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May 29, 2025

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**MEMO REGARDING CORRECTION RESOLUTION FOR CHAPTER 1A (NEW ZONING CODE) AND
CHAPTER I. (GENERAL PROVISIONS AND ZONING) OF THE LAMC; (CF 22-0617, CF
21-1230-S5, CF 21-1230-S8, CF 21-1230-S6)**

This memo will be posted to the following Council Files: CF 22-0617, CF 21-1230-S5, CF 21-1230-S8, and CF 21-1230-S6, while the corrections resolution itself will be posted on CF 22-0617. All Exhibits referenced in this memo are those attached to the resolution posted to CF 22-0617.

At its meeting on December 4, 2024, the Los Angeles City Council (City Council) unanimously approved the final ordinances for the adopted Downtown Los Angeles Community Plan (Downtown Plan) and Chapter 1A of the Los Angeles Municipal Code (New Zoning Code). As part of their action, the City Council authorized the Department of City Planning (City Planning) to prepare and present to City Council non-substantive technical corrections to the New Zoning Code Ordinance (No. 188,418) within a year of its operative date, as follows:

- a. *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 CF No. 22-0617 in their approval of this final ordinance, in consultation with the City Attorney. Such technical corrections may include:*

- i. *Corrections to typographical errors and citations.*
- ii. *Stylistic and formatting consistency edits*
- iii. *Corrections to ensure consistency between provisions.*
- iv. *Corrections to clarify the implementation of a provision.*
- v. *Updates to illustrations or graphics to align with the text of Chapter 1A of the LAMC.*

b. City Planning will bring those corrections to the City Council for final approval.

The recently adopted Housing Element ordinances including the Citywide Housing Incentive Program Ordinance (CF: 21-1230-S5; Ordinance No. 188,477 and Ordinance No. 188,478), Resident Protections Ordinance (CF: 21-1230-S8; Ordinance No. 188,481 and Ordinance No. 188,482), and the Housing Element Sites and Minimum Density Ordinance (CF: 21-1230-S6; Ordinance No. 188,479 and Ordinance No. 188,480) included the following authorization which was adopted by City Council on February 7, 2025:

TECHNICAL CORRECTIONS. As deemed necessary by the Director, the Department of 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-S8, or 21-1230-S6, 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. The Department of City Planning shall 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.

In preparation to publish the Housing Element ordinances described above in Chapter 1A of the LAMC (New Zoning Code), City Planning has identified several non-substantive corrections required to the ordinances, including for both Chapter 1A and Chapter I. (General Provisions and Zoning). City Planning has also identified corrections needed to the text of the New Zoning Code as adopted through Council File 22-0617. These edits are described below. Each item describing an edit is labeled with the corresponding Council File and types of edits included in the item (e.g., style & formatting, typographical, citation correction). City Planning consulted with the City Attorney's Office and the City Attorney deemed these edits to be appropriate and fitting within the description of the authority Council has granted above to make corrections. The majority of edits are minor stylistic and formatting consistency edits. Where additional context or background is appropriate, items are accompanied by explanatory text in this letter.

Citywide Housing Incentive Program (CHIP) Ordinance

Item 1. **STYLE & FORMATTING, TYPOGRAPHICAL ERROR, CITATION CORRECTION, IMPLEMENTATION CORRECTION (CF: 21-1230-S5)**

- 1.1. Chapter I. (General Provisions and Zoning), Sec. 12.24.U.26. (Density Bonus for a Housing Development in Which the Density Increase Is Greater than the Maximum Permitted in Section 12.22 A.37.)

The correction resolution clarifies the correct implementation of overlapping amendments to Chapter I of the LAMC made by the Resident Protections Ordinance (RPO) (Ord. No. 188,481, Sec. 5) and Citywide Housing Incentive Program (CHIP) ordinance (Ord. No. 188,477, Sec. 11). Both ordinances contain substantively similar amendments to paragraph (a) of Subdivision 26 of Subsection U. of Sec. 12.24 of the Code. However, Sec. 5 of Ord. No. 188,481 did not include the full set of amendments to Paragraph (a) as made by Sec. 11 of Ord. No. 188,477. Consistent with the City Council's intent to adopt the full set of amendments to Paragraph (a) contained in Sec. 11 of Ord. No. 188,477, the correction resolution clarifies that the amendments in Sec. 11 of Ord. No. 188,477 shall prevail over those contained in Sec. 5 of Ord. No. 188,481.

- 1.2. Sections 1-42 of the original CHIP ordinance for the New Zoning Code (Ord. No. 188,478) are submitted as an attachment to the resolution posted to Council File 22-0617 in **Exhibit "A"** showing new additions in underline and new deletions shown in ~~strike through~~. *Italics* signify that a term is defined in Sec. 14.3. (Glossary) of Chapter 1A of the LAMC. The following sub-items below, which are included in Exhibit "A", are described for additional background and context:

- 1.2.1. **Sec. 7B.7.1.D.5. (Small-Lot Subdivision Standards), Sec. 7B.7.2.D.5. (Small-Lot Subdivision Standards), and Sec. 7B.7.3.D.5 (Small-Lot Subdivision Standards)**, (see pages 48, 54, and 59 of Exhibit "A"): This edit amends instances of "side setback" to "side *building* setback" in order to clarify that the applicable standard is the building setback as opposed to the parking setback and to utilize the existing "building setback" term that is defined in Div. 14.3. (Glossary).
- 1.2.2. **Sec. 9.2.1.C.3.c.ii. (Height)** (see page 77 of Exhibit "A"): This edit modifies the statement, "An eligible project may request an increase in height of one additional story," to, "An eligible project may request an increase in height of one additional story beyond the base height of the applied Form District (Part 2B.)." This modification is necessary to clarify how one additional story would be calculated to ensure consistency in the

application of the rule.

- 1.2.3. **Sec. 9.2.2.C.2.b.iii.d.** (see page 98 of Exhibit "A"): Sec. 9.2.2.C.2.b.iii.d. of Chapter 1A of the LAMC was drafted as an equivalent to Chapter I. (General Provisions and Zoning), Sec. 12.22.A.39.(e)(5)(i)b and c which stipulate that certain projects are not eligible for the FAR and Parking Incentives indicated in Table 12.22.A.39.(e)(1), including if, "b. The project is located in a manufacturing zone that does not allow multiple family residential uses (M1, M2, M3) or is located in a hybrid industrial zone (CM, MR1, MR2) with residential use restrictions from an applicable planning overlay," and "c. The project is located in a single-family or more restrictive residential zone (RW or more restrictive)."

In the adopted text of Ordinance 188,478, the equivalent language in Sec. 9.2.2.C.2.b.iii.d. currently states, "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".

However, there are three corrections needed to the adopted language to clarify its meaning in the framework of the New Zoning Code.

- 1) The New Zoning Code does not have "manufacturing zones". The closest equivalent is, "Industrial Use Districts".
- 2) In the New Zoning Code, Sec. 8.2.1.B.2. (Limitations on Supplemental Districts) provides that Supplemental Districts, "shall not supersede any provisions of this Zoning Code (Chapter 1A), unless otherwise specified by the Zoning Code." Given this, it is not necessary to include an exception regarding "residential use restrictions from an applicable planning overlay" in a similar fashion to the Chapter I. version.
- 3) The New Zoning Code does not have "hybrid industrial zones". The closest equivalent is, "Industrial-Mixed Use District".
- 4) The New Zoning Code does not include an order of restrictiveness. Chapter I. (General Provisions and Zoning) does include an order of restrictiveness in Sec. 12.04. (Zones - Districts - Symbols). However, there is no equivalent of this order of restrictiveness in the New Zoning Code. A Density District of 1L in Chapter 1A of the LAMC allows for 1 unit per lot, which is the same as the density of a single-family zone. "A Density District of 1L" will therefore cover the same intent as "a residential use district that is single-family or more restrictive".

Given these considerations, this edit revises Sec. 9.2.2.C.2.b.iii.d. as follows:

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 in an Industrial Use District or Industrial-Mixed Use District, that does not allow for residential uses, 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.

