

**ORDINANCE NO.** \_\_\_\_\_

An ordinance amending Chapters I and 1A of the Los Angeles Municipal Code pertaining to the transfer of certain Zoning Code authorities from the Department of Building and Safety to the Department of City Planning.

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

**Section 1.** Subparagraphs (1) through (3) of Paragraph (m) (For Existing Buildings.) of Subdivision 4 (Off-Street Automobile Parking Requirements) of Subsection A (Use) of Section 12.21 (General Provisions) of Chapter I are hereby amended to read as follows:

- (1) Notwithstanding any other provisions of this section to the contrary and for any existing high rise building cited under Los Angeles Municipal Code Section 91.8604.6.3, pursuant to Sec. 13B.3.3.D.3. (Administrative Modification of Yard, Area, Parking Facility, and Loading Space Requirements) of Chapter 1A of this Code, the Department of ~~Building and Safety~~ City Planning may reduce the number of required parking spaces by the number of spaces which the Department of Building and Safety determines are needed to install a water storage tank to enlarge an existing fire pump room, or to install a new fire pump room.
- (2) Pursuant to Sec. 13B.3.3.D.3. (Administrative Modification of Yard, Area, Parking Facility, and Loading Space Requirements) of Chapter 1A of this Code, the Department of ~~Building and Safety~~ City Planning may reduce the number of required parking spaces by the number of spaces which the Department ~~of Building and Safety~~ determines are needed to provide disabled parking spaces as required by State access laws.
- (3) Notwithstanding any other provisions of this section to the contrary, pursuant to Sec. 13B.3.3.D.3. (Administrative Modification of Yard, Area, Parking Facility, and Loading Space Requirements) of Chapter 1A of this Code, the Department of ~~Building and Safety~~ City Planning may reduce the number of required parking spaces by the number of spaces that are necessarily displaced as a result of compliance with Divisions 93 and 95 of Article 1 of Chapter IX of the Los Angeles Municipal Code. The reduction shall not exceed 20 percent of required parking spaces or one (1) space, whichever is greater. This exception does not nullify any existing obligations under the Rent Stabilization Ordinance in Chapter XV, Article 1, of the Los Angeles Municipal Code. **(Added by Ord. No. 185,633, Eff. 7/9/18.)**

**Section 2.** Paragraph (g) of Subdivision 6 (Loading Space) of Subsection C (Area) of Section 12.21 (General Provisions) of Chapter I is hereby amended to read as follows:

- (g) No loading space shall be required on unusually shaped lots, oddly located lots, or on hillside lots, when waived by the Department of ~~Building and Safety~~ City Planning as provided for in Sec. ~~12.26-B~~ Sec. 13B.3.3.D.3. (Administrative Modification of Yard, Area, Parking Facility, and Loading Space Requirements) of Chapter 1A of this Code.

**Section 3.** Subdivision 5 of Subsection B (Height of buildings or structures) of Section 12.21.2 (Height of buildings or structures) of Chapter I is hereby amended to read as follows:

5. Whenever any unusual situation or design of building exists so that it is difficult to determine the precise application of those provisions, the Department of ~~Building and~~

Safety City Planning shall make such determinations in a manner to carry out the indicated purpose and intent thereof.

**Section 4.** Paragraph (a) of Subdivision 25 (Affordable Housing Incentives – Density Bonus. (INTERIM)) of Subsection A (Use) of Section 12.22 (Exceptions) of Chapter I is hereby amended to read as follows:

- (a) Section 12.22 A.37.(d)(1) (~~Building and Safety Ministerial~~ Review) of Chapter I of this Code, where the existing program references the procedures of former Section 12.22 A.25.(g)(1) of this Code.

**Section 5.** Subparagraph (1) of Paragraph (d) of Subdivision 37 (State Density Bonus Program) of Subsection A (Use) of Section 12.22 (Exceptions) of Chapter I is hereby amended to read as follows:

- (1) ~~Los Angeles Department of Building and Safety Ministerial~~ Review. A Housing Development seeking Base Incentives described in Paragraph (e) and/or Incentives listed on the Menu of Incentives described in Section 12.22 A.37.(f)(2) of this Code shall be considered ministerial and processed ~~by the Department of Building and Safety pursuant to Section 13B.3.3. (Zoning Plan Check) of Chapter 1A of this Code.~~
  - (i) Exception. A Housing Development requesting Incentives from the Menu of Incentives that cannot comply with the criteria established in Section 12.22 A.37.(f)(1)(iii) of this Code shall comply with procedures set forth in Section 12.22 A.37.(d)(2) of this Code.

