

ORDINANCE NO. _____

A proposed ordinance amending Sections 12.03, 12.04, 12.04.10, 17.02, 17.05 of the Los Angeles Municipal Code to add the "MPD" Master Planned Development Zone (MPD) to enable innovative, master planned developments.

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

Section 1. The following terms in Section 12.03 of the Los Angeles Municipal Code are amended or added to read, alphabetically:

LOT. A parcel of land occupied or to be occupied by a use, building, or unit group of buildings and accessory buildings and uses, together with the yards, open spaces, lot width and lot area as are required by this Chapter and fronting for a distance of at least 20 feet upon a street as defined here, or upon a private street as defined in Article 8 of this Chapter. The width of an access-strip portion of a lot shall not be less than 20 feet at any point. In an approved residential planned development, master planned development, or small lot subdivision a lot need have only the street frontage or access as is provided on the recorded subdivision tract or parcel map for the development.

MASTER PLANNED DEVELOPMENT. Three or more buildings and appurtenant structures located and arranged in accordance with a Development Plan and Standards adopted pursuant to Section 12.04.10 of the Los Angeles Municipal Code, the "MPD" Master Planned Development Zone.

Sec. 2. Subsection A of Section 12.04 of the Los Angeles Municipal Code is amended to read:

A. In order to regulate the use of property, as provided for in this article, the City is divided into the following Zones:

1. OS Open Space Zone;
2. A1 Agricultural Zone;
3. A2 Agricultural Zone;
4. RA Suburban Zone;
5. RE Residential Zone;
6. RS Suburban Zone;
7. R1 One-Family Zone;
8. RU Residential Urban Zone;
9. RZ Residential Zero Side Yard Zone;

10. RW1 One-Family Residential Waterways Zone;
11. R2 Two-Family Zone;
12. RD Restricted Density Multiple Dwelling Zone;
13. RMP Mobile Home Park Zone;
14. RW2 Two-Family Residential Waterways Zone;
15. R3 Multiple Dwelling Zone;
16. RAS3 Residential/Accessory Services Zone;
17. R4 Multiple Dwelling Zone;
18. RAS4 Residential/Accessory Services Zone;
19. R5 Multiple Dwelling Zone;
20. P Automobile Parking Zone;
21. PB Parking Building Zone;
22. CR Limited Commercial Zone;
23. C1 Limited Commercial Zone;
24. C1.5 Limited Commercial Zone;
25. C2 Commercial Zone;
26. C4 Commercial Zone;
27. C5 Commercial Zone;
28. CM Commercial Manufacturing Zone;
29. MR1 Restricted Industrial Zone;
30. M1 Limited Industrial Zone;
31. MR2 Restricted Light Industrial Zone;
32. M2 Light Industrial Zone;
33. M3 Heavy Industrial Zone;
34. PF Public Facilities Zone; and
35. SL Ocean-Submerged Land Zone.

The order of restrictiveness of these zones, the first being the most restrictive and last being the least restrictive, is as follows:

OS, A1, A2, RA, RE, RS, R1, RU, RZ, RW1, R2, RD, RMP, RW2, R3, RAS3, R4, RAS4, R5, CR, C1, C1.5, C4, C2, C5, CM, MR1, M1, MR2, M2, M3 and PF.

There shall be the following Specific Plan Zones:

1. CCS Century City South Studio Zone;
2. CM (GM) Commercial Manufacturing (Glencoe/Maxella) Zone;
3. CW Central City West Specific Plan Zone;
4. WC Warner Center Specific Plan Zone;
5. ADP Alameda District Specific Plan Zone;
6. LASED Los Angeles Sports and Entertainment District Specific Plan Zone;
7. LAX Los Angeles International Airport Specific Plan Zone;
8. USC-1A University of Southern California University Park Campus Specific Plan Subarea 1A Zone;

9. USC-1B University of Southern California University Park Campus Specific Plan Subarea 1B Zone;
10. USC-2 University of Southern California University Park Campus Specific Plan Subarea 2 Zone; and
11. USC-3 University of Southern California University Park Campus Specific Plan Subarea 3 Zone.

In addition, there shall be the MPD Master Planned Development Zones.

B. The Zone symbols and the boundaries of these Zones are shown on the "**Zoning Map**" made up of separate map sheets and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code. The "**Zoning Map**" and all of the notations, references, and other information, shown on the map are as much a part of this article as if fully set forth here. The Zone symbols for lots within the Master Planned Development Zone shall be "MPD" followed by the numerical order in which each MPD Zone is enacted. Thus, the first MPD Zone shall be referred to as MPD1; the second MPD Zone shall be referred to as MPD2; the third MPD Zone shall be referred to as MPD3; and so on.

