MIXED INCOME INCENTIVE PROGRAM REFERRAL Transit Oriented Incentive Areas



This form applies to properties subject to zoning established in Chapter 1 of the Los Angeles Municipal Code (LAMC). For more information on a property's applied zoning, visit zimas.lacity.org.

This form is to serve as a referral to the Los Angeles City Planning Development Services Center (DSC) for cases filed under the Transit Oriented Incentive Areas section of the Mixed Income Incentive Program (<u>LAMC</u> <u>Section 12.22 A.38 of Chapter 1</u>), and to the City of Los Angeles Housing Department (LAHD), Department of Building and Safety (LADBS), or other City agency for project status and entitlement needs purposes.

This form shall be completed by the Applicant and reviewed and signed by City Planning's Affordable Housing Services Section (AHSS) Staff prior to filing for an entitlement or administrative review if applicable. Any modifications to the content(s) of this form after its authorization by AHSS Staff is prohibited. City Planning reserves the right to require an updated Referral Form for the project if more than 180 days have transpired since the Referral Date, or as necessary, to reflect project modifications, policy changes, bus routes changes, bus schedule changes, and/or amendments to the Los Angeles Municipal Code (LAMC), local laws, and State laws.

Notes: This Referral Form <u>does not</u> constitute a City Planning application. See the Forms webpage for City Planning Application (<u>CP13-7771.1</u>) and City Planning Application Filing Instruction (<u>CP13-7810</u>). If the project is located within a Specific Plan or Overlay Zones, check with the assigned planner prior to preparing these plans, as some have additional or different requirements. An <u>Assignment List</u> can be found on the City Planning website <u>https://planning.lacity.gov/</u> under the "About" tab, under "Staff Directory."

THIS SECTION TO BE COMPLETED BY THE AHSS STAFF ONLY

Planning Staff Name & Title:						
Planning Staff Signature:						
Referral Date:			Expira	ation Date:		
Case Number:						
TOIA Eligible Subarea:	□ T-1	□ T-2	□ T-3	□ Not Eligible		
Market Tier:	\Box Low and N	ledium	🗆 High Mediu	um and High		
Opportunity Area:	□ Moderate	or Lower Oppor	tunity Area	□ High or Highest Opportunity Area		
Historic Resource:	 □ HPOZ □ Designated Historic Resource □ Non-Contributing Element 					
Procedure Review:	☐ Ministerial ☐ Discretion	Review: Expan ary Review: Dire	ded Administra ector's Determi	nent of Building and Safety ative Review Ination (DIR Case) nmission Review (CPC Case)		

Notes:

THIS SECTION	TO BE COMPL	ETED BY	THE APPLICANT		
Applicant Requesting:					
TOIA Eligible Subarea ¹ :	□ T-1	□ T-2	□ T-3		
Other Programs and Streamlining Being Requested:	☐ Adaptive Reuse ☐ Lower Income Rez		 Prior Housing Element Site² Priority Housing Program⁴ 		
APPLICANT INFORMATION					
Applicant Name:					
Phone Number:					
Email:					
I. PROPOSED PROJ	ECT				
1. PROJECT LOCATION/ZO	NING				
Project Address(es):					
Assessor Parcel Number(s):					
Community Plan:					
Existing Zone:					
Land Use Designation:					
Number of Parcels					

³ See Footnote 2.

¹ Please refer to the Transit Oriented Incentive Area (TOIA) tier on ZIMAS, in the Planning and Zoning Section under the Mixed Income Incentive Programs field.

² To be eligible for Housing Element Streamlining pursuant to LAMC Ch.1 Section 16.70 F and Ch.1A Section 9.2.6, a project site must be listed as a Lower Income Rezoning Housing Element Site or Prior Housing Element Site. To verify if a site is on the Lower Income Rezoning Housing Element Site or Prior Housing Element Site list, an applicant may search their address on ZIMAS. These sites are identified in ZIMAS under ZI-2534 (Lower Income Rezoning Sites) and ZI-2535 (Prior Housing Element Sites).