**Section 6.** Subparagraph (1) of Paragraph (d) of Subdivision 38 (Mixed Income Incentive Program) of Subsection A (Use) of Section 12.22 (Exceptions) of Chapter I is hereby amended to read as follows:

- (1) ~~Los Angeles Department of Building and Safety Ministerial~~ Review. A project seeking Base Incentives described in Paragraphs (e)(2), (f)(2) or (g)(3), and/or Additional Incentives listed on the Menu of Incentives in Paragraph (h) shall be considered ministerial and processed ~~by the Department of Building and Safety pursuant to Section 13B.3.3. (Zoning Plan Check) of Chapter 1A of this Code.~~

**Section 7.** Subparagraph (1) of Paragraph (d) of Subdivision 39 (Affordable Housing Incentive Program) of Subsection A (Use) of Section 12.22 (Exceptions) of Chapter I is hereby amended to read as follows:

- (1) ~~Los Angeles Department of Building and Safety Ministerial~~ Review. A project seeking Base Incentives described in Paragraph (e) and/or Additional Incentives listed on the Menu of Incentives in Paragraph (f) shall be considered ministerial and processed ~~by the Department of Building and Safety pursuant to Section 13B.3.3. (Zoning Plan Check) of Chapter 1A of this Code.~~
  - (i) Exceptions.
    - a. Faith-Based Organization Projects and Shared Equity Projects with a Surveyed Historic Resource shall seek approval pursuant to Subparagraph (2) of Paragraph (d).

**Section 8.** Subsection B. (Parking Facility Modifications) of Section 12.26. (Department of Building and Safety) of Chapter I. is hereby amended to read as follows:

**B. Parking Facility Modifications.** ~~See Sec. 13B.3.3.D.3. (Administrative Modification of Yard, Area, Parking Facility, and Loading Space Requirements) of Chapter 1A of this Code. The Superintendent of Building may grant slight modifications in the requirements of Section 12.21 A.5. of this Code if it is impractical to apply the design criteria set forth therein due to the unusual topography, peculiar shape of location of the lot, or where parking angles are less than 40 degrees. The Superintendent of Building may also grant slight modifications in such requirements where such modifications will improve the design or functioning of the parking area or garage, or where attendant parking is assured to the Superintendent of Building's satisfaction.~~

~~—The power to grant such modifications shall be exercised in accordance with the procedure established in Section 98.0403 of this Code.~~

**Section 9.** Paragraph (g) (Notification of Building and Safety) of Subdivision 2 (Procedures for Establishment, Change or Removal of Building Lines) of Subsection R (Building Lines) of Section 12.32. (Land Use Legislative Actions) of Chapter I. shall be deleted.

~~(g) Notification to Building and Safety. The Department of Building and Safety shall be notified relative to an initial City Council or Area Planning Commission approval of a building line proceeding, and whenever the proceeding is terminated by the City Council.~~

**Section 10.** Subdivision 2 (Notification to Department of Building and Safety) of Subsection F (Director's Determination) of Section 13.07. (Pedestrian Oriented District) of Chapter I. shall be deleted.

~~2. Notification to Department of Building and Safety. When a determination of the Director becomes final, the Director or Director's designee shall send a written notice of the determination to the Department of Building and Safety. If the Director approves the Project, this approval shall be so indicated on the building permit application and building plans.~~

**Section 11.** Subdivision 2 (Notification of Director Determination) of Subsection E (Director Determination) of Section 13.08. ("CDO" Community Design Overlay District) of Chapter I. is hereby amended to read as follows:

2. **Notice of Director Determination.** In addition to the procedures set forth in Sec. 13B.2.5. (Director Determination) of [Chapter 1A](#) of this Code, within five working days following the decision, a Notice of the Director's Determination, and copies of the approved plans, shall be mailed to the applicant, the Councilmember in whose district the Project is located, the Citizen Advisory Committee, and any persons or organizations commenting on the application or requesting a Notice.

~~The Director of Planning shall also notify the Department of Building and Safety of the final approval action of the Director Determination.~~

**Section 12.** Subparagraph (1) of Paragraph (b) (Application and Approval) of Subdivision 12 (Interim Use of Motels for Supportive Housing or Transitional Housing) of Subsection A (Public Benefit Projects and Performance Standards) of Section 14.00 (Public Benefit Projects) of Chapter I is hereby amended to read as follows:

- (1) Pursuant to Sec. 13B.3.3. (Zoning Plan Check) of Chapter 1A of this Code, ~~T~~the Department of ~~Building and Safety City Planning~~ shall review all Interim Motel Housing Projects for zoning compliance described in Paragraph (d) and adherence to the performance standards in Paragraph (e). The Interim Motel Housing Project shall be approved if the application requirements, zoning compliance and performance standards of this subsection are met through the permit approval process, including but not limited to payment of fees, set forth in Chapter IX of the LAMC. Interim Motel Housing Projects shall not be considered an increase in density or other change which requires any corresponding discretionary action.

**Section 13.** Subsection B. of Section 1.4.5. (Vested Rights) of Division 1.4. (Introductory Provisions) of Article 1. (Introductory Provisions) of Chapter 1A is hereby amended to read as follows:

- B. Whenever plans sufficient for a complete plan check are accepted by the Department of Building and Safety and a fee is paid, see Sec. ~~13B.10.1.B.2.13B.3.3.A.2.~~ (Vesting of Development Plan).

