

ARTICLE 1.
**INTRODUCTORY
PROVISIONS**

PREFACE

This Chapter 1A of the Los Angeles Municipal Code serves as the new Zoning Code, a comprehensive update of the City's zoning system. The new Zoning Code will be applied incrementally on a geographic basis through the update of the City's community plans. In drafting the revised plans, the new zoning tools provided in this Chapter 1A will be applied to properties within each community plan area.

Eventually, Chapter 1A will supercede and serve as the only Zoning Code for Los Angeles. However in the interim, until all the community plans have been updated and properties remapped using the new zoning system, properties in community plan areas not yet updated will be regulated by the provisions of the Zoning Code found in existing Chapter 1 . Only when the entire City has been rezoned using the new zoning in this Chapter 1A will Chapter 1 be removed from the Los Angeles Municipal Code.

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DIV. 1.1. **GENERAL MUNICIPAL CODE PROVISIONS**

[RESERVED]

DIV. 1.2. **MUNICIPAL CODE ADMINISTRATIVE
CITATIONS**

[RESERVED]

DIV. 1.3. **INTRODUCTORY PROVISIONS**

SEC. 1.3.1. **OPENING PROVISIONS**

A. **Title**

This document is the "Zoning Code of the City of Los Angeles," and is referred to or cited throughout the document as "this Chapter". This Chapter is a part of the Los Angeles Municipal Code which is referred to or cited throughout the document as "this Code."

B. **Intent**

1. The intent of this Chapter is to implement the City's General Plan, Community Plans, and any other policy documents pertaining to planning, land use, and urban design.
2. This Chapter regulates the development and uses allowed on property subject to this Chapter.
3. This Chapter is intended to:
 - a. Provide zoning options that realize a wide variety of community visions established in plans throughout the City.
 - b. Provide clear standards and consistent procedures for appropriate and effective public involvement in land use and development decisions.
 - c. Promote sustainable building and site design practices.
 - d. Provide standards for compatible transitions of use, building scale, and height between existing and new development.
 - e. Provide building form and site design standards that address the public aspects of private development and how building form, placement, and uses contribute to the quality of the public realm.
 - f. Provide access and parking standards that appropriately balance a wide variety of pedestrian and vehicular needs and result in safe pedestrian environments of the highest quality.
 - g. Promote sustainable building, site, and landscape design practices that advance the livability, function, and beauty of Los Angeles.
 - h. Provide opportunities for diverse housing options.
 - i. Provide standards for a variety of development patterns that emphasize connectivity between our mobility networks.

SEC. 1.3.2. APPLICATION OF THIS CHAPTER

A. Territorial Application

1. This Chapter refers only to the omission or commission of acts within the territorial limits of the City and that territory outside of this City over which the City has jurisdiction or control by virtue of the Constitution, Charter or any law, or by reason of ownership or control of property.
2. *Article 13* (Administration) applies to all land use and development in the City, including those areas in which Chapter 1 (General Provisions and Zoning) of this Code is still in effect. The remainder of this Chapter applies to development with zone designations set out in this Chapter, and does not include those areas in which Chapter 1 (General Provisions and Zoning) of this Code is still in effect.
3. Chapter 1 (General Provisions and Zoning) of this Code does not apply to those areas in which this Chapter is applicable, unless expressly stated in this Chapter.

B. Required Conformance

1. All buildings, structures or land, in whole or in part, shall be used or occupied in conformance with this Chapter.
2. Any Project Activity, as outlined in *Sec.14.1.17*. (Project Activities), in whole or in part, shall be done so in conformance with this Chapter.
3. The provisions of this Chapter apply to all buildings, structures or land owned, operated or controlled by any person, corporation or to the extent permitted by law, or governmental agency.
4. In the event that any provision of the Chapter conflicts with Article 7 (Fire Code) of Chapter 5 (Public Safety and Protection) of this Code, Article 7 (Fire Code) of Chapter 5 (Public Safety and Protection) of this Code shall prevail.

C. Certificate Of Occupancy

No vacant land shall be occupied or used, except for agricultural uses, and no building erected or structurally altered shall be occupied or used until a certificate of occupancy shall have been issued by the Superintendent of Building.

1. Certificate of Occupancy for a Building

- a. A certificate of occupancy for a new building or the enlargement or alteration of an existing building shall be applied for coincident with the application for a building permit. The certificate of occupancy shall be issued after the request for it has been made in writing to the Superintendent of Building after the erection, enlargement or alteration of the building or part of the building has been completed in conformity with the provisions of these regulations. Pending the issuance of a regular certificate, a temporary certificate of occupancy may be issued by the Superintendent of Building for a period not to exceed

six months, during the completion of alterations or during partial occupancy of a building pending its completion. Such temporary certificate shall not be construed as in any way altering the respective rights, duties, or obligations of the owners or of the City relating to the use or occupancy of the premises or any other matter covered by this Chapter, and such temporary certificate shall not be issued except under such restrictions and provisions as will adequately insure the safety of the occupants.

- b. No excavation for any building shall be started before application has been made for a certificate of occupancy.

2. **Certificate of Occupancy for Off-Site Parking, Alleys, Loading Zones, & Residential Planned Developments**

- a. Whenever the automobile parking spaces which are required for a building by the provisions of this Chapter, are provided on a lot other than the one on which the building is located, the certificate of occupancy for said building shall be valid only while such parking spaces are being so maintained and shall bear a notation to that effect. Said certificate shall be kept posted in a conspicuous place in the building. The Superintendent of Building shall keep a record of each lot on which required automobile parking spaces are provided for a building located on another lot, and whenever the Superintendent of Building finds that such automobile parking spaces are no longer so maintained, the Superintendent of Building shall notify the persons having custody of the building of that fact. If at any time such automobile parking spaces are not being maintained, the certificate of occupancy shall automatically be canceled and said building shall not thereafter be occupied or used until the required automobile parking spaces are again provided and a new certificate is issued.
- b. Whenever a lot abutting a public alley in a Commercial or Commercial-Mixed Use District is developed and used solely for dwelling or apartment house purposes with no more than 20 dwelling units on the lot and no loading space is provided, the certificate of occupancy for any building thereon shall be valid only while all the buildings on said lot are maintained for said use and the certificate shall bear a notation to that effect. If at any time any of the buildings on said lot are structurally altered or enlarged, or the use thereof is changed to a hospital, hotel, institution, commercial or industrial purposes, or a dwelling or apartment house so as to exceed 20 dwelling units on the lot, the certificate shall automatically be canceled and none of the buildings on said lot shall thereafter be occupied or used until the required loading space is provided and a new certificate is issued.
- c. Wherever authority is granted to permit the sale of a lot in a residential planned development contingent upon the possession of an interest in common areas and facilities which are appurtenant to said lot, the Certificate of Occupancy for buildings on said lot shall be valid only while said interest is held by the owner. Said interest may be through shares of stock or voting membership in an owners association.

