LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801
(213) 978-1300; **planning.lacity.org**

LETTER OF DETERMINATION

Mailing Date: AUG 3 1 2016

CASE NO.: CPC-2015-3484-CA
CEQA: ENV-2015-4197-ND

Location: Citywide
Council Districts: All
Plan Areas: All
Request: Code Amendment

Applicant: Los Angeles Department of City Planning

At its meeting of July 14, 2016, the Los Angeles City Planning Commission took the following action:

1. **Adopted** the **staff report** as its report on the subject.
2. **Approved**, with modifications, the **proposed ordinance** amending Sections 12.03, 12.07, 12.07.01, 12.07.1, 12.08, 12.21, and 12.23 of the Los Angeles Municipal Code (LAMC) to modify single-family development standards for properties zoned R1, RA, RE, and RS citywide. The proposed ordinance would update the existing **Baseline Mansionization Ordinance** and **Baseline Hillside Ordinance** (BMO and BHO) provisions relating to the size and bulk of new single-family residences and modify permitted grading quantities for single-family lots in designated "Hillside Areas".
3. **Adopted** the **Findings**.
4. **Adopted** the Negative Declaration No. **ENV-2015-4197-ND** as the CEQA clearance on the subject.

RECOMMENDATION TO CITY COUNCIL:

1. **Recommend** the City Council **adopt** the **proposed ordinance** amending Sections 12.03, 12.07, 12.07.01, 12.07.1, 12.08, 12.21, and 12.23 of the Los Angeles Municipal Code (LAMC) to modify single-family development standards for properties zoned R1, RA, RE, and RS citywide. The proposed ordinance would update the existing **Baseline Mansionization Ordinance** and **Baseline Hillside Ordinance** (BMO and BHO) provisions relating to the size and bulk of new single-family residences and modify permitted grading quantities for single-family lots in designated "Hillside Areas".
2. **Recommend** the City Council **adopt** the attached **Findings**.
3. **Recommend** the City Council **adopt** the Negative Declaration No. **ENV-2015-4197-ND** as the CEQA clearance on the subject.

This action was taken by the following vote:

Moved:	Millman
Seconded:	Perlman
Ayes:	Ambroz, Choe, Padilla-Campos
Absent:	Ahn, Katz, Mack, Dake-Wilson

Vote: **5 - 0**

James K. Williams, Commission Executive Assistant II
Los Angeles City Planning Commission

Effective Date/Appeals: **The determination of the Los Angeles City Planning Commission is final and not appealable.**

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachment: Ordinance, Findings
Principal City Planner: Thomas Rothmann
City Planner: Phyllis Nathanson
Planning Assistant: Niall Huffman

ORDINANCE NO. _____

An ordinance amending Sections 12.03, 12.07, 12.07.01, 12.07.1, 12.08, 12.21, 12.23, and 12.28 of the Los Angeles Municipal Code to establish new regulations for all single-family residential zoned properties including RA, RE, RS, and R1.

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

Section 1. Section 12.03 of the Los Angeles Municipal Code is amended by amending the definitions of "Base Floor", "Basement", "Grade, Hillside Area", "Floor Area, Residential", "Height of Building or Structure", "Story", and "Story, First" in order to read:

BASE FLOOR. That story of a main building, at or above grade, which is not considered a basement, and which has the greatest number of square feet confined within the exterior walls, including the area of the attached covered parking at the same story.

BASEMENT. Any Story below the First Story of a Building. The ceiling of a Basement shall not be more than four vertical feet higher than the finished floor level of the First Story.

FLOOR AREA, RESIDENTIAL. The area in square feet confined within the exterior walls of a Building or Accessory Building on a Lot in an RA, RE, RS, or R1 Zone. Any floor or portion of a floor with a ceiling height greater than 14 feet shall count as twice the square footage of that area. The area of stairways and elevator shafts shall only be counted once regardless of ceiling height. Area of an attic or portion of an attic with a ceiling height of more than seven feet shall be included in the Residential Floor Area calculation.

Except that the following areas shall not be counted:

1. **Required Covered Parking.**

(a) The total area of 200 square feet per parking space that is required to be covered, up to a maximum of 400 square feet, shall be exempted from being counted as Residential Floor Area if all of said parking, whether detached or attached, is located in accordance with the following criteria:

(1) Said parking is located on the rear half of the Lot, or at least 55 feet from a Front Lot Line.

(2) On a Through Lot with no Rear Lot Line, said parking is set back from both Front Lot Lines a distance of at least 40 feet.

(b) If the parking that is required to be covered is not located in accordance with Paragraph (a) above, then only 200 square feet shall be exempted from being counted as Residential Floor Area

(c) In any event, the required parking area exempted from counting as Residential Floor Area by this exception shall be limited to 400 square feet per Lot.

2. **Detached Accessory Buildings.** Detached Accessory Buildings not exceeding 200 square feet; however, the total combined area exempted of all these Accessory Buildings on a Lot shall not exceed 400 square feet.

3. **Lattice Roof Porches, Patios, and Breezeways.** Porches, patios, and breezeways that have a Lattice Roof, as defined in this Section.

4. **Basements.** For Lots not located in the Hillside Area or Coastal Zone, any Basement when the Elevation of the upper surface of the floor or roof above the Basement does not exceed 2 feet in height at any point above the finished or natural Grade, whichever is lower.

For Lots located in the Hillside Area, any Basement when the Elevation of the upper surface of the floor or roof above the Basement does not exceed 3 feet in height at any point above the finished or natural Grade, whichever is lower, for at least 60% of the perimeter length of the exterior Basement walls.

For all Lots the following shall not disqualify said Basement from this exemption:

(a) A maximum of one, 20-foot wide depressed driveway with direct access to the required covered parking spaces, and

(b) A maximum of 2 light-wells which are not visible from a public right-of-way and do not project more than 3 feet from the exterior walls of the Basement and no wider than 6 feet.

GRADE, HILLSIDE AREA. For the purpose of measuring height on an R1, RS, RE, or RA zoned Lot in the Hillside Area, pursuant to Section 12.21 C.10 of this Code, Hillside Area Grade shall be defined as the Elevation, at the perimeter of a Building or Structure, of the finished or natural surface of the ground, whichever is lower, or the finished surface of the ground established in conformance with a grading plan approved pursuant to a recorded tract or parcel map action. Retaining walls shall not raise the effective Elevation of Grade for purposes of measuring Height of a Building or Structure.

LOT, THROUGH. A lot having a frontage on two parallel or approximately parallel streets, but not including those lots having frontage on a street and frontage on a navigable public canal or waterway parallel or approximately parallel to said street.

STORY. The space in a Building between two vertically adjacent finished floor levels or, for the topmost level of a Building, the space between its finished floor level and the roof directly above it. Finished floor levels within four vertical feet of each other shall be deemed a single Story.

STORY, FIRST. The lowest Story of a Building where the finished floor level directly above the Story is more than six feet above grade for more than 50 percent of the total perimeter or is more than twelve feet above grade at any point. If no such Story exists, then the topmost Story of a Building shall be deemed the First Story.

Sec. 2. The first unnumbered paragraph of Subsection C of Section 12.07 of the Los Angeles Municipal Code is amended to read:

C. Area (Development Standards). No building or structure nor the enlargement of any building or structure shall be erected or maintained, except for conditionally permitted uses enumerated in Section 12.24, unless the following yards, lot areas, and floor area limitations are provided and maintained in connection with the building, structure, or enlargement:

Sec. 3. Subdivision 5 of Subsection C of Section 12.07 of the Los Angeles Municipal Code is amended to read:

5. Maximum Residential Floor Area. For a lot located in a Hillside Area or Coastal Zone, the maximum Residential Floor Area shall comply with Section 12.21.1 A 1 of this Code.

For all other lots, the maximum Residential Floor Area contained in all buildings and accessory buildings shall not exceed 25 percent of the Lot Area when the lot is 20,000 square feet. For Lots 20,000 square feet or greater, the Residential Floor Area shall not exceed 20 percent of the Lot Area, or 5,000 square feet, whichever is greater.

An additional 20 percent of the maximum Residential Floor Area for that Lot shall be allowed if any of the methods listed below is utilized. Only one 20 percent bonus per property is allowed.

