

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Articles 8, 9, and 13 of Chapter 1A of the Los Angeles Municipal Code for the purpose of establishing procedures and performance standards for the administrative approval of one hundred percent affordable housing projects, known as the Affordable Housing Streamlining Program.

**WHEREAS**, there continues to be a lack of affordable housing opportunities within close proximity to well-paying jobs in the City, requiring people to commute long distances to obtain both, and the City of Los Angeles desires to continue its urgent action to address these areas with the terms of this ordinance;

**WHEREAS**, it is a resource commitment by the City to expedite and streamline the regulatory review process for affordable housing developments that elect to participate in this program that reduces the cost of affordable housing developments;

**WHEREAS**, the program aligns with project labor thresholds of State Laws such as Government Code Sections 65913.4 and 65912.157, and Public Resources Code Section 21080.66;

**WHEREAS**, there is a homelessness crisis in the City and affordable housing is part of the City's overall strategy to end the homelessness crisis; and

**WHEREAS**, the City will use this ordinance as a tool to incentivize projects that both create affordable housing, and provide local jobs at income levels that provide a meaningful ability to pay the housing costs found in the City, raise a family, and support the economic vitality of this City's neighborhoods.

**NOW, THEREFORE,**

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

Section. 1. Paragraph 3 of Subsection B of Section 8.1.1 of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

**3. Reconciling Provisions**

In the event that a *Specific Plan* conflicts with any provisions of this Zoning Code (Chapter 1A) or *Supplemental Districts*, the *Specific Plan* shall prevail. In the event that a *Specific Plan* is silent regarding any provisions of this Zoning Code (Chapter 1A) or *Supplemental Districts*, the provisions of the Zoning Code shall apply, except that:

Wherever the provisions of a Specific Plan conflict with process streamlining incentives and other incentives and provisions of Sec. 9.4.8.

*(Affordable Housing Streamlining Program)*, the Affordable Housing Streamlining Program provisions shall prevail. Projects participating in the affordable housing streamlining program established in Sec. 9.4.8. *(Affordable Housing Streamlining Program)* are exempt from design review procedures, pursuant to Sec. 13B.4.3. *(Project Compliance (Design Review Board))*, that would otherwise be required under any Specific Plan.

Sec. 2. Paragraph 2. of Subsection B of Section 8.2.2 of Chapter 1A of the Los Angeles Municipal Code is amended to renumber existing Subparagraphs b. and c. in alphabetic order to follow a new Subparagraph b. that is added to read as follows:

b. Zoning Programs and Policies

Wherever the provisions of a CPIO conflict with provisions of a citywide rule, regulation, or policy of this Zoning Code (Chapter 1A) that is not included in a Zoning District, the provisions of the citywide rule, regulation, or policy will prevail. Such citywide rules, regulations, or policies include: any incentive program established in *Article 9 (Public Benefit Systems)*.

Sec. 3. Paragraph 2. of Subsection B of Section 8.2.5 of Chapter 1A of the Los Angeles Municipal Code is amended to renumber existing Subparagraphs b., c., and d. in alphabetic order to follow a new Subparagraph b. that is added to read as follows:

b. Zoning Programs and Policies

Wherever the provisions of a CDO conflict with provisions of a citywide rule, regulation, or policy of this Zoning Code (Chapter 1A) that is not included in a Zoning District, the provisions of the citywide rule, regulation, or policy will prevail. Such citywide rules, regulations, or policies include: any incentive program established in *Article 9 (Public Benefit Systems)*.

Sec. 4. Paragraph 3. of Subsection B of Section 8.2.7. of Chapter 1A of the Los Angeles Municipal Code is amended to renumber existing Subparagraphs b. and c. in alphabetic order to follow a new Subparagraph b. that is added to read as follows:

b. Zoning Programs and Policies

Wherever the provisions of a Conservation District conflict with provisions of a citywide rule, regulation, or policy of this Zoning Code (Chapter 1A) that is not included in a Zoning District, the provisions of the citywide rule, regulation, or policy will prevail. Such citywide rules, regulations, or policies include: any incentive program established in *Article 9 (Public Benefit Systems)*.

Sec. 5. Paragraph 3. of Subsection B of Section 8.3.1. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

3. Reconciling Provisions

Special Zones shall contain self-contained zoning regulations, within this *Division (Special Zones)* or through a Specific Plan, which may include references to apply other provisions of this Zoning Code (Chapter 1A). Special Zones shall utilize the defined terms and regulations within this Zoning Code (Chapter 1A), but may replace them as needed. In the event that the provisions of a Special Zone or its corresponding Specific Plan conflict with any other provision of this Zoning Code (Chapter 1A), the provisions of the Special Zone or its corresponding Specific Plan shall prevail.

