclosures, and each required pedestrian entrance.
 - iii. Shall be accessible to users of all lots included in the small lot subdivision.
 - iv. Shall be physically separated from and uninterrupted by motor vehicle use areas except where required to cross a drive aisle or driveway. Physical separation methods may include, curbs of no less than four inches in height, a planting area having no horizontal dimension less than 18 inches, or bollards, raised planters or similar containment methods, no less than 12 inches in height and separated by no more than five feet.
 - v. A Bungalow Court/Garden Project may extend across multiple subdivisions utilizing the Small Lot 2 Alternate Typology and may share pedestrian access across those subdivisions.
- b. Each dwelling unit that does not include a street-facing entrance accessible from a pedestrian accessway, shall provide a pedestrian entrance that meets the following standards:
- i. Shall face the required shared pedestrian accessway or, for a Bungalow Court/Garden Project, shall face the required courtyard amenity space.
 - ii. Shall provide an entry feature meeting the standards for one of the allowed entry features options specified by Sec. 7B.3.1.E. (Frontage Standards). For the purposes of meeting entry feature standards, a pedestrian access that faces a linked pedestrian accessway shall be considered a street-facing entrance.

2. Automobile Access

- a. Bungalow Court/Garden Projects may exceed the otherwise applicable limitations on number of access lanes set by the applied Development Standards District (Part 4B), up to a maximum of two access lanes provided within a distance of 75 feet.
- c. Bungalow Court/Garden Projects may extend across multiple subdivisions utilizing the Small Lot 2 Alternate Typology and may share automobile access across those subdivisions.
- b. For Bungalow Court/Garden Projects, automobile access may also be provided within the required courtyard by an access lane consisting of two paved wheel strips, each at least 33 inches feet in width, separated by a permeable strip at least 30 inches in width. Where this

type of access lane is provided, a minimum 30 inch-wide landscaped area shall be maintained along each side of the access lane for at least 50 percent of its length. Entry features may encroach into the landscaped area along the remaining 50 percent of the access lane length.

3. Automobile Parking

Set by the applicable Parking Package in the applied Development Standard District (Part 4B), with the following exceptions:

- a. Regardless of the applicable Parking Package, no more than 0.5 automobile parking stalls shall be required per dwelling unit.
- b. Regardless of the otherwise applicable Parking Package, no automobile parking stalls shall be required for dwelling units when the lot is located within ½ mile of a corridor with high quality transit service or within ½ mile of a major transit stop.
- c. All automobile parking stalls may be designed as compact parking, as outlined in Sec. 4C.4.3.C.10 (Parking Stall Dimensions), including any required electric vehicle parking stalls.
- d. Automobile parking stalls are not required to be located on the same lot as the associated residential use, provided that required automobile parking stalls are located within 750 feet of the associated dwelling unit and connected to the associated dwelling unit with a pedestrian accessway.

4. Additional Rules

For additional Development Standards rules, see the applied Development Standard District (Part 4B) and Development Standards Rules (Part 4C).

G. Use Standards

See the applied Use District (Part 5B).

H. Density Standards

1. Maximum Density

- a. Projects utilizing the Small Lot 2 Alternate Typology may build up to a density allowed by the applied Density District (Part 6B) or up to a density of 1,452 square feet of lot area per dwelling unit, whichever is greater, up to a maximum of 10 total dwelling units.
- b. Where all new dwelling units in the project are limited to an average of 1,300 net habitable square feet per dwelling unit, projects may build up to a density of 1,200 square feet of lot area per dwelling unit, up to a maximum of 10 total dwelling units.

- c. Calculations of allowable density, average habitable square feet per dwelling unit, and maximum density of 10 *dwelling units* shall not include allowable ADUs and JADUs and *dwelling units* located on a designated *remainder parcel*.
- d. A fractional number resulting from the calculation of these allowable densities may be rounded up to the next whole number of *dwelling units*.

2. Minimum Density

- a. Regardless of the applied Density District, if the *lot* proposed to be subdivided is mapped on the Inventory of Housing Elements Sites Map (Sec. 1.5.13.), the proposed *project* shall result in at least as many *dwelling units* as are projected for that *lot* in the Housing Element.
- b. For *lots* not mapped on the Inventory of Housing Element Sites Map (Sec. 1.5.13.), no minimum density applies, provided that the *project* meets the following criteria:
 - i. Contains more *dwelling units* than would otherwise be permitted by the applied Density District (Part 6B); and
 - ii. The average net habitable square feet of the proposed *dwelling units* does not exceed 1,750 square feet, excluding allowable ADUs, JADUs, and *dwelling units* located on a designated *remainder parcel*.
- c. If the *lot* proposed to be subdivided is not mapped on the Inventory of Housing Elements Sites Map (Sec. 1.5.13.) and the project does not meet the criteria outlined in Subparagraph b, above, the proposed *project* is subject to greater of the following minimum density requirements, not to exceed 10 *dwelling units*, excluding allowable ADUs and JADUs:
 - i. At least 66 percent of the *maximum allowable residential density* for the *lot*; or
 - ii. 66 percent of the applicable residential density specified in California Government Code Sec. 65583.2(c)(3)(B), including where no *maximum allowable residential density* is specified for the *lot*.
- d. Allowable ADUs and JADUs may count toward satisfying any applicable minimum density requirement.
- e. The *lot area* of any designated *remainder parcel*, as defined in California Government Code Section 66424.6, shall be excluded from the calculation of minimum density for the purposes of meeting this minimum density requirement.

3. Accessory Dwelling Units

Despite otherwise applicable allowances for *accessory dwelling units*, pursuant to Div. 7B.8. (Accessory Residences), projects utilizing the Small Lot 2 Alternate Typology are subject to the following *accessory dwelling unit* allowances:

- a. One attached *ADU* or *JADU* will be allowed on each *lot* created pursuant to the Small Lot 2 Alternate Typology.
- b. All other provisions of Div. 7B.8. (Accessory Residences) apply to *accessory dwelling units* constructed on *lots* created using the Small Lot 2 Alternate Typology.

