

ACTIONS REQUESTED

Bonnie Brae St 26, LLC ("The Applicant") requests the following administrative approvals for the construction, use, and maintenance of a new 7-story, 25,685 square foot apartment building consisting of 49 residential dwelling units, inclusive of 48 restricted affordable housing - 2 units reserved for Very Low-Income Households (50% AMI or below), 39 units reserved for Low-Income Households (80% AMI or below) and 7 units reserved for Moderate-Income Households (120% AMI or below), in addition to one (1) market rate manager's unit ("The Project").

- 1) Pursuant to **LAMC Section 12.22A.25(g)(3)** and **California Government Code Section 65913.4**, the Applicant proposes to set aside 49 units (100% of the units, exclusive of 1 manager's unit) restricted for Very Low- (50% AMI or below), Low- (80% AMI or below), and Moderate-Income Households (120% AMI or below) and requests five (5) Off-Menu Incentive and one (1) Waiver of Development Standard. Pursuant to AB 1763, the Project qualifies for unlimited density and zero (0) on-site vehicular parking in order to achieve a total of 49 units. The Project requests the following **five (5) Off-Menu Incentive and one (1) Waiver of Development Standard**:

- a) An Off-Menu Incentive to allow for a Floor Area Ratio ("FAR") of 6.43:1 in lieu of the otherwise allowed maximum 3:1 FAR.
- b) An Off-Menu Incentive to allow for a front yard setback of 4.5 feet in lieu of the otherwise required 15-foot front building line.
- c) An Off-Menu Incentive to allow for a northerly side yard setback of zero (0)-feet in lieu of the otherwise required 10-feet.
- d) An Off-Menu Incentive to allow for a southerly side yard setback of zero (0)-feet in lieu of the otherwise required 10-feet.
- e) An Off-Menu Incentive to allow for a rear yard setback of 10-feet from the center line of the rear alley in lieu of the otherwise required 15-feet from the center line.
- f) A Waiver of Development Standard to allow for a 90% reduction in Open Space requirements.

Note: Pursuant to various sections of the LAMC, the Applicant will also request administrative approvals and permits from the Building and Safety Department and other municipal agencies for project construction actions, including but not limited to the following: demolition, excavation, shoring, grading, foundation, building, haul route, street tree removal, and tenant improvements.

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SITE INFORMATION

The Project Site is located at 316 N Bonnie Brae Street, within the Westlake Community Plan area and is comprised of one (1) parcel with an Assessor Parcel Number ("APN") of 5159-005-008. The Project Site is a rectangular-shaped lot, approximately 6,000 square feet, and is comprised of one (1) parcel. The Project Site is located along Bonnie Brae Street between Temple Street to the north and Court Street to the south, and contains approximately 50 linear feet of frontage along Bonnie Brae Street. The Project Site is currently improved with a two-story, fourplex residential building, which is proposed for demolition. The Project Site is within the Westlake Community Plan Area, the Transit Priority Area in the City of Los Angeles, and the Los Angeles State Enterprise Zone.

PROJECT DESCRIPTION

Bonnie Brae St 26, LLC ("The Applicant") proposes to develop the approximately 0.138-acre (6,000 square foot) property at 316 N Bonnie Brae Street, within the Westlake Community Plan area ("Project Site"). The Project Site is currently improved with a two-story, fourplex residential building, proposed for demolition. The Applicant would propose to construct an approximately 25,685 square foot, seven (7)-story, multi-family apartment building containing 49 dwelling units. Of these 49 units, 48 units (100% of the units, excluding one (1) market-rate manager's unit) would be designated for Very Low-Income (50% AMI or below), Low-Income (80% AMI or below), and Moderate-Income (120% AMI or below) Households. Given that the Project consists entirely of 100% affordable housing, the Project would qualify for unlimited density and zero (0) on-site vehicular parking pursuant to AB 1763 in order to achieve a total of 49 units, consistent with California Government Code Section 65915, California Government Code Section 65913.4, and LAMC Section 12.22A.25.

