



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R25-0559
November 12, 2025

REPORT RE:

DRAFT ORDINANCES AMENDING SECTION 12.22 OF CHAPTER I, AND ARTICLES 8, 9, AND 13 OF CHAPTER 1A OF THE LOS ANGELES MUNICIPAL CODE TO ESTABLISH PROCEDURES AND PERFORMANCE STANDARDS FOR THE ADMINISTRATIVE APPROVAL OF ONE HUNDRED PERCENT AFFORDABLE HOUSING PROJECTS AND TO CREATE THE AFFORDABLE HOUSING STREAMLINING PROGRAM

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 23-0623-S1

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinances, approved as to form and legality. The draft ordinances amend Section 12.22 of Chapter I and Articles 8, 9, and 13 of Chapter 1A of the Los Angeles Municipal Code (LAMC) for the purpose of establishing procedures and performance standards for the administrative approval of one hundred percent affordable housing projects, also known as the Affordable Housing Streamlining Program. An urgency clause was added to the ordinance pursuant to Charter 253, due to the lifting of the State of Emergency on Homelessness, and must be passed by a three-fourths vote of City Council for it to take effect.

Legislative Background

On November 16, 2023, the City Planning Commission (CPC) considered the amendments to Chapter I and Chapter 1A of the Los Angeles Municipal Code, adopted the recommendation of the Planning Department, and recommended that the City Council adopt a proposed ordinance incorporating those amendments. (CPC-2023-5273-CA).

On March 25, 2025, the Planning and Land Use Management (PLUM) Committee instructed the Planning Department to report back on language that would incorporate State labor standards into the proposed ordinance. On August 18, 2025, the Planning Department submitted a report to the PLUM Committee that outlined various frameworks of labor requirements that could be incorporated into the proposed ordinance which could be adjusted based on unit count or height threshold. The report included a revised proposed ordinance with amendments that would align regulations with the version of the Mayor's Executive Directive 1 (ED1) issued on July 1, 2024, and reflect updates to citywide regulations that were adopted since the original proposed ordinance was transmitted to the City Council in November of 2023.

On September 25, 2025, the Planning Department submitted another report to the PLUM Committee recommending minor clarifying amendments.

On September 30, 2025, the PLUM Committee recommended that this Office be instructed to prepare a draft Affordable Housing Streamlining Ordinance for both Chapter I and Chapter 1A as modified by the Planning Department reports dated August 18, 2025, and September 25, 2025, and to incorporate Option 4 for labor provisions outlined in the August 18, 2025, Planning Department report with the modification that the unit count would be excluded and a Project Labor Agreement would be required for buildings taller than 85 feet. The City Council approved this recommendation on October 28, 2025. Accordingly, this Office transmits two ordinances – a Chapter I version and a Chapter 1A version incorporating those City Council requests.

Summary of Ordinance Provisions

The draft ordinances transmitted by this Office – the Chapter I and Chapter 1A versions of the Affordable Housing Streamlining Program – create an administrative review process for one hundred percent affordable housing projects that are subject to eligibility requirements and performance standards. Eligible projects will be processed administratively, are subject only to objective development standards, are not subject to the California Environmental Quality Act (CEQA), do not require public hearings, and are not subject to appeals. Eligible projects may request applicable density bonus incentives or waivers pursuant to California Government Code Section 65915 as well as

local housing incentives. Requests for incentives or waivers in excess of specified limitations would not be eligible for the streamlined process.

Further, eligible projects must comply with three performance standards, unless the project involves the conversion of an existing structure: screening of parking areas, street-facing entrances, and pedestrian access. The streamlined administrative review is not available for projects requiring a Coastal Development Permit or land subdivision action and does not apply to projects proposed in single-family zones.