**Section 14.** Subparagraph a. (Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives) of Paragraph 1. (Procedures) of Subsection D. (Administration) of Section 9.2.1. (State Density Bonus Program) of Division 9.2. (Citywide Housing Incentive Programs) of Article 9. (Public Benefit Systems) of Chapter 1A is hereby amended to read as follows:

**a. Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives**

A project requesting only the incentives provided in *Paragraph 2. (Base Incentives) of Subsection C. (Program Rules)*, above, or additional incentives from the menu of additional incentives in *Sec. 9.2.1.C.3.c. (Menu of Additional Incentives)*, above, and not requesting any waivers under *Sec. 9.2.1.C.4. (Waivers)* or incentives under *Sec. 9.2.1.C.3.d. (Incentives Not Listed on the Menu of Additional Incentives)*, shall be approved with a ministerial approval by the Department of Building and Safety pursuant to Section 13B.3.3. (Zoning Plan Check) as follows:

- i. Base incentives shall be granted.
- ii. Additional incentives shall be granted subject to the standards provided in *Sec. 9.2.1.D.2.a. (Standards for Review for Additional Incentives)*, below.

**Section 15.** Subparagraph a. (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives) of Paragraph 1. (Procedures) of Subsection D. (Administration) of Section 9.2.2. (Affordable Housing Incentive Program) of Division 9.2. (Citywide Housing Incentive Programs) of Article 9. (Public Benefit Systems) of Chapter 1A is hereby amended to read as follows:

- a. A project requesting only the base incentives provided in *Paragraph. 2. (Base Incentives) of Subsection C. (Program Rules)*, above, or incentives from the menu of additional incentives as listed in *Sec. 9.2.2.C.3.a. (Menu of Additional Incentives)*, above, and not requesting any waivers under *Sec. 9.2.2.C.4. (Waivers)* or off-menu incentive under *Sec. 9.2.2.C.3.b. (Incentives Not Listed on the Menu of Additional Incentives)*, shall be granted

with a ministerial approval by the Department of Building and Safety pursuant to Section 13B.3.3. (Zoning Plan Check), subject to the following:

- i. Base incentives shall be granted.
- ii. Additional incentives shall be granted subject to the standards provided in Sec. 9.2.1.D.2.a. (*Standards for Review for Additional Incentives*), below.

**Section 16.** Subparagraph a. (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives) of Paragraph 1. (Procedures) of Subsection D. (Administration) of Section 9.2.3. (Opportunity Corridors Housing Incentive Program) of Division 9.2. (Citywide Housing Incentive Programs) of Article 9. (Public Benefit Systems) of Chapter 1A is hereby amended to read as follows:

- a. A project requesting only the base incentives outlined in Sec. 9.2.3.C.2. (*Base Incentives*), above, or additional on-menu incentives as outlined in Sec. 9.2.3.C.3.a. (*Menu of Additional Incentives*), above, and not requesting any waivers under Sec. 9.2.3.C.4. (*Waivers*) or off-menu incentives under Sec. 9.2.3.C.3.b. (*Incentives Not Listed on the Menu of Additional Incentives*), shall be subject to a ministerial approval process by the Department of Building and Safety. Additional incentives approved by the Department of Building and Safety pursuant to Section 13B.3.3. (Zoning Plan Check) and shall comply with the additional standards in Sec. 9.2.3.D.2.a. (*Standards for Review for Additional Incentives*), below.

**Section 17.** Subparagraph a. (Projects Requesting Only Base Incentives) of Paragraph 1. (Procedures) of Subsection D. (Administration) of Section 9.2.4. (Corridor Transitions Incentive Program) of Division 9.2. (Citywide Housing Incentive Programs) of Article 9. (Public Benefit Systems) of Chapter 1A is hereby amended to read as follows:

- a. A project requesting only the base incentives outlined in Paragraph 2. (Base Incentives) of Subsection C. (Program Rules), above, shall be subject to a ministerial approval process by the Department of Building and Safety pursuant to Section 13B.3.3. (Zoning Plan Check).

**Section 18.** Subparagraph a. (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives) of Paragraph 1. (Procedures) of Subsection D. (Administration) of Section 9.2.5. (Transit Oriented Incentive Program) of Division 9.2. (Citywide Housing Incentive Programs) of Article 9. (Public Benefit Systems) of Chapter 1A is hereby amended to read as follows:

- a. A project requesting only the base incentives outlined in Sec. 9.2.5.C.2. (Base Incentives), above, or additional on-menu incentives as outlined in Sec. 9.2.5.C.3.a. (Menu of Additional Incentives), above, and not requesting any waivers under Sec. 9.2.5.C.4. (Waivers) or off-menu incentives under Sec. 9.2.5.C.b. (Incentives Not listed on the Menu of Additional Incentives) shall be subject to a ministerial approval process by the Department of Building and Safety. Additional incentives approved by the Department of Building and Safety pursuant to Section 13B.3.3. (Zoning Plan Check) and shall comply with the additional standards in Sec. 9.2.5.D.2.a. (*Standards for Review for Additional Incentives*), below.