Wherever the provisions of a *Special Zone* conflict with process streamlining incentives and other incentives and provisions of Sec. 9.4.8. (*Affordable Housing Streamlining Program*), the Affordable Housing Streamlining Program provisions shall prevail. *Projects* participating in the Affordable Housing Streamlining Program established in Sec. 9.4.8. (*Affordable Housing Streamlining Program*) are exempt from additional discretionary review that would otherwise be required under any *Special Zone*.

Sec. 6. A new Section 9.4.8 (Affordable Housing Streamlining Program) of Chapter 1A of the Los Angeles Municipal Code is added to read as follows:

Sec. 9.4.8. AFFORDABLE HOUSING STREAMLINING PROGRAM

A. Purpose

The Affordable Housing Streamlining Program facilitates and incentivizes the construction of housing projects with very high levels of affordability by establishing procedures, objective review criteria, and allowances for ministerial review. The program encourages increased, more rapid, and cost-effective production of 100% affordable housing. The additional purpose of this Sec. 9.4.8. (*Affordable Housing Streamlining 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, relative to the administrative approval of the *one hundred percent affordable housing projects* specified in this *Section (Affordable Housing Streamlining Program)*.

B. Applicability

1. Project Activities

The incentives of the affordable housing streamlining program may be applied to *one hundred percent affordable housing projects* involving the following project activities:

- a. *New construction* for which all new *floor area* meets the eligibility criteria outlined in *Paragraph 1. (Eligibility) of Subsection C. (Program Rules)*, below.
- b. *A use modification, major remodel, or renovation*, including retrofitting for accessibility purposes, 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.

2. Reconciling Provisions

a. Relationship to other Incentive Programs

A Project that meets both the eligibility requirements for the Affordable Housing Streamlining Program and any other incentive program established in *Article 9 (Public Benefit Systems)*, may participate in both incentive programs and receive incentives pursuant to both programs.

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

Wherever the provisions and requirements of the *Affordable Housing Streamlining Program (Sec. 9.4.8.)* conflict with any *Supplemental Districts (Div. 8.2.)*, *Special Zones (Div. 8.3.)*, or *Specific Plans (Div. 8.1.)*, the Affordable Housing Streamlining Program provisions and incentives shall prevail.

c. Relationship to other Zoning Provisions

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

3. Rights under Executive Directive 1 (ED1)

*A one hundred percent affordable housing project* meeting the eligibility criteria for Executive Directive 1 as of the effective date of this *Section (Affordable Housing Streamlining Program)*, and that submits either a preliminary application as authorized by California Government Code Sec. 65941.1, a vesting development plan per Section 13.B.10.1.B.2 of Chapter 1A of this Code, or a City Planning Application for an Executive Directive 1 project to the Department of City Planning, along with any associated submittal fees, prior to the effective date of this *Section (Affordable Housing Streamlining Program)*, is not required to meet the provisions of Paragraph 1. (Eligibility) of Subsection C. (Program Rules), Paragraph 2. (Standards) of Subsection C. (Program Rules), or Paragraph 3. (Determination of Protected Units) of Subsection D. (Administration), to be eligible for approval in accordance with this *Section (Affordable Housing Streamlining Program)*.

C. Program Rules

1. Eligibility

*One hundred percent affordable housing projects* meeting all the following eligibility criteria qualify for participation in the Affordable Housing Streamlining Program, including the streamlining incentives outlined in Paragraph 3. (Incentives), below.

a. Affordability Levels

- i. All *dwelling units* used to qualify for the program and meet program requirements shall meet the criteria of a *one hundred percent affordable housing project*, including the minimum affordability levels, rent schedules, and the affordability term length. These affordability requirements also apply to any new *accessory dwelling units* on the *lot*, or any *dwelling units* resulting from the conversion of existing *floor area* in a previously approved *one hundred percent affordable housing project*, from any other use to a *dwelling* use.
- ii. The affordable rents for at least 20 percent of all *restricted affordable units* in the project shall be set per California Health and Safety Code Section 50053, and affordable rents for the remaining units shall be set at an amount consistent with the maximum rent levels 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. Zoning