(a) The total residential floor area of each story other than the base floor in a multi-story building does not exceed 75 percent of the base floor area; or

(b) The cumulative length of the exterior walls facing the front lot line, equal to a minimum of 25 percent of the building width shall be stepped-

back a distance of at least 20 percent of the building depth from a plane parallel to the lot width established at the point of the building closest to the front lot line. When the front lot line is not straight, a line connecting the points where the side lot lines and the front lot line intersect shall be used. When through-lots have two front yards, the step-back shall be provided along both front lot lines.

For the purposes of this provision, all exterior walls that intersect a plane parallel to the front lot line at 45 degrees or less shall be considered to be facing the front lot line. The building width shall be the greatest distance between the exterior walls of the building measured parallel to the lot width. The building depth shall be the greatest distance between the exterior walls of the building measured parallel to the lot depth.

Sec. 4. Subdivision 6 of Subsection C of Section 12.07 of the Los Angeles Municipal Code is amended to read:

6. Verification of Existing Residential Floor Area. For additions with cumulative residential floor area of less than 1,000 square feet constructed after January 1, 2008, or remodels of buildings built prior to January 1, 2008, the existing residential floor area shall be determined based on the Building Records or the building square footage shown on the most recent Los Angeles County Tax Assessor's records or at the time the plans are submitted to the Department of Building and Safety and a plan check fee is paid. Except that residential floor area may be calculated as defined in Section 12.03 of this Code when a complete set of fully dimensioned plans with area calculations of all the structures on the lot, prepared by a licensed architect or engineer, is submitted by the applicant.

Any work that does not qualify as a remodel, as defined in the paragraph below, or additions that are 1,000 square feet or larger shall require a complete set of fully dimensioned plans with area calculations of all the structures on the lot prepared by a licensed architect or engineer.

For the purposes of implementing this subdivision, a remodel shall mean the alteration of an existing building or structure provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

Sec. 5. The first unnumbered paragraph of Subsection C of Section 12.07 of the Los Angeles Municipal Code is amended to read:

C. Area (Development Standards). No building or structure nor the enlargement of any building or structure, except for conditionally permitted uses enumerated in Section 12.24, shall be erected or maintained unless the following yards,

lot areas, and floor area limitations are provided and maintained in connection with the building, structure, or enlargement:

Sec. 6. Subdivision 5 of Subsection C of Section 12.07.01 of the Los Angeles Municipal Code is amended to read:

5. Maximum Residential Floor Area. For a lot located in a Hillside Area or Coastal Zone, the maximum floor area shall comply with Section 12.21.1 A 1 of this Code.

For all other lots, the maximum Residential Floor Area contained in all buildings and accessory buildings in the RE9 and RE11 Zones shall not exceed 40 percent of the Lot Area when the lot is less than 15,000 square feet. For Lots 15,000 square feet or greater in the RE9 and RE11 Zones and Lots in the RE15, RE20, and RE40 Zones, the Residential Floor Area shall not exceed 35 percent of the Lot Area, or 6,000 square feet, whichever is greater.

An additional 20 percent of the maximum Residential Floor Area for that Lot shall be allowed if any of the methods listed below is utilized. Only one 20 percent bonus per property is allowed.

(a) The total residential floor area of each story other than the base floor in a multi-story building does not exceed 75 percent of the base floor area; or

(b) The cumulative length of the exterior walls facing the front lot line, equal to a minimum of 25 percent of the building width shall be stepped-back a distance of at least 20 percent of the building depth from a plane parallel to the lot width established at the point of the building closest to the front lot line. When the front lot line is not straight, a line connecting the points where the side lot lines and the front lot line intersect shall be used. When through-lots have two front yards, the step-back shall be provided along both front lot lines.

For the purposes of this provision, all exterior walls that intersect a plane parallel to the front lot line at 45 degrees or less shall be considered to be facing the front lot line. The building width shall be the greatest distance between the exterior walls of the building measured parallel to the lot width. The building depth shall be the greatest distance between the exterior walls of the building measured parallel to the lot depth.

Sec. 7. Subdivision 6 of Subsection C of Section12.07.01 of the Los Angeles Municipal Code is amended to read:

6. Verification of Existing Residential Floor Area. For additions with cumulative residential floor area of less than 1,000 square feet constructed after January 1, 2008, or remodels of buildings built prior to January 1, 2008, the existing residential floor area shall be determined based on the Building Records or the building square footage shown on the most recent Los Angeles County Tax Assessor's records or at the time the plans are submitted to the Department of Building and Safety and a plan check fee is paid. Except that residential floor area may be calculated as defined in Section 12.03 of this Code when a complete set of fully dimensioned plans with area calculations of all the structures on the lot, prepared by a licensed architect or engineer, is submitted by the applicant.

Any work that does not qualify as a remodel, as defined in the paragraph below, or additions that are 1,000 square feet or larger shall require a complete set of fully dimensioned plans with area calculations of all the structures on the lot prepared by a licensed architect or engineer.

For the purposes of implementing this subdivision, a remodel shall mean the alteration of an existing building or structure provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

Sec. 8. The first unnumbered paragraph of Subsection C of Section 12.07 of the Los Angeles Municipal Code is amended to read:

C. Area (Development Standards). No building or structure nor the enlargement of any building or structure, except for conditionally permitted uses enumerated in Section 12.24, shall be erected or maintained unless the following yards, lot areas, and floor area limitations are provided and maintained in connection with the building, structure, or enlargement:

Sec. 9. Subdivision 5 of Subsection C of Section 12.07.1 of the Los Angeles Municipal Code is amended to read:

5. Maximum Residential Floor Area. For a lot located in a Hillside Area or Coastal Zone, the maximum floor area shall comply with Section 12.21.1 A 1 of this Code.

For all other lots, the maximum Residential Floor Area contained in all buildings and accessory buildings shall not exceed 45 percent of the Lot Area when the lot is less than 9,000 square feet. For Lots 9,000 square feet or greater, the Residential Floor Area shall not exceed 40 percent of the Lot Area, or 4,050 square feet, whichever is greater.

An additional 20 percent of the maximum Residential Floor Area for that Lot shall be allowed if any of the methods listed below is utilized. Only one 20 percent bonus per property is allowed.

(a) The total residential floor area of each story other than the base floor in a multi-story building does not exceed 75 percent of the base floor area; or

(b) The cumulative length of the exterior walls facing the front lot line, equal to a minimum of 25 percent of the building width shall be stepped-back a distance of at least 20 percent of the building depth from a plane parallel to the lot width established at the point of the building closest to the front lot line. When the front lot line is not straight, a line connecting the points where the side lot lines and the front lot line intersect shall be used. When through-lots have two front yards, the step-back shall be provided along both front lot lines.

For the purposes of this provision, all exterior walls that intersect a plane parallel to the front lot line at 45 degrees or less shall be considered to be facing the front lot line. The building width shall be the greatest distance between the exterior walls of the building measured parallel to the lot width. The building depth shall be the greatest distance between the exterior walls of the building measured parallel to the lot depth.

Sec. 10. Subdivision 6 of Subsection C of Section 12.07.1 of the Los Angeles Municipal Code is amended to read:

6. Verification of Existing Residential Floor Area. For additions with cumulative residential floor area of less than 1,000 square feet constructed after January 1, 2008, or remodels of buildings built prior to January 1, 2008, the existing residential floor area shall be determined based on the Building Records or the building square footage shown on the most recent Los Angeles County Tax Assessor's records or at the time the plans are submitted to the Department of Building and Safety and a plan check fee is paid. Except that residential floor area may be calculated as defined in Section 12.03 of this Code when a complete set of fully dimensioned plans with area calculations of all the structures on the lot, prepared by a licensed architect or engineer, is submitted by the applicant.

Any work that does not qualify as a remodel, as defined in the paragraph below, or additions that are 1,000 square feet or larger shall require a complete set of fully dimensioned plans with area calculations of all the structures on the lot prepared by a licensed architect or engineer.

