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OTTAVIA SMITH
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State of California)
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Notice Type: ORD - ORDINANCE

Ad Description:
188478

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the LOS ANGELES DAILY JOURNAL, a newspaper published in the English language in the city of LOS ANGELES, county of LOS ANGELES, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of LOS ANGELES, State of California, under date 04/26/1954, Case No. 599,382. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

02/11/2025

Executed on: 02/11/2025
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature

Email *A0000070232 53*

ORDINANCE NO. 18 8 4 7 8

An ordinance amending Articles 1, 2, 4, 7, 9, 13, 14, and 15 of Chapter 1A of the Los Angeles Municipal Code to implement the Citywide Housing Incentive Program.

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

Section 1. A new Subsection C. is added to Section 1.4.5. of Division 1.4. of Article 1, of Chapter 1A of the Los Angeles Municipal Code to read as follows:

C. An entitlement for a project utilizing Sec. 9.2.1. (State Density Bonus Program) or Sec. 9.2.2. (Affordable Housing Incentive Program) that was filed and fees paid prior to the effective date of the Citywide Housing Incentive Program Ordinance, Ordinance No. _____, may utilize the special vesting rights in Subsection D. (Administration) of Sec. 9.2.1. (State Density Bonus Program) or Subsection D. (Administration) of Sec. 9.2.2. (Affordable Housing Incentive Program), respectively.

Sec. 2. A new Section 1.5.12. is added to Division 1.5. of Article 1. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 1.5.12. PUBLIC BENEFITS INCENTIVE MAP

A. Applicability

The Public Benefits Incentive Map identifies lots that are eligible to utilize the Public Benefits Menu established in Sec. 9.3.4. (Public Benefits Menu), as well as which Public Benefits Incentive Set the individual lots are eligible to utilize.

B. Boundaries

1. The Public Benefits Incentive Map identifies lots designated, using the Department of Public Works, Bureau of Engineering land base dataset, as eligible for the Public Benefits Menu in Sec. 9.3.4. (Public Benefits Menu) if a project on an eligible lot utilizes an applicable incentive program in Article 9. (Public Benefit Systems) and meets all requirements of the incentive program and Sec. 9.3.4. (Public Benefits Incentive Menu). An eligible lot shall be designated with one of the Public Benefits Incentive Sets established in Sec. 9.3.4.C.3. (Public Benefits Incentive Sets).

2. Where the Public Benefits Incentive Map shows "CPIO" or "SP" on a lot, the applicable Public Benefits Incentive Set for that lot shall be established by or otherwise modified or replaced by the applicable CPIO or Specific Plan.

3. A lot shall be eligible for any additional Public Benefits Incentive Sets other than the incentive set designated on the Public Benefits Incentive Map if specified in an incentive program in Div. 9.2. (Citywide Housing Incentive Programs).

C. Amendments

The Public Benefits Incentive Map shall only be revised pursuant to Sec. 13B.1.3. (Zoning Code Amendment).

Sec. 3. A new Section 1.5.16. is added to Division 1.5. of Article 1. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 1.5.16. TRANSIT ORIENTED INCENTIVE MAP

A. Purpose

The Transit Oriented Incentive Map identifies lots that are eligible to participate in the Transit Oriented Incentive Program established in Sec. 9.2.5. (Transit Oriented Incentive Program).

B. Boundaries

1. General

The Transit Oriented Incentive Map identifies lots designated, using the Department of Public Works, Bureau of Engineering land base dataset, as eligible for the Transit Oriented Incentive Program (Sec. 9.2.5.), if the project on the lot using the program provides the number of restricted affordable units required by the applicable incentive set and meets all other requirements of the incentive program. An eligible lot shall be designated with one of the Transit Oriented Incentive Sets established in Paragraph 3. (Transit Oriented Incentive Sets).

2. Exclusions

a. Transit Oriented Incentive Sets shall not be mapped on lots in the boundary of the Downtown Community Plan, the Boyle Heights Community Plan, the Harbor Gateway Community Plan, the Wilmington-Harbor City Community Plan, or the Cornfield Arroyo Seco Specific Plan.

b. Transit Oriented Incentive Sets shall not be mapped on lots located within a Very High Fire Hazard Severity Zone, the Coastal Zone, or a Sea Level Rise Area.

c. Transit Oriented Incentive Sets shall not be mapped for any lot with an applied Use District (Part 5B) listed in Div. 5B.7. (Industrial Use Districts), or, an applied Density District (Part 6B) of N or 1L.

3. Transit Oriented Incentive Sets

a. T-1A

i. The T-1A Transit Oriented Incentive Sets shall be applied to all lots, that in whole or in part, meet the following criteria:

a) Are located in a higher opportunity area, and

b) Meet the distance to major transit stop criteria as provided in the table below:

Type of Major Transit Stop Description	Incentive Set Eligibility Based on Distance To Major Transit Stop
Two Regular Buses (intersection of two non-Rapid Bus Lines each with at least 20-minute average peak headways)	<2640 feet
Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)	750 - 2640 feet
Two Rapid Buses (intersection of two Rapid Bus lines)	1500 - 2640 feet
Metrolink Rail Station	750 - 2640 feet
Metro Rail Station or Bus Rapid Transit Station	-

b. T-1B

i. The T-1B Transit Oriented Incentive Sets shall be applied to all lots that, in whole or in part, meet the following criteria:

a) Are located in a moderate or lower opportunity area, and

b) Meet the distance to major transit stop criteria as provided in the table below:

Type of Major Transit Stop Description	Incentive Set Eligibility Based on Distance To Major Transit Stop
Two Regular Buses (intersection of two non-Rapid Bus Lines each with at least 20-minute average peak headways)	<2640 feet
Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)	750 - 2640 feet
Two Rapid Buses (intersection of two Rapid Bus lines)	1500 - 2640 feet
Metrolink Rail Station	750 - 2640 feet
Metro Rail Station or Bus Rapid Transit Station	-

c. T-2A

i. The T-2A Transit Oriented Incentive Sets shall be applied to all lots that, in whole or in part, meet the following criteria:

a) Are located in a higher opportunity area, and

b) Meet the distance to major transit stop criteria as provided in the table below:

Type of Major Transit Stop Description	Incentive Set Eligibility Based on Distance to Major Transit Stop
Two Regular Buses (intersection of two non-Rapid Bus Lines each with at least 20-minute average peak headways)	-
Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)	<750 feet
Two Rapid Buses (intersection of two Rapid Bus lines)	<1500 feet
Metrolink Rail Station	<750 feet
Metro Rail Station or Bus Rapid Transit Station	≤ 2640 feet

d. T-2B

i. The T-2B Transit Oriented Incentive Sets shall be applied to all lots that, in whole or in part, meet the following criteria:

a) Are located in a moderate and lower opportunity area, and

b) Meet the distance to major transit stop criteria as provided in the table below:

Type of Major Transit Stop Description	Incentive Set Eligibility Based on Distance to Major Transit Stop
Two Regular Buses (intersection of two non-Rapid Bus Lines each with at least 20-minute average peak headways)	-
Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)	<750 feet
Two Rapid Buses (intersection of two Rapid Bus lines)	<1500 feet
Metrolink Rail Station	<750 feet
Metro Rail Station or Bus Rapid Transit Station	≤ 2640 feet

e. T-3A

i. The T-3A Transit Oriented Incentive Sets shall be applied to all lots that, in whole or in part, meet the following criteria:

a) Are located in a higher opportunity area, and

b) Meet the distance to major transit stop criteria as provided in the table below:

Type of Major Transit Stop Description	Incentive Set Eligibility Based on Distance to Major Transit Stop
Two Regular Buses (intersection of two non-Rapid Bus Lines each with at least 20-minute average peak headways)	-
Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)	-
Two Rapid Buses (intersection of two Rapid Bus lines)	-
Metrolink Rail Station	-
Metro Rail Station or Bus Rapid Transit Station	<750 feet from intersection with another rail line or a Rapid Bus

f. T-3B

i. The T-3B Transit Oriented Incentive Sets shall be applied to all lots that, in whole or in part, meet the following criteria:

a) Are located in a moderate and lower opportunity area, and

b) Meet the distance to major transit stop criteria as provided in the table below:

Type of Major Transit Stop Description	Incentive Set Eligibility Based on Distance to Major Transit Stop
Two Regular Buses (intersection of two non-Rapid Bus Lines each with at least 20-minute average peak headways)	-
Regular plus Rapid Bus (intersection of a regular bus and a Rapid Bus line)	-
Two Rapid Buses (intersection of two Rapid Bus lines)	-
Metrolink Rail Station	-
Metro Rail Station or Bus Rapid Transit Stations	<750 feet from intersection with another rail line or a Rapid Bus

g. Major transit stop, major transit stop type, and applicable incentive set based on distance, are verified and analyzed separately. Major transit stop types and incentive sets reliant on the presence of a Rapid Bus do not need to use the Rapid Bus as the basis for first identifying the major transit stop. For example, the Regular Plus Rapid Bus major transit stop type could be based on two regular buses that constitute the major transit stop, plus a Rapid Bus that stops at the major transit stop.

C. Amendments

1. The Director shall prepare and publish the Transit Oriented Incentive Map upon the adoption of this Section pursuant to the terms of this Section. Thereafter, the Director shall be authorized to amend the designations of the Transit Oriented Incentive Sets on the Transit Oriented Incentive Map on an annual basis in order to align with updated zoning and geographic data, including updates to higher opportunity areas, moderate opportunity areas, and lower opportunity areas; updates to transit service and planned transit lines and headways, or updates to the Very High Fire Hazard Severity Zone, Sea Level Rise Area, or the Coastal Zone, provided that any amendments comply with the criteria established in Subsection B. (Boundaries), above. The Director shall have authority at any time to amend the Transit Oriented Incentive Map to correct errors provided all other requirements of this Section are met. Any other amendments to the Transit Oriented Incentive Map shall be pursuant to Sec. 13B.1.1 (Zoning Code Amendment).

2. The Transit Oriented Incentive Program may be superseded by a Specific Plan, a Supplemental District, or a Special Zone, or a zone change ordinance, including as part of a Community Plan Update or Transit Neighborhood Plan, if the Specific Plan, the Supplemental District, or the Special Zone, or zone change ordinance, exceeds the development incentives or set-aside percentages set forth in the Transit Oriented Incentive Program. In such a case, the area covered by the superseding Specific Plan, Supplemental District, Special Zone, or other zoning ordinance shall not be subject to the update frequency provisions of Sec. 1.5.16. C.1 (Transit Oriented Incentive Map), above.

Sec. 4. A new Section 1.5.17. is added to Division 1.5. of Article 1. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 1.5.17. MIXED INCOME HOUSING INCENTIVE MAP

A. Purpose

The Mixed Income Housing Incentive Map identifies lots that are eligible to participate in various mixed-income housing incentive programs, including the Opportunity Corridors Housing Incentive Program established in Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program) and the Corridor Transitions Incentive Program established in Sec. 9.2.4. (Corridor Transitions Incentive Program), and identifies the highest housing incentive set in any applicable housing incentive program that the individual lots are eligible to utilize.

B. Boundaries

1. General

The Mixed Income Housing Incentive Map identifies lots designated, using the Department of Public Works, Bureau of Engineering land base dataset, as eligible for the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.) or the Corridor Transitions Incentive Program (Sec. 9.2.4.), if the project on the lot using the program provides the number of restricted affordable units required by the applicable incentive set and meets all other requirements of the incentive program. An eligible lot shall be designated with one of the incentive sets as provided in Paragraph 2. or 3., below.

2. Opportunity Corridors Incentive Sets

A lot eligible for participation in the Opportunity Corridors Housing Incentive Program, pursuant to Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program), shall be designated with one of the Opportunity Corridors Incentive Sets in Subparagraphs b., c., or d., below.

a. Exclusions

i. Opportunity Corridors Incentive Sets shall not be mapped on lots in the boundaries of the Downtown Community Plan, the Boyle Heights Community Plan, the Harbor Gateway Community Plan, the Wilmington-Harbor City Community Plan, or the Cornfield Arroyo Seco Specific Plan.

ii. Opportunity Corridors Incentive Sets shall not be mapped on lots located within a Very High Fire Hazard Severity Zone, the Coastal Zone, or a Sea Level Rise Area. Except that lots that are in Very High Fire Hazard Severity Zones or the Coastal Zone that are abutting or adjoining a lot that otherwise meets the criteria for one of the Opportunity Corridors Incentive Sets, may be mapped with the same Opportunity Corridors Incentive Set as the applicable abutting or adjoining lot.

iii. Opportunity Corridors Incentive Sets shall not be mapped on a lot with an applied Use District (Part 5B) in Div. 5B.7. (Industrial Use Districts), or an applied Density District (Part 6B) of N or 1L.

b. OC-1

The OC-1 Opportunity Corridors Incentive Set shall be applied to any lot that meets all of the following criteria:

i. Is located, in whole or in part, on a corridor with a street designation of Local, Collector, Avenue I, Avenue II, Avenue III, Boulevard I, or Boulevard II with a service frequency of 30 minutes or less between 6:00 to 9:00 AM and 3:00 to 7:00 PM in at least one direction, and

ii. Is located in, in whole or in part, in a higher opportunity area.

c. OC-2

The OC-2 Opportunity Corridors Incentive Set shall be applied to any lot that meets all of the following criteria:

i. Is located, in whole or in part, on a corridor with a street designation of Local, Collector, Avenue I, Avenue II, Avenue III, Boulevard I, or Boulevard II that has high quality transit service, and

ii. Is located, in whole or in part, in a higher opportunity area.

d. OC-3

The OC-3 Opportunity Corridors Incentive Set shall be applied to any lot that meets all of the following criteria:

i. Is located, in whole or in part, on a corridor with a street designation of Avenue I, Avenue II, Avenue III, Boulevard I, or Boulevard II within one-half mile from a Metro Rail Station or Bus Rapid Transit Stop, and

ii. Is located, in whole or in part, in a higher opportunity area.

3. Corridor Transitions Incentive Sets

A lot eligible for participation in the Corridor Transitions Incentive Program, pursuant to Sec. 9.2.4. (Corridor Transitions Incentive Program), shall be designated with one of the Corridor Transitions Incentive Sets in Subparagraphs b., c., or d., below.

a. Exclusions

i. Corridor Transitions Incentive Sets shall not be mapped on a lot in the boundary of the Downtown Community Plan (previously Central City North and Central City Community Plan), the Boyle Heights Community Plan, the Harbor Gateway Community Plan, the Wilmington-Harbor City Community Plan, or the Cornfield Arroyo Seco Specific Plan.

ii. Corridor Transitions Incentive Sets shall not be mapped on lots located within a Very High Fire Hazard Severity Zone, the Coastal Zone, or a Sea Level Rise Area.

iii. Corridor Transitions Incentive Sets shall not be mapped on a lot with an applied Density District (Part 6B) of N or 1L.

b. CT-1

The CT-1 Corridor Transitions Incentive Sets shall be applied to any lot that meets all of the following criteria:

i. Is located, in whole or in part, within 750 feet of a lot mapped with an Opportunity Corridors Incentive Set, measured from the lot line furthest from the corridor,

ii. Is located, in whole or in part, in a higher opportunity area, and

iii. Has an applied Use District (Part 5B) listed in Div. 5B.2. (Agricultural Use Districts), Div. 5B.3. (Residential Use Districts), Div. 5B.4. (Residential-Mixed Use Districts) or Div. 5B.8. (Public Use Districts), and does not have an applied Density District (Part 6B) of 2, 3, 4, 6, 8, or 10.

c. CT-2

The CT-2 Corridor Transitions Incentive Sets shall be applied to any lot that meets all of the following criteria:

i. Is located, in whole or in part, within 500 feet of a lot mapped with an Opportunity Corridors Incentive Set, measured from the lot line furthest from the from the corridor,

ii. Is located, in whole or in part, in a higher opportunity area, and

iii. Has an applied Use District (Part 5B) listed in Div. 5B.2. (Agricultural Use Districts), Div. 5B.3. (Residential Use Districts), Div. 5B.4. (Residential-Mixed Use Districts) or Div. 5B.8. (Public Use Districts), and does not have an applied Density District (Part 6B) of 2, 3, 4, 6, 8, or 10.

d. CT-3

The CT-3 Corridor Transitions Incentive Sets shall be applied to any lot that meets all of the following criteria:

i. Is located, in whole or in part, within 250 feet of a lot mapped with an Opportunity Corridors Incentive Set, measured from the lot line furthest from the from the corridor,

ii. Is located, in whole or in part, in a higher opportunity area,

iii. Has an applied Use District (Part 5B) listed in Div. 5B.2. (Agricultural Use Districts), Div. 5B.3. (Residential Use Districts), Div. 5B.4. (Residential-Mixed Use Districts) or Div. 5B.8. (Public Use Districts), and does not have an applied Density District (Part 6B) of 2, 3, 4, 6, 8, or 10.

iv. Does not contain Designated Historic Resources, or a Non-Contributor. A lot with a Designated Historic Resource or a Non-Contributor that meets all other criteria listed in Sub-subparagraphs i, ii., and iii., above, shall be mapped with the CT-2 Incentive Set.

C. Amendments

1. The Director shall prepare and publish the Mixed Income Incentive Map upon the adoption of this Section pursuant to the terms of this Section. Thereafter, the Director shall be authorized to amend the designations of the Opportunity Corridor Incentive Sets and the Corridor Transitions Incentive Sets on the Mixed Income Housing Incentive Map on an annual basis in order to align with updated zoning and geographic data, including updates to higher opportunity areas, moderate opportunity areas, and lower opportunity areas; updates to transit service and planned transit lines and headways, or updates to the Very High Fire Hazard Severity Zone, Sea Level Rise Area, or the Coastal Zone, provided that any amendments shall comply with the criteria established in Paragraph 2. (Opportunity Corridors Incentive Sets) and Paragraph 3. (Corridor Transitions Incentives Sets) of Subsection B. (Boundaries), above. The Director shall have authority at any time to amend the Mixed Income Housing Incentive Map to correct errors provided all other requirements of this Section are met. Any other amendments to the Mixed Income Housing Incentive Map shall be pursuant to Sec. 13B.1.1. (Zoning Code Amendment).

Sec. 5. A new Paragraph 3. is added to Subsection E. of Section 2C.3.1. of Division 2C.3. of Article 2. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

3. Where the applied Form District (Part 2B) identifies an eligible lot amenity alternative, in lieu of the otherwise required lot amenity space in this Section, a project may provide a lot amenity space meeting the requirements established for that listed lot amenity alternative type, as provided in Sec. 2C.3.5. (Lot Amenity Alternatives).

Sec. 6. A new Section 2C.3.5. is added to Division 2C.3. of Article 2 of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 2C.3.5. LOT AMENITY ALTERNATIVES

Lot amenity alternatives are defined as space types with a predetermined set of design standards that may be used as an allowable alternative to the standard lot amenity space requirements of a Form District.

A. Intent

The intent of the standards of this Section (Lot Amenity Alternatives) is to provide alternative options for the design of spaces for recreation and open space for the tenants of a project. Lot amenity space alternatives establish design criteria for common and desirable open space typologies that both incentivize certain kinds of open spaces and potentially improve the feasibility of achieving required lot amenity space on constrained lots, while maintaining high-quality and contextually appropriate design.

B. Applicability

1. Lot amenity alternatives apply to projects with a lot amenity space requirement, as established in Sec. 2C.3.1. (Lot Amenity Space) on a lot with an applied Form District (Part 2B) that lists one or more eligible lot amenity alternative types.

2. Lot amenity alternatives are optional to the lot amenity space requirements in Sec. 2C.3.1. (Lot Amenity Space), except projects utilizing the Corridor Transitions Incentive Program in Sec. 9.2.4. (Corridor Transitions Incentive Program) shall utilize a Lot Amenity Alternative Type.

C. Standards

1. General

a. Where the applied Form District (Part 2B) lists one or more lot amenity alternative types, a project may provide a lot amenity space that meets the standards established in Paragraph 2. (Lot Amenity Alternative Types), below for any one of the lot amenity alternative types listed in the Form District.

b. The provided lot amenity alternative shall be considered to meet the lot amenity space requirement for the lot, even if providing an eligible lot amenity alternative type results in providing less total lot amenity space on the lot than would otherwise be required pursuant to Sec. 2C.3.1. (Lot Amenity Space).

c. Projects providing a lot amenity alternative are still subject to any required Residential Amenity Space (Sec. 2C.3.2.).

2. Lot Amenity Alternative Types

a. Courtyard

i. Width

The width of the courtyard shall be a minimum of 30 percent of the lot width, or a minimum of 15 feet, whichever is greater, measured parallel to the applicable primary street lot line.

ii. Depth

The depth of the courtyard shall be a minimum of 40 percent of the lot depth, measured perpendicular to the applicable primary street lot line.

iii. Outdoor Space

The entirety of the courtyard space shall meet the requirements of Sec. 2C.3.4.C.1. (Outdoor Space).

iv. Location

The courtyard shall be placed in one of the following locations on the lot:

a) Abutting the front yard on a lot, so as to create a courtyard that extends backward into the lot starting from the front yard or a courtyard that connects the front yard to another outdoor space meeting the standards of Sec. 4C.3.4.C.1. (Outdoor Space) on the lot.

b) An internal courtyard, surrounded on all sides by buildings or structures and contained entirely within a single lot.

c) Abutting an at-grade lot amenity space on an abutting lot, so as to create the effect of one large open space across multiple lots.

b. Paseo

i. Width

The width of the paseo shall be a minimum of ten percent of the lot width, or a minimum of ten feet, whichever is greater, measured parallel to the applicable primary street lot line.

ii. Depth

The depth shall be a minimum of 60 percent of the lot depth, measured perpendicular to the applicable primary street lot line.

iii. Covered Area

The entirety of the paseo space shall meet the requirements of Sec. 2C.3.4.C.1. (Outdoor Space).

iv. Pedestrian Pathway

An unobstructed pathway with direct access to the primary street lot line shall be provided with a minimum width of four feet along the entire depth of the paseo space.

v. Location.

The paseo space shall be located between one or more buildings on the lot.

c. Rear Yard

i. Width

The width of the rear yard shall be a minimum of 50 percent of the lot width, measured parallel to the applicable primary street lot line.

ii. Depth

The depth shall be a minimum of ten percent of the lot depth, or a minimum of 15 feet, whichever is greater, measured perpendicular to the applicable primary street lot line.

iii. Covered Area

The entirety of the rear yard space shall meet the requirements of Sec. 2C.3.4.C.1. (Outdoor Space), with the exception of portions of the rear yard space located within the required rear setback, which shall be open to the sky except for the encroachments allowed pursuant to Subsection E. (Exceptions) of Sec. 2C.2.2. (Building Setbacks).

iv. Location

The rear yard shall be located abutting the rear lot line.

D. Measurement

1. General

A lot amenity alternative is measured as provided or not provided based on whether the design of a lot amenity space meets the standards of an eligible lot amenity alternative type specified by the applied Form District (Part 2B).

2. Width

The width of a lot amenity alternative type shall be measured parallel to the primary street lot line and the minimum width shall be maintained along the entire required depth of the space.

3. Depth

The depth of a lot amenity alternative type shall be measured perpendicular to the primary street lot line and the minimum depth shall be maintained along the entire required width of the space.

4. Covered Area

For the measurement of an uncovered space, see Sec. 14.2.2. Covered Area (%).

E. Relief

No relief from the design standards established in Paragraph 2. (Lot Amenity Alternative Types) of Subsection C. (Standards), above, shall be permitted. Projects may instead defer to the standard lot amenity space requirements, pursuant to Sec. 2C.3.1. (Lot Amenity Space), including any relief allowed pursuant to that Section.

Sec. 7. Subsection C. of Section 2C.4.1. of Division 2C.4. of Article 2. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

C. Standards

1. Base

A lot shall not exceed the maximum base floor area ratio without meeting the requirements of Article 9. (Public Benefit Systems), or an applicable Specific Plan, Supplemental District, or Special Zone.

2. Tier 1 Bonus

a. A lot may exceed the base floor area ratio up to the maximum tier 1 bonus floor area ratio of the applied Form District (Part 2B) as allowed in Div. 9.3. (Community Benefits Program) if the participating project provides the required restricted affordable units.

b. Projects participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Affordable Housing Incentive Program (Sec. 9.2.2.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridor Transitions Incentive Program (Sec 9.2.4.), Transit Oriented Incentive Program (Sec. 9.2.5.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum tier 1 bonus floor area ratio of the applied Form District (Part 2B).

3. Tier 2 Bonus

a. A lot may exceed the base floor area ratio up to the maximum tier 2 bonus floor area ratio as allowed in Div. 9.3. (Community Benefits Program), or an applicable Specific Plan, Supplemental District, or Special Zone, if the participating project provides the required restricted affordable units and additional public benefits.

b. Projects participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Affordable Housing Incentive Program (Sec. 9.2.2.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridor Transitions Incentive Program (Sec 9.2.4.), Transit Oriented Incentive Program (Sec. 9.2.5.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum tier 2 bonus floor area ratio of the applied Form District (Part 2B).

Sec. 8. Subsection C. of Section 2C.4.2. of Division 2C.4. of Article 2. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

C. Standards

1. Buildings and structures shall not exceed the base maximum height in feet without meeting Div. 9.3 (Community Benefits Program), or an applicable Specific Plan, Supplemental District, or Special Zone.

2. Tier 1 Bonus

a. Buildings and structures may exceed the base maximum height in feet up to the tier 1 bonus height of the applied Form District (Part 2B) as allowed in Div. 9.3. (Community Benefits Program), if the participating project provides the required restricted affordable units.

b. Projects participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Affordable Housing Incentive Program (Sec. 9.2.2.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridor Transitions Incentive Program (Sec 9.2.4.), Transit Oriented Incentive Program (Sec. 9.2.5.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum tier 1 bonus height of the applied Form District (Part 2B).

3. Tier 2 Bonus

a. Buildings and structures may exceed the maximum height in feet up to the maximum tier 2 bonus height of the applied Form District (Part 2B) if allowed pursuant to Div. 9.3. (Community Benefits Program), or an applicable Specific Plan, Supplemental District, or Special Zone, if the participating project provides the required restricted affordable units and additional public benefits.

b. Projects participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Affordable Housing Incentive Program (Sec. 9.2.2.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridor Transitions Incentive Program (Sec 9.2.4.), Transit Oriented Incentive Program (Sec. 9.2.5.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum tier 2 bonus height of the applied Form District (Part 2B).

Sec. 9. Subsection C. of Section 2C.4.3. of Division 2C.4. of Article 2. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

C. Standards

1. Minimum Height in Stories

a. General.

Each portion of building width used to meet the minimum build-to width standard specified by the applied Frontage District (Part 3B.) shall contain floor area for a depth no less than 15 feet on every story above the ground floor elevation, up to, and including the minimum height in stories specified by the applied Form District (Part 2B.).

b. Bonus Minimum Height in Stories

i. When bonus minimum height in stories is specified by the applied Form District (Part 2B.), the minimum height in stories applies only to projects utilizing bonus FAR pursuant to Sec. 2C.4.1.C.2. (Tier 1 Bonus) or Sec. 2C.4.1.C.3. (Tier 2 Bonus).

ii. The minimum height in stories requirement does not apply to predominantly non-residential projects. For the purposes of this rule, "predominantly non-residential" means a project with more than 50 percent of the total floor area allocated to non-residential uses (not including uses in the eating & drinking, personal services, and retail use groups).

2. Maximum Height in Stories

a. Base

Buildings and structures shall not exceed the base maximum height in stories without meeting Div. 9.3. (Community Benefits Program).

b. Tier 1 Bonus

i. Buildings and structures may exceed the base maximum height in stories up to the tier 1 bonus height of the applied Form District (Part 2B) as allowed in Div. 9.3. (Community Benefits Program), if the participating project provides the required restricted affordable units.

ii. Projects participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridor Transitions Incentive Program (Sec 9.2.4.), Transit Oriented Incentive Program (Sec. 9.2.5.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum tier 1 bonus height of the applied Form District (Part 2B).

c. Tier 2 Bonus

i. Buildings and structures may exceed the maximum height in stories up to the maximum tier 2 bonus height of the applied Form District (Part 2B) as allowed by Div. 9.3. (Community Benefits Program), or an applicable Specific Plan, Supplemental District, or Special Zone, if the participating project provides the required restricted affordable units and additional public benefits.

ii. Projects participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.2.), the Corridor Transitions Incentive Program (Sec 9.2.3.), Transit Oriented Incentive Program (Sec. 9.2.4.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum tier 2 bonus height of the applied Form District (Part 2B).

Sec. 10. Subsection C. of Section 2C.5.1. of Division 2C.5. of Article 2. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

C. Standards

1. General

a. No applicable building or collection of abutting buildings located on the same lot shall be wider than the maximum building width specified by the applied Form District (Part 2B).

b. In order to establish buildings on the same lot as separate buildings for the purpose of measuring maximum building width, a building break shall be provided between the buildings.

c. Buildings that are located on separate lots, share no interior circulation, and are structurally independent, are considered separate buildings for the purpose of measuring building width.

d. A building on a corner lot within the build-to zone area of overlap is allowed to exceed the maximum building width by up to 40 feet along both primary street lot lines and side street lot lines.

e. All applicable buildings and collections of abutting buildings located on the same lot shall be separated by at least the minimum building break dimension for the full depth of the building in order to establish them as separate buildings for the purpose of measuring building width.

f. No building or structure shall encroach into the building break, except where allowed in Subsection E. (Exceptions) below.

2. Bonus Building Width

a. Notwithstanding Paragraph 1., above, buildings and structures may exceed the maximum building width up to the bonus building width in feet of the applied Form District (Part 2B) as allowed by Div. 9.3. (Community Benefits Program), if the participating project provides the required restricted affordable units or other public benefits.

b. Projects participating in incentive programs intended to implement State law, including the State Density Bonus Program (Sec. 9.2.1.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.2.), the Corridor Transitions Incentive Program (Sec 9.2.3.), Transit Oriented Incentive Program (Sec. 9.2.4.), the Permanent Supportive Housing Incentive Program (Sec. 9.4.1.), or the Accessory Dwelling Unit Incentive Program (Div. 9.5.), may exceed the maximum bonus building width of the applied Form District (Part 2B).

Sec. 11. Subsection E. of Sec. 4C.14.1. of Div. 4C.14. of Article 4. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

E. Exceptions

1. Projects located on a lot subject to Development Review Threshold Package 1 are exempt from review pursuant to Sec. 13B.2.4. (Project Review) provided that the project meets all of the following requirements:

a. The project involves the new construction of floor area dedicated to one or more residential uses and to one or more non-residential uses;

b. Fifty percent or more of the total new floor area is dedicated to restricted affordable units;

c. The project maintains or increases the total number of preexisting restricted affordable units on the lot and maintains or increases the total floor area dedicated to restricted affordable units; and

d. The project results in the new construction of no more than 150,000 square feet of floor area dedicated to one or more non-residential uses.

2. Projects that provide restricted affordable units consistent with the affordability requirements in Subparagraph b. of Sec.15.4.3.B.1. (Exemptions) are exempt from review pursuant to this Section.

Sec. 12. Subsection A. of Section 7A.1.4. of Division. 7A.1. of Article 7. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

A. Typology Category

The first component of each Alternative Typology name is a typology category. Typology categories group all typologies with similar allowed uses, characteristics, and intent. Typology categories are organized as follows:

1. Civic Institution

2. Corner Store

3. Small Lot Subdivision

4. Drive-Through

5. Fueling Station

6. Opportunity Corridors

7. Corridor Transitions

Sec. 13. A new Division 7B.6. is added to Article 7. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

DIV. 7B.6. Opportunity Corridors

SEC. 7B.6.1. Opportunity Corridors 1A

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A_, RG_, RX_	2L, 3L, 4L, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Projects

In order to be eligible to use the Opportunity Corridors 1A Alternate Typology, a project must be on a lot, in whole or in part, mapped in the OC-1 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17), and must be utilizing, and meeting all requirements of, Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

B. Intent

The Opportunity Corridors 1A Alternate Typology is intended to establish a package of alternative standards for housing projects to encourage the provision of restricted affordable units in exchange for incentives such as additional allowable floor area and height in order to increase the feasibility of construction. The alternate typology facilitates the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.) and establishes the citywide baseline standards for mixed-income housing projects that are appropriate along major streets with transit service.

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

1. Projects shall utilize the Form standards provided in the table below, as applicable.

LOT SIZE	Div. 2C.1.	FAR & HEIGHT	Div. 2C.4.
Lot Area (min)	Set by Form District	**Base FAR**	Set by Form District
Lot Width (min)	Set by Form District	**Base Height in Stories**	Set by Form District
COVERAGE	Div. 2C.2.	**Tier 1 Bonus FAR** (max)	4.0
Building Coverage (max)	Set by Form District	**Tier 1 Bonus Height in Stories** (max)	6 stories
Building Setbacks	Set by Form District	**Tier 2 Bonus FAR** (max)	7.0 or
Permeable Surface (min)	Set by Form District	**Tier 2 Bonus Height in Stories** (max)	9 stories
AMENITY	Div. 2C.3.	**Upper Story Bulk**	Div. 2C.6.
Lot Amenity Space (min)	Set by Form District	**Street Step-Back**	Set by Form District
Residential Amenity Space (min)	Set by Form District	**District Boundary Height Transition**	Set by Form District
		Building Mass	Div. 2C.5.
		Building Width (max)	
		Base Building Width	Set by Form District
		Bonus Building Width	160'
		Building Break (min)	15'

2. In lieu of the floor area ratio and height standards in Paragraph 1., above, a project may use the following standards, as applicable:

a. A tier 1 bonus floor area ratio of up to a 45 percent increase in the base floor area ratio in the applied Form District (Part 2B), or applicable Supplemental District, Specific Plan, or Special Zone, and a tier 1 bonus height in stories of one additional story of height beyond the base height in the applied Form District (Part 2B), or applicable Supplemental District, Specific Plan or Special Zone.

b. A tier 2 bonus floor area ratio of up to an additional 3.0 FAR on top of the applicable tier 1 bonus floor area ratio in Paragraph 1., above, or Subparagraph a., above, and a tier 2 bonus height in stories of an additional 3 stories beyond the applicable tier 1 bonus height, in Paragraph 1., above, or Subparagraph a., above.

3. Regardless of Paragraphs 1. and 2., above, a project on a site with a designated historic resource or a non-contributor shall be subject to the following standards:

a. Unless a project utilizes eligible public benefits incentives pursuant to Sec. 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum FAR shall be limited to the base FAR of the applied Form District (Part 2B).

b. Unless a project utilizes eligible public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum height shall be up to one additional story above the base height in stories, and up to an additional 11 feet above the base height in feet, of the applied Form District (Part 2B).

E. Frontage Standards

Set by applied Frontage District (Part 3B).

F. Development Standards

1. Set by the applied Development Standards District (Part 4B) except as provided in Paragraph 2., below.

2. Required Automobile Parking Stalls

No automobile parking shall be required for *residential uses*.

G. Use Standards

Set by the applied Use District (Part 5B).

H. Density Standards

The maximum density shall be the density allowed in an FA Density District, pursuant to Sec. 6B.2. (Lot Area Based Districts).

SEC. 7B.6.2. Opportunity Corridors 1B

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	CX_, IX_, P_	2L, 3L, 4L, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Projects

In order to be eligible to use the Opportunity Corridors 1B Alternate Typology, a project must be on a lot mapped in the OC-1 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17), and must be utilizing, and meeting all requirements of, Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

B. Intent

The Opportunity Corridors 1B Alternate Typology is intended to establish a package of alternative standards for housing projects to encourage the provision of restricted affordable units in exchange for incentives such as additional allowable floor area and height in order to increase the feasibility of construction. The alternate typology facilitates the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), and establishes the citywide baseline standards for mixed-income housing projects along major streets with transit service.

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

1. Projects shall utilize the Form standards provided in the table below, as applicable.

LOT SIZE	Div. 2C.1.	FAR & HEIGHT	Div. 2C.4.
Lot Area (min)	Set by Form District	**Base FAR**	Set by Form District
Lot Width (min)	Set by Form District	**Base Height in Stories**	Set by Form District
COVERAGE	Div. 2C.2.	**Tier 1 Bonus FAR** (max)	4.5
Building Coverage (max)	Set by Form District	**Tier 1 Bonus Height in Stories** (max)	7 stories
Building Setbacks	Set by Form District	**Tier 2 Bonus FAR** (max)	7.5
Permeable Surface (min)	Set by Form District	**Tier 2 Bonus Height in Stories** (max)	10 stories
AMENITY	Div. 2C.3.	**Upper Story Bulk**	Div. 2C.6.
Lot Amenity Space (min)	Set by Form District	**Street Step-Back**	Set by Form District
Residential Amenity Space (min)	Set by Form District	**District Boundary Height Transition**	Set by Form District
		Building Mass	Div. 2C.5.
		Building Width (max)	
		Base Building Width	Set by Form

	District
Bonus Building Width	210'
Building Break (min)	25'

2. In lieu of the floor area ratio and height standards in Paragraph 1., above, a project may use the following standards, as applicable:

   a. A tier 1 bonus floor area ratio of up to a 50 percent increase in the base floor area ratio in the applied Form District (Part 2B), or applicable Supplemental District, Specific Plan, or Special Zone, and a tier 1 bonus height in stories of one additional story of height beyond the base height in the applied Form District (Part 2B), or applicable Supplemental District, Specific Plan or Special Zone.

   b. A tier 2 bonus floor area ratio of up to an additional 3.0 FAR on top of the applicable tier 1 bonus floor area ratio in Paragraph 1., above, or Subparagraph a., above, and a tier 2 bonus height in stories of an additional 3 stories beyond the applicable tier 1 bonus height in stories, in Paragraph 1., above, or Subparagraph 1., above.