**Section 19.** Paragraph 2. of Subsection D. (Specific Authority) of Section 13A.1.6. (Director of Planning) of Division 13A.1. (Authorities) of Part 13A. (Administration) of Article 13. of Chapter 1A is hereby amended to read as follows:

2. To render a decision on any:
  - a. Project Review;
  - b. Director Determination;
  - c. Administrative Review;
  - d. Project compliance;
  - e. Project compliance (Design Review Board);
  - f. Project adjustment;
  - g. Specific Plan interpretation;
  - h. Alternative Compliance;
  - i. Adjustment;
  - j. Reasonable Accommodation - Fair Housing Protections for individuals with Disabilities;
  - k. Private street map;
  - l. Review of Conforming Work in an Historic Preservation Overlay Zone, where delegated by a Preservation Plan;
  - m. Certificate of Appropriateness (Construction, Addition, Alteration, Reconstruction) in an Historic Preservation Overlay Zone;
  - n. Certificate of Compatibility for Non-Contributing Elements in an Historic Preservation Overlay Zone; and
  - ~~o. Appeals from LADBS Determinations; and~~
  - ~~po.~~ Coastal Development Permit.

**Section 20.** Paragraph 1. of Subsection D. (Specific Authority) of Section 13A.1.7. (Zoning Administrator) of Division 13A.1. (Authorities) of Part 13A. (Administration) of Article 13. of Chapter 1A is hereby amended to read as follows:

1. To render a decision on any:
  - a. Variance;
  - b. Class 1 Conditional Use Permit;
  - c. Class 2 Conditional Use Permit;
  - d. Evaluation of Non-Compliance; and

e. Nuisance Abatement/Revocation; [and](#)

[f. Appeals from LADBS Determinations.](#)

**Section 21.** Paragraph 2. of Subsection B. (Specific Authority) of Section 13A.1.8. (Department of Building and Safety) of Division 13A.1. (Authorities) of Part 13A. (Administration) of Article 13. of Chapter 1A shall be deleted and Paragraph 3. shall be renumbered to Paragraph 2. and Paragraph 4. shall be renumbered to Paragraph 3.

**Section 22.** Add a new row under the Ministerial Action header row after “Expanded Administrative Review” in Table 2 (Process Summary) of Section 13A.2.2. (Process Elements) of Division 13A.2. (General Procedural Elements) of Article 13 (Administration) of Chapter 1A:

Entitlement Review	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Office	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
Ministerial Action													
<a href="#">Zoning Plan Check</a>													
	<a href="#">D</a>												

**Section 23.** Add a new row under the Ministerial Action header row after “Expanded Administrative Review” in Table 4 (Summary of Notice Requirement) of Section 13A.2.4. (Notice of Public Hearing) of Division 13A.2. (General Procedural Elements) of Article 13 (Administration) of Chapter 1A:

Action	Reference	Publication	Mail	Posting
Ministerial Action				
<a href="#">Zoning Plan Check</a>	<a href="#">Div. 13B.3. Sec. 13B.3.3.</a>			

**Section 24.** Add a new row under the Ministerial Action header row after “Expanded Administrative Review” in Table 5 (Classification of Actions for Multiple Approvals) of Section 13A.2.10. (Multiple Approvals) of Division 13A.2. (General Procedural Elements) of Article 13 (Administration) of Chapter 1A:

Action	Reference	Legislative	Quasi-Judicial	Subdivision	Ministerial
Ministerial Action	Div. 13B.3.				
<a href="#">Zoning Plan Check</a>	<a href="#">Sec. 13B.3.3.</a>				

**Section 25.** Subparagraph c. of Paragraph 7. (Transmittal) of Subsection D. (Decision) of Section 13B.2.4. (Project Review) of Division 13B.2. (Quasi-Judicial Review) of Article 13. (Administration) of Chapter 1A shall be deleted and subsequent Subparagraphs shall be renumbered accordingly.

~~e.—The Director shall notify the Department of Building and Safety of the final approval of the Project Review.~~

**Section 26.** Add a new Section 13B.3.3. (Zoning Plan Check) in Division 13B.3. (Ministerial Action) of Article 13 (Administration) of Chapter 1A that reads as follows:

**SEC. 13B.3.3. ZONING PLAN CHECK**

**A. Applicability**

This Zoning Plan Check is a ministerial action for applications for the review of plans for compliance with all applicable regulations and standards established or enabled by [this Chapter and Chapter I. \(General Provisions and Zoning\) of this Code](#). This action runs concurrently with a building permit application filed with the Department of Building & Safety and satisfies the approval of conformance with the provisions of [this Chapter or Chapter I. \(General Provisions and Zoning\) of this Code](#) as required by [Section 91.106. \(Permits\) of Chapter IX of this Code](#).