C. In order to regulate more adequately and restrict the height and floor area of buildings and structures, each lot shall include a height district designation, except for lots in the MPD Master Planned Development Zone, where the height and floor area of buildings and structures shall be regulated by the approved Development Plan and Standards established pursuant to Section 12.04.10 of this Code. Height district designations shall be numbered from 1 to 4, CRA 1 to 4, EZ 1 to 4, and CSA 1 to 4 and shall regulate the height or floor area of buildings and structures as provided in Sections 12.21.1, 12.21.2, 12.21.3, 12.21.4 and 12.21.5. The height districts and their boundaries are shown on the Zoning Map by a combination of zone symbols and height district number markings, e.g., R2-1, C2-2, M1-3, C1-CRA1, MS-EZ2, C2-CSA3, etc. Where a lot is located in more than one height district, the applicable zone symbol designations shall be separated by a slash mark, e.g., R2-CRA/CSA, C2-EZI/CRA2, etc. The symbol "HD" preceding height district number markings, when shown on the Zoning Map or used in a zoning ordinance, is an abbreviation for the words "height district" and refers to height districts. The height districts for the "CW" Zone are the height districts shown in Section 6 of the Central City West Specific Plan. The height districts for the "ADP" Zone are the height districts shown in Section 7 of the Alameda District Specific Plan. The height districts for the "WC" Zone are the height districts shown in Section 7 of the Warner Center Specific Plan. The height districts for the "LASED" Zone are the height districts shown in Section 10 of the Los Angeles Sports and Entertainment District Specific Plan. The height districts for the "USC-1A", "USC-1B", "USC-2" and "USC-3" Zones are the height districts shown in Section 7 of the University of Southern California University Park Campus Specific Plan.

Sec 3. A new Section 12.04.10 shall be added to the Los Angeles Municipal Code to read as follows:

SEC. 12.04.10 "MPD" MASTER PLANNED DEVELOPMENT ZONE

A. Purpose. The MPD Zone is intended to enhance the City's ability to better implement its General Plan through innovative, master planned developments that exhibit a higher level of quality and design than is possible through application of conventional zoning. The MPD Zone is intended to accommodate campus-like or otherwise unified and integrated developments. It may include any combination of residential, commercial, retail, industrial, recreational and institutional uses or open spaces that may be built in successive phases over a period of time.

B. Submittal Requirements. Prior to submittal, applicants must participate in a pre-application meeting to review the project with applicable City offices, such as, but not limited to, Bureau of Engineering, Department of Building and Safety, Department of Recreation and Parks, Department of Housing and Community Investment, and Department of City Planning. Applicants must file for a vesting change of zone to the MPD Zone in accordance with Section 12.32 of this Code. At the time an application is submitted and until the ordinance enacting the MPD Zone takes effect the entire proposed development site must be owned by a single owner or be under the control of a single entity. After this date individual parcels may be sold or transferred. A proposed Development Agreement may be submitted along with the application. All applications must comply with the following:

1. Eligible Zones and Areas. The existing zone or zones must be A, R, C, M, PF, P or PB not located within the Coastal Zone or a Hillside Area. In addition, regardless of underlying zoning or location, any property owned or under the control of the Port of Los Angeles or Los Angeles World Airports is eligible.

2. Project Criteria. Each proposed MPD Zone shall contain at least five acres of lot area before dedications. The total acreage shall include contiguous parcels of land which may only be separated by public streets, ways or alleys, or other physical features, or as set forth in the rules approved by the Director of Planning. Precise boundaries are required at the time of application. In addition, each proposed MPD Zone must include:

(a) 500,000 square feet or more of non-residential floor area; or

(b) Any combination of dwelling units and guest rooms that equals 500 or more; or

(c) 250,000 square feet or more of non-residential floor area and any combination of dwelling units and guest rooms that equals at least 250; or

(d) 20 acres or more of park or recreational facility open to the public.

3. Development Plan and Standards and Phasing. Each application must include a proposed Development Plan and Standards as set forth in Subsection C below. Developments that will be built in phases must include a proposed Phasing Plan as set forth in Subsection D below.