3. Regardless of Paragraphs 1. and 2., above, a project on a site with a designated historic resource or a non-contributor shall be subject to the following standards:

   a. Unless a project utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum FAR shall be limited to the base FAR of the applied Form District (Part 2B).

   b. Unless a project utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum height shall be up to one additional story above the base height in stories, and up to 11 additional feet above base height in feet, of the applied Form District (Part 2B).

E. Frontage Standards

Set by applied Frontage District (Part 3B).

F. Development Standards

1. Set by the applied Development Standards District (Part 4B) except as provided in Paragraph 2., below.
2. Required Automobile Parking Stalls

No automobile parking shall be required for residential uses.

G. Use Standards

Set by the applied Use District (Part 5B).

H. Density Standards

The maximum density shall be the density allowed in an FA Density District, pursuant to Sec. 6B.2. (Lot Area Based Districts).

SEC. 7B.6.3. Opportunity Corridors 2A

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A_, RG_, RX_	2L, 3L, 4L, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Projects

In order to be eligible to use the Opportunity Corridors 2A Alternate Typology, a project must be on a lot mapped in the OC-2 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17), and must be utilizing, and meeting all the requirements of, Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

B. Intent

The Opportunity Corridors 2A Alternate Typology is intended to establish a package of alternative standards for housing projects to encourage the provision of restricted affordable units in exchange for incentives such as additional allowable floor area and height in order to increase the feasibility of construction. The alternate typology facilitates the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), and establishes the citywide baseline standards for mixed-income housing projects along major streets with transit service.

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

1. Projects shall utilize the Form standards provided in the table below, as applicable.

LOT SIZE	Div. 2C.1.	FAR & HEIGHT	Div. 2C.4.
Lot Area (min)	Set by Form District	**Base FAR**	Set by Form District
Lot Width (min)	Set by Form District	**Base Height in Stories**	Set by Form District
COVERAGE	Div. 2C.2.	**Tier 1 Bonus FAR** (max)	4.5
Building Coverage (max)	Set by Form District	**Tier 1 Bonus Height in Stories** (max)	7 stories
Building Setbacks	Set by Form District	**Tier 2 Bonus FAR** (max)	7.5
Permeable Surface (min)	Set by Form District	**Tier 2 Bonus Height in Stories** (max)	10 stories
AMENITY	Div. 2C.3.	**Upper Story Bulk**	Div. 2C.6.
Lot Amenity Space (min)	Set by Form District	**Street Step-Back**	Set by Form District
Residential Amenity Space (min)	Set by Form District	**District Boundary Height Transition**	Set by Form District
		Building Mass	Div. 2C.5.
		Building Width (max)	
		Base Building Width	Set by Form District
		Bonus Building Width	160'
		Building Break (min)	15'

   a. A tier 1 bonus floor area ratio of up to a 50 percent increase in the base floor area ratio in the applied Form District (Part 2B), or applicable Supplemental District, Specific Plan, or Special Zone, and a tier 1 bonus height in stories of one additional story of height beyond the base in the applied Form District (Part 2B), or applicable Supplemental District, Specific Plan or Special Zone.

   b. A tier 2 bonus floor area ratio up to an additional 3.0 FAR on top of the applicable tier 1 bonus floor area ratio in Paragraph 1., above, or Subparagraph a., above, and a tier 2 bonus height in stories of an additional 3 stories beyond the applicable tier 1 bonus height in Paragraph 1., above, or Subparagraph a., above.

3. Regardless of the Paragraphs 1. and 2., above, a project on a site with a designated historic resource or a non-contributor shall be subject to the following standards:

   a. Unless a project utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum FAR shall be limited to the base FAR of the applied Form District (Part 2B).

   b. Unless a project utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum height shall be up to one additional story above the base height in stories, and up to an additional 11 feet above the base height in feet, of the applied Form District (Part 2B).

E. Frontage Standards

Set by applied Frontage District (Part 3B).

F. Development Standards

1. Set by the applied Development Standards District (Part 4B) except as provided in Paragraph 2., below.
2. Required Automobile Parking Stalls

No automobile parking shall be required for residential uses.

G. Use Standards

Set by the applied Use District (Part 5B).

H. Density Standards

The maximum density shall be the density allowed in an FA Density District, pursuant to Sec. 6B.2. (Lot Area Based Districts).

SEC. 7B.6.4. Opportunity Corridors 2B

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	CX_, IX_, P_	2L, 3L, 4L, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Projects

In order to be eligible to use the Opportunity Corridors 2B Alternate Typology, a project must be on a lot mapped in the OC-2 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17), and must be utilizing, and meeting all requirements of, Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

B. Intent

The Opportunity Corridors 2B Alternate Typology is intended to establish a package of alternative standards for housing projects to encourage the provision of restricted affordable units in exchange for incentives such as additional allowable floor area and height in order to increase the feasibility of construction. The alternate typology facilitates the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), and establishes the citywide baseline standards for mixed-income housing projects along major streets with transit service.

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

1. Projects shall utilize the Form standards provided in the table below, as applicable.

LOT SIZE	Div. 2C.1.	FAR & HEIGHT	Div. 2C.4.
Lot Area (min)	Set by Form District	**Base FAR**	Set by Form District
Lot Width (min)	Set by Form District	**Base Height in Stories**	Set by Form District
COVERAGE	Div. 2C.2.	**Tier 1 Bonus FAR** (min)	4.75
Building Coverage (max)	Set by Form District	**Tier 1 Bonus Height in Stories** (min)	7 stories
Building Setbacks	Set by Form District	**Tier 2 Bonus FAR** (min)	7.75
Permeable Surface (min)	Set by Form District	**Tier 2 Bonus Height in Stories** (min)	10 stories
AMENITY	Div. 2C.3.	**Upper Story Bulk**	Div. 2C.6.
Lot Amenity Space (min)	Set by Form District	**Street Step-Back**	Set by Form District
Residential Amenity Space (min)	Set by Form District	**District Boundary Height Transition**	Set by Form District
		Building Mass	Div. 2C.5.
		Building Width (max)	
		Base Building Width	Set by Form District
		Bonus Building Width	210'
		Building Break (min)	25'

2. In lieu of the floor area ratio and height standards in Paragraph 1., above, a project may use the following standards:

   a. A tier 1 bonus floor area ratio of up to a 55 percent increase in the base floor area ratio in the applied Form District (Part 2B), or applicable Supplemental District, Specific Plan, or Special Zone, and a tier 1 bonus height in stories of one additional story of height beyond the base height in the applied Form District (Part 2B), or applicable Supplemental District, Specific Plan or Special Zone.

   b. A tier 2 bonus floor area ratio of up to an additional 3.0 FAR on top of the applicable tier 1 bonus floor area ratio in Paragraph 1., above, or Subparagraph a., above, and a tier 2 bonus height in stories of an additional three stories beyond the applicable tier 1 bonus height in stories, in Paragraph 1., above, or Subparagraph a., above.

3. Regardless of Paragraphs 1. and 2., above, a project on a site with a designated historic resource or a non-contributor shall be subject to the following standards:

   a. Unless a project utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum FAR shall be limited to the base FAR of the applied Form District (Part 2B).

   b. Unless a project utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum height shall be up to one additional story above the base height in stories, and up to an additional 11 feet above the base height in feet, of the applied Form District (Part 2B).

E. Frontage Standards

Set by applied Frontage District (Part 3B).

F. Development Standards

1. Set by the applied Development Standards District (Part 4B) except as provided in Paragraph 2., below.
2. Required Automobile Parking Stalls

No automobile parking shall be required for residential uses.

G. Use Standards

Set by the applied Use District (Part 5B).

H. Density Standards

The maximum density shall be the density allowed in an FA Density District, pursuant to Sec. 6B.2. (Lot Area Based Districts).

SEC. 7B.6.5. Opportunity Corridors 3A

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A_, RG_, RX_	2L, 3L, 4L, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Projects

In order to be eligible to use the Opportunity Corridors 3A Alternate Typology, a project must be on a lot mapped in the OC-3 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17), and must be utilizing, and meeting all requirements of, Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

B. Intent

The Opportunity Corridors 3A Alternate Typology is intended to establish a package of alternative standards for housing projects to encourage the provision of restricted affordable units in exchange for incentives such as additional allowable floor area and height in order to increase the feasibility of construction. The alternate typology facilitates the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), and establishes the citywide baseline standards for mixed-income housing projects along major streets with transit service.

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

1. Projects shall utilize the Form standards provided in the table below, as applicable.

LOT SIZE	Div. 2C.1.	FAR & HEIGHT	Div. 2C.4.
Lot Area (min)	Set by Form District	**Base FAR**	Set by Form District
Lot Width (min)	Set by Form District	**Base Height in Stories**	Set by Form District
COVERAGE	Div. 2C.2.	**Tier 1 Bonus FAR** (max)	5.0
Building Coverage (max)	Set by Form District	**Tier 1 Bonus Height in Stories** (max)	8 stories
Building Setbacks	Set by Form District	**Tier 2 Bonus FAR** (max)	8.0
		Tier 2 Bonus Height in Stories (max)	11 stories
AMENITY	Div. 2C.3.	**Upper Story Bulk**	Div. 2C.6.
Lot Amenity Space (min)	Set by Form District	**Street Step-Back**	Set by Form District
Residential Amenity Space (min)	Set by Form District	**District Boundary Height Transition**	Set by Form District
		Building Mass	Div. 2C.5.
		Building Width (max)	
		Base Building Width	Set by Form District
		Bonus Building Width	160'
		Building Break (min)	15'

2. In lieu of the floor area ratio and height standards in Paragraph 1., above, a project may use the following standards, as applicable:

   a. A tier 1 bonus floor area ratio of up to a 60 percent increase in the base floor area ratio in the applied Form District (Part 2B), or applicable Supplemental District, Specific Plan, or Special Zone, and a tier 1 bonus height in stories of one additional story of height beyond the base height in the applied Form District (Part 2B), or applicable Supplemental District, Specific Plan or Special Zone.

   b. A tier 2 bonus floor area ratio of up to an additional 3.0 FAR on top of the applicable tier 1 bonus floor area ratio in Paragraph 1., above, or Subparagraph a., above, and a tier 2 bonus height in stories of an additional 3 stories beyond the applicable tier 1 bonus height in Paragraph 1., above, or Subparagraph a., above.

3. Regardless of Paragraphs 1. and 2., above, a project on a site with a designated historic resource or a non-contributor shall be subject to the following standards:

   a. Unless a project utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum FAR shall be limited to the base FAR of the applied Form District (Part 2B).

   b. Unless a project utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum height shall be up to one additional story above the base height in stories, and up to an additional 11 feet above the base height in feet, of the applied Form District (Part 2B).

E. Frontage Standards

Set by applied Frontage District (Part 3B).

F. Development Standards

1. Set by the applied Development Standards District (Part 4B) except as provided in Paragraph 2., below.
2. Required Automobile Parking Stalls

No automobile parking shall be required for residential uses.

G. Use Standards

Set by the applied Use District (Part 5B).

H. Density Standards

The maximum density shall be the density allowed in an FA Density District, pursuant to Sec. 6B.2. (Lot Area Based Districts).

SEC. 7B.6.6. Opportunity Corridors 3B

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	CX_, IX_, P_	2L, 3L, 4L, 2, 3, 4, 6, 8, 10, 12, 15, 20, 25, 30, 40, 50, 60, FA

2. Eligible Projects

In order to be eligible to use the Opportunity Corridors 3B Alternate Typology, a project must be on a lot mapped in the OC-3 Opportunity Corridors Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17), and must be utilizing, and meeting all requirements of, Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

B. Intent

The Opportunity Corridors 3B Alternate Typology is intended to establish a package of alternative standards for housing projects to encourage the provision of restricted affordable units in exchange for incentives such as additional allowable floor area and height in order to increase the feasibility of construction. The alternate typology facilitates the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), and establishes the citywide baseline standards for mixed-income housing projects along major streets with transit service.

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program).

D. Form Standards

1. Projects shall utilize the Form standards provided in the table below, as applicable.

LOT SIZE	Div. 2C.1.	FAR & HEIGHT	Div. 2C.4.
Lot Area (min)	Set by Form District	**Base FAR**	Set by Form District
Lot Width (min)	Set by Form District	**Base Height in Stories**	Set by Form District
COVERAGE	Div. 2C.2.	**Tier 1 Bonus FAR** (max)	5.0
Building Coverage (max)	Set by Form District	**Tier 1 Bonus Height in Stories** (max)	8 stories
Building Setbacks	Set by Form District	**Tier 2 Bonus FAR** (max)	8.0
		Tier 2 Height in Stories (max)	11 stories
AMENITY	Div. 2C.3.	**Upper Story Bulk**	Div. 2C.6.
Lot Amenity Space (min)	Set by Form District	**Street Step-Back**	Set by Form District
Residential Amenity Space (min)	Set by Form District	**District Boundary Height Transition**	Set by Form District
		Building Mass	Div. 2C.5.
		Building Width (max)	
		Base Building Width	Set by Form District
		Bonus Building Width	210'
		Building Break (min)	25'

2. In lieu of the floor area ratio and height standards in Paragraph 1., above, a project may use the following standards, as applicable:

   a. A tier 1 bonus floor area ratio of up to a 60 percent increase in the base floor area ratio in the applied Form District (Part 2B), or applicable Supplemental District, Specific Plan, or Special Zone, and a tier 1 bonus height in stories of one additional story of height beyond the base height in the applied Form District (Part 2B), or applicable Supplemental District, Specific Plan or Special Zone.

   b. A tier 2 bonus floor area ratio of up to an additional 3.0 FAR on top of the applicable tier 1 bonus floor area ratio in Paragraph 1., above, or Subparagraph a., above, and a tier 2 bonus height in stories of an additional 3 stories beyond the applicable tier 1 bonus height, in Paragraph 1., above, or Subparagraph a., above.

3. Regardless of Paragraphs 1. and 2., above, a project on a site with a designated historic resource or a non-contributor shall be subject to the following standards:

   a. Unless a project utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum FAR shall be limited to the base FAR of the applied Form District (Part 2B).

   b. Unless a project utilizes public benefits incentives pursuant to Section 9.2.3.C.5. (Public Benefits) of the Opportunity Corridors Housing Incentive Program, the maximum height shall be up to one additional story above the base height in stories, and up to 11 additional feet above the base height in feet, of the applied Form District (Part 2B).

E. Frontage Standards

Set by applied Frontage District (Part 3B).

F. Development Standards

1. Set by the applied Development Standards District (Part 4B) except as provided in Paragraph 2., below.
2. Required Automobile Parking Stalls

No automobile parking shall be required for residential uses.

G. Use Standards

Set by the applied Use District (Part 5B).

H. Density Standards

The maximum density shall be the density allowed in an FA Density District, pursuant to Sec. 6B.2. (Lot Area Based Districts).

Sec. 14. A new Division 7B.7. is added to Article 7. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

DIV. 7B.7. Corridor Transitions

SEC. 7B.7.1. Corridor Transitions 1

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A_, RG_, RX_, P_	2L, 3L, 4L, 10, 12, 15, 20, 25, 30, 40, 50, 60

2. Eligible Projects

In order to be eligible to use the Corridor Transitions 1 Alternate Typology, a project must be on a lot mapped in the CT-1 Corridor Transitions Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17.), and must be utilizing, and meeting all requirements of, Sec. 9.2.4. (Corridor Transitions Incentive Program).

B. Intent

The Corridor Transitions 1 Alternate Typology is intended to establish a package of alternative standards for housing projects in order to facilitate the creation and development of restricted affordable units in lower density areas in the city, and aid in smoothing the transition between higher-scale development along principal corridors to lower-scale development in interior neighborhoods. The Corridor Transitions 1 Alternate Typology provides moderate increases in density and floor area ratio to meet this goal, while controlling for lower-scale residential design needs and constraints. The alternate typology facilitates the Corridor Transitions Incentive Program (Sec. 9.2.4).

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.4. (Corridor Transitions Incentive Program).

D. Form Standards

1. Projects shall utilize the Form standards provided in the table below, as applicable.

LOT SIZE	Div. 2C.1.
Lot Area (min)	Set by Form District
Lot Width (min)	Set by Form District
COVERAGE	Div. 2C.2.
Building Coverage (max)	70%
Building Setbacks	
Primary street (min)	10'
Side street (min)	4'
Side (min)	3'
Rear (min)	4'
Alley (min)	0'
AMENITY	Div. 2C.3.
Required Lot Amenity Alternatives	Courtyard Paseo Rear Yard
Residential Amenity Space (min)	Set by Form District

FAR & HEIGHT	Div. 2C.4.
Base FAR	Set by Form District
Base Height in Stories	Set by Form District
Tier 1 Bonus FAR (max) (Incremental FAR)	1.45, subject to Paragraph 2, below
Tier 1 Bonus Height in Stories (max)	2 stories
Tier 2 Bonus FAR (max)	1.95
Tier 2 Bonus FAR in Stories (max)	3 stories
Upper Story Bulk	Div. 2C.6.
Street Step-Back	Set by Form District
District Boundary Height Transition	Set by Form District
Building Mass	Div. 2C.5.
Building Width (max)	
Base Building Width	Set by Form District
Bonus Building Width	75 '
Building Break (min)	6 '

2. Incremental FAR

The maximum floor area is limited by the total number of dwelling units on the lot and increases incrementally as the number of dwelling units in the project increases. The tier 1 bonus floor area ratio for total dwelling units in a project is provided in the table, below:

Incremental Bonus FAR	
Total Dwelling Units	Tier 1 Bonus Floor Area Ratio
1-3	N/A
4	1.15
5	1.30
6 or more	1.45

3. Tier 2 Bonus FAR

A project may receive up to the tier 2 bonus floor area ratio in Paragraph 1., above, through the provision of additional public benefits, pursuant to Sec. 9.2.4.C.3. (Public Benefits) of the Corridor Transitions Incentive Program.

4. Small-Lot Subdivision Standards

Regardless of Paragraph 1., a project providing dwelling units as part of a small-lot subdivision shall be subject to the following standards for lots within the subdivision:

a. Minimum lot area: 600 square feet

b. Minimum lot width: 15 feet

c. Side setback: 0 feet

E. Frontage Standards

	Primary	Side	Special
BUILD-TO	Div. 3C.1.		
Build-to depth (min)	5'	10'	10'
Build-to width (min)	50%	30%	50%
PARKING	Div. 3C.2.		
Parking setbacks (min)	20'	5'	5'
LANDSCAPING	Div. 3C.3.		
Frontage planting area (min)	50%	50%	50%
Frontage yard fence & wall type allowed:	A2	A2	A3
TRANSPARENCY	Div. 3C.4.		
Transparent area			
Ground story (min)	15%	10%	15%
Upper stories (min)	20%	15%	20%
Active wall spacing (max)	20'	30'	20'
ENTRANCES	Div. 3C.5.		
Street-facing entrances	Required	n/a	Required
Entrance spacing (max)	n/a	n/a	n/a
Entry feature	Required	n/a	Required
Options:	• Porch • Raised entry • Forecourt • Recessed entry • Courtyard • Breezeway		
GROUND STORY	Div. 3C.6.		
Ground story height (min)	10'	10'	10'
Ground floor elevation (min/max)	-2' / 5'	-2' / 5'	-2' / 5'

F. Development Standards

1. Set by the applied Development Standards District (Part 4B) except as provided in Paragraph 2. and 3., below.

2. Required automobile parking stalls

No automobile parking shall be required for residential uses.

3. Small-Lot Subdivision Standards

A project providing dwelling units as part of a small-lot subdivision may provide a pedestrian accessway three feet in width for the lots in the subdivision in lieu of required automobile access or pedestrian access.

G. Use Standards

Set by the applied Use District (Part 5B).

H. Density Standards

1. The maximum density shall be the density allowed in Density District 15, pursuant to Sec. 6B.2. (Lot Area-Based Density Districts).

2. Regardless of Paragraph 1., above, a project opting to provide restricted affordable units at the rates required for the CT-2 Corridor Transitions Incentive Set pursuant to Sec. 9.2.4.C.1.e. (Affordability Levels), shall have the maximum density allowed in Density District 10, pursuant to Sec. 6B.2. (Lot Area-Based Density Districts).

SEC. 7B.7.2. Corridor Transitions 2

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A_, RG_, RX_, P_	2L, 3L, 4L, 10, 12, 15, 20, 25, 30, 40, 50, 60

2. Eligible Projects

In order to be eligible to use the Corridor Transitions 2 Alternate Typology, a project must be on a lot mapped in the CT-2 Corridor Transitions Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17), and must be utilizing, and meeting all requirements of, Sec. 9.2.4. (Corridor Transitions Incentive Program).

B. Intent

The Corridor Transitions 2 Alternate Typology is intended to establish a package of alternative standards for housing projects and aims to facilitate the creation and development of restricted affordable units in lower density areas in the city, aiding in smoothing the transition between higher-scale development along principal corridors to lower-scale development in interior neighborhoods. The Corridor Transitions Incentive Program provides the rules and framework for granting moderate increases in density and floor area ratio to meet this goal, while controlling lower-scale residential design needs and constraints. The alternate typology facilitates the Corridor Transitions Incentive Program (Sec. 9.2.4.).

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.4. (Corridor Transitions Incentive Program).

D. Form Standards

1. Projects shall utilize the Form standards provided in the table below, as applicable.

LOT SIZE	Div. 2C.1.
Lot Area (min)	Set by Form District
Lot Width (min)	Set by Form District
COVERAGE	Div. 2C.2.
Building Coverage (max)	70%
Building Setbacks	
Primary street (min)	10'
Side street (min)	4'
Side (min)	3'
Rear (min)	4'
Alley (min)	0'
AMENITY	Div. 2C.3.
Required Lot Amenity Alternatives	Courtyard Paseo Rear Yard
Residential Amenity Space (min)	Set by Form District

FAR & HEIGHT	Div. 2C.4.
Base FAR	Set by Form District
Base Height in Stories	Set by Form District
Tier 1 Bonus FAR (max) (Incremental FAR)	2.0, subject to Paragraph 2, below
Tier 1 Bonus Height in Stories (max)	3 stories
Tier 2 Bonus FAR (max)	2.5
Tier 2 Bonus FAR in Stories (max)	4 stories
Upper Story Bulk	Div. 2C.6.
Street Step-Back	Set by Form District
District Boundary Height Transition	Set by Form District
Building Mass	Div. 2C.5.
Building Width (max)	
Base Building Width	Set by Form District
Bonus Building Width	160'
Building Break (min)	15'

2. Incremental FAR

The maximum floor area is limited by the total number of dwelling units on the lot and increases incrementally as the number of dwelling units in the project increases. The tier 1 bonus floor area ratio for total dwelling units in a project is provided in the table, below:

Incremental Bonus FAR	
Total Dwelling Units	Tier 1 Bonus Floor Area Ratio
1-3	N/A
4	1.15
5	1.30
6	1.45
7	1.60
8	1.75
9	1.90
10 or more	2.0

3. Tier 2 Bonus FAR

A project may receive up to the tier 2 bonus floor area ratio in Paragraph 1., above, through the provision of additional public benefits, pursuant to Sec. 9.2.4.C.3. (Public Benefits) of the Corridor Transitions Incentive Program.

4. Small-Lot Subdivision Standards

Regardless of Paragraph 1., above, Projects providing dwelling units as part of a small-lot subdivision shall be subject to the following standards on lots within the subdivision:

a. Minimum lot area: 600 square feet

b. Minimum lot width: 15 feet

c. Side setback: 0 feet

E. Frontage Standards

	Primary	Side	Special
BUILD-TO	Div. 3C.1.		
Build-to depth (min)	5'	10'	10'
Build-to width (min)	50%	30%	50%
PARKING	Div. 3C.2.		
Parking setbacks (min)	20'	5'	5'
LANDSCAPING	Div. 3C.3.		
Frontage planting area (min)	50%	50%	50%
Frontage yard fence & wall type allowed:	A2	A2	A3
TRANSPARENCY	Div. 3C.4.		
Transparent area			
Ground story (min)	15%	10%	15%
Upper stories (min)	20%	15%	20%
Active wall spacing (max)	20'	30'	20'
ENTRANCES	Div. 3C.5.		
Street-facing entrances	Required	n/a	Required
Entrance spacing (max)	n/a	n/a	n/a
Entry feature	Required	n/a	Required
Options:	• Porch • Raised entry • Forecourt • Recessed entry • Courtyard • Breezeway		
GROUND STORY	Div. 3C.6.		
Ground story height (min)	10'	10'	10'
Ground floor elevation (min/max)	-2' / 5'	-2' / 5'	-2' / 5'

F. Development Standards

1. Set by the applied Development Standards District (Part 4B) except as provided in Paragraph 2. and 3., below.

2. Required Automobile Parking Stalls

No automobile parking shall be required for residential uses.

3. Small-Lot Subdivision Standards

Projects providing dwelling units as part of a small-lot subdivision may provide a pedestrian accessway three feet in width for the lots in the subdivision in lieu of otherwise required automobile access or pedestrian access.

G. Use Standards

Set by the applied Use District (Part 5B).

H. Density Standards

The maximum density shall be the density allowed in Density District 6, pursuant to Div. 6B.2. (Lot Area-Based Density Districts).

SEC. 7B.7.3. Corridor Transitions 3

A. Eligibility

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
All	All	All	A_, RG_, RX_, P_	2L, 3L, 4L, 10, 12, 15, 20, 25, 30, 40, 50, 60

2. Eligible Lots

In order to be eligible to use the Corridor Transitions 3 Alternate Typology, a project must be on a lot mapped in the CT-3 Corridor Transitions Incentive Set on the Mixed Income Housing Incentive Map (Sec. 1.5.17), and must be utilizing, and meeting all requirements of, Sec. 9.2.4. (Corridor Transitions Incentive Program).

B. Intent

The Corridor Transitions 3 Alternate Typology is intended to establish a package of alternative standards for housing projects and aims to facilitate the creation and development of restricted affordable units in lower density areas in the city, aiding in smoothing the transition between higher-scale development along principal corridors to lower-scale development in interior neighborhoods. The Corridor Transitions Incentive Program provides the rules and framework for granting moderate increases in density and floor area ratio to meet this goal, while controlling lower-scale residential design needs and constraints. The alternate typology facilitates the Corridor Transitions Incentive Program (Sec. 9.2.4.).

C. Review

Projects shall be subject to the applicable review procedures in Subsection D. (Administration) of Sec. 9.2.4. (Corridor Transitions Incentive Program).

D. Form Standards

1. Projects shall utilize the Form standards provided in the table below, as applicable.

LOT SIZE	Div. 2C.1.
Lot Area (min)	Set by Form District
Lot Width (min)	Set by Form District
COVERAGE	Div. 2C.2.
Building Coverage (max)	70%
Building Setbacks	
Primary street (min)	10'
Side street (min)	4'
Side (min)	3'
Rear (min)	4'
Alley (min)	0'
AMENITY	Div. 2C.3.
Required Lot Amenity Alternatives	Courtyard Paseo Rear Yard
Residential Amenity Space (min)	Set by Form District

FAR & HEIGHT	Div. 2C.4.
Base FAR	Set by Form District
Base Height in Stories	Set by Form District
Tier 1 Bonus FAR (max) (Incremental FAR)	2.90, subject to Paragraph 2, below
Tier 1 Bonus Height in Stories (max)	3 stories
Tier 2 Bonus FAR (max)	3.4
Tier 2 Bonus FAR in Stories (max)	4 stories
Upper Story Bulk	Div. 2C.6.
Street Step-Back	Set by Form District
District Boundary Height Transition	Set by Form District
Building Mass	Div. 2C.5.
Building Width (max)	
Base Building Width	Set by Form District
Bonus Building Width	160'
Building Break (min)	15'

2. Incremental FAR

The maximum floor area is limited by the total number of dwelling units on the lot and increases incrementally as the number of dwelling units in the project increases. The tier 1 bonus floor area ratio for total dwelling units in a project is provided in the table, below:

Incremental Bonus FAR	
Total Dwelling Units	Tier 1 Bonus Floor Area Ratio
1-3	N/A
4	1.15
5	1.30
6	1.45
7	1.60
8	1.75
9	1.90
10	2.0
11	2.15
12	2.30
13	2.45
14	2.60
15	2.75
16 or more	2.90

3. Tier 2 Bonus FAR

A project may receive up to the tier 2 bonus floor area ratio in Paragraph 1., above, through the provision of additional public benefits, pursuant to Sec. 9.2.4.C.3. (Public Benefits) of the Corridor Transitions Incentive Program.

4. Small-Lot Subdivision Standards

Regardless of Paragraph 1., above, a project providing dwelling units as part of a small-lot subdivision shall be subject to the following standards on lots within the subdivision as follows:

a. Minimum lot area: 600 square feet

b. Minimum lot width: 15 feet

c. Side setback: 0 feet

E. Frontage Standards

	Primary	Side	Special
BUILD-TO	Div. 3C.1.		
Build-to depth (min)	5'	10'	10'
Build-to width (min)	50%	30%	50%
PARKING	Div. 3C.2.		
Parking setbacks (min)	20'	5'	5'
LANDSCAPING	Div. 3C.3.		
Frontage planting area (min)	50%	50%	50%
Frontage yard fence & wall type allowed:	A2	A2	A3
TRANSPARENCY	Div. 3C.4.		
Transparent area			

Ground story (min)	15%	10%	15%
Upper stories (min)	20%	15%	20%
Active wall spacing (max)	20'	30'	20'
ENTRANCES	Div. 3C.5.		
Street-facing entrances	Required	n/a	Required
Entrance spacing (max)	n/a	n/a	n/a
Entry feature	Required	n/a	Required
Options:	• Porch • Raised entry • Forecourt • Recessed entry • Courtyard • Breezeway		
GROUND STORY	Div. 3C.6.		
Ground story height (min)	10'	10'	10'
Ground floor elevation (min/max)	-2' / 5'	-2' / 5'	-2' / 5'

F. Development Standards

1. Set by the applied Development Standards District (Part 4B) except as provided in Paragraph 2. and 3., below.

2. Required Automobile Parking Stalls

No automobile parking shall be required for residential uses.

3. Small-Lot Subdivision Standards

Projects providing dwelling units as part of a small-lot subdivision may provide a pedestrian accessway three feet in width for the lots in the subdivision in lieu of otherwise required automobile access or pedestrian access.

G. Use Standards

Set by the applied Use District (Part 5B).

H. Density Standards

The maximum density shall be the density allowed in Density District 4, pursuant to Div. 6B.2 (Lot Area-Based Density Districts).

Sec. 15. Section 9.1.2. of Division 9.1. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

SEC. 9.1.2. General Provisions

A. Summary

This Article (Public Benefit Systems) consists of affordable housing incentive programs established in Div. 9.2. (Citywide Housing Incentive Programs), the community benefits program established in Div. 9.3. (Community Benefits Program), a variety of other incentive programs established in Div. 9.4. (General Incentive Programs), and accessory dwelling unit incentive programs established in Div. 9.5. (Accessory Dwelling Unit Incentive Program).

B. Eligibility

A project providing dwelling units, including a project with subdivisions of land, may use an affordable housing program as provided in Div. 9.2. (Citywide Housing Incentive Programs) or Div. 9.3. (Community Benefits Program), pursuant to the eligibility requirements for the specific program being used. The programs provided in Div. 9.4. (General Incentive Programs) and Div. 9.5 (Accessory Dwelling Unit Incentive Program), can be used, as applicable, and in conjunction with any other incentive program established in this Article (Public Benefit Systems), unless otherwise specified.

Sec. 16. Rename Division 9.2. of Article 9 of Chapter 1A of the Los Angeles Municipal Code to read as follows:

DIV. 9.2. CITYWIDE HOUSING INCENTIVE PROGRAMS

Sec. 17. Section 9.2.1. of Division 9.2. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is amended in entirety to read as follows:

SEC. 9.2.1. STATE DENSITY BONUS PROGRAM

A. Intent

The purpose of this Section 9.2.1., "State Density Bonus Program," is to establish procedures for implementing the State Density Bonus provisions in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, and to increase the production of affordable housing citywide in the City of Los Angeles, consistent with the General Plan and other City policies related to housing.

B. Applicability

1. Project Activities

A project meeting the eligibility criteria established in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below, and that meets the definition of "housing development" pursuant to California Government Code Sec. 65915(i), may be eligible for participation in the State Density Bonus Program, for the following project activities.

a. New construction for which all new floor area meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).

b. A use modification, including the conversion of existing floor area from a commercial use to a residential use or an increase in dwelling units within existing floor area, for which all resulting new dwelling units and all renovated dwelling units meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).

c. A lot modification that results in dwelling units that meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

i. A project participating in the State Density Bonus Program in this Section shall be ineligible for the bonuses, incentives and procedures of any other housing incentive program contained in Art. 9. (Public Benefit Systems), elsewhere in the Los Angeles Municipal Code, or in a Specific Plan, Supplemental District, or Special Zone, or in any other City regulation or guideline, except a project may utilize the streamlining incentives in the Housing Element Sites Streamlining Program (Sec. 9.2.6.) and the Citywide Adaptive Reuse Program (Sec. 9.4.6.), as applicable. Projects with Requests for Density Bonuses in Excess of the Base Incentive shall not be eligible for the Housing Element Sites Streamlining Program (Sec. 9.2.6.).

ii. For a project providing 80-100 percent of the project dwelling units (including bonus units) as restricted affordable units, the project may instead seek development bonuses and incentives through the procedures of Sec. 9.2.2. (Affordable Housing Incentive Program).

b. Relationship to Specific Plans, Supplemental Districts, and Special Zones

As this Section is intended to implement State Density Bonus Law contained in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, in the event that any provision of a Specific Plan, Supplemental District, or Special Zone differs from the procedures, requirements, and provisions of this Section, the provisions of this Section shall prevail where a project applicant seeks approval through this Section.

c. Relationship to Other Zoning Provisions

i. Relationship to Inclusionary Housing

Restricted affordable units provided in order to meet the eligibility criteria for participation in the State Density Bonus Program may also be used in order to count toward the restricted affordable units required by the Inclusionary Housing Program, pursuant to Sec. 5C.3.1. (Inclusionary Housing Program) where applicable.

d. Relationship to State Density Bonus Law

This Section is consistent with State Density Bonus Law contained in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. If at any time, this Section becomes inconsistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec.65915-65918 (State Density Bonus Law), as determined by the Director, the provisions of State Density Bonus Law shall supersede the provisions in this Section. The Director may prepare Implementation Memorandums, Technical Bulletins, and/or User Guides for the requirements set forth in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, for the purpose of providing guidance of implementation of this Section in compliance with the State Density Bonus Law.

C. Program Rules

1. Eligibility

To be eligible for any base incentive, additional incentive, waiver, public benefit, or other incentive provided in the State Density Bonus Program in Paragraphs 2. through 5., below, a project shall comply with all requirements provided in this Paragraph 1., below, as applicable, and provide any required restricted affordable units in order to obtain any particular incentive.

a. Unit Threshold

The project, including a mixed-use development, must have a minimum of five or more dwelling units, or five or more shared housing units in a shared housing building. For the purpose of establishing the minimum number of five units, restricted affordable units shall be included and density bonus units shall be excluded.

b. Maximum Allowable Residential Density

The project must occur on a lot with a maximum allowable residential density of five or more units.

c. Affordability Levels

The project shall reserve a minimum percentage of its dwelling units, or shared housing units in a shared housing building (excluding bonus units), for restricted affordable units (at the specified income level) or for the target populations as shown in the table below, subject to the provisions in Sub-subparagraphs i. through iv., below.