3. Certificate of Occupancy for Land

A certificate of occupancy for the use of vacant land or a change in the character of the use of land, including the construction of tennis or paddle tennis courts, as herein provided, shall be applied for before any such land shall be occupied or used for any purpose except that of tilling the soil and the growing therein of farm, garden or orchard products; and a certificate of occupancy shall be issued after the application has been made, provided such use is in conformity with the provisions of this Code.

4. Certificate of Occupancy - Contents - Filing Fee

The certificate of occupancy shall state that the building or proposed use of a building or land conforms to the provisions of this Chapter. A record of all certificates shall be kept on file in the office of the Superintendent of Building, and copies shall be furnished, on request, to any person having a proprietary or tenancy interest in the building or land affected. A fee shall be charged for each original certificate of occupancy as established in Chapter 9 (Building Regulations) of this Code.

5. Plats

All applications for a certificate of occupancy shall be made on a form to be furnished by the Superintendent of Building, and shall contain accurate information and dimensions as to the size and location of the lot, the size and location of the buildings or structures on the lot, the dimensions of all yards and open spaces, and such other information as may be necessary to provide for the enforcement of these regulations. Where complete and accurate information is not readily available from existing records, the Superintendent of Building may require the applicant to furnish a survey of the lot prepared by a licensed surveyor. The applications and plats shall be kept in the office of the Superintendent of Building, and the duplicate copy shall be kept at the building at all times during construction.

6. Recorded Agreements

Whenever a recorded agreement(s) is required as part of the approval of a project as a prerequisite to the issuance of the required building permit or certificate of occupancy, the owner(s) of said lot(s) shall record an agreement in the Office of the County Recorder of Los Angeles County, California, as a covenant running with the land for the benefit of the City of Los Angeles, providing that such owner or owners shall continue to maintain conformance with such agreement(s) so long as the building or use they are intended to serve is maintained.

D. Interpretation

1. Control Over Less Restrictive Laws and Regulations

Unless otherwise stated, if any condition or requirement imposed by this Chapter is more restrictive than a condition or requirement imposed by any other City law, rule or regulation of any kind, the more restrictive condition or requirement governs.

2. **State & Federal Law**

This Chapter shall comply with State and Federal law.

3. **Text and Graphics**

Illustrations, graphics, and photographs are included in this Chapter only to assist users in understanding the intent and requirement of the text. In the event that a conflict occurs between the text of this Chapter and any illustrations, graphics, or photographs, the text shall prevail.

4. **Effect of Heading**

See Sec. 11.00.(f) (Heading, Effect of) of Chapter 1 (General Provisions and Zoning) of this Code.

5. **References to Other Laws**

In addition to the provisions of Sec. 11.05. (Effect of Renumbering or Redesignation of Provisions or Sections in Statutes or Codes of the State of California Which Are Referred to in the Los Angeles Municipal Code) of Chapter 1 (General Provisions and Zoning) of this Code, whenever a provision of this Chapter refers to any other part of the Chapter or to any other law, the reference will be deemed to apply to any subsequent amendment of that law.

E. **Effect of Adoption on Past Actions and Obligations**

See Sec. 11.00.(d) (Effect of Code on Past Actions and Obligations Previously Accrued) of Chapter 1 (General Provisions and Zoning) of this Code.

F. **Inconsistent Permit or License**

See Sec. 11.02. (Inconsistent Permits and Licenses) of Chapter 1 (General Provisions and Zoning) of this Code.

SEC. 1.3.3. **SEVERABILITY**

See Sec. 11.00.(k) (Validity of Code) of Chapter 1 (General Provisions and Zoning) of this Code.

DIV. 1.4. ZONING CODE ATLAS

SEC. 1.4.1. GENERAL

A. Purpose

The land use and development regulations outlined in this Chapter provide responsive zoning solutions to many planning policy objectives. Typically, these provisions apply in a geographically-specific manner through mapped zoning districts, specific plans, supplemental districts, special districts, and other types of land designations. This collection of public right-of-way and parcel-specific maps is referred to as the Zoning Code Atlas. Zoning Code Atlas maps ("atlas maps") enable the City to effectively coordinate the application of regulations by establishing zoning districts, specific plans, supplemental districts, or other land designations through which geographic planning objectives can be addressed and further enhance the regulatory tools provided by this Chapter.

B. Maintenance and Access

1. Adoption and Maintenance of Atlas Maps

Atlas maps shall be created pursuant to *Sec. 13B.1.3. (Zoning Code Amendment)* and amended as established for each Atlas Map.

a. Atlas Maps

The maps established in this Division, maintained by the City of Los Angeles Department of City Planning ("City Planning"), published as layers of digital files that are part of its Geographic Information Systems database, shall:

- i. Delineate the boundaries of the various zoning districts, specific plans, supplemental districts, special districts, and other types of land designations through which regulations in this Chapter are made applicable.
- ii. Include all matters, notations, and representations.
- iii. Be adopted and approved, incorporated herein and made a part hereof, and collectively constitute the official Zoning Code Atlas.

b. Record of Changes

All changes to atlas maps shall be made by updating the digital file for each change with the date of the change. All amendments to official atlas maps shall be maintained by the Department, and made available to the public. Atlas maps shall be marked pursuant to a system of identification established by City Planning.

c. Scale of Map

Atlas maps shall be maintained in the City's adopted datum, maintained by the Department of Public Works, Bureau of Engineering. Where a boundary is not a street, alley or lot line,

or where property indicated on the atlas map is not subdivided into lots and blocks, the boundary on the atlas map is determined by the scale and projection contained on the map and any meta-data included as part of the Geographic Information Systems database file.

d. **Land Base Dataset**

The Department of Public Works, Bureau of Engineering is responsible for reviewing identifying, and updating the City's public and private land records, and establishes and maintains the City's land base dataset used by City Planning. City Planning shall make the necessary adjustment to the Zoning Code Atlas as updates to the land base dataset are issued.

e. **Annexations**

If the City's jurisdiction is amended, changes in the atlas map shall be identified by updating the Geographic Information Systems database file with the date of the change.

