

ORDINANCE NO. 188425

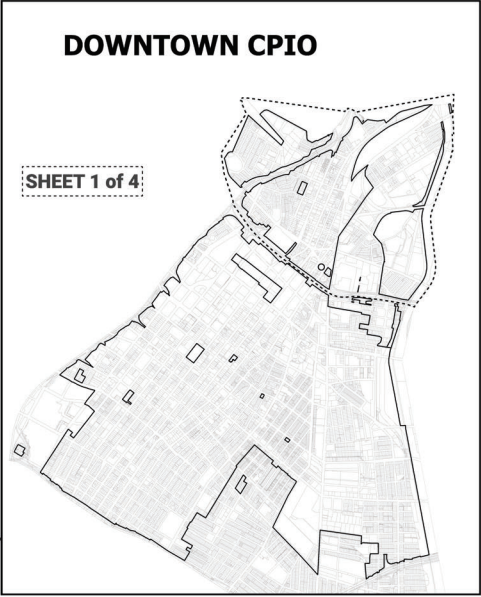
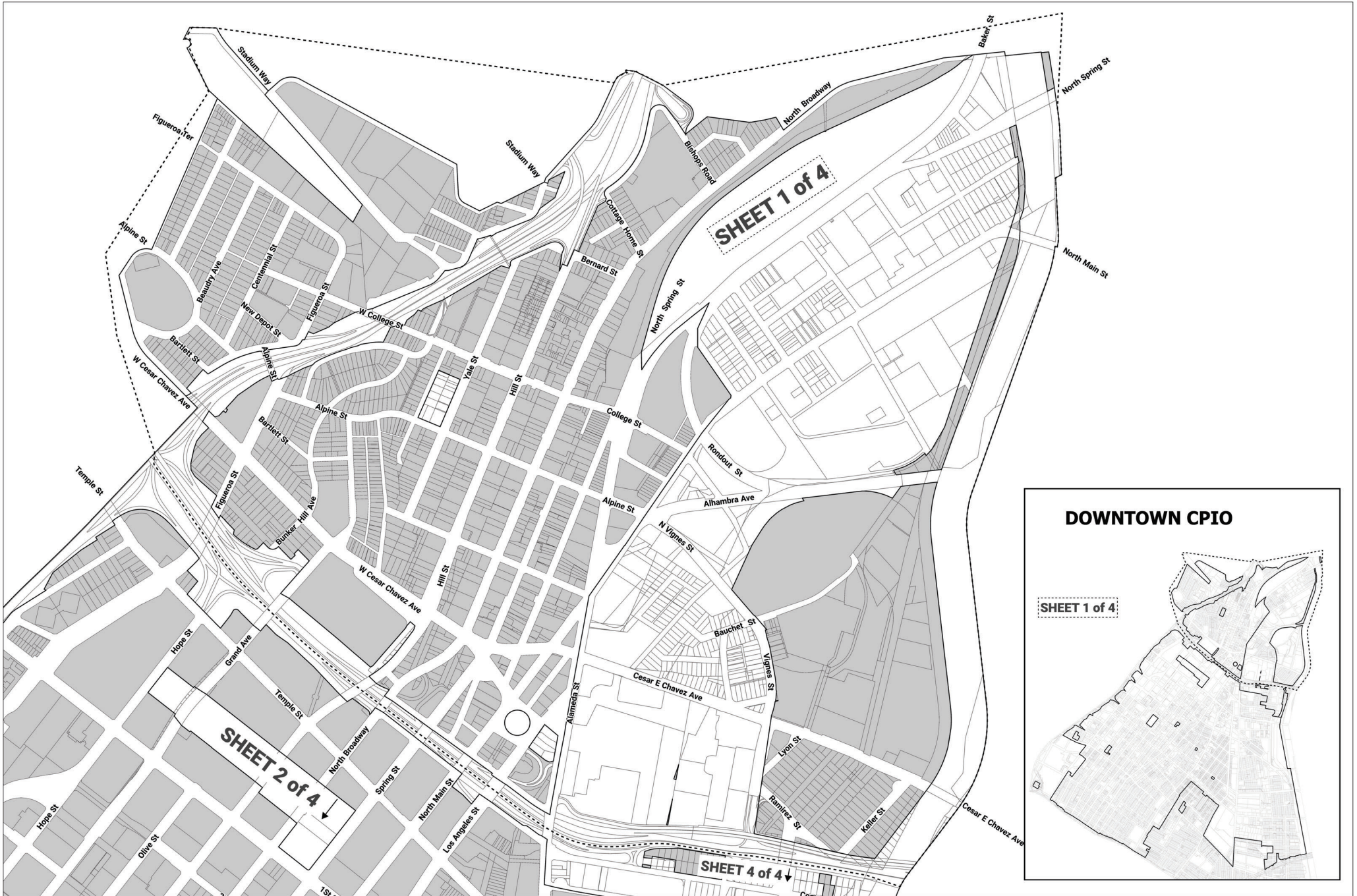
An ordinance establishing the Downtown Community Plan Implementation Overlay District for the Downtown Community Plan Area.

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

Section 1. Pursuant to Section 13.14 of Chapter I and Section 13.B.1.4. of Chapter 1A of the Los Angeles Municipal Code and the City Council's authority to adopt zoning regulations, the City Council hereby establishes and adopts the attached Downtown Community Plan Implementation Overlay District (Downtown CPIO District) to read in whole as shown in the attached document. The Downtown CPIO District's boundaries are identical to the boundaries of the Downtown Community Plan (Downtown Community Plan), adopted on May 3, 2023 (Council File No. 21-0934) within the attached map. The City Council establishes four Downtown CPIO District Subareas, the Community Benefits Program Subarea, the Bunker Hill Subarea, the Civic Center Subarea, and the Historic Resources Subarea, for those areas shown in the attached Downtown CPIO District Boundary Maps.

Sec. 2. The City Council finds that the supplemental development regulations of the Downtown CPIO District are consistent with, and necessary to implement, the programs, policies and design guidelines of the Downtown Community Plan.

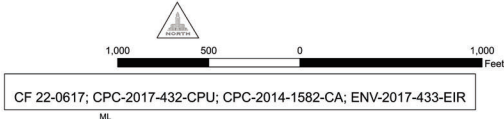
Sec. 3. This ordinance shall be operative on January 27, 2025.



Downtown Community Plan Implementation Overlay (CPIO)

■ CPIO

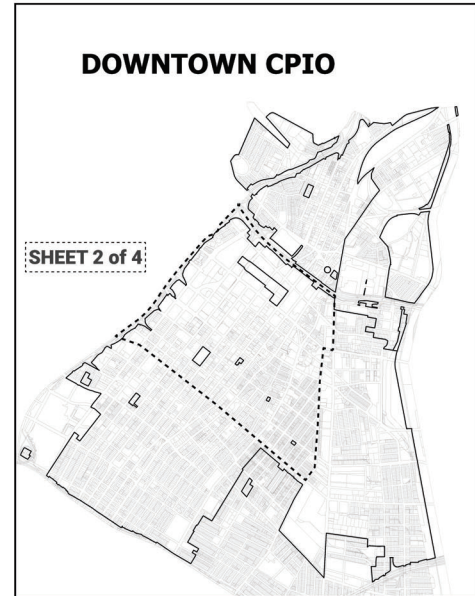
THIS ORDINANCE ESTABLISHES THE BOUNDARIES FOR THE DOWNTOWN COMMUNITY PLAN IMPLEMENTATION OVERLAY (CPIO) DISTRICT.



SHEET 1 of 4



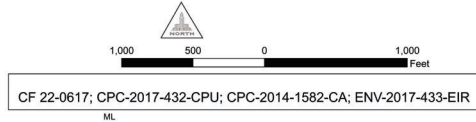
Data Sources: Department of City Planning, Bureau of Engineering



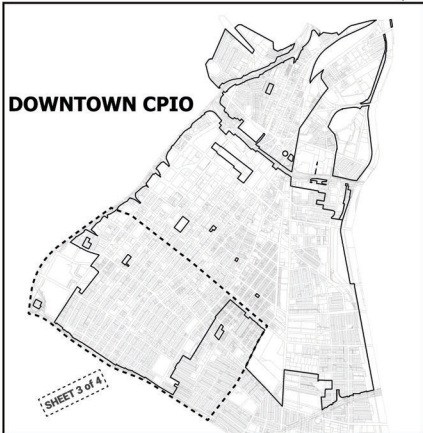
Downtown Community Plan Implementation Overlay (CPIO)

■ CPIO

THIS ORDINANCE ESTABLISHES THE BOUNDARIES FOR THE DOWNTOWN COMMUNITY PLAN IMPLEMENTATION OVERLAY (CPIO) DISTRICT.



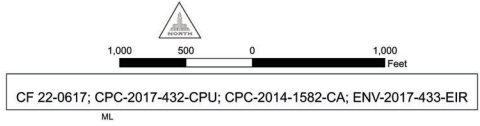
SHEET 2 of 4



Downtown Community Plan Implementation Overlay (CPIO)

■ CPIO

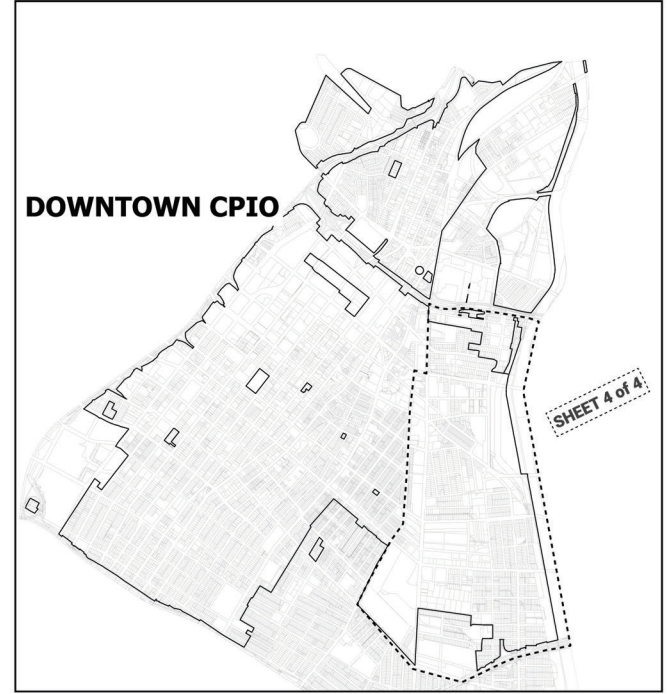
THIS ORDINANCE ESTABLISHES THE BOUNDARIES FOR THE DOWNTOWN COMMUNITY PLAN IMPLEMENTATION OVERLAY (CPIO) DISTRICT.



SHEET 3 of 4

Data Sources: Department of City Planning, Bureau of Engineering

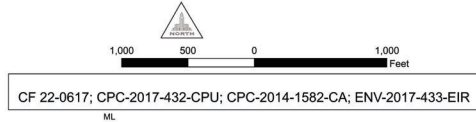




Downtown Community Plan Implementation Overlay (CPIO)

■ CPIO

THIS ORDINANCE ESTABLISHES THE BOUNDARIES FOR THE DOWNTOWN COMMUNITY PLAN IMPLEMENTATION OVERLAY (CPIO) DISTRICT.