Required Percentage of Restricted Affordable Units or Target Population Units	
Income Level	**Minimum % of Dwelling Units**
Very Low Income (For Rental or For Sale)	5
Low Income (For Rental or For Sale)	10
Moderate Income (For Sale)	10
Target Population	**Minimum % of Dwelling Units**
Senior Citizen	100
Transitional Foster Youth as defined in the California Education Code Sec. 66025.9; Disabled Veteran as defined in California Government Code Sec. 18541; or Homeless Persons as defined in the federal McKinney-Vento Homeless Assistance Act 42 U.S.C. Sec. 11301 et seq.	10
Lower Income Students	20

i. Senior citizen housing developments shall comply with California Civil Code, Secs. 51.2 and 51.3, and all dwelling units provided in the resulting senior citizen housing development shall be reserved for senior citizens.

ii. Dwelling units provided for transitional foster youth, disabled veterans, or homeless persons target populations shall be provided as very low income restricted affordable units.

iii. Dwelling units provided for lower income students shall be provided at an affordability level as specified in California Government Code, Sec. 65915(b)(1)(F).

iv. Projects may exceed the minimum percentage of restricted affordable units in the table above and provide a higher percentage in exchange for additional bonuses or incentives as described in this Section.

d. Calculating Affordability Requirements

The required number of restricted affordable units for any particular incentive shall be calculated based on a project's provided dwelling units, or shared housing units in a shared housing building, excluding any units added by a density bonus awarded pursuant to this Section. When calculating a project's affordability requirement, any number resulting in a fraction shall be rounded up to the next whole number.

e. Rent and Housing Cost Schedules and Covenants

The rate of housing costs or rent for any required restricted affordable units shall not exceed those specified in California Health and Safety Code, Chapter 2. (Definitions), Sec. 50052.5 (Affordable Housing Costs) for for-sale dwelling units or California Health and Safety Code, Chapter 2. (Definitions), Sec. 50053 (Affordable Rent) for rental dwelling units. Covenants documenting required rental or for sale rates shall be recorded pursuant to the procedures in Sec. 9.2.1.D.3. (Records and Agreements).

f. Housing Replacement

The project shall meet any applicable housing replacement requirements and demolition protections of California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c)(3) and Division 4C.15. (Resident Protections). Replacement dwelling units required pursuant to Division 4C.15. (Resident Protections) shall count toward any restricted affordable unit requirements. When calculating a project's housing replacement requirement, any number resulting in a fraction shall be rounded up to the next whole number.

g. Fair Housing Requirements

Restricted affordable units shall meet the applicable requirements regarding the size, location, amenities and allocation of restricted affordable units established in Sec. 4C.15.3. (Restricted Affordable Units) and in any Implementation Memorandum or Technical Bulletin prepared and adopted by the Los Angeles Housing Department or the Department of City Planning.

h. Historic Resources

A project requiring the demolition of a designated historic resource, as demolition is defined in Subsection C. (Definitions) of Sec. 13B.8.1. (General Provisions), is not eligible for the State Density Bonus Program. Any proposed alteration to a designated historic resource shall not be approved for the State Density Bonus Program until any required review pursuant to the LAMC, or other state or federal law, is completed.

i. Unit Habitability Requirements

For purposes of this Sec. 9.2.1, the term "dwelling unit" or "unit" shall mean a complete independent living facility that includes permanent provisions for living, sleeping, eating, a kitchen, and sanitation, and shall also mean a shared housing unit in a shared housing building. The term "dwelling unit" or "unit" in this Section shall not be a reference to a household dwelling unit or an efficiency dwelling unit.

2. Base Incentives

Projects meeting the eligibility criteria established in Paragraph 1. (Eligibility), above, shall receive the base incentives as provided below.

a. Density

Projects shall be eligible for a density bonus as provided in this Subparagraph a., subject to the calculation rules in Sub-subparagraph i., below. Dwelling units constructed as a result of a density bonus may be permitted in geographic areas of the project other than the areas where restricted affordable units or dwelling units for a target population are located. A project does not need to use any or all of the density bonus for which the project is eligible.

i. Calculating a Density Bonus

For the purposes of calculating a density bonus the following shall apply:

a) Dwelling units that comprise a project shall be on abutting lots that are the subject of a single development application or are part of a single unified development, but do not need to be based on individual subdivision maps or parcels.

b) When calculating a density bonus, any number resulting in a fraction shall be rounded up to the next whole number.

ii. Density Bonus up to 50%

A density bonus up to 50 percent shall be granted based on the following table, when the Project provides very low or low income restricted affordable units as for-sale or rental housing, or moderate income restricted affordable units as for-sale housing, at the percentages provided for the corresponding density bonus identified in the table. Projects seeking a density bonus above 50 percent shall use the provisions in Sub-subparagraph iii. (Additional Density Bonus), below.

Required Percentage of Restricted Affordable Unit Set Asides - Density Bonuses Up to 50%			
Percentage of Density Bonus	**Percentage of Very Low Income**	**Percentage of Low Income**	**Percentage of Moderate Income (For-Sale)**
5	-	-	10
6	-	-	11
7	-	-	12
8	-	-	13
9	-	-	14
10	-	-	15
11	-	-	16
12	-	-	17
13	-	-	18
14	-	-	19
15	-	-	20
16	-	-	21
17	-	-	22
18	-	-	23
19	-	-	24
20	5	10	25
20.5	-	-	-
21	-	-	26
21.5	-	11	-
22	-	-	27
22.5	6	-	-
23	-	12	28
23.5	-	-	-
24	-	-	29
24.5	-	13	-
25	7	-	30
25.5	-	-	-
26	-	14	31
26.5	-	-	-
27	-	-	32
27.5	8	15	-
28	-	-	33
28.5	-	-	-
29	-	16	34
29.5	-	-	-
30	9	-	35
30.5	-	17	
31	-	-	36
31.5	-	-	-
32	-	18	37
32.5	10	-	-
33	-	-	38
33.5	-	19	-
34	-	-	39
34.5	-	-	-
35	11	20	40
38.75	12	21	41
42.5	13	22	42
46.25	14	23	43
50	15	24	44

iii. Additional Density Bonus

Projects that provide restricted affordable units sufficient to qualify for a 50 percent density bonus pursuant to Sub-subparagraph ii., above, (Density Bonus up to 50%), may seek an additional density bonus by providing additional restricted affordable units as provided in the following table, except the project may not include more than 50 percent of the project dwelling units, excluding density bonus units, as restricted affordable units. The additional density bonus shall be calculated excluding any density bonus units awarded under sub-Subparagraph ii. (Density Bonus up to 50%). This Additional Density Bonus provision may be used in lieu of or in combination with a request for Density Bonuses in Excess of the Base Incentive (Sec. 9.2.1.C.6.) to the extent the bonus is available as specified herein.

Required Percentage of Restricted Affordable Unit Set Asides - Additional Density Bonuses Above 50%		
Percentage of Density Bonus	**Percentage of Very Low Income**	**Percentage of Moderate-Income**
20	5	5
22.5	-	6
23.75	6	-
25	-	7
27.5	7	8
30	-	9
31.25	8	-
32.5	-	10
35	9	11
38.75	10	12
42.5	-	13
46.25	-	14
50	-	15

iv. Housing for Target Populations

Projects that provide dwelling units for a target population listed in Subparagraph c. (Affordability Levels) of Paragraph 1. (Eligibility), above, shall receive a density bonus as provided in the table, below. These density bonuses may be granted in lieu of a density bonus for units set aside as restricted affordable units based on Sub-subparagraph ii. (Density Bonus up to 50%) so long as the restricted affordable units are set aside for the applicable target population.

Housing for Target Populations - Density Bonuses		
Target Population	**Percentage of Density Bonus**	
Senior Citizen	20% of the number of Senior Citizen units	
Transitional Foster Youth/Disabled Veterans/Homeless Persons	20% of the number of Target Population units giving rise to a Density Bonus	
Lower Income Student	Percent Bonus	Percent of Units (excluding bonus units) that are Restricted Affordable Units
	35%	20%
	38.75%	21%
	42.5%	22%
	46.25%	23%
	50%	24%

v. Land Donation

An applicant for a subdivision, parcel map or other residential development approval that donates land for housing to the City satisfying the criteria of California Government Code Section, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(g), as verified by the Department of City Planning, shall be granted a minimum density bonus of 15 percent. The Department of City Planning may create an Implementation Memorandum for the purpose of clarifying procedures associated with the implementation of land donations pursuant to California Government Code Section, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(g).

b. Parking

Consistent with California Government Code Section, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(p), regardless of any applicable parking requirement, upon the request of an applicant a project is only required to provide the number of parking stalls per dwelling unit provided in the following table, subject to the provisions in Sub-subparagraphs i. through v., below. In using the table, the number of parking stalls are calculated based on the number of bedrooms or habitable rooms in each dwelling unit, as indicated.

Vehicular Parking Ratio for Eligible Projects	
Number of Bedrooms	***Automobile Parking Stalls* per *Dwelling Unit***
Zero to one bedroom (one to two *habitable rooms*)	1
Two to three bedrooms (three to four *habitable rooms*)	1.5
Four and more bedrooms (five or more *habitable rooms*)	2.5

i. Regardless of the above, parking shall not be required for a project located within one-half mile of a major transit stop.

ii. Consistent with California Civil Code Section, Sec. 1947.1, automobile parking stalls shall be sold or rented separately from the dwelling units in properties with 16 or more dwelling units, as verified by the Los Angeles Housing Department.

iii. The required automobile parking shall be calculated on all dwelling units in a project (not just the restricted affordable units), inclusive of accessible parking, where applicable. All automobile parking stalls provided shall comply with Sec. 4C.4.3. (Parking Area Design), except any combination of standard, compact or tandem stalls may be provided. Tandem parking stalls do not need to comply with the configuration requirements of Sec. 4C.4.3.C.12. (Tandem Parking) provided a parking attendant or an automated parking system is provided.

iv. Regardless of any otherwise applicable automobile parking design requirement, required automobile parking stalls provided may be covered or uncovered.

v. If applicable, when calculating a project's required automobile parking stalls, any number resulting in a fraction shall be rounded up to the next whole number.

3. Additional Incentives

Any project that meets the criteria established in Paragraph 1. (Eligibility), above, shall be granted additional incentives as provided below.

a. Number of Incentives

i. The project shall be granted the number of additional incentives calculated using the table below. The additional incentives granted may be any combination of incentives listed in Subparagraph c. (Menu of Additional Incentives), below, and incentives granted pursuant to Subparagraph d. (Incentives Not Listed on the Menu of Additional Incentives), below. Refer to Subsection D. (Administration), below, for the approval procedure that is consistent with the project's incentive request.

Allowed Number of Additional Incentives				
Level of Affordability (for applicable typology)	**Required Percentage of Restricted Affordable Units From Provided Dwelling Units (excluding Density Bonus units)**			
	1 Incentive	**2 Incentives**	**3 Incentives**	**4 Incentives**
Very Low Income (for rental or for sale)	5	10	15	16
Low Income (for rental or for sale)	10	17	24	N/A
Moderate Income (for sale)	10	20	30	45
Lower Income Student Housing Development	20	23	N/A	N/A

ii. For a lower income student housing development, comply with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(b)(1)(F) for lower income student housing.

b. Commercial Off-Site

Consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915.7, a project consisting entirely of non-residential uses may request a development bonus set forth in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915.7(b) if the commercial developer directly contributes affordable housing, or enters into a contract for partnered housing described in California Government Code Section, Chapter 4.3. (Density Bonuses and Other Incentives), 65915.7 with a housing developer to construct affordable housing. If a commercial developer partners with a housing developer, an agreement, subject to approval by the Department of City Planning, shall identify exactly how the commercial developer will contribute affordable housing. If Section 65915.7 sunsets, this Subparagraph shall be of no further force or effect. Housing constructed pursuant to this Subparagraph shall be constructed on the site of the commercial development or on a site that meets all of the following requirements:

i. Located within the boundaries of the City of Los Angeles; and

ii. In close proximity to public amenities including schools and employment centers; and

iii. Located within one-half mile of a Major Transit Stop.

c. Menu of Additional Incentives

Projects granted additional incentives may request those incentives from the following "Menu of Additional Incentives," subject to the review procedures in Sec. 9.2.1.D.1.a. (Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives), below. Each request from the Menu of Additional Incentives shall constitute one incentive request unless otherwise stated. Regardless of the above, a project located in a Very High Fire Hazard Severity Zone, a Sea Level Rise Area, or the Coastal Zone is not eligible to use the Menu of Additional Incentives.

i. Floor Area Ratio

An eligible project may request a percentage increase in the allowable base FAR equal to the percentage of density bonus for which the project is eligible, not to exceed 35 percent or 3.0:1 whichever is greater, provided the project is located within a one-half mile radius (2,640 feet) of a major transit stop, subject to the following:

a) For a project that includes residential uses and non-residential uses, the FAR bonus shall only apply to the portion of the development dedicated to residential uses and residential amenity space for the units; and the portion of the development dedicated to non-residential uses shall be limited to the base FAR of the applied Form District (Part 2B).

b) A project located on a lot with an applied Density District (Part 6B) of 1L to 4L or 15 through 60 shall not be eligible for this FAR incentive.

c) A project located on a lot with designated historic resources, or non-contributors shall not be eligible for this FAR incentive.

ii. Height

An eligible project may request an increase in height of one additional story. The increase in height shall be applicable over the entire lot regardless of the height limits of the applied Form District (Part 2B), including stepback requirements and height transitions.

iii. Setbacks

A project may reduce all applicable building setbacks by the allowable adjustment amount specified for each applicable setback in Subsection F. of Sec 2C.2.2. (Building Setbacks). The bundle of reduced setbacks shall require the use of only one incentive.

iv. Average of Floor Area Ratio, Density, Parking and Lot Amenity Space

A project that is located on two or more abutting lots may average the maximum floor area, minimum lot amenity space, minimum parking, and maximum density over the project site provided that:

a) The proposed uses are permitted by the applied Use District (Part 5B) of each lot where the proposed uses are located; and

b) A covenant running with the land is recorded with the Los Angeles County Recorder, and a copy is provided to the Department of Building and Safety prior to the issuance of any building permit, that specifies no further lot line adjustment or any other action that may cause the project site to be subdivided subsequent to this grant, is permitted for the life of the project.

c) The project is located on one or more contiguous lots that are not separated by a street or alley.

d) The project includes the number of Restricted Affordable Units sufficient to qualify for a 35% Density Bonus.

v. Supplementary Parking Reductions

An applicant may request either or both of the following reductions as a single incentive:

a) Commercial Parking

Eligible projects may request the elimination of any requirement to provide new or maintain existing automobile parking stalls required by the applied Development Standards District (Part 4B) associated with a commercial use proposed as part of the project.

b) General Parking Reduction

Projects located within one-half mile radius of a high quality transit service may request up to a 50 percent reduction in required automobile parking stalls consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(p)(5).

vi. By-Right Adjustment

An eligible project may request relief from any standard or requirement established elsewhere in the Los Angeles Municipal Code, a Supplemental District, Specific Plan, Special Zone, or other zoning condition that would otherwise require approval pursuant to Sec. 13B.5.2. (Adjustment), and shall not be subject to the requirements of Sec. 13B.5.2. (Adjustment). Each adjustment-equivalent request for relief shall count as one incentive request. The following limitations apply to this incentive:

a) This incentive shall not apply to standards that regulate FAR, height, setbacks, ground story requirements, signs, required trees, parking setbacks, pedestrian access, frontage screen and transition screen requirements, and lot amenity space.

b) This incentive shall not apply to a designated historic resource or a non-contributor.

c) Incentives Not Listed on the Menu of Additional Incentives Projects may request incentives not listed in or in excess or the incentive allowed in Subparagraph c. (Menu of Additional Incentives), above, subject to the approval process in Sec. 9.2.1.D.1.b. (Projects Requesting Incentives Not Listed on the Menu of Additional Incentives), below.

4. Waivers

A project may request waivers, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the additional incentives granted under Subparagraph a. (Number of Incentives) of Paragraph 3. (Additional Incentives), above, subject to the procedures and findings in Sec. 9.2.1.D.1.c. (Projects with Requests for Waivers or Reductions of Development Standards), below.

5. Public Benefits

A project that meets the eligibility criteria provided in Paragraph 1. (Eligibility), may be granted additional FAR and height beyond the FAR and height increases available as incentives listed in Paragraph 3. (Additional Incentives), above, by providing one or more of the public benefits listed in Subparagraph b. (Public Benefit Options), below. Regardless of the above, housing developments located in Sea Level Rise Areas, Very High Fire Hazard Severity Zones, the Coastal Zone, or housing developments that provide fewer restricted affordable units than required for the maximum number of incentives available to an income category or target population, shall not be eligible for the Multi-Bedroom Units or Surveyed Historic Resource Façade Rehabilitation public benefit options.

a. A project providing public benefits shall receive the bonuses described in Subparagraph c. (Public Benefit Options) for the associated public benefit. Multiple public benefits may be provided in one project to combine and stack bonuses.

b. Public Benefit Options

i. Childcare Facility

A project that provides a childcare facility meeting the standards provided in Sec. 9.3.4.C.4.a. (Childcare Facility) shall receive either the incentive in Sub-sub-subparagraph a) or b), below. However pursuant to California Government Code Section 65915(h)(3), a density bonus or incentive for a childcare facility shall not be provided if the applicable decision-maker finds, based on substantial evidence, that the community has adequate childcare facilities. The two incentive options are:

a) Additional floor area for residential use equivalent to the total floor area dedicated to a qualifying childcare facility space in the project, or

b) One additional incentive from the Menu of Additional Incentives (Sec 9.2.1.C.3.a.) or an incentive pursuant to Sec 9.2.1.C.3.b. (Incentives Not Listed on the Menu of Additional Incentives) that contributes significantly to the economic feasibility of the childcare facility.

ii. Multi-Bedroom Units

A project with multi-bedroom dwelling units shall be granted an incentive under Sub-sub-subparagraph a) or an incentive under Sub-sub-subparagraph b), below, where the project applicant and property owner execute a covenant in favor of the City that is recorded in the development site's chain of title in order to guarantee that qualifying multi-bedroom units will maintain the same bedroom count and will not be converted to additional dwelling units in the future.

a) A project that includes a minimum of ten percent of overall dwelling units (including units added by a density bonus) with three bedrooms (four or more habitable rooms) or more shall be granted additional floor area and/or height as provided in the table below, above the additional incentives provided in Paragraph 3. (Additional Incentives), above.

Additional FAR and Height for Multi-Bedroom Units		
Overall Dwelling Units (including Density Bonus Units)	**Additional FAR**	**Additional Height (Stories)**
0-30	0.5	1
31-50	1.0	1
51-75	1.5	2
75+	2.0	2

b) A project shall be granted the following floor area and height incentives, as described below:

i) An exemption of the floor area of all dwelling units with three or more bedrooms (4 or more habitable rooms) from the floor area calculations of the project, so that the specified residential units do not count against the maximum floor area allowed on the development site, and/or

ii) An additional story of height beyond the height incentives provided in Paragraph 3. (Additional Incentives), above, provided that the floor area of this additional story is limited to the square footage exempted from the floor area calculation above.

iii. Surveyed Historic Resource Facade Rehabilitation

Projects incorporating a surveyed historic resource into the project design shall be granted additional floor area up to 1.0 FAR and 2 stories in height beyond the incentives listed in Paragraph 3. (Additional Incentives), above, provided all the following standards are met:

a) The project retains all street-facing facades to a depth of 10 feet;

b) New floor area shall be set back behind the 10-foot retention area in a) above, except that amenity space, balconies, and non-habitable architectural projections may encroach on the 10-foot retention area. In instances where a lot contains dual frontages, the setback shall be applied from both frontages; and Rehabilitation of the facades is completed pursuant to the Secretary of the Interior's Standards for the Treatment of Historic Properties, as supported by an expert report or study, prepared by a qualified historical consultant, or demonstrated by the project plans and accepted by the Office of Historical Resources consistent with any Implementation Memorandum, Guidelines, or Technical Bulletin of the Director of City Planning. This option does not apply if the Office of Historic Resources has determined that the surveyed historic resource is not eligible for listing individually or as a contributor.

6. Projects with Requests for Density Bonuses in Excess of the Base Incentive

Consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec.65915(n), a project may be granted additional density bonus beyond the density allowed for a single income category under the base incentives in Paragraph 2. (Base Incentives), above, by providing additional restricted affordable units in that single income category, subject to the procedures in Sec. 9.2.1.D.1.e. (Projects with Requests for Density Bonuses in Excess of the Base Incentive).

a. An additional density bonus shall be granted for setting aside additional restricted affordable units in the following manner:

i. For every additional one percent set aside of very low income restricted affordable units, the project shall be granted an additional 2.5 percent density increase; or

ii. For every additional one percent set aside of low income restricted affordable units, the project shall be granted an additional 1.5 percent density increase; or

iii. For every additional one percent set aside of moderate income restricted affordable units in for-sale projects, the project shall be granted an additional one percent density increase.

b. In calculating the density increase and restricted affordable units, each component of any density calculation, including the calculation of maximum allowable residential density, base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number.

c. A project receiving additional density increases beyond 50 percent may be granted the incentives in Paragraph 2. (Base Incentives) and Paragraph 3. (Additional Incentives), above, pursuant to the requirements in those paragraphs.

D. Administration

1. Procedures

A project utilizing this Section shall be reviewed using the procedures in this Subsection D. Approval of any base or additional incentive, waiver, or public benefit, pursuant to this Section shall not, in and of itself, require a general plan amendment, zone change, project review or other discretionary review action required by this Chapter, a specific plan, supplemental district, or special zone. Ministerial approval in this Paragraph shall mean an administrative process to approve a "use by right" as this term is defined in California Government Code Sec. 65583.2(i).

a. Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives

A project requesting only the incentives provided in Paragraph 2. (Base Incentives) of Subsection C. (Program Rules), above, or additional incentives from the menu of additional incentives in Sec. 9.2.1.C.3.c. (Menu of Additional Incentives), above, and not requesting any waivers under Sec. 9.2.1.C.4 (Waivers) or incentives under Sec. 9.2.1.C.3.d (Incentives Not Listed on the Menu of Additional Incentives), shall be approved with a ministerial approval by the Department of Building and Safety as follows:

i. Base incentives shall be granted.

ii. Additional incentives shall be granted subject to the standards provided in Sec. 9.2.1.D.2.a. (Standards for Review for Additional Incentives), below.

b. Projects Requesting Incentives Not Listed on the Menu of Additional Incentives

A project requesting "off menu" incentives under Sec. 9.2.1.C.3., above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review), subject to the additional standards provided in Sec. 9.2.1.D.2.a. (Standards for Review for Additional Incentives).

c. Projects Requesting Waivers

A project requesting waivers, modifications, or reductions of applicable zoning standards and requirements beyond the number of additional incentives permitted pursuant to Sec. 9.2.1.C.3.a. (Number of Incentives), above, shall be reviewed pursuant to Sec. 13B.2.3. (Class 3 Conditional Use), except the approval is subject to the findings in Sec. 9.2.1.D.2.b. (Required Findings for Waivers), below, instead of the findings in Sec. 13B.2.3.E, and there is no right to an appeal of the initial decision.

d. Projects Providing Public Benefits

Projects requesting higher incentives or additional incentives in exchange for providing one or more public benefit options described in Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review).

e. Projects with Requests for Density Bonuses in Excess of the Base Incentive

A project requesting a density bonus over the base incentive shall be approved pursuant to the procedures in Sec. 13B.2.3. (Class 3 Conditional Use), except a project requesting a density bonus that exceeds 88.75 percent requires the following supplemental findings:

i. The project is consistent with and implements the affordable housing provisions of the Housing Element of the General Plan, and does not seek approval through the Housing Element Sites Program (Sec. 9.2.6 of this Code);

ii. The project contains at minimum the requisite number of restricted affordable units, based on the number of dwelling units provided, excluding dwelling units added by a density bonus, on the date of application as follows under a single income category:

a) 25 percent very low-income units for an 88.75 percent density increase (15% + 10% per California Government Code Sec. 65915(f) and (v)); or

b) 24 percent low-income units for a 50 percent density increase (California Government Code Sec. 65915(f)); or

c) 44 percent moderate income units for a 50 percent density increase in for-sale project (California Government Code Sec. 65915(f)).

iii. The project meets any applicable dwelling unit replacement requirements and demolition protections of California Government Code Sec. 65915(c)(3), and Division 4C.15. (Resident Protections), as verified by the Los Angeles Housing Department (LAHD). Replacement units required pursuant to these provisions may count towards any on-site restricted affordable unit requirement above.

iv. The project's restricted affordable units are subject to a recorded affordability restriction of 55 years or 99 years pursuant to Division 4C.15. (Resident Protections) as applicable, running from the issuance of the certificate of occupancy, recorded in a covenant acceptable to the Los Angeles Housing Department, and subject to fees as set forth in Sec. 15.4.2. (Fees For Enforcement of Housing Covenants).

v. The project meets the requirements for projects that include affordable housing referenced in Sec. 4C.15.3. (Restricted Affordable Units), including the Fair Housing Requirements For Affordable Housing.

f. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10 (Multiple Approvals) apply to a project seeking other discretionary approvals in conjunction with an application requested pursuant to this Section.

Regardless of any other findings that may be applicable for the other discretionary approvals, the decision maker shall approve the incentives requested pursuant to the State Density Bonus Program, subject to any procedures established in this Paragraph 1. (Procedures) and findings and standards established in Paragraph 2. (Standards for Review and Required Findings), below.

2. Standards for Review and Required Findings

a. Standards for Review for Additional Incentives

For the purposes of standards of review for additional incentives, 'incentive' shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(k).

Additional Incentives in Sec. 9.2.1.C.3. (Additional Incentives) shall be granted unless one of the following written findings is made, based upon substantial evidence:

i. The incentive does not result in identifiable and actual cost reductions, consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(k), to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c); or

ii. The incentive will have a specific adverse impact upon public health and safety 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 low-income households and moderate-income households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific adverse impact upon the public health or safety; or

iii. The incentive would be contrary to state or federal law.

b. Required Findings for Waivers

For the purposes of required findings for waivers, 'development standard' shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(o)(2). Waivers pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be approved by the applicable decision-making authority unless the decision-making authority finds any of the following, based on substantial evidence:

i. The development standard associated with a request for a waiver will not have the effect of physically precluding the construction of a development meeting the eligibility criteria described in Paragraph 1 (Eligibility) of Subsection C. (Program Rules), above, at the densities or with the base incentives and additional incentives permitted under Subsection C. (Program Rules), above; or

ii. The waiver would have a specific adverse impact, upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific adverse impact upon the public health or safety; or

iii. The waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources; or

iv. The waiver would be contrary to state or federal law.

3. Records and Agreements

Prior to the issuance of a building permit for any project qualifying for a density bonus pursuant to the provisions of this Section, covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section and in Div. 4C.15. (Resident Protections) shall be recorded with the Los Angeles County Recorder.

4. Vesting.

An application for an entitlement that was filed and fees paid prior to the date on which this Section becomes operative, shall be subject to all applicable provisions of Los Angeles Municipal Code Chapter 1A, including any incentive menus or options, that were in effect on the date the application was filed and fees were paid where a public hearing, when required, has been held. An application for an entitlement that was filed and fees paid prior to the date on

which this Section becomes operative, may elect to apply the Procedures and comply with the Administration requirements of this Section, if a public hearing, when required, has not yet been held for the project. Any such project shall be subject to all other applicable provisions in Chapter 1A of the Los Angeles Municipal Code that were in effect on the date the application was filed and fees were paid. Projects shall only be eligible for the incentives of this Section if a new application is filed and associated fees for the new filing are paid on or after the operative date of this Section.

Sec. 18. Section 9.2.2. of Division 9.2. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is renumbered to Section 9.2.7. of Division 9.2. Article 9. of Chapter 1A of the Los Angeles Municipal Code.

Sec. 19. A new Section 9.2.2. is added to Division 9.2. of Article 9. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 9.2.2. AFFORDABLE HOUSING INCENTIVE PROGRAM

A. Intent

The Affordable Housing Incentive Program aims to increase the production of affordable housing projects, including priority housing projects, by implementing state density bonus requirements as set forth in California Government Code Sections 65915-65918 for one hundred percent affordable housing projects, with tailored application for sites owned by public agencies, religious institutions, nonprofit community land trusts, and cooperatives. In conjunction with the incentives granted by state law, the program offers incentives to make affordable housing construction more feasible, particularly in areas of higher opportunity and quality transit service. The program establishes applicability, program rules, and streamlined procedures through which eligible projects can access state and local incentives.

B. Applicability

This Section 9.2.2., the "Affordable Housing Incentive Program", applies to a project that meets all of the following criteria: meets the definition of either a one hundred percent affordable housing project, a faith-based organization project, a shared equity project, or a public land project; provides the required set-asides of restricted affordable units in exchange for a density bonus and additional incentives; meets the eligibility criteria in Sec. 9.2.2.C.1. (Eligibility), below, and involves a project activity listed in Paragraph 1. (Project Activities), below.

1. Project Activities

The following project activities are subject to the Affordable Housing Incentive Program:

a. New construction for which all new floor area meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.

b. A use modification, including the conversion of existing floor area from a non-residential use to a residential use or an increase in dwelling units within existing floor area, for which all resulting new dwelling units and all renovated dwelling units meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.

c. A lot modification that results in dwelling units that meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

A project is ineligible for the bonuses, incentives and procedures of the Affordable Housing Incentive Program, if it participates in any other housing incentive program in Art. 9. (Public Benefit Systems), elsewhere in the Los Angeles Municipal Code, in a Specific Plan, Supplemental District, or Special Zone, or in any other City regulation or guideline, except:

i. A project may utilize the streamlining incentives in the Housing Element Sites Streamlining Program (Sec. 9.2.6.), provided that the projects meets the requirements for both programs.

ii. A project that meets the definition of a Type I Unified Adaptive Reuse Project, and the eligibility requirements for both the Affordable Housing Incentive Program and the Citywide Adaptive Reuse Program, pursuant to Sec. 9.4.6. (Citywide Adaptive Reuse Program), may participate in both incentive programs and receive incentives pursuant to both programs. The portion of the Type I Unified Adaptive Reuse Project consisting of new construction may be eligible for base incentives, additional incentives, waivers, and public benefits options outlined in Paragraphs 2., 3., 4., and 5. of Subsection C. (Program Rules), below, unless otherwise stated, and the project shall comply with Paragraph 1. (Procedures) in Subsection D. (Administration) based on the corresponding project type definition and associated project request.

iii. This Section expressly authorizes a project to use another housing incentive program as specified.

b. Relationship to Specific Plans, Supplemental Districts, and Special Zones

As this Section implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event an applicable Specific Plan, Supplemental District, or Special Zone differs from the procedures, requirements, and provisions of this Section, the provisions of this Section shall prevail where a project applicant seeks approval through this Section.

c. Relationship to Other Zoning Provisions

i. General

As this Section implements State Density Bonus law pursuant to California Government Code, Chapter 4.3 (Density Bonuses and Other Incentives), Sec. 65915-65918, in the event of any difference between the provisions of this Section and any other provision of the Zoning Code (Chapter 1A), the provisions of this Section shall prevail.

ii. Relationship to Inclusionary Housing

Restricted affordable units provided in order to meet the eligibility criteria for participation in the Affordable Housing Incentive Program may also be used in order to count toward the restricted affordable units required by the Inclusionary Housing Program, pursuant to Sec. 5C.3.1. (Inclusionary Housing Program), where applicable.

iii. Relationship to Project Review Threshold Packages

Regardless of the otherwise applicable Development Review Threshold Package required by the applied Development Standards District (Part 4B.) and the requirements in Development Review (Sec. 4C.14.), projects participating in the Affordable Housing Incentive Program are exempt from review pursuant to Sec. 13B.2.4. (Project Review).

d. Relationship to State Density Bonus Law

The Affordable Housing Incentive Program is intended to be consistent with State Density Bonus Law at California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. If at any time, the Affordable Housing Incentive Program becomes inconsistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, as determined by the Director, the provisions of State Density Bonus Law shall supersede the provisions in this Section. The Director may prepare Implementation Memorandums, Technical Bulletins, and/or User Guides for the purposes of providing additional guidance on the implementation of this Section and maintaining consistency with the State Density Bonus Law.

C. Program Rules

1. Eligibility

To be eligible for any base incentives, additional incentives, waivers, public benefits, or other incentives provided in the Affordable Housing Incentive Program in Paragraphs 2. through 5., below, a project shall comply with all requirements provided in this Paragraph 1., as applicable, and provide the required restricted affordable units in order to obtain any particular incentive.

a. Unit Threshold

A project must have a minimum of five or more dwelling units. The units counted for purposes of this requirement includes dwelling units permitted as a result of a density bonus granted pursuant to Paragraph 2. (Base Incentives), below.

b. Zoning

i. The project shall not be located on a lot with an applied Density District (Part 6B) of N, except a public land project.

ii. The project shall not be located on a lot with an applied Density District (Part 6B) of 1L, except any of the following:

a) A public land project.

b) A faith-based organization project on a lot purchased by a religious institution before January 1, 2024, or on a lot located within 0.1 miles of a lot containing an operating community assembly use owned by the filing religious institution.

c) A one hundred percent affordable housing project on a project site with a maximum allowable residential density of 5 or more dwelling units.

c. Residential Use

A minimum of two-thirds of the total floor area of a project, including newly constructed floor area and renovated or converted floor area, must be dedicated to residential uses and residential amenity space for the units.

d. Affordability Levels

i. Percentage of Restricted Affordable Units

The project shall reserve a minimum percentage of all dwelling units (including bonus units) for restricted affordable units on-site according to the project type as shown in the table below, subject to the affordability standards below.

Required Percentage of Restricted Affordable Units by Project Type	
Project Type	**Minimum % of All Project Units That Are Restricted Affordable Units**
One Hundred Percent Affordable Housing Projects	100
Public Land Projects	80
Faith-Based Organization Projects	80
Shared Equity Projects	80

ii. Income Levels

a) One Hundred Percent Affordable Housing Projects

Consistent with California Government Code Sec. 65915(b)(1)(G), in a one hundred percent affordable housing project all dwelling units or shared housing units in a shared housing building (including density bonus units but excluding a manager's unit or staff units pursuant to California Government Code Sec. 65913.16), shall be restricted affordable units for lower income households (California Health and Safety Code Sec. 50079.5), except that up to 20 percent of all dwelling units may be for moderate income households (California Health and Safety Code Sec. 50053 and 50093). The affordable rents for at least 20 percent of all units shall be set per California Health and Safety Code Section 50053, but affordable rents for the remaining units shall be set for lower income households as determined by the California Tax Credit Allocation Committee. For for-sale units, the affordable housing costs are defined by California Health and Safety Code Section 50052.5.

b) Public Land Projects

A public land project shall provide a percentage of dwelling units (excluding dwelling units added by a density bonus) as restricted affordable units meeting one of the following income and affordability levels for one of the unit types specified in parentheses: 16 percent for very low income households (for rent or sale), 25 percent for lower income households (for rent or sale), or 45 percent for moderate income households (for sale), as those referenced incomes, rents and housing costs are specified in California Government Code Sec. 65915. The remaining required restricted affordable units may be set up to the maximum income, affordable rent, and affordable for-sale housing cost, for households earning up to 120 percent of the area median income, as determined by the California Tax Credit Allocation Committee, or per California Health and Safety Code Sections 50052.5 and 50053. A project may elect to set these remaining required restricted affordable units at a lower income and affordability level. In addition, twenty percent of all project dwelling units (inclusive of density bonus units) may be unrestricted.

c) Faith Based Organization Projects

A faith based organization project shall provide a percentage of dwelling units (excluding dwelling units added by a density bonus) as restricted affordable units meeting one of the following income and affordability levels for one of the unit types specified in parentheses: 16 percent for very low-income households (for rent or sale); 25 percent for low-income households (for rent or sale); or 45 percent for moderate income households (for sale), as those referenced incomes, rents and housing cost are defined in California Government Code Sec. 65915. The remaining required restricted affordable units may be set up to the maximum income, affordable rent, and affordable for-sale housing cost for lower income households, as determined by the California Tax Credit Allocation Committee, or per California Health and Safety Code Sections 50052.5 and 50053; but with the exception that up to 20 percent of the remaining required restricted affordable units may be set at an affordable rent or for-sale housing cost to households earning up to 120 percent of the area median income, as determined by the California Tax Credit Allocation Committee, or per California Health and Safety Code Sections 50052.5 and 50053. A project may elect to set these remaining required restricted affordable units at a lower income and affordability level. In addition, 20 percent of the all-project dwelling units (inclusive of a density bonus) may be unrestricted.

d) Shared Equity Projects

A shared equity project shall provide a percentage of dwelling units (excluding dwelling units added by a density bonus) as restricted affordable units meeting one of the following income and affordability levels for one of the unit types specified in parentheses: 16 percent for very low income households (for rent or sale), 25 percent for lower income households (for rent or sale), or 45 percent for moderate income households (for sale), as those referenced incomes, rents and housing costs are specified in California Government Code Sec. 65915. The remaining required restricted affordable units may be set up to the maximum income, affordable rent, and affordable for-sale housing cost, for households earning up to 120 percent of the area median income, as determined by the California Tax Credit Allocation Committee, or per California Health and Safety Code Sections 50052.5 and 50053. A project may elect to set these remaining required restricted affordable units at a lower income and affordability level. In addition, twenty percent of all project dwelling units (inclusive of density bonus units) may be unrestricted.

iii. Calculating Affordability Requirements

In calculating the minimum percentage of on-site restricted affordable units, the percentage of each affordability level shall be based on the total project dwelling unit count, including dwelling units permitted as a result of a density bonus granted pursuant to Subparagraph a. (State Base Incentives) of Paragraph 2. (Base Incentives), except where otherwise specified for certain project types. Any number resulting in a fraction shall be rounded up to the next whole number, and not as specified in Sec. 6C.1.2. (Lot Area Per Household Dwelling Unit) or Sec. 6C.1.3. (Lot Area Per Efficiency Dwelling Unit).

iv. Rent Schedules

As specified in the provisions in this Section, projects shall use the indicated rent schedule published by the Los Angeles Housing Department for purposes of providing restricted affordable units. Covenants documenting required rental or for sale rates shall be recorded pursuant to the procedures described in Sec. 9.2.2.D.3. (Records and Agreements).

e. Housing Replacement

The project shall meet any applicable housing replacement requirements and demolition protections in Div. 4C.15. (Resident Protections). Replacement dwelling units required pursuant to Div. 4C.15. (Resident Protections) shall count toward any restricted affordable unit requirements.

f. Fair Housing Requirements

Restricted affordable units shall meet the applicable requirements regarding the size, location, amenities and allocation of restricted affordable units established in Sec. 4C.15.3. (Restricted Affordable Units) and in any Implementation Memorandum or Technical Bulletin prepared and adopted by the Los Angeles Housing Department or Department of City Planning.

g. Environmental Exclusions

i. A faith-based organization project or shared equity project participating in the Affordable Housing Incentive Program shall not be located fully or partially on a lot located within a Very High Fire Hazard Severity Zone, the Coastal Zone, or a Sea Level Rise Area.

ii. A one hundred percent affordable housing project on a lot with a maximum allowable residential density of less than five dwelling units shall not be eligible for the Affordable Housing Incentive Program if the project is fully or partially on a lot located within a Very High Fire Hazard Severity Zone, the Coastal Zone, or a Sea Level Rise Area.

h. Historic Resources

i. A project requiring the demolition of a designated historic resource, as demolition is defined in Subsection C. (Definitions) of Sec. 13B.8.1. (General Provisions), shall not be eligible for the Affordable Housing Incentive Program (Sec. 9.2.2.) Any proposed alteration to a designated historic resource shall not be approved for the Affordable Housing Incentive Program until any required review pursuant to the LAMC, or other state or federal law, is completed.

ii. A faith-based organization project or a shared equity project shall not be eligible for the Affordable Housing Incentive Program (Sec. 9.2.2.) if it requires the demolition, as defined in Sec. 13B.8.1.C. (General Provisions), of a surveyed historic resource.

iii. A faith-based organization projects or a shared equity project that proposes to alter a surveyed historic resources must be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, as supported by an expert study that has been accepted by the Office of Historic Resources, or demonstrated by the project plans and accepted by the Office of Historical Resources if consistent with adopted Implementation Memorandum, Guidelines, or Technical Bulletin of the Director of City Planning. This requirement does not apply if the Office of Historic Resources has determined the surveyed historic resource is not eligible for listing individually or as a contributor to a district on a local, state or federal register of historic resources.

i. Unit Habitability Requirements

For purposes of a one hundred percent housing affordable housing project in this Sec. 9.2.2, the term "dwelling unit" or "unit" shall mean a complete independent living facility that includes permanent provisions for living, sleeping, eating, a kitchen, and sanitation, or a shared housing unit in a shared housing building; but the term shall not include a household dwelling unit or an efficiency dwelling unit. When the term "dwelling unit" or "unit" is used in reference to a shared equity project, public land project, or a faith-based organization project in this Sec. 9.2.2, the term "dwelling unit" or "unit" shall mean a complete independent living facility that includes permanent provisions for living, sleeping, eating, a kitchen, and sanitation; but the term shall not include a shared housing unit, household dwelling unit, or an efficiency dwelling unit.