The Project Site is zoned RD1.5-1 and maintains a General Plan Land Use designation of Low Medium Residential. The Low Medium Residential General Plan Land Use designation allows for a corresponding Zone of RD1.5, which would allow for a maximum by-right density of 1,500 square feet per dwelling unit. Therefore, the number of dwelling units allowed by right would be 4 units ($6,500 \text{ SF [lot area + } \frac{1}{2} \text{ alley]} / 1,500 = 4.333 \text{ units}$). However, as the Project qualifies as an Affordable Housing Project, the base density (4.333) would be rounded up to 5 units. In addition, a development may request a density of greater than 45 units per acre if eligible for a density bonus under Density Bonus Law.

Pursuant to LAMC, the maximum permitted density for the Project Site would be 5 units. The Applicant proposes to set aside 100% of the units (exclusive of one (1) manager's unit) as Very Low-, Low- and Moderate-Income restricted affordable housing. As such, the Project qualifies for unlimited density and zero (0) on-site vehicular parking pursuant to AB 1763 in order to achieve a total of 49 units. The unit breakdown would consist of 30 studio units and 19 one-bedroom units.

A total of 4,900 square feet of Open Space would be required for the Project's 49 units with less than three (3) habitable rooms. However, pursuant to LAMC 12.22A.25(g)(3), the Project would request a Waiver of Development Standard for a 90% reduction in Open Space requirements, which would allow for a new Open Space requirement of 490 square feet. The Project would meet the newly required Open Space in the form an open to sky roof deck on the seventh floor containing 490 square feet of Open Space, for a total of 490 square feet of Common Open Space. Additionally, the seventh-floor deck would contain 128 square feet of landscaped area.

Pedestrian access to the Project would be via the lobby along Bonnie Brae Street. The Project proposes 41 long-term bicycle parking stalls and four (4) short-term bicycle parking stalls, in addition to a 100 square foot bike repair room accessible from the lobby located within the first-floor level.

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DENSITY

The Project is located within the Westlake Community Plan area and contains a corresponding Zone of RD1.5-1 with a Land Use Designation of Low Medium Residential. In accordance with the LAMC, the minimum lot area per dwelling unit is 1,500 square feet per dwelling unit in the R3 Zone. Therefore, the number of dwelling units allowed by right would be 4 units (6,500 SF [lot area + ½ alley] / 1,500 = 4.333 units). As the project qualifies as an Affordable Housing Project, the base density (4.333) would be rounded up to 5 units. In addition, a development may request a density of greater than 45 units per acre if eligible for a density bonus under Density Bonus Law. In further accordance with AB 1763, the Applicant intends to set aside 100% of the overall density (49 units, less 1 market rate manager's unit) as Very Low-, Low- and Moderate-Income restricted affordable units. The Project therefore qualifies for unlimited density and zero (0) on-site vehicular parking, which would allow the Project to construct the proposed 49 units.

FLOOR AREA

Per the Height District 1 contained within the R1.5-1, the allowable Floor Area Ratio ("FAR") would be 3:1. The FAR would be measured by the Project Site's Buildable Area. Pursuant to LAMC Section 12.09.1, in the RD1.5 Zone, buildable area is equal to the lot area minus the setback requirements of a single-story building set by LAMC. Therefore, the Project Site would contain a Buildable Area of 4,000 square feet. The immediate vicinity is surrounded by RD1.5-1 and RD3-1, which would allow for a FAR of 3:1. Pursuant to LAMC Section 12.22A.25(g)(3), the Project would request an Off-Menu Incentive to allow for a maximum FAR of 6.43:1 in lieu of the otherwise required 3:1. The Project FAR of the Project would be 6.43:1, with approximately 25,685 square feet of Floor Area (25,685 SF / 4,000 SF = 6.42125).

HEIGHT

The Westlake Community Plan identifies the zoning of the immediate vicinity as by RD1.5-1 and RD3-1, which would limit building heights to between 45 feet and unlimited. However, pursuant to AB 1763, projects that consists entirely of 100% restricted affordable housing units (exclusive of manager's units), would be allowed up to a 33-foot and 3-story height increase without the use of an Incentive or Waiver of Development Standard. As such, the Project would be allowed a maximum building height of 78 feet and seven (7) stories. In addition, according to LAMC Section 12.03 and Public Zoning Code 2023-008 Exception II-d, if the difference between the highest and the lowest grade elevation around the perimeter of the building exceeds 20 vertical feet, then the allowable height may be increased by 12 feet. As such, the Project would be developed with a 78-foot envelope height from grade and a maximum allowable height of 90 feet from the lowest grade within five (5) of the building footprint. All rooftop structures and features would be setback a minimum of six (6) feet on all sides in order to comply with Los Angeles Fire Department ("LAFD") requirements and would further be screened from view at street level by parapet or sloping roof.