SHEET 4 of 4

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Data Sources: Department of City Planning, Bureau of Engineering

Downtown Community Plan Implementation Overlay District
(Downtown CPIO District)

Ordinance No. 188425
Effective Date January 27, 2025

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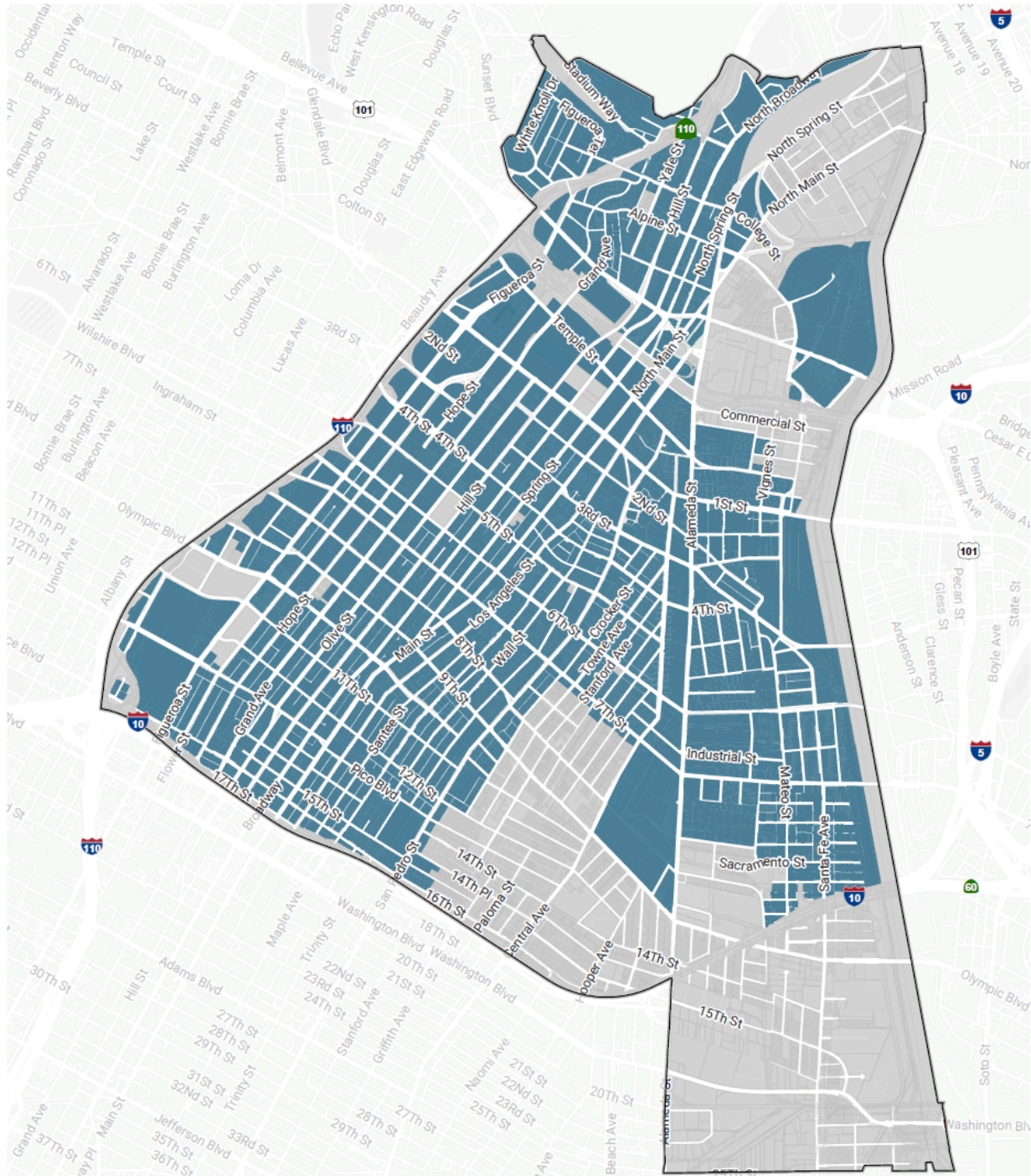
CHAPTER I – FUNCTION OF THE CPIO DISTRICT

Section I-1. DOWNTOWN CPIO DISTRICT AUTHORITY AND BOUNDARIES

Pursuant to Los Angeles Municipal Code (LAMC) Chapter 1A, Section 13B.1.4 (Zone Change) and Chapter I, Section 13.14¹ (Community Plan Implementation Overlay District), the City Council establishes the Downtown Community Plan Implementation Overlay District (Downtown CPIO District or CPIO District). The boundaries of the Downtown CPIO District are identical to the boundaries of the Downtown Community Plan Area (Community Plan Area) as adopted on May 3, 2023 (Council File No. 22-0617) shown on Figure 1.

¹ Pursuant to Section 1-5.H, this citation is updated to refer to Section 8.2.2 (Community Plan Implementation Overlay) of Chapter 1A of the LAMC.

Figure 1. Downtown Community Plan Implementation Overlay (CPIO) Boundary



Downtown Community Plan Area
 Parcels within the Subarea Boundary
 Yes
 No



Source(s): Los Angeles Department of City Planning

Date Exported: 9/19/2024

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Figure 1-1. Downtown CPIO District Community Benefits Program Subarea A

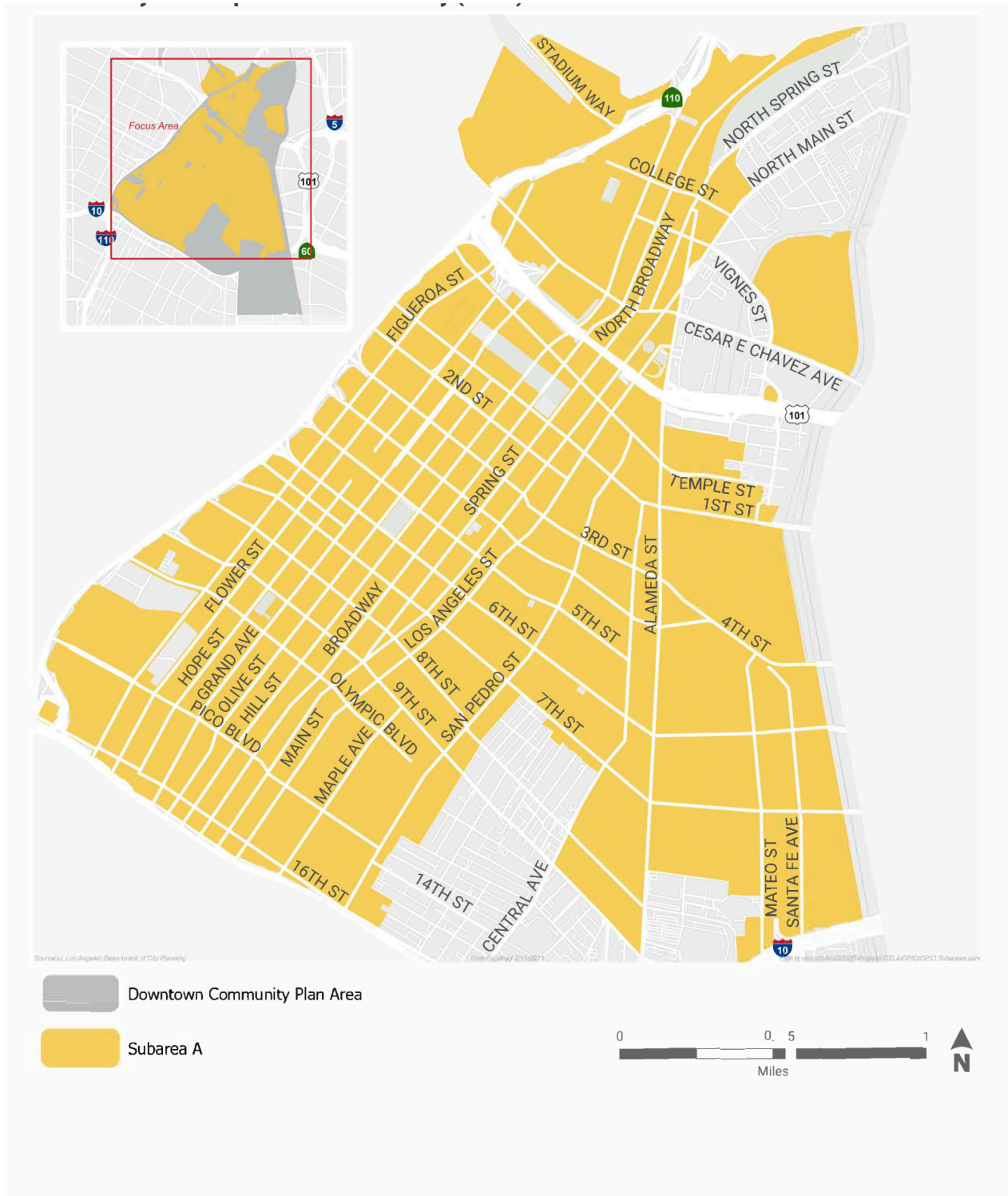


Figure 1-2. Downtown CPIO District Bunker Hill Subarea B

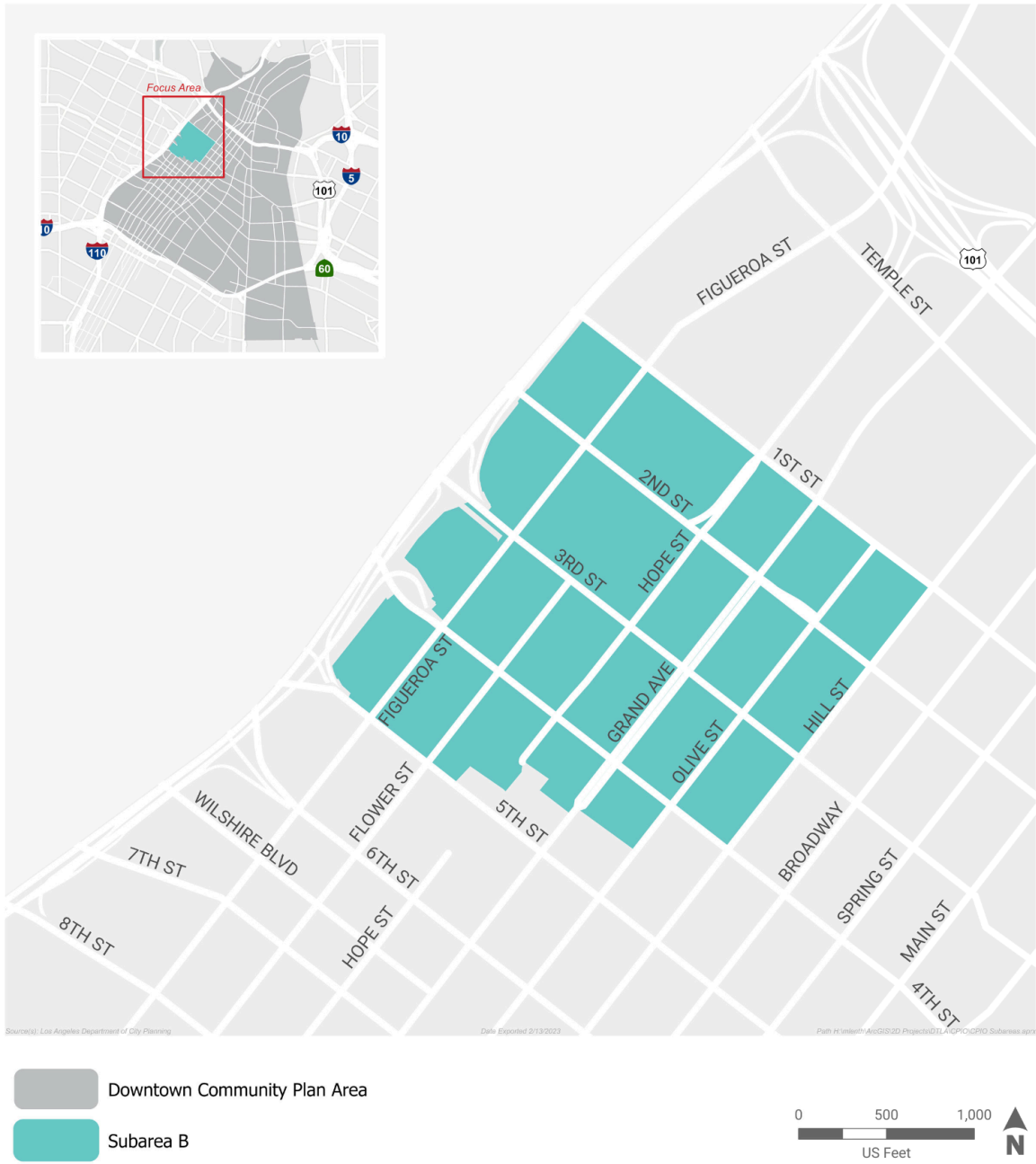
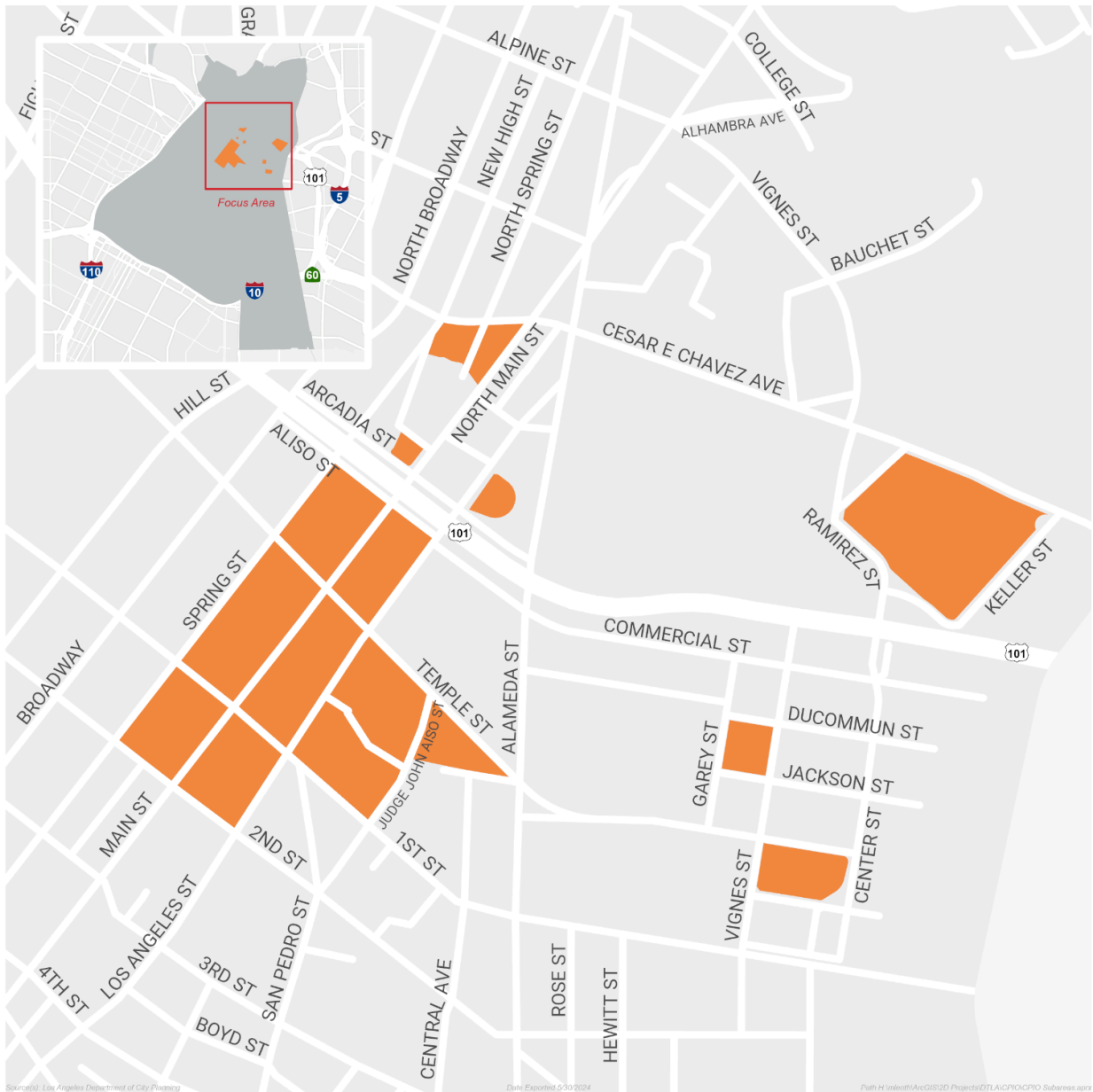