⁴ Per ED 7, the housing development project must propose five or more units that contain at least 20% of all units at lower income restricted affordable housing units (Extremely Low Income, Very Low Income, or Low Income) or 40% of all units at Moderate Income restricted affordable housing units.

Project Site Area (SF	·):	
Other Site Regulation	ns:	
Designated Historic	c Resource⁵	Corresponding Zones
	□ Specific Plan	
	Enterprise Zone	Redevelopment Project Area
If applicable, specify	Specific Plan/Overlay:	
Q Condition/D Limita	ation/T Classification (spec	cify and provide a copy):
	d hybrid-industrial (CM, M nitation) that restricts resi	R1, or MR2 zone), is there an applicable planning overlay idential use?

Yes	No

Other Pertinent Zoning Information (includes General Plan footnotes, specify):

II. PROJECT INFORMATION

2. DESCRIPTION OF PROPOSED PROJECT (Specify Use(s), Height, Stories, Total Units, and Floor Area)

⁵ The project would not require the demolition of any of the following, as demolition is defined in Section 13B.8.1.C of Chapter 1A of this Code. (i) A Designated Historic Resource, or (ii) Any Surveyed Historic Resource, eligible or architectural historic resource identified for any historic protection or special consideration or review by an applicable overlay or Specific Plan including sites located in: the South Los Angeles Community Plan Implementation Overlay (CPIO) Section 1-6.C.5.b; the Southeast Los Angeles CPIO Section 1-6.C.5.b; the West Adams CPIO Ch.1, Section 6.C.5.b; the San Pedro CPIO Ch.1, Section 7.C.5.b; Westwood Village Specific Plan; Echo Park Community Design Overlay (CDO) District; or the North University Park Specific Plan.

3. EXISTING USE

A. Describe Existing Development:

Existing Uses Dwelling Unit (DU) Square Footage (SF)	Existing No. of DUs or Non-Residential SF	Existing No. of DUs or Non-Residential SF to be Demolished	Proposed No. of DUs or Non- Residential SF
Guest Rooms			
Studio			
One Bedroom			
Two Bedroom			
3 Bedroom			
Bedrooms			
Non-Residential (Commercial) SF			
Other			

B. Previous Cases Filed:

Previous Cases	1	2	3
Case No(s).:			
Date Filed:			
Date Approved:			
End of Appeal Period:			
Environmental Case No.:			

4. ENVIRONMENTAL REVIEW

□ Project is Exempt⁶

 \Box Not Yet Filed

□ Filed (Case No.): _____

⁶ Project may be exempt from CEQA review if it qualifies for a CEQA Exemption or is a Ministerial Project (aka, "By Right"). Refer to CP-4089 for the Housing Element CEQA Streamlining Checklist Form.

5. HOUSING DEVELOPMENT PROJECT TYPE

Check all that apply:		
□ For Rent	□ For Sale	□ Mixed-Use Project
□ Market Rate	□ Acutely Low Income	Extremely Low Income
□ Very Low Income	\Box Low Income	Moderate Income
□ Senior	□ Chronically Homeless	□ Special Needs
□ Other (describe):		

A. Other Discretionary Approval (see non-comprehensive list below for reference and check all that apply)

□ Zone/Height District Change per LAMC Section 13B.1.4 of Chapter 1A

□ Coastal Development Permit per LAMC 12.20.2 of Chapter 1

□ Tract or Parcel Map per LAMC Sections 17.00 or 17.50 of Chapter 1

6. DENSITY CALCULATION

A. Base Density: Maximum Allowable Residential Density (MARD)⁷: Maximum Density Allowable per Zoning⁸

Lot size (including any $\frac{1}{2}$ of alleys)	SF (a)
Density allowed by Zone (includes Qs and Overlays)	SF of lot area per DU (b)
Land Use: Density allowed by General Plan Land Use Corresponding Zone Land Use: Density allowed by Specific Plan	SF of lot area per DU (c) SF of lot area per DU (d)
Maximum Allowable Residential Density (MARD):	units per SF (e)

(per highest density allowed of (b), (c), (d))

⁷ As defined by Government Code Section 65915(o)(7), which states that "maximum allowable residential density" or "base density" means the maximum number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan, or, if a range of density is permitted applicable to the project. If the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the general plan or specific plan, the greater shall prevail.