I. Other Standards

1. Small Lot Standards

The proposed *project* shall comply with all applicable requirements of the Advisory Agency Small Lot Map Standards and the City Planning Commission's Objective Design Standards for Small Lot Homes.

2. Utilities

Lots created through the Small Lot 2 Alternate Typology shall be served by a public water system and a municipal sewer system.

3. Building Separation

Buildings and *structures* comprising the *project* may cross the lot lines of the new *lots* created pursuant to the Small Lot 2 Alternate Typology. No separation shall be required between *buildings* or *dwelling units* within the *project* due to the location of *lot lines* in the *subdivision*, except as required by the Building Code.

4. Applicable Subdivision Standards

Any of the Subdivision Map Act standards expressly referenced in California Government Code Section 66499.41 do not apply to subdivisions utilizing the Small Lot 2 Alternate Typology, despite what is otherwise outlined in Article 11 (Division of Land)

5. Homeowners' Associations

The formation of a homeowners' association is not required for projects utilizing the Small Lot 2 Alternate Typology, except as required by the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code). This shall not be construed to prohibit the Advisory Agency from requiring a mechanism for the maintenance of common space within the subdivision, including, but not limited to, a road maintenance agreement.

6. Sale-Lease Requirements

No person shall sell, lease, or finance any parcel or parcels of real property resulting from a separately from any other such parcel or parcels,

unless each parcel that is sold, leased, or financed meets one of the following criteria:

- a. The parcel contains a residential structure completed in compliance with all applicable provisions of the California Building Standards Code that includes at least one dwelling unit.
- b. The parcel already contains an existing legally permitted residential structure.
- c. The parcel is reserved for internal circulation, open space, or common area.
- d. The parcel is the only remaining parcel within the *subdivision* that is not developed with a residential structure that was completed in compliance with all applicable provisions of the California Building Standards Code.
- e. The parcel is not a designated *remainder parcel*.

J. Relief

1. Any objective zoning, design, or subdivision standard that physically precludes the development of a *project* built to a density of 1,452 square feet of *lot area* per *dwelling unit*, or the maximum density allowed by the applied Density District (Part 6B), whichever is greater, at the minimum *floor area ratio* standards in Government Code Section 65852.28(b)(2)(G), is not applicable. Calculation of the number of *dwelling units* protected by the density standard of 1,452 square feet of *lot area* per *dwelling unit* shall be rounded up to the next whole *dwelling unit*. Applicants may make a written request as part of their application to waive or modify a standard by identifying the standard and demonstrating how its application would physically preclude the development of such a *project*. The Department shall modify or waive any local standard to the extent that the standard would have the effect of physically precluding the construction of the number of *dwelling units* protected by this Subsection, including the *floor area* provided to accommodate such *dwelling units*. If waiver or modification requests are denied or subsequently modified, the Department shall provide an explanation in writing detailing why application of the standard did not physically preclude the protected *project* under this Subsection.

2. Modifications from height regulations on *lots* with an applied Density District of 1L may not be requested pursuant to this Subsection.

Sec. 6. Section 7B.3.3. (Small Lot 3) of Division 7B.3. (Small Lot Subdivision), of Part 7B. (Alternate Typologies) of Article 7. (Alternate Typologies) of Chapter 1A of the LAMC shall be added to read as follows:

SEC. 7B.3.3. SMALL LOT 3

A. Eligibility

1. Eligible Districts

<u>Form</u>	<u>Frontage</u>	<u>Standard</u>	<u>Use</u>	<u>Density</u>
<u>All</u>	<u>All</u>	<u>All</u>	<u>A , RG , RX , CX , IX , & P</u>	<u>All Density Districts, except N</u>

2. Eligible Lots

a. Number of Lots

Only proposed subdivisions resulting in 10 or fewer *lots* are eligible to use the Small Lot 3 Alternate Typology.

b. Number of Units

Only *projects* that result in 10 or fewer *dwelling units* on the *lot* proposed to be subdivided, excluding existing *dwelling units* located on a remainder parcel, as defined in California Government Code Section 66424.6, are eligible to use the Small Lot 3 Alternate Typology.

c. Lot Area

Only *lots* with the following total *lot areas*, prior to subdivision, are eligible to use the Small Lot 3 Alternate Typology, depending on the applied Density District (Part 6B) on the *lot*:

i. For *lots* with an applied Density District (Part 6B) of 2L or higher, including any Density District listed in Div 6B.2. (Lot Area-Based Density Districts) except for the N Density District, a *lot area* of 5 acres or less; or

ii. For *lots* with an applied Density District (Part 6B) of 1L, a *lot area* of 1.5 acres or less.

d. Urban Uses

Only *lots* substantially surrounded by “qualified urban uses”, as defined by California Public Resources Code Section 21072, are eligible to use the Small Lot 3 Alternative Typology.

e. Previously Subdivided Lots

Lots that were previously established pursuant to this Section or pursuant Sec. 7B.3.4. (Urban, Lot Split) are not eligible to subdivide again utilizing the Small Lot 3 Alternative Typology; however, other *projects* that conform to the standards outlined in this Section, including *additions, major remodel, or renovation*, may be proposed and reviewed pursuant to this Section.

f. Housing Element Sites

If the *lot* proposed to utilize Small Lot 3 Alternative Typology is identified as a Housing Element Site, pursuant to Sec. 1.5.13. (Inventory of Housing Element Sites Map), the proposed project must meet the following requirements in order to be eligible to use the Small Lot 3 Alternate Typology