**1. Permits**

No permit pertaining to the use of land or buildings shall be issued by any department, officer, or employee of this City, vested with such duty, unless the application for the permit has been approved by the Department of City Planning as to conformance of said use with the provisions of [this Chapter or Chapter I. \(General Provisions and Zoning\) of this Code](#). Any permit or Certificate of Occupancy issued in conflict with the provisions of [this Chapter or Chapter I. \(General Provisions and Zoning\) of this Code](#) shall be null and void.

**2. Vesting of Development Plan**

Whenever plans sufficient for a complete plan check, pursuant to [Section 91.106. \(Permits\) of Chapter IX of this Code](#), are accepted by the Department of Building and Safety and a fee is paid, a vested right is granted to the project to proceed with its development in substantial compliance with the zoning, and development rules, regulations, ordinances and adopted policies of the provisions of [this Chapter or Chapter I. \(General Provisions and Zoning\) of this Code](#) in force on the date that the plan check fee is paid as indicated on a valid building permit application.

**a. Limitations of Vesting Rights**

These rights shall not include exemption from other applications or approvals that may be necessary to entitle the project to proceed (i.e., subdivision, zone variance, design review board review, etc.) and from subsequent changes in the Building and Safety and Fire regulations found necessary by the City Council to protect the public health and safety and which are applicable on a citywide basis, contained in [Chapter V, \(Public Safety and Protection\)](#) and [Chapter IX. \(Building Regulations\) of this Code](#) and policies and standards relating to those Chapters or from citywide programs enacted after the application is deemed complete to implement State or Federal mandates.

**b. Time Limit**

These vesting rights shall expire in accordance with any of the following [Paragraphs i. through vi. below](#):

- i.** 18 months after the plan check fee is paid, or if a permit is issued during that time, when the building permit terminates pursuant to [Sec. 98.0602 \(Expiration of Permits\) of this Code](#);
- ii.** When subsequent changes are made to those plans that increase by more than five percent or decrease by more than 10 percent the height, floor area, or occupant load of the proposed-structure;
- iii.** When the use of the property is changed;
- iv.** When changes exceed or violate the regulations of [this Chapter or Chapter I. \(General Provisions and Zoning\) of this Code](#) in force on the date the plan check fee was paid;
- v.** If a discretionary land use application related to the permit has been submitted, the vesting rights in Zoning Plan Check will be extended for the time period during which the application is being processed, not to exceed 18 months beyond the original vesting expiration timeline; or

- vi. When the discretionary land use approval for the project terminates under the provisions of [this Chapter](#) or [Chapter I. \(General Provisions and Zoning\) of this Code](#) or any ordinance adopted pursuant to this Chapter or [Chapter I. \(General Provisions and Zoning\) of this Code](#).

## **B. Initiation**

1. When an applicant files for a building permit, pursuant to [Section 91.106. \(Permits\) of Chapter IX of this Code](#), the Department of Building & Safety will generate a Zoning Plan Check, as required, for the Department of City Planning to complete.
2. A Zoning Plan Check is initiated, as required, in order to obtain a Department of Building & Safety permit, pursuant to [Section 91.106. \(Permits\) of Chapter IX of this Code](#).

## **C. Notice**

There is no public hearing required for a Zoning Plan Check, and therefore no notice of a public hearing is required.

## **D. Decision**

### **1. Review**

The Department shall determine compliance with the applicable regulations and standards for projects requiring a Zoning Plan Check.

### **2. Clearance**

Clearance shall be issued as required pursuant to the applicable ordinance or building permit requirement.

### **3. Administrative Modification of Yard, Area, Parking Facility, and Loading Space Requirements**

The Department of City Planning shall have the authority to hear and determine requests for administrative modifications for individual cases in the yard, area, parking facility, or loading space requirements of [this Chapter](#) or [Chapter I. \(General Provisions and Zoning\) of this Code](#). Administrative Modifications shall be limited to those established in [Subsection D. \(Decision\)](#). Under this action, the Department of City Planning shall not grant deviations from the lot area, height, or density requirements, as well as yard requirements relating to the height of fences and walls, or including those for tennis or paddle tennis courts and other game courts.

**a. Yard and Area Modifications**

If the required yard, area, or other open space regulations cannot reasonably be complied with or it is difficult to determine their application on lots of peculiar shape or location, then the regulations may be modified or determined by the Department of City Planning.

For structures and additions constructed after January 1, 1995, Administrative Modifications from the yard requirements shall be limited to deviations permitting portions of buildings to extend into a required yard or other open space a distance not to exceed 20 percent of the width or depth of such required yard or open space. However, for structures and additions existing prior to January 1, 1995, administrative modifications may be granted for yard deviations slightly over 20 percent.