- 1.2.4. **Sec. 9.2.4.B.2.a. (Relationship to Other Incentive Programs) and Sec. 9.2.5.C.3.b.ii. (Incentives Not Listed on the Menu of Additional Incentives)** (see pages 127 and 147 of Exhibit "A"): This edit deletes references to "Community Plan" and "overlay". The Chapter 1A equivalent of these tools is Supplemental Districts, which are already listed in this Subparagraph a. Community Plans will use Supplemental Districts to establish special incentive programs or additional incentive options when necessary. References to "Community Plan" and "overlay" in this context are therefore redundant and potentially confusing.
- 1.2.5. **Sec. 9.2.4.C.1. (Eligibility)** (see page 132 of Exhibit "A"): This edit adds Subparagraph j. (Lot Amenity Alternatives) which states: "The *project* shall meet its *lot amenity space* requirement by using one of the *lot amenity alternative types* in Sec. 2C.3.5. (Lot Amenity Alternatives)." in order to match and align with the requirement in Sec. 2C.3.5.B.2. that "...projects utilizing the Corridor Transitions Incentive Program in Sec. 9.2.4. (Corridor Transitions Incentive Program) shall utilize a Lot Amenity Alternative Type."
- 1.2.6. **Sec. 9.2.4.D.1.d. (Waivers and Additional Incentives)** (see page 134 of Exhibit "A"): This edit deletes the text "see Cal. Gov. Code Sec. 65915(e)" as the definition for the term "waiver" in Div. 14.3. (Glossary) already references the same California Government Code Section. Additionally, the repetitive text "or an incentive intensity not offered in Sec. 9.2.4" is proposed to be deleted, as it is repetitive to the already stated "additional incentive not offered in Sec. 9.2.4." text in the same sentence.

- 1.2.7. **Div. 14.3. (Glossary)** (see pages 195-196 of Exhibit "A"): This edit adds "Lot Amenity Alternatives" and "Maximum Allowable Residential Density" definitions introduced within new Sections Sec. 2C.3.5. (Lot Amenity Alternatives) and Sec. 14.2.19. (Maximum Allowable Residential Density) into the existing Chapter 1A glossary in alphabetical order.
- 1.2.8. **Sec. 15.4.3.B.1.b.ii. (Exemptions)** (see page 201 of Exhibit "A"): This edit reconciles the language between the Resident Protections Ordinance (RPO) and the CHIP Ordinance, which were adopted concurrently but both amended Sec. 15.4.2.B.1.b.ii. of Chapter 1A of the LAMC. The edit aligns the language in this Section of the CHIP ordinance (188,478) to match that of the Resident Protection Ordinance (188,482), as the latter is the later numbered piece of legislation, and the reconciliation does not make any substantive changes to the CHIP Ordinance.
- 1.2.9. **Sec. 15.4.3.B.1.h.** (see page 202 of Exhibit "A"): This edit deletes Subparagraph h, which references the Central City West Specific Plan, because the Central City West Specific Plan does not currently exist under Ch. 1A and is not relevant to Chapter 1A. The area within the Central City West Specific Plan boundaries has not yet been updated with Chapter 1A zoning. When Chapter 1A zoning is applied to the area through the applicable Community Plan Update, the policies of the Central City West Specific Plan may be re-adopted in a new plan or through other rules and programs in Chapter 1A, such as the Inclusionary Housing Program.

Resident Protections Ordinance

Item 2. STYLE & FORMATTING, TYPOGRAPHICAL ERROR, CITATION CORRECTION (CF: 21-1230-S8)

- 2.1. The correction resolution posted to Council File 22-0617 clarifies the correct implementation of overlapping amendments to Chapter I made by the RPO (Ord. No. 188,481, Sec. 11) and CHIP ordinance (Ord. No. 188,477, Sec. 27). The amendments to Paragraph (b) of Subdivision 2 of Subsection B of Section 19.18 made by Sec. 11 of Ord. No. 188,481 shall prevail over the amendments to the same paragraph (b) made by Sec. 27 of Ord. No. 188,477, but shall be reconciled to include the full set of amendments to Paragraph (b) made by the two ordinances consistent with the City Council's intent to adopt the full set of amendments.
- 2.2. Sections 1-7 of the original RPO ordinance for the New Zoning Code (Ord. No. 188,482) are submitted as an attachment to the resolution posted to Council File 22-0617 as **Exhibit "B"** showing new additions in underline and new deletions in

strikethrough. Italics signify that a term is defined in Sec. 14.3. (Glossary) of Chapter 1A of the LAMC.

Housing Element Sites and Minimum Density Ordinance

Item 3. STYLE & FORMATTING, TYPOGRAPHICAL ERROR, CITATION CORRECTION, IMPLEMENTATION CORRECTION (CF: 21-1230-S6)

- 3.1. To align with state law streamlining for by-right approval (Gov. Code Sec. 65583.2(i)), which the HESMD ordinance incorporates as part of its definition of Ministerial Approval, the correction resolution makes the following amendments to the first sentences within paragraphs 1 and 2 of Chapter I. (General Provisions and Zoning), Sec. 16.70.F. (Approval Requirements for Housing Element Sites) as introduced through Ordinance No. 188,479 as follows. Additions are shown in underline and deletions shown in ~~strikethrough~~. These edits clarify that the Sites Ordinance is implemented consistent with Gov. Code Sec. 65583.2(i), which refers to the "local government's review" rather than just the planning department of a local agency.

16.70.F. (Approval Requirements for Housing Element Sites)

1. Ministerial Approval for Prior Housing Element Sites.

If a Housing Development Project is proposed on a Prior Housing Element Site that is identified in the most recent Housing Element to accommodate a portion of the housing need for low and very low income households and at least twenty percent of the project's units will be made affordable and available to Lower Income Households, the project shall be subject to Ministerial Approval by the City Department of City Planning.

2. Ministerial Approval for Lower Income Rezoning Housing Element Sites.

If a Housing Development Project is proposed on a Lower Income Rezoning Housing Element Site that has a minimum density of at least 20 units per acre, and at least twenty percent of the project's units will be made affordable and available to Lower Income Households, the project shall be subject to Ministerial Approval by the City Department of City Planning.

- 3.2. Sections 1-8 of the original Chapter 1A HESMD ordinance (Ord. No. 188,480) are submitted as an attachment to the resolution posted to Council File 22-0617 as **Exhibit "C"** showing new additions in underline and new deletions in ~~strikethrough~~. Italics signify that a term is defined in Sec. 14.3. (Glossary) of Chapter 1A of the LAMC.

- 3.2.1. **Sec. 1.5.15.B. (Boundaries)** (*see page 3 of Exhibit "C"*)

The correction resolution amends this Section to correct the boundaries for the Lower Income Rezoning Housing Element Sites Map, which incorrectly included a description of the boundaries for Prior Housing Element Sites with the edit below.

B. Boundaries.

~~4. Any lot designated, using the Department of Public Works, Bureau of Engineering land base dataset, and established as Lower Income Rezoning Sites, pursuant to City Council Resolution.~~

~~2. Any lot designated, using the Department of Public Works, Bureau of Engineering land base dataset, and identified as meeting the criteria for a prior housing element site in the most recently adopted Housing Element, including non-vacant sites that were identified in the prior Housing Element and vacant sites that were identified in the prior two Housing Elements, including sites identified in Column O of Appendix 4.1 of the current 2021-2029 Housing Element.~~

- 3.2.2. **Sec. 6C.2.1.B.2. (Applicability)** (See page 6 of Exhibit "C"): This edit modifies the statement with the following additions in underline and deletions in strikethrough for consistency with the applicability statements for all Sections within Part 6C. (Density Rules), which clarify that the rules only apply to projects including dwelling units. The edit also includes a correction for consistency to include the "As Mapped" designation in Subsection B (Applicability) of Sec. 6C.2.1. (Minimum Dwelling Units Per Lot Area), consistent with the inclusion of the "As Mapped" designation in Subsection C (Standards).

The minimum density rules in this Section (Minimum Dwelling Units Per Lot Area) apply to any project that includes dwelling units located on a ~~all projects on the~~ lot where Minimum Dwelling Units per Lot Area is listed in Div. 6B.2. (Lot Area-Based Districts) as "Applicable", ~~or~~ "Market-Contingent", or "As Mapped" by the applied Density District (Part 6B.).

- 3.2.3. **Sec. 9.2.6.B.3.a. (Relationship to Other Incentive Programs)** (See page 11 of Exhibit "C"): This edit deletes the "Exception" paragraph. Chapter 1A does not need this Hollywood Community Plan exception since the community plan does not use Chapter 1A, and this relationship to the community plan and Chapter 1A housing incentive programs will be addressed when the Hollywood Community Plan gets updated with Chapter 1A zoning in the future.

- 3.2.4. **Sec. 9.2.6.C.1.b. (Zoning)** (page 12 of Exhibit "C")

The following edit provides a corrective rephrasing to properly reference minimum density requirements rather than “minimum density districts”, in addition to a consistency edit to include the “As Mapped” designation.

The *project* is located on a *lot* with an applied Density District (Part 6B) that specifies a minimum density requirement of “Applicable”, or “Market-Contingent”, or “As Mapped”, ~~minimum density district.~~

3.2.5. **Sec. 9.2.6.C.2.a. (Administrative Review Process)** (see page 13 of Exhibit “C”):

3.2.5.1. To align with state law streamlining for by-right approval (Gov. Code Sec. 65583.2(i)), the correction resolution makes the following clarifying amendment to Sec. 9.2.6.C.2.a.i.

i. A *project* that meets the eligibility criteria outlined in Paragraph 1. (Eligibility) above, shall be approved via Administrative Review, pursuant to Sec. 13B.3.1. (Administrative Review) and consistent with Gov. Code Sec. 65583.2(i).