Figure 1-3. Downtown CPIO District Civic Center Subarea C


Community Plan Implementation Overlay (CPIO) Subarea C




Source(s): Los Angeles Department of City Planning

Date Exported: 5/30/2024

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 Downtown Community Plan Area

 Subarea C

0 400 800

US Feet


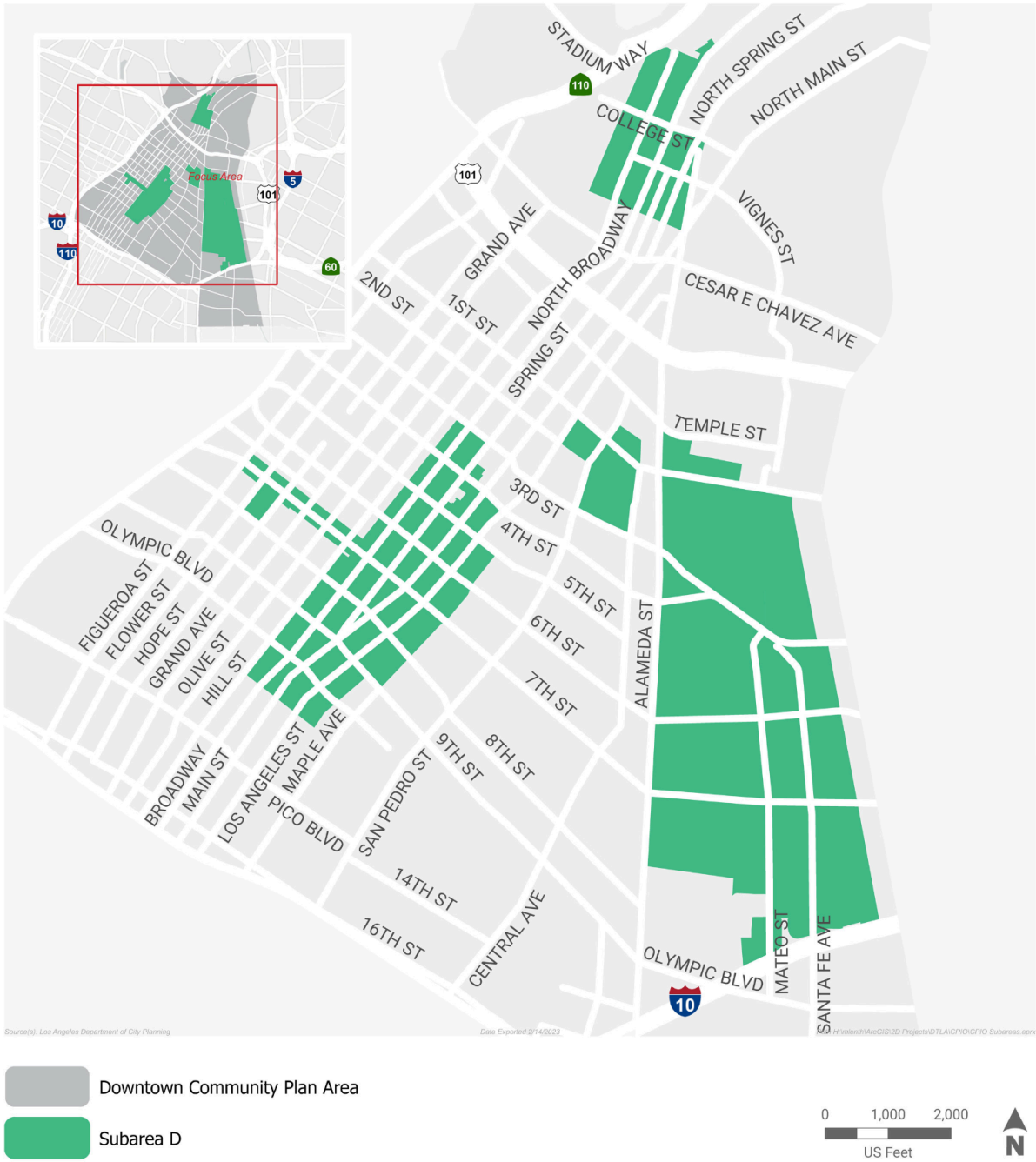


Figure 1-4. Downtown CPIO District Historic Resources Subarea D



Section I-2. PURPOSES

The purposes of the Downtown CPIO District are as follows:

- A.** To implement the goals and policies of the Downtown Community Plan.
- B.** To create building floor area and height incentives tailored to the neighborhood context and development patterns.
- C.** To encourage housing that is affordable to a variety of income levels and household types.
- D.** To create approval processes for development projects that enable infill development with positive community impacts.
- E.** To promote access to public open space and community facilities that meet the needs of the community.
- F.** To promote the overall health and sustainability of the community that resides, works, and recreates in the Community Plan Area.
- G.** To preserve and protect neighborhood identity, including protecting cultural and historic resources and distinctive character defining elements of existing urban form.
- H.** To promote strong urban design and ensure that development enhances the aesthetic character of the community; and maintains appropriate land uses.

Section I-3. SUBAREAS

The Downtown CPIO District contains four subareas (Subareas) as shown on Figures 1-1 through 1-4. The Subareas include contiguous or non-contiguous parcels characterized by common overarching Community Plan themes, goals, and policies, and are grouped by a common boundary. The Subareas are described below.

Community Benefits Program Subarea (Subarea A)

The Community Benefits Program Subarea (Subarea A) strives to introduce more Mixed-Income Housing and 100 Percent Affordable Housing, provide access to public open space and community facilities, and facilitate the preservation and Rehabilitation of historic resources in the Community Plan Area. This Subarea includes a tiered incentive structure that prioritizes Mixed-Income Housing and 100 Percent Affordable Housing. Within Subarea A, unique zones tailor the incentives to the surrounding context, offering greater intensities of floor area ratio (FAR) and height around fixed rail transit stations

and bus corridors and in neighborhoods that support greater density. The boundaries of this Subarea are shown in Figure 1-1. Subarea A is subdivided into the following four Subareas:

Subarea A.1. Subarea A.1 promotes the creation of manufacturing jobs within the Fashion District. The employment incentive aims to encourage new manufacturing job opportunities and sustain the existing fashion industry. Projects in which a minimum of 50 percent of the total floor area, inclusive of any bonus floor area, is dedicated to light manufacturing uses and includes a loading elevator, are eligible for additional floor area above the base FAR. The boundaries of Subarea A.1 are shown in Figure 2-1.

Subarea A.2. Subarea A.2 encourages employment uses within the Arts District. For sites located in Subarea A.2, projects in which a minimum of 50 percent of the total floor area, inclusive of any bonus floor area, is allocated to non-residential uses, are eligible for additional floor area above the base FAR, up to 4:1 FAR. However, eating and drinking establishments, personal services, and retail sales use groups do not count towards the 50 percent requirement. The boundaries of Subarea A.2 are shown in Figure 2-2.

Subarea A.3. Subarea A.3 aims to ensure the inclusion of larger units in new housing projects participating in the incentive program. To support larger households, a minimum of 30 percent of the total dwelling units in a housing development project must be two bedrooms or greater. Exceptions are made for projects where 100 percent of the dwelling units (excluding a manager's unit) are restricted affordable units, or for Mixed-Income Housing projects that use public subsidies tied to a specific number of bedrooms. The boundaries of Subarea A.3 are shown in Figure 2-3.

Subarea A.4. Subarea A.4 allows for the transfer of development rights within the Arts District, Little Tokyo, and Chinatown to encourage the preservation of historic buildings. The boundaries of Subarea A.4 are shown in Figure 2-4.

Bunker Hill Pedestrian Plan Subarea (Subarea B)

The Bunker Hill Pedestrian Plan Subarea (Subarea B) is to implement the previously adopted and rescinded Bunker Hill Specific Plan and provide for an integrated network of pedestrian linkages throughout the Bunker Hill area. Figure 3 shows the general location of the pedestrian linkages in Subarea B. The boundaries of this Subarea are shown in Figure 1-2.

Civic Center Subarea (Subarea C)

The Civic Center Subarea (Subarea C) is intended to allow for FAR to be transferred between City-owned properties within and in proximity to the Civic

Center Area to support an active and world-class Civic Center environment and ensure active frontages for commercial uses. The boundaries of this Subarea are shown in Figure 1-3.

Historic Resources Subarea (Subarea D)

The Historic Resources Subarea (Subarea D), which includes neighborhoods that have an abundance of historically and architecturally significant buildings, is to guide the ongoing maintenance, and Rehabilitation of these structures through an additional level of review. The boundaries of this Subarea are shown in Figure 1-4.

Section I-4. DEFINITIONS

Whenever the following terms are used in this ordinance, they shall be construed as defined in this Section I-4 (Definitions). Words and phrases not defined in this section shall be construed as defined in LAMC Chapter 1A, Article 14 (General Rules). Capitalized words in this Section and the CPIO District shall be as expressly defined in this Section. Any reference to a federal or state statute or regulation in this Section or the CPIO District shall be to the statute or regulation as written and in effect on the date this CPIO District is adopted. Any reference to City ordinances in this Section or this CPIO District are deemed to be amended when those ordinances are amended from time to time.

100 Percent Affordable Housing – A Project in which 100 percent of the residential dwelling units, excluding any manager unit(s), are restricted affordable units.

Affordable Rent for Lower Income Households – Affordable rents for restricted affordable units designated for Extremely Low, Very Low, and Lower Income Households shall meet the minimum income and rent limits applied pursuant to the Transit Oriented Communities Affordable Housing Incentive Program (LAMC Section 12.22 A.31)², provided that all on-site Restricted Affordable Units in a CPIO Mixed-Income Housing Project shall be set at an affordable rent defined by Section 50053 of the Health and Safety Code.

City Planning – The Los Angeles Department of City Planning.

Director – The Director of City Planning.

Eligible Historic Resources – A building, structure, object, site, landscape, or natural feature identified as an individual resource or as a contributor to a historic district under a local, state or federal designation program; or identified as a contributor to an eligible historic district through SurveyLA (The Los Angeles

² Pursuant to Section 1-5.H, this citation is updated to refer to Section 9.2.2 (Transit Oriented Communities Affordable Housing Incentive Program) of Chapter 1A of the LAMC.