2. **Accessing Atlas Maps**

Zoning Code Atlas Maps can be accessed electronically through City Planning's Zoning Information and Map Access System (ZIMAS), or on the Zoning Code Atlas in the Department's Map Gallery on the Department website. Hard copies of Zoning Code Atlas maps can be made available by visiting one of City Planning's Development Services Centers and making a reproduction request with payment of any applicable fees.

SEC. 1.4.2. **ZONING MAP**

A. **APPLICABILITY**

1. **Zoning Districts**

In order to regulate the use and development of property, as provided for in this Chapter, land is designated with the following districts for zoning purposes. The first "bracket set" contains the zoning districts that determine the built environment, and the second "bracket set" contains the zoning districts that determine the types of activities on a lot. Although the zoning districts may refer or have standards that are tied to other districts, each is independent and are combined in response to the variety of planning needs found throughout the City.

[Form – Frontage – Standards] [Use – Density]

- a. "Form" districts are outlined in *Article 2*.
- b. "Frontage" districts are outlined in *Article 3*.
- c. Development Standards ("Standards") districts are outlined in *Article 4*.
- d. "Use" districts are outlined in *Article 5*.
- e. "Density" districts are outlined in *Article 6*.

2. Alternate Typologies

The zoning districts established in this Chapter recognize that, in general, the physical form of development need not be determined by its use. There are certain cases, however, in which the physical form that development takes is directly tied to a specific use or activity. In those cases, *Article 7* (Alternate Typologies) outlines a series of regulatory solutions that overrides specific regulations otherwise addressed by zoning districts applied to a lot. Each alternate typology establishes eligibility parameters for each option, and what metrics it supersedes from the applicable zoning districts.

3. Specific Plans & Supplemental Districts

In addition to the provisions of Subdivision 1. (Zoning Districts) above, additional regulations may be applied as outlined in *Article 8* (Specific Plans & Supplemental Districts). These are represented in a third bracket set of the zoning using the acronym "SP" for specific plans or the acronyms established for the respective supplemental district. The third bracket set may include multiple specific plans or supplemental districts separated by a "-".

4. Special Districts

In order to achieve specific planning objectives in designated areas having unique characteristics, special districts may replace the zoning and supplemental districts established in Subdivisions 1. (Zoning Districts) and 3. (Specific Plans & Supplemental Districts) above. Special districts respond to unique conditions and stipulate land use and development requirements and/or incentives tailored to distinctive qualities that may not lend themselves to the regulations established in this Chapter, except as outlined within each special district.

The special districts outlined below shall serve as the designated zone, in lieu of zoning districts, specific plans, and supplemental districts, where applied.

a. "FWY" Freeways

The "FWY" Freeway Special District is intended to regulate property owned by the California Department of Transportation (Caltrans). To the extent that Caltrans is using or building on State-owned property for highway purposes, it will be immune from the regulations established in this Chapter. However, when Caltrans property is being used wholly or in part for other purposes, the following limitations on development and use shall apply.

i. Development of Caltrans Land

Development of land is limited to a maximum floor area of 50 percent of the lot area.

ii. Use of Caltrans Land

The use of Caltrans land for non-highway purposes shall be limited to those listed below, and only permitted by approval of the City Planning Commission, pursuant to *Sec. 13B.2.3*. (Class 3 Conditional Use Permit), and is limited to the following uses. In

addition to the findings outlined in *Sec. 13B.2.3*. (Class 3 Conditional Use Permit), the City Planning Commission shall also determine that in approving the proposed use, the project will not expose the general public to prolonged or sustained health and safety impacts.

- a) Civic
- b) Nature Conservation Area
- c) Parking
- d) Park and Open Space
- e) Public Safety Facility
- f) Car Wash
- g) Vehicle Sales and Rental, including: Used Vehicle Sales, Light; Vehicle Sales and Rental, Light; and Vehicle Sales and Rental, Heavy
- h) Vehicle Storage, including: Official Police Garage; Vehicle Storage, Light; Vehicle Storage, Heavy
- i) Self-Service Storage
- j) General Storage, except Cargo Container Storage Yard

iii. **Sale of Caltrans Land**

In the event Caltrans property is sold to another party, the limitations established in this Paragraph shall continue to apply unless the "FWY" Freeway Special District designation has been changed to a zone pursuant to *Sec. 13.B.1.4*. (Zone Change).

b. **"SL" Ocean - Submerged Land**

The "SL" Ocean - Submerged Land Special District is intended to regulate the Los Angeles City seacoast and off-shore water and underwater areas. These areas constitute a unique and important geographical and scenic resource, utilized for shipping, industry, commerce, residence and recreation.

Offshore zoning is a related and appropriate extension of city planning and zoning principles and practices on land. Their basic purpose is to protect all users of affected land from the recognized problems and depreciation brought about by unregulated development. Particular purposes in Los Angeles include (1) protection of the recreational, residential and scenic uses of coast areas, now much in demand for these uses and with greater demand forecast for the future; (2) preservation of the near seaward prospect of residential zones along the coast, where this outlook constitutes part of the environment and value of overlooking onshore properties and (3) provision

for such other uses as benefit the public and City without significant impairment of these recreational and residential uses.

To permit new coastline or off-shore developments of conflicting type which are not essential to the public interest and could jeopardize or downgrade existing recreational and residential users, would not constitute proper consideration of public necessity, convenience, general welfare and good zoning practice.