3.2.5.2. The correction resolution amends sub-subparagraphs ii. and iii. Of Sec. 9.2.6.C.2.a. (Administrative Review Process) with non-substantive clarification to ensure the consistent application of the rules regarding allowances for modification of actions through the following amendment.

ii. An eligible *project* that would have otherwise required a discretionary entitlement from the *Department of City Planning* to permit an owner-occupied or rental multifamily residential dwelling use shall be subject to and processed through an Expanded Administrative Review, pursuant to Sec. 13B.3.2. (Expanded Administrative Review). Any nonresidential use in an eligible mixed-use project shall comply with any discretionary review required for that non-residential use under the Code, or any plan or overlay adopted under the Code. In no case shall Project Review pursuant to Sec. 13B.2.4. (Project Review) be required for an eligible project.

iii. Supplemental Procedures

Despite the provisions of Sec. 13B.3.1.H. (Modification of Action), a ~~A~~ project participating in the Housing Element streamlining program and approved via Administrative Review, pursuant to Sec. 13.B.3.1. (Administrative Review) may request a modification of action only as allowed under California Government Code Sec. 65913.4(h).

Amendments to Chapter 1A of the LAMC as Adopted through Council File 22-0617

Additions are shown in underline and deletions shown in ~~strike through~~. *Italics* signify that a term is defined in Sec. 14.3. (Glossary) of Chapter 1A of the LAMC. Note that where multiple items amend the same Section, the items below display the text of the proposed amendments from other items as if it were already adopted. In those instances where only a portion of text from a Section is shown, only that portion is proposed for amendment.

Article 3. (Frontage)

Item 4. **STYLE & FORMATTING (CF: 22-0617)** | Article 3. (Development Standards); Sec. 3B.2.1. (Multi-Unit 1 (MU1)), Sec. 3B.2.2. (Multi-Unit 2 (MU2)), Sec. 3B.3.1. (General 1 (G1)), Sec. 3B.4.1. (Shopfront 1 (SH1)), Sec. 3B.4.2. (Shopfront 2 (SH2)), Sec. 3B.5.1. (Market 1 (MK1)), Sec. 3B.7.1. (Warehouse 1 (WH1)), Sec. 3B.8.1. (Alley Market (AL1)), Sec. 3B.8.2. (Alley Shopfront (AL2)):

4.1. Add paragraph numbering to Subsection A. (Lot) table titles:

BUILD-TO	→	<u>1.</u> BUILD-TO
PARKING	→	<u>2.</u> PARKING
LANDSCAPING	→	<u>3.</u> LANDSCAPING

4.2. Add paragraph numbering to Subsection B. (Facade) table titles:

TRANSPARENCY	→	<u>1.</u> TRANSPARENCY
ENTRANCES	→	<u>2.</u> ENTRANCES
GROUND STORY	→	<u>3.</u> GROUND STORY

Item 5. **STYLE & FORMATTING (CF: 22-0617)** | Article 3. (Development Standards); Sec. 3B.9.1. (Historic Core (CHC1)), Sec. 3B.9.2. (Daylight Factory (CDF1)), Sec. 3B.9.3. (Daylight Factory / River (CDR1)):

5.1. Add paragraph numbering to Subsection B. (Lot) table titles:

BUILD-TO	→	<u>1.</u> BUILD-TO
PARKING	→	<u>2.</u> PARKING
LANDSCAPING	→	<u>3.</u> LANDSCAPING

5.2. Add paragraph numbering to Subsection C. (Stories) table titles:

GROUND FLOOR ELEVATION	→	<u>1.</u> GROUND FLOOR ELEVATION
------------------------	---	----------------------------------

STORY HEIGHT → 2. STORY HEIGHT

- 5.3. Add paragraph numbering to Subsection D. (Facade) table titles:

ARTICULATION → 1. ARTICULATION

FEATURES → 2. FEATURES

- 5.4. Add paragraph numbering to Subsection E. (Doors) table titles:

ENTRANCES → 1. ENTRANCES

- 5.5. Add paragraph numbering to Subsection F. (Windows) table titles:

TRANSPARENCY → 1. TRANSPARENCY

- 5.6. Add paragraph numbering to Subsection G. (Cladding) table titles:

EXTERIOR MATERIALS → 1. EXTERIOR MATERIALS

Item 6. **TYPOGRAPHICAL ERROR (CF: 22-0617) | Article 3. (Development Standards); Sec. 3B.9.1. (Historic Core (CHC1)), Sec. 3B.9.2. (Daylight Factory (CDF1)), Sec. 3B.9.3. (Daylight Factory / River (CDR1)):**

- 6.1. Add a new Subsection H. (Roof) and Paragraph 1. (Roof Design) to existing Sections for the roof design character frontage rules. This revision is to consistently show all rules in a District:

H. Roof

<u>1. ROOF DESIGN</u>	<u>Div. 3D.11.</u>
	<u>Not applicable</u>

Item 7. **TYPOGRAPHICAL ERROR (CF: 22-0617) | Article 3. (Development Standards); Sec. 3B.9.1. (Historic Core (CHC1)):**

- 7.1. Match standards text in Subsection D. (Facade) to their relevant Division or Section titles (which also includes a formatting correction from another item number in this resolution) as follows:

<u>1. ARTICULATION</u>		<u>Div. 3D.6.</u>	
<u>A</u>	<u>Base, middle & top articulation</u>	<u>Required</u>	<u>Required</u>
<u>B</u>	<u>Horizontal bands articulation</u>	<u>Required</u>	<u>Required</u>
<u>C</u>	<u>Vertical bands articulation</u>	<u>Required</u>	<u>Required</u>

- 7.2. Correct text in Subsection D. (Facade) to clarify implementation of this provision. (which also includes a formatting correction from another item number in this resolution) as follows:

2. FEATURES		Div. 3D.7.	
	Restricted features	Projecting balcony	
	<u>Projecting balcony</u>	<u>Prohibited</u>	<u>Prohibited</u>

- 7.3. Remove text in Subsection F. (Windows) (which also includes a formatting correction from another item number in this resolution) as follows:

1. TRANSPARENCY		Div. 3D.9.	
B	Upper stories (min/max)*	30%/80%	30%/80%

- 7.4. Match standards text in Subsection G. (Cladding) to their relevant Division or Section titles (which also includes a formatting correction from another item number in this resolution) as follows:

1. EXTERIOR MATERIALS		Div. 3D.10.	
A	Principal materials <u>coverage</u> (min)	70%	
B	Accessory materials <u>coverage</u> (max)	30%	

Item 8. **TYPOGRAPHICAL ERROR (CF: 22-0617) | Article 3. (Development Standards); Sec. 3B.9.2. (Daylight Factory (CDF1)):**

- 8.1. Match standards text in Subsection D. (Facade) to their relevant Division or Section titles (which also includes a formatting correction from another item number in this resolution) as follows:

1. ARTICULATION		Div. 3D.6.	
A	Vertical bands <u>articulation</u>	Required	Required

- 8.2. Match standards text in Subsection G. (Cladding) to their relevant Division or Section titles (which also includes a formatting correction from another item number in this resolution) as follows:

1. EXTERIOR MATERIALS		Div. 3D.10.	
A	Principal materials <u>coverage</u> (min)	70%	
B	Accessory materials <u>coverage</u> (max)	30%	

Item 9. **TYPOGRAPHICAL ERROR (CF: 22-0617)** | Article 3. (Development Standards); Sec. 3B.9.3. (Daylight Factory/River (CDR1)):

- 9.1. Match standards text in Subsection D. (Facade) to their relevant Division or Section titles (which also includes a formatting correction from another item number in this resolution) as follows:

1. ARTICULATION		Div. 3D.6.		
A	Vertical bands articulation	Required	Required	Required

- 9.2. Match standards text in Subsection G. (Cladding) to their relevant Division or Section titles (which also includes a formatting correction from another item number in this resolution) as follows:

1. EXTERIOR MATERIALS		Div. 3D.10.		
A	Principal materials coverage (min)	70%		
B	Accessory materials coverage (max)	30%		

- 9.3. Remove unused symbol (*) in Subsection F. (Windows) (which also includes a formatting correction from another item number in this resolution) as follows:

1. TRANSPARENCY		Div. 3D.9.		
B	Upper stories (min/max)*	40%/70%	30%/70%	30%/70%

Item 10. **TYPOGRAPHICAL ERROR (CF: 22-0617)** | Article 3. (Development Standards); Sec. 3B.5.1. (Market 1 (MK1)), Sec. 3B.8.1. (Alley Market (AL1)), Sec. 3B.8.2. (Alley Shopfront (AL2)):

- 10.1. Correct standard text in Sec. 3B.5.1. (Market 1 (MK1)), Subsection A. (Lot) (which also includes a formatting correction from another item number in this resolution) as follows:

2. PARKING		Div. 3C.2.		
D	Street/alley setback <u>Parking Setback</u> (min)	20'	5'	

- 10.2. Correct standard text in Sec. 3B.8.1. (Alley Market (AL1)), Subsection A. (Lot) (which also includes a formatting correction from another item number in this resolution) as follows:

2. PARKING		Div. 3C.2.		
C	Setback <u>Parking Setback</u> (min)	15'	20'	5'

- 10.3. Correct standard text in Sec. 3B.8.2. (Alley Shopfront (AL2)), Subsection A. (Lot) (which also includes a formatting correction from another item number in this resolution) as follows:

2. PARKING		Div. 3C.2.		
D	Setback <u>Parking Setback</u> (min)	15'	20'	5'

- Item 11. **TYPOGRAPHICAL ERROR (CF: 22-0617)** | Article 3. (Frontage); Sec. 3A.1.2.B.2. (Determine Applicable Frontage District Standards):

- 11.1. Update graphics to reflect paragraph additions in districts made pursuant to this resolution. See **Exhibit “E”**.