Historic Resources Survey), or another historic resource survey, completed subsequent to the effective date of the Downtown CPIO District, and completed by a person meeting the Secretary of the Interior's Professional Qualification Standards for Historic Preservation and accepted as complete by the Director, in consultation with City Planning, Office of Historic Resources (OHR). This term does not include a non-contributor to an eligible historic district.

Loading Bay – An area within a building that is located on the ground floor and designed with the purpose of sending or receiving cargo to and from delivery trucks. A Loading Bay generally has features such as truck-height docks, or ramps, and large openings to accommodate cargo delivery trucks.

Loading Elevator – An elevator capable of carrying a minimum load of 10,000 pounds and designed to support loading and unloading of materials and equipment.

Mixed-Income Housing – A project comprising a mix of market-rate and restricted affordable units.

Project – In Subarea A, a demolition of a housing development project or any project activity that would exceed the Project's authorized base floor area and base height allowances in the applicable form district.

In Subarea B, any major remodel, demolition, lot modification, or site modification, as those activities are defined in LAMC Chapter 1A, Section 14.1.15.³ (Project Activities), or any street vacation or modification to a public easement, that would affect the operation, location, or vacation of any pedestrian easement subject to Chapter III.

In Subarea C, any housing development project, or any new construction as defined in LAMC Chapter 1A, Section 14.1.15.⁴ (Project Activities), that exceeds the authorized base floor area and base height in the applicable form district using the transfer of FAR rights procedures in Section IV-3.

In Subarea D, any demolition, major remodel, facade modification, or maintenance & repair, as those activities are defined in LAMC Chapter 1A, Section 14.1.15.⁵ (Project Activities), or site activities that include the removal of building components. For purposes of Subarea D, the following is a demolition; any project activities that include the removal of building components such that only exterior walls remain, is considered demolition of an Eligible Historic Resource, a contributor to a designated national or state historic district, or a

³ Pursuant to Section 1-5.H, this citation is updated to refer to Section 14.2.15 (Project Activities) of Chapter 1A of the LAMC.

⁴ Ibid

⁵ Ibid

Historic Cultural Monument. Maintenance & repair activities that consist solely of interior work are not considered a Project.

Public Benefits – Improvements, facilities, resources, and services beyond affordable housing for the benefit and enjoyment of the general public, pursuant to LAMC Chapter 1A, Article 9, Division 9.3 (Community Benefits Program).

Rehabilitation – The act or process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving the character definition portions or features of the property which are significant to its historical, architectural, or cultural values.

Restoration – The act or process of accurately recovering the form, features, and details of a property as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

Section I-5. RELATIONSHIP TO OTHER ZONING REGULATIONS

- A.** For properties in the boundaries of the CPIO District Subareas, in whole or in part, the Citywide Transit Oriented Communities Guidelines (TOC) shall be superseded by the provisions and requirements contained in the CPIO District.
- B.** Nothing in the CPIO District is intended to override or conflict with any regulations in the LAMC or other ordinance establishing a park or Quimby fee or park or open space dedication requirement, including any provisions related to credits or fee and dedication calculations.
- C.** Projects providing restricted affordable units in accordance with minimum mandatory inclusionary housing requirements as identified on the Inclusionary Housing Map, pursuant to LAMC Chapter 1A, Sec. 1.5.10 (Inclusionary Housing Map) shall be exempt from paying the Affordable Housing Linkage Fee in LAMC Section 19.18 or LAMC Chapter 1A, Section 15.4.3.
- D.** Nothing in the CPIO District is intended to override or conflict with any regulations in the LAMC that would otherwise require a Conditional Use Permit.
- E.** Nothing in the CPIO District is intended to override or conflict with any bicycle parking regulations.
- F.** Nothing in the CPIO District is intended to override or conflict with LAMC Chapter 1A, Article 9 that provide bonuses, waivers, and incentives for certain affordable housing projects.

- G. Nothing in the CPIO District is intended to override or conflict with any Community Design Overlay or Sign District applicable to a Project.
- H. Any reference to a section of the LAMC made in this CPIO District shall be automatically updated in the event the LAMC is re-numbered or re-organized.

Section I-6. REVIEW PROCEDURES

- A. **Prohibition of Issuance of LADBS Permits Prior to CPIO Approval.** The Los Angeles Department of Building and Safety (LADBS) shall not issue a permit for any Project, as defined in this CPIO, within a Downtown CPIO District Subarea (in whole or in part), unless the Project has been reviewed and approved in accordance with this Section I-6 (Review Procedures).
- B. **Filing Requirements for Multiple Approvals.** A CPIO Adjustment or a CPIO Exception shall be a quasi-judicial approval for purposes of LAMC Chapter 1A, Subparagraph 13A.2.10.A.2.b. (Quasi-Judicial Approval), and shall be processed pursuant to the procedures in LAMC Chapter 1A, Section 13A.2.10. (Multiple Approvals), if the project requires multiple discretionary approvals. Pursuant to LAMC Chapter 1A, Section 13A.2.10. (Multiple Approvals), an administrative review shall be sought after all discretionary approvals, if any, are approved.
- C. **CPIO Approval.** All Projects in a CPIO district subarea are required to get a CPIO approval consistent with LAMC Chapter 1A, Sec. 13B.3.1. (Administrative Review), any applicable provision of this CPIO district, and the following:
 - 1. **Content of Application for a CPIO Approval.** In addition to any other information or documents required under LAMC Chapter 1A. Sec. 13B.3.1. (Administrative Review), an applicant shall provide, at a minimum, detailed permit drawings and any other exhibits deemed necessary to demonstrate compliance with all applicable provisions of the CPIO District. Each application submitted for a CPIO Adjustment, or a CPIO Exception shall clearly identify and list all adjustments and exceptions requested.
 - 2. **Administrative Review.** In addition to the requirements in LAMC Chapter 1A, Sec. 13B.3.1. (Administrative Review), the following shall apply:
 - (a) **Director Approval.** The Director shall grant administrative review after reviewing the Project and determining that it is in compliance with all applicable provisions of the CPIO District

as indicated by a plan stamped by City Planning.

(b) Non-Appealable Ministerial Approval. Administrative review is not subject to appeal and is not discretionary for purposes of CEQA Guidelines Sections 15060(c)(1) and 15268.

(c) Scope of Review and Non-Conforming Uses.

- (i)** In reviewing a Project for an Administrative Review, the Director shall review the Project for compliance with those regulations that are applicable to the proposed scope of construction or use.
- (ii)** Unless otherwise specifically provided in the CPIO District, Non-conforming uses shall comply with LAMC Chapter 1A, Article 12 (Nonconformities).

3. CPIO Director Determination.

(a) In addition to the requirements in Subdivision 2 (Administrative Review), above, and LAMC Chapter 1A., a Project that meets the following criteria shall obtain a Director Determination pursuant to the procedures in this Subparagraph:

- (i)** In Subarea A, a Project seeking bonus FAR through any of the following methods:
 - 1)** Providing off-site affordable housing units under Section II-2.B.1(a);
 - 2)** Transfer of development rights under Section II-3.A (Transfer of Development Rights for Historic Preservation);
 - 3)** Alternative open space amenities under Section II-3.B.1(b)(ii)7;
 - 4)** Alternative social service facilities under Section II-3.C.2(b); or
 - 5)** Alternative civic facilities under Section II-3.C.2(c);
- (ii)** In Subarea B, a Project seeking the removal or rescission of an easement or seeking to change the location of a pedestrian walkway under Section III-2 (Alternative Easement); or

(iii) In Subarea D, any Project doing demolition.

(b) The Director Determination required in this Subdivision 3 (CPIO Director Determination), shall be processed pursuant to LAMC Chapter 1A, Section 13B.2.5 (Director Determination), subject to the following:

(i) **Findings.** To approve a CPIO Director Determination, the Director must find all of the following in writing:

- 1) The Project is consistent with the purpose and intent of the CPIO District and substantially complies with the CPIO District.
- 2) Conditions incorporated into the determination will ensure the ongoing use or operation of the Public Benefit.
- 3) If the Project utilizes a Public Benefit program under Sections II-3.B.1(b)(ii)7 (alternative open space amenities), II-3.C.2(b) (alternative social services), or II-3.C.2(c) (alternative civic facilities), the Public Benefit provided serves the needs of the surrounding residents, employees, and visitors by providing a service or amenity not adequately available to the surrounding community or that contributes to the cultural or historic identity of the surrounding community; and does not result in an over-concentration of the service or amenity.

(c) **CEQA.** Approval of a CPIO Director Determination is a discretionary approval for purposes of CEQA Guidelines Section 15060(c)(1).

4. **CPIO Approval Compliance.** No demolition permit shall be issued for a Project unless building permits for a replacement development on the site have been issued and any necessary permits or entitlements required pursuant to LAMC Chapter 1A, or any ordinance adopted under Chapter 1A, have been obtained. This prohibition shall not apply to any structure deemed hazardous pursuant to the LAMC Chapter IX or to a structure that is, in fact, uninhabitable as determined by LADBS. Adaptive Reuse Projects

as defined in LAMC Chapter 1A, Division 14.2⁶ (Glossary), are not subject to the above provision.

Section I-7. ENVIRONMENTAL STANDARDS PROCEDURES

The Environmental Standards in Appendix A of this CPIO are in addition to those identified in the Environment Protection Measures Handbook (per Sec. 4A.1.2. of Chapter 1A of the LAMC)⁷. These standards are included in the Downtown CPIO District to implement the Mitigation & Monitoring Program as part of the Downtown Community Plan update and described in the City of Los Angeles Downtown Community Plan Environmental Impact Report (Case No. ENV-2017-433-EIR), certified by the City Council. Wherever the environmental standards and applicability thresholds in Appendix A of this CPIO differ from those in the Environment Protection Measures Handbook, the more stringent of the two shall apply.

Any Project subject to discretionary review within the CPIO District Subarea shall comply with all applicable Environmental Standards as set forth in Appendix A, subject to the following rules:

- A. Applicability of Environmental Standards.** A Project does not need to comply with any Environmental Standard that is not relevant to the scope of activities involved with the Project. For example, a Project that proposes only minor façade alterations and no grading shall not be subject to Environmental Standards that apply to grading activities (such as noise and vibration standards). The decision maker, in his or her reasonable discretion, shall determine those Environmental Standards that apply to a particular Project.
- B. Plans.** Compliance with all applicable Environmental Standards listed in Appendix A shall be demonstrated on the plans as project features (that is, features that are physically built into the Project such as an air filtration system) or as operational features listed on a sheet within the plans (that is, features that are carried out either during the construction of the Project, or over the life of the project, such as the use of paints, sealants, and other building materials that yield low air pollutants).
- C. Modification of Environmental Standards.** Modifications of Environmental Standards do not require the processing of a CPIO Adjustment or CPIO Exception. The Director (or appeal body on appeal) may modify or not require an Environmental Standard listed in Appendix A for any Project when: (1) the Director finds in writing, based upon substantial evidence, the Environmental Standard is not necessary to

⁶ Pursuant to Section 1-5.H, this citation is updated to refer to Section 14.3 (Glossary) of Chapter 1A of the LAMC.

⁷ Pursuant to Section 1-5.H, this citation is updated to refer to Section 4C.13.1 (Environmental Protection Measures) of Chapter 1A of the LAMC.

mitigate an impact, including because of the existence of a similar or more effective regulation that applies to the Project; (2) the City complies with CEQA Guidelines, Section 15162, including by preparing an addendum or subsequent environmental clearance to the Downtown Community Plans EIR to analyze the impacts from the modifications to the Environmental Standards; or (3) the City prepares a new CEQA clearance for the Project. No CPIO Approval shall be issued for a Project with a modified Environmental Standard until this subsection has been complied with. The modification of an Environmental Standard is not independently appealable.

Section I-8. DOWNTOWN STREET STANDARDS

Any Project within the CPIO Boundaries shall comply with all applicable standards as set forth in Appendix E. The provisions of the Downtown Street Standards, previously adopted under Ordinance 181,557, remain in effect and are effectuated by this CPIO.

Section I-9. USE OF BEST PRACTICE APPENDICES

The Best Practices in Appendices B, C, and D of this CPIO are not mandatory and shall not be used to approve, deny, or condition any Project, including those requiring an administrative review, CPIO Director's Determination, CPIO Adjustment, or CPIO Exception, or any other discretionary application filed for a Project in the Downtown CPIO District boundaries. The Best Practice Appendices B, C, and D, provide resources that encourage livable and sustainable development in Downtown Los Angeles.

Section I-10. CEQA CLEARANCE

For purposes of CEQA compliance for subsequent projects approved with a CPIO Approval, including, but not limited to, consideration of a CEQA clearance pursuant to Government Code Section 65457, Public Resources Code Section 21155.4; or CEQA Guidelines, Sections 15183 or 15183.3, the Downtown CPIO District shall operate and be treated as a specific plan, zoning ordinance, and a prior plan level decision for which an EIR was certified.