2. Base Incentives

a. State Base Incentives

A one-hundred percent affordable project shall be eligible for any density bonus, height, and parking incentives provided by California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Secs. 65915-65918, as shown in the table below for reference.

Base Incentives through State Density Bonus			
Geographic Criteria	**Density Bonus**	**Height**	**Parking**
Citywide	The amount of additional units granted as a density bonus shall be equivalent to 80% of the number of units that were set aside for lower income households prior to the application of the density bonus.	None	Refer to California Government Code Section 65915(p)
Within 0.5 miles of a major transit stop or within a very low vehicle travel area	Limited by Floor Area	33 feet or 3 stories, whichever is greater	Refer to California Government Code Section 65915(p)

b. Local Base Incentives

Base Incentives shall be granted to a project participating in the Affordable Housing Incentive Program, subject to all applicable provisions in this Subparagraph b., and Sec. 9.2.2.D.1.a (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives).

i. Project type. The project shall be one of the following:

a) A one-hundred percent affordable housing project.;

b) A faith-based organization project;

c) A shared-equity project; or

d) A public land project.

ii. Base incentives.

The base incentives described in the following table shall be granted to the project based on the project's geographic criteria and maximum residential density under the assigned Density District (Part 6B).

Base Incentives for the Affordable Housing Incentive Program					
Geographic Criteria	**Maximum Allowable Residential Density**	**Density Bonus**	**FAR**	**Height**	**Parking**
Citywide	**Less than 5**	The amount of additional units granted as a density bonus shall be equivalent to 80% of the number of units that were set aside for lower income households prior to the application of the density bonus.	Maximum of 1.5	An increase of 11 feet or 1 story, whichever is greater.	The minimum parking is .5 automobile parking stalls per dwelling unit.
	5 or more		Maximum of 3.0 or a 35% increase, whichever is greater	An increase of 22 feet or 2 stories, whichever is greater.	
Within 0.5 miles of a major transit stop or a very low vehicle travel area	**Less than 5**	Density is limited by floor area.	Maximum of 2.0	An increase of 11 feet or 1 story, whichever is greater.	No minimum residential parking is required.
	5 or more		Maximum of 4.5 or a 50% increase, whichever is greater	An increase of 33 feet or 3 stories, whichever is greater.	
In a higher opportunity area or moderate opportunity area	**Less than 5**	Density is limited by floor area.	Maximum of 2.5	An increase of 11 feet or 1 story, whichever is greater.	No minimum residential parking is required. Required parking for current or proposed non-residential uses may be reduced by 25%.
	5 or more		Maximum of 4.65, or a 55% increase, whichever is greater	An increase of 33 feet or 3 stories, whichever is greater.	

iii. Public Land Project and One Hundred Percent Affordable Housing Project Exceptions to Local Base Incentives

a) Regardless of the contrary in the table above, a public land project shall be granted a minimum floor area ratio of 3.0, residential uses, the applicable incentives identified for projects with a maximum allowable residential density of five in the table immediately above, and a height of three stories or 33 feet. Public land projects may also access the incentives in Sub-sub-subparagraph c), below.

b) Regardless of the otherwise applicable use permissions set by the applied Use District (Part 5B), use permissions for the public lands project participating in the Affordable Housing Incentive Program shall be given an A+ use permission, as described in Subsection B. (Dependent on Most Permissive Adjoining Zone (A+)) of Sec. 5A.3.6. (Depending on Adjoining Zoning (A- & A+).

c) To implement the Affordable Housing Incentive Program, as part of the City's implementation of the State Density Bonus Law, a public land project that receives a preceding resolution of support from City Council, may seek more than one waiver through the process at Sec. 13B.3.2 (Expanded Administrative Review).

d) Regardless of the local base incentives listed above, a one hundred percent affordable housing project is limited to the density bonus, parking and height incentives in California Government Code Sec. 65915 for a project meeting the eligibility criteria of Section 65915(b)(1)(G), where the project site allows five or more dwelling units (excluding bonus units), and the site is located in Very High Fire Hazard Severity Zone, the Coastal Zone, or Sea Level Rise Area; is on a lot with an applied Density District (Part 6B) of 1L; or is in a manufacturing or hybrid industrial zone that disallows multiple family residential uses; or is in a residential use district that is single-family or more restrictive.

iv. Shared Equity Project and Faith-Based Organization Project Exception to Local Base Incentives

A shared equity project or a faith-based organization project shall be limited to the base incentives in the table above for sites with a maximum allowable residential density less than five dwelling units, regardless of the applicable maximum allowable residential density.

a) Measure ULA Exception

A shared equity project receiving funding from a program established under Ordinance No. 187,692 (Measure ULA) shall be eligible for incentives as determined by the maximum allowable residential density of the project site.

v. Additional Base Incentives

a) The required parking for current or proposed community assembly uses owned by a filing religious institution shall be reduced by 50 percent and be counted toward the automobile parking requirement of a project, pursuant to California Government Code Sec. 65913.6.

b) No automobile parking is required for a faith-based organization project, including both residential uses and non-residential uses, when there is a car share vehicle located within one block of the project site.

c) A project shall be exempt from any applicable improvement requirement for roadway widening, including the relocation of an established curb or curb and gutter, pursuant to Div. 10.1. (Street Dedication & Improvement). This incentive shall not require an approval pursuant to Sec. 10.1.10. (Waiver and Appeals). A project utilizing this incentive shall comply with all dedication requirements under Div. 10.1. (Street Dedication & Improvement) and complete all other required public right-of-way improvements, including but not limited to sidewalk improvements, unless a Waiver of Dedication and Improvement is granted pursuant to Sec. 10.1.10. (Waiver & Appeals). A project shall further be eligible for relief from some required dedication, where specified by Sec. 10.2.1 (Requirements). Regardless of the above, any otherwise required dedication and improvement shall conform to the Street Dedication and Improvement Investigation Criteria adopted or amended pursuant to Council File 22-1476. A project in a Very High Fire Hazard Severity Zone, Hillside Area, Coastal Zone, or Projects subject to procedures in LAMC Section 13B.2.3 (Class 3 Conditional Use Permit) of Chapter 1A of this Code shall not be eligible for this local base incentive.

vi. Additional Standards for Base Incentives

a) Any additional floor area provided in a local base incentive and exceeding the base floor area ratio allowed by the applied Form District (Part 2B) shall be dedicated only to residential uses and residential amenity space.

b) Any increase in height shall be applicable to a project site over the entire site regardless of the number of underlying height limits. The height increase may be applied to the maximum allowable height in feet or height in stories permitted by the Form District (Part 2B).

c) For the purposes of calculating dwelling units granted as a result of a density bonus, any calculation resulting in fractional numbers shall be rounded up to the next whole number.

d) If an applicable Specific Plan, Supplemental District, or Special Zone, or the applied Form District (Part 2B) allows a tier 1 bonus floor area ratio or tier 1 bonus height higher than what is granted in this program, qualifying projects may instead opt to use the tier 1 bonus floor area ratio or tier 1 bonus height granted by the applicable Specific Plan, Supplemental District, Special Zone, or the applied Form District (Part 2B), in lieu of the floor area ratio or height granted in the local base incentive.

e) All automobile parking stalls provided shall comply with Sec. 4C.4.3. (Parking Area Design), except that any combination of standard, compact or tandem stalls may be provided. Tandem parking stalls that do not comply with Sec. 4C.4.3.C.12. (Tandem Parking) may be provided in any configuration as long as a parking attendant or an automated parking system is provided. Regardless of any otherwise applicable automobile parking design requirement, required automobile parking stalls provided may be either covered or uncovered, consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(p)(4).

f) If applicable, when calculating a project's required automobile parking stalls, any number resulting in a fraction shall be rounded up to the next whole number.

3. Additional Incentives

In addition to the applicable base incentives established in Paragraph 2. (Base Incentives), above, a project shall be granted up to five additional incentives in this Paragraph. A project that satisfies the applicable eligibility criteria of this Section may receive up to five Incentives provided a project includes the applicable percentage of restricted affordable units (excluding units added by a density bonus) that is necessary to obtain the maximum number of incentives available to an income category under California Government Code Section 65915, as listed on the table in Sec. 9.2.1.C.3.a.i (Allowed Number of Additional Incentives). Projects may use incentives to deviate from a development standard or requirement in this Zoning Code or an applicable Specific Plan, Supplemental District, or Special Zone, unless otherwise specifically provided. The five additional incentives may be any combination of incentives listed in Subparagraph a. (Menu of Additional Incentives), below, or incentives requested under Subparagraph b. (Incentives Not Listed on the Menu of Additional Incentives).

a. Menu of Additional Incentives

A project shall be granted requested incentives from the Menu of Additional Incentives listed in Sub-subparagraph i. through xiii., below, pursuant to the procedures in Sec. 9.2.2.D.1.a. (Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives), below. Regardless of the above, a project described in Subparagraph c. (Exclusions), below, shall not be granted any incentive from the Menu of Additional Incentives.

i. By-Right Adjustments

Relief from any zoning standard that would otherwise require approval pursuant to Sec. 13B.5.2. (Adjustment) may be granted as an on-menu incentive, and shall not be subject to the requirements of Sec. 13B.5.2. (Adjustment). Each adjustment-equivalent grant shall count as one incentive request. By-right adjustments shall not be granted in the following cases:

a) A by-right adjustment shall not be used for an increase in height, any modifications of signs standards, or for requests to allow parking in front of buildings, including requests for reduction in parking setbacks that result in automobile parking stalls being located closer to a frontage lot line than other buildings or structures in the project.

b) A by-right adjustment shall not apply to designated historic resources or non-contributors.

ii. Alternative Frontage Districts

A project may use an alternative Frontage District in lieu of the applicable Frontage District, depending on the applied Use District (Part 5B) on the project lot, as specified below. Use of this incentive shall count as two incentives due to the number of development standards included in a Frontage District, and shall not be combined with a further by-right adjustment, pursuant to Sub-subparagraph i. (By-Right Adjustments), above, for any of the development standards except for ground story height.

a) A project located on a lot with an applied Use District (Part 5B) listed in Div. 5B.1. (Open Space Use Districts), Div. 5B.2. (Agricultural Use Districts), Div. 5B.3. (Residential Use Districts), Div. 5B.4. (Residential-Mixed Use Districts), or Div. 5B.8. (Public Use Districts) may use the Multi-Unit 2 (MU2) Frontage District, in Sec. 3B.2.2. (Multi-Unit 2 (MU2)).

b) A project located on a lot with any applied Use District, not listed in Sub-sub-subparagraph (a), above, may use either the Multi-Unit 2 (MU2) Frontage District, in Sec. 3B.2.2. (Multi-Unit 2 (MU2)), or the General 1 (G1) Frontage District, in Sec. 3B.3.1. (General 1 (G1)).

iii. Averaging of Floor Area, Lot Amenity Space, Parking, and Density

A project that is located on two or more abutting lots may average the maximum floor area, minimum lot amenity space, minimum parking, and maximum density over the project site, provided that:

a) The proposed uses are permitted by the applied Use District (Part 5B) of each area the proposed uses will be located; and

b) A covenant running with the land is recorded with the Los Angeles County Recorder, and a copy is provided to the Department of Building and Safety prior to the issuance of any building permit, that specifies no further lot line adjustment or any other action that may cause the project site to be subdivided subsequent to this grant, is permitted for the life of the project.

iv. Setbacks

A project may reduce all applicable building setbacks by 20 percent or less as specified in Subsection F. of Sec. 2C.2.2. (Building Setbacks). The bundle of reduced setbacks shall require the use of only one incentive.

v. Upper-Story Bulk

A project may be exempt from any District Boundary Height Transition requirement established in Div. 2C.6.2. or required by an applicable Specific Plan, Special Zone, or Supplemental District.

vi. Ground Floor Activation

Where floor area dedicated to non-residential uses is required by an applied Zoning District or applicable Specific Plan, Supplemental District, or Special Zone, that requirement may be reduced by 50 percent and be satisfied by providing residential lobbies, community rooms, residential amenity spaces, child care facilities, supportive services areas, or another use with the primary purpose of providing services and assistance to residents of the building or the general public.

vii. Ground Story Height

A project may provide a ground story height of ten feet in lieu of an otherwise applicable ground story height requirement. This incentive shall not be combined with a by-right adjustment related to ground story height, pursuant to Sub-subparagraph i. (By-Right Adjustments), above, or used in conjunction with an alternative frontage, pursuant to Sub-subparagraph ii. (Alternative Frontage Districts), above.

viii. Commercial Parking

A project may request the elimination of any requirement to provide new or maintain existing automobile parking stalls associated with a general commercial use or heavy commercial use that is proposed in conjunction with the project.

ix. Density Calculation

Any area of any land required to be dedicated for street or alley purposes may be included as lot area for purposes of calculating the maximum density permitted by the applied Density District (Part 6B).

x. Building Coverage

Up to a 25 percent increase in building coverage limits is allowed.

xi. Lot Width

Up to 25 percent decrease in the required lot width is allowed.

xii. Low-Density Lot Requirements

A faith-based organization project or a shared equity project on a lot with a maximum allowable residential density of less than five dwelling units is eligible for a reduction of otherwise required lot size standards as part of a small lot subdivision as follows:

a) Minimum lot area: 600 square feet

b) Minimum lot width: 15 feet

c) Minimum lot access: A three-foot pedestrian accessway may be provided in lieu of otherwise required automobile access requirements.

xiii. Low-Density Setbacks

A faith-based organization project or a shared equity project on a lot with a maximum allowable residential density of less than five dwelling units is eligible for the reduction of otherwise required building setback standards, up to the following minimums:

a) Primary street setback reductions are limited to no more than the average of the primary street setbacks of buildings on abutting lots facing the same primary street lot line. If a project is located on a corner lot or adjacent to a vacant lot, the primary street setback may align with the building face of the forward-most building on the abutting lot facing the same primary street lot line. If there are no buildings on abutting lots, no reduction in primary street setback is permitted. If a project occupies all the lots on an entire block, a reduction to the primary street setback is permitted when combined with an increase in the rear setback of the same dimension.

b) Side setback of four feet for a three-story structure, or three feet for a two-story structure.

c) A project providing dwelling units as part of a small-lot subdivision may utilize an interior side setback of zero feet.

d) Rear setback of four feet.

e) Alley setbacks of zero feet for a structure that maintains a height of less than 26 feet in height for at least the first 15 feet from the alley lot line.

b. Incentives Not Listed on the Menu of Additional Incentives

A project may request incentives not listed in Subparagraph a. (Menu of Additional Incentives), above, or in excess of an incentive allowed in Subparagraph a. (Menu of Additional Incentives), above, subject to the approval process in Sec. 9.2.2.D.1.b. (Projects Requesting Incentives Not on the Menu of Additional Incentives), below.

c. Exclusions

Projects meeting either of the criteria below are not eligible to use the Menu of Additional Incentives established in Subparagraph a. (Menu of Additional Incentives), above:

i. Projects located in a Very High Fire Hazard Severity Zone, the Coastal Zone, or a Sea Level Rise Area, or

ii. Projects requiring demolition, as demolition is defined in Subsection C. (Definitions) of Sec. 13B.8.1 (General Provisions), of either (a) a designated historic resource, or (b) a surveyed historic resource identified in a Specific Plan, CPIO or Conservation District for any historic protection, special consideration, or special review for historic or architectural significance.

4. Waivers

A project may request waivers, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the additional incentives granted pursuant to Paragraph 3. (Additional Incentives) above, subject to the approval process in Sec.9.2.2.D.1.c. (Projects Requesting Waivers) below.

5. Public Benefits

A project may access additional floor area ratio or height, or other modifications of standards by providing one or more public benefits, as described below. Projects providing public benefits shall be reviewed and approved pursuant to the processes provided in Sec.9.2.2.D.1.d. (Projects Providing Public Benefits), below.

a. Any project providing a childcare facility meeting the standards in Sec. 9.3.4.C.4.a. (Childcare Facility) of Sec. 9.3.4 (Public Benefits Menu) shall receive either the incentive in Sub-subparagraphs i. or ii., below:

i. Additional floor area for residential use equivalent to the total floor area dedicated to a qualifying childcare facility in the project, or

ii. One additional incentive from the Menu of Additional Incentives (Sec 9.2.2.C.3.a) or an incentive not listed on the menu of additional incentives (Sec 9.2.2.C.3.b) that contributes significantly to the economic feasibility of the construction of the childcare facility.

b. Any project, except for (a) a faith-based organization project, or (b) a one hundred percent affordable housing project located in whole or in part on a lot in a Very High Fire Hazard Severity Zone, the Coastal Zone, or a Sea Level Rise Area, is eligible to utilize the following public benefits options:

i. Any public benefit options listed for Public Benefits Incentive Set 2 (Sec. 9.3.4.C.3.b.); and

ii. Any public benefit options listed for any Public Benefits Incentive Set mapped for the lot on the Public Benefits Incentive Map (Sec.1.5.12.).

c. Multiple public benefit options can be provided by one project in order to combine and stack public benefit bonuses and may exceed the tier 2 bonus floor area ratio and the tier 2 bonus height of the applied Form District.

d. A project that provides five or more public benefit options shall receive an additional 11 feet in height in addition to any height bonus(es) granted through base incentives, additional incentives, waivers, and public benefits pursuant to Paragraphs 2., 3., 4., and 5. of Subsection C. (Program Rules).

D. Administration

1. Procedures

The following review and approval procedures apply to projects participating in the Affordable Housing Incentive Program. Ministerial approval in this Paragraph shall mean an administrative process to approve a "use by right" as this term is defined in California Government Code Sec. 65583.2(i).

a. Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives

A project requesting only the base incentives provided in Paragraph. 2. (Base Incentives) of Subsection C. (Program Rules), above, or incentives from the menu of additional incentives as listed in Sec. 9.2.2.C.3.a. (Menu of Additional Incentives), above, and not requesting any waivers under Sec. 9.2.2.C.4. (Waivers) or off-menu incentive under Sec. 9.2.2.C.3.b. (Incentives Not Listed on the Menu of Additional Incentives), shall be granted with a ministerial approval by the Department of Building and Safety, subject to the following:

i. Additional incentives shall comply with the additional standards in Sec. 9.2.2.D.2.a. (Standards for Review for Additional Incentives), below; and,

ii. A faith-based organization project or a shared equity project on a lot that includes a surveyed historic resource shall be reviewed pursuant to Sec. 13B.3.2. (Expanded Administrative Review), unless the project proposes alterations to the surveyed historic resource that do not conform to the Secretary of Interior's Standards for the Treatment of Historic Properties, as supported by an expert study that has been accepted by the Office of Historic Resources, or demonstrated by the project plans and accepted as determined by the Office of Historic Resources, if consistent with the applicable adopted Implementation Memorandum, Guidelines or Technical Bulletins of the Director of City Planning; and in that case is subject to review pursuant to Sec. 13B.2.5. (Director Determination).

b. Projects Requesting Incentives Not Listed on the Menu of Additional Incentives

A project requesting incentives pursuant to Sec. 9.2.2.C.3.b. (Incentives Not Listed on the Menu of Additional Incentives) shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review) and shall be granted subject to the additional standards provided in Sec. 9.2.2.D.2.a. (Standards for Review for Additional Incentives), below.

i. Exceptions

A faith-based organization project or a shared equity project on a lot that includes a surveyed historic resource shall be reviewed pursuant to Sec. 13B.2.5. (Director Determination), if the project proposes alterations to the surveyed historic resource that does not conform to the Secretary of Interior's Standards for the Treatment of Historic Properties, as determined by the Office of Historic Resources in consideration of an expert study.

c. Projects Requesting Waivers

A project requesting a waiver, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the number of additional incentives permitted pursuant to Sec. 9.2.2.C.3. (Additional Incentives) above, shall be reviewed and approved as follows:

i. Projects requesting only one waiver pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be reviewed pursuant to 13B.3.2. (Expanded Administrative Review).

a) Exceptions

A faith-based organization project or a shared equity project on a lot that includes a surveyed historic resource shall be reviewed pursuant to Sec. 13B.2.5. (Director Determination), if the project proposes alterations to the surveyed historic resource that does not conform to the Secretary of Interior's Standards for the Treatment of Historic Properties, as determined by the Office of Historic Resources in consideration of an expert study.

ii. A project requesting two or three waivers pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be reviewed pursuant to Sec. 13B.2.5. (Director Determination).

iii. A project requesting more than three waivers pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be reviewed pursuant to Sec. 13B.2.3. (Class 3 Conditional Use).

iv. Regardless of any provision of Div. 13B.2 (Quasi-Judicial Review), findings for waivers shall be those in Subparagraph b. (Required Findings for Waivers) of Paragraph 2. (Standards for Review and Required Findings), in lieu of any findings in Div. 13B.2 (Quasi-Judicial Review); and waivers requiring a Class 3 Conditional Use Permit are final at the City Planning Commission and are not appealable. Waivers requiring a Director Determination are appealable to the City Planning Commission.

v. A public land project that received a preceding resolution of support from City Council may request more than one waiver through Sec. 13B.3.2 (Expanded Administrative Review) and applicable findings.

d. Projects Providing Public Benefits

A project requesting higher incentives or additional incentives in exchange for providing one or more public benefits as provided in Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review).

e. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10. (Multiple Approvals) apply to a project seeking other discretionary approvals in conjunction with any approvals requested pursuant to the Affordable Housing Incentive Program, including those listed in Paragraph 2. (Base Incentives), Paragraph 3. (Additional Incentives), Paragraph 4. (Waivers), or Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), above. Regardless of any other findings that may be applicable for the other discretionary approvals, the decision maker shall approve the incentives requested pursuant to the Affordable Housing Incentive Program, subject to any procedures established in this Paragraph 1. (Procedures), and findings and standards established in Paragraph 2. (Standards for Review and Required Findings), below.

f. Density Bonuses, Incentives or Waivers Exceeding this Program

A Project that seeks additional density bonuses, incentives or waivers beyond what is expressly allowed by this Section 9.2.2. (Affordable Housing Incentive Program), shall be reviewed pursuant to Sec. 9.2.1. (State Density Bonus Program), including the requirements and findings in Sec. 9.2.1.D.1.e. (Projects with Requests for Density Bonuses in Excess of the Base Incentive).

2. Standards for Review and Required Findings

a. Standards for Review for Additional Incentives

For the purposes of standards of review for additional incentives, 'incentive' shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(k). Additional incentives allowed pursuant to Sec. 9.2.2.C.3. (Additional Incentives), above, shall be granted unless one of the following written findings are made, based upon substantial evidence:

i. The incentive does not result in identifiable and actual cost reductions, consistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(k), to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c); or

ii. The incentive will have a specific adverse impact upon public health and safety 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 low-income households and moderate-income households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific adverse impact upon the public health or safety; or

iii. The incentive would be contrary to state or federal law.

b. Required Findings for Waivers

For the purposes of required findings for waivers, 'development standard' shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(o)(2). Waivers pursuant to Sec. 9.2.2.C.4. (Waivers), above, shall be approved by the applicable decision-making authority unless the decision-making authority makes one of the following findings, based upon substantial evidence:

i. The development standard associated with a request for a waiver will not have the effect of physically precluding the construction of a development meeting the eligibility criteria described in Paragraph 1. (Eligibility) of Subsection C (Program Rules), above, at the densities or with the base incentives and additional incentives permitted above; or

ii. The waiver would have a specific adverse impact upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific adverse impact upon the public health or safety; or

iii. The waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources; or

iv. The waiver would be contrary to state or federal law.

3. Records and Agreements

Prior to the issuance of a building permit for any project participating in the Affordable Housing Incentive Program and utilizing one or more incentives pursuant to this Section, covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section and Div. 4C.15. (Resident Protections) shall be recorded with the Los Angeles County Recorder. For shared equity projects, covenants shall restrict the resale of the property to Community Land Trusts, as defined in California Revenue and Taxation Code Section 402.1(a)(11)(C)(ii), Limited Equity Housing Cooperatives and Workforce Housing Cooperative Trusts, as defined in California Civil Code Section 817, public agencies, or nonprofit affordable housing corporations pursuant to Section 501(c)(3) of the United States Internal Revenue Code.

4. Vesting.

An application for an entitlement that was filed and fees paid prior to the date on which this Section becomes operative, shall be subject to all applicable provisions of Los Angeles Municipal Code Chapter 1A, including any incentive menus or provisions, that were in effect on the date the application was filed and fees were paid where a public hearing, when required, has been held. An application for an entitlement that was filed and fees paid prior to the date on which this Section becomes operative, may elect to apply the Procedures and comply with the Administration requirements of this Section, if a public hearing, when required, has not yet been held for the project. Any such project shall be subject to all other applicable provisions in Chapter 1A of the Los Angeles Municipal Code that were in effect on the date the application was filed. Projects shall only be eligible for the incentives of this Section if a new application is filed and associated fees for the new filing are paid on or after the operative date of this Section.

Sec. 20. A new Section 9.2.3. is added to Div. 9.2. of Article 9. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 9.2.3. OPPORTUNITY CORRIDORS HOUSING INCENTIVE PROGRAM

A. Intent

The Opportunity Corridors Housing Incentive Program aims to establish specific incentives and procedures for the local implementation of State Density Bonus requirements, pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec.65915(n), in order to encourage the creation and development of restricted affordable units in mixed-income developments along transit corridors in higher opportunity areas, and to ensure an equitable distribution of affordable housing across the city.

B. Applicability

This Section 9.2.3., the "Opportunity Corridors Housing Incentive Program", applies to a project providing restricted affordable units in exchange for incentives granted in this Section, and the project meets the eligibility criteria in Sec. 9.2.3.C.1. (Eligibility), below, and involves a project activity listed in Paragraph 1. (Project Activities), below.

1. Project Activities

The following project activities are subject to the Opportunity Corridors Housing Incentive Program:

a. New construction for which all new floor area meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.

b. A use modification, including the conversion of existing floor area from a commercial use to a residential use or an increase in dwelling units within existing floor area, for which all resulting new floor area and all renovated floor area meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.

c. A lot modification, including a subdivision, or common interest development (as defined in California Civil Code, Sec. 4100), that results in dwelling units that meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

A project is ineligible for the bonuses, incentives and procedures in the Opportunity Corridors Housing Incentive Program if it is participating in any other housing incentive program in the Los Angeles Municipal Code, or in a Specific Plan, Supplemental District, or Special Zone, or in any other City regulation or guideline, except:

i. Projects participating in the Opportunity Corridors Housing Incentive Program may utilize the streamlining incentives granted through the Housing Element Sites Streamlining Program (Sec. 9.2.6.), provided that the projects meet the eligibility requirements and program rules for both programs.

ii. Projects that meet the definition of a Type I Adaptive Reuse Project, and the eligibility requirements for both the Opportunity Corridors Housing Incentive Program and the Citywide Adaptive Reuse Program, pursuant to Sec. 9.4.6. (Citywide Adaptive Reuse Program), may participate in both incentive programs and receive incentives pursuant to both programs. The portion of the Type I Adaptive Reuse Project consisting of new construction may be eligible for base incentives, additional incentives, waivers, and public benefits options provided in Paragraphs 2., 3., 4., and 5. of Subsection C. (Program Rules), below, unless otherwise stated, and the project shall comply with Paragraph 1. (Procedures) in Subsection D. (Administration) based on the corresponding project type definition and associated project request.

iii. This Section expressly authorizes a project to use another housing incentive program, as specified.

b. Relationship to Specific Plans, Special Districts, and Special Zones

As this Section implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any difference between the provisions of an applicable Specific Plan, Supplemental District, or Special Zone, and the provisions of this Section, the provisions of this Section shall prevail where a project seeks approval through this Section.

c. Relationship to Other Zoning Provisions

i. General

As this Section implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any difference between the provisions of this Section and any other provision of this Zoning Code (Chapter 1A), the provisions of this Section shall prevail.

ii. Relationship to Inclusionary Housing

Restricted affordable units provided in order to meet the eligibility criteria for participation in the Opportunity Corridors Housing Incentive Program may also be used in order to count toward the restricted affordable units required by the Inclusionary Housing Program, pursuant to Sec. 5C.3.1. (Inclusionary Housing Program) where applicable.

iii. Regardless of the otherwise applicable Development Review Threshold Package required by the applied Development Standards District (Part 4B) and the requirements of the Development Review (Sec. 4C.14.), projects participating in the Opportunity Corridors Housing Incentive Program are exempt from review pursuant to Sec. 13B.2.4. (Project Review).

d. Relationship to State Density Bonus Law

The Opportunity Corridors Housing Incentive Program is intended to be consistent with State Density Bonus Law at California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. If at any time, the Opportunity Corridors Housing Incentive Program becomes inconsistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, as determined by the Director, the provisions of State Density Bonus Law shall supersede the provisions in this Section. The Director may prepare Implementation Memorandums, Technical Bulletins, and/or User Guides for the purposes of providing additional guidance on the implementation of this Section and maintaining consistency with the State Density Bonus Law.

C. Program Rules

1. Eligibility

To be eligible for any base incentives, additional incentives, waivers, public benefits, or other incentives provided in the Opportunity Corridors Housing Incentive Program in Paragraphs 2. through 5., below, a project shall comply with all requirements provided in this Paragraph 1., as applicable, and provide any required restricted affordable units in order to obtain any particular incentive.

a. Unit Threshold

A project must have a minimum of five or more dwelling units. The units counted for purposes of this requirement includes dwelling units permitted as a result of a density bonus granted pursuant to Paragraph 2. (Base Incentives), below.

b. Zoning

The project shall not be located on a lot with an applied Density District (Part 6B) of N or 1L or with an applied Use District (Part 5B.) in Div. 5B.7. (Industrial Use Districts).

c. Residential Uses

A minimum of two-thirds of the total floor area of a project, including newly constructed floor area and renovated or converted floor area, must be dedicated to residential use and residential amenity space for the units.

d. Mixed Income Housing Incentive Map

A project must be located on a lot, in whole or in part, for which an Opportunity Corridors Housing Incentive Set has been mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.), or is mapped through a Specific Plan, a Supplemental District, or a Special Zone.

e. Affordability Levels

The project shall reserve a minimum percentage of its dwelling units for restricted affordable units on-site according to the Mixed Income Incentive Set designated for the project lot, based on the housing market tier or the opportunity area of the lot, and subject to the affordability standards in Sub-subparagraphs i. through v., below.

i. Single or Mixed Affordability Option

A project may opt to meet its affordability requirement by providing restricted affordable units at rates determined by the methodology provided in: Sub-sub-subparagraph a) (Single Affordability Requirements), below; Sub-sub-subparagraph b) (Mixed Affordability Options), below; or Sub-sub-subparagraph c) (Low Income Site Affordability Requirements), below, as applicable.

a) Single Affordability Requirements

A project opting to use the "Single Affordability Requirements" shall provide restricted affordable units for one of the income levels listed in the "Income Levels" column in the table below at the corresponding percentage of total dwelling units (all units including bonus units) for the applicable Opportunity Corridors Incentive Set and Market Tier for the project lot.

Single Affordability Requirements				
Mixed Income Incentive Set	Market Tiers	Income Levels		
		Extremely Low Income	Very Low Income	Low Income
OC-3	High Medium and High Market Tiers	13%	17%	27%
OC-2		12%	16%	25%
OC-1		11%	14%	23%
OC-3	Low and Medium Market Tiers	11%	15%	25%
OC-2		10%	14%	23%
OC-1		9%	12%	21%

b) Mixed Affordability Requirements

A project in a higher opportunity area, as specified by the California Tax Credit Allocation Committee (TCAC) opportunity area for the project lot, may use the "Mixed Affordability Options" table to meet its restricted affordable unit requirement. Under this option a project may provide restricted affordable units at the percentages and in the combinations listed in the "Income Levels" columns in the following table, by applying the percentages to all project units (including bonus units). A project opting to use the Mixed Affordability Options must also provide at least one restricted affordable unit containing four or more habitable rooms at the acutely low-income affordability level.

Mixed Affordability Options				
TCAC Opportunity Area	Income Levels			
	Acutely Low Income	Extremely Low Income	Very Low Income	Moderate Income
Higher Opportunity Areas	4%	4%	-	12%

c) Low Income Site Affordability Requirements

A project on a site identified in Section 1.5.15. (Lower Income Rezoning Housing Element Sites Map) may meet its affordability requirement by providing 20 percent of its on-site restricted affordable units for lower income households, consistent with California Government Code Section 65583.2.

ii. Opportunity Corridors Housing Incentive Set Designation

The applicable Opportunity Corridors Housing Incentive Set shall be determined based on the designation shown on the Mixed Income Housing Incentive Map established in Sec. 1.5.17. (Mixed Income Housing Incentive Map) or is mapped through a Specific Plan, a Supplemental District, or a Special Zone.

iii. Calculating Affordability Requirements

In calculating the minimum percentage of restricted affordable units, the percentage of each affordability level shall be based on the total project dwelling unit count, including dwelling units permitted as a result of a density bonus. Any number resulting in a fraction shall be rounded up to the next whole number, and not as specified in Sec. 6C.1.2. (Lot Area Per Household Dwelling Unit) or Sec. 6C.1.3. (Lot Area Per Efficiency Dwelling Unit).

iv. Housing Market Tier Designation

A project's housing market tier shall be determined by the residential market areas adopted by City Council resolution, as described in Sec. 15.4.3. (Affordable Housing Linkage Fee).

v. Rent and Housing Cost Schedules and Covenants

The rate of housing costs or rent for any required restricted affordable unit shall not exceed those specified in California Health and Safety Code Section, 50052.5 (Affordable Housing Costs) for for-sale units or California Health and Safety Code, Section 50053 for rental units. Covenants documenting required rental or for sale rates shall be recorded pursuant to the procedures described in Sec. 9.2.3.D.3. (Records and Agreements). Restricted Affordable Units associated with One Hundred Percent Affordable Housing Projects shall comply with the affordability specified in Sec. 9.2.2.C.1.d.ii.a

f. Housing Replacement

The project shall meet any applicable housing replacement requirements and demolition protections established in Division 4C.15. (Resident Protections). Replacement dwelling units required pursuant to Division 4C.15. (Resident Protections) shall count toward any restricted affordable unit requirements. In calculating replacement units, any number resulting in a fraction shall be rounded up to the next whole number.

g. Fair Housing Requirements

Restricted affordable units shall meet the applicable requirements regarding the size, location, amenities and allocation of restricted affordable units established in Sec. 4C.15.3. (Restricted Affordable Units) and in any Implementation Memorandum or Technical Bulletin prepared and adopted by the Los Angeles Housing Department or Department of City Planning.

h. Historic Resources

i. A project requiring the demolition, as demolition is defined in Subsection C. (Definitions) of Sec. 13B.8.1 (General Provisions), of a designated historic resource, or surveyed historic resource identified for historic protection or special consideration or review by an applicable Specific Plan, CPIO or Conservation District is not eligible for incentives under the Opportunity Corridors Housing Incentive Program.

ii. A project involving the alteration of a designated historic resource shall be consistent with the Secretary of the Interior's Standards for Rehabilitation as supported by an expert study that has been accepted by the Office of Historic Resources, or demonstrated by the project plans and accepted by the Office of Historic Resources, if consistent with the applicable adopted Implementation Memorandum, Guidelines or Technical Bulletins of the Director of City Planning.

i. Unit Habitability Requirements

For purposes of this Sec. 9.2.3, the term "dwelling unit" or "unit" shall mean a complete independent living facility that includes permanent provisions for living, sleeping, eating, a kitchen, and sanitation. The term "dwelling unit" or "unit" in this Section shall not be a reference to a household dwelling unit, a shared housing unit, or an efficiency dwelling unit.

