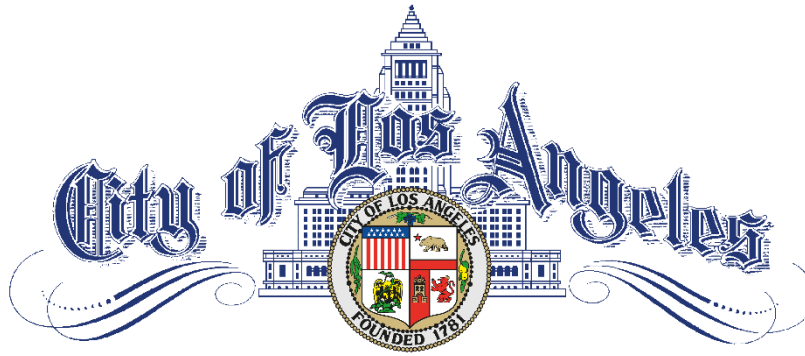




Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R26-0538
SEP 24 2026

REPORT RE:

DRAFT ORDINANCE AMENDING TABLE 12.22 A.38(g)(3)(i) OF SECTION 12.22 A.38 OF ARTICLE 2, CHAPTER I OF THE LOS ANGELES MUNICIPAL CODE TO LOCALLY IMPLEMENT SENATE BILL 79, "THE ABUNDANT AND AFFORDABLE HOMES NEAR TRANSIT ACT" AND THE CITY'S LOW-RISE ORDINANCE

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. 25-1083-S3

Honorable Members:

This Office transmits for your consideration, reviewed for form and legality, a draft ordinance to supplement the City's recently adopted Low-Rise Ordinance, to correct an error in the base incentive table that was inadvertently incorporated into Ordinance No. 188967, approved by the City Council on June 30, 2026. (C.F. 25-1083-S3.)

Specifically, the draft ordinance amends Table 12.22 A.38(g)(3)(i) of the Los Angeles Municipal Code to correct the maximum permitted units for projects within the LR-1 Eligibility Subarea. The amendment provides that the maximum permitted number of units in the LR-1 Eligibility Subarea is ten units. The LR-2 Eligibility Subarea applies to projects proposed for 11 to 16 units. The proposed amendment is limited to this correction and does not otherwise modify the Low-Rise Ordinance.

This correction is consistent with the version of the draft ordinance that was presented to and approved by the City Planning Commission. (See generally, C.F. 25-1083-S3: Attachment to Report – Modified Proposed Low-Rise Ordinance, dated 5/19/26 at pgs. 10-11; see also, Attachment to Report – Staff Report, dated 5/19/26, Staff Report at p. A-23; see also, Report from Department of City Planning, dated 6/17/26, at p. F-69.)

To address this issue, this Office has prepared the enclosed draft ordinance to update Table 12.22 A.38.(g)(3)(i), entitled “Low-Rise Incentive Area Base Incentives” contained in Ordinance No. 188967. This correction to the draft ordinance, as described above, does not alter the findings and notification requirements, as discussed in City Attorney Report No. R26-0348, including the California Environmental Quality Act (CEQA) findings, and are provided here for reference.

Charter Findings

Pursuant to Charter Section 559, the CPC approved the draft ordinances and recommended that the Council adopt the draft Ordinances. If the Council chooses to adopt these ordinances, it may comply with the provisions of Charter Section 558 by either adopting the CPC findings, as amended, for each ordinance prepared by the Director of Planning attached to the file, or by making its own findings.

CEQA Findings

The Department of City Planning also recommended that the Council find for the Low-Rise Ordinance that, in the independent judgment of the decision maker, in consideration of the whole of the record, that the Low-Rise Ordinance is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.085(b), and were assessed in the Housing Element Environmental Impact Report No. ENV-2020-6762-EIR (State Clearinghouse No. 2021010130) certified on November 29, 2021, Addendum No. 1 (ENV-2020-6762-EIR-ADD1) approved on June 14, 2022, and Addendum No. 2 (ENV-2020-6762-EIR-ADD2) approved on December 10, 2024 (collectively, EIR), and no subsequent or supplemental EIR is required pursuant to CEQA Guidelines Sections 15162 and 15164.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of City Planning, the Department of Building and Safety, the Department of Transportation, and the Los Angeles Housing Department, with a request that all comments be presented directly to the City Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Kimberly Huangfu at (213) 978-8257. 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 
JOHN W. HEATH
Chief Assistant City Attorney

JWH:KAH:jr
Transmittal