4. Baseline Analysis. Each application must include the following:

- a) **Comparison Chart.** A chart that compares existing regulations applicable to the proposed development site and how they will be modified through the Development Plan and Standards. A narrative that explains the applicant's reasons for requesting these modifications must accompany the comparison chart.
- b) **Setting Description.** A description of the setting on and surrounding the subject site, including existing land uses, massing, and streets.
- c) **Related Projects.** A list and description of projects in the vicinity that are entitled but not yet built.

5. Economic Study. The City shall require an economic study if the proposed project entails:

- a) The conversion of property zoned MR1, M1, MR2, M2, or M3 to a project containing a residential use; or
- b) A density bonus greater than 35 percent; or
- c) A nonresidential floor area bonus; or
- d) A Development Agreement.

The economic study shall contain information based on guidelines set by the City Planning Commission, to be prepared for the City by a consultant retained by the applicant and selected from a list of consultants approved by the Department of City Planning. The preparation and public review of the economic study shall follow the same review process and timing as the environmental review documents for the project.

C. Development Plan and Standards. An ordinance creating an MPD Zone shall include a Development Plan and Standards that includes the following, as applicable:

1. Land Uses.

- a) Proposed permitted land uses. These may include the following uses that would otherwise be subject to Section 12.24 of this Code: airports or heliports in connection with an airport, auditoriums, stadiums, and arenas; childcare

facilities; educational institutions, including schools; golf course facilities; hospitals; hotels; houses of worship; joint public and private development uses in the PF Zone; motion picture and television studios; and research and development centers. All other uses or activities listed under Section 12.24 of this Code may be approved pursuant to a separate conditional use permit or similar quasi-judicial process pursuant to the procedures provided under Section 12.24.

- a) The number of dwelling units, joint living and work quarters and guest rooms, if any. Notwithstanding Section 12.05-A, 16 of this Code, up to five employees may work in joint living and work quarters.

2. Height and Floor Area. The maximum floor area for the development and the height and massing of each proposed building and structure, including existing buildings and structures.

3. Circulation Plan. A comprehensive circulation plan including transportation demand management, mobility enhancement and trip reduction measures; the location, dimensions, and number of vehicular and bicycle parking spaces; loading areas; internal circulation ways; and driveways and access.

4. Landscape Plan. A comprehensive landscape plan that shows all open space areas, paved and landscaped areas, passageways, trees and tree canopies, fences, walls, and lighting.

5. Urban Design Plan. A comprehensive urban design plan. At a minimum the development must comply with the City Planning Commission's policy concerning its most recently updated Citywide Design Guidelines, adopted July 11, 2013, and any subsequent amendments thereto. Development in the Downtown Design Guide Project Area, as defined in Section 12.03 of this Code, must comply with the Downtown Design Guide.

6. Sustainability Plan. A comprehensive sustainability plan for reducing the development's energy and water usage and otherwise minimizing its impacts on the natural environment.

7. Site Plan. A detailed site plan with elevations drawn to scale and renderings that graphically and visually depicts the proposed development. The site plan must show the location of all streets, blocks and passageways; the location of proposed land uses; and the location of all lots, including their width and area.

D. Phasing Plan. Developments may be built in successive phases, so long as Council adopts by ordinance a Phasing Plan. Each phase in a phased development must include its pro rata share of public and private improvements, such as any restricted affordable units, required parking facilities, publicly or privately accessible open space or other design features that may be required as part of the adopted

Development Plan and Standards or Development Agreement. The approved Phasing Plan must describe the projects to be built in each phase and identify the order in which all phases will be developed.

E. Residential Uses and Density Bonus . Except for developments on property zoned R4, RAS4, R5, CR, C2, C4, and C5 that may be regulated by Section 12.22-A, 29 of this Code concerning a floor area bonus for the Greater Downtown Housing Incentive Area, residential uses shall be regulated through a minimum lot area per dwelling unit standard and the following provisions:

1. A, R and C Zones

The residential density in the MPD Zone is limited to the density permitted by the prior A, R, or C zoning, inclusive of any "Q" Qualified Classification or other regulations establishing allowable density, unless the applicant also requests a density bonus as permitted by state law and further regulated by Section 12.22-A, 25 of this Code. A density bonus may be approved as part of the Development Plan and Standards. The Code deviations contained within the MPD Zone shall constitute the incentives and modifications that are awarded as part of a density bonus. Thus, after an MPD Zone is approved, the property is no longer eligible for any additional density bonuses, incentives, or development standard waivers. The percentage of restricted affordable units shall be consistent with the requirements set forth in Section 12.22 A, 25 (c) of this Code. For applications requesting a greater than 35 percent density bonus the percentage of restricted affordable units per percentage density bonus shall be calculated to match or exceed the increment patterns contained in Section 12.22 A, 25(c): a density increase of 1.5 percent, 2.5 percent, or one percent for every one percent increase in Low Income, Very Low Income, or Moderate Income units, respectively. For example, a project providing at least 21 percent Low Income units would be entitled to a density bonus of 36.5 percent; a project providing at least 12 percent Very Low Income units would be entitled to a density bonus of 37.5 percent; and a project providing at least 41 percent Moderate Income units would be entitled to a density bonus of 36 percent. The decision maker shall determine whether the density bonus increment shall match or exceed these patterns.

2. M, PF, P and PB Zones

Dwelling units may be approved for those portions of the development site zoned M, PF, P or PB at the time of application, subject to the RD, R3, or R4 Zone minimum lot area per dwelling unit standard set forth in Sections 12.09.1, 12.10, and 12.11 of this Code, respectively. It is the City's policy to retain industrial land for job producing uses, wherever viable or appropriate. Use of industrial land for uses that are not job producing may be approved only if there is no net loss of existing nonresidential floor area on the site. The floor area of nonresidential uses shall be considered existing if it was present on the site as of January 8,

2015. The decision-maker shall set the base density corresponding to the RD, R3, or R4 Zones based on the General Plan's vision for the site and its vicinity, expected environmental impacts, existing neighborhood land use patterns, adjoining uses, and the density of any proximal residential uses. Any increase in residential density greater than that permitted by the RD, R3, or R4 Zones, respectively, may only be approved if the applicant requests a density bonus, as set forth in Subdivision 1 above of this Subsection.

3. Location of Dwelling Units

Permitted dwelling units may be located on any portion of the MPD Zone, as set forth in the Development Plan and Standards.

F. Non-Residential Floor Area Bonus.

1. The maximum allowable non-residential floor area in the MPD Zone is limited to the floor area permitted by the prior zoning, inclusive of any "D" Development Limitation or other regulation establishing maximum allowable floor area, unless the applicant requests a non-residential floor area bonus, pursuant to this Subsection. Non-residential floor area shall mean any floor area that does not include dwelling units. The decision-maker's approval of a non-residential floor area bonus shall include a requirement that the applicant provide community benefits such as mobility or traffic safety enhancements, streetscape and lighting improvements, sidewalk widening and landscaping, undergrounding of utilities, original art murals and public art installations, public parking structures, publicly accessible electric vehicle charging facilities, automobile or bicycle sharing systems, façade improvements, publicly accessible open space, parks and recreational facilities, or other community benefits of a permanent nature that directly improve aesthetics or eliminate blight in the surrounding neighborhood and community.
2. No credit for community benefits shall be granted for measures otherwise required by other provisions of this Code or other land use regulations governing development of the proposed site.
3. No credit for community benefits shall be granted for required environmental mitigation measures.
4. The Development Plan and Standards shall define the boundaries of the area where community benefits must be provided. The MPD Zone must be located in this defined area.
5. The ordinance establishing the MPD Zone shall designate the City department that will oversee and administer the community benefits and set forth administrative procedures and fees.

G. Findings. In order to approve an MPD Zone the Council must make the findings for proposed land use ordinances set forth in Section 12.32 of this Code and the site plan review findings set forth in Section 16.05 F of this Code.

H. General Plan Consistency. An MPD Zone shall be consistent with the General Plan. If an MPD Zone includes land uses that are not consistent with the General Plan, then an amendment to the General Plan must be processed and approved pursuant to Section 11.5.6 of this Code in order for the City Council to approve the MPD Zone.

I. Implementation Procedures. The following procedures shall apply in order for building permits to be issued within an MPD Zone:

1. Administrative Clearance. The Director may grant an administrative clearance if a proposed single-phased project substantially complies with the Development Plan and Standards. An administrative clearance is a ministerial approval that only requires the Director's sign-off.

2. Phased Developments. The Director may grant a Project Permit Compliance pursuant to Section 11.5.7-C of this Code if a proposed phase substantially complies with the Development Plan and Standards and Phasing Plan. The Project Permit Compliance may be modified pursuant to Section 11.5.7-D of this Code.

If the Director determines that a proposed project or phase does not substantially comply with the Development Plan and Standards or, if applicable, the Phasing Plan, then the development shall not be approved unless the Council first amends by ordinance the Development Plan and Standards or, if applicable, the Phasing Plan.