Section I-11 ADMINISTRATION

The Director may promulgate guidelines to interpret and implement the Downtown CPIO District, in part or in whole.

Section I-12. SEVERABILITY

If any portion, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect

the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

CHAPTER II – COMMUNITY BENEFITS PROGRAM SUBAREA A

COMMUNITY BENEFITS PROGRAM SUBAREA (SUBAREA A)

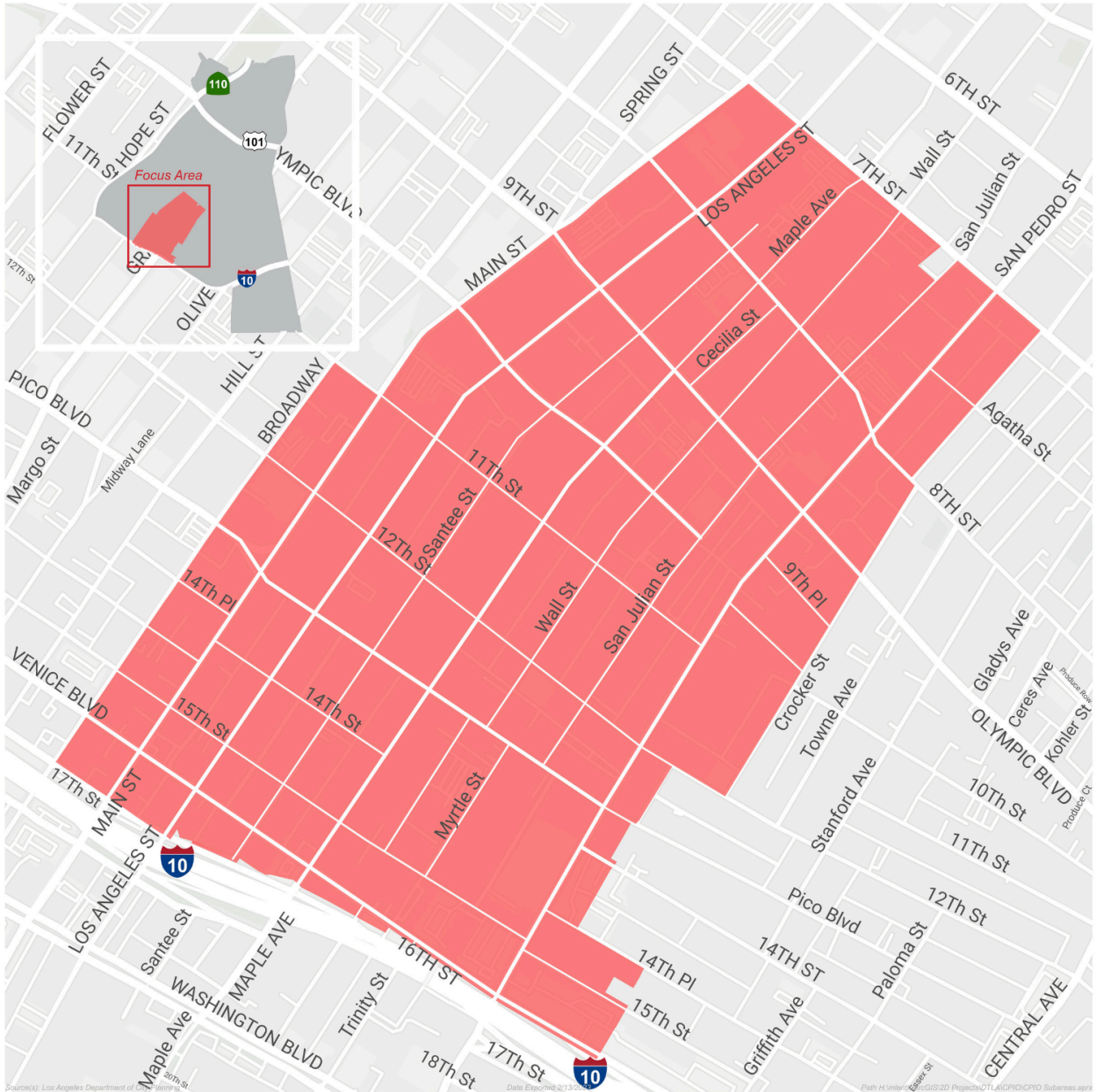
OVERVIEW

The Community Benefits Program Subarea (Subarea A) strives to introduce more affordable housing development projects, provide access to public open space and community facilities, and facilitate the preservation and Rehabilitation of historic resources in the Downtown Community Plan Area. This Subarea includes a tiered incentive structure that prioritizes Mixed-Income Housing and 100 Percent Affordable Housing. Within the Subarea, there are three subsections that tailor the incentives to the surrounding context, offering greater intensities of FAR and height around fixed rail transit stations and bus corridors, and reinforcing the identity of neighborhoods.

All Projects in this Subarea are subject to the requirements in this Chapter.

Subarea A is subdivided into the following four Subareas: A.1 (Figure 2-1), A.2 (Figure 2-2), A.3 (Figure 2-3), and A.4 (Figure 2-4).

Figure 2-1. - Downtown Community Benefits Program Subarea Map A.1



- Downtown Community Plan Area
- Subarea A.1

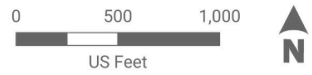


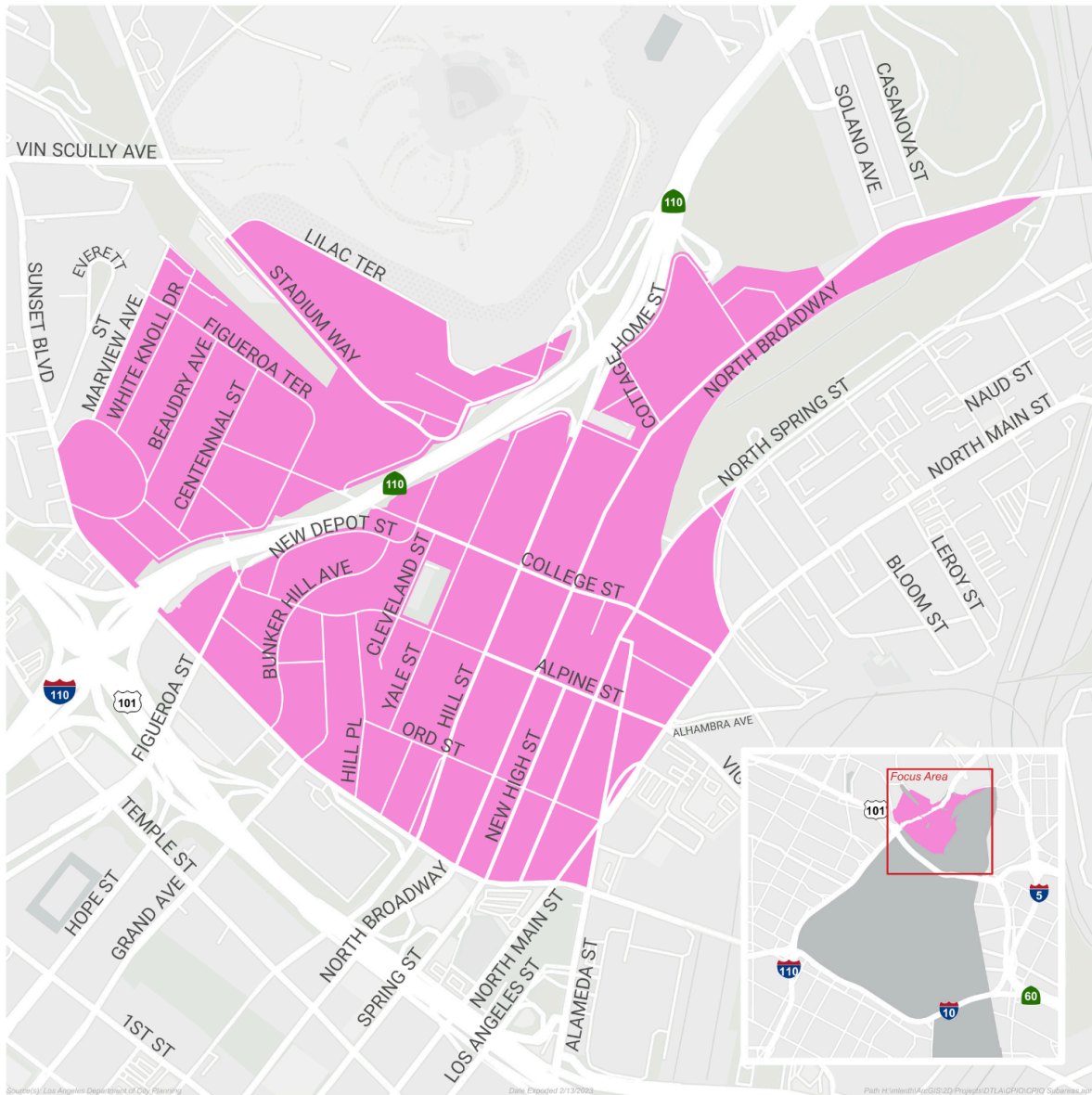
Figure 2-2. - Downtown Community Benefits Program Subarea Map A.2



- Downtown Community Plan Area
- Subarea A.2



Figure 2-3. - Downtown Community Benefits Program Subarea Map A.3



- Downtown Community Plan Area
- Subarea A.3

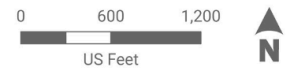
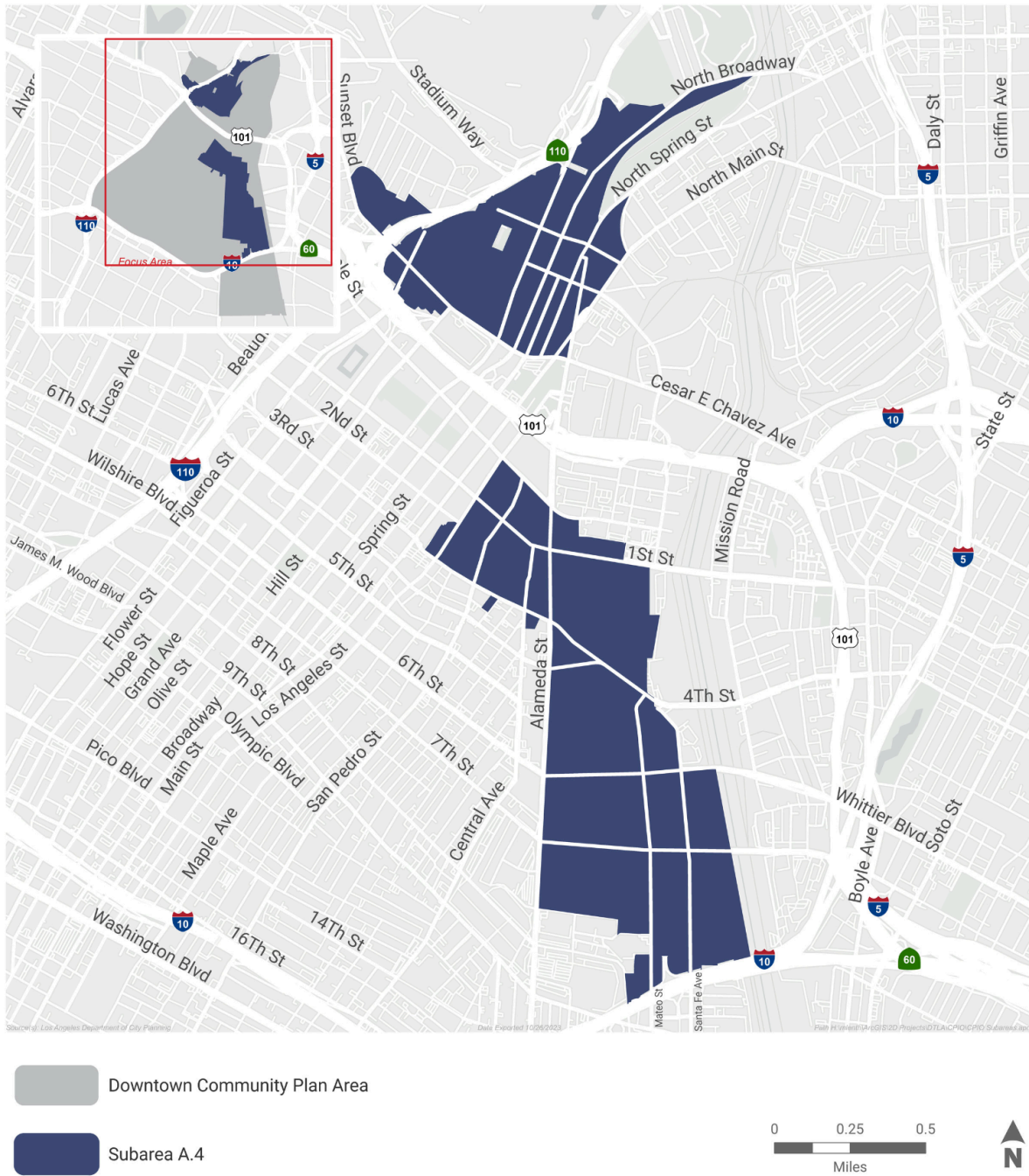


