

Baseline Mansionization Ordinance (BMO) & Baseline Hillside Ordinance (BHO)

CODE AMENDMENT | Q&A | Revised August 31, 2016



What is the purpose of the BMO/BHO Code amendment?

The City's current development standards for single-family zones are referred to as the Baseline Mansionization and Baseline Hillside Ordinances, or BMO and BHO. These regulations were established to address out-of-scale development in single-family zones throughout the City and related construction impacts in Hillside Areas. The purpose of the BMO/BHO Code amendment is to update and refine the current rules relating to the size and bulk of new and enlarged homes, as well as grading of hillside lots.

Why is the BMO/BHO Code amendment needed?

The City began crafting new regulations for single-family zones in 2006 to address the proliferation of out-of-scale single-family development and extensive hillside grading. In 2008, new regulations, known as the Baseline Mansionization Ordinance (BMO), were adopted, followed in 2011 by the Hillside Area counterpart, known as the Baseline Hillside Ordinance (BHO).

As development pressure increased, vulnerabilities in the regulations became more apparent. Especially for R1-zoned properties, the BMO and BHO were not as effective at curtailing large-scale homes and construction impacts as originally anticipated. These issues have not been unique to Los Angeles; other Southern California cities, as well as those in other regions, have experienced similar pressures and subsequently reassessed their regulations.

A multitude of residents and neighborhood organizations asked their respective City Councilmembers for stronger controls. In response, the City Council instructed the Department of City Planning to draft an amendment to the BMO regulations. Additionally, the Council called for restrictions in selected Hillside Area neighborhoods covered by the BHO, citing concerns about the scale of new development as well as impacts from excessive grading and hauling. The Department determined that the best way to respond to these concerns would be a Code amendment addressing the BMO and the BHO.

How is the varied nature of Los Angeles' neighborhoods being taken into account in the BMO/BHO Code amendment?

In a city as diverse as Los Angeles, no one size fits all; different neighborhoods have differing concepts of what constitutes appropriately scaled development. Because the BMO and BHO are citywide regulations, any amendments to them must strike a balance between those various ideas. This Code amendment offers substantial improvement on the most urgent issues, while the Department works to create more tailored single-family zones for everyone through *re:code LA*.

What is the difference between the BMO/BHO Code amendment and other single-family zoning initiatives currently in progress?

There are several single-family zoning initiatives currently in progress:

Interim Control Ordinances (ICOs). In 2015 an Interim Control Ordinance (ICO) covering various residential neighborhoods was adopted to temporarily restrict development until a more permanent solution is available. This first ICO expires in March 2017. A second ICO, covering several additional neighborhoods, was adopted by the City Council on June 29, 2016.

re:code LA R1 Variation Zones. The ongoing effort to comprehensively rewrite the Zoning Code will include new single-family zones to better address the diversity of Los Angeles' neighborhoods. The preparation and adoption of a new menu of R1 Zones (a component of the new single-family zones) is being accelerated to be available for neighborhoods that are currently subject to one of the City's residential ICOs. These new R1 Zones will contain regulations tailored to the needs of individual communities, such as neighborhoods where the predominant character is detached garages, single-story houses, or houses that are larger in scale.

BMO/BHO. The BMO/BHO Code amendment will serve as a more immediate response to the scale of development for neighborhoods not subject to an ICO. It will provide carefully considered regulations while the new *re:code LA* single-family zones are developed for citywide application.

How has the City involved residents, stakeholders, and members of the public in the process of drafting the BMO/BHO Code amendment?

The Department of City Planning publicly released two drafts of the proposed ordinance and held a total of eight public meetings, in addition to accepting comments in writing, by email, and over the phone. In total, more than 300 spoken comments and 1,000 written comments were received.

The first draft of the BMO/BHO Code Amendment was released on October 30, 2015. The Department held four public meetings around the City on **December 2, 3, 15 and 16, 2015**. Staff received valuable feedback from the testimony and comments that were submitted.

As a result, staff conducted additional research and analysis and prepared a revised draft of the BMO/BHO Code amendment, which was released on April 21, 2016. The Department held four additional public meetings on **May 4, 9, 10 and 16, 2016**. Each meeting included a presentation, question-and-answer period, and public hearing. Staff reviewed the comments and recommended a set of changes for the City Planning Commission's consideration and action.

The City Planning Commission held a public hearing on the BMO/BHO Code amendment at its regular meeting on **July 14, 2016**. The Commission heard spoken comments from members of the public for approximately two hours before voting to approve the proposed amendment with modifications.

What are the key elements of the City Planning Commission-approved BMO/BHO Code amendment?

The version of the BMO/BHO Code amendment that was approved by the City Planning Commission on July 14, 2016 includes the following changes to existing Zoning Code provisions:

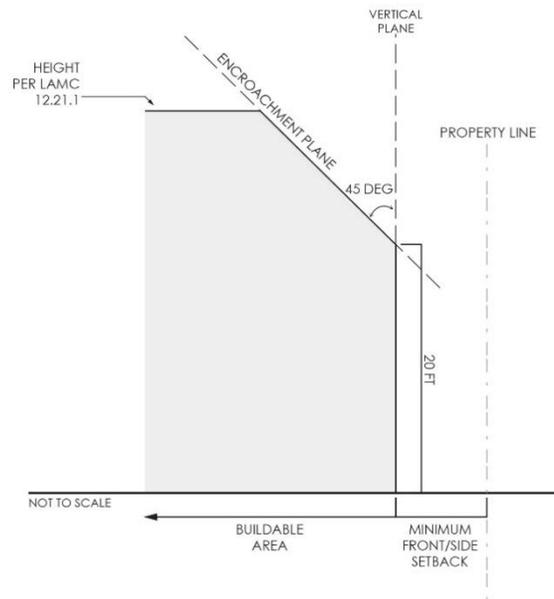
For all single-family zones (R1, RA, RE, RS)

- Eliminate the existing Residential Floor Area exemption for the first 100 square feet of over-in-height (over 14 feet in height) ceilings.
- Eliminate the Residential Floor Area exemption for covered porches, patios, & breezeways (currently 250 square feet).
- Retain the full Residential Floor Area exemption for detached garages and rear attached garages (up to 400 square feet). Reduce the exemption for front attached garages to 200 square feet.
- Eliminate the Residential Floor Area bonus option for green buildings.
- Require a public hearing in order to grant a Zoning Administrator's Adjustment for additional Residential Floor Area, regardless of whether the property is in a designated Hillside Area.