To realize the purposes enumerated above, in accordance with established city planning principles, practice and supportive zoning, certain general objectives shall be met and certain specific requirements are normally necessary for the constructive control of off-shore activities, whether achieved by zone change, variance, supplemental district or otherwise.

i. General Provisions

- a)** There shall be no chemical and biological contamination, visual clouding or soiling of urban coastline, beaches or offshore waters by industrial/commercial uses.
- b)** Installations on-shore, temporary or relatively permanent, shall be of such size, nature, location and spacing that they do not significantly interfere with or adversely affect the residential and recreational use, operation, environment or enjoyment of coastline and off-shore areas.
- c)** The preservation of urban coastline and off-shore areas, above and below water level, in the natural state or for recreation and residence, should take precedence if their function and enjoyment are threatened by additional potentially conflicting off-shore uses which are not clearly of greater public necessity and interest.
- d)** Any shoreline industrial/commercial uses should be of limited and designated duration, with provision for complete removal of installations and restoration of the prior or natural state after expiration of the permissible time period, unless such removal and restoration are unnecessary to maintain desirable recreational and residential environment.
- e)** No industrial/commercial operations should be undertaken where or when they may cause significant alterations to the underlying geologic stability of other areas, offshore and onshore, or otherwise bring about undesirable changes of basic topographical condition.
- f)** Piers, jetties, causeways, human-made islands, bridges or other connective structures should be prohibited, except when they enhance the recreational/residential environment.

- g)** Emission of smoke, steam, chemical, odor, sound, artificial light of other form of atmospheric pollutant or environmental impairment from any seaside industrial/commercial installation or facility should be controlled to fulfill the purposes of this zoning.
- h)** No provision of off-shore urban zoning should conflict with State, Federal or international rights or control established by law within the same geographical areas.

ii. Development of Ocean - Submerged Land

- a)** Any development on property of any kind within an "SL" Ocean - Submerged Land special district shall be permitted only by approval of the City Planning Commission, pursuant to Sec. 13B.2.3. (Class 3 Conditional Use Permit).
- b)** No piers, jetties, man-made islands, floating installations or the like are permitted in connection with any permitted uses unless authorized under the provisions of Sec. 13B.2.3. (Class 3 Conditional Use Permit).

iii. Use of Ocean - Submerged Land

No property of any kind within the "SL" Ocean - Submerged Land special district shall be used except for the following uses, or when a supplemental district is created by the provisions of Article 8 (Specific Plans & Supplemental Districts), provided, however, that in no event shall any property be used for surface-type operations (either above or below water level) relating to oil drilling and production of oil, gas or hydrocarbons.

- a)** Navigation
- b)** Commercial Shipping
- c)** Fishing
- d)** Recreation
- e)** Any use required by any trust or legislative grant to the City of Los Angeles.

5. Zoning of Annexed or Unzoned Land

- a.** All land or territory annexed to the City after the effective date of this Chapter is automatically classified [HV3-DF1-1][RL1-1L] unless the City Council specifically determines otherwise.
- b.** The City Council may establish specific zoning by ordinance for land or territory to be annexed. The zoning ordinance may be adopted concurrently with the annexation. Unless the specific zoning is established by ordinance, the Zoning Map shall be amended to indicate the land or territory annexed as [HV3-DF1-1][RL1-1L] without additional proceedings.

- c. Any land or territory in the City not indicated on the Zoning Map as being in any zone will be construed as being classified in the most restrictive zone that exists on an adjacent lot on the same side of the street, or a lot on the opposite side of the street or highway of the subject land or territory, and the Zoning Map shall be amended to indicate that zone without additional proceedings.

B. BOUNDARIES

1. Street, Alley or Lot Lines

Zone boundaries occur at street, alley, or lot lines unless otherwise shown on the Zoning Map, using the land base dataset, and where the indicated boundaries on the Zoning Map are approximately a street, alley or lot line, the street, alley or lot line are the boundaries of the zone.

2. Street or Right-of-Way

- a. A street, alley, railroad or railway right-of-way, watercourse, channel, or body of water included on the Zoning Map shall, unless otherwise indicated, be included within the zone boundaries of the adjoining property on either side of the street, alley, railroad or railway right-of-way, watercourse, channel or body of water.
- b. Where the street, alley, right-of-way, watercourse, channel, or body of water serves as a boundary between two or more different zones, a line midway in the street, alley, right-of-way, watercourse, channel, or body of water, and extending in the general direction of its long dimension is the boundary between zones.

3. Vacated Street or Alley

- a. In the event a dedicated street or alley shown on the Zoning Map is vacated, the property formerly in the street or alley shall be included within the zone of the adjoining property on either side of the vacated street or alley.
- b. In the event the street or alley was a zone boundary between two or more different zones, the new zone boundary is the former centerline of the vacated street or alley.

C. AMENDMENTS

1. Zone Changes

a. Process

At the direction of City Council, pursuant to *Sec. 13B.1.4. (Zone Change)*, the Director of Planning is authorized to revise the Zoning Map. At the direction of City Council for the adoption of a specific plan, pursuant to *Sec. 13B.1.2. (Specific Plan Adoption/Amendment)*, the Director of Planning is authorized to revise the Zoning Map. No unauthorized person may alter or modify the Zoning Map.

2. **Zone Boundary Adjustments**

a. **Process**

Whenever public necessity, convenience, general welfare or good zoning practice justifies the action, the Director of Planning may approve, conditionally approve, or deny a zone boundary adjustment, pursuant to *Sec. 13B.5.2. (Adjustment)*, and make minor adjustments to the location of a zone boundary to carry out the intent of this Section when:

- i. Property as shown on the Zoning Map has been divided or approved for division into parcels or lots and blocks by a final parcel or tract map, and the parcel or lot and block arrangement does not conform to that anticipated when the zone boundaries were established;
- ii. Property was redivided or approved for subdivision by a final parcel or tract map action into a different arrangement of lots and blocks than indicated on the Zoning Map; or
- iii. Where uncertainty exists in applying the provisions of this Subdivision or where revision is necessary to correct dimensional or mapping errors, the Director of Planning may determine the location of the zone boundary.

b. **Limitation**

Zone boundary adjustments permitted pursuant to this Subdivision are limited to a distance of no more than 50 feet. When the adjustment is requested prior to recordation, the Director of Planning's decision does not become effective until after the parcel map or final tract map has been recorded with the Office of the County Recorder.

c. **Dedications**

The Director of Planning may require that the abutting streets, alleys, or highways be dedicated and improved in conformance with the standards for improvement of streets, alleys, and highways, if it is determined that traffic on the abutting streets, alleys or highways will be increased or impeded as a result of the zone boundary adjustment. An offer to dedicate or filing of a bond in conformance with *Sec. 10A.1.3. (Dedication Procedure)* and *Sec. 10A.1.4. (Improvement Procedure)* may be construed as compliance with these requirements.

d. **Zoning Map**

The Zoning Map shall conform with the Director of Planning's decision after the conditions are imposed, if any.