For the purposes of implementing this subdivision, a remodel shall mean the alteration of an existing building or structure provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

Sec. 11. The first unnumbered paragraph of Subsection C of Section 12.07 of the Los Angeles Municipal Code is amended to read:

C. Area (Development Standards). No building or structure nor the enlargement of any building or structure, except for conditionally permitted uses enumerated in Section 12.24, shall be erected or maintained unless the following yards, lot areas, and floor area limitations are provided and maintained in connection with the building, structure, or enlargement:

Sec. 12 Subdivision 1 of Subsection C of Section 12.08 of the Los Angeles Municipal Code is amended to read:

1. Front Yard. There shall be a front yard of not less than 20% of the depth of the lot, but such front yard need not exceed 20 feet; provided, however that where all of the developed lots which have front yards that vary in depth by not more than ten feet comprise 40% or more of the frontage, the minimum front yard shall be the average depth of the front yard of such lots. Where there are two or more possible combinations of developed lots comprising 40% or more of the frontage, each of which as front yards that vary in depth by not more than ten feet, the minimum front yard depth shall be the combination which has the shallowest average depth. In determining the required front yards, buildings located on key lots, entirely on the rear half of lots, or on lots in the “C” or “M” Zones, shall not be counted; provided, however, that nothing contained in this paragraph shall be deemed to required front yards which exceed 40 feet in depth.

On key lots the minimum front yards may be the average of the required front yards for the adjoining interior lot and the required side yards along the street side of a reversed corner lot, but such minimum front yard may apply for a distance of not more than 65 feet from the rear lot line of the reversed corner lot, beyond which point the front yard specified in the above paragraph shall apply. Where existing buildings on either or both of said adjoining lots are located nearer to the front or side lot lines than the yards required by this article, established by such existing buildings may be used in computing the required front yard for a key lot.

The cumulative length of the exterior walls facing the front lot line, equal to a minimum of 25 percent of the building width, shall be stepped back a distance of at least 20 percent of the building depth from a plane parallel to the lot width established at the point of the building closest to the front lot line. When the front lot line is not straight, a line connecting the points where the side lot lines and the front lot line intersect shall be used. When through lots have two front yards, the step back shall be provided along both front lot lines.

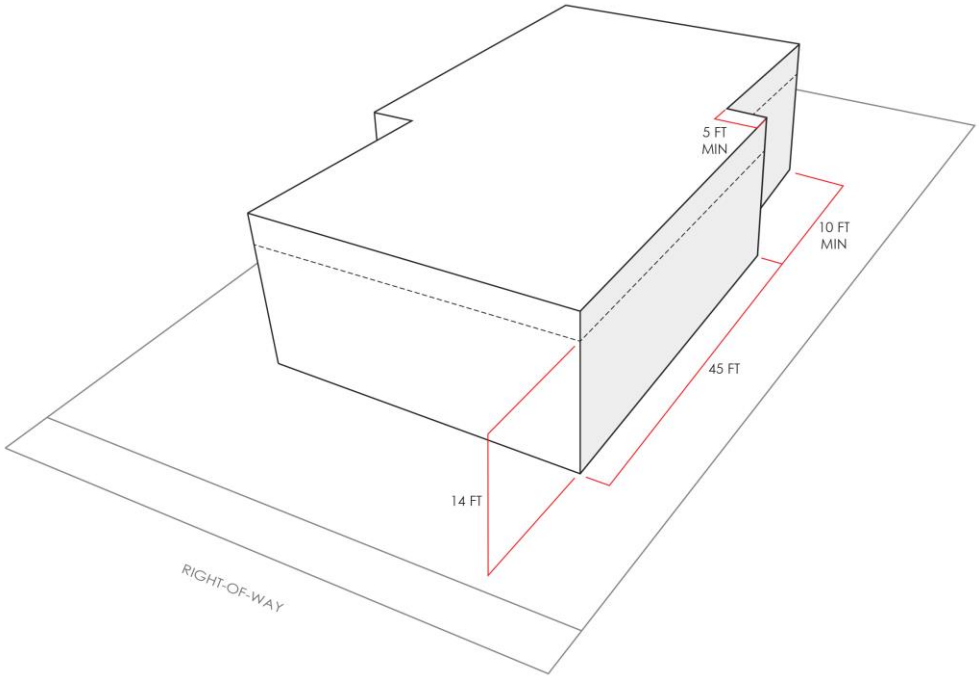
For the purposes of this provision, all exterior walls that intersect a plane parallel to the front lot line at 45 degrees or less shall be considered to be facing the front lot line. The building width shall be the greatest distance between the exterior walls of the building measured parallel to the lot width. The building depth shall be the greatest distance between the exterior walls of the building measured parallel to the lot depth.

Sec. 13. Subdivision 2 of Subsection C of Section 12.08 of the Los Angeles Municipal Code is amended to read:

2. Side Yards.

(a) For a main building not more than two-stories in height, there shall be a side yard on each side of the building of not less than five feet, except that where the lot is less than 50 feet in width, the side yard may be reduced to ten percent of the width of the lot, but in no event to less than three feet in width. For a building more than two-stories in height, one-foot shall be added to the width of each yard for each additional story above the second story.

All portions of a Building exceeding 14 feet in height which result in a side wall exceeding an overall length of 45 feet shall have an offset/plane break that is a minimum of 5 feet in depth beyond the required yard and a minimum of 10 feet in length. For the purpose of this Subdivision, height shall be measured from the existing or finished grade, whichever is lower, at each point along the perimeter of the building.



(b) In lieu of the additional one-foot side yard for each story above the second story as required above, for new construction of a main building or a ground floor addition to the main building on a lot not located in a Hillside Area or Coastal Zone, one-foot shall be added to each required side yard for each increment of ten feet or fraction thereof above the first 18 feet.

(c) Side yard requirements in specific plans, Historic Preservation Overlay Zones or in subdivision approvals shall take precedence over this subdivision. This subdivision shall apply in these areas, however, when there are no such side yard requirements.

(d) Any occupied rooftop deck shall be set back at least 3 feet from the minimum required side yard. This provision shall not apply to any rooftop deck located on the street side of a Corner Lot.

Sec. 14. Subdivision 5 of Subsection C of Section 12.08 of the Los Angeles Municipal Code is amended to read:

5. Maximum Residential Floor Area. For a lot located in a Hillside Area or Coastal Zone, the maximum floor area shall comply with Section 12.21.1 A 1 of this Code.

For all other lots, the maximum Residential Floor Area contained in all buildings and accessory buildings shall not exceed 45 percent of the Lot Area.

Sec. 15. Subdivision 6 of Subsection C of Section 12.08 of the Los Angeles Municipal Code is renumbered as Subdivision 7 and is amended to read:

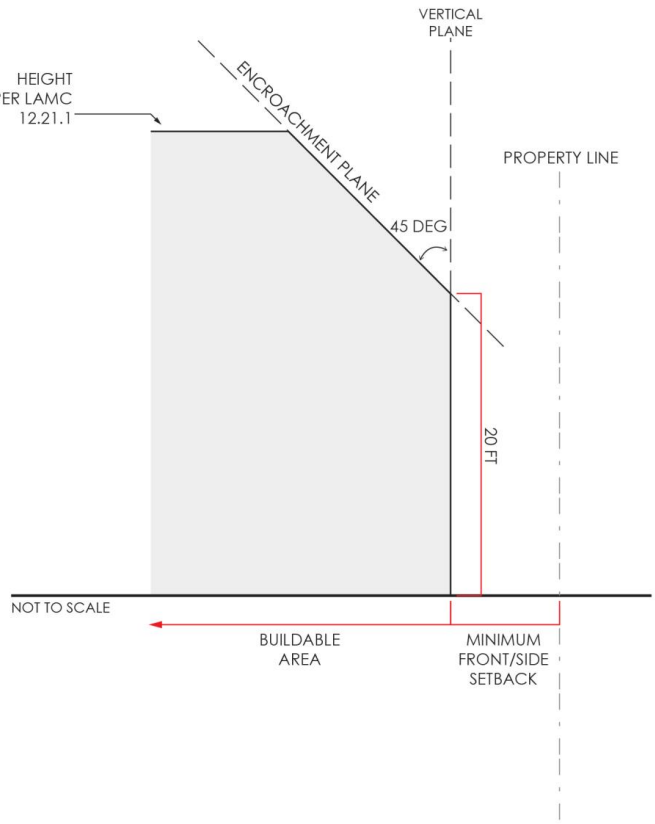
7. Verification of Existing Residential Floor Area. For additions with cumulative residential floor area of less than 1,000 square feet constructed after January 1, 2008, or remodels of buildings built prior to January 1, 2008, the existing residential floor area shall be determined based on the Building Records or the building square footage shown on the most recent Los Angeles County Tax Assessor's records or at the time the plans are submitted to the Department of Building and Safety and a plan check fee is paid. Except that residential floor area may be calculated as defined in Section 12.03 of this Code when a complete set of fully dimensioned plans with area calculations of all the structures on the lot, prepared by a licensed architect or engineer, is submitted by the applicant.