- i. The proposed project must result in at least as many *dwelling units* as projected for that *lot* in the Housing Element, and
- ii. If applicable, the proposed *project* must result in as many *restricted affordable units* for *low income households* or *very low income households* as identified in the Housing Element. These dwelling units shall be subject to a recorded affordability restriction as specified in Sec. 4C.15.3. (Restricted Affordable Units).
- g. Affordable Units
Lots for which subdivision would require the demolition or alteration a *restricted affordable unit* or a *dwelling unit* subject to Chapter 15 (Rent Stabilization Ordinance) of the LAMC, are not eligible to use the Small Lot 3 Alternate Typology.
- h. Tenancy
Lots are not eligible for the Small Lot 3 Alternate Typology where the proposed *project* would require the demolition or alteration of a *dwelling unit* occupied by tenants within 5 years preceding the date of application, including *dwelling units* that have been demolished or that tenants have vacated prior to the submission of the application for using the Small Lot 3 Alternate Typology.
- i. Vacancy
For *lots* with an applied Density District (Part 6B) of 1L, in order to be eligible to use the Small Lot 3 Alternate Typology, the *lot* must contain no permanent *structures* at the time of application, unless the permanent *structure* is abandoned and uninhabitable.
- j. Ellis Act
Lots meeting both of the following criteria are not eligible for the Small Lot 3 Alternative Typology:
 - i. The proposed *project* would require the alteration of a *dwelling unit* or loss of a *dwelling unit*, and
 - ii. An Ellis Act withdrawal of units has occurred on the *lot* within 15 years of the application to use the Small Lot 3 Alternate Typology.
- k. Environmental Restrictions
Lots meeting any of the following criteria are not eligible to use the Small Lot 3 Alternate Typology:
 - i. Located in a *Very High Fire Hazard Severity Zone*. This restriction does not apply to sites excluded from the *Very High Fire Hazard*

Severity Zone by a local agency, pursuant to subdivision (b) of California Government Code Section 51179(b).

- ii. Located on either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction;
- iii. Located in wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993);
- iv. Located on lands identified for conservation in an adopted natural community conservation plan, pursuant California Fish and Game Code Sec. 2800; a habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan;
- v. Located in habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code);
- vi. Located on lands under a conservation easement;
- vii. Containing any portion of a hazardous waste site that is listed pursuant to California Government Code Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless:
 - a) The site is an underground storage tank site that received a uniform closure letter issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code based on closure criteria established by the State Water Resources Control Board for residential use or residential mixed uses; or
 - b) The State Dept. of Public Health, State Water Resources Control Board, Department of Toxic Substances Control, or a local agency has made a determination pursuant to subdivision (c) of Section 25296.10 of the Health and Safety Code, has

otherwise determined that the site is suitable for residential use or residential mixed uses. cleared the site for residential use or residential mixed uses;

- viii. Located within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations;
- ix. Located within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency. If a development proponent is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, a local government shall not deny the application on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met: (i) The site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction. (ii) The site meets Federal Emergency Management Agency requirements necessary to meet minimum floodplain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations; or
- x. Located within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

I. Existing Unit Separation

Lots for which the proposed subdivision would result in any existing dwelling unit being alienable separate from the title to any other existing dwelling unit on the same lot prior to subdivision are not eligible to use the Small Lot 3 Alternate Typology.

B. Intent

The Small Lot 3 Alternate Typology is intended to support the ministerial approval of a parcel map or a tract map for the subdivision of a lot into 10 or fewer smaller lots as well as the construction of 10 or fewer dwelling units across those subdivided lots, in accordance with California Government Code Sec. 66499.40 - 66499.41

C. Review

1. Subdivision

Lot modifications associated with utilizing the Small Lot 3 Alternate Typology shall be reviewed pursuant to Sec. 13B.7.10. (Ministerial Preliminary Parcel Map) for subdivisions resulting in four or fewer lots or pursuant to Sec. 13B.7.9. (Ministerial Tentative Tract Map) for subdivisions resulting in five to ten lots. Subdivisions are still subject the standards outlined in Article 11 (Division of Land).

2. Construction and modification

- a. New construction, major remodels, site modification, exterior modification, use modification, temporary uses, demolition, renovation, or maintenance & repair on lots created pursuant to the Small Lot 2 Alternate Typology, shall be reviewed pursuant to Sec. 13B.3.3. (Zoning Plan Check).
- b. Any review otherwise required by an applicable Specific Plan, Supplemental District, or Special Zone shall be completed pursuant to Sec. 13.5.1. (Administrative Review).
- c. No City agency shall require a discretionary permit process, including a public hearing process, for a project that complies with this Section. The City shall not exercise any subjective judgment in deciding whether and how to carry out or approve the project. This includes but is not limited to a haul route grading permit, demolition permit or a tree removal permit for projects approved under this Section.
- d. Projects shall be reviewed for conformance with the requirements of California Government Code Section 65913.4.5 and this Section. This may include a requirement for a recorded covenant and agreement that states the building permit is issued on the condition that a certificate of occupancy for the building will not be issued unless the final map has been recorded.

D. Form Standards

Projects shall utilize the Form standards provided in the tables below, as applicable, except as outlined in Paragraphs 3 through 4, below.

1. Lot Parameters

[Diagram]		
a. LOT SIZE		Sec. 7C.1.1
	Lot area (min)	For 1L Density Districts: 1200 SF For all other Density Districts: 600 SF
	Lot width (min)	None
b. COVERAGE		Sec. 7C.1.1
	Building coverage (max)	Set by Form District
	Building setbacks	
	Primary street	Set by Form District
	Side street (min)	Set by Form District
	Side (min)	4'
	Side, interior (min)	0'
	Rear (min)	4'
	Alley (min)	Set by Form District
	Special: All (min)	Set by Form District
c. AMENITY		Sec. 7C.1.1.
	Lot amenity space (min)	Set by Form District
	Required at grade (min)	Set by Form District
	Required Lot Amenity Alternative	Not Applicable
	Residential amenity space (min)	Set by Form District

2. Bulk and Mass

[Diagram]		
a. FAR & HEIGHT		Sec. 7C.1.1
	Floor area ratio (FAR)	Set by Form District; or as provided in Paragraph 3 and 4, below
	Bonus FAR	1.75 or Set by Form District, whichever is greater
	Height in stories (max)	Set by Form District
	Height in feet (max)	Set by Form District
	Bonus Height	4 stories or Set by Form District, whichever is greater
b. BUILDING MASS		Sec. 7C.1.1
	Building width (max)	Set by Form District
c. UPPER-STORY BULK		Sec. 7C.1.1
	Wall Plate Height	Set by Form District

	Street step-back	Set by Form District
	Height Transition	Set by Form District

3. In lieu of the maximum FAR of the applied Form District (Part 2B), a project may opt to use the following incremental FAR limits, which depend on the total number of dwelling units provided across project site, as outlined in the table below. FAR limits apply independently to each individual lot on the project site.