Figure 2-4. - Downtown Community Benefits Program Subarea Map A.4



Section II-1. COMMUNITY BENEFITS STANDARDS

- A. Relief.** The requirements of this Chapter shall not be eligible for a Project Adjustment pursuant to LAMC Chapter 1A, Section 13B.4.4. (Project Adjustment) or a Project Exception pursuant to LAMC Chapter 1A, Section 13B.4.5. (Project Exception)
- B. Pro Rata Share.** A non-residential Project that meets the minimum size requirements in Section II-3.B.1.b (On-Site Privately Owned Public Space) or Section II-3.C.1 (Minimum Requirement) or a housing development project that provides the minimum amount of affordable housing as outlined in Set G of LAMC Chapter 1A, Subparagraph 9.3.2.B.1.a. (Local Incentive Program Sets) and the housing development project is pursuing additional FAR above the 40 percent increase, may seek less than the full increment of FAR available through the incentives in this Chapter provided that they provide a proportional share of community benefits and meet the minimum requirements in this Chapter.
- C. Eligibility.** A housing development project must provide the minimum amount of affordable housing as outlined in Local Incentive Set G of LAMC Chapter 1A, Subparagraph 9.3.2.B.1.a. (Local Incentive Program Sets) before obtaining floor area incentives in this Chapter.
- D. Relationship to LAMC.** Unless otherwise provided in this Chapter, the community benefit incentives granted in this Chapter shall meet the standards and requirements in LAMC Chapter 1A, Division 9.3 (Community Benefits Program). In the circumstance that there is a conflict between the CPIO and Article 9, the CPIO will prevail.

Section II-2. LOCAL AFFORDABLE HOUSING INCENTIVE PROGRAM. A Project may be granted incentives for providing affordable housing pursuant to the following and the provisions in LAMC Chapter 1A, Section 9.3.2. (Local Affordable Housing Incentive Program), as applicable.

- A. Incentive.** A housing development project that meets the requirements in Subsection B (Requirements), below, may increase the FAR up to 40 percent over the base FAR provided the incentive does not exceed the maximum FAR allowed by the applicable form district.
- B. Requirements.** To obtain the incentive in Subsection A (Incentive), a housing development project shall meet all of the following requirements:

 - 1. Restricted Affordable Units.** Within the boundaries of the Subarea, a housing development project shall provide restricted affordable units on-site at rates outlined in Set G of LAMC Chapter

1A, Subparagraph 9.3.2.B.1.a. (Local Incentive Program Sets). The minimum number of restricted affordable units shall be calculated based on the total number of units in the final project.

- (a) **Off-site.** Notwithstanding the above, the required restricted affordable units may be provided off-site provided the Project satisfies all restricted affordable unit requirements in number, type, and affordability levels and provided the site and development of the restricted affordable units meets the following requirements:
 - (i) The site is in the CPIO District boundaries;
 - (ii) The site is zoned to allow the housing development project;
 - (iii) Environmental review, if otherwise required, has been completed for development of the restricted affordable units to the satisfaction of the City;
 - (iv) The development of the restricted affordable units shall include integration of community space and services required by LAHD for a comparable affordable housing development;
 - (v) None of the units required under Section B.1 (Restricted Affordable Units) are subsidized in any part from any federal, state or local program established for the purpose of providing affordable housing, except subsidies may be used with the written permission of LAHD to deepen the affordability of a unit beyond the requirement to meet Subsection A (Incentive); and
 - (vi) None of the restricted affordable units required under Subdivision B.1 (Restricted Affordable Units) are counted to satisfy any affordable housing requirement for any other Project.

For a Project using this Paragraph to provide restricted affordable units off-site, no building permit for the Project shall be issued before the first certificate of occupancy for an off-site unit is issued.

- (b) **In-Lieu Fee.** In lieu of providing the restricted affordable units required in Subdivision B.1 (Restricted Affordable Units), the applicant may pay an in lieu fee to the City of Los Angeles Citywide Affordable Housing Trust Fund (Los Angeles Administrative Code, Division 5, Section Chapter 122, Sec. 5.522) subject to the following requirements:

- (i) The fee shall be determined by the City based on the number of units equivalent to 1.1 times the required number of on-site affordable units, pursuant to Subdivision B.1 (Restricted Affordable Units), in the same proportion of affordability, multiplied by the applicable “Affordability Gap”, as defined in LAMC Chapter 1, Section 11.5.11.b.3 (In-Lieu Fee).
- (ii) The fee is due and payable at the time of and in no event later than issuance of the first building permit for the Project, concurrent with and proportional to any project phases.

2. Dwelling Unit Mix and Location. In Subarea A.3, a minimum of 30 percent of the total dwelling units shall be two bedrooms or greater. This requirement does not apply to the following:

- (a) A 100 Percent Affordable Housing Project.
- (b) A Project using public subsidies tied to a specified number of bedrooms.

C. Additional Incentives. In addition to the FAR and height bonus identified in LAMC Chapter 1A, Subsection 9.3.2.C. (Base Incentives), a housing development project meeting the requirements in Section II-2.B.1 (Restricted Affordable Units) of this CPIO shall be granted two of the additional incentives below, and a 100 Percent Affordable Housing Project shall be granted three of the additional incentives below. Projects shall not be granted an adjustment pursuant to LAMC Chapter, 1A Section 13.B.5.2. (Adjustment), for any development standard for which an incentive is granted. This Subsection C supersedes LAMC Chapter 1A, Subsection 9.3.2.D. (Additional Incentives).

- 1. Building Width.** Up to a 20 percent increase in the maximum building width, as required in LAMC Chapter 1A, Division 2C.5.1 (Building Width), may be granted.
- 2. Building Coverage.** Up to a 20 percent increase in the maximum building coverage, as required in LAMC Chapter 1A, Sec. 2C.2.1 (Building Coverage), may be granted.
- 3. Lot Width.** Up to a 20 percent decrease in the required minimum lot width, See LAMC Chapter 1A, Section 2C.1.2 (Lot Width), may be granted.

4. **Averaging of Floor Area.** Notwithstanding LAMC Chapter 1A, Division 2C.4 (Floor Area Ratio & Height), a housing development project that is located on two or more adjacent parcels may average the floor area over the project site provided that:
 - (a) The proposed use is permitted by the use district of each parcel; and
 - (b) A covenant is recorded prohibiting a subsequent lot line adjustment or subdivision.
5. **Ground Story Height.** A housing development project zoned with a character frontage, may be granted up to a 10 percent decrease in the minimum ground story height, as required in LAMC Chapter 1A, Section 3C.6.1 (Ground Story Height).
6. **Minimum Average Unit Size.** For all eligible housing development projects, up to a 25 percent decrease in the required minimum average unit size, as required in LAMC Chapter 1A, Article 5, may be granted.

Section II-3. PUBLIC BENEFITS INCENTIVE PROGRAMS

The following Public Benefit incentive programs are intended to promote the production of improvements, facilities, resources, and services beyond affordable housing for the benefit and enjoyment of the general public and shall be implemented pursuant to LAMC Chapter 1A, Article 9, Division 9.3. (Community Benefits Program), subject to the following substantive and procedural requirements. A Project may combine Public Benefit incentive options to reach the maximum bonus FAR permitted by the applicable form district, provided that the minimum requirements for each subarea are met.

- A. **Transfer of Development Rights for Historic Preservation.** A Project in Subarea A.4 may transfer or receive development rights for historic preservation pursuant to LAMC Chapter 1A, Section 9.3.5 (Transfer of Development Rights Programs) and subject to the following requirements:
 1. **Incentive.** A receiver site may receive all unused floor area from the donor site, including the donor site's bonus FAR, at a 1:1 ratio (i.e., for every square-foot transferred from a donor site, a receiver site gets one square-foot) up to the receiver site's maximum bonus FAR allowed by the applicable form district.
 2. **Donor Site Requirements.** The donor site shall meet all of the following requirements.
 - (a) The donor site is designated as a Los Angeles Historic-Cultural Monument, is listed in or formally

determined eligible for the California Register of Historical Resources or the National Register of Historic Places, either as an individual historic resource, or as a contributor to a district, or is an Eligible Historic Resource.

- (b) The donor site has unused floor area under its base FAR and/or bonus FAR pursuant to the applicable form district.

3. Receiver Site Requirements. The Project on the receiver site shall not demolish any structure on the receiver site that would qualify the site to be a donor site under Subdivision 2 (Donor Site Requirements), above.

4. Records and Agreements.

- (a) **Covenant.** Following the issuance of a Director's Determination, and prior to the issuance of building permits for a project utilizing a Transfer of Development Rights, all fee owners of the donor site(s) and receiver site(s) involved shall execute a covenant and agreement in a form designed to run with the land and be binding on future owners, assigns and heirs and which is satisfactory to City Planning. The applicant shall record the covenant in the County Recorder's Office and shall file certified copies with City Planning and the Department of Building and Safety.

- (i) **Donor Site Covenant** shall document the reduced floor area that resulted from the transfer of unused permitted floor area to a receiver site(s), and the location of the receiver site(s).

- (ii) **Receiver Site Covenant** shall document the increased floor area that resulted from the transfer of unused permitted floor area from a donor site(s), and the location of the donor site(s).

- (iii) **Covenant Applicability.** The covenants shall not be released by the City so long as the transferred floor area is being utilized by the receiver site. If the receiver site is no longer utilizing the transferred floor area, the City may terminate the covenant upon an application of the owner of the receiver site.

- (iv) City Planning shall maintain a record of any transfers of unused floor area from a donor site(s) to the receiver site(s), and other records as may be

necessary to provide a current and accurate account of the transferred floor area available for use on any lot.

(b) **Preservation Plan and Easement.** All owners of the donor site shall execute a Preservation Plan and Easement, with the following minimum standards:

- (i) The Preservation Plan and Easement shall be executed with City Planning, Office of Historic Resources or a qualified entity designated by the Office of Historic Resources, such as a non-profit historic preservation organization;
- (ii) The Preservation Plan and Easement shall address, at a minimum:
 - 1. Maintenance of the designated historic resource or Eligible Historic Resource, the property, and significant historic features;
 - 2. Additions and alterations to the designated historic resource or Eligible Historic Resource and/or significant elements of any building and the property;
 - 3. Demolition of the designated historic resource or Eligible Historic Resource and/or significant elements of any building and the property;
 - 4. Required rehabilitation work to any significant historic features;
- (iii) Required rehabilitation work must be completed within 10 years of the recordation of the Preservation Easement;
- (iv) Inspections must occur at minimum once every 5 years, however, the number of inspections may be increased as part of the Preservation Plan and Easement; and
- (v) Other standards and requirements as required by the Director of City Planning.

- (c) Violation of the Preservation Plan and Easement, accepted by the City and relied on to approve a transfer of development rights, or any requirement in this Subdivision 4, shall be a violation of the LAMC, subject to all administrative, criminal, and civil penalties and enforcement options available for a violation of the LAMC.

B. Privately Owned Public Space. Projects in Subarea A may obtain incentives for dedicating privately owned public space subject to the following:

1. Incentive. A Project that provides land dedicated for public open space meeting the requirements in Paragraph (a) (Public Open Space), below, or on-site privately owned public space meeting the requirements in LAMC Chapter 1A, Section 9.3.3. (Privately Owned Public Space Incentive Program), and Paragraph (b) (On-site Privately Owned Public Space) below, shall be granted an additional 1:1 FAR for every additional four percent of lot area dedicated above the square footage of lot amenity space required by the applicable form district, provided the incentive does not exceed the maximum FAR allowed by the applicable form district.

(a) **Public Open Space.** Land dedicated for public open space pursuant to LAMC Section 12.33.⁸ that meets the requirements of Paragraph (b) (On-Site Privately Owned Public Space) shall be eligible for the incentive.

(b) **On-Site Privately Owned Public Space.** On-site privately owned public space shall be constructed in accordance with the requirements listed below:

(i) At least one public restroom and drinking water fountain shall be provided within, adjacent to, and/or and directly accessible from the privately owned public space. Public restrooms shall be made available during the operational hours of the privately owned public space, and shall not necessitate the need to enter secured or otherwise publicly inaccessible portions of a building or site. Signage viewable from within the privately owned public space shall indicate that the restroom and drinking water fountain is available for public use.