Any work that does not qualify as a remodel, as defined in the paragraph below, or additions that are 1,000 square feet or larger shall require a complete set of fully dimensioned plans with area calculations of all the structures on the lot prepared by a licensed architect or engineer.

For the purposes of implementing this subdivision, a remodel shall mean the alteration of an existing building or structure provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

Sec. 16. Subdivision 6 of Subsection C of Section 12.08 of the Los Angeles Municipal Code is added to read:

6. Encroachment Plane. Buildings shall not intersect a plane, commencing 20 feet in height at the minimum required front and side yards and extending a an angle of 45 degrees from the vertical toward the interior of the site. The encroachment plane restriction does not apply to roof structures and equipment as allowed by Section 12.21.1.B.3. For the purpose of the Subdivision, height shall be measured from the existing or finished grade, whichever is lower, at each point along the perimeter of the building.



Sec. 17. Paragraph (f) of Subdivision 5 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(f) **Driveway Width.** Every access driveway shall be at least nine feet in width in the A, RE, RS, R1, RU, RZ, R2, RMP, and RW Zones, and ten feet in width in the RD, R3, RAS3, R4, RAS4, R5, P, PB, C and M Zones; provided, however, every access driveway serving a parking area or garage having a capacity of more than 25 automobiles or trucks shall be at least 19 feet in width, or in lieu thereof, there shall be two access driveways, each of which is at least ten feet in width; provided further, however, that an access driveway serving an apartment house erected in the R2 Zone shall be at least ten feet in width.

Except that in the R1 Zone, not designated as a Hillside Area on the Department of City Planning Hillside Area Map, driveway width at the front property line shall not exceed 25 percent of the lot width or the width of any currently existing driveway, whichever is greater; provided, however, that nothing in this paragraph shall be deemed to require a driveway less than 9 feet in width at the front property line.

Sec. 18. Subparagraph (2) of Paragraph (e) of Subdivision 17 of Subsection A of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(2) **Adjacent Minimum Roadway Width.** For any new construction of, or addition to a One-Family Dwelling on a Lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet, and that provides vehicular access to the Lot or is determined by the City Engineer to be needed foreseeably to provide future access to the Lot or any other Lot, no Building permit or Grading permit shall be issued unless the construction or addition has been approved pursuant to Section 12.24 X.28 of this Code.

Sec. 19. The first unnumbered Paragraph of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

10. Single-Family Zone Hillside Area Development Standards. Notwithstanding any other provisions of this Code to the contrary, for any Lot zoned R1, RS, RE, or RA and designated Hillside Area on the Department of City Planning Hillside Area Map, no Building or Structure nor the addition or remodel of any Building or Structure, except for conditionally permitted uses enumerated in Section 12.24, shall be erected or maintained unless the following development standards are provided and maintained in connection with the Building, Structure, addition or remodel:

Sec. 20. Paragraph (a) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(a) **Setback Requirements.** No Building or Structure shall be erected, remodeled, or enlarged unless the setbacks as outline in Table 12.21 C.10-1 are provided and maintained in connection with the Building, Structure, or enlargement.

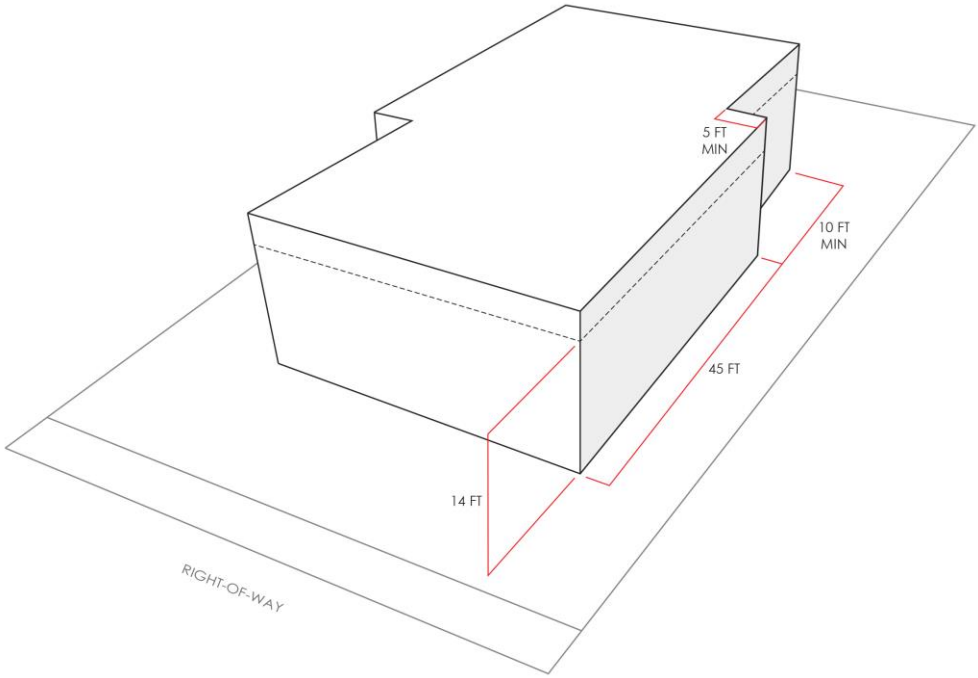
Table 12.21 C.10-1
Single-Family Zone Hillside Area Setback Requirements

	R1	**RS**	**RE9**	**RE11**	**RE15**	**RE20**	**RE40**	**RA**
Front Yard								
Not less than:	20% of Lot Depth							
Need not exceed:	20 ft	25 ft						
Side Yard								
Not less than:	5 ft		7 ft		10% of Lot Width, but not less than 5 ft	10 ft		
Need not exceed:	n/a				10 ft	n/a		
The required Side	50 ft		70 ft		n/a			70 ft*

Yard may be reduced to 10% of the Lot Width, but in no event to less than 3 ft, where the Lot is less than the following widths:				
For Buildings or Structures with a height greater than 18 feet:	One additional foot shall be added to each required Side Yard for each increment of 10 feet or fraction thereof above the first 18 feet.			
For Buildings or Structures with a height greater than 14 feet and which have a side wall exceeding 45 feet in length:	A plane break shall be added that is a minimum of 5 feet in depth beyond the required yard and a minimum of 10 feet in length.			
Rear Yard				
Not less than:	15 ft	20 ft	25% of Lot Depth	
Need not exceed:	n/a		25 ft	

ft – feet
n/a – the provision is not applicable
Lot Depth – as defined in Section 12.03 of this Code
Lot Width – as defined in Section 12.03 of this Code

Notes:
* Only applicable for Lots which are of record prior to July 1, 1966.



Notwithstanding the required yards, or setbacks, outlined in Table 12.21 C.10-1 above, or those exceptions found in Section 12.22 of this Code, the following provisions shall apply:

Sec. 21. Sub-subparagraph (iv) of Subparagraph (1) of Paragraph (a) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(iv). Nothing contained in this subparagraph (1) shall, however, be deemed to require Front Yards which exceed 40 feet in depth or allow less than 5 feet.

Sec. 22. Subparagraph (3) of Paragraph (a) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(3) **Front Yard Setbacks on Key Lots.** On Key Lots, the minimum Front Yard may be the average of the required Front Yard for the adjoining Interior Lot and the required Side Yard along the Street side of a Reversed Corner Lot. But such minimum Front Yard may apply for a distance of not more than 85 feet from the rear Lot line of the Reversed Corner Lot, beyond which point the Front Yard specified in Table 12.21 C.10-1 or Subparagraph (1) of this Paragraph (a) shall apply. Where existing Buildings on either or both of said adjoining Lots are located nearer to the front or side Lot lines than the Yard required by this Paragraph (a), the Yards

established by such existing buildings may be used in computing the required Front Yard for a Key Lot, but not less than 5 feet.