2. Base Incentives

A project meeting the eligibility criteria in Paragraph 1. (Eligibility), shall be granted the following base incentives, Sec. 9.2.3.D.1.a (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives).

a. The project may utilize an Alternate Typology established in Div. 7B.6. (Opportunity Corridors) as provided in the table below.

Opportunity Corridors Incentive Set Mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.)	**Applied Use District**	**Eligible Opportunity Corridors Alternate Typologies (Div. 7B.6.)**
OC-1A	Residential Use Districts, Residential Mixed-Use Districts, Agricultural Use Districts	Opportunity Corridors 1A OC-1A (Sec.7B.6.1.)
OC-1B	Commercial Mixed-Use Districts, Industrial Mixed-Use Districts, Public Use Districts	Opportunity Corridors 1B OC-1B (Sec.7B.6.2.)
OC-2A	Residential Use Districts, Residential Mixed-Use Districts, Agricultural Use Districts	Opportunity Corridors 2A OC-2A (Sec.7B.6.3.)
OC-2B	Commercial Mixed-Use Districts, Industrial Mixed-Use Districts, Public Use Districts	Opportunity Corridors 2B OC-2B (Sec.7B.6.4.)
OC-3A	Residential Use Districts, Residential Mixed-Use Districts, Agricultural Use Districts	Opportunity Corridors 3A OC-3A (Sec.7B.6.5.)
OC-3B	Commercial Mixed-Use Districts, Industrial Mixed-Use Districts, Public Use Districts	Opportunity Corridors 3B OC-3B (Sec.7B.6.6.)

b. The project shall be exempt from any applicable improvement requirement for roadway widening, including the relocation of an established curb or curb and gutter, pursuant to Div. 10.1. (Street Dedication & Improvement). This incentive shall not require an approval pursuant to Sec. 10.1.10. (Waiver and Appeals). A project utilizing this incentive shall comply with all dedication requirements under Div. 10.1 (Street Dedication & Improvement) and complete all other required public right-of-way improvements, including but not limited to sidewalk improvements, unless a Waiver of Dedication and Improvement is granted pursuant to Sec. 10.1.10. (Waiver & Appeals). A project shall further be eligible for relief from some required dedication, where specified by Sec. 10.2.1 (Requirements). Regardless of the above, any otherwise required dedication and improvement shall conform to the Street Dedication and Improvement Investigation Criteria adopted or amended pursuant to Council File 22-1476. A project in a Very High Fire Hazard Severity Zone, Hillside Area, or Coastal Zone, or Projects subject_to procedures in LAMC Section 13B.2.3. (Class 3 Conditional Use Permit) of Chapter 1A of this Code shall not be eligible for this base incentive.

3. Additional Incentives

In addition to the applicable base incentives provided in Paragraph 2. (Base Incentives), above, a project shall be granted up to four additional incentives in this Paragraph. Such a project may receive up to four Incentives provided a project includes the applicable percentage of restricted affordable units (excluding units added by a density bonus) that is necessary to obtain the maximum number of Incentives available to an income category under California Government Code Section 65915, as listed on the table in Sec. 9.2.1.C.3.a.i (Allowed Number of Additional Incentives). Projects may use incentives to deviate from a development standard or requirement in this Zoning Code or in an applicable Specific Plan, Supplemental District, or Special Zone, unless otherwise specifically provided. The four additional incentives may be any combination of incentives listed in Subparagraph a. (Menu of Additional Incentives), below, or incentives requested under Subparagraph b. (Incentives Not Listed on the Menu of Additional Incentives).

a. Menu of Additional Incentives

A project shall be granted requested incentives from the Menu of Additional Incentives listed in Sub-subparagraphs i. through v., below, pursuant to the procedures in Section 9.2.3.D.1.a (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives), below.

i. By-Right Adjustments

Relief from any zoning standard that would otherwise require approval pursuant to Sec. 13B.5.2. (Adjustment) may be granted as an on-menu incentive, and shall not be subject to the requirements of Sec. 12B.5.2. (Adjustment). Each adjustment-equivalent grant shall count as one incentive request. By-right adjustments shall not be granted in the following cases:

a) A by-right adjustment shall not apply to standards that regulate FAR, height, any modifications of signs standards, or for requests to allow parking in front of buildings, and lot amenity space.

b) A by-right adjustment shall not apply to a designated historic resource or a non-contributor.

ii. Averaging of Floor Area, Lot Amenity Space, Parking, and Density

A project that is located on two or more abutting lots may average the maximum floor area, minimum lot amenity space, minimum parking, and maximum density over the project site, provided that:

a) The proposed uses are permitted by the applied Use District (Part 5B) of each area the proposed uses will be located; and

b) A covenant running with the land is recorded with the Los Angeles County Recorder, and a copy is provided to the Department of Building and Safety prior to the issuance of any building permit, that specifies no further lot line adjustment or any other action that may cause the project site to be subdivided subsequent to this grant, is permitted for the life of the project.

iii. Density Calculation

Any area of any land required to be dedicated for street or alley purposes may be included as lot area for purposes of calculating the maximum density permitted by the applied Density District (Part 6B).

iv. Building Coverage

Up to a 25 percent increase in building coverage limits is allowed.

v. Lot Width

Up to 25 percent decrease in the required lot width is allowed.

b. Incentives Not Listed on the Menu of Additional Incentives

i. A project may request incentives not listed in, or in excess of an incentive allowed in, Subparagraph a. (Menu of Additional Incentives), above, subject to the approval process in Sec. 9.2.3.D.1.b. (Projects Requesting Incentives Not on the Menu of Additional Incentives), below, with the exception of any modification listed in Sub-subparagraph ii., below.

ii. Modifications to the following standards, or their equivalents in an applicable Specific Plan, Supplemental District, or Special Zone, altering the criteria or level of relief allowed in Sub-subparagraph i. (By-Right Adjustments) of Subparagraph a. (Menu of Additional Incentives), above, shall not be granted as an additional incentive through this Section and are not eligible for approval through this Section. Projects that seek these types of incentives not on the menu shall seek approval pursuant to the procedures, incentives and other requirements in Sec. 9.2.1. (State Density Bonus Program):

a) Lot Amenity Space (Sec. 2C.3.1.);

b) Any floor area ratio and height restriction established in Div. 2C.4. (Floor Area Ratio & Height);

c) Any upper story bulk limitations established in Div. 2C.6. (Upper-Story Bulk);

d) Building Width (Sec. 2C.5.1.);

e) Building Setbacks (Sec. 2C.2.2.);

f) Ground story design requirements specified by the applied Frontage District (Part 3B); or

g) Required Trees (Sec. 4C.6.2).

4. Waivers

A project may request waivers, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the additional incentives granted pursuant to Paragraph 3. (Additional Incentives) above, subject to the procedures in Sec.9.2.3.D.1.c. (Projects Requesting Waivers) below.

5. Public Benefits

a. A project may access up to the tier 2 bonus FAR and tier 2 bonus height allowed by the eligible Opportunity Corridors Alternate Typology established in Div. 7B.6. (Opportunity Corridors) or by an applicable Specific Plan, Supplemental District, or Special Zone, by providing one or more of the public benefits pursuant to Sec. 9.3.4. (Public Benefits Menu) pursuant to the following options:

i. Any public benefit options listed for Public Benefits Incentive Set 2, as established in Sec. 9.3.4. (Public Benefits Menu).

ii. A project providing public benefits shall also be eligible to provide one or more of the public benefit options listed for the Public Benefits Incentive Set mapped for the lot on the Public Benefits Incentive Map (Sec.1.5.12.). The mapped Public Benefits Incentive Set shall establish the floor area ratio and height bonuses associated with each eligible public benefit option, pursuant to Sec. 9.3.4. (Public Benefits Menu).

b. Multiple public benefit options can be provided by one project in order to combine and stack public benefit bonuses, but in no case shall the total bonus received exceed the tier 2 bonus FAR and tier 2 bonus height, allowed by the eligible Opportunity Corridors Alternate Typology established in Div. 7B.6. (Opportunity Corridors).

c. Projects providing public benefits shall be reviewed and approved pursuant to the processes outlined in in Sec. 9.2.2.D.1.d. (Projects Providing Public Benefits), below.

D. Administration

1. Procedures

The following review and approval procedures apply to projects participating in the Opportunity Corridors Housing Incentive Program. Ministerial approval in this Paragraph shall mean an administrative process to approve a "use by right" as this term is defined in California Government Code Sec. 65583.2(i).

a. Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives

A project requesting only the base incentives outlined in Sec. 9.2.3.C.2. (Base Incentives), above, or additional on-menu incentives as outlined in Sec. 9.2.3.C.3.a. (Menu of Additional Incentives), above, and not requesting any waivers under Sec. 9.2.3.C.4. (Waivers) or off-menu incentives under Sec. 9.2.3.C.3.b. (Incentives Not Listed on the Menu of Additional Incentives), shall be subject to a ministerial approval process by the Department of Building and Safety. Additional incentives approved by the Department of Building and Safety shall comply with the additional standards in Sec. 9.2.3.D.2.a. (Standards for Review for Additional Incentives), below.

b. Projects Requesting Incentives Not on the Menu of Additional Incentives

A project requesting incentives pursuant to Sec. 9.2.3.C.3.b. (Incentives Not on the Menu of Additional Incentives), above, shall be subject to a ministerial approval process pursuant to Sec. 13B.3.2. (Expanded Administrative Review) and shall be granted subject to the additional standards in Sec. 9.2.3.D.2.a. (Standards for Review for Additional Incentives), below.

c. Projects Requesting Waivers

A project requesting a waiver, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the number of additional incentives permitted pursuant to Sec. 9.2.3.C.3. (Additional Incentives) above, shall be reviewed as follows:

i. A project requesting only one waiver pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be approved pursuant to Sec. 13B.2.5. (Director Determination).

ii. A project requesting more than one waiver pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be approved pursuant to Sec. 13B.2.3. (Class 3 Conditional Use).

iii. Regardless of any provision of Div. 13B.2. (Quasi-Judicial Review), findings for waivers shall be those in Subparagraph b. (Required Findings for Waivers) of Paragraph 2. (Standards for Review and Required Findings), in lieu of the findings in Div. 13.B.2 (Quasi-Judicial Review); and waivers requiring a Class 3 Conditional Use Permit are final at the City Planning Commission and are not appealable. Waivers requiring a Director Determination are appealable to the City Planning Commission.

d. Projects Providing Public Benefits

A project requesting higher incentives or additional incentives in exchange for providing one or more public benefits as outlined in Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review). Such requests shall not be subject to any hearing procedures regardless of the provisions contained in Sec. 13B.3.2 (Expanded Administrative Review).

e. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10. (Multiple Approvals) apply to projects seeking other discretionary approvals in conjunction with any incentives requested pursuant to the Opportunity Corridors Housing Incentive Program including those listed in Paragraph 2. (Base Incentives), Paragraph

3. (Additional Incentives), Paragraph 4. (Waivers), or Paragraph 5. (Public Benefits) of Subsection C (Program Rules), above.
Regardless of any other findings that may be applicable for the other discretionary approvals, the decision maker shall approve the incentives requested pursuant to the Opportunity Corridors Housing Incentive Program, subject to any procedures established in Paragraph 1. (Procedures), above, and standards established in Paragraph 2. (Standards for Review and Required Findings), below.

f. Density Bonuses, Incentives or Waivers Exceeding this Program

Projects that seek additional density bonuses, incentives or waivers beyond what is expressly allowed by this Section 9.2.3. (Opportunity Corridor Housing Incentive Program), shall be reviewed pursuant to Sec. 9.2.1. (State Density Bonus Program), including the requirements and findings in Sec. 9.2.1.D.1.e. (Projects with Requests for Density Bonuses in Excess of the Base Incentive)

2. Standards for Review and Required Findings

a. Standards for Review for Additional Incentives

For the purposes of standards of review for additional incentives, 'incentive' shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(k). Additional incentives allowed pursuant to Sec. 9.2.3.C.3. (Additional Incentives), above, shall be granted unless one of the following written findings are made, based upon substantial evidence:

i. The incentive does 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 for rents for the targeted units to be set as specified in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c); or

ii. The incentive will have a specific adverse impact upon public health and safety 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 low-income households and moderate-income households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific adverse impact upon the public health or safety; or

iii. The incentive would be contrary to state or federal law.

b. Required Findings for Waivers

For the purposes of required findings for waivers, 'development standard' shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(o)(2). Waivers allowed pursuant to Sec. 9.2.3.C.4. (Waivers) shall be approved by the applicable decision-making authority unless the decision-making authority makes one of the following findings, based upon substantial evidence:

i. The development standard associated with a request for a waiver will not have the effect of physically precluding the construction of a development meeting the eligibility criteria described in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), above, at the densities or with the base incentives and additional incentives permitted under Subsection C. (Program Rules), above.

ii. The waiver would have a specific adverse impact upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse.

iii. The waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources.

iv. The waiver is contrary to state or federal law.

3. Records and Agreements

Prior to the issuance of a building permit for any project participating in the Opportunity Corridors Housing Incentive Program and utilizing one or more incentives pursuant to this Section, covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section and Div. 4C.15. (Resident Protections) shall be recorded with the Los Angeles County Recorder.

4. Vesting

An application for an entitlement that was filed and fees paid prior to the date on which this Section becomes operative, shall be subject to all applicable provisions of Los Angeles Municipal Code Chapter 1A, including any incentive menus or other provisions, that were in effect on the date the application was filed and fees were paid. Projects shall only be eligible for the incentives, procedures and other provisions of this Section if a new application is filed and associated fees for the new filing are paid on or after the operative date of this Section.

Sec. 21. A new Section 9.2.4. is added to Division 9.2. of Article 9. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 9.2.4. CORRIDOR TRANSITIONS INCENTIVE PROGRAM

A. Intent

The Corridor Transitions Incentive Program aims to establish specific incentives and procedures for the local implementation of State Density Bonus requirements, pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(n), and to facilitate the creation and development of restricted affordable units in lower density areas in the city, in order to aid in smoothing the transition between higher-scale development along principal corridors to lower-scale development in interior neighborhoods. The Corridor Transitions Incentive Program provides the rules and framework for offering graduated increases in density and floor area ratio to meet this goal, while responding to lower-scale residential design needs and constraints.

B. Applicability

This Section 9.2.4., the "Corridor Transitions Incentive Program," applies to a project providing restricted affordable units in exchange for incentives granted in this Section, and the project meets the eligibility criteria in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below, and involves a project activity listed in Paragraph 1. (Project Activities), below.

1. Project Activities

The following project activities are subject to the Corridor Transitions Incentive Program:

a. New construction for which all new floor area meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.

b. A use modification, including the conversion of existing floor area from a commercial use to a residential use or an increase in dwelling units within existing floor area, for which all resulting new dwelling units and all renovated dwelling units meet the eligibility criteria outlined in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.

c. A lot modification that results in dwelling units that meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

A project participating in the Corridor Transitions Incentive Program shall be ineligible for the incentives and procedures of any other housing incentive program in Art. 9. (Public Benefit Systems), elsewhere in the Los Angeles Municipal Code, or in a Community Plan, overlay, Specific Plan, Supplemental District, or Special Zone, or in any other City regulation or guideline, except:

i. A project participating in the Corridor Transitions Incentive Program may also utilize the streamlining incentives granted through the Housing Element Sites Streamlining Program (Sec. 9.2.6.), provided that the project meets the eligibility requirements and program rules for both programs.

ii. Projects that meet the definition of a Type I Adaptive Reuse Project and the eligibility requirements for both the Corridor Transitions Incentive Program and the Citywide Adaptive Reuse Program, pursuant to Sec. 9.4.6. (Citywide Adaptive Reuse Program), may participate in both incentive programs and receive incentives pursuant to both programs. The portion of the Type I Adaptive Reuse Project consisting of new construction may be eligible for base incentives, additional incentives, waivers, and public benefits options provided in Paragraphs 2., 3., 4., and 5. of Subsection C. (Program Rules), below, unless otherwise stated, and the project shall comply with Paragraph 1. (Procedures) in Subsection D. (Administration) based on the corresponding project type definition and associated project request.

b. Relationship to Specific Plans, Supplemental Districts, and Special Zones

As this Section implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event an applicable Specific Plan, Supplemental District, or Special Zone differs from the procedures, requirements, and provisions of this Section, the provisions of this Section shall prevail where a project applicant seeks approval through this Section.

c. Relationship to Other Zoning Provisions

i. General

As this Section implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any difference between the provisions of this Section and any other provision of this zoning code (Chapter 1A), the provisions of this Section shall prevail.

ii. Relationship to Inclusionary Housing

Restricted affordable units provided in order to meet the eligibility criteria for participation in the Corridor Transitions Incentive Program may also be used in order to count toward the restricted affordable units required by the Inclusionary Housing Program, pursuant to Sec. 5C.3.1. (Inclusionary Housing Program), where applicable.

iii. Relationship to Project Review Threshold Packages

Regardless of the otherwise applicable Development Review Threshold Package required by the applied Development Standards District (Part 4B), and the requirements of the Development Review (Sec. 4C.14.), projects participating in the Corridor Transitions Incentive Program are exempt from review pursuant to Sec. 13B.2.4. (Project Review).

d. Relationship to State Density Bonus Law

The Corridors Transitions Incentive Program is intended to be consistent with State Density Bonus Law at California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. If at any time, the Corridor Transitions Incentive Program becomes inconsistent with the State Density Bonus Law, as determined by the Director, the provisions of the State Density Bonus Law shall supersede the provisions in this Section. The Director may prepare Implementation Memorandums, Technical Bulletins, and/or User Guides for the purposes of providing additional guidance on the implementation of this Section and maintaining consistency with State Density Bonus Law.

C. Program Rules

1. Eligibility

To be eligible for any base incentives, public benefits, waivers or other incentives, in Paragraphs 2. or 3. below, a project shall comply with all requirements in this Paragraph 1., as applicable, and provide any required restricted affordable units in order to obtain any particular incentive.

a. Mixed Income Housing Incentive Map

The project is on a lot that is, in whole or in part, mapped with a Corridor Transitions Incentive Set on the Mixed Income Housing Incentive Map (Sec 1.5.17.), or through a Specific Plan, Supplemental District, or Special Zone.

b. Zoning

The project shall not be located on a lot with an applied Density District (Part 6B) of N, 1L, 2, 3, 4, 6, 8, or 10.

c. Unit Threshold

The project must have a minimum of four or more dwelling units. For purposes of calculating units for this requirement, new dwelling units created within existing floor area may be included and dwelling units permitted as a result of a density bonus granted pursuant to Subparagraph b. of Paragraph 2. (Incentives), below, may be counted.

d. Residential Uses

A minimum of two-thirds of the total floor area of the project, including newly constructed floor area and renovated or converted floor area, must be dedicated to residential use and residential amenity space for the units.

e. Affordability Levels

The project shall reserve the number of on-site restricted affordable units in one of the income levels listed in the "Income Level" column in the table below for the corresponding applicable Corridor Transitions Incentive Set, unless the project is on a site identified in Section 1.5.15. (Lower Income Rezoning Housing Element Sites Map) and the project reserves at least 20 percent of its on-site restricted affordable units for lower income households, consistent with California Government Code Section 65583.2. The project unit count in the below table includes all units in a project, including units allowed through a density bonus. All restricted affordable units shall be subject to the affordability standards in Sub-subparagraphs i. through iii., below.

Affordability Requirements			
	Income Levels		
Project Units	Very Low Income	Low Income	Moderate Income
11-16	2 dwelling units	2 dwelling units	3 dwelling units
5-10	1 dwelling unit	1 dwelling unit	2 dwelling units
4	–	–	1 dwelling unit

i. Corridor Transitions Incentive Set Designation

The applicable Corridor Transitions Incentive Set for a subject lot shall be mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.) or mapped through a Specific Plan, a Supplemental District, or a Special Zone.

ii. Calculating Affordability Requirements

The number of required on-site restricted affordable units shall be counted as a flat number of required restricted affordable units per lot. For consolidated lots, the project shall provide the same total number of restricted affordable units as required prior to the lot consolidation. For example, if a project consolidated two lots that allow ten units on each lot into one twenty-unit project, the project would be required to provide either two very low income or low-income units, or four moderate income units.

iii. Rent and Housing Cost Schedules and Covenants

The rate of housing costs or rent for any required restricted affordable unit shall not exceed those specified in California Health and Safety Code 50052.5 for for-sale units, or California Health and Safety Code Section 50053 for rental units. Covenants documenting required rental or for-sale rates shall be recorded pursuant to the procedures described in Sec. 9.2.4.D.2. (Records and Agreements). Restricted affordable units associated with One Hundred Percent Affordable Housing Projects shall comply with the affordability specified in Sec. 9.2.2.C.1.d.ii.a

f. Housing Replacement

The project shall meet any applicable housing replacement requirements and demolition protections of California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c)(3) and Division 4C.15. (Resident Protections). Replacement dwelling units required pursuant to Division 4C.15. (Resident Protections) shall count toward any restricted affordable unit requirements.

g. Fair Housing Requirements

Restricted affordable units shall meet the applicable requirements regarding the size, location, amenities and allocation of restricted affordable units in Sec. 4C.15.3. (Restricted Affordable Units) and in any Implementation Memorandum or Technical Bulletin prepared and adopted by the Los Angeles Housing Department or Department of City Planning.

h. Historic Resources

A project shall comply with both of the following concerning historic resources:

i. A project will not require the demolition, as demolition is defined in Subsection C. (Definitions) of Sec. 13B.8.1 (General Provisions), of a designated historic resource, or surveyed historic resource identified for historic protection or special consideration or review by an applicable Supplemental District, Special Zone, or Specific Plan. Such a project is not eligible for incentives under the Corridor Transitions Incentive Program.

ii. A project involving the alteration of a designated historic resource shall be consistent with the Secretary of the Interior's Standards for Rehabilitation as supported by an expert study that has been accepted by the Office of Historic Resources, or demonstrated by the project plans and accepted by the Office of Historic Resources, if consistent with the applicable adopted Implementation Memorandum, Guidelines or Technical Bulletins of the Director of City Planning.

i. Unit Habitability Requirements

For purposes of this Sec. 9.2.4, the term "dwelling unit" or "unit" shall mean a complete independent living facility that includes permanent provisions for living, sleeping, eating, a kitchen, and sanitation. The term "dwelling unit" or "unit" in this Section shall not be a reference to a household dwelling unit, a shared housing unit, or an efficiency dwelling unit.

2. Base Incentives

A project meeting the eligibility criteria in Paragraph 1. (Eligibility) shall be granted the following incentives, subject to the review procedures in Subsection D., below, as applicable.

a. The project may utilize one of the Alternate Typologies established in Div. 7B.7. (Corridor Transitions) as provided in the table below.

Corridor Transitions Alternate Typologies Eligibility	
Corridor Transitions Incentive Set Mapped on the Mixed Income Housing Incentive Map (Sec. 1.5.17.)	Eligible Corridor Transitions Alternate Typologies
CT-3	Corridor Transitions 3 (Sec. 7B.7.3.)
CT-2	Corridor Transitions 2 (Sec. 7B.7.2.)
CT-1	Corridor Transitions 1 (Sec. 7B.7.1.)

b. Regardless of Subparagraph a., above, a project on a site with a designated historic resource or a non-contributor shall not be eligible for Corridor Transitions 3 Alternate Typology and may use the base incentives outlined in the Corridor Transitions 2 Alternate Typology.

c. The project shall be exempt from any applicable improvement requirement for roadway widening, including the relocation of an established curb or curb and gutter, pursuant to Div. 10.1. (Street Dedication & Improvement). This incentive shall not require an approval pursuant to Sec. 10.1.10. (Waiver and Appeals). A project utilizing this incentive shall comply with all dedication requirements under Div. 10.1 (Street Dedication & Improvement) and complete all other required public right-of-way improvements, including but not limited to sidewalk improvements, unless a Waiver of Dedication and Improvement is granted pursuant to Sec. 10.1.10. (Waiver & Appeals). A project shall further be eligible for relief from some required dedication, where specified by Sec. 10.2.1 (Requirements). Regardless of the above, any otherwise required dedication and improvement shall conform to the Street Dedication and Improvement Investigation Criteria adopted or amended pursuant to Council File 22-1476. A project in a Very High Fire Hazard Severity Zone, Hillside Area, or Coastal Zone, or projects subject to procedures in LAMC Section 13B.2.3. (Class 3 Conditional Use Permit) of Chapter 1A of this Code shall not be eligible for this base incentive.

3. Public Benefits

a. The project may access up to the tier 2 bonus FAR and tier 2 bonus height allowed by the applied Form District (Part 2B) or applicable Corridor Transitions Alternate Typology (Div. 7B.7.) by providing public benefits options allowed pursuant to Sec. 9.3.4. (Public Benefits Menu).

b. Projects are eligible for the following public benefit options:

i. The public benefit option listed in Sec. 9.3.4. (Public Benefits Menu) Set 1; and

ii. One or more of the public benefit options listed for the Public Benefits Incentive Set mapped for the lot on the Public Benefits Incentive Map (Sec.1.5.12.).

c. The applicable Public Benefits Incentive Set shall establish the floor area ratio and height bonuses associated with each eligible public benefit option, pursuant to Sec. 9.3.4. (Public Benefits Menu).

D. Administration

1. Procedures

The following review and approval procedures apply to projects participating in the Corridor Transitions Incentive Program. Ministerial approval in this Paragraph shall mean an administrative process to approve a "use by right" as this term is defined in California Government Code Sec. 65583.2(i).

a. Projects Requesting Only Base Incentives

A project requesting only the base incentives outlined in Paragraph 2. (Base Incentives) of Subsection C. (Program Rules), above, shall be subject to a ministerial approval process by the Department of Building and Safety.

b. Projects Providing Public Benefits

A project requesting higher incentives or additional incentives in exchange for providing one or more public benefits as outlined in Paragraph 3. (Public Benefits) of Subsection C. (Program Rules), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review). Such projects shall not be subject to any hearing procedures regardless of the provisions contained in LAMC Section 13B.3.2.

c. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10 (Multiple Approvals) apply to projects seeking other discretionary approvals in conjunction with any incentives that are requested pursuant to the Corridor Transitions Incentive Program. Regardless of any other findings that may otherwise be applicable for the other discretionary approvals, the decision maker must approve the incentives requested pursuant to the Corridor Transitions Incentive Program, subject to any procedures established in this Section.

d. Waivers and Additional Incentives

A project that requests a waiver (see Cal. Gov. Code Sec. 65915(e)) or additional incentive not offered in Sec. 9.2.4. (Corridor Transitions Incentive Program), or an incentive intensity not offered in Sec. 9.2.4, is not eligible for review and approval through this Section. Such a project shall seek approval pursuant to Sec. 9.2.1. (State Density Bonus Program), and the procedures, incentive menu and other requirements of that Section 9.2.1., if eligible.

2. Records and Agreements

Prior to the issuance of a building permit for any project participating in the Corridor Transitions Incentive Program and utilizing one or more incentives pursuant to this Section, covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section and set as forth in Div.

4C.15. (Resident Protections) shall be recorded with the Los Angeles County Recorder.

3. Vesting

An application for an entitlement that was filed and fees paid prior to the date on which this Section becomes operative, shall be subject to all applicable provisions of Los Angeles Municipal Code Chapter 1A, including any incentive menus or other provisions, that were in effect on the date the application was filed and fees were paid. Projects shall only be eligible for the incentives, procedures and other provisions of this Section if a new application is filed and associated fees for the new filing are paid on or after the operative date of this Section.

Sec. 22. A new Section 9.2.5. is added to Division 9.2. of Article 9. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 9.2.5. TRANSIT ORIENTED INCENTIVE PROGRAM

A. Intent

The Transit Oriented Incentive Program aims to: establish specific incentives and procedures for the local implementation of State Density Bonus requirements, pursuant to California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec.65915(n); encourage the creation and development of restricted affordable units through mixed-income housing citywide; and offer tailored incentives in areas throughout the City with high quality transit service.

B. Applicability

This Section 9.2.5., the "Transit Oriented Incentive Program," applies to a project that: provides restricted affordable units in exchange for incentives granted in this Section; meets the eligibility criteria established in Sec. 9.2.5.C.1. (Eligibility), below; and involves a project activity listed in Paragraph 1. (Project Activities), below.

1. Project Activities

The following project activities are subject to the Transit Oriented Incentive Program:

a. New construction for which all new floor area meets the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.

b. A use modification, including the conversion of existing floor area from a non-residential use to a residential use or an increase in dwelling units within existing floor area, for which all resulting new dwelling units and all renovated

dwelling units meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules), below.

c. A lot modification that results in dwelling units that meet the eligibility criteria provided in Paragraph 1. (Eligibility) of Subsection C. (Program Rules).

2. Reconciling Provisions

a. Relationship to Other Incentive Programs

A project is ineligible for the bonuses, incentives and procedures of the Transit Oriented Incentive Program if it is participating in any other housing incentive program in the Los Angeles Municipal Code, or in a Specific Plan, Supplemental District, or Special Zone, or in any other City regulation or guideline, except:

i. A project may also utilize the streamlining incentives in the Housing Element Sites Streamlining Program (Sec. 9.2.6.), provided that the project meets the eligibility requirements and program rules for both programs.

ii. A project that meets the definition of a Type I Adaptive Reuse Project and the eligibility requirements for both the Transit Oriented Incentive Program and the Citywide Adaptive Reuse Program, pursuant to Sec. 9.4.6. (Citywide Adaptive Reuse Program), may participate in both incentive programs and receive incentives pursuant to both programs. The portion of the unified adaptive reuse project consisting of new construction may be eligible for base incentives, additional incentives, waivers, and public benefits options outlined in Paragraphs 2., 3., 4., and 5. of Subsection C. (Program Rules), below, unless otherwise stated, and the project shall comply with Paragraph 1. (Procedures) in Subsection D (Administration) based on the corresponding project type definition and associated project request.

iii. This Section expressly authorizes a project to use another housing incentive program as specified.

b. Relationship to Specific Plans Special Districts, and Special Zones

As the Transit Oriented Incentive Program implements State Density Bonus law pursuant to California Government Code Sections 65915-65918, in the event of any difference between any provision in this Section and any provision in a Specific Plan, Supplemental District, or Special Zone, the provisions of this Section shall prevail where a project applicant seeks approval through this Section.

c. Relationship to Other Zoning Provisions

i. General

As this Section implements State Density Bonus law pursuant to California Government Code, Chapter 4.3 (Density Bonuses and Other Incentives), Sec. 65915-65918, in the event of any difference between the provisions of this Section and any other provision of the Zoning Code (Chapter 1A), the provisions of this Section shall prevail.

ii. Relationship to Inclusionary Housing

Restricted affordable units provided in order to meet the eligibility criteria for participation in the Transit Oriented Incentive Program may also be used in order to count toward the restricted affordable units required by the Inclusionary Housing Program, pursuant to Sec. 5C.3.1. (Inclusionary Housing Program), where applicable.

iii. Relationship to Project Review Threshold Packages

Regardless of the otherwise applicable Development Review Threshold Package required by the applied Development Standards District (Part 4B), and the requirements in Development Review (Sec. 4C.14.) projects participating in the Transit Oriented Incentive Program are exempt from review pursuant to Sec. 13B.2.4. (Project Review).

d. Relationship to State Density Bonus Law

The Transit Oriented Incentive Program is intended to be consistent with State Density Bonus Law at California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918. If at any time, the Transit Oriented Incentive Program becomes inconsistent with California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915-65918, as determined by the Director, the provisions of State Density Bonus Law shall supersede the provisions in this Section. The Director may prepare Implementation Memorandums, Technical Bulletins, and/or User Guides for the purposes of providing additional guidance on the implementation of this Section and maintaining consistency with the State Density Bonus Law.

C. Program Rules

1. Eligibility

To be eligible for any base incentives, additional incentives, waivers, public benefits, or other incentives provided in the Transit Oriented Incentive Program in Paragraphs 2. through 5., below, a project shall comply with all requirements provided in this Paragraph 1., as applicable, and provide any required restricted affordable units in order to obtain any particular incentive.

a. Unit Threshold

A project must have a minimum of five or more dwelling units. The units counted for purposes of this requirement includes dwelling units permitted as a result of a density bonus granted pursuant to Paragraph 2. (Base Incentives), below.

b. Zoning

The project shall not be located on a lot with an applied Density District (Part 6B) of N or 1L.

c. Residential Uses

A minimum of two-thirds of the total floor area of a project, including newly constructed floor area and renovated or converted floor area, must be dedicated to residential use and residential amenity space for the units.

d. Transit Oriented Incentive Map

The project must be located on a lot for which a Transit Oriented Incentive Set has been mapped on the Transit Oriented Incentive Map (Sec. 1.5.16), or through a Specific Plan, Supplement District, or Special Zone.

e. Affordability Levels

The project shall reserve the minimum percentage of its dwelling units for on-site restricted affordable units provided for the Transit Oriented Incentive Program Set designated for the project lot, based on the housing market tier or opportunity area of the lot, subject to the affordability standards in Sub-subparagraphs i. through iv., below.

i. Single or Mixed Affordability Option

A project may opt to meet its affordability requirement by providing restricted affordable units at rates determined by the methodology outlined in Sub-subparagraph i. (Single Affordability Requirements), below, or the methodology described in Sub-subparagraph ii. (Mixed Affordability Options), below, or the methodology described in Sub-sub-subparagraph c) (Low Income Site Affordability Requirements), below, as applicable.

a) Single Affordability Requirement
A project opting to use the Single Affordability Requirements table shall provide restricted affordable units for one of the income levels listed in the table below in the "Income Levels" column at the corresponding percentage of total dwelling units (all units including bonus units) for the applicable Transit Oriented Incentive Set and Market Tier for the project lot.

Single Affordability Requirements				
Mixed Income Incentive Set	Market Tiers	Income Levels		
		Extremely Low Income	Very Low Income	Low Income
T-3	High Medium and High Market Tiers	13%	17%	27%
T-2		12%	16%	25%
T-1		11%	14%	23%
T-3	Low and Medium Market Tiers	11%	15%	25%
T-2		10%	14%	23%
T-1		9%	12%	21%

b) Mixed Affordability Requirements

A project using the Mixed Affordability Options shall provide restricted affordable units at the percentages and in the combinations listed in the "Income Levels" columns in the following table, by applying the percentages to all project units (including bonus units). A project shall provide the percentages of restricted affordable units associated with the opportunity area for the project lot, as specified by the California Tax Credit Allocation Committee (TCAC) opportunity area for the project lot. A project opting to use any of the Mixed Affordability Level Options must also provide at least one restricted affordable unit containing four or more habitable rooms at the deepest affordability level required.

