

ORDINANCE NO. 182451

A proposed ordinance amending Sections 12.24 and 19.11 of the Los Angeles Municipal Code to allow for the transfer of residential density in mixed-use unified developments in specific zones, remove reference to expiring Redevelopment Project Areas, and make minor technical corrections.

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

Section 1. Subdivision 19 of Subsection W of Section 12.24 of the Los Angeles Municipal Code is amended to read as follows:

19. Floor area ratio averaging and residential density transfer in unified developments.

(a) **Floor Area Ratio Averaging.** The averaging of floor area ratios may be permitted for buildings which will comprise a unified commercial, industrial, or mixed-use development in the C or M zones citywide or in the R5 zone within the Central City Community Plan Area, even if buildings on each individual parcel or lot would exceed the permitted floor area ratio. However, the floor area ratio for the unified development, when calculated as a whole, may not exceed the maximum permitted floor area ratio for the height district(s) in which the unified development is located.

(b) **Residential Density Transfer.** The transfer of residential density may be permitted for buildings which will comprise a unified mixed-use development in the C zones citywide or in the R5 zone within the Central City Community Plan Area, even if buildings on each individual parcel or lot would exceed the permitted density. However, the number of all dwelling units and guest rooms for the unified development, when calculated as a whole, may not exceed the maximum number permitted based on the minimum lot area per dwelling unit and guest room standards set forth in the zone(s) in which the unified development is located.

(c) **Definition.** A unified development for purposes of this subdivision shall mean a development which is:

(1) a combination of functional linkages, such as pedestrian or vehicular connections;

(2) in conjunction with common architectural and landscape features, which constitute distinctive design elements of the development;

(3) is composed of two or more contiguous parcels, or lots of record separated only by a street or alley; and

(4) when the development is viewed from adjoining streets appears to be a consolidated whole.

(d) **Finding.** In addition to the findings otherwise required by this section, before granting an approval, the Zoning Administrator shall find that the development, although located on separate parcels or lots of record, is a unified development as defined by this subdivision.

(e) **Procedures.** In addition to the requirements of subsection A through Q of this section, all persons with an ownership interest in the property requesting floor area ratio averaging, residential density transfer, or both, and all persons with mortgage interests, including those persons holding ground leases, must sign the application. A current title search shall be submitted with the application to ensure that all persons with an ownership interest in the property have signed the application.

(f) **Covenant.** If the Zoning Administrator approves the floor area ratio averaging or residential density transfer, then the applicants shall file a covenant running with the land with the Department of Building and Safety prior to the issuance of any building permits:

(1) guaranteeing to continue the operation and maintenance of the development as a unified development;

(2) indicating the floor area and, if applicable, density used on each parcel and the floor area and, if applicable, density potential, if any, that would remain;

(3) guaranteeing the continued maintenance of the unifying design elements; and

(4) specifying an individual or entity to be responsible and accountable for this maintenance and the fee for the annual inspection of compliance by the Department of Building and Safety, required pursuant to Section 19.11.

Sec. 2. Section 19.11 of the Los Angeles Municipal Code is amended to read as follows:

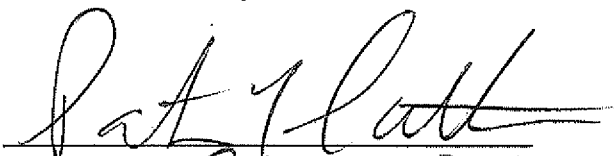
SEC. 19.11. ANNUAL INSPECTION OF COMPLIANCE WITH FLOOR AREA RATIO AVERAGING AND RESIDENTIAL DENSITY TRANSFER COVENANTS.

A fee of \$300.00 shall be charged and collected by the Department of Building and Safety to cover the cost of an annual inspection to monitor compliance with, and maintain records of, the covenant required pursuant to Sections 12.24 B.25 and 12.24 C.58 of this Code prior to July 1, 2000, and Section 12.24 W.19 of this Code on and after July 1, 2000.

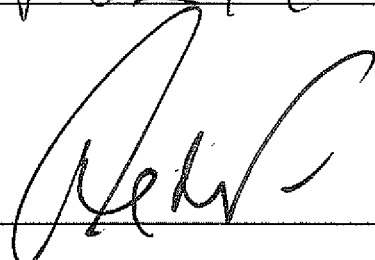
Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board 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 FEB 12 2013.

JUNE LAGMAY, City Clerk

By 
Deputy

Approved FEB 16 2013


Mayor

Approved as to Form and Legality

CARMEN A. TRUTANICH, City Attorney

By 
KENNETH T. FONG
Deputy City Attorney

Date 9-20-12

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission and recommend that it be adopted

September 28 2012

See attached report.


Michael LoGrande
Director of Planning

File No(s). CF 10-1353

DECLARATION OF POSTING

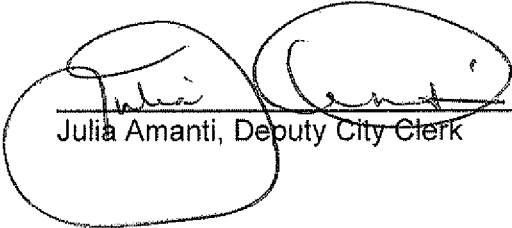
I, JULIA AMANTI, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 182451 – Amending the Los Angeles Municipal Code to Allow for the Transfer of Residential Density in Mixed-Use Unified Developments in Specific Zones, Remove Reference to Expiring Redevelopment Project Areas, and Make Minor Technical Corrections, a copy of which is hereto attached. Under the direction of said City Clerk, pursuant to Section 40804 of the Government Code, on **February 22, 2013**, I posted a true copy of said statement at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **February 22, 2013** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **22nd** day of **February, 2013** at Los Angeles, California.



Julia Amanti, Deputy City Clerk

Ordinance Effective Date: April 4, 2013

Council File No. 10-1353