Sec. 23. Sub-subparagraph (i) Subparagraph (10) of Paragraph (a) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(i) **Garages in Front Yards.** A detached Private Garage may be located on the required Front Yard of a Lot where the Elevation of the ground at a point 50 feet from the front Lot line of a Lot and midway between the side Lot lines differs 10 feet or more from the curb level, provided every portion of the garage Building is at least 5 feet from the front Lot line. Where the wall of such garage is two-thirds below natural or finished Grade of the Lot, whichever is lower, said wall may extend to the adjacent side Lot line; in all other cases, said garage shall not be nearer to the side Lot line than the width of the Side Yard required for a main Building of the same height.

Sec. 24. Sub-subparagraph (ii) of Subparagraph (10) of Paragraph (a) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(ii) **Elevated Stairways, Porches, Platforms, Landing Places, or Balconies.** Balconies with 10 feet or more of vertical clearance beneath them may project or extend no more than 30 inches into a Front Yard. Notwithstanding any other provisions of this Code, on Lots fronting onto a Substandard Hillside Limited Street, elevated stairways, porches, platforms and landing places shall not project or extend into the Front Yard.

Sec. 25. Subparagraphs (7), (8), (9), (10), (11), and (12) of Paragraph (a) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code are renumbered as Subparagraphs (9), (10), (11), (12), (13), and (14), respectively.

Sec. 26. Subparagraph (7) of Paragraph (a) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is added to read:

(7) Front Façade Articulation in R1 Zone. For all lots in the R1 Zone, the cumulative length of the exterior walls which are not a part of a garage facing the Front Lot Line, equal to a minimum of 25 percent of the Building width, shall be stepped-back a distance of at least 20 percent of the Building depth from a plane parallel to the Lot width established at the point of the building closest to the Front

Lot line. When the Front Lot line is not straight, a line connecting the points where the Side Lot lines and the Front Lot line intersect shall be used to establish the plane parallel to the front Lot width. When Through lots have, or are required to provide, two Front Yard setbacks, the step-back shall be provided along both Front Lot lines. When referred by the Department of Building and Safety, for unusual Building and/or Lot configuration, the Director of Planning or his/her designee shall determine that the proposed project complies with this provision.

For the purposes of this provision, all exterior walls that intersect a plane parallel to the Front Lot line at 45 degrees or less shall be considered to be facing the Front Lot line. The Building width shall be the greatest distance between the exterior walls of the Building measured parallel to the Lot width. The Building depth shall be the greatest distance between the exterior walls of the building measured parallel to the lot depth.

This provision shall apply only to Structures which are within 35 feet of the Frontage along an improved Street and on a "flat" Building pad where the Slope of the Building pad prior to any Grading, as measured from the highest point of the existing Grade within 5 horizontal feet of the exterior wall of the proposed Building or Structure to the lowest point of the existing natural Grade within 5 horizontal feet, is less than 15 percent.

Sec. 27. Subparagraph (8) of Paragraph (a) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is added to read:

(8) Occupied Rooftop Deck Setback. Any occupied rooftop deck shall be set back at least 3 feet from the minimum required side yard. This provision shall not apply to any rooftop deck located on the street side of a Corner Lot.

Sec. 28. Paragraph (b) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(b) **Maximum Residential Floor Area.** The maximum Residential Floor Area contained in all Buildings and Accessory Buildings shall not exceed the sum of the square footage of each Slope Band multiplied by the corresponding Floor Area Ratio (FAR) for the zone of the Lot, as outlined in Table 12.21 C.10-2a. This formula can be found in Table 12.21 C.10-2-b, where "A" is the area of the Lot within each Slope Band, "FAR" is the FAR of the corresponding Slope Band, and "RFA" is the sum of the Residential Floor Area of each Slope Band.

Table 12.21 C.10-2a Single-Family Zone Hillside Area Residential Floor Area Ratios (FAR)								
Slope Bands (%)	**R1**	**RS**	**RE9**	**RE11**	**RE15**	**RE20**	**RE40**	**RA**
0 – 14.99	0.45	0.45	0.40	0.40	0.35	0.35	0.35	0.25
15 – 29.99	0.45	0.40	0.35	0.35	0.30	0.30	0.30	0.20
30 – 44.99	0.40	0.35	0.30	0.30	0.25	0.25	0.25	0.15
45 – 59.99	0.35	0.30	0.25	0.25	0.20	0.20	0.20	0.10
60 – 99.99	0.30	0.25	0.20	0.20	0.15	0.15	0.15	0.05
100 +	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Table 12.21 C.10-2b Hillside Area Maximum Residential Floor Area Formula					
Slope Bands (%)	**Area (sq-ft)**		**FAR**		**Residential Floor Area**
0 – 14.99	A^1	X	FAR^1	=	RFA^1
15 – 29.99	A^2	X	FAR^2	=	RFA^2
30 – 44.99	A^3	X	FAR^3	=	RFA^3
45 – 59.99	A^4	X	FAR^4	=	RFA^4
60 – 99.99	A^5	X	FAR^5	=	RFA^5
100 +	A^6	X	FAR^6	=	RFA^6
Maximum Residential Floor Area				=	Sum of RFA^1 through RFA^6

(1) **Slope Analysis Map.** As part of an application for a permit to the Department of Building and Safety, or for a Discretionary Approval as defined in Section 16.05 B of this Code to the Department of City Planning, the applicant shall submit a Slope Analysis Map based on a survey of the natural/existing topography, prepared, stamped, and signed by a registered civil engineer or licensed land surveyor, to verify the total area (in square feet) of the portions of a property within each Slope Band identified in Table 12.21 C.10-2a. The Director of Planning, or his/her designee, shall verify that the Slope Analysis Map has been prepared by a registered civil engineer or licensed land surveyor. In addition, the Director of Planning, or his/her designee shall approve the calculated Maximum Residential Floor Area for the Lot by the registered civil engineer or licensed land surveyor using the Slope Analysis Map prior to applying for a permit from the Department of Building and Safety.

The map shall have a scale of not less than 1 inch to 100 feet and a contour interval of not more than 10 feet with two-foot intermediates. The map shall also indicate the datum, source, and scale of topographic data used in the Slope analysis, and shall

attest to the fact that the Slope analysis has been accurately calculated.

The Slope Analysis Map shall clearly delineate/identify the Slope Bands (i.e. with contrasting colors or hatching), and shall include a tabulation of the total area in square-feet within each Slope Band, as well as the FAR and Residential Floor Area value of each corresponding Slope Band as shown on Table 12.21 C.10-2b.

The Slope Analysis Map shall be prepared using CAD-based, GIS-based, or other type of software specifically designed for such purpose.

(2) **Guaranteed Minimum Residential Floor Area.** Notwithstanding the above, the maximum Residential Floor Area for all Buildings and Accessory Buildings on any Lot may be at least the percentage of the Lot size as outlined in Table 12.21 C.10-3 below or 1,000 square feet, whichever is greater.

Table 12.21 C.10-3
Guaranteed Minimum Residential Floor Area

Zone	Percentage of Lot Size
R1	25%
RS	23%
RE9	20%
RE11	20%
RE15	18%
RE20	18%
RE40	18%
RA	13%

The guaranteed minimum for the original zone as stated in the paragraph above may be used on any Lot in place of the maximum Residential Floor Area calculation in Tables 12.21 C.10-2a and 12.21 C.10-2b. In addition, in the event that a Lot has an area that is less than 50% of the minimum Lot size for its Zone, was made nonconforming in Lot size as a result of an adopted zone change or code amendment changing the minimum Lot size, and met the minimum Lot size requirements of the original zone, the guaranteed minimum for the original zone as stated in this Subparagraph shall apply.

(3) **Residential Floor Area Bonus for RA, RE, and RS Zones.** An additional 20% of the maximum Residential Floor Area as determined by Table 12.21 C.10-2 of this Paragraph (b), or an additional 30% for Lots where the guaranteed minimum outlined in Subparagraph (2) of this Paragraph (b) is utilized, for that Lot shall be allowed if any of the options listed below is utilized. Only one bonus per property is allowed.