Mixed Affordability Options				
TCAC Opportunity Area	Income Levels			
	Acutely Low Income	Extremely Low Income	Very Low Income	Moderate Income
Moderate and Lower Opportunity Areas	-	4%	8%	-
Higher Opportunity Areas	4%	4%	-	12%

c) Low Income Site Affordability Requirements

A project on a site identified in Sec. 1.5.15. (Lower Income Rezoning Housing Element Sites Map) may meet its affordability requirement by providing 20 percent of its on-site restricted affordable units for lower income households, consistent with California Government Code Section 65583.2.

ii. Transit Oriented Incentive Set Designation

The applicable Transit Oriented Incentive Set shall be determined based on the designation shown on the Transit Oriented Incentive Map established in Sec. 1.5.16. (Transit Oriented Incentive Map), or is mapped through a Specific Plan, Supplemental District, or a Special Zone.

iii. Calculating Affordability Requirements

In calculating the minimum percentage of on-site restricted affordable units, the percentage of each affordability level shall be based on the total project dwelling unit count, including dwelling units permitted as a result of a density bonus granted pursuant to Paragraph 2. (Base Incentives), below. Any number resulting in a fraction shall be rounded up to the next whole number, and not as specified in Sec. 6C.1.2. (Lot Area Per Household Dwelling Unit) or Sec. 6C.1.3. (Lot Area Per Efficiency Dwelling Unit).

iv. Housing Market Tier Designation

A project's housing market tier shall be determined by the residential market areas adopted by City Council resolution, as described in Sec. 15.4.3. (Affordable Housing Linkage Fee).

v. Rent and Housing Cost Schedules and Covenants

The rate of housing costs or rent for any required restricted affordable unit shall not exceed those specified in California Health and Safety Code Section 50052.5 (Affordable Housing Costs) for for-sale units or California Health and Safety Code Section 50053 for rental units. Covenants documenting required rental or for sale rates shall be recorded pursuant to the procedures described in Sec. 9.2.3.D.3. (Records and Agreements). Restricted Affordable Units associated with One Hundred Percent Affordable Housing Projects shall comply with the affordability specified in Sec. 9.2.2.C.1.d.ii.a.

f. Housing Replacement

The project shall meet any applicable housing replacement requirements and demolition protections established in Division 4C.15. (Resident Protections). Replacement dwelling units required pursuant to Division 4C.15. (Resident Protections) shall count toward any restricted affordable unit requirements.

g. Fair Housing Requirements

Restricted affordable units shall meet the applicable requirements regarding the size, location, amenities and allocation of restricted affordable units established in Sec. 4C.15.3. (Restricted Affordable Units) and in any Implementation Memorandum or Technical Bulletin prepared and adopted by the Los Angeles Housing Department or Department of City Planning.

h. Historic Resources

i. A project requiring the demolition, as demolition is defined in Subsection C. (Definitions) of Sec. 13B.8.1 (General Provisions), of a designated historic resource, or surveyed historic resource identified for historic protection or special consideration or review by an applicable Specific Plan, CPIO, or Conservation District is not eligible for incentives under the Transit Oriented Incentive Program.

ii. A project involving the alteration of a designated historic resource shall be consistent with the Secretary of the Interior's Standards for Rehabilitation as supported by an expert study that has been accepted by the Office of Historic Resources, or demonstrated by the project plans and accepted by the Office of Historic Resources, if consistent with the applicable adopted Implementation Memorandum, Guidelines or Technical Bulletins of the Director of City Planning.

i. Unit Habitability Requirements

For purposes of this Sec. 9.2.5, the term "dwelling unit" or "unit" shall mean a complete independent living facility that includes permanent provisions for living, sleeping, eating, a kitchen, and sanitation. The term "dwelling unit" or "unit" in this Section shall not be a reference to a household dwelling unit, a shared housing unit, or an efficiency dwelling unit.

2. Base Incentives

A project meeting the eligibility criteria in Paragraph 1. (Eligibility), shall be granted the following base incentives, subject to the procedures in Sec. 9.2.5.D.1.a. (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives), below.

a. The project shall be eligible for the density bonus, floor area, height, and parking incentives that correspond to the project lot's mapped Transit Oriented Incentive Set as provided in the table below:

BASE INCENTIVES FOR TRANSIT ORIENTED INCENTIVE PROGRAM				
Incentive Set	**Density Bonus**	**Maximum Total FAR, or Increase on Top of Base FAR**	**Height**	**Parking**
T-1B [1]	100%	RG, RX, and A Use Districts: 40% increase on top of the base FAR of the applied Form District (Part 2B).	One additional story, up to 11 additional feet.	No parking minimum required. If parking is provided, up to 40% of spaces may be provided as compact vehicular spaces. Tandem parking may also be permitted so long as a 24-hour attendant is present on-site.
		CX, IX, P Use Districts: 3.25:1 maximum FAR, or 40% increase on top of the base FAR of the applied Form District (Part 2B), whichever is greater.		
T-1A	120%	RG, RX, and A Use Districts: 40% increase on top of the base FAR of the applied Form District (Part 2B).		
		CX, IX, P Use Districts: 4.2:1 maximum FAR, or 45% increase on top of the base FAR of the applied Form District (Part 2B), whichever is greater.		
T-2B	110%	RG, RX, and A Use Districts: 40% increase on top of the base FAR of the applied Form District (Part 2B).	Two additional stories, up to 22 additional feet.	
		CX, IX, P Use Districts: 4.2:1 maximum FAR, or 50% increase on top of the base FAR of the applied Form District (Part 2B), whichever is greater.		
T-2A	Limited by Floor Area	RG, RX, and A Use Districts: 45% increase on top of the base FAR of the applied Form District (Part 2B).		
		CX, IX, P Use Districts: 4.5:1 maximum FAR, or 50% increase on top of the base FAR of the applied Form District (Part 2B), whichever is greater.		
T-3B	120%	RG, RX, and A Use Districts: 45% increase on top of the base FAR of the applied Form District (Part 2B).	Three additional stories up to 33 additional feet.	
		CX, IX, P Use Districts: 4.5:1 maximum FAR, or 50% increase on top of the base FAR of the applied Form District (Part 2B), whichever is greater.		
T-3A	Limited by Floor Area	RG, RX, and A Use Districts: 50% increase on top of the base FAR of the applied Form District (Part 2B).		
		CX, IX, P Use Districts: 4.65:1 maximum FAR, or 55% increase on top of the base FAR of the applied Form District (Part 2B), whichever is greater.		

Footnote:
1 "B" incentive sets are associated with TCAC Moderate and Lower Opportunity Areas; whereas "A" incentive sets are associated with TCAC Higher Opportunity Areas.

b. Regardless of sub-paragraph a., above, a project with a maximum allowable residential density of less than five units shall only be eligible for the following density bonus based on the applicable type of Transit Oriented Incentive Set for the project lot:

i. T-1: 60%

ii. T-2: 70%

iii. T-3: 80%

c. Regardless of Subparagraph a., above, a project site with a maximum allowable residential density of less than 5 dwelling units, or a project site involving a designated historic resource or a non-contributor, shall not be eligible for an incentive to increase allowable FAR or height above one additional story.

d. The project shall be exempt from any applicable improvement requirement for roadway widening, including the relocation of an established curb or curb and gutter, pursuant to Div. 10.1. (Street Dedication & Improvement). This incentive shall not require an approval pursuant to Sec. 10.1.10. (Waiver and Appeals). A project utilizing this incentive shall comply with all dedication requirements under Div. 10.1. (Street Dedication & Improvement) and complete all other required public right-of-way improvements, including but not limited to sidewalk improvements, unless a Waiver of Dedication and Improvement is granted pursuant to Sec. 10.1.10. (Waiver & Appeals). A project shall further be eligible for relief from some required dedication, where specified by Sec. 10.2.1. (Requirements). Regardless of the above, any otherwise required dedication and improvement shall conform to the Street Dedication and Improvement Investigation Criteria adopted or amended pursuant to Council File 22-1476. A project in a Very High Fire Hazard Severity Zone, a Hillside Area, or a Coastal Zone, or a project subject to the procedures in LAMC Section 13B.2.3. (Class 3 Conditional Use Permit) of Chapter 1A of this Code shall not be eligible for this base incentive.

3. Additional Incentives

In addition to the applicable base incentives established in Paragraph 2. (Base Incentives), above, a project shall be granted up to four additional incentives in this Paragraph. Such a project may receive up to four Incentives provided a project includes the applicable percentage of restricted affordable units (excluding units added by a density bonus) that is necessary to obtain the maximum number of Incentives available to an income category under California Government Code Section 65915, as listed on the table in Sec. 9.2.1.C.3.a.i (Allowed Number of Additional Incentives). Projects may use additional incentives to deviate from a development standard or requirement in this Zoning Code or in an applicable Specific Plan, Supplemental District, or Special Zone. The four allowable additional incentives may be any combination of incentives listed in Subparagraph a. (Menu of Additional Incentives), below, and/or incentives requested under Subparagraph b. (Incentives Not Listed on the Menu of Additional Incentives), below.

a. Menu of Additional Incentives

A project shall be granted requested incentives from the Menu of Additional Incentives listed in Sub-subparagraphs i. through v., below, pursuant to the procedures in Section 9.2.5.D.1.a. (Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives), below.

i. By-Right Adjustments

Relief from any zoning standard that would otherwise require approval pursuant to Sec. 13B.5.2. (Adjustment) may be granted as an on-menu incentive, and shall not be subject to the requirements of Sec. 12B.5.2. (Adjustment). Each adjustment-equivalent grant shall count as one incentive request. By-right adjustments shall not be granted in the following cases:

a) A by-right adjustment shall not apply to standards that regulate FAR, height, any modifications of signs standards, or for requests to allow parking in front of buildings, and lot amenity space.

b) A by-right adjustment shall not apply to a designated historic resource or a non-contributor

ii. Averaging of Floor Area, Lot Amenity Space, Parking, and Density

A project that is located on two or more abutting lots may average the maximum floor area, minimum lot amenity space, minimum parking, and maximum density over the project site, provided that:

a) The proposed uses are permitted by the applied Use District (Part 5B) of each area the proposed uses will be located; and

b) A covenant running with the land is recorded with the Los Angeles County Recorder, and a copy is provided to the Department of Building and Safety prior to the issuance of any building permit, that specifies no further lot line adjustment or any other action that may cause the project site to be subdivided subsequent to this grant, is permitted for the life of the project.

iii. Density Calculation

Any area of any land required to be dedicated for street or alley purposes may be included as lot area for purposes of calculating the maximum density permitted by the applied Density District (Part 6B).

iv. Building Coverage

Up to a 25 percent increase in building coverage limits is allowed.

v. Lot Width

Up to 25 percent decrease in the required lot width is allowed.

b. Incentives Not Listed on the Menu of Additional Incentives

i. A project may request incentives not listed in, or in excess of an incentive allowed in, Subparagraph a. (Menu of Additional Incentives), above, subject to the approval process in Sec. 9.2.5.D.1.b. (Projects Requesting Incentives Not on the Menu of Additional Incentives), below, with the exception of any modification listed in Sub-subparagraph ii, below.

ii. Modifications to the following standards or their equivalents in an applicable Community Plan, overlay, Specific Plan, Supplemental District, or Special Zone, altering the criteria or level of relief allowed as outlined in Sub-subparagraph i. (By-Right Adjustments) of Subparagraph a. (Menu of Additional Incentives), above, shall not be granted as an additional incentive through this Section and are not eligible for approval through this Section. Projects that seek these types of incentives not on the menu shall seek approval pursuant to the procedures, incentives and other requirements in Sec. 9.2.1. (State Density Bonus Program).

a) Lot Amenity Space (Sec. 2C.3.1.);

b) Any floor area ratio and height restriction established in Div. 2C.4. (Floor Area Ratio & Height);

c) Any upper story bulk limitations established in Div. 2C.6. (Upper Story Bulk);

d) Building Width (Sec. 2C.5.1.);

e) Building Setbacks (Sec. 2C.2.2.);

f) Ground story design requirements specified by the applied Frontage District (Part 3B.); or

g) Required Trees (Sec. 4C.6.2.).

4. Waivers

A project may request waivers, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the additional incentives granted pursuant to Paragraph 3. (Additional Incentives), above, subject to the procedures in Sec.9.2.5.D.1.c. (Projects Requesting Waivers), below.

5. Public Benefits

A project may access additional floor area ratio, or height, or other modifications of standards by providing one or more public benefits, as described below. Projects providing public benefits shall be reviewed and approved pursuant to Sec. 9.2.5.D.1.d. (Projects Providing Public Benefits), below.

a. The project may use the following public benefits options:

i. Sec. 9.3.4.C.3.b. (Public Benefits Incentive Set 2).

ii. Public Benefits Menu

A project providing public benefits shall also be eligible to provide one or more of the public benefit options listed for the Public Benefits Incentive Set mapped for the lot on the Public Benefits Incentive Map (Sec.1.5.12.). The mapped Public Benefits Incentive Set shall establish the floor area ratio and height bonuses associated with each eligible public benefit option, pursuant to Sec. 9.3.4. (Public Benefits Menu). Multiple public benefit options can be provided by one project in order to combine and stack public benefit bonuses.

D. Administration

1. Procedures

The following review and approval procedures apply to a project participating in the Transit Oriented Housing Incentive Program. Ministerial approval in this Paragraph shall mean an administrative process to approve a "use by right" as this term is defined in California Government Code Sec. 65583.2(i).

a. Projects Requesting Base Incentives & Incentives on the Menu of Additional Incentives

A project requesting only the base incentives outlined in Sec. 9.2.5.C.2. (Base Incentives), above, or additional on-menu incentives as outlined in Sec. 9.2.5.C.3.a. (Menu of Additional Incentives), above, and not requesting any waivers under Sec. 9.2.5.C.4. (Waivers) or off-menu incentives under Sec. 9.2.5.C.b. (Incentives Not listed on the Menu of Additional Incentives) shall be subject to a ministerial approval process by the Department of Building and Safety. Additional incentives approved by the Department of Building and Safety shall comply with the additional standards in Sec. 9.2.5.D.2.a. (Standards for Review for Additional Incentives), below.

b. Projects Requesting Incentives Not on the Menu of Additional Incentives

A project requesting incentives pursuant to Sec. 9.2.5.C.3.b. (Incentives Not on the Menu of Additional Incentives), above, shall be subject to a ministerial approval process pursuant to Sec. 13B.3.2. (Expanded Administrative Review), and shall be granted subject to the standards outlined in Subparagraph a. (Standards for Review of Additional Incentives) of Paragraph 2. (Standards for Review and Required Findings), below. Such requests shall not be subject to any hearing procedures regardless of the provisions contained in Sec. 13B.3.2

c. Projects Requesting Waivers

A project requesting a waiver, as defined in Div. 14.3. (Glossary), under California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives) Sec. 65915(e) along with the number of additional incentives permitted pursuant to Sec. 9.2.3.C.3. (Additional Incentives), above, shall be reviewed as follows:

i. A project requesting only one waiver pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be reviewed pursuant Sec. 13B.2.5. (Director Determination).

ii. A project requesting more than one waiver pursuant to Paragraph 4. (Waivers) of Subsection C. (Program Rules), above, shall be reviewed pursuant Sec. 13B.2.3. (Class 3 Conditional Use).

iii. Regardless of any provision of Div. 13B.2 (Quasi-Judicial Review), findings for waivers shall be those in Subparagraph b. (Required Findings for Waivers) of Paragraph 2. (Standards for Review and Required Findings), in lieu of the findings in Div. 13.B.2 (Quasi-Judicial Review); and waivers requiring a Class 3 Conditional Use Permit are final at the City Planning Commission and are not appealable. Waivers requiring a Director Determination are appealable to the City Planning Commission.

d. Projects Providing Public Benefits

Projects requesting higher incentives or additional incentives in exchange for providing one or more public benefits as outlined in Paragraph 5. (Public Benefits) of Subsection C. (Program Rules), above, shall be ministerially approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review), and shall not be subject to any hearing procedures regardless of the provisions contained in Sec. 13B.3.2.

e. Other Discretionary Approvals

Applicable procedures set forth in Sec. 13A.2.10 (Multiple Approvals) apply to projects seeking other discretionary approvals in conjunction with any incentives requested pursuant to the Transit Oriented Incentive Program, including those listed in Paragraph 2. (Base Incentives), Paragraph 3. (Additional Incentives), Paragraph 4. (Waivers), or Paragraph 5. (Public Benefits) of Subsection C (Program Rules), above. Regardless of any other findings that may be applicable for the other discretionary approvals, the decision maker shall approve the incentives requested pursuant to the Transit Oriented Incentive Program, subject to any procedures established in Paragraph 1. (Procedures), above, and standards established in Paragraph 2. (Standards for Review and Required Findings), below.

f. Density Bonuses, Incentives or Waivers Exceeding this Program

Projects that seek additional density bonuses, incentives or waivers beyond what is expressly allowed by this Section 9.2.5. (Transit Oriented Housing Incentive Program), shall be reviewed pursuant to Sec. 9.2.1. (State Density Bonus Program), including the requirements and findings in Sec. 9.2.1.D.1.e. (Projects with Requests for Density Bonuses in Excess of the Base Incentive).

2. Standards for Review and Required Findings

a. Standards for Review for Additional Incentives

For the purposes of standards of review for additional incentives, 'incentive' shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(k). Additional incentives allowed pursuant to Sec. 9.2.5.C.3. (Additional Incentives) shall be granted unless one of the following written findings are made, based upon substantial evidence:

i. The incentive does 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 for rents for the targeted units to be set as specified in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(c); or

ii. The incentive will have a specific adverse impact upon public health and safety 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 low-income households and moderate-income households. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific adverse impact upon the public health or safety; or

iii. The incentive would be contrary to state or federal law.

b. Required Findings for Waivers

For the purposes of required findings for waivers, 'development standard' shall be defined as in California Government Code, Chapter 4.3. (Density Bonuses and Other Incentives), Sec. 65915(o)(2). Waivers allowed pursuant to Sec. 9.2.5.C.4. (Waivers) shall be approved by the applicable decision-making authority unless the decision-making authority makes one of the following findings, based on substantial evidence:

i. The development standard associated with a request for a waiver will not have the effect of physically precluding the construction of a development meeting the eligibility criteria described in Paragraph 1. (Eligibility) of Subsection C (Program Rules), above, at the densities or with the base incentives and additional incentives permitted under Subsection C. (Program Rules), above.

ii. The waiver would have a specific adverse impact upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

iii. The waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources.

iv. The waiver is contrary to state or federal law.

3. Records and Agreements

Prior to the issuance of a building permit for any project participating in the Transit Oriented Incentive Program and utilizing one or more incentives pursuant to this Section, covenants acceptable to the Los Angeles Housing Department and meeting the requirements in this Section and Div. 4C.15. (Resident Protections) shall be recorded with the Los Angeles County Recorder.

4. Vesting

An application for an entitlement that was filed and fees paid prior to the date on which this Section becomes operative, shall be subject to all applicable provisions of Los Angeles Municipal Code Chapter 1A, including any incentive menus or other provisions, that were in effect on the date the application was filed and fees were paid. Projects shall only be eligible for the incentives, procedures and other provisions of this Section if a new application is filed and associated fees for the new filing are paid on or after the operative date of this Section.

Sec. 23. Section 9.3.1. of Division 9.3. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is amended in entirely to read as follows:

SEC. 9.3.1. COMMUNITY BENEFITS PROGRAM STRUCTURE

A. Purpose

The purpose of this Division (Community Benefits Program) is to promote the production of restricted affordable units and improvements, facilities, resources, and services for the benefit and enjoyment of the general public.

B. Applicability

This Section (Community Benefits Program Structure) shall apply to any project using an incentive program that meets all of the following requirements:

1. The project meets the eligibility requirements in Subsection C. (Eligibility), below;

2. The project is providing the percentage of restricted affordable units required in Sec. 9.3.2. (Local Affordable Housing Incentive Program), or public benefits required pursuant to a program established in this Division (Community Benefits Program); and

3. The applied Form District (Part 2B.) provides for tier 1 bonus floor area ratio, tier 2 bonus floor area ratio, tier 1 bonus height, or tier 2 bonus height.

C. Eligibility

A project may obtain incentives pursuant to this Division (Community Benefits Program) subject to the allowances and requirements provided below:

1. Residential Projects

a. A project that involves the construction of dwelling units must use the incentive program in Sec. 9.3.2. (Local Affordable Housing Incentive Program) to its fullest extent. For purposes of this Subparagraph, to its fullest extent means the project provides the number of restricted affordable units to qualify for the maximum density increase allowed by the applicable local incentive program set in Sec. 9.3.2.B.1. (Local Incentive Program Sets).

b. Calculation of the maximum density increase allowed and number of restricted affordable units required shall be based on the maximum allowable residential density.

c. A project that involves dwelling units with unused floor area or height based on the tier 2 bonus FAR or tier 2 bonus height available in the applied Form District (Part 2B.), may use the remaining development potential using one of the methods below, up to the maximum allowed by the applied Form District (Part 2B.):

i. Additional Restricted Affordable Units

Providing additional restricted affordable units above the minimum percentage required to qualify for the maximum density increase of the applicable affordable housing program. The amount of additional FAR or height provided for additional percentages of restricted affordable units shall be determined by the applicable Specific Plan, Supplemental District, or Special Zone.

ii. Public Benefits Incentive Programs

Using one or more of the programs established in this Division (Community Benefits Program) for additional public benefits other than restricted affordable units, if available as incentive programs in an applicable Specific Plan, Supplemental District, or Special Zone.

2. Non-Residential Projects

A project which does not involve the construction of dwelling units may use any of the programs established in this Division (Community Benefits Program) that incentivize public benefits other than restricted affordable units. Additional floor area ratio or height may be awarded up to the maximum tier 1 bonus floor area ratio or tier 1 bonus height allowed by the applied Form District (Part 2B.), as established in this Section (Community Benefits Program Structure) and in an applicable Specific Plan, Supplemental District, or Special Zone.

Sec. 24. Subsection E. of Section 9.3.2. of Division. 9.3. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

E. Process

The following procedures apply to housing development projects but may be superseded by a Specific Plan, Supplemental District, or Special Zone.

1. Base and Additional Incentives

A housing development project requesting only the base incentives in Subsection C. (Base Incentives) above, and additional incentives outlined in Subsection D. (Additional Incentives) above, or in an applicable Specific Plan, Supplemental District, or Special Zone, shall follow the procedures in Sec. 9.2.1.D.1.a. (Projects Requesting Base Incentives & Incentives from the Menu of Additional Incentives).

2. Additional Incentives

Housing development projects requesting additional incentives outlined in Subsection D (Additional Incentives) above, or in the applicable CPIO or Specific Plan shall follow the procedures in Sec. 9.2.1.F.2 (Projects Requesting Additional Incentives.

3. "Off-Menu" Incentives

Housing development projects that qualify for incentives by meeting the minimum required percentage of restricted affordable units, as outlined in Paragraph 1. (Local Incentive Program Sets) of Subsection B. (Eligibility) above, and for which the applicant requests an off-menu incentive, waiver, or modification of any Form District (Part 2B.) standard or Development Standards District (Part 6B.) standard that is not included in the incentives outlined in Subsection C. (Base Incentives) above, or Subsection D. (Additional Incentives) above, must be approved pursuant to Sec. 9.2.1.D.1.c. (Projects with Requests for Waivers).

Sec. 25. Section 9.3.3. of Division 9.3. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is amended in its entirety to read follows:

SEC. 9.3.3 [RESERVED]

Sec. 26. Section 9.3.4. of Division 9.3. of Article 9. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

SEC. 9.3.4. PUBLIC BENEFITS MENU

A. Intent

The purpose of this Section, the "Public Benefits Menu," is to encourage the development of facilities and services that are necessary to or are of benefit to the public and the community in which the facility or service is located. The Public Benefits Menu provides a centralized and standardized list of beneficial facilities and services that other incentive programs can point to in order to activate the provision of public facilities and services that are appropriate for the goals and needs of each program or community.

B. Applicability

1. Project Activities

As the Public Benefits Menu is enabled and activated by various incentive programs throughout Article 9. (Public Benefit Systems), Specific Plans, Supplemental Districts, and Special Zones, the project activities applicable to the use of the Public Benefits Menus shall be those project activities allowed for the incentive program, Specific Plan, Supplemental District, or Special Zone being utilized by the project.

2. Reconciling Provisions

As the Public Benefits Menu is enabled and activated by various different incentive programs throughout this Article 9. (Public Benefit Systems), Specific Plans, Supplemental Districts, and Special Zones, any conflict between the provisions of this Section and conflicting provisions in any Zoning District, Supplemental District, Specific Plan, Special Zone, or other zoning provision shall be resolved pursuant to the reconciling provisions established for the incentive program, Specific Plan, Supplemental District, or Special Zone, being utilized by the project.

C. Program Rules

1. Eligibility

A project must be authorized by an incentive program in this Article 9. (Public Benefit Systems), or in an applicable Specific Plan, Supplemental District, or Special Zone, to be eligible to receive incentives in the Public Benefits Menu in exchange for providing public benefits.

2. Incentives

a. Bonus FAR and Bonus Height

i. If the option to provide public benefits is enabled by an incentive program in Article 9. (Public Benefit Systems) or in an applicable Specific Plan, Supplemental District, or Special Zone, a project shall be awarded additional floor area up to the maximum tier 2 bonus FAR and tier 2 bonus height allowed by the applied Form District (Part 2B.), by providing one or more of the public benefits options in Paragraph 3. (Public Benefits Incentive Sets), below, or by providing an alternative community facility pursuant to Sec. 9.3.1.D.1.b. (Alternative Public Benefit Options), below.

ii. In order to qualify for additional floor area and height pursuant to this Section, a project is only eligible to use the public benefits options listed in Paragraph 3. (Public Benefits Incentive Sets), below, for the Public Benefits Incentive Set mapped for the lot on the Public Benefits Incentive Map (Sec.1.5.12.), or for the Public Benefits Incentive Set specified within an applicable incentive program.

iii. The amount of additional floor area and additional height granted for each eligible public benefits option shall be established by the mapped Public Benefits Incentive Set or by the applicable Specific Plan, Supplemental District, or Special Zone. However, the total floor area on the lot or height of the project shall not exceed the maximum tier 2 bonus FAR and tier 2 bonus height allowed by the applied Form District (Part 2B) or applicable Alternative Typology (Part 7B.), except where permitted in Sec. 2C.4.1.C.3 (Tier 2 Bonus), Sec. 2C.4.2.C.3. (Tier 2 Bonus), or Sec. 2C.4.3.C.2.b. (Tier 2 Bonus).

b. Tenant Size Limitations

When used to qualify for additional floor area or height pursuant to this Section, spaces dedicated to one or more of the eligible public benefits options outlined in Paragraph 4. (Public Benefits Options), below, are not required to conform to tenant size limitations in the applied Use Districts (Part 5B).

3. Public Benefits Incentive Sets

a. Public Benefits Incentive Set 1

Projects on a lot mapped with Public Benefits Incentive Set 1 or identified as eligible for Public Benefits Incentive Set 1 through an applicable incentive program shall be eligible to obtain the any additional floor area and/or additional height identified in the table below, up to the maximum tier 2 bonus floor area and tier 2 bonus height allowed by the applied Form District (Part 2B) or eligible Alternative Typology (Part 7B.), by providing the corresponding public benefits options listed in the table, as the options are described in Subsection D. (Public Benefits Option), below:

Public Benefit Option	Additional Floor Area Granted	Additional Height Granted
Multi Bedroom Units (Sec. 9.3.4.C.4.h.)	Option C: 0.5 FAR	Option C: 1 story
Childcare Facility (Sec. 9.3.4.C.4.a.)	Shall be granted one of the following: Additional floor area for residential use equivalent to the total floor area dedicated to a qualifying childcare facility in the project; or	
	1 story; or For a project participating in an incentive program in Div. 9.2. (Citywide Housing Incentive Programs), one additional incentive from the Menu of Additional Incentives for the applicable incentive program or an incentive not listed on the Menu of Additional Incentives, where the requested incentive contributes significantly to the economic feasibility of the construction of the childcare facility.	

b. Public Benefits Incentive Set 2

Projects on a lot mapped with Public Benefits Incentive Set 2 or identified as eligible for Public Benefits Incentive Set 2 through an applicable incentive program shall be eligible to obtain any additional floor area and/or additional height identified in the table below, up to the maximum tier 2 bonus floor area and tier 2 bonus height allowed by the applied Form District (Part 2B) or eligible Alternative Typology (Part 7B.), by providing the corresponding public benefits options listed in the table, as the options are described in Subsection D. (Public Benefits Option), below:

Public Benefit Option	Additional Floor Area Granted	Additional Height Granted
Active Ground Story (Sec. 9.3.4.C.4.l.)	Floor area equivalent to the total floor area dedicated to active uses located on the ground story, up to a maximum of 1500 sq.ft.	N/A
Childcare Facility (Sec. 9.3.4.C.4.a.)	Shall be granted one of the following: Additional floor area for residential use equivalent to the total floor area dedicated to a qualifying childcare facility in the project; or 1 story; or For a project participating in an incentive program in Div. 9.2. (Citywide Housing Incentive Programs), one additional incentive from the Menu of Additional Incentives for the applicable incentive program or an incentive not listed on the menu of additional incentives, where the requested incentive contributes significantly to the economic feasibility of the construction of the childcare facility.	
Multi-Bedroom Units (Sec. 9.3.4.C.4.h.)	One of the following: Option A: 0.5 FAR for every 25 total project dwelling units, inclusive of provided multi-bedroom units (inclusive of density bonus units and restricted affordable units), with a maximum of 2.0 FAR; or Option B: Floor area equivalent to the total floor area dedicated to multi-bedroom units in the project.	One of the following: Option A: 1 story for every 50 total project dwelling units, inclusive of provided multi-bedroom units, with a maximum of 2 Stories; or Option B: 1 story, with floor area of the top story limited to the total floor area dedicated to multi-bedroom units in the project.
Privately Owned Public Space (Sec. 9.3.4.C.4.i.)	For a privately owned public space located at-grade: 1.0 FAR For a privately owned public space located on an upper story: 0.5 FAR	For a privately owned public space located at-grade: 2 stories For a privately owned public space located on an upper story: 1 story
Surveyed Historic Resources Facade (Sec. 9.3.4.C.4.k.)	1.0 FAR	2 stories

c. "CPIO" Public Benefit Incentive Sets

Where a lot is mapped on the Public Benefits Incentive Map (Sec.1.5.12.) as "CPIO", the CPIO will establish public benefits options and the corresponding additional floor area and height granted for each public benefit option. The CPIO may establish additional public benefits options not listed in this Section and when establishing additional public benefits shall provide descriptions, standards, and requirements for the use of the public benefits.

d. "SP" Public Benefit Incentive Sets

Where a lot is mapped on the Public Benefits Incentive Map (Sec.1.5.12.) as "SP", a Specific Plan will establish the public benefits options and the corresponding additional floor area and height granted for each public benefit option. The Specific Plan may establish additional public benefits options not listed in this Section and when establishing additional public benefits shall provide descriptions, standards, and requirements for public benefits.

4. Public Benefits Options

In order to qualify for any incentive provided in Paragraph 3. (Public Benefits Incentive Sets), or an applicable incentive program in a Specific Plan, Supplemental District, or Special Zone, which refers to this Section 9.3.4. (the Public Benefit Menu), any public benefits option included in a project must meet all the applicable requirements provided below.

a. Childcare Facility

i. The childcare facility shall comply with all requirements of California Code of Regulations, Title 22 (Social Security), Division 12 (Child Care Facility Licensing Regulations), Chapter 1 (Child Care Center General Licensing Requirements).

ii. The childcare facility shall be appropriately licensed by the California Department of Social Services.

iii. Floor area used as a childcare facility shall be used for such purpose for a minimum of 55 years after the Certificate of Occupancy is issued. For the purposes of this provision, the time in which the childcare facility space is vacant does not count towards the required minimum.

iv. A minimum ten-year lease with a licensed childcare provider, with a five-year renewal option, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the licensed childcare provider is required to complete the term of the lease. If the lease is not completed prior to the ten-year term, the property owner or their representative shall find a new licensed childcare provider to complete the ten-year term. For the purposes of this provision, the time in which the childcare facility space is vacant does not count towards the required minimum.

v. The floor area devoted to a childcare facility shall be located on-site.

vi. For a project which is obtaining additional floor area for providing a childcare facility, no other Certificate of Occupancy for the project shall be issued prior to a Certificate of Occupancy for the childcare facility required pursuant to this Section.

vii. Notwithstanding the Public Benefit available under this Subparagraph, pursuant to California Government Code Section 65915(h)(3), a density bonus or incentive for a childcare facility shall not be provided if it is found, based on substantial evidence, that the community has adequate childcare facilities.

b. Full-Service Grocery Store

i. The full-service grocery store shall have at least 10,000 square feet of floor area.

ii. At least 25 percent of the floor area of the full-service grocery store shall be dedicated to perishable food items.

iii. The full-service grocery store shall accept EBT or other forms of government assistance.

iv. Floor area used as a full-service grocery store shall be used for such purpose for a minimum of 55 years after the Certificate of Occupancy is issued. For the purposes of this provision, the time in which the full-service grocery store space is vacant does not count towards the required minimum.

v. A minimum ten-year lease with a full-service grocery store, with a five-year renewal option, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the full-service grocery store is required to complete the term of the lease. If the lease is not completed prior to the ten-year term, the property owner or their representatives shall find a new full-service grocery store to complete the ten-year term. For the purposes of this provision, the time in which the full-service grocery store space is vacant does not count towards the required minimum.

vi. The floor area devoted to a full-service grocery store shall be located on-site.

vii. For a project which is obtaining additional floor area for providing a full-service grocery store, no other Certificate of Occupancy for the project shall be issued prior to a Certificate of Occupancy for the full-service grocery store required pursuant to this Section.

c. Health Center

i. The health center shall be certified by the United States Department of Health and Human Services, Health Resources and Services Administration (HRSA) as a Federally Qualified Health Center (FQHC), or FQHC Look-Alike as defined by the HRSA.

ii. Floor area provided for a health center shall be used for such purpose for a minimum of 55 years after the Certificate of

Occupancy is issued. For the purposes of this provision, the time in which the health center space is vacant does not count towards the required minimum.

iii. A minimum ten-year lease with a health service provider, with a five-year renewal option, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the

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health service provider is required to complete the term of the lease. If the lease is not completed prior to the ten-year term, the property owner or their representatives shall find a new health service provider to complete the ten-year term. For the purposes of this provision, the time in which the health center space is vacant does not count towards the required minimum.

iv. The floor area used as a health center shall be located on-site.

v. For a project which is obtaining additional floor area for providing a health center, no other Certificate of Occupancy for the project shall be issued prior to a Certificate of Occupancy for the health center required pursuant to this Section.

d. Employment Area

i. A minimum of 50 percent of the floor area permitted by the Base FAR must be used for nonresidential uses outlined in the applicable incentive program, or CPIO or Specific Plan.

ii. The floor area for those eligible uses is maintained for a minimum of 55 years after the issuance of the Certificate of Occupancy. For the purposes of this provision, the time in which the space for the eligible uses is vacant does not count towards the required minimum.

iii. A minimum ten-year lease with a tenant with an eligible use, with five-year renewal option, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the tenant with an eligible use is required to complete the term of the lease. If the lease is not completed prior to the ten-year term, the property owner or their representatives shall find a new tenant with an eligible use to complete the ten-year term. For the purposes of this provision, the time in which the floor area for those eligible uses is vacant does not count towards the required minimum.

iv. The floor area devoted to eligible uses shall be located on-site.

e. School and Library

i. Floor area used for a school shall be occupied by a school run by or approved by the Los Angeles Unified School District (LAUSD), and shall be properly accredited. Floor area used for a library shall be occupied by a library operated by the City of Los Angeles Library Department. The applicant must obtain a written agreement from either LAUSD or the City of Los Angeles Library Department confirming the space will be used for a school or library.

ii. Floor area for a school or library shall be used for such purpose for a minimum of 55 years after the Certificate of Occupancy is issued. For the purposes of this provision, the time in which the school or library space is vacant does not count towards the required minimum.

iii. A minimum 55-year lease with a school run by or approved by LAUSD or the City of Los Angeles Library Department shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the school run by or approved by LAUSD or the City of Los Angeles Library Department is required to complete the term of the lease. If the lease is not completed by a school run by or approved by LAUSD prior to the ten-year term, the property owner or their representatives shall find a new school run by or approved by LAUSD to complete the ten-year term. For the purposes of this provision, the time in which the public school or public library space is vacant does not count towards the required minimum.

iv. The floor area devoted to a school or library shall be located on-site.

v. For a project which is obtaining additional floor area for providing a school or library, no other Certificate of Occupancy for the project shall be issued prior to a Certificate of Occupancy for the school or library required pursuant to this Section.

f. Social Service Center

i. The project provides floor area for employment services, job training, business incubation, youth development, educational services, medical care, mental health care, substance abuse treatment, or food aid (social service centers).

ii. The social service center must be operated by a government agency or a 501(c)(3) non-profit organization.

iii. Services shall be provided on a voluntary basis with an emphasis on employment services, job training, business incubation, youth development, educational services, medical care, mental health care, substance abuse treatment, food aid, or other services deemed appropriate by the Director of Planning pursuant to Sec.

iv. Floor area used as a social service center shall be used for such purpose for a minimum of 55 years after the Certificate of Occupancy is issued. For the purposes of this provision, the time in which the floor area for the social service center is vacant does not count towards the required minimum.

v. A minimum ten-year lease with a social service center, with a five-year renewal option, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the social service center is required to complete the term of the lease. If the lease is not completed prior to the ten-year term, the property owner or their representatives shall find a new social service center to complete the ten-year term. For the purposes of this provision, the time in which the floor area for the social service center is vacant does not count towards the required minimum.

vi. The floor area devoted to a social service center shall be located on-site.

vii. For a project which is obtaining additional floor area for providing a social service center, no other Certificate of Occupancy for the project shall be issued prior to a Certificate of Occupancy for the social service center required pursuant to this Section.

g. Civic Facility

i. Eligible facilities include: cultural centers, museums, police stations, fire stations, community centers, indoor recreation, or other public facilities deemed appropriate by the Director of Planning pursuant to Sec. 13B.2.5. (Director Determination).

ii. Floor area used for a civic facility shall be used for such purpose for a minimum of 55 years after the Certificate of Occupancy is issued. For the purposes of this provision, the time in which the floor area for the civic facility is vacant does not count towards the required minimum.