SEC. 1.4.3. PRIMARY STREET MAP

A. APPLICABILITY

Each lot shall have at least one primary street lot line based on a set of criteria established in *Section 14A.1.12.B.* (Lot Line Determination; Primary Street Lot Line). However, a side street lot line may be re-designated into a primary street lot line when the adjacent right-of-way has been established as a primary street on the Primary Street Map.

B. BOUNDARIES

The Primary Street Map is composed of street segments made up of a line midway in the street, alley, railroad or railway right-of-way, watercourse, channel, or body of water, and extending in the general direction of its longest dimension between each intersection of each midway in the street, alley, railroad or railway right-of-way, watercourse, channel, or body of water.

C. AMENDMENTS

At the direction of City Council pursuant to *Sec. 13B.1.3.* (Zoning Code Amendment), the Director of Planning is authorized to revise the Primary Street Map. No unauthorized person may alter or modify the Primary Street Map.

SEC. 1.4.4. HILLSIDE AREA MAP

A. APPLICABILITY

The Hillside Area Map identifies lots with topographical features subject to additional regulations intended to address the specific nature of hillside development. These additional regulations are outlined in this Chapter and are applicable by reference to this Atlas Map.

B. BOUNDARIES

Any land designated, using the Bureau of Engineering land base dataset, as "Hillside Area" as shown in the shaded portion of the Hillside Area Map.

C. AMENDMENTS

At the direction of City Council pursuant to *Sec. 13B.1.3.* (Zoning Code Amendment), the Director of Planning is authorized to revise the Hillside Area Map. No unauthorized person may alter or modify the Hillside Area Map.

SEC. 1.4.5. TARGETED PLANTING AREAS MAP

A. APPLICABILITY

Lots identified as being within an identified planting area, as established in Subsection B. (Boundaries) below, on the Targeted Planting Areas Map shall comply with the corresponding planting requirements in a separate regulatory document named "Department of City Planning -

Targeted Planting Areas Guide" (Planting Guide) as established and amended by the City Planning Commission pursuant to Sec. 13.B.1.5. (Policy Action).

B. BOUNDARIES

Any land designated, using the Bureau of Engineering land base dataset, as any of the following planting area designations in the Planting Area Map.

1. River Planting Area

Plants in these areas, and outlined in this category in the Planting Guide, shall be limited to:

- a.** Native plants that occur naturally in a given geographic area, which can be trees, flowers, grasses, or any other plants, included in the California Native Plant Library.
- b.** Species included in the Watershed Wise Plant List published by the Council for Watershed Health.
- c.** Species included in the Los Angeles County River Master Plan's Landscaping Guidelines and plant palettes comprised primarily of native plants suitable for a riparian habitat.

2. Filtration Planting Area

Trees planted in these areas, and outlined in this category in the Planting Guide, shall be low in water use, low in biogenic emissions, high in carbon and particulate matter filtration qualities and retain foliage for more than six months of the year.

C. AMENDMENTS

At the direction of City Council pursuant to Sec. 13.3.3. (Zoning Code Amendment), the Director of Planning is authorized to revise the Targeted Planting Areas Map. No unauthorized person may alter or modify the Targeted Planting Areas Map.

SEC. 14.6. COASTAL ZONE MAP

A. APPLICABILITY

The Coastal Zone Map is the land and water area boundaries established by the State Legislature as defined in the "Coastal Zone" definition in Section 30103 of Division 20 (California Coastal Act) of the California Public Resources Code. This map is intended to facilitate the implementation of the applicable provisions of the California Coastal Act.

B. BOUNDARIES

1. Coastal Zone

The "Coastal Zone" shall mean land and water area within the City specified on maps prepared by the California Coastal Commission, copies of which are on file with the Department of City Planning and the Office of City Engineer. Such "Coastal Zone" extends seaward to the City's outer limit of jurisdiction, and generally extends inland 1000 yards from the mean high tide line

of the sea. In significant coastal estuarine, habitat and recreational areas it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone extends inland 1000 yards.

2. Calvo Exclusion Area

The "Calvo Exclusion Area" shall mean land within the City as specified on maps prepared by the California Coastal Commission, copies of which are on file with the Department of City Planning.

C. AMENDMENTS

This map is intended to reflect the most current Coastal Zone and Calvo Exclusion Area boundaries provided by the California Coastal Commission in order to implement the applicable provisions of Division 20 (California Coastal Act) of the California Public Resources Code. The Coastal Zone Map will be updated as Coastal Zone and Calvo Exclusion Area boundaries are updated and published by the California Coastal Commission.

DIV. 1.5. **EMERGENCY PROVISIONS**

SEC. 1.5.1. **LOCAL EMERGENCY TEMPORARY REGULATIONS**

A. **Declaration of Purpose**

It is the purpose and objective of this Division to establish reasonable and uniform regulations to protect the public welfare and to provide a streamlined method for consideration of applications for temporary use approvals and other land use approvals in an emergency, such as fire, storm, severe earthquake, civil disturbance, or other disaster declared by the Governor.

B. **Long-Term Temporary Uses**

1. **Authority of the Zoning Administrator**

- a. Regardless of any other provision of this Chapter to the contrary, the Zoning Administrator has the authority to approve the use of a lot in any zone for the temporary use of property which will aid in the immediate restoration of an area adversely impacted by a severe fire, storm, earthquake, similar natural disaster, or a civil or military disturbance, and declared by the Governor as an emergency area if the Zoning Administrator finds:
 - i. That the nature and short duration of the proposed temporary use assures that the proposed use will not be materially detrimental to the character of development in the immediate neighborhood;
 - ii. That the proposed use will not adversely affect the implementation of the General Plan or any applicable specific plan; and
 - iii. That the proposed use will contribute in a positive fashion to the reconstruction and recovery of areas adversely impacted during the emergency.
- b. In making a determination pursuant to this Section, the Zoning Administrator shall balance the public interest and benefit to be derived from the proposed temporary use against the degree, significance of, and temporary nature of the inconvenience to be caused in the area where the temporary use is located. The Zoning Administrator may promulgate regulations and guidelines as are necessary and proper to administer the provisions of this Division.