(i) **Proportional Stories Option.** The total Residential Floor Area of each Story other than the Base Floor in a multi-Story Building does not exceed 75% of the Base Floor Area. This option shall only apply to flat Building pads where the Slope of the Building pad area prior to any Grading, as measured from the highest and lowest Elevation points of the existing Grade within 5 horizontal feet of the exterior walls of the proposed Building or Structure, is less than 15%; or

(ii) **Front Facade Stepback Option.** The cumulative length of the exterior walls which are not a part of a garage facing the Front Lot Line, equal to a minimum of 25% of the Building width, shall be stepped-back a distance of at least 20% of the Building depth from a plane parallel to the Lot width established at the point of the Building closest to the Front Lot line. When the Front Lot line is not straight, a line connecting the points where the Side Lot lines and the Front Lot line intersect shall be used to establish the plane parallel to the front Lot width. When Through Lots have, or are required to provide, two Front Yard setbacks, the step-back shall be provided along both Front Lot Lines. When referred by the Department of Building and Safety, for unusual Building and/or Lot configuration, the Director of Planning or his/her designee shall determine that the proposed project complies with this provision and qualifies for a Residential Floor Area bonus.

For the purposes of this provision, all exterior walls that intersect a plane parallel to the Front Lot Line at 45 degrees or less shall be considered to be facing the Front Lot Line. The Building width shall be the greatest distance between the exterior walls of the Building measured parallel to the Lot width. The Building depth shall be the greatest distance between the exterior walls of the Building measured parallel to the Lot depth.

This option shall only apply to Structures which are no within 35 feet of the Frontage along an improved Street and on a “flat” Building pad where the Slope of the Building pad prior to any Grading, as measured from the highest point of the existing Grade within 5 horizontal feet of the exterior wall of the proposed Building or Structure to the lowest point of the existing natural Grade within 5 horizontal feet, is less than 15%; or

(iii) **Cumulative Side Yard Setbacks Option.** The combined width of Side Yards shall be at least 25% of the total Lot Width, as defined in Section 12.03 of this Code, but in no event shall a single Side Yard setback be less than 10% of the Lot Width or the minimum required by Paragraph (a) of this Subdivision, whichever is greater. One foot shall be added to each required Side Yard for each increment of 10 feet or fraction thereof of height above the first 18 feet of height. The width of a required Side Yard setback shall be maintained for the entire length of a Side Yard and cannot alternate from one Side Yard to the other; or

(iv) **18-Foot Envelope Height Option.** For properties which are not in the “1SS” Single-Story Height District, the maximum envelope height, measured pursuant to Subparagraph (1) of Paragraph (d) of this Subdivision 10, shall be no more than 18 feet; or

(v) **Multiple Buildings Option.** In addition to the Lot coverage requirements in Paragraph (e) of this Subdivision, any one Building and Structure extending more than 6 feet above Hillside Area Grade, as defined in Section 12.03 of this Code, shall cover no more than 20% of the area of a Lot. Such Buildings or Structures may only be connected by one breezeway, fully enclosed walkway, elevator, or combination thereof of not more than 5 feet in width; or

(vi) **Minimal Grading Option.** For properties where at least 60% of the Lot is comprised of Slopes which are 30% or greater, as determined by a Slope Analysis Map prepared in accordance with Subparagraph (1) of this Paragraph (b), the total amount of any Grading on the site [including exempted Grading, as outlined in Paragraph (f) of this Subdivision (10)] does not exceed the numeric value of 10% of the total Lot size in cubic yards or 1,000 cubic yards, whichever is less (example: a project involving 500 cubic-

yards of Grading on a 5,000 square-foot Lot will be eligible for this bonus option).

(4) **Zoning Administrator's Authority.**

(i) **10% Adjustments.** The Zoning Administrator has the authority to grant adjustments from the requirements of this Paragraph (b) of not more than 10%, pursuant to the authority and procedures established in Subsection A of Section 12.28 of this Code.

(ii) **Residential Floor Area Added to Lots with Existing Buildings Built Prior to August 1, 2010.** The Zoning Administrator has the authority to approve construction with residential floor area added after August 1, 2010, to a lot with a main Building existing prior to that date for which permits have been previously obtained which exceed the requirements of this Paragraph (b), pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Code, provided:

a. the total cumulative Residential Floor Area of all such additions does not exceed 1,000 square feet; and

b. the resulting Building does not exceed the height of the original Building or the height permitted in Paragraph (d) of this Subdivision 10 below, whichever is greater; and

c. at least two off-street covered parking spaces are provided.

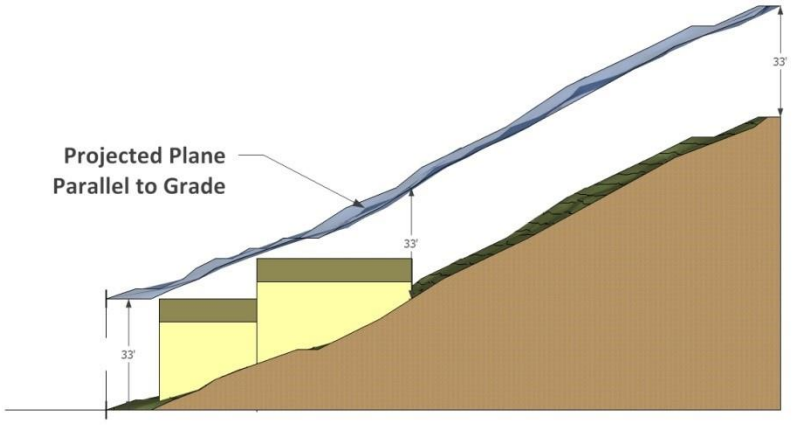
Sec. 29. Paragraph (c) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(c) **Verification of Existing Residential Floor Area.** For additions with cumulative Residential Floor Area of less than 1,000 square feet constructed after August 1, 2010, or remodels of Buildings built prior to August 1, 2010, the existing Residential Floor Area shall be determined based on the Building Records or the Building square footage shown on the most recent Los Angeles County Tax Assessor's records at the time the plans are submitted to the Department of Building and Safety and a plan check fee is paid. Except that Residential Floor Area may be calculated as defined in Section 12.03 of this Code when a complete set of fully dimensioned plans with area calculations of all the Structures on

the Lot, prepared by a licensed architect or engineer, is submitted by the applicant.

Sec. 30. Sub-subparagraph (i) of Subparagraph (1) of Paragraph (d) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

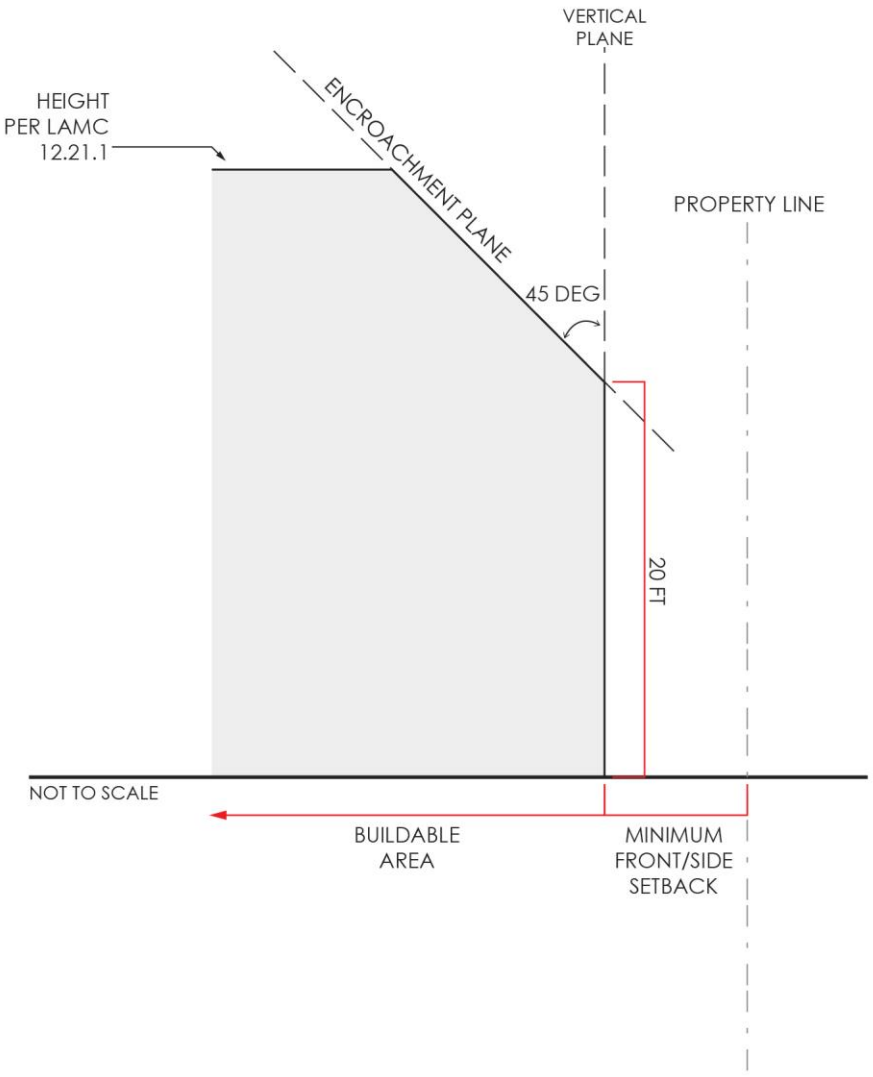
(i) **Maximum Envelope Height.** Envelope height (otherwise known as vertical height or "plumb line" height) shall be the vertical distance from the Hillside Area Grade to a projected plane at the roof Structure or parapet wall located directly above and parallel to the Grade. Measurement of the envelope height shall originate at the adjacent Hillside Area Grade at the exterior walls of a Building or Structure. At no point shall any given section of any part of the proposed Building or Structure exceed the maximum envelope height.