⁸ Pursuant to Section 1-5.H, this citation is updated to refer to Division 10.4 (Park Fees & Dedications) of Chapter 1A of the LAMC.

- (ii) At least one of the amenity options listed below, which shall occupy a minimum of 400 square feet with no horizontal dimension less than 15 feet, shall be provided within or adjacent to the privately owned public open space:
 - 1) Outdoor exercise equipment available for public use;
 - 2) Sport courts available for public use;
 - 3) Dog run available for public use;
 - 4) Children’s play area available for public use;
 - 5) Community garden available for public use;
 - 6) Public art or historical interpretive element; or
 - 7) Alternative open space amenities through a Director Determination, provided that in addition to the findings required under LAMC Chapter 1A, Section 13.B.2.5 (Director Determination), the Director can demonstrate that the amenity meets the goals and policies of the Downtown Community Plan, and that there is not an overconcentration of similar amenities within a quarter-mile radius of the project location.
- (iii) At least 20 percent of the privately owned public space shall be shaded. Percentage shading shall be the shadow cast on the privately owned public space measured at noon (12:00 p.m.) on the summer solstice.
- (iv) A minimum of three public charging stations for personal electronic devices, with features like power outlets and USB connections, shall be provided at no cost to users.

C. Community Facilities. Projects in Subarea A may obtain additional development rights by providing community facilities pursuant to LAMC Chapter 1A, Section 9.3.4 (Community Facilities), subject to the following:

- 1. **Minimum Requirement.** Sites seeking to utilize the community facilities incentive in Subdivision C.2. (Incentive), below, must dedicate a minimum of 5,000 square feet to one of the uses in Paragraph 2(a)-(d) (Incentive), below.
- 2. **Incentive.** For every 1:1 FAR requested through the Community Facilities Public Benefit Incentive, two and a half percent of that 1:1

FAR shall be dedicated to one of the uses in Paragraphs (a)-(d) below, in addition to the minimum requirement in Paragraph 1 (Minimum Requirement), above. Projects may receive increments of this FAR incentive, provided the incentive does not exceed the maximum FAR allowed by the applicable form district.

- (a) School and library pursuant to LAMC Chapter 1A, Section 9.3.4.C.5 (School and Library).
- (b) Social service pursuant to LAMC Chapter 1A, Section 9.3.4.C.6 (Social Service). An alternative that provides social service facilities may be approved through a Director Determination.
- (c) Civic facility pursuant to LAMC Chapter 1A, Section 9.3.4.C.7 (Civic Facility). An alternative that provides civic service facilities may be approved through a Director Determination.
- (d) Daycare facility pursuant to LAMC Chapter 1A, Section 9.3.4.C.1 (Daycare Facility).
- (e) Health Center pursuant to LAMC Chapter 1A, Section 9.3.4.C.3 (Health Center).
- (f) Legacy Small Business pursuant to LAMC Chapter 1A, Section 9.3.4.C.9 (Legacy Small Business).
- (g) If the Project is within the IX1 Use District, Full-Service Grocery Stores, pursuant to LAMC Chapter 1A, Section 9.3.4.C.2 (Full-Service Grocery Stores).

3. Employment Incentive Subarea⁹. A Project in Subareas A.1 or A.2 may obtain additional floor area pursuant to LAMC Chapter 1A, Paragraph 9.3.4.C.4. (Employment Incentive)¹⁰, for an employment incentive subarea pursuant Paragraphs (a) and (b), below.

- (a) In Subarea A.1, a Project that includes a Loading Elevator and in which a minimum of 50 percent of the total floor area, inclusive of any bonus FAR, contains “manufacturing, light artistic & artisanal”, “manufacturing, light garment & accessory”, or wholesale trade & warehousing uses, shall be granted an additional 1:1 FAR above the base FAR, provided the incentive does not exceed the maximum FAR allowed by the applicable form district.
- (b) In Subarea A.2, a Project shall be granted an additional 2.5:1 FAR above the base FAR provided the incentive does not exceed the maximum FAR allowed by the applicable

⁹ Pursuant to Section 1-5.H, this citation is updated to refer to Employment.

¹⁰ Ibid

form district, and shall be exempt from any minimum height requirement in the applicable form district, provided a minimum of 50 percent of the total floor area, inclusive of any bonus FAR, contains non-residential uses, excluding the following use groups: eating & drinking, personal services, and retail.

Section II-4. Additional On-Site Restricted Affordable Units. A housing development project may exceed the bonus FAR received through the local affordable housing incentive program in LAMC Chapter 1A, Section 9.3.2. (Local Affordable Housing Incentive Program) by providing an increase of restricted affordable units up to the maximum bonus FAR, provided the incentive does not exceed the maximum FAR allowed by the applicable form district as calculated as follows:

- A. 1:1 FAR for each 1.5 percent increase in acutely low, extremely low or very low income. Affordable units shall be calculated on the total number of units.
- B. 1:1 FAR for each 2.5 percent increase in low income, or moderate income (for sale or rent). Affordable units shall be calculated on the total number of units.

A housing development project may only obtain an additional 2:1 FAR by providing restricted affordable units for moderate income. Any additional bonus FAR must be obtained through the provision of restricted affordable units for acutely low, extremely low, very low, or low income or through the provision of other Public Benefits as specified in this CPIO District.

Section II-5. Height Incentives for Projects. A Project receiving bonus FAR through any of the incentive programs in Section II-3 (Public Benefits Incentive Programs) or Section II-4 (Additional On-Site Restricted Affordable Units) shall be eligible for the maximum bonus height in the applicable form district.

Section II-6. Community Benefits Fund Incentive. This Section is intended to implement LAMC Chapter 1A, Section 9.3.4.C.8. (Community Benefits Fund). A Project that pays a fee as provided in Subdivision B (Incentive), below, shall be granted additional floor area provided they meet all of the requirements in Subdivision A (Minimum Requirements), below. Permitted base and maximum bonus FAR for any Project is established in the applicable form district.

A. Minimum Requirements.

- 1. **Housing Development Projects.** To utilize the incentive in this Section (Community Benefits Fund Incentive), a housing development project must have provided the minimum affordable housing under Section II-2 (Local Affordable Housing Incentive

Program) and a minimum amount of additional affordable housing under Section II-4 (Additional On-Site Restricted Affordable Units) or community benefits under Section II-3 (Public Benefits Incentive Programs). To determine the minimum amount of incentives required under Section II-3 (Public Benefits Incentive Programs) and/or Section II-4 (Additional On-Site Restricted Affordable Units) to qualify for the incentive in this Section (Community Benefits Fund Incentive) and how much bonus FAR is available under this incentive take the following steps:

Step One: Provide the minimum affordable housing necessary to qualify for Bonus FAR in Section II-2 (Local Affordable Housing Incentive Program).

Step Two: Determine the amount of maximum bonus FAR remaining after Step One through the following formula:

$$\text{Maximum Bonus FAR} - [1.4 \times \text{Maximum Base FAR}]$$

Step Three: Divide the FAR calculated in Step Two in half.

Step Four: Provide incentives pursuant to Section II-3 (Public Benefits Incentive Programs) and/or II-4 (Additional On-Site Restricted Affordable Units) to qualify for Bonus FAR equal to the FAR determined in Step Three.

Informational example illustrating how much FAR can be achieved through the Community Benefits Fund Incentive:

Example Base FAR: 7:1

Example Maximum Bonus FAR: 13:1

$$(13 - [1.4 \times 7]) \div 2 = 1.6$$

In this example, 1.6:1 FAR can be achieved through the Community Benefits Fund Incentive. In order to be eligible for the Community Benefit Fund Incentive, this project must provide the requisite amount of benefits to achieve 11.4:1 FAR through Sections II-2 (Local Affordable Housing Incentive Program), and II-3 (Public Benefits Incentive Programs) and/or II-4 (Additional On-Site Restricted Affordable Units).

- 2. Non-residential Projects.** To utilize the incentive in this Section (Community Benefits Fund Incentive), a non-residential development project must have provided a minimum amount of community benefits under Section II-3 (Public Benefits Incentive Programs) and/or II-4 (Additional On-Site Restricted Affordable Units). To determine the minimum amount of incentives required under Section II-3 (Public Benefits Incentive Programs) and/or II-4 (Additional On-Site Restricted Affordable Units) to qualify for the incentive in this Section (Community Benefits Fund Incentive) and how much bonus FAR is available under this incentive an applicant shall calculate using the following steps:

Step One: Determine the minimum amount of incentives required under Section II-3 (Public Benefits Incentive Programs) and/or II-4 (Additional On-Site Restricted Affordable Units) using the following formula:

Maximum Bonus FAR - Maximum base FAR.

Step Two: Divide the FAR calculated in Step One in half.

Step Three: Provide incentives pursuant to Section II-3 (Public Benefits Incentive Programs) and/or II-4 (Additional On-Site Restricted Affordable Units) to qualify for Bonus FAR equal to the FAR determined in Step Two.

Informational example illustrating how much FAR can be achieved through the Community Benefits Fund Incentive:

Example Base FAR: 7:1

Example Maximum Bonus FAR: 13:1

$(13-7) \div 2 = 3$

In this example, 3:1 FAR can be achieved through the Community Benefits Fund Incentive. In order to be eligible for the Community Benefit Fund Incentive, this project must provide the requisite amount of benefits to achieve 10:1 FAR through Section II-3 (Public Benefits Incentive Programs) and/or II-4 (Additional On-Site Restricted Affordable Units).

- B. Incentive.** A Project that pays a Community Benefits Fee (CBF) pursuant to LAMC Section 19.20¹¹ may receive additional FAR at a rate established in LAMC Section 19.20¹², provided the incentive does not exceed the maximum FAR allowed by the applicable form district. The fee shall be paid prior to the issuance of any CPIO Approval, including an administrative clearance.

Section II-7. Buildable Area Calculation. As authorized by LAMC Chapter 1A, Section 2C.4.1. (Floor Area Ratio), for a 100 Percent Affordable Housing Project, or a Project on a lot designated, in whole or in part, as Transit Core by the General Plan Land Use Map, FAR shall be calculated by dividing the total floor area by the buildable area. Buildable area shall include the lot area plus the area between the exterior lot lines and the centerline of any abutting public right-of-way.

To utilize the FAR calculation in this Section, the Project must meet the following:

- A.** A housing development project must fully utilize the incentive programs in Sections II-2 (Local Affordable Housing Incentive Program), II-3 (Public Benefits Incentive Programs), and/or II-4 (Additional On-Site Restricted Affordable Units), to qualify for the Project's maximum bonus FAR, as provided in the applicable form district.
- B.** A non-residential Project must fully utilize the incentive programs in Sections II-3 (Public Benefits Incentive Programs) and/or II-4 (Additional On-Site Restricted Affordable Units) to qualify for the Project's maximum bonus FAR, as provided in the applicable form district.

Section II-8. Retention of Loading Elevators and Loading Bays. All Projects within Subarea A.1 shall be required to retain any existing Loading Elevators and/or Loading Bays.

¹¹ Pursuant to Section 1-5.H, this citation is updated to refer to Section 9.3.4.C.8. (Community Benefits Fund) of Chapter 1A of the LAMC and LAMC Section 19.20.

¹² Ibid

CHAPTER III – BUNKER HILL DEVELOPMENT STANDARDS SUBAREA

BUNKER HILL DEVELOPMENT STANDARDS SUBAREA (SUBAREA B)

OVERVIEW

The purpose of this Subarea is to maintain the integrated network of pedestrian linkages throughout the Bunker Hill area established and implemented under Ordinance No. 182,576. Subarea B is shown in Figure 1-2. Figure 3, below, shows the general location of the pedestrian linkages (as shown by the blue and black solid lines designated in the key as “existing pedestrian connections” and “existing pedway system”).

The provisions set forth in this Chapter intended to implement the network of pedestrian linkages shall be applicable to all properties and Projects in the Subarea.

All Projects in this Subarea are subject to the requirements in this Chapter.