iii. A minimum 55-year lease with the City of Los Angeles, or an organization approved by the City of Los Angeles, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the City of Los Angeles, or the organization designated by the City of Los Angeles, is required to complete the term of the lease. If the lease is not completed by the City of Los Angeles, or an organization approved by the City of Los Angeles, prior to the 55-year term, the property owner or their of Los Angeles to complete the 55-year term. For the purposes of this provision, the time in which the civic facility is vacant does not count towards the required minimum.

iv. The floor area devoted to a civic facility shall be located on-site.

v. For a project which is obtaining additional floor area for providing a civic facility, no other Certificate of Occupancy for the project shall be issued prior to a Certificate of Occupancy for the civic facility required pursuant to this Section.

h. Multi-Bedroom Units

For the purposes of this public benefit option, a dwelling unit with four or more habitable rooms shall be considered a multi-bedroom unit, and calculations of dwelling units for purposes of this Subparagraph resulting in fractional numbers shall be rounded up to the next whole number. The applicant and property owner shall execute a covenant in favor of the City that is recorded in the development site's chain of title in order to guarantee the qualifying multi-bedroom units will maintain the same bedroom count and will not be converted to additional residential units in the future.

i. Multi-Bedroom Option A

At least ten percent of the total number of dwelling units (including bonus units) in the project shall be multi-bedroom units. Projects meeting this criterion shall be granted the additional floor area and height allowances listed for multi-bedroom "Option A" in Paragraph 3. (Public Benefits Incentive Sets), above.

ii. Multi-Bedroom Option B

One or more dwelling units in the project (including bonus units) shall be multi-bedroom units; however, additional floor area granted for this multi-bedroom public benefit is only equivalent to the floor area dedicated to multi-bedroom units, as the additional floor area and height allowances are outlined for multi-bedroom "Option B" in Paragraph 3. (Public Benefits Incentive Sets), above.

iii. Multi-Bedroom Option C

At least 40 percent of the total number of dwelling units (including bonus units) in the project shall be multi-bedroom units. Projects meeting this criterion shall be granted the additional floor area and height allowances listed for multi-bedroom "Option C" in Paragraph 3. (Public Benefits Incentive Sets), above.

i. Privately Owned Public Space

i. The entire publicly accessible open space shall comply with the requirements in Sec. 2C.3.3.C.3. (Public Amenity Space), including making the open space permanently and physically open to the public for use free of charge between sunrise and sunset, or during regular business hours, whichever is longer.

ii. The publicly accessible open space shall be, at minimum, equal to or greater than the size of the lot's minimum required lot amenity space area required by the applied Form District, including any pedestrian amenity exemption.

iii. This provision may not be used in conjunction with the 25 percent reduction for making outdoor amenity space publicly accessible in accordance with Sec. 2C.3.1.D.3. (Measurement). If the applied Form District does not specify a lot amenity space requirement, the publicly accessible open space shall be, at minimum, equal to or greater than 15 percent of the total lot area.

iv. All portions of the publicly accessible open space shall be contiguous, whether located at grade or at an upper story.

v. Any access walkways to the privately owned public space from the public sidewalk or public right-of-way shall be a minimum of seven feet wide.

vi. If a publicly accessible open space is located along a public sidewalk or public right-of-way, one entrance to the privately owned public space shall be provided from each public sidewalk or public right-of-way.

vii. Along a public sidewalk or public right-of-way, the publicly accessible open space shall be unenclosed, as established in Sec. 14.2.4.A.2. (Unenclosed).

viii. When additional a public facility in conjunction with a publicly accessible open space is required, and is not provided within the open space, access to the public facility shall be provided from the adjacent building facades.

ix. Way-finding signs shall be provided at each of the access points, whether externally or internally, located on or in the building, to guide people to the publicly accessible open space. Standards include the following:

a) Minimum sign dimension, no less than 16 inches by 20 inches;

b) Required posting of the hours of operation; and

c) Mandatory language regarding public access.

x. The publicly accessible open space complies with any additional requirements set forth in the applicable Specific Plan, Supplemental District, or Special Zone.

j. Community Benefits Fund

The project pays into a Community Benefits Fund, in compliance with the provisions established in any applicable provision in the LAMC, a Specific Plan, Supplemental District, or Special Zone.

k. Surveyed Historic Resources Facade

Projects incorporating a surveyed historic resource into the project design in which all the following standards are met:

i. The project retains all existing street-facing facades of the surveyed historic resource up to a depth of ten feet,

ii. Newly constructed floor area shall be set back behind the ten-foot retention area, with the exception of common outdoor amenity spaces, pedestrian amenity spaces, public amenity spaces, and private outdoor amenity spaces, and any horizontal encroachments permitted pursuant to Subsection E. (Exceptions) of Sec. 2C.2.2. (Building Setbacks). For projects where the surveyed historic resource has two street-facing facades, the setback shall be applied from both facades, and

iii. Rehabilitation of the retained facades of the surveyed historic resource is completed pursuant to the Secretary of the Interior's Standards for the Treatment of Historic Properties, based on an expert report or study, prepared by a qualified historical consultant and/or demonstrated by the project plans and accepted by the Office of Historic Resources, consistent with any Director adopted technical bulletin, memoranda, or guides. This option does not apply if the Office of Historic Resources has determined that the surveyed historic resource is not eligible for listing individually or as a contributor.

l. Active Ground Story -

i. Floor area on the ground floor of the project shall be designed and intended for active space. Areas for circulation, storage, mechanical equipment, parking, lobbies, mailrooms, laundry rooms, utilities, and waste collection shall not account for more than 15 percent of the floor area designated as active space.

ii. For the area dedicated to active space, the project shall provide a minimum ground story transparent area of 60 percent along primary street lot lines, 40 percent alongside street lot lines, and 50 percent along special lot lines, where applicable.

iii. For the area dedicated to active space, the project shall provide street-facing entrances with a maximum entrance spacing of 50 feet along primary street lot lines, 75 feet along side street lot lines, and 50 feet along special lot lines, where applicable. Street-facing entrances shall meet the standards in Subsection C. (Standards) of Sec. 3C.5.1. (Street-Facing Entrance).

D. Administration

1. Process

a. Administrative Review

A floor area or height incentive granted for the provision of a public benefits option included in Paragraph 4. (Public Benefits Options) of Subsection C. (Program Rules), shall be approved using the procedures in Sec. 13B.3.1. (Administrative Review), unless otherwise specified by the applicable incentive program Specific Plan, Supplemental District, or Special Zone.

b. Alternative Public Benefit Options

The Director of Planning may approve a floor area or height incentive provided in the applicable Public Benefits Incentive Set or applicable Specific Plan, Supplemental District, or Special Zone, for providing public benefit options that are not listed in Paragraph 4. (Public Benefits Options) of Subsection C (Program Rules) pursuant to Sec. 13B.2.5. (Director Determination).

i. Supplemental Findings

In addition to the findings required by Sec. 13B.2.5. (Director Determination), to approve an incentive for an alternative public benefit option, the Director of Planning must also find that the alternative public benefit option will enhance the built environment or quality of life in the surrounding neighborhood and will perform a function or provide a service that is essential or beneficial to the community.

c. Change in Operator or Provider

The property owner shall notify the Department of City Planning in the event a change in operator or provider for a public benefit occurs. The Department of City Planning shall approve any change in tenant pursuant to Sec. 13B.3.1. (Administrative Review).

i. Exceptions

a) A project, or those portions of a project, which provided contributions pursuant to Sec. 9.3.4.C.8. (Community Benefits Fund) shall not be subject to this notification and approval requirement.

b) A project participating in the State Density Bonus Program (Sec. 9.2.1.), the Affordable Housing Incentive Program (Sec. 9.2.2.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridors Transitions Incentive Program (Sec. 9.2.4.), or the Transit Oriented Incentive Program (Sec. 9.2.5.) shall not be subject to this notification and approval requirement for public benefits options listed in Sec. 9.3.4.C.3.a. (Public Benefits Set 1) or Sec. 9.3.4.C.3.b. (Public Benefits Set 2).

c) In the event that the Mayor declares a fiscal emergency, property owners will not be required to have an operator or provider for public benefits for the duration of the emergency.

d. Annual Reporting

Projects that provide public benefits shall demonstrate compliance with the terms required under Paragraph 4. (Public Benefits Options) of Subsection C. (Program Rules) by the property owner submitting an annual report, the "Annual Community Public Benefits Report," to the Department of City Planning.

i. Annual Community Public Benefits Report

The Annual Community Facilities Report shall include all of the following information:

a) Occupancy status of the development over the last year.

b) Occupancy status of the public benefit over the last year.

c) Type of public benefit options provided.

d) Evidence showing compliance with the requirements of Paragraph 4. (Public Benefits Options) of Subsection C. (Program Rules).

ii. Non-Compliance

If the Director of City Planning determines after reviewing the Annual Community Public Benefits Report, or at any other time, a property is non-compliant with the requirements in Paragraph 4. (Public Benefits Options), of Subsection C. (Program Rules), above, the Director may notice the property owner that the 55-year term of compliance has been extended consistent with the requirements of Paragraph 4. (Public Benefits Options) and/or request the City Attorney's Office to take legal action against the owner to enforce the terms of the covenant recorded pursuant to Paragraph 2., below.

iii. Review

The Department of City Planning shall review the Annual Community Facilities Public Benefits Report pursuant to Sec. 13B.3.1. (Administrative Review).

iv. Exceptions

a) A project, or those portions of a project, that provided contributions pursuant to Sec. 9.3.4.C.8. (Community Benefits Fund) shall not be subject to the annual report requirement.

b) A project participating in the State Density Bonus Program (Sec. 9.2.1.), the Affordable Housing Incentive Program (Sec. 9.2.2.), the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), the Corridors Transitions Incentive Program (Sec. 9.2.4.), or the Transit Oriented Incentive Program (Sec. 9.2.5.) shall not be subject to this annual report requirement for public benefits options listed in Sec. 9.3.4.C.3.a. (Public Benefits Set 1) or Sec. 9.3.4.C.3.b. (Public Benefits Set 2).

c) In the event that the Mayor declares a fiscal emergency, projects will not be subject to annual report requirements during the duration of the emergency.

e. Fine

If a property owner is found in violation of any of the applicable standards for the public benefits options in Paragraph 4. (Public Benefits Options) of Subsection C. (Program Rules), above, the property owner shall be subject to an administrative fine pursuant to Sec. 11.2.04. (Administrative Fines) of Chapter I. (General Provisions and Zoning) of the LAMC.

i. Exceptions

a) This fine shall not be imposed for public schools or public libraries after the first lease agreement has been filed with the Department of City Planning.

b) This fine shall not be imposed in the event that the Mayor declares a fiscal emergency for the duration of the emergency.

ii. Administration of Fine

This fine shall be administered in accordance with the provisions of Chapter I. (General Provisions and Zoning), Article 1.2. (Administrative Citations) of this Code, including but not limited to the appeal in Sec. 11.2.08. (Appeal of the Administrative Citation).

2. Records and Agreements

Prior to issuance of the certificate of occupancy for a project obtaining incentives under this Section, a covenant acceptable to the Department of City Planning must be recorded with the Los Angeles County Recorder, guaranteeing that the applicant, tenant, or property owner will dedicate floor area within the development for public benefits for the periods outlined in Paragraph 4. (Public Benefits Options) of Subsection C. (Program Rules), and will submit annual reporting to the Department of City Planning in a manner consistent with Subparagraph c. (Annual Reporting) of Paragraph 1. (Process), above.

Sec. 27. Table 2 – "Process Summary" of Subsection A of Section 13A.2.2. (Process Elements) of Division 13A.2. of Article 13. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

Table 2 - Process Summary

Entitlement Review	Ministerial	Director	Zoning Administrator	Subdivision Committee	City Engineer	Hearing Officer	Area Planning Commission	City Planning Commission	City Council	Mayor	Design Review Board	HPOZ Board	Cultural Heritage Commission
Legislative Action													
General Plan Adoption / Amendment		R †						[R] †	[D] †	R/ SV †			
Specific Plan Adoption / Amendment		R						[R] †	[D] †	SV †			
Zoning Code Amendment		R						[R] †	D †	SV †			
Zone Change		R					*[R]*	*[R]**	[D] †	SV †			
Guidelines or Standards Adoption / Amendment		R						[D]					
Land for Public Use								R	D				
Quasi-Judicial Review													
Class 1 Conditional Use Permit			<D>				[A]						
Class 2 Conditional Use Permit			[D] †				[A] †						
Class 3 Conditional Use Permit		[R] ‡						[D] †	[A]				
Project Review		<D>					[A]						
Director Determination		D					[A]	*[A]*					
Ministerial Action													
Administrative Review		D											
Expanded Administrative Review		<D>											
Specific Plan Implementation													
Project Compliance		<D>					[A]						
Project Compliance (Design Review Board)		D					[A]				[R]		
Project Adjustment		<D>					[A]						
Project Exception							[D]		[A]				
Specific Plan Interpretation		<D>					*[A]*	*[A]*					
Quasi-Judicial Relief													
Alternative Compliance		D					[A]						
Adjustment		<D>					[A]						
Variance			[D] †				[A] †		[A]				
Modification of Entitlement		↔					↔					↔	
Reasonable Accommodation		D							[A]				
Non-Compliance													

Evaluation Non-Compliance			[D]				[A]	[D]	[A]			
Nuisance Abatement/Revocation			[D]						[A] †			
Division of Land												
Parcel Map Exemption/Lot Line Adjustment		D					*[A]*	*[A]*				
Tentative Tract Map		[D]		R			*[A]*	*[A]*				
Final Tract Map					C				D			
Preliminary Parcel Map		[D]		R			*[A]*	*[A]*				
Final Parcel Map					C				D			
Private Street Map		<D>		R			*[A]*	*[A]*				
Subdivision Appeal							*[D]*	*[D]*				
Historic Preservation												
Historic Preservation Overlay Zone Designation								[R]	[D]			C
Preservation Plan Adoption / Amendment		R				[R] ‡		[D]				[R]
Review of Conforming Work	D										D	
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)		D					[A]				[R]	
Certificate of Appropriateness (Demolition, Removal, or Relocation)							D		[A]		[R]	
Certificate of Compatibility for Non-Contributing Elements		D					[A]				[R]	
Coastal Development												
Coastal Development Permit (Pre-Certification)		↔					↔				↔	
Coastal Development Permit (Post-Certification)		<D>			<D>		[A]					
Department of Building and Safety												
Appeals from LADBS Determination		<D>					*[A]*	*[A]*				
California Environmental Quality Act (CEQA) Provisions												
CEQA Appeal									D			
Redevelopment Plan Procedures												
Redevelopment Plan Project Administrative Review		<D>										
Redevelopment Plan Project Compliance		<D>					[A]					
Modification of Entitlement for a Redevelopment Plan Project		↔					↔				↔	
Redevelopment Plan Project Adjustment		<D>					[A]					
Redevelopment Plan Amendment		R						[R] ‡	D †	SV ‡		

Key

C	Certification	‡	Optional or where directed by decision maker
R	Review & Recommendation	**Blank Cell**	Not required
D	Decision or Acceptance	†	Required by City Charter
SV	Signature / Veto	***Italics***	Action only under certain conditions (such as project size, delegation or transfer from another agency, etc.)
A	Appeal	↔	Varies with underlying process
[ ]	Public Hearing	*	If filed by application and CPC recommends disapproval, its decision is appealable to CC.
< >	Public Hearing optional or waivable		

Note: This table is a general summary. Refer to Div. 13B.1. through Div. 13B.11. for the specific procedure. If there is any conflict between this table and the text in Div. 13B.1. through Div. 13B.12. relating to the procedure, the text in the applicable Division prevails.

Sec. 28. Table 4 "Summary of Notice Requirements" of Subsection F. of Section 13A.2.4. of Division 13A.2. of Part 13A. of Article 13. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

Table 4 - Summary of Notice Requirements

Action	Reference	Publication	Mail	Posting
Legislative Action	Div. 13B.1.			
General Plan Adoption / Amendment	Sec. 13B.1.1.	■	■	•
Specific Plan Adoption / Amendment	Sec. 13B.1.2.	■	•	•
Zoning Code Amendment	Sec. 13B.1.3.	■		
Zone Change	Sec. 13B.1.4.	■	•	•
Guidelines or Standards Adoption / Amendment	Sec. 13B.1.5.	■		
Land for Public Use	Sec. 13B.1.6.			
Quasi-Judicial Review	Div. 13B.2.			
Class 1 Conditional Use Permit	Sec. 13B.2.1.		■	■
Class 2 Conditional Use Permit	Sec. 13B.2.2.	■	■	■
Class 3 Conditional Use Permit	Sec. 13B.2.3.	■	■	■
Project Review	Sec. 13B.2.4.		■	■
Director Determination	Sec. 13B.2.5.		❍	❍
Ministerial Action	Div. 13B.3.			
Administrative Review	Sec. 13B.3.1.			
Expanded Administrative Review	Sec. 13B.3.2.		■	■
Specific Plan Implementation	Div. 13B.4.			
Project Compliance	Sec. 13B.4.2		❍	
Project Compliance (Design Review Board)	Sec. 13B.4.3.		■	■
Project Adjustment	Sec. 13B.4.4.		❍	
Project Exception	Sec. 13B.4.5.	■	■	■
Specific Plan Interpretation	Sec. 13B.4.6.		❍	
Quasi-Judicial Relief	Div. 13B.5.			
Alternative Compliance	Sec. 13B.5.1.		❍	
Adjustment	Sec. 13B.5.2.		■	■
Variance	Sec. 13B.5.3.		■	■
Modification of Entitlement	Sec. 13B.5.4.		❖	❖
Reasonable Accommodation	Sec. 13B.5.5.	❍	❍	❍
Non-Compliance	Div. 13B.6.			
Evaluation Non-Compliance	Sec. 13B.6.1.		■	■
Nuisance Abatement/Revocation	Sec. 13B.6.2.		■	■
Division of Land	Div. 13B.7.			
Parcel Map Exemption/ Lot Line Adjustment	Sec. 13B.7.2.			
Tentative Tract Map	Sec. 13B.7.3.	■	■	■
Final Tract Map	Sec. 13B.7.4.			
Preliminary Parcel Map	Sec. 13B.7.5.	■	■	■
Final Parcel Map	Sec. 13B.7.6.			
Private Street Map	Sec. 13B.7.7.		■	■
Subdivision Appeal	Sec. 13B.7.8.		■	
Historic Preservation	Div. 13B.8.			
Historic Preservation Overlay Zone Designation	Sec. 13B.8.2.	■	■	•
Preservation Plan Adoption / Amendment	Sec. 13B.8.3.		■	
Review of Conforming Work	Sec. 13B.8.4.			
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)	Sec. 13B.8.5.		■	■
Certificate of Appropriateness (Demolition, Removal, or Relocation)	Sec. 13B.8.6.		■	■
Certificate of Compatibility for Non-Contributing Elements	Sec. 13B.8.7.		■	■
Coastal Development	Div. 13B.9.			
Coastal Development Permit (Pre-Certification)	Sec. 13B.9.1.		■	❖
Coastal Development Permit (Post-Certification)	Sec. 13B.9.2.		■	❖
Department of Building and Safety	Div. 13B.10.			
Appeals from LADBS Determination	Sec. 13B.10.2.		■	
California Environmental Quality Act (CEQA) Provisions	Div. 13B.11.			
CEQA Appeal	Sec. 13B.11.1.		■	
Redevelopment Plan Procedures	Div. 13.B.12.			
Redevelopment Plan Project Administrative Review	Sec. 13.B.12.2			
Redevelopment Plan Project Compliance	Sec. 13.B.12.3		❍	
Modification of Entitlement for a Redevelopment Plan Project	Sec. 13.B.12.4		❖	❖
Redevelopment Plan Project Adjustment	Sec. 13.B.12.5		❍	
Redevelopment Plan Amendment	Sec. 13.B.12.6	■		

Key: ■ = initial decision • = site specific only (not City-initiated) ❍ = appeal only ❖ = varies with underlying application

Sec. 29. Paragraph C. of Section 13A.2.7. of Division 13A.2. of Part 13A. of Article 13 of Chapter 1A of the Los Angeles Municipal Code is amended as follows:

C. Utilizing the Grant

1. A discretionary project approval is considered utilized after it has been effectuated by the Department of City Planning and a building permit has been issued by the Department of Building and Safety. Utilization of a grant must occur no later than 3 years from the last date an action can be effectuated. An approval not requiring building permits from the Department of Building and Safety is considered utilized when compliance with all conditions of approval have been demonstrated, appropriate fees paid, plans stamped and authorization has been obtained from the Department of City Planning.

2. Exceptions

a. Religious and Institutional Uses

Where a lot or lots have been approved for use as a governmental enterprise, religious use, hospital, educational institution or private school, including elementary and high schools, no time limit to utilize the privileges shall apply provided that all of the following conditions are met:

i. The property involved is acquired or legal proceedings for its acquisition are commenced within one year of the effective date of the decision approving the conditional use.

ii. A sign is immediately placed on the property indicating its ownership and the purpose to which it is to be developed, as soon as legally possible after the effective date of the decision approving the conditional use. This sign shall have a surface area of at least 20 square feet.

iii. The sign is maintained on the property and in good condition until the conditional use privileges are utilized.

b. Affordable Housing Projects

A six-year time limit to utilize the privileges shall apply where a lot or lots have been approved for a one hundred percent affordable housing project, as defined in Division 14.2. (Glossary).

Sec. 30. Table 5 – "Classifications of Actions for Multiple Approvals" of Paragraph 2. of Subsection A. of Section 13A.2.10. of Division 13A.2. of Part 13A. of Article 13 of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

Table 5 - Classifications of Actions for Multiple Approvals

Action	Reference	Legislative	Quasi-Judicial	Subdivision	Ministerial
Legislative Action	*Div. 13B.1.*				
General Plan Adoption / Amendment	*Sec. 13B.1.1.*	■			
Specific Plan Adoption / Amendment	*Sec. 13B.1.2.*	■			
Zoning Code Amendment	*Sec. 13B.1.3.*	■			
Zone Change	*Sec. 13B.1.4.*	■			
Guidelines or Standards Adoption / Amendment	*Sec. 13B.1.5.*	■			
Land for Public Use	*Sec. 13B.1.6.*	■			
Quasi-Judicial Review	*Div. 13B.2.*				
Class 1 Conditional Use Permit	*Sec. 13B.2.1.*		■		
Class 2 Conditional Use Permit	*Sec. 13B.2.2.*		■		
Class 3 Conditional Use Permit	*Sec. 13B.2.3.*		■		
Project Review	*Sec. 13B.2.4.*		■		
Director Determination	*Sec. 13B.2.5.*		■		
Ministerial Action	*Div. 13B.3.*				
Administrative Review	*Sec. 13B.3.1.*				—
Expanded Administrative Review	*Sec. 13B.3.2.*				—
Specific Plan Implementation	*Div. 13B.4.*				
Project Compliance	*Sec. 13B.4.2*		■		
Project Compliance (Design Review Board)	*Sec. 13B.4.3.*		■		
Project Adjustment	*Sec. 13B.4.4.*		■		
Project Exception	*Sec. 13B.4.5.*		■		
Specific Plan Interpretation	*Sec. 13B.4.6.*		—		
Quasi-Judicial Relief	*Div. 13B.5.*				
Alternative Compliance	*Sec. 13B.5.1.*		■		
Adjustment	*Sec. 13B.5.2.*		■		
Variance	*Sec. 13B.5.3.*		■		
Modification of Entitlement	*Sec. 13B.5.4.*		■		
Reasonable Accommodation	*Sec. 13B.5.5.*		—		
Non-Compliance	*Div. 13B.6.*				
Evaluation Non-Compliance	*Sec. 13B.6.1.*		—		
Nuisance Abatement/Revocation	*Sec. 13B.6.2.*		—		
Division of Land	*Div. 13B.7.*				
Parcel Map Exemption / Lot Line Adjustment	*Sec. 13B.7.2.*			—	
Tentative Tract Map	*Sec. 13B.7.3.*			■	
Final Tract Map	*Sec. 13B.7.4.*			—	
Preliminary Parcel Map	*Sec. 13B.7.5.*			■	
Final Parcel Map	*Sec. 13B.7.6.*			—	
Private Street Map	*Sec. 13B.7.7.*			■	
Subdivision Appeal	*Sec. 13B.7.8.*			—	
Historic Preservation	*Div. 13B.8.*				
Historic Preservation Overlay Zone Designation	*Sec. 13B.8.2.*	—			
Preservation Plan Adoption / Amendment	*Sec. 13B.8.3.*	■			
Review of Conforming Work	*Sec. 13B.8.4.*				—
Certificate of Appropriateness (Construction, Addition, Alteration, or Reconstruction)	*Sec. 13B.8.5.*		■		
Certificate of Appropriateness (Demolition, Removal, or Relocation)	*Sec. 13B.8.6.*		■		
Certificate of Compatibility for Non-Contributing Elements	*Sec. 13B.8.7.*		■		
Coastal Development	*Div. 13B.9.*				
Coastal Development Permit (Pre-Certification)	*Sec. 13B.9.1.*		■		
Coastal Development Permit (Post-Certification)	*Sec. 13B.9.2.*		■		
Department of Building and Safety	*Div. 13B.10.*				
Appeals from LADBS Determination	*Sec. 13B.10.2.*		—		
Annual Inspection Monitoring (Recycling)	*Sec. 13B.10.3.*		—		
Annual Inspection Monitoring (Automotive)	*Sec. 13B.10.4.*		—		
California Environmental Quality Act (CEQA) Provisions	*Div. 13B.11.*				
CEQA Appeal	*Sec. 13B.11.1.*		—		
Redevelopment Plan Procedures	Div. 13.B.12.				
Redevelopment Plan Project Administrative Review	Sec. 13.B.12.2				—
Redevelopment Plan Project Compliance	Sec. 13.B.12.3		■		
Modification of Entitlement for a Redevelopment Plan Project	Sec. 13.B.12.4		■		
Redevelopment Plan Project Adjustment	Sec. 13.B.12.5		■		
Redevelopment Plan Amendment	Sec. 13.B.12.6	■			

Key: ■ = qualifies for multiple approval — = varies with underlying application

Sec. 31. Paragraph D. of Section 13B.2.1. of Division 13B.2. of Part 13B. of Article 13 of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. Decision Maker

The Zoning Administrator is the initial decision maker.

3. Public Hearing

a. The Zoning Administrator shall set the matter for public hearing, giving notice in the manner specified in Subsection C. (Notice) of this Section.

b. The Zoning Administrator may conduct the hearing or designate a Hearing Officer to conduct the hearing.

4. Decision

a. The Zoning Administrator shall render the initial decision within 75 days of the date the application is deemed complete.

b. If the Zoning Administrator fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the Area Planning Commission pursuant to Sec. 13A.2.6. (Transfer of Jurisdiction).

5. Conditions of Approval and inspections

a. In approving a project, the decision maker may impose conditions related to the interests addressed in the findings set forth in Subsection E. (Standards for Review and Required Findings) of this Section.

b. The decision may state that the height and area regulations required by other provisions of this Chapter and Chapter 1 (General Provisions and Zoning) shall not apply to the conditional use approved.

c. The Department shall have the authority to conduct inspections to verify compliance with any and all conditions imposed on any conditional use or other similar Quasi-judicial approval granted pursuant to this Section. Clearance, monitoring, and inspection fees shall be paid by the business operator or property owner to the Department in accordance with the fee schedule in Article 9 (Fees) of Chapter 1 (General Provisions and Zoning), or in Article 15. (Fees) of this Zoning Code (Chapter 1A), as applicable.

d. If, upon inspection, the Department finds that the applicant has failed to comply with conditions of any conditional use or other similar Quasi-judicial approval granted pursuant to this Section, the Department shall give notice to the business operator or property owner to correct the specific deficiencies and the time in which to complete the correction. Evidence of compliance shall be submitted to the Department within the specified correction period. If the deficiencies are not corrected within the time prescribed by the Department, revocation proceedings pursuant to Sec. 13B.6.1. (Evaluation of Non-Compliance) or Sec. 13B.6.2. (Nuisance Abatement/Revocation) may commence.

Sec. 32. Paragraph D. of Section 13B.2.2. of Division 13B.2 of Part 13B. of Article 13 of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. Decision Maker

The Zoning Administrator is the initial decision maker.

3. Public Hearing

a. Upon receipt of a complete application, the Zoning Administrator shall set the matter for public hearing, giving notice in the manner specified in Subsection C. (Notice) of this Section.

b. The Zoning Administrator may conduct the hearing or designate a Hearing Officer to conduct the hearing.

4. Decision

a. The Zoning Administrator shall render the initial decision within 75 days of the date the application is deemed complete.

b. If the Zoning Administrator fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the Area Planning Commission pursuant to Sec. 13A.2.6. (Transfer of Jurisdiction).

5. Conditions of Approval and inspections

a. In approving a project, the decision maker may impose conditions related to the interests addressed in the findings set forth in Subsection E. (Standards for Review and Required Findings) of this Section.

b. The decision may state that the height and area regulations required by other provisions of this Chapter and Chapter 1 (General Provisions and Zoning) shall not apply to the conditional use approved.

c. The Department shall have the authority to conduct inspections to verify compliance with any and all conditions imposed on any conditional use or other similar Quasi-judicial approval granted pursuant to this Section. Clearance, monitoring and inspection fees shall be paid by the business operator or property owner to the Department in accordance with the fee schedule in Article 9 (Fees) of Chapter 1 (General Provisions and Zoning), or Article 15. (Fees) of this Zoning Code (Chapter 1A), as applicable.

d. If, upon inspection, the Department finds that the applicant has failed to comply with conditions of any conditional use or other similar Quasi-judicial approval granted pursuant to this Section, the Department shall give notice to the business operator or property owner to correct the specific deficiencies and the time in which to complete the correction. Evidence of compliance shall be submitted to the Department within the specified correction period. If the deficiencies are not corrected within the time prescribed by the Department, revocation proceedings pursuant to Sec. 13B.6.1. (Evaluation of Non-Compliance) or Sec. 13B.6.2. (Nuisance Abatement/Revocation) may commence.

6. Transmittal

The Zoning Administrator shall transmit a copy of the written findings and decision to the applicant, to all owners of properties abutting, across the street or alley from, or having a common corner with, the subject property and all persons who filed a written request for the notice with the Zoning Administrator.

Sec. 33. Paragraph D. of Section 13B.2.3. of Division 13B.2. of Part 13B. of Article 13 of Chapter 1A of the Los Angeles Municipal Code is amended as follows:

D. Decision

1. General Procedures

See Sec. 13A.2.5. (Decisions).

2. Decision Maker

The City Planning Commission is the initial decision maker.

3. Public Hearing

a. Upon receipt of a complete application, the City Planning Commission shall set the matter for public hearing, giving notice in the manner specified in Subsection C. (Notice) of this Section.

b. The City Planning Commission may conduct the hearing itself or designate the Director to conduct the hearing.

4. Decision

a. If the Director conducts the public hearing, the Director shall transmit its findings and recommendation to the City Planning Commission.

b. After the Director or City Planning Commission's hearing is closed, the City Planning Commission shall render the initial decision at a public meeting.

c. The City Planning Commission shall render the initial decision within 75 days of the date the application is deemed complete.

d. If the City Planning Commission fails to make a timely decision, the applicant may file a request for transfer of jurisdiction to the City Council pursuant to Sec. 13A.2.6. (Transfer of Jurisdiction).

5. Conditions of Approval and inspections

a. In approving a project, the decision maker may impose conditions related to the interests addressed in the findings set forth in Subsection E. (Standards for Review and Required Findings) of this Section.

b. The decision may state that the height and area regulations required by other provisions of this Chapter and Chapter 1 (General Provisions and Zoning) shall not apply to the conditional use approved. If the Density Bonus is increased beyond the maximum allowed as defined in Sec. 12.22.A.37 (State Density Bonus), and 9.2.1. (State Density Bonus Program), as applicable, the development project must also comply with the requisite number of restricted affordable units and requirements as set forth in Sec. 12.24 U.26. (a)(1) - (5) (Density Bonus for a Housing Development in Which the Density increase is Greater than the Maximum Permitted in Sec. 12.22 A.37) and Sec. 9.2.1.C. (Program Rules), as applicable.

c. The Department shall have the authority to conduct inspections to verify compliance with any and all conditions imposed on any conditional use or other similar Quasi-judicial approval granted pursuant to this Section. Clearance, monitoring, and inspection fees shall be paid by the business operator or property owner to the Department in accordance with the fee schedule in Article 9 (Fees) of Chapter 1 (General Provisions and Zoning) or Article 15. of this Zoning Code (Chapter 1A), as applicable.

d. If, upon inspection, the Department finds that the applicant has failed to comply with conditions of any conditional use or other similar Quasi-judicial approval granted pursuant to this Section, the Department shall give notice to the business operator or property owner to correct the specific deficiencies and the time in which to complete the correction. Evidence of compliance shall be submitted to the Department within the specified correction period. If the deficiencies are not corrected within the time prescribed by the Department, revocation proceedings pursuant to Sec. 13B.6.1. (Evaluation of Non-Compliance) or Sec. 13B.6.2. (Nuisance Abatement/Revocation) may commence.

6. Transmittal

The City Planning Commission shall transmit a copy of the written findings and decision to the applicant, to all owners of properties abutting, across the street or alley from, or having a common corner with the subject property and all persons who filed a written request for the notice.

Section 34. Paragraph G. of Section 13B.2.5. of Division 13B.2. of Part 13B. of Article 13. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

G. Appeals

1. General Procedures

See Sec. 13A.2.8. (Appeals).

2. Decision Maker

   a. The Area Planning Commission is the appellate decision maker.

   b. Density Bonus

      Regardless of Subparagraph a., above, the City Planning Commission is the appellate decision maker for projects seeking approval pursuant to Sec. 12.22 A.37(d)(5)(ii) (State Density Bonus), Sec. 12.22 A.38(d)(3) (Mixed Income Incentive Program), or Sec. 12.22 A.39(d)(3) (Affordable Housing Incentive Program) of Chapter I, or pursuant to Sec. 9.2.1. (State Density Bonus Program), Sec. 9.2.2. (Affordable Housing Incentive Program), Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program), Sec. 9.2.4. (Corridor Transitions Incentive Program), or Sec. 9.2.5. (Transit Oriented Incentive Program) of this Zoning Code (Chapter 1A).

3. Filing

   a. An applicant or any other person aggrieved by the Director's decision may file an appeal.

   b. Density Bonus

      Regardless of Subparagraph a., above, only an applicant or an owner or tenant of a property abutting, across the street or alley from, or having a common corner with the subject property aggrieved by the Director's decision may file an appeal on projects seeking approval pursuant to Sec. 12.22 A.37(d)(5)(ii) (State Density Bonus Program), Sec. 12.22 A.38(d)(3) (Mixed Income Incentive Program), or Sec. 12.22 A.39.d.3 (Affordable Housing Incentive Program) Sec. 12.22 A.25. (Affordable Housing Incentives – Density Bonus) of Chapter 1 (General Provisions and Zoning); or Sec. 9.2.1. (State Density Bonus Program), Sec. 9.2.2. (Affordable Housing Incentive Program), Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program), Sec. 9.2.4. (Corridor Transitions Incentive Program), Sec. 9.2.5. (Transit Oriented Incentive Program) of this Zoning Code (Chapter 1A).

4. Appellate Decision

   a. Before acting on any appeal, the Area Planning Commission or the City Planning Commission, as applicable, shall set the matter for hearing, giving notice in the manner specified in Subsection C. (Notice) of this Section.

   b. The Area Planning Commission or the City Planning Commission, as applicable, shall act within 75 days after the expiration of the appeal period.

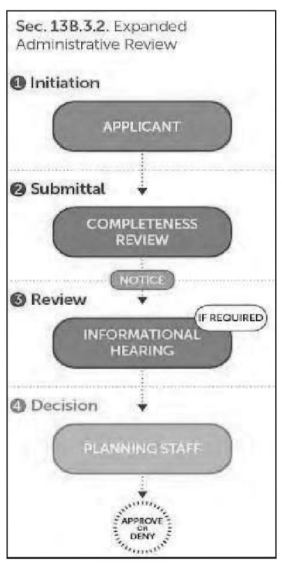
5. Exception

   a. When the application is filed as part of a project requiring multiple approvals, the appeals procedures set forth in Sec. 13A.2.10. (Multiple Approvals) of this Code shall govern.

   b. When the application is filed in conjunction with a Parcel Map and no other approval, the appeals procedures set forth in Sec. 13B.7.8. (Subdivision Appeal) of this Code shall govern.

   c. When the application is filed in conjunction with a Tentative Map and no other approval, the appeals procedures set forth in Sec. 13B.7.3.G. (Appeals) of this Code shall govern, provided that such applications shall only be appealable to the Appeal Board, as defined in Div. 14.3. (Glossary) of this Code, and shall not be subject to further appeal to the City Council.

Sec. 35. A new Section 13B.3.2. is added to Division 13B.3. of Part 13B. of Article 13. of Chapter 1A of the Los Angeles Municipal Code to read as follows:



A. Applicability

   1. This Section applies where any provision of this Code requires an Expanded Administrative Review.

B. Initiation

   1. An application for an Expanded Administrative Review is filed with the Department.

   2. An Expanded Administrative Review is initiated as required in order to obtain a building permit.

C. Notice

   1. Notice of Public Hearing

      The following notice is required for the public informational hearing on the decision, if held.

