ORDINANCE NO. 176659

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

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

SECTION 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone classifications on properties shown upon portions of the zoning maps titled "Zone Change Ordinance Lincoln Heights Community Design Overlay District" and the table for Section 1 below and incorporated herein by this reference, and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code.

Table for Section 1

Sub-Area	Existing Zone	New Zone
4990, 4995, 7345, 7470, 7520B, 7560, 7600, 7605, 7610A	PF	PF-CDO
7540B	P-1	[Q]P-1-CDO
4980, 7300, 7310	[Q]C4-1-VL	[Q]C4-1-VL-CDO
7347, 7350, 7357, 7360, 7370, 7380, 7420, 7430, 7440, 7450, 7490, 7500, 7510, 7525, 7520A, 7530, 7535, 7540A, 7590, 7595, 7630	[Q]C4-1-XL	[Q]C4-1-XL-CDO
7550, 7553A, 7555, 7559A, 7559B, 7580, 7585	[Q]C2-1-XL	[Q]C2-1-XL-CDO

SECTION 2. Pursuant to Section 12.32 G of the Los Angeles Municipal Code, and any amendment thereto, the following limitations are hereby imposed upon the use of that property described in Section 1 hereof which are subject to the Permanent "Q" Qualified Classification.

Where the zone symbols of the new zoning designation as shown in the table for Section 1, are preceded by the symbol "Q" in brackets, the conditions and limitations imposed by the new "Q" Qualified Classification are set forth as follows:

All properties located within the Zone Change Ordinance Map shall be subject to the following [Q] Conditions:

1. Use Restrictions

A. Drive-through Establishments - Drive through windows shall be prohibited on all uses and establishments.

B. Recycling-related Establishments - Recycling collection or buyback centers, recycling materials processing and sorting facilities and mobile recycling centers shall be prohibited.

C. Night Clubs, Pool Bars, and Bar Uses - Venues which require a Café Entertainment and Shows business permit from the Police Department Permit Review panel, except for Restaurants that operate and maintain the premises as a place where food service is available at all times during the restaurant's operating hours and where live entertainment and any sale of beer, wine, or distilled spirits are incidental to meal service. There shall be no cover charge, or pre-payment for food or beverage service required for admission to a restaurant.

D. Public Address and Paging System - Outdoor address or paging systems including, but not limited to those which play music, shall be inaudible beyond the boundaries of the subject property.

2. Site Planning

A. Each individual tenant or business space located on the Ground Floor should have an entrance directly accessible from the street at the same grade as the sidewalk, and the entrance shall remain open during the normal business hours posted by the business even when side and rear public entrances are provided.

B. New buildings shall be constructed no more than five (5) feet from any lot line adjoining North Broadway, Daly Street, and Pasadena Avenue, except that setbacks may exceed five feet if the setback is used to accommodate building entries and/or pedestrian-scaled areas such as individual store entries, outdoor sidewalk cafes, public plazas, retail courtyards, water features, kiosks, paseos, arcades, patios, covered walkways or spaces for outdoor dining or seating that are located on the Ground Floor, and that are accessible to and available for use by the public will be permitted.

C. New driveway cuts and/or vehicular points of access off North Broadway, Daly Street, or Pasadena Avenue shall be prohibited except for key lots where no other access is available.

3. Architecture

A. All exterior mechanical equipment, including, sprinklers, fire alarms, air conditioning equipment, satellite dishes or cellular antennas shall not be visible from public rights-of-way, but enclosed or screened through use of building parapets, masonry walls or other architectural treatments. No new mechanical equipment shall be permitted in window or door openings, except that new window air conditioning units shall be permitted in window or door openings of any facade where existing air conditioning units are located.

B. New exterior security grilles or permanently affixed security bars, or roll-down grilles that conceal storefront windows shall be prohibited.

C. Chain link, barbed wire and razor wire shall not be used on any fences or walls.

4. Parking

D. The ground floor of parking structures fronting North Broadway, Daly Street, or Pasadena Avenue shall be comprised of storefronts. The storefront or commercial use shall face the street and consist of a display window(s) and an entrance(s), with architectural detailing to maintain visual interest and continue the street wall. Automobiles on those parking levels above the ground floor shall be screened from public view. A parking structure adjacent or across the street or alley from a residential zone or use shall install 5-foot high solid decorative walls along the sides of the structure adjoining the residential areas to block light and noise; shall have exhaust vents venting to public streets and away from residential uses; solid spandrel panels a minimum of 3½ feet in height at the ramps of the structures so as to minimize headlight glare; and shall have textured surfaces on the garage floors and ramps to minimize tire squeal.

5. Signage

A. Pole, monument, and illuminated architectural canopy signs as defined in Section 91.6202 of the Building and Safety Code shall be prohibited.

B. Box/Cabinet/Can/Cannister shall be prohibited.

C. Signs shall be prohibited on freestanding walls and fences.

D. Blinking and flashing signs, moving signs, and/or signs with any rotation or movement parts which give the appearance or impression of movement shall be prohibited.