Sec. 31. Sub-subparagraph (ii) of Subparagraph (1) of Paragraph (d) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is added to read:

(ii) **Encroachment Plane**. In the R1 Zone, Building height shall not intersect a plane, commencing 20 feet in height at the minimum required front and side yards and extending at an angle of 45 degrees from the vertical toward the interior of the site. The encroachment plane restriction does not apply to roof structures as allowed by Section 12.21.C.10(d)(7). For the purpose of this provision,

height shall be measured from the existing or finished grade, whichever is lower, at each point along the perimeter of the building.



A topographic map shall be submitted as a separate plan sheet or as part of the site plan identifying the perimeter of the exterior walls, or any other information which the Department of Building and Safety deems necessary to determine compliance with this Paragraph (i).

Sec. 32. Subparagraph (5) of Paragraph (d) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(5) **Lots Fronting on Substandard Hillside Limited Streets.** For any Lot fronting onto a Substandard Hillside Limited Street, as defined in Section 12.03, no portion of a Building or

Structure within 20 feet of the Front Lot Line shall exceed 24 feet in height. The 24 foot maximum Building and Structure height shall be measured from the Elevation at the centerline or midpoint of the Street on which the Lot fronts.

Sec. 33. Subparagraph (6) of Paragraph (d) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(6) **Unenclosed/Uncovered Cantilevered Balconies.** Unenclosed/uncovered cantilevered balconies and "visually permeable railing" (no more than 42 inches in height), may project beyond the maximum envelope height, as limited and measured in Subparagraph (1) of this Paragraph (d), no more than 5 horizontal feet.

For the purposes of this Subparagraph (6), "visually permeable railing" means railing constructed of material that is transparent, such as glass or plastic panels, or wrought iron or other solid material which is 80% open to light and air.

Sec. 34. Paragraph (f) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(f) **Grading.** Notwithstanding any other provisions of this Code, total Grading (Cut and Fill) on a Lot shall be limited as outlined below. No Grading permits shall be issued until a Building permit is approved.

(1) **Maximum Grading Quantities.** The cumulative quantity of Grading, or the total combined value of both Cut and Fill or incremental Cut and Fill, for any one property shall be limited to a base maximum of 1,000 cubic yards plus the numeric value equal to 10% of the total Lot size in cubic yards. Example: a 5,000 square-foot Lot would have a maximum Grading amount of 1,500 cubic yards (1,000 cubic yards for the base amount + 500 cubic yards for the 10% calculation).

However, the cumulative quantity of Grading shall not exceed the maximum "by-right" Grading quantities outlined by Zone in Table 12.21 C.10-6 below.

Table 12.21 C.10-6 Maximum "By-Right" Grading Quantities	
Zone	**Maximum Grading (cubic yards)**
R1	2,000
RS	2,200
RE9	2,400
RE11	2,800
RE15	3,200
RE20	4,000
RE40	6,600
RA	3,600

(2) **Import/Export Limits.** Earth import and export activities may take place only between the hours of 9 a.m. and 3 p.m., Monday through Friday. The maximum quantity of earth import or export shall be limited to the following quantities:

(i) **Lots Fronting on Standard Hillside Limited Streets or Larger.** For a property which fronts onto a Standard Hillside Limited Street or larger, as defined in Section 12.03 of this Code, the maximum quantity of earth import and export combined shall be no more than the maximum "by-right" grading quantities as listed in Table 12.21 C.10-6 above .

(ii) **Lots Fronting on Substandard Hillside Limited Streets.** For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, the maximum quantity of earth import and export combined shall be no more than 75 percent of the maximum "by-right" grading quantities as listed in Table 12.21 C.10-6 above .

(iii) **Exempted On-Site Grading Activity.** Earth quantities which originate from, or will be utilized for any exempted Grading activity listed in Subparagraph (3) of this Paragraph (f) shall be exempted from the maximum import and export quantities set forth in this Paragraph (f). A plan indicating the destination and/or source (i.e. exempted Grading activity or non-exempted Grading activity) of any import and/or export shall be submitted as part of a Grading permit application.

(3) **Exemptions.**

The Grading activities outlined in the sub-subparagraphs below shall be exempt from the Grading and/or earth transport

limitations established in Subparagraphs (1) and (2) of this Paragraph (f). However, any excavation from an exempted activity being used as Fill, outside of a 5-foot perimeter from the exempted Grading activities, for any other on-site purpose shall be counted towards the limits established in Subparagraph (1) of this Paragraph (f).

(i) Cut and/or Fill for deepened foundation systems (such as caissons and piles), water storage tanks, required stormwater retention improvements, and required animal keeping site development that do not involve the construction of any freestanding retaining walls.

(ii) Cut and/or Fill, up to 500 cubic yards, for driveways to the required parking or fire department turnaround closest to the accessible Street for which a Lot has ingress/egress rights.

(iii) Remedial Grading as defined in Section 12.03 of this Code as recommended in a Geotechnical Investigation Report, prepared in accordance with Sections 91.7006.2, 91.7006.3, and 91.7006.4 of this Code, and approved by the Department of Building and Safety - Grading Division.

(iv) Fill resulting from Cut underneath the footprint of the main Building, not to exceed 50 percent of said Cut.

(4) **Zoning Administrator's Authority.** A Zoning Administrator may grant the following deviations from the requirements of Subparagraphs (1) and (2) of this Paragraph (f), pursuant to the authority and procedures established in Subdivision 28 of Subsection X of Section 12.24 of this Code.

(i) Grading in excess of the maximum "by-right" Grading quantities listed in Subparagraph (1) of this Paragraph (f), but in no event shall the quantities exceed the true value of 1,000 cubic yards plus the numeric value equal to 10% of the total Lot size in cubic yards.

(ii) For a property which fronts onto a Standard Hillside Limited Street or larger, as defined in Section 12.03 of this Code, increase the maximum quantity of earth import and export combined greater than the maximum "by-right" grading quantities as listed in Table 12.21 C.10-6, up to the

amount calculated pursuant to Subparagraph (1) of this Paragraph (f).

For a property which fronts onto a Substandard Hillside Limited Street, as defined in Section 12.03 of this Code, increase the maximum quantity of earth import and export combined greater than 75 percent of the maximum "by-right" grading quantities as listed in Table 12.21 C.10-6, up to the amount calculated pursuant to Subparagraph (1) of this Paragraph (f).

(5) **New Graded Slopes.** All new Graded Slopes shall be no steeper than 2:1 (horizontal: vertical), except when the Department of Building and Safety - Grading Division has determined that Slopes may exceed 2:1 pursuant to Section 91.105 of this Code.

(6) **Grading Activity on 100% Slopes.** Notwithstanding the Grading, Excavations and Fills provisions in Chapter IX of this Code (the Los Angeles Building Code), when any Grading activity is proposed on any slope of 100% or greater, as identified on the Slope Analysis Map, the Department of Building and Safety – Grading Division shall require the Geotechnical Investigation Report (also referred to as a soils and/or geological report) to include the most stringent level of geotechnical analysis and reporting feasible, and in sufficient detail to substantiate and support the design and construction methods being proposed.

A Deputy Grading Inspector, also referred to as a Registered (Licensed) Deputy Inspector, paid for by the owner, will be required to be on site when said Grading activity is being conducted in order to ensure that all work is being done in accordance with the recommendations of the Geotechnical Report, the approved plans, and/or the applicable Grading requirements of the Los Angeles Building Code for applicable Grading or foundation earthwork in Hillside Areas.