<u>Total Dwelling Units</u>	<u>Floor Area Ratio (max.)</u>
<u>1-2</u>	Set by Form District
<u>3-7</u>	<u>1.0</u>
<u>8-10</u>	<u>1.25</u>

4. Regardless of the allowable FAR outlined in Paragraphs 1 and 2, above, the net habitable square feet for the proposed dwelling units on the lot proposed to be subdivided shall not exceed 1,750 square feet. The calculation of this average floor area shall not include the floor area of allowable ADUs or JADUs or of dwelling units located on a designated remainder parcel, as defined in California Government Code Section 66424.6.

E. Frontage Standards

See the applied Frontage District (Part 3B) and Frontage Rules (Part 3C).

F. Development Standards

1. Required Automobile Parking Stalls

Set by the applicable Parking Package in the applied Development Standard District (Part 4B), with the following exceptions:

- a. Regardless of the applicable Parking Package, no more than 1 automobile parking stall shall be required per dwelling unit.
- b. Regardless of the otherwise applicable Parking Package, no automobile parking stalls shall be required for dwelling units when the lot is located within ½ mile of a corridor with high quality transit service or within ½ mile of a major transit stop.

- c. Regardless of the applicable Parking Package, no *automobile parking stalls* shall be required for *dwelling units* when the *lot* is located within one block of a car share vehicle drop off or pickup location.
- d. *Automobile parking stalls* are not required to be located on the same *lot* as the associated *residential use*, provided that required *automobile parking stalls* are located within 750 feet of a shared parking lot connected to the associated *dwelling unit* with a *pedestrian accessway*.

2. Additional Rules

For additional Development Standards rules, see the applied Development Standard District (Part 4B) and Development Standards Rules (Part 4C).

G. Use Standards

- 1. The *dwelling units* on the *lots* resulting from a subdivision proposed or approved under the Small Lot 3 Alternate Typology must be one of the following:
 - a. Constructed on fee simple ownership *lots*;
 - b. Part of a common interest development;
 - c. Part of a housing cooperative, as defined in California Civic Code, Sec. 817;
 - d. Owned by a community land trust; or
 - e. Part of a tenancy in common, as defined in California Civil Code Sec. 685.
- 2. For additional Use District standards, see the applied Use District (Part 5B).

H. Density Standards

1. Maximum Density

Set by the applied Density District (Part 6B) or up to a density of 1,452 square feet of *lot area* per *dwelling unit*, whichever is greater; however, *projects* are still subject to the 10- *dwelling unit* and 10-*lot* eligibility thresholds established in Subsection A. (Eligibility), above. Any objective standard that is deemed to physically preclude a project under the Small Lot 3 Alternate Typology from reaching either the density allowed by the applied Density District (Part 6B) or a minimum density of 1,452 square feet of *lot area* per *dwelling unit* is inapplicable, pursuant to Subsection I. (Relief), below

2. Minimum Density

- a. Regardless of the applied Density District, if the *lot* proposed to be subdivided is mapped on the Inventory of Housing Elements Sites Map

(Sec. 1.5.13.), the proposed *project* shall result in at least as many *dwelling units* as are projected for that *lot* in the Housing Element.

- b. If the *lot* proposed to be subdivided is not mapped on the Inventory of Housing Elements Sites Map (Sec. 1.5.13.), the proposed *project* shall result in the greater of the following, not to exceed 10 *dwelling units*, excluding allowable *ADUs* and *JADUs*:
 - i. At least 66 percent of the *maximum allowable residential density* for the *lot*; or
 - ii. 66 percent of the applicable residential density specified in California Government Code Sec. 65583.2(c)(3)(B), including where no *maximum allowable residential density* is specified for the *lot*.
- c. The *lot area* of any designated remainder parcel, as defined in California Government Code Section 66424.6, shall be excluded from the calculation of minimum density for the purposes of meeting this minimum density requirement.

3. Accessory Dwelling Units

Despite otherwise applicable allowances for *accessory dwelling units*, pursuant to Div. 7B.8. (Accessory Residences), projects utilizing the Small Lot 3 Alternate Typology are subject to the following *accessory dwelling unit* allowances:

- a. In fee-simple subdivision *projects* utilizing the Small Lot 3 Alternate Typology, one attached *ADU* or *JADU* will be allowed on each *lot* created pursuant to the Small Lot 3 Alternate Typology.
- b. In a common interest development and condominium *projects* utilizing the Small Lot 3 Alternate Typology, *ADUs* are permitted consistent with the *ADU* allowances for multi-unit buildings outlined in Div. 7B.8. (Accessory Residences). For the purposes of determining *ADU* allowances, the entire project shall be considered as a single multi-unit building.
- c. All other provisions of Div. 7B.8. (Accessory Residences) apply to *accessory dwelling units* constructed on *lots* or common interest developments created using the Small Lot 3 Alternate Typology.

I. Other Standards

1. Applicable Subdivision Standards

Projects utilizing the Small Lot 3 Alternate Typology are not required to meet any of the Subdivision Map Act standards expressly referenced in

California Government Code Section 66499.41, despite what is otherwise outlined in Article 11 (Division of Land).

2. Utilities

Lots created through the Small Lot 3 Alternate Typology shall be served by a public water system and a municipal sewer system.

3. Homeowners' Associations

Projects utilizing the Small Lot 3 Alternate Typology are not required to form a homeowners' association, except as required by the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code). This shall not be construed to prohibit the Advisory Agency from requiring a mechanism for the maintenance of common space within the subdivision, including, but not limited to, a road maintenance agreement.