⁸ Please note that letters added here (a), (b), (c), (d), (e), (l), (m), (n), (o), are used for density bonus calculations.

B. Percent of Affordable Set Aside: Transit Oriented Incentive Area projects may select from three of the affordability options. Select one option.

Single Affordability Option, Select one (Extremely Low Income, Very Low Income or Low Income)

	TABLE 12.22 A.38(c)(3)(iii) ⁹ of Chapter 1 Single Affordability Options for Meeting Restricted Affordable Units					
	Incentive Program	Minimum Percent of Tot Units	al Units Provided as Re	estricted Affordable		
Market Tier	Transit		Income Level			
	Oriented Incentive Area	Extremely Low Income (For Rental or For Sale), or	Very Low Income (For Rental or For Sale), or	Low Income (For Rental or For Sale)		
Low and Medium	T-1	□ 9%	□ 12%	□ 21%		
Market Tiers	T-2	□ 10%	□ 14%	□ 23%		
	Т-3	□ 11%	□ 15%	□ 25%		
High Medium	T-1	□ 11%	□ 14%	□ 23%		
and High Market Tiers	T-2	□ 12%	□ 16%	□ 25%		
	Т-3	□ 13%	□ 17%	□ 27%		

⁹ A Type I Unified Adaptive Reuse Project shall provide Restricted Affordable Units in accordance with the project site's Market Tier location and Base Incentives used. Type I Unified Adaptive Reuse Projects that utilize Base Incentives contingent on a site's location in a Transit Oriented Incentive Area shall provide Restricted Affordable Units in conjunction with a site's applicable Transit Oriented Incentive Area Tier. Type I Unified Adaptive Reuse Projects that utilize Base Incentives Base Incentives contingent on a site's location in an Opportunity Corridor Incentive Area shall provide Restricted Affordable Units in conjunction units in conjunction with a site's applicable Opportunity Corridor. Restricted Affordable Units shall be provided and distributed throughout the entire Type I Unified Adaptive Reuse Project in compliance with LAMC 16.61 B.

□ **Mixed Affordability Option**, Select one (Moderate and Lower Opportunity Areas or Higher Opportunity Areas)

TABLE 12.22 A.38(c)(3)(iv) of Chapter 1 Mixed Affordability Options for Meeting Restricted Affordable Units						
Opportunity Area	Minimum Percent of Total Units Provided as Restricted Affordable Units ¹⁰					
	Income LevelAcutely Low Income (For Rental or For Sale), andExtremely Low Income (For Rental or For Sale), andVery Low 					
Moderate and Lower Opportunity Areas	-	4%	8%	-		
☐ Higher Opportunity Areas	4%	4%	-	12%		

I acknowledge one three-bedroom covenanted unit is required for the Mixed Affordability Option per project.

□ Yes □ No

□ Lower Income Rezoning Sites Affordability Option

Reserve 20% of overall proposed units for Lower Income Households¹¹ if a project is proposed on a Lower Income Rezoning Site as defined in LAMC 16.70 to be eligible for streamlining.

C. Proposed Project¹²: Please indicate total number of units requested and break down by levels of affordability set by each category (California Department of Housing and Community Development [HCD] or United States Department of Housing and Urban Development [HUD]). For information on HCD and HUD levels of affordability, please contact LAHD at https://housing.lacity.org/partners/land-use-rent-income-schedules. Note: Rent schedules will be determined by LAHD.