Article 4. (Development Standards)

- Item 12. **STYLE & FORMATTING, IMPLEMENTATION CORRECTION (CF: 22-0617)** | Article 4. (Development Standards); Part 4B. (Development Standards Districts).

Forthcoming community plan updates will introduce a series of new Development Standards Districts. These updates are also proposing future package options to existing Development Standards Rules in Part 4C. If the approach to how the rules are displayed in the district tables is not standardized, future updates will create inconsistencies between the districts. To prepare for these forthcoming updates City Planning proposes a restructure to Part 4B. (Development Standards Districts) without any substantive changes to any development standards or other provisions in the existing rules. This update will not only prepare for the forthcoming changes but also set up a structure that is more customizable to future needs. A component of this restructure is to offer a better implementation experience for the public. The restructure aims to accomplish this by displaying all the Development Standard Rules that are located in Part 4C and how they apply to their district within the district table instead of a tailored list showing only when a package option exists. To better understand the restructure as outlined in this item number, see **Exhibit “D”** for the publication proposal that contains the integration of new text and existing text in relation to all other restructuring proposed pursuant to this item:

- 12.1. Rename the existing Divisions into groups and delete Division 4B.6.:

DIV. 4B.1. DEVELOPMENT STANDARDS DISTRICT-4 → DIV. 4B.1. DEVELOPMENT STANDARDS DISTRICTS GROUP "A"
 DIV. 4B.2. DEVELOPMENT STANDARDS DISTRICT-2 → DIV. 4B.2. DEVELOPMENT STANDARDS DISTRICTS GROUP "B"
 DIV. 4B.3. DEVELOPMENT STANDARDS DISTRICT-3 → DIV. 4B.3. DEVELOPMENT STANDARDS DISTRICTS GROUP "C"
 DIV. 4B.4. DEVELOPMENT STANDARDS DISTRICT-4 → DIV. 4B.4. DEVELOPMENT STANDARDS DISTRICTS GROUP "D"
 DIV. 4B.5. DEVELOPMENT STANDARDS DISTRICT-5 → DIV. 4B.5. DEVELOPMENT STANDARDS DISTRICTS GROUP "E"
~~DIV. 4B.6. DEVELOPMENT STANDARDS DISTRICT-6~~

- 12.2. Consolidate existing Section content into new Sections as follows and delete the existing Sections:

SEC. 4B.5.1. INTENT	→	<u>SEC. 4B.2.2. DEVELOPMENT STANDARDS DISTRICT 5</u>
SEC. 4B.5.2. STANDARDS		
SEC. 4B.6.1. INTENT	→	<u>SEC. 4B.4.1. DEVELOPMENT STANDARDS DISTRICT 6</u>
SEC. 4B.6.2. STANDARDS		

- 12.3. Add new Sections as follows:

SEC. 4B.1.1. DEVELOPMENT STANDARDS DISTRICT 1
[Reserved]
SEC. 4B.1.2. DEVELOPMENT STANDARDS DISTRICT 2
[Reserved]
SEC. 4B.1.3. DEVELOPMENT STANDARDS DISTRICT 3
[Reserved]
SEC. 4B.2.1. DEVELOPMENT STANDARDS DISTRICT 4
[Reserved]

- 12.4. Add new Subsections to the newly organized Sections with existing content; Sec. 4B.2.2. (Development Standards District 5) and Sec. 4B.4.1. (Development Standards District 6) :

A. Intent
B. Standards

- 12.5. Add missing standards Divisions headers from Part 4C and add new paragraph numbering to Subsection B. (Standards) headers of the newly organized Sections; Sec. 4B.2.2. (Development Standards District 5) and Sec. 4B.4.1. (Development Standards District 6). This revision is intended to also consistently show all rules in a district to support anticipated updates with forthcoming Community Plan Updates:

PEDESTRIAN ACCESS → 1. PEDESTRIAN ACCESS

AUTOMOBILE ACCESS	→	<u>2. AUTOMOBILE ACCESS</u>
		<u>3. BICYCLE PARKING</u>
AUTOMOBILE PARKING	→	<u>4. AUTOMOBILE PARKING</u>
		<u>5. TRANSPORTATION DEMAND MANAGEMENT</u>
		<u>6. PLANTS</u>
		<u>7. FENCES & WALLS</u>
		<u>8. SCREENING</u>
		<u>9. GRADING & RETAINING WALLS</u>
		<u>10. OUTDOOR LIGHTING & GLARE</u>
SIGNS	→	<u>11. SIGNS</u>
		<u>12. SITE ELEMENTS</u>
		<u>13. ENVIRONMENTAL PROTECTION</u>
DEVELOPMENT REVIEW	→	<u>14. DEVELOPMENT REVIEW</u>
		<u>15. RESIDENT PROTECTIONS</u>

- 12.6. Add Division citations to the new division standard categories and add new language "Division standards apply" to standards without package options or where clarity is required and delete text for the general note at the end of the district table in the newly organized Subsection B. (Standards) tables of the newly organized Sections; Sec. 4B.2.2. (Development Standards District 5) and Sec. 4B.4.1. (Development Standards District 6). See **Exhibit "D"** for the publication proposal that contains the integration of new text and existing text in relation to all other restructuring proposed pursuant to this item:

1. PEDESTRIAN ACCESS	Div. 4C.1.
2. AUTOMOBILE ACCESS	Div. 4C.2.
3. BICYCLE PARKING	<u>Div. 4C.3.</u>
<u>Division standards apply</u>	
4. AUTOMOBILE PARKING	Div. 4C.4.
<u>Division standards apply</u>	
5. TRANSPORTATION DEMAND MANAGEMENT	<u>Div. 4C.5.</u>
<u>Division standards apply</u>	

6. PLANTS	<u>Div. 4C.6.</u>
<u>Division standards apply</u>	
7. FENCES & WALLS	<u>Div. 4C.7.</u>
<u>Division standards apply</u>	
8. SCREENING	<u>Div. 4C.8.</u>
<u>Division standards apply</u>	
9. GRADING & RETAINING WALLS	<u>Div. 4C.9.</u>
<u>Division standards apply</u>	
10. OUTDOOR LIGHTING & GLARE	<u>Div. 4C.10.</u>
<u>Division standards apply</u>	
11. SIGNS	<u>Div. 4C.11.</u>
12. SITE ELEMENTS	<u>Div. 4C.12.</u>
<u>Division standards apply</u>	
13. ENVIRONMENTAL PROTECTION	<u>Div. 4C.13.</u>
<u>Division standards apply</u>	
14. DEVELOPMENT REVIEW	<u>Div. 4C.14.</u>
15. RESIDENT PROTECTIONS	<u>Div. 4C.15.</u>
<u>Division standards apply</u>	
See also Part 4C. (Development Standards Rules) for general development standards that apply to all Development Standards Districts.	

- 12.7. Related to the restructure in this item perform a CITATION CORRECTION in Article 14. (General Rules), Sec. 14.2.7.A.3. (Development Standards District 5): Development Standards District 5 (~~Div. 4B.5.~~) → Development Standards District 5 (Sec. 4B.2.2.)
- 12.8. Related to the restructure in this item update the Development Standards District Example Graphic in Sec. 4A.1.2. (How to Use Article 4. (Development Standards)) with that in paragraph 2 of **Exhibit "E"**.

Item 13. **STYLE & FORMATTING (CF: 22-0617)** | Article 4. (Development Standards); Sec. 4C.11.6.C.1. (Awning Sign), Sec. 4C.11.6.C.2. (High-Rise Sign 1), Sec. 4C.11.6.C.3. (High-Rise Sign 2), Sec. 4C.11.6.C.4. (Illuminated Canopy Sign), Sec. 4C.11.6.C.5. (Marquee Sign), Sec. 4C.11.6.C.6. (Monument Sign), Sec. 4C.11.6.C.7. (Pedestrian Sign), Sec. 4C.11.6.C.8. (Pole Sign), Sec. 4C.11.6.C.9. (Projecting Sign), Sec. 4C.11.6.C.10. (Roof Sign), Sec. 4C.11.6.C.12. (Wall Sign), Sec. 4C.11.6.C.13. (Window Sign), Sec. 4C.11.6.C.14. (Yard Sign):

13.1. Titlecase Subparagraph numbering:

~~A.~~ → a.