4. Sale-Lease Requirements

No person shall sell, lease, or finance any parcel or parcels of real property resulting from a subdivision utilizing the Small Lot 3 Alternate Typology separately from any other such parcel or parcels, unless each parcel that is sold, leased, or financed meets one of the following criteria:

- a. The parcel contains a residential structure completed in compliance with all applicable provisions of the California Building Standards Code that includes at least one dwelling unit.
- b. The parcel already contains an existing legally permitted residential structure.
- c. The parcel is reserved for internal circulation, open space, or common area.
- d. The parcel is the only remaining parcel within the *subdivision* that is not developed with a residential structure that was completed in compliance with all applicable provisions of the California Building Standards Code.
- e. The parcel is not a designated *remainder parcel*.

J. Relief

1. Any objective zoning, design, or subdivision standard that physically precludes the development of a *project* built to a density of 1,452 square feet of *lot area* per *dwelling unit*, or the maximum density allowed by the applied Density District (Part 6B), whichever is greater, at the minimum *floor area ratio* standards in Government Code Section 65852.28(b)(2)(G), is not applicable. Applicants may make a written request as part of their application to waive or modify a standard by identifying the standard and demonstrating how its application would physically preclude the development of such a *project*. The Department shall modify or waive any

local standard to the extent that the standard would have the effect of physically precluding the construction of the number of *dwelling units* protected by this Subsection, including the *floor area* provided to accommodate such *dwelling units*. If waiver or modification requests are denied or subsequently modified, the Department shall provide an explanation in writing detailing why application of the standard did not physically preclude the protected *project* under this Subsection.

2. Modifications from height regulations on *lots* with an applied Density District of 1L may not be requested pursuant to this Subsection
3. No objective zoning standard, subdivision, or design standard shall apply solely or partially on the basis that the *subdivision* or housing development utilizes the Small Lot 3 Alternate Typology.

Sec. 7. Section 9.3.7. (Neighborhood Public Benefits Incentive Program) of Division 9.3. (Community Benefits Program) of Article 9. (Public Benefit Systems) of Chapter 1A of theLAMC shall be added to read as follows:

Sec. 9.3.7. Neighborhood Public Benefits Incentive Program

A. Intent

The purpose of the Neighborhood Public Benefits Incentive Program is to encourage smaller-scale projects to incorporate design considerations to better integrate into and support vibrant, active, pedestrian-friendly, and visually pleasing neighborhoods and incorporate features that are of benefit to the public and the community in which the project is located. The Neighborhood Public Benefits Incentive Program creates a system of public benefits exchange for projects that are smaller than those that typically utilize other incentive programs in this Article and that can be utilized within various smaller scale residential and neighborhood-scale building typologies.

B. Applicability

1. Project Activities

The following *project activities* are subject to the Neighborhood Public Benefits Incentive Program:

- a. *New construction* resulting in a project that meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.
- b. Use modification resulting in a project that meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below

c. Lot modification resulting in a project that meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

A project is ineligible for the bonuses, incentives and procedures of the Neighborhood Public Benefits Incentive Program if it is simultaneously participating in any housing incentive program in the Los Angeles Municipal Code, or in a Specific Plan, Supplemental District, or Special Zone, that provides development incentives in exchange for provision of restricted affordable units.

b. Relationship to Specific Plans Special Districts, and Special Zones

Any difference or conflict between the provisions of an applicable Specific Plan, Supplemental District, or Special Zone and the provisions of this Section shall be reconciled pursuant to the reconciling provisions established in Article 8 (Supplemental & Special Zoning).

c. Relationship to Other Zoning Provisions

i. Relationship to Small Lot Subdivisions

Subdivision projects utilizing Sec. 7B.3.1. (Small Lot 1), Sec. 7B.3.2. (Small Lot 2), Sec. 7B.3.3. (Small Lot 3), and Sec. 7B.3.4. (Urban Lot Split) may participate in and receive incentives under the Neighborhood Public Benefits Incentive Program. Additional floor area granted in exchange for the provision of public benefits pursuant to this Section may be averaged across the lots created through the subdivision.

ii. Relationship to Two-Unit Developments

Two-Unit Developments pursuant to Sec. 6C.1.1.E.2. (Two-Unit Developments) may participate in and receive incentives under the Neighborhood Public Benefits Incentive Program.

iii. Relationship to Inclusionary Housing

Projects providing restricted affordable units required by the Inclusionary Housing Program (Sec. 5C.3.1.) may participate in and receive incentives under the Neighborhood Public Benefits Incentive Program.

C. Program Rules

1. Eligibility

To be eligible for incentives outlined in Paragraph 2 (Incentives), below, a project shall comply with all of the following requirements:

a. Number of Dwelling Units

The proposed project must have between two and ten total *dwelling units*. The number of *dwelling units* may be counted across multiple lots in a subdivision *project* developed as a unified *development* in which individual *lots* are smaller than the minimum lot size allowed by the applied Form District (Part 2B).

b. Bonus Zoning

In order for a *project* to received additional *floor area* or height for participation in the Neighborhood Public Benefits Incentive Program, the *lot* on which the *project* is located must have an applied Form District (Part 2B) that includes *bonus FAR, bonus height, tier 1 bonus FAR, tier 2 bonus FAR, tier 1 bonus height or tier 2 bonus height* or be utilizing an applicable Alternate Typology (Article 7), or program in an applicable *Specific Plan, Supplemental District, or Special Zone* that establishes *bonus FAR, bonus height, tier 1 bonus FAR, tier 2 bonus FAR, tier 1 bonus height or tier 2 bonus height*. Other bonuses and modifications to zoning standards, such as setbacks, may be granted regardless of the underlying zoning on the *lot*.