YARDS

The Project Site is located along Bonnie Brae Street between Temple Street to the north and Court Street to the south, and contains approximately 50 linear feet of frontage along Bonnie Brae Street. The front yard is considered to be along Bonnie Street and the rear yard is considered to be along the eastern property line. The northerly side yard is considered to be along the northern property line, closest to Temple Street, while the southerly side yard is considered to be along the southern property line, closest to Court Street.

Front Yard Setback

Pursuant to LAMC Section 12.09.1, projects in the RD1.5 Zone are required to provide a 15-foot front yard setback. Therefore, the Project would be required to provide a 15-foot front yard setback after the three (3)-foot dedication required along Bonnie Brae Street. However, pursuant to LAMC Section 12.22A.25(g)(3), the Project would request an Off-Menu Incentive to allow for a front yard setback of four-and-a-half (4.5)-feet after the said three (3) foot dedication

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in lieu of the otherwise required 15-feet after the three (3) foot dedication. As such, the Applicant would propose a four-and-a-half (4.5)-feet after the said three (3) foot dedication in order to achieve the proposed 49 dwelling units.

Side Yard Setbacks

Pursuant to LAMC Section 12.09.1, residential project in the RD1.5 Zone, are required to provide five (5)-foot side yard setbacks with an additional one (1) foot for each story over the 2nd and not to exceed 16-feet. As the Project would be proposed at seven (7) levels, the Project would be required to provide a 10-foot side yard setback on both sides of the building.

However, pursuant to LAMC Section 12.22A.25(g)(3), the Applicant would request two (2) Off-Menu Incentives to allow for a reduction of both the northerly and the southerly side yard setback requirements. Both side yard setbacks would be reduced by 100%, in order to allow for side yard setbacks of zero (0) feet in lieu of the otherwise required 10 feet.

Rear Yard Setback

Pursuant to LAMC Section 12.09.1, residential projects in the RD1.5 Zone, are required to provide a 15-foot rear yard setback. Therefore, the Project would be required to provide a 15-foot rear yard setback from the rear alley center line. However, pursuant to LAMC Section 12.22A.25(g)(3), the Project would request an Off-Menu Incentive to allow for a ten-foot rear yard setback from the rear alley center line in lieu of the otherwise required 15-feet from the rear alley center line in the RD1.5 Zone. As such, the Applicant would propose a ten-foot rear yard setback from the rear alley center line in order to achieve the proposed 49 dwelling units.

OPEN SPACE

Pursuant to LAMC Section 12.21G, the Project would be required to provide 4,900 square feet of Open Space for the Project's proposed 49 units (49 units with less than three (3) habitable rooms). However, pursuant to LAMC Section 12.22A.25(g)(3), the Project would request a Waiver of Development Standard to allow for a 90% reduction in Open Space Requirements. Therefore, the Project would be required to provide newly required Open Space of 490 square feet. The Applicant would propose to meet the new Open Space requirement in the form of a seventh-floor front deck containing 490 square feet of Open Space, for a total of 490 square feet of Common Open Space.

Further, pursuant to LAMC Section 12.21G.2(a)(3), the Project would be required to landscape a minimum of 25% of the outdoor Common Open Space area. Therefore, the Project would be required to provide at least 122.5 square feet square feet of landscaped Open Space. The Project would exceed this requirement via landscaping on the front deck, which would contain 128 square feet of landscaped area, for a total of 128 square feet of landscaped Common Open Space area.

Pursuant to LAMC Section 12.21G.2(a)(3), the Project would be required to provide one (1) tree for every four (4) residential dwelling units. As the Project is proposing 49 dwelling units, the Project would be required to provide 13 trees (49 dwelling units / 4 = 12.25 trees). As such, the Project would provide 13 on-site trees, consistent with LAMC.