~~B.~~ → b.

~~C.~~ → c.

~~D.~~ → d.

Item 14. **STYLE & FORMATTING (CF: 22-0617)** | Article 4. (Development Standards), Sec. 4C.11.6.C.11. (Roof Sign: Open Panel):

14.1. Titlecase Subparagraph numbering:

~~A.~~ → a.

~~B.~~ → b.

~~C.~~ → c.

~~D.~~ → d.

~~E.~~ → e.

Article 5. (Use)

Item 15. **STYLE & FORMATTING (CF: 22-0617)** | Article 5. (Use); Sec. 5B.1.1. Open Space 1 (OS1), Sec. 5B.2.1. Agricultural 1 (A1), Sec. 5B.3.1. Residential 1 (RG1), Sec. 5B.4.1. Residential-Mixed 1 (RX1), Sec. 5B.5.1. Commercial-Mixed 1 (CX1), Sec. 5B.5.2. Commercial-Mixed 2 (CX2), Sec. 5B.5.3. Commercial-Mixed 3 (CX3), Sec. 5B.5.4. Commercial-Mixed 4 (CX4), Sec. 5B.6.1. Industrial-Mixed 1 (IX1), Sec. 5B.6.2. Industrial-Mixed 2 (IX2), Sec. 5B.6.3. Industrial-Mixed 3 (IX3), Sec. 5B.6.4. Industrial-Mixed 4 (IX4), Sec. 5B.7.1. Industrial 1 (I1), Sec. 5B.7.2. Industrial 2 (I2), Sec. 5B.8.1. Public 1 (P1), Sec. 5B.8.2. Public 2 (P2):

15.1. Add Paragraph numbering to use category headers in Subsection B. (Allowed Uses & Use Limitations):

RESIDENTIAL → 1. RESIDENTIAL

PUBLIC & INSTITUTIONAL → 2. PUBLIC & INSTITUTIONAL

OPEN SPACE & RECREATION → 3. OPEN SPACE & RECREATION

TRANSPORTATION → 4. TRANSPORTATION

GENERAL COMMERCIAL → 5. GENERAL COMMERCIAL

HEAVY COMMERCIAL → 6. HEAVY COMMERCIAL

LIGHT INDUSTRIAL	→	<u>7.</u> LIGHT INDUSTRIAL
HEAVY INDUSTRIAL	→	<u>8.</u> HEAVY INDUSTRIAL
AGRICULTURAL	→	<u>9.</u> AGRICULTURAL

Item 16. **TYPOGRAPHICAL ERROR (CF: 22-0617) | Article 5. (Use), Part 5B. (Use Districts):**
 The draft of the New Zoning Code recommended for approval by City Planning Commission in September of 2021 (CPC Recommendation Draft), specified that in the RG1, IX2, IX3, IX4, and I2 Use Districts that the Heliport Use was allowed with a "C2*" permission with an applied use standard limiting the use to being allowed incidentally to other uses. In subsequent drafts, the use standard was left off of the Heliport use and incorrectly added to the Freight Transfer Facility Use. In the New Zoning Code, when a use includes a Use Standard, this is indicated by the asterisk (*) on the permission pursuant to Sec. 5A3.3. (Use Standard Applies (*)). The Heliport use of "CU2*" clearly indicates that there should be a use standard, while the Freight Transfer Facility permission does not include any indication of a use standard. Correct this error by applying the "Accessory to: other allowed use" use standard in the Use Districts listed in paragraph 16.1 and 16.2, below.

- 16.1. Amend Subsection B. (Allowed Uses & Use Limitations) of Sec. 5B.3.1. (Residential 1 (RG1)), Sec. 5B.4.1. (Residential-Mixed 1 (RX1)), Sec. 5B.6.2. (Industrial-Mixed 2 (IX2)), Sec. 5B.6.3. (Industrial-Mixed 3 (IX3)), and Sec. 5B.6.4. (Industrial-Mixed 4 (IX4)) to read:

Freight Transfer Facility	–	Accessory to:	Other allowed use
Heliport	CU2*	<u>Accessory to:</u>	<u>Other allowed use</u>

- 16.2. Amend Subsection B. (Allowed Uses & Use Limitations) of Sec. 5B.7.2. (Industrial 2 (I2)) to read:

Freight Transfer Facility	CU3	Accessory to:	Other allowed use
Heliport	CU2*	<u>Accessory to:</u>	<u>Other allowed use</u>

Item 17. **IMPLEMENTATION CORRECTIONS & TYPOGRAPHICAL ERRORS (CF: 22-0617) | Article 5. (Use), Part 5B. (Use Districts):**

The following items include corrections to typographical errors such as incorrect citation references, and implementation corrections to consistently reference applicable supplemental standards within the Use District tables for clarity in

implementation.

- 17.1. Sec. 5C.2.4.A. (Animal Services: General) includes a supplemental standard which is intended to apply wherever the Animal Services: General use is allowed. However, several Use Districts do not provide the link within the Use District tables (Part 5B.) to the supplemental standard. Correct this error with the amendments below for clarity of implementation of the supplemental standard:

- 17.1.1. Amend Animal Services: General in Sec. 5B.4.1. (Residential-Mixed 1 (RX1)) to read:

Use	Permission	Use Standard	Specification
Animal Services:			
General	P*	General Commercial Use Category Standards apply, as listed above	
		<u>Supplemental standards:</u>	<u>Sec. 5C.2.4.A.1.</u>

- 17.1.2. Amend Animal Services: General in Sec. 5B.5.1. (Commercial-Mixed 1 (CX1)) and Sec. 5B.5.2. (Commercial-Mixed 2 (CX2)) to read:

Use	Permission	Use Standard	Specification
Animal Services:			
General	P*	General Commercial Use Category Standards apply, as listed above	
		Enclosure	Indoors
		<u>Supplemental standards:</u>	<u>Sec. 5C.2.4.A.1.</u>

- 17.1.3. Amend Animal Services: General in Sec. 5B.5.3. (Commercial-Mixed 3 (CX3)) and Sec. 5B.5.4. (Commercial-Mixed 4 (CX4)) to read:

Use	Permission	Use Standard	Specification
Animal Services:			
General	P*	Enclosure	Indoors

		<u>Supplemental standards:</u>	<u>Sec. 5C.2.4.A.1.</u>
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- 17.2. The Lodging use has supplementing findings located in Sec. 5C.2.4.C.1. (Supplemental Findings), however several Use Districts (Part 5B.) point incorrectly to the supplemental standards for the Eating & Drinking: All use located in Sec. 5C.2.4.B.1. (Supplemental Standards). Correct this error by updating the specification for the supplemental findings as in the table below. Further, the lodging use refers to “project exceptions” while the terminology in the supporting use standard is “project category exception” per Sec. 5C.1.12. (Project Category Exceptions), and the lodging unit 25% maximum specification should be located under the specification for the intensification threshold for consistency with the description of the standard in Sec. 5C.1.12. (Project Category Exceptions). In [Planning’s Supplemental Report to Council](#), on page 36 and 37, the report included an optional change for City Council’s consideration with the stated intent: “Should the City Council wish to exempt projects which increase the number of Lodging Units by less than 25 percent from the Class 3 CUP process and instead allow these projects by-right, the following modifications are recommended.” For the purposes of clarity in the implementation of the lodging rules with City Council’s intent, add “CU3” to the project category exception to make clear that the exception is to the CU3 process for projects increasing the number of Lodging Units by less than 25 percent.