- i. The *one hundred percent affordable housing project* is located on a *lot* that does not have an applied 1L Density District, or N Density District on any portion of the *lot*. If the *one hundred percent affordable housing project* is located on a *lot* that is in whole or in part limited by an applicable *Specific Plan* or *Special Zone*, each *parcel* included in the project *lot* allows for more than one *household dwelling unit*.
- ii. The *one hundred percent affordable housing project* is located on a *lot* that has an applied *Density District (Part 6B.)* that allows for the construction of five or more total *dwelling units* on the project *lot*, prior to the grant of any density bonus or the application of a bonus statute or ordinance provision through participation in an incentive program established in *Article 9 (Public Benefit Systems)*.
- iii. The *one hundred percent affordable housing project* is not located in the *Coastal Zone*, as established in *Sec. 1.5.7. (Coastal Zone Map)*, and is not subject to a coastal development permit, pursuant to *Div. 13B.9. (Coastal Development)* of Chapter 1A of this Code.

c. Exceptions

- i. A *one hundred percent affordable housing project* that is located on any *parcel* included in a project *lot* within a Historic Preservation Overlay Zone, or is located on a project *lot* with a *designated historic resource*, is not eligible for participation in the Affordable Housing Streamlining Program.
- ii. A *one hundred percent affordable housing project* that is located on a *parcel* included in a project *lot* with a *surveyed historic resource* identified for protection or special consideration or review by an applicable CPIO, CDO, or Specific Plan is not eligible for participation in the Affordable Housing Streamlining Program.

- iii. *A one hundred percent affordable housing project on a lot located both within the Very High Fire Hazard Severity Zone and on the Hillside Area Map, pursuant to Sec. 1.5.6. (Hillside Area Map) is not eligible for participation in the Affordable Housing Streamlining Program.*
- iv. *A one hundred percent affordable housing project on a lot that is subject to Chapter XV., Article 1. (Rent Stabilization Ordinance) of this Code, and that contains a total of twelve or more dwelling units that were occupied by tenants in the 5-year period preceding the project application is not eligible for participation in the Affordable Housing Streamlining Program.*
- v. *A one hundred percent affordable housing project for which the applicant requests relief from a standard or requirement via a quasi-judicial relief process established in Div. 13B.5. (Quasi-Judicial Relief) is not eligible for participation in the Affordable Housing Streamlining Program. Relief from a standard or requirement that is requested as an allowable density bonus, incentive, or waiver, pursuant to Sec. 9.4.8.C.3.b. (Development Incentives) below, does not affect eligibility for participation in the Affordable Housing Streamlining Program.*
- vi. *A one hundred percent affordable housing project for which the applicant requests relief from a use standard required for a residential use by the applied Use District (Part 5B.) via a conditional use permit, pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit), Sec. 13B.2.2. (Class 2 Conditional Use Permit), or Sec. 13B.2.3. (Class 3 Conditional Use Permit) is not eligible for the Affordable Housing Streamlining Program. Relief from a use standard required for residential uses that is requested as an allowable density bonus, incentive, or waiver, pursuant to Sec. 9.4.8.C.3.b. (Development Incentives), below, does not affect eligibility for participation in the Affordable Housing Streamlining Program.*
- vii. *A one hundred percent affordable housing project for which the applicant requests a waiver or appeal of a dedication and improvement requirement under Div. 10.1. (Street Dedication and Improvement) pursuant to Sec. 10.1.10. (Waiver and Appeals) is not eligible for the Affordable Housing Streamlining Program.*

- viii. *A one hundred percent affordable housing project seeking a deviation from a development standard applied through a Specific Plan or CPIO pursuant to Sec. 13B.4.5. (Project Exception) or Sec. 13B.4.4. (Project Adjustment), is not eligible for the Affordable Housing Streamlining Program.*
- ix. *A one hundred percent affordable housing project that requires any form of legislative action pursuant to Div. 13B.1. (Legislative Action) is not eligible for the Affordable Housing Streamlining Program.*
- x. *A one hundred percent affordable housing project on a lot located on a hazardous waste site that is listed pursuant to California Health and Safety Code, Sec. 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to California Health and Safety Code, Sec. 25356, is not eligible for participation in the Affordable Housing Streamlining Program unless either of the following apply:*
  - a) *The site has an underground storage tank site that received a uniform closure letter issued pursuant to subdivision (g) of Section 25296.10 of the California Health and Safety Code based on closure criteria established by the State Water Resources Control Board for residential use or residential mixed uses. This Section does not alter or change the conditions to remove a site from the list of hazardous waste sites listed pursuant to California Government Code, Sec. 65962.5.*
  - b) *The State Department of Public Health, State Water Resources Control Board, Department of Toxic Substances Control, or a local agency making a determination pursuant to subdivision (c) of Section 25296.10 of the California Health and Safety Code, has otherwise determined that the site is suitable for residential use or residential mixed uses.*
- xi. *A one hundred percent affordable housing project on a lot located where a gas or oil well is or was previously*

identified by the California Geologic Energy Management Division is not eligible for participation in the Affordable Housing Streamlining Program unless:

- a) A Phase I environmental assessment is completed, and a Phase II environmental assessment is completed if warranted, as defined in Section 25403 of the California Health and Safety Code.
- b) A “No Further Action” letter, or some other comparable documentation issued by the appropriate regulatory agency is provided to establish eligibility for this program.

## 2. Standards

*A one hundred percent affordable housing project participating in the Affordable Housing Streamlining Program must meet all the following standards in order to be granted the incentives outlined in Paragraph 3.(Incentives), below.*

### a. Step-Backs

*A one hundred percent affordable housing project located on a lot for which the applied Form District (Part 2B.) does not specify a street step-back requirement, that is seeking to use an incentive to receive a height increase of more than 3 stories or 22 feet beyond the base height allowed by the applied Form District (2B.), and that would result in a project that would exceed the greatest height allowed by the applied Form District (Part 2B.), shall be subject to the following step-back requirements. Where the applied Form District (Part 2B.) does specify a street step-back requirement, the street step-back requirement of the applied Form District (Part 2B.) shall apply.*

#### i. Street Step-Back

*The top story of a project shall have a street step-back with a street step-back depth of 10 feet along all street-facing facades, pursuant to Sec. 2C.6.1. (Street Step-Back). Any portion of a building that is already set back 10 feet or more from a required primary street setback or side street setback shall be exempt from these requirements.*

ii. 10-foot Perimeter Step-Back

For a *project* with a *building width* of 70 feet or greater, the top *story* of the *project* shall have a step-back with a step-back depth of 10 feet along the entire length of all *lot line-facing facades*, measured pursuant to Subsection D (Measurement) of Sec. 2C.6.1. (*Street Step-Back*). A project with a *primary street lot line* or *side street lot line abutting* a street designated as a Boulevard or Avenue, shall be exempt from this 10-foot perimeter step-back requirement. Any portion of a *building* that is already set back 10 feet or more from a required setback shall be exempt from these requirements.

b. Height Transition

- i. A *one hundred percent affordable housing project* that is located on a *lot* for which the applied *Form District (Part 2B.)* does not specify a *district boundary height transition* requirement and that would result in a *project* that would exceed the greatest height allowed by the applied *Form District (Part 2B.)* shall provide a height transition meeting all of the following setback and step-back requirements for all *facades facing any lot line* that *abuts* or *adjoins* a *lot* with an applied Density District (Part 6B) of 1L.

- a) The building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 25 feet above grade at the applicable lot line.

- ii. For a *one hundred percent affordable housing project* located on a *lot* for which the applied *Form District (Part 2B.)* does specify a *street step-back* requirement, the *street step-back* requirement of the applied *Form District (Part 2B.)* shall apply.

c. Occupant Protections

- i. Security Deposit

Returning tenants shall not be required to pay a security deposit greater than one half of their initial monthly rent and shall be permitted to pay any required security

deposit up to 90 days after moving into their replacement unit.

d. Labor Provisions

The project complies with both the following certification and notification requirements below as applicable.

i. Labor Certification

The project applicant certifies that one of the following is true for the project, as applicable:

- a) The entirety of the project is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the California Labor Code.
- b) The project has a project labor agreement. However the labor provisions shall not apply: (1) to a contractor or subcontractor that is subject to a bona fide collective bargaining agreement that covers all construction workers and that provides for the use of apprentices, wage and benefit contributions equal to or greater than the prevailing wage, and a grievance procedure; and (2) where the developer has entered into a pre-hire multi-trade collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project.
- c) The project is over 85 feet in building height, as "building height" is defined (*Building Regulations*), Section 91.202 of this Code and its definitions adopted by reference, and is not in its entirety a public work, and therefore shall be subject to the following: (1) the project sponsor certifies to the lead agency that the work will be subject to a project labor agreement, as the term "project labor agreement" is defined in Section 2500(b)(1) of the California Public Contract Code; and (2) the labor provisions and requirements of this Section (*Affordable Housing Streamlining Program*) may be enforced by a civil action against an employer brought by a joint labor management committee,

and a joint labor management committee may refer ongoing investigations to the Bureau of Contract Administration (BCA) for local enforcement purposes under the purview of the BCA.