2. Incentives

A *project* meeting the eligibility criteria in Paragraph 1. (Eligibility), shall be granted the following incentives, by providing one or more of the public benefits below. *Projects* may stack and combine multiple public benefits; however, in no case shall the total *floor area* on the *lot* or height of the *project* exceed the highest allowable *FAR* and height listed in the applied Form District (Part 2B) or applicable Alternative Typology (Part 7B.)

a. Tree Preservation

i. Description

The *project* maintains at least one existing *significant tree* on the project site. Where multiple existing *significant trees* are preserved, some incentives may be stacked for each preserved tree, as described in Sub-subparagraph ii. (Incentives), below.

ii. Incentives

a) Floor Area Ratio

A *project* providing the tree preservation public benefit may receive a *floor area ratio* increase of either 0.1:1 *FAR* per existing *significant tree* that is preserved on the *project site*, or an increase in allowable floor area by 2.5 times the area of the *tree protection zone* identified for each preserved significant tree, excluding required setback area. Where a single *project*

consists of multiple *lots* in a *unified development*, the floor area bonus shall be applied to the *lot* on which the preserved *significant tree* or trees are located.

b) Height

A *project* providing the tree preservation public benefit may receive a height increase of 6 feet in *lots* with an applied Form District that limits height by *height in feet* or a height increase of one *story* on *lots* with an applied Form District that limits height by *height in stories*. If the applied Form District (Part 4B) includes a *wall-plate height* limitation, the allowable *wall-plate height* may be increased by 6 feet.

c) Setbacks

A *project* providing the tree preservation public benefit may receive a 20% reduction in any one otherwise required setback. Where a single *project* consists of multiple *lots* in a *unified development*, the setback reduction may be applied to the entire project site.

iii. Supplemental Procedures

a) The health and status of the *significant tree* proposed to be preserved for this benefit shall be verified by a *tree report* prepared by a *certified arborist* or a *tree survey* prepared by a *tree expert* or *landscape practitioner*. To qualify for the tree preservation public benefit, the *project* must include and adhere to a *tree protection plan* during demolition, grading and construction with measures to protect the *critical root zone* and the *tree protection zone* for every *significant tree* to be preserved.

b) A covenant shall be filed with City Planning that requires the tree to be protected with measures in the *tree protection plan* during any construction or subsequent landscaping activities, and retained and maintained in good health for at least 15 years unless a certified arborist attests that the tree is dangerous to the public.

b. Preservation of Surveyed Historic Resources

i. Description

The *project* preserves and maintains an existing *surveyed historic resource* on the *project site*. This includes when a *surveyed historic resource* is removed from the *project* by subdividing such that the *surveyed historic resource* remains on a separate, independent *lot* from the rest of the *project*, such as on a *remainder parcel*.

ii. Incentives

a) Floor Area Ratio

A project providing the tree preservation public benefit may receive a floor area ratio increase of 0.5:1 FAR, which can be averaged across all lots in a unified development consisting of multiple lots.

b) Height

A project providing the preservation of surveyed historic resources public benefit may receive a height increase of 6 feet in lots with an applied Form District that limits height by height in feet or a height increase of one story on lots with an applied Form District that limits height by height in stories. If the applied Form District (Part 4B) includes a wall-plate height limitation, the allowable wall-plate height may be increased by 6 feet.

c) Historical Building Code

A project providing the preservation of surveyed historic resources public benefit is eligible to use the California Historical Building Code if any alteration or rehabilitation involving a Surveyed Historic Resource complies with the Secretary of Interior Standards for Rehabilitation.

iii. Supplemental Procedures

a) Prior to the issuance of a building permit, any proposed alteration of a surveyed historic resource shall be reviewed by the Office of Historic Resources to ensure compliance with the Secretary of the Interior's Standards for Rehabilitation.

Retention without alteration does not require this review. In altering or rehabilitating the surveyed historic resource, the project must not remove character-defining features on the primary facade unless they are replaced in-kind.

b) Prior to issuance of a building permit the owner shall record a covenant and agreement, in a form approved by the Department, requiring retention of the Surveyed Historic Resource for a period of fifteen years following issuance of the Certificate of Occupancy for the Protected Project. During this period, demolition of the resource shall be prohibited and exterior alterations affecting character-defining features shall conform to the Secretary of the Interior's Standards for Rehabilitation, as determined by the Department.

c. At-grade Amenity Space

i. Description

The *project* provides 100 percent of its required *lot amenity space at-grade*.

ii. Incentives

a) Floor Area Ratio

A *project* providing the at-grade amenity space public benefit may receive a *floor area ratio* increase of 0.25:1 *FAR*, which can be averaged across all *lots* in a *unified development* consisting of multiple *lots*.

b) Height

A *project* providing the at-grade amenity public benefit may receive a height increase of 6 feet in *lots* with an applied Form District that limits height by *height in feet* or a height increase of one *story* on *lots* with an applied Form District that limits height by *height in stories*. If the applied Form District (Part 4B) includes a *wall-plate height* limitation, the allowable *wall-plate height* may be increased by 6 feet.

d. Below-grade Parking

i. Description

The *project* locates at least 75 percent of the provided *automobile parking stalls* within a *parking structure* below *finished grade*.

ii. Incentives

a) Floor Area Ratio

A *project* providing the below-grade parking public benefit may build to a maximum floor area ratio of 1.5 *FAR*, provided that the highest allowable *floor area ratio* listed in the applied Form District (Part 2B) or applicable Alternate Typology (Part 7B) is greater than or equal to 1.5. In a *unified development* consisting of multiple *lots*, the *floor area ratio* limit for each individual *lot* in the *project* shall be 1.5.

b) Parking Setback

The below-grade *parking structure* may encroach a maximum of 3 feet beyond the *primary street lot line*.