Amend General Commercial: Lodging in the following Sections, Sec. 5B.5.1. (Commercial-Mixed 1 (CX1)), Sec. 5B.5.2. (Commercial-Mixed 2 (CX2)), Sec. 5B.5.3. (Commercial-Mixed 3 (CX3)), Sec. 5B.5.4. (Commercial-Mixed 4 (CX4)), and Sec. 5B.6.4. (Industrial-Mixed 4 (IX4)), to read:

Use	Permission	Use Standard	Specification
Lodging	CU3*	Supplemental findings:	Sec. 5C.2.4. C . B .1.
		Project <u>category</u> exceptions:	<u>CU3</u>
		Intensification of use	Exempt
		Intensification threshold	<u>Lodging units:</u> <u>25% max</u>
		— Lodging units	25% max

17.3. Sec. 5C.2.4.F. (Retail: Pet Shop) includes a supplemental standard which is intended to apply wherever the Pet Shop use is allowed. However, several Use Districts do not provide the link within the Use District tables (Part 5B.) to the supplemental standard. Correct this error with the amendments below to the "Retail: Pet Shop" use for clarity of implementation of the supplemental standard:

17.3.1. Sec. 5B.5.1. (Commercial-Mixed 1 (CX1)) and Sec. 5B.5.2. (Commercial-Mixed 2 (CX2)):

Use	Permission	Use Standard	Specification
Pet Shop	P*	General Commercial Use Category Standards apply, as listed above	
		<u>Supplemental standards</u>	<u>Sec. 5C.2.4.F.1.</u>

17.3.2. Sec. 5B.5.3. (Commercial-Mixed 3 (CX3)), Sec. 5B.5.4. (Commercial-Mixed 4 (CX4)), Sec. 5B.6.1. (Industrial-Mixed 1 (IX1)), Sec. 5B.6.2. (Industrial-Mixed 2 (IX2)), Sec. 5B.6.3. (Industrial-Mixed 3 (IX3)), and Sec. 5B.6.4. (Industrial-Mixed 4 (IX4)):

Use	Permission	Use Standard	Specification
Pet Shop	P*	<u>Supplemental standards</u>	<u>Sec. 5C.2.4.F.1.</u>

17.3.3. Sec. 5B.7.1. (Industrial 1 (I1)) and Sec. 5B.7.2. (Industrial 2 (I2)):

Use	Permission	Use Standard	Specification
Pet Shop	P*	Accessory to:	Wholesale Trade & Warehousing
		Relief	CU1
		<u>Supplemental standards</u>	<u>Sec. 5C.2.4.F.1.</u>

17.4. Sec. 5C.2.5.D. (Motor Vehicle Sales & Rental: All) includes a supplemental standard which is intended to apply wherever any motor vehicle sales & rental

uses are allowed. However, the I1 and I2 Use Districts do not provide the link within the Use District tables (Part 5B.) to the supplemental standard from within the "Motor Vehicle Sales & Rental: Household Moving Truck Rental" use. Correct this error with the amendments below to the "Household Moving Truck Rental" use for clarity of implementation of the supplemental standard:

Sec. 5B.7.1. (Industrial 1 (I1)) and Sec. 5B.7.2. (Industrial 2 (I2)):

Use	Permission	Use Standard	Specification
Household Moving Truck Rental	P*	Screening	
		<i>Frontage screen</i>	F-Screen 3
		<i>Transition screen</i>	T-Screen 1
		<u>Supplemental standards:</u>	<u>Sec. 5C.2.5.D.1.</u>

- 17.5. Sec. 5C.2.7.H.1. (Mineral & Ore Extraction) includes supplemental findings which are incorrectly labeled as supplemental standards. Correct this error with the amendment below:

Sec. 5C.2.7.H. Mineral & Ore Extraction

1. Supplemental Findings ~~Standards~~

- 17.6. Sec. 5B.1.1. (Open Space 1 (OS1)) incorrectly shows supplemental standards as applicable for the Plant Cultivation: Farming use. The farming use is prohibited in this Use District and therefore no supplemental standards should be shown. Correct this error with the amendment below:

Sec. 5B.1.1. (Open Space 1 (OS1))

Use	Permission	Use Standard	Specification
Farming	—	Supplemental standards:	Sec. 5C.2.8.G.1.

- 17.7. The Plant Cultivation: Farming use within Sec. 5B.4.1. (Residential-Mixed 1 (RX1)) incorrectly references Sec. 5C.2.8.H.1., which does not exist. Update the reference to refer to the supplemental standards for Plant: Cultivation: Farming within Sec. 5C.2.8.G.1. (Supplemental Standards).

Sec. 5B.4.1. (Residential-Mixed 1 (RX1))

Use	Permission	Use Standard	Specification
Farming	P*	Supplemental standards:	Sec. 5C.2.8. <u>G.H.1.</u>

Item 18. **IMPLEMENTATION CORRECTION (CF: 22-0617)** | Article 5. (Use), Part 5B. (Use Districts):

The draft of the New Zoning Code recommended for approval by City Planning Commission in September of 2021 (CPC Recommendation Draft), specified that where the “recycling facility: collection” use was permitted, it would be limited to an area maximum ranging from 200’ to 600’, depending on the Use District in order to limit the size that recycling facility collection occupies within a project. The standard was written as “Area (max)” in the Use District tables. During the form & legality process, the “Area (max)” standard from the CPC Recommendation Draft was accidentally conflated with the “Minimum Area” requirement of Sec. 5C.1.3. (In Conjunction With), resulted in the unintended outcome of setting a minimum size for recycling facility collection uses, rather than imposing a maximum size constraint as originally intended. In order to remedy this error, amend the Use District tables where the “recycling facility: collection” use is permitted by removing the minimum area specification from the “In Conjunction With” standard and adding a size maximum instead, consistent with policy expressed in the CPC Recommendation Draft as presented below in items 18.1 to 18.3.

- 18.1. Amend Paragraph 8. (Heavy Industrial) of Subsection B. (Allowed Uses & Use Limitations) of the following Sections: Sec. 5B.2.1. (Agricultural 1)(A1)), Sec. 5B.3.1. (Residential 1) (RG1)), Sec. 5B.4.1. (Residential-Mixed 1 (RX1)) as follows:

Recycling Facility:			
Collection	CU2*	In conjunction with:	Public & institutional use
		Minimum area:	200 SF
		<u>Size, entire use (max):</u>	<u>200 SF</u>
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1

		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.

- 18.2 Amend Sec. 5B.5.1. (Commercial-Mixed 1) (CX1)), Subsection B. (Allowed Uses & Use Limitations), Paragraph 8. (Heavy Industrial) as follows:

Recycling Facility:			
Collection	CU2*	In conjunction with:	Other allowed use
		Minimum area:	200 SF
		<u>Size, entire use (max):</u>	<u>200 SF</u>
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.

- 18.3 Amend Paragraph 8. (Heavy Industrial) of Subsection B. (Allowed Uses & Use Limitations) of the following Sections: Sec. 5B.5.2. (Commercial-Mixed 2 (CX2)), Sec. 5B.5.3. (Commercial-Mixed 3 (CX3)), Sec. 5B.5.4. (Commercial-Mixed 4 (CX4)), Sec. 5B.6.1. (Industrial-Mixed 1 (IX1)), Sec. 5B.6.2. (Industrial-Mixed 2 (IX2)), Sec. 5B.6.3. (Industrial-Mixed 3 (IX3)), Sec. 5B.6.4. (Industrial-Mixed 4 (IX4)) as follows:

Recycling Facility:			
		In conjunction with:	Other allowed use
		Minimum area:	600 SF

Collection	CU2*	Size, entire use (max):	600 SF
		Enclosure	Covered and enclosed
		Screening	
		Outdoor storage screening	S-Screen 1
		Hours of operation (open/close)	7AM / 7PM
		Supplemental standards:	Sec. 5C.2.7.D.1.

Item 19. **IMPLEMENTATION CORRECTION (CF: 22-0617) | Article 5. (Use); Div. 5C.2. (Supplemental Use Standards & Findings):**

- 19.1. Amend Div. 5C.2. (Supplemental Use Standards & Findings by adding introductory text providing an overview of Supplemental Use Standards and Findings to provide clarity in implementation as follows:

DIV. 5C.2. SUPPLEMENTAL USE STANDARDS, PROCEDURES, & FINDINGS

Supplemental use standards are development and operational regulations that apply only to the specified use. Supplemental use standards are unique for each use and, unless specific project activities are listed, apply to any project affecting the subject use. See the Use District for applicable supplemental use standards. When a supplemental use standard for a specified use does not apply the Use District will indicate “Not required” for that specified use.

Supplemental procedures are modifications of existing procedures from Sec. 13B. (Processes & Procedures) that apply to the approval of a specified use or allowed relief from the use standards when indicated in the applied Use District. When supplemental procedures for a specified use do not apply, the Use District will indicate “Not required” for that specified use.

Supplemental use findings are additional findings or requirements that apply to the conditional use process for specified uses when indicated by the applied Use District. When applicable, supplemental use findings are unique for each use. See the Use District for applicable supplemental use findings. When supplemental use findings for a specified use with a conditional use process does not apply, the Use District will indicate “Not required” for that specified use.

19.2. Section 5C.2.5.A. (Motor Vehicle Services: Light, Heavy, & Large Vehicle)

The standard in Sec. 5C.2.5.A. (Motor Vehicle Services: Light, Heavy, & Large Vehicle) is currently ambiguous in terms of when it applies. The standard can require significant physical changes to a building in order to accordingly locate motor vehicle access entrances and exits, and therefore in order to implement the standard effectively, it is necessary to specify which project activities require conformance. The proposed edit below specifies that the standard within Sec. 5C.2.5.A.1.a. specific to bay door placement would only be triggered for new construction involving new floor area or a major remodel, which are the project activities that involve significant modifications to the built form of the building and have the appropriate nexus between the project activity and standard required. Specify the applicability of the standard through the amendment below.