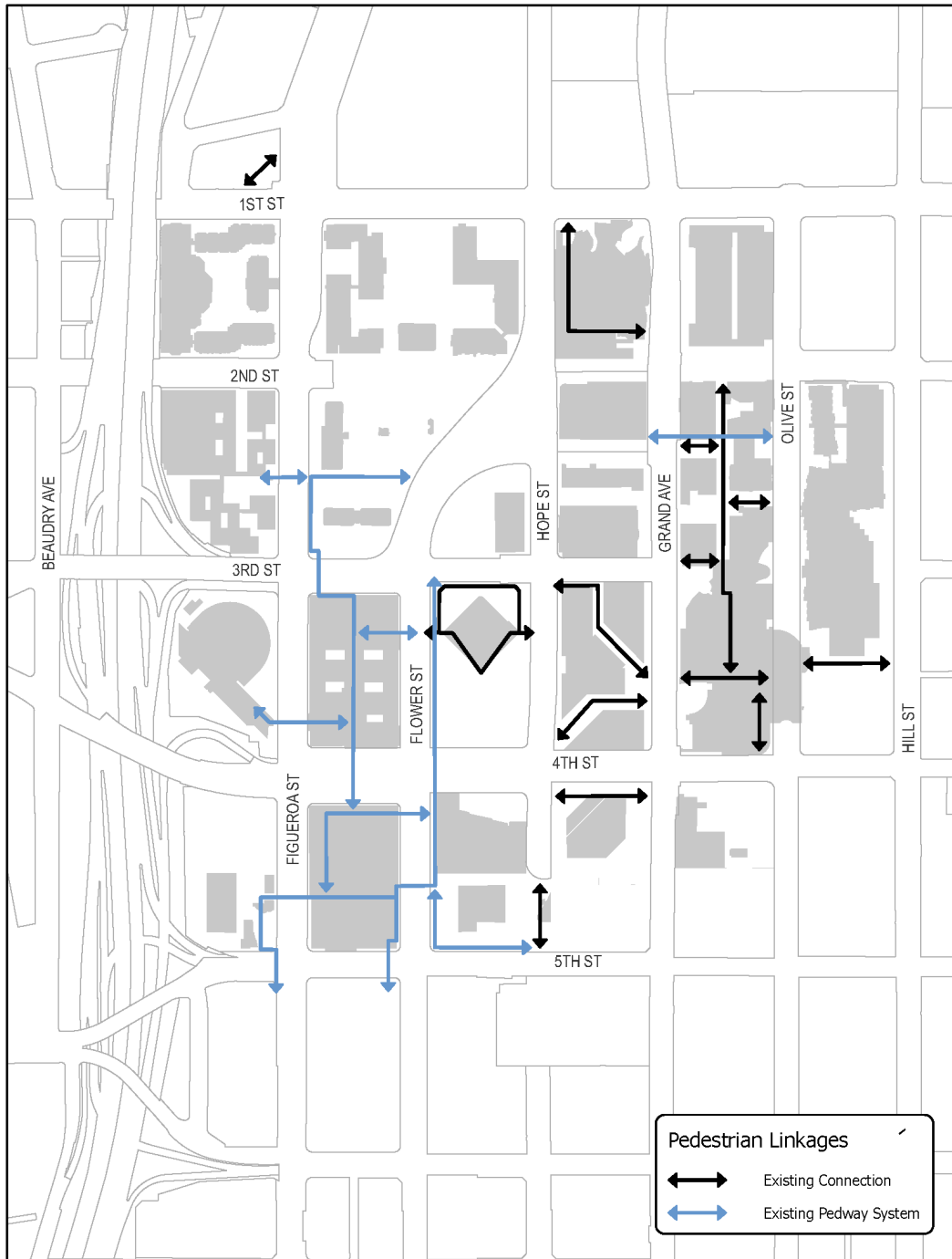
Section III-1. Maintenance Requirements. Any existing public easements for the pedestrian linkages in the Subarea and as generally shown in Figure 3, and particularly shown in a recorded easement, shall be maintained in accordance with the following:

- A. The pedestrian walkway shall be open to the public between the hours of 5 a.m. and 10:30 p.m. daily, unless otherwise stated in the easement, but may be closed outside of such hours.
- B. The use of any portion or component of the pedestrian walkway by the public shall not be legally rescinded or revoked by any owner and shall not be physically interfered with or impeded by anyone, including but not limited to an owner, tenant, or their employee or agent without the prior written approval of the Director, in consultation with the City Engineer. Such approval shall be given only if (1) the portion or component of the pedestrian walkway is no longer needed, such as through the demolition of a building or improvement connected to the pedestrian walkway, or (2) a particular portion or component of the pedestrian walkway presents a danger to public safety. Nothing in this Subsection shall prevent a temporary closure necessary for a repair or maintenance of less than a day.
- C. A minor change in the approximate location of the pedestrian walkway may be approved by the Director administratively if the Director determines the change will provide equal or better pedestrian access and/or safety, and the change is within the recorded easement.

- D. Nothing in this Section, is intended to supersede any City ordinance, adopted guidelines, or State law authorizing the vacation of a public right of way.

Section III-2. Alternative Easement. The Director may approve an alternative easement if a Director Determination is approved upon a finding that the alternative easement is equivalent or better and a new easement is recorded in a form and manner to the satisfaction of the Director.

Figure 3. – Bunker Hill Pedestrian Linkages¹³



¹³ This map is for illustrative purposes, for exact locations of pedestrian linkages see recorded easements on the subject sites.

CHAPTER IV – CIVIC CENTER SUBAREA

CIVIC CENTER DEVELOPMENT STANDARDS SUBAREA (SUBAREA C)

OVERVIEW

The purpose of Subarea C is to allow for FAR to be transferred between City-owned properties within and in proximity to the Civic Center Area, support an active and world-class Civic Center environment, and ensure active frontages for commercial uses. Subarea C is shown on Figure 1-3.

All Projects in this Subarea are subject to the requirements in this Chapter.

Section IV-1. On-Site Restricted Affordable Units. Any housing development project shall provide on-site restricted affordable units greater than or equal to the rates outlined in Set G of LAMC Chapter 1A, Subparagraph 9.3.2.B.1.a. (Local Incentive Program Sets) The minimum number of restricted affordable units shall be calculated based on the total final Project dwelling unit count.

Section IV-2. Frontage Standards. Any portion of a Project that includes uses specified as General Commercial, pursuant to LAMC Chapter 1A Section Sec. 5B.8.1.B (Allowed Uses & Use Limitations), located on the ground floor, shall adhere to the transparency and entrances standards for the General 1 (G1) Frontage District (LAMC Chapter 1A, Section 3B.3.1 (General 1 (G1))).

Section IV-3. Transfer of Floor Area. Any owner of a legal lot located wholly within Subarea C may transfer unused floor area to another legal lot wholly within Subarea C, pursuant to the following procedures:

- A. Floor Area.** Individual receiver sites within the Subarea may exceed the maximum base and/or bonus FAR allowed under the applicable form district through a transfer of unused floor area by a donor site.
- B. Procedures.** Transfer of floor area under this Section may be approved through an administrative review as described in Subdivision I-6.C.2 (Administrative Review).
- C. Records and Covenants.** Prior to the issuance of building permits for a project utilizing a transfer of development rights, the applicant shall provide proof that donor site and receiver site covenants, in a form approved by the Director, and that meet and are subject to, the following requirements, are recorded with the Los Angeles County Recorder's Office and the applicant shall provide certified copies of the recorded covenants to City Planning and LADBS.

1. **Donor Site Covenant.** A donor site covenant shall document the reduced FAR that resulted from the transfer of unused permitted FAR to a receiver site, and the location of the receiver site(s).
2. **Receiver Site Covenant.** A receiver site covenant shall document the increased FAR that resulted from the transfer of unused permitted FAR from a donor site, and the location of the donor site.
3. **Covenant Applicability.** The required covenants shall not be released by the City so long as the transferred FAR is being utilized by the receiver site. If the receiver site is no longer utilizing the transferred FAR, the City may terminate the covenant upon an application of the owner of the receiver site.
4. **City Planning Records.** City Planning shall maintain a record of any transfers of unused FAR from a donor site to the receiver site, and other records as may be necessary to provide a current and accurate account of the transferred FAR available for use on any lot.

CHAPTER V – HISTORIC PRESERVATION SUBAREA

HISTORIC PRESERVATION SUBAREA (SUBAREA D)

OVERVIEW

The purpose of this Subarea, which includes neighborhoods that have an abundance of historically and architecturally significant buildings, is to maintain the eligibility of individual historic resources and historic districts, and guide the ongoing maintenance and Rehabilitation of these structures. Subarea D is shown in Figure 1-4.

All Projects in this Subarea are subject to the requirements in this Chapter.

Section V-1. Eligible Historic Resource Evaluation. Prior to any CPIO Approval under Section I-6 being issued, a Project that involves an Eligible Historic Resource shall comply with the following review procedures:

- A. Non-Demolitions.** For any Project that does not involve the demolition of an Eligible Historic Resource, no CPIO Approval shall be issued until one of the following occurs:
1. The Director, in consultation with the Office of Historic Resources (OHR), determines, based upon substantial evidence, that the Eligible Historic Resource is not a historical resource, as defined by Public Resources Code Section 21084.1; or,
 2. The Director, in consultation with OHR, determines, based upon substantial evidence, that the Project is consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings; or,
 3. A Director Determination pursuant to Subdivision I-6.C.3 (Director Determination), and environmental review in compliance with CEQA is completed for the Project, including if necessary, the imposition of mitigation measures to avoid impacts to historical resources, and/or the adoption of a statement of overriding considerations.
- B. Demolitions.** For any Project that involves the demolition of an Eligible Historic Resource, no CPIO Approval shall be issued until one of the following occurs:
1. The Director, in consultation with OHR, determines, based upon substantial evidence, that the Eligible Historic Resource is not a

historical resource, as defined by Public Resources Code Section 21084.1; or

2. A Director Determination pursuant to Subdivision I-6.C.3 (Director Determination), and, environmental review in compliance with CEQA was completed on the Project, including if necessary, the adoption of a statement of overriding considerations.

- C. **CEQA Review for Eligible Historic Resources.** In complying with this Section (CEQA Review for Eligible Historic Resources), if at any time the Director, in consultation with OHR, determines the Eligible Historic Resource is not a historical resource as defined by Public Resources Code Section 21084.1, approval of the Project (involving no other discretionary approvals) shall be a ministerial approval for purposes of CEQA, including CEQA Guidelines, Section 15268. If the Eligible Historic Resource is determined to be a historical resource under Section 21084.1, the Director may condition the Project with mitigation measures necessary to avoid impacts to a historical resource and/or deny the Project if a statement of overriding considerations is necessary but the Director determines the benefits of the Project do not outweigh the environmental impacts of the Project as required by CEQA Guidelines Section 15093.

Section V-2. Demolition of a Designated Resources. No Director Determination shall be issued for demolition or removal of any designated Historic Cultural Monuments, or any building or structure that is designated a contributing element within a National Register Historic District or California Register Historic District, and the application shall be denied unless the applicant can demonstrate to the Director that the owner would be deprived of all economically viable use of the property. In making its determination, the Director shall consider any evidence presented concerning the following:


- A. An opinion regarding the structural soundness of the structure and its suitability for continued use, renovation, Restoration or Rehabilitation from a licensed engineer or architect who meets the Secretary of the Interior's Professional Qualification Standards as established by the Code of Federal Regulation, 36 CFR Part 61. This opinion shall be based on the Secretary of the Interior's Standards for Architectural and Engineering Documentation with Guidelines;
- B. An estimate of the cost of the proposed, demolition, and replacement Project and an estimate of the cost that would be incurred to execute a Secretary of the Interior's Standards for Rehabilitation alternative to the Project, as identified in a Project Environmental Impact Report (EIR), or in the absence of an EIR, when appropriate under CEQA, as identified by the Director of Planning in consultation with the Cultural Heritage Commission or its designee;

- C.** An estimate of the market value of the property in its current condition; after completion of the proposed demolition and replacement Project; and after any expenditure necessary to execute a Secretary of the Interior's Standards for Rehabilitation alternative to the Project, as identified in a Project Environmental Impact Report (EIR), or in the absence of an EIR, when appropriate under CEQA, as identified by the Director of Planning in consultation with the Cultural Heritage Commission or its designee; and
- D.** An estimate from architects, developers, real estate consultants, appraisers, or other real estate professionals experienced in Rehabilitation as to the economic feasibility of Restoration, renovation or Rehabilitation of any existing structure or objects. This shall include tax incentives and any special funding sources, or government incentives which may be available.

Sec. 4. 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

By 
KATHRYN PHELAN
Deputy City Attorney

Date November 6, 2024

File No. _____

Pursuant to Charter Section 559, I **disapprove** this ordinance on behalf of the City Planning Commission and recommend that it **not** be adopted.

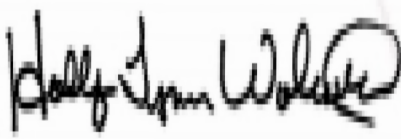

VINCENT P. BERTONI, AICP
Director of Planning

Date November 7, 2024


"M:\Real Prop_Env_Land Use\Land Use\Kathryn Phelan\Ordinances\DT Ordinances\Ordinances\Ready for Review\Downtown CPIO District Ordinance.docx"

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, **by a vote of not less than two-thirds** of all its members.

CITY CLERK



MAYOR



Ordinance Passed December 4, 2024

Approved 12/06/2024

Ordinance Posted: 12/11/2024
Ordinance Effective Date: 01/20/2025
Ordinance Operative Date: 01/27/2025