	Total	For Sale	For Rent	HCD (State)	HUD (TCAC)
Market Rate				N/A	N/A
Acutely Low Income (ALI)					

¹⁰ Provided at least one affordability income category is consistent with the minimum affordability requirements pursuant to California Government Code Sections 65915.

¹¹ This requirement can be satisfied by reserve the requisite number of units for Low, Very Low, Extremely Low, or Acutely Low Income Households, or a combination thereof.

¹² Please note that letters added here (a), (b), (c), (d), (e), (l), (m), (n), (o), are used for density bonus calculations.

	Total	For Sale	For Rent	HCD (State)	HUD (TCAC)
Extremely Low Income (ELI)					
Very Low Income (VLI)					
Low Income (LI)					
Moderate Income (MI)					
Manager Units					
Other:					
TOTAL No. of DUs Proposed					
No. of Density Bonus DUs If I > e, then n = I – e; if I < e, then	n n = 0				(n)
Percent of Density Bonus Requons $o = 100 \times [(I / e) - 1]$ (round down					(o)
Percent of Affordable Set Aside (m / I), round down to a whole nu					(p)
Percent for Housing Element S (m / I), round down to a whole nu		5			

Other Notes on Units:

¹³ Formulas provided for guidance, do not account for previous rounding of decimals.

¹⁴ All units shall be subject to affordability requirements as determined by LAHD.

¹⁵ A project must reserve 20% of overall proposed units for Lower Income Households to be eligible for streamlining. This requirement can be satisfied by reserving the requisite number of units for Low, Very Low, Extremely Low, or Acutely Low Income Households, or a combination thereof.

7. INCENTIVES

A. Base Incentives (Check all that apply)

Eligible Subarea	Density Bonus	Parking	Floor Area Ratio (whichever is greater)	Height (whichever is greater)
□ T-1	 Moderate and Lower Opportunity Areas: 100% Higher Opportunity Areas: 120% Maximum 	 No parking minimum required. If parking is provided, up to 40% of spaces may be provided as compact vehicular spaces. Tandem parking may also be permitted so 	 □ R - zones: 40% □ C - zones: 3.25:1 max. total, or 40% increase □ R - zones: 40% increase □ C - zones: 4.2:1 max. total, or 45% increase □ N/A 	□ One additional story, up to 11 additional feet.
	Allowable Residential Density <5 Units: 60%	long as a 24-hour attendant is present on-site.		
□ T-2	☐ Moderate and Lower Opportunity Areas: 110%		□ R - zones: 40% increase □ C - zones: 4.2:1 max. total, or 50% increase	☐ Two additional stories, up to 22 additional feet.
	☐ Higher Opportunity Areas: Limited by Floor Area		□ R - zones: 45% increase □ C - zones: 4.5:1 max. total, or 50% increase	
	☐ Maximum Allowable Residential Density <5 Units: 70%		□ N/A	
□ T-3	☐ Moderate and Lower Opportunity Areas: 120%		□ R - zones: 45% increase □ C - zones: 4.5:1 max. total, or 50% increase	☐ Three additional stories, up to 33 additional feet.
	☐ Higher Opportunity Areas: Limited by Floor Area		 □ R - zones: 50% increase □ C - zones: 4.65:1 max. total, or 55% increase 	
	 ☐ Maximum Allowable Residential Density <5 Units: 80% 		□ N/A	

Exceptions:

Projects on sites with a Designated Historic Resource(s) or Non-Contributing Element(s) as defined in LAMC Section 13B.8.1.C of Chapter 1A of this Code or a site with a Maximum Allowable Residential Density of less than five shall not be eligible for an incentive to increase allowable FAR and shall be eligible for one additional story, up to 11 additional feet. Is the proposed project on one of the sites mentioned? If applicable, please check one of the following boxes:

- □ Designated Historic Resource(s)
- □ Non-Contributing Element(s)
- □ Maximum Allowable Residential Density of less than five

Projects in a Specific Plan or overlay district may choose to utilize the Bonus FAR and affordability requirement of the Specific Plan or overlay district in lieu of the FAR maximum described above in Table 12.22 A.38(e)(2)(i) of Chapter 1. Check the below box if the project plans to use the FAR and affordability of a Specific Plan or overlay.