A. Motor Vehicle Services: Light, Heavy, & Large Vehicle

1. Supplemental Standards

- a. For new construction involving new floor area or a major remodel. ~~b. Bay doors and other building entrances and exits designed and intended for motor vehicle access shall not be frontage lot line-facing. shall meet the following standards:~~
 - ~~1. Shall remain closed except during the allowed hours of operation, and~~
 - ~~2. Shall not face any frontage lot line.~~
- b. Bay doors and other building entrances and exits designed and intended for motor vehicle access shall remain closed except during the allowed hours of operation.
- c. New ~~an~~-off-street freight loading areas shall be in compliance with development standard requirements for freight loading areas pursuant to Sec. 4C.2.2.C.2. (Freight Loading Areas). ~~shall be provided to adequately accommodate all loading, unloading, and any other activities requiring the use of commercial vehicles for transportation.~~
- d. All client vehicles being serviced by motor vehicle services use shall be stored on-site.
- e. An annual site inspection shall be conducted by LADBS, pursuant to Sec. 13B.10.4. (Annual Inspection Monitoring (Type 2)).

19.3. Section 5C.2.5.B. (Motor Vehicle Services: Car Wash)

Supplemental Standard pertaining to bay doors and other building entrances requires clarifying language regarding which project activities trigger the Supplemental Standard. Amend Sec. 5C.2.5.B. to 1) limit the applicability of the standard to new construction or major remodels, utilizing the same rationale as in 19.2 above.

B. Motor Vehicle Services: Car Wash

1. Supplemental Standards

For new construction involving new floor area or a major remodel, bay doors and other building entrances and exits designed and intended for motor vehicles shall not face any residential use or school unless the residential use or school is located more than 100 feet from the car wash facility.

Item 20. **IMPLEMENTATION CORRECTION (CF: 22-0617) | Article 5. (Use), Sec. 5C.3.1. (Inclusionary Housing Program)**

- 20.1. Relocate the applicability threshold of the Inclusionary Housing Project of 10 or more dwelling units from Section 5C.3.1.A. (Intent) into its appropriate location in Sec. 5C.3.1.B.(Applicability) and, 2) Clarify that projects involving the construction of fewer than 10 dwelling units are permitted with the following amendments.

A. Intent

The Inclusionary Housing Program is intended to ensure the development of housing that is affordable to a range of households at all income levels by requiring that a portion of all projects involving the construction of ~~10 or more~~ dwelling units, referred to in this Section (Inclusionary Housing Program) as an inclusionary housing project, pursuant to this program includes restricted affordable units. When implemented, this program will help to increase the availability of dwelling units at all income levels, and help the City meet its share of regional housing needs in a manner that is consistent with the General Plan and other City policies related to housing.

B. Applicability

1. The requirements of this Section (Inclusionary Housing Program) apply to a project involving new construction, a major remodel, a use modification, or a renovation, that will result in 10 or more new dwelling units on a lot included on the Inclusionary Housing Map, as established in Sec. 1.5.10. (Inclusionary Housing Map), and as outlined in the Subsections below.

2. The requirements of this Section (Inclusionary Housing Program) do not apply to a project involving new construction, a major remodel, a use modification, or a renovation, that will result in 9 or fewer dwelling units. These projects are considered permitted if the applied Use District specifies the use permission level of "S" or "S*" for the dwelling use, but may be subject to additional use standards as established in the applied Use District (Part 5B.).

~~2-3.~~ Lots that have not been designated on the Inclusionary Housing Map shall

not be subject to the requirements of this Section (Inclusionary Housing Program).

~~3-4.~~ An adaptive reuse project in accordance with Sec. 9.4.5. (Downtown Adaptive Reuse Program) or Sec. 9.4.6. (Citywide Adaptive Reuse Program) shall not be subject to the requirements of this Section (Inclusionary Housing Program).

~~4-5.~~ A project subject to this Section (Inclusionary Housing Program) shall be referred to as an inclusionary housing project.

Item 21. **IMPLEMENTATION CORRECTION (CF: 22-0617) | Article 5. (Use), Sec. 5C.3.1.E.1. (Restricted Affordable Unit Covenants):**

- 21.1. Copies of recorded covenant and agreements provided to the Department of Building and Safety and Department of City Planning is unnecessary because the Los Angeles Housing Department is already required to verify covenant and agreement acceptability for these projects prior to permit issuance. Amend Sec. 5C.3.1.E.1. (Restricted Affordable Unit Covenants) as follows:

1. Restricted Affordable Unit Covenants

For any inclusionary housing project that contains restricted affordable units, a covenant acceptable to the Los Angeles Housing Department must be recorded with the Los Angeles County Recorder, guaranteeing that the affordability criteria will be observed for at least 99 years, except as established in Subparagraph a., Subparagraph b., and Subparagraph c. below, from the issuance of the Certificate of Occupancy or a longer period of time if required by the construction or mortgage financing assistance program, mortgage assistance program, or rental subsidy program. ~~A copy of the covenant shall be filed with the Department of City Planning and the Department of Building and Safety.~~ The following are exempt from the 99 year covenant length:

Item 22. **IMPLEMENTATION CORRECTION (CF: 22-0617) | Article 5. (Use); Sec. 5C.3.3. (Alcohol Sales Program)**

- 22.1. Sec. 5C.3.3.C (Alcohol Permission Area Standards)

Performance Standard number 8. (Alcohol License Type) requires a type 41 & 47 license, which are ABC licenses that involve restaurants or the service of food. This would preclude bars, which is contrary to the intent of the Restaurant & Bar Nightlife Area, which is intended to allow bars or restaurants, as is evident in the

name of the area and the Map approved in Sec. 1.5.9. (Alcohol Permission Area Map). This change would clarify Performance Standard number 8. (Alcohol License Type) is “Not Applicable” under Restaurant & Bar Nightlife Areas. This change would not limit license types 41 & 47 for restaurants and bars to operate within Restaurant & Bar Nightlife Areas.

Add “Not” to Performance Standard number 8. under Restaurant & Bar Nightlife Area:

Alcohol Sales Standard Applicability				
Alcohol Permission Areas	Alcohol Sensitive Sales Area	Limited Restaurant Beverage Area	Restaurant Beverage Area	Restaurant & Bar Nightlife Area
Performance Standards (see Subsection D.)				
8.Alcohol License Type	Applicable	Applicable	Applicable	<u>Not</u> Applicable

22.2. Sec. 5C.3.3.G.6. (Outdoor Dining Area Administrative Alcohol Authorization)

The Permanent Al Fresco Ordinance (CF No. 20-1074-S4) was incorporated into the New Zoning Code during form & legality as described starting on page 10 of [City Planning’s Supplemental Report for the Downtown Los Angeles Community Plan And the New Zoning Code](#) (Planning’s Supplemental Report to Council) as posted to Council File 22-0617 on November 6, 2024. The report noted any policy changes in how the ordinance would operate in the New Zoning Code in a separate Section for Council’s consideration. However, in the New Zoning Code, “restaurant” is defined as, “An eating & drinking establishment that provides a dining environment where customers are seated and served made-to-order meals prepared in a *full-service kitchen* on-site” (emphasis added). In the Original Zoning Code (Chapter I of the LAMC), the term restaurant is not defined. Furthermore, the Permanent Al Fresco Ordinance allows the streamlined authorization process to be used by an “outdoor dining area [that] is used for the service and consumption of *food and drinks* by the patrons of the restaurant” (emphasis added). The key difference between the Original Zoning Code and the New Zoning Code is that the Original Zoning Code does not require an establishment to have a full-service kitchen in order for it to utilize the incentives and the streamlined approval procedure of the Ordinance. It merely requires food and drinks to be served for the patrons of the restaurant. This difference has resulted in an unintended policy difference in the Al Fresco Ordinance in the New Zoning Code and an unintended consequence of inadvertently making establishments

without a full-service kitchen, such as small cafes or bars, that still serve food for sale from a menu are ineligible to use the Outdoor Dining Area Administrative Alcohol Authorization in Chapter 1A. Instead of limiting alcohol service for the Outdoor dining Area Administrative Alcohol Authorization to being “in conjunction with a restaurant,” as currently drafted within Sec. 5C.3.3.G.6.a. (Eligibility Criteria & Standards), a more accurate translation from the original AI Fresco ordinance would be to require that the alcohol service be provided in conjunction with an eating & drinking use, which is defined as, “the sale of prepared, ready-to-consume meals or drinks for consumption by the public.” Amend Sec. 5C.3.3.G.6.a. (Eligibility Criteria & Standards) as shown below in order to more accurately carry over the standards of the original AI Fresco Ordinance.