D. Administration

1. Process

a. Incentives granted as listed in Paragraph 2. (Incentives) of Subsection C. (Program Rules), above, shall be approved pursuant in Sec. 13B.3.1. (Administrative Review), unless otherwise specified by an applicable *Specific Plan*, *Supplemental District*, or *Special Zone*.

b. Some public benefits may require additional review, as described for the applicable public benefit in Paragraph 2. (Incentives) of Subsection C. (Program Rules), above.

c. For *projects* involving *surveyed historic resources*:

i. *Projects* shall be reviewed by the Office of Historic Resources, prior to building permit issuance, to ensure compliance with the Secretary of the Interior's Standards for Rehabilitation.

ii. If proposed alterations to a *surveyed historic resource* do not meet the Secretary of the Interior's Standards for Rehabilitation to the satisfaction of the Office of Historic Resources, the *project* shall instead be reviewed pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit).

2. Records & Agreements

When a covenant is required, as described for the applicable public benefit in Paragraph 2. (Incentives) of Subsection C. (Program Rules), above, prior to issuance of the Certificate of Occupancy the *project*, a covenant acceptable to the Department of City Planning must be recorded with the Los Angeles County Recorder, with the guarantees required for the applicable public benefit in Paragraph 2. (Incentives) of Subsection C. (Program Rules), above,

Sec. 8. Section 13B.7.9. (Ministerial Tentative Tract Map) of Division 13B.7. (Division of Land), of Part 13B. (Process & Procedures) of Article 13. (Administration) of Chapter 1A of the LAMC shall be added to read as follows:

Sec. 13B.7.9. Ministerial Tentative Tract Map

[FORTHCOMING]

Sec. 9. Section 13B.7.10. (Ministerial Preliminary Parcel Map) of Division 13B.7. (Division of Land), Part 13B. (Process & Procedures) of Article 13. (Administration) of Chapter 1A of the LAMC shall be added to read as follows:

Sec. 13B.7.10. Ministerial Preliminary Parcel Map

[FORTHCOMING]

Sec. 10. Subsection G. of Sec. 14.2.11. (Lot) of Division 14.2. (General Standards & Measurement) of Article 14. (General Rules) of Chapter 1A of the LAMC shall be amended as follows:

G. A lot shall *abut* the *public right-of-way*, *alley*, or a *private street* contiguously for a minimum of 12 feet, with the exception of *air space lots* created through an air space subdivision pursuant to Sec 11.1.1.B.3, and *lots* created pursuant to Sec. 7B.3.1. (Small Lot 1), Sec. 7B.3.2. (Small Lot 2), Sec. 7B.3.3. (Small Lot 3), or Sec. 7B.3.4. (Urban Lot Split).

Sec. 11. Subsection H. of Sec. 14.2.11. (Lot) of Division 14.2. (General Standards & Measurement) of Article 14. (General Rules) of Chapter 1A of the LAMC shall be amended as follows:

- H. Access shall be provided from the *lot* to the *public right-of-way* through:
1. An *access lane* with a minimum width as specified in Div. 4C.2. (Automobile Access); or
 2. A *pedestrian accessway* with a minimum width in accordance with Div. 4C.1. (Pedestrian Access); or
 3. A *private street* with a minimum width as determined by the *Advisory Agency*; or
 4. Alternative access permitted for *lots* created pursuant to Sec. 7B.3.1. (Small Lot 1), Sec. 7B.3.2. (Small Lot 2), Sec. 7B.3.3. (Small Lot 3), or Sec. 7B.3.4. (Urban Lot Split); or
 5. Recorded easements or other entitlements for *air space lots* created pursuant to Sec. 11.1.1.B.3.

Sec. 12. New definitions shall be added in alphabetical order to Division 14.3. (Glossary) of Article 14. (General Rules) of Chapter 1A of the LLAMC Code to read:

Landscape Practitioner. Landscape practitioner is defined as a professional, responsible for the design, installation, or maintenance of landscape and irrigation systems, who is a certified arborist or licensed by the State of California as a landscape architect or landscape contractor

Net Habitable Square Feet. For the purposes of Sec. 7B.3.2. (Small Lot 2) and Sec. 7B.3.3. (Small Lot 3), net habitable square feet is defined as the finished and heated floor area fully enclosed by the inside surface of walls, windows, doors, and partitions, and having a headroom of at least six and one-half feet, including working, living, eating, cooking, sleeping, stair, hall, service, and storage areas, but excluding garages, carports, parking spaces, cellars, half-stories, and unfinished attics and basements.

Remainder Parcel. Remainder parcel is defined as a type of *parcel* defined in California Government Code Section 66424.6 and created by a *project* pursuing

approval under Sec. 7B.3.2. (Small Lot 2) or Sec. 7B.3.3. (Small Lot 3) that retains existing *uses, buildings, or structures*; does not contain any new *dwelling units*, and is not exclusively dedicated to serving the residential project proposed under Sec. 7B.3.2. (Small Lot 2) or Sec. 7B.3.3. (Small Lot 3). A remainder parcel may be improved and provide space used by the residents of the project; however, the remainder parcel may not be legally restricted or physically configured for the exclusive use, access, or benefit of the newly created parcels or their residents. A recorded final map that includes a remainder parcel approved pursuant to this Subdivision shall constitute a certificate of compliance with respect to the parcels of real property described therein. Remainder parcels and existing permitted buildings and structures on the remainder parcel may be nonconforming to the current zoning and building ordinances, but any subsequent redevelopment on a remainder parcel following recordation of the final map shall conform to current zoning and building ordinances. Notwithstanding the previous sentence, a *building or structure* located on a remainder parcel may be maintained, repaired, or structurally altered in accordance with Article 12 (Nonconformities).

Starter Home Protected Project. A Starter Home protected project is defined as a *project* utilizing Sec. 7B.3.2. (Small Lot 2) or Sec. 7B.3.3. (Small Lot 3) that is developed with a density of up to 1,452 square feet of *lot area per dwelling unit*, or the maximum density allowed by the applied Density District (Part 6B) whichever is greater.

Sec. 13. The following existing definitions in Division 14.3. (Glossary) of Article 14. (General Rules) of Chapter 1A of the LAMC shall be amended to read

Preliminary Parcel Map. Preliminary parcel map is defined as a map made for the purpose of showing the design of a proposed *subdivision* creating four or fewer *parcels*, four or fewer *airspace lots for condominiums*, or four or fewer units in a *community apartment project* or *stock cooperative* and prepared pursuant to Sec. 11.4.2. (Preliminary Parcel Map Standards).