- d) The project is no more than 85 feet in building height, as “building height” is defined in *(Building Regulations)*, Section 91.202 of this Code and its definitions adopted by reference, and therefore shall not be subject to the additional labor provisions in this Section *(Affordable Housing Streamlining Program)*.

## ii. Labor Notification

Enforcement will include the Planning Department notifying the Bureau of Contract Administration's Office of Wage Standard of the successful issuance of a project approval through this Section *(Affordable Housing Streamlining Program)*. The Office of Wage Standard will post on its website a list of all One Hundred Percent Affordable Housing Projects subject to the requirements of this Section *(Affordable Housing Streamlining Program)* and expeditiously respond to any complaints associated with labor standards. This will include Bureau of Contract Administration inspectors dedicated to these projects.

## 3. Incentives

### a. Streamlined Review

#### i. Administrative Review Process

*A one hundred percent affordable housing project meeting the eligibility criteria outlined in Paragraph 1 (Eligibility), above, shall be approved pursuant to Sec. 13B.3.2. (Expanded Administrative Review) without a public hearing. However, regardless of otherwise applicable limitations on modifications of action, a project participating in the Affordable Housing Streamlining Program may request modification as provided in Sec. 13B.3.2. (Expanded Administrative Review).*

## ii. Exceptions

- a) Any subdivision request for a *lot* or parcel included in a project shall not be streamlined and shall be subject to all applicable review procedures and laws, including those outlined in *Article 11 (Division of Land)* and *Div. 13B.7 (Division of Land)* of Chapter 1A of this Code.
- b) A *non-residential use* that is not permitted by-right by the applied *Use District (Part 5B.)*, including a *non-residential use* requiring a Class 1 Conditional Use Permit, Class 2 Conditional use Permit, or Class 3 Conditional Use Permit, and including a *non-residential use* that requires discretionary review pursuant to an applicable Special Use Program outlined in Div. 5C.3. (Special Use Programs), shall not be streamlined and shall be subject to the otherwise applicable review procedures.

## iii. Discretionary Review Exemptions

*A one hundred percent affordable housing project* meeting the eligibility criteria outlined in *Paragraph 1. (Eligibility)* of *Subsection C. (Program Rules)* and *Paragraph 2. (Standards)* of *Subsection C. (Program Rules)*, above, shall be ministerially approved pursuant to Sub-subparagraph i. (Administrative Review Process), above, as a “use by right” as this term is defined in California Government Code Sec. 65583.2(i). No City agency shall require a discretionary permit process, but objective standards will be applied. The City shall not exercise any subjective judgment in deciding whether and how to carry out or approve the project. The project shall not be subject to review or approval that would constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the California Public Resources Code. Where an applicable standard requires discretionary review or discretionary action pursuant to *Div. 13B.2. (Quasi-Judicial Review)* or *Div. 13B.4. (Specific Plan Implementation)*, the standard shall instead be reviewed pursuant to *Sub-subparagraph i. (Administrative Review Process)*, above. This exemption from discretionary review includes project review, pursuant to *Sec. 13B.2.4. (Project Review)*; discretionary

review requirements for waivers under an applicable incentive program in *Div. 9.2. (Citywide Housing Incentive Programs)* or *Sec. 9.3.2. (Local Affordable Housing Incentive Program)*; and discretionary review requirements and procedures required by any *Supplemental Districts (Div. 8.2.)*, *Special Zones (Div. 8.3.)*, or *Specific Plans (Div. 8.1.)*, including any design review procedures, pursuant to *Sec. 13B.4.3. (Project Compliance (Design Review Board))*. As outlined in *Paragraph 1. (Eligibility)* above, projects requesting a specific plan project exception pursuant to *Sec. 13B.4.5. (Project Exception)* or *Sec. 13B.4.4. (Project Adjustment)*, are not eligible for the Affordable Housing Streamlining Program and are not exempt from discretionary approval of the project exception or project adjustment.

iv. Noticing, Hearing, & Appeal Exemptions

If the application or related applications for a *one hundred percent affordable housing project* participating in the Affordable Housing Streamlining Program would require noticing, hearing, or appeal pursuant to any otherwise required approval pursuant to the Los Angeles Municipal Code, those procedures shall be superseded by the procedures granted by participation in the Affordable Housing Streamlining Program. All City departments are directed to process all plans for such *one hundred percent affordable housing projects* using the streamlined ministerial review process currently used for projects eligible under California Government Code, Sec. 65913.4.