□ The project will use the Specific Plan or overlay district FAR.

FAR:	·	2	
Affordability:			%

Other Parking Notes (Attach additional pages if necessary):

Roadway Widening¹⁶: Does the project request an exemption from any applicable roadway widening required pursuant to LAMC Section 12.37 of Chapter 1?

□ Yes □ No

¹⁶ Projects in a Very High Fire Hazard Severity Zone, the Coastal Zone, Hillside Areas, or subject to procedures in LAMC Section 13B.2.3 (Class Conditional Use Permit 3) of Chapter 1A are not eligible for this base incentive.

B. Additional Incentives: Select up to 4 Additional Incentives (On or Off-Menu)¹⁷

Incentives	Permitted w/o Incentives	Proposed per Incentives	On- Menu	Off- Menu
□ Yards (Refer to Table 12.22 A.38(h)(2)(i)a of Chapter 1 for more information)				N/A
R-zone – For R-Zones, the follow reductions apply (reductions requested for R zones all count as one incentive):				
Front – A reduction is limited to no more than the average of the front yards of adjoining buildings along the same street frontage. If a project occupies all the lots of an entire street frontage, a front yard reduction is permitted as long as it is the same dimension as a corresponding increase to the rear yard.				
Side and Rear – Side and rear yards can receive up to a 30% decrease.				
□ C-zone (reductions count as one incentive) A project may utilize any or all of the yard requirements for the RAS3 zone per Section 12.10.5 of this Code. A project on a commercially zoned site adjacent to a property zoned RD or more restrictive may provide a rear yard of not less than five feet.				
Ground Floor Height				N/A
Projects may receive up to a 20% reduction in any Ground Floor Height restrictions contained in an overlay, Specific Plan, Q condition, or D limitation.				

¹⁷ A project shall refrain from requesting an Incentive not on, or in excess of, the Menu of Incentives in the following Development Standard areas: Floor Area Ratio (FAR), Height, Open Space requirements, tree planting requirements, ground story requirements, and/or yards/setback requirements. A project that seeks any of these types of Incentives not on the menu are not eligible for approval through this Subdivision 38, and instead shall seek approval pursuant to the Procedures, Incentive menu and other requirements described in Section 12.22 A.37 of Chapter 1.

Incentives	Permitted w/o Incentives	Proposed per Incentives	On- Menu	Off- Menu
Transitional Height				
Projects may select a 10-foot setback/step-back distance for side or rear setback. Projects may select a 30-foot setback/step-back distance for 4 story step-backs. Projects may select a 50-foot setback/step-back distance for 6 story step-backs. Setback and step-back is measured from the property line. Refer to LAMC Section 12.22 A.38(h)(2)(iii) of Chapter 1 for more information.				
Space Between Buildings and Passageways				
Projects may receive up to a 30% reduction pursuant to LAMC Section 12.21 C.2(a) of Chapter 1 and up to a 50% reduction pursuant to LAMC 12.21 C.2(b) or the space provided to meet a subject site's required side yard requirement, whichever provides a greater reduction.				
□ Lot Coverage				
Projects may request up to a 20% increase.				
□ Lot Width				
Projects may request up to a 25% decrease.				
□ Open Space				N/A
Projects may calculate their usable open space requirement as 15% of the total lot area or 10% of the total floor area confined within the perimeter walls of the provided Residential Units, whichever is greater. Refer to LAMC Section 12.22 A.38(h)(2)(vii) of Chapter 1 for more information.				
□ Density Calculation				
The area of any land required to be dedicated for street or alley purposes may be included as lot area for purposes of calculating the maximum density permitted by the underlying zone in which the Project is located.				