(7) **Grading Plan Check Criteria.** Grading plans and reports shall be submitted for approval with Building plans, and shall include those items required by Section 91.7006 of this Code.

Sec. 35. Subparagraph (2), Paragraph (g) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(2) **Additional Required Spaces.** For a main Building and any Accessory Building located on a Lot which fronts on a

Substandard Hillside Limited Street, excluding Floor Area devoted to required parking, which exceed a combined Residential Floor Area of 2,400 square feet, there shall be one additional parking space provided for each additional increment of 1,000 square feet or fraction thereof of Floor Area for a maximum of 5 total on-site spaces. These additional required parking spaces are not required to be covered. Notwithstanding the provisions of Subparagraph (1) of this Paragraph (g), when a Lot fronts onto a Substandard Hillside Limited Street, the additional parking spaces may be located within the required Front Yard.

Sec. 36. Subparagraph (2) of Paragraph (i) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(2) **Adjacent Minimum Roadway Width.** For any new construction of, or addition to, a One-Family Dwelling on a Lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet, and that provides vehicular access to the Lot or is determined by the City Engineer to be needed foreseeably to provide future access to the Lot or any other Lot, no Building permit or Grading permit shall be issued unless the construction or addition has been approved pursuant to Section 12.24 X.28 of this Code.

Sec. 37. Subparagraph (2) of Paragraph (l) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(2) **Residential Floor Area Added to Lots with Existing Buildings Built Prior to August 1, 2010.** Any construction with Residential Floor Area added after August 1, 2010, to a Lot with a main Building existing prior to that date for which Building permits have been previously obtained, provided that:

(i) the total cumulative Residential Floor Area of all such additions does not exceed 500 square feet (excluded from calculations of this 500 square foot limitations is Floor Area devoted to required covered parking); and

(ii) the resulting Building complies with the requirements of Paragraphs (a) (Setback Requirements), (d) (Height Limits), and (f) (Grading) of this Subdivision 10.

Sec. 38. Subparagraph (6) of Paragraph (l) of Subdivision 10 of Subsection C of Section 12.21 of the Los Angeles Municipal Code is amended to read:

(6) **Large Active Remedial Grading Projects.** Properties with active Remedial Grading Permits for 100,000 cubic yards or more which have been issued by the Department of Building and Safety-Grading Division before July 1, 2010, are exempt from Paragraphs (b) (Maximum Residential Floor Area), (d) (Height Limits), and (f) (Grading) of this Subdivision. Such properties shall remain subject to the provisions of Subdivision 17 of Subsection A. of Section 12.21 of this Code, and all other zoning and Building regulations applicable at the time Building Permits are issued. This exception shall expire 85 months after July 1, 2010.

Sec. 39. Paragraph (c) of Subdivision 1 of Subsection A of Section 12.23 of the Los Angeles Municipal Code is amended to read:

(c) A Building, nonconforming as to the Residential Floor Area regulations on properties zoned RA, RE, RS, and R1, not including properties in the Coastal Zone which are not located in a Hillside Area, as defined in Section 12.03 of this Code, shall not be added to or enlarged in any manner, except as permitted by Section 12.21 C.10(l) and except as may be approved or permitted pursuant to a discretionary approval, as that term is defined in Section 16.05 B. of this Code. However, alterations, other than additions or enlargements, may be made provided that at least 50 percent of the perimeter length of the contiguous exterior walls and 50 percent of the roof are retained.

Sec. 40. Paragraph (d) of Subdivision 2 of Subsection C of Section 12.28 of the Los Angeles Municipal Code is amended to read:

(d) For R1, RS, RE, and RA Zoned properties the Zoning Administrator must conduct a public hearing for any Adjustment or Slight Modification requests.

Sec. 41. 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.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk

By _____
Deputy

Approved _____

_____
Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By _____

_____ City Attorney

File No. _____

Findings

General Plan/Charter Findings

1. In accordance with **Charter Section 556**, the proposed ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan in that it would establish regulations to reduce the development potential of single-family residential structures on single-family zoned lots not located in the Coastal Zone.

   The proposed ordinance is consistent with the following goals, objectives, and policies of the General Plan Framework, in addition to several similar provisions echoed in most of the Community Plans that make up the Land Use Element of the General Plan:

   Goal 3B Preservation of the City's stable single-family residential neighborhoods.

   Objective 3.5 Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.

   Policy 3.5.2 Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.

   Policy 3.5.4 Require new development in special use neighborhoods such as water-oriented, rural/agricultural, and equestrian communities to maintain their predominant and distinguishing characteristics.

   The current R1 regulations allow large, box-like structures that compromise the character of established neighborhoods and limit light and air to adjacent buildings. The proposed ordinance is necessary in order to preserve and maintain the character and scale of existing single-family neighborhoods and ensure that future development is more compatible. The new regulations allow for the construction of structures that are slightly larger, but still compatible with a typical single-family neighborhood.

   Furthermore, the current building envelope allowed for single-family homes in the R1 Zone is inadequate because it does not further limit the setback distance of the upper portions of these walls, adding significantly to the looming nature of structures. The new building envelope would require that walls over a certain height be set back further than required on the ground floor.

   With regard to the BHO, currently there are no limits to the quantity of grading from beneath the footprint of the structure. This has resulted in major alterations of the City's natural terrain, the loss of natural on-site drainage courses, increased drainage impacts to the community, off-site impacts, and increased loads on under-improved hillside streets during construction. In order to address these issues, while still allowing for reasonable construction and grading activity, the Baseline Hillside Ordinance proposes to link the amount of grading allowed on a property to the size of the lot, and restrict the volume of earth allowed to be imported and exported from a property, including that beneath the footprint of the house.

2. In accordance with Charter Section 558(b)(2), the adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice because its measures are needed to regulate single-family residential development in order to avoid the further degrading effects of out-of-scale structures in the various neighborhoods throughout the City of Los Angeles as a result of the current Baseline Mansionization and Baseline Hillside Ordinances (BMO and BHO). The measures in the proposed ordinance are needed to avoid the continuing negative impacts upon established neighborhoods around the City created by the current development standards.

   The proposed ordinance substantially advance a legitimate public interest in that it will further protect single-family residential neighborhoods from out-of-scale development that often leads to structures that are built-out to the maximum size allowed in the LAMC. In recent years, Citywide property values have increased rapidly and this high premium for land has driven a trend where property owners and developers tear down the original houses and replace them with much larger structures or significantly remodel existing houses with large-scale two-story additions which are out-of-scale with the neighboring properties. Good zoning practice requires new development standards for single-family residential zones to further maintain and control the preservation of neighborhood character. This proposed ordinance accomplishes this requirement.

   The proposed ordinance is not arbitrary as the Department has thoroughly analyzed many different approaches and has determined that the proposed amendments are the simplest and most direct way of dealing with the issue of mansionization. There is a reasonable relationship between a legitimate public purpose which is maintaining existing single-family residential neighborhood character and the means to effectuate that purpose. Delaying the implementation of these code amendments could result in the continuation of over-sized development of single-family residential neighborhoods which is inconsistent with the objectives of the General Plan and would create an irreversible negative impact on the quality of life in the communities within the City.

CEQA Finding

The Department of City Planning determined that the proposed ordinance would not have a significant impact on the environment. Negative Declaration ENV-2015-4197-ND was prepared for any potential impacts on the physical environment.

On the basis of the whole of the record before the lead agency, including any comments received, the lead agency finds that there is no substantial evidence that the proposed ordinance have a negative effect on the environment. The attached Negative Declaration was published in the Los Angeles Times on Thursday, June 30, 2016, and reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are located at the Code Studies Division of the Planning Department in Room 701, 200 North Spring Street.

Delegation of City Planning Commission Authority

In accordance with **Charter Sections Charter 559**, and in order to insure the timely processing of this ordinance, the City Planning Commission authorizes the Director of Planning to approve or disapprove for the Commission any modification to the subject ordinance as deemed necessary by the Department of Building and Safety and/or the City Attorney's Office. In exercising that authority, the Director must make the same findings as would have been required for the City Planning Commission to act on the same matter. The Director's action under this authority shall be subject to the same time limits and shall have the same effect as if the City Planning Commission had acted directly.