b. Development Incentives

*A one hundred percent affordable housing project* seeking approval pursuant to the Affordable Housing Streamlining Program may request any otherwise applicable density bonus, incentives, or waivers for which they are eligible, pursuant to *State Density Bonus*, as established in *Sec. 9.2.1. (State Density Bonus Program)* or pursuant to any other applicable incentive program established in *Article 9 (Public Benefit Systems)* that provide such bonuses, incentives, or waivers in exchange for the provision of affordable housing. Notwithstanding the approval processes normally required by *State Density Bonus* or other incentive

programs established in *Article 9 (Public Benefit Systems)*, such requests for additional waivers, incentives, or bonuses shall be reviewed pursuant to *Sec. 13B.3.2. (Expanded Administrative Review)*, subject to the following limitations:

- i. *A one hundred percent affordable housing project seeking approval pursuant to the Affordable Housing Streamlining Program may apply up to five additional incentives beyond the base incentives provided by the incentive program that the project is pursuing. The five allowable incentives may be selected from incentives listed on the menu of additional incentives ("on-menu incentive") in any applicable incentive program established in Div. 9.2. (Citywide Housing Incentive Programs), Sec. 9.3.2. (Local Affordable Housing Incentive Program), and from the additional incentives listed on the menu in an applicable Community Plan Implementation Overlay (CPIO); in addition, incentives not listed on an applicable menu of additional incentives may be obtained as an off-menu request ("off-menu incentive"). For the purpose of requesting an incentive to reduce required setbacks, all adjustments to setbacks may be combined to count as one incentive.*
- ii. *A one hundred percent affordable housing project seeking approval pursuant to the Affordable Housing Streamlining Program that is also pursuing incentives pursuant to and Sec. 9.3.2. (Local Affordable Housing Incentive Program) shall also be eligible for one waiver of standards in addition to the five additional incentives allowed by Sub-subparagraph i., above. A one hundred percent affordable housing project requesting more than one waiver of a development standard shall not be eligible for streamlining and shall be reviewed and processed pursuant to the standard State Density Bonus procedures outlined in Sec. 9.2.1.D.1.c (Projects Requesting Waivers). For the purpose of requesting a waiver to reduce required setbacks, all adjustments to setbacks may be combined to count as one waiver.*
- iii. *A one hundred percent affordable housing project seeking approval pursuant to the Affordable Housing Streamlining Program shall be subject to additional limitations when also pursuing incentives not on an applicable menu of additional incentives, pursuant to, Div. 9.2. (Citywide Housing Incentive Programs), and*

*Sec. 9.3.2. (Local Affordable Housing Incentive Program).* For such *projects*, incentives or waivers or modifications of development standards not on the menu of incentives for the applicable incentive program shall be limited as follows:

a) Increase in Floor Area Ratio (FAR)

*A one hundred percent affordable housing project on a lot with an applied Residential Use District (Div. 5B.3.) shall be eligible to request as an incentive not on an applicable menu of additional incentives or as a waiver, no more than either: a 100% increase in the total project base floor area ratio identified in the applied Form District (Part 2B.); an increase up to the maximum bonus floor area ratio identified in the applied Form District (Part 2B.); or an increase up to a 3.5:1 FAR, whichever is greater.*

b) Increase in Height

*A one hundred percent affordable housing project on a lot with an applied Residential Use District (Div. 5B.3.) shall be eligible to request as an incentive not on an applicable menu of additional incentives or as a waiver, no more than a total project height increase of either three stories from the Base Height identified in the applied Form District (Part 2B.), 33 feet from the Base Height identified in the applied Form District, or an increase up to the maximum bonus height identified in the applied Form District (Part 2B.), whichever is greatest.*

c) Reduction of Setbacks

*A one hundred percent affordable housing project on a lot for which the applied Form District (2B.) specifies a side and rear setback requirement, shall be eligible to request as an off-menu incentive or as a waiver, no less than a side setback of 5 feet and a rear setback of 8 feet. Side street setbacks, special setbacks, and alley setbacks may not be reduced beyond the minimum setbacks allowed by the applied Form District (Part 2B.). A project seeking an off-menu incentive or waiver for a reduction of primary street setbacks shall be limited to no more than the average of the primary street setbacks of buildings on abutting lots that are facing the same street. If located on a corner lot or abutting a vacant lot, the primary street setback may align with the façade of the nearest building facing the same primary street lot line. If there are no buildings facing the same primary street lot line on abutting lots, no reduction in the primary street setback is permitted. If requesting an incentive or waiver to reduce required setbacks all adjustments to individual setbacks may be combined to count as one incentive or waiver.*