**b. Parking Facility Modifications**

The Department of City Planning may grant administrative modifications in the requirements of [Chapter I. \(General Provisions and Zoning\), Sec. 12.21 A.5.](#) and [Chapter I. \(General Provisions and Zoning\), Sec. 12.21 A.16.](#) for lots subject to Chapter I., or [Sec. 4C.4.3. \(Parking Area Design\)](#) and [Div. 4C.3. \(Bicycle Parking\) of this Zoning Code \(Chapter 1A\)](#) for lots subject to this Chapter, if it is impractical to apply the design criteria set forth therein due to the unusual topography, peculiar shape or location of the lot, or where parking angles are less than 40 degrees. The Department of City Planning may also grant administrative modifications in such requirements where such modifications will improve the design or functioning of the parking area or garage, or where attendant parking is ensured to the satisfaction of the Department of City Planning.

**c. Loading Space Modifications**

The Department of City Planning may waive all or part of the required loading space on unusually shaped lots, oddly located lots, or hillside lots, when such space cannot reasonably be provided or utilized.

**E. Criteria for Compliance Review**

The Department shall review the application for compliance with the applicable regulations and standards of [this Chapter](#) or [Chapter I. \(General Provisions and Zoning\) of this Code](#) or the applicable Specific Plan, including the zone standards, established development standards, and any supplemental use regulations.

**F. Scope of Decision**

After the Zoning Plan Check determines that the application is in compliance with the applicable regulations and standards, the following actions must comply with the approved plans:

1. The erection, enlargement or maintenance of buildings;
2. Any development or construction work; or
3. Issuance of a grading, building, demolition, or change of use permit.

## **G. Appeals**

See [Sec. 13B.10.2. \(Appeals From LADBS Determinations\)](#) of this Chapter.

## **H. Modification Procedures**

An applicant may request a modification to plans that are subject to a Zoning Plan Check pursuant to the procedures in [this Subsection \(Modification Procedures\)](#). These procedures are intended to allow for adjustments to an approved plan set without requiring an entirely new permit application.

### **1. Plan Revisions Prior to Permit Issuance**

Prior to the issuance of a permit associated with a Zoning Plan Check, an applicant may submit proposed revisions to the Department of City Planning for review under a subsequent Zoning Plan Check. If the proposed revisions alter the work or building envelope, additional review may be required. Any new clearances required shall be limited to the scope of the modified work.

### **2. Plan Revisions After Permit Issuance Before Certificate of Occupancy**

After a permit has been issued, but prior to the issuance of a Certificate of Occupancy, an applicant may apply for a subsequent Zoning Plan Check to modify the permitted plans. The review shall be limited to the scope of the proposed modifications. If the proposed revisions alter the work or building envelope, additional review may be required. Any new clearances required shall be limited to the scope of the modified work.

### **3. Plan Revisions After Certificate of Occupancy Issuance**

The modification procedures in [this Subsection \(Modification Procedures\)](#) shall not apply to any project for which a final inspection has been completed or a Certificate of Occupancy has been issued.

**Section 27.** Paragraph 4. (Transmittal) of Subsection D. (Decision) of Section 13B.4.2. (Project Compliance) of Division 13B.4. (Specific Plan Implementation) of Article 13 (Administration) of Chapter 1A is hereby amended to read as follows:

**4. Transmittal**

The Director shall transmit a copy of the decision to: the applicant, ~~the Department of Building and Safety~~, the Councilmember(s) having jurisdiction over the Specific Plan area in which the property is located, the Department of Transportation (where appropriate), owners of all properties abutting, across the street or alley from, or having a common corner with the subject property; the chairperson of any design review or plan review board having jurisdiction over the Specific Plan area in which the property is located; and interested parties who have filed written requests with the City Planning Department.

**Section 28.** Paragraph 6. (Transmittal) of Subsection D. (Decision) of Section 13B.4.3. (Project Compliance (Design Review Board)) of Division 13B.4. (Specific Plan Implementation) of Article 13 (Administration) of Chapter 1A is hereby amended to read as follows:

**6. Transmittal**

A copy of all decisions shall be forwarded to the applicant, the design review board, the Councilmember(s) in whose district(s) the Specific Plan area is located, ~~the Department of Building and Safety~~, and any interested parties who make a written request for notice.

**Section 29.** Paragraph 4. (Transmittal) of Subsection D. (Decision) of Section 13B.4.4. (Project Adjustment) of Division 13B.4. (Specific Plan Implementation) of Article 13 (Administration) of Chapter 1A is hereby amended to read as follows:

**4. Transmittal**

The Director shall transmit a copy of the decision by email, electronic transmission, or mail to the applicant, ~~the Department of Building and Safety~~, the Councilmember(s) having jurisdiction over the Specific Plan area in which the property is located, the Department of Transportation (where appropriate), owners of all properties abutting, across the street or alley from, or having a common corner with the subject property; and interested parties who have filed written requests with the City Planning Department.

**Section 30.** Paragraph 6. (Transmittal) of Subsection D. (Decision) of Section 13B.4.5. (Project Exception) of Division 13B.4. (Specific Plan Implementation) of Article 13 (Administration) of Chapter 1A is hereby amended to read as follows:

**6. Transmittal**

- a. Where required, the Area Planning Commission shall transmit a copy of the decision to: ~~the Department of Building and Safety~~; the Councilmember(s) having jurisdiction

over the Specific Plan area in which the property is located; and the Department of Transportation, where appropriate.