Unified Development. Unified development is defined as a development consisting of multiple *lots* or *airspace lots* within a common site plan which is unified by a combination of functional linkages, such as pedestrian or vehicular connections, common architectural and landscape features which constitute distinctive design elements of the development, and when viewed from adjoining streets appears to be a consolidated whole. A unified development may include

lots that abut or are separated only by an alley or are located across the street from any portion of each other. See *Sec. 14.2.1. (Lot)* for clarification on lot ties.

Sec. 14. STYLE AND FORMATTING CORRECTIONS. City Planning prior to publishing the Code shall ensure all of the following style and formatting corrections are made in Chapter 1A of the Los Angeles Municipal Code in consultation with the City Attorney's Office:

A. All numbering of chapters, articles, parts, divisions, sections, subsections, paragraphs, subparagraphs, sub-subparagraphs, and sub-sub-subparagraphs shall match the existing numbering format, style, order, and hierarchy in Chapter 1A of the Los Angeles Municipal Code (e.g., all numbering ends with a period, except sub-sub-subparagraphs which are punctuated with a parenthetical).

B. Formatting and typeface style for all headings shall match the existing formatting and typeface style in Chapter 1A of the Los Angeles Municipal Code, including the following, paragraph breaks after subsection headers, no periods at the end of headers, headers of divisions and sections in all caps, and headers of subsections or any lower ordinal in title case with the first letter of each word capitalized.

C. All internal citations to the Los Angeles Municipal Code shall match the formatting and style of the existing Chapter 1A of the Los Angeles Municipal Code, including adding periods at the end of the citation number, including the title that matches the cited section in parenthesis after the period (e.g., "Sec. 5A.2.2. (Use Applicability))" or "Paragraph 2. (No Net Loss of Dwelling Units)"), and citations to Chapters of the Los Angeles Municipal Code shall use Roman numerals for the chapter number and include "of this Code" after the parenthetical of the title of the Chapter (e.g., "Chapter I (General Provisions and Zoning) of this Code"). Internal citations shall be italicized.

D. All internal citations within Chapter 1A of the Los Angeles Municipal Code referring to content modified by this ordinance shall be updated to reflect the latest titles and Section references.

E. All internal citations within Chapter 1A of the Los Angeles Municipal Code shall be updated to the correct citation where the cited Section number does not exist, but the

Section name is stated clearly (e.g. correct “Sec.13.2.10. (Multiple Approvals)” to “Sec. 13A.2.10. (Multiple Approvals)” because Sec. 13.2.10. does not exist).

F. All citations stating “section” shall be updated to “Sec.” and those stating “division” shall be updated to “Div.” This does not apply to citations internal to the Division or Section being referenced, in which case the full term of Section or Division shall be used (e.g. “The intent of this Section (Roof Materials) is to...”).

G. All citations to state law shall be updated to first state the name of the statute, followed by the referenced citation and the title of the referenced citation if available (e.g. California Government Code, Title 7. (Planning and Land Use)).

H. Words and phrases that are included in the Glossary in Article 14 of Chapter 1A of the Los Angeles Municipal Code shall not be capitalized unless they are proper nouns, mapped areas under Article 1 of Chapter 1A, district names, or zone string components. Any glossary terms used in Chapter 1A shall be indicated by underline in the published Code and linked to the Glossary term in Article 14 of Chapter 1A of the Los Angeles Municipal Code. Glossary terms to be hyperlinked in this ordinance are italicized. But even if not italicized in this ordinance, shall be linked if the term is found in the glossary.

I. Consistent with Sec. 11.01. (Definitions and Interpretation), which states that, “the singular number includes the plural, and the plural, the singular,” singular or plural versions of existing glossary terms may be added into the Glossary in Article 14 of Chapter 1A of the Los Angeles Municipal Code as needed to ensure exact matches in the use of the term in the text of the LAMC and its entry in the Glossary, which is a requirement of the New Interactive Web-based Zoning Code in order to allow the definition to appear in the pop-up of a term when the site-user clicks on the term. Terms added shall include a glossary entry redirecting to the originally defined term (e.g. Applicable Story: See *applicable stories*).

J. To ensure consistency between definitions and the index of definitions, any defined term that is modified or added by this ordinance shall also have the same edit made to the secondary location in the index of defined terms housed in Division 14.3 of Article 14 of Chapter 1A of the Los Angeles Municipal Code. This Glossary index shall match the existing format, style, prefix setup with citations as necessary, and be organized alphabetically.

K. All fonts and/or typeface and spacing and layout (including indentations) of text, headings, graphs and tables, and colors shall match that of the existing published Chapter 1A of the Los Angeles Municipal Code.

L. All numbers shall be written in accordance with the following protocol:

- a. Numbers one through nine shall be written out, unless within a table.
- b. Numbers written as the first word of sentence shall be written out (e.g. “One hundred percent of all affordable housing...”).
- c. Fractions and numbers including fractions shall be displayed as numerals (e.g. “ $\frac{1}{2}$ ” instead of “one-half”, and $1\frac{1}{2}$ instead of “one and $\frac{1}{2}$ ”).
- d. Ordinance numbers shall be written so that “Ordinance number” is abbreviated and includes a comma after 3 digits, and includes the effective or operative dates (e.g. “...as established by Ord. No. 176,445 (effective 3/9/05)...”).
- e. FAR numbers and ratios remain per drafting standard.
 - i. Example: “... a FAR of 2.5:1 shall be...”,
- f. Zoning District numbers remain as a number.
 - i. Example: “...those lots with a Density District 6 or more restrictive...”

M. All instances of the percentage symbol (%) shall be updated to “percent” or “percentage” as appropriate unless the percentage is shown within a table, in which case the percentage symbol (%) shall be used.

N. All instances of reference to an Ordinance number intended to refer to the ordinance being published shall be updated to include the Ordinance number issued prior to publication.