2. **Conditions of Approval**

- a. In approving the location of any temporary use, the Zoning Administrator may impose conditions as the Zoning Administrator deems necessary to protect the peaceful and quiet enjoyment of nearby properties. The Zoning Administrator will also require the posting of a completion bond, or other guarantee satisfactory to the Zoning Administrator, to cover the cost of the removal of any improvements made to a site or cleaning of the site after termination of the temporary authorized use.

- b. Furthermore, the Zoning Administrator will require termination of the temporary use within one year from the date of the approval of the temporary use, the removal of all temporary improvements on the site, and the restoration of the site to a permitted use within a reasonable period of time determined by the Zoning Administrator. Approval of any application for a temporary use does not result in any vested or nonconforming rights to carry on the temporary use after the term authorized.
- c. The automobile parking design and improvement provisions of *Sec. 4C.2.4. (Parking Area Design)*, *Sec. 4C.3.4. (Surface Parking Lots)*, and *Sec. 4C.3.7.B. (Buffers and Screens)*, and the yard requirements of this Chapter do not apply to temporary permits for public parking in the Residential Use Districts. However, in approving permits, the Zoning Administrator may impose those conditions as the Zoning Administrator deems necessary to protect the peaceful and quiet enjoyment of the subject and nearby properties.

3. Revocation

- a. The Zoning Administrator may suspend or revoke any temporary use approval, if the Zoning Administrator determines that the temporary use bears no significant relation to the reconstruction and recovery of areas adversely impacted by the emergency, or that the conditions imposed on any temporary use approval have not been complied with, or that an unreasonable level of interference with the peaceful enjoyment of neighboring properties is created by the conduct of any authorized activity.
- b. Prior to the revocation of a temporary use approval, the Zoning Administrator shall give written notice to the record owner or lessee to appear within 5 days, or less if justified by a threat to public health and safety, at a time and place fixed by the Zoning Administrator and show cause why the temporary use approval should not be revoked or why further conditions should not be imposed.
- c. A determination of the Zoning Administrator pursuant to this Subsection may be appealed to the Area Planning Commission on a form prescribed by the Department of City Planning in accordance with the procedures described in this Section.

4. Other Permits and Licenses

This Division does not, except as stated here, modify or affect in any way the duty of any applicant to obtain any other permit or license which may be required under any other provision of this Chapter or State law.

5. Application

- a. An application to allow any temporary use referred to in this Division shall be filed with the Department of City Planning upon forms and accompanied by data as the Department of City Planning may require.

- b. The application may be filed by an owner or a lessee and shall be verified by the applicant attesting to the truth and correctness of all facts and information presented with, or contained in the application and shall also be signed by the owner of record of any site where the proposed temporary use will be located.
- c. A copy of any application so filed shall be transmitted by the Department of City Planning to the Council Member of the district in which the proposed use would be located and to the Department of Transportation for their information.

6. **Notice and Hearing**

- a. Upon the filing of a verified application, the Zoning Administrator shall set the matter for public hearing. Notice of the time, place, and purpose of the hearing shall be given by mailing a written notice at least 14 days prior to the date of the hearing to the applicant, to the owner of the subject property, to adjoining and abutting property owners, and to property owners directly across the street or alley from the subject property. For this notice, the following shall be used: the last known name and address of the property owners as shown upon the records of the City Engineer or the records of the County Assessor.
- b. An application for a temporary use shall be set for public hearing unless the Zoning Administrator makes written findings, attached to the file involved, that the requested temporary use:
 - i. Will not have a significant effect on adjoining properties or on the immediate neighborhood; or
 - ii. Is not likely to evoke public controversy.

7. **Time Limit**

The Zoning Administrator shall make a determination within 30 days from the filing of a verified application. This time limit may be extended by mutual written consent of the applicant and Zoning Administrator.

8. **Fee**

An application for an approval pursuant to this Section does not require any filing fee.

9. **Decisions by the Zoning Administrator**

Decisions by the Zoning Administrator shall be supported by written findings of fact based upon written or oral statements and documents presented to the Zoning Administrator, which may include photographs, maps and plans, together with the results of the Zoning Administrator's investigations. Upon making a decision, the Zoning Administrator shall mail a copy of the written findings and decisions to the applicant, and to the other persons who were required to be notified under *Sec. 1.5.1.B.6. (Notice and Hearing)* above.

10. Decision Effective and Appeal

The decision of the Zoning Administrator is final, unless appealed, after an elapsed period of 10 days from the date of mailing a copy of the written findings and decision to the applicant. During this period, any person aggrieved by the decision may file a written appeal to the Area Planning Commission. The appeals shall set forth specifically the points at issue, the reasons for the appeal, and how the appellant believes there was an error or abuse of discretion by the Zoning Administrator. No fee will be charged for this appeal.

11. Failure to Act

If the Zoning Administrator fails to make a decision on a temporary land use application within the time limit specified in Subdivision 7. (Time Limit) above, then the applicant may file a request in the Office of Zoning Administration for a transfer of jurisdiction to the Area Planning Commission and for a decision by the Area Planning Commission on the original application. In that case, the Zoning Administrator will lose jurisdiction and the Area Planning Commission shall assume jurisdiction, provided, however, that the matter may be remanded to the Zoning Administrator or the Area Planning Commission may accept the applicant's request for withdrawal of the transfer of jurisdiction. In either case, the Zoning Administrator will regain jurisdiction for the time and purpose specified by the Area Planning Commission.

12. Transfer of Jurisdiction

When considering any matter transferred to its jurisdiction pursuant to *Sec. 1C.1.3. (Special Provisions for Other Proceedings)* because of the failure of the Zoning Administrator to act, the Area Planning Commission shall make its decision within 30 days after the request to transfer jurisdiction is filed. All decisions become final on the date of mailing a copy of the Area Planning Commission's decision to the applicant.