B. In addition to those [Q] Conditions listed under Section 2 the [Q] Conditions shall be retained as follows:

Ordinance Number	Subareas Number
172,915	7300, 7347, 7350, 7357, 7360, 7357, 7370 7540B
172,916	7420, 7430, 7440, 7490, 7500, 7510, 7530, 7535, 7550, 7555, 7590, 7595
172,917	7540A, 7553A, 7559A
173,012	7380, 7450, 7525, 7559B, 7580, 7585, 7630
173,070	4980 and 7520A
174,171	7310

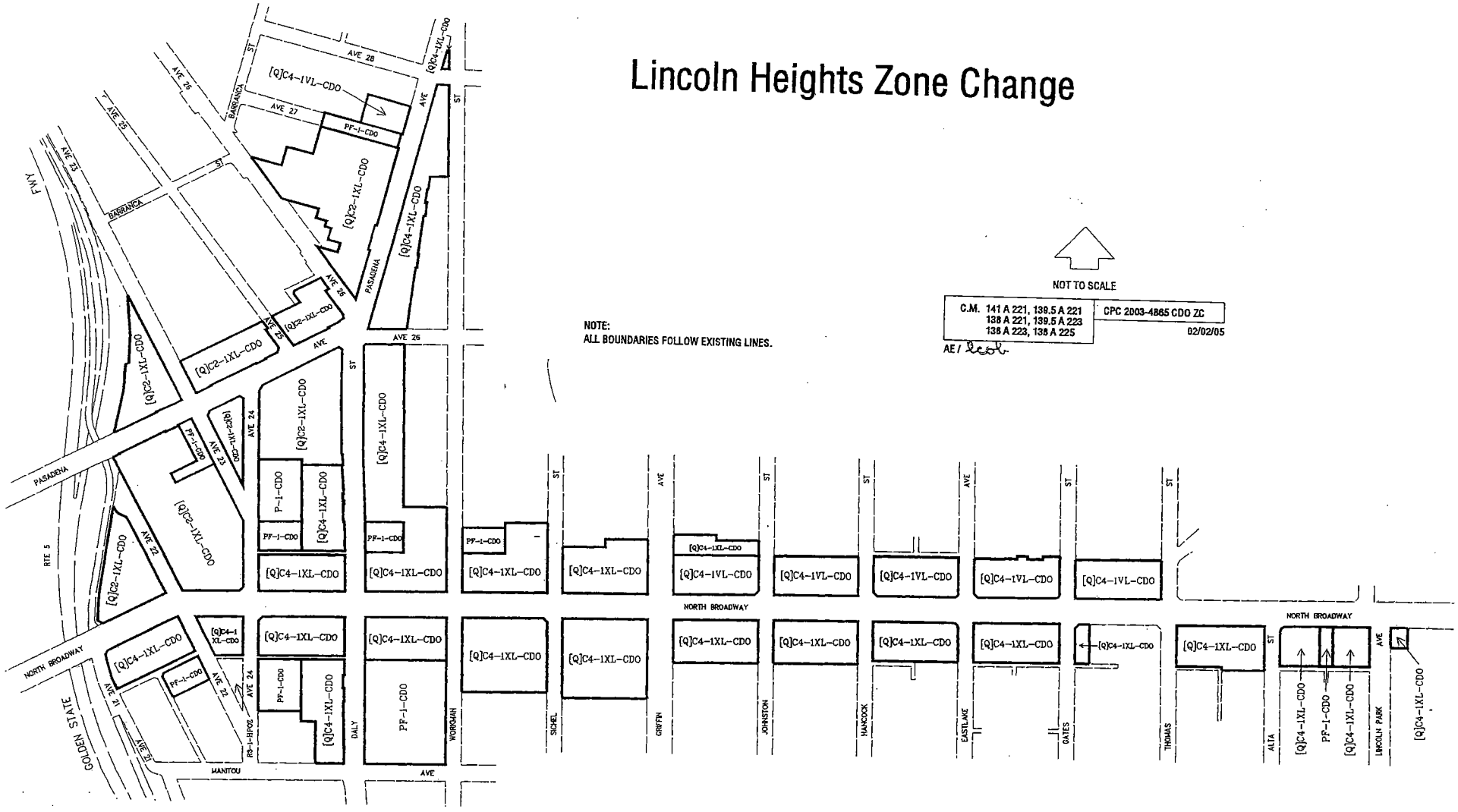
The [Q] Condition for the above states, "One hundred percent (100%) residential development prohibited. Residential density limited to the RD1.5 zone* is incorporated herein by this reference.

*Projects qualify under this provision if they meet the definition of Mixed Use Project set forth in LAMC Section 13.09, except that:

1. Commercial Uses may include the following Community Residential Facilities as first permitted by the R5 Zone and designed to serve the community-at-large: boarding home for the aged, with special care; home for the aged, with special care; nursing home; orphanage; convalescent rest home; special care facility; sanitarium; retirement hotel.

2. Commercial Uses shall not include Automotive Uses as defined in Section 13.09-B.3 and open storage, including incidental open storage.

Lincoln Heights Zone Change



SECTION 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of MAY 04 2005.

FRANK T. MARTINEZ, City Clerk

By: _____
Deputy

Approved MAY 13 2005

By: _____
Mayor

Approved as to Form and Legality

_____
Rockard J. Delgadillo, City Attorney

By: _____
Deputy

Pursuant to Charter Section 559, **I approve** this ordinance and recommend Its adoption on behalf of the City Planning Commission... 2/17/05
See attached report.

_____
CON HOWE
Director of Planning

C.F. 05-0320

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. **176659** - **Zone changes - CPC 2003-4865 CDO ZC** - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **May 4, 2005**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **May 18, 2005**, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) One copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; 2) one copy on the bulletin board at the ground level Los Angeles Street entrance to the Los Angeles Police Department; and 3) one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on **May 18, 2005** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **18th** day of **May 2005** at Los Angeles, California.

Maria C. Rico

Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: **June 27, 2005** Council File No. **05-0320**

(Rev. 3/21/03)