[Planning's Supplemental Report to Council](#) clearly described on pages 37 and 38 that the intent of excluding establishments from within the Restaurant & Bar Nightlife Area from the Outdoor Dining Area Administrative Alcohol Authorization was to avoid imposing additional restrictions on alcohol sales within the area. However, in practice, by excluding establishments within the Restaurant & Bar Nightlife Area from the Outdoor Dining Area Administrative Alcohol Authorization, these establishments effectively are required to go through a more lengthy and costly review process than would otherwise be required in order to offer alcohol service in an outdoor dining area. Amend Sec. 5C.3.3.G.6.a.i. as shown below in order to remove this exclusion.

a. Eligibility Criteria & Standards

On-site Alcohol service provided in conjunction with an *eating & drinking use* restaurant involving the sale of food for on-site consumption may be provided in an outdoor dining area on private property and/or in the public right-of-way through an administrative alcohol authorization, pursuant to Sec. 13B.3.1. (Administrative Review), provided the establishment meets all of the following eligibility criteria and standards:

- i. The establishment is not located on a lot identified as being within an Alcohol Sensitive Sales Area ~~or a Restaurant & Bar Nightlife Area.~~

22.3. Sec. 5C.3.3.H.2. (Covenant & Agreement)

Per item 19.2. above, the Permanent AI Fresco Ordinance (CF No. 20-1074-S4) was incorporated into the New Zoning Code with the only substantive policy changes between the Original Zoning Code and New Zoning Code versions being those noted for Council's consideration in [Planning's Supplemental Report to Council](#). However, as currently drafted, Sec. 5C.3.3.H.2. (Covenant & Agreement)

of the New Zoning Code requires a covenant for projects utilizing the Outdoor Dining Area Administrative Alcohol Authorization process, which is inconsistent with the process within the Original Zoning Code. Amend Sec. 5C.3.3.H.2. (Covenant & Agreement) as shown below to exclude the Outdoor Dining Area Administrative Alcohol Authorization process from requiring a covenant for consistency with the Original Zoning Code version of the Al Fresco Ordinance.

2. Covenant & Agreement

a. Prior to approval by the Department of City Planning pursuant to Sec. 13.B.3.1. (Administrative Review), or by the Zoning Administrator pursuant to Sec. 13B.2.2. (Class 2 Conditional Use Permit), a Covenant and Agreement acknowledging and agreeing to comply with all applicable performance and security standards or conditions of approval shall be recorded with the Los Angeles County Recorder. The Covenant and Agreement shall run with the land and shall be binding for any subsequent owners, heirs or assigns. After recordation, a certified copy bearing the recorder's number and date shall be provided to the Department of City Planning.

b. This Paragraph (Covenant & Agreement) does not apply to projects authorized pursuant to Sec. 5C.3.3.G.6. (Outdoor Dining Area Administrative Alcohol Authorization).

Item 23. **TYPOGRAPHICAL ERROR (CF: 22-0617)** | Article 5. (Use); Sec. 5A.1.2.C.6. (Relief From Use Standard):

23.1. Update graphics to reflect Paragraph additions in use category headers made pursuant to this resolution as shown in **Exhibit "E"**.

Article 7. (Alternate Typologies)

Item 24. **STYLE & FORMATTING (CF: 22-0617)** | Article 7. (Alternate Typologies); Sec. 7B.1.1. (Civic Institution 1):

24.1. Add Subparagraph numbering to the table titles in Subsection D. (Form Standards), Paragraph 1. (Lot Parameters):

LOT SIZE	→	<u>a.</u> LOT SIZE
COVERAGE	→	<u>b.</u> COVERAGE
AMENITY	→	<u>c.</u> AMENITY

- 24.2. Add Subparagraph numbering to the table titles in Subsection D. (Form Standards), Paragraph 2. (Bulk and Mass) and properly hyphenate:
 HEIGHT & FAR → a. HEIGHT & FAR
 UPPER STORY BULK → b. UPPER-STORY BULK
 BUILDING MASS → c. BUILDING MASS
- 24.3. Add Subparagraph numbering to the table titles in Subsection E. (Frontage Standards), Paragraph 1. (Site):
 BUILD-TO → a. BUILD-TO
 PARKING → b. PARKING
 LANDSCAPE → c. LANDSCAPE
- 24.4. Add Subparagraph numbering to the table titles in Subsection E. (Frontage Standards), Paragraph 2. (Facade):
 TRANSPARENCY → a. TRANSPARENCY
 ENTRANCES → b. ENTRANCES
 GROUND STORY → c. GROUND STORY

Item 25. **TYPOGRAPHICAL ERROR (CF: 22-0617)** | Article 7. (Alternate Typologies); Sec. 7A.1.2.C. (Interpret Standards):

- 25.1. Update graphic to reflect Subparagraph additions in district tables made pursuant to this resolution as shown in **Exhibit "E"**.

Article 8. (Supplemental & Special Zoning)

Item 26. **TYPOGRAPHICAL ERROR (CF: 22-0617)** | Article 8. (Supplemental & Special Zoning); Sec. 8.2.3.D.1. (Establishing a Sign District):

- 26.1. Correct error in referring to the specific plan amendment process for a Sign District. The error is demonstrated because a sign district is not a specific plan and there was no intent shown that Council wanted to change the process from Chapter 1 (General Provisions and Zoning), which requires sign districts to be amended through a Zone Change and it is also consistent with the establishment of a sign district through a zone change, in Chapter I., Sec. 13.11.B. (Establishment of Districts):

1. Sign District standards and boundaries are established and amended in accordance with Sec. 13B.1.4. (Zone Change) ~~Sec. 13B.1.2. (Specific Plan Adoption/Amendment)~~, and are represented as part of the third bracket set of the lot's zone string with the acronym "SN."

Item 27. **TYPOGRAPHICAL ERROR (CF: 22-0617)** | Article 8. (Supplemental & Special Zoning); Sec. 8.2.8.D.1. (Establishing a TCN District):

27.1. See rationale for sign districts to TCN districts, which similarly were adopted by Zone Change and are not specific plans, and there is no evidence Council intended to change the process from Chapter I or how the TCN districts were originally adopted.

1. TCN District boundaries and standards shall be established and amended in accordance with Sec. 13B.1.4. (Zone Change) ~~Sec. 13B.1.2. (Specific Plan Adoption/Amendment)~~, and such boundaries and standards are represented as part of the third bracket set of the zoning designation of a lot with the acronym "TCN."

Article 9. (Public Benefit Systems)

Item 28. **STYLE & FORMATTING (CF: 22-0617)** | Article 9. (Public Benefit Systems); Sec. 9.4.5.D.9. (Loading Space) and Sec. 9.4.6.D.9. (Loading Space):

28.1. Correct Subparagraph numbering:

i. → a.

ii. → b.

Article 12. (Nonconformities)

Item 29. **STYLE & FORMATTING (CF: 22-0617)** | Article 12. (Nonconformities); Sec. 12.5.1.F. (Use Permission Exceptions):

29.1. Correct Paragraph numbering:

a. → 1.

b. → 2.

Article 13. (Administration)

Item 30. **CITATION CORRECTION (CF: 22-0617)** | Article 13. (Administration); Sec. 13A.1.3.D.6. (Specific Authority):

30.1. Correct a typographical error to an external citation external to Chapter 1A within this Paragraph as follows:
~~Sec. 555 (General Plan – Purpose and Contents)~~ → Sec. 554 (General Plan – Purpose and Contents)

Item 31. **CITATION CORRECTION (CF: 22-0617)** | Article 13. (Administration); Sec. 13B.2.4.D.5.c. (Decision):

- 31.1. Correct a typographical error to an internal citation of Chapter 1A within this Subparagraph:
~~Sec. 13.2.6. (Transfer of Jurisdiction)~~ → Sec. 13A.2.6. (Transfer of Jurisdiction)

Item 32. **CITATION CORRECTION (CF: 22-0617)** | Article 13. (Administration); Sec. 13B.2.3.I.2.a. (Filing an Application):

- 32.1. Correct a typographical error to an internal citation of Chapter 1A within this Subparagraph:
~~Sec. 13.2.10. (Multiple Approvals)~~ → Sec. 13A.2.10. (Multiple Approvals)

Item 33. **CITATION CORRECTION (CF: 22-0617)** | Article 13. (Administration); Sec. 13A.2.10.C.6. (Advisory Agency):

- 33.1. Correct a typographical error to an internal citation of Chapter 1A within Subparagraph a. (Procedures) and the same typographical error within Sub-subparagraph i. of Subparagraph b. (Appeals):
~~Div. 13B.8. (Division of Land)~~ → Div. 13B.7. (Division of Land)

City Planning recommends City Council approve the resolution and its referenced Exhibits posted to Council File 22-0617 simultaneously with this letter to incorporate the corrections above into Chapter 1A (New Zoning Code) and Chapter I. (General Provisions and Zoning) of the Los Angeles Municipal Code.

Sincerely,



VINCENT P. BERTONI, AICP
Director of Planning