PARKING

Residential parking consistent with California Government Code Section 65915 and AB 2345 Guidelines would not be required for projects that are 100% affordable housing, and further, within ½ mile of Public Transit. The project site is within ½ mile of several bus stops, meeting the requirement laid out in the AB 2345 Guidelines. Therefore, the Applicant proposes to utilize the project space for 100% affordable housing with zero (0) on-site vehicular parking.

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BICYCLE PARKING

Bicycle parking would also be provided consistent with the requirements of LAMC Section 12.21A.16, which would require 41 long-term bicycle parking spaces and four (4) short-term bicycle parking spaces, for a total of 45 bicycle parking spaces.

Dwelling Units	Short-term Spaces	Long-term Spaces
1-25	1 space per 10 units	1 space per unit
26-100	1 space per 15 units	1 space per 1.5 units
101-200	1 space per 20 units	1 space per 2 units
201+	1 space per 40 units	1 space per 4 units

The Project proposes to provide 41 long-term bicycle parking spaces located within the first-floor level (inclusive of a bicycle workspace area), as well as four (4) short-term bicycle parking spaces within the front yard public right of way, for a total of 45 bicycle parking spaces, consistent with LAMC.

TRANSIT OPTIONS

The Project Site is in close proximity to many buses and transit line options that service this immediate area of the City.

The Metro Bus system provides local service. Metro Route 10 is located approximately 325 feet north of the Project Site at the corner of Temple Street and Bonnie Brae Street, and travels west/east along Temple Street. The eastbound route begins in the City of West Hollywood at the intersection of San Vicente Blvd and Melrose Avenue, and ends in Downtown Los Angeles at the intersection of Main Street and Venice Blvd. Metro Route 10 runs approximately every 12-15 minutes during peak commute hours on weekdays, and approximately every 45 minutes to an hour during non-peak hours on weekdays. Metro Route 10 runs approximately every 20 minutes during peak commute hours on weekends and Holidays, and approximately every hour during non-peak hours on weekends and Holidays.

Metro Route 10/48 is located approximately 325 feet north of the Project Site at the corner of Temple Street and Bonnie Brae Street, and travels west/east along Temple Street. The westbound route begins in the unincorporated community of Willowbrook at the Avalon Station, and ends in between the City of West Hollywood and the City of Beverly Hills in Los Angeles at the corner of San Vicente Blvd and Melrose Ave. Metro Route 10/48 runs approximately every 15 minutes during peak commute hours on weekdays, and approximately every hour during non-peak hours on weekdays. Metro Route 10/48 runs approximately every 20 minutes during peak commute hours on weekends and Holidays, and approximately every hour during non-peak hours on weekends and Holidays.

LADOT DASH also provides low-cost transit options and local service. DASH Pico Union/Echo Park is located approximately 1000 feet east of the Project Site at the corner of Union Ave and Temple Street, and travels west/east along Temple Street and north/south along Union Ave. The northbound route begins in the City of Los Angeles at the corner of Washington Blvd and Grand Ave, and ends in the neighborhood of Elysian Heights in the City of Los Angeles at the corner of Echo Park Ave and Donaldson Street. DASH Pico Union/Echo Park runs approximately every 10 to 14 minutes during peak commute hours on weekdays, and approximately every 14 minutes during non-peak hours on weekdays. DASH Pico Union/Echo Park runs approximately every 15 minutes during peak commute hours on weekends and Holidays, and approximately every 15 minutes during non-peak commute hours on weekends and Holidays.

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PROJECT SITE

The Project Site is a rectangular-shaped property that consists of one (1) parcel and contains approximately 6,000 square feet of lot area. The Project Site is located in the Los Angeles Improvement Co's Subdivision of Parts of Lots 4 & 5 Block 39, Hancock's Survey Tract. The Project contains approximately 50 feet of linear frontage along Bonnie Brae Street.

The Project Site is located within the Westlake Community Plan, Zoned RD1.5-1, and maintains a General Plan land use designation of Low Medium Residential. The RD1.5-1 is traditionally a mid-density land use designation.