Type of Notice	When	Where/To Whom/Additional Requirements
Mail	24 days	• The applicant; • The owner(s) of the property involved; • The owners and tenants of all property within 300 feet of the boundary of the subject site; • The Certified Neighborhood Council representing the area in which the property is located; and • Interested parties who have requested in writing to be notified
Posting	10 days	• The applicant will post notice in a conspicuous place on the property

D. Review

   1. The Department shall determine compliance with the applicable regulations and standards for projects requiring an Expanded Administrative Review.

   2. Clearance

      A clearance shall be issued as required pursuant to the applicable ordinance or building permit requirement.

   3. Public Hearing

      If the matter has a significant effect on neighboring properties, or if required where any provision of this Code requires an Expanded Administrative Review and a public hearing, the Department may require an informational public hearing subject to giving notice in the manner specified in Subsection C.

E. Criteria for Compliance Review

   The Department shall review the application for compliance with the applicable regulations and standards of this Code, any applicable Specific Plan, Supplemental District, or Special Zone, including the zoning standards, established development standards, and any supplemental use regulations.

F. Scope of Action

   After the Expanded Administrative Review determines that the application complies with the applicable regulations and standards, the following actions must comply with the approved plans:

   1. The erection, enlargement or maintenance of buildings;

   2. Any development or construction work; or

   3. Issuance of a grading, building, demolition, or change of use permit.

G. Appeals

   There is no appeal.

H. Modification Procedures

   1. Modifications Equal to or Less than 10%

      a. A project approved pursuant to this Section may seek a modification to modify conditions of approval for the original action prior to the issuance of the Certificate of Occupancy.

      b. For purposes of this Section, a "modification" means any changes in the proposed physical development or related conditions of approval that were approved in the original action by no more than ten percent.

      c. A modification does not include the granting of any new rights or increased or additional incentives, nor does it include the granting of any new deviation from zoning regulations in this Chapter or Chapter 1 (General Provisions and Zoning).

      d. An application for a modification pursuant to this Section shall be filed with the Department before the original action expires and include development plans showing the requested modifications.

      e. In approving a modification pursuant to this Section, the Department shall review the application for compliance with the applicable regulations and standards of this Code or any applicable Specific Plan, Supplemental District, or Special Zone, including the zoning standards, established development standards, and any supplemental use regulations

   2. Modifications Greater than 10%

      Any request for a modification that exceeds the ten percent limitation will not be processed as a modification of the original action under this Subsection and shall instead require a filing of a new Expanded Administrative Review Application pursuant to this Section.

Sec. 36. A new Section 14.2.19. is added to Division 14.2 of Article 14. (General Rules) of Chapter 1A of the Los Angeles Municipal Code to read as follows:

SEC. 14.2.19. MAXIMUM ALLOWABLE RESIDENTIAL DENSITY

Maximum allowable residential density is defined as the greatest number of dwelling units allowed on a prcject site as defined in California Government Code Section 65915(c)(6).

A. Measurement

   1. Pursuant to Government Code Section 65915(o)(6), a project site shall calculate its maximum allowable residential density, before the application of a density bonus granted through participation in an incentive program, using the maximum number of dwelling units allowed under a project site's applied Zoning Districts, Specific Plan, Special Zone, or General Plan land use designation.

   2. If a range is permitted, the maximum number of dwelling units allowed by the specific zoning range, Specific Plan, Special Zone, or General Plan Land Use designation shall be applicable when determining a site's density prior to the application of a density bonus granted through participation in an incentive program. Dwelling units added using an incentive program contained in a Specific Plan, Zoning District, Special Zone, or other City program granting development bonuses, shall not count toward the calculation of maximum allowable residential density.

   3. When calculating a lot's maximum allowable residential density, any number resulting in a fraction shall be rounded up to the next whole number.

Sec. 37. The following definitions in Division 14.3. of Article 14. of Chapter 1A of the Los Angeles Municipal Code are amended to read as follows:

Active Space. Active space is defined as indoor occupiable spaces designed and intended for general commercial uses, public & institutional uses, or common indoor amenity spaces.

Bonus Building Width. Bonus building width is defined as the bonus building width granted pursuant to Sec. 2C.6.1.C.2. (Bonus Building Width).

Bonus Floor Area. Bonus floor area is defined as having the same meaning as tier 2 bonus floor area ratio.

Bonus Height. Bonus height is defined as having the same meaning as tier 2 bonus height.

Density Bonus. Density bonus is defined as a density increase over the otherwise maximum allowable residential density under the applicable Zoning Code, and zoning designation, or Specific Plan, granted pursuant to an applicable incentive program established in Article 9 (Public Benefit Systems).

Designated Historic Resource. Designated historic resource is defined as a building, structure, object, landscaping element, or natural feature listed or designated as an individual resource or as a contributor to a historic district, at the local, state, or national level, including but not limited to listing in the National Register of Historic Places or California Register of Historical Resources, or designation as a Historic-Cultural Monument or as an Historic Preservation Overlay Zone (HPOZ).

Dwelling Unit. Dwelling unit is defined as a habitable residential unit serving as a residence having an occupancy of greater than 30 days consecutively. Includes household dwelling unit and efficiency dwelling unit.

For the purposes of the State Density Bonus Program (Sec. 9.2.1.), Maximum Allowable Residential Density (Sec. 14.2.19), and a one hundred percent affordable housing project in the Affordable Housing Incentive Program (Sec. 9.2.2.), a dwelling unit shall mean a habitable residential unit serving as a residence having an occupancy of greater than 30 days consecutively that is a complete independent living facility which includes permanent provisions for living, sleeping, eating, a kitchen, and sanitation, or that is a shared housing unit in a shared housing building; but the term does not include household dwelling unit or efficiency dwelling unit.

For the purposes of the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), Corridor Transitions Incentive Program (Sec. 9.2.4.), Transit Oriented Incentive Program (Sec. 9.2.5.), and a faith-based organization project, shared equity project, or public land project in the Affordable Housing Incentive Program (Sec. 9.2.2.), a dwelling unit shall mean a habitable residential unit serving as a residence having an occupancy of greater than 30 days consecutively that is a complete independent living facility which includes permanent provisions for living, sleeping, eating, a kitchen, and sanitation; but the term does not include household dwelling unit, shared housing unit, or efficiency dwelling unit.

Extremely Low-Income Households. Is defined as households with an annual income that does not exceed the amount designated for that category as defined in California Health and Safety Code, Sec. 50106.

Lower Income Households. Lower income households is defined as a household who's annual, adjusted for family size, does not exceed 80 percent of the area median income as designated for this category in the California Health and Safety Code, Section 50079.5. Lower income households include low-income households, very low-income households, extremely low-income households, and acutely low-income households.

Major Transit Stop. Major transit stop is defined pursuant California Public Resources Code Section 21064.3, and also includes a site containing a rail or bus rapid transit station or the intersection of two or more bus routes with a service interval of 20 minutes or less during the morning and afternoon peak commute periods in either direction. The stations or bus routes may be existing, under construction or included in the most recent Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP). A bus route may include a combination of overlapping bus lines and may be considered as one service route for the purpose of calculating service interval frequency when part of a "colinear", "family", or augmented line as determined in coordination with SCAG and transit agencies.

Moderate Income Households. Moderate income households is defined as households with an annual income that does not exceed the amount designated for that category as defined in California Health and Safety Code, Sec. 50093.

Residential Use. A residential use is any use listed and defined in Div. 5D.2. (Residential Uses).

Restricted Affordable Unit. Restricted affordable unit is defined as a dwelling unit for which rental amounts or mortgage amounts are restricted so as to be affordable to and occupied by an Acutely Low-Income Household, Extremely Low-Income Household, Very Low-Income Household, Low Income Household, or Moderate-Income Household, as verified by the Los Angeles Housing Department.

Senior Citizen. Senior citizen is defined as individuals who are at least 62 years of age, except that for projects of at least 35 units, a threshold of 55 years of age may be used, provided all applicable City, state, and federal regulations are met.

Senior Citizen Housing Development. Senior citizen housing development is defined as a development that has at least 35 dwelling units, as defined in Sections 51.3 and 51.12 of the California Civil Code, or a mobile home park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the California Civil Code.

Surveyed Historic Resource. Surveyed historic resource is defined as any building, structure, object, site, landscape, or natural feature identified through an historic resources survey as eligible for listing as either an individual resource or as a contributor to a historic district under a local, state or federal designation program, including but not limited to listing in the National Register of Historic Places or California Register of Historical Resources, or designation as a Historic-Cultural Monument or as a Historic Preservation Overlay Zone. This term does not include a non-contributor to an eligible historic district.

Sec. 38. The following definitions are added in alphabetical order to Division 14.3. of Article 14. of Chapter 1A of the Los Angeles Municipal Code to read as follows:

Development Standard. For the purposes of Secs. 9.2.1 through 9.2.5 (State Density Bonus Program, Affordable Housing Incentive Program, Opportunity Corridors Incentive Program, Corridor Transitions Incentive Program, Transit Oriented Incentive Program) development standard is defined as site or construction condition applicable to a development pursuant to any ordinance, land use plan, law, policy, resolution, regulation or other local condition that is adopted or imposed by the City through its various powers, as defined in California Government Code Sec. 65915(o)(2). This includes, but is not limited to standards like height, yards, floor area ratio, open space requirements, parking space requirements, and façade treatments.

Disabled Veteran. Disabled Veteran shall be as defined pursuant to Section 18541 of the California Government Code.

Faith-Based Organization Project. Faith-based organization project is defined as a project containing dwelling units located on land owned entirely, whether directly or through a wholly owned company or corporation, by a religious institution at the time of project filing and developed by or in partnership with a qualified developer. This includes ownership through an affiliated or associated nonprofit public benefit corporation organized pursuant to the Nonprofit Corporation Law (Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the California Corporations Code).

High Quality Transit Service. High quality transit service is defined as a transit route with a service frequency of 15 minutes or less during peak commute hours in one direction. For the purpose of determining service interval frequency, a bus route may include a combination of overlapping bus lines when part of a "colinear" or "family" line as determined in coordination with Southern California Association of Governments (SCAG and local transit agencies, may be considered as one service route for the purpose of calculating service interval frequency.

Higher Opportunity Area. Higher opportunity area is defined as including High and Highest Resource Areas as defined and identified by the California Tax Credit Allocation Committee (TCAC).

Homeless Person. Homeless Person as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).

Incentive. For purposes of Secs. 9.2.1 through 9.2.5 (State Density Bonus Program, Affordable Housing Incentive Program, Opportunity Corridors Incentive Program, Corridor Transitions Incentive Program, Transit Oriented Incentive Program) incentive is defined as a reduction in a site development standard or a modification to a site zoning code or architectural design requirement that results in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Government Code Sec. 65915(k).

Lower Income Student. Lower income student is defined as a student who has a household income and asset level that does not exceed the level for Cal Grant A or Cal Grant B award recipients as set forth in Paragraph (1) of Subdivision (k) of Section 69432.7 of the Education Code. The eligibility of a student to occupy a dwelling unit for lower income students shall be verified by an affidavit, award letter, or letter of eligibility provided by the institution of higher education in which the student is enrolled or by the California Student Aid Commission that the student receives or is eligible for financial aid, including an institutional grant or fee waiver from the college or university, the California Student Aid Commission, or the federal government.

Lower Opportunity Area. Low Resource Areas as defined and identified by the California Tax Credit Allocation Committee (TCAC).

Moderate Opportunity Area. Moderate opportunity area is defined as moderate resource areas and areas experiencing moderate rates of rapid change as defined and identified by the California Tax Credit Allocation Committee (TCAC).

Non-Contributor. Non-contributor is defined as any building, structure, natural feature, lot, or landscaping that is identified as a non-contributor in an historic resources survey or an official nomination form accepted by the relevant agency for a designated federal, state, or local historic district, including non-contributing elements in a Historic Preservation Overlay Zone, or is a building, structure, natural feature, lot or landscape feature included in a district boundary with no identification.

Non-Residential Use. Non-residential use is defined as any use not listed and defined in Div. 5D.2. (Residential Uses). Non-residential use includes uses listed and defined in Div. 5D.3. (Public & Institutional Uses), Div. 5D.4. (Open Space & Recreation Uses), Div. 5D.5. (Transportation Uses), Div. 5D.6. (General Commercial Uses), Div. 5D.7. (Heavy Commercial Uses), Div. 5D.8. (Light Industrial Uses), Div. 5D.9. (Heavy Industrial Uses), and Div. 5D.10. (Agricultural Uses).

One Hundred Percent Affordable Housing Project. A one hundred percent affordable housing project is a housing development project as specified in California Government Code Section 65589.5; involves the construction of, addition to, or remodeling of any building or buildings that would result in the creation of five or more additional dwelling units; reserves all new dwelling units, renovated dwelling units, or dwelling units retrofitted for accessibility, exclusive of any manager's units, or staff units for projects utilizing California Government Code Section 65913.16, as restricted affordable units, including bonus units; and restricts all units, including bonus units, for lower income households, except that up to twenty percent may be for moderate income households.

Public Agency. Public Agency is defined pursuant to California Government Code Section 20056.

Public Land Project. A public land project is defined as a project containing dwelling units located on lots owned by a public agency.

Qualified Developer. Qualified developer is defined pursuant to California Government Code Section 65913.16(b)(9)(A-C) exclusive of (D), and shall also include a Community Development Financial Institution (CDFI) identified on the United States Department of the Treasury's CDFI Fund list of Certified CDFIs at the time of project filing, provided the CDFI maintains a non-profit status pursuant to United States Internal Revenue Code Section 501(c)(3).

Religious Institution. Religious institution is defined pursuant to California Government Code Section 65913.16(b)(10).

Sea Level Rise Area. Sea level rise area is defined as an area of the coast that is vulnerable to five feet of sea level rise, as determined by the National Oceanic and Atmospheric Administration, the Ocean Protection Council, the United States Geological Survey, the University of California, and as accepted for use by the Director of Planning, or as determined by a local coastal hazards vulnerability assessment.

Shared Equity Project. Shared equity project is defined as a project containing dwelling units that is located on land owned by a public agency, Community Land Trust, as defined in the California Revenue and Taxation Code Section 402.1(a)(11)(C)(ii), or a Limited-equity Housing Cooperative or Workforce Housing Cooperative Trust, as defined in Section 817 of The California Civil Code, except that dwelling units, in addition to being sold or rented to income qualified persons, may also be held by the non-profit corporation for the purpose of making dwelling units for lower income households financially stable. The land must be owned by the public agency, Community Land Trust, Limited-equity Housing Cooperative, or Workforce Housing Cooperative Trust at the time of project filing through the issuance of a Certificate of Occupancy.

Shared Housing Building. A residential or mixed-use structure, with five or more Shared Housing Units and one or more common kitchens and dining areas designed for permanent residence of more than 30 days by its tenants as defined in California Government Code Section 65915(o)(7)(A).

Shared Housing Unit. One or more habitable rooms, not within another dwelling unit, that includes a bathroom, sink, refrigerator, and microwave, and is used for permanent residence in a Shared Housing Building, and is as further defined in Government Code Section 65915(o)(7)(B). A Shared Housing Unit shall comply with the definition of "efficiency dwelling unit" for purposes of zoning and allowable density.

Specific Adverse Impact. Pursuant to California Government Code Section 65589.5(d)(2), 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.

Student Housing Development. Student Housing Development is defined pursuant to California Government Code Section 65915(b)(1)(F).

Tier 1 Bonus Floor Area Ratio. Tier 1 bonus floor area ratio is defined as the bonus floor area ratio granted pursuant to Sec. 2C.4.1.C.2. (Tier 1 Bonus).

Tier 1 Bonus Height. Tier 1 bonus height is defined as the bonus height in feet granted pursuant to Sec. 2C.4.2.C.2. (Tier 1 Bonus) or the bonus height in stories granted pursuant to Sec. 2C.4.3.C.2.b. (Tier 1 Bonus).

Tier 2 Bonus Floor Area Ratio. Tier 2 bonus floor area ratio is defined as the tier 2 bonus floor area ratio granted pursuant to Sec. 2C.4.1.C.2. (Tier 2 Bonus).

Tier 2 Bonus Height. Tier 2 bonus height is defined as the bonus height in feet granted pursuant to Sec. 2C.4.2.C.2.3. (Tier 2 Bonus) or the bonus height in stories granted pursuant to Sec. 2C.4.3.C.2.c. (Tier 2 Bonus).

Transitional Foster Youth. Transitional foster youth is defined pursuant to Section 66025.9 of the California Education Code.

Very Low Vehicle Travel Area. Very Low Vehicle Travel Area is defined pursuant to California Government Code Section 65915(o)(9).

Waiver. For the purposes of Sec. 9.2.1. (State Density Bonus), Sec. 9.2.2. (Affordable Housing Incentive Program), Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program), Sec. 9.2.4 (Corridor Transitions Incentive Program), and Sec. 9.2.5. (Transit Oriented Incentive Program), waivers are defined as reductions in development standards that will have the effect of physically precluding the construction of a housing development project at the densities or with the incentives permitted under those referenced Sections, as specifically discussed in California Government Code Section 65915(e). Waivers neither reduce nor increase the number of incentives or density bonus that a project is entitled to in those Sections. The terms density bonus, incentive, and housing development project, are defined in this Glossary (Div.14.3).

Sec. 39. Div. 14.3. of Article 14. of Chapter 1A of the Los Angeles Municipal Code is amended to delete the following definition:

Transit Stop/Major Employment Center

Sec. 40. The Table titled "Fees For Density Bonuses" in Section 15.4.1. of Division 15.4. of Article 15. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

Fees For Density Bonuses			
Application Type	Base Fee	Annual Inflation Adjustment	Multiple Applications
Application for a Density Bonus			
Including a request in conjunction with: Up to one waiver of a zoning standard under the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.) or Transit Oriented Incentive Program (Sec. 9.2.5); or Up to three waivers of a zoning standard under the Affordable Housing Incentive Program (Sec. 9.2.2.) (Sec. 9.2.2.D.1.c.; Sec. 9.2.3.D.1.c.i., and Sec. 9.2.5.D.1.c.i)	$9,459	•	•
Including a request in conjunction with: Waivers under the State Density Bonus Program (Sec. 9.2.1.) or the Local Affordable Housing Incentive Program (Sec. 9.3.2.); More than one waiver under the Opportunity Corridors Housing Incentive Program (Sec. 9.2.3.), Transit Oriented Incentive Program (Sec. 9.2.5.); or	$24,349	•	•

More than three waivers under the Affordable Housing Incentive Program (Sec. 9.2.2.) (*Sec. 9.2.1.D.1.c., Sec. 9.2.2.D.1.c.iii., Sec. 9.3.2.D.1.c.ii., Sec. 9.2.3.D.1.C.ii, and Sec. 9.3.2.E.3.*)			
Projects with Requests for Density Bonuses in Excess of the Base Incentive (Sec. 9.2.1.) (Sec. 9.2.1.D.1.e.)	$24,359	•	•

Sec. 41. The opening paragraph before the Table titled, "Fees for Enforcement of Housing Covenants," of Section 15.4.2. of Division 15.4. of Article 15. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

Unless a fee exemption pursuant to the Subsection (Fee Exemption) below applies, the following fees shall be charged and collected by the Los Angeles Housing Department (LAHD) for the preparation, enforcement, monitoring, and associated work relating to the affordable housing covenants required by Sec. 9.2.1. (Density Bonus), Sec. 9.2.2. (Affordable Housing Incentive Program), Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program), Sec. 9.2.4. (Corridor Transitions Incentive Program), Sec. 9.2.5. (Transit Oriented Incentive Program), and Sec. 9.3.2. (Local Affordable Housing Incentive Program), and Sec. 9.4.4.B.2 (Restricted Affordable Units).

Sec. 42. Paragraph 1. of Subsection B. of Section 15.4.3. of Division 15.4. of Article 15 of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

1. Exemptions

The Department of Building and Safety shall determine whether any of the following exemptions apply to a development project based on documentation submitted by the applicant prior to the issuance of the building permit. The fee imposed by this Section (Affordable Housing Linkage Fee) shall not apply to construction that includes any the following:

a. Less than 15,000 square feet of additional non-residential floor area in any non-residential building, other than parking garages and parking facilities, as determined by the Department of Building and Safety.

b. Any for-sale or rental housing development project containing restricted affordable units where the following requirements are met:

i. At least 40 percent of the total dwelling units are dedicated for moderate income households, or at least 20 percent of the total dwelling units are dedicated for low-income households, or at least 11 percent of the total dwelling units are dedicated for very low-income households, or at least eight percent of the total dwelling units are dedicated for extremely low-income households; or the project is approved pursuant to Sec. 9.2.3. (Opportunity Corridors Housing Incentive Program), or Sec. 9.2.4. (Corridor Transitions Incentive Program), or Sec. 9.2.5. (Transit Oriented Incentive Program).

ii. The housing development project's restricted affordable units are subject to a recorded affordability restriction of 99 years from the issuance of the Certificate of Occupancy, recorded in a covenant acceptable to the Los Angeles Housing Department (LAHD), and subject to fees as set forth in Sec. 15.4.2. (Fees for Enforcement of Housing Covenants); also including:

a) A housing development project in which 100 percent of all dwelling units, exclusive of manager's units, are restricted affordable units, which are subject to a recorded affordability restriction of at least 55 years or utilize public subsidies that are tied to a specified covenant period. At minimum, all restricted affordable units in the housing development project shall be covenanted for at least 55 years.

b) A mixed-income housing development project utilizing public subsidies that are tied to a specified covenant period. At minimum, all restricted affordable units in the housing development project shall be covenanted for at least 55 years.

c) Such a covenant shall also subject projects using this exemption to the replacement policies in California Government Code (Sec. 65915(c)(3)), and to LAHD fees related to housing replacement determinations pursuant to state law, as set forth in this Zoning Code.

iii. For the purposes of this Section (Affordable Housing Linkage Fee), total dwelling units includes any units added by a density bonus or other land use incentive, consistent with the affordability levels defined in Government Code (Sec. 65915.).

c. Any development project being constructed by, or on behalf of: 1) a government or public institution such as a school, museum, homeless shelter or other similar projects that are intended for community use; or 2) any private school that offers instruction in grades kindergarten through 12th grade.

d. Any Medical, Local (*Sec. 5D.3.5.A.*) or Medical, Regional (*Sec. 5D.3.5.B.*) healthcare facility.

e. A single-unit detached home meeting one or more of the following conditions:

i. Any addition of 1,500 square feet or less of floor area to an existing single-unit detached home located on a lot with an applied Residential District (*Div. 5B.3.*).

ii. New construction of any single-unit detached home located on a lot with an applied 1L Density District that is 1,500 square feet or less of floor area.

iii. Any replacement of a single-unit detached home resulting in a net increase of 1,500 square feet or less of floor area from the prior home that existed on the property.

f. Either (1) an addition of 1,501 square feet or more of floor area to an existing single-unit detached home located on a lot with an applied 1L Density District, or (2) a replacement of a single-unit detached home resulting in a larger single-unit detached home with a net increase of 1,501 square feet or more of floor area from the prior home that existed on the property; provided, however, in either event, a covenant shall be recorded against the property prior to the issuance of a building permit for such addition or replacement requiring the owner of the property to pay the linkage fee if the home is sold within three years of the issuance of such building permit. The covenant shall automatically expire at the end of such three-year period, if no sale of the property has occurred during such three-year period. However, in the event of a sale of the property within such three-year period, the covenant shall not expire until a notice of covenant termination is recorded. A notice of covenant termination shall be provided by the City upon full payment of linkage fee due, based on the fee schedule in effect at the time of payment. The covenant shall run with the land and bind all successive owners of the property until the linkage fee is fully paid.

g. An accessory dwelling unit pursuant to California Government Code (Sec. 65852.2.).

h. Any residential floor area of a project located within the boundaries of the Central City West Specific Plan Area, as defined in Ordinance No. 163,094, if the applicant agrees by covenant and agreement with the City or by development agreement to abide by the replacement and inclusionary housing obligations set forth in the Specific Plan for the Central City West Area.

i. A residential project that is subject to a greater affordable housing fee requirement or is required to provide one or more physical housing units pursuant to the Mello Act (Government Code Secs. 65590-65590.1), in order to satisfy its inclusionary housing obligations. In that case, the residential component of the project shall be exempt from the linkage fee requirements of this Section. Non-residential portions of mixed-use Coastal Zone projects shall be analyzed separately from residential portions of mixed-use projects for the purposes of the linkage fee requirements of this Section. Nonresidential portions of such projects shall be subject to this Section (Affordable Housing Linkage Fee). The provision of housing units or in-lieu fees to satisfy replacement housing obligations under the Mello Act (as opposed to inclusionary housing obligations) shall not exempt a project from the linkage fee requirements of this Section (Affordable Housing Linkage Fee).

j. A residential development project that is subject to affordable housing requirements pursuant to any land use policy or ordinance or development agreement that exceeds the linkage fee requirements of this Section (Affordable Housing Linkage Fee) in either fee amount or on-site affordable housing percentages provided in Paragraph b. above.

k. A residential development project that is subject to affordable housing and labor requirements pursuant to Sec. 11.5.11. (Affordable Housing) of Chapter I (General Provisions and Zoning) of this Code.

l. Any grocery store, provided there is no existing grocery store within a one-third (1/3) mile radius of the development project site.

m. Any adaptive reuse project that is a designated historic-cultural monument and is being converted to a residential use.

Sec. 43. The following new Zoning Code Maps attached as Exhibit A are adopted pursuant to Division 1.5, Article 1, Chapter 1A of the Los Angeles Municipal Code:

A. Opportunity Corridors and Corridor Transitions Housing Incentive Map
B. Transit Oriented Incentives Map
C. Public Benefits Incentives Map

Sec. 44. **STYLE AND FORMATTING CORRECTIONS.** City Planning prior to publishing the Code shall ensure all of the following style and formatting corrections are made in consultation with the City Attorney's Office:

A. All numbering of chapters, articles, parts, divisions, sections, subsections, paragraphs, subparagraphs, sub-subparagraphs, and sub-sub-subparagraphs shall match the existing numbering format, style, and hierarchy in Chapter 1A of the Los Angeles Municipal Code (e.g., all numbering ends with a period, except sub-sub-subparagraphs which are punctuated with a parenthetical).

B. Formatting and typeface style for all headings shall match the existing formatting and typeface style in Chapter 1A of the Los Angeles Municipal Code, including the following, paragraph breaks after subsection headers, no periods at the end of headers, headers of divisions and sections in all caps, and headers of subsections or any lower ordinal in title case with the first letter of each word capitalized.

C. All internal citations to the Los Angeles Municipal Code shall match the formatting and style of the existing Chapter 1A of the Los Angeles Municipal Code, including adding periods at the end of the citation number, abbreviating section to "Sec.", including the title of the cited section in parenthesis after the period (e.g., "Sec. 4C.15.2. (Non-Housing Projects that Result in the Demolition of Dwelling Units)" or "Paragraph 2. (No Net Loss of Dwelling Units)"), and citations to Chapters of the Los Angeles Municipal Code shall include "of this Code" after the parenthetical of the title of the Chapter (e.g., "Chapter I (General Provisions and Zoning) of this Code").

D. Words and phrases that are included in the Glossary in Article 14 of Chapter 1A of the Los Angeles Municipal Code shall not be capitalized unless they are proper nouns, mapped areas under Article 1 of Chapter 1A, district names, or zone string components. Any glossary terms used in Chapter 1A shall be indicated by underline in the published Code and linked to the Glossary term in Article 14 of Chapter 1A of the Los Angeles Municipal Code.

E. All fonts and/or typeface and spacing and layout (including indentations) of text, headings, graphs and tables shall match that of the existing published Chapter 1A of the Los Angeles Municipal Code.

Sec. 45. **TECHNICAL CORRECTIONS**. As deemed necessary by the Director, City Planning may prepare technical corrections to this ordinance that would fix citations and typographical errors that do not result in substantive changes to the policies adopted by the City Council through Council File Nos. 22-0617, 21-1230-S5, 21-1230-S6, or 21-1230-S8, in their approval of this final ordinance, in consultation with the City Attorney.

A. Such technical corrections may include:

1. Corrections to typographical errors and citations.
2. Stylistic and formatting consistency edits
3. Corrections to ensure consistency between provisions.
4. Corrections to clarify the implementation of a provision.
5. Corrections to illustrations or graphics to align with the text of Chapter 1A of the Los Angeles Municipal Code.

B. City Planning will bring those corrections to the City Council for final approval by resolution.

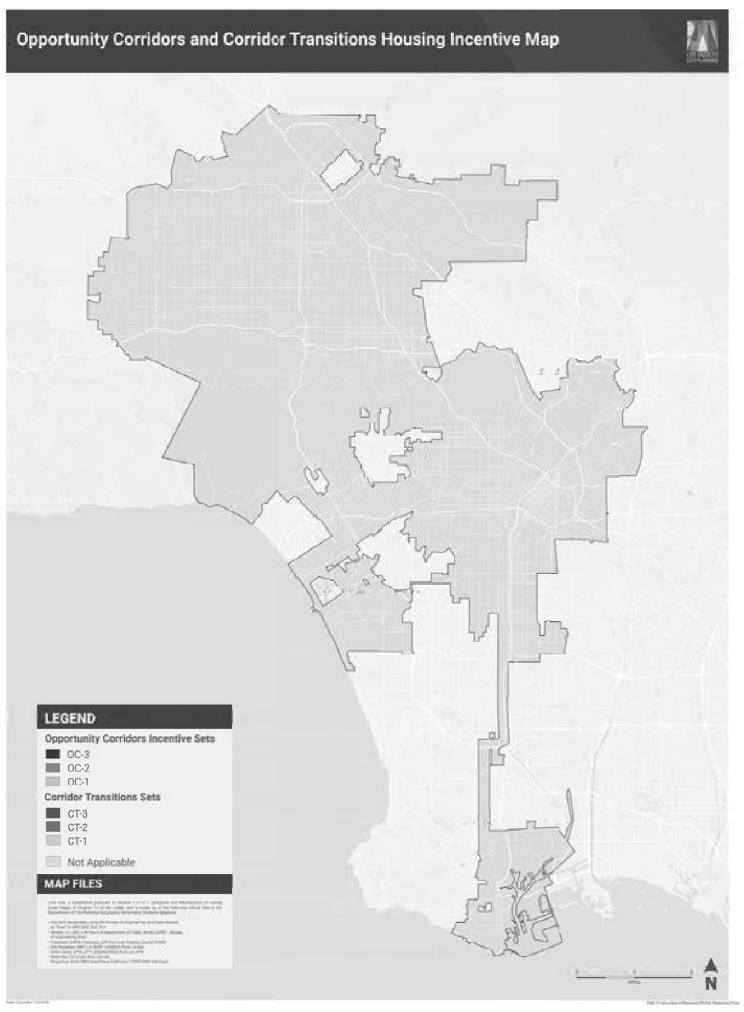
C. This section shall be effective for one year from the effective date of this ordinance.

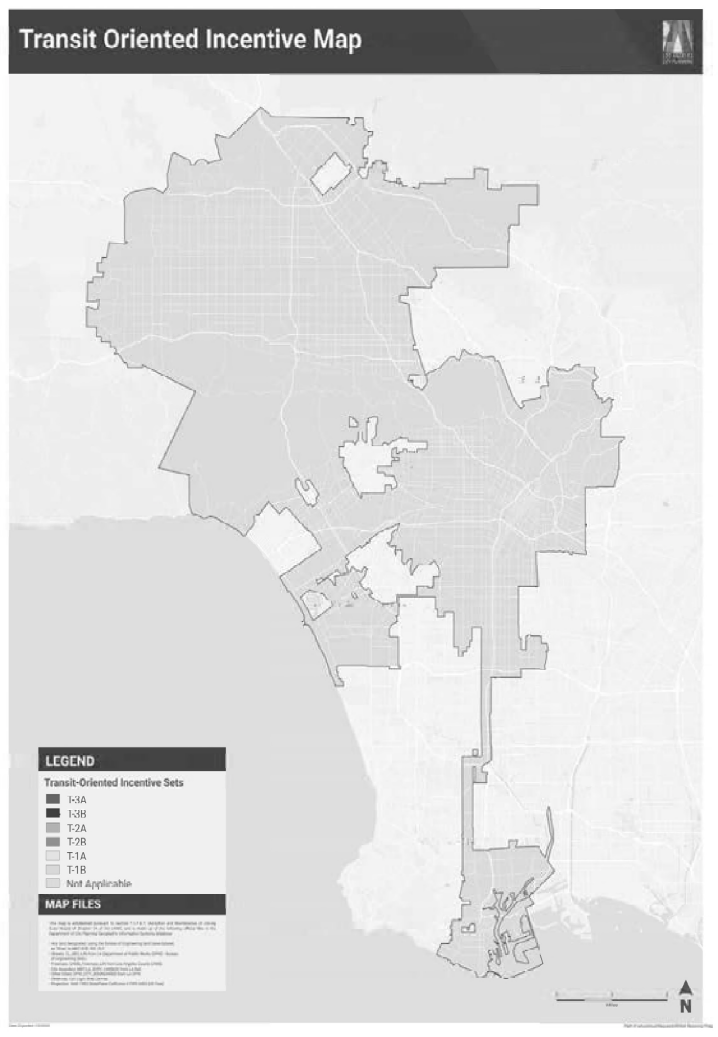
Sec. 46. **OPERATIVE DATE.** This ordinance shall be operative on February 11, 2025, in compliance with the rezoning program deadline of February 12, 2025; but if the rezoning program deadline is suspended or extended by the State of California, such as by an emergency order of the Governor, the operative date of this ordinance shall be the day before the new rezoning program deadline set by the State.

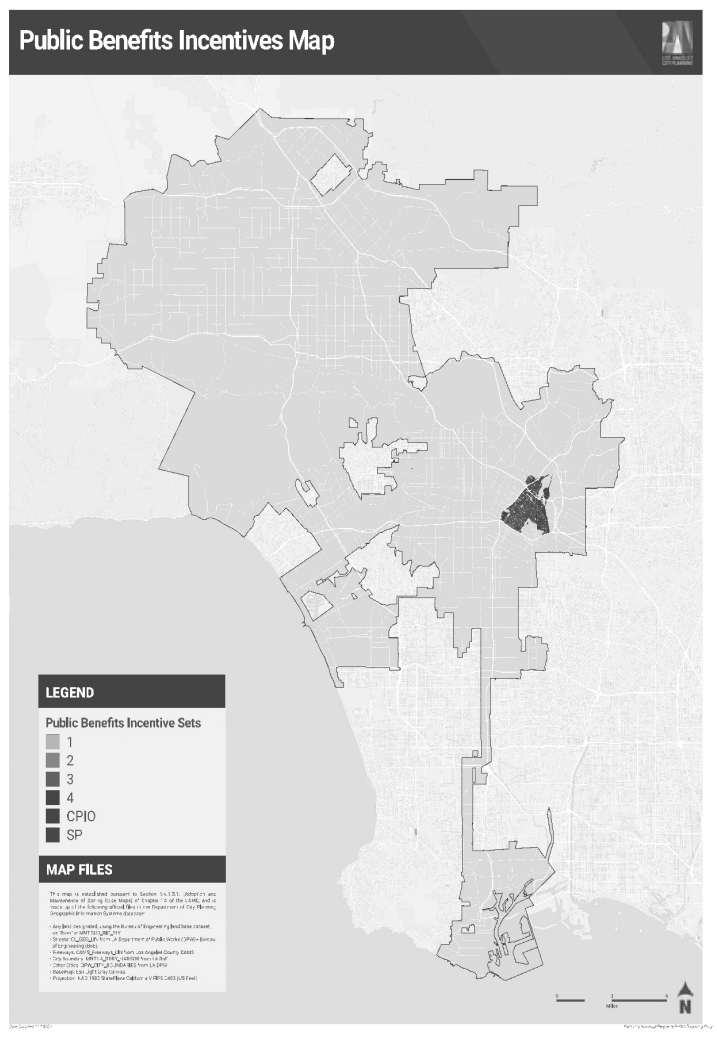
Sec. 47. **SEVERABILITY.** If any portion, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each portion or subsection, sentence, clause and phrase herein, irrespective of the fact that any one or more portions, subsections, sentences, clauses or phrases be declared invalid.

Sec. 48. **URGENCY CLAUSE**. The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety because the ordinance is necessary for urgently needed housing. As recognized in the Housing Element, the City has a need for the development of approximately 450,000 housing units by the year 2029, including an immediate need of tens of thousands of units to serve an existing shortfall. In order to address this shortfall, the City must complete a rezoning program by February 12, 2025 per California Government Code 65583(c)(1)(A), at which time a determination of non-compliance could trigger a significant loss of funding for housing and infrastructure, loss of local zoning control, and court-imposed fines. This potential loss of funding for housing could result in less affordable housing being developed citywide, posing a severe threat to the stability of lower income households and further contributing to the City's ongoing homelessness and affordable housing crisis. This ordinance implements a rezoning program that would make the City compliant with state-mandated requirements. For these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

EXHIBIT A







Sec. 49. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By _____
Donna Wong
Deputy City Attorney

Date January 31, 2025

File No. 21-1230-S5

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

VINCENT P. BERTONI, AICP
Director of Planning

Date January 31, 2025

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR

Ordinance Passed February 7, 2025

Approved _____

CNSB # 3895056