J. Covenant. Prior to the issuance of the Director's sign-off or a Project Permit Compliance, as set forth in Subsection G above, a covenant shall be recorded in the County Recorder's Office to run with the land and be binding on any subsequent owners, heirs or assignees acknowledging and agreeing to comply with the approved Development Plan and Standards and the provision of the pro rata share of public and private improvements (including parking facilities, restricted affordable housing, and community benefits) corresponding to the approved Phasing Plan. The agreement, with the plans and standards attached, shall be submitted to the Planning Department for approval prior to being recorded. After recordation, a certified copy bearing the County Recorder's number and date shall be provided to the Planning Department for attachment to the subject case file.

K. Relationship to Other Zoning Regulations. An MPD Zone may differ from all zoning regulations, except as set forth below:

1. Specific Plans. If a proposed MPD Zone does not conform to an adopted specific plan, then it may not be approved unless the specific plan is

amended to ensure that the MPD Zone and the specific plan are consistent. Otherwise, all provisions in the Specific Plan including Design Review Boards shall govern.

2. **Historic Preservation.** The regulations included in this Code concerning historic preservation overlay zones and historic-cultural monuments shall govern and may not be amended through the MPD Zone.
3. **Signage.** The sign regulations included in this Code shall govern and may not be amended through the MPD Zone. Exceptions from the Code's sign regulations may be granted following the Code's procedures governing signs.
4. **Subdivisions.** The development site may be further subdivided pursuant to the Code's tract and parcel map regulations.
5. **Adult Entertainment.** The adult entertainment regulations set forth in Section 12.70 of this Code shall govern and be enforced based on the zoning in effect prior to the zone change to the MPD Zone.
6. **Community Benefit Incentives.** If an MPD Zone is proposed for a site subject to a community benefit incentive program, including affordable housing, contained in a specific plan, community plan, community plan implementation overlay (CPIO), transit neighborhood plan, transit-oriented district (TOD) or any other land use tool, the provisions resulting in the greatest community benefits shall prevail.

Where the above regulations are silent, an MPD Zone governs.

L. Exempt Procedures. MPD Zones are exempt from the following procedures:

1. **Site Plan Review.** Approvals pursuant to Section 16.05.
2. **Mini-Shopping Centers and Commercial Corner Development.** Approvals pursuant to Sections 12.22 A 23 and 12.24 W 27.
3. **"Major" Development Projects.** Approvals pursuant to Section 12.24 U 14.
4. **Density Bonus for a Housing Development Project in which the density increase is greater than the maximum permitted in Section 12.22-A, 25.** Approvals pursuant to Section 12.24-U, 26.
5. **Other procedures as set forth in the approved Development Plan and Standards.**

M. Relief. Notwithstanding the provisions of Sections 12.24, 12.27, 12.28 or any other section of this Code, no relief shall be granted from the development plan and

Section ____.

The City Clerk shall certify to the passage of this ordinance and have it published by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to City Hall; one copy on the bulletin board located at the ground level at the First Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple 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 _____.

Holly L. Wolcott, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

MIKE FEUER, City Attorney

By _____
TERRY KAUFMANN MACIAS
Deputy City Attorney

Date: _____

File No(s). _____

standards of an adopted MPD Zone, except that modifications to an adopted MPD Zone may be granted pursuant to the same procedures required to establish a new MPD Zone.

Sec. 4. The following terms in Section 17.02 of the Los Angeles Municipal Code are amended or added to read, alphabetically:

MASTER PLANNED DEVELOPMENT. Three or more buildings and appurtenant structures located and arranged in accordance with a Development Plan and Standards adopted pursuant to Section 12.04.10 of the Los Angeles Municipal Code, the “MPD” Master Planned Development Zone.

Sec. 5. Subsection H of Section 17.05 of the Los Angeles Municipal Code is amended to read:

H. Lot Size. Every lot shall have a minimum width and area to comply with the requirements as specified in Article 2 of this chapter for the zone in which the lot is located, provided, however, that every lot located in a “C” Commercial Zone and for which no minimum width is specified in said article shall have a minimum width of 40 feet. All lots in a residential planned development shall comply with the standard residential conditions of Sec. 13.04 of this Code, and the conditions of approval of the development provisions established by ordinance per Section 13.04 of this Code. All lots zoned MPD Master Planned Development Zone shall comply with the provisions set forth in Section 12.04.10 of this Code and the adopted Development Plan and Standards and adopted Phasing Plan, if applicable.