An Objective of the General Plan and corresponding Community Plan is to reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers (Objective 1-2). A resultant Policy is to encourage higher density residential uses near major public transportation centers (Policy 1-2.1).

EXISTING SITE CONDITIONS

The Project Site is currently improved with a two-story, fourplex residential building, located mid-block, with an Assessor Parcel Number of 5159-005-008.

SURROUNDING PROPERTIES

North: 1-story, single-family residence; zoned RD1.5-1 (Low Medium Residential)

East: 2-story, fourplex (4-units) apartment building; zoned RD3-1 (Low Medium Residential)

South: 1-story, single-family residence; zoned RD1.5-1 (Low Medium Residential)

West: 6-story, mixed-use, commercial and residential building; zoned [T][Q]RAS4-1 (Highway Oriented Commercial)

STREETS AND CIRCULATION

Mobility Plan 2035 provides the following street standards:

Bonnie Brae Street: Adjoining the Project Site to the west is a designated Collector Street, which is required to have a total right of way width of 66 feet with a roadway of approximately 40 feet and approximately 13-foot sidewalks on each side of the street. The existing right of way is approximately 62 feet with a roadway of 40 feet and approximately 13-foot sidewalks on each side of the street. As such, the Applicant proposes to provide a 3-foot dedication to bring this side of the street up to mobility standards. In addition, adjoining the Project Site to the east is a designated Alley, which is required to have a total right of way of 20 feet. The existing right of way is 20 feet, and is currently up to mobility standards.

ORDINANCES

Ordinance 129279: Effective January 12, 1965, an Ordinance amending the definition "Hillside Areas" of Subsection (h) of Section 91.0403 of the Los Angeles Municipal Code.

Ordinance 161116-SA33A: Effective April 8, 1986, an Ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

Ordinance 164625-SA270: Effective May 9, 1989, an Ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

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SIMILAR PROJECTS AND CASES

The immediate vicinity includes many recent high-density residential properties. Some examples include:

- 1911-1931 W Sunset Blvd; 1910-2018 W Reservoir St
 - DCP Case: CPC-2020-3140-CU-MCUP-DB-SPR-HCA
 - CEQA: ENV-2020-3141-SCPE
 - 6 Stories (67 Feet Tall)
 - 166 Residential Units (24 Affordable)
 - 164,610 SF of Floor Area (3.75:1 FAR)
 - Commercial & Residential Mixed-Use
- 3209-3227 W Sunset Blvd
 - DCP Case: CPC-2021-3025-DB-CU-CUB-SPR-HCA
 - CEQA: ENV-2021-2036-CE
 - 7 Stories (83 Feet & 10 Inches Tall)
 - 86 Residential Units (10 Affordable)
 - 84,662 SF of Floor Area (3.76:1 FAR)
 - Commercial & Residential Mixed-Use
- 4100 W Sunset Blvd; 1071-1089 N Manzanita St
 - DCP Case: CPC-2016-1103-MCUP-DB-SPR
 - CEQA: ENV-2020-4929-SCPE
 - 9 Stories (89 Feet Tall)
 - 91 Residential Units (8 Affordable)
 - 80,670 SF of Floor Area (3:1 FAR)
 - Commercial & Residential Mixed-Use
- 4301-4311 W Sunset Blvd; 4300-4314 W Effie St
 - DCP Case: CPC-2016-1104-DB-SPR
 - CEQA: ENV-2020-4930-SCPE
 - 6 Stories (68 Feet Tall)
 - 108 Residential Units (10 Affordable)
 - 101,300 SF of Floor Area (3:1 FAR)
 - Commercial & Residential Mixed-Use

FINDINGS FOR DENSITY BONUS COMPLIANCE REVIEW PURSUANT TO LAMC SECTION 12.22A.25 PURSUANT TO SECTION 12.22A.25(c) OF THE LAMC, THE DIRECTOR SHALL APPROVE A DENSITY BONUS AND REQUESTED INCENTIVE(S) SO LONG AS THE DIRECTOR FINDS THAT:

The Incentives are required in order to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.2, or Section 50053 for rent for the affordable units.