- b. Copies of the decision shall also be provided to: the applicant; the Department of Neighborhood Empowerment; the chairperson of any design review or plan review board having jurisdiction over the Specific Plan area in which the property is located; and interested parties who have filed written requests with the City Planning Department.

**Section 31.** Paragraph 4. (Transmittal) of Subsection D. (Decision) of Section 13B.4.6. (Specific Plan Implementation) of Division 13B.4. (Specific Plan Implementation) of Article 13 (Administration) of Chapter 1A is hereby amended to read as follows:

**4. Transmittal**

The Director shall transmit a copy of the decision to the applicant, ~~the Department of Building and Safety~~, the Councilmember(s) having jurisdiction over the Specific Plan area in which the property is located, the Department of Transportation (where appropriate), owners of all properties abutting, across the street or alley from, or having a common corner with the subject property; the chairperson of any design review or plan review board having jurisdiction over the Specific Plan area in which the property is located; and interested parties who have filed written requests with the Department of City Planning.

**Section 32.** Paragraph 6. (Transmittal) of Subsection D. (Decision) of Section 13B.5.3. (Variance) of Division 13B.5. (Quasi-Judicial Relief) of Article 13 (Administration) of Chapter 1A is hereby amended to read as follows:

**6. Transmittal**

Upon making a decision, the Zoning Administrator shall transmit a copy of the written findings and decision to the applicant, the Director, ~~the Department of Building and Safety~~, owners of all properties abutting, across the street or alley from, or having a common corner with the subject property and to all persons who have filed written requests for this notice with the ~~Office~~ of Zoning Administration. The Zoning Administrator shall also place a copy of the findings and decision in the file.

**Section 33.** Subparagraph e. of Paragraph 4. (Transmittal) of Subsection G. (Appeals) of Section 13B.5.3. (Variance) of Division 13B.5. (Quasi-Judicial Relief) of Article 13 (Administration) of Chapter 1A is hereby amended to read as follows:

- e. Upon making a decision, a copy of the findings and decision shall forthwith be placed on file in the City Planning Department, and copies of the decision shall be sent to the applicant, the appellant, ~~the Department of Building and Safety~~, the Director, and the ~~Office~~ of Zoning Administration.

**Section 34.** Section 13B.10.1. (General Provision) of Division 13B.10. (Department of Building and Safety) of Article 13 (Administration) of Chapter 1A is hereby amended to read as follows:

## **SEC. 13B.10.1. GENERAL PROVISIONS**

### **A. Purpose**

This Division describes the powers, duties, and processes of the Department of Building and Safety as they relate to this Chapter and Chapter I. (General Provisions and Zoning) of this Code.

### **B. Permits and Vesting of Development Plan**

See Section 13B.3.3. (Zoning Plan Check) of this Article.

#### 1. ~~Permits~~

No permit pertaining to the use of land or buildings shall be issued by any department, officer, or employee of this City, vested with such duty, unless the application for the permit has been approved by the Department of Building and Safety as to conformance of said use with the provisions of this Chapter or Chapter I. (General Provisions and Zoning) of this Code. Any permit or Certificate of Occupancy issued in conflict with the provisions of this Chapter or Chapter I. (General Provisions and Zoning) of this Code shall be null and void.

#### 2. Vesting of Development Plan

a. Whenever plans sufficient for a complete plan check are accepted by the Department of Building and Safety and a fee is paid, a vested right is granted to the project to proceed with its development in substantial compliance with the zoning, and development rules, regulations, ordinances and adopted policies of the City of Los Angeles in force on the date that the plan check fee is paid as indicated on a valid building permit application. These rights shall not include exemption from other applications or approvals that may be necessary to entitle the project to proceed (i.e., subdivision, zone variance, design review board review, etc.) and from subsequent changes in the Building and Safety and Fire regulations found necessary by the City Council to protect the public health and safety and which are applicable on a citywide basis, contained in Chapter V, (Public Safety and Protection) and Chapter IX. (Building Regulations) of this Code and policies and standards relating to those Chapters or from citywide programs enacted after the application is deemed complete to implement State or Federal mandates.

b. These rights shall end:

- i. 18 months after the plan check fee is paid, or if a permit is issued during that time, when the building permit terminates pursuant to Sec. 98.0602 (Expiration of Permits) of this Code;
  - ii. When subsequent changes are made to those plans that increase by more than five percent or decrease by more than 10 percent the height, floor area, or occupant load of the proposed-structure;
  - iii. When the use of the property is changed;
  - iv. When changes exceed or violate the regulations of this Chapter or Chapter I. (General Provisions and Zoning) of this Code in force on the date the plan check fee was paid; or
  - v. When the discretionary land use approval for the project terminates under the provisions of this Chapter or Chapter I. (General Provisions and Zoning) of this Code or any ordinance adopted pursuant to this Chapter or Chapter I. (General Provisions and Zoning) of this Code.
- c. In the case that a discretionary land use approval is required, the vesting rights in plan check will be extended for the time period during which the discretionary land use approval is being processed. However, in no case will the extension of vesting rights exceed more than 18 months beyond the original vesting expiration timeline.