d) Amenity Reduction

*A one hundred percent affordable housing project shall be eligible to request an incentive or waiver for no more than a 50 percent reduction in lot amenity space or residential amenity space otherwise required, pursuant to Sec. 2C.3.1. (Lot Amenity Space) and Sec. 2C.3.2. (Residential Amenity Space). A reduction in both lot amenity space and residential amenity space shall not be combined and counted as a single waiver or incentive request.*

e) Bicycle Parking Reduction

*A one hundred percent affordable housing project shall be eligible to request as an off-menu incentive or a waiver, no more than a 50 percent reduction in bicycle parking otherwise required*

pursuant to Sec. 4C.3.1. (*Bicycle Parking Spaces*).

f) Tree Planting Reduction

*A one hundred percent affordable housing project* shall be eligible to request as an off-menu incentive or waiver, no more than a 25 percent reduction in tree planting otherwise required pursuant to Sec. 4C.6.2. (*Required Trees*).

g) Ground Story Standards Reduction

*A one hundred percent affordable housing project* shall be eligible to request as an off-menu incentive or waiver, no more than a 30 percent reduction in any of the following *ground story* requirements: *ground story height*; ground story transparency, pursuant to Sec. 3C.4.1. (*Transparent Area*); or ground story entrance spacing, pursuant to Sec. 3C.5.1. (*Street Facing Entrance*). If requesting multiple modifications to *ground story* requirements, they may be combined to count as one incentive or waiver, but each individual request shall not exceed a 30 percent reduction.

h) Height Increase

A request for an off-menu incentive or waiver to exceed the otherwise allowable height of a *one hundred percent affordable housing project* shall be limited by the step-back and height transition requirements outlined in Subparagraph a. (*Step-Backs*) and Subparagraph b. (*Height Transition*) of Paragraph 2. (*Standards*), above.

D. Administration

3. Procedures

Projects participating in the Affordable Housing Streamlining Program shall be reviewed and approved via the streamlined process established in Paragraph 3. (*Incentives*) of Subsection C. (*Program Rules*), above.

4. Records & Agreements

Prior to the issuance of a building permit for a *one hundred percent affordable housing project*, a covenant acceptable to the Los Angeles Housing Department shall be recorded with the Los Angeles County Recorder, guaranteeing the affordability of project units consistent with the affordability criteria described in Sec. 9.4.8.C.1.a. (Affordability Levels), and the requirements set forth in Sec. 4C.15.3. (*Restricted Affordable Units*). If the duration of these affordability covenant requirements conflict with the duration of any other government requirement, the longest duration shall prevail. Covenants required by the Affordable Housing Streamlining Program must provide for a private right of enforcement by the City, any tenant, or owner of any building to which a covenant and agreement applies.

5. Determination of Protected Units

In determining the number of *protected units* contained on the site of a project proposed for approval through the Affordable Housing Streamlining Program, as a part of any Replacement Unit Determination (RUD), LAHD shall allow a minimum Rental Unit Determination response period of 30 days to ensure that low-income tenants are able to successfully and accurately demonstrate their true household income. LAHD's outreach to tenants shall consider tenants' internet, computer access, and language needs. LAHD shall also consider whether in-person outreach is appropriate.

Sec. 7. Subparagraph b. of Paragraph 3 of Subsection D of Section 13B.3.2. of Chapter 1A of the Los Angeles Municipal Code is amended to read as follows:

3. Public Hearing

- a. 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. (Notice)*.
- b. For a *one hundred percent affordable housing project* participating in the Affordable Housing Streamlining Program, pursuant to Sec. 9.4.8 (*Affordable Housing Streamlining Program*), no public hearing shall be held.

Sec. 8. A new Paragraph 3. is added to Subsection H of Section 13B.3.2 of Chapter 1A of the Los Angeles Municipal Code to read as follows:

3. Modifications for Projects Participating the Affordable Housing Streamlining Program

Regardless of the modification rules established in *Paragraph 1, (Modifications Equal to or Less than 10%)* and *Paragraph 2, (Modifications Greater than 10%)*, above, a *one hundred percent affordable housing project* participating in the Affordable Housing Streamlining Program, pursuant to Sec. 9.4.8. (*Affordable Housing Streamlining Program*), may request a modification of action only as provided in Sec. 13B.3.2. (*Expanded Administrative Review*).