Incentives	Permitted w/o Incentives	Proposed per Incentives	On- Menu	Off- Menu
 Averaging (all count as one incentive – check all that are needed)¹⁸ FAR Density Parking Open Space Vehicular Access 				
A Project may include the uses and area standards permitted in the least restrictive adjoining zone.				
□ Relief from a Development Standard (20% reduction)				N/A
Projects may request up to a 20% relief from a Development Standard contained in Chapter 1 of this Code, an overlay, Specific Plan, Q Condition, or D limitation.				
□ Ground Floor Activation				N/A
Projects can receive a 50% reduction.				
□ Summary of On-Menu Incentives (specify)				

Summary of On-Menu Incentives (specify)	
1)	

1)	
2)	
3)	
4) [·]	
, .	
	Summary of Off-Menu Incentives (specify)
4 \	
1)	
1) 2)	
1) 2) 3)	

TOTAL No. of Incentives Requested (Total Incentives Requested shall not exceed 4): On-Menu Off-Menu

¹⁸ A Project that is located on one or more contiguous lots, not separated by a street or alley, participating in the averaging incentive provided that: a. No further lot line adjustment or any other action that may cause the Project site to be subdivided subsequent to this grant shall be permitted, and b. The proposed use is permitted by the underlying zone(s) of each lot.

8. PUBLIC BENEFIT OPTIONS

Public Benefit Option	Permitted w/o Incentives	Proposed per Base, On-Menu, or Off-Menu Incentives	Request w/ Public Benefit	Public Benefit Option (Check box if using)
Child Care Facility				
Multi-Bedroom Units				
Preservation of Trees				
Land Donation				
Active Ground Floor Exemption from FAR				
Privately Owned Public Spaces (POPS)				
Surveyed Historic Resource Façade Rehabilitation				

TOTAL No. of Public Benefits Requested: _____

9. WAIVERS

Up to one requires Director's Determination (<u>LAMC Sec. 13B.2.5 of Chapter 1A</u>) and over one requires City Planning Commission Review (<u>LAMC Sec. 13B.2.3 of Chapter 1A</u>).

Indicate the Waivers being requested.

Waiver Requested:	Permitted:	Proposed with Waiver:
1		
2.		
3.		
4		
5		

Other: _____

TOTAL No. of Waivers Requested: _____

10. PROJECT OUTCOMES

Density:

Per LAMC _____ With TOIA Incentives + Public Benefit Options + Waivers _____

FAR:

Per LAMC	With TOIA Incentives + Public Benefit Options + Waivers
Height:	
Per LAMC	With TOIA Incentives + Public Benefit Options + Waivers
Parking:	
Per LAMC	With TOIA Incentives + Public Benefit Options + Waivers

- A. Affordability Compliance: Is the minimum percent of the MARD or total project if less than MARD provided as Restricted Affordable consistent with California Government Code Section 65915 15% for Very Low Income, 24% of Low Income, or 44% Moderate Income?
 - □ Yes □ No

11. COVENANT

All TOIA projects are required to prepare and record an Affordability Covenant to the satisfaction of the LAHD's Occupancy Monitoring Unit before a building permit can be issued. Contact LAHD at <u>lahd-landuse@lacity.org</u>.

12. **REPLACEMENT UNITS**

Applicants must obtain a Replacement Unit Determination from LAHD pursuant to LAMC Section 16.61.

Disclaimer: This review is based on the information and plans provided by the applicant at the time of submittal of this form. Applicants are advised to verify any zoning issues such as height, parking, setback, and any other applicable zoning requirements with LADBS.

Plans have not been checked for full compliance with LAMC and Los Angeles Building Code. Submittal of a signed Referral Form does not constitute approval of Plans or Entitlements, and it does not constitute a case filing or deem a project complete. For projects located within Specific Plans/Overlays, consult with the assigned project planner for additional limitations.