The draft ordinances specifically: add a new Subdivision 40 to LAMC Section 12.22 A. of Chapter 1; amend LAMC Section 8.1.1.B.3 (Reconciling Provisions) of Chapter 1A; amend and renumber subsequent paragraphs of LAMC Section 8.2.2.B.2.b (Zoning Programs and Policies), LAMC Section 8.2.5.B.2.b (Zoning Programs and Policies), add LAMC Section 8.2.7.B.3.b (Zoning Programs and Policies) of Chapter 1A; amend LAMC Section 8.3.1.B.3. (Special Zones); add LAMC Section 9.4.8 (Affordable Housing Streamlining Program) to Chapter 1A; and amend and renumber subsequent paragraphs of LAMC Section 13.B.3.2.D.3.b (Public Hearing) and LAMC Section 13.B.3.2.H.3 (Modifications for Projects Participating the Affordable Housing Streamlining Program) of Chapter 1A.

Recitals were added to explain the elective nature of participating in the Affordable Housing Streamlining Program, and the City's market participation approach to developing these specified one hundred percent affordable housing projects through the commitment of City resources relative to expediting the review and approval of these projects.

Additional language was added at the beginning of the new Section 9.4.8 in Chapter 1A section and new Section 12.22 A.40 in Chapter I of the LAMC, to identify the Affordable Housing Streamlining Program as another part of the City's procedures for implementing State Density Bonus Law (Gov't Code Section 65915 et. seq). This is based on the affordability requirements imposed on projects qualifying for the Affordable Housing Streamlining Program, incentives available to qualifying projects, and the ability of qualifying projects to also use the City's State Law Density Bonus related programs adopted by City Council earlier in 2025 known as the Citywide Housing Incentive Program or "CHIP" (Council File. No. 21-1230-S5).

The draft ordinances incorporate the Chapter I policy amendments into the Chapter 1A New Zoning Code framework. The draft ordinances also omit some amendments originally proposed in 2023, such as the proposed amendment to the definition of "one hundred percent affordable housing project," because those amendments proposed in 2023 became unnecessary after the City Council adopted the Citywide Housing Incentive Program, the Housing Element Sites Ordinances, and the

Resident Protection Ordinances in early 2025. (Council File. Nos. 21-1230-S5, 21-1230-S6, 21-1230-S8.)

Charter Findings Required

Charter Section 558(b)(3) requires the City Council to make the findings required in Subsection (b)(2) of the same section, namely, whether adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice. Charter Section 558(b)(3)(A) allows the City Council to adopt an ordinance conforming to the CPC's recommendation of approval of the ordinance, if the CPC recommends such approval. Similarly, Charter Section 556 requires the City Council to make findings showing that the action is in substantial conformance with the purposes, intent and provisions of the General Plan. The City Council can either adopt the CPC's findings and recommendations as set forth in the CPC's Transmittal Report, or make its own.

California Environmental Quality Act (CEQA) Standard of Review

Additionally, this Office recommends that the City Council approve the draft ordinances in reliance on the Housing Element Environmental Impact Report (EIR) No. ENV-2020-6762-EIR, SCH No. 2021010130, certified on November 29, 2021, and Addendum No. 1 (ENV-2020-6762-EIR-ADD1), adopted on June 14, 2022, and Addendum No. 2 (ENV-2020-6762-EIR-ADD2), adopted on December 10, 2024. A decisionmaker can approve a project in reliance on a previously certified EIR and an addendum, if the decisionmaker considers the addenda and the final EIR before approving the project and finds in its independent judgment that, based on the whole of the record, no changes to the project, circumstances, or new information (not known or capable of being known when the EIR was certified and the project approved) will require a major revision of the EIR due to the involvement of new significant impacts or more severe significant impacts than those identified in the EIR. Public Resources Code § 21166, CEQA Guidelines §§ 15162 and 15164.

Council Rule 38 Referral

Copies of the draft ordinances were sent, pursuant to Council Rule 38, to the Department of Building, the Department of City Planning, and the Housing Department with a request that all comments, if any, be presented directly to the City Council or its Committee when this matter is considered.

If you have any questions regarding this matter, please contact Assistant City Attorney Donna Wong (donna.wong@lacity.org) or Deputy City Attorney Kaiulani Lie (kaiulani.lie@lacity.org) at (213) 978-8120. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By



KAIULANI LIE
Deputy City Attorney

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