The Project substantially complies with the applicable regulations, standards, and provisions of the State Density Bonus Program. The Applicant would propose to provide 100% of the Project's base density as restricted affordable housing for Very Low-, Low- and Moderate-Income Households. As such, the Project qualifies for unlimited density pursuant to AB 1763 in order to achieve a total of 49 units.

By setting aside 100% of the base units for Very Low-, Low- and Moderate-Income Households, the Project requests relief from regulations set forth by Ordinance and LAMC that are allowed not on the menu of incentives pursuant to LAMC Section 12.22A.25(g)(3) in order to construct the quantity of housing and affordable housing proposed. The requested Off-Menu Incentives and Waiver of Development Standards would permit the construction of the 49-unit residential project (inclusive of 48 units for Very Low-, Low- and Moderate-Income Households), and expand the Project's building envelope to ensure that units are designed to a practical and livable standard, consistent with other existing developments in the immediate area.

Off-Menu Incentives

Incentive 1: LAMC Section 12.22A.25(g)(3): A Floor Area Ratio ("FAR") increase to permit a 6.43:1 FAR in a Height District 1, in the RD1.5-1 Zone, in lieu of the otherwise permitted pursuant to Ordinance and LAMC which would allow for a FAR of 3:1.

The LAMC cannot take into consideration every site-specific parcel, which is why the LAMC allows for relief actions. As the Project is providing 100% base density for Very Low-, Low- and Moderate-Income Households, the Project would qualify for relief from regulations set forth by Ordinance and LAMC that are allowed not on the menu of incentives pursuant to LAMC Section 12.22A.25(g)(3) in order to construct the quantity of housing and affordable housing proposed, as well as the overall total units needed to construct the Project. As a result, the Project requires a FAR increase to allow for a maximum FAR of 6.43:1 in lieu of the otherwise permitted 3:1.

Without the use of an Off-Menu Incentive to allow for the increase in FAR, the Project would only be able to provide a fraction of the units, which would be approximately 20 dwelling units (19 affordable units). Therefore, the Off-Menu Incentive would preclude development of the proposed density bonus units and project amenities, and relief is required to provide the additional 29 affordable housing units.

According to Government Code Section 65913.4(a), 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. Therefore, an Off-Menu Incentive offered by way of LAMC 12.22A.25(g)(3) would be applicable to Floor Area Ratio.

Incentive 2: LAMC Section 12.22A.25(g)(3): A front yard reduction to allow for a front yard setback of four-and-a-half feet (4.5)-feet in lieu of the otherwise required 15-feet pursuant to LAMC 12.09.1.

The LAMC cannot take into consideration every site-specific parcel, which is why the LAMC allows for relief actions. As the Project is providing 100% base density for Very Low-, Low- and Moderate-Income Households, the Project would qualify for relief from regulations set forth by Ordinance and LAMC that are allowed not on the menu of incentives pursuant to LAMC Section 12.22A.25(g)(3) in order to construct the quantity of housing and affordable housing

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proposed, as well as the overall total units needed to construct the Project. As a result, the Project requires a front yard reduction to allow for a setback four-and-a-half (4.5)-feet after a three (3) foot dedication in lieu of the otherwise required 15-feet after a three (3) foot dedication pursuant to LAMC.

Without the Off-Menu Incentive to allow for the reduction in the front yard setback requirement, the Project would only be able to provide a fraction of the units, which would be approximately 39 dwelling units (38 affordable units). The 15-foot front yard requirement would reduce the building footprint by approximately 12.7%, thereby forcing the Project to scale down by at least 10 affordable units or to shrink the size of each unit, degrading the residential efficiency of the units. This coupled with the other 15-foot rear yard requirement and the 10-foot northerly and southerly side yard requirements would reduce the building footprint by roughly 40%, thereby forcing the Project to scale down by at least 19 affordable units. Therefore, the rear yard setback requirement would preclude development of the proposed density bonus units and project amenities, and the Off-Menu Incentive is required to provide the additional 10 to 19 affordable housing units.

According to Government Code Section 65913.4(a), 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. Therefore, Off-Menu Incentives offered by way of LAMC 12.22A.25(g)(3) would be applicable to yard or setback relief.