13. Record on Appeal

Within five days of receipt of the filing of an appeal, the case file of the Zoning Administrator appealed, and the appeal shall be delivered to the Area Planning Commission. At any time prior to the action by the Area Planning Commission on the appeal, the Zoning Administrator may submit supplementary pertinent information as the Zoning Administrator deems necessary or as may be requested by the Area Planning Commission.

14. Appeal Hearing Date-Notice

Upon receipt of the appeal, the matter shall be set for an Area Planning Commission hearing and notice shall be given by mail of the time, place and purpose of the hearing to the appellant, to the applicant, to the owner or owners of the property involved, to the Zoning Administrator and to any other interested party who has requested in writing to be so notified. This notice shall be in writing and mailed at least five days prior to the hearing.

15. Appeal Hearing Date-Continuance

Upon the date set for the hearing, the Area Planning Commission will hear the appeal, unless, for cause, the Area Planning Commission shall on that date continue the matter. No notice of continuance need be given if the order to continue is announced at the time for which the hearing was set.

16. Area Planning Commission Decision

- a. When considering an appeal from an action by the Zoning Administrator, the Area Planning Commission shall make its decision within 15 days (in the case of a revocation, within 10 days) after the expiration of the appeal period, or within an extended period of time as may be mutually agreed upon in writing by the applicant and the Area Planning Commission. The Area Planning Commission shall base its decision only upon:
 - i. Evidence introduced at the hearing, or hearings, if any, before the Zoning Administrator, on the issue;
 - ii. The record, findings and determination of the Zoning Administrator; and
 - iii. The consideration of arguments, if any, presented to the Area Planning Commission orally or in writing.
- b. If an applicant or aggrieved person wishes to offer into the proceedings any new evidence in connection with the matter, a written summary of that evidence, together with a statement as to why that evidence could not reasonably have been presented to the Zoning Administrator shall be filed with the Area Planning Commission prior to the hearing. If the Area Planning Commission fails to act on any appeal within the time limit specified in the Subsection, the determination of the Zoning Administrator is final.
- c. The Area Planning Commission may modify or reverse the ruling, decision or determination appealed from only upon making findings indicating how the action of the Zoning Administrator was in error or constituted an abuse of discretion and shall make specific findings supporting any modification or reversal. The decision of the Area Planning Commission is final as of the date of its determination on the matter. After making a decision, a copy of the findings and determination shall be placed on file in the Department of City Planning and a copy of the determination shall be furnished to the applicant, the appellant, and the Department of Building and Safety.

C. Special Provisions For Other Proceedings

1. Regardless of any provision of this Chapter or any other ordinance to the contrary, with respect to those uses, buildings and sites destroyed or damaged in connection with a declared emergency, and in the area covered by the declaration of emergency, the following exceptions apply:
 - a. Payment of all Department of City Planning and Zoning Administrator fees may be deferred until the applicant seeks any certificate of occupancy.

- b. For applications relating to new actions pursuant to *Div. 13B.2. (Quasi-Judicial Review)*, *Sec. 13B.4.5. (Project Exception)*, *Article 12 (Nonconformities)*, and *Sec. 13B.5.3. (Variance)*, any project permits pursuant to moratorium ordinances or interim control ordinances, and any revocation or modification proceedings:
 - i. If the law otherwise requires or authorizes a public hearing, the matter shall be set for public hearing unless the Zoning Administrator, the Area Planning Commission, the City Planning Commission, or Director of Planning, makes written findings, attached to the file involved, that the matter:
 - a) Will not have a significant effect on adjoining properties or on the immediate neighborhood; or
 - b) Is not likely to evoke public controversy.
 - ii. Provided, however, that no hearing will be waived in any proceeding involving:
 - a) Alcohol Sales, On-Site Consumption
 - b) Alcohol Sales, Off-Site Consumption
 - c) Swap Meets
 - d) Gun Sales
 - e) Alternative Financial Services
 - f) Vehicle Repair, Light
 - g) Vehicle Repair, Heavy
 - iii. When a matter is set for public hearing, written notice of the hearing shall be given to the applicant, the owner or owners of the property involved, and to the owners of all property within and outside of the City within 500 feet of the property involved.
- c. Payment of the Affordable Housing Linkage Fee pursuant to Section 19.18. of Chapter 1 of this Code.

D. Restoration of Damaged or Destroyed Buildings

1. Nonconforming

- a. Regardless of any other provisions of this Division to the contrary, a building nonconforming as to use, yards, height, number of stories, lot area, floor area, density, loading space, parking, off-site signs, or other nonconforming provisions of this Code, which is damaged or destroyed as a result of the declared emergency may be repaired or reconstructed with the same nonconforming use, yards, height, number of stories, lot area, floor area, density, loading space, parking, or off-site signs as the original building. Provided, however, that repair or reconstruction shall be commenced within two years of the date of damage or destruction and completed within two years of obtaining a

permit for reconstruction. Provided, further, that neither the footing nor any portion of the replacement building may encroach into any area planned for widening or extension of existing or future streets as determined by the Department of City Planning upon the recommendation of the City Engineer.

- b.** The provisions of this Section supersede any interim control ordinances, interim plan revision ordinances, specific plans (excluding the South Central Alcohol Beverage Specific Plan, Ord. No. 171,681), and Sec. 5C.1.1. (Project Review Thresholds), and the City's hillside regulations under *Article 4* (Development Standards), except for those Fire Protection and Street Access standards). Regardless of any provision in this Section to the contrary, any existing provision of law regulating the issuance of building or demolition permits for buildings or structures currently with historical or cultural designations on the Federal, State and City lists remain in full force and effect. All historic preservation districts regulations continue in full force and effect with respect to the demolition, repair, and reconstruction of damaged or destroyed buildings or structures.
- c.** For purposes of this Subsection, a building or structure may only be demolished and rebuilt to its non-conforming status, relative to the provisions of this Chapter, any interim control ordinances, interim plan revision ordinances, specific plans (excluding the South Central Alcohol Beverage Specific Plan, Ord. No. 171,681), and Sec. 5C.1.1. (Project Review Thresholds), and the City's hillside regulations under *Article 4* (Development Standards), except for those fire protection and street access standards), if the building or structure is either destroyed or "damaged" in the following manner:

 - i.** Any portion of the building or structure is damaged by earthquake, wind, flood, fire, or other disaster, in such a manner that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and is less than the minimum requirements of this Code for a new building or structure of similar structure, purpose or location, as determined by the Department of Building and Safety; and
 - ii.** The cost of repair would exceed 50 percent of the replacement cost of the building or structure, not including the value of the foundation system, as determined by the Department of Building and Safety.
- d.** Nothing here will be interpreted as authorizing the continuation of a nonconforming use beyond the time limits set forth in *Article 12* (Nonconformities) that were applicable to the site prior to the events which necessitated the declaration of the emergency.
- e.** If issues of interpretation relating to the above provisions arise, the Zoning Administrator is hereby authorized to resolve those issues in light of the scope and purposes of this Subsection.

2. Conditional Uses and Uses that Benefit the Public

- a. Uses authorized by a Conditional Use Permit pursuant *Sec. 13B.2.1.* (Conditional Use Permit, Class 1), *Sec. 13B.2.2.* (Conditional Use Permit, Class 2), or *Sec. 13B.2.3.* (Conditional Use Permit, Class 3), or other procedure in effect at the time of authorization of the approved Conditional Use Permit, are hereby granted an exemption from the requirements of *Sec. 13B.5.4.* (Review or Modification of Entitlement), provided that the structures containing these uses are rebuilt as they lawfully existed prior to their destruction, with the same building footprint and height.
- b. The following uses are considered to be of such importance and their expeditious replacement is of such value to the health and safety of the community that they are hereby granted an exemption from the requirements of *Sec. 13B.5.4.* (Review or Modification of Entitlement), provided that the structures containing these uses are rebuilt as they lawfully existed prior to their destruction, with the same building footprint and height.
 - i. All Public and Institutional Uses
 - ii. Airports
 - iii. Day Care Facilities
 - iv. Medical Facilities, including Ambulance Services, Hospices, and Hospitals
- c. If issues of interpretation or administration relating to the above exemptions arise, the Director of Planning is authorized to resolve those issues in light of the scope and purposes of this Subsection.
- d. As an exception to Subdivision 1. (Nonconforming) above and Paragraphs a. and b. above, the following five uses are not exempt from the provisions of this Chapter, interim control ordinances, specific plans, and interim plan revision ordinances:
 - i. Alcohol Sales, On-Site Consumption
 - ii. Alcohol Sales, Off-Site Consumption
 - iii. Swap Meets
 - iv. Gun Sales
 - v. Alternative Financial Services
 - vi. Vehicle Repair, Light
 - vii. Vehicle Repair, Heavy

3. **Boulevard, Avenue, and Collector Street Dedication and Improvement**

- a. For any lot identified by the City as having sustained damage during and as a result of the situation causing the declared emergency, the issuance of a building permit for a new development on that site does not require improvement of frontage for boulevards, avenues, and collector streets widening purposes under *Article 10* (Streets and Parks).
- b. Nothing here prevents a property owner from voluntarily improving the right-of-way and undertaking public improvements which conform to the applicable sections of this Chapter.

4. **Zoning Administrator Adjustments**

- a. Regardless of any other provision of this Chapter, the Zoning Administrator may grant deviations of no more than ten percent from the City's floor area, height, yard, parking, and loading space requirements for buildings and structures damaged or destroyed in an emergency declared by the Governor when the deviations are necessary to accommodate the requirements of the Americans With Disabilities Act, Federal Fair Housing Amendments Act of 1988, the California Code of Regulations, Title 24, provided the Zoning Administrator finds:
 - i. That the deviations are not likely to cause an undue burden on nearby streets or neighboring properties;
 - ii. That the grant is not likely to evoke public controversy; and
 - iii. That the development cannot feasibly be designed to meet the requisite disabled access standards without the deviations.
- b. Prior to acting on an application for a deviation, the Zoning Administrator shall give notice to all adjoining property owners and hold a public hearing. The Zoning Administrator may waive the public hearing if the Zoning Administrator makes the two findings in Sec. 1C.1.3.A.2. (Special Provisions for Other Proceedings). The notice and procedures provided in Sec. 1C.1.2. (Long-Term Temporary Uses) shall be followed for granting any deviation.

E. **Critical Response Facilities**

1. **Authority of the Department of Building and Safety**

Regardless of any other provision of this Chapter to the contrary, the Department of Building and Safety will, during the first 6 months following the declaration of an emergency, have the authority to issue a temporary permit for the duration of the emergency, on any lot, regardless of zone, for any police, fire, emergency medical or emergency communications facility which will aid in the immediate restoration of an area adversely impacted by a severe fire, storm, earthquake, similar natural disaster, or a civil or military disturbance, and declared by the Governor as an emergency area, provided that the Department of Building and Safety maintains records of all temporary permits.

F. Short-Term Temporary Uses

1. Authority of the Department of Building and Safety

Regardless of any other provision of this Chapter, the Department of Building and Safety will, during the first 6 months following the declaration of an emergency, have the authority to issue a temporary 90-day permit on any lot, regardless of zone, for any temporary use which will aid in the immediate restoration of an area adversely impacted by a severe fire, storm, earthquake, similar natural disaster, or a civil or military disturbance, and declared by the Governor as an emergency area, provided that the Department of Building and Safety maintains records of all temporary permits.

G. Activation and Termination

The provisions of this Division are applicable to a particular area upon the declaration of an emergency by the Governor relating to that area, pursuant to Chapter 7 (California Emergency Services Act) of Division 1 (General) of Title 2 (Government of the State of California) of the California Government Code. The provisions of this Division cease to be applicable to a particular area two years following the date of declaration of emergency, and for one additional year if an extension is approved by the City Council, provided, however, that the provisions of this Division are considered as still remaining in full force and effect thereafter for the purpose of maintaining or defending any civil or criminal proceeding with respect to any right, liability or offense that may have arisen under the provisions of this Division during its operative period, or with respect to enforcing any condition of approval of the temporary permit. The City Council may also extend by resolution any other time limits in this Division for one additional year.