### **C. Yard Area Modifications**

See Sec. 13B.3.3.D.3. (Administrative Modification of Yard, Area, Parking Facility, and Loading Space Requirements) of this Article.

The Department of Building and Safety shall have the authority to hear and determine requests for yard area modifications pursuant to Chapter IX. (Building Regulations), Sec. 98.0403.1(a)11. (Powers of the Department and the Board)of this Code.

### **D. Parking Facility Modifications**

See Sec. 13B.3.3.D.3. (Administrative Modification of Yard, Area, Parking Facility, and Loading Space Requirements) of this Article.

1. The Superintendent of Building or the Superintendent's designee may grant slight modifications in the requirements of Chapter I. (General Provisions and Zoning), Sec. 12.21 A.5. and Chapter I. (General Provisions and Zoning) Sec. 12.21 A.16. for lots subject to Chapter I., or 4C.4.3. (Parking Area Design) and Div. 4C.3. (Bicycle Parking) of this Zoning Code (Chapter 1A) for lots subject to this Chapter, if it is impractical to apply the design criteria set forth therein due to the unusual topography, peculiar shape of location of the lot, or where parking angles are less than 40 degrees. The Superintendent of Building may also grant slight modifications in such requirements where such

modifications will improve the design or functioning of the parking area or garage, or where attendant parking is ensured to his or her satisfaction.

2. The power to grant such modifications shall be exercised in accordance with the procedure established in Section 98.0403 of this Code.

#### **ED. Inspection of Premises**

1.—Whenever it is necessary to make an inspection to enforce any of the provisions or to perform any duty imposed by this Code or other applicable law, or whenever the Superintendent of Building or his/ her authorized representative has reasonable cause to believe that there exists in any building or upon any premises any violation of the provisions of this Article or other applicable law, the Superintendent of Building or his/her authorized representative is hereby authorized to enter such property at any reasonable time and to inspect the same and perform any duty imposed upon the General Manager by this Code or other applicable law, provided that:

- a1. If such property be occupied, he/she shall first present proper credentials to the occupant and request entry explaining his/her reasons therefor; and
- b2. If such property ~~be is~~ unoccupied, he/she shall first make a reasonable effort to locate the owner or other persons having charge or control of the property and request entry, explaining his reasons therefor~~e~~. If such entry is refused or cannot be obtained because the owner or other person having charge or control of the property cannot be found after due diligence, the Superintendent of Building or his/her authorized representative shall have recourse to every remedy provided by law to secure lawful entry and inspect the property.

**Section 35.** Paragraphs 1. through 3. of Subsection A. (Applicability) of Section 13B.10.2. (Appeals from LADBS Determinations) of Division 13B.10. (Department of Building and Safety) of Article 13 (Administration) of Chapter 1A is hereby amended to read as follows:

1. The ~~Zoning Administrator~~**Director** may investigate and make a decision upon appeals from determinations of the Los Angeles Department of Building and Safety (LADBS) where it is alleged there is error or abuse of discretion in the issuance of any building permit, order, interpretation, requirement, determination or action made by LADBS in the enforcement ~~or administration~~ of **this Chapter** or **Chapter I. (General Provisions and Zoning)** of this Code and other land use ordinances in site specific cases.
2. This Section does not apply to requests for extensions of time to comply with any order issued by LADBS.
3. An appeal ~~to the Director~~ may only be made after the LADBS has rendered a decision in writing and provided written justification and findings on an appeal made pursuant to

[Sec. 98.0403.2\(a\) \(Procedures for Appeals to the Department and to the Board\) of this Code.](#)

**Section 36. STYLE AND FORMATTING CORRECTIONS.** City Planning prior to publishing the Code shall ensure all of the following style and formatting corrections are made 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, 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”).
- D. All internal citations within 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 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 Code shall be updated to first state the name of the Code, 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.

- I. 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.
- J. 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. “½” instead of “one-half”, and 1½ instead of “one and ½”).
  - 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 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...”
- K. 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.

Draft Zoning Review Transfer Ordinance – October 2025

**Section 37.** The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality  
HYDEE FELDSTEIN SOTO, City Attorney

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission and recommend that it be adopted.

By \_\_\_\_\_  
(name)  
Assistant City Attorney

\_\_\_\_\_  
VINCENT P. BERTONI, AICP  
Director of Planning

File No. \_\_\_\_\_

Date \_\_\_\_\_

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

\_\_\_\_\_

\_\_\_\_\_

Ordinance Passed \_\_\_\_\_

Approved \_\_\_\_\_

Ordinance Posted:

Ordinance Effective Date: