



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: July 9, 2020
Time: after 8:30 a.m.
Place: In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the CPC meeting will be conducted entirely telephonically by Zoom [<https://zoom.us/>].

The meeting's telephone number and access code access number will be provided no later than 72 hours before the meeting on the meeting agenda published at <https://planning.lacity.org/about/commissions-boards-hearings> and/or by contacting cpc@lacity.org

Public Hearing: Required
Appeal Status: Off-Menu Density Bonus / Affordable Housing Incentives Program is not appealable to City Council.
Expiration Date: July 22, 2020
Multiple Approval: No

PROJECT LOCATION: **7022-7026 South Broadway, 253 West 71st Street**
(legally described as Lots 71-74, Block None, TR 4791)

PROPOSED PROJECT: The project is the construction of a 6-story, 71-foot and 2-inch tall supportive housing project with 52 dwelling units (including 51 Low Income and 1 market-rate manager's unit). The project will have a total floor area of 43,357 square feet and Floor Area Ratio ("FAR") of 3.5:1. Eight (8) parking spaces are proposed at grade level. The project will provide 43 long-term and 4 short-term bicycle parking spaces. The existing automotive repair shop and related structures will be demolished. The project qualifies as a Streamlined Infill Project ("SIP") pursuant to Senate Bill ("SB") 35 and California Government Code Section 65913.4 and is subject to ministerial review of Density Bonus Compliance as affordable housing pursuant to Assembly Bill ("AB") 1763 and California Government Code Section 65915.

REQUESTED ACTION:

1. Pursuant to California Government Code Section 65913.4, a ministerial review of a Streamlined Infill Project for a development that satisfies all of the objective planning standards of Government Code Section 65913.4(a) and is therefore subject to the streamlined, ministerial approval process provided by Government Code Section 65913.4(b) and (c).
2. Pursuant to Government Code Section 65913.4 and Public Resources Code Section 21080(b)(1), determine based on the whole of the record, that the Streamlined Infill

Case No.: CPC-2020-2768-DB-SIP
CEQA No.: Exempt from CEQA per SB 35
Incidental Cases: None
Related Cases: ADM-2020-2555-RDP
Council No.: 9 – Price, Jr.
Plan Area: Southeast Los Angeles
Plan Overlay: Southeast Los Angeles CPIO, South Los Angeles Alcohol Sales
Certified NC: Community and Neighbors for Ninth District Unity
GPLU: Neighborhood Commercial
Zone: C2-1VL-CPIO
Applicant: WC Broadway LP
Representative: Jessica Hencier, Craig Lawson & Co., LLC

Project is Statutorily Exempt from the California Environmental Quality Act (“CEQA”) as a ministerial project.

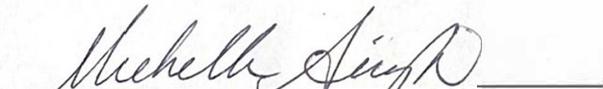
3. Pursuant to California Government Code Section 65915, a ministerial review of a Density Bonus Compliance Review, for a supportive housing development project totaling 52 dwelling units, including 51 units for Low Income household occupancy for a period of 55 years, located within one-half mile of transit, with the following:
 - a. A 73.3 percent increase in density to 52 dwelling units in lieu of 30 units otherwise permitted by the C2-1VL-CPIO Zone; and
 - b. A 33-foot increase in the allowable building height, to permit 71 feet and 2 inches in lieu of 45 feet otherwise permitted by the C2-1VL-CPIO Zone.
4. Pursuant to California Government Code Section 65915 and LAMC Section 12.22 A.25, a ministerial review of a Density Bonus Compliance Review, for a project totaling 52 dwelling units, including 51 dwelling units for Low Income household occupancy, for a period of 55 years, with the following four (4) Off-Menu Incentives:
 - a. A 5-foot rear yard setback in lieu of the minimum 18 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone;
 - b. A 0-foot westerly side yard setback in lieu of the minimum 9 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone;
 - c. A 7-foot and 6-inch easterly side yard setback in lieu of the minimum 9 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone; and
 - d. An increase in Floor Area Ratio (“FAR”) to allow 3.5:1 in lieu of the otherwise permitted 1.5:1 FAR by the C2-1VL-CPIO Zone.
5. Pursuant to Government Code Section 65915 and LAMC Section 12.22 A.25, a ministerial review of the following one (1) Waiver of Development Standard:
 - a. A maximum 26 percent reduction in required open space to 4,106 square feet of open space in lieu of 5,475 square feet otherwise required by LAMC Section 12.21 G.

RECOMMENDED ACTIONS:

1. **Determine**, pursuant to California Government Code Section 65913.4, a ministerial review of a Streamlined Infill Project for a development that satisfies all of the objective planning standards of Government Code Section 65913.4(a) and is therefore subject to the streamlined, ministerial approval process provided by Government Code Section 65913.4(b) and (c).
2. **Determine**, pursuant to Government Code Section 65913.4 and Public Resources Code Section 21080(b)(1), determine based on the whole of the record, that the Streamlined Infill Project is Statutorily Exempt from the California Environmental Quality Act (“CEQA”) as a ministerial project.
3. **Approve**, pursuant to California Government Code (“Gov.”) Section 65915, a ministerial review of a Density Bonus Compliance Review, for a supportive housing development project totaling 52 dwelling units, including 51 dwelling units for Low Income household occupancy for a period of 55 years, located within one-half mile of transit, with the following:

- a. A 73.3 percent increase in density to 52 dwelling units in lieu of 30 units otherwise permitted by the C2-1VL-CPIO Zone; and
 - b. A 33-foot increase in the allowable building height, to permit 71 feet and 2 inches in lieu of 45 feet otherwise permitted by the C2-1VL-CPIO Zone.
4. **Approve**, pursuant to California Government Code Section 65915 and LAMC Section 12.22 A.25, a ministerial review of a Density Bonus Compliance Review, for a project totaling 52 dwelling units, including 51 dwelling units for Low Income household occupancy, for a period of 55 years, with the following four (4) Off-Menu Incentives:
- a. A 5-foot rear yard setback in lieu of the minimum 18 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone;
 - b. A 0-foot westerly side yard setback in lieu of the minimum 9 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone;
 - c. A 7-foot and 6-inch easterly side yard setback in lieu of the minimum 9 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone; and
 - d. An increase in Floor Area Ratio ("FAR") to allow 3.5:1 in lieu of the otherwise permitted 1.5:1 FAR by the C2-1VL-CPIO Zone.
5. **Approve**, pursuant to Government Code Section 65915 and LAMC Section 12.22 A.25, a ministerial review of the following one (1) Waiver of Development Standard:
- a. A maximum 26 percent reduction in required open space to 4,106 square feet of open space in lieu of 5,475 square feet otherwise required by LAMC Section 12.21 G.

VINCENT P. BERTONI, AICP
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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 273, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendaized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

TABLE OF CONTENTS

Project Analysis	A-1
Project Summary	
Background	
Requested Actions	
Issues	
Approval Timeline and Limited Appeals	
Conclusion	
Conditions of Approval.....	C-1
Findings	F-1
Streamlined Infill Project Findings	
Density Bonus / Affordable Housing Incentives Program Findings	
Density Bonus Legislation Background	
CEQA Findings	
Public Hearing and Communications.....	P-1
Exhibits:	
Exhibit A – Project Plans	
Exhibit B – Maps – Vicinity, Radius, ZIMAS, Aerial	
Exhibit C – Site Photos	
Exhibit D – HCIDLA SB330 and SB 35 Determination	
Exhibit E – Notice of Exemption	
Exhibit F – Public Correspondence	
Exhibit G – SB 35 Text and SB 35 Guidelines	

PROJECT ANALYSIS

PROJECT SUMMARY

The proposed project is the construction of a 6-story, 71-foot and 2-inch tall supportive housing project with 52 dwelling units (including 51 Low Income and 1 market-rate manager's unit). The project will have a total floor area of 43,357 square feet and Floor Area Ratio ("FAR") of 3.5:1. Eight (8) parking spaces are proposed at grade level. The project will provide 43 long-term and 4 short-term bicycle parking spaces.

The residential units are located on the 2nd through 6th floors, and will comprise of 40 studios, 1 one-bedroom unit, and 11 two-bedroom units. The ground floor includes residential supportive services including a community room, conference room, kitchen, and manager's office, to serve project residents. Additional supportive service amenities will be provided on upper floors including various community rooms, case manager offices, amenity rooms, and a computer room. The project will provide an open-air rooftop amenity space, oriented towards Broadway and 71st Street, to serve as open space for project residents.

The site is currently improved with an automotive repair shop and related structures. There are no existing trees on the subject site or along the public right-of-way. All existing uses and structures will be demolished to clear the lot.

BACKGROUND

Subject Property

The project site is located at the northeastern corner of the intersection of Broadway and 71st Street in Southeast Los Angeles Community Plan Area. The project site consists of four (4) contiguous lots totaling approximately 11,000 square feet (11,817 square feet including half-alley), with approximately 110 feet of frontage along the east side of Broadway and 100 feet along the north side of 71st Street, with a 15-foot wide alley to the east, as provided in Exhibit B. The site is currently improved with an automotive repair shop and related structures, with no trees on the subject site or the right-of-way, as provided in Exhibit C. There are no known designated historic resources or cultural monuments on the subject site.

Zoning and Land Use Designation

The project site is located in the Southeast Los Angeles Community Plan, and is designated for Neighborhood Commercial land uses, with corresponding zones of CR, C1, C1.5, C2, C4, RAS3, and R3. The site is zoned C2-1VL-CPIO, and is consistent with the land use designation. Height District No. 1VL limits the site to a building height of 45 feet and FAR of 1.5:1. The site is also located within the Southeast Los Angeles Community Plan Implementation Overlay ("CPIO") District General Corridors Subarea (Subarea No. 2520). The CPIO contains additional regulations for ground floor and building height, density, floor area, building disposition, building design, and parking. The site is located within the South Los Angeles Alcohol Sales Specific Plan, Los Angeles State Enterprise Zone, Council District 9 Redevelopment Project Area (reviewed under administrative Case No. ADM-2020-2555-RDP), Freeway Adjacent Advisory Notice for Sensitive Uses, Transit Priority Area, and Tier 3 Transit Oriented Communities Affordable Housing Incentive Area. The site is located approximately 4.51 kilometers (2.8 miles) from the Newport – Inglewood Fault Zone and is within a Liquefaction zone.

Surrounding Uses

Surrounding properties along Broadway to the north and south are similarly zoned C2-1VL-CPIO and C2-1-CPIO, respectively, and developed with a combination of commercial uses, multi-family, automotive uses, and motels. Properties across the alley to the east are zoned R2-1 and improved with single- and multi-family residential up to two stories in height. The site is located over 500 feet to the south from Bethune Middle School.

Streets and Circulation

Broadway, abutting the property to the west, is a designated Avenue I, with a designated right-of-way width of 100 feet and roadway width of 70 feet, and is currently dedicated to a 100-foot right-of-way and 65-foot roadway, with a curb, gutter, and sidewalk.

71st Street, abutting the property to the south, is a designated Local Street – Standard, with a designated right-of-way width of 60 feet and roadway width of 36 feet, and is currently dedicated to a 60-foot right-of-way and 35-foot roadway, with a curb, gutter, and sidewalk.

Alley, abutting the property to the east, is 15 feet in width.

Public Transit

The project site is located within 500 feet from the intersection of Broadway and Florence Avenue which includes bus stops served by the Los Angeles County Metropolitan Transit Authority (“Metro”) 45, 745, 111 bus lines and Los Angeles Department of Transportation (“LADOT”) CSQ bus line. Therefore, the site is within one-half mile of a major transit stop and is within a transit priority area.

Relevant Cases and Building Permits

Subject Site:

Building Permit No. 20010-10000-00838: On March 11, 2020, the applicant filed for a Building Permit for a proposed 6-story, 52-unit, 100 percent affordable housing project with Tier 4 TOC and ground level parking. The building permit is pending and has not been issued at the time of preparing this report.

Case No. ADM-2020-2555-RDP: On April 15, 2020, the Department of City Planning approved the administrative review of a proposed multi-family supportive housing project located within the Council District 9 Redevelopment Project Area, which permits residential in commercial areas, does not have density or FAR limitations, and must conform to design and location criteria, and is not historic.

Surrounding Sites:

Case No. DIR-2019-324-TOC: On January 16, 2019, an application was filed for a Transit Oriented Communities (“TOC”) Compliance Review, for a 24-unit project with 4 units set aside as Very Low Income, located at 7320 South Broadway. The application is pending and has not been approved at the time of preparing this report.

DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of the community." Section 65580, subds. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all Low and Very Low-Income units that qualified the applicant" for the density bonus.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus and "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City created an ordinance that includes a menu of incentives (referred to as On-Menu incentives) comprised of eight zoning adjustments that meet the definition of concessions or incentives in state law (California Government Code Section 65915). The eight on-menu incentives allow for: 1) reducing setbacks; 2) reducing lot coverage; 3) reducing lot width, 4) increasing floor area ratio (FAR); 5) increasing height; 6) reducing required open space; 7) allowing for an alternative density calculation that includes streets/alley dedications; and 8) allowing for "averaging" of FAR, density, parking or open space. In order to grant approval of an on-menu incentive, the City utilizes the same findings contained in state law for the approval of incentives or concessions.

AB 1763 – Additional Density Bonus Benefits

Additionally, for specified affordable housing projects, per AB 1763 (2019), State Density Bonus Law grants various incentives to deviate from development standards in order to facilitate the provision of affordable housing at the site including by right increase in building height. On October 9, 2019, Governor Newsom signed Assembly Bill (AB) 1763, which amended the State Density Bonus Law (Government Code Section 65915) to require local agencies grant additional incentives for affordable housing development projects that provide specified levels of affordability. The amendment became effective on January 1, 2020, and provides additional density, height and other incentives for projects that provide additional percentages of affordable units.

The law also changes some of the rent limit criteria used for these projects. The bill is applicable only to specified affordable housing projects, such as those residential development projects where all of the total dwelling units, or base units allowed by the zone (Government Code Section 65915(b)(3)), exclusive of a manager's unit or units, are restricted for lower-income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the total units in the development may be restricted for moderate-income households (per Section 50053 of the Health and Safety Code)

Under Government Code Sections 65915(a), 65915(d)(2)(C) and 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A.25 of the Los Angeles Municipal Code. Section 12.22 A.25 creates a procedure to waive or modify Zoning Code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development.

In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, thus providing greater relief from regulatory constraints.

Development Eligibility

To qualify for the additional Density Bonus allowances and incentives, the development must meet the Development Eligibility criteria set forth in AB 1763 (Government Code Section 65915), including housing affordability provisions, supportive housing, and transit proximity. In accordance with AB 1763, the project qualifies as an affordable supportive housing project within one-half mile of a major transit stop, as defined by Section 21155 of the Public Resources Code, and is therefore subject to the allowances and incentives provided by AB 1763 (Government Code Section 65915).

REQUESTED ACTIONS

Density Bonus / Affordable Housing Incentives Program / Assembly Bill 1763

The Applicant proposes to utilize State Density Bonus Law, Government Code Section 65915(AB 1763), in conjunction with Los Angeles Municipal Code (“LAMC”) Section 12.22 A.25 (Affordable Housing Incentives – Density Bonus) to construct a total of 52 dwelling units for 100 percent affordable supportive housing, exclusive of one market rate manager’s unit, with 51 units for Low Income household occupancy, for a period of 55 years, within one-half mile of a major transit stop.

In addition, the Density Bonus Ordinance grants various incentives to deviate from development standards in order to facilitate the provision of affordable housing at the site. Because the project meets criteria of Government Code Section 65915(b)(1)(G) (100-percent affordable and 1 manager’s unit), under Government Code Section 65915(f)(3)(D)(i) it is entitled to an 80-percent increase in density. Similarly, because the project meets criteria of Government Code Section 65915(b) (in accordance with Government Code Section 65915(d)(2)(D)), the applicant is entitled to a height increase of up to three stories or 33 feet, and four (4) Density Bonus Incentives. The applicant has requested four (4) Off-Menu Incentives and one (1) Waiver of Development Standards as permitted by Government Code Section 65915, and as follows:

Allowances for 100% Affordable Supportive Housing

- a. A 73.3 percent increase in density to 52 dwelling units in lieu of 30 units otherwise permitted by the C2-1VL-CPIO Zone; and
- b. A 33-foot increase in the allowable building height, to permit 71 feet and 2 inches in lieu of 45 feet otherwise permitted by the C2-1VL-CPIO Zone.

Off-Menu Incentives

- a. A 5-foot rear yard setback in lieu of the minimum 18 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone;
- b. A 0-foot westerly side yard setback in lieu of the minimum 9 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone;
- c. A 7-foot and 6-inch easterly side yard setback in lieu of the minimum 9 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone; and
- d. An increase in Floor Area Ratio (“FAR”) to allow 3.5:1 in lieu of the otherwise permitted 1.5:1 FAR by the C2-1VL-CPIO Zone.

Waiver of Development Standards:

- a. A maximum 26 percent reduction in required open space to 4,106 square feet of open space in lieu of 5,475 square feet otherwise required by LAMC Section 12.21 G.

Density Bonus / Affordable Housing Incentives Program Eligibility Requirements

Per the AB 1763 update to State Density Bonus Law (Government Code Section 65915), to be eligible for a density bonus of up to 80 percent of the number of allowable units for lower-income households in addition to four additional incentives or concessions; and a height increase of up to three additional stories, or 33 feet; a project must meet the eligibility criteria set forth in Government Code Section 65915. A 100 percent affordable housing project shall be eligible for these allowances if it meets all of the following requirements, which it does:

1. On-Site Restricted Affordable Units. *Section 65915(b)(1)(G). One hundred percent of the total units, exclusive of the manager's unit or units, are for lower income households as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the total units in the development may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code.*

The applicant proposes to develop a 100 percent affordable supportive housing project. Per the Conditions of Approval, the applicant is required to record a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 30 units available to Low Income Households as determined by the California Department of Housing and Community Development ("HCD"), for sale or rental as determined to be affordable to such households by HCIDLA, and the remaining 21 units available to Low Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development ("HUD"), for a period of 55 years. The project thereby provides 100 percent affordable units available to Low Income Households, exclusive of the manager's unit, as allowed by the State Density Bonus Law 65915(b)(1)(G).

2. Major Transit Stop. *Section 65915(d)(2)(D). If the project is located within one-half mile of a major transit stop, as defined in subdivision (b) of Section 21155 of the Public Resources Code, the applicant shall also receive a height increase of up to three additional stories, or 33 feet.*

Section 21155 of the Public Resources Code states that:

A major transit stop is as defined in Section 21064.3, except that, for purposes of this section, it also includes major transit stops that are included in the applicable regional transportation plan. For purposes of this section, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

The project site is located within 500 feet from the intersection of Broadway and Florence Avenue which includes bus stops served by the Los Angeles County Metropolitan Transit Authority ("Metro") 45, 745, 111 bus lines and Los Angeles Department of Transportation ("LADOT") CSQ bus line. The qualifying Metro 111 and 745 bus lines have service intervals of no longer than 15 minutes during peak commute hours. Therefore, the site is within one-half mile of a major transit stop as set forth in Section 21155 of the Public Resources Code.

Streamlined Infill Project

California Senate Bill (“SB”) 35 became effective on January 1, 2018 as part of a 15-bill housing package aimed at addressing the state’s housing shortage and high housing costs. The intent of SB 35 is to provide reforms and incentives to facilitate and expedite the construction of affordable housing. The State Department of Housing and Community Development (“HCD”) issued the Streamlined Ministerial Approval Process Guidelines dated November 29, 2018 to provide additional guidance on procedures and implementation of SB 35 (SB 35 Guidelines) (Exhibit G). The law adds Section 65913.4 to the Government Code requiring that cities streamline the approval of qualified housing projects through a ministerial approval process, removing the requirement for CEQA analysis and altering parking requirements (Exhibit G). SB 35 streamlining remains in effect until January 1, 2026, and as of that date will be repealed per the provisions of the bill.

SB 35 applies in cities that are not meeting their state-mandated Regional Housing Need Allocation (“RHNA”) goals in certain categories. On February 1, 2018, HCD released maps showing which cities and counties in California are subject to SB 35. The information shows the City of Los Angeles has met its 2013-2021 RHNA goals for the “above market” income category; however, the City is not showing sufficient progress in meeting the RHNA for the lower income categories. Therefore, SB 35 will apply only to projects that include at least 50% of their proposed units for lower income households (80% Area Median Income [AMI] or less).

Development Eligibility

To qualify to apply for the Streamlined Ministerial Approval Process and be considered a Streamlined Infill Project, the development must meet the Development Eligibility criteria set forth in SB 35 (Government Code Section 65913.4(a)), including housing type requirements, site requirements, affordability provisions, and labor provisions. In accordance with SB 35, the project qualifies as a Streamlined Infill Project that satisfies all of the objective planning standards and is therefore subject to the streamlined ministerial approval process provided by SB 35 (Government Code Sections 65913.4(b) and (c)). The proposed project’s eligibility is described under the Streamlined Infill Project Findings Section in this report.

Ministerial Review of Objective Zoning and Design Standards

Pursuant to SB 35, a local government must streamline the approval of a Streamlined Infill Project only based on objective zoning and design review standards and the locality’s process and application requirements shall not in any way inhibit, chill or preclude the ministerial approval process. When determining consistency with objective zoning and design review standards, the local government can only use those standards that meet the following definition set forth in SB 35:

“standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances”

Design review standards that require subjective decision making cannot be applied as an objective standard unless the standards are defined in such a manner that is non-discretionary. In addition, a locality may not require a development proponent to meet any standard for which

the locality typically exercises subjective discretion, on a case-by-case basis, about whether to impose that standard on similarly situated development proposals.

Density Bonus Incentives in Relation to SB 35 and AB 1763

As provided in SB 35, modifications to objective standards granted as part of a density bonus concession, incentive, parking reduction, or waiver of development standards pursuant to State Density Bonus Law (Government Code Section 65915) or a local density bonus ordinance, shall be considered consistent with objective standards. Per SB 35, project eligibility for a density bonus, concession, incentive, parking reduction, or waiver of development standards shall be determined consistent with the State Density Bonus Law.

The City adopted Ordinance No. 179,681 (Density Bonus Ordinance), codified in LAMC Section 12.22 A.25, to implement the State Density Bonus Law. The Density Bonus Ordinance additionally allows applicants to seek waivers of development standards in accordance with the State Density Bonus Law.

The applicant requests a Density Bonus with four (4) Off-Menu Incentives for a reduced rear yard, 2 reduced side yards, increased FAR, and one (1) Waiver of Development Standards for reduced open space. As provided in the SB 35, the requested modifications to the density, height, FAR, setbacks, and open space requirements pursuant to State Density Bonus Law or a local density bonus ordinance are consistent with objective standards.

Public Oversight and Decision Making Body

The applicant requests multiple entitlements that are subject to review and approval by the City Planning Commission and requires a public hearing. While SB 35 requires a ministerial process for Streamlined Infill Projects, SB 35 (Government Code Section 65913.4(c)) allows public oversight to be conducted by a local government's planning commission by stating:

Any design review or public oversight of the development may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate. That design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, and shall be broadly applicable to development within the jurisdiction.

As such, public oversight of the proposed development may be conducted by the City Planning Commission.

CEQA

The proposed Streamlined Infill Project that satisfies the objective planning standards set forth in SB 35 (Government Code Section 65913.4(a)) is subject to streamlined ministerial approval provided by SB 35 (Government Code Sections 65913.4(b) and (c)). The proposed project is therefore a ministerial project that is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080(b)(1). The Notice of Exemption is attached as Exhibit E of this report.

ISSUES

Supportive Services and Residents

The project will provide supportive services to formerly homeless individuals and families. The project will provide on-site supportive services including a 1,393 square-foot community room, kitchen, and manager's office at the ground floor, and various conference rooms, case manager offices, amenity rooms, and a computer room at upper levels, also to serve project residents.

Parking

In accordance with Government Code Section 65913.4(d), SB 35 states that the local government "shall not impose parking standards for a streamlined development that was approved pursuant to this section" for projects "located within one-half mile of public transit". The project site is located within 500 feet from the intersection of Broadway and Florence Avenue which includes bus stops served by the Los Angeles County Metropolitan Transit Authority ("Metro") 45, 745, 111 bus lines and Los Angeles Department of Transportation ("LADOT") CSQ bus line. Therefore, the site is within one-half mile of a major transit stop and is within a transit priority area. As such, the City shall not impose parking standards for the proposed Streamlined Infill Project, and no parking spaces are required. The project proposes eight (8) parking spaces at grade level.

Design

Pursuant to SB 35, a local government must streamline the approval of a Streamlined Infill Project only based on objective zoning and design review standards and the locality's process and application requirements shall not in any way inhibit, chill or preclude the ministerial approval process. When determining consistency with objective zoning and design review standards, the local government can only use those standards that meet the following definition set forth in SB 35:

"standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances"

Design review standards that require subjective decision making cannot be applied as an objective standard unless the standards are defined in such a manner that is non-discretionary. In addition, a locality may not require a development proponent to meet any standard for which the locality typically exercises subjective discretion, on a case-by-case basis, about whether to impose that standard on similarly situated development proposals.

The site is located within and therefore subject to the Southeast Los Angeles Community Plan Implementation Overlay ("CPIO") District. The CPIO contains additional regulations for ground floor height, density, floor area, building disposition, building design, and parking. The project is subject to administrative review for compliance with the CPIO. The applicant has not requested any deviations from CPIO standards. The project will provide transitional height in the form of building stepbacks within a 45-degree angle as measured 15 feet above grade and within 25 feet of depth from the property line of the adjacent R2-1 Zone to the east as required by CPIO Section II-2.A.2. The project will also provide Active Floor Area at the Ground Floor with uses including the residential lobby, community room, and conference room, and the Ground Floor Primary Frontage will have a minimum of 25 percent clear transparent glazing along Broadway, as

required by CPIO Section II-2.D.1. The building façade is articulated with changes in building plane and material as required by CPIO Section II-2.D.2.

APPROVAL TIMELINE AND LIMITED APPEALS

The project entitlements are being applied for under the timelines and procedures of Senate Bill 35 (Government Code Section 65913.4), which requires the City to complete design review or public oversight, including final approval, for a project of this size within 90 calendar days of submittal of the application. The applicant submitted a complete application for the development on April 23, 2020. Consequently, all design review or public oversight, including final approval, shall be completed within 90 days from April 23, 2020, or by July 22, 2020, and shall not in any way inhibit, chill or preclude the ministerial approval provided by Government Code Section 65913.4

CONCLUSION

Based on the information submitted to the record, staff recommends that the City Planning Commission determine that the project is a 100 percent affordable supportive housing project within one-half mile of transit, and thereby grant the State Density Law allowances, pursuant to AB 1763 (Government Code Section 65915), of increased density and increased height; approve in accordance with State Density Bonus Law (Government Code Section 65915), the requested Off-Menu Incentives for reduced rear and side yards and increased FAR; approve the requested Waiver of Development Standards for reduced open space; determine that the project is a Streamlined Infill Project that satisfied all of the objective planning standards of SB 35 (Government Code Section 65913.4(a)) and is therefore subject to the Streamlined Ministerial Approval Process; and determine that the project is statutorily exempt from CEQA as a ministerial project pursuant to SB 35 (Government Code Section 65913.4) and Public Resources Code Section 21080(b)(1).

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, West/South/Coastal Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Residential Density.** The project shall be limited to a maximum density of 52 residential units including Density Bonus Units.
3. **Affordable Units.** A minimum of 51 units shall be reserved as affordable units for a period of 55 years as follows: 30 units shall be reserved as affordable units for Low Income household occupancy, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2) as determined by the California Department of Housing and Community Development ("HCD"); and the remaining 21 units shall be reserved for Lower Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development ("HUD").
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25 (a-d) and State Density Bonus Law (Government Code Section 65915).
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 100 percent of the affordable units available to Lower Income Households, as determined by HCD or HUD for a period of 55 years consistent with AB 1763 (Government Code Section 65915) and SB 35 (Government Code Section 65913.4). The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
6. **Height.** Pursuant to California Government Code Section 65915(d)(2)(D), the project is located within one-half mile of a major transit stop, and the applicant shall receive a height increase of up to three additional stories or 33 feet. As such, the project shall be limited to six (6) stories and 71 feet 2 inches in height per Exhibit "A". Roof structures and equipment may exceed the height limit by 10 feet from the maximum height of 78 feet as permitted by LAMC Section 12.21.1 B.3 and Government Code Section 65915(d)(2)(D).
7. **Floor Area Ratio (FAR) (Incentive).** The project shall be limited to a maximum floor area ratio of 3.5:1 per Exhibit "A".
8. **Rear Yard Setback (Incentive).** The project shall observe a minimum 5-foot rear yard setback.
9. **Westerly Side Yard Setback (Incentive).** The project shall observe a minimum 0-foot westerly side yard setback.
10. **Easterly Side Yard Setback (Incentive).** The project shall observe a minimum 7-foot 6-inch easterly side yard setback.

11. **Open Space (Waiver).** The project shall provide a minimum of 4,106 square feet of usable open space per Exhibit "A".
12. **Zoning.** The project shall comply with all other requirements of the C2-1VL-CPIO zone.
13. **Senate Bill 35.** The project shall comply with all state requirements of Senate Bill 35 and California Government Code Section 65913.4. A minimum of 50 percent of base dwelling units shall be reserved as affordable units to households making below 80 percent of the area median income.
14. **Automobile Parking.** Pursuant to California Government Code Section 65913.4(d)(1), no parking requirements shall apply for multifamily developments located within one-half mile of public transit. No residential parking spaces are required. The project proposes eight (8) parking spaces as provided in Exhibit "A".
15. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16.
16. **Landscaping.** The landscape plan shall indicate landscape points for the project equivalent to **10% more than otherwise required** by LAMC 12.40 and Landscape Ordinance Guidelines "O". All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
17. **Department of Building and Safety.** The project shall comply with all comments and corrections received from the Department of Building and Safety under Permit No. 20010-10000-00838.
18. **Prevailing Wage Requirements.** Prior to the issuance of a grading or building permit, the applicant shall execute a covenant to the satisfaction of the Department of City Planning to comply with prevailing wage requirements of Government Code Section 65913.4(a)(8). Applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file:
 - i. All construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the California Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards shall be paid at least the applicable apprentice prevailing rate.
 - ii. The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.
 - iii. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards shall be paid at least the applicable apprentice prevailing rate.
 - iv. Except as provided in subclause (vi), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in Sections 1776 and 1812 of the Labor Code.
 - v. Except as provided in subclause (vi), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741

- of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.
- vi. Subclauses (iv) and (v) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
 - vii. Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

Administrative Conditions

19. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
20. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
21. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
22. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
23. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to

the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.

24. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.

25. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

STREAMLINED INFILL PROJECT FINDINGS

In accordance with Senate Bill 35 (Government Code Section 65913.4(a)), an applicant may submit an application for a development that is subject to the streamlined, ministerial approval process if the development satisfies all of the objective planning standards of Government Code Section 65913.4(a) as follows:

1. The development is a multifamily housing development that contains two or more residential units.

The project is a multi-family housing development that contains 52 residential units.

2. The development is located on a site that satisfies all of the following:

- A. **A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.**
- B. **A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.**
- C. **A site that is zoned for residential use or residential mixed-use development, or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use.**

The Census Bureau¹ identifies two types of urban areas:

- Urbanized Areas of 50,000 or more people; and
- Urban Clusters of at least 2,500 and less than 50,000 people.

According to the U.S. Census Bureau, 2010 Census, Profile of General Population and Housing Characteristics, the City of Los Angeles population in 2010 was 3,792,621, thereby constituting an urbanized area. The project site consists of legal parcels located within the City of Los Angeles.

Section 102(z) of the SB 35 Guidelines define “urban uses” as any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses (Exhibit G). All adjoining parcels are developed with urban uses. Surrounding properties are developed with a combination of commercial uses, multifamily residential, auto uses, surface parking lots, strip malls, and big box stores.

The project site is located in the Southeast Los Angeles Community Plan, which designates the subject property for Neighborhood Commercial land uses, corresponding to the CR, C1, C1.5, C2, C4, RAS3, and R3 Zones. Both the Neighborhood Commercial Land Use

¹ <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural/2010-urban-rural.html> (Federal Register Vol. 76, No. 164, Pg. 53030)

Designation and C2-1VL-CPIO Zone allow for multi-family residential use. The applicant proposes a supportive housing development with 52 dwelling units and supportive services. As such, the entire development will be designated for residential use.

3. If the development contains units that are subsidized, the development proponent already has recorded, or is required by law to record, a land use restriction for the following applicable minimum durations:

- A. Fifty-five years for units that are rented.**
- B. Forty-five years for units that are owned.**

The SB 35 Guidelines defines “subsidized” as “units that are price or rent restricted such that the units are permanently affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code” (Exhibit G).

The project is a supportive housing development containing 52 units (including 51 affordable units to Low Income Households and one (1) market-rate manager’s unit). The applicant is required per the Conditions of Approval to record a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 30 units available to Low Income Households as determined by the California Department of Housing and Community Development (“HCD”), for sale or rental as determined to be affordable to such households by HCIDLA, and the remaining 21 units available to Low Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development (“HUD”), for a period of 55 years.

4. The development satisfies both of the following:

- A. Is located in a locality that the department has determined is subject to this subparagraph on the basis that the number of units that have been issued building permits is less than the locality’s share of the regional housing needs, by income category, for that reporting period. A locality shall remain eligible under this subparagraph until the department’s determination for the next reporting period. A locality shall be subject to this subparagraph if it has not submitted an annual housing element report to the department pursuant to paragraph (2) of subdivision (a) of Section 65400 for at least two consecutive years before the development submitted an application for approval under this section.**
- B. The development is subject to a requirement mandating a minimum percentage of below market rate housing based on one of the following:**
 - i. The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of above moderate-income housing approved than were required for the regional housing needs assessment cycle for that reporting period. In addition, if the project contains more than 10 units of housing, the project seeking approval dedicates a minimum of 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income. If the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that zoning ordinance applies.**
 - ii. The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report**

reflects that there were fewer units of housing affordable to households making below 80 percent of the area median income that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making below 80 percent of the area median income, unless the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, in which case that ordinance applies.

- iii. **The locality did not submit its latest production report to the department by the time period required by Section 65400, or if the production report reflects that there were fewer units of housing affordable to any income level described in clause (i) or (ii) that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, the project seeking approval may choose between utilizing clause (i) or (ii).**

On February 1, 2018, the California Department of Housing and Community Development (“HCD”) released maps showing which cities and counties in California are subject to streamlined housing development under SB 35. The information shows the City of Los Angeles has met its 2013-2021 Regional Housing Need Allocation (“RHNA”) goals for the “above market” income category; however, the City is not showing sufficient progress in meeting the RHNA for the lower income categories. Therefore, the City of Los Angeles is subject to SB 35.

Section 402(c) of the SB 35 Guidelines dated November 29, 2018 clarifies that “the percentage of units affordable to households making at or below 80 percent of the area median income... is calculated based on the total number of units in the development exclusive of additional units provided by a density bonus”. Therefore, projects are required to provide 50 percent of the total (base density) for lower-income households to qualify under SB 35.

The applicant is required per the Conditions of Approval to record a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 50 percent of the base 30 units, that is 15 units, affordable to households making at or below 80 percent area median income, which is equivalent to lower-income households per Health and Safety Code Section 50079.5, for a period of 55 years.

The applicant is providing 30 units available to Low Income Households as determined by the California Department of Housing and Community Development (“HCD”), for sale or rental as determined to be affordable to such households by HCIDLA, and the remaining 21 units available to Low Income Households as determined by either the HCD or the U.S. Department of Housing and Urban Development (“HUD”), for a period of 55 years. Therefore, the project meets the affordability requirements of SB 35.

5. **The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915, is consistent with objective zoning standards and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, “objective zoning standards” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and**

the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:

- A. A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.**
- B. In the event that objective zoning, general plan, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.**

The project site is located within the Southeast Los Angeles Community Plan area, designated for Neighborhood Commercial land uses, and zoned C2-1VL-CPIO. The project site is permitted a base density of 30 dwelling units. The applicant seeks to utilize the 100% affordable housing allowances as set forth by State Density Bonus Law (California Government Code Section 65915) and LAMC 12.22 A.25.:

- a. A 73.3 percent increase in density to 52 dwelling units in lieu of 30 units otherwise permitted by the C2-1VL-CPIO Zone; and
- b. A 33-foot increase in the allowable building height, to permit 71 feet and 2 inches in lieu of 45 feet otherwise permitted by the C2-1VL-CPIO Zone.

Off-Menu Incentives

- a. A 5-foot rear yard setback in lieu of the minimum 18 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone;
- b. A 0-foot westerly side yard setback in lieu of the minimum 9 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone;
- c. A 7-foot and 6-inch easterly side yard setback in lieu of the minimum 9 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone; and
- d. An increase in Floor Area Ratio ("FAR") to allow 3.5:1 in lieu of the otherwise permitted 1.5:1 FAR by the C2-1VL-CPIO Zone.

Waiver of Development Standards:

- a. A maximum 26 percent reduction in required open space to 4,106 square feet of open space in lieu of 5,475 square feet otherwise required by LAMC Section 12.21 G.

No other concessions, incentives, or waivers of development standards are requested or granted as part of the subject determination. The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the State Density Bonus Law (Government Code Section 65915), is consistent with objective zoning and design review standards in effect at the time that the development was submitted to the City. The site is also located within and therefore subject to the Southeast Los Angeles Community Plan Implementation Overlay ("CPIO") District, and the project is subject to all regulations therein.

6. The development is not located on a site that is any of the following:

- A. A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.**
- B. Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.**
- C. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).**
- D. Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.**
- E. A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.**
- F. Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.**
- G. Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.**
- H. Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.**
- I. Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.**
- J. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant**

Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

K. Lands under conservation easement.

The site currently serves as automotive repair in an urbanized area of the Southeast Los Angeles Community Plan surrounded by urban land uses. The site is designated for Neighborhood Commercial land uses and zoned C2-1VL-CPIO, which allows residential uses. As such, the site is not located within a coastal zone, farmland, agricultural land, or wetland. Per the City's Zone Information and Map Access System (ZIMAS), the site is not located in a very high fire hazard severity zone. The California Department of Toxic Substances Control (DTSC) maintains a database (EnviroStor) that provides access to detailed information on hazardous waste permitted sites and corrective action facilities, as well as existing site cleanup information. A review of EnviroStor did not identify any records of hazardous waste facilities on the project site.

The site is located approximately 4.51 kilometers (2.8 miles) from the Newport – Inglewood Fault Zone and will be subject to Building Code requirements. According to the Federal Emergency Management Agency's Flood Map, the project site is located within Zone X, 0.2% Annual Chance Flood Hazard, and is not located within a floodway. The site is not identified for a conservation or habitat conservation plan or any other adopted natural resource protection plan. The site currently serves as automotive repair, and is completely surrounded by urban land uses and therefore has no value as a habitat for protected species. Additionally, there is no conservation easement on site.

7. The development is not located on a site where any of the following apply:

- A. The development would require the demolition of the following types of housing:**
 - i. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.**
 - ii. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.**
 - iii. Housing that has been occupied by tenants within the past 10 years.**
- B. The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.**
- C. The development would require the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of an application.**
- D. The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.**

The site currently serves as automotive repair. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated January 21, 2020, HCIDLA determined that there were no residential units built and demolished on the property in the last 10 years, therefore no SB 330 replacement affordable units are required (Exhibit D). The project site has not been identified as a historic resource by local, state or federal agencies. The project does not involve the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of the application. The site was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles.

- 8. The development proponent has done both of the following, as applicable:**
- A. Certified to the locality that either of the following is true, as applicable:**
- i. The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.**
 - ii. If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:**
 - I. The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.**
 - II. All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.**
 - III. Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in therein.**
 - IV. Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.**
 - V. Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.**
 - VI. Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the**

obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

- B.
- i. For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:
 - I. On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.
 - II. On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.
 - III. On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
 - IV. On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.
 - V. On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal bay county.
 - ii. For purposes of this section, “skilled and trained workforce” has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
 - iii. If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:
 - I. The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.
 - II. Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.
 - III. Except as provided in subclause (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a

monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

- IV. Subclause (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
- C. Notwithstanding subparagraphs (A) and (B), a development that is subject to approval pursuant to this section is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:
- i. The project includes 10 or fewer units.
 - ii. The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

The project is conditioned to meet the above requirements of Government Code Section 65913.4(a).

9. The development did not or does not involve a subdivision of a parcel that is, or, notwithstanding this section, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land, unless either of the following apply:
- A. The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to subparagraph (A) of paragraph (8).
 - B. The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used, pursuant to paragraph (8).

There is no subdivision entitlement requested as part of the project.

10. The development shall not be upon an existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy

Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

The Mobilehome Residency Law and related regulations are not applicable to the site.

Therefore, as provided above, the development satisfies all of the objective planning standards of Government Code Section 65913.4(a), and is therefore subject to the streamlined, ministerial approval process provided in Government Code Section 65913.4(b) and (c).

Additionally, Government Code Section 65913.4(d) states:

Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing parking requirements in multifamily developments, shall not impose parking standards for a streamlined development that was approved pursuant to this section in any of the following instances:

(A) The development is located within one-half mile of public transit.

(B) The development is located within an architecturally and historically significant historic district.

(C) When on-street parking permits are required but not offered to the occupants of the development.

(D) When there is a car share vehicle located within one block of the development.

Section 102(r) of the SB 35 Guidelines defines “public transit” as “a site containing an existing rail transit station (e.g. light rail, Metro, or BART), a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. For purposes of these Guidelines, measurements for frequency of bus service can include multiple bus lines” (Exhibit G).

The project site is located within 500 feet from the intersection of Broadway and Florence Avenue which includes bus stops served by the Los Angeles County Metropolitan Transit Authority (“Metro”) 45, 745, 111 bus lines and Los Angeles Department of Transportation (“LADOT”) CSQ bus line. Therefore, the site is within one-half mile of a major transit stop. As such, the City shall not impose parking standards for the proposed Streamlined Infill Project.

DENSITY BONUS/ AFFORDABLE HOUSING INCENTIVES PROGRAM FINDINGS

The Applicant proposes to utilize State Density Bonus Law, Government Code Section 65915, in conjunction with Los Angeles Municipal Code (“LAMC”) Section 12.22 A.25 (Affordable Housing Incentives – Density Bonus), to request the following allowances for 100% affordable supportive housing, four (4) Density Bonus Incentives, and one (1) Waiver of Development Standard, as listed below:

Allowances for 100% Affordable Supportive Housing

- c. A 73.3 percent increase in density to 52 dwelling units in lieu of 30 units otherwise permitted by the C2-1VL-CPIO Zone; and

- d. A 33-foot increase in the allowable building height, to permit 71 feet and 2 inches in lieu of 45 feet otherwise permitted by the C2-1VL-CPIO Zone.

Off-Menu Incentives

- e. A 5-foot rear yard setback in lieu of the minimum 18 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone;
- f. A 0-foot westerly side yard setback in lieu of the minimum 9 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone;
- g. A 7-foot and 6-inch easterly side yard setback in lieu of the minimum 9 feet otherwise required for a 6-story building in the C2-1VL-CPIO Zone; and
- h. An increase in Floor Area Ratio ("FAR") to allow 3.5:1 in lieu of the otherwise permitted 1.5:1 FAR by the C2-1VL-CPIO Zone.

Waiver of Development Standards:

- a. A maximum 26 percent reduction in required open space to 4,106 square feet of open space in lieu of 5,475 square feet otherwise required by LAMC Section 12.21 G.

Based on providing 100 percent affordable units, exclusive of the manager's unit, where 100% of the base units are at lower income, the applicant is allowed up to an 80 percent increase in density and four (4) incentives or concessions under the Government Code Section 65915.

In addition, because State Density Bonus Law allows only 4 incentives, the applicant's remaining request must be processed as a Waiver of Development Standard.

Following is a delineation of the findings related to the request for four (4) Off Menu Incentives, and the request for one (1) Waiver of Development Standards, pursuant to LAMC Section 12.22 A.25(g)(3) and California Government Code Section 65915.

11. Government Code Section 65915 and LAMC Section 12.22 A.25(c) states that the Commission shall approve a density bonus and requested incentive(s) unless the Commission finds that:

- a. ***The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.***

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested incentives do not result in identifiable and actual cost reduction to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

Rear and Side Yard Reductions: The subject site is zoned C2-1VL-CPIO. LAMC Section 12.14 C.2 requires side and rear yards to conform to the requirements of the R4 Zone for buildings erected and used for residential purposes. The R4 Zone requires rear yards of a minimum of 15 feet, and requires one additional foot in the width of the rear yard for each additional story above the 3rd story; and side yards of a minimum of 5 feet, and requires one additional foot in the width of the required side yards for each additional story above the 2nd story. The Project is a 6-story building containing a ground floor with grade-level parking, residential community center, and supportive service offices, and the upper Levels 2 through 6 are comprised of residential units. Given all levels of the project would be utilized in whole or in part by residential uses, the Project would therefore be required to provide a 18-foot rear yard setback and 9-foot side yard setbacks. The applicant has requested three (3) Off-Menu Incentives to allow a 5 foot rear yard in lieu of the otherwise required 18-foot rear yard, and 0-foot easterly and 7-foot 6-inch westerly side yards in lieu of the otherwise required 9 foot side yards. Strict compliance with the yard requirements would reduce the buildable lot area by 13 feet for the rear yard and 10 feet 6 inches for the side yards, thereby limiting the buildable area for new development and reducing the number and range of units that could be developed. The requested incentives allow the developer to reduce setback requirements so the affordable housing units can be constructed and the overall space dedicated to residential uses is increased.

FAR Increase: The subject site is zoned C2-1VL-CPIO with a Height District No. 1VL that permits a maximum Floor Area Ratio (“FAR”) of 1.5:1. The applicant has requested an Off-Menu Incentive to allow a 3.5:1 FAR in lieu of the otherwise permitted 1.5:1 FAR, with a maximum floor area of 38,388 square feet. The proposed 3.5:1 FAR creates 21,888 additional square feet than that which would be allowed under the C2-1VL-CPIO Zone. The project currently proposes dwelling units that range in size from 307 square feet to 869 square feet. As proposed, the additional FAR will allow for the construction of the affordable residential units. The requested incentive will allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased.

FAR by-right	Lot Area (sf)	Total Floor Area (sf)
1.5:1	11,000	11,000 x 1.5 = 16,500

FAR Requested	Buildable Lot Area (sf)	Total Floor Area (sf)	Additional Floor Area (sf)
3.5:1	11,000	38,388	38,388 – 16,500= 21,888

- b. The incentive(s) will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety (Government Code Section 65915(d)(1)(B) and 65589.5(d)).**

There is no substantial evidence in the record that the proposed incentive(s) will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Therefore, there is no substantial evidence that the proposed incentive(s) will have a specific adverse impact on public health and safety.

c. *The incentive(s) are contrary to state or federal law.*

There is no evidence in the record that the proposed incentives are contrary to state or federal law.

12. Government Code Section 65915 and LAMC Section 12.22 A.25(c) state that the Commission shall approve a density bonus and requested Waiver of Development Standard(s) unless the Commission finds that:

a. *The waiver(s) or reduction(s) of development standard(s) are contrary to state or federal law.*

There is no evidence in the record that the proposed waivers are contrary to state or federal law.

A project that provides 100 percent affordable units, exclusive of the manager's unit, qualifies for four (4) Incentives, and may request other "waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]" (Government Code Section 65915(e)(1)).

Therefore, the request for the following is recommended as a Waiver of Development Standards. Without the below Waiver, the existing development standards would preclude development of the proposed density bonus units and project amenities:

Open Space Reduction: LAMC Section 12.21 G requires 100 square feet of usable open space per dwelling unit with less than 3 habitable rooms, and 125 square feet of usable open space per dwelling unit with 3 habitable rooms. For the proposed project with 40 studio units, 1 one-bedroom unit, and 11 two-bedroom units, a total of 5,475 square feet of open space would be required. Strict compliance with the open space requirements would have the effect of physically precluding construction of the development proposing 52 dwelling units, 51 of which will be set aside for Low Income Households. The applicant has requested a Waiver of Development Standards of a 26 percent reduction to allow 4,106 square feet of open space. Without the incentive to reduce the minimum usable open space required to 4,106 square feet, the project would need to provide an additional 1,369 square feet of common or private open space on-site. The project currently proposes dwelling units that range in size from 307 square feet to 869 square feet. Compliance with the minimum usable open space provision would require the removal of floor area that could otherwise be dedicated to the number, configuration, and livability of affordable housing units. Specifically, the project would not only need to comply with the total amount of usable open space requirements, but also the design, dimension, and area requirements set forth in LAMC Section 12.21 G. Common open

space would need to be at least 15 feet in width on all sides, have a minimum area of 400 square feet, and be open to sky. The project would lose floor area of the development in order to meet all of these additional requirements for common open space. The requested waiver will allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased. By waiving this development standard, the developer will not be physically precluded from constructing the proposed development with 52 dwelling units including 51 affordable units.

- b. The waiver will have specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.***

There is no substantial evidence in the record that the proposed incentive(s) will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for density bonus projects. The project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. The project does not involve the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of the application. Therefore, there is no substantial evidence that the proposed waivers of development standards will have a specific adverse impact on public health and safety.

HOUSING REPLACEMENT

Pursuant to Government Code Section 65915(c)(3) and Assembly Bills 2222 and 2556, applicants of Density Bonus projects filed as of January 1, 2015 must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households. Pursuant to the Determination made by the Los Angeles Housing and Community Investment Department (HCIDLA) dated January 21, 2020, HCIDLA determined that the proposed housing development does not require the demolition of any prohibited types of housing, and that no SB 330 replacement units are required (Exhibit D).

CEQA FINDINGS

Pursuant to Senate Bill ("SB") 35 and Government Code Section 65913.4, a project that satisfies all of the objective planning standards of Government Code Section 65913.4(a) is subject to the streamlined, ministerial approval process provided in Government Code Section 65913.4(b) and (c). Therefore, pursuant to Government Code Section 65913.4 and Public Resources Code Section 21080(b)(1), the Streamlined Infill Project is Statutorily Exempt from the California Environmental Quality Act ("CEQA") as a ministerial project.

PUBLIC HEARING AND COMMUNICATIONS

PUBLIC HEARING

The public hearing will be conducted by the City Planning Commission on July 9, 2020 after 8:30 a.m. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the CPC meeting will be conducted entirely telephonically by Zoom [<https://zoom.us/>].

The meeting's telephone number and access code access number will be provided no later than 72 hours before the meeting on the meeting agenda published at <https://planning.lacity.org/about/commissions-boards-hearings> and/or by contacting cpc@lacity.org.

WRITTEN CORRESPONDENCE

Council District 9 submitted a letter in support of the project (Exhibit F). No letters or emails were received from the public at the time of preparing this report.

EXHIBIT A

PROJECT PLANS

CPC-2020-2768-DB-SIP

7024 BROADWAY

ENTITLEMENT SET

02/18/2020



7024 BROADWAY

02/18/2020
PW PROJECT #719020.000

Perkins&Will

617 West 7th St., Suite 1200
Los Angeles, CA 90017
t 213.270.8400
f 213.270.8410
perkinswill.com

ENTITLEMENT SET

7024 S BROADWAY, LOS ANGELES, CA 90003

NOT FOR
CONSTRUCTION

PROJECT

7024 BROADWAY
7024 S BROADWAY,
LOS ANGELES, CA
90003

ENTITLEMENT SET 02/18/2020

WEINGART
THE WEINGART CENTER
566 S SAN PEDRO ST,
LOS ANGELES, CA 90013

KEYPLAN

ISSUE CHART

ENTITLEMENT SET	DATE	02/18/2020
MARK	ISSUE	
Job Number		719020.000
	TITLE	

INDEX OF DRAWINGS

SHEET NUMBER

G00-01

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FACILITY	OWNER	ARCHITECT	INTERIOR DESIGN	STRUCTURAL	MEP	CIVIL	LANDSCAPING	CONTRACTOR	JURISDICTION
	THE WEINGART CENTER 566 S SAN PEDRO ST, LOS ANGELES, CA 90013	PERKINS AND WILL 617 W 7TH ST, SUITE 1200, LOS ANGELES, CA 90017	PERKINS AND WILL 617 W 7TH ST, SUITE 1200, LOS ANGELES, CA 90017				EDGE DESIGN GROUP 9415 CULVER BOULEVARD, SUITE 194, CULVER CITY, CA 90232		CITY OF LOS ANGELES



SHEET INDEX		ENTITLEMENT SET
SHEET NUMBER	SHEET NAME	
01-GENERAL		
G00-00	COVER SHEET	•
G00-01	INDEX OF DRAWINGS	•
02-CIVIL - FOR REFERENCE ONLY		
C00-01	SURVEY (FOR REFERENCE ONLY)	•
C00-02	SURVEY (FOR REFERENCE ONLY)	•
03-LANDSCAPE		
L0-1	SHEET INDEX AND NOTES	•
L1-1	STREET LANDSCAPE PLAN	•
L1-2	STREET LANDSCAPE IMAGES	•
L1-3	ROOF LANDSCAPE PLAN	•
L1-4	ROOF LANDSCAPE IMAGES	•
04-ARCHITECTURAL		
A01-01	ARCHITECTURAL SITE PLAN	•
A10-01	OVERALL FLOOR PLAN - LEVEL 01	•
A10-02	OVERALL FLOOR PLAN - LEVEL 02	•
A10-03	OVERALL FLOOR PLAN - LEVEL 03	•
A10-04	OVERALL FLOOR PLAN - LEVEL 04	•
A10-05	OVERALL FLOOR PLAN - LEVEL 05	•
A10-06	OVERALL FLOOR PLAN - LEVEL 06	•
A10-07	OVERALL ROOF PLAN	•
A20-01	EXTERIOR ELEVATIONS - EAST AND WEST	•
A20-02	EXTERIOR ELEVATIONS - NORTH AND SOUTH	•
A21-01	BUILDING SECTIONS	•
A44-01	ENLARGED UNIT PLANS	•
A44-02	ENLARGED UNIT PLANS	•
A44-03	ENLARGED UNIT PLANS	•
A70-01	PERSPECTIVE	•
A70-02	PERSPECTIVE	•
A70-03	PERSPECTIVE	•

FLOOR	FLOOR TO FLOOR	GROSS FLOOR AREA	FAR AREA	OPEN SPACE
ROOF	ROOF DECK + MECHANICAL	18'-4"	364 SF	- SF
LEVEL 06	RESIDENTIAL	10'-2"	7,273 SF	6,849 SF
LEVEL 05	RESIDENTIAL	10'-2"	7,142 SF	6,719 SF
LEVEL 04	RESIDENTIAL	10'-2"	7,030 SF	6,606 SF
LEVEL 03	RESIDENTIAL	10'-2"	7,226 SF	6,802 SF
LEVEL 02	RESIDENTIAL	10'-2"	7,121 SF	6,698 SF
LEVEL 01	PARKING + LOBBY + COMMUNITY ROOM	16'-4"	7,202 SF	4,714 SF
TOTAL		85'-6"	43,357 SF	38,388 SF

UNIT COUNT			
STUDIO	1BR	2BR	TOTAL
11	-	1	12
13	-	-	13
13	-	-	13
2	-	5	7
1	1	5	7
-	-	-	-
40	1	11	52

BICYCLE PARKING				
Required	Dwelling Units	Short Term	Long Term	Total
	1 to 25	2.5 (=25/10)	25 (=25/1)	
	26 to 100	1.8 (=27/15)	18 (=27/1.5)	
	Total	4	43	47
Provided	Total	4	43	47

OPEN SPACE			
REQUIRED	Area per Unit	No. of Unit	Area
< 3 Habitable rooms	100 SF	41	4,100 SF
3 Habitable rooms	125 SF	11	1,375 SF
> 3 Habitable rooms	175 SF	-	-
TOTAL			5,475 SF
25% Reduced per Density Bonus			4,106 SF

PROVIDED			
ROOFTOP AMENITY	Area	No. of Unit	Area
			3,080 SF
COMMUNITY ROOM @ LEVEL 01 (INTERIOR)			1,393 SF
Max Allowed: 1,026.5 sf (25% of Common Open Space)			
TOTAL OPEN SPACE PROVIDED			4,106 SF

PLANTED AREA IN COMMON OPEN SPACE	
COMMON OPEN SPACE PROVIDED	Area
	4,106 SF
25% OF COMMON OPEN SPACE TO BE PLANTED	1,027 SF
PLANTED AREA IN COMMON OPEN SPACE PROVIDED	
ROOF DECK	1,027 SF
TOTAL PLANTED AREA PROVIDED	1,027 SF

PROJECT DATA

- PROJECT SCOPE: NEW CONSTRUCTION OF 6-STORY MULTI-FAMILY RESIDENTIAL BUILDING
- SITE ADDRESS: 7024 S BROADWAY, LOS ANGELES, CA 90025
- ZONING: C2-1VL-CPIO (SOUTHEAST LOS ANGELES CPIO SUBAREA C - GENERAL CORRIDOR)
- LOT AREA: 11,817 SF (11,000 SF + 1/2 OF ALLEY AREA IS INCLUDED)
- BUILDING GROSS AREA: 43,357 SF
- FLOOR AREA RATIO (FAR): 3.5 :1 (INCREASED FROM 1.5 :1; DENSITY BONUS)
- STORIES: 6 STORIES
- HEIGHT: 86'-0"
71'-2" TO T.O. ROOF PARAPET + 14'-10" ELEVATOR OVERRUN ABOVE PARAPET (78 FEET IS ALLOWED; INCREASED BY 33 FEET FROM 45 FEET; DENSITY BONUS)
- YARD / SETBACK: FRONT (71ST STREET) 0'-0" (C-ZONE)
SIDE (BROADWAY) 0'-0" (REDUCED FROM 9'-0"; DENSITY BONUS)
SIDE (ALLEY) 7'-6" (REDUCED FROM 9'-0"; DENSITY BONUS)
REAR (INTERIOR LOT LINE) 5'-0" (REDUCED FROM 18'-0"; DENSITY BONUS)
- TYPE OF CONSTRUCTION: TYPE I-A (LEVEL 01) + TYPE III-A (LEVEL 02 - 06)
- SPRINKLERED: YES
- OCCUPANCY: R-2: APARTMENT HOUSES
- UNIT COUNT: 52 UNITS (54 UNITS ALLOWED; 80% INCREASED; DENSITY BONUS)
STUDIO: 40 UNITS
1BR: 1 UNIT (MANAGER'S UNIT)
2BR: 11 UNIT
- PARKING REQUIRED: NOT REQUIRED (PER DENSITY BONUS)
- PARKING PROVIDED: 8 SPACES (1 VAN ACCESSIBLE + 7 COMPACT)
- BIKE PARKING REQUIRED: 43 LONG-TERM PARKINGS
4 SHORT-TERM PARKINGS
- BIKE PARKING PROVIDED: 43 LONG-TERM PARKINGS
4 SHORT-TERM PARKINGS
- OPEN SPACE REQUIRED: 4,106 SF (25% REDUCED FROM 5,475 SF; DENSITY BONUS)
- OPEN SPACE PROVIDED: 4,106 SF
- TREE REQUIRED: 13 TREES (1 TREE PER 4 UNITS)
- TREE PROVIDED: 13 TREES
- FIRE RESISTANCE (CBC 2019 TABLE 601)
TYPE III-A
PRIMARY STRUCTURAL FRAME: 1 HR
BEARING WALLS
EXTERIOR 2 HR
INTERIOR 1 HR
NON-BEARING WALLS
EXTERIOR PER CBC 2019 TABLE 602
INTERIOR 0 HR
FLOOR CONSTRUCTION 1 HR
AND ASSOCIATED SECONDARY MEMBERS 2 HR
ROOF CONSTRUCTION 1 HR
AND ASSOCIATED SECONDARY MEMBERS
- TYPE I-A
PRIMARY STRUCTURAL FRAME: 3 HR
BEARING WALLS
EXTERIOR 3 HR
INTERIOR 3 HR
NON-BEARING WALLS
EXTERIOR PER CBC 2019 TABLE 602
INTERIOR 0 HR
FLOOR CONSTRUCTION 2 HR
AND ASSOCIATED SECONDARY MEMBERS
ROOF CONSTRUCTION 1 1/2 HR
AND ASSOCIATED SECONDARY MEMBERS
- SHAFT ENCLOSURE 2 HR (CBC 2019 713.4)
CORRIDOR 1 HR (CBC 2019 TABLE 1020.1)
- EXIT TRAVEL DISTANCE: 250 FEET MAX (CBC 2019 TABLE 1017.2)
- COMMON PATH OF TRAVEL: 125 FEET (CBC 2019 TABLE 1006.2.1)
- DEAD END CORRIDOR: 50 FEET (CBC 2019 1020.4 EXCEPTION #2)

TITLE LEGAL DESCRIPTION

All that certain real property situated in the County of Los Angeles, State of California, described as follows:
 LOTS 71, 72, 73 AND 74 OF TRACT NO. 4791, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 50 PAGE 94 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
 Assessor's Parcel Number: 6012-010-016, 6012-010-017 and 6012-010-018

MISCELLANEOUS NOTES

- This property has direct physical access to South Broadway, which is a dedicated public road or highway, with no gaps, gores or overlaps. The property has indirect access to West 70th Street and West 71st Street via the alley on the East side of the property. The subject property is located at the intersection of South Broadway and West 71st Street.
- Buildings located on this property are as shown. The address of this property was physically observed or noted as being 7020 S Broadway, Los Angeles, CA. 90003 [Table A Item #2]
- The gross land area of this property is 10,999.9± square feet or 0.25± acres. [Table A Item #4]
- The buildings shown on this survey reflect the exterior dimensions along with the square footage of each building as located at ground level. Measured heights of all buildings are noted to the highest point of the building above ground level. [Table A Item #7a, 7b1, & 7c]
- All substantial features and improvements located and observed on site and within five feet of the property boundaries are shown. [Table A Item #8]
- Owner information was taken from the latest tax assessors property owners map when this land title survey was prepared. [Table A Item #13]
- At the time of this survey, the building was not under construction including additions. No evidence of earth moving or other construction was observed. [Table A Item #16]
- There is no observable evidence of recent street or sidewalk construction or repairs. [Table A Item #17]
- There is no observable evidence of cemeteries, gravesites, and burial grounds at the time of this survey. No cemeteries, gravesites, and burial grounds were disclosed in the record documents provided to the surveyor.
- No visible evidence of existing tanks or drainage fields were observed.
- The boundary of the survey property as described forms a mathematically closed figure. The boundary lines of the property are contiguous with the boundary lines of all adjoining streets, highways, and right-of-ways, public or private, as described in their most recent respective legal descriptions of record. The parcels are contiguous with no gaps or gores.
- The land described is the same land as shown on the commitment issued by Commonwealth Land Title Company.
- The table below describes the type and number of parking stalls entirely within the property boundary. Stalls that are partially within the boundary are listed under the heading "partial". Partial stalls are not counted in the total.

PARKING				
REGULAR	HANDICAPPED	COMPACT	MOTOR CYCLE	TOTAL
5	0	0	0	5

STATEMENT OF ENCROACHMENTS

-  BUILDING CROSSES THE PROPERTY LINE BY 0.2' ON THE WEST SIDE OF THE SITE.
-  FENCE CROSSES THE PROPERTY LINE BY 0.1' ON THE NORTHWEST SIDE OF THE SITE.
-  WALL CROSSES THE PROPERTY LINE BY 0.4' ON THE NORTHWEST SIDE OF THE SITE.

SURVEY RELATED ITEMS CORRESPONDING TO "SCHEDULE B - SECTION B" IN THE TITLE COMMITMENT

5. An instrument entitled *Covenant and Agreement* Executed by: Miguel Estrada In favor of: City of Los Angeles Recording Date: October 4, 1994 Recording No: 94-1818791 Official Records Reference is hereby made to said document for full particulars. AFFECTS: AS DESCRIBED THEREIN AFFECTS: LOTS 71, 72, 73, AND 74. NO PLOTTABLE ISSUES.
6. Covenant and agreement wherein the owners agree to hold said Land as one parcel and not to sell any portion thereof separately. Said covenant is expressed to run with the Land and be binding upon future owners. Recording Date: November 10, 1994 Recording No.: 94-2040714 Official Records Reference is hereby made to said document for full particulars. AFFECTS: AS DESCRIBED THEREIN AFFECTS: LOTS 71, 72, 73, AND 74. NO PLOTTABLE ISSUES.
7. An instrument entitled *Master Covenant and Agreement* Recording Date: March 31, 2011 Recording No: 20110483094 Official Records Reference is hereby made to said document for full particulars. AFFECTS: AS DESCRIBED THEREIN AFFECTS: LOTS 71, 72, 73, AND 74. NO PLOTTABLE ISSUES.
8. An instrument entitled *Master Covenant and Agreement* Recording Date: December 26, 2012 Recording No: 20122004547 Official Records Reference is hereby made to said document for full particulars. AFFECTS: AS DESCRIBED THEREIN AFFECTS: LOTS 71, 72, 73, AND 74. NO PLOTTABLE ISSUES.

FLOOD ZONE

A field survey was not conducted to determine the flood zone areas. By graphic plotting only, the subject property is located within Zone "X" and Zone "X" Shaded as shown on Flood Insurance Rate Map, Community No. 060137D, Map Number 06037C1785G which bears an effective date of 12-21-2018 and is not located in a special flood hazard area. As shown on the FEMA website (<https://www.fema.gov/cis/CA.html>) we have learned this community does currently participate in the program.

Zone "X" denotes areas outside of the 500-year floodplain determined to be outside 1% and 0.2% annual chance floodplains.

Zone "X" Shaded denotes areas of 0.2-percent-annual-chance floodplain, areas of 1-percent-annual-chance (base flood) sheet flow flooding with average depths of less than 1 foot, areas of base flood stream flooding with a contributing drainage area of less than 1 square mile, or areas protected from the base flood by levees.

ZONING

NO ZONING REPORT WAS PROVIDED TO THE SURVEYOR AS OF DATE OF SURVEY.

UTILITY NOTE

THE SURVEY SHOWS THE LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY OBSERVED EVIDENCE COLLECTED PURSUANT TO ALTA SECTION 5 E IV

ALTA/NSPS LAND TITLE SURVEY FOR PARTNER ENGINEERING AND SCIENCE, INC.

PARTNER PROJECT NUMBER 19-243918.3
 PROPERTY ADDRESS: 7020 - 7022 S Broadway, Los Angeles, CA, 90003

ALTA SURVEY BASED AND RELIED ON COMMONWEALTH LAND TITLE COMPANY TITLE COMMITMENT REF. NO. (NO COMMITMENT AT TIME OF SURVEY) ORDER NO. 09172905-917-CG8-KRE BEARING AN EFFECTIVE DATE OF AUGUST 14, 2019.

CERTIFICATION

To: WC Broadway LP, Weingart Center Association, Commonwealth Land Title Company, Partner Engineering and Science, Inc and their respective successors and assigns:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 2, 3, 4, 6a, 6b, 7a, 7b1, 7c, 8, 9, 13, 14, 16, 17, & 20 of Table A thereof.

The fieldwork was completed on 7/16/2019.
 Date of Plat or Map: 9/06/2019



RPLS, LLC
 714 E. Exposition Blvd, Redwood, CA 94061
 Phone: 925-263-2213 Fax: 925-263-7028
 Email: info@rpls.com



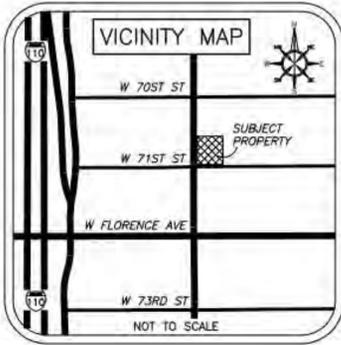
KEVIN BRONSON
 P.L.S. NO. 8523
 IN THE STATE OF CALIFORNIA

COMPILED 2019
 PARTNER ENGINEERING & SCIENCE, INC.
 ALL INFORMATION CONTAINED HEREIN IS THE PROPERTY OF PARTNER ENGINEERING & SCIENCE, INC.



1761 EAST GARRY AVENUE
 SANTA ANA, CA 92705
 T 714-477-8657
 TMcDougall@partneresi.com
<http://www.partneresi.com>

FOR REFERENCE ONLY

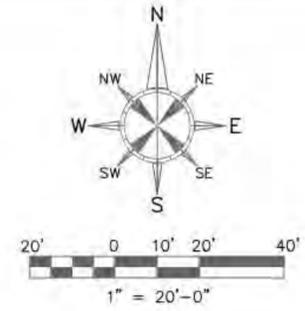


FND. HEX IB IN WELL
PER FB 17173 PG 28

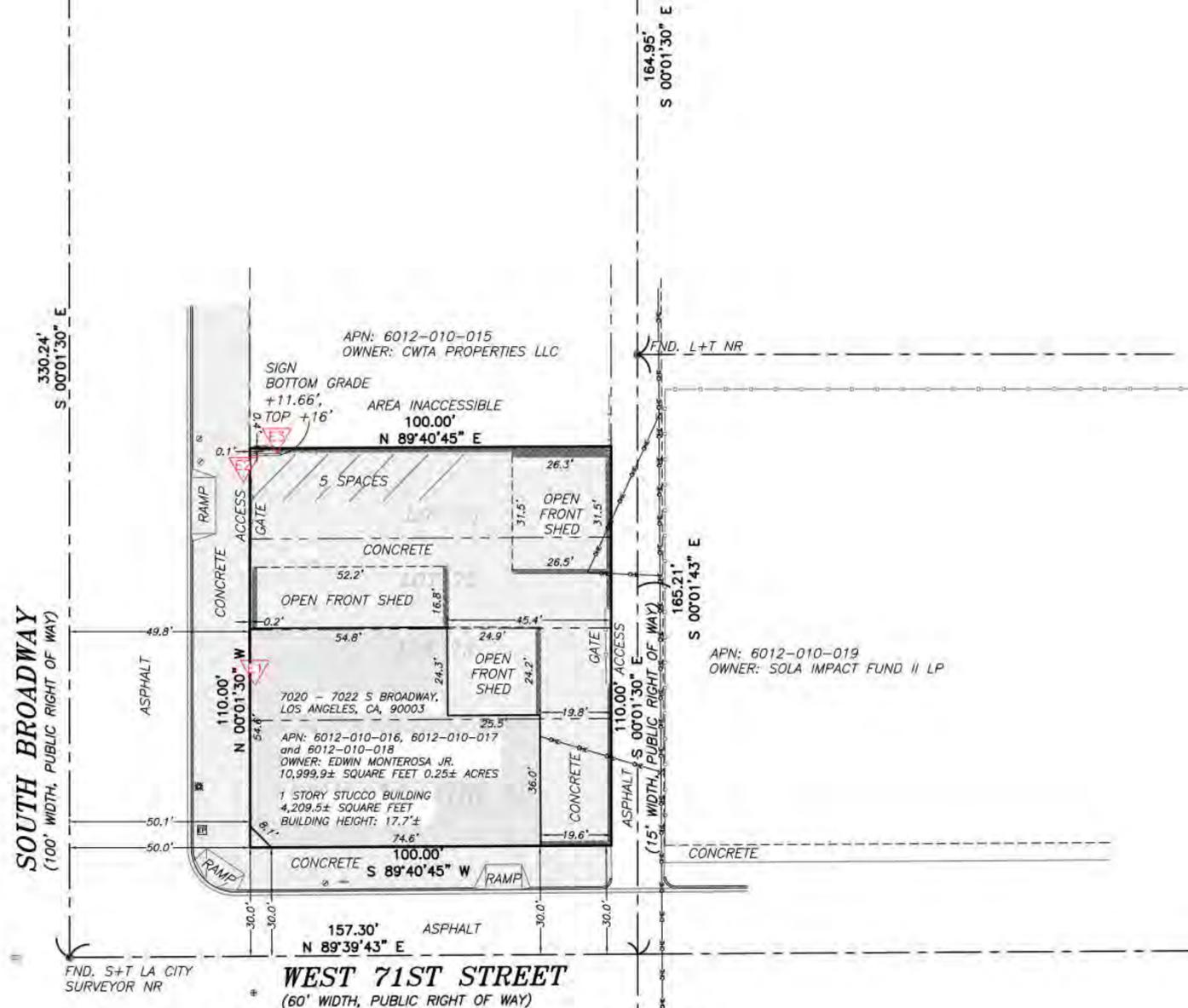
157.53'
N 89°39'43" E

FND. S+T LA CITY SURVEYOR
PER PWFB 1020 PG 214

WEST 70TH STREET



SYMBOL LEGEND		LIST OF ABBREVIATIONS
⊠ A.C. PAD	⊙ GROUND LIGHT	⊠ ROOF HEADWALL
⊠ AIR VALVE	⊙ GROUND ROD	⊠ ROAD SIGN
⊠ AUTO-SPRINKLER	⊙ GUARD POST	⊠ SANITARY SEWER MH
⊠ BENCHMARK	⊙ GUY ANCHOR	⊠ STORM SEWER MH
⊠ BORE HOLE	⊙ HANDICAPPED PARKING	⊠ TANK ACCESS
⊠ BUSH	⊙ IRON GRATE	⊠ TELE. MH
⊠ CLEAN OUT	⊙ LIGHT POLE	⊠ TELE. PED.
⊠ ELEC. METER	⊙ MAIL BOX	⊠ TRAFFIC SIGNAL LIGHT
⊠ ELEC. PED.	⊙ METER RACK	⊠ TRAFFIC CONTROL BOX
⊠ ELEC. TRANS.	⊙ MONITOR WELL	⊠ TREE
⊠ FIRE HYDRANT	⊙ MON. FOUND TUB	⊠ UNDR. TELE. MARKER
⊠ FIRE RISER	⊙ AS DESCRIBED	⊠ UTILITY CABINET
⊠ FLAG POLE	⊙ PIPELINE MARKER	⊠ T.V. PED.
⊠ GAS METER	⊙ POWER MH	⊠ UTILITY POLE
⊠ GAS VALVE	⊙ WATER METER	⊠ WATER METER
⊠ GATE	⊙ PROPANE TANK	⊠ WATER MH
⊠ GENERATOR	⊙ FULL BOX	⊠ WATER VALVE
⊠ BARBED WIRE FENCE	⊙ CHAINLINK FENCE	⊠ ADJ. PLAT LINE
⊠ ROAD CENTERLINE	⊙ OVERHEAD ELECTRIC LINE	⊠ EASEMENT LINE
⊠ STOCKADE FENCE	⊙ SUBJECT BOUNDARY LINE	⊠ TRAIN TRACKS
⊠ UNDERGROUND COMMUNICATIONS	⊙ UNDERGROUND ELECTRIC	⊠ UNDER. GAS
⊠ UNDERGROUND SANITARY SEWER	⊙ UNDERGROUND DIL PIPE LINE	⊠ UNDER. WATER
		⊠ UNDER. WATER SERVICE
		⊠ WALL
		⊠ RECORD DIMENSION
		⊠ RIGHT-OF-WAY
		⊠ ROOF DRAIN
		⊠ RETAINING WALL
		⊠ STATUTORY
		⊠ TOP OF ROW
		⊠ TRANSFORMER
		⊠ TYPICAL
		⊠ UTILITY CABINET
		⊠ UNDERGROUND
		⊠ UNDERGROUND WITH
		⊠ UNDERGROUND SERVICE
		⊠ BRASS CAP



ALTA/NSPS LAND TITLE SURVEY
FOR
PARTNER ENGINEERING AND SCIENCE, INC.
PARTNER PROJECT NUMBER 19-243918.3
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CERTIFICATION
To: WC Broadway LP, Weingart Center Association, Commonwealth Land Title Company, Partner Engineering and Science, Inc and their respective successors and assigns:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 2, 3, 4, 6a, 6b, 7a, 7b1, 7c, 8, 9, 13, 14, 16, 17, & 20 of Table A thereof.

The fieldwork was completed on 7/16/2019.
Date of Plat or Map: 9/06/2019

RPLS, LLC
114 Bryn Mawr Drive, Raleigh, NC 27613
Phone: 919-283-2211 Fax: 919-283-1608
www.rplsllc.com

COMPILED 2019
PARTNER ENGINEERING & SCIENCE, INC.
ALL RIGHTS RESERVED
THIS DOCUMENT IS THE PROPERTY OF PARTNER ENGINEERING & SCIENCE, INC.

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http://www.partneresi.com

FOR REFERENCE ONLY

PLANTING LEGEND: STREET LEVEL					
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS WATER USE	QUANTITY
STREET TREES					
	CASSIA LEPTOPHYLLA	GOLD MEDALLION TREE	24" BOX	MED	9
	ERIOBOTRYA DEFLEXA	BRONZE LOQUAT	24" BOX	MED	
	MAGNOLIA GRANDIFLORA 'SAMUEL SOMMER'	SOUTHERN MAGNOLIA	24" BOX	MED	
COLUMNAR SCREEN TREES					
	LAURUS NOBILIS	SWEET BAY	24" BOX	LOW	4
	PODOCARPUS GRACILIOR	FERN PINE	24" BOX	MED	
	PRUNUS CAROLINIANA 'COMPACTA'	COMPACT LAUREL CHERRY	24" BOX	MED	
SHRUBS					
	AGAVE ATTENUATA	FOXTAIL AGAVE	1 GAL.	LOW	
	ASPIDISTRA ELATIOR	CAST-IRON-PLANT	1 GAL.	MED	
	CARISSA MACROCARPA 'TUTTLE'	NATAL PLUM	1 GAL.	LOW	
	DIETES BICOLOR	FORTNIGHT LILY	5 GAL.	LOW	
	LEUCOPHYLLUM LAEVIGATUM	CHIHUAHUAN SAGE	5 GAL.	LOW	
	RHAPHIOLEPIS UMBELLATA	YEDDA HAWTHORN	5 GAL.	LOW	
GROUNDCOVER					
	LANTANA SPP.	LANTANA	1 GAL.	LOW	
	MYOPORUM PARVIFOLIUM	MYOPORUM	1 GAL.	LOW	
	SENECIO MANDRALISCAE	BLUE CHALK STICKS	1 GAL.	LOW	

PLANTING LEGEND: ROOF LEVEL					
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS WATER USE	QUANTITY
SHRUBS					
	ANIGOZANTHOS 'BIG RED'	KANGAROO PAW	1 GAL.	MED	
	DIANELLA TASMANICA 'VARIEGATA'	TASMAN FLAX LILY	1 GAL.	MED	
	DIETES BICOLOR	FORTNIGHT LILY	5 GAL.	LOW	
	LEUCOPHYLLUM LAEVIGATUM	CHIHUAHUAN SAGE	5 GAL.	LOW	
	RHAPHIOLEPIS UMBELLATA 'MINOR'	YEDDA HAWTHORN	5 GAL.	LOW	
GROUNDCOVER					
	AEONIUM 'KIWI'	KIWI AEONIUM	1 GAL.	LOW	
	DIANELLA REVOLUTA 'LITTLE REV'	DIANELLA LITTLE REV	1 GAL.	LOW	
	SENECIO MANDRALISCAE	BLUE CHALK STICKS	1 GAL.	LOW	
	VINCA MINOR	PERIWINKLE	1 GAL.	MED	

PROPOSED LANDSCAPE AREA:	
STREET LEVEL	1,836 sq.ft.
ROOF LEVEL <small>(25% of total Common Open Space provided - 4,106 sq.ft.)</small>	1,027 sq.ft.
TOTAL	2,863 sq.ft.

LOW WATER LANDSCAPE AREA:	
TOTAL LANDSCAPE AREA	2,863 sq.ft.
LOW WATER USE PLANTING	2,148 sq.ft.
PERCENTAGE OF TOTAL LANDSCAPE AREA AS LOW WATER USE PLANTING	75%

REQUIRED TREES:	
TREES REQUIRED <small>(1 tree per 4 units)</small>	13
TREES PROVIDED	13

SHEET INDEX

- LO-1 GENERAL NOTES AND PLANTING LEGEND
- L1-1 STREET LEVEL LANDSCAPE PLAN
- L1-2 STREET LEVEL PLANTING IMAGES
- L1-3 ROOF LEVEL LANDSCAPE PLAN
- L1-4 ROOF LEVEL PLANTING IMAGES

GENERAL NOTES

1. IT IS THE CONTRACTOR'S RESPONSIBILITY TO BE FAMILIAR WITH AND TO LOCATE ALL EXISTING SITE CONDITIONS AND UNDERGROUND UTILITIES, PIPES, AND OTHER SUBSTRUCTURES, AND PROTECT THEM FROM DAMAGE. THE EXPENSE OF REPAIR, BODILY INJURY OR REPLACEMENT OF SAID SUBSTRUCTURES INCLUDING DAMAGE OF THE OWNER'S PROPERTY SHALL BE BORN BY THE CONTRACTOR. THE CONTRACTOR SHALL HAND DIG FOOTINGS, TREE WELLS, PLANTING BEDS, ETC. AS REQUIRED. CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL RELEVANT UTILITY COMPANIES PRIOR TO ANY EXCAVATION.
 2. LOCATION AND ELEVATION OF ALL EXISTING IMPROVEMENTS WITHIN AND ADJACENT TO THE AREA OF WORK SHALL BE CONFIRMED BY FIELD MEASUREMENT PRIOR TO EXCAVATION AND CONSTRUCTION OF NEW WORK. EXTREME CARE SHALL BE EXERCISED IN EXCAVATION AND WORKING NEAR EXISTING UTILITIES. REFER TO CIVIL DRAWINGS FOR GENERAL REFERENCE. CONTRACTOR WILL MAKE EXPLORATORY EXCAVATIONS AND LOCATE EXISTING UNDERGROUND UTILITIES, PIPES AND OTHER SUBSTRUCTURES SUFFICIENTLY AHEAD OF CONSTRUCTION TO PERMIT REVISIONS TO PLANS, DETAILS AND SPECIFICATIONS IF REVISIONS ARE NECESSARY BECAUSE OF ACTUAL LOCATION IN THE FIELD. THE LOCATIONS OF UTILITIES, STRUCTURES AND SERVICES SHOWN IN THESE PLANS ARE APPROXIMATE ONLY, ANY DISCREPANCIES BETWEEN THESE PLANS AND ACTUAL FIELD CONDITIONS SHALL BE IMMEDIATELY REPORTED TO THE RESIDENT ENGINEER.
 3. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES, LANDSCAPING, AND FEATURES TO REMAIN ON AND/OR ADJACENT TO THE PROJECT SITE DURING CONSTRUCTION. CONTRACTOR SHALL REPAIR, AT HIS OWN EXPENSE, ALL DAMAGE RESULTING FROM HIS OPERATIONS OR NEGLIGENCE.
 4. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE TO ENFORCE SAFETY MEASURES AND REGULATIONS.
 5. IN AN EMERGENCY THREATENING THE SAFETY OF LIFE, WORK OR ADJOINING PROPERTY, THE CONTRACTOR SHALL USE HIS DISCRETION TO PREVENT SUCH LOSS OR INJURY.
 6. THE CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH CONSTRUCTION OF DESIGN WHEN UNKNOWN OBSTRUCTIONS AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER'S AUTHORIZED REPRESENTATIVE AND OWNER. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.
 7. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF THE SUBCONTRACTOR'S ACCOMPLISHMENT OF SCOPE OF WORK. CONTRACTOR SHALL COORDINATE CONSTRUCTION WITH OTHER TRADES WORKING ON THE SITE SIMULTANEOUSLY.
 8. CONTRACTOR SHALL NOTIFY OWNER'S AUTHORIZED REPRESENTATIVE 72 HOURS PRIOR TO COMMENCEMENT OF WORK TO COORDINATE PROJECT INSPECTION SCHEDULES. CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS, EQUIPMENT, AND SERVICES NECESSARY TO PROVIDE ALL WORK. WORK TO BE COMPLETE IN PLACE AS SPECIFIED.
 9. CONTRACTOR IS RESPONSIBLE FOR SETTING GRADES ON ALL HARD AND SOFT SURFACES. CONTRACTOR SHALL BE RESPONSIBLE FOR POSITIVE DRAINAGE FROM HARD SURFACES FOR THIS PROJECT.
 10. ALL MATERIALS SHALL BE OF STANDARD, APPROVED AND FIRST GRADE QUALITY AND SHALL BE IN PRIME CONDITION WHEN INSTALLED AND ACCEPTED. ANY COMMERCIALY PROCESSED OR PACKAGED MATERIAL SHALL BE DELIVERED TO THE SITE IN THE ORIGINAL UNOPENED PACKAGING BEARING THE MANUFACTURER'S GUARANTEED ANALYSIS.
 11. THE CONTRACTOR AGREES TO HOLD THE CITY AND THE A/E HARMLESS FROM ANY CLAIMS ARISING OUT OF HIS OPERATIONS OR THE OPERATIONS OF ANY OF HIS SUBCONTRACTORS, MATERIALS SUPPLIERS, OR AGENTS.
 12. THE CONTRACT DRAWINGS DO NOT INDICATE METHODS, PROCEDURES, OR SEQUENCE OF CONSTRUCTION. THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO MAINTAIN THE INTEGRITY OF STRUCTURES DURING CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, AND MAINTENANCE OF ALL SAFETY DEVICES, INCLUDING SHORING AND BRACING.
 13. ALL LOCAL, MUNICIPAL, AND STATE LAWS, RULES AND REGULATIONS GOVERNING OR RELATING TO ANY PORTION OF THIS WORK ARE HEREBY INCORPORATED INTO AND MADE A PART OF THE PROJECT SPECIFICATIONS AND THEIR PROVISIONS SHALL BE CARRIED OUT BY THE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR THE ENFORCEMENT OF FEDERAL AND MUNICIPAL OCCUPATIONAL SAFETY AND HEALTH REGULATIONS AND REQUIREMENTS.
- #### PLANTING NOTES
1. ALL LANDSCAPE WORK SHOWN ON THESE PLANS SHALL BE PERFORMED BY A SINGLE CONTRACTOR SPECIALIZING IN LANDSCAPE PLANTING.
 2. PROVIDE MATCHING SIZES AND FORMS FOR EACH SPECIES OF TREE INSTALLED ON GRID OR SPACED EQUALLY IN ROWS AS SHOWN ON DRAWINGS. ALIGN TREES ACROSS WALKS. ADJUST SPACING AS NECESSARY, SUBJECT TO REVIEW BY THE LANDSCAPE ARCHITECT.
 3. PROVIDE MATCHING SIZES AND FORMS FOR ALL HEDGE PLANTINGS. SPACE EQUALLY (ON GRID OR TRIANGULAR) AS SHOWN.
 4. ALL TREES PLANTED WITHIN THREE (3) FEET ANY PAVED SURFACE OR STRUCTURE SHALL HAVE ROOT CONTROL BARRIERS INSTALLED AT THE TIME OF PLANTING. REFER TO PLANTING DETAILS AND SPECIFICATIONS FOR TYPE AND INSTALLATION REQUIREMENTS.
 5. FORM 30 INCH WATERING BASIN AROUND ALL TREES NOT INSTALLED IN LAWN OR PAVED AREAS. FILL BASIN WITH 2 INCH LAYER OF MULCH. DO NOT PLANT SHRUBS OR GROUNDCOVER IN WATERING BASIN.
 6. LOCATION OF ALL TREES SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO FINAL INSTALLATION.
 7. EXACT PLACEMENT OF HEADERS WILL BE REVIEWED BY LANDSCAPE ARCHITECT PRIOR TO FINAL INSTALLATION.
 8. NURSERY STAKES ARE TO BE REMOVED AFTER PLANTING TREES AND STAKING OR GUYING AS SHOWN ON THE PLANS.
 9. CONTRACTOR SHALL BE RESPONSIBLE FOR PRUNING TREES AS DIRECTED BY THE LANDSCAPE ARCHITECT. NO PRUNING IS TO BE DONE UNLESS DIRECTED.
 10. ALL PLANTING AREAS SHALL HAVE A 3" LAYER OF SPECIFIED MULCH.
 11. ALL SLOPES GREATER THAN 2:1 ARE TO BE STABILIZED WITH JUTE MESH PRIOR TO PLANTING. DO NOT INSTALL JUTE MESH ON SEEDED SLOPES PER SPECIFICATIONS.

Perkins&Will

617 West 7th St., Suite 1200
Los Angeles, CA 90017
213.270.8400
213.270.8410
perkinswill.com



NOT FOR CONSTRUCTION

PROJECT

7024 BROADWAY
7024 S BROADWAY,
LOS ANGELES, CA
90003

ENTITLEMENT SET 02/18/2020

WEINGART
THE WEINGART CENTER
566 S SAN PEDRO ST,
LOS ANGELES, CA 90013

KEYPLAN

ISSUE CHART

MARK	ENTITLEMENT SET ISSUE	DATE
1	ENTITLEMENT SET	02/18/2020
	Job Number	719020 000

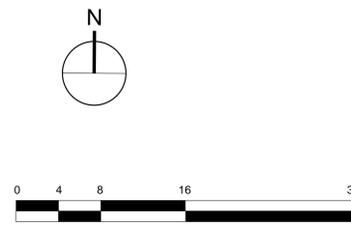
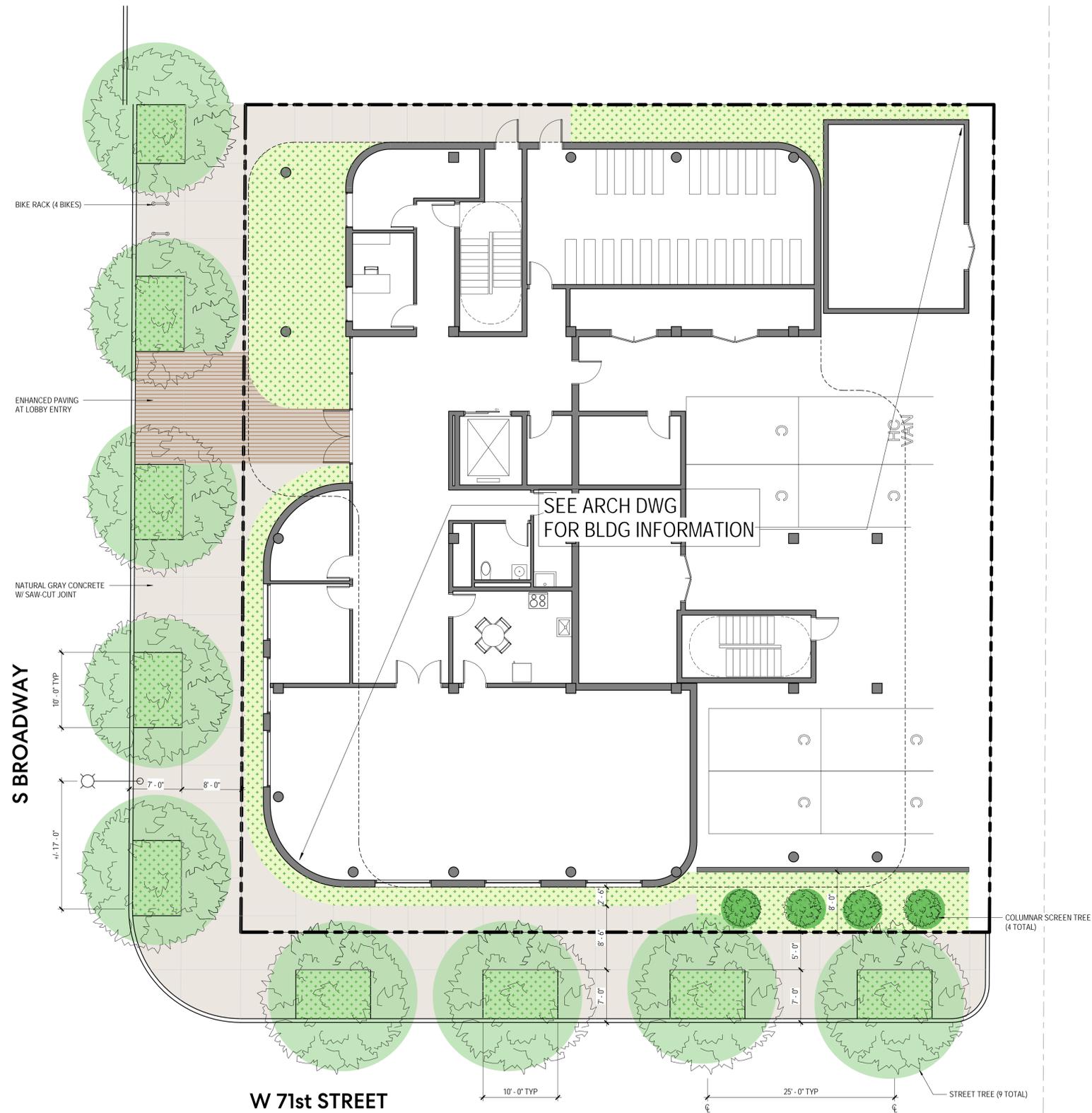
TITLE

SHEET INDEX AND GENERAL NOTES

SHEET NUMBER

L0-1

3/12/2020 2:13:00 PM B:\1360\Broadway\Housing\7024Broadway_ARCH.rvt



NOT FOR CONSTRUCTION

PROJECT

7024 BROADWAY
7024 S BROADWAY,
LOS ANGELES, CA
90003

ENTITLEMENT SET 02/18/2020

THE WEINGART CENTER
566 S SAN PEDRO ST,
LOS ANGELES, CA 90013

KEYPLAN

ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
DATE	ISSUE	DATE
Job Number	719020.000	TITLE

STREET LANDSCAPE PLAN

SHEET NUMBER

L1-1



Cassia leptophylla
Gold Medallion Tree



Eriobotrya deflexa
Bronze Loquat



Magnolia grandiflora 'Samuel Sommer'
Southern Magnolia



Laurus nobilis
Sweet Bay



Podocarpus gracilior
Fern Pine



Prunus caroliniana 'Compacta'
Compact Laurel Cherry



Agave attenuata
Foxtail Agave



Aspidistra elatior
Cast-Iron-Plant



Carissa macrocarpa 'Tuttle'
Natal Plum



Diets bicolor
Fortnight Lily



Leucophyllum laevigatum
Chihuahuan Sage



Rhapiolepis umbellata
Yedda Hawthorn



Lantana spp.
Lantana



Myoporium parvifolium
Myoporium



Senecio mandraliscae
Blue Chalk Sticks

Perkins&Will

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1213.270.8400
1213.270.8410
perkinswill.com



EDGE Design Group
9415 Culver Boulevard
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Culver City, CA 90232
213.596.8266
www.edgelandstudio.com

**NOT FOR
CONSTRUCTION**

PROJECT

7024 BROADWAY
7024 S BROADWAY,
LOS ANGELES, CA
90003

ENTITLEMENT SET 02/18/2020



THE WEINGART CENTER
566 S SAN PEDRO ST,
LOS ANGELES, CA 90013

KEYPLAN

ISSUE CHART

MARK	ENTITLEMENT SET	DATE
1	ENTITLEMENT SET	02/18/2020
	ISSUE	
	Job Number	719020 000

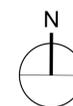
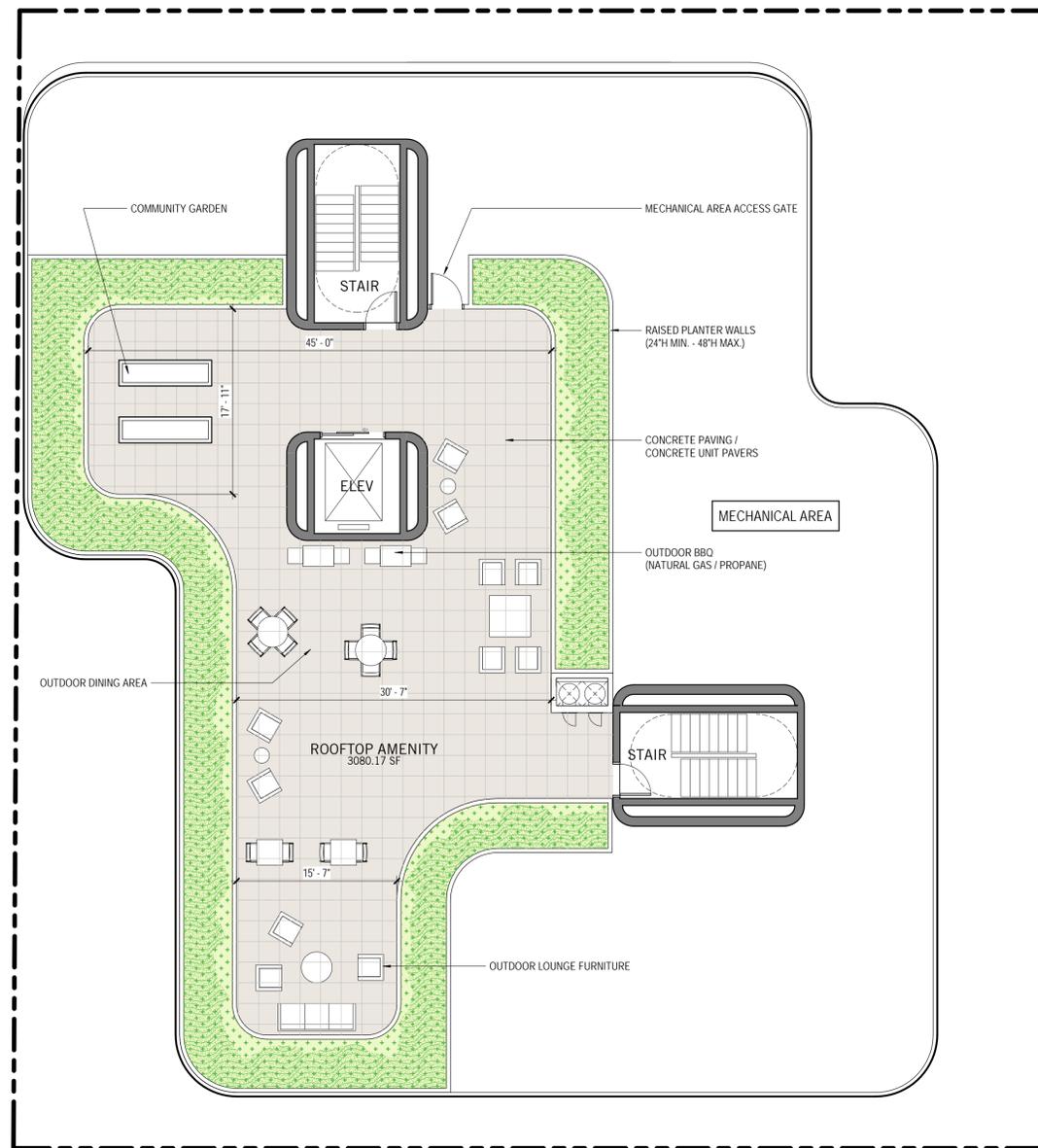
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**STREET LEVEL
LANDSCAPE IMAGES**

SHEET NUMBER

L1-2

3/12/2020 2:42:27 PM BIM 360://Broadway Housing/7024Broadway_ARCH.rvt



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WEINGART
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KEYPLAN

ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
DATE	ISSUE	DATE
Job Number	719020.000	TITLE

ROOF LANDSCAPE PLAN

SHEET NUMBER

L1-3

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ISSUE CHART

MARK	ENTITLEMENT SET ISSUE	DATE
1	ENTITLEMENT SET	02/18/2020
	Job Number	719020 000

**ROOF LEVEL
LANDSCAPE IMAGES**

SHEET NUMBER

L1-4



Anigozanthos 'Big Red'
Kangaroo Paw



Dianella tasmanica 'Variegata'
Tasman Flax Lily



Diets bicolor
Fortnight Lily



Leucophyllum laevigatum
Chihuahuan Sage



Raphiolepis umbellata
Yedda Hawthorn



Aeonium 'Kiwi'
Kiwi Aeonium



Dianella revoluta 'Little Rev'
Dianella Little Rev

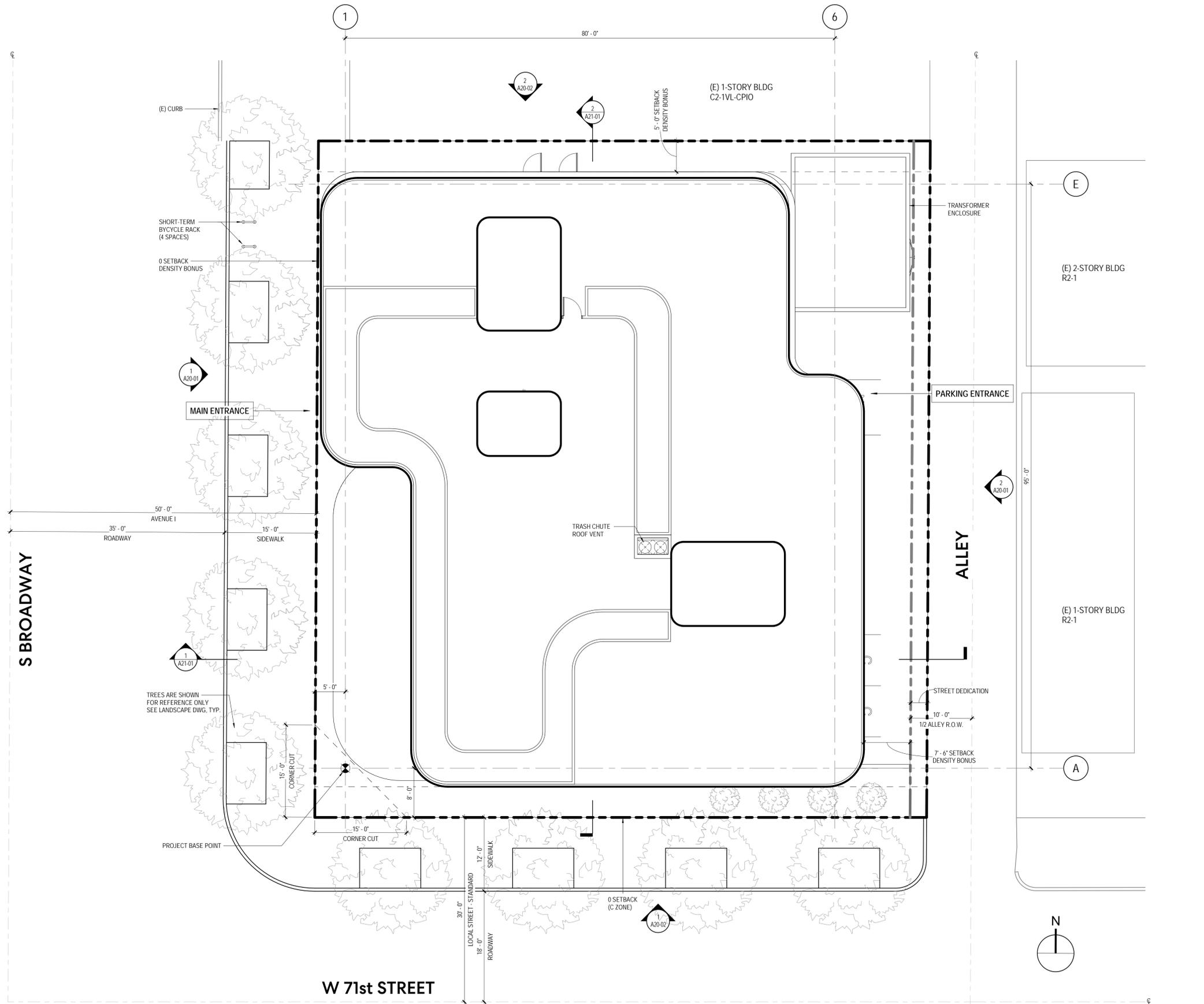


Senecio mandraliscae
Blue Chalk Sticks

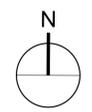


Vinca minor
Periwinkle

3/4/2020 10:38:16 AM BM1360/Broadway Housing/7024Broadway_ARCH.rvt



1 SITE PLAN
1/8" = 1'-0"



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ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
	MARK	ISSUE
	Job Number	719020.000
		TITLE

ARCHITECTURAL SITE PLAN

SHEET NUMBER

A01-01

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KEYPLAN

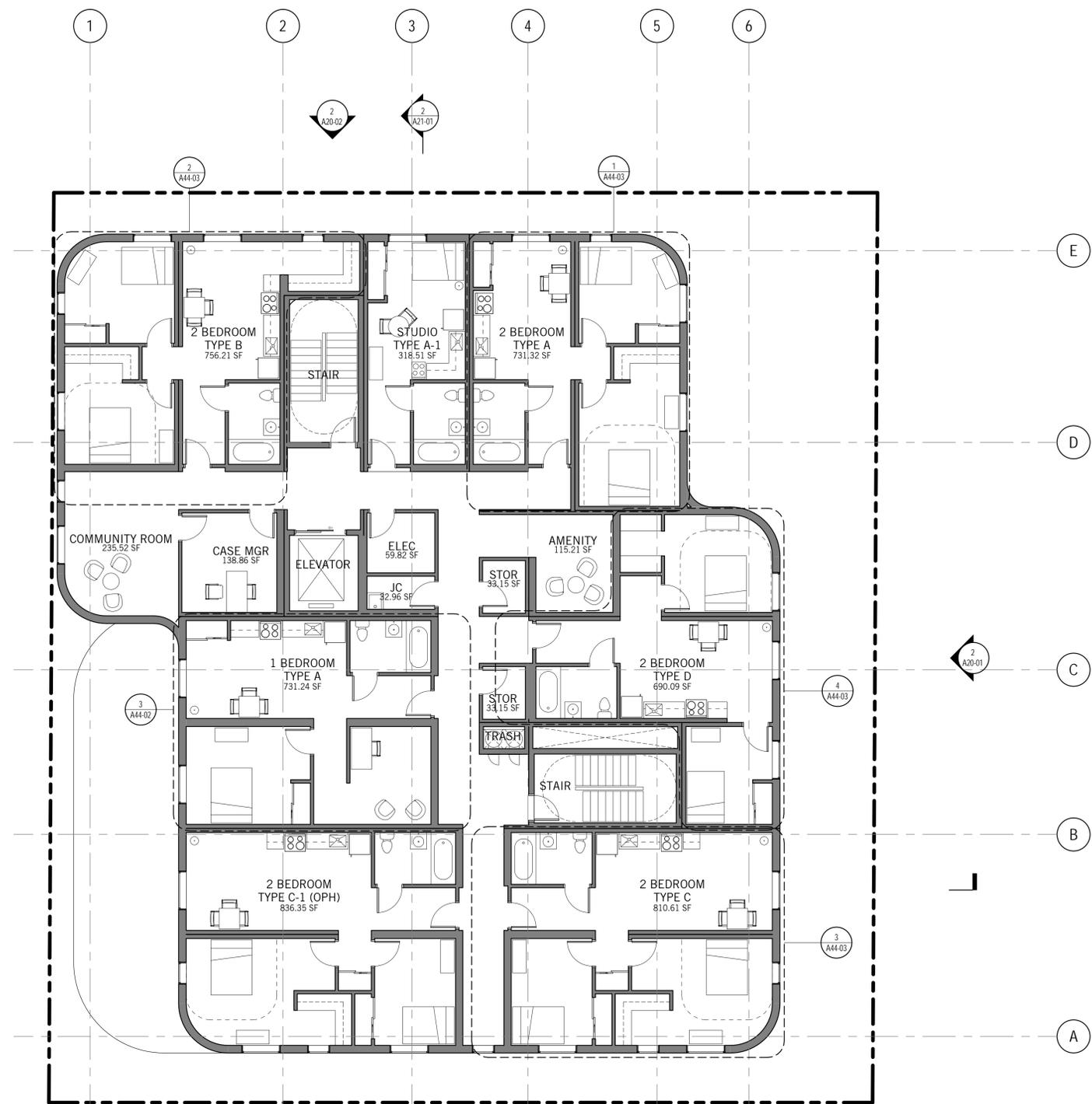
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1	ENTITLEMENT SET	02/18/2020
MARK:	ISSUE	DATE
Job Number	719020.000	TITLE

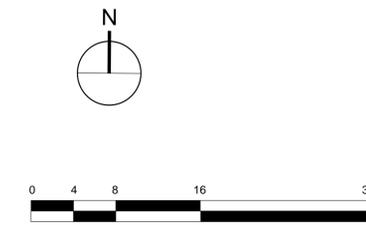
**OVERALL FLOOR
PLAN - LEVEL 02**

SHEET NUMBER

A10-02



1 FLOOR PLAN - LEVEL 02
1/8" = 1'-0"



UNIT COUNT				
	STUDIO	1BR	2BR	TOTAL
LEVEL 06	11	-	1	12
LEVEL 05	13	-	-	13
LEVEL 04	13	-	-	13
LEVEL 03	2	-	5	7
LEVEL 02	1	1	5	7
LEVEL 01	-	-	-	-
TOTAL	40	1	11	52

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7024 BROADWAY
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ENTITLEMENT SET 02/18/2020



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KEYPLAN

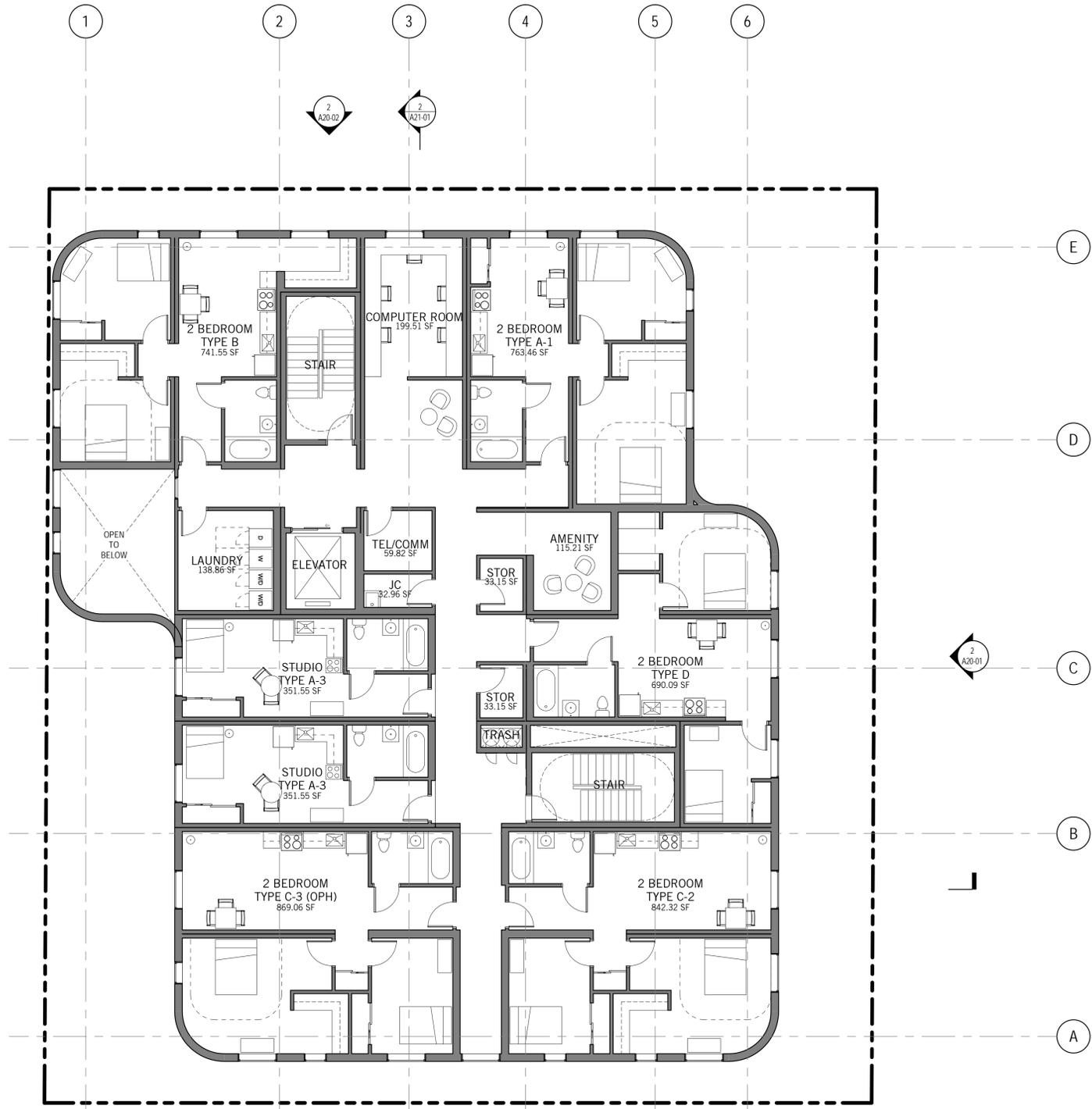
ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
MARK:	ISSUE	DATE
Job Number	719020.000	TITLE

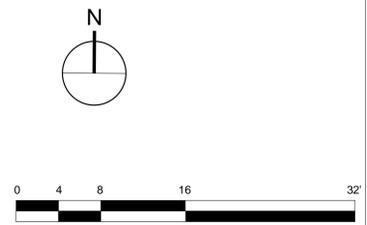
**OVERALL FLOOR
PLAN - LEVEL 03**

SHEET NUMBER

A10-03



1 FLOOR PLAN - LEVEL 03
1/8" = 1'-0"



UNIT COUNT				
	STUDIO	1BR	2BR	TOTAL
LEVEL 06	11	-	1	12
LEVEL 05	13	-	-	13
LEVEL 04	13	-	-	13
LEVEL 03	2	-	5	7
LEVEL 02	1	1	5	7
LEVEL 01	-	-	-	-
TOTAL	40	1	11	52

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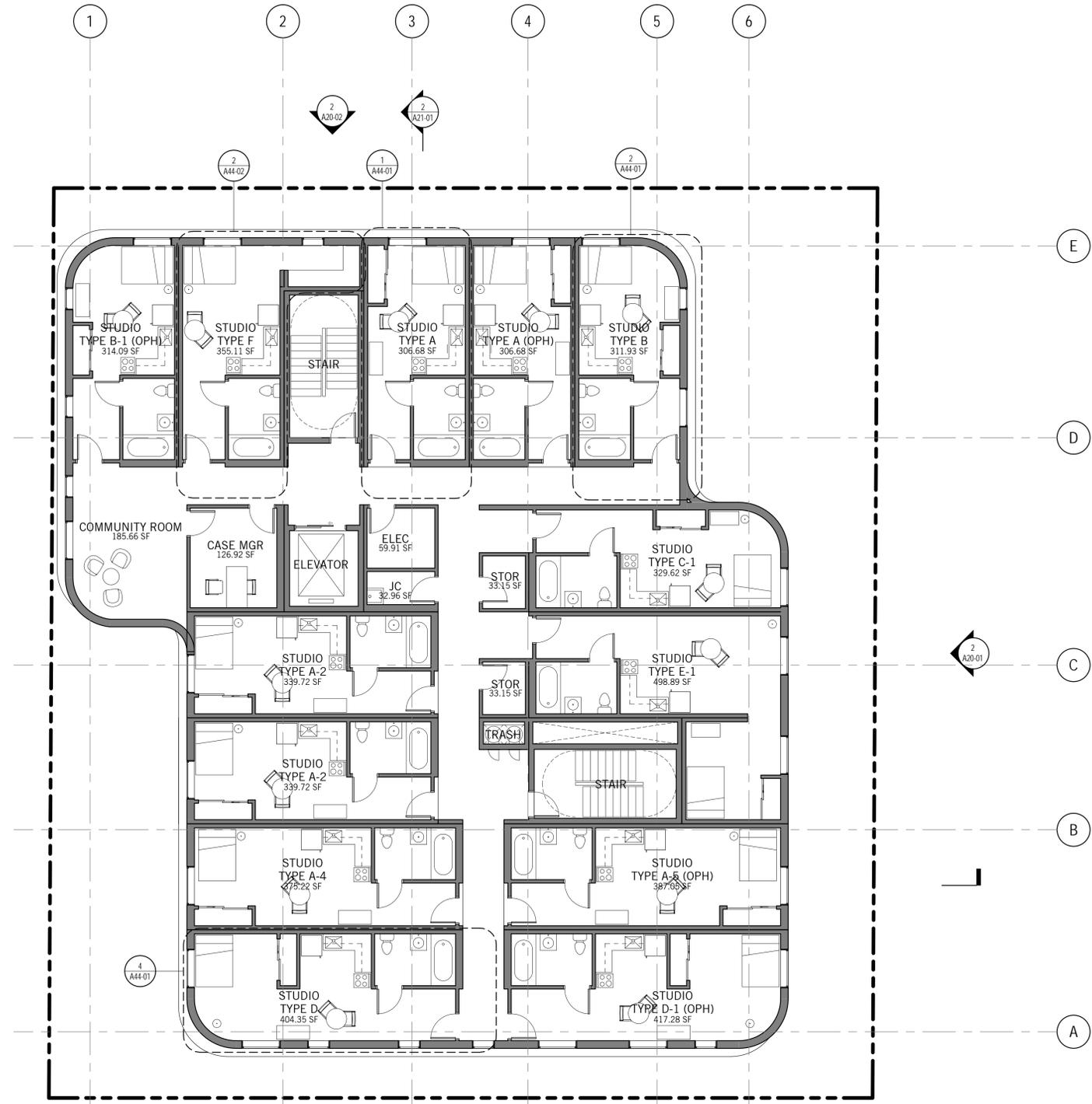
ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
MARK	ISSUE	DATE
Job Number	719020.000	TITLE

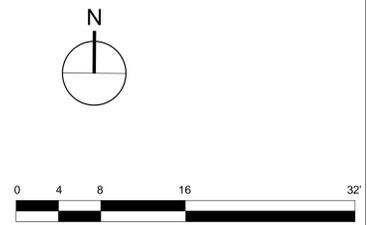
**OVERALL FLOOR
PLAN - LEVEL 04**

SHEET NUMBER

A10-04



1 FLOOR PLAN - LEVEL 04
1/8" = 1'-0"



UNIT COUNT				
	STUDIO	1BR	2BR	TOTAL
LEVEL 06	11	-	1	12
LEVEL 05	13	-	-	13
LEVEL 04	13	-	-	13
LEVEL 03	2	-	5	7
LEVEL 02	1	1	5	7
LEVEL 01	-	-	-	-
TOTAL	40	1	11	52

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KEYPLAN

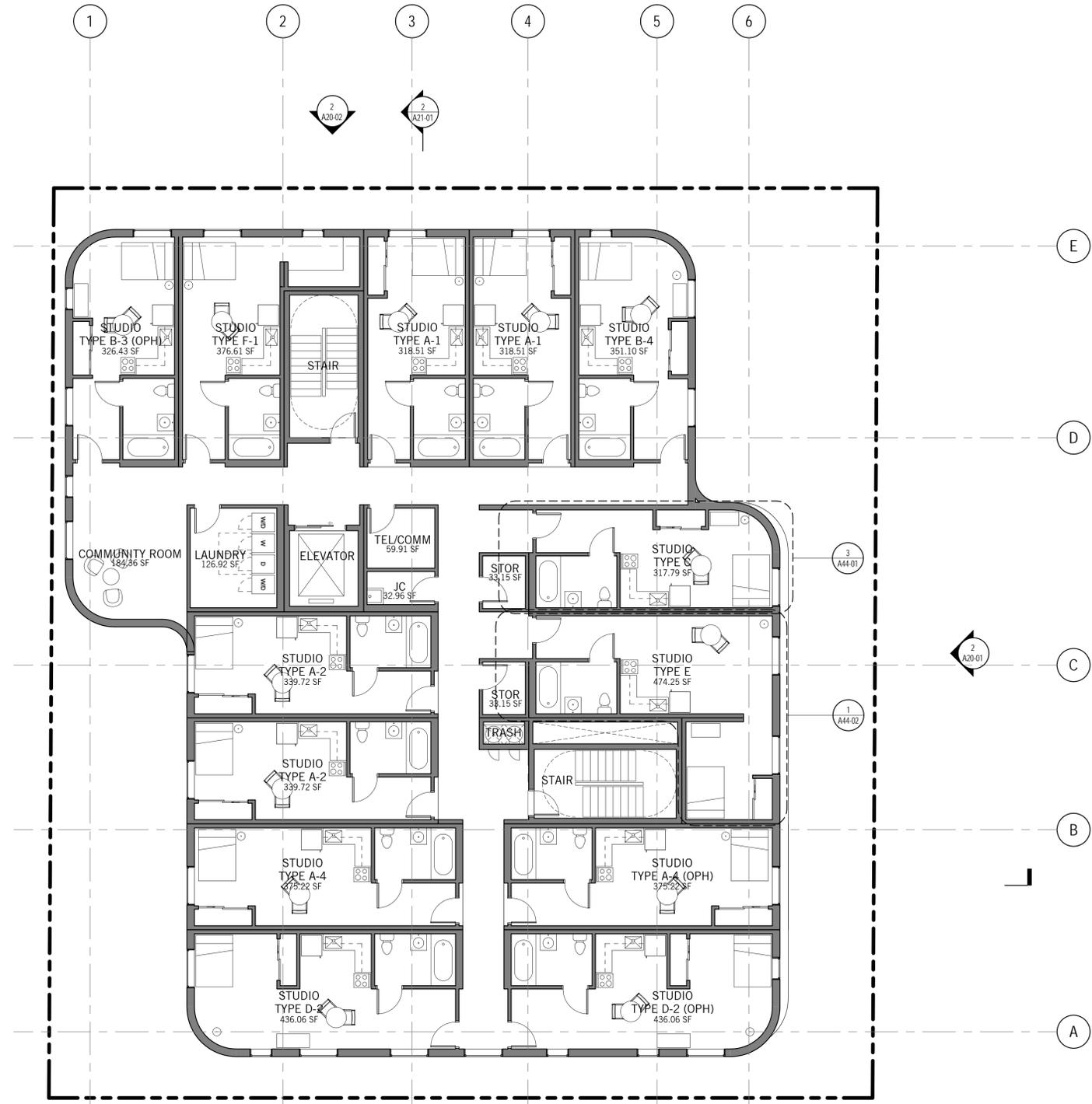
ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
DATE	ISSUE	DATE
Job Number	719020.000	TITLE

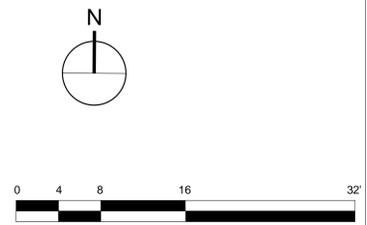
**OVERALL FLOOR
PLAN - LEVEL 05**

SHEET NUMBER

A10-05

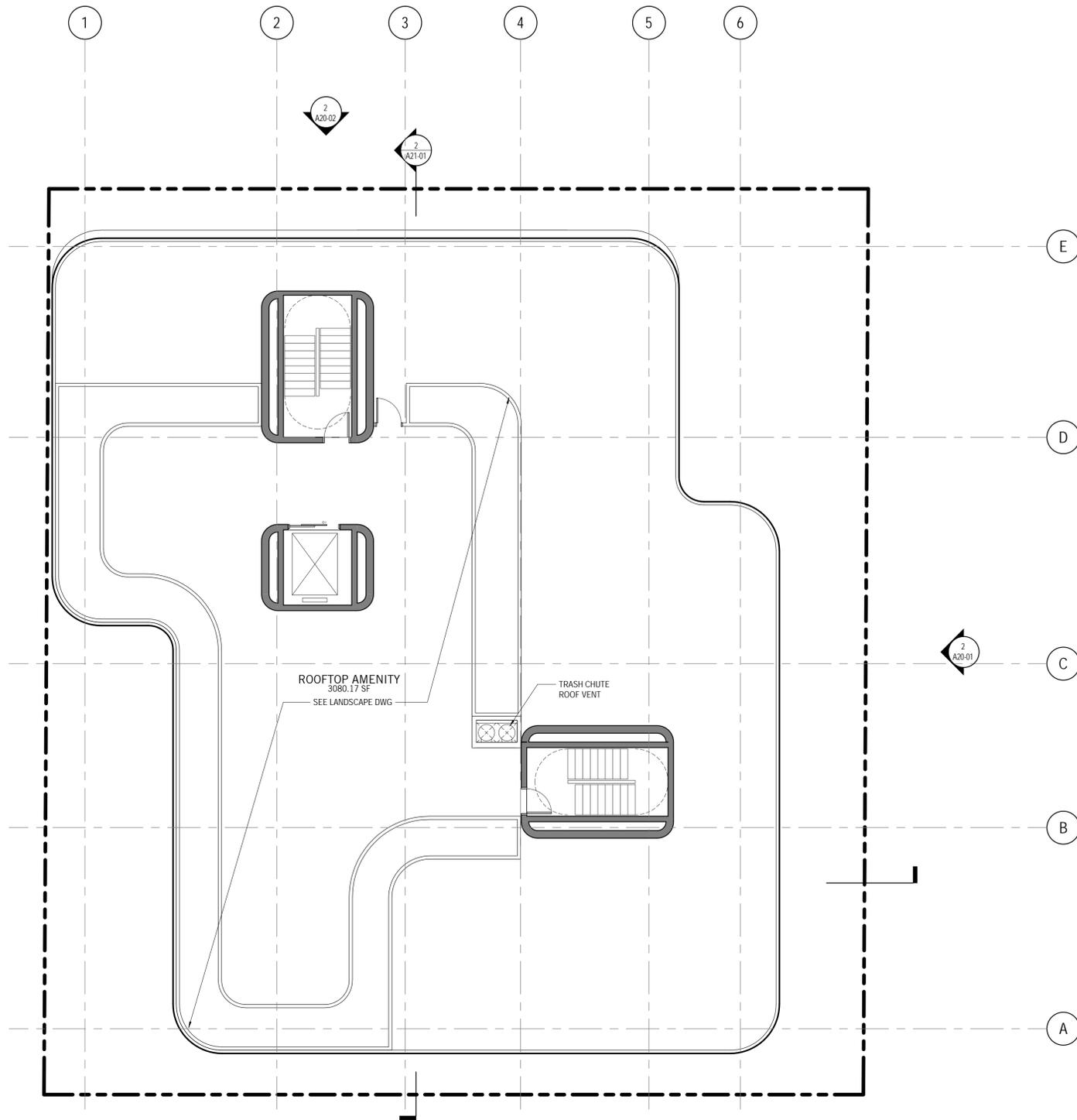


1 FLOOR PLAN - LEVEL 05
1/8" = 1'-0"

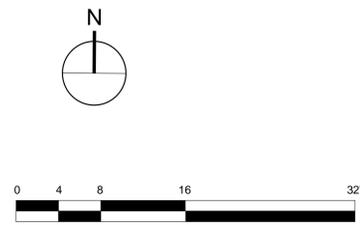


UNIT COUNT				
	STUDIO	1BR	2BR	TOTAL
LEVEL 06	11	-	1	12
LEVEL 05	13	-	-	13
LEVEL 04	13	-	-	13
LEVEL 03	2	-	5	7
LEVEL 02	1	1	5	7
LEVEL 01	-	-	-	-
TOTAL	40	1	11	52

2/20/2020 10:03:00 AM - BM1360/Broadway Housing/7024Broadway_ARCH.rvt



1 ROOF PLAN
1/8" = 1'-0"



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KEYPLAN

ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
DATE	ISSUE	DATE
Job Number	719020.000	TITLE

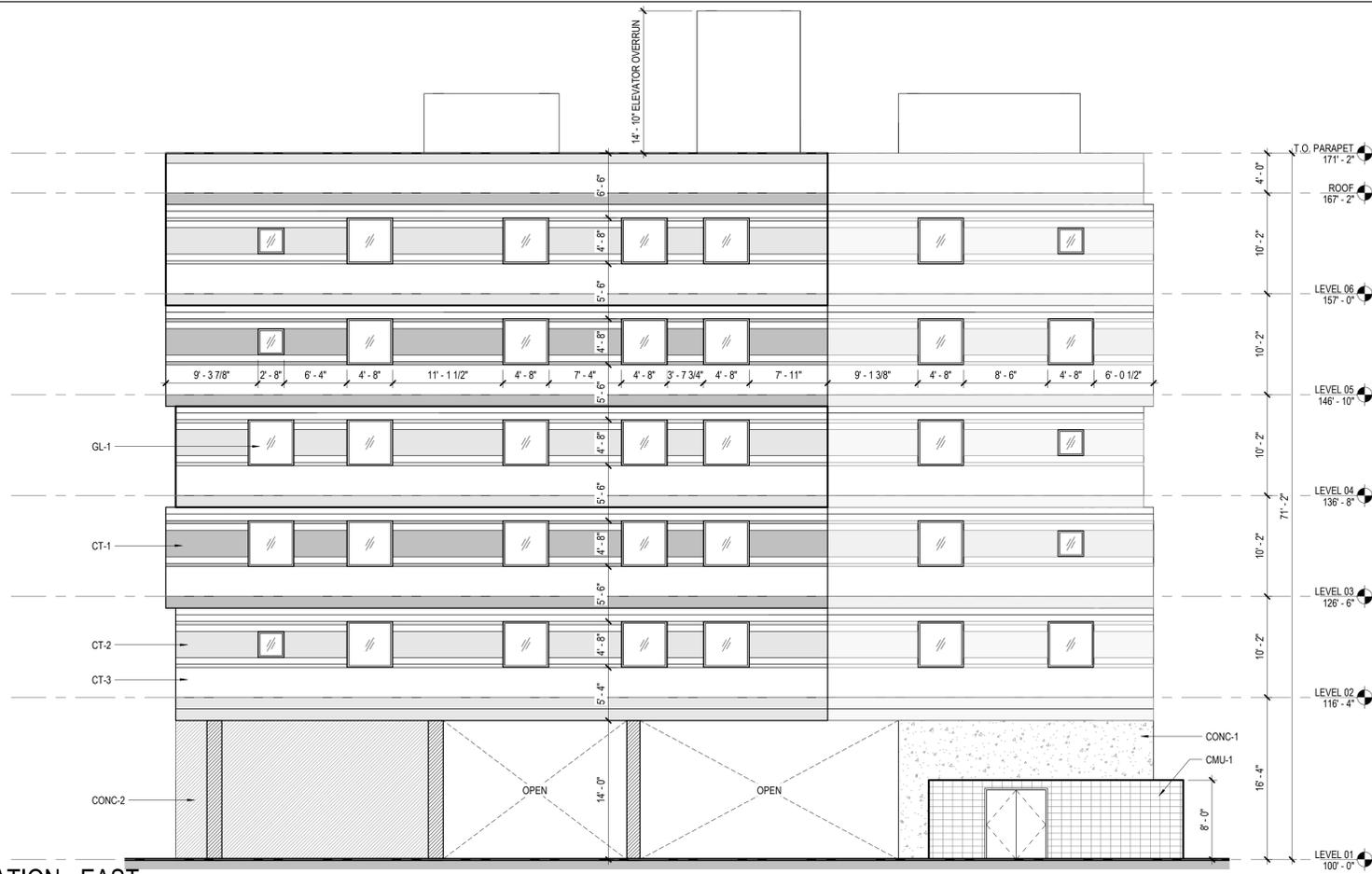
OVERALL ROOF PLAN

SHEET NUMBER

A10-07

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2 ELEVATION - EAST
1/8" = 1'-0"



1 ELEVATION - WEST
1/8" = 1'-0"

EXTERIOR ELEVATION LEGEND

- CT-1 CERAMIC TILE - COLOR 1
- CT-2 CERAMIC TILE - COLOR 2
- CT-3 CERAMIC TILE - COLOR 3
- CONC-1 CONCRETE - BUSH HAMMERED
- CONC-2 CONCRETE - SMOOTH
- GL-1 INSULATED GLAZING UNIT - CLEAR
- CMU-1 CONCRETE MASONRY UNIT

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KEYPLAN

ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
	MARK	ISSUE
	DATE	
	Job Number	719020.000

TITLE

**EXTERIOR
ELEVATIONS - EAST
AND WEST**

SHEET NUMBER

A20-01

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2 ELEVATION - NORTH
1/8" = 1'-0"



1 ELEVATION - SOUTH
1/8" = 1'-0"



EXTERIOR ELEVATION LEGEND

	CT-1 CERAMIC TILE - COLOR 1
	CT-2 CERAMIC TILE - COLOR 2
	CT-3 CERAMIC TILE - COLOR 3
	CONC-1 CONCRETE - BUSH HAMMERED
	CONC-2 CONCRETE - SMOOTH
	GL-1 INSULATED GLAZING UNIT - CLEAR
	CMU-1 CONCRETE MASONRY UNIT

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KEYPLAN

1 ENTITLEMENT SET	02/18/2020
MARK	DATE
Job Number	719020.000
TITLE	
EXTERIOR ELEVATIONS - NORTH AND SOUTH	
SHEET NUMBER	
A20-02	

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ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
DATE	1650L6	DATE
Job Number	719020.000	TITLE

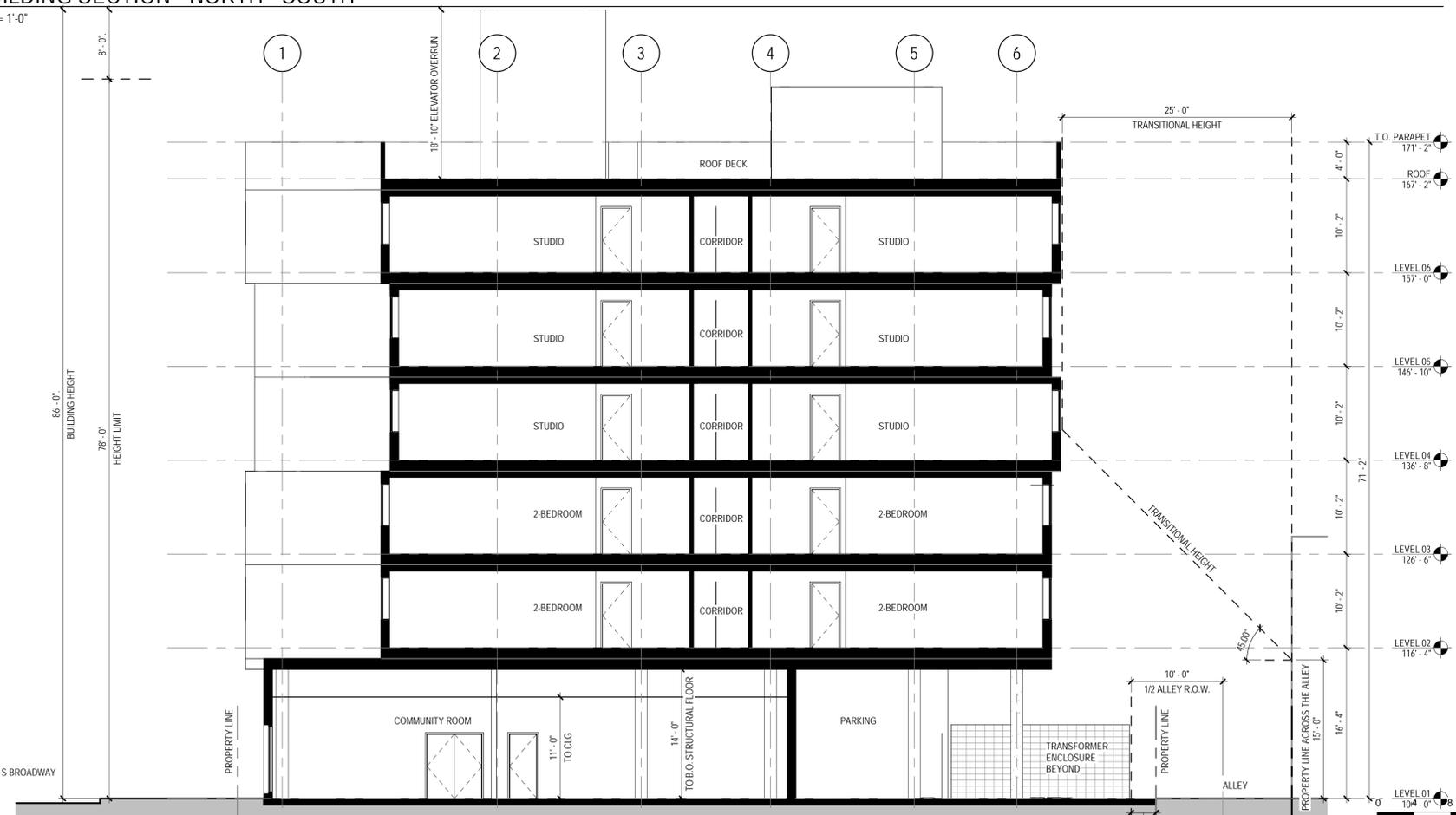
BUILDING SECTIONS

SHEET NUMBER

A21-01



2 BUILDING SECTION - NORTH - SOUTH
1/8" = 1'-0"



1 BUILDING SECTION - EAST - WEST
1/8" = 1'-0"

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KEYPLAN

ISSUE CHART

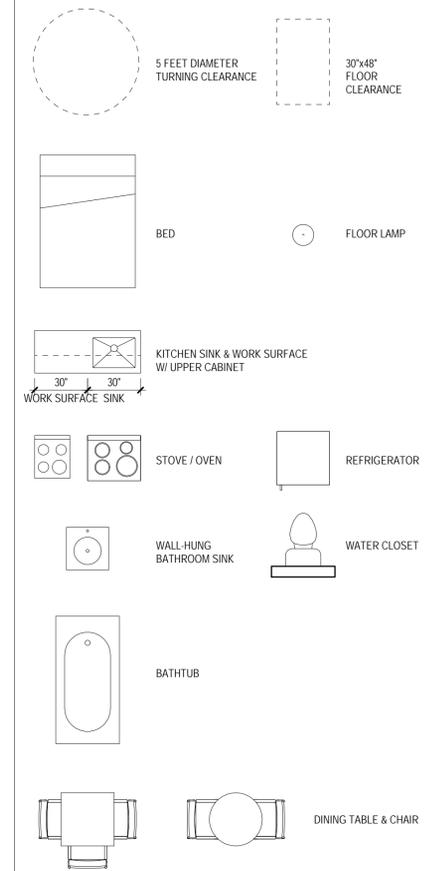
1	ENTITLEMENT SET	02/18/2020
MARK:	ISSUE	DATE
Job Number	719020.000	TITLE

ENLARGED UNIT PLANS

SHEET NUMBER

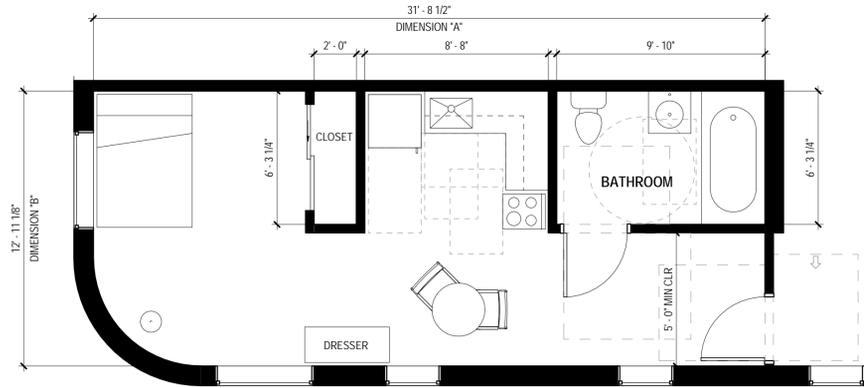
A44-01

ENLARGED UNIT PLAN LEGEND



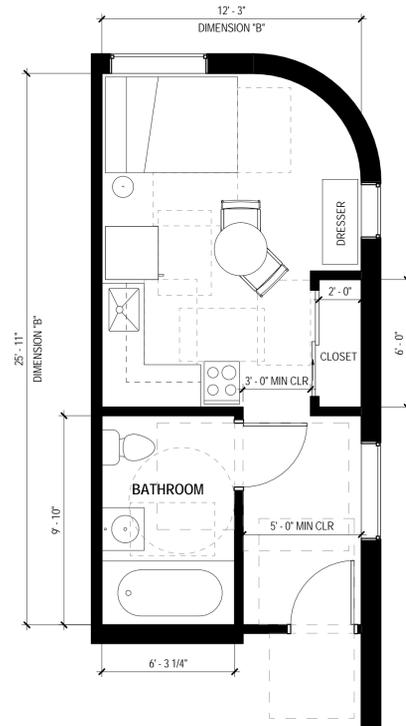
UNIT TYPE	DIMENSION "A"	DIMENSION "B"	UNIT SIZE
TYPE B	25' - 11"	12' - 3"	312 SF
TYPE B-1	25' - 11"	12' - 4"	314 SF
TYPE B-2	26' - 11"	12' - 3"	324 SF
TYPE B-3	26' - 11"	12' - 4"	326 SF
TYPE B-4	26' - 11"	13' - 3"	351 SF

UNIT TYPE	DIMENSION "A"	UNIT SIZE
TYPE A	25' - 11"	307 SF
TYPE A-1	26' - 11"	319 SF
TYPE A-2	28' - 8 1/2"	340 SF
TYPE A-3	29' - 8 1/2"	352 SF
TYPE A-4	31' - 8 1/2"	375 SF
TYPE A-5	32' - 8 1/2"	387 SF

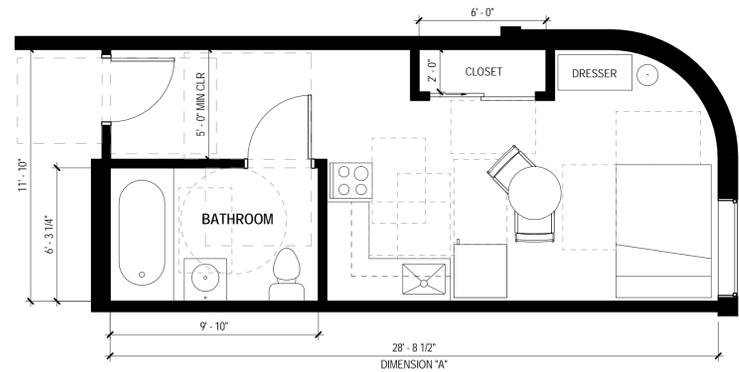


UNIT TYPE	DIMENSION "A"	DIMENSION "B"	UNIT SIZE
TYPE D	31' - 8 1/2"	12' - 11 1/8"	404 SF
TYPE D-1	32' - 8 1/2"	12' - 11 1/8"	417 SF
TYPE D-2	31' - 8 1/2"	13' - 11 1/8"	436 SF
TYPE D-3	32' - 8 1/2"	13' - 11 1/8"	450 SF

4 STUDIO UNIT - TYPE D - 404 SF
1/4" = 1'-0"

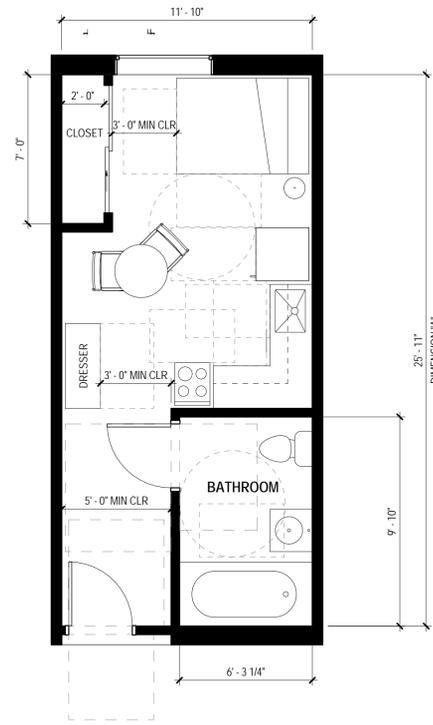


2 STUDIO UNIT - TYPE B - 312 SF
1/4" = 1'-0"



UNIT TYPE	DIMENSION "A"	UNIT SIZE
TYPE C	28' - 8 1/2"	334 SF
TYPE C-1	29' - 8 1/2"	346 SF

3 STUDIO UNIT - TYPE C - 334 SF
1/4" = 1'-0"



1 STUDIO UNIT - TYPE A - 307 SF
1/4" = 1'-0"

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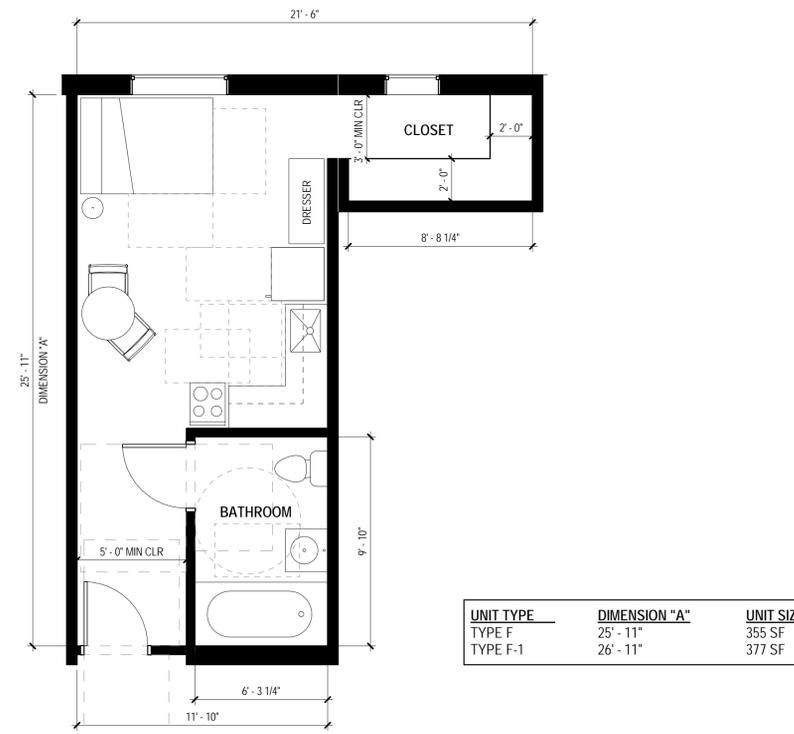
1	ENTITLEMENT SET	02/18/2020
MARK	ISSUE	DATE
Job Number	719020.000	TITLE

ENLARGED UNIT PLANS

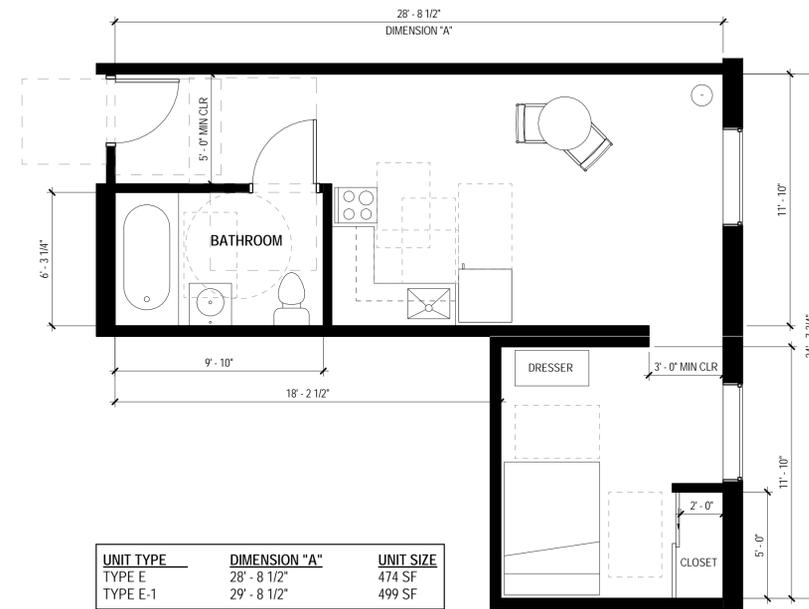
SHEET NUMBER

A44-02

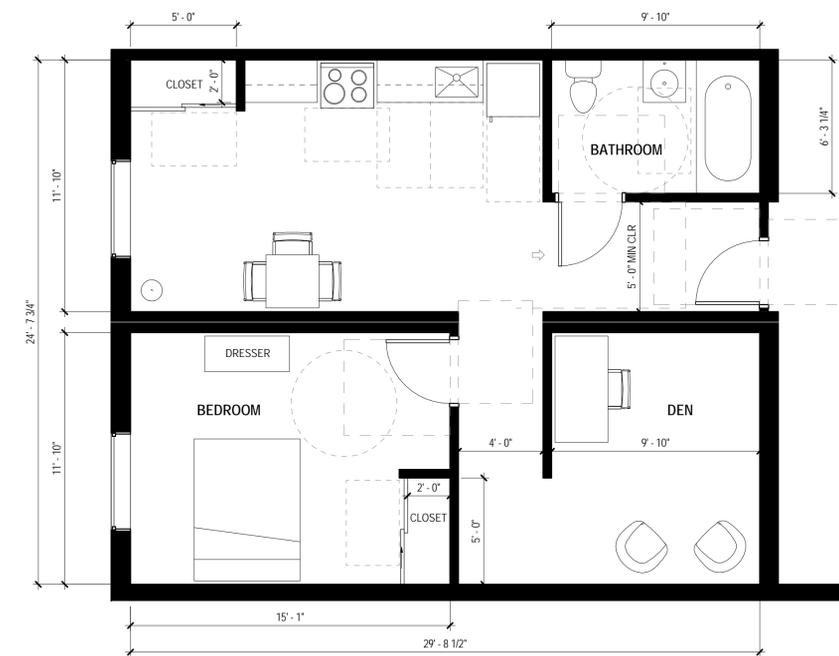
ENLARGED UNIT PLAN LEGEND



② **STUDIO UNIT - TYPE F - 355 SF**
1/4" = 1'-0"



① **STUDIO UNIT - TYPE E - 474 SF**
1/4" = 1'-0"



③ **ONE-BEDROOM UNIT - TYPE A - 732 SF**
1/4" = 1'-0"

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KEYPLAN

ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
MARK:	ISSUE	DATE
Job Number	719020.000	TITLE

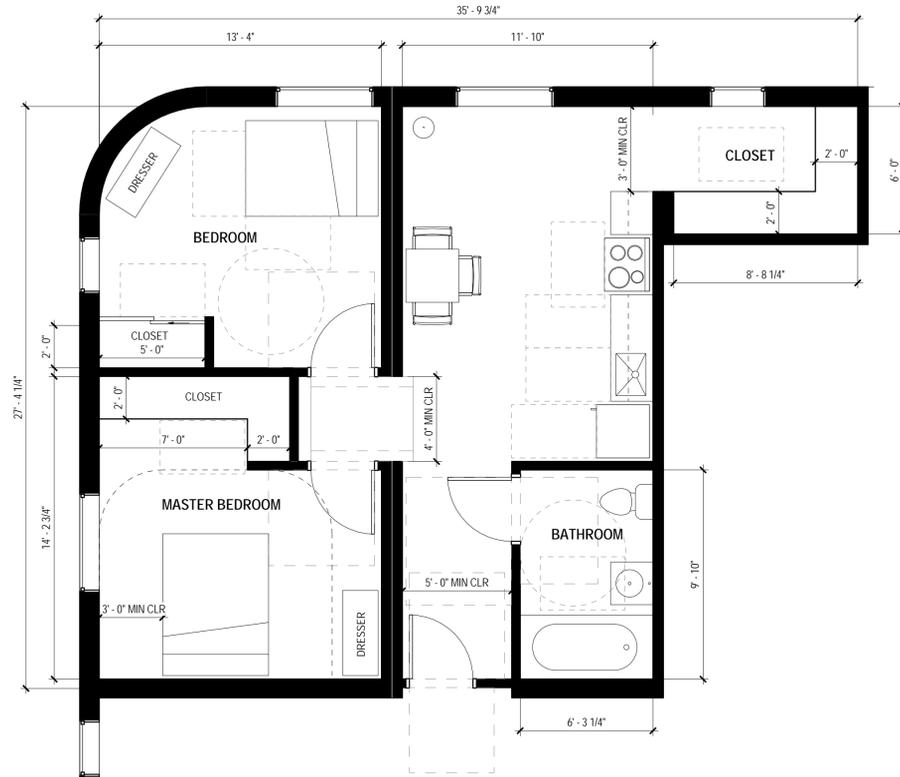
ENLARGED UNIT PLANS

SHEET NUMBER

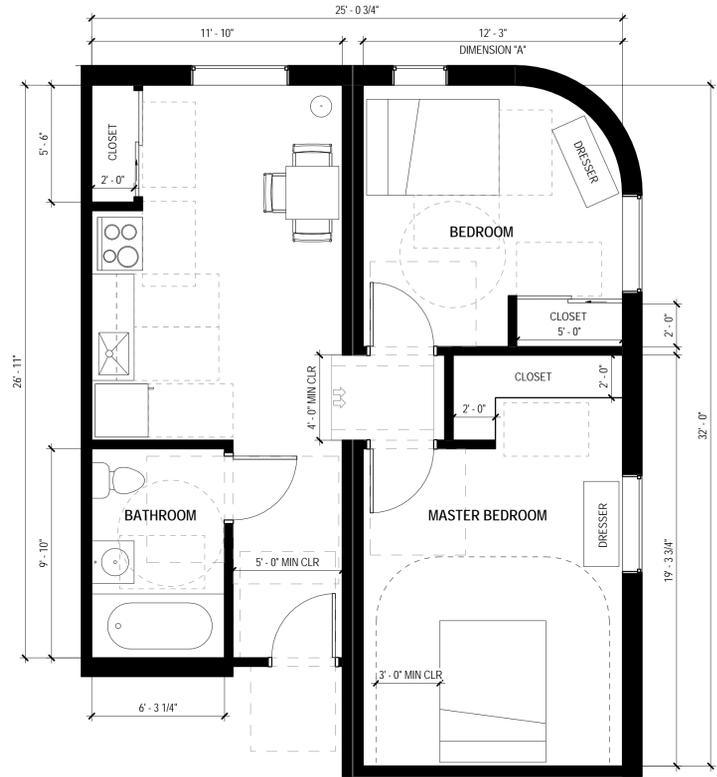
A44-03

ENLARGED UNIT PLAN LEGEND

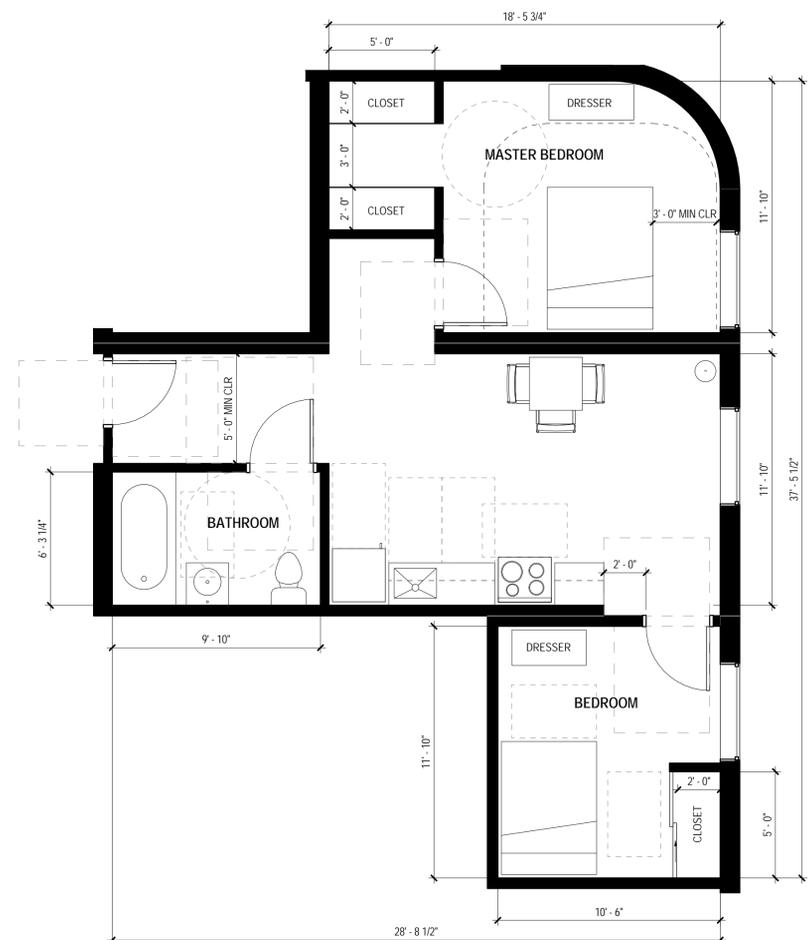
- 5 FEET DIAMETER TURNING CLEARANCE
- 30"x48" FLOOR CLEARANCE
- BED
- FLOOR LAMP
- KITCHEN SINK & WORK SURFACE W/ UPPER CABINET
- STOVE / OVEN
- REFRIGERATOR
- WALL-HUNG BATHROOM SINK
- WATER CLOSET
- BATHTUB
- DINING TABLE & CHAIR



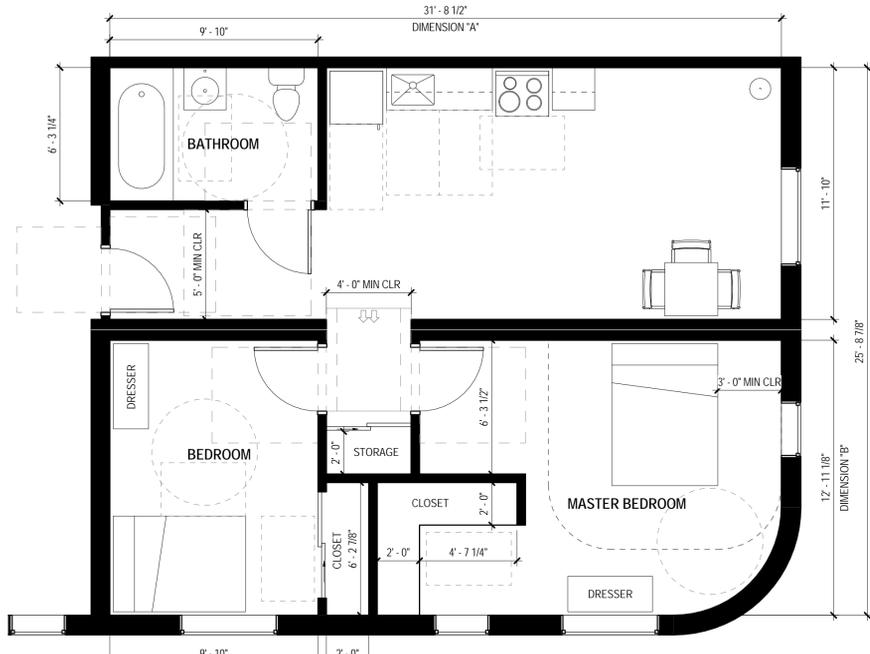
② TWO-BEDROOM UNIT - TYPE B - 756 SF
1/4" = 1'-0"



① TWO-BEDROOM UNIT - TYPE A - 731 SF
1/4" = 1'-0"



④ TWO-BEDROOM UNIT - TYPE D - 706 SF
1/4" = 1'-0"



③ TWO-BEDROOM UNIT - TYPE C - 811 SF
1/4" = 1'-0"

UNIT TYPE	DIMENSION "A"	DIMENSION "B"	UNIT SIZE
TYPE C	31' - 8 1/2"	12' - 11 1/8"	811 SF
TYPE C-1	32' - 8 1/2"	12' - 11 1/8"	836 SF
TYPE C-2	31' - 8 1/2"	13' - 11 1/8"	842 SF
TYPE C-3	32' - 8 1/2"	13' - 11 1/8"	869 SF

UNIT TYPE	DIMENSION "A"	UNIT SIZE
TYPE A	12' - 3"	731 SF
TYPE A-1	13' - 3"	763 SF



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KEYPLAN

ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
	MARKET	719020.000
	Job Number	
		TITLE

PERSPECTIVE

SHEET NUMBER

A70-01

1 EXTERIOR PERSPECTIVE - VIEW FROM BROADWAY
 NOT TO SCALE



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ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
	MARK	DATE
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		TITLE

PERSPECTIVE

SHEET NUMBER

A70-02

1 EXTERIOR PERSPECTIVE - VIEW FROM NORTH WEST
 NOT TO SCALE



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ISSUE CHART

1	ENTITLEMENT SET	02/18/2020
	ISSUE	DATE
	Job Number	719020.000
		TITLE

PERSPECTIVE

SHEET NUMBER

A70-03

1 EXTERIOR PERSPECTIVE - VIEW FROM SOUTH EAST
 NOT TO SCALE

EXHIBIT B

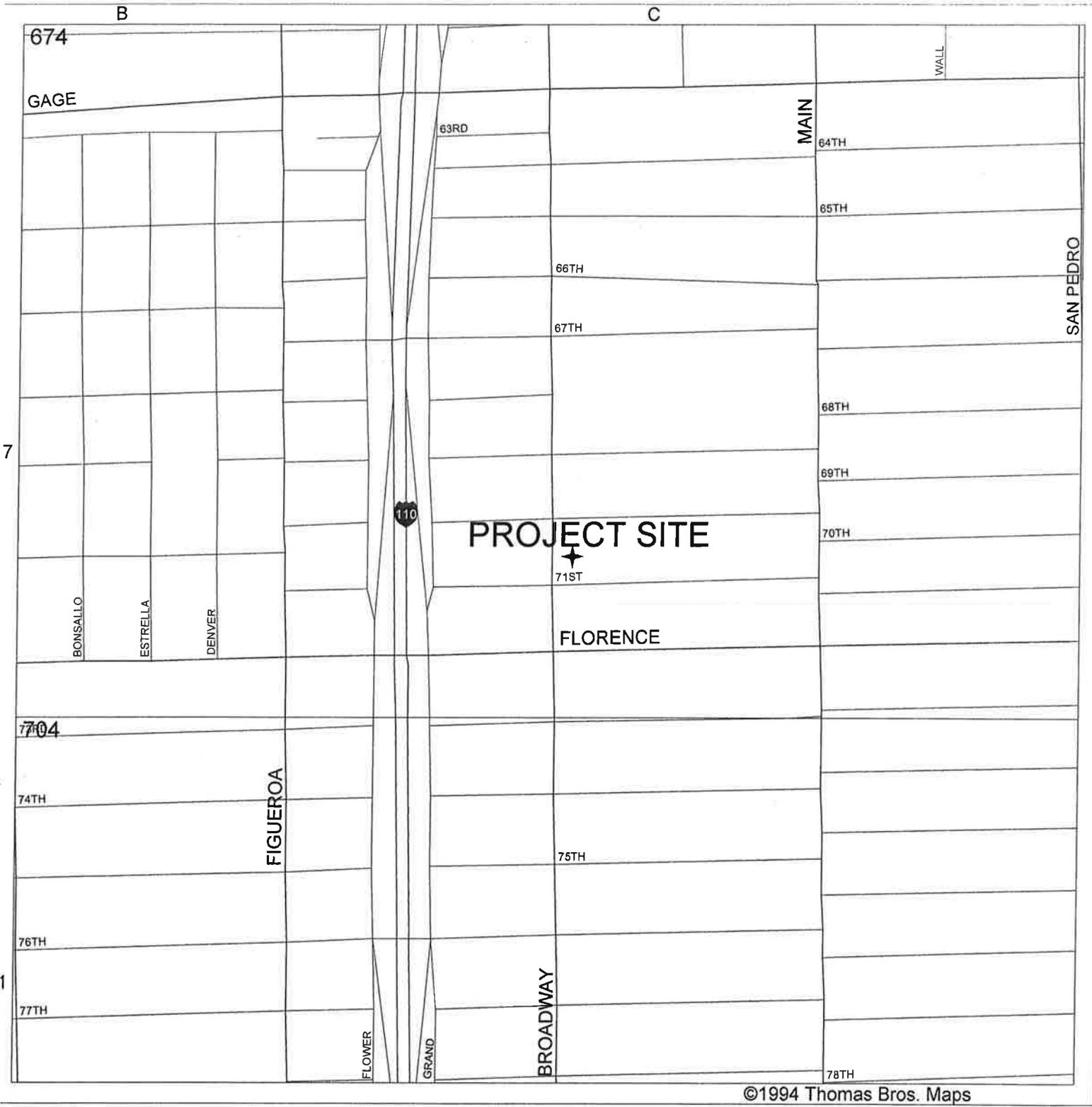
MAPS

B1 – Vicinity Map

B2 – Radius Map

B3 – ZIMAS Parcel Profile Report

B4 – Aerial Map

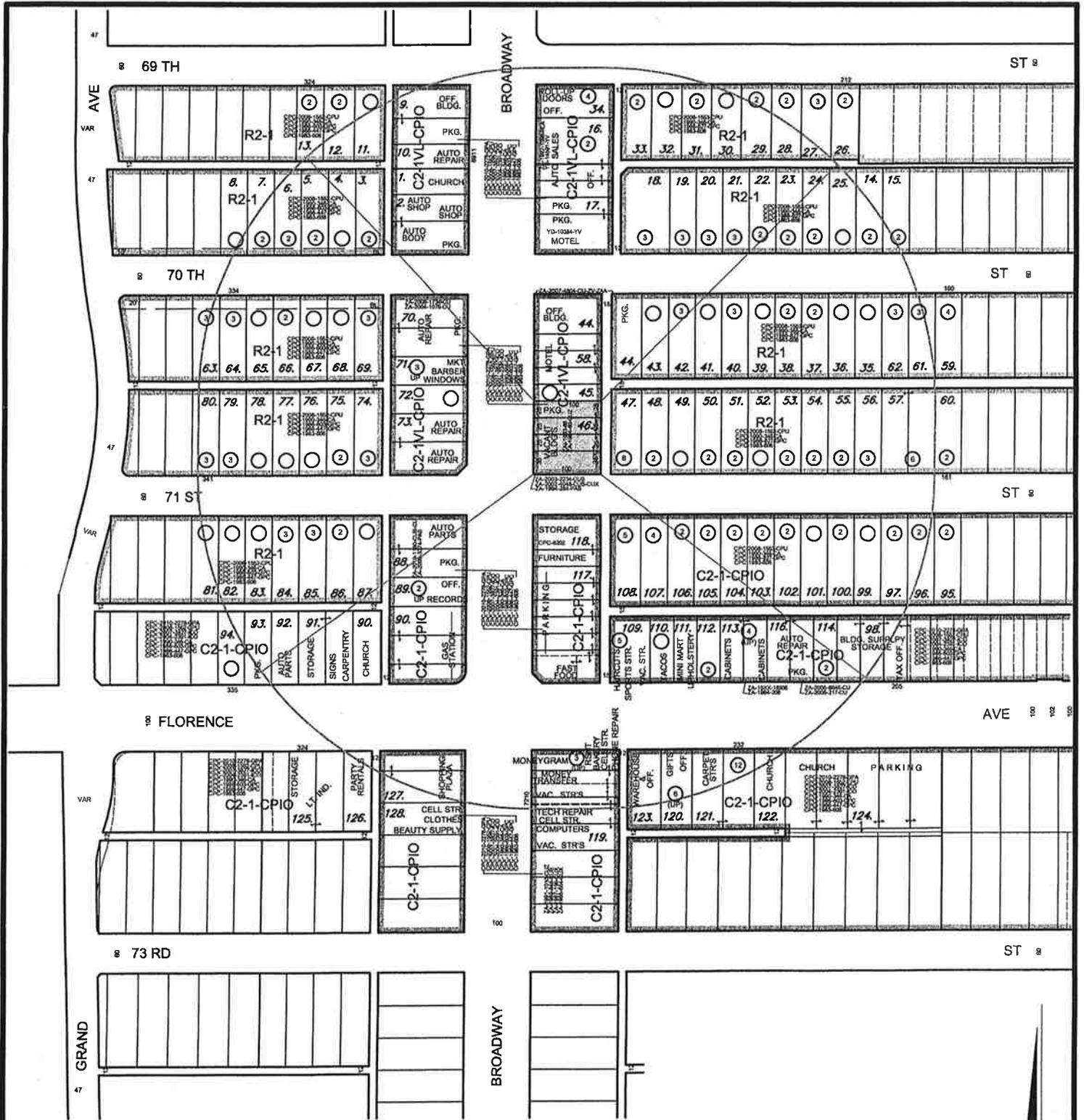


VICINITY MAP

SITE : 7022-26 S. BROADWAY / 253 W. 71ST STREET

GC MAPPING SERVICE, INC.

**3055 WEST VALLEY BOULEVARD
 ALHAMBRA CA 91803
 (626) 441-1080, FAX (626) 441-8850
GCMAPPING@RADIUSMAPS.COM**



LEGAL: LOTS 71 TO 74, TRACT NO. 4791

DENSITY BONUS

C.D. 9
 C.T. 2393.10
 P.A. SOUTHEAST LOS ANGELES

GC MAPPING SERVICE, INC.

3055 WEST VALLEY BOULEVARD
 ALHAMBRA CA 91803
 (626) 441-1080 FAX (626) 441-8850
 GCMAPPING@RADIUSMAPS.COM

SITE ADDRESS:
 7022-7026 S. BROADWAY
 253 W. 71ST ST.

CASE NO.
 DATE: 02-07-2020
 SCALE: 1" = 100'
 USES FIELD
 D.M. 102 B 201
 T.B. PAGE: 674 GRID: C-7

0.27 NET AC.





City of Los Angeles Department of City Planning

5/6/2020 PARCEL PROFILE REPORT

PROPERTY ADDRESSES

7024 S BROADWAY
7026 S BROADWAY
253 W 71ST ST

ZIP CODES

90003

RECENT ACTIVITY

ADM-2020-2555-RDP
CPC-2020-2768-DB-SIP-HCA
ENV-2011-1210-CE
PAR-2019-7713-TOC

CASE NUMBERS

CPC-2018-6005-CA
CPC-2013-3169
CPC-2010-2278-GPA
CPC-2008-1553-CPU
CPC-2007-3827-ICO
CPC-2004-2391-ICO
CPC-1994-97-DRB
CPC-1990-346-CA
CPC-1986-827-GPC
CPC-1983-506
ORD-185925
ORD-185924-SA2520
ORD-180103
ORD-176589
ORD-171682
ORD-171681
ORD-167449-SA3296
ORD-162128
DIR-2008-3094-RV
ZA-2003-2234-CUB
ZA-2002-4048-CUB-CUX
ZA-1994-284-PAB
ENV-2019-4121-ND
ENV-2018-6006-CE
ENV-2013-3392-CE
ENV-2013-3170-CE
ENV-2013-11-CE
ENV-2010-2279-CE
ENV-2008-3095-CE
ENV-2008-1780-EIR
ENV-2004-2409-CE-ICO
ENV-2002-4049-CUB-CUX

Address/Legal Information

PIN Number	102B201 665
Lot/Parcel Area (Calculated)	3,514.5 (sq ft)
Thomas Brothers Grid	PAGE 674 - GRID C7
Assessor Parcel No. (APN)	6012010018
Tract	TR 4791
Map Reference	M B 50-94
Block	None
Lot	74
Arb (Lot Cut Reference)	None
Map Sheet	102B201

Jurisdictional Information

Community Plan Area	Southeast Los Angeles
Area Planning Commission	South Los Angeles
Neighborhood Council	Community and Neighbors for Ninth District Unity
Council District	CD 9 - Curren D. Price, Jr.
Census Tract #	2393.10
LADBS District Office	Los Angeles Metro

Planning and Zoning Information

Special Notes	ZI-2476 Southeast Los Angeles Community Plan Adoption
Zoning	C2-1VL-CPIO
Zoning Information (ZI)	ZI-2483 Southeast Los Angeles Community Plan Implementation Overlay (CPIO)
	ZI-2488 Council District 9
	ZI-2374 LOS ANGELES STATE ENTERPRISE ZONE
	ZI-1231 South Los Angeles Alcohol Sales
	ZI-2427 Freeway Adjacent Advisory Notice for Sensitive Uses
	ZI-2476 Southeast Los Angeles Community Plan Adoption
	ZI-2452 Transit Priority Area in the City of Los Angeles
General Plan Land Use	Neighborhood Commercial
General Plan Note(s)	Yes
Hillside Area (Zoning Code)	No
Specific Plan Area	South Los Angeles Alcohol Sales
Subarea	None
Special Land Use / Zoning	None
Design Review Board	No
Historic Preservation Review	No
Historic Preservation Overlay Zone	None
Other Historic Designations	None
Other Historic Survey Information	None
Mills Act Contract	None
CDO: Community Design Overlay	None
CPIO: Community Plan Imp. Overlay	Southeast Los Angeles
Subarea	General Corridor
CUGU: Clean Up-Green Up	None
HCR: Hillside Construction Regulation	No
NSO: Neighborhood Stabilization Overlay	No
POD: Pedestrian Oriented Districts	None

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MND-94-49-CUZ
 AF-94-2040714-LT

RFA: Residential Floor Area District	None
RIO: River Implementation Overlay	No
SN: Sign District	No
Streetscape	No
Adaptive Reuse Incentive Area	None
Affordable Housing Linkage Fee	
Residential Market Area	Low
Non-Residential Market Area	Low
Transit Oriented Communities (TOC)	Tier 3
RPA: Redevelopment Project Area	Council District 9
Central City Parking	No
Downtown Parking	No
Building Line	None
500 Ft School Zone	No
500 Ft Park Zone	No

Assessor Information

Assessor Parcel No. (APN)	6012010018
Ownership (Assessor)	
Owner1	WC BROADWAY LP
Address	566 S SAN PEDRO ST LOS ANGELES CA 90013
Ownership (Bureau of Engineering, Land Records)	
Owner	MONTEROSA, EDWIN JR.
Address	7020 S. BROADWAY STREET LOS ANGELES CA 90003
Owner	MONTEROSA, EDWIN JR.
Address	7203 S. BROADWAY STREET LOS ANGELES CA 90003
APN Area (Co. Public Works)*	0.138 (ac)
Use Code	1100 - Commercial - Store - One Story
Assessed Land Val.	\$51,368
Assessed Improvement Val.	\$117,638
Last Owner Change	10/07/2019
Last Sale Amount	\$1,150,011
Tax Rate Area	6659
Deed Ref No. (City Clerk)	849664
	7-952
	680191
	450339
	421913
	352510
	3-969
	144531-32
	105240
Building 1	
Year Built	1922
Building Class	CX
Number of Units	0
Number of Bedrooms	0
Number of Bathrooms	0
Building Square Footage	4,317.0 (sq ft)
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5

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Rent Stabilization Ordinance (RSO) No [APN: 6012010018]

Additional Information

Airport Hazard None
Coastal Zone None
Farmland Area Not Mapped
Urban Agriculture Incentive Zone YES
Very High Fire Hazard Severity Zone No
Fire District No. 1 No
Flood Zone None
Watercourse No
Hazardous Waste / Border Zone Properties No
Methane Hazard Site None
High Wind Velocity Areas No
Special Grading Area (BOE Basic Grid Map A-13372) No
Wells None

Seismic Hazards

Active Fault Near-Source Zone
 Nearest Fault (Distance in km) 4.5146976
 Nearest Fault (Name) Newport - Inglewood Fault Zone (Onshore)
 Region Transverse Ranges and Los Angeles Basin
 Fault Type B
 Slip Rate (mm/year) 1.00000000
 Slip Geometry Right Lateral - Strike Slip
 Slip Type Poorly Constrained
 Down Dip Width (km) 13.00000000
 Rupture Top 0.00000000
 Rupture Bottom 13.00000000
 Dip Angle (degrees) 90.00000000
 Maximum Magnitude 7.10000000
Alquist-Priolo Fault Zone No
Landslide No
Liquefaction Yes
Preliminary Fault Rupture Study Area No
Tsunami Inundation Zone No

Economic Development Areas

Business Improvement District None
Hubzone Qualified
Opportunity Zone No
Promise Zone None
State Enterprise Zone LOS ANGELES STATE ENTERPRISE ZONE

Housing

Direct all Inquiries to Housing+Community Investment Department
 Telephone (866) 557-7368
 Website <http://hcidla.lacity.org>
Rent Stabilization Ordinance (RSO) No [APN: 6012010018]
Ellis Act Property No

Public Safety

Police Information
 Bureau Central
 Division / Station Newton
 Reporting District 1393
Fire Information
 Bureau South
 Batallion 13

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District / Fire Station	33
Red Flag Restricted Parking	No

CASE SUMMARIES

Note: Information for case summaries is retrieved from the Planning Department's Plan Case Tracking System (PCTS) database.

Case Number:	CPC-2018-6005-CA
Required Action(s):	CA-CODE AMENDMENT
Project Descriptions(s):	RESOLUTION TO TRANSFER THE LAND USE AUTHORITY FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES, DESIGNATED LOCAL AUTHORITY (CRA/LA-DLA) TO THE CITY OF LOS ANGELES AND CODE AMENDMENT TO ESTABLISH PROCEDURES FOR THE IMPLEMENTATION OF UNEXPIRED REDEVELOPMENT PLANS AND UPDATE OTHER RELEVANT CODE PROVISIONS IN THE LOS ANGELES MUNICIPAL CODE TO FACILITATE THE TRANSFER OF LAND USE AUTHORITY FROM THE CRA/LA-DLA TO THE CITY OF LOS ANGELES.
Case Number:	CPC-2013-3169
Required Action(s):	Data Not Available
Project Descriptions(s):	THE PROPOSED PROJECT CONSISTS OF: (1) A TECHNICAL MODIFICATION TO SECTIONS 12.03, 12.04, 12.21, 12.22, 12.24, 13.11, 14.5, 16.05 AND 16.11 OF THE LOS ANGELES MUNICIPAL CODE (LAMC) TO REMOVE OR AMEND REFERENCES TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (CRA); (2) TECHNICAL CORRECTIONS TO CLARIFY EXISTING REGULATIONS IN THE LAMC THAT ARE IMPACTED BY THE TRANSFER OF LAND USE AUTHORITY; AND (3) A RESOLUTION REQUESTING THAT ALL LAND USE RELATED PLANS AND FUNCTIONS OF THE CRA/LA BE TRANSFERRED TO THE DEPARTMENT OF CITY PLANNING
Case Number:	CPC-2010-2278-GPA
Required Action(s):	GPA-GENERAL PLAN AMENDMENT
Project Descriptions(s):	GENERAL PLAN AMENDMENT FOR EXISTING FAST FOOD INTERIM CONTROL ORDINANCE (ICO) TO CREATE A GENERAL PLANT FOOTNOTE FOR THE PROHIBITION OF CERTAIN PROJECTS.
Case Number:	CPC-2008-1553-CPU
Required Action(s):	CPU-COMMUNITY PLAN UPDATE
Project Descriptions(s):	SOUTHEAST LOS ANGELES COMMUNITY PLAN UPDATE
Case Number:	CPC-2007-3827-ICO
Required Action(s):	ICO-INTERIM CONTROL ORDINANCE
Project Descriptions(s):	ESTABLISHMENT OF AN ICO TO TEMPORARILY PROHIBIT THE ISSUANCE OF ALL PERMITS RELATED TO THE ESTABLISHMENT OF NEW FAST-FOOD RESTAURANTS LOCATED IN WHOLE OR IN PART WITHIN THE PROPOSED ICO BOUNDARY.
Case Number:	CPC-2004-2391-ICO
Required Action(s):	ICO-INTERIM CONTROL ORDINANCE
Project Descriptions(s):	INTERIM CONTROL ORDINANCE/ AUTOMOTIVE RELATED USES
Case Number:	CPC-1994-97-DRB
Required Action(s):	DRB-DESIGN REVIEW BOARD
Project Descriptions(s):	APPROVAL OF DESIGN FOR TWO SINGLE FACE WALL SIGNS.
Case Number:	CPC-1990-346-CA
Required Action(s):	CA-CODE AMENDMENT
Project Descriptions(s):	AMENDMENT TO THE L.A.M.C. TO - DRAFT AN ORDINANCE TO PROHIBIT THE GRANTING OF A CONDITIONAL USE PERMIT FOR THE OFF-SITE SALE OF ALCOHOLIC BEVERAGES (LOURDES GREEN/KAREN HOO)\
Case Number:	CPC-1986-827-GPC
Required Action(s):	GPC-GENERAL PLAN/ZONING CONSISTENCY (AB283)
Project Descriptions(s):	PLAN AMENDMENTS AND ZONE CHANGES FOR PROPERTIES WITHIN THE SOUTHEAST LOS ANGELES DISTRICT PLAN, IN CONNECTION WITH THE CITY'S GENERAL PLAN/ZONING CONSISTENCY PROGRAM 1B283
Case Number:	CPC-1983-506
Required Action(s):	Data Not Available
Project Descriptions(s):	SPECIFIC PLAN ORD FOR INTERIM CONDITIONAL USE APPROVAL FOR ESTABLISHMENTS FOR THE SALE OF ALCOHOL WHICH ARE GENERALLY LOCATED IN THE SOUTH CENTRAL AREA OF THE CITY
Case Number:	DIR-2008-3094-RV
Required Action(s):	RV-REVOCATION
Project Descriptions(s):	PLAN APPROVAL FOR A REVIEW OF CONDITIONS ASSOCIATED WITH AN EARLIER REVOCATIONS CASE.
Case Number:	ZA-2003-2234-CUB
Required Action(s):	CUB-CONDITIONAL USE BEVERAGE-ALCOHOL
Project Descriptions(s):	A CONDITIONAL USE PERMIT TO MAINTAIN A BAR WITH THE SALE ON-SITE ALCOHOLIC BEVERAGES (BEER ONLY) WITH AN OCCUPANCY UNDER 100 PATRONS.
Case Number:	ZA-2002-4048-CUB-CUX
Required Action(s):	CUB-CONDITIONAL USE BEVERAGE-ALCOHOL CUX-ADULT ENTERTAINMENTS
Project Descriptions(s):	CONDITIONAL USE PERMIT TO ALLOW THE CONTINUED OPERATION OF AN EXISTING BAR WITH THE SALE AND ON-SITE CONSUMPTION OF BEER ONLY.
Case Number:	ZA-1994-284-PAB

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Required Action(s):	PAB-PLAN APPROVAL BOOZE
Project Descriptions(s):	APPROVAL OF PLANS TO PERMIT CONTINUED MAINTENANCE OF A BAR (LOS AMIGOS BAR) WITH THE SALE OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION
Case Number:	ENV-2019-4121-ND
Required Action(s):	ND-NEGATIVE DECLARATION
Project Descriptions(s):	RESOLUTION TO TRANSFER THE LAND USE AUTHORITY FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES, DESIGNATED LOCAL AUTHORITY (CRA/LA-DLA) TO THE CITY OF LOS ANGELES AND CODE AMENDMENT TO ESTABLISH PROCEDURES FOR THE IMPLEMENTATION OF UNEXPIRED REDEVELOPMENT PLANS AND UPDATE OTHER RELEVANT CODE PROVISIONS IN THE LOS ANGELES MUNICIPAL CODE TO FACILITATE THE TRANSFER OF LAND USE AUTHORITY FROM THE CRA/LA-DLA TO THE CITY OF LOS ANGELES.
Case Number:	ENV-2018-6006-CE
Required Action(s):	CE-CATEGORICAL EXEMPTION
Project Descriptions(s):	RESOLUTION TO TRANSFER THE LAND USE AUTHORITY FROM THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF LOS ANGELES, DESIGNATED LOCAL AUTHORITY (CRA/LA-DLA) TO THE CITY OF LOS ANGELES AND CODE AMENDMENT TO ESTABLISH PROCEDURES FOR THE IMPLEMENTATION OF UNEXPIRED REDEVELOPMENT PLANS AND UPDATE OTHER RELEVANT CODE PROVISIONS IN THE LOS ANGELES MUNICIPAL CODE TO FACILITATE THE TRANSFER OF LAND USE AUTHORITY FROM THE CRA/LA-DLA TO THE CITY OF LOS ANGELES.
Case Number:	ENV-2013-3392-CE
Required Action(s):	CE-CATEGORICAL EXEMPTION
Project Descriptions(s):	THE PROPOSED ORDINANCE MODIFIES SECTION 22.119 OF THE LOS ANGELES ADMINISTRATIVE CODE TO ALLOW ORIGINAL ART MURALS ON LOTS DEVELOPED WITH ONLY ONE SINGLE-FAMILY RESIDENTIAL STRUCTURE AND THAT ARE LOCATED WITHIN COUNCIL DISTRICTS 1, 9, AND 14.
Case Number:	ENV-2013-3170-CE
Required Action(s):	CE-CATEGORICAL EXEMPTION
Project Descriptions(s):	THE PROPOSED PROJECT CONSISTS OF: (1) A TECHNICAL MODIFICATION TO SECTIONS 12.03, 12.04, 12.21, 12.22, 12.24, 13.11, 14.5, 16.05 AND 16.11 OF THE LOS ANGELES MUNICIPAL CODE (LAMC) TO REMOVE OR AMEND REFERENCES TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (CRA); (2) TECHNICAL CORRECTIONS TO CLARIFY EXISTING REGULATIONS IN THE LAMC THAT ARE IMPACTED BY THE TRANSFER OF LAND USE AUTHORITY; AND (3) A RESOLUTION REQUESTING THAT ALL LAND USE RELATED PLANS AND FUNCTIONS OF THE CRA/LA BE TRANSFERRED TO THE DEPARTMENT OF CITY PLANNING
Case Number:	ENV-2013-11-CE
Required Action(s):	CE-CATEGORICAL EXEMPTION
Project Descriptions(s):	PLAN APPROVAL FOR A REVIEW OF CONDITIONS ASSOCIATED WITH AN EARLIER REVOCATIONS CASE.
Case Number:	ENV-2010-2279-CE
Required Action(s):	CE-CATEGORICAL EXEMPTION
Project Descriptions(s):	GENERAL PLAN AMENDMENT FOR EXISTING FAST FOOD INTERIM CONTROL ORDINANCE (ICO) TO CREATE A GENERAL PLANT FOOTNOTE FOR THE PROHIBITION OF CERTAIN PROJECTS.
Case Number:	ENV-2008-3095-CE
Required Action(s):	CE-CATEGORICAL EXEMPTION
Project Descriptions(s):	PLAN APPROVAL FOR A REVIEW OF CONDITIONS ASSOCIATED WITH AN EARLIER REVOCATIONS CASE.
Case Number:	ENV-2008-1780-EIR
Required Action(s):	EIR-ENVIRONMENTAL IMPACT REPORT
Project Descriptions(s):	SOUTHEAST LOS ANGELES COMMUNITY PLAN UPDATE
Case Number:	ENV-2004-2409-CE-ICO
Required Action(s):	CE-CATEGORICAL EXEMPTION ICO-INTERIM CONTROL ORDINANCE
Project Descriptions(s):	INTERIM CONTROL ORDINANCE/ AUTOMOTIVE RELATED USES
Case Number:	ENV-2002-4049-CUB-CUX
Required Action(s):	CUB-CONDITIONAL USE BEVERAGE-ALCOHOL CUX-ADULT ENTERTAINMENTS
Project Descriptions(s):	CONDITIONAL USE PERMIT TO ALLOW THE CONTINUED OPERATION OF AN EXISTING BAR WITH THE SALE AND ON-SITE CONSUMPTION OF BEER ONLY.
Case Number:	MND-94-49-CUZ
Required Action(s):	CUZ-ALL OTHER CONDITIONAL USE CASES
Project Descriptions(s):	Data Not Available

DATA NOT AVAILABLE

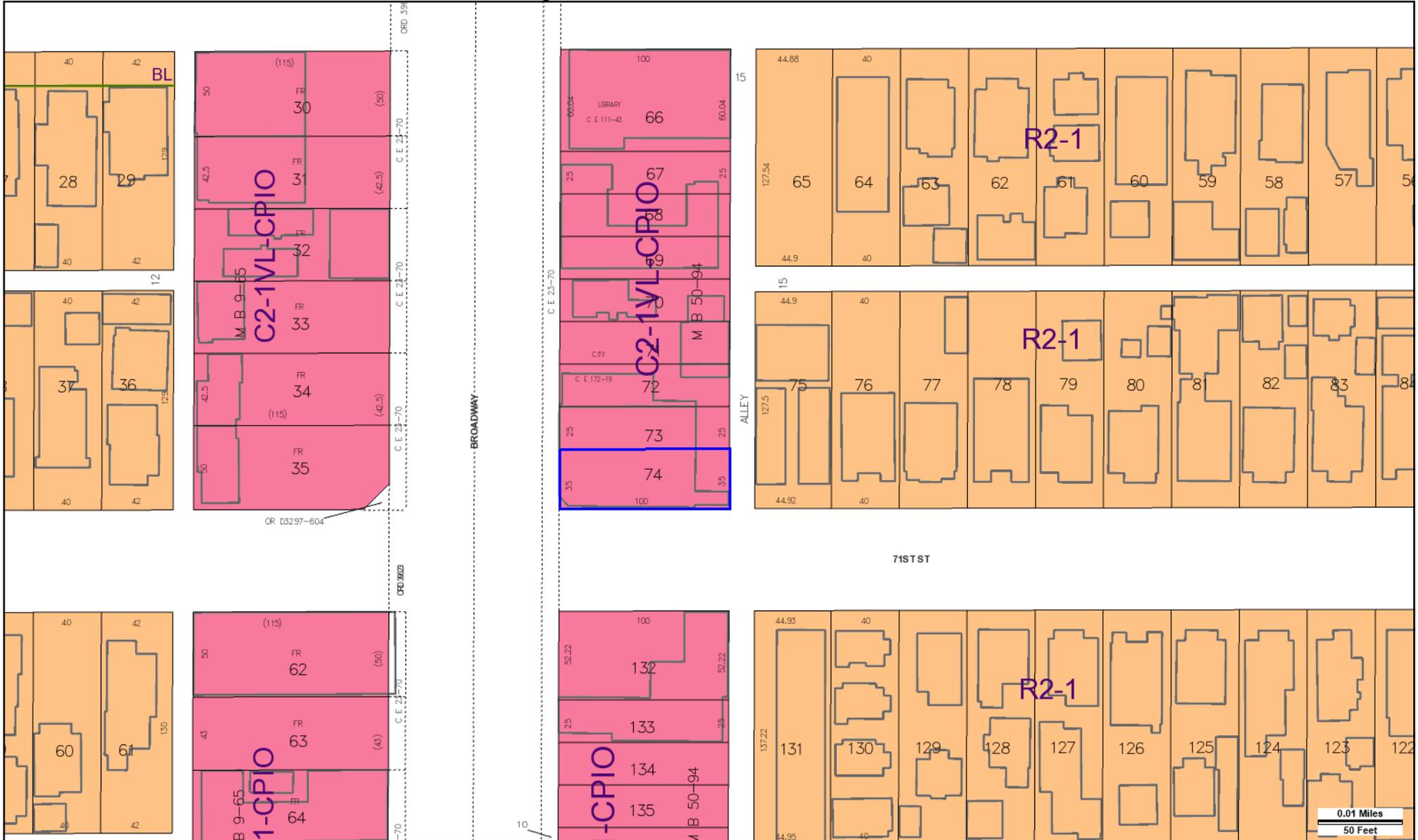
ORD-185925

ORD-185924-SA2520

ORD-180103

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ORD-176589
ORD-171682
ORD-171681
ORD-167449-SA3296
ORD-162128
AF-94-2040714-LT



Address: 7024 S BROADWAY

APN: 6012010018

PIN #: 102B201 665

Tract: TR 4791

Block: None

Lot: 74

Arb: None

Zoning: C2-1VL-CPIO

General Plan: Neighborhood Commercial



LEGEND

GENERALIZED ZONING

-  OS, GW
-  A, RA
-  RE, RS, R1, RU, RZ, RW1
-  R2, RD, RMP, RW2, R3, RAS, R4, R5, PVSP
-  CR, C1, C1.5, C2, C4, C5, CW, WC, ADP, LASED, CEC, USC, PPSP, MU, NMU
-  CM, MR, CCS, UV, UI, UC, M1, M2, LAX, M3, SL, HJ, HR, NI
-  P, PB
-  PF

GENERAL PLAN LAND USE

LAND USE

RESIDENTIAL

-  Minimum Residential
-  Very Low / Very Low I Residential
-  Very Low II Residential
-  Low / Low I Residential
-  Low II Residential
-  Low Medium / Low Medium I Residential
-  Low Medium II Residential
-  Medium Residential
-  High Medium Residential
-  High Density Residential
-  Very High Medium Residential

COMMERCIAL

-  Limited Commercial
-  Limited Commercial - Mixed Medium Residential
-  Highway Oriented Commercial
-  Highway Oriented and Limited Commercial
-  Highway Oriented Commercial - Mixed Medium Residential
-  Neighborhood Office Commercial
-  Community Commercial
-  Community Commercial - Mixed High Residential
-  Regional Center Commercial

FRAMEWORK

COMMERCIAL

-  Neighborhood Commercial
-  General Commercial
-  Community Commercial
-  Regional Mixed Commercial

INDUSTRIAL

-  Commercial Manufacturing
-  Limited Manufacturing
-  Light Manufacturing
-  Heavy Manufacturing
-  Hybrid Industrial

PARKING

-  Parking Buffer

PORT OF LOS ANGELES

-  General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
-  General / Bulk Cargo - Hazard
-  Commercial Fishing
-  Recreation and Commercial
-  Intermodal Container Transfer Facility Site

LOS ANGELES INTERNATIONAL AIRPORT

-  Airport Landside / Airport Landside Support
-  Airport Airside
-  LAX Airport Northside

OPEN SPACE / PUBLIC FACILITIES

-  Open Space
-  Public / Open Space
-  Public / Quasi-Public Open Space
-  Other Public Open Space
-  Public Facilities

INDUSTRIAL

-  Limited Industrial
-  Light Industrial

CIRCULATION

STREET

-  Arterial Mountain Road
-  Collector Scenic Street
-  Collector Street
-  Collector Street (Hillside)
-  Collector Street (Modified)
-  Collector Street (Proposed)
-  Country Road
-  Divided Major Highway II
-  Divided Secondary Scenic Highway
-  Local Scenic Road
-  Local Street
-  Major Highway (Modified)
-  Major Highway I
-  Major Highway II
-  Major Highway II (Modified)

-  Major Scenic Highway
-  Major Scenic Highway (Modified)
-  Major Scenic Highway II
-  Mountain Collector Street
-  Park Road
-  Parkway
-  Principal Major Highway
-  Private Street
-  Scenic Divided Major Highway II
-  Scenic Park
-  Scenic Parkway
-  Secondary Highway
-  Secondary Highway (Modified)
-  Secondary Scenic Highway
-  Special Collector Street
-  Super Major Highway

FREEWAYS

-  Freeway
-  Interchange
-  On-Ramp / Off- Ramp
-  Railroad
-  Scenic Freeway Highway

MISC. LINES

-  Airport Boundary
-  Bus Line
-  Coastal Zone Boundary
-  Coastline Boundary
-  Collector Scenic Street (Proposed)
-  Commercial Areas
-  Commercial Center
-  Community Redevelopment Project Area
-  Country Road
-  DWP Power Lines
-  Desirable Open Space
-  Detached Single Family House
-  Endangered Ridgeline
-  Equestrian and/or Hiking Trail
-  Hiking Trail
-  Historical Preservation
-  Horsekeeping Area
-  Local Street
-  MSA Desirable Open Space
-  Major Scenic Controls
-  Multi-Purpose Trail
-  Natural Resource Reserve
-  Park Road
-  Park Road (Proposed)
-  Quasi-Public
-  Rapid Transit Line
-  Residential Planned Development
-  Scenic Highway (Obsolete)
-  Secondary Scenic Controls
-  Secondary Scenic Highway (Proposed)
-  Site Boundary
-  Southern California Edison Power
-  Special Study Area
-  Specific Plan Area
-  Stagecoach Line
-  Wildlife Corridor

POINTS OF INTEREST

 Alternative Youth Hostel (Proposed)	 Horticultural Center	 Public Elementary School
 Animal Shelter	 Hospital	 Public Elementary School (Proposed)
 Area Library	 Hospital (Proposed)	 Public Golf Course
 Area Library (Proposed)	HW House of Worship	 Public Golf Course (Proposed)
 Bridge	e Important Ecological Area	 Public Housing
 Campground	 Important Ecological Area (Proposed)	 Public Housing (Proposed Expansion)
 Campground (Proposed)	 Interpretive Center (Proposed)	 Public Junior High School
 Cemetery	 Junior College	 Public Junior High School (Proposed)
HW Church	 MTA / Metrolink Station	 Public Middle School
 City Hall	 MTA Station	 Public Senior High School
 Community Center	 MTA Stop	 Public Senior High School (Proposed)
 Community Library	MWD MWD Headquarters	 Pumping Station
 Community Library (Proposed Expansion)	 Maintenance Yard	 Pumping Station (Proposed)
 Community Library (Proposed)	 Municipal Office Building	 Refuse Collection Center
 Community Park	P Municipal Parking lot	 Regional Library
 Community Park (Proposed Expansion)	 Neighborhood Park	 Regional Library (Proposed Expansion)
 Community Park (Proposed)	 Neighborhood Park (Proposed Expansion)	 Regional Library (Proposed)
 Community Transit Center	 Neighborhood Park (Proposed)	 Regional Park
 Convalescent Hospital	 Oil Collection Center	 Regional Park (Proposed)
 Correctional Facility	 Parking Enforcement	RPD Residential Plan Development
 Cultural / Historic Site (Proposed)	 Police Headquarters	 Scenic View Site
 Cultural / Historical Site	 Police Station	 Scenic View Site (Proposed)
 Cultural Arts Center	 Police Station (Proposed Expansion)	 School District Headquarters
DMV DMV Office	 Police Station (Proposed)	 School Unspecified Loc/Type (Proposed)
DWP DWP	 Police Training site	 Skill Center
 DWP Pumping Station	PO Post Office	 Social Services
 Equestrian Center	 Power Distribution Station	 Special Feature
 Fire Department Headquarters	 Power Distribution Station (Proposed)	 Special Recreation (a)
 Fire Station	 Power Receiving Station	 Special School Facility
 Fire Station (Proposed Expansion)	 Power Receiving Station (Proposed)	 Special School Facility (Proposed)
 Fire Station (Proposed)	C Private College	 Steam Plant
 Fire Supply & Maintenance	E Private Elementary School	 Surface Mining
 Fire Training Site	 Private Golf Course	 Trail & Assembly Area
 Fireboat Station	 Private Golf Course (Proposed)	 Trail & Assembly Area (Proposed)
 Health Center / Medical Facility	JH Private Junior High School	UTL Utility Yard
 Helistop	PS Private Pre-School	 Water Tank Reservoir
 Historic Monument	 Private Recreation & Cultural Facility	 Wildlife Migration Corridor
 Historical / Cultural Monument	SH Private Senior High School	 Wildlife Preserve Gate
 Horsekeeping Area	SF Private Special School	
 Horsekeeping Area (Proposed)	 Public Elementary (Proposed Expansion)	

SCHOOLS/PARKS WITH 500 FT. BUFFER

 Existing School/Park Site	 Planned School/Park Site	 Inside 500 Ft. Buffer
 Aquatic Facilities	 Other Facilities	 Opportunity School
 Beaches	 Park / Recreation Centers	 Charter School
 Child Care Centers	 Parks	 Elementary School
 Dog Parks	 Performing / Visual Arts Centers	 Span School
 Golf Course	 Recreation Centers	 Special Education School
 Historic Sites	 Senior Citizen Centers	 High School
 Horticulture/Gardens		 Middle School
 Skate Parks		 Early Education Center

COASTAL ZONE

 Coastal Zone Commission Authority
 Calvo Exclusion Area
 Not in Coastal Zone
 Dual Jurisdictional Coastal Zone

TRANSIT ORIENTED COMMUNITIES (TOC)

 Tier 1	 Tier 3
 Tier 2	 Tier 4

Note: TOC Tier designation and map layers are for reference purposes only. Eligible projects shall demonstrate compliance with Tier eligibility standards prior to the issuance of any permits or approvals. As transit service changes, eligible TOC Incentive Areas will be updated.

WAIVER OF DEDICATION OR IMPROVEMENT

 Public Work Approval (PWA)
 Waiver of Dedication or Improvement (WDI)

OTHER SYMBOLS

 Lot Line	 Airport Hazard Zone	 Flood Zone
 Tract Line	 Census Tract	 Hazardous Waste
 Lot Cut	 Coastal Zone	 High Wind Zone
 Easement	 Council District	 Hillside Grading
 Zone Boundary	 LADBS District Office	 Historic Preservation Overlay Zone
 Building Line	 Downtown Parking	 Specific Plan Area
 Lot Split	 Fault Zone	 Very High Fire Hazard Severity Zone
 Community Driveway	 Fire District No. 1	 Wells
 Building Outlines 2014	 Tract Map	
 Building Outlines 2008	 Parcel Map	



Address: undefined
 APN: 6012010016
 PIN #: 102B201 642

Tract: TR 4791
 Block: None
 Lot: 71
 Arb: None

Zoning: C2-1VL-CPIO
 General Plan: Neighborhood Commercial

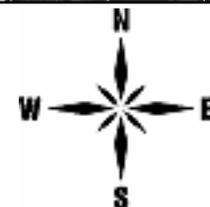


EXHIBIT C
SITE PHOTOS

SITE PHOTO EXHIBIT
Applicant: WC Broadway LP
Site Address: 7024 S. Broadway, Los Angeles, CA 90003

Aerial view of Project Site



SITE PHOTO EXHIBIT
Applicant: WC Broadway LP
Site Address: 7024 S. Broadway, Los Angeles, CA 90003



1. View down alley facing south, Project Site to the right



2. View of alley facing north with Project Site on left

SITE PHOTO EXHIBIT
Applicant: WC Broadway LP
Site Address: 7024 S. Broadway, Los Angeles, CA 90003



3. View of Project site facing Northwest towards Broadway



4. View of adjacent businesses across W. 71st Street facing South

Prepared by Craig Lawson & Co., LLC
March 31, 2020

SITE PHOTO EXHIBIT
Applicant: WC Broadway LP
Site Address: 7024 S. Broadway, Los Angeles, CA 90003



5. View of adjacent commercial uses along Broadway facing Southwest



6. View of Project Site from corner of W. 71st St. and Broadway

Prepared by Craig Lawson & Co., LLC
March 31, 2020

SITE PHOTO EXHIBIT
Applicant: WC Broadway LP
Site Address: 7024 S. Broadway, Los Angeles, CA 90003



7. View of sidewalk and Project Site facing North along Broadway



8. View of adjacent commercial uses along Broadway facing West

SITE PHOTO EXHIBIT
Applicant: WC Broadway LP
Site Address: 7024 S. Broadway, Los Angeles, CA 90003



9. View of Project Site facing Southeast along Broadway



10. View of project site and sidewalk along Broadway facing South

EXHIBIT D

HCIDLA SB3 330 & SB 35

DETERMINATION



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: January 21, 2020
TO: WC Broadway LP, a California limited partnership (Owner)
FROM: Marites Cunanan, Senior Management Analyst II 
Los Angeles Housing and Community Investment Department
SUBJECT: **Affordable Housing Crisis Act of 2019 (SB 330)**
SB 35 (TOC) Replacement Unit Determination
RE: 7022-7026 South Broadway, Los Angeles, CA 90003

Based on the Application for a Replacement Unit Determination (RUD) submitted by WC Broadway LP, a California limited partnership (Owner) for the above referenced property located at 7022-7026 South Broadway, Los Angeles, CA 90003, (APN #'s 6012-010-016, 6012-010-017 and 6012-010-018, Lots 71-73) (Property), the Los Angeles Housing and Community Investment Department (HCIDLA) has determined that there no units subject to replacement pursuant to the requirements of the Housing Crisis Act of 2019 (SB 330) and the Property is in compliance with said provisions.

PROJECT SITE REQUIREMENTS:

SB 330 prohibits the approval of any proposed housing development project on a site that will require the demolition of existing residential dwelling units or occupied or vacant "Protected Units" unless the proposed housing development project replaces those units as specified below. The replacement requirements below are applicable only to those proposed housing development projects that submit a complete application pursuant to California Government Code Section 65943 to the Department of City Planning on or after January 1, 2020.

Replacement of Existing Residential Dwelling Units.

The proposed housing development project shall provide at least as many residential dwelling units as the greatest number of residential dwelling units that existed on the project site within the past 5 years.

Replacement of Existing or Demolished Protected Units.

The proposed housing development project must also replace all existing or demolished "Protected Units." Protected Units are those residential dwelling units that are or were within the 5 years prior to the owner's application for a Replacement Unit Determination: (1) subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income, (2) subject to any form of rent or price control through a public entity's valid exercise of its police power within the 5 past years, (3) **occupied by lower or very low income households (an affordable Protected Unit)**, or (4) that were withdrawn from rent or lease per the Ellis Act, within the past 10 years.

Whether a unit qualifies as an affordable Protected Unit, is primarily measured by the income level of the occupants (i.e. W-2 forms, tax return, pay stubs etc.). In the absence of occupant income documentation, affordability will default to the percentage of extremely low, very low, and low income renters in the jurisdiction as shown in the latest HUD Comprehensive Housing Affordability Strategy (CHAS) database, which is presently at 32% extremely low income, 19% very low income and 19% low income for Transit Oriented communities (TOC) projects and 51% very low income an 19% low income for Density Bonus projects. The remaining 30% of the units are presumed above-low income and if subject to the Rent Stabilization Ordinance ("RSO"), must be replaced in accordance with the RSO. All replacement calculations resulting in fractional units shall be rounded up to the next whole number.

Relocation, Right of Return, Right to Remain for occupants of Protected Units.

SB 330 also provides the right of first refusal for comparable units (i.e. same bedroom type) in the owner's proposed new housing development to occupants of Protected Units. Therefore, for occupied units, the replacement units must be of the same bedroom type of the units demolished. The comparable replacement units must be provided at a rent or sales price affordable to the same or lower income category. Occupants of Protected Units also are entitled to receive relocation to state or local law, whichever provides greater assistance and the right to remain in their unit until 6 months before the start of construction.

OWNER'S PROPOSED HOUSING DEVELOPMENT PROJECT:

Per the statement received by HCIDLA on January 21, 2020, the Owner plans to construct an affordable housing development containing fifty (50) units on the Property pursuant to SB35 and Transit Oriented Communities (TOC) guidelines.

Owner submitted an Application for a RUD for the Property on January 21, 2020. In order to comply with the required 10 year look back period, HCIDLA collected and reviewed data from January 2010 to January 2020.

WHAT IS CURRENTLY ON THE PROPERTY? (AKA THE "PROJECT SITE"):

Pursuant to the Owner's Grant Deed, the Property was acquired on October 7, 2019.

The most recent Certificate of Occupancy for the Property indicate that it consists of an Auto Repair/Stereo Installation/Retail/Bar building.

Google Earth, Google Street View, and an internet search on the Property all show that the property consists of commercial buildings.

Department of City Planning (ZIMAS), County Assessor Parcel Information (LUPAMS), DataTree database, Billing Information Management System (BIMS) database, and the Code, Compliance, and Rent Information System (CRIS) database indicate a use code of "2600 – Commercial – Auto Body Repair Shop – One Story" and "1100 – Commercial – Store – One Story".

The Los Angeles Department of Building and Safety database indicates that the Owner has not applied for a new Building Permit or a Demolition Permit.

DETERMINATION AS TO WHETHER REPLACEMENT UNITS ARE REQUIRED:

HCIDLA has determined that since January 21, 2010, the Property is and continues to be commercial buildings. Therefore, the proposed housing development does not require the demolition of any prohibited types of housing. Further, the provisions of SB330 do not apply to commercial properties, therefore no SB330 replacement affordable units are required.

Please note that this SB330 determination will also apply if the proposed project is Density Bonus.

If you have any questions about this RUD, please contact Jacob Comer at (213) 808-8563, or jacob.comer@lacity.org.

NOTE: This determination is provisional and is subject to verification by HCIDLA's Rent Division.

cc: Los Angeles Housing and Community Investment Department File
WC Broadway LP, a California limited partnership (Owner)
Ulises Gonzalez, Case Management Section, City Planning Department

MAC:jc

EXHIBIT E
NOTICE OF EXEMPTION

COUNTY CLERK'S USE

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

CPC-2020-362-DB-SIP

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

N/A

PROJECT TITLE

7022 Broadway Apartments

COUNCIL DISTRICT

9 – Price, Jr.

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

7022-7026 South Broadway, 253 West 71st Street, Los Angeles, CA 90003

Map attached.

PROJECT DESCRIPTION:

The project is the construction of a 6-story, 71-foot and 2-inch tall supportive housing project with 52 dwelling units (including 51 Low Income and 1 market-rate manager's unit). The project will have a total floor area of 43,357 square feet and Floor Area Ratio ("FAR") of 3.5:1. Eight (8) parking spaces are proposed at grade level. The project will provide 43 long-term and 4 short-term bicycle parking spaces. The existing automotive repair shop and related structures will be demolished. The project qualifies as a Streamlined Infill Project ("SIP") pursuant to Senate Bill ("SB") 35 and California Government Code Section 65913.4 and is subject to ministerial review of Density Bonus Compliance as affordable housing pursuant to Assembly Bill ("AB") 1763 and California Government Code Section 65915.

Additional page(s) attached.

NAME OF APPLICANT / OWNER:

WC Broadway LP / Craig Lawson & Co., LLC

CONTACT PERSON (If different from Applicant/Owner above)

Connie Chauv

(AREA CODE) TELEPHONE NUMBER

213-978-0016

EXT.

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

STATUTORY EXEMPTION(S)

Public Resources Code Section(s) 21080(b)(1) and Government Code Section 65913.4

CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) _____

OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:

The proposed project is a Streamlined Infill Project that satisfies the objective planning standards set forth in Senate Bill ("SB") 35 (Government Code Section 65913.4(a)) and is subject to streamlined ministerial approval provided by SB 35 (Government Code Sections 65913.4(b) and (c)). The proposed project is therefore a ministerial project that is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080(b)(1).

Additional page(s) attached

None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.

The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Connie Chauv

STAFF TITLE

City Planner

ENTITLEMENTS APPROVED

Density Bonus, Streamlined Infill Project

FEE:

N/A

RECEIPT NO.

N/A

REC'D. BY (DCP DSC STAFF NAME)

N/A

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019

EXHIBIT F
PUBLIC CORRESPONDENCE



CURREN D. PRICE, Jr.

June 29, 2020

President Samantha Millman
City of Los Angeles Planning Commission
201 N. Figueroa Street,
Los Angeles, CA 90012

**SUBJECT: 7024 S. BROADWAY AFFORDABLE HOUSING DEVELOPMENT
7024 S. BROADWAY, LOS ANGELES, CA 90003**

Dear President Millman:

I, Councilman Curren D. Price, would like to express my wholehearted support for the affordable housing project located at 7024 S Broadway.

The project will provide 52-units of much needed affordable housing with supportive services and set-aside units for families. There are thousands of people experiencing homelessness or are one paycheck away from being homeless. This project brings much needed housing to communities of color and opportunities for generations to come.

I fully support the development and urge you and your fellow commissioners to approve and move forward with the project.

If you have any questions, please contact my Planning Assistant Deputy, Christopher Diaz, at christopher.diaz@lacity.org or via phone (213) 473-7009.

Thank you for your consideration.
Sincerely,

A handwritten signature in black ink that reads "Curren D. Price, Jr." in a cursive style.

Curren D. Price, Jr.
Councilmember, 9th District

EXHIBIT G

SENATE BILL 35

BILL TEXT AND

STATE HCD GUIDELINES

Senate Bill No. 35

CHAPTER 366

An act to amend Sections 65400 and 65582.1 of, and to add and repeal Section 65913.4 of, the Government Code, relating to housing.

[Approved by Governor September 29, 2017. Filed with Secretary of State September 29, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

SB 35, Wiener. Planning and zoning: affordable housing: streamlined approval process.

(1) The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. The Planning and Zoning Law requires a planning agency, after a legislative body has adopted all or part of a general plan, to provide an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development on the status of the general plan and progress in meeting the community's share of regional housing needs. Existing law requires the housing element portion of the annual report to be prepared through the use of forms and definitions adopted by the department pursuant to the Administrative Procedure Act.

This bill would require the housing element portion of the annual report to be prepared through the use of standards, forms, and definitions adopted by the department. The bill would eliminate the requirement that the forms and definitions be adopted by the department pursuant to the Administrative Procedure Act and would instead authorize the department to review, adopt, amend, and repeal the standards, forms, or definitions, as provided. The bill would also require the planning agency to include in its annual report specified information regarding units of net new housing, including rental housing and for-sale housing that have been issued a completed entitlement, building permit, or certificate of occupancy. The bill would also require the Department of Housing and Community Development to post an annual report submitted pursuant to the requirement described above on its Internet Web site, as provided.

(2) Existing law requires an attached housing development to be a permitted use, not subject to a conditional use permit, on any parcel zoned for multifamily housing if at least certain percentages of the units are available at affordable housing costs to very low income, lower income, and moderate-income households for at least 30 years and if the project meets specified conditions relating to location and being subject to a discretionary decision other than a conditional use permit. Existing law provides for various incentives intended to facilitate and expedite the construction of affordable housing.

This bill would authorize a development proponent to submit an application for a multifamily housing development, which satisfies specified planning objective standards, that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit. The bill would require a local government to notify the development proponent in writing if the local government determines that the development conflicts with any of those objective standards by a specified time; otherwise, the development is deemed to comply with those standards. The bill would limit the authority of a local government to impose parking standards or requirements on a streamlined development approved pursuant to these provisions, as provided. The bill would provide that if a local government approves a project pursuant to that process, that approval will not expire if that project includes investment in housing affordability, and would otherwise provide that the approval of a project expire automatically after 3 years, unless that project qualifies for a one-time, one-year extension of that approval. The bill would provide that approval pursuant to its provisions would remain valid for three years and remain valid thereafter so long as vertical construction of the development has begun and is in progress, and would authorize a discretionary one-year extension, as provided. The bill would prohibit a local government from adopting any requirement that applies to a project solely or partially on the basis that the project receives ministerial or streamlined approval pursuant to these provisions. The bill would repeal these provisions as of January 1, 2026.

(3) The bill would make findings that ensuring access to affordable housing is a matter of statewide concern and declare that its provisions would apply to all cities and counties, including a charter city, a charter county, or a charter city and county.

(4) By imposing new duties upon local agencies with respect to the streamlined approval process and reporting requirement described above, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(5) This bill would incorporate additional changes to Section 65400 of the Government Code proposed by AB 879 to be operative only if this bill and AB 879 are enacted and this bill is enacted last.

This bill would incorporate additional changes to Section 65582.1 of the Government Code proposed by AB 73 to be operative only if this bill and AB 73 are enacted and this bill is enacted last.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 65400 of the Government Code is amended to read:

65400. (a) After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

(1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

(2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:

(A) The status of the plan and progress in its implementation.

(B) The progress in meeting its share of regional housing needs determined pursuant to Section 65584 and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to paragraph (3) of subdivision (c) of Section 65583.

The housing element portion of the annual report, as required by this paragraph, shall be prepared through the use of standards, forms, and definitions adopted by the Department of Housing and Community Development. The department may review, adopt, amend, and repeal the standards, forms, or definitions, to implement this article. Any standards, forms, or definitions adopted to implement this article shall not be subject to Chapter 3.5 (commencing with Section 11340) or Part 1 of Division 3 of Title 2. Before and after adoption of the forms, the housing element portion of the annual report shall include a section that describes the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its housing element. That report shall be considered at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments.

The report may include the number of units that have been substantially rehabilitated, converted from nonaffordable to affordable by acquisition, and preserved consistent with the standards set forth in paragraph (2) of subdivision (c) of Section 65583.1. The report shall document how the units meet the standards set forth in that subdivision.

(C) The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan.

(D) The number of net new units of housing, including both rental housing and for-sale housing, that have been issued a completed entitlement, a building permit, or a certificate of occupancy, thus far in the housing element cycle, and the income category, by area median income category, that each unit of housing, including both rental housing and housing designated for home ownership, satisfies. That production report shall, for each income category described in this subparagraph, distinguish between the number of rental housing units and the

number of for-sale housing units that satisfy each income category. The production report shall include, for each entitlement, building permit, or certificate of occupancy, a unique site identifier, which must include an assessor's parcel number, but may also include street address or other identifiers.

(E) The number of applications submitted pursuant to subdivision (a) of Section 65913.4, the location and the total number of developments approved pursuant to subdivision (b) of Section 65913.4, the total number of building permits issued pursuant to subdivision (b) of Section 65913.4, the total number of units including both rental housing and for-sale housing by area median income category constructed using the process provided for in subdivision (b) of Section 65913.4.

(F) The Department of Housing and Community Development shall post a report submitted pursuant to this paragraph on its Internet Web site within a reasonable time of receiving the report.

(b) If a court finds, upon a motion to that effect, that a city, county, or city and county failed to submit, within 60 days of the deadline established in this section, the housing element portion of the report required pursuant to subparagraph (B) of paragraph (2) of subdivision (a) that substantially complies with the requirements of this section, the court shall issue an order or judgment compelling compliance with this section within 60 days. If the city, county, or city and county fails to comply with the court's order within 60 days, the plaintiff or petitioner may move for sanctions, and the court may, upon that motion, grant appropriate sanctions. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment is not carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled. This subdivision applies to proceedings initiated on or after the first day of October following the adoption of forms and definitions by the Department of Housing and Community Development pursuant to paragraph (2) of subdivision (a), but no sooner than six months following that adoption.

SEC. 1.5. Section 65400 of the Government Code is amended to read:

65400. (a) After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

(1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

(2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:

(A) The status of the plan and progress in its implementation.

(B) The progress in meeting its share of regional housing needs determined pursuant to Section 65584 and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to paragraph (3) of subdivision (c) of Section 65583.

The housing element portion of the annual report, as required by this paragraph, shall be prepared through the use of standards, forms, and definitions adopted by the Department of Housing and Community Development. The department may review, adopt, amend, and repeal the standards, forms, or definitions, to implement this article. Any standards, forms, or definitions adopted to implement this article shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2. Before and after adoption of the forms, the housing element portion of the annual report shall include a section that describes the actions taken by the local government towards completion of the programs and status of the local government's compliance with the deadlines in its housing element. That report shall be considered at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments.

The report may include the number of units that have been substantially rehabilitated, converted from nonaffordable to affordable by acquisition, and preserved consistent with the standards set forth in paragraph (2) of subdivision (c) of Section 65583.1. The report shall document how the units meet the standards set forth in that subdivision.

(C) The number of housing development applications received in the prior year.

(D) The number of units included in all development applications in the prior year.

- (E) The number of units approved and disapproved in the prior year.
- (F) The degree to which its approved general plan complies with the guidelines developed and adopted pursuant to Section 65040.2 and the date of the last revision to the general plan.
- (G) A listing of sites rezoned to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory required by paragraph (1) of subdivision (c) of Sections 65583 and 65584.09. The listing of sites shall also include any additional sites that may have been required to be identified by Section 65863.
- (H) The number of net new units of housing, including both rental housing and for-sale housing, that have been issued a completed entitlement, a building permit, or a certificate of occupancy, thus far in the housing element cycle, and the income category, by area median income category, that each unit of housing satisfies. That production report shall, for each income category described in this subparagraph, distinguish between the number of rental housing units and the number of for-sale units that satisfy each income category. The production report shall include, for each entitlement, building permit, or certificate of occupancy, a unique site identifier which must include the assessor's parcel number, but may include street address, or other identifiers.
- (I) The number of applications submitted pursuant to subdivision (a) of Section 65913.4, the location and the total number of developments approved pursuant to subdivision (b) of Section 65913.4, the total number of building permits issued pursuant to subdivision (b) of Section 65913.4, the total number of units including both rental housing and for-sale housing by area median income category constructed using the process provided for in subdivision (b) of Section 65913.4.
- (J) The Department of Housing and Community Development shall post a report submitted pursuant to this paragraph on its Internet Web site within a reasonable time of receiving the report.
- (b) If a court finds, upon a motion to that effect, that a city, county, or city and county failed to submit, within 60 days of the deadline established in this section, the housing element portion of the report required pursuant to subparagraph (B) of paragraph (2) of subdivision (a) that substantially complies with the requirements of this section, the court shall issue an order or judgment compelling compliance with this section within 60 days. If the city, county, or city and county fails to comply with the court's order within 60 days, the plaintiff or petitioner may move for sanctions, and the court may, upon that motion, grant appropriate sanctions. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment is not carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled. This subdivision applies to proceedings initiated on or after the first day of October following the adoption of forms and definitions by the Department of Housing and Community Development pursuant to paragraph (2) of subdivision (a), but no sooner than six months following that adoption.

SEC. 2. Section 65582.1 of the Government Code is amended to read:

65582.1. The Legislature finds and declares that it has provided reforms and incentives to facilitate and expedite the approval and construction of affordable housing. Those reforms and incentives can be found in the following provisions:

- (a) Housing element law (Article 10.6 (commencing with Section 65580) of Chapter 3).
- (b) Extension of statute of limitations in actions challenging the housing element and brought in support of affordable housing (subdivision (d) of Section 65009).
- (c) Restrictions on disapproval of housing developments (Section 65589.5).
- (d) Priority for affordable housing in the allocation of water and sewer hookups (Section 65589.7).
- (e) Least cost zoning law (Section 65913.1).
- (f) Density bonus law (Section 65915).
- (g) Accessory dwelling units (Sections 65852.150 and 65852.2).
- (h) By-right housing, in which certain multifamily housing are designated a permitted use (Section 65589.4).
- (i) No-net-loss-in zoning density law limiting downzonings and density reductions (Section 65863).

- (j) Requiring persons who sue to halt affordable housing to pay attorney fees (Section 65914) or post a bond (Section 529.2 of the Code of Civil Procedure).
- (k) Reduced time for action on affordable housing applications under the approval of development permits process (Article 5 (commencing with Section 65950) of Chapter 4.5).
- (l) Limiting moratoriums on multifamily housing (Section 65858).
- (m) Prohibiting discrimination against affordable housing (Section 65008).
- (n) California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3).
- (o) Community redevelopment law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code, and in particular Sections 33334.2 and 33413).
- (p) Streamlining housing approvals during a housing shortage (Section 65913.4).

SEC. 2.5. Section 65582.1 of the Government Code is amended to read:

65582.1. The Legislature finds and declares that it has provided reforms and incentives to facilitate and expedite the construction of affordable housing. Those reforms and incentives can be found in the following provisions:

- (a) Housing element law (Article 10.6 (commencing with Section 65580) of Chapter 3).
- (b) Extension of statute of limitations in actions challenging the housing element and brought in support of affordable housing (subdivision (d) of Section 65009).
- (c) Restrictions on disapproval of housing developments (Section 65589.5).
- (d) Priority for affordable housing in the allocation of water and sewer hookups (Section 65589.7).
- (e) Least cost zoning law (Section 65913.1).
- (f) Density bonus law (Section 65915).
- (g) Accessory dwelling units (Sections 65852.150 and 65852.2).
- (h) By-right housing, in which certain multifamily housing are designated a permitted use (Section 65589.4).
- (i) No-net-loss-in zoning density law limiting downzonings and density reductions (Section 65863).
- (j) Requiring persons who sue to halt affordable housing to pay attorney fees (Section 65914) or post a bond (Section 529.2 of the Code of Civil Procedure).
- (k) Reduced time for action on affordable housing applications under the approval of development permits process (Article 5 (commencing with Section 65950) of Chapter 4.5).
- (l) Limiting moratoriums on multifamily housing (Section 65858).
- (m) Prohibiting discrimination against affordable housing (Section 65008).
- (n) California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3).
- (o) Community redevelopment law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code, and in particular Sections 33334.2 and 33413).
- (p) Streamlining housing approvals during a housing shortage (Section 65913.4).
- (q) Housing sustainability districts (Chapter 11 (commencing with Section 66200)).

SEC. 3. Section 65913.4 is added to the Government Code, to read:

65913.4. (a) A development proponent may submit an application for a development that is subject to the streamlined, ministerial approval process provided by subdivision (b) and not subject to a conditional use permit if the development satisfies all of the following objective planning standards:

(1) The development is a multifamily housing development that contains two or more residential units.

(2) The development is located on a site that satisfies all of the following:

(A) A site that is a legal parcel or parcels located in a city if, and only if, the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel or parcels wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(B) A site in which at least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this section, parcels that are only separated by a street or highway shall be considered to be adjoined.

(C) A site that is zoned for residential use or residential mixed-use development, or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use.

(3) If the development contains units that are subsidized, the development proponent already has recorded, or is required by law to record, a land use restriction for the following applicable minimum durations:

(A) Fifty-five years for units that are rented.

(B) Forty-five years for units that are owned.

(4) The development satisfies both of the following:

(A) Is located in a locality that the department has determined is subject to this subparagraph on the basis that the number of units that have been issued building permits is less than the locality's share of the regional housing needs, by income category, for that reporting period. A locality shall remain eligible under this subparagraph until the department's determination for the next reporting period. A locality shall be subject to this subparagraph if it has not submitted an annual housing element report to the department pursuant to paragraph (2) of subdivision (a) of Section 65400 for at least two consecutive years before the development submitted an application for approval under this section.

(B) The development is subject to a requirement mandating a minimum percentage of below market rate housing based on one of the following:

(i) The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of above moderate-income housing approved than were required for the regional housing needs assessment cycle for that reporting period. In addition, if the project contains more than 10 units of housing, the project seeking approval dedicates a minimum of 10 percent of the total number of units to housing affordable to households making below 80 percent of the area median income. If the locality has adopted a local ordinance that requires that greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, that zoning ordinance applies.

(ii) The locality did not submit its latest production report to the department by the time period required by Section 65400, or that production report reflects that there were fewer units of housing affordable to households making below 80 percent of the area median income that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, and the project seeking approval dedicates 50 percent of the total number of units to housing affordable to households making below 80 percent of the area median income, unless the locality has adopted a local ordinance that requires that greater than 50 percent of the units be dedicated to housing affordable to households making below 80 percent of the area median income, in which case that ordinance applies.

(iii) The locality did not submit its latest production report to the department by the time period required by Section 65400, or if the production report reflects that there were fewer units of housing affordable to any income level described in clause (i) or (ii) that were issued building permits than were required for the regional housing needs assessment cycle for that reporting period, the project seeking approval may choose between utilizing clause (i) or (ii).

(5) The development, excluding any additional density or any other concessions, incentives, or waivers of development standards granted pursuant to the Density Bonus Law in Section 65915, is consistent with objective zoning standards and objective design review standards in effect at the time that the development is submitted to the local government pursuant to this section. For purposes of this paragraph, "objective zoning

standards” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances, subject to the following:

(A) A development shall be deemed consistent with the objective zoning standards related to housing density, as applicable, if the density proposed is compliant with the maximum density allowed within that land use designation, notwithstanding any specified maximum unit allocation that may result in fewer units of housing being permitted.

(B) In the event that objective zoning, general plan, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective zoning standards pursuant to this subdivision if the development is consistent with the standards set forth in the general plan.

(6) The development is not located on a site that is any of the following:

(A) A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.

(B) Either prime farmland or farmland of statewide importance, as defined pursuant to United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

(C) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

(D) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subparagraph does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

(E) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

(F) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.

(G) Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.

(H) Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.

(I) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

(J) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section

2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

(K) Lands under conservation easement.

(7) The development is not located on a site where any of the following apply:

(A) The development would require the demolition of the following types of housing:

(i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(iii) Housing that has been occupied by tenants within the past 10 years.

(B) The site was previously used for housing that was occupied by tenants that was demolished within 10 years before the development proponent submits an application under this section.

(C) The development would require the demolition of a historic structure that was placed on a national, state, or local historic register.

(D) The property contains housing units that are occupied by tenants, and units at the property are, or were, subsequently offered for sale to the general public by the subdivider or subsequent owner of the property.

(8) The development proponent has done both of the following, as applicable:

(A) Certified to the locality that either of the following is true, as applicable:

(i) The entirety of the development is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(ii) If the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. If the development is subject to this subparagraph, then for those portions of the development that are not a public work all of the following shall apply:

(I) The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.

(II) All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

(III) Except as provided in subclause (V), all contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in therein.

(IV) Except as provided in subclause (V), the obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.

(V) Subclauses (III) and (IV) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that

obligation through an arbitration procedure. For purposes of this clause, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(VI) Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

(B) (i) For developments for which any of the following conditions apply, certified that a skilled and trained workforce shall be used to complete the development if the application is approved:

(I) On and after January 1, 2018, until December 31, 2021, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

(II) On and after January 1, 2022, until December 31, 2025, the development consists of 50 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more.

(III) On and after January 1, 2018, until December 31, 2019, the development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(IV) On and after January 1, 2020, until December 31, 2021, the development consists of more than 50 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county.

(V) On and after January 1, 2022, until December 31, 2025, the development consists of more than 25 units and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal bay county.

(ii) For purposes of this section, "skilled and trained workforce" has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

(iii) If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:

(I) The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.

(II) Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.

(III) Except as provided in subclause (IV), the applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code. A monthly report provided to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code, and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.

(IV) Subclause (III) shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subparagraph, "project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(C) Notwithstanding subparagraphs (A) and (B), a development that is subject to approval pursuant to this section is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:

(i) The project includes 10 or fewer units.

(ii) The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(9) The development did not or does not involve a subdivision of a parcel that is, or, notwithstanding this section, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land, unless either of the following apply:

(A) The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to subparagraph (A) of paragraph (8).

(B) The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used, pursuant to paragraph (8).

(10) The development shall not be upon an existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

(b) (1) If a local government determines that a development submitted pursuant to this section is in conflict with any of the objective planning standards specified in subdivision (a), it shall provide the development proponent written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, as follows:

(A) Within 60 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(2) If the local government fails to provide the required documentation pursuant to paragraph (1), the development shall be deemed to satisfy the objective planning standards specified in subdivision (a).

(c) Any design review or public oversight of the development may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate. That design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, and shall be broadly applicable to development within the jurisdiction. That design review or public oversight shall be completed as follows and shall not in any way inhibit, chill, or preclude the ministerial approval provided by this section or its effect, as applicable:

(1) Within 90 days of submittal of the development to the local government pursuant to this section if the development contains 150 or fewer housing units.

(2) Within 180 days of submittal of the development to the local government pursuant to this section if the development contains more than 150 housing units.

(d) (1) Notwithstanding any other law, a local government, whether or not it has adopted an ordinance governing parking requirements in multifamily developments, shall not impose parking standards for a streamlined development that was approved pursuant to this section in any of the following instances:

(A) The development is located within one-half mile of public transit.

(B) The development is located within an architecturally and historically significant historic district.

(C) When on-street parking permits are required but not offered to the occupants of the development.

(D) When there is a car share vehicle located within one block of the development.

(2) If the development does not fall within any of the categories described in paragraph (1), the local government shall not impose parking requirements for streamlined developments approved pursuant to this section that exceed one parking space per unit.

(e) (1) If a local government approves a development pursuant to this section, then, notwithstanding any other law, that approval shall not expire if the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making below 80 percent of the area median income.

(2) If a local government approves a development pursuant to this section and the project does not include 50 percent of the units affordable to households making below 80 percent of the area median income, that approval shall automatically expire after three years except that a project may receive a one-time, one-year extension if the project proponent can provide documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application.

(3) If a local government approves a development pursuant to this section, that approval shall remain valid for three years from the date of the final action establishing that approval and shall remain valid thereafter for a project so long as vertical construction of the development has begun and is in progress. Additionally, the development proponent may request, and the local government shall have discretion to grant, an additional one-year extension to the original three-year period. The local government's action and discretion in determining whether to grant the foregoing extension shall be limited to considerations and process set forth in this section.

(f) A local government shall not adopt any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive ministerial or streamlined approval pursuant to this section.

(g) This section shall not affect a development proponent's ability to use any alternative streamlined by right permit processing adopted by a local government, including the provisions of subdivision (i) of Section 65583.2.

(h) For purposes of this section:

(1) "Department" means the Department of Housing and Community Development.

(2) "Development proponent" means the developer who submits an application for streamlined approval pursuant to this section.

(3) "Completed entitlements" means a housing development which has received all the required land use approvals or entitlements necessary for the issuance of building permit.

(4) "Locality" or "local government" means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.

(5) "Production report" means the information reported pursuant to subparagraph (D) of paragraph (2) of subdivision (a) of Section 65400.

(6) "Subsidized" means units that are price or rent restricted such that the units are permanently affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code.

(7) "Reporting period" means either of the following:

(A) The first half of the regional housing needs assessment cycle.

(B) The last half of the regional housing needs assessment cycle.

(8) "Urban uses" means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.

(i) The department may review, adopt, amend, and repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, or standards set forth in this section. Any guidelines or terms

adopted pursuant to this subdivision shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(j) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 4. The Legislature finds and declares that ensuring access to affordable housing is a matter of statewide concern, and not a municipal affair. Therefore, the changes made by this act are applicable to a charter city, a charter county, and a charter city and county.

SEC. 5. Each provision of this measure is a material and integral part of this measure, and the provisions of this measure are not severable. If any provision of this measure or its application is held invalid, this entire measure shall be null and void.

SEC. 6. (a) Section 1.5 of this bill incorporates amendments to Section 65400 of the Government Code proposed by both this bill and Assembly Bill 879. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2018, (2) each bill amends Section 65400 of the Government Code, and (3) this bill is enacted after Assembly Bill 879, in which case Section 1 of this bill shall not become operative.

(b) Section 2.5 of this bill incorporates amendments to Section 65582.1 of the Government Code proposed by both this bill and Assembly Bill 73. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2019, (2) each bill amends Section 65582.1 of the Government Code, and (3) this bill is enacted after Assembly Bill 73, in which case Section 2 of this bill shall not become operative.

SEC. 7. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Streamlined Ministerial Approval Process (Chapter 366, Statutes of 2017) Guidelines



**State of California
Governor Edmund G. Brown Jr.**

**Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency**

**Ben Metcalf, Director
Department of Housing and Community Development
Zachary Olmstead, Deputy Director
Division of Housing Policy Development**

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November 29, 2018

The matters set forth herein are regulatory mandates, and are adopted in accordance with the authorities set forth below:

Quasi-legislative regulations ... have the dignity of statutes ... [and]... delegation of legislative authority includes the power to elaborate the meaning of key statutory terms...

Ramirez v. Yosemite Water Co., 20 Cal. 4th 785, 800 (1999)

The Department may review, adopt, amend, and repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, or standards set forth in this section. Any guidelines or terms adopted pursuant to this subdivision shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

Government Code section 65913.4, subdivision (j)

Government Code section 65913.4 relates to the resolution of a statewide concern and is narrowly tailored to limit any incursion into any legitimate municipal interests, and therefore the provisions of Government Code section 65913.4, as supplemented and clarified by these Guidelines, are constitutional in all respects and preempt any and all inconsistent laws, ordinances, regulations, policies or other legal requirements imposed by any locality.

**Streamlined Ministerial Approval Process
Development Approval Process**

Program Guidelines

Table of Contents

Contents

INTRODUCTION.....	1
ARTICLE I. GENERAL PROVISIONS.....	2
Section 100. Purpose and Scope	2
Section 101. Applicability.....	2
Section 102. Definitions	2
ARTICLE II. STREAMLINED MINISTERIAL APPROVAL PROCESS DETERMINATION.....	5
Section 200. Methodology	5
Section 201. Timing and Publication Requirements	7
ARTICLE III. APPROVAL PROCESS	7
Section 300. Local Government Responsibility	7
Section 301. Development Review and Approval.....	10
ARTICLE IV. DEVELOPMENT ELIGIBILITY.....	14
Section 400. Housing Type Requirements	14
Section 401. Site Requirements	14
Section 402. Affordability Provisions.....	19
Section 403. Labor Provisions	21
Section 404. Additional Provisions.....	25
ARTICLE V. REPORTING	25
Section 500. Reporting Requirements.....	25

INTRODUCTION

Chapter 366, Statutes of 2017 (SB 35, Wiener) was part of a 15 bill housing package aimed at addressing the state's housing shortage and high housing costs. Specifically, it requires the availability of a Streamlined Ministerial Approval Process for developments in localities that have not yet made sufficient progress towards their allocation of the regional housing need. Eligible developments must include a specified level of affordability, be on an infill site, comply with existing residential and mixed use general plan or zoning provisions, and comply with other requirements such as locational and demolition restrictions. The intent of the legislation is to facilitate and expedite the construction of housing. In addition, as part of the legislation, the Legislature found ensuring access to affordable housing is a matter of statewide concern and declared that the provisions of SB 35 would apply to all cities and counties, including a charter city, a charter county, or a charter city and county. Please note, the Department of Housing and Community Development (Department) may take action in cases where these guidelines are not adhered to under its existing accountability and enforcement authority.

Guidelines for the Streamlined Ministerial Approval Process are organized into five Articles, as follows:

Article I. General Provisions: This article includes information on the purpose of the guidelines, applicability, and definitions used throughout the document.

Article II. Determination Methodology: This article describes the methodology for which the Department shall determine which localities are subject to the Streamlined Ministerial Approval Process.

Article III. Approval Process: This article describes the parameters of the approval process, including local government responsibilities, approval processes, and general provisions.

- 1) Local Government Responsibility – This section specifies the types of requirements localities can require a development to adhere to in order to determine consistency with general plan and zoning standards, including objective standards, controlling planning documents, and parking.
- 2) Development Review and Approval – This section details the types of hearings and review allowed under the Streamlined Ministerial Approval Process, timing provisions for processing and approving an application, denial requirements, and timeframes related to the longevity of the approval.

Article IV. Development Eligibility: This article describes the requirements for developments in order to apply for streamlining including type of housing, site requirements, affordability provisions, and labor provisions.

Article V. Reporting: This article describes reporting requirements specific to the Streamlined Ministerial Approval Process in the locality's annual progress report on the general plan.

ARTICLE I. GENERAL PROVISIONS

Section 100. Purpose and Scope

- (a) These Guidelines (hereinafter “Guidelines”) implement, interpret, and make specific the Chapter 366, Statutes of 2017 (SB 35, Wiener), and subsequent amendments (hereinafter “Streamlined Ministerial Approval Process”) as authorized by Government Code section 65913.4.
- (b) These Guidelines establish terms, conditions and procedures for a development proponent to submit an application for a development to a locality that is subject to the Streamlined Ministerial Approval Process provided by Government Code section 65913.4.
- (c) It is the intent of the Legislature to provide reforms and incentives to facilitate and expedite the construction of affordable housing. Therefore these Guidelines shall be interpreted and implemented in a manner to afford the fullest possible weight to the interest of increasing housing supply.
- (d) These Guidelines shall remain in effect until January 1, 2026, and as of that date are repealed.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65582.1 and 65913.4(l) and (m).

Section 101. Applicability

- (a) The provisions of Government Code section 65913.4 are effective as of January 1, 2018.
- (b) These Guidelines are applicable to applications submitted on or after January 1, 2019. Nothing in these Guidelines may be used to invalidate or require a modification to a development approved through the Streamlined Ministerial Approval Process prior to the effective date.
- (c) These Guidelines are applicable to both general law and charter cities, including a charter city and county.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(i)(6).

Section 102. Definitions

All terms not defined below shall, unless their context suggests otherwise, be interpreted in accordance with the meaning of terms described in Government Code section 65913.4

- (a) “Annual Progress Report (APR)” means the housing element annual progress report required by Government Code section 65400 and due to the Department April 1 of each year reporting on the prior calendar year’s permitting activities and implementation of the programs in a local government’s housing element.

- (b) “Application” means a submission containing such information necessary for the locality to determine whether the development complies with the criteria outlined in Article IV of these Guidelines. This may include a checklist or other application documents generated by the local government pursuant to Section 300(a) that specifies in detail the information required to be included in an application, provided that the information is only that required to determine compliance with objective standards and criteria outlined in article IV of these Guidelines.
- (c) “Area Median Income (AMI)” means the median family income of a geographic area of the state, as published annually by the Department within the State Income Limits: <http://www.hcd.ca.gov/grants-funding/income-limits/index.shtml>.
- (d) “Car share vehicle” is an automobile rental model where people rent cars from a car-sharing network for roundtrip or one-way where vehicles are returned to a dedicated or reserved parking location. An example of such a service is Zipcar.
- (e) “Density Bonus” means the same as Government Code section 65915.
- (f) “Department” means the Department of Housing and Community Development.
- (g) “Determination” means the published identification, periodically updated, by the Department of those local governments that are required to make the Streamlined Ministerial Approval Process available per these Guidelines.
- (h) “Development proponent or applicant” means the owner of the property, or person or entity with the written authority of the owner, that submits an application for streamlined approval..
- (i) “Fifth housing element planning period” means the five- or eight-year time period between the due date for the fifth revision of the housing element and the due date for the sixth revision of the housing element pursuant to Government Code section 65588(f)..
- (j) “Infill” means at least 75 percent of the linear measurement of the perimeter of the site adjoins parcels that are developed with urban uses. For the purposes of this definition, parcels that are only separated by a street or highway shall be considered to be adjoined.
- (k) “Locality” or “local government” means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.
- (l) “Low-Income” means households earning 50 to 80 percent of AMI.
- (m) “Lower-income” means households earning 80 percent or less of AMI pursuant to Health and Safety Code section 50079.5.
- (n) “Ministerial processing or approval” means a process for development approval involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project. The public official merely ensures that the proposed development meets all the "objective zoning standards," "objective subdivision standards," and "objective

design review standards" in effect at the time that the application is submitted to the local government, but uses no special discretion or judgment in reaching a decision.