Sec. 9. **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. 10. **OPERATIVE DATE.** This ordinance shall be operative on November 18, 2025, to coincide with the Mayor's lifting of the declaration of a local emergency on homelessness (Council File No. 22-1545).

Sec. 11. **STYLE AND FORMATTING CORRECTIONS.** City Planning prior to publishing the Code shall ensure all of the following style and formatting corrections are made in Chapter 1A of the Los Angeles Municipal Code 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, including the title that matches the cited section in parenthesis after the period (e.g., “Sec. 5A.2.2. (Use Applicability))” or “Paragraph 2. (No Net Loss of Dwelling Units)”), and citations to Chapters of the Los Angeles Municipal Code shall use Roman numerals for the chapter number and 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. All internal citations within Chapter 1A of the Los Angeles Municipal Code referring to content modified by this ordinance shall be updated to reflect the latest titles and Section references.
- E. All internal citations within Chapter 1A of the Los Angeles Municipal Code shall be updated to the correct citation where the cited Section number does not exist, but the Section name is stated clearly (e.g. correct “Sec.13.2.10. (Multiple Approvals)” to “Sec. 13A.2.10. (Multiple Approvals)” because Sec. 13.2.10. does not exist).
- F. All citations stating “section” shall be updated to “Sec.” and those stating “division” shall be updated to “Div.” This does not apply to citations internal to the Division or Section being referenced, in which case the full term of Section or Division shall be used (e.g. “The intent of this Section (Roof Materials) is to...”).
- G. All citations to state law shall be updated to first state the name of the statute, followed by the referenced citation and the title of the referenced citation if available (e.g. California Government Code, Title 7. (Planning and Land Use)).
- H. 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.
- I. Consistent with Sec. 11.01. (Definitions and Interpretation), which states that, “the singular number includes the plural, and the plural, the singular,” singular or plural versions of existing glossary terms may be added into the Glossary in Article 14 of Chapter 1A of the Los Angeles Municipal Code as needed to ensure exact matches in the use of the term in the text of the LAMC and its entry in the Glossary, which is a requirement of the New Interactive Web-based Zoning Code in order to allow the definition to

appear in the pop-up of a term when the site-user clicks on the term. Terms added shall include a glossary entry redirecting to the originally defined term (e.g. Applicable Story: See applicable stories).

- J. All fonts and/or typeface and spacing and layout (including indentations) of text, headings, graphs and tables, and colors shall match that of the existing published Chapter 1A of the Los Angeles Municipal Code.
- K. All numbers shall be written in accordance with the following protocol:
  - a. Numbers one through nine shall be written out, unless within a table.
  - b. Numbers written as the first word of sentence shall be written out (e.g. "One hundred percent of all affordable housing...").
  - c. Fractions and numbers including fractions shall be displayed as numerals (e.g. "½" instead of "one-half", and 1½ instead of "one and ½").
  - d. Ordinance numbers shall be written so that "Ordinance number" is abbreviated and includes a comma after 3 digits, and includes the effective or operative dates (e.g. "...as established by Ord. No. 176,445 (effective 3/9/05)...").
  - e. FAR numbers and ratios remain per drafting standard.
    - i. Example: "... a FAR of 2.5:1 shall be...",
  - f. Zoning District numbers remain as a number.
    - i. Example: "...those lots with a Density District 6 or more restrictive..."
- L. All instances of the percentage symbol (%) shall be updated to "percent" or "percentage" as appropriate unless the percentage is shown within a table, in which case the percentage symbol (%) shall be used.
- M. All instances of reference to an Ordinance number intended to refer to the ordinance being published shall be updated to include the Ordinance number issued prior to publication.

**Sec. 12. 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 affordable 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 approximately 260,000 affordable housing units and 110,000 very low income units. There is a need for affordable housing citywide, and the lack of it presents a severe threat to the health, safety and stability of lower income households, and further contributes to the City's

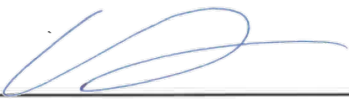
ongoing homelessness and affordable housing crisis. This ordinance provides an elective framework to streamline and expedite the regulatory review of affordable housing units through the commitment of City resources. For these reasons, this ordinance shall become effective upon publication pursuant to Section 253 of the Los Angeles City Charter.

Sec. 13. 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

  
KAIULANI LIE  
Deputy City Attorney

Date November 12, 2025

File No. \_\_\_\_\_

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 November 12, 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 \_\_\_\_\_

Approved \_\_\_\_\_