Incentive 3: LAMC Section 12.22A.25(g)(3): A side yard reduction to allow for a northerly side yard setback of zero (0) feet in lieu of the otherwise required 10 feet pursuant to LAMC 12.09.1.

The LAMC cannot take into consideration every site-specific parcel, which is why the LAMC allows for relief actions. As the Project is providing 100% base density for Very Low-, Low- and Moderate-Income Households, the Project would qualify for relief from regulations set forth by Ordinance and LAMC that are allowed not on the menu of incentives pursuant to LAMC Section 12.22A.25(g)(3) in order to construct the quantity of housing and affordable housing proposed, as well as the overall total units needed to construct the Project. As a result, the Project requires a northerly side yard reduction to allow for a setback of zero (0) feet in lieu of the otherwise required 10 feet pursuant to LAMC.

Without the Off-Menu Incentive to allow for the reduction in the northerly side yard setback requirement, the Project would only be able to provide a fraction of the units, which would be approximately 35 dwelling units (34 affordable units). The 10-foot southerly side yard requirement would reduce the building footprint by approximately 13%, thereby forcing the Project to scale down by at least 14 affordable units or to shrink the size of each unit, degrading the residential efficiency of the units. This coupled with the other 15-foot rear yard requirement, the 15-foot front yard requirement, and the 10-foot southerly side yard requirements would reduce the building footprint by roughly 40%, thereby forcing the Project to scale down by at least 19 affordable units. Therefore, the rear yard setback requirement would preclude development of the proposed density bonus units and project amenities, and the Off-Menu Incentive is required to provide the additional 14 to 19 affordable housing units.

According to Government Code Section 65913.4(a), 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. Therefore, Off-Menu Incentives offered by way of LAMC 12.22A.25(g)(3) would be applicable to yard or setback relief.

Incentive 4: LAMC Section 12.22A.25(g)(3): A side yard reduction to allow for a southerly side yard setback of zero (0) feet in lieu of the otherwise required 10 feet pursuant to LAMC 12.09.1.

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The LAMC cannot take into consideration every site-specific parcel, which is why the LAMC allows for relief actions. As the Project is providing 100% base density for Very Low-, Low- and Moderate-Income Households, the Project would qualify for relief from regulations set forth by Ordinance and LAMC that are allowed not on the menu of incentives pursuant to LAMC Section 12.22A.25(g)(3) in order to construct the quantity of housing and affordable housing proposed, as well as the overall total units needed to construct the Project. As a result, the Project requires a southerly side yard reduction to allow for a setback of zero (0) feet in lieu of the otherwise required 10 feet pursuant to LAMC.

Without the Off-Menu Incentive to allow for the reduction in the southerly side yard setback requirement, the Project would only be able to provide a fraction of the units, which would be approximately 35 dwelling units (34 affordable units). The 10-foot southerly side yard requirement would reduce the building footprint by approximately 10%, thereby forcing the Project to scale down by at least 14 affordable units or to shrink the size of each unit, degrading the residential efficiency of the units. This coupled with the other 15-foot rear yard requirement, the 15-foot front yard requirement, and the 10-foot northerly side yard requirements would reduce the building footprint by roughly 40%, thereby forcing the Project to scale down by at least 19 affordable units. Therefore, the rear yard setback requirement would preclude development of the proposed density bonus units and project amenities, and the Off-Menu Incentive is required to provide the additional 14 to 19 affordable housing units.

According to Government Code Section 65913.4(a), 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. Therefore, Off-Menu Incentives offered by way of LAMC 12.22A.25(g)(3) would be applicable to yard or setback relief.

Incentive 5: LAMC Section 12.22A.25(g)(3): A rear yard reduction to allow for a rear yard setback of 10-feet from the center line of the rear alley in lieu of the otherwise required 15-feet from the center line pursuant to LAMC 12.09.1.

The LAMC cannot take into consideration every site-specific parcel, which is why the LAMC allows for relief actions. As the Project is providing 100% base density for Very Low-, Low- and Moderate-Income Households, the Project would qualify for relief from regulations set forth by Ordinance and LAMC that are allowed not on the menu of incentives pursuant to LAMC Section 12.22A.25(g)(3) in order to construct the quantity of housing and affordable housing proposed, as well as the overall total units needed to construct the Project. As a result, the Project requires a rear yard reduction to allow for a setback of 10-feet in lieu of the otherwise required 15-feet pursuant to LAMC.