- (o) "Multifamily" means a housing development with two or more attached residential units. The definition does not include accessory dwelling units unless the project is for new construction of a single-family home with an attached accessory dwelling units in a zone that allows for multifamily. Please note, accessory dwelling units have a separate permitting process pursuant to Government Code section 65852.2
- (p) "Objective zoning standard", "objective subdivision standard", and "objective design review standard" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. "Objective design review standards" means only objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, which are broadly applicable to development within the jurisdiction.
- (q) "Project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.
- (r) "Public transit" means a site containing an existing rail transit station (e.g. light rail, Metro, or BART), a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. For purposes of these Guidelines, measurements for frequency of bus service can include multiple bus lines.
- (s) "Public works project" means developments which meet the criteria of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.
- (t) "Regional housing need" means the local government's share of the regional housing need allocation as determined by Article 10.6 of the Government Code.
- (u) "Related facilities" means any manager's units and any and all common area spaces that are included within the physical boundaries of the housing development, including, but not limited to, common area space, walkways, balconies, patios, clubhouse space, meeting rooms, laundry facilities, and parking areas that are exclusively available to residential users, except any portions of the overall development that are specifically commercial space.
- (v) "Reporting period" means the timeframe for which APRs are utilized to create the determination for which a locality is subject to the Streamlined Ministerial Approval Process. The timeframes are calculated in relationship to the planning period of the housing element pursuant to Government Code section 65588 and are cumulative through the most recent calendar year.
- (w) "Skilled and trained workforce" has the same meaning as provided in Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

- (x) “Subsidized” means units that are price or rent restricted such that the units are permanently affordable to households meeting the definitions of very low and lower income, as defined in Sections 50079.5 and 50105 of the Health and Safety Code. For the purposes of these Guidelines, the word “permanently” has the same meaning described in Section 402(b).
- (y) “Tenant” means a person who occupies land or property rented or leased for use as a residence.
- (z) “Urban uses” means any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.
- (aa) “Very low-income” means households earning less than 50 percent or less of AMI pursuant to Health and Safety Code section 50105.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4.

ARTICLE II. STREAMLINED MINISTERIAL APPROVAL PROCESS DETERMINATION

Section 200. Methodology

- (a) The Department will calculate the determination, as defined in Section 102(g), based on permit data received through APRs at the mid-point of the housing element planning period pursuant to Government Code section 65488 and at the end point of the planning period.
 - (1) APRs, as defined in Section 102(a), report on calendar years, while housing element planning periods may begin and end at various times throughout the year. When a planning period begins after July, the APR for that year is attributed to the prior housing element planning period. When the planning period ends before July 1, the APR for that year will be attributed to the following housing element planning period.
- (b) The determination is based on permitting progress toward a pro-rata share of the regional housing need for the reporting period.
 - (1) Determinations calculated at the mid-point of the planning period are based upon permitting progress toward a pro-rata share of half (50 percent), of the regional housing need, while determinations calculated at the end of the planning period are based upon permitting progress towards the entirety (100 percent) of the regional housing need.
 - (2) For localities, as defined in Section 102(k), on a 5-year planning period, the mid-point determination is based upon a pro-rata share of the regional housing need for the first three years in the planning period, and 60 percent of the regional housing need.

- (3) The determination applies to all localities beginning January 1, 2018, regardless of whether a locality has reached the mid-point of the fifth housing element planning period. For those local governments that have achieved the mid-point of the fifth housing element planning period, the reporting period includes the start of the planning period until the mid-point, and the next determination reporting period includes the start of the planning period until the end point of the planning period. In the interim period between the effective date of the Streamlined Ministerial Approval Process, until a locality reaches the mid-point in the fifth housing element planning period, the Department will calculate the determination yearly. This formula is based upon the permitting progress towards a pro-rata share of the regional housing need, dependent on how far the locality is in the planning period, until the mid-point of the fifth housing element planning period is reached. See example below.

Example Calculation
<p>For a locality two years into the reporting period, the determination is calculated at two out of eight years of the planning period and will be based upon a pro-rata share of two-eighths, or 25 percent, of the regional housing need, and the following year, for the same locality, the determination will be calculated at three out of eight years of the planning period based upon a pro-rata share of three-eighths, or 37.5 percent, of the regional housing need, and the following year for the same locality the determination will be calculated at four out of eight years of the planning period based upon a pro-rata share of four-eighths, or 50 percent, of the regional housing need. At that point, the locality will reach its mid-point of the planning period and the determination, the pro-rata share, and the permitting progress toward the pro-rata share will hold until the locality reaches the end-point of the planning period.</p>

- (c) To determine if a locality is subject to the Streamlined Ministerial Approval Process for developments with 10 percent of units affordable to lower-income households, the Department shall compare the permit data received through the APR to the pro-rata share of their above-moderate income regional housing need for the current housing element planning period. If a local government has permitted less than the pro-rata share of their above-moderate income regional housing need, then the jurisdiction will be subject to the Streamlined Ministerial Approval Process for developments with 10 percent affordability.
- (d) Local governments that do not submit their latest required APR prior to the Department's determination are subject to the Streamlined Ministerial Approval Process for developments with 10 percent of units affordable to lower-income households.
- (e) To determine if a locality is subject to the Streamlined Ministerial Approval Process for developments with 50 percent of units affordable to lower-income households, the Department shall compare the permit data received through the APR to the pro-rata share of their independent very-low and low-income regional housing need for the current housing element planning period. If a local government has permitted the pro-rata share of their above-moderate income regional housing need, and submitted their latest required APR, but has permitted less than the pro-rata share of their very-low and lower income regional housing need, they will be subject to the Streamlined Ministerial Approval

Process for developments with 50 percent affordability. For purposes of these Guidelines, as the definition of lower-income is inclusive of very low-income units. Very low-income units permitted in excess of the very low-income need can be applied to demonstrate progress towards the lower-income need. However, as the definition of very low-income units does not include low-income units. Low-income units permitted in excess of the low-income need cannot be applied to demonstrate progress towards the very low-income need.

- (f) To determine if a locality is not subject to the Streamlined Ministerial Approval Process, the permit data from the APR shall demonstrate that the locality has permitted the entirety of the pro-rata share of units for the above moderate-, low-, and very low- income categories of the regional housing need for the relevant reporting period, and has submitted the latest APR.
- (g) The Department's determination will be in effect until the Department calculates the determination for the next reporting period unless updated pursuant to Section 201. A locality's status on the date the application is submitted determines whether an application is subject to the Streamlined Ministerial Approval Process, and also determines which level of affordability (10 or 50 percent) an applicant must provide to be eligible for streamlined ministerial permitting.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a)(4).

Section 201. Timing and Publication Requirements

The Department shall publish the determination by June 30 of each year, accounting for the APR due April 1 of each year, though this determination may be updated more frequently based on the availability of data, data corrections, or the receipt of new information. The Department shall publish the determination on the Department's website.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a)(4).

ARTICLE III. APPROVAL PROCESS

Section 300. Local Government Responsibility

- (a) A local government that has been designated as subject to the Streamlined Ministerial Approval Process by the Department shall provide information, in a manner readily accessible to the general public, about the locality's process for applying and receiving ministerial approval, materials required for an application as defined in Section 102(b), and relevant objective standards to be used to evaluate the application. The information provided may include reference documents and lists of other information needed to enable the local government to determine if the application is consistent with objective standards, consistent with Section 102(b). This can be through the use of checklists, maps, diagrams, flow charts, or other formats. The locality's process and application requirements shall not in any way inhibit, chill, or preclude the ministerial approval

process, which must be strictly focused on assessing compliance with the criteria required for streamlined projects in Article IV of these guidelines.

(b) Determination of consistency

- (1) When determining consistency with objective zoning, subdivision, or design review standards, the local government can only use those standards that meet the definition referenced in Section 102(p). For example, design review standards that require subjective decision-making, such as consistency with “neighborhood character”, cannot be applied as an objective standard unless “neighborhood character” is defined in such a manner that is non-discretionary.

Example Design Review
Objective design review could include use of specific materials or styles, such as Spanish-style tile roofs or roof pitches with a slope of 1:5. Architectural design requirements such as “craftsman style architecture” could be used so long as the elements of “craftsman style architecture” are clearly defined (e.g., “porches with thick round or square columns and low-pitched roofs with wide eaves), ideally with illustrations.

- (2) General plan or zoning ordinance requirements for a specific plan or another discretionary permit do not necessarily constitute objective zoning standard. A locality may not require a development proponent to meet any standard for which the locality typically exercises subjective discretion, on a case-by-case basis, about whether to impose that standard on similarly situated development proposals.
- (3) Modifications to objective standards granted as part of a density bonus concession, incentive, parking reduction, or waiver of development standards pursuant to Density Bonus Law, Government Code section 65915 or a local density bonus ordinance, shall be considered consistent with objective standards.
- (4) Project eligibility for a density bonus, concession, incentive, parking reduction, or waiver of development standards shall be determined consistent with Density Bonus Law.
- (5) Objective standards may be embodied in alternative objective land use specifications adopted by a city or county, and may include, but are not limited to, the general plan, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.
- (6) In the event that objective zoning, general plan, subdivision, or design review standards are mutually inconsistent, a development shall be deemed consistent with the objective standards pursuant to Section 400(c) of these Guidelines if the development is consistent with the standards set forth in the general plan.
- (7) Developments are only subject to objective zoning standards, objective subdivision standards, and objective design review standards enacted and in effect at the time that the application is submitted to the local government.

- (8) Determination of consistency with objective standards shall be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, increased housing supply. For example, design review standards or other objective standards that serve to inhibit, chill, or preclude the development of housing under the Streamlined Ministerial Approval Process are inconsistent with the application of state law.

(c) Density calculation

- (1) When determining consistency with density requirements, a development that is compliant with up to the maximum density allowed within the land use element designation of the parcel in the general plan is considered consistent with objective standards. For example, a development on a parcel that has a multifamily land use designation allowing up to 45 units per acre is allowed up to 45 units per acre regardless of the density allowed pursuant to the zoning code. In addition, the development may request a density of greater than 45 units per acre if eligible for a density bonus under Density Bonus Law.
- (2) Growth, unit, or other caps that restrict the number of units allowed in the proposed development or that expressly restricts the timing of development can be applied only to the extent that those caps do not inhibit the development's ability to achieve the maximum density allowed by the land use designation and any density bonus the project is eligible for and do not restrict the issuance of building permits for the project. .
- (3) Additional density, floor area, or units granted as density bonus shall be considered consistent with maximum allowable densities.
- (4) Development applications are only subject to the density standards in effect at the time that the development is submitted to the local government.

(d) Parking requirements

- (1) Automobile parking standards shall not be imposed on a development that meets any of the following criteria:
 - (A) The development is located where any part of the parcel or parcels on which the development is located is within one-half mile of public transit, as defined by Section 102(r) of these Guidelines.
 - (B) The development is located within a district designated as architecturally or historically significant under local, state, or federal standards.
 - (C) When on-street parking permits are required, but not made available to the occupants of the development.
 - (D) When there is a car share vehicle, (i.e. a designated location to pick up or drop off a car share vehicle as defined by Section 102(d),) within one block of the development. A block can be up to 1,000 linear feet of pedestrian travel along a public street from the development.

- (2) For all other developments, the local government shall not impose automobile parking requirements for streamlined developments approved pursuant to this section that exceed one parking space per unit.
- (e) A local government shall not adopt any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive streamlined processing.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a),(d), and (l).

Section 301. Development Review and Approval

- (a) Ministerial processing
 - (1) Ministerial approval, as defined in Section 102(n), of a project that complies with Article IV of these guidelines shall be non-discretionary and cannot require a conditional use permit or other discretionary local government review or approval.
 - (2) Any ministerial design review or public oversight of the application may be conducted by the local government's planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate.
 - (A) Design review or public oversight shall be objective and be strictly focused on assessing compliance with criteria required for streamlined projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local government before submission of the development application, and shall be broadly applicable to development within the locality.
 - (B) Design review or public oversight shall not in any way inhibit, chill, stall, delay, or preclude the ministerial approval provided by these Guidelines or its effect.
 - (3) If a local government determines that a development submitted pursuant to this section is in conflict with any of the objective planning standards, it shall provide the development proponent, as defined in Section 102(h), written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, within the timeframe specified in Section 301(b)(2) below. The local government may elect to allow the development proponent to correct any deficiencies within the timeframes for project approval specified in Section 301(b)(3) below.
 - (4) The denial of an application for streamlined processing does not preclude the development proponent from correcting any deficiencies and resubmitting an application for streamline review, or from applying for the project under other local government processes. If the application is denied and the development proponent elects to resubmit an application for streamlined review, the timeframes specified in Section 301(b) below shall commence on the date of resubmittal.

- (5) Approval of ministerial processing does not preclude imposed standard conditions of approval as long as those conditions are objective and broadly applicable to development within the locality regardless of streamline approval. This includes any objective process requirements related to the issuance of a building permit. However, any further approvals, such as demolition, grading and building period or, if required, final map, on a ministerial basis is subject to the objective standards.
 - (A) Notwithstanding Paragraph (5), standard conditions that specifically implement the provisions of these Guidelines such as commitment for recording covenant and restrictions and provision of prevailing wage can be included in the conditions of approval.
 - (6) The California Environmental Quality Act (Division 13 (commencing with section 21000) of the Public Resources Code) does not apply to the following in connection with projects qualifying for the Streamlined Ministerial Approval Process :
 - (A) Actions taken by a state agency or local government to lease, convey, or encumber land or to facilitate the lease, conveyance, or encumbrance of land owned by the local government.
 - (B) Actions taken by a state agency or local government to provide financial assistance to a development that receives streamlined approval pursuant to this section that is to be used for housing for persons and families of very low, low, or moderate income.
 - (C) The determination of whether an application for a development is subject to the Streamlined Ministerial Approval Process.
- (b) Upon a receipt of application, the local government shall adhere to the following:
- (1) An application submitted hereunder shall be reviewed by the agency whether or not it contains all materials required by the agency for the proposed project, and it is not a basis to deny the project if either:
 - (A) The application contains sufficient information for a reasonable person to determine whether the development is consistent, compliant, or in conformity with the requisite objective standards (outlined in Article IV of these Guidelines); or
 - (B) The application contains all documents and other information required by the local government as referenced in section 300(a) of these Guidelines.
 - (2) Local governments shall make a determination of consistency, as described in Section 301(a)(3), as follows:
 - (A) Within 60 calendar days of submittal of the application to the local government pursuant to this section if the development contains 150 or fewer housing units.

- (B) Within 90 calendar days of submittal of the application to the local government pursuant to this section if the development contains more than 150 housing units.
 - (C) Documentation of inconsistencies with objective standards must be provided to the development proponent within these timeframes. If the local government fails to provide the required documentation determining consistency within these timeframes, the development shall be deemed to satisfy the objective planning standards.
- (3) Any design review or public oversight, as described in Section 301(a)(2), including resulting final approval shall be completed as follows:
- (A) Within 90 calendar days of submittal of the application to the local government pursuant to this section if the development contains 150 or fewer housing units.
 - (B) Within 180 calendar days of submittal of the application to the local government pursuant to this section if the development contains more than 150 housing units.
 - (C) Although design review may occur in parallel with or as part of the consistency determination set forth in paragraphs (1) and (2) above, failure to meet subjective design review standards or obtain design review approval from the oversight board shall not itself prevent or otherwise preclude a project from being approved for development pursuant to this Section if objective design review standards are met.
- (c) Modifications to the development subsequent to the approval of the ministerial review but prior to issuance of a building permit can be granted in the following circumstances:
- 1) For modification initiated by the development proponent.
 - A) Following approval of an application under the Streamlined Ministerial Review Process, but prior to issuance of a building permit for the development, an applicant may submit written request to modify the development. The modification must conform with the following:
 - i. The change is consistent with the Streamlined Ministerial Approval Process Guidelines.
 - ii. The change will not modify the project's consistency with objective development standards considered as part of the project's review.
 - iii. The change will not conflict with a plan, ordinance or policy addressing community health and safety.
 - iv. The change will not result in modifications to the concessions, incentives or waivers to development standards approved pursuant to density bonus law.

- B) Upon receipt of the request, the local agency shall determine if the requested modification is consistent with the local agency's objective development standards in effect when the development was approved. Approval of the modification request must be completed within 60 days of submittal of the modification or 90 days if design review is required.
- 2) For modification initiated by the local agency
- A) Following approval of an application under the Streamlined Ministerial Review Process, but prior to issuance of a building permit for the development, a local agency may require one-time changes to the development that are necessary to comply with the local agency's objective uniform construction codes (including, without limitation building, plumbing, electrical, fire, and grading codes), to comply with federal or state laws, or to mitigate a specific, adverse impact upon the public health or safety and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without modifying the development. A "specific, adverse impact" has the meaning defined in Government Code section 65589.5(d)(2).
 - B) A determination that a change is required is a ministerial action. If a revised application is required to address these modifications, the application shall be reviewed as a ministerial approval within 60 days of re-submittal of the application.
- (d) If a local government approves a development under the Streamlined Ministerial Approval Process, notwithstanding any other law, the following expiration of approval timeframes apply:
- (1) If the project includes public investment in housing affordability, beyond tax credits, where 50 percent of the units are affordable to households making at or below 80 percent of the AMI, then that approval shall not expire.
 - (2) If the project does not include public investment in housing affordability (including local, state, or federal government assistance), beyond tax credits and at least 50 percent of the units are not affordable to households making at or below 80 percent of the AMI, that approval shall automatically expire after three years.
 - (A) That development may receive a one-time, one-year extension if the project proponent can provide documentation that there has been significant progress toward getting the development construction ready, such as filing a building permit application. The local government's action and discretion in determining whether to grant the foregoing extension shall be limited to considerations and process set forth in this section.
 - (B) Approval shall remain valid for a development so long as vertical construction of the development has begun and is in progress.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a),(b), (c), (e), (h), and (k).

ARTICLE IV. DEVELOPMENT ELIGIBILITY

Section 400. Housing Type Requirements

To qualify to apply for the Streamlined Ministerial Approval Process, the development proponent shall demonstrate the development meets the following criteria:

- (a) Is a multifamily housing development. The development can offer units for rental or for-sale.
- (b) At least two-thirds of the square footage of the development shall be designated for residential use:
 - (1) For purposes of these Guidelines, the two-thirds calculation is based upon the proportion of gross square footage of residential space and related facilities as defined in Section 102(u), to gross development building square footage for an unrelated use such as commercial. Structures utilized by both residential and non-residential uses shall be credited proportionally to intended use. Additional density, floor area, or units granted pursuant to Density Bonus Law are excluded from this calculation.
 - (2) Both residential and non-residential components of a qualified mixed-use development are eligible for the Streamlined Ministerial Approval Process. Additional permitting requirements pertaining to the individual business located in the commercial component (e.g. alcohol use permit or adult business permit) are subject to local government processes.
 - (3) When the commercial component is not part of a vertical mixed-use structure, construction of the residential component of a mixed-use development shall be completed prior to, or concurrent with, the commercial component. .
- (c) The development is consistent with objective zoning standards, objective subdivision standards, and objective design review standards in effect at the time of the development application submittal per Section 300 of these Guidelines, provided that any modifications to density or other concessions, incentives, or waivers granted pursuant to the Density Bonus Law shall be considered consistent with such objective zoning standards, objective subdivision standards, and objective design review standards.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a).

Section 401. Site Requirements

- (a) The development proponent shall demonstrate in the application that, as of the date the application is submitted, the proposed development is located on a site that meets the following criteria:
 - (1) The site is a legal parcel, or parcels, located in either:

- (A) A city where the city boundaries include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or
 - (B) An unincorporated area where the area boundaries are wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.
- (2) The site meets the definition of infill as defined by Section 102(j) of these Guidelines.
 - (3) The site must be zoned for residential use or residential mixed-use development, or have a general plan designation that allows residential use or a mix of residential and nonresidential uses.
 - (A) To qualify for the Streamlined Ministerial Approval Process, the site's zoning designation, applicable specific plan or master plan designation, or general plan designation must permit residential or a mix of residential and nonresidential uses by right or with a use permit.
- (b) The development proponent shall demonstrate that, as of the date the application is submitted, the development is not located on a legal parcel(s) that is any of the following:
 - (1) Within a coastal zone, as defined in Division 20 (commencing with section 30000) of the Public Resources Code.
 - (2) Prime farmland or farmland of statewide importance, as defined pursuant to the United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that locality.
 - (3) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).
 - (4) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Government Code section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Public Resources Code section 4202.
 - (A) This restriction does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to Government Code section 51179(b), or sites that are subject to adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.

- (B) This restriction does not apply to sites that have been locally identified as fire hazard areas, but are not identified by the Department of Forestry and Fire Protection pursuant to Government Code section 51178 or Public Resources Code section 4202.
- (5) A hazardous waste site that is currently listed pursuant to Government Code section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code section 25356.
 - (A) This restriction does not apply to sites the Department of Toxic Substances Control has cleared for residential use or residential mixed uses.
 - (6) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist.
 - (A) This restriction does not apply if the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.
 - (7) Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.
 - (A) This restriction does not apply if the site has been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local government.
 - (B) This restriction does not apply if the development proponent can demonstrate that they will be able to meet the minimum flood plain management criteria of the National Flood Insurance Program pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.
 - i. If the development proponent demonstrates that the development satisfies either subsection (A) or (B) above and that the development is otherwise eligible for the Streamlined Ministerial Approval Process, the local government shall not deny the application for the development on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site related to special floor hazard areas.
 - ii. If the development proponent is seeking a floodplain development permit from the local government, the development proponent must describe in detail in the application for the Streamlined Ministerial Approval Process how the development will satisfy the applicable federal qualifying criteria

necessary to obtain the floodplain development permit. Construction plans demonstrating these details shall be provided to the locality before the time of building permit issuance, however construction plans shall not be required for the local jurisdiction to take action on the application under the Streamlined Ministerial Approval Process.

- (8) Within a regulatory floodway, as determined by the Federal Emergency Management Agency, in any official maps published by the Federal Emergency Management Agency.
 - (A) This restriction does not apply if the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.
 - (B) If the development proponent demonstrates that the development satisfies subsection (A) above and that the development is otherwise eligible for the Streamlined Ministerial Approval Process, the local government shall not deny the application for development on the basis that the development proponent did not comply with any additional permit requirement, standard, or action adopted by that local government that is applicable to that site related to regulatory floodways.
- (9) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), a habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or another adopted natural resource protection plan.
- (10) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
 - (A) The identification of habitat for protected species discussed above may be based upon information identified in underlying environmental review documents for the general plan, zoning ordinance, specific plan, or other planning documents associated with that parcel that require environmental review pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).
- (11) Lands under conservation easement.
- (12) An existing parcel of land or site that is governed under the Mobilehome Residency Law (Chapter 2.5 (commencing with Section 798) of Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational Vehicle Park Occupancy Law (Chapter 2.6 (commencing with Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code), the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13

of the Health and Safety Code), or the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).

- (c) The development proponent shall demonstrate that, as of the date the application is submitted, the development is not located on a site where any of the following apply:
- (1) The development would require the demolition of the following types of housing:
 - (A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
 - (B) Housing that is subject to any form of rent or price control through a locality's valid exercise of its police power.
 - (C) Housing that has been occupied by tenants, as defined by Section 102(y), within the past ten years.
 - (2) The site was previously used for housing that was occupied by tenants that was demolished within ten years before the development proponent submits an application under the Streamlined Ministerial Approval Process.
 - (A) When property with a building that was demolished in the past ten years has been zoned for exclusively residential use, there is a presumption that it was occupied by tenants, unless the development proponent can provide verifiable documentary evidence from a government or independent third party source to rebut the presumption for each of the ten years prior to the application date.
 - (B) When property with a building that was demolished in the past ten years has been zoned to allow residential use in addition to other uses, the developer proponent shall include in its application a description of the previous use and verification it was not occupied by residential tenants.
 - (3) The development would require the demolition of a historic structure that was placed on a national, state, or local historic register prior to the submission of an application.
 - (4) The property contains housing units that are occupied by tenants and the development would require a subdivision.
- (d) A development that involves a subdivision of a parcel that is, or, notwithstanding the Streamlined Ministerial Approval Process, would otherwise be, subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land is not eligible for the Streamlined Ministerial Approval Process.
- (1) Subdivision (d) does not apply if the development is consistent with all objective subdivision standards in the local subdivision ordinance, and either of the following apply:

- (A) The development has received or will receive financing or funding by means of a low-income housing tax credit and is subject to the requirement that prevailing wages be paid pursuant to Section 403 of these Guidelines.
 - (B) The development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce used.
- (2) An application for a subdivision pursuant to the Subdivision Map Act (Division 2 (commencing with Section 66410)) for a development that meets the provisions in (1) shall be exempt from the requirements of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code). Such an application shall be subject to a ministerial process as part of the Streamlined Ministerial Approval Process.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a) and (c).

Section 402. Affordability Provisions

- (a) A development shall be subject to a requirement mandating a minimum percentage of units be affordable to households making at or below 80 percent AMI, based on one of the following categories:
- (1) In a locality that the Department has determined is subject to the Streamlined Ministerial Approval Process pursuant to Section 200, subparagraph (c), the development shall dedicate a minimum of 10 percent of the total number of units prior to calculating any density bonus to housing affordable to households making at or below 80 percent of the area median income.
 - (A) Developments of ten units or less are not subject to the 10 percent affordability provision.
 - (B) If the locality has adopted a local ordinance that requires greater than 10 percent of the units be dedicated to housing affordable to households making at or below 80 percent of the AMI, that local affordable housing requirement applies.
 - (2) In a locality that the Department has determined is subject to the Streamlined Ministerial Approval Process pursuant to Section 200, subparagraph (e), the development shall dedicate a minimum of 50 percent of the total number of units prior to calculating any density bonus to housing affordable to households making at or below 80 percent of the AMI.
 - (A) If the locality has adopted a local ordinance that requires greater than 50 percent of the units be dedicated to housing affordable to households making at or below 80 percent of the AMI, that local affordable housing requirement applies.

- (3) In a locality that the Department has determined is subject to the Streamlined Ministerial Approval Process pursuant to Section 200, subparagraph (d), the development shall dedicate a minimum of 10 percent of the total number of units to housing affordable to households making at or below 80 percent of the AMI.
 - (A) If the locality has adopted a local ordinance that requires greater than 10 percent of the units be dedicated to housing affordable to households making below 80 percent of the AMI, that local affordable housing requirement applies.
- (b) A covenant or restriction shall be recorded against the development dedicating the minimum percentage of units to housing affordable to households making at or below 80 percent of the AMI pursuant to Section 402 (a)(1-3).
 - (1) The recorded covenant or restriction shall remain an encumbrance on the development for a minimum of either:
 - (A) 55 years for rental developments or
 - (B) 45 years for owner-occupied properties
 - (2) The development proponent shall commit to record a covenant or restriction dedicating the required minimum percentage of units to below market housing prior to the issuance of the first building permit.
- (c) The percentage of units affordable to households making at or below 80 percent of the area median income per this section is calculated based on the total number of units in the development exclusive of additional units provided by a density bonus.
- (d) The percentage of units affordable to households making at or below 80 percent of the area median income per this section shall be built on-site as part of the development.
- (e) If the locality has adopted an inclusionary ordinance, the objective standards contained in that ordinance apply to the development under the Streamlined Ministerial Approval Process. For example, if the locality's adopted ordinance requires a certain percentage of the units in the development to be affordable to very low-income units, the development would need to provide that percentage of very low-income units to be eligible to use the Streamlined Ministerial Approval Process.
- (f) All affordability calculations resulting in fractional units shall be rounded up to the next whole number. Affordable units shall be distributed throughout the development and shall be of comparable size, both in terms of the square footage and the number of bedrooms, and quality to the market rate units with access to the same common areas and amenities.
- (g) Affordability of units to households at or above 80 percent of the area median income per the section is calculated based on the following:
 - 1) For owner-occupied units, affordable housing cost is calculated pursuant to Health and Safety Code Section 50052.5.

- 2) For rental units, affordable rent is calculated pursuant to Health and Safety Code Section 50053.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a).

Section 403. Labor Provisions

The Labor Provisions in the Streamlined Ministerial Approval Process, located in paragraph (8) of subdivision (a) of Government Code section 65913.4, contain requirements regarding payment of prevailing wages and use of a skilled and trained workforce in the construction of the development.

The development proponent shall certify both of the following to the locality to which the development application is submitted:

- (a) The entirety of the development is a public work project, as defined in Section 102(s) above, or if the development is not in its entirety a public work, that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area.
 - (1) The Department of Industrial Relations posts on its website letters and decisions on administrative appeal issued by the Department in response to requests to determine whether a specific project or type of work is a “public work” covered under the state’s Prevailing Wage Laws. These coverage determinations, which are advisory only, are indexed by date and project and available at:
<https://www.dir.ca.gov/OPRL/pwdecision.asp>
 - (2) The general prevailing rate is determined by the Department of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code. General prevailing wage rate determinations are posted on the Department of Industrial Relations’ website at:
<https://www.dir.ca.gov/oprl/DPreWageDetermination.htm>.
 - (3) Apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. To find out if an apprentice is registered in an approved program, please consult the Division of Apprenticeship Standards’ “Apprenticeship Status and Safety Training Certification” database at
<https://www.dir.ca.gov/das/appcertpw/appcertsearch.asp>.
 - (4) To find the apprentice prevailing wage rates, please visit the Department of Industrial Relations’ website at:
<https://www.dir.ca.gov/OPRL/PWAppWage/PWAppWageStart.asp>. If you are interested in requesting an apprentice, a list of approved programs is available at:
<https://www.dir.ca.gov/databases/das/aigstart.asp>. General information regarding the state’s Prevailing Wage Laws is available in the Department of Industrial Relations’ Public Works website (<https://www.dir.ca.gov/Public-Works/PublicWorks.html>) and the Division of Labor Standards Enforcement Public Works Manual (<https://www.dir.ca.gov/dlse/PWManualCombined.pdf>).

- (5) For those portions of the development that are not a public work, all of the following shall apply:
- (A) The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work.
 - (B) All contractors and subcontractors shall pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.
 - (C) All contractors and subcontractors shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided therein.
 - i. The obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.
 - ii. The payroll record and Labor Commissioner enforcement provisions in (C) and (C)(i), above, shall not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement, as defined in Section 102(q) above, that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure.
 - (D) Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing shall not apply if otherwise provided in a bona fide collective bargaining agreement covering the worker. The requirement to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Sections 511 or 514 of the Labor Code.
- (b) For developments for which any of the following conditions in the charts below apply, that a skilled and trained workforce, as defined in Section 102(w) above, shall be used to complete the development if the application is approved.

Developments Located in Coastal or Bay Counties

Date	Population of Locality to which Development Submitted pursuant to the last Centennial Census	Number of Housing Units in Development
January 1, 2018, until December 31, 2021	225,000 or more	75 or more
January 1, 2022, until December 31, 2025	225,000 or more	50 or more

Developments Located in Non-Coastal or Non-Bay Counties

Date	Population of Locality to which Development Submitted pursuant to the last Centennial Census	Number of Housing Units in Development
January 1, 2018, until December 31, 2019	Fewer than 550,000	75 or more
January 1, 2020, until December 31, 2021	Fewer than 550,000	More than 50
January 1, 2022, until December 31, 2025	Fewer than 550,000	More than 25

- (1) Coastal and Bay Counties include: Alameda, Contra Costa, Del Norte, Humboldt, Los Angeles, Marin, Mendocino, Monterey, Napa, Orange, San Diego, San Francisco, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma and Ventura.
- (2) Non-Coastal and Non-Bay Counties include: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Fresno, Glenn, Imperial, Inyo, Kern, Kings, Lake, Lassen, Madera, Mariposa, Merced, Modoc, Mono, Nevada, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Joaquin, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo and Yuba.
- (3) The skilled and trained workforce requirement in this subparagraph is not applicable to developments with a residential component that is 100 percent subsidized affordable housing.
- (4) If the development proponent has certified that a skilled and trained workforce will be used to complete the development and the application is approved, the following shall apply:
 - (A) The applicant shall require in all contracts for the performance of work that every contractor and subcontractor at every tier will individually use a skilled and trained workforce to complete the development.

- (B) Every contractor and subcontractor shall use a skilled and trained workforce to complete the development.
- (C) The applicant shall provide to the locality, on a monthly basis while the development or contract is being performed, a report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
 - i. A monthly report provided to the locality pursuant to this subclause shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) and shall be open to public inspection. An applicant that fails to provide a monthly report demonstrating compliance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code shall be subject to a civil penalty of ten thousand dollars (\$10,000) per month for each month for which the report has not been provided.
 - ii. Any contractor or subcontractor that fails to use a skilled and trained workforce shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of the skilled and trained workforce requirement. Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the same procedures for issuance of civil wage and penalty assessments pursuant to Section 1741 of the Labor Code and may be reviewed pursuant to the same procedures in Section 1742 of the Labor Code. Penalties shall be paid to the State Public Works Enforcement Fund.
 - iii. The requirements in (C), (C)(i), and (C)(ii), above, do not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires compliance with the skilled and trained workforce requirement and provides for enforcement of that obligation through an arbitration procedure.
- (c) Notwithstanding subsections (a) and (b) A development is exempt from any requirement to pay prevailing wages or use a skilled and trained workforce if it meets both of the following:
 - (1) The project includes ten or fewer housing units.
 - (2) The project is not a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.
- (d) Offsite fabrication is not subject to this Section if it takes place at a permanent, offsite manufacturing facility and the location and existence of that facility is determined wholly without regard to the particular development. However, offsite fabrication performed at a temporary facility that is dedicated to the development is subject to Section 403.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(a), Subdivision (d) of Section 2601 of the Public Contract Code, *Sheet Metal Workers' International Association, Local 104, v. John C. Duncan* (2014) 229 Cal.App.4th 192 [176 Cal.Rptr.3d 634].

Section 404. Additional Provisions

- (a) A local government subject to the Streamlined Ministerial Approval Process shall allow for a development proponent's use of this process. However, the ability for a development proponent to apply for the Streamlined Ministerial Approval Process shall not affect a development proponent's ability to use any alternative streamlined by right permit processing adopted by a local government, including, but not limited to, the use by right provisions of housing element law Government Code section 65583.2(i), local overlays, or ministerial provisions associated with specific housing types.

NOTE: Authority cited: Government Code section 65913.4(j). Reference cited: Government Code section 65913.4(g).

ARTICLE V. REPORTING

Section 500. Reporting Requirements

As part of the APR due April 1 of each year, local governments shall include the following information. This information shall be reported on the forms provided by the Department. For forms and more specific information on how to report the following, please refer to the Department's Annual Progress Report Guidelines.

- (a) Number of applications submitted under the Streamlined Ministerial Approval Process.
- (b) Location and number of developments approved using the Streamlined Ministerial Approval Process.
- (c) Total number of building permits issued using the Streamlined Ministerial Approval Process.
- (d) Total number of units constructed using the Streamlined Ministerial Approval Process by tenure (renter and owner) and income category.

NOTE: Authority cited: Government Code section 65400(a)(2)(B). Reference cited: Government Code section 65400(a)(2)(E).