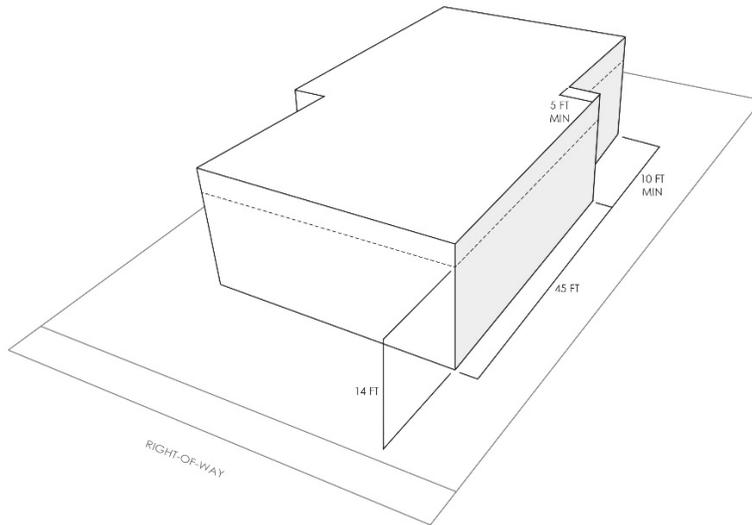
For all R1 Zones

- Reduce maximum Floor Area Ratio from 0.5 to 0.45, regardless of lot size.
- Eliminate all of the Residential Floor Area bonus options.
- Require occupied roof decks to be set back 3 feet from minimum side yard.
- Require articulation of the front façade.

- Establish an encroachment plane limit for building height over 20 feet.



- Establish a side wall articulation requirement for walls more than 45 feet in length and 14 feet in height.



For R1 Zones not in designated hillside areas

- Limit driveway to 25% of lot width (but not less than 9 feet), or the width of an existing driveway.

For all single-family zones in designated hillside areas

- Remove the grading exemption for cut and fill underneath a structure.
- Retain grading exemption for deepened foundation systems, such as pile foundations and caissons.
- Retain grading exemption for fill resulting from non-exempt cut underneath the footprint of the main building, up to one-half of said cut.
- In conjunction with counting previously exempted grading:
 - Adjust the formula for maximum grading allowed:
 - **Existing:** 500 cubic yards plus the numeric value equal to 5% of the lot size in cubic yards
 - **Proposed:** 1,000 cubic yards plus the numeric value equal to 10% of the lot size in cubic yards
 - Adjust the maximum “by-right” grading quantities:

Zone	EXISTING Maximum “By-Right” Grading Quantity (cubic yards)	PROPOSED Maximum “By-Right” Grading Quantity (cubic yards)
R1	1,000	2,000
RS	1,100	2,200
RE9	1,200	2,400
RE11	1,400	2,800
RE15	1,600	3,200
RE20	2,000	4,000
RE40	3,300	6,600
RA	1,800	3,600

- In conjunction with counting previously exempted grading, modify allowed import/export quantities:
 - Standard Hillside Limited Streets and larger – up to the maximum “by-right” grading quantities.
 - Substandard Hillside Limited Streets – up to 75 percent of the maximum “by-right” grading quantities.
- Restrict import/export activities to 9 a.m. – 3 p.m., Monday-Friday.

The proposed Code amendment also contains a number of technical edits and clarifications.

Would the Code amendment apply to projects currently in the process of obtaining permits?

The Code amendment will apply to projects submitted to the Department of Building & Safety for plan check after the effective date of the ordinance. Therefore, any projects submitted (including a complete set of plans plus a plan

check fee) or processed before the effective date will not be affected by this proposed Code amendment.

When will the Code amendment take effect?

Amendments to the Los Angeles Municipal Code take effect 31 days after being posted or published by the City Clerk. Following final adoption by the City Council, the Mayor has 10 days to sign the ordinance, after which the ordinance will go to the City Clerk for posting or publishing. The City Council's legislative process is open-ended and there is no fixed timeline for adoption.

What are the next steps? How can I get more information or share my input?

On July 14, 2016, the City Planning Commission considered the Code amendment at a public hearing and recommended that it be adopted by the City Council.

The Code amendment will be considered next by the City Council's Planning and Land Use Management (PLUM) Committee, followed by the full City Council. The committee hearing will be held on a date to be determined.

Email us at NeighborhoodConservation@lacity.org to join our interested parties list and receive updates on the proposed Code amendment and other single-family zoning initiatives. For more information, visit preservation.lacity.org and click "Neighborhood Conservation," then "Updates."

Comments on the Code amendment should be addressed directly to the PLUM Committee and/or City Council. Comments may be emailed to Sharon.Dickinson@lacity.org; please reference Council File 14-0656 in your correspondence.

For questions, contact Niall Huffman, Niall.Huffman@lacity.org 213-978-3405.