Without the Off-Menu Incentive to allow for the reduction in the rear yard setback requirement, the Project would only be able to provide a fraction of the units, which would be approximately 42 dwelling units (41 affordable units). The 15-foot rear yard requirement would reduce the building footprint by approximately 8%, thereby forcing the Project to scale down by at least 7 affordable units or to shrink the size of each unit, degrading the residential efficiency of the units. This coupled with the other 15-foot front yard requirement and the 10-foot northerly and southerly side yard requirements would reduce the building footprint by roughly 40%, thereby forcing the Project to scale down by at least 19 affordable units. Therefore, the rear yard setback requirement would preclude development of the proposed density bonus units and project amenities, and the Off-Menu Incentive is required to provide the additional 7 to 19 affordable housing units.

According to Government Code Section 65913.4(a), 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. Therefore, Off-Menu Incentives offered by way of LAMC 12.22A.25(g)(3) would be applicable to yard or setback relief.

Waiver of Development Standard

Waiver 1: LAMC Section 12.22A.25(g)(3): A 90% reduction in Open Space requirements to allow for 490 square feet of Open Space in lieu of the otherwise required 4,900 square feet.

Pursuant to LAMC Section 12.21G, the Project would be required to provide 4,900 square feet of Open Space for the Project's proposed 49 units (48 units with less than three (3) habitable rooms). However, pursuant to LAMC Section 12.22A.25(g)(3), the Project would seek a Waiver of Development Standard to allow for an up to 90% reduction in the Open Space requirement. Therefore, the Project would be required to provide 490 square feet of Open Space. The Applicant proposes meeting the new Open Space requirement in the form of a common area space deck containing 490 square feet of Open Space, for a total of 490 square feet of Common Open Space.

Without the use of a Waiver of Development Standard to allow for the reduction in the Open Space requirement, the Project would only be able to provide a fraction of the units, which would be approximately 41 dwelling units (40 affordable units). The only feasible area for additional Open Space would be at the first level. With 490 square feet of Open Space on the seventh floor already planned, the building footprint would have to be reduced by approximately 15%, thus, reducing the number of units the Project would be able to provide to approximately 41 units (40 affordable units). Therefore, the Open Space requirement would preclude development of the proposed density bonus units and project amenities, and the Waiver of Development Standard would be required to provide the additional 8 units.

The LAMC cannot take into consideration every site-specific parcel, which is why the LAMC allows for relief actions. As the Project is providing 100% base density for Very Low-, Low- and Moderate-Income Households, the Project would qualify for relief from regulations set forth by Ordinance and LAMC that are allowed on the menu of incentives pursuant to LAMC Section 12.22A.25(g)(3) in order to construct the quantity of housing and affordable housing proposed, as well as the overall total units needed to construct the Project. As a result, the Project requires a reduction in Open Space requirements to allow for a maximum Open Space requirement of 490 square feet in lieu of the otherwise required 4,900 square feet.

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, subdivision (a) and (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.

California State Assembly Bill 2222 went into effect on January 1, 2015. The bill introduces rental dwelling unit replacement requirements, which pertain to cases filed as of January 1, 2015. The new state law also increases covenant restrictions from 30 to 55 years for cases issued after January 1, 2015.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus along with "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City of Los Angeles created an Ordinance that includes a menu of incentives and also includes requests for waivers or modifications to any development standard(s) not on the menu. In order to grant approval of an incentive or development waiver, the City utilizes the same findings contained in state law for the approval of incentives or concessions.

Under Government Code Section § 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 12.22A.25 of the Los Angeles Municipal Code. Section 12.22A.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

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Attachment A: Actions Requested, Project Description, and Findings

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 up to five incentives and one waiver of development standard 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. Utilization of the Density Bonus/Affordable Housing Incentives Program supersedes requirements of the Los Angeles Municipal Code and underlying ordinances relative to density, number of units, parking, and